

Regional Planning Committee Revised Agenda

Date: Friday, November 8, 2024
Time: 10:00 am - 3:00 pm
Location: Electronic Zoom Meeting

Pages

1. **CALL TO ORDER**
2. **AGENDA**
 - 2.1 **Review of the Agenda**

Late items, new items and re-ordering of the agenda
 - 2.2 **Approval of Agenda**
3. **PUBLIC COMMENT PERIOD**
4. **DELEGATIONS**

None.
5. **CORRESPONDENCE**
 - 5.1 **2024-09-09 Rich Brooks, Mudge Island Community Association** 4 - 6
 - 5.2 **2024-10-06 Chair Patrick, Community Land Trusts** 7 - 7
 - 5.3 **2024-11-01 Chair Patrick, Bylaw Enforcement Duty vs. Discretion** 8 - 8
 - 5.4 ***2024-11-05 Trustee Elliott, Tiny Homes On Wheels Experts*** 9 - 10
 - 5.5 ***2024-11-08 Trustee Elliott, Tiny Homes On Wheels Project Proposal*** 11 - 17
6. **ADMINISTRATIVE COORDINATION**
 - 6.1 **Draft Minutes of Previous Meetings**

For review and approval

 - 6.1.1 **Regional Planning Committee Draft Minutes of September 4, 2024** 18 - 25
 - 6.2 **Resolutions Without Meeting**

None.

6.3	Follow up Action List	26 - 27
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For review

7. BUSINESS - WORK PROGRAM ITEMS

7.1	Regional Planning Committee Terms of Reference - Briefing	28 - 37
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7.2	Planning Services Project Feasibility Assessment and Local Trust Committee Major Project Business Cases - Briefing	38 - 83
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7.3	Bylaw Compliance and Enforcement Policy Review Updates - Request For Decision	84 - 139
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1. That Regional Planning Committee review and provide direction on the draft Bylaw Compliance and Enforcement Best Practices manual - plain language draft.

2. That Regional Planning Committee review and provide direction on:

1. the draft Trust Council Bylaw Compliance and Enforcement Policy (Policy 5.5.1),
2. the draft Local Trust Committee Bylaw Compliance and Enforcement Policy Template, and
3. the draft Local Trust Committee Handling of Administrative Fairness Complaints Policy (Policy 7.1.2)

7.4	Housing Strategic Action Plan Tiny Homes On Wheels - Briefing	140 - 149
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7.5	Watershed Security Strategy Grant Application for Implementation of the Islands Trust Freshwater Sustainability Strategy - Request For Decision	150 - 164
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That Regional Planning Committee approve staff proceeding with a grant application for \$500,000, over two years, from the Watershed Security Fund, to implement key initiatives under the Islands Trust Freshwater Sustainability Strategy, including staffing, consulting, and technical resources to undertake the following projects and initiatives:

- Islands Trust Area Freshwater Footprint,
- Islands Trust Area Watershed Resiliency Mapping,
- Freshwater Sustainability Regulatory and Policy Audit,
- Freshwater Helpdesk,
- Islands Trust Freshwater Atlas, and
- Freshwater Sustainability Technical Advisory Committee.

8. BUSINESS - OTHER

None.

9. BUSINESS - NEW

None.

10.	WORK PROGRAM	165 - 171
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For review and referral to Trust Council before each quarterly TC meeting

11. NEXT MEETING

To be determined.

11.1 Proposed Regional Planning Committee Meeting Dates For 2025 - Request For Decision

172 - 174

1. That Regional Planning Committee adopt the meeting dates of February 7, May 9, July 18, and October 31 for the 2025 calendar year, and February 6 for the 2026 calendar year.
2. That Regional Planning Committee schedule all the proposed Regional Planning Committee meeting dates as electronic meetings.

12. CLOSED MEETING

If desired:

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90, (quote the pertinent section here, for example, (1)(a) personal information about...) and that the recorder and staff [attend/not attend] the meeting.

13. RISE AND REPORT

If desired

14. ADJOURNMENT

*Approximate time is provided for the convenience of the public only and is subject to change without notice.



September 9th, 2024

Islands Trust

Regional Planning Committee
C/O Gabriola Islands Trust
700 North Road, Gabriola Island
BC, V0R 1X3

Via e-mail (and mail) to lpatrick@islandstrust.bc.ca RPC@islandstrust.bc.ca

Attention; Ms. Laura Patrick, Chair Regional Planning Committee and Members of the Regional Planning Committee, Islands Trust,

RE: MICA Input for Proposed Bylaw Compliance & Enforcement Policy Revisions

Dear Members,

Members of the Mudge Island Community Association attended the Regional Planning Committee meeting on September 4th, 2024. We have a vested interest in reviewing and providing input into the Bylaw Enforcement Policy, particularly given the issues on Mudge Island, which Trustee Elliot eloquently highlighted during the discussion of our submitted letter. We also noted Chair Peter Luckham's comments regarding the existing lack of trust between communities and the Trust, particularly in how bylaw enforcement issues are approached. We would like to offer our perspective on this matter.

Approach and Audience

We heartily agree with the view expressed by Trustee Patrick that updated Policy 5.1.1 should be written in plain language so that it is easily understood by members of the community. Further, the policy addresses too narrow an audience. The current policy and its drafting seem more focused on the effective prosecution of bylaw violations rather than the resolution of complaints. It is a manual for enforcement staff and does not provide guidance for either complainants or those receiving complaints. This is particularly problematic for smaller, less-serviced Gulf Islands, where invasive, on-site investigations clash with the values of privacy and self-sufficiency held by our communities. Further, we find it remarkable that the Trust is seeking to adopt the policy without consultation with the various island communities.



Ready, Fire, Aim

Our recent experience demonstrates how traumatic the issuance of a complaint notice and commencement of an investigation can be for residents. In many cases, we feel that our homes and very lifestyle is being threatened. The problem is that enforcement staff interpret the policy to mean that they have no discretion about whether or not to commence an investigation once they receive a complaint. While discretion is embedded in the existing enforcement policy, Manager Dingman suggested, without clear reference, that officers have no discretion in deciding whether to investigate a complaint. Though an amendment is forthcoming that may allow some discretion, it is solely based on resource availability, which appears self-serving and fails to address the core issue we raised. Furthermore, this does not align with the spirit of discretion recommended in the BC Ombudsperson's Best Practices.

Section 8, Use of Discretion, in the draft policy applies to enforcement but not to the investigation process. The Ombudsperson's Special Report No. 36 (page 27) specifically recommends providing staff with guidelines on whether to investigate a complaint. This critical point remains unaddressed in the current policy, and we sensed resistance to the idea during the meeting. Please understand that the commencement of an investigation creates a huge amount of anxiety, time and cost, which in many cases could be avoided entirely by the judicious exercise of discretion by staff. Waiting until the enforcement stage to exercise discretion causes unnecessary time, cost, work, aggravation and anxiety for all involved over many months.

Lack of Trust

At the Gabriola LTC meeting held on Mudge Island on July 16, Manager Dingman expressly stated that enforcement officers would be investigating only the subject matter of the complaints and would not be on a fishing expedition for other violations. There have been troubling examples from our community of bylaw officers exceeding the scope of their contravention notices, demanding to "poke around" and inspect unrelated matters, despite that assurance. This approach not only undermines trust but also exacerbates the culture clash between Gulf Islanders and the Trust. The perceived authoritarian approach to bylaw enforcement is fostering distrust and fear, rather than cooperation.

On Mudge Island, there is a pervasive sense that Bylaw Enforcement Officers are not seeking to help residents find ways to achieve compliance, but rather are applying the narrowest possible interpretation of land use bylaws without taking a more practical approach, considering the spirit and intent of the bylaw and the impact of the violation.

We respectfully submit that the Bylaw Enforcement Policy should provide clear guidelines allowing discretion for whether investigations should even begin. Furthermore, bylaw

enforcement should take a consultative approach, working with islanders to find reasonable ways to comply with bylaws, with an emphasis on the spirit, rather than the strictest letter, of the regulations. The Ombudsperson's report also recommends implementing a code of conduct to ensure that staff better collaborate with the self-sufficient communities of the Gulf Islands.

We thank you for your time and the opportunity to make this submission and look forward to your comments and input.

Yours truly,
Mudge Island Community Association (MICA)


Rich Brooks, Chairman

cc: MICA Committee Members

The Mudge Island Community Association acknowledges that Mudge Island is traditional territory of many First Nations, including the Coast Salish peoples and the Hul'qumi'num speaking Nations. We are grateful to have the opportunity to live, learn, work and play in their traditional and unceded territories.

From: Laura Patrick
Sent: Wednesday, October 9, 2024 12:15 PM
To: RPC
Subject: Community Land Trusts

Community land trusts are making a comeback and are well suited to repurposing existing housing infrastructure on our islands. We need to get plugged in and attending these types of events. Not in mass, but at least one staff and one trustee should be attending every relevant housing related conference in BC - and reporting on what is being learned. Now this should be a role for RPC and expressed in the housing strategy.

2024 CLT Summit - Canadian Network of
Community Land Trusts
communityland.ca



Laura

From: Laura Patrick
Sent: Friday, November 1, 2024 6:31 AM
To: RPC
Subject: Legal Paper on duty, discretion and liability

Forwarding a recent paper prepared by a lawyer who used to work for Young Anderson and worked on Islands Trust files. It's a long read, but full of interesting tidbits. You can start at page 28, if you want a shorter read.

This is a useful paper for our discussions about discretion in bylaw enforcement.



QUESTIONS OF DUTY, DISCRETION AND LIABILITY¹

**WHEN EVERY BYLAW CANNOT BE EFFECTIVELY
ENFORCED EVERYWHERE ALL AT ONCE**

Presented at the LGCEA Annual Conference
May 16, 2024

Michael Mall

I. INTRODUCTION

A local government bylaw enforcement officer will be aware of many bylaw contraventions within their community. The responses from the community and the local government to these contraventions may differ widely. Some contraventions will be the source of many complaints, whereas others will only be noticed by local government staff. Some contraventions will be committed by difficult, defiant individuals, whereas other contraveners will attract sympathy. And some contraventions will raise significant safety concerns, whereas other contraventions appear to be harmless breaking of the rules. These differences, combined with budgetary and other resource limitations, require the exercise of discretion in enforcement, with some contraventions being prioritized over others. The courts have repeatedly recognized the need for such discretion in effective local government regulation, but the courts have also identified some important limits. These limits include (increasingly rare) statutory duties to enforce bylaws, as well as the obligation

¹ This paper draws on the paper "Liability Claims for Ineffective Enforcement - What's Scary and What's a Scare Tactic" presented by the author with David Giroday at the MSABC Annual Conference in 2023, as well as a paper, "Bylaw Enforcement: Duty vs. Discretion", presented by the author with Barry Williamson at the LGCEA Annual Conference in 2016. The author would like to thank Aidan Andrews for his helpful research and editing.

Bylaw-Enforcement-Duty-vs.-
Discretion
PDF Document · 358 KB

From: Tobi Elliott
Sent: Tuesday, November 5, 2024 11:28 AM
To: RPC
Subject: Re: suggestions for experts for technical roundtables on THOWs

Good Afternoon RPC,

In advance of our meeting on November 8th, I've been doing some background work on a potential approach for THOWs and inter-agency cooperation. I've made some exploratory inquiries with the RDN and CRD to learn where they are at, since the cooperation of Regional Districts is going to be key in this endeavour.

My suggestion for RPC's consideration is that we focus on convening 3 regional roundtables. Relationships with Regional districts and negotiating their priorities and workplans may mean inter-agency work proceeds at different paces.

I would suggest the following timeline:

Gabriola-RDN meeting Winter 2024

CRD-SSI Roundtable Spring 2025

Northern - TBD... potential to convene with Rural Island Economic Partnership, include Cortes and Quadra islands?

I would like to suggest we focus on Gabriola-Regional District of Nanaimo this winter, not because I'm from Gabriola and want to push resources this way, but because the RDN has adopted a non-enforcement policy on non-compliant dwellings in the other areas of the RDN (not islands Trust areas). But also their GM of Planning (Lisa Grant) has reportedly put tiny homes on their work plan for the next year, and is shortly to produce a briefing outlining options for regional housing cooperation. I've asked Director Craig if we can have a look at that.

Here is a short list of potential parties that I can think of who are interested/should be approached for convening:

Central Gulf Islands (Gabriola-RDN)

RDN Director Vanessa Craig (Area B)

Tobi Elliott (Islands Trust)

Lisa Grant, GM of Planning - *working on tiny homes is on their work plan for the next year. also on the workplan is working on a report outlining "options for regional housing cooperation"*

RDN Building Inspector

Gord Baird (technical advisor on rainwater harvesting and composting toilets)

Jun'ichi Jensen (TBD) Department of Building Safety and Standards (BCBC Code update)

Southern GIs (7 local trust areas + Capital Regional District)

CRD Director (for Gulf Islands) Paul Brent

Trustees?

CRD Services manager Justine Starke

CRD Building Permitting Dept/Inspector (they are currently hiring for a new Chief Inspector)
Highlands District Counsellor Gord Baird (technical advisor on rainwater harvesting and composting toilets)
Salt Spring Solutions representative

Northern GIs (Denman, Hornby, Cortes, Quadra, CVRD, Lasqueti, qathet).
Trustees?
Comox Valley Regional District Planners/Building inspectors
qathet RD?

Not sure there is enough interest in the northern GIs for this project, but happy to hear otherwise!

In addition, I'd like to consider a potential umbrella Steering Committee/Advisory Group. I believe this project will have to have a larger provincial advocacy body to keep pushing policy changes needed. This is outside the scope of the IT resolution but I just wanted to put it out there in case you have any ideas for people who could help.

Advisory group

Small Housing Organization (Tamara White ED)
Tiny Home Builders Association - Pam Robertson (Sunshine Tiny homes) and Adrienne Fedrigo
Lisa-Saucy Fierro-Ruckman - connects tiny home dwellers with unregulated/unzoned land

That's it... hope this helps!

Tobi

From: Tobi Elliott
Sent: Thursday, November 7, 2024 7:39 PM
To: RPC
Subject: Tiny Home Regulatory Path Project Proposal
Attachments: Tiny Home Enablement Project - Islands Trust - Nov 72024.pdf

Hello RPC!

Apologies for the late proposal submission to support RPC's discussion on item 7.4 Housing Strategic Action Plan Tiny Homes On Wheels.

I worked with a consultant, Simon Reid, who synthesized my messy mind mapping of a potential pathway to set up these technical roundtables, so RPC could have something to work with.

Any of the ideas are debatable, but I have strong views about one aspect: where to start. The RDN is essentially ready to go and very interested in being part of this. Director Craig told me that:

Lisa Grant (GM of Planning) is "keen on a technical staff group that potentially reports to a steering committee with elected people. She hopes it will be solution oriented rather than a "this is what we're doing" comparison. So they have a problem/task whether it's to produce a discussion paper or provide recommendations. I think this is your thought as well. We discussed your idea of maybe establishing our own regional standard which she found interesting. For people she's thinking if you're going to explore the standard idea then our Manager of Building Services Lexie Boekenkruger would be good - she's very solutions oriented and would be good from a building standards perspective. We'd also probably have Mark McMullen our Manager of Long Range Planning attend. There is an extremely high level of interest in us participating on this. The staff that we send would be influenced by the scope but this is her initial thought".

The CRD on the other hand, is not ready to start. They're in the process of hiring a new Chief Building Inspector. Justine Starke said some time in the spring would be better for the CRD, but they are keenly interested in being involved.

I think a roundtable with a narrow scope of RDN-Gabriola regional planners would give us a good start to focus the project and scope and terms, and would be a learning experience to prepare for a more complex regional roundtable convened with the CRD and associated LTCs.

[Simon Reid](#) splits his time on Gabriola and Nanaimo, and has a background in biotech, sustainability, governance, fundraising, business and entrepreneurship. I think he could be a very good project manager/coordinator, but of course staff will have advice on procurement policy and the right way to go about it.

Anyway, here's a draft plan, looking forward to the discussion tomorrow!

Thanks! Tobi

Convening a Steering Committee and Technical Panels to Explore Tiny Home Enablement in the Islands Trust Area

Project Outline

Section 1: Introduction

The Islands Trust, a unique regional government responsible for preserving and protecting the ecological integrity of the Southern Gulf Islands, faces a significant challenge: a critical shortage of affordable housing. To address this pressing issue, the Regional Planning Committee (RPC) has authorized the allocation of \$20,000 to support the coordination of roundtables and technical workshops focused on enabling Tiny Homes within the Trust Area.

This project aims to convene a Steering Committee and two Technical Panels of experts to explore existing building codes and regulations, identify options to code modifications or exemptions for a Tiny Home standard, and develop recommendations for alternative regulatory frameworks, including zoning, siting and use, and servicing. These inter-agency working groups will contribute to the development of a robust and flexible regulatory environment that supports innovative and affordable housing solutions in the Trust Area.

Project Goals:

1. Convene a Steering Committee and two diverse Technical Panels of experts, including Building Inspectors, Regional District Planning Managers, engineers, builders, and building code certification experts.
2. Conduct in-depth analysis of existing BC building codes and land use regulations, focusing on their applicability to Tiny Homes.
3. Identify potential barriers to frameworks for Tiny Homes and propose strategies to mitigate them.
4. Develop model policy options for siting and use, including servicing, that would be appropriate in the Trust Area land use planning context, and which could be replicated in other rural areas.
5. Develop clear and practical recommendations for code modifications or alternative regulatory approaches.
6. Foster collaboration and knowledge sharing among stakeholders to promote best practices.

By achieving these goals, Local Trust Committees can make informed decisions about regulatory frameworks that suit their communities, and implement policies that support the development of safe, affordable, and sustainable Tiny Homes.

Section 2: Project Scope

To achieve the project goals outlined in Section 1, the following specific tasks will be undertaken:

1. Steering Committee Formation:
 - Political leadership to form a Steering Committee to direct, support and stay informed of the work, and bring recommendations back to their respective decision-making tables. The composition of the Steering Committee would be mostly elected officials, from Regional District Directors, and Islands Trust Trustees.
 - The Steering Committee would be responsible to advance needed policy changes to other orders of government, such as the Dept of Building Standards and Safety, and the Ministry of Housing.
2. Panel Recruitment and Formation:
 - Identify and recruit qualified experts in relevant fields, including: planners (Islands Trust and Regional District), structural engineering, electrical engineering, plumbing, fire safety, building code compliance, water management, and waste and sewerage system professionals.
 - Two Technical Panels focused in different geographical areas, with different timelines, are recommended. The first Technical Panel would convene as soon as possible and would focus on the Regional District of Nanaimo + Area B (Gabriola Island). The second Technical Panel could follow in the Spring, focusing on the Capital Region District and associated Local Trust Committees.
 - Establish a clear project timeline and communication plan for panel members.
3. Code and Regulatory Analysis:
 - Conduct a review of existing building codes and regulations, focusing on the British Columbia Building Code and related standards.
 - Identify code requirements that may pose challenges for tiny home construction.
 - Explore opportunities for alternative compliance pathways or exemptions.
4. Technical Panel Meetings and Discussions:
 - Organize a series of virtual or in-person meetings to facilitate discussions and knowledge sharing among panel members.
 - Facilitate focused discussions on specific topics, such as structural design, electrical systems, plumbing, fire safety, energy efficiency, siting and use, and servicing needs (including water and sewerage).
 - Encourage open dialogue and critical thinking to identify innovative solutions.
5. Development of Recommendations:
 - Based on the findings of the analysis and panel discussions, develop clear and actionable recommendations for code modifications or alternative regulatory approaches.
 - Consider the unique challenges and opportunities presented by tiny homes, such as modular construction, transportability, and energy efficiency.
 - Ensure that recommendations are practical, feasible, and align with the overall goals of the Islands Trust and Regional Districts.
6. Report Preparation and Dissemination:

- Prepare a detailed final report summarizing the project findings, recommendations, and supporting documentation.
- Disseminate the report to relevant stakeholders, including the Islands Trust, local governments, industry professionals, and the public.
- Present the findings and recommendations at public workshops or meetings to increase awareness and gather feedback.

By diligently executing these tasks, we will deliver a comprehensive and actionable report with options that will contribute to the development of a supportive regulatory framework for Tiny Homes in the Islands Trust Area.

Section 3: Project Timelines

Task	Start Date	End Date
Steering Committee and First Technical Panel: Recruitment and Formation	November 12, 2024	December 15, 2024
Code and Regulatory Analysis	December 1, 2024	January 1, 2025
First Technical Panel Meetings	January 1, 2025	February 15, 2025
Development of Recommendations	February 15, 2025	March 15, 2025
Report Preparation and Dissemination	March 15, 2025	March 31, 2025

Note: This timeline is a preliminary estimate and may be adjusted as needed based on unforeseen circumstances and the specific needs of the project.

Section 4: Project Deliverables

Upon completion of the project, the following deliverables will be provided:

1. Technical Panel Rosters: A comprehensive list of panel members, their affiliations, and areas of expertise.
2. Meeting Minutes: Detailed minutes of all technical panel meetings, capturing key discussions, decisions, and action items.
3. Code Analysis Report: A detailed report analyzing existing building codes and regulations, identifying potential barriers, and proposing potential solutions.

4. Recommendations Report: A comprehensive report outlining specific recommendations for code modifications or alternative regulatory approaches to accommodate tiny homes.
5. Final Project Report: A consolidated report summarizing the project's objectives, methodology, findings, recommendations, and conclusions.

Section 5: Project Team

Project Manager

A dedicated Project Manager is recommended as crucial to the success of this complex undertaking. The Project Manager would be responsible for:

1. Streamlining the Process: Oversee all phases of the project, from initial planning to final report delivery, ensuring timely completion and adherence to budget.
2. Facilitating Collaboration: Foster effective communication and coordination between all stakeholders, minimizing conflicts and delays.
3. Managing Risks: Identify potential challenges and implement mitigation strategies to minimize risks and ensure project success.
4. Maintaining Quality and Consistency: Enforce quality control measures to guarantee that all stages of the project meet the highest standards for successful project delivery.

Tobi Elliott - Project Sponsor

Tobi is the Gabriola Island Local Trustee on the Islands Trust and a passionate advocate for affordable housing. With her extensive knowledge of local issues and key stakeholder groups, and her commitment to community development, Tobi will provide invaluable insights and support throughout the project.

By leveraging the expertise of this dedicated team, we will ensure the successful delivery of this project and the development of a supportive regulatory framework for tiny homes in the Islands Trust Area.

Section 6: Project Budget

The proposed budget for this project is **\$19,700**. This cost includes the following:

1. Personnel Costs:
 - Project Manager: \$9,000
 - Technical Expert Fees: \$3,000
2. Meeting and Workshop Costs:
 - Meeting and Workshop Facilitation: \$2,000
 - Venue Rental or Virtual Platform Fees: In Kind
 - Catering and Refreshments: \$500

3. Travel:
 - Travel Expenses for Panel Members: \$1,000
4. Report Writing and Printing:
 - Report Writing and Editing: \$2,000
 - Printing and Distribution: \$100
5. Miscellaneous Expenses:
 - Administrative Fees: \$500
 - Contingency Fund: \$1,600

Note: This is a preliminary budget estimate and may be adjusted as the project progresses and specific needs are identified. We are committed to providing transparent and cost-effective services to ensure the successful delivery of this project.

Section 7: Conclusion

The proposed project to convene a technical panel to explore tiny home codes in the Islands Trust Area is a crucial step towards addressing the region's affordable housing crisis. By bringing together experts to analyze existing regulations and develop innovative solutions, we can create a more flexible and inclusive building code that enables the construction of safe, affordable, and sustainable tiny homes.

This project will have a significant positive impact on Islands Trust communities, fostering economic growth, social equity, and environmental sustainability.

Proposal Prepared By:

Simon Reid
Project Facilitator, Affordable Housing

B. Comm., Dalhousie University

Simon Reid Consulting
604.671.6369



Regional Planning Committee Minutes of a Regular Meeting

Date: September 4, 2024

Location: Electronic Meeting

Members Present: Laura Patrick, Salt Spring Island Local Trustee, Chair
Sam Borthwick, Denman Island Local Trustee, Vice Chair
Mairead Boland, Saturna Island Local Trustee
Aaron Campbell, North Pender Island Local Trustee
Tobi Elliott, Gabriola Island Local Trustee, Executive Committee Representative
Mikaila Lironi, Lasqueti Island Local Trustee
David Graham, Denman Island Local Trustee
Peter Luckham, Thetis Island Local Trustee (Ex Officio)

Member Regrets:

Staff Present: Stefan Cermak, Director, Planning Services
Robert Kojima, Regional Planning Manager
Anthony Fotino, Island Planner
William Shulba, Senior Freshwater Specialist
Rob Kroeker, Planning Services Administrative Assistant / Recorder

Others Present: Four members of the public were present.

1. CALL TO ORDER

Acting as Chair, Trustee Borthwick called the meeting to order at 10:00 a.m. and acknowledged that participants of the meeting were attending all across the territories of the Coast Salish peoples.

2. AGENDA

2.1 Review of the Agenda

Director Cermak advised that Item 7.6 is captured in Item 7.5 and can be removed.

An updated version of Item 7.5 including Director's Comments was presented for consideration.

2.2 Approval of the Agenda

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

3. PUBLIC COMMENT PERIOD

Four members of the public were present. Members of the public made the following comments:

- thanking Regional Planning Committee for taking time to discuss the correspondence regarding the bylaw compliance and enforcement process on Mudge Island
- that Regional Planning Committee consider the angst created in the community by receiving bylaw enforcement letters and site visits, and exercise judgment when opening and investigating bylaw enforcement files

4. DELEGATIONS

None.

5. CORRESPONDENCE

5.1 2024-08-18, R. Brooks and Mudge Island Community Association

Regional Planning Committee reviewed the letter from Rich Brooks and the Mudge Island Community Association. Committee discussion included:

- Regional Planning Committee is tasked with reviewing Trust Council Policy 5.5.1, including how complaints are investigated and files initiated
- staff discretion and the interpretation of Trust Council Policy 5.5.1 section 3 wording “may be investigated”
- complaint-based system allows a few complainants to make many complaints
- complaints on Mudge have been the source of community grief and anxiety, and a major use of staff resources
- Trustees’ job is to ensure system supports fair and just bylaw policy for all islands
- Local Trust Committees have tools to deal with issues in their own community through their bylaws

6. ADMINISTRATIVE COORDINATION

6.1 Draft Minutes of Previous Meeting

6.1.1 RPC Special Meeting Minutes of April 25, 2024

By general consent the Regional Planning Committee Minutes of April 25, 2024, were adopted as presented.

6.1.2 RPC Regular Meeting Minutes of May 24, 2024

By general consent the Regional Planning Committee Minutes of May 24, 2024, were adopted as presented.

6.2 Resolutions Without Meeting (RWM)

None.

6.3 Follow-up Action List

The Follow-up Action List was presented for information.

7. BUSINESS – WORK PROGRAM ITEMS

7.1 Freshwater Sustainability Strategy Implementation - Briefing

Senior Freshwater Specialist William Shulba introduced the briefing. Committee discussion included:

- the briefing provides a timeline of Freshwater Sustainability Strategy work completed, ongoing, and planned; a November business case will further outline strategic approach
- Cowichan Valley Regional District groundwater strategy technical advisory committee participation, and advocating for work within Thetis Local Trust Area
- increasing the understanding of projects and justification with reporting so that communities which are funding this work can understand and support it
- the corporate planning process will contemplate how multi-year projects like Freshwater Sustainability Strategy will factor into Trust-wide plans

7.2 Bylaw Compliance and Enforcement Policy Review Updates - Request For Decision

The Request For Decision was presented by Director Cermak. Committee discussion included:

- Local Trust Committees are responsible for enforcement, and Trust Council sets Trust-wide policies on roles and responsibilities
- administrative fairness and clarity for recipients navigating the bylaw process
- Bylaw Compliance and Enforcement Manager could be given discretion in opening new files and prioritizing complaints based on staff resources, or further discretion given to investigating Bylaw Compliance and Enforcement Officers
- guidance on discretion should involve input from the Local Trust Committees, reflecting the particular situation on each island
- site inspections without receiving notice have been problematic in communities, though permitted by Community Charter, but Local Trust Committees have stipulated conditions of notice with their bylaws and standing resolutions
- Local Trust Committee Bylaw and Enforcement Policies are a further tool to give specific direction regarding notice of inspection, screening officer policies, and other enforcement policies decided at Local Trust Committee level

The Regional Planning Committee recessed for lunch at 12:08 p.m. and returned at 12:45 p.m. Committee discussion continued:

- Local Trust Committees determine approach for their communities, using tools such as the Local Trust Committee Bylaw Enforcement Policy, and Trust Council level policy is not the place for detail as nuance exists on the local level
- Ombudsperson report detailed that these are public facing documents that should be written in accessible, transparent, easily understood language
- where appropriate, proactive inspection tools can be warranted where health and safety or environmental concerns need timely addressing
- Ombudsperson's report recommends a review of current practices such that Islands Trust approach is consistent with legal and fairness principles
- approach to bylaw enforcement can be guided by Local Trust Committee policies, and described in Bylaw Compliance and Enforcement Best Practices Manual
- Best Practices Manual is the interface between policy and community members, and it should be written in plain language using the lens of a community member
- some of Ombudsperson's Complaint Handling Guide components such as handling bias and assessing complaints, are missing from Best Practices Manual
- as an example, Abbotsford set out to create all enforcement policies with a plain language approach: they made it clear that goal of all bylaw enforcement activities is voluntary compliance, and demonstrated how it will be sought
- consideration for an expert in plain language to revise the document
- utilizing Islands Trust Communications Specialist to make a plain language draft
- the problem with the Best Practices Manual lies in tone rather than in content
- restoring trust is the core goal from the Bylaw Compliance and Enforcement Review project charter
- staff are suggested to work through the Ombudsperson Complaint Handling Guide policy checklist to be certain Islands Trust has all components in policies and documents
- in regard to the Handling of Complaints Policy 7.1.2, the Ombudsperson Complaint Handling Guide self assessment checklist suggests omissions including unreasonable conduct and staff training
- plain language and clarity of escalation process for the person making a complaint are imperative
- the Handling of Complaints policy change from Administrative Fairness and its meaning in broader government context, which the Director of Legislative Services and senior management team are going to review

RPC 2024-013

It was MOVED and SECONDED,

that Regional Planning Committee request staff to amend the Bylaw Compliance and Enforcement Best Practices Manual to create a plain language version.

CARRIED

RPC 2024-014

It was MOVED and SECONDED,

that Regional Planning Committee request staff to work through the self-assessment checklist of the Ombudsperson Complaints Guide to determine if recommended components are included in the draft Policy 7.1.2, and to identify gaps and opportunities for future work for the Bylaw Enforcement and Compliance Review Project.

CARRIED

RPC 2024-015

It was MOVED and SECONDED,

that Regional Planning Committee recommend the following changes:

- a) Amend the notification period to two weeks
- b) Policy 5.5.1: That the Manager of Compliance and Enforcement has the discretion to open files and launch an investigation based on the available resources.

CARRIED

RPC 2024-016

It was MOVED and SECONDED,

that Regional Planning Committee request that Trust Council approve the attached amended Project Charter at their September 2024 meeting.

CARRIED

7.3 Fiscal Year 2026 Local Trust Committee Major Project Business Cases – Request For Decision

Director Cermak introduced the Request For Decision. Committee discussion included:

- staff capacity challenges exist to support all proposed business cases, which is difficult to evaluate without all business cases in front of the Committee to consider
- Regional Planning Committee should evaluate on the basis of project merit, with financial considerations left to Financial Planning Committee
- available staff resources can be allocated by Regional Planning Committee
- timing with next Regional Planning Committee and the following Financial Planning Committee meeting is very close, and a special meeting could be warranted to move through outstanding business

RPC 2024-17

It was MOVED and SECONDED,

that Regional Planning Committee defer consideration of Fiscal Year 2026 Local Trust Committee business cases until all proposed business cases have been endorsed by Local Trust Committees.

DEFEATED

Committee discussion continued:

- Financial Planning Committee is aware of and will discuss potential staffing challenges regarding supporting all business cases

RPC 2024-018

It was MOVED and SECONDED,

that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2026 budget, business cases for the Mayne Housing Project,

the North Pender Housing Project, and the Lasqueti Official Community Plan / Land Use Bylaw Review Major Projects.

CARRIED

7.4 Housing Strategic Action Plan Implementation - Briefing

Director Cermak presented the briefing for information.

7.5 Housing Strategic Action Plan Action #26: Advocate to Province for changes at the Provincial and regional level to support tiny homes on wheels – Request For Decision

Trustee Elliott presented the Request for Decision. Committee discussion included:

- working on identifying barriers to legalizing tiny homes and mapping out the regulatory framework
- differentiating between mobile homes and tiny homes on wheels
- one blockage is that certification needs to affirm the purpose for which the structure was designed to be used, with tiny homes on wheels distinct from seasonal RVs
- some manufacturers build tiny homes to manufactured home standards
- the Request For Decision work proposes that each Local Trust Committee can look at recommendations and see what fits their community
- recalculating density measures based on environmental impact
- advocacy is outside of the Regional Planning Committee Terms of Reference, but Trust Council could be asked to do this work
- this topic is on upcoming Union of BC Municipalities agenda
- some capital from the Housing Options Toolkit is unallocated and available
- a need exists to work across jurisdictions and possibly hold forums to bring together stakeholders, such as regional districts and building inspection authorities
- the development of communications tools and forums for this project, including the hiring of a forum coordinator or other ways to utilize the Housing Strategy and Housing Options Toolkit unallocated budget
- the time sensitivity of this work amidst changing codes and regulations
- creating more security and a safer standard for islanders struggling with housing

RPC 2024-019

It was MOVED and SECONDED,

that Regional Planning Committee endorse the baseline work done on the Tiny Homes On Wheels (THOW) Guide to date, and request the Tiny House working group to continue work developing tools for advocacy and communications to enable Tiny Homes On Wheels in the Trust Area.

CARRIED

RPC 2024-020

It was MOVED and SECONDED,

that Regional Planning Committee recommend to Trust Council that implementation of the Islands Trust Housing Action Plan be included in the 2025-2028 Strategic Plan and

that Trust Council prioritize implementation of Objectives 23, 24 and 26, with a focus on enabling Tiny Homes On Wheels in the islands.

CARRIED

Committee discussion continued:

- a trustee suggested waiting until after the potential opportunity for Executive Committee to speak with Minister of Housing at Union of BC Municipalities, to use the money most strategically
- Islands Trust is best positioned to examine tiny homes challenges because of the various Local Trust Committees with their different community needs
- forums reflect need for discussions regarding specific localities, with planners, building inspectors, and regional districts moving towards specific direction in their jurisdictions
- a trustee sought the opinion of the Director of Administrative Services regarding spending these funds, noting that other forums had been hosted under Secretariat Services, and precautionary steps regarding spending should be taken

RPC 2024-021

It was MOVED and SECONDED,

That Regional Planning Committee recommends to Trust Council that it allocate the budget of \$20,000, allocated to advance the Housing Strategy and Housing Options Toolkit, in order to support coordination for forums with a focus on enabling Tiny Homes in the Trust Area.

CARRIED

8. BUSINESS - OTHER

None.

9. BUSINESS – NEW

None.

10. WORK PROGRAM

By general consent the work program is referred to Trust Council.

11. NEXT MEETING

The next scheduled meeting of the Regional Planning Committee is November 8, 2024.

12. CLOSED MEETING

The Committee did not close the meeting.

13. RISE AND REPORT

As the Committee did not close the meeting, there was no need for the Committee to discuss this option.

14. ADJOURNMENT

By general consent the meeting adjourned at 3:51 p.m.

Sam Borthwick, Acting Chair

Certified Correct:

Rob Kroeker, Planning Services Administrative Assistant / Recorder

Minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Regional Planning Committee

01-Feb-2022

Progress	Activity	Responsibility	Dates	Status
10%	1 that Regional Planning Committee recommend staff schedule a staff-lead online education session focusing on housing challenges and solutions for Trust Council following the update of the Islands Trust Community Housing (Options) 'Toolkit'.	Anthony Fotino Morgana van Niekerk Robert Kojima Stefan Cermak	Target: 31-Dec-2024	In Progress

09-Feb-2022

Progress	Activity	Responsibility	Dates	Status
100%	1 that Regional Planning Committee request staff develop an Islands Trust Freshwater Sustainability Strategy policy document. (Discussed Feb. 2024 - to be absorbed into an Implementation Plan)	Stefan Cermak William Shulba	Target: 30-Nov-2024	Completed

24-Aug-2022

Progress	Activity	Responsibility	Dates	Status
0%	1 that Regional Planning Committee request staff to create a Freshwater Sustainability Strategy Frequently Asked Questions document.	Morgana van Niekerk William Shulba	Target: 29-Dec-2023	In Progress

06-Sep-2023

Progress	Activity	Responsibility	Dates	Status
80%	1 that Regional Planning Committee request staff to prepare Terms Of Reference before the end of the current fiscal year for potential grant funding for eelgrass mapping and explore partnerships.	Stefan Cermak	Target: 31-Mar-2024	Completed

Follow Up Action Report

Regional Planning Committee

16-Feb-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 Staff to develop a Freshwater Sustainability Strategy implementation plan that defines the roles and responsibilities of the Regional Planning Committee, Trust Programs Committee, Trust Council and key staff, and that is operationalized through multi-year work plans, budget requests, and program-specific implementation plans.	Stefan Cermak William Shulba	Target: 08-Nov-2024	In Progress
50%	2 Staff to provide information about the implications for LTCs regarding Item 4 of the Short Term Rental Opportunities and Challenges staff report (end of legal non-conforming status).	Warren Dingman	Target: 20-Sep-2024	In Progress

04-Sep-2024

Progress	Activity	Responsibility	Dates	Status
100%	1 that Regional Planning Committee request staff to amend the Bylaw Compliance and Enforcement Best Practices Manual to create a plain language version.	Morgana van Niekerk	Target: 08-Nov-2024	Completed
0%	2 that Regional Planning Committee request staff to work through the self-assessment checklist of the Ombudsperson Complaints Guide to determine if recommended components are included in the draft Policy 7.1.2, and to identify gaps and opportunities for future work for the Bylaw Enforcement and Compliance Review Project.	Anthony Fotino David Marlor	Target: 08-Nov-2024	In Progress

BRIEFING

To: Regional Planning Committee **For the Meeting of:** November 8, 2024
From: Director, Planning Services **Date Prepared:** November 1, 2024
SUBJECT: RPC Terms of Reference

PURPOSE: The purpose of this briefing is to re-orientate Regional Planning Committee members to the committee's terms of references.

BACKGROUND: The Chair of RPC has requested that RPC members be re-familiarized with the RPC's terms of references in order to stimulate discussion related to other agenda items and for recommending possible changes to Trust Council.

Council Committee System (Trust Council Policy 2.3.1)

Trust Council Policy 2.3.1 establishes the Trust Council Committee System. Regional Planning Committee has been established as a permanent (standing) committee. The general role of standing committees are:

- To provide policy advice to Trust Council in response to Trust Council's referrals, committee initiatives and external requests of the Trust.
- To provide feedback to staff on matters going to Trust Council.
- To implement and maintain a committee-specific work program.
- To make recommendations to Trust Council on inter-agency liaison or protocol initiatives.
- To create sub-committees (or task forces) which may be comprised of trustees, staff or external persons as required for a specific duration to examine a particular committee matter upon approval by Trust Council.
- To provide input and feedback to the annual budget process.
- To provide input to Trust Council's organizational strategic planning process.

Trust Council Policy 2.3.1 lists the following RPC committee specific function:

1. Growth Management Tools
2. Community Planning Tools
3. Development Management Tools
4. Local Planning Service Delivery

Regional Planning Committee Terms of Reference (Trust Council Policy 2.3.2)

Trust Council Policy 2.3.2 outlines the RPC's specific areas of focus in providing policy and planning advice to Trust Council. The Regional Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Development Management – overseeing the procedures for processing of land use bylaws, permits etc., in an efficient and effective manner.
2. Local Trust Committee Functions – responding to local trust committee planning needs applicable throughout the Trust Area.
3. Local Planning Services – advising on the provision and allocation of resources to deliver local planning services to island communities.
4. Public Awareness/Education – promoting opportunities for the enhanced public awareness of land use planning and the Islands Trust's local planning services.
5. Emerging Issues – Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
6. Policy Guidance – Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
7. Liaison – Maintain liaison with Islands Trust Conservancy Board and Trust Programs Committee, as required

ATTACHMENT(S):

1. Council Committee System (Trust Council Policy 2.3.1)
2. Regional Planning Committee Terms of Reference (Trust Council Policy 2.3.2)

FOLLOW-UP: As requested by RPC

Prepared By: Director, Planning Services



Policy:	2.3.1
Approved By:	Trust Council
Approval Date:	March 6, 1998
Amendment Date(s):	September 11, 2008; March 14, 2018; June 8, 2021; September 21, 2022
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM

Purpose

This Policy outlines general Terms of Reference (Section B: 1-9) applicable to all committees, the general role of standing committees (Section B: 10) and an overview of committee-specific functions which are detailed further in each council standing committee's specific terms of reference.

A. Definitions

Select Committee means a committee established and elected by Trust Council to consider or inquire into any matter and to report its findings, opinions and recommendations to Trust Council.

Standing Committee means a regular permanent committee of Trust Council.

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of four standing committees and the Executive Committee (see Attachment 1):

1.1.1.1 Regional Planning

1.1.1.2 Financial Planning

1.1.1.3 Trust Programs

1.1.1.4 Governance

1.1.2 Membership for the Regional Planning, Financial Planning and Trust Programs committees includes trustees who have been appointed by the Trust Council Chair.

1.1.3 The Governance Committee consists of seven members of Trust Council who have been elected by Trust Council. Election of the Governance Committee shall occur by the March Trust Council meeting in the calendar year following the quadrennial trustee election.

- 1.1.4 One Executive Committee member will be assigned by the Trust Council Chair to the Regional Planning Committee and the Trust Programs Committee.
- 1.1.4 The Financial Planning Committee is comprised of all members of the Executive Committee, the Chair (or designate) of the Regional Planning Committee and the Trust Programs Committee, a member chosen by the Islands Trust Conservancy Board and three (3) other local or municipal trustees.
- 1.1.5 By the second Trust Council meeting following the quadrennial trustee elections, or as required, the Chair of Trust Council will recommend appointments to the Regional Planning, Trust Programs and Financial Planning committees for ratification by Trust Council, based on an indication of interest by trustees and on Trust Area-wide considerations.
- 1.1.6 The Trust Council Chair is an ex-officio member of the Trust Programs, Regional Planning, and Governance committees.
- 1.1.7 One of the two Trust Council elected members of the Islands Trust Conservancy is an ex-officio member of the Governance Committee, as determined by the Chair of the Islands Trust Conservancy.

1.2 Select Committees

- 1.2.1 Select committee membership is comprised of trustees who have been elected by Trust Council.
- 1.2.2 Select committees must have terms of reference established and approved by Trust Council.
- 1.2.3 If the Trust Council Chair is not an elected member of a select committee pursuant to section 1.2.1, they or designate shall be an ex-officio member of each select committee.
- 1.2.4 The agenda for select committees should include:
 - 1.2.4.1 Approval of previous meeting minutes
 - 1.2.4.2 Follow-Up Action List (FUAL)
 - 1.2.4.3 Trust Council referral items
- 1.2.5 A select committee resolution is required to expend monies from the committee's budget account assigned by Trust Council, if any.
- 1.2.6 A select committee shall refer any reporting and findings, including resource needs, to Executive Committee prior to reporting to Trust Council.

- 1.2.7 A select committee will cease to exist once it has reported its findings, opinions and recommendations to Trust Council.

2. Committee Chair

- 2.1 Committee members shall elect the Committee Chair and Vice-Chair at the first meeting of the term or as required.
- 2.2 The Trust Council Chair may appoint an interim Committee Chair when required.
- 2.3 The Committee Chair will normally chair the committee meeting. However, the Chair may designate the Vice-Chair to act as Committee Chair. In the absence of the Chair and Vice-Chair, the committee shall choose a committee member to act as Chair of a meeting.

3. Available Resources

- 3.1 Each committee, with the assistance of its management support, is responsible to conduct its activities within its assigned budget accounts.
- 3.2 A standing or select committee resolution is required to expend monies from the committee's assigned committee projects or budget account, if any.

4. Staff Support

- 4.1 Staff's primary function to a committee is to act in a support/advisory role and as such, a committee may make requests of staff.
- 4.2 It is the Chief Administrative Officer's (CAO) role to manage and direct staff support to the committees and concerns in this regard should be communicated by the Committee Chair to the CAO. Unresolved matters by the aforementioned means shall be dealt with by the Executive Committee.

5. Meetings

- 5.1 The number of standing committee meetings per year is four and any further meetings must be planned within the approved committee's meeting expense account.
- 5.2 Select committees will decide on a schedule of regular meeting dates at the first meeting convened after the establishment of the committee.
- 5.3 Changes to the Master Meeting Schedule of regularly scheduled committee meetings must be coordinated with the Executive Coordinator.
- 5.4 Committee meetings during the Trust Council quarterly meetings are to be avoided.
- 5.5 The practice of recessing committee meetings to continue at a future date and time should be used sparingly due to the impact of unplanned meetings on staff resources.

6. Agenda/Minutes Preparation

- 6.1 Committee meeting agendas will be prepared by the designated staff in consultation with the Committee Chair.
- 6.2 The agenda will be distributed to committee members and the CAO at least five calendar days before the meeting.
- 6.3 The agenda shall be determined as follows:
 - 6.3.1 Additional items may be placed on the agenda by agreement of a majority of the committee members present at the meeting.
 - 6.3.2 The agenda shall be approved as the first item of business.
 - 6.3.3 The agenda for standing and select committees should include:
 - 6.3.3.1 Approval of previous meeting minutes
 - 6.3.3.2 Follow-Up Action List (FUAL)
 - 6.3.3.3 Trust Council referral items
- 6.4 Minutes must be done in accordance with Trust Council Policy 6.13 Islands Trust Minutes Guidelines.
- 6.5 Each committee is required to maintain a FUAL using the Trust's standardized format.
- 6.6 The FUAL is updated within seven days of the Committee meeting and subsequently placed on the agenda of the next scheduled meeting. The FUAL is to be distributed to designated staff within seven days of the committee meeting.
- 6.7 Draft minutes of a committee meeting are considered for approval at the next meeting.

7. Council/Committee Relationship

- 7.1 Each standing committee shall maintain a work program - which must include:
 - 7.1.1 Items referred to the committee from Trust Council (including referral date).
 - 7.1.2 Projects, new initiatives, ideas, and issues identified by the committee.
 - 7.1.3 The top three (3) priorities/strategies that it is working on, as approved by Trust Council, and must include any of Trust Council's priorities that it has assigned.
- 7.2 Each standing committee shall review and prioritize items within its work program, each Trust Council item referred to it, and shall report to Trust Council at the next quarterly Trust Council meeting on such items.
- 7.3 Standing committees are required to submit a Highlights Report to the Executive Coordinator in time for the Trust Council agenda package preparation deadline. The Highlights Report is to be presented by the Council Committee Chair (or designate).

- 7.4 All standing committee proposals and/or recommendations to be placed on the Trust Council agenda shall be referred to the Executive Committee to be placed on the Trust Council agenda. A select committee shall refer any reporting and findings, including resource needs, to the Executive Committee to be placed on the Trust Council agenda. These must be submitted for the Executive Committee's last meeting prior to when the Trust Council agenda package is distributed to trustees.
- 7.5 The Committee Chair (or designate) may request an opportunity to directly present committee matters to the Executive Committee.
- 7.6 It is the role of the Executive Committee members of Council Committees to ensure inter-committee liaison on relevant information, referrals, status on Council priorities/strategies, and to keep the Executive Committee apprised of the Council Committee's directions and activities and vice versa.

8. Rules of Conduct/Voting

- 8.1 Trust Council Meeting Procedure Bylaw 101 governs the proceedings of committees as applicable. In cases not provided for under Bylaw 101, Robert's Rules of Order Newly Revised shall apply to the proceedings of committees.
- 8.2 The quorum of a council committee is a majority of all of its members.
- 8.3 The Executive Committee member designate on the Regional Planning Committee and Trust Programs Committee shall have the full voting privileges of a committee member.
- 8.4 The Trust Council Chair, as ex-officio member of the Regional Planning Committee, Trust Programs Committee and select committees, shall be a non-voting member and shall not be included in determining quorum of a meeting.

9. Liaison

- 9.1 Liaison with provincial, federal, and local government politicians shall be requested by a Committee Chair to the Trust Council Chair or the CAO so that the Trust's political liaison can be coordinated. The Council Committee is expected to provide an outline regarding the purpose of the meeting, a proposed discussion strategy and recommended Islands Trust representation.
- 9.2 Liaison with provincial, federal, and local government staff shall be requested by the staff liaison member (in consultation with CAO when liaison is required with senior staff). It is expected that trustees, for the purpose of committee business, would meet other government staff with an Islands Trust staff member.
- 9.3 Liaison with the media shall be coordinated through the CAO and the Trust Council Chair who in turn may refer specific inquiries to the Council Committee Chair.

10. General Role of Standing Committees

- 10.1 To provide policy advice to Trust Council in response to Trust Council's referrals, committee initiatives and external requests of the Trust.
- 10.2 To provide feedback to staff on matters going to Trust Council.
- 10.3 To implement and maintain a committee-specific work program.
- 10.4 To make recommendations to Trust Council on inter-agency liaison or protocol initiatives.
- 10.5 To create sub-committees (or task forces) which may be comprised of trustees, staff or external persons as required for a specific duration to examine a particular committee matter upon approval by Trust Council.
- 10.6 To provide input and feedback to the annual budget process.
- 10.7 To provide input to Trust Council's organizational strategic planning process.

C. Legislated References

Trust Council Policy and Procedures Manual:

- Regional Planning Committee (RPC): Terms of Reference (2.3.2)
- Financial Planning Committee (FPC): Terms of Reference (2.3.3)
- Trust Programs Committee (TPC): Terms of Reference (2.3.4)
- Governance Committee (GC): Terms of Reference (2.3.5)

Trust Council Meeting Procedure Bylaw 101

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

Attachment 1: Committee-Specific Functions

Attachment 1: COMMITTEE-SPECIFIC FUNCTIONS

REGIONAL PLANNING COMMITTEE (RPC) 1. Growth Management Tools 2. Community Planning Tools 3. Development Management Tools 4. Local Planning Service Delivery	TRUST PROGRAMS COMMITTEE (TPC) 1. Environmental Policy 2. Research and Information Systems Program 3. Sustainable Communities Policy 4. Trust Area Program Initiatives
FINANCIAL PLANNING COMMITTEE (FPC) 1. Annual Budget 2. Long Term Financial Planning 3. Fiscal Controls 4. Annual Audit	EXECUTIVE COMMITTEE (EC) 1. Bylaw Approval 2. Policy Agenda Coordination 3. Legislation Agenda 4. Communications Agency Liaison 5. Chief Administrative Officer Liaison 6. Trust Council Business 7. Strategic Direction
GOVERNANCE COMMITTEE (GC) 1. Governance structure and processes 2. Governance Best Practices 3. Legislative Reform	



Policy:	2.3.2
Approved By:	Trust Council
Approval Date:	June 11, 1994
Amendment Date(s):	March 6, 1998; June 16, 2000; June 13, 2003; March 10, 2015
Policy Holder:	Director of Local Planning Services

REGIONAL PLANNING COMMITTEE TERMS OF REFERENCE

Purpose

To outline the Regional Planning Committee's specific areas of focus in providing policy and planning advice to Trust Council as one of Council's four (4) standing committees (See Policy 2.3.1).

A. Definitions

n/a

B. Policy

The Regional Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Development Management – overseeing the procedures for processing of land use bylaws, permits etc., in an efficient and effective manner.
2. Local Trust Committee Functions – responding to local trust committee planning needs applicable throughout the Trust Area.
3. Local Planning Services – advising on the provision and allocation of resources to deliver local planning services to island communities.
4. Public Awareness/Education – promoting opportunities for the enhanced public awareness of land use planning and the Islands Trust's local planning services.
5. Emerging Issues – Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
6. Policy Guidance – Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
7. Liaison – Maintain liaison with Islands Trust Conservancy Board and Trust Programs Committee, as required.

C. Legislated References

Policy and Procedures Manual: Council Committee System (2.3.1)

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

n/a

ISLANDS TRUST
Fiscal Year 2025/26
PROPOSED LTC PROJECTS

ITEM	AMOUNT	TOTAL	Funding Source
<u>Specific Projects >\$5000:</u>			
DE: Denman Island Housing Review - Phase 2	\$ 12,000		taxes
GM:Gambier OCP/LUB Amendments Implementation	\$ 10,000		taxes
GB:Gabriola OCP/LUB - Phase 3	\$ 30,000		taxes
LA: OCP and LUB Review - Phase 1	\$ 15,500		taxes
MA: Housing Options - Year 2	\$ 8,000		taxes
NP:Housing Access and Affordability - Year 2	\$ 8,000		taxes
SS:OCP/LUB - Year 2	<u>\$ 174,000</u>	<u>\$ 257,500</u>	surplus/taxes
<u>Minor Projects Placeholder:</u>			
Pool for Allocation to LTCs in Year		\$ 36,500	
Total Specific LTC Projects		\$ 294,000	
<u>SSI LTC projects proposed for funding from Special Tax Reserve Funds:</u>			
SSIWPA Plan Coordination	\$ 55,000		surplus
SSI Groundwater Sustainability Strategy	<u>16,500</u>	<u>\$ 71,500</u>	surplus
Total planned spending on LTC projects		\$ 365,500	

To: Financial Planning Committee **For the Meeting of:** October 23, 2024

From: Stefan Cermak, Director,
Planning Services **Date Prepared:** September 27, 2024

SUBJECT: Planning Services – Projects Feasibility Assessment

PURPOSE

To provide the Financial Planning Committee with a feasibility assessment comparing Planning Services related budget case submissions for the next fiscal year (FY2025/26) to projected available staff resources.

SUMMARY

Seven local trust committees have submitted business cases for Major LTC projects, requesting a total \$257,500 for the 2025/26 fiscal year. These are a mix of on-going and new projects. The focus of the new projects are on reviewing and updating OCPs and LUBs, while three on-going projects are addressing the housing crisis.

Local trust committees (LTC) may seek Trust Council approval to fund additional operations via a special tax requisition, only applicable to the specific Local Trust Area, if Trust Council does not approve the additional operations funding in the general budget.

Staff estimate a total 3600 hours of requested planner time based on business case submissions. The estimated annual availability of planner time on the Regional Planning Team time is 3000 hours (this is exclusive of time for leave, administrative tasks, required training and staff meetings, etc) or 2.5 FTE (full-time equivalents). Staff's assessment is that there is not sufficient staff resources to fully implement and manage the proposed projects as of March 1st 2024, but that the projects can be supported by delaying the start of projects, utilizing other senior planners or use of an auxiliary.

BACKGROUND & ANALYSIS

Planning Services staff provides direct planning services to Trust Council's Regional Planning Committee and Local Trust Committees, allocated based on available resources as per Trust Council policies.

Regional Planning Committee

Regional Planning Committee (RPC) undertakes projects to achieve actions in the Trust Council Strategic Plan and responsibilities as outlined in their terms of reference ([Policy 2.3.1](#)). RPC currently has three top priority projects:

1. Bylaw Compliance and Enforcement Review
2. Implementation of Housing Strategic Action Plan
3. Implementation of the Fresh Water Sustainability Strategy

Local Trust Committees

Major and Extraordinary Projects

Seven Local Trust Committees have submitted additional operations business cases requesting a total of \$214,000 for the 2025/26 fiscal year (Table 1) to support Major Projects. The focus of most projects is OCP/LUB reviews, with some finishing housing review projects. Five of the LTC business cases are for ongoing projects and two projects are new although would build on previous work.

It is the expectation of senior staff that most future Major Projects will be OCP / LUB reviews and updates, with most other LTC initiatives being undertaken as Minor Projects. This will allow the Regional Planning Team to focus on the systematic updating of OCPs and LUBs as recommended in the LPS review and Governance Review Annex 1.

Table 1 RPC and LTC Committee 2025/26 Business Case Resources Summary

Committee	Item	Amount	Estimated Planner Time (hours)	Fiscal Year of project	Endorsed by
DE	Housing Review	\$12,000	450	Year 3	LTC
GB	OCP and LUB Review	\$30,000	450	Year 3	LTC
GM	OCP/LUB amendments	\$10,000	450	New	LTC
LA	OCP/LUB Review	\$15,500	450	New	LTC, RPC
MA	Housing Options	\$8,000	300	Year 2	LTC, RPC
NP	Housing Access and Affordability	\$8,000	300	Year 2	LTC, RPC
SS	OCP & LUB Review	\$174,000*	1200**	Year 3	LTC
Sub-Total		\$257,500	3600		

Projected available planner hours

3100

* \$128,500 unspent surplus, \$45,500 new

**Contract Services may supplement these hours

Minor Projects

Each LTC is permitted one minor active project (under \$5,000). The Salt Spring Island Local Trust Committee may have up to three projects (combined major and minor - pending available resources). Each LTC now has one minor project with the exception of Ballenas-Winchelsea LTC. A total budget of \$36,000 for these projects is captured in a separate line item in the proposed 2025/26 budget.

Minor projects are managed by the “Local Planning Team” consisting of senior planners assigned to undertake day-to-day planning functions of local trust committees, including managing minor bylaw amendments, processing of major applications and referrals, responding to enquiries, and administering local trust committee meetings.

Funding Options

Trust Council may support all or some of the business cases as submitted. If Trust Council does not support the additional operations of LTCs as listed in Table 1, Trust Council special property tax requisitions ([Policy 6.3.2](#)) permit an individual LTC to request a special tax requisition. Special property tax requisitions are approved by Trust Council but only funded by the specific Local Trust Area requesting the funding and are not included in the general operations budget.

Efficiencies

Trust Council policies were amended in 2022 to enhance the efficient and effective delivery of planning services. These policies include:

- Best Management Practices For Delivery of Local Planning Services ([Policy 5.9.1](#));
- Priority Setting/Review Guidelines ([Policy 6.2.1](#)); and
- Work Program, Follow-Up Action List and Priorities Report ([Policy 6.7.1](#)).

The policies are designed to support the systematic update of Official Community Plans (OCPs) and Zoning Bylaws / Land Use Bylaws (LUBs) on a regular basis, support realistic expectations for volume and timing of project completion, and the fair, efficient and equitable allocation of staff and financial resources for major and extraordinary Local Trust Committee projects (projects over \$5,000).

Available Staffing Resources

Long range planning projects requested by the RPC and LTCs with budgets over \$5,000 will be undertaken by the Regional Planning Team. The Regional Planning Team consists of three Island Planners (senior planners), some support from the Senior Freshwater Specialist, support of a Regional Planning Manager and occasional support from other planners and administrative staff.

The Regional Planning Team is currently assigned 2.6 FTEs (one planner is working half time) an approximate total of 3100 effective hours during the fiscal year (this excludes time for leave, administrative tasks, staff meetings, training and staff events, etc).

Staff estimate a total of 3600 hours of requested staff time based on business case submissions and using the same staff hour assumptions. Salt Spring Island Local Trust Committee is also seeking contracted services to support their major project. Assuming that the current on-going Major Projects continue to adhere to the project timelines and no senior planner vacancies, the difference can be made up by deferring the start of one of the new Major Projects several months, utilizing Island Planners to lead projects or complete the legislative phase of Major Projects, or by the use of an auxiliary planner (funded by the 0.4 FTE of the half time planner). There are two unforeseeable circumstances that can result in project delays: staff vacancies and LTC decisions to extend the project timeline.

ATTACHMENT(S):

1. None

FOLLOW-UP:

Regional Planning Committee will be reviewing those LTC projects that have yet to be endorsed for screening against a draft priority matrix at their November 8, 2024 regular business meeting.

Prepared By: Stefan Cermak, Director, Planning Services



Islands Trust

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

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

TO BE COMPLETED BY INITIATOR

Requested by (*Committee or Operational Unit*):
DENMAN LTC

Department:
LPS-Planning Services

Name of Request:

Final Phase Denman Island Housing Review (for OCP and LUB Amendments), Stage 2 - Phase 2 – Major Project

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

Fiscal year 2025-2026: \$12,000

Budget to date: \$33,500

2022/23 = \$13,500

2023/24 = \$8,000

2024/25 = \$12,000

Budget Source (select all that apply):

☒ **Specific Project Funding** (select all that apply)

☐ Third Party Contractors

☐ Staff Travel Expense

☐ Staff Overtime Expense

☐ New Staff Member – Temporary for project

☐ Computer Hardware/Software

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ **Permanent**

☐ **Temporary**

Temp Duration: _____

☒ **Other** Consultants, Honoraria for First Nations for on-going meetings and participation, technology, mapping, facility rental, engagement meetings and materials, printing, posting and distribution of communication materials.

Date of Submission to Finance:
September 2024

Funding Required for (date range):
April 1, 2025-March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS

Islands Trust Council [Strategic Plan 2018-2022](#). Objective: Strengthen Housing Affordability Throughout the Islands Trust Area. In June 2023, [Islands Trust Council amended the Strategic Plan](#) to:

- “Prioritize elements of the strategic plan that support land use decision making”, and
- “Update the strategic initiatives related to housing to focus on projects that will develop healthy, resilient island communities by employing two lenses: mitigating and adapting to the effects of climate change, and managing growth by cultivating equitable, inclusive and resilient communities and the natural environment.”

ISSUE/OPPORTUNITY:

The purpose of this business case is to support the third phase of what was defined in the 2023/24 business case and described in the related project charter as Phase 2C of the Denman OCP and LUB Housing Policy Review. The work the 2025/2026 fiscal year involves First Nations and community consultation, analysis of options and bylaw drafting, public hearing, communications materials, and legal review.

This is a continuation of this project which began in 2022 at which time a consultant was engaged to identify community priorities related to housing (Phase 1).

Phase 2 was initiated in fiscal 2023/24. Work during this Phase 2A contributed to prioritizing specific options for OCP and LUB Review. Work had been approved with a budget of \$18,000 for the 2024-2025 fiscal year. \$16,000 was provided to the K'omoks First Nation to support their engagement in the project. Phase 2, Stage 1 included:

- Public engagement facilitated by the Housing Advisory Planning Commission
- The initiation of engagement with K'omoks Nation staff
- K'omoks exploration of interests

Phase 2B was initiated in May 2024 with a focus on advancing policy and regulatory amendments that increase the permitted number of housing units to address housing need while preserving and protecting the natural environment. A budget of \$15,000 was allocated to this project for fiscal 2024/25 project to support First Nations engagement, community engagement and public hearings and legal review. Phase 2B involves:

- First Nations engagement
- Public engagement
- Amendments to the OCP and the LUB to increase housing number of permitted housing units to address housing need while considering environmental impact
- Identifying advocacy policies

The Denman Housing Review Project 2C (Fiscal 2025/26) involves further First Nations Engagement and the drafting of OCP and LUB amendments . Phase 2C will provide the opportunity to advance Islands Trust Strategic Interests related to:

- First Nations Reconciliation - The project focusses on continuing the engagement process with First Nations initiated in Phase 1.
- Contributing to the development of model bylaws for housing – This project is intended to produce bylaws that may be replicable in other Local Trust Areas.
- Preservation of ecosystems – A key focus of the project is supporting housing while considering the Islands Trust preserve and protect mandate.
- Demonstrating the use of suitable land analysis – Suitable land analysis will be used to inform LTC decision making.
- Demonstrating the use of the Islands Trust's Housing Toolkit – A number of tools in the toolkit are being used by staff and being shared with the Housing Advisory Planning Commission and the LTC to inform amendments to the OCP and LUB.

This business case will support the continuation of work in Phase 2 of the Denman Islands Housing Review (Phase 2C).

PROJECTED RESULTS/DELIVERABLES:**Phase 2C Fiscal 2025/26 \$12,000 – First Nations Engagement, Bylaw Amendments**

- OCP and LUB amendments to support specific actions identified in the Draft Housing Action Plan for:
 - Expanded opportunities to build Secondary Suites and Accessory Dwelling Units

- Increased Opportunities for Non Profit Housing Development
- Permitting Alternative Housing Approaches
- Reducing Ecological Footprint of New Builds

RISK ASSESSMENT:

Factors potentially affecting the timing of project deliverables:

- Regional Planning Team (RPT) capacity to manage the project in 2025/2026
- First Nations' capacity and timing may not align with project timelines
- The LTC may choose to not proceed with amendments
- Costs may exceed the budget due to consultation or other factors

ALTERNATIVES CONSIDERED:

Option 1: Proceed no further. Staff time and funding are not allocated to the project. Under this alternative the project does not complete bylaw drafting, does not proceed to bylaw readings.

Option 2: Proceed as a Minor Project. Should funding not be provided, the LTC may consider completing the work as a sequence of 'minor projects' with reduced scope, budget and deliverables.

Option 3: Reduced funding. This will limit the project scope of work and deliverables, limiting the ability to complete the project in the next fiscal.

CRITICAL SUCCESS FACTORS:

The project would be considered successfully completed if relevant amendments to the OCP and LUB are adopted by the end of the 2025/26 fiscal year. Longer term success would be measured through improvements to housing options, accessibility and affordability.

RECOMMENDED OPTION:

The recommended option is to fund the third year of the project as a Major LTC Project at the requested amount of \$12,000 for the coming fiscal year. This provides sufficient funding to complete the bylaw phase with continued project management by a Regional Planning Team planner.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

\$12,000 for fiscal 25/26

- Consultation (First Nations, partners, community, communications) - \$5,000
- Public hearing - \$2,000
- Communications - \$3,000
- Legal Contingency - \$2,000

Qualitative Analysis: Project would contribute to and benefit from efficiencies associated with similar projects in other LTAs.

PURCHASING PROCEDURE:

N/A

PROPOSED IMPLEMENTATION STRATEGY:

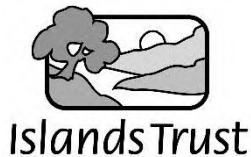
Deliverable/Milestone	Date
Phase 2C – Options Requiring More Detailed Analysis and Engagement	
First Nations Engagement	April 2025 – September 2025
Bylaw Drafting/Community Engagement where required	April 2025 – June 2025

Legal Review	April 2025 – June 2025
Bylaw readings/ CIM	April - June 2025
Provincial Referral	June 2025
STAFF RESOURCING: Estimated hours - 0.33 FTE (450 hrs) Regional Planning Team Project Manager - 0.05 FTE (50 hrs) Planning Team Support - LTC Planner, up to 40 hours - RPM, up to 10 hours - 0.10 (180 hrs) Other support (Admin, communications, mapping, SIRA)	
CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: • This project involves significant engagement with the K'omoks Nation. As such it is likely that other projects will emerge. • Adoption of the bylaws will involve communications with the community and First Nations. The budget request will include public outreach and website updates normally completed as part of the organization's standard communications for bylaw updates.	

Requested by Denman Island Local Trust Committee

Prepared by: Narissa Chadwick, Island Planner/ July 7, 2024

Reviewed by : Renée Jamurat, Regional Planning Manager/ July 30, 2024



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

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

TO BE COMPLETED BY INITIATOR	
Requested by (Committee or Operational Unit): Gambier Island Local Trust Committee	Budget Source (select all that apply): ☐ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: _____ For fiscal year 2025-26: - Legal review of potential OCP/LUB amendments to implement Squamish Nation engagement high priority recommendations (i.e. Heritage Conservation Area(s) and Shoreline Development Permit Area(s)); legislative review process (community information meeting, referrals, public hearing, post adoption communications)
Department: Planning Services	
Name of Request: Final Phase Gambier Island OCP and LUB Amendments Implementation- Major Project	
\$ Value of Request \$10,000	
Date of Submission to Finance:	Funding Required for (date range): April 2025 – March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS: (Indicate how the proposed project/activity/work ties to Trust Council's strategic plan, Policy Statement directives, Council Bylaws, work programs, the Trust's object, etc. Provide relevant reference, along with hyperlinks to external documents where available.)

The most recent Islands Trust Council [Strategic Plan 2018-2022](#) contains objectives to:

- To preserve and protect marine ecosystems
- 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
- Preserve, protect and advocate for forest and terrestrial ecosystems

This project would support the achievement and implementation of these objectives in the Gambier Island Local Trust Area.

ISSUE/OPPORTUNITY:

Initiated in 2022, the Gambier Island OCP and LUB targeted review is a top-priority project and requires implementation/completion in the 2025/26 fiscal. The project is aimed at these focussed and interconnected topic areas: heritage preservation and protection (indigenous natural and cultural heritage), and protection of shoreline and forest ecosystems. This targeted review process and resulting amendments to the OCP and LUB would address issues and provide opportunities as follows:

- Strengthen relations with First Nations in the Howe Sound region, honouring the Gambier reconciliation standing resolution # GM-2019-061 and the Islands Trust Reconciliation Action Plan 2019-2022 by undertaking early and meaningful engagement with Skwxwú7mesh/Squamish Nation, and others, working to align land use planning policies and regulations with First Nations interests and First Nations-led planning and policy initiatives.
- Update Gambier Island's OCP, which has not been substantially updated since 2001 and 2004 respectively, and to be reflective of reconciliation and First Nations engagement, including acknowledgement of First Nations treaty and territorial rights and title, including place, context and inherent rights.
- Aligns and advances the Islands Trust Strategic Plan Objective "to preserve and protect marine ecosystems" and Strategy to "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," by specifically reviewing and strengthening Gambier shoreline protection policies and regulation, and incorporating work to-date advanced by the Regional Planning Committee.
- Aligns and advances the Islands Trust Strategic Plan Objective "Preserve, protect and advocate for forest and terrestrial ecosystems", by reviewing and strengthening Gambier forest protection policies and regulations as guided by the Islands Trust Toolkit for the Protection of the Coastal Douglas-fir Zone and Associated Ecosystems. There are thirteen Coastal Western Hemlock (CWH) ecosystems under threat in this region and are under-protected. Only 2% of CWH ecosystems in the Salish Sea region are protected, highlighting the urgent need to conserve remaining mature and old-growth forests*.

The LTC is seeking funds to support the completion of the project which includes a comprehensive legal review and the legislative process after first reading.

* Islands Trust Conservancy, *Gambier Island Local Trust Area Coastal Western Hemlock Forests, Forest Fact Sheets*, June 2020

PROJECTED RESULTS/DELIVERABLES:

	Date Range	Budget Request
Funding Request Final Phase: Legal Review and Legislative Process and Implementation (2025-2026)		\$10,000
Legal Review of Heritage Conservation Area(s) and Development Permit Area(s) in draft OCP and LUB	Spring 2025	\$6,000
1 st reading, further engagement, referrals to First Nations and agencies	Spring/Summer 2025	0
Consideration of changes and 2 nd reading	Fall 2025	0
Community Information Meeting and Public Hearing	Fall/Winter 2025	\$2,000
3 rd reading	Winter 2025	0
Forward to Executive Committee and Ministry of Municipal Affairs	Winter 2025	0
Final Adoption	Spring 2026	0
Bylaw amendment communications	Spring 2026	\$2,000

RISK ASSESSMENT:

- Factors potentially affecting the timing of project deliverables include the Regional Planning Team capacity to manage the project in 2025/2026 along with other competing LTC projects that are yet to be approved for that timeframe.
- Unanticipated timing delays or extensions due to change of scope, trustee or staff availability/capacity, coordination with other IT projects, or other factors.
- Further delays to updating the OCP/LUB reflecting the engagement with the community and First Nations may necessitate a need to re-engage in the future.

ALTERNATIVES CONSIDERED:

Option 1: Proceed no further. The benefit of not proceeding further is budget savings. The risk of not implementing the First Nations engagement recommendations into updated policies and regulations may adversely impact relations with First Nations and threaten culturally significant areas of the island with status quo development.

CRITICAL SUCCESS FACTORS: *(What related factors have been identified that are important to the success of completing this work/initiative? Which of these factors are considered critical to the success of this initiative? Discuss outcomes if critical success factors are not met.)*

The following are identified as critical for this project to be successful:

- Staff capacity in the Regional Planning Team and staff support.

The project would be considered successfully completed if the amendments to the OCP and LUB are adopted. Success could be measured over the longer term through measurables such as improved relations with First Nations and updated policy and regulatory bylaws to address their interests and concerns. Success can also be measured by evaluating how many LTCs are able to borrow the planning research, First Nations engagement framework and draft policies/regulations in their own reconciliation efforts.

RECOMMENDED OPTION:

The present funding request is for \$10,000 for fiscal 2025/26 to allow the Gambier Island OCP-LUB project to be implemented and completed.

COST/BENEFIT ANALYSIS: *(Discuss both quantitative and qualitative considerations of this initiative. Quantitative discussion should include financial costs as well as benefits (savings). Qualitative considerations include non-quantifiable costs and benefits.)*

Quantitative Analysis:

\$10,000.00 for fiscal 2025/2026 for Final Phase (Implementation)

Qualitative Analysis:

- Funding is necessary to update policies and regulations to expand the scope of protections in the OCP and LUB for island forests, shorelines, and Indigenous heritage.
- Project completion of these final steps may include benefits such as improved First Nations relations and implementation of actions towards effective reconciliation.

PURCHASING PROCEDURE:

N/A

PROPOSED IMPLEMENTATION STRATEGY: *(What are the specific features of the “roll-out” of the recommended solution? What is the timeline and anticipated date of completion for this initiative?)*

- See Projected Results/Deliverables above.
- Results in updated OCP and LUB bylaws for Gambier Island.
- Advances Islands Trust Strategic Plan Objectives.
- Implementing actions in the Islands Trust Reconciliation Action Plan 2019-2022 by undertaking early and meaningful engagement with First Nations, to align land use planning policies and regulations with First Nations interests and First Nations-led planning and policy initiatives.
- Updated DAI Bylaw

STAFF RESOURCING: *(What staff resources will be needed to achieve success on this initiative? Estimate how many hours of staff time will be required, by staff level/role. Comment on the reasonability of expected staff hours when assessed in conjunction with other work underway or planned.)*

The project would be managed by an Island Planner assigned from the Regional Planning Team, estimated at 450 hours, with support from the Gambier Island Planner (up to 40 hours), RPM (up to 10 hours), admin support (up to 20 hours subject to other approved major projects) and support from the Senior Indigenous Relations Advisor (40 hours), GIS staff (20 hrs) and communications staff (40 hrs).

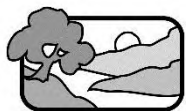
CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Discuss proposed change management requirements, communications needed, involvement with others. Are there any concerns related to these? If so, how will these be addressed? Have other stakeholders been identified?)*

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

Requested by (Committee or Business unit): Gambier Island Local Trust Committee

Prepared by: Sonja Zupanec, Island Planner / August 13, 2024

Reviewed by: Renée Jamurat, Regional Planning Manager / August 20, 2024



Islands Trust

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

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TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit): GABRIOLA LTC	Budget Source (select all that apply): ☒ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☒ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: Consultants, Honoraria for First Nations for on-going meetings and participation, technology, mapping, facility rental, engagement meetings and materials, printing, posting and distribution of communication materials.
Department: LPS-Planning Services	
Name of Request: Phase 3 - Gabriola OCP and LUB Review - Major Project (Year 3 of project)	
\$ Value of Request (indicate by fiscal year <u>and</u> total if project is multi-year): 2025-2026 - \$30,000 Total to-date: \$95,000 2023-24 -/2024 \$18,000 2024-25-/2025 \$77,000	
Date of Submission to Finance: September 2024	Funding Required for (date range): April 1, 2025-March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS

Trust Council [Strategic Plan 2018-2022](#) contains objectives to:

- Preserve, protect and advocate for forest and terrestrial ecosystems
- To preserve and protect marine ecosystems
- Mitigate and adapt to climate change impacts
- Strengthen Housing Affordability Throughout the Islands Trust Area

ISSUE/OPPORTUNITY:

The Gabriola Island OCP and LUB has not been substantially updated since 1997 and 1999 respectively. The review will substantially update the bylaws addressing a number of Islands Trust Strategic objectives and emerging issues. As the first substantial OCP/LUB review undertaken by the regional planning team the project and resulting bylaw amendments will serve as a model for other LTC OCP/LUB reviews.

The OCP and LUB review (Phase 3) will provide the opportunity to advance Islands Trust Strategic Interests related to:

- First Nations Reconciliation - The project will involve developing a process to engage First Nations at the front end of the project to identify how they would like to be involved and then integrating Nations perspectives as appropriate. This may involve hiring a First Nations engagement specialist.
- Addressing affordable and attainable housing- the project prioritizes housing.
- Preservation of ecosystems both terrestrial and marine – the project will involve reviewing DPAs. The work will begin with reviewing the suitable land analysis that is currently being developed. It will involve review and potential updates to DPAs and updated mapping based on existing data.
- Advancing objectives of the Freshwater Sustainability Strategy related to freshwater sustainability and the health of the watershed- the project will consider work that has been done for Galiano and North Pender to create an aquifer protection DPA and update proof of water regulations.
- Development of a process (including public engagement) and bylaws that could serve as a model for other LTC OCP/LUB reviews.

By the end of Phase 3 it is anticipated that a first draft of the revised OCP will be complete. This will include new mapping and guideline development for new DPAs. Phase 3 will also involve amending the LUB to ensure consistency with the revised OCP. The anticipated cost of Phase 3 is \$30,000 to support First Nations engagement, legal review, public engagement, communications and mapping DPAs.

The OCP and LUB review process will be informed by the OCP and LUB Review Phases 1 and 2. These phases of the project involved:

- Early First Nations engagement
- A community engagement process contributing development of draft Gabriola Vision 2050
- Suitable Land Analysis and Build Out Analysis
- Community engagement on key topics
- DPA review
- Initiation of bylaw drafting

With this business case the LTC is seeking the funds to support Phase 3.

PROJECTED RESULTS/DELIVERABLES:**Phase 3 Fiscal 2025/26 \$30,000 – DPA Development, OCP completion and Initiation of LUB review:**

- Continuing First Nations engagement
- Revision of DPAs to include new mapping
- Communications and Engagement
- Drafting OCP Bylaw and Legal Review
- Legislative Process: OCP bylaw readings, CIMs and Public Hearing, Ministerial Approval, Adoption
- LUB amendment drafting

The Gabriola OCP will provide model policies for other LTCs and a model process to demonstrate the successive process of updating the LUB to ensure OCP consistency.

Previous Phases:

Phase 2 Fiscal 2024/2025 \$77,000 - Data Collection and Discussion

- First Nations consultation
- Compiling baseline/technical information
- Suitable Land Analysis
- Water Balance Assessment
- Engagement on key topics
- Initiation of bylaw drafting

Phase 1 Fiscal 2023/2024 \$18,000 – Gabriola Visioning 2050

- Initial FN consultation
- APC/HAPC/Community Engagement
- Public Education

RISK ASSESSMENT:

Factors potentially affecting the timing of project deliverables:

- Regional Planning Team (RPT) capacity to manage the project in 2025/2026;
- Capacity and available expertise to support mapping and data needs within the budget;
- Available capacity from supporting staff;
- First Nation capacity and interest to engage may not align with project timelines;
- Ability to retain an Indigenous consultant to assist with FN engagement.

Financial implications:

- Cost may exceed the budget due to additional consultation needs or other factors.

Resource requirements:

- RPT has allocated time to the continuation of this project in anticipation of budget approval.
- Overall staff resourcing from the RPT to complete all major projects is limited and may not be able to accommodate any extensions to project timeline and work scope.
- Overtime hours have not been estimated at this time, however it is reasonable to expect based on a project of this kind.

ALTERNATIVES CONSIDERED:

Option 1: Proceed no further. Staff time and funding are not allocated to the project. Under this alternative the project does not complete bylaw drafting, does not proceed to bylaw readings.

Option 2: Proceed as a Minor Project. Should funding not be provided, the LTC may consider completing the work as a sequence of 'minor projects' with reduced scope, budget and deliverables. This would limit the planned engagement and DPA work.

Option 3: Reduced funding. This will limit the project scope of work and deliverables such as DPA work, engagement and communications.

CRITICAL SUCCESS FACTORS:

- Allocation of planning services staff time (Regional Planning Team and staff support)
- First Nations engagement
- Islands Trust staff resources used for DPA mapping work
- The project would be considered successfully completed if the amendments to the OCP and LUB are adopted. Success could be measured over the longer term through measurables such as improved relations with First Nations and updated policy and regulatory bylaws to address their interests and

concerns. Success can also be measured by evaluating how many LTCs are able to use the model policies and model process of updating their LUBs for OCP consistency.

RECOMMENDED OPTION:

The present funding request is for \$30,000 for fiscal 2025/26 to allow the Gabriola Island OCP-LUB project to progress through Phase 3.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

\$30,000 for fiscal 2025/26 for Phase 3

- \$10,000 - First Nations Consultation
- \$10,000 – DPA mapping
- \$6,000 – Communications and Engagement
- \$4,000 – Legal Review

Qualitative Analysis:

- If no action is taken, Gabriola Island forests, shorelines and indigenous heritage may be at risk of continued.
- Degradation from future rural development, and housing affordability will continue to be an issue.
- Undertaking the project may include benefits such as improved First Nations relations and implementation of actions towards effective reconciliation, enhanced protection of marine, forest and terrestrial ecosystems.

PURCHASING PROCEDURE:

Not applicable if the work is done in-house by staff. However there will be other financial services required such as legal review, capacity work agreements, and hiring consultants were necessary as identified through a work program.

PROPOSED IMPLEMENTATION STRATEGY:

Deliverable/Milestone	Date
First Nations Engagement	April 2025 – March 2026
DPA Mapping	April 2025 – November 2025
Public Engagement	April 2025 – March 2026
OCP Bylaw Drafting	March 2025 –Sept 2026
Legal Review	March 2025 –Nov. 2025
Bylaw readings/ CIM	Jan 2026 – March 2026
OCP Provincial Referrals	January 2026 - TBD
LUB Drafting	January 2026 – June 2026

STAFF RESOURCING:

- 450 hours (0.33 FTE) Regional Planning Team Project Manager
- Up to 100 hours LTC Planner Support
- 180 hours (0.10 FTE) GIS - Mapping
- Up to 90 hours Administrative Support *subject to other approved major projects
- 180 hours (0.10 FTE) Communications Specialist
- Up to 20 hours Regional Planning Manager
- Overtime is expected for Planner and Administration staff hours.
- Overall staff resourcing from the RPT to complete all major projects is limited and may not be able to accommodate any extensions to project timeline and work scope.

- It is anticipated that staff resources to support RPT projects from the existing staff allocation is feasible, however in a limited capacity.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

- Significant engagement with the Snuneymuxw First Nation will strengthen this project. To date their interests have not been clearly identified.

Requested by: Gabriola Island Local Trust Committee

Prepared by : Narissa Chadwick, Island Planner / August 21, 2024

Reviewed by: Renée Jamurat, Regional Planning Manager / August 26, 2024



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

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

TO BE COMPLETED BY INITIATOR	
Requested by (Committee or Operational Unit): Lasqueti Island Local Trust Committee	Budget Source (select all that apply): ☐ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: _____ For fiscal year 2025-26: - Community consultation, shoreline value mapping exercise, First Nations consultation, support for advisory bodies, and contingency
Department: Planning Services	
Name of Request: Phase 1 Lasqueti Island OCP and LUB Review - Major Project	
\$ Value of Request \$15,500	
Date of Submission to Finance:	Funding Required for (date range): April 1, 2025 – March 31, 2026
TIE TO ISLANDS TRUST GUIDING DOCUMENTS: <i>(Indicate how the proposed project/activity/work ties to Trust Council's strategic plan, Policy Statement directives, Council Bylaws, work programs, the Trust's object, etc. Provide relevant reference, along with hyperlinks to external documents where available.)</i> The most recent Islands Trust Council Strategic Plan 2018-2022 contains objectives to: - Preserve, protect and advocate for forest and terrestrial ecosystems	

- To preserve and protect marine ecosystems
- Mitigate and adapt to climate change impacts
- Strengthen Housing Affordability Throughout the Islands Trust Area

This project would support the achievement and implementation of these objectives in the Lasqueti Local Trust Area.

ISSUE/OPPORTUNITY: *(What issue are you trying to resolve with this initiative, or what opportunity has been identified that would benefit Islands Trust by undertaking this initiative? What are the future needs? What organizational objectives are being addressed? Include background information that decision makers will need to properly assess this request.)*

The Lasqueti Island Local Trust Committee would like to build on the work completed to date regarding minor updates to the OCP and LUB by undertaking a fulsome review of the Official Community Plan (OCP) and Land Use Bylaw (LUB) to inform necessary updates, estimated to be completed in the next three fiscal years. This project will fill gaps that were not addressed in the existing project to review the OCP. The existing project is a minor project with a limited scope which has resulted in some emerging issues not being addressed. This project will seize opportunities to improve communication and relationships with First Nations, and engage with the Island community in order to address future housing needs, climate change, shoreline planning, and work towards Islands Trust strategic goals.

Phase 1 of this project is proposed to include community consultation, First Nations engagement and staff analysis to inform the future re-write of the OCP and LUB in the subsequent fiscal year.

As a Major Project, the initiative would be managed by the Regional Planning Team.

LA-2024-005

It was MOVED and SECONDED

that the Lasqueti Local Trust Committee direct staff to prepare a business case for the 2025/26 budget that includes:

1. Completion of any unfinished items from the OCP/LUB Review Project - Charter version 6.1, dated May 2024
2. Items 2, 3, and 4 from the Future Projects Report, dated April 29, 2024
3. Land Use Bylaw review and potential revisions arising from OCP amendments.
4. An updated community vision statement.

CARRIED

PROJECTED RESULTS/DELIVERABLES: *(How does this address the issue/opportunity described above? Indicate how results of this work will impact decision-making by trustees or staff. Will this work result in better decisions, more efficient decision-making, more efficient completion of work, better public perception, etc. Consider all possible results from undertaking this work.)*

Benefits: The project, when completed would result in a new OCP and LUB that would address First Nations concerns and interests; enhance the protection of marine, forest and terrestrial ecosystems; strengthen policies to support affordable housing; enhance resiliency to climate change; and take proactive action on managing mooring buoys. This will also result in greater clarity to applicants and staff when evaluating planning applications and development proposals.

Anticipated Deliverables could include:

Funding Request for Proposed Phase 1 (2025/26): Consultation, Confirming Topics	When	Estimated Budget
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First Nations engagement and consultation to confirm their interests, concerns and recommendations regarding future land use planning on Lasqueti Island and necessary policy and regulatory updates ;	Spring/Summer/Fall 2025	\$8,000
APC and Community engagement and consultation to map community values along the shoreline of Lasqueti Island; draft a new vision statement for the OCP and gauge support for Phase 2 review topics and necessary policy and regulatory updates;	Summer 2025 to Winter 2026	\$5,000
Staff analysis and recommendations	Winter/Spring 2026	\$1,000
Contingency		\$1,500
Phase 2: OCP and LUB Drafting and Community and FN Engagement,	Future Business Cases to be prepared for work extending beyond the 2025-26 Fiscal Year. Proposed Phase 2 (2026/27): - Ongoing community engagement; - Update the OCP and LUB to align with the model bylaw template; the Regional Conservation Plan, and Coastal Douglas-Fir Toolkit; - Update OCP objectives, policies advocacy policies and LUB regulations related to subdivision, housing, feral sheep, conservation targets, climate change, and Short-term Vacation Rentals and Tourism; - Develop a management plan for mooring buoys and access to the shoreline in Scottie Bay; - Develop a marine conservation designation and zone.	
Phase 3: Legislative Review and Bylaw Readings	Future Business Cases to be prepared for work extending beyond the 2025-26 Fiscal Year.	

RISK ASSESSMENT: *(List and discuss potential risk factors associated with this work, if identified. List and discuss the options that exist to mitigate identified risks.)*

There are several contingencies that could negatively affect the project outcome or deliverables:

Financial implications –

- Costs may exceed the budget due to consultation, change of scope, or other unanticipated factors.

Resource requirements –

- Staff resources: The regional planning team may not be able to support the project due to other on-going projects or limited staff capacity. In addition, it is anticipated that overtime hours may be required for any engagement events and business meetings that occur outside of regular business hours.
- It is estimated that the following staff and support is needed for this project: Regional Planning Team Planner = 450 hrs; Lasqueti Planner up to 40 hours; Regional Planning Manager = 10 hrs; Senior Indigenous Relations Advisor = 20 hrs; Admin = up to 100 hrs subject to other approved major projects; GIS = 20 hrs; Communications = 40 hrs.
- Unanticipated timing delays or extensions due to change of scope, trustee or staff availability/capacity, coordination with other IT projects, or other factors.
- Overtime hours have not been estimated at this time, however it is reasonable to expect based on a project of this kind.

Other implications –

- In a scenario where the current proposed OCP bylaw does not get adopted prior to commencement of this project, staff would be unable to proceed until the existing project is substantially completed (i.e. bylaw is forwarded to Minister for adoption). This would be due to limited staff resources to both complete an existing project and initiate a new project concurrently.
- First Nations' capacity, interest/priority, and timing may not align with project timelines.
- Project will not be completed prior to the current LTC term ending, and new elected officials may have different priorities outside of the scope of this project. In this scenario, staff would not prepare a business case until the new LTC requests a review of land use bylaws.
- Once the project is underway, the LTC may choose to not advance the draft bylaw to readings.

ALTERNATIVES CONSIDERED: *(What other options/alternative courses of action were considered? List and discuss each alternative separately. Each option must be supported by a succinct and realistic presentation of the benefits, risks, financial implications, resource requirements and other implications to allow for an informed decision among the options. One option should reflect the status quo - i.e. do nothing - and the anticipated results of that action.)*

Option 1: Status quo - Staff time and funding are not allocated to the project and the work does not proceed this fiscal year.

Benefits – Staff time will be focussed to completing existing projects and LTC meeting business, and any new approved minor projects. The Regional Planning Team may provide a checklist for all OCPs and prioritize reviews through the Regional Planning Committee (re: Policy 5.9.1, section B.1.3).

Risks – Restricted time left in LTC term to take on a major project in another fiscal year.

Financial implications – Trust Council does not budget funding for this project.

Resource requirements – none.

Other implications – Regional Planning Team time would be allocated to major projects for other Local Trust Areas.

Option 2: Proceed with specific priority aspects of this request as a Minor LTC Project. This would limit the project budget to a maximum of \$5,000 per fiscal year and limit the scope of the project so that not all LTC identified issues would be addressed.

Benefits – More chance of success to complete the project within the LTC term.

Risks – New changes that come up through the process would be out of scope. Would not address all the LTC's requested items. Could be a challenge to conduct fulsome engagement with First Nations and the community given the limits of minor project resources. Over time, could result in numerous minor projects which may be a less efficient use of staff time when compared to a single major project.

Financial implications – Budget is less than a major project and can likely be accommodated within the minor project budget through Planning Services. Resource requirements – May still require time of other support staff. Other implications – Will delay addressing some LTC identified issues with bylaw amendments. Would not allow for all interrelated factors and topics to be considered in a single project.
CRITICAL SUCCESS FACTORS: <i>(What related factors have been identified that are important to the success of completing this work/initiative? Which of these factors are considered critical to the success of this initiative? Discuss outcomes if critical success factors are not met.)</i> The following are identified as critical for this project to be successful: - Completion of the current minor project to amend the Lasqueti OCP - Sufficient capacity and interest from First Nations to engage on the project - Staff capacity in the Regional Planning Team and staff support The project would be considered successfully completed if relevant amendments to the OCP and LUB are adopted. Success could be measured over the longer term through measurables such as: - Improved relations with First Nations and updated policy and regulatory bylaws to address their interests and concerns; - Observation of stable and healthy terrestrial and marine ecosystems.
RECOMMENDED OPTION: <i>(State your recommendation, referencing the options discussed earlier, and summarise why you chose it over others.)</i> The recommended option is to fund the initiative as a Major LTC Project at the requested amount of \$15,500 for the coming fiscal year. This provides sufficient funding for consultation and for project management by a Regional Planning Team planner. The alternative is for the LTC to proceed, with only some of the work, as a Minor Project. If taken on as a minor project, the project scope would be reduced.
COST/BENEFIT ANALYSIS: <i>(Discuss both quantitative and qualitative considerations of this initiative. Quantitative discussion should include financial costs as well as benefits (savings). Qualitative considerations include non-quantifiable costs and benefits.)</i> <u>Quantitative Analysis:</u> \$15,500 for fiscal 2025-26 for Year 1 - Consultation (APC, First Nations, stakeholders, community, communications) – \$13,000 - Staff analysis and recommendations – \$1,000 - Contingency –10% contingency of the total fiscal year cost – \$1,500 <u>Qualitative Analysis:</u> • Undertaking the project may include benefits such as improved First Nations relations and implementation of actions towards effective reconciliation, enhanced protection of marine, forest and terrestrial ecosystems; • The project may also strengthen policies to support affordable housing; and enhance resiliency to climate change.
PURCHASING PROCEDURE: <i>(Describe any purchasing processes that will be needed to support this initiative (i.e. Direct Award, RFP, ITQ to qualified vendor) if goods or services need to be procured for the work. If this is for new staff hiring, indicate likely hiring method (i.e.: external competition, government-restricted internal competition, etc.)</i> Not applicable if the work is done in-house by staff. However there may be other financial services required such as legal review and capacity work agreements, as identified through a work program.

PROPOSED IMPLEMENTATION STRATEGY: *(What are the specific features of the “roll-out” of the recommended solution? What is the timeline and anticipated date of completion for this initiative?)*

The project is proposed to be completed over three fiscal years, with Year 1 primarily consisting of consultation and review of options, Year 2 consisting of drafting, review and adoption of OCP and LUB bylaws, and Year 3-4 consisting of the legislative process review and adoption.

STAFF RESOURCING: *(What staff resources will be needed to achieve success on this initiative? Estimate how many hours of staff time will be required, by staff level/role. Comment on the reasonability of expected staff hours when assessed in conjunction with other work underway or planned.)*

The project would be managed by an Island Planner assigned from the Regional Planning Team, estimated at 450 hours, with support from the Lasqueti Island Planner (up to 40 hours), RPM (up to 10 hours), admin support (up to 100 hours subject to other approved major projects) and support from the Senior Indigenous Relations Advisor (40 hours), GIS staff (20 hrs) and communications staff (40 hrs).

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Discuss proposed change management requirements, communications needed, involvement with others. Are there any concerns related to these? If so, how will these be addressed? Have other stakeholders been identified?)*

This project will involve communications with the Lasqueti Island community and with First Nations. The budget request will support the communications and engagement with these communities.

Requested by (Committee or Business unit): Lasqueti Island Local Trust Committee

Prepared by: Stephen Baugh, Island Planner / June 24, 2024

Reviewed by: Renée Jamurat, Regional Planning Manager / June 28, 2024

OCP/LUB Review Project

Lasqueti Island Local Trust Committee

Date: June 2024

Purpose: To review and update the Lasqueti Official Community Plan policies and Land Use Bylaw regulations pertaining to First Nations interests, subdivision, housing, short term vacation rentals, conservation, and protection of the natural environment. Outcomes of this project will include a new OCP and LUB as well as a management plan for Scottie Bay.

Background: The LTC identified several topics as priorities for policy and regulation development in May 2024 stemming from engagement for a previous OCP project. It is understood that additional public engagement as well as engagement with First Nations on the identified topics will be required prior to developing specific policy and regulatory language.

Project Team	
Regional Planning Manager	Project Sponsor
Regional Planning Team Planner	Project Manager / Planner
Senior Indigenous Relations Advisor	IT First Nations Liaison
Island Planner	Planner Support
Legislative Clerk	Legislative Process / Bylaw Review

Budget		
Fiscal	Item	Cost
2025-26	First Nations Engagement	\$8,000
2025-26	Community Engagement	\$5,000
2025-26	Staff analysis and recommendations	\$1,000
2025-26	Contingency	\$1,500
2025-26	Total	\$15,500
2026-27	OCP and LUB Drafting and Consultation	TBD
2027-28	OCP and LUB Legislative Review and Adoption	TBD



Islands Trust

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

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

TO BE COMPLETED BY INITIATOR

Requested by:

Mayne Island Local Trust Committee

Department:

Planning Services

Name of Request:

**Mayne Island Housing Options Project
(Year 2 of project)**

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

FY 2026: \$8,000

FY 2025: \$10,000

Budget Source (select all that apply):

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

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ **Permanent**

☐ **Temporary**

Temp Duration: _____

☒ **Other – please describe: _community engagement,
First Nations engagement, public hearing, legal
contingency**

Date of Submission to Finance:

LTC resolution: July 29, 2024

**Funding Required for (date range): Apr 2025 to Dec
2025**

TIE TO ISLANDS TRUST GUIDING DOCUMENTS:

Islands Trust Council [Strategic Plan 2018-2022](#). Objective: Strengthen Housing Affordability Throughout the Islands Trust Area. In June 2023, [Islands Trust Council amended the Strategic Plan](#) to:

- “Prioritize elements of the strategic plan that support land use decision making”, and
- “Update the strategic initiatives related to housing to focus on projects that will develop healthy, resilient island communities by employing two lenses: mitigating and adapting to the effects of climate change, and managing growth by cultivating equitable, inclusive and resilient communities and the natural environment.”

ISSUE/OPPORTUNITY: This on-going project (current phase commenced May 2024) is intended to address the need for an increase in housing options. The Mayne Island LTC has been engaged in reviewing housing options for the past four years. This request is to support the continuation of the current phase of the Mayne Island housing project. This phase includes First Nations and community consultation, and OCP and LUB updates to increase housing options.

The first phase of this project supported the Islands Trust's Strategic Plan Goal to "Strengthen housing affordability throughout the Trust Area" by:

- Contributing to the creation of a Trust Wide Housing Toolkit
- Amending the Mayne bylaws to permit flexible housing, and providing a model for other bylaws
- Demonstrating the value of suitable land analysis contributing to suitable land analysis being done for all Trust Area to contribute to their housing project

Phase 2 (current phase) would support the Islands Trust's Strategic Plan Goal to "Strengthen housing affordability throughout the Trust Area" by:

- Utilizing the Islands Trust Housing Toolkit
- Amending Mayne OCP and LUB to permit further housing options, specifically expanded secondary suites areas, expanded flex housing areas and density bonuses for land for affordable housing
- Contributing to the design of more model bylaws for housing
- Supporting the CRD's Gulf Islands Housing Strategy actions related to increasing housing options
- Demonstrating the value of partnership building with non-profits and the Capital Regional District in the development of housing

PROJECTED RESULTS/DELIVERABLES: The project will include exploring and implementing LUB and OCP amendments to support actions identified in the Draft Housing Action Plan for the following:

- Expanded opportunities to build Secondary Suites and Accessory Dwelling Units
- Increased Opportunities for Non Profit Housing Development
- Permitting Alternative Housing Approaches
- Reducing Ecological Footprint of New Builds

In the 2025 fiscal year work involves First Nations and community consultation, evaluation of options and bylaw drafting. The proposed FY2026 request (\$8,000) would fund any further engagement, the bylaw process, including a public hearing, communications materials, and includes a small contingency for a legal opinion.

RISK ASSESSMENT: There are several contingencies that could negatively affect the project outcome or deliverables:

1. Lack of staff resources: the regional planning team may not be able to support the project due to other on-going projects or staff shortages
2. First Nations' capacity and timing may not align with project timelines
3. The LTC may choose to not proceed with amendments
4. Costs may exceed the budget due to consultation or other factors

ALTERNATIVES CONSIDERED:

Option 1: Staff time and funding are not be allocated to the project: under this alternative the project does not proceed to the bylaw phase, or the LTC considers completing the work as a 'minor project'

Option 2: Reduced funding: This may limit the ability to complete the project in the next fiscal.

CRITICAL SUCCESS FACTORS: Near term success if relevant amendments to the OCP and LUB are adopted. Longer term success would be measured through improvements to housing options, accessibility and affordability.

RECOMMENDED OPTION: The recommended option is to fund the second year of the project as a Major LTC Project at the requested amount of \$8,000 for the coming fiscal year. This provides sufficient funding to complete the bylaw phase with continued project management by a Regional Planning Team planner.

COST/BENEFIT ANALYSIS:

Quantitative Analysis: \$8,000 for fiscal year 2025

- Consultation (First Nations, partners, community, communications) - \$2,000
- Public hearing - \$2,000
- Communications - \$2,000
- Legal Contingency - \$2,000

Qualitative Analysis: project would contribute to and benefit from efficiencies associated with similar projects in other LTAs.

PURCHASING PROCEDURE: N/A

PROPOSED IMPLEMENTATION STRATEGY:

Early engagement with First Nations - COMPLETED	June 2024
Engage partners (eg. Habitat for Humanity, CRD, MIHS) - COMPLETED	June 2024
LTC review of analysis, issues and opportunities – ON-GOING	Sept-Dec. 2024
Community Consultation as needed – ON-GOING	Sept – Dec 2024
Bylaw Drafting	Jan – March 2025
Bylaws Readings/ Referrals/ Public Hearing	April – Sept 2025
OCP Amendments to EC/Province	October 2025
Final Adoption	TBD

STAFF RESOURCING:

0.25 FTE Regional Planning Team Project Manager
0.10 FTE Planning Team Support (RPM)
0.10 Other support (Admin, communications, mapping, SIRA)

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: N/A

Requested by (Committee or Business unit): Mayne Island Local Trust Committee

Prepared by (name, title)/date: Narissa Chadwick, Island Planner

Reviewed by (name, title)/date: Robert Kojima, Regional Planning Manager



Islands Trust

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

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TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit):
North Pender Island Local Trust Committee

Department:
Planning Services

Name of Request:
North Pender LTC Housing Access and Affordability Project

\$ Value of Request:

Fiscal Year 2026 - \$8,000
Fiscal year 2025 - \$15,000

Budget Source (select all that apply):

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

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ Permanent

☐ Temporary

Temp Duration: _____

☒ **Other – please describe:** _____

For fiscal year 2026:

- On-going community consultation, on-going First Nations consultation, Bylaw amendments, and legal contingency

Date of Submission to Finance:
LTC resolution: July 26, 2024

Funding Required for (date range):
April 1, 2025 – March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS

Islands Trust Council [Strategic Plan 2018-2022](#). Objective: Strengthen Housing Affordability Throughout the Islands Trust Area. In June 2023, [Islands Trust Council amended the Strategic Plan](#) to:

- “Prioritize elements of the strategic plan that support land use decision making”, and
- “Update the strategic initiatives related to housing to focus on projects that will develop healthy, resilient island communities by employing two lenses: mitigating and adapting to the effects of climate change, and managing growth by cultivating equitable, inclusive and resilient communities and the natural environment.”

ISSUE/OPPORTUNITY:

The North Pender Island Local Trust Committee has identified access to affordable housing as a priority issue. A Budget Funding request was submitted to Trust Council last year and approved in the amount of \$15,000 for fiscal year 2025 for a Major Project to engage in community consultation, to consult with First Nations, to engage with stakeholder groups, to review housing options and to undertake amendments to the OCP and LUB and development of a housing action plan to improve access to affordable housing in the community.

Work is currently underway on the project, with community and First Nations consultation, and a review of housing options scheduled to be completed by the end of the fiscal year (March 31, 2025). The LTC is requesting funding of \$8,000 for the subsequent phase of the project, which would involve bylaw drafting, readings, public hearing, on-going community and First Nations consultation, along a contingency for any legal questions.

This project would be consistent with Islands Trust Council Strategic Plan Goal to “Strengthen housing affordability throughout the Trust Area”. It is also utilizing the recent completed housing toolkit prepared on behalf of the Regional Planning Committee. A Housing Strategy for the Southern Gulf Islands was recently adopted by the CRD Board. Housing related initiatives are currently underway in several other local trust areas and this project would apply and build on options, experiences and lessons from those initiatives.

PROJECTED RESULTS/DELIVERABLES: the project would result in amendments to the OCP and LUB that would provide opportunities and options for greater housing diversity and affordability. A Housing Action Plan that includes non-bylaw actions may also be developed.

RISK ASSESSMENT: There are several contingencies that could negatively affect the project outcome or deliverables:

1. Lack of staff resources: the regional planning team may not be able to support the project due to other on-going projects or staff shortages. Currently preliminary work is being undertaken by the Island Planner.
2. First Nations’ capacity and timing may not align with project timelines.
3. The LTC may choose to not proceed with amendments.
4. Costs may exceed the budget due to consultation or other factors.

ALTERNATIVES CONSIDERED:**If the project is not funded for Fiscal 2026:**

Option 1: Proceed with the initiative as a Minor LTC Project – this would limit the project budget to a maximum of \$5,000 for the fiscal year.

Option 2: Defer: the completion of project could be deferred to a future fiscal year.

CRITICAL SUCCESS FACTORS: The project would be considered successfully completed if relevant amendments to the OCP and LUB are adopted. Ultimate success would be measured over the longer term through improvements to housing options, accessibility and affordability.

RECOMMENDED OPTION: The recommended option is to fund the initiative at the requested amount of \$8,000 for the coming fiscal year. This provides sufficient funding to complete the project.

COST/BENEFIT ANALYSIS:

Quantitative Analysis: \$8,000 for fiscal 2026 for:

- On-going community consultation - \$2,000
- On-going First Nations consultation - \$2000
- Public hearing - \$2,000
- Legal contingency - \$2,000

Qualitative Analysis: project would benefit from efficiencies associated with similar projects in other LTA and build on those experiences.

PURCHASING PROCEDURE: N/A

PROPOSED IMPLEMENTATION STRATEGY: The project is proposed to be completed over two fiscal years, with final year consisting of on-going consultation, drafting and review of bylaws, legislative process, and implementation.

STAFF RESOURCING: The project would be managed by a planner assigned from the Regional Planning Team, estimated at 0.25 FTE, with support from the RPM (up to 0.10 FTE), admin support (0.10 FTE) and support from the Senior Indigenous Relations Advisor, the Senior Freshwater Specialist, mapping and communications staff as needed.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: N/A

Requested by (Committee or Business unit): North Pender Island Local Trust Committee

Prepared by (name, title)/date: Robert Kojima, July 12, 2024

Reviewed by (name, title)/date:



Islands Trust

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

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

TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit):

Salt Spring Local Trust Committee (SS LTC)

Department:

Planning Services

Name of Request:

Major amendment to SS OCP and SS LUB

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

2024-25 - \$222,000

2024-25 – 86,500 Moved by LTC from Ganges Village Area Planning Project to OCP/LUB project

2024-25 - \$308,500 Total

(NOTE: Approximately \$128,500 of these funds will not be spent by the of Fiscal 2024-25 and will need to be taken from surplus to fund the project in fiscal 2025-26)

2025-26: \$174,000 – (\$128,500 from surplus unspent in 2024/25 and new request of \$45,500)

Total budget for project over two years: \$354,000

Budget Source (select all that apply):

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

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ **Permanent**

☐ **Temporary**

Temp Duration: _____

☐

X Other – please describe:

- Early and Ongoing Engagement with First Nations with Treaty and Territorial Interests on SSI
- Project Consultant Scope of Services Received July 31, 2024
- Communication and educational info, printouts, mail-outs, brochures, posting of meetings and legal notifications
- Technical support on virtual and in-person sessions, and facility rental for in-person sessions, open houses and community

	- engagement meetings - Technical support on virtual and in-person sessions, and facility rental for in-person sessions, open houses and community engagement meetings
Date of Submission to Finance: February, 2024 SSLTC endorsed: October 1, 2024	Funding Required for (date range): April 1 2024-March 31, 2025, \$ 180,000 April 1 2025-March 31, 2026, \$ 174,000
TIE TO ISLANDS TRUST GUIDING DOCUMENTS: <i>(Indicate how the proposed project/activity/work ties to Trust Council's strategic plan, Policy Statement directives, Council Bylaws, work programs, the Trust's object, etc. Provide a copy/paste of the relevant reference, along with hyperlinks to external documents where available.)</i> Addresses numerous Strategic Plan Goals and Objectives including: fostering preservation and protection of the Trust Area's ecosystems, sustaining island character and healthy communities, and effective, efficient and collaborative governance.	

ISSUE/OPPORTUNITY: <i>(What issue are you trying to resolve with this initiative, or what opportunity has been identified that would benefit Islands Trust by undertaking this initiative? What are the future needs? What organizational objectives are being addressed? Include background information that decision makers will need to properly assess this request.)</i> This business case involves the underspent project budgets for the 2024/2025 fiscal year (FY2024/25) that was approved by the Islands Trust Financial Planning Committee to be carried over to the 2024/2025 budget cycle. This business case involves funding support for a major amendment to the Salt Spring Island Local Trust Committee Bylaw No. 434, 2008 (OCP) and the Salt Spring Island Local Trust Committee Land Use Bylaw No. 355, 1999 (LUB), and planning activities required to inform policy development, such as: - early and ongoing consultation with 13 First Nations that have territorial interests in SSI, - of a robust public engagement process, - preparation of a comprehensive draft of a revise OCP. The major amendment to SS OCP continues to advance the Housing Action Program (HAP) and the Salt Spring Island Community Wildfire Resiliency Plan. Of paramount importance is the identification of opportunities to diversify housing choice and the supply and affordability of housing. PROJECTED RESULTS/DELIVERABLES: <i>(How does this address the issue/opportunity described above? Indicate how results of this work will impact decision-making by trustees or staff. Will this work result in better decisions, more efficient decision-making, more efficient completion of work, better public perception, etc. Consider all possible results from undertaking this work.)</i> The following deliverables will be achieved through the Salt Spring Island OCP-LUB Update Project: - Updated Salt Spring Island Official Community Plan - Updated Salt Spring Island Land Use Bylaw - Monitoring Plan The funding request for FY25/26 is to cover costs associated with the following:			
Item Descriptions	Total 2-Year Project Budget	Total FY2024-25 Cost	Total FY2025-26 Cost
Early and ongoing consultation with 13 First Nations with treaty and territorial interests on SSI	\$26,000	\$0	\$26,000

Consultant to conduct and facilitate a robust and inclusive public engagement program and policy options development	\$166,000	\$30,000	\$136,000
Communication and educational info, printouts, mail-outs, brochures, posting of meetings and legal notifications	\$9,000	\$0	\$9,000
Technical support on virtual and in-person sessions, and facility rental for in-person sessions, open houses and community engagement meetings	\$3,000	\$0	\$3,000
Complete Communities assessment (funded by grant)	\$150,000	\$150,000	-
Total	\$354,000	\$180,000	\$174,000

RISK ASSESSMENT: *(List and discuss potential risk factors associated with this work, if identified. List and discuss the options that exist to mitigate identified risks.)*

Timelines – a major amendment to the SS OCP is unlikely to conclude in one year. The previous request stated that if funding was approved, a request to carry over unspent money will likely be required.

There has been no full review of the SS OCP since its adoption in 2008; the last amendment was an update to the industrial lands per Bylaw 488. The current document no longer reflects current issues, particularly on policies relating to climate change, First Nations reconciliation, infrastructure servicing, and various affordable housing related policies. This risk is mitigated by the concurrent OCP-LUB Review. Conducting these projects enables Islands Trust to merge engagement activities, technical review, and other project tasks to achieve efficiencies in the project work and consistency across both documents.

CRITICAL SUCCESS FACTORS: *(What related factors have been identified that are important to the success of completing this work/initiative? Which of these factors are considered critical to the success of this initiative? Discuss outcomes if critical success factors are not met.)*

The support of skilled facilitation and innovative approaches and an unbiased, neutral third-party professional to assist in the process are critical. Best practice in OCP development and engagement fields are constantly evolving fields and specialists can offer considerable value to these process elements. While staff in the Salt Spring office and the Regional Planning Team can provide valuable input and support, relying solely on in-house staff resources would burden staff and take away from sustaining the ongoing administration of planning services (i.e. development inquiries, applications, and minor projects). The financial implications of contracting the service is outweighed by the advantages of specialist expertise and specific scopes of work.

RECOMMENDED OPTION: *(State your recommendation, referencing the options discussed earlier, and summarise why you chose it over others.)*

Approve the request to secure the approved \$204,000 over two-years by forwarding re-funding the balance of funds spend in the 2024-2025 fiscal year to the 2025-2026 fiscal year in addition to an additional \$45,500 to complete the OCP-LUB Project to **increase housing options and housing equity** on the island in ways that integrate:

- The interests of First Nations with treaty and territorial interests in the Salt Spring Island Local Trust Area;
- Ecosystem integrity and connectivity; and
- Climate change resiliency.

COST/BENEFIT ANALYSIS: *(Discuss both quantitative and qualitative considerations of this initiative. Quantitative discussion should include financial costs as well as benefits (savings). Qualitative considerations include non-quantifiable costs and benefits.)*

Quantitative:

- \$166,000 over two fiscal years for a project consultant team to refine a draft consultant Scope of Services, develop project management systems, and design execute a bylaw review program that incorporates significant and inclusive public and interest holder engagement and delivers revised bylaw documents and reports
- \$26,000 over two fiscal years for early and ongoing consultation with First Nations to be undertaken by Islands Trust staff.
- \$12,000 over two fiscal years is requested to support incidental, logistical, and legislative costs. These include printing and publication, venue rentals, legal notices, and any potential legal or third party reviews needed to complete the project.

Qualitative:

Project has proposed to merge the Ganges Village Planning project budget to create a more fulsome planning product that can still meet core study needs for the central area. The need for a plan review on Salt Spring is very timely given a number of contextual factors that impact the approach to land use governance on Salt Spring Island. These include:

1. The recent and upcoming completion of numerous policy projects that change public and organizational expectations, such as the Salt Sprig Island Complete Communities Assessment, and the Housing Needs Assessment.
2. Anticipated infrastructure investments and policy changes in water and wastewater service providers that will improve the capacity and certainty of reliable servicing for more housing.

PURCHASING PROCEDURE: *(Describe any purchasing processes that will be needed to support this initiative (ie. Direct Award, RFP, ITQ to qualified vendor) if goods or services need to be procured for the work. If this is for new staff hiring, indicate likely hiring method (ie: external competition, government-restricted internal competition, etc.)*

Per Islands Trust and BC procurement process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY: *(What are the specific features of the “roll-out” of the recommended solution? What is the timeline and anticipated date of completion for this initiative?)*

The OCP/LUB Update Project is expected to take 30 months. Figure 1 provides an overview of the process, while Table 1 outlines the planning process showing key project phases, key activities and deliverables. While project activities are reasonably well defined, public engagement activities can be adapted based on the feedback of a Project Advisory Committee and other community interest holders, provided it meets overall project timelines and objectives.



Table 1: Planning Process

PHASE	ENGAGEMENT	FIRST NATIONS ENGAGEMENT	POLICY DEVELOPMENT	KEY DELIVERABLES	CONSULTANT'S ROLE
Phase 1(a) February 2024 to November 2024 FINALIZE COMPLETE COMMUNITY ASSESSMENT	Inform and engage on draft Complete Communities Assessment	N/A	Incorporate engagement results Compile Baseline Conditions Report	Complete Communities Assessment	OCP/LUB Consultant not involved here; focus is on completing the assessment.
Phase 1(b) November 2024 to December 2024 OCP-LUB PROJECT START	Develop project website and other communication materials Identify key community interest holders Form Project Advisory Committee Confirm Engagement Strategy	Letter to First Nations Leaderships about OCP-LUB Project Develop First Nations Engagement Strategy Invite discussion of gauge needs and expectation, capacity constraints to participation..	Issue RFP and award contract for project consultants for Phases 2-4 Develop refined project work plan Develop Comprehensive Community Engagement and Communications Plan	Procurement and Onboarding of Project Consultants Present First Nations Engagement Strategy LTC Presentation of Project Work Plan Comprehensive Community Engagement and Communications Plan	Minimal involvement—focus on onboarding, refinement of the work plan, and coordination with staff.
Phase 2: December 2024 to January 2025 TARGETED COMMUNITY VISIONING	Engage on policy gaps and assess priorities.	Engage with First Nation's through relationships-building. Collaboratively identify issue perspectives that reflect the scope of this project.	Conduct Policy Gap Analysis Develop housing options and housing equity vision statement, Incorporate technical and engagement results to create a revised Vision Statement	Phase 2 Engagement Summaries Working Vision Statement Comprehensive list of planning issues and priorities	Lead community visioning workshops, conduct policy gap analysis, review reports, and develop recommendations for initial OCP amendments. Assist in compiling engagement results.

PHASE	ENGAGEMENT	FIRST NATIONS ENGAGEMENT	POLICY DEVELOPMENT	KEY DELIVERABLES	CONSULTANT'S ROLE
Phase 3: January 2025 to June 2025 OCP DEVELOPMENT	Develop and explore policy options related to key issues	Engage on potential and drafts of revised OCP and/or amendments	Draft OCP amendments and vision statement revisions, Recommend immediate regulatory amendments for LUB amendments	Draft OCP amendments, draft LUB regulations, phase 3 engagement summary	Lead the development of OCP amendments and initial LUB regulations. Conduct public consultations and engage stakeholders on policy options for both the OCP and LUB.
Phase 4(a): July 2025 to September 2025 DRAFT OCP REVIEW and	Engage to review draft or proposed amended OCP	Refer draft OCP to First Nations and stakeholders	Finalize draft OCP amendments based on feedback	Phase 4 Engagement Summary Final Draft OCP 1 st OCP Bylaw and First Nations and Agency Referral	Provide reporting on engagement through phase 3. Assist in further OCP review and engagement.
Phase 4(b): October 2025 to November 2025 INITIATE LUB UPDATE	Develop Draft LUB amendments	Initiate conversation of LUB	Refine LUB gaps based on OCP policy development	Draft LUB amendments	Assist in drafting LUB amendments. Begin initial consultation on LUB with First Nations and stakeholders
Phase 5(a): September 2025 to January 2026 OCP ADOPTION	Final edits to the Draft OCP Executive Committee approval Ministerial approval	Continue First Nations engagement on OCP	Prepare final OCP for adoption	Agency Referral Comment Summary First Nations Referral Comments Summary OCP Bylaw 2 nd Reading OCP Bylaw Public Hearing OCP Bylaw 3 rd Reading OCP Bylaw Adoption Monitoring Plan	Assist in finalizing the OCP for adoption. Support First Nations and stakeholder engagement.

PHASE	ENGAGEMENT	FIRST NATIONS ENGAGEMENT	POLICY DEVELOPMENT	KEY DELIVERABLES	CONSULTANT'S ROLE
Phase 5(b): November 2025 to January 2026 DRAFT LUB REVIEW	Community events/open house to review Draft LUB amendments Interest holder meetings Engagement to gather input on revised Draft LUB amendments	Refer proposed LUB amendment bylaw to First Nations. Ongoing First Nations engagement.	Refine draft LUB amendments based on feedback	Phase 5 First Nations Engagement Summary Phase 5 Engagement Summary Final Draft LUB 1 st LUB Bylaw and First Nations and Agency Referral	Support engagement efforts for draft LUB. Refine LUB amendments based on feedback from community consultations and First Nations.
Phase 6: LUB ADOPTION February 2026 to June 2026	Final edits to the Draft LUB Executive Committee approval	First Nations and agency referral for LUB	Finalize LUB amendments	LUB Bylaw 2 nd Reading LUB Bylaw Public Hearing LUB Bylaw 3 rd Reading LUB Bylaw Adoption Lesson learned housing options summary	Finalize LUB amendments and support the public and stakeholder engagement process leading to adoption. Ensure legal requirements are met and alignment with OCP policies is maintained. Create and report to LTC on a closing report on lessons learned and possible future directions as learned through the bylaw review and engagement through this project.

STAFF RESOURCING: *(What staff resources will be needed to achieve success on this initiative? Estimate how many hours of staff time will be required, by staff level/role. Comment on the reasonability of expected staff hours when assessed in conjunction with other work underway or planned.)*

As proposed, this is an Extraordinary Project under Trust Council Policy 6.2.1 due to its budget and anticipated staff resourcing needs.

- RPM: 0.15 FTE
- Island Planner: 0.75 FTE
- Planner 2: 0.3 FTE
- Admin: 0.1 FTE
- Information Services (Mapping): 0.1 FTE

Standard service support will be needed from Administrative Services for Information Services, Finance Support. Trust Area Services will also contribute non-extraordinary advisory and role in supporting public engage. First Nations engagement will be critical to the success of this project and an outsized role is anticipated in staff resources from this departmental function.

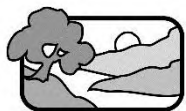
CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Discuss proposed change management requirements, communications needed, involvement with others. Are there any concerns related to these? If so, how will these be addressed? Have other stakeholders been identified?)*

A change management structure is proposed to ensure that the project achieves its intended objectives and outcomes on time and on budget. However, it is also understood that new information or developments often emerge in the course of public policy processes that may impact the original project plan. The Regional Planning Manager will bring forward substantial changes that would affect the project budget or timeline outlined in this Terms of Reference for LTC and approval. The evaluation will assess the following, as necessary:

- Budget and schedule impacts
- Alignment to the project objectives
- Contract implications
- Relational implications (public, inter-governmental)
- Feasibility and benefits of the change
- Complexity and/or difficulty of the change options requested
- Scale of the change solutions proposed
- Risk to the project in implementing the change
- Risk to the project in not implementing the change
 - Impact on the project in implementing the change (time, resources, finance, quality)

Requested by: Salt Spring Island Local Trust Committee

Prepared by Chris Hutton, MCIP, RPP, Regional Planning Manager, September 27, 2024



Islands Trust

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

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

TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit): Salt Spring Island Local Trust Committee	Budget Source (select all that apply):
Department: Planning Services	☒ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software
Name of Request: Salt Spring Island Watershed Protection Plan 2022-2032 Coordination	☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____
\$ Value of Request (indicate by fiscal year and total if project is multi-year): \$55,000 * to be funded through unspent special property tax requisition funds from previous fiscal years	☒ Other – please describe: Meeting Costs; advertising
Date of Submission to Finance: October 1, 2024	Funding Required for (date range): April 1, 2025-March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS: (Indicate how the proposed project/activity/work ties to Trust Council's strategic plan, Policy Statement directives, Council Bylaws, work programs, the Trust's object, etc. Provide a copy/paste of the relevant reference, along with hyperlinks to external documents where available.)

Trust Council Bylaw No. 154

In 2013, Islands Trust Council adopted Bylaw No. 154 that delegated authority to the Salt Spring Island Local Trust Committee (LTC), for the purpose of preserving and protecting the quality and quantity of water resources within the Salt Spring Island Local Trust Area, the power to:

- Coordinate and assist in the determination of regional, improvement district and government of British Columbia policies;
- Coordinate the implementation of regional, improvement district and government of British Columbia policies; and

Coordinate the carrying out of regional, improvement district and government of British Columbia policies

Under Bylaw No. 154 SS LTC may continue to coordinate watershed protection work on Salt Spring Island if it so chooses.

Salt Spring Island Official Community Plan Bylaw No. 434

The Salt Spring Island OCP generally supports SS LTC involvement in watershed protection initiatives as per the following community objective:

A.4.3.2 To provide direction for the conservation and stewardship of natural resources, especially our surface and groundwater supply.

Salt Spring Island Watershed Protection Plan 2023-2032

Endorsed by SS LTC in July 2023, the Salt Spring Island Watershed Protection Plan recognizes the importance of coordinated implementation of the plan and that watershed protection requires cooperation among multiple agencies and stakeholders.

Action 19. Continue to convene a multi-organization forum for communication and coordination about watershed protection activities.

Multiple players have roles in watershed stewardship and protection on Salt Spring Island. Since 2013, coordination has been driven by the Salt Spring Island Watershed Protection Alliance under the leadership of Islands Trust. Partner agencies are committed to continuing an interagency forum to advise on regional, local, and provincial government policies. The way that coordination is currently structured will be re-evaluated as part of implementation of the governance review in order to ensure that this effort is efficient, effective, and satisfying for the organizations and individuals involved.

Watershed Protection Governance and Coordination: Priority Projects

- Complete review of current governance arrangements for watershed protection coordination building on work commenced in 2022 including review of funding arrangements and interagency coordination mechanisms.
- Work with interested First Nations to identify their priority projects and interests related to watershed protection on Salt Spring Island.

Figure 1(Excerpt from Salt Spring Island Watershed Protection Plan 2022-2032)

ISSUE/OPPORTUNITY: (What issue are you trying to resolve with this initiative, or what opportunity has been identified that would benefit Islands Trust by undertaking this initiative? What are the future needs? What organizational objectives are being addressed? Include background information that decision makers will need to properly assess this request.)

The objective of this initiative is to confirm a preferred governance model that allows for the coordinated, cost efficient implementation of the Salt Spring Island Watershed Protection Plan 2023-2032.

See staff report of December 14, 2023 on page 121 here for fulsome discussion and project charter for this project.

PROJECTED RESULTS/DELIVERABLES: (How does this address the issue/opportunity described above? Indicate how results of this work will impact decision-making by trustees or staff. Will this work result in better decisions, more efficient decision-making, more efficient completion of work, better public perception, etc. Consider all possible results from undertaking this work.)

Since 2013 SS LTC has funded the coordination of watershed protection work on Salt Spring Island through the Salt Spring Island Watershed Protection Alliance (SSIWPA). In July 2023 SS LTC signalled a desire to see coordination of SSIWPA transfer to the Capital Regional District (CRD). However, CRD will not be in a position in the 2024/25 fiscal year to administer a SSIWPA-like entity. As such, SS LTC has resolved to continue leading

coordination of the recently-endorsed Salt Spring Island Watershed Protection Plan 2023-2032 in the form of an inter-agency staff working group instead of SSIWPA.

Results/deliverables of this funding request are as follows:

- Multi-agency agreement on the best way to coordinate and advance implementation of the Salt Spring Island Watershed Protection Plan 2023-2032;
- Assist the Capital Regional District to develop a Drinking Water and Watershed Protection Service if requested;
- Engage First Nations on priority watershed protection actions; and
- A public meeting to share progress on implementation of the WPP and solicit input

Proposed project spending is as follows:

\$5,000 – “Big tent” meeting of agencies, NGOs and water-interested individuals

\$10,000 – First Nations engagement

\$40,000 – Consulting services to either a) develop a terms of reference for a Drinking Water and Watershed Protection Service; or b) Support watershed governance decision-making process.

RISK ASSESSMENT: *(List and discuss potential risk factors associated with this work, if identified. List and discuss the options that exist to mitigate identified risks.)*

The principal risk to the success of this project is the ability of other agencies to resource meaningful investment at the staff and political level in the exploration and advancement of watershed governance alternatives.

A core risk in the 2024-2025 Fiscal Year has been limited staff availability to undertake this work.

ALTERNATIVES CONSIDERED: *(What other options/alternative courses of action were considered? List and discuss each alternative separately. Each option must be supported by a succinct and realistic presentation of the benefits, risks, financial implications, resource requirements and other implications to allow for an informed decision among the options. One option should reflect the status quo - i.e. do nothing - and the anticipated results of that action.)*

Option 1: Maintain SSIWPA to coordinate Watershed Protection Plan (WPP) implementation using unspent special property tax requisition funds

Benefits – SSIWPA membership and structure is already in place.

Risks – (1) Maintaining SSIWPA would require successful procurement process to hire contract coordinator; (2) Because of its structure, SSIWPA’s success in coordinating watershed protection action has been limited.

Financial implications – None. Necessary funding is already held in an Islands Trust account.

Resource requirements – This would increase staff resource requirements, as staff would have to both manage the SSIWPA coordinator in addition to driving the exploration of watershed governance options.

Other implications – N/A

Option 2: Maintain SSIWPA to coordinate Watershed Protection Plan (WPP) implementation using a new special property tax requisition

Benefits – SSIWPA membership and structure is already in place.

Risks – (1) Maintaining SSIWPA requires successful procurement process to hire contract coordinator; (2) Because of its structure, SSIWPA’s success in coordinating watershed protection action has been limited; (3) Special property tax requisition for Salt Spring Local Trust Area may be politically unpopular.

Financial implications – New special property tax requisition required

Resource requirements – This would increase staff resource requirements, as staff would have to both manage the SSIWPA coordinator in addition to driving the exploration of watershed governance options.

Other implications – N/A

Option 3: Do not coordinate WPP implementation

Benefits – Staff time can be re-allocated to other priority projects.

Risks – Multi-agency implementation of SSI WPP will be compromised.

Financial implications – If SS LTC does not fund WPP implementation initiatives related to governance, it could use unspent special property tax requisition funds to support action items with the WPP.

Resource requirements – Unclear, as if SS LTC does not coordinate WPP implementation, the project would likely refocus to implementing LTC-assigned actions under the WPP.

Other implications – N/A

CRITICAL SUCCESS FACTORS: (What related factors have been identified that are important to the success of completing this work/initiative? Which of these factors are considered critical to the success of this initiative? Discuss outcomes if critical success factors are not met.)

- (1) LTC clarity of purpose; an
- (2) Multi-agency commitment

RECOMMENDED OPTION: (State your recommendation, referencing the options discussed earlier, and summarise why you chose it over others.)

That the SS LTC requests Islands Trust FPC include a draw of \$55,000 from unspent special property tax requisition funds in fiscal 2024/25 to support Watershed Protection Plan 2023-2032 Coordination.

COST/BENEFIT ANALYSIS: (Discuss both quantitative and qualitative considerations of this initiative. Quantitative discussion should include financial costs as well as benefits (savings). Qualitative considerations include non-quantifiable costs and benefits.)

In 2022 SS LTC funded the development of the Salt Spring Island Watershed Protection Plan 2023-2032, a multiagency plan to better protect the Island's freshwater resources. The plan was created with the active participation of the CRD, North Salt Spring Waterworks District, and the Province. The final report was received by SS LTC in 2022. This plan now needs a collaborative mechanism to advance its implementation. SSIWPA could provide such a vehicle, however there are sufficient uncertainties at each signatory agency around plan implementation that staff-to-staff meetings are more appropriate than public meetings at the present time to work through these issues together.

Proposed SS LTC spending on this initiative in fiscal 2024/25 does not require new taxation as it will be drawn from **unspent special property tax requisition funds** from previous fiscal years.

PURCHASING PROCEDURE: (Describe any purchasing processes that will be needed to support this initiative (ie. Direct Award, RFP, ITQ to qualified vendor) if goods or services need to be procured for the work. If this is for new staff hiring, indicate likely hiring method (ie: external competition, government-restricted internal competition, etc.)

Project spending will be undertaken in accordance with Islands Trust Procurement Policy 6.5.3.

PROPOSED IMPLEMENTATION STRATEGY: (What are the specific features of the "roll-out" of the recommended solution? What is the timeline and anticipated date of completion for this initiative?)

The Salt Spring Island Watershed Protection Plan 2022-2032 Coordination Project Charter identifies the following work plan for the coming fiscal year:

Work Plan Overview	
Deliverable/Milestone	Date
LTC endorse project charter and submit 2024/25 business case for use of unspent special property tax requisition funds	December 14, 2023
First agency staff working group meeting	February 2024
Final SSIWPA meeting	February 2024
Terms of Reference and Memorandum of Understanding for agency working group signed	March 2024
Ongoing agency working group meetings and actions through 2024/25	April 1, 2024 to March 31, 2025
Joint elected official/staff agency working group meeting	Fall 2024
"Big Tent" meeting between agencies, NGOs and water-interested individuals	Between January and March 2025

STAFF RESOURCING: *(What staff resources will be needed to achieve success on this initiative? Estimate how many hours of staff time will be required, by staff level/role. Comment on the reasonability of expected staff hours when assessed in conjunction with other work underway or planned.)*

This project will require at least 100 staff hours at the Island Planner level, although the actual amount will depend largely on whether progress is made during early inter-agency meetings.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Discuss proposed change management requirements, communications needed, involvement with others. Are there any concerns related to these? If so, how will these be addressed? Have other stakeholders been identified?)*

This project entails an exploration, and potentially creation of, new governance options for watershed protection on Salt Spring Island in coordination with the Capital Regional District, North Salt Spring Waterworks District and the Government of British Columbia.

Requested by (Committee or Business unit): Salt Spring Island Local Trust Committee

Prepared by (name, title)/date: Chris Hutton, Regional Planning Manager/September 27, 2024



Islands Trust

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

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

TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit):

Salt Spring Island Local Trust Committee

Department:

Planning Services

Name of Request:

Salt Spring Island Groundwater Sustainability
(Well-Monitoring)

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

\$16,500

Budget Source (select all that apply):

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

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ Permanent

☐ Temporary

Temp Duration: _____

☒ **Other – please describe:**

Communications and education materials; meeting costs; specialized skills and equipment to remove well monitors

Date of Submission to Finance:

Funding Required for (date range):

April 1, 2025 to March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS: (Indicate how the proposed project/activity/work ties to Trust Council's strategic plan, Policy Statement directives, Council Bylaws, work programs, the Trust's object, etc. Provide a copy/paste of the relevant reference, along with hyperlinks to external documents where available.)

ISSUE/OPPORTUNITY: (What issue are you trying to resolve with this initiative, or what opportunity has been identified that would benefit Islands Trust by undertaking this initiative? What are the future needs? What organizational objectives are being addressed? Include background information that decision makers will need to properly assess this request.)

PROJECTED RESULTS/DELIVERABLES: *(How does this address the issue/opportunity described above? Indicate how results of this work will impact decision-making by trustees or staff. Will this work result in better decisions, more efficient decision-making, more efficient completion of work, better public perception, etc. Consider all possible results from undertaking this work.)*

Results/deliverables of this funding request are:

- Removal of ground water and surface water monitoring stations at Islands Trust's cost (as needed) with available funds
- Routine maintenance of data loggers

Public presentation of Ground Water and Surface Water Monitoring Pilot Project Results

RISK ASSESSMENT: *(List and discuss potential risk factors associated with this work, if identified. List and discuss the options that exist to mitigate identified risks.)*

This business case is brought forward as a strategy to mitigate financial risk.

ALTERNATIVES CONSIDERED: *(What other options/alternative courses of action were considered? List and discuss each alternative separately. Each option must be supported by a succinct and realistic presentation of the benefits, risks, financial implications, resource requirements and other implications to allow for an informed decision among the options. One option should reflect the status quo - i.e. do nothing - and the anticipated results of that action.)*

Option 1: Not set aside funding for data logger removal

Benefits – May find ways to allocate funds to other freshwater projects

Risks – When data loggers are to be removed, other funding will be required. This is a liability as funds would not be set aside for this purpose and would inevitably be an unplanned expense.

Financial implications – Unplanned expense at some time in the future

Resource requirements – Most loggers can be removed by the freshwater specialist, but some loggers will require specialized equipment and skills of a pump installer.

Other implications-

Option 2: Remove data loggers now

Benefits – Money would be spent and liability managed

Risks – Owners are under the impression that the removal is at the time of their choosing and may not appreciate the turn-around on policy. This is a minor concern.

Financial implications –

Resource requirements – Staff time required to engage property owners, remove monitors, and hire professional services where necessary.

Other implications – Compression and contracting out of other major projects was intended to provide additional capacity to SS LTC, and this would use up some of that time. Staffing availability may continue to be limited to achieve this.

CRITICAL SUCCESS FACTORS: *(What related factors have been identified that are important to the success of completing this work/initiative? Which of these factors are considered critical to the success of this initiative? Discuss outcomes if critical success factors are not met.)*

Whether following the recommended option or not, the primary success factor at this stage is to minimize financial liability caused by removal of a specialized well monitor.

RECOMMENDED OPTION: *(State your recommendation, referencing the options discussed earlier, and summarise why you chose it over others.)*

Provide equal funding as the 2024-2025 fiscal year to support the ongoing collection of well monitoring data to ensure that **unspent funds from SS LTC's special property tax requisition** are set aside to fund next steps in the program. Estimated expenses associated with conclusion of the pilot project are:

\$1,500 – to host a Community Information Meeting to share data and analysis derived from the monitoring pilot project; and

\$15,000 – to remove any groundwater data loggers that require the assistance of a licensed pump installer.

COST/BENEFIT ANALYSIS: *(Discuss both quantitative and qualitative considerations of this initiative. Quantitative discussion should include financial costs as well as benefits (savings). Qualitative considerations include non-quantifiable costs and benefits.)*

Removal of the data loggers at the request of land owners is non-negotiable. **Funds to do so will be drawn from SS LTC's unspent special property tax requisition funds** and therefore no new taxation will be required.

PURCHASING PROCEDURE: *(Describe any purchasing processes that will be needed to support this initiative (ie. Direct Award, RFP, ITQ to qualified vendor) if goods or services need to be procured for the work. If this is for new staff hiring, indicate likely hiring method (ie: external competition, government-restricted internal competition, etc.)*

Spending on the Salt Spring Island Groundwater Sustainability Strategy will be done in accordance with Islands Trust Procurement Policy 6.5.3.

PROPOSED IMPLEMENTATION STRATEGY: *(What are the specific features of the "roll-out" of the recommended solution? What is the timeline and anticipated date of completion for this initiative?)*

Under the recommended option, there is no anticipated timeline for the removal of data loggers. Presentation of the well-monitoring data to date should be completed by end of Fiscal.

STAFF RESOURCING: *(What staff resources will be needed to achieve success on this initiative? Estimate how many hours of staff time will be required, by staff level/role. Comment on the reasonability of expected staff hours when assessed in conjunction with other work underway or planned.)*

Participation of the Freshwater Specialist and a Salt Spring Planner is required to bring this information forward.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Discuss proposed change management requirements, communications needed, involvement with others. Are there any concerns related to these? If so, how will these be addressed? Have other stakeholders been identified?)*

Upon request to remove the data loggers, a final report would be prepared the data would be documented as attached to various data sets for future planning information and reference. A privacy impact assessment or review would be conducted to ensure that this data is handled in accordance with legislative and policy requirements.

Requested by: Salt Spring Island Local Trust Committee

Prepared by : Chris Hutton, Regional Planning Manager/October 27, 2024

REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** November 8, 2024

From: Planning Services **Date Prepared:** November 1, 2024

SUBJECT: Bylaw Compliance & Enforcement Policy Review Updates

RECOMMENDATION:

1. That Regional Planning Committee review and provide direction on the draft Bylaw Compliance and Enforcement Best Practices manual – plain language draft.
2. That Regional Planning Committee review and provide further direction on:
 1. the draft Trust Council Bylaw Compliance and Enforcement Policy (Policy 5.5.1),
 2. the draft Local Trust Committee Bylaw Compliance and Enforcement Policy Template, and
 3. the draft Local Trust Committee Handling of Administrative Fairness Complaints Policy (Policy 7.1.2)

DIRECTOR COMMENTS: Trust Council supported Regional Planning Committees (RPC) request for a plain language version of the best practices policy document and approved inclusion of a Local Trust Committee (LTC) Bylaw Compliance and Enforcement policy in the project charter. The plain language document and LTC policy document are attached for Regional Planning Committee consideration. Staff have not edited amendments to Policy 5.5.1 or 7.1.2 since the RPC saw them in September 2024.

1. PURPOSE:

To bring forward the draft Bylaw Compliance and Enforcement Best Practices manual (plain language version) for review (Attachment 1) and some further proposed amendments to the draft Local Trust Committee Bylaw Compliance and Enforcement Policy (Attachment 2).

Also attached are the draft Trust Council Bylaw Compliance and Enforcement Policy (Policy 5.5.1)(Attachment 3), draft Handling of Administrative Fairness Complaints policy update (Policy 7.1.2)(Attachment 4), the Ombudspersons Office Complaints Process Self-Assessment Checklist (Attachment 5), and the project charter version 2 (Attachment 6). Staff recommend that Regional Planning Committee (RPC) focus on reviewing the plain language document and the Local Trust Committee Bylaw Compliance and Enforcement policy based on Trust Council resolutions.

2. BACKGROUND

At the regular September 2024 meeting, the RPC received a report from staff providing recommendations on next steps for bylaw enforcement policies and practices using the Office of the Ombudsperson's Consultation and Training Team ('Ombudsperson') report recommending changes

to Trust Council policies and Bylaw Enforcement practices and procedures. RPC carried the following resolutions:

RPC 2024-013

It was MOVED and SECONDED,
that Regional Planning Committee request staff to amend the Bylaw Compliance and Enforcement Best Practices Manual to create a plain language version. **CARRIED**

RPC 2024-014

It was MOVED and SECONDED,
that Regional Planning Committee request staff to work through the self-assessment checklist of the Ombudsperson Complaints Guide to determine if recommended components are included in the draft Policy 7.1.2, and to identify gaps and opportunities for future work for the Bylaw Enforcement and Compliance Review Project. **CARRIED**

RPC 2024-015

It was MOVED and SECONDED,
that Regional Planning Committee recommend the following changes:
a) Amend the notification period to two weeks
b) Policy 5.5.1: That the Manager of Compliance and Enforcement has the discretion to open files and launch an investigation based on the available resources.

CARRIED

The amendments to the policies were presented to Trust Council and the following resolutions were passed:

TC-2024-080

It was MOVED by Trustee Bernardo, and SECONDED by Trustee Campbell,
that Trust Council request staff to hire a qualified legal consultant to develop an enforcement policy and design a management structure for the Islands Trust's bylaw enforcement capability.

TC-2024-081

It was MOVED by Trustee Patrick, and SECONDED by Trustee Gauvreau,
that the motion (TC-2024-080) be postponed until a permanent Chief Administrative Officer has advised Trust Council on the bylaw enforcement review project. **CARRIED**

TC-2024-082

It was MOVED by Trustee Evans, and SECONDED by Trustee Elliott,
that Trust Council approves the amended Bylaw Compliance and Enforcement Policy Review Updates Project Charter to include a Local Trust Committee Bylaw Compliance and Enforcement Policy Template. **CARRIED**

TC-2024-083

It was MOVED by Trustee Evans, and SECONDED by Trustee Yates,
that Trust Council endorse the continuation of drafting amendments to Trust Council Bylaw Compliance and Enforcement Policy (Policy 5.5.1) and provide Regional Planning Committee direction to create a plain language version of the Bylaw Compliance and Enforcement Best Practices manual. **CARRIED**

Staff recommend RPC focus review time on the plain language best practices manual and LTC Bylaw Compliance and Enforcement Policy Template based on the above resolutions.

Best Practices Manual

The updated Bylaw Compliance & Enforcement Best Practices & Procedures Manual (Attachment 1) has been reviewed by bylaw and communications staff and amended to produce a plain language version.

Amendments to the manual include:

1. Removed Acronyms
2. Removed staff-facing instructions
3. Revising for plain language
4. Addition of a section for Appeal of Bylaw Compliance and Enforcement Officers Decisions:
 - a. Appeal of Bylaw Enforcement Officer Decisions - For discretionary decisions of a BEO, appeals may be considered by the Director, Planning Services. In considering appeals of interpretation of regulations, the Director may convene a review panel consisting of the Director and Regional Planning Managers. Such requests must be made in writing, outlining reasons for the appeal such as error of fact, omissions, or new evidence.
 - b. Review of conduct of Bylaw Enforcement Officers – complaints regarding the conduct or behaviour of a BEO shall be reviewed by the Director, Planning Services. Such requests must be made in writing, outlining reasons for the review request. If the complainant is not satisfied with the Director's response, a formal administrative fairness complaint may be submitted.

LTC Bylaw Compliance and Enforcement Policy Template

After discussion at Trust Council, the updated Draft Local Trust Committee (LTC) Bylaw Compliance and Enforcement Template (Attachment 2) has been modified and expanded since the RPC reviewed it in September. Changes to the document include:

- Extension of notice of inspection period to 14 days and removed references to inspections occurring within notice
- Provided a definition of a vexatious complaint and edited section 8 policy for vexatious complaints
- Added policy stating that LTCs will be notified when file closed

Trust Council Bylaw Compliance and Enforcement Policy

At the September 2024 Trust Council meeting, Trust Council discussed draft amendments to Trust Council Policy 5.5.1. One elected official submitted written comments and one dictated feedback which staff captured in notes (both are attached as correspondence in the current RPC agenda). A motion was put forward that requested that an outside expert, cited as a qualified legal consultant, be hired to draft any bylaw enforcement policies and procedures. After discussion, a motion was carried to postpone consideration of hiring an external legal expert until a permanent Chief Administrative Officer was hired. The new CAO, Reuben Bronee, starts in late November and will attend Trust Council in his second week.

Administrative Fairness Complaints

In September, RPC reviewed the Trust Council Handling of Administrative Fairness Complaints Policy (7.1.2) that was amended to reflect the recommendation by the office of the Ombudsperson to identify more of a general complaints policy versus its current form. After discussion, the RPC did not support advancing the draft to Trust Council. Instead, RPC requested staff to work through the self-assessment checklist of the Ombudsperson Complaints Guide (Attachment 5) to determine if recommended components are included in the draft Policy 7.1.2, and to identify gaps and opportunities for future work

for the Bylaw Enforcement and Compliance Review Project. This work has not been started due to loss of staff and scheduled leaves.

3. NEXT STEPS

Next steps are for the RPC to provide comments on the draft plain language best practices manual and to provide any further comment on the LTC Bylaw Compliance and Enforcement Template.

Staff are currently drafting more background information to help explain the legislation, bylaw, Trust Council policy and LTC policy framework. Staff are also working on providing a more comprehensive demonstration of how the draft policy amendments meet the Ombudspersons recommendations. Staff are ready to submit documents to the Ombudspersons Office upon endorsement from the RPC.

4. ATTACHMENT(S):

- 1) Draft Bylaw Compliance and Enforcement Best Practices Manual – plain language edition;**
- 2) Draft LTC Bylaw Compliance and Enforcement Template;**
- 3) Draft TC Policy 5.5.1 - Bylaw Compliance and Enforcement Policy**
- 4) Draft TC Policy 7.1.2 - Handling of Administrative Fairness Complaints Policy**
- 5) Ombudspersons Office Complaints Process Self-Assessment Checklist**
- 6) Project Charter v.2**

Prepared By:	Warren Dingman, Manager of Bylaw Compliance and Enforcement
Reviewed By/Date:	Robert Kojima, Regional Planning Manager
Reviewed By/Date	Stefan Cermak, Director Planning Services



Islands Trust

Bylaw Compliance & Enforcement

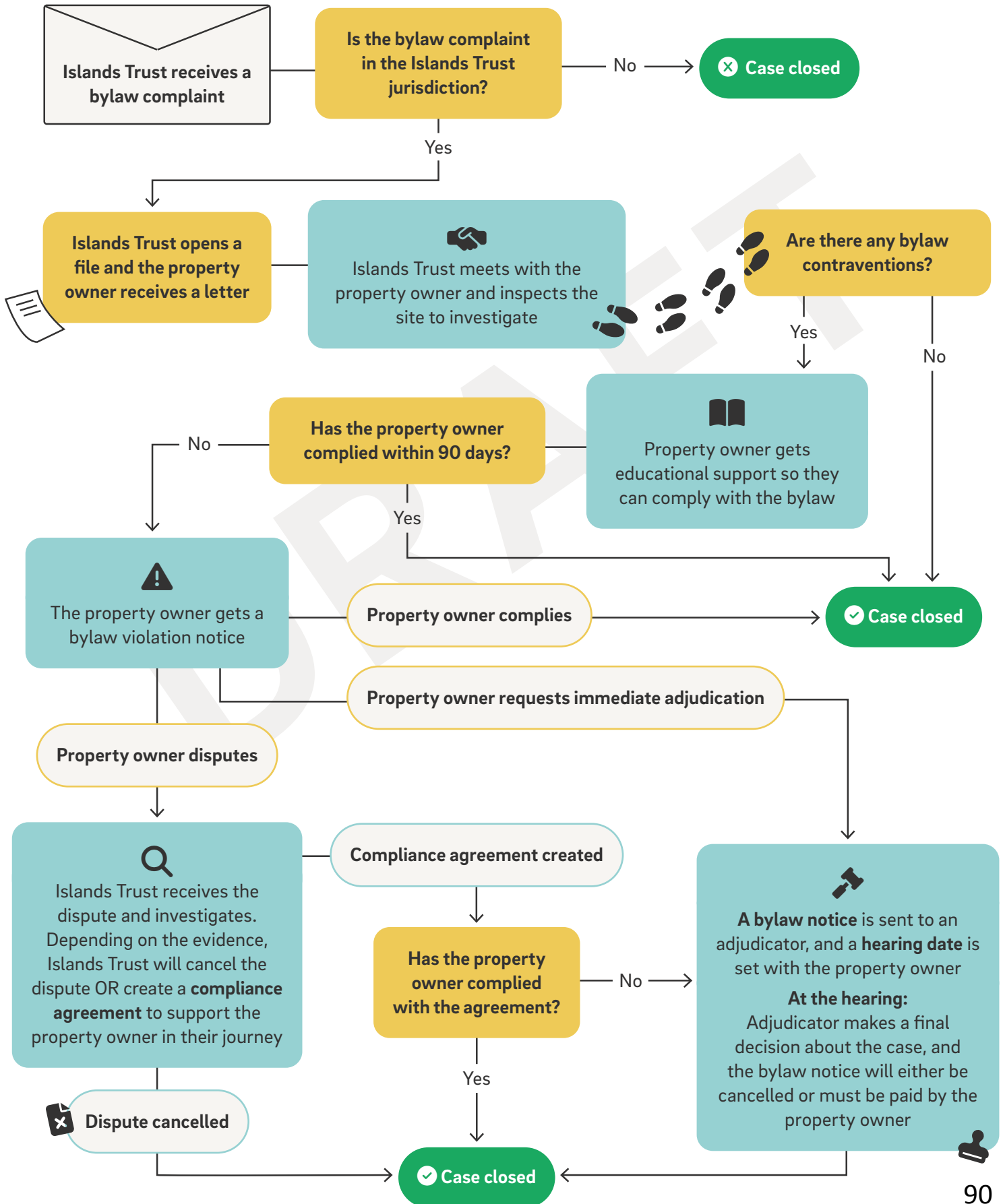
Best Practices Manual

October 2024

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Bylaw Enforcement Pathway: Steps to Compliance



Definitions

Adjudicator means an independent party whom the Province of British Columbia appoints to decide if a Bylaw Violation Notice will be upheld or cancelled.

Bylaw Notice means a ticket, with penalty, issued under the *Local Government Bylaw Notice Enforcement Act*.

Complainant is a person who has an official complaint.

Disputant means a respondent who has been given a Bylaw Violation Notice, and disputed it.

Formal Complaints are limited to those submitted in writing and directed to the Chief Administrative Officer.

Local government refers to municipalities and regional districts which provide services to local communities. In this document, the local government referred to is Islands Trust.

Ombudsperson Office is an independent, impartial office of the provincial legislature that investigates complaints about unfair administrative actions by public authorities. It is meant to uphold transparency and accountability within public institutions by offering a free, accessible service for individuals who feel they have been treated unjustly by public agencies. The office does not have the power to enforce decisions but can recommend corrective actions.

Screening Officer is an Islands Trust staff member appointed to review a disputed Bylaw Violation Notice.

Respondent means those responding to allegations of bylaw contraventions.

Vexatious Complaints are frivolous, repeat or false complaints, or ones made in bad faith, that are meant to harass, annoy, irritate, or are for retaliatory purposes.

Roles and Responsibilities

Effective bylaw enforcement within Islands Trust requires ongoing communication and cooperation between trustees and staff. While trustees provide the legislative framework and policy direction, staff members carry out these policies through direct enforcement and support roles.

Trustees

- **Policy Development and Approval:** Trustees of Islands Trust are primarily involved in governance aspects, including setting policies that guide bylaw enforcement. They approve bylaws that regulate land use and community planning within the Islands Trust Area.
- **Strategic Oversight:** Trustees oversee the general strategic direction of Islands Trust, ensuring that bylaw enforcement aligns with the broader goals of conservation and sustainable community development.
- **Community Representation:** Trustees represent the interests and concerns of their constituents in matters related to bylaws and their enforcement, acting as a liaison between the community and enforcement officers.

Staff

- **Bylaw Compliance and Enforcement Officers:** These are specialized staff responsible for the practical aspects of enforcing the bylaws approved by trustees. Their duties include investigating complaints, gathering evidence, and ensuring compliance through education and regulation.
- **Planning Staff** are not directly involved in enforcement, but play a critical role in interpreting the bylaws and providing recommendations to both the public and enforcement officers. They ensure that the enforcement practices align with the planning objectives set by trustees.
- **Administrative Support:** This includes staff members who assist in the administration of bylaw enforcement, such as processing complaints, maintaining records, and supporting communication between the public, trustees, and enforcement officers.

What is the purpose of the Islands Trust Bylaw Compliance & Enforcement program?

The Islands Trust works to preserve and protect the special environment and qualities of the Trust Area for the benefit of its residents and the province. The Bylaw Compliance and Enforcement program exists to support this goal and ensure public safety. This guide helps residents understand how the Islands Trust ensures people follow local bylaws. The goal is to encourage voluntary compliance with bylaws through education, mediation, and enforcement when necessary.

The Bylaw Compliance & Enforcement team looks into potential violations of land use rules set by local trust committees. The regulations are found in local trust committees' Land Use Bylaws; in Development Permit Areas within Official Community Plans; and in the Salt Spring Island Soil Deposit and Removal Bylaw. Islands Trust has the legal authority to enforce these rules under laws like the *Islands Trust Act* and the *Local Government Act of BC*.

The Islands Trust has a policy, [Policy 5.5.1 Bylaw Compliance & Enforcement](#), that guides how bylaw investigations are handled. It explains how complaints are processed, prioritized, and resolved, aiming to do so fairly and effectively. Local trust committees adopt bylaws authorizing enforcement and may adopt bylaw enforcement policies specific to their communities.

The Manager of Bylaw Compliance and Enforcement follows best practices based on principles of fairness, as outlined in the report: [BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016](#).

What initiates a Bylaw Compliance & Enforcement case file?

Like all local governments in British Columbia, Islands Trust uses a complaint-based Bylaw Compliance and Enforcement process. This means that almost all case files result from complaints made by individuals in the community. Anyone can submit a complaint – you don't have to live in the area or be a resident.

As listed in [Trust Council Policy 5.5.1 Section 5.1](#), this system gives priority to those bylaw infractions of greatest concern to island communities:

1. When directed by a local trust committee
2. Health and safety issues
3. Environmental impacts that could cause irreversible harm if not addressed quickly
4. Contraventions of land use bylaws and other bylaws

Once a complaint has been made, Islands Trust cannot decline to open a case file or decline to conduct an investigation because a complainant has changed their mind. Complainants are not victims of the offence and cannot “withdraw” their complaint.

In some cases, a Bylaw Compliance and Enforcement Officer can start an investigation even without a complaint. This happens when:

- Violations may cause health or safety risks
- Violations occur near water bodies
- Violations happen in development permit areas
- Violations are found during the building permit process
- Another agency refers a case involving land use issues
- Unlawful uses are advertised
- A local trust committee requests an investigation

How can complaints be sent to the Islands Trust?

Anyone who wants to make a complaint can:

- Fill out the Bylaw Compliance & Enforcement Complaint form on the Islands Trust website: <https://islandstrust.bc.ca/mapping-resources/report-a-concern/>
- Send an email to bylawenforcement@islandstrust.bc.ca
- Mail or drop off a letter to any Islands Trust office
- Complete a complaint form at any Islands Trust office

Complaints must be in writing, but staff can help by writing down the information for anyone who needs assistance.

Confidentiality

Anyone making a complaint must provide their or her name to the Islands Trust. Anonymous complaints are not accepted. The Islands Trust will try to keep the complainant’s information confidential, but confidentiality cannot be guaranteed during legal proceedings or if a Freedom of Information request is made.

Islands Trust also receives referrals from other agencies (like regional districts) when they get a complaint that falls under Islands Trust’s responsibility.

What is not a complaint?

Sometimes, people reach out to Islands Trust with questions about the Land Use Bylaw or Official Community Plan, not to report illegal activity. They may be planning something on their property and want to know if it is allowed. In these cases, a case file is not opened.

If a complaint or person is labeled “vexatious”, Islands Trust will send a written notice explaining any limits on communication, why those limits are in place, and when they might be reconsidered. These limits don’t stop necessary contact with staff on other unrelated matters.

Questions regarding bylaw infractions can be sent to bylawenforcement@islandstrust.bc.ca

When are Bylaw Compliance and Enforcement case files closed?

Case files are closed if:

- If no contravention exists
- On direction of a local trust committee
- As directed by Trust Council or local trust committee policies
- If the Director of Planning Services concurs with the Bylaw Compliance and Enforcement Manager that the contravention is minor and does not suit the public interest to enforce
- If compliance has been achieved

How is compliance achieved?

Ideally, bylaw compliance is voluntary, and primarily sought through a combination of education, mediation, and enforcement techniques. If voluntary compliance does not occur, the Bylaw Compliance and Enforcement Officer may proceed with a bylaw compliance and enforcement process.

Bylaw Compliance and Enforcement Process

The compliance and enforcement process at Islands Trust has several steps. Staff work with people involved (Respondents) and encourage them to follow the rules before deciding if there is a bylaw violation. The process starts with discussions and education about the bylaws. If necessary, it moves to a verbal warning, then a written warning, and penalties are only applied if the person still does not comply.

All written complaints sent to the Bylaw Compliance & Enforcement office are acknowledged and recorded, whether they lead to an investigation or not.

First, staff review the complaint to see if it falls under the local trust area's bylaws. If no violation is found, the complainant will be told there's no issue, asked for more information, or informed that no violation exists.

Some complaints are more urgent than others are, so not all will receive the same level of attention. Complaints are prioritized based on the following:

1. Direction from a Local Trust Committee
2. Health and safety concerns
3. Environmental damage that could cause lasting harm
4. Violations of land use and other bylaws

If a complaint falls outside of Islands Trust's authority, it may be referred to another agency. The goal is to handle referrals quickly, with a "no wrong door" approach, meaning everyone is here to help, no matter which agency is involved.

If there is a possible violation, a new case file is opened.

A New File Has Been Opened

After a new file is opened, both the complainant and the person involved (Respondent) will be notified in writing. The Respondent will receive a Notice Letter with the contact details of the Bylaw Compliance Officer and will be asked to get in touch. The Bylaw Officer will also follow up with the complainant to confirm details and ask more questions.

The Bylaw Compliance and Enforcement Officer will then investigate the extent of the apparent or potential violation and what may be required to achieve compliance with the bylaw. These are the steps a Bylaw Compliance and Enforcement Officer (the Officer) takes when investigating:

1. The Officer will review all relevant compliance and enforcement policies that have been adopted by the local trust committees or Trust Council.

2. Typically, the Officer will conduct a site inspection of the property to meet with the Respondent, and gain an awareness and visual understanding of the property and the neighbourhood.
3. The Officer will take photos of the property and any possible violations, and gather details about what has been built or what is happening on the property that might have led to a complaint by asking questions and investigating. Bylaw Officers have the legal right to inspect, and local trust committees set policies on how much notice must be given before an inspection. The Officer is there to gather information only, not to make a decision, and Respondents will receive a written response regarding the case.
4. Based on evidence collected and a review of the relevant bylaws, the Bylaw Compliance and Enforcement Officer will determine if there is, or has been, a contravention. If there is no contravention to the local trust committee bylaws then the Respondent and the Complainant will be notified and the case file will be closed. If a contravention exists, then the Respondent will be asked to cease the activity, land use, or construction immediately.
5. If an administrative application such as a land use variance application has been submitted by the Respondent and there is a reasonable likelihood of success, the Bylaw Compliance and Enforcement Officer will refrain from enforcement during the application process.
6. The Officer may issue a Bylaw Violation Warning Notice or a Bylaw Violation Notice in local trust areas where a Bylaw Enforcement Notification bylaw has been adopted by the local trust committee. This Notice clearly explains what the violation is, and the timeline for compliance. The Officer is available to provide more information to the Respondent so they can achieve compliance without penalties.
7. Voluntary compliance is always the goal. The Officer will attempt to support the Respondent to achieve voluntary compliance with educational resources, and negotiations. Compliance must be achieved within 90 days if possible.

The Officer may consult with the Manager of Bylaw Compliance and Enforcement, Islands Trust planners, and the Director of Planning Services or seek legal advice when necessary.

Bylaw Compliance and Enforcement Officers are committed to a professional and respectful approach. Here is what they do:

- Interact with the public in a respectful and non-confrontational way
- Work within their authority; while they cannot issue stop work orders or tell property owners what they can do, they can request a pause on work while they review the regulations and investigate.
- Take time to carefully review all evidence before making a determination. They do not make on-the-spot decisions to ensure fairness and avoid any perception of bias.

Communications with Complainants

When a Complainant completes an [online complaint form](#), they receive an automatic response, which thanks them for their complaint and advises them that they will be contacted shortly with an update.

Once the complaint has been received and reviewed by the Manager, Complainants are advised if a new bylaw file is opened. If a file already exists for the property and contravention, they will be advised that their information has been added to the file. Contact information for the investigating Bylaw Compliance and Enforcement Officer is shared.

If the Complainant has provided an email address, they will be notified of a new file being opened by email. If they have only provided a mailing address, they will be notified by mail.

Complainants can request information about an open bylaw enforcement file at any time. They will be updated by the Bylaw Compliance and Enforcement Officer if:

- a. A file is put on hold, along with the reason for this action
- b. A Local Trust Committee makes a decision regarding the file
- c. A file has moved to litigation at which time the identity of the complainant may become public information
- d. A file is closed

Communications with Respondents

When a file is opened, a **notice letter** will be sent to the Respondent.

Once a Bylaw Compliance and Enforcement Officer has confirmed that a contravention of a bylaw has occurred or is occurring, the Officer will send a **determination letter** to the Respondent. The letter must be clear and easy to read and must include:

- A **reason** the letter is being sent that outline the problem, using a statement of what has been observed
- An **explanation** of how the bylaw has been contravened by quoting the bylaw and the sections that are being violated, and the definitions of words from the bylaw
- Outline of the **solutions** available to comply with the bylaw
- Explanation of the possible **consequences** of not complying
- A reasonable **deadline** that has been negotiated with the Respondent for taking next step or fully complying

Communications with Trustees

A local trust committee or any individual local trustee will not be involved in any aspect of the investigation of a complaint or the preparation of any Bylaw Compliance and Enforcement report. Upon opening a case file, local trustees are advised of the general nature of the complaint, the name of the street (not the complete address), and the case file number. The local trust committee will only be kept informed about the status of an investigation if they request updates. Local trust committees may request Bylaw Compliance and Enforcement staff to report on specific issues. The reports will be presented to the local trust committee at a subsequent meeting.

While local trustees can't be involved in any investigations, they are able to file a bylaw violation complaint just as any member of the public.

Communications with Potential Property Buyers and Real Estate Agents

Potential property buyers, Real Estate Agents, or the public can contact the Islands Trust Bylaw Compliance & Enforcement office to ask if there are any Bylaw Compliance & Enforcement issues associated with a specific property. Staff can share limited information regarding whether an open bylaw file exists for the subject property.

Islands Trust does not provide information about previous complaints or investigations. That information would require a [Freedom of Information request, which can be made here](#).

When Compliance is not achieved

If bylaw compliance isn't achieved, the Bylaw Compliance and Enforcement Officer will take the appropriate next steps which could include issuing a Bylaw Violation Notice, sending a Notice of Debt letter, sending a demand letter via lawyers, or recommending legal action to the local trust committee.

If legal action is necessary, the Manager of Bylaw Compliance and Enforcement will present a staff report to the local trust committee and Executive Committee, who then decide whether or not legal proceedings should occur.

Appealing Decisions Made by a Bylaw Compliance and Enforcement Officer

For discretionary decisions of a Bylaw Compliance and Enforcement Officer, appeals may be considered by the Director, Planning Services. In considering appeals of interpretation of regulations, the Director may convene a review panel consisting of the Director and Regional Planning Managers. Such requests must be made in writing, outlining reasons for the appeal such as error of fact, omissions, or new evidence.

Reviewing the Conduct of Bylaw Compliance and Enforcement Officers

Respondents can request a review of the conduct of a Bylaw Compliance and Enforcement Officer by submitting a request in writing to the Director of Planning Services. If the Respondent is not satisfied with the Director's response, a formal [administrative fairness complaint](#) may be submitted.

WHAT IS BIAS?

Bias in decision making is generally understood as a pre-existing leaning or predisposition toward one side or another or a particular result.

Bias can creep into complaint resolution and investigations when decision makers rely on their personal belief systems, prior knowledge of a person, or personal relationship with a party or service user, rather than focusing exclusively on the information and evidence related to the complaint. It is important that staff who are handling complaints be aware of any personal biases that may be affecting how they respond to concerns from service users.

From the Ombudsperson Complaints Handling Guide

Public access to records

As Bylaw Compliance & Enforcement files contain confidential information and pertain to law enforcement, a member of the public is required to submit a Freedom of Information and Protection of Privacy [request](#) in order to obtain any information from a file.

Freedom of Information requests are an important mechanism of transparency that ensures public access to Islands Trust records. Islands Trust staff will assist members of the public to refine their request and procure relevant documents to their request.

Bylaw Enforcement Notices and Dispute Adjudication System

Overview of the Local Government Bylaw Notice Enforcement Act

In October 2003, the Province of British Columbia enacted legislation providing an alternative approach for processing and resolving minor bylaw contraventions: the [Local Government Bylaw Notice Enforcement Act](#). The Act also provides direction, with the [Bylaw Notice Enforcement Regulation](#). Under the Act, local governments may establish a Bylaw Enforcement Notice and

Dispute Adjudication system, which replaces the provincial court as the venue for resolving disputes of bylaw contraventions.

This legislation aims to create a straightforward, affordable system to enforce bylaw violations. It features a simple ticket process for enforcement and a way for an independent adjudicator to handle ticket disputes.

Implementation Bylaw

Section 3 of the *Act* allows local governments to issue notices with penalties for bylaw violations. To do this, they must first pass a bylaw that establishes a Bylaw Enforcement Notice and Dispute Adjudication (BEN) system. This bylaw will:

- Designate the bylaw contraventions that may be dealt with by a bylaw notice
- Establish the amount of the administrative penalty for each contravention
- Set the period within which a recipient may pay the administrative penalty or dispute a bylaw notice/request a review
- Establish a bylaw notice dispute adjudication system to resolve bylaw notice disputes

EXAMPLE:

The Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011.

This bylaw lists the administrative penalties that apply to bylaw contraventions in the Galiano Local Trust Area, as well as policies for disputing Bylaw Violation Notices, Screening Officers, and other features of the adjudication process described below in detail.

Implementation

When establishing a Bylaw Enforcement Notification Bylaw, local governments, including Islands Trust, should consider the following:

- Appointment of a Screening Officer: Define their powers, duties, and functions.
- Compliance Agreements: Allow the Screening Officer to enter into agreements and reduce penalties if warranted.
- Adjudication Process: Set a fee for filing adjudication requests and establish grounds for canceling penalty notices.
- Response Periods: Determine timelines for responses to Screening Officer decisions.

Record Management

Islands Trust administers and preserves all records related to the Bylaw Enforcement Notification system in compliance with provincial legislation. These records include:

- Bylaw Violation Notices and Warning Notices.
- Records of paid administrative penalties.
- Adjudicator decisions and documents related to collection efforts for unpaid penalties

Islands Trust Areas that have adopted a Bylaw Enforcement Notification Bylaw:

Ballenas-Winchelsea Island Local Trust Area — Bylaw 34 (adopted 2019)

Denman Island Local Trust Area — Bylaw 232 (adopted 2019)

Gabriola Island Local Trust Area — Bylaw 263 (adopted 2012)

Galiano Island Local Trust Area — Bylaw 228 (adopted 2012)

Gambier Island Local Trust Area — Bylaw 116 (adopted 2013)

Hornby Island Local Trust Area — Bylaw 159 (adopted 2020)

Mayne Island Local Trust Area — Bylaw 156 (adopted 2016)

North Pender Island Local Trust Area — Bylaw 188 (adopted 2011)

Salt Spring Island Local Trust Area — Bylaw 446 (adopted 2012)

South Pender Island Local Trust Area (adopted 2019)

Thetis Island Local Trust Area — Bylaw 90 (adopted 2011)

Islands Trust Areas that have not adopted a Bylaw Enforcement Notification Bylaw:

Lasqueti Island Local Trust Area

Saturna Island Local Trust Area

Bylaw Violation Notices

Warning Notices

Warning notices serve as an informal tool following an investigation by a Bylaw Compliance and Enforcement Officer. They should:

- Be issued with a compliance deadline of no less than 45 days.
- Precede formal Bylaw Violation Notices, accompanied by a determination letter with a 90-day compliance deadline.

Bylaw Violation Notices

A violation notice is a formal enforcement tool. This type of notice assigns an administrative penalty, the amount of the penalty is listed in the Bylaw Enforcement Notification bylaw of the Local Trust Area.

In local trust areas where Bylaw Enforcement Notification bylaw have been adopted, a Bylaw Violation Notice may be issued after any of the following:

- A verbal warning
- A demand letter
- A warning notice
- Exceptional circumstances as outlined by the Bylaw Compliance and Enforcement Manager

Notices must include the respondent's name, contravention details, penalty amounts, and dispute options.

The penalty notice may be delivered by personal delivery or by mailing it to the person responsible for the contravention. If mailed, the local government may presume that the person received it on the seventh day after mailing. In the event that the intended recipient claims not to have received the notice, the Bylaw Compliance and Enforcement Officer must verify the address and reissue a copy of the Bylaw Violation Notice.

The penalty notice informs the respondent of the bylaw contravention, the penalty for the contravention; and how to pay the penalty or dispute the notice.

A Bylaw Violation Notice must contain the:

- Name of the Respondent
- Specific bylaw contravention alleged to have occurred and the location
- Amount of the penalty
- Amount of a discount for early payment
- Amount of a surcharge for late payment
- Consequences of failing to respond to the notice
- Payment options
- Dispute options

Bylaw Violation Notices must be written within six months of the occurrence of a contravention.

Although the *Local Government Bylaw Notice Enforcement Act* requires that the above information is included on a penalty notice, local governments may organize or supplement this information as they see fit. The penalty notice may also be electronically generated or hand written on a pre-printed form. A notice is not invalid if the Bylaw Compliance and Enforcement Officer has not signed it.

The following is considered when issuing a Bylaw Violation Notice:

- Will the notice encourage the person to follow the bylaw? The goal is to get compliance. If the officer believes issuing the notice will help, it may be the right step.
- The notice cannot be issued more than six months after the violation is said to have happened.
- The officer should be able to explain why the notice was considered an effective way to enforce the rules in each case.

Once the Bylaw Violation Notice is received or is presumed to have been received, it becomes legally effective. There are four possible scenarios:

1. The Respondent does not respond: if the Respondent doesn't respond within 28 days, a late fee is added. The total penalty, including the late fee, is due immediately and can be collected by Islands Trust.
2. The Respondent claims that the Bylaw Violation Notice was not received: if, within 21 days, the Respondent claims they did not receive the Bylaw Violation Notice, a copy of the original notice will be reissued and sent to them.
3. The Respondent pays the Bylaw Violation Notice: if the penalty is paid within 14 days of receiving the notice, the notice amount is reduced by 25%. After 14 days, the full penalty amount applies. If paid after 28 days, a 50% late fee is added. Payment can be made by cash, cheque, or money order to Islands Trust, with instructions provided on the Bylaw Violation Notice.
4. The Respondent disputes the Bylaw Violation Notice.

Dispute Process for Bylaw Violation Notices

The person named (Disputant) in the notice has 14 days to request a dispute. After 14 days, they can only dispute it if the Bylaw Compliance and Enforcement Manager grants an exception. The process starts when the Respondent asks to dispute the notice, and the Bylaw Compliance and Enforcement Manager will then arrange for adjudication. If the due date falls on a weekend or public holiday, it will be extended to the next business day.

The Dispute Adjudication system is used to resolve disputes about whether a bylaw violation occurred as stated in the notice or whether the terms of a compliance agreement were followed. A challenge to the validity of the local government bylaw, or a claim that enforcement of the bylaw infringed on the Charter Rights of the disputant, is not within the jurisdiction of the adjudicator. This must be initiated as a separate matter in the Supreme Court of British Columbia.

Parties involved in the process of disputing a notice include:

1. **The Disputant:** the individual disputing the notice.
2. **The Bylaw Compliance & Enforcement Officer:** the Islands Trust employee authorized to issue the notice.
3. **The Adjudicator:** the independent adjudicator with authority to determine if the notice is dismissed or upheld.
4. **The Screening Officer:** is an employee of Islands Trust designated as a Screening Officer under the relevant Local Trust Committee's Bylaw Enforcement Notification bylaw. Screening Officers provide a first opportunity to respond to a Bylaw Violation Notice dispute in an informal setting. A Screening Officer may conduct the review based on discussion or correspondence with the disputant, and can explain the process and potential consequences of formal dispute adjudication. Each Local Trust Committee that has adopted a Bylaw Enforcement Notification bylaw has also developed a Screening Officer policy in order to provide guidelines during the Bylaw Violation Notice screening process. Screening Officers are required to provide recipients with a fair opportunity to be heard.

More information about detailed information regarding the local government dispute adjudication system can be found in the [Local Government Toolkit for Bylaw Dispute Adjudication](#). The [Local Government Bylaw Notice Enforcement Act](#) and the [Bylaw Notice Enforcement Regulation](#) govern this process.

1 Step One in the Dispute Procedure

A recipient of a Bylaw Violation Notice notifies Islands Trust in writing that they are disputing the Bylaw Violation Notice by:

- Completing and submitting the Adjudication Request Form that is on the bottom of the Bylaw Violation Notice. Forms can be delivered or mailed to any of the Islands Trust offices on Salt Spring Island, Gabriola Island or Victoria.
- Online at [disputing a bylaw violation notice](#).
- A letter or email indicating that they wish to dispute the Bylaw Violation Notice can be sent to bylawenforcement@islandstrust.bc.ca, or any Islands Trust office. [Mailing addresses are available here](#).

2 Step Two in the Dispute Procedure

The Screening Officer will review the Bylaw Violation Notice, including possible discussions with the issuing Bylaw Compliance and Enforcement Officer. The Screening Officer will review the dispute request and may:

- **Cancel** the notice; or
- **Confirm** the notice and either:
 - › refer it to an **adjudicator** unless the request for dispute adjudication is withdrawn; or
 - › enter into a [compliance agreement](#) ↓ with the person.

3 Step Three in the Dispute Procedure

The Bylaw Violation Notice has now been cancelled or confirmed by the Screening Officer. If the Bylaw Violation Notice is confirmed, Screening Officer will discuss their decision with the disputant by phone, in person, or in writing, and may offer a Compliance Agreement with the recipient to subsequently reduce or cancel the penalty when the terms of the agreement are fulfilled.

4 Step Four in the Dispute Procedure

If the Bylaw Violation Notice has been confirmed, and the disputant wants a formal dispute adjudication, the Screening Officer will request an Issuing Officer Report and create a Screening Officer Report. The dispute process will now move to a Formal Dispute Adjudication, where evidence is presented and the adjudicator decides if an offence did or did not occur.

A Compliance Agreement includes:

- Acknowledgment of the bylaw violation and acceptance of responsibility
- Remedies or future actions to be taken within a certain timeframe
- A way to verify compliance with the agreement
- Possible penalty reduction or waiver if the terms of the agreement are met
- The duration of the compliance agreement

If a recipient of a Bylaw Violation Notice fulfills all terms of a compliance agreement, their penalty is considered fully paid.

If the Screening Officer believes that the terms have not been fulfilled, they can cancel the compliance agreement and must notify the recipient of that fact by regular mail. The recipient then has 14 days of receiving that notice to either pay the penalty or ask an adjudicator to determine compliance. If neither action is taken within that time, the full penalty plus a late fee is immediately due to Islands Trust.

Dispute Adjudication

Islands Trust runs its own Dispute Adjudication Registry by working with the Ministry of Attorney General, which provides adjudicators experienced in local government land use bylaws. Once a Disputant confirms they want a formal hearing, the Manager will coordinate with all parties to set a date. Islands Trust will submit a package to support its case, which usually includes the Bylaw Violation Notice, the request to dispute, and reports from the Issuing and Screening Officers. This package, along with any evidence from the disputant, must be sent to both the disputant and the adjudicator at least one week before the hearing.

Adjudicators

The Adjudicator must proceed on the basis that the bylaw is legally valid. The Adjudicator has no discretion to reduce or waive the penalty amount. The Adjudicator also has no jurisdiction to deal with challenges to the bylaw or claims of infringements of rights under the Charter of Rights and Freedoms.

An Adjudicator may not be an employee or an elected official of a municipality and may not hear a matter if they are reasonably thought to have a bias or an interest in relation to the outcome of that matter.

Adjudication Procedures

Section 18 of the *Local Government Bylaw Notice Enforcement Act* provides direction in regards to Adjudication Procedures.

The Adjudicator must provide the parties to the dispute with an opportunity to be heard:

- In person or by an agent
- In writing (including by fax or email)
- By video conference, audio conference, telephone or other electronic means

Section 19 of the *Local Government Bylaw Notice Enforcement Act* states that “Hearings must be open to the public”. Islands Trust provides a space for members of the public to watch adjudication proceedings at the Islands Trust Southern Office, 200–1627 Fort St, Victoria. Members of the public can request this information how. Contact Islands Trust for more information:

information@islandstrust.bc.ca.

Evidence

The technical and legal rules of evidence do not apply and an Adjudicator may accept any evidence they consider credible, trustworthy and relevant to the dispute, including the evidence of any person. The Adjudicator may accept evidence in any manner, such as orally, in writing or electronically.

Determination

The Adjudicator will determine if:

1. The contravention identified in the Bylaw Violation Notice occurred as alleged, the notice is confirmed, and the penalty set out in the notice is immediately due and payable.
2. The contravention identified in the Bylaw Violation Notice did not occur as alleged, the notice is cancelled.

If the Disputant fails to appear, the Adjudicator must order that the Bylaw Violation Notice be upheld. The penalty is immediately due and payable to the local trust committee. The full amount of the penalty is due, not the reduced amount that would be available to those paying within 14 days of the original bylaw violation notice.

Notice of Adjudication Outcomes

An Adjudicator resolving a dispute about a Bylaw Violation Notice or a compliance agreement must send their written decision to Islands Trust:

- Within one business day for in-person or telephone hearings.
- Within five business days after receiving the dispute materials for written hearings.

The adjudicator’s decision must be in writing and should include:

- The name of the Disputant
- The facts relating to the penalty notice
- A summary of the Screening Officer’s decision
- The issues raised by the parties

- A summary of the evidence provided by each party in support of each issue
- The Adjudicator's assessment of each issue
- The Adjudicator's final decision

The disputant will receive the decision of the Adjudicator when Islands Trust receives it.

Cost

Islands Trust is responsible for the administrative work and costs of the dispute adjudication system. Islands Trust charges an administrative fee of \$25, payable by a disputant who is unsuccessful in a dispute adjudication. The fee is added to the debt only when and if the disputant is unsuccessful. If the disputant is successful, no fee is charged.

Judicial Review

The determination of an adjudicator is final and conclusive and is not open to review in a court except on a question of law or lack of jurisdiction. If a failed disputant or the Islands Trust believes that the adjudicator exceeded their authority, or made an error at law, disputant person or Islands Trust may seek relief in the Supreme Court of British Columbia under the *Judicial Review Procedure Act*. An application for judicial review must be made within 30 days of the adjudication decision.

PROPOSED

Local Trust Committee Bylaw Compliance & Enforcement Policy

Bylaw Compliance & Enforcement Policy No. 1, effective ____XXX_____, 2024

Version No. 1

Purpose

To establish policies and procedures for bylaw compliance and enforcement in the Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., and that are within the authority of the Local Trust Committee to enforce, and to ensure that policies and procedures are efficient, transparent, reasonable, and consistent with local community standards.

PART A

1.0 Application

This policy will apply to the Local Trust Area and the enforcement of all applicable regulatory bylaws.

2.0 Definitions & Abbreviations

BEN – bylaw enforcement notice

LUB – Land Use Bylaw

LTC – Local Trust Committee

Minor structure – any structure that does not require a building permit, and that is not located in a development permit area or located within any other environmentally sensitive area

Respondent – a property owner whose property is subject to a bylaw enforcement complaint

Health & Safety concerns – fire, unsafe construction, hazards relating to steep slopes or cliffs, or the dumping of waste

Vexatious - complaints that are made in bad faith or for retaliatory purposes or that are considered frivolous, may be considered vexatious; or repeated complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process

Approved septic system – one that has been registered with the Vancouver Island Health Authority

~~4.0~~3.0 References

This section will cite references to the relevant LTC bylaws that are affected by the compliance and enforcement policies.

5.04.0 Priorities

~~5.14.1~~ *This section will contain the priorities established by LTC standing resolutions on bylaw enforcement or the deferrals established in the adopted resolutions.*

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6.05.0 Inspection

~~6.1~~ Bylaw Enforcement Officers are authorized under the Land Use Bylaw to enter any lot at any reasonable time to determine if regulations are being observed.

~~6.25.1~~ At the start of any investigation, Bylaw Enforcement Officers will determine if entry is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands.

~~6.35.2~~ Bylaw Enforcement Officers will provide 14 days notice, or provide a notice period designated by the LTC, and are encouraged to request mutually agreeable times to arrange site inspections and provide 24 hours notice if appropriate.

~~6.45.3~~ Investigations into health and safety issues and matters that may cause adverse environmental impact and result in irreversible damage are a priority and may be investigated without notice.

~~6.55.4~~ Enforcement on non-compliant short-term vacation rentals is a priority and inspections may be investigated without notice.

~~6.65.5~~ Holders of temporary use permits will be held accountable for any violations of their Permit. Bylaw Enforcement Officers may enter properties between the hours of 9:00 am and 5:00 pm, on any day, without prior consultation with the holder of a Temporary Use Permit for the purpose of investigating a complaint.

~~6.75.6~~ If a Respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection is only required to confirm compliance.

~~6.85.7~~ If a Respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required.

7.06.0 Enforcement Procedures

~~7.16.1~~ If a bylaw contravention is confirmed, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply with the relevant LUB.

~~7.26.2~~ Bylaw Enforcement Officers can use their discretion to consider any reasonable time to comply request from Respondents but the term cannot be for more than one year.

~~7.36.3~~ If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately.

~~7.46.4~~ If the Respondent wishes to consider a planning application that will bring the property into compliance, the Bylaw Enforcement Officer will advise planning staff and they will arrange a meeting to discuss the feasibility of such an application.

~~7.56.5~~ If there is no agreement on time to comply, a Respondent will be provided written notice that enforcement action will be escalated and this may include a request for legal action or the use of the BEN system.

~~7.66.6~~ Respondents will be given a Bylaw Warning Notice with a minimum of 45 days to comply before a Bylaw Violation Notice is issued, unless there are health and safety

concerns, or contraventions in environmentally sensitive areas, that may require more immediate action.

~~7-76.7~~ Bylaw Violation Notices will not be issued more than once per week unless authorized by the Manager of Compliance and Enforcement.

8.07.0 Closing Files

~~8-17.1~~ If the identity of a complainant cannot be confirmed during the course of an investigation, or if a complainant used a false name, the file will be closed.

~~8-27.2~~ If the contravention is for a minor structure that has only received one written complaint from one person, the file can be closed.

~~8-37.3~~ If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers or the Manager of Compliance and Enforcement can use their discretion to close the file.

~~8-47.4~~ If a contravention has been identified that is subject to deferred enforcement by the LTC, the file can be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety.

~~8-57.5~~ If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance and Enforcement can use their discretion to close the file unless there is work in a development permit area, or work in an environmentally sensitive area, or there are health and safety concerns.

~~8.6~~ The LTC will be notified when any file is closed.

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9.08.0 Frivolous, Repeat or Vexatious Complaints

~~8.1~~ If a decision is made to not act upon a complaint that is considered frivolous, repeat, or vexatious, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered.

~~9.1~~ Complaints that are made in bad faith, false, or made for retaliatory purposes may be considered vexatious.

~~9.2~~ Repeated complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process may be considered frivolous or vexatious.

~~9.2~~ Frivolous, repeat or multiple complaints about the same issue or a matter that has been investigated with no offence found may be considered vexatious.

~~9.2~~ If a decision is made to not act upon a complaint that is considered frivolous, repeat, or vexatious, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered.

10.09.0 Communications

~~10-19.1~~ When a file is opened and an investigation commenced, ~~r~~ Respondents will be advised of the Trust Council Policy that authorized the opening of the file and that an investigation has commenced.

~~10.29.2~~ Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant.

~~10.39.3~~ If there are questions or concerns regarding individual files, Trustees or the LTC will communicate with the Manager of Compliance and Enforcement.

~~9.4~~ The Manager of Compliance and Enforcement will arrange public information and education sessions regarding bylaw enforcement when appropriate and time permitting.

~~9.5~~ Bylaw staff will be available during regular LTC meeting public comment sessions to answer questions regarding bylaw enforcement.

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~~11.010.0~~ Reporting

~~11.110.1~~ The LTC will receive regular reporting on open files where investigations have been completed, and the reporting will state whether or not enforcement or legal action of any kind is recommended.

~~11.210.2~~ The Manager of Compliance and Enforcement will report to the LTC any concerns, trends, or issues with enforcement that they believe the LTC needs to be aware of.

~~10.3~~ The Manager of Compliance and Enforcement will maintain ~~the Bylaw~~ the Bylaw Enforcement Policy and will report to the LTC if amendments are recommended or required.

~~10.4~~ LTCs will be notified when a file is closed.

~~11.3~~

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Policy:	5.5.1
Approved By:	Trust Council
Approval Date:	March 11, 1995
Amendment Date(s):	June 6, 1997; June 6, 1998; June 13, 2003; December 5, 2003; December 10, 2004; June 17, 2005; March 10, 2006; March 13, 2019, December 2, 2021: <u>September X, 2024</u>
Policy Holder:	Director of Local Planning Services

BYLAW COMPLIANCE AND ENFORCEMENT

Purpose

The purpose of the bylaw compliance and enforcement program is to support the object of the Islands Trust to preserve and protect the ~~trust area~~ Trust Area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally by ensuring compliance with Local Trust Committees' Bylaws.

A. Definitions

1. *"Long-form information"* means a complaint sworn before a Provincial Court judge by a bylaw compliance and enforcement officer
2. *Vexatious complaint* means frivolous, repeat or false complaints, or ones made in bad faith that are meant to harass, annoy, or irritate any person, or are for retaliatory purposes
3. *Respondent* means those responding to allegations of bylaw contraventions
4. *Bylaw Notice* means a ticket, with penalty, issued under the *Local Government Bylaw Notice Enforcement Act*.

B. Policy

1. COMPLIANCE

- 1.1 Compliance is sought through a combination of education, mediation and enforcement techniques. Bylaw compliance is primarily sought through an attempt to achieve voluntary compliance. Voluntary compliance is indicated by a commitment to corrective action as soon as reasonably possible and the cessation of unlawful activity.

2. BEST PRACTICES MANUAL

- 2.1 The Manager of Bylaw Compliance and Enforcement ~~Manager~~ will maintain a best practices ~~operating~~ manual in accordance with the administrative fairness principles outlined in the BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016.

3. COMMENCING INVESTIGATIONS

- 3.1 Investigations are commenced on a complaint-basis, with the exception provided below.
- ~~3.13.2~~ Bylaw investigations may be commenced at the discretion of the Manager of Bylaw

Compliance and Enforcement and an investigation file opened in one or more of the following circumstances:

- ~~3.1.13.2.1~~ In response to written complaints of an alleged contravention made by any person that is within the jurisdiction of Islands Trust and that is not vexatious nor anonymous;
- ~~3.1.23.2.2~~ bylaw~~Bylaw~~ contraventions appear to occur in setbacks from water bodies or in development permit areas;
- ~~3.1.33.2.3~~ bylaw~~Bylaw~~ contraventions appear to cause health and safety issues;
- ~~3.1.43.2.4~~ bylaw~~Bylaw~~ contraventions appear to occur as part of a building permit process or other permitting process administered by a local government or the Islands Trust siting and use permit applications;
- ~~3.1.53.2.5~~ A referral is received from a permitting agency that identifies alleged land use bylaw contraventions ~~associated with the permit request~~;
- ~~3.1.63.2.6~~ advertisements exist for apparently~~Advertising of~~ unlawful uses; or
- ~~3.1.73.2.7~~ a Local Trust Committee directs staff to commence an investigation.

- 3.3 Respondents and complainants will be notified in writing if an investigation has been commenced and they will be notified in writing of the determination of an investigation.
- 3.4 Respondents may request that a determination of a contravention be reviewed by the Manager of Bylaw Compliance and Enforcement.
- 3.5 Complainants may request the Director of Planning Services to~~a~~ review a file if no contravention has been determined by the Manager of Bylaw Compliance and Enforcement.

4. CLOSING INVESTIGATIONS

- 4.1 Bylaw investigation files can be closed, and notice will be given, in ~~one or more of~~ the following circumstances ~~and notice will be given~~:
 - 4.1.1 ~~if~~ no contravention existed;
 - 4.1.2 ~~if~~ compliance has been achieved;
 - 4.1.3 ~~on~~ On direction of a Local Trust Committee;
 - 4.1.4 ~~if~~ the Director of ~~Local~~ Planning Services concurs with the ~~Bylaw Compliance and Enforcement Manager of compliance and Bylaw Compliance and Enforcement~~ that the contravention is of a minor character and does not suit the public interest to enforce.
 - 4.1.5 Complainants may request that a closing of a file be reviewed by another Bylaw Enforcement Officer or the Manager of Bylaw Compliance and Enforcement.
- 4.2 Respondents and complainants will be notified in writing when a file has been closed.

5. PRIORITY OF INVESTIGATION

- 5.1 The workload for bylaw investigations will be prioritized as follows:
 - ~~1.1.1~~ by specific direction of a Local Trust Committee;
 - 5.1.1 ~~health~~ Health and safety issues;
 - 5.1.2 ~~adverse~~ Adverse environmental impact that could result in irreversible damage if not prevented in a timely fashion;
 - 5.1.3 ~~contraventions~~ Contraventions of land use bylaws and other bylaws.
 - 5.1.4 By specific direction of a Local Trust Committee;

6. MEDIATION

- 6.1 ~~Bylaw investigation efforts~~Efforts to gain compliance should be conducted using the principles and techniques employed in mediation.
- 6.2 Persons alleged to have committed contraventions and complainants may be invited by staff to participate in a process designed to:
- 6.2.1 ~~provide~~Provide full information and exchange of information;
 - 6.2.2 ~~confirm~~Confirm facts;
 - 6.2.3 ~~explore~~Explore opportunities for compliance;
 - 6.2.4 ~~negotiate~~Negotiate a timeline for compliance;
 - 6.2.5 ~~reach a~~Reach compliance ~~solutions~~solutions.

7. LEGAL ACTION

- ~~1.2~~ — If unlawful activity does not cease or if compliance is not achieved, a ~~bylaw enforcement officer~~Bylaw Compliance and Enforcement Officer may:
- ~~1.2.1~~ — ~~issue a bylaw violation notice; or~~
- 7.1 make recommendations to the Local Trust Committee on how to proceed, including taking civil action or closing the investigation without compliance.
- 7.2 Immediate legal action may be recommended to Local Trust Committees ~~or bylaw violation notices issued~~ if impacts of unlawful activity risk serious harm to persons or the environment.
- ~~7.3~~ — *Offence Act* prosecutions may be recommended to the Local Trust Committees under the following conditions:
- ~~7.3.1~~7.2.1 Offence Act prosecutions are to be used only for serious land use permit contraventions.
 - ~~7.3.2~~7.2.2 A long-form information may be sworn only after approval by a local trust committee; and
 - ~~7.3.3~~7.2.3 Executive Committee has approved legal funding for the prosecution; and
 - ~~7.3.4~~7.2.4 The long-form information has been reviewed and prepared by legal counsel.

8. USE OF DISCRETION

- 8.1 Local Trust Committees may adopt discretionary enforcement policies using the following guidelines:
- 8.1.1 The nature and urgency of the complaint or alleged contravention.
 - 8.1.2 The impact of the contravention on the complainant and community.
 - 8.1.3 Previous decisions or legal precedents on similar complaints.
 - 8.1.4 The matter appears to be a civil dispute, frivolous or vexatious in nature (see policy 11.0).
 - 8.1.5 The impact of the contravention on the complainant or other persons.
 - 8.1.6 The impact of the complaint or alleged contravention on public health, safety, or the environment.
 - 8.1.7 There are limited resources available to resolve the matter.

8.9. BYLAW NOTICE DEBT

8.19.1 Debts incurred as the result of default on bylaw notices are payable to Trust Council and they may be cancelled if the Director of ~~Local~~ Planning Services and the Manager of Bylaw Compliance and Enforcement ~~Manager~~ concur that contraventions on the subject property no longer exist, and it is not in the interest of Islands Trust to pursue the debt.

9.10. CONFIDENTIALITY

10.1 Information in regards to a complainant is kept confidential. However, confidentiality cannot be guaranteed should litigation proceed ~~against the violator~~ or where a request for information is received under the *Freedom of Information and Protection of ~~Privacy~~ Act*. Privacy Act.

11. FRIVOLOUS, REPEAT, OR VEXATIOUS COMPLAINTS

11.1 Investigations and Enforcement Files may not be opened if a complaint is considered vexatious.

11.2 Persons may be declared vexatious complainants if the Director of Planning Services and the Manager of Bylaw Compliance and Enforcement concur and the vexatious complainant will be advised that no further submissions will be accepted from them.

10.12. LOCAL TRUST COMMITTEES, TRUST COUNCIL, AND TRUSTEES

10.112.1 Trustees will be immediately advised when a bylaw investigation file is opened indicating the type and area where the contravention is alleged to occur but names and addresses of the complainant and alleged violator will not be ~~communicated~~ shared.

12.2 Local Trust Committees will be advised of when a bylaw investigation file has been closed.

10.212.3 Trustees may make a written complaint alleging a bylaw contravention.

10.312.4 Local Trust Committees and trustees ~~are will~~ not ~~to~~ be involved in the investigation of a complaint or the preparation of bylaw enforcement reports.

10.412.5 Local Trust Committees may make bylaw enforcement policies to direct compliance and enforcement ~~in regards to specific issues~~.

10.512.6 Local Trust Committees may request reports about specific investigations or about general enforcement activity in the Local Trust Area.

10.612.7 Trust Council will be informed of the volume and type of bylaw enforcement files bi- annually.

C. Legislated References

1. Islands Trust Act

2. [Offence Act](#)

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

- [BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016](#)
- [Best Practices Manual](#)
- [BC Local Government Bylaws>Bylaw Enforcement](#)

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Policy:	7.1.2
Approved By:	Trust Council
Approval Date:	June 11, 1994
Amendment Date(s):	March 9, 2001; XXXX
Policy Holder:	Legislative Services Manager

GENERAL COMPLAINTS

Purpose

The purpose of this policy is to ensure Islands Trust provides a fair, effective and transparent response to complaints and concerns raised by our service users. This policy sets out the procedures for receiving, reviewing, recording and responding to complaints about our service. To ensure that best effort is used to handle formal complaints regarding Islands Trust administrative practices, processes and procedures (excluding land use bylaw infractions) in a fair, equitable and timely manner in accordance with the Administrative Fairness Principles Policy.

Guiding Principles

Islands Trust is committed to high standards of practice in our work. We value feedback and complaints from our service users and continuously strive to improve our services. Our complaints process is guided by the following principles:

<u>Accessible</u>	<u>Islands Trust complaints process is publicly available on our website, and service users are informed of their right to complain about our organization. Complaints are accepted in a variety of ways (i.e., <List Ways>).</u>
<u>Fair</u>	<u>All complaints will be handled in a manner that is impartial and fair. Our process provides the opportunity for service users to submit relevant information and have an opportunity to be heard before the review of the complaint is finalized. We thoroughly and objectively review the complaints we receive, and are committed to keeping people informed of the progress of their complaint.</u>
<u>Person-Focused</u>	<u>We recognize that service users have different needs, and each person has their own unique history that they bring to the interaction with our agency. We commit to listen to our service users' concerns, treat them with dignity and respect, and maintain confidentiality throughout the complaints process.</u>
<u>Responsive</u>	<u>We will respond to complaints within XX business days, and will seek to resolve the complaint at the earliest opportunity. Complaints that cannot be resolved at first contact, or those that raise more serious concerns about our organization, will be forwarded for further review/investigation within XX business days. Islands Trust is committed to these time frames and will inform our service users of the progress of their complaint and reasons for any delay in the complaint resolution process.</u>

Roles and Responsibilities of Staff

<u>Step 1</u>	<u>Islands Trust staff are responsible for receiving, recording and assessing complaints, and will attempt to resolve the matter if possible. At this stage, staff have responsibility for explaining the complaints process to the person reporting the concern. will forward complaints that are not resolved or that require further review/investigation to Stage 2 of the complaints process.</u>
<u>Step 2</u>	<u>Islands Trust Management are responsible for reviewing and conducting</u>

	<u>investigations of complaints that are not resolved by staff. If a complaint is not resolved to the satisfaction of the person raising the concerns following investigation, further internal review may be conducted by management. If appropriate, alternative dispute resolution (ADR) will be offered to attempt to resolve the complaint.</u>
Step 3	<u>At any point in the complaints process, a person may choose to seek external review of the matter through the following review options: Include Options</u>

A. Definitions

Formal complaints are limited to those submitted in writing and directed to the Chief Administrative Officer (CAO).

Islands Trust refers to the following decision-making bodies: Trust Council, a local trust committee and the Executive Committee, as well as trustees or staff.

Ombudsperson Office referrals of complaints should be directed to the CAO.

Review Bodies include the CAO and the Executive Committee whose roles are explained in Section B.

Verbal concerns should be handled by trustees and staff within the spirit of this policy.

B. Principles

1. **Confidentiality** - To protect the privacy of the complainant, formal complaints should be handled in a confidential manner by trustees and staff upon receipt from the complainant and upon referral by the CAO or the Executive Committee, unless the complainant provides a written waiver of this provision to the CAO. The complainant and complaint will be made known to the affected staff, trustees or local trust committee.
2. **Availability** - The provisions of this policy should be available to every person or organization, including Islands Trust trustees and staff affected by a decision or action of the Islands Trust.
3. **Notification** - Trustees and staff should advise parties who might be adversely affected by a decision or action of the Islands Trust, or upon request, of the provisions of this policy should they wish to dispute a matter.
4. **Acknowledgement** - All formal complaints should be acknowledged, stating the expected process and time-frame to be taken to respond to the complaint, as well as any limitations of the review process with respect to the complaint.
5. **Accountability** - All formal complaints should be responded to, with reasons, with a view to using best efforts to resolve the complaint.
6. **Ombudsperson Office** - Referrals from, requests for assistance to, or complaint file communications with the Ombudsperson, shall be directed through the CAO, or, alternatively, the Islands Trust Chairperson.
7. **Corporate secretary's Role** - The Corporate secretary is to coordinate the handling of administrative fairness complaints in an objective manner.

8. **Executive Committee's Role** - The Executive Committee's role, within the provisions of Section 4(3) of the *Islands Trust Act*, is to review matters related to the day-to-day business of the Islands Trust and activities of a local trust committee, and, in that context, it may observe, advise and offer recommendations on such matters to a local trust committee or Trust Council, and seek remedies as required in matters for which it has jurisdiction.
9. **Access to Information** - Complainants should be given access to public information that would assist them in stating their complaint in a timely manner within the provisions of the Islands Trust's Freedom of Information and Protection of Privacy bylaw(s), policies and procedures, and the *Freedom of Information and Protection of Privacy Act*.
10. **Ombudsperson Act** - Complainants, while being encouraged to utilize the provisions of this policy to have their complaints addressed by the Islands Trust, should also be advised of the services of the Ombudsperson's Office and provisions of the *Ombudsperson Act*.
11. **Scope of Authority** - The review bodies, being the CAO and Executive Committee, do not have the power to judicially review the conduct of Trust Council, a local trust committee, or a trustee or staff person and are limited to making recommendations to decision-making bodies of the Islands Trust, to modify their own decisions or actions, and to direct staff on remedial efforts appropriate to their respective personnel authority - Executive Committee to CAO and CAO to all other staff.
12. **Consultation** - It is expected that the primary purpose of this policy's processes is to maximize communication among all affected parties to a complaint.
13. **Accessibility** - The cost and complexity of the Islands Trust's administrative fairness complaint handling process should not constitute a deterrent or present unreasonable obstacles to a complainant submitting a formal complaint.
14. **Chief Administrative Officer's Role** – The CAO's role is to request staff action, as required, and to conduct reviews involving staff matters.

C. Procedure

1. Receipt of Formal Complaints

- 1.1 **Informal Complaints** - Every effort should be made to direct verbal complaints to the appropriate Islands Trust decision-making body, trustee or staff person, and to notify the complainant of the provisions of this policy for pursuing a formal complaint.
- 1.2 **Formal Complaint** - Complainants should be informed that, in order to have complaints formally processed under the provisions of this policy, they must be in writing directed to the CAO for complaints regarding staff, and to the Chair for complaints regarding local trust committees or trustees.
 - 1.2.1 **Complaint Content** - Complainants must state the specific nature of a formal complaint and provide their name, address and phone number before complaints will be processed under the provisions of this policy.

- 1.2.2 Confidentially - Complainants must also acknowledge in writing that such complaints are not considered confidential with respect to affected staff or local trust committees.
- 1.2.3 Complaint File - A copy of the formal complaint should be forwarded to the corporate secretary, who is to open a file respecting the complaint.
- 1.2.4 Complaint Tracking - The corporate secretary is responsible for logging the complaint in an Administrative Fairness Complaint Log, and for tracking all steps of the complaint-handling process to its conclusion.
- 1.2.5 Referral - The corporate secretary will refer the formal complaint to the appropriate decision-making body, and/or trustee or staff person, for consultation in acknowledging the complaint.
- 1.2.6 Acknowledgement - The corporate secretary should acknowledge the formal complaint within 10 days, unless otherwise communicated to the complainant, in writing, advising the complainant as to whom the complaint has been referred to, the complaint handling process, expected timelines to deal with the complaint, and legal, legislative and/or policy limitations with respect to responding to the complaint.

2. Stage I Investigation

- 2.1 **Staff-Related Complaints** - Staff investigation of formal complaints, as requested by the CAO, are expected to adhere to the following process:

- 2.1.1 Referral

The CAO should refer appropriate complaints to the relevant staff person and his/her supervisor with a copy of the acknowledgement letter for the investigation within timelines provided by the CAO.

- 2.1.2 Complainant Contact

The staff person and/or supervisor should promptly contact the complainant to arrange a meeting by telephone, or, if desired by the complainant, with a view to addressing the complaint.

- 2.1.3 Investigation

The staff person should thoroughly ascertain the facts and issues, and prepare a report containing the facts, issues, and results of efforts to address the complaint in consultation with his/her supervisor.

- 2.1.4 Response

The staff person should communicate, in writing, his/her efforts to address the complaint, with reasons, to the complainant, with a copy to the CAO, corporate secretary, his/her immediate supervisor, and the appropriate

decision-making body, as required.

- 2.2 **Decision-making Bodies** - Staff investigations at the request of the Executive Committee involving matters directly related to decisions of decision-making bodies are expected to adhere to the following process.

2.2.1 Notice to Complainant

Reasonable and timely notice, in writing, should be given to the complainant of a complaint investigation by a decision-making body.

2.2.2 Complainant Contact

If required or requested by the corporate secretary or the complainant, the complainant should be given an opportunity to provide information to support his/her position, in person, or in writing, in addition to the original written complaint.

2.2.3 Investigation

Staff reports as per clause 2.1.3 should be directed to the appropriate decision-making body with a copy to the CAO and the corporate secretary.

2.2.4 Decision

The decision-making body, in consideration of the relevant facts, issues and staff advice should determine, by resolution, its response to the complainant.

2.2.5 Response

The staff person should communicate to the complainant, in writing, the decision-making body's decision, with reasons in response to the complaint, with a copy to the CAO, the corporate secretary, and the Executive Committee.

- 2.3 **Trustee Related Complaints** - Must be directed to the Islands Trust Chair or the Executive Committee. The Chair or Executive Committee will refer complaints to the relevant trustee, with a copy of the acknowledgement letter for his/her investigation and response to the complainant, using steps 2.1.1 to 2.1.4. Reviews will be handled by the Executive Committee.

3. **Appeals**

- 3.1 **To the Chief Administrative Officer** - In the event the complainant is not satisfied with the efforts of the designated staff person and/or supervisor to address the complaint, the CAO is to address the complaint utilizing steps outlined in 2.1.1. to 2.1.4 with a copy of the written documentation to the Executive Committee, corporate secretary and appropriate staff, trustee and/or decision-making body.

3.2 To the Executive Committee

3.2.1 CAO Efforts

In the event the complainant is not satisfied with the efforts of the CAO to address the complaint, the Executive Committee is to conduct a review of the matter in accordance with clause 3.2.4.

3.2.2 Decision-Making Body Efforts

In the event the complainant is not satisfied with the efforts of an Islands Trust decision-making body to address the complaint, or at the request of that decision-making body by way of resolution, the Executive Committee is to conduct a review of the matter in accordance with clause 3.2.4.

3.2.3 Trustee Efforts

In the event the complainant is not satisfied with the efforts of a trustee to address the complaint, or at the request of that trustee, the Executive Committee is to conduct a review of the matter in accordance with clause 3.2.4.

3.2.4 Executive Committee Review

Executive Committee review is to proceed in the following manner:

3.2.4.1 The Executive Committee should give reasonable and timely notice to persons, including the complainant, who might be affected by the review process.

3.2.4.2 The Executive Committee should advise the complainant of the Executive Committee's limited mandate as appropriate to deal with the complaint.

3.2.4.3 Persons who might be affected by the review should be given an opportunity to provide information to support their positions in addition to the original written complaint of the complainant.

3.2.4.4 A member of the Executive Committee who was involved in the local trust committee land use planning decision, resolution or bylaw complained of, or is the subject of the complaint, is not to take part in the review. The Conflict of Interest Guidelines apply to members of the Executive Committee conducting the review.

3.2.4.5 The Executive Committee, in consideration of the relevant facts, provides advice to staff and, in its scope of authority, should determine, by resolution, its response to the complainant.

3.2.4.6 The Islands Trust Chair should communicate, in writing, the Executive Committee's decision, with reasons, to the complainant, with a copy to the CAO, corporate secretary, and relevant staff and/or decision-making body.

4. Coordination

- 4.1 **Tracking** - The corporate secretary is to maintain a tracking system to ensure attention is being given to all complaints and to monitor communications with the complainant.
- 4.2 **Regular Reporting** - The corporate secretary is to keep statistical and qualitative descriptions of complaints and the results of internal complaint processes, and to report quarterly to the Executive Committee and Trust Council via the CAO.
- 4.3 **Annual Reporting** - The corporate secretary is to provide information on the statistical and qualitative descriptions of complaints, including reviews, to be included in the Islands Trust's annual report.
- 4.4 **Complaint Files** - The corporate secretary is responsible for maintaining files containing documentation related to a formal complaint.
- 4.5 **Complaint Records** - All trustees and staff are to provide a record of discussions and meetings relevant to a formal complaint to the corporate secretary.

D. Legislated References

Ombudsperson Act

Policy and Procedures Manual:

Administrative Fairness Principles (7.1.1)

Bylaw Compliance and Enforcement (5.5.1)

Freedom of Information and Protection of Privacy (7.6.1)

E. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures n/a

COMPLAINTS PROCESS SELF-ASSESSMENT CHECKLIST

The following checklist provides a quick reference guide for organizations to conduct a self-assessment of their current complaint process and identify areas for improvement. By following this checklist and the key principles featured in this guide, organizations can build the framework for an effective complaint management system that will assist them in responding well to concerns from service users.

1. Do we foster an organizational culture that welcomes complaints from service users?

Do the leaders of our organization view complaints as a valuable source of feedback and an opportunity for improvement? ☐

Do we make it easy for people to raise concerns about our organization? ☐

Does our organization take action on issues identified through the complaints we receive from service users? ☐

Do we provide support to staff who are the subject of a complaint and inform them that the focus is on learning from the experience, and not on apportioning blame? ☐

2. Do we have an adequate complaints policy and procedure for our organization?

Does our complaint policy include a definition of a 'complaint'? ☐

Do we have a three-tiered complaint process that encourages early resolution of complaints? ☐

Do we provide clear guidance to staff on how to acknowledge and respond to a complaint, including standard timelines for response? ☐

Are there clear procedures that direct staff on what kinds of complaints can be resolved informally at point-of-service, and what complaints require escalation/investigation? ☐

Do our procedures describe our organization's standards for investigating complaints? ☐

3. Is our complaints process accessible and responsive?

Is information about our complaints process publicized on our website, including specific contact information for staff who have responsibility for receiving complaints?	☐
Do we accept complaints in a variety of formats (e.g., online, telephone, in writing, in person)?	☐
Do we have translator services available for people who require it to submit their complaint?	☐
Do we have systems in place to assist more vulnerable people who may need help bringing their concerns to us?	☐
Have we addressed and removed any barriers that might prevent someone from contacting us with their concerns?	☐
Are staff informed of their authority to resolve complaints at point-of-service?	☐
Do we ensure timeliness in our complaints process?	☐
Do we keep people informed of the progress of their complaint?	☐

4. Is our complaints process fair and person-focused?

Are complaints reviewed by a staff member who is unbiased – one who was not involved in the original decision giving rise to the concern?	☐
Do service users have an opportunity to submit additional information as part of the complaints process, and an opportunity to comment before the review is finalized?	☐
Do we provide clear reasons for decisions after reviewing or investigating a complaint, including the issues and information considered, the analysis and conclusions drawn, and any resolution to the complaint?	☐
Do we tell service users of the option of seeking further external review from an oversight body, such as the BC Ombudsperson?	☐
Do we ensure privacy and confidentiality is respected for people who raise complaints about our organization throughout the complaints process?	☐
Are our staff aware of and sensitive to the unique needs of services users from diverse backgrounds?	☐

5. Are we adequately supporting our staff who respond to complaints?

Do we have adequate recruitment strategies to attract staff who are skilled in complaint resolution? ☐

Do we provide training to staff in effective communication and conflict resolution? ☐

Are we trauma-informed in the way we respond to complaints from our service users? ☐

Does our complaint policy guide staff on how to deal with unreasonable conduct? ☐

Do we have a practice of debriefing with staff who are dealing with more challenging complaints? ☐

6. Do we adequately document and learn from the complaints we receive?

Do we have an adequate system for documenting, tracking, analyzing and reporting out on complaint outcomes? ☐

Does our organization regularly review complaint trends and take action to address systemic issues? ☐

Do we publicly acknowledge areas of improvement that are identified through complaints? ☐

Bylaw Enforcement Review - Charter v2

Regional Planning Committee (RPC)

RPC Endorsement Date: 02-16-2024

Purpose: To resolve bylaw enforcement matters efficiently and with minimal conflict by reviewing and amending Islands Trust Bylaw Enforcement policies and procedures to be administratively fair, reasonable and transparent with the aim of restoring public confidence.

Background: Islands Trust Council requested that the Office of the Ombudsperson undertake a review of enforcement policies and practices and provide recommendations at the March 2023 Trust Council meeting. In August 2023 the Office of the Ombudsperson's Consultation and Training Team submitted the 'Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust' report. At the September 2023 Trust Council meeting directed that the recommendations of the report be implemented, that staff develop a work and project charter and was referred to the Regional Planning Committee.

Deliverables • Revisions to Bylaw Compliance and Enforcement Policy 5.5.1 • Revisions to the Handling of Administrative Fairness Complaints Policy 7.1.2 • Revisions to Bylaw and Enforcement Best Practices and Procedures Manual ('the Manual') • A public Bylaw Complaints and Enforcement document • Updates and revisions to Bylaw Enforcement forms, templates and documents • Training and information for Bylaw Enforcement Officers and other relevant staff • Communications team work with planning staff to post regular Bylaw Compliance Review project updates to Islands Trust website. • <u>Development and review of an LTC Bylaw Enforcement Policy</u> •	In Scope • Review the Report, compile recommendations • Review current Trust Council policies • Review the Manual • Compile and review all LTC bylaw enforcement standing resolutions and policies • Review selected policies of other relevant local governments • Report to RPC with proposed revisions for direction • Provide regular updates and recommended revisions to Trust Council • Implement changes to policies and practices • A legal review of draft documents	Out of Scope • Amendments to bylaws • Public consultation • Referrals to LTCs • External consultants	IAP2 Public Engagement Level: ☒ Inform ☐ Consult ☐ Involve ☐ Collaborate
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Workplan Overview	
Deliverable/Milestone	Target Date
Draft Project Charter to RPC for review and endorsement	Feb 2024
RFD to Trust Council	Mar 2024

<i>RPC review of preliminary policy revisions</i>	May 2024
<i>Briefing to Trust Council</i>	June 2024
<i>Draft policies and manual to RPC for review and changes</i>	Sept 2024
<i>Referral of draft revisions to Ombudsperson's office for comment</i>	Sept 2024
<i>Briefing to Trust Council</i>	Sept 2024
<i>Final RPC review and referral to Trust Council</i>	Nov 2024
<i>Endorsement by Trust Council</i>	Dec 2024
<i>Implementation</i>	Jan – Mar 2025

Project Team	
<i>Stefan Cermak, DPS</i>	Project Champion
<i>Robert Kojima, RPM</i>	Project Manager
<i>Warren Dingman, Manager C & E</i>	Project Manager
<i>Anthony Fotino</i>	RPC Planner
<i>David Marlor, DLS</i>	Advisor
Director Approval: <i>Stefan Cermak</i> Date: 02-16-2024	RPC Endorsement: Resolution #: 2024-001 Date: 02-16-2024

Budget		
Budget Sources: N/A – no budget has been assigned		
*legal review included in scope by RPC 02-16-2024		
Fiscal	Item	Est. Staff hours*
2023-24	Project initiation	20
2024-25	- Preliminary analysis and review	40
	- Drafting of policy revisions	50
	- Final policy	20
	- Updates to manuals and templates	40
	- Implementation	40
	- Contingency	40
	Total	250

*excludes any admin support, attendance at RPC/TC meetings, staff receiving training

From: Stefan Cermak <scermak@islandstrust.bc.ca>
Sent: Friday, September 27, 2024 4:24 PM
To: Robert Kojima <rkojima@islandstrust.bc.ca>; Warren Dingman <wdingman@islandstrust.bc.ca>
Subject: Bylaw Enforcement Review Project

Hello Gentlemen,

Please find attached Judi Gedye's comments on the Bylaw Project. Sorry for the poor scan job – ended up using my phone.

Below are my notes from talking to Kristina Evans. She had lots to say and I captured what I could.

From Kristine Evans

- LTC model Template
 - Bylaw Enforcement officers WILL provide minimum 24 hours unless the following x,y,z (does not agree with 2 weeks)
- Best Practices Manual
 - Get a legal opinion
 - Needs to be a public facing document
 - Needs a more logical flow...
 - What are the guiding principles? Put in best practices
 - Separate a formal complaint process from an enquiry
 - Expand on vexatious and frivolous sections
 - Provide examples such as in LTC template
 - Close files
 - Provide examples
 - File analysis – tie to purpose and guiding principles
 - Site inspection
 - Layout the process
 - Keep process to issue – except for exceptions
 - Sometimes “without” notice...ensure language is reasonable
 -
- BEO Conduct
 - Tie to conduct policy
- Q: How many cases are lost/won in adjudication and legal
 -
- Communications and Respondents
 - If a file is referred to another agency...give an example
 - What happens if someone does not respond
 - Emailing security question and password separately
- Screening Officer
 - Should be in writing (Is in LTC Bylaw Enforcement bylaws)
- General:
 - Spell out acronyms first time!

- Recipient info is on page 26! Needs to be re-orientated to help them first – staff already know the process
- Adjudications should be made public

Take Care,

Stefan Cermak

Director, Planning Services

Islands Trust

200 – 1627 Fort Street, Victoria, BC, V8R 1H8

T 250-405-5178 | islandstrust.bc.ca

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

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

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŖEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səliwətał, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SŦÁUTW, Stz'uminus, ɬaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhwu, Xwsepsum, and x"məθk"əyəm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

From: Judi Gedge.

Note: Kristine Evans comments typed.



Islands Trust

Policy:	5.5.1
Approved By:	Trust Council
Approval Date:	March 11, 1995
Amendment Date(s):	June 6, 1997; June 6, 1998; June 13, 2003; December 5, 2003; December 10, 2004; June 17, 2005; March 10, 2006; March 13, 2019, December 2, 2021; September X, 2024
Policy Holder:	Director of Local Planning Services

BYLAW COMPLIANCE AND ENFORCEMENT

Purpose

The purpose of the bylaw compliance and enforcement program is to support the object of the Islands Trust to preserve and protect the ~~trust area~~ Trust Area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally by ensuring compliance with Local Trust Committees' Bylaws.

A. Definitions

1. "Long-form information" means a complaint sworn before a Provincial Court judge by a bylaw compliance and enforcement officer
2. Vexatious complaint means frivolous, repeat or false complaints, or ones made in bad faith that are meant to harass, annoy, or irritate any person, or are for retaliatory purposes
3. Respondent means those responding to allegations of bylaw contraventions
4. Bylaw Notice means a ticket, with penalty, issued under the Local Government Bylaw Notice Enforcement Act.

more -
see
attached

B. Policy

1. COMPLIANCE

- 1.1 Compliance is sought through a combination of education, mediation and enforcement techniques. Bylaw compliance is primarily sought through an attempt to achieve voluntary compliance. Voluntary compliance is indicated by a commitment to corrective action as soon as reasonably possible and the cessation of unlawful activity.

2. BEST PRACTICES MANUAL

- 2.1 The Manager of Bylaw Compliance and Enforcement-Manager will maintain a best practices operating manual in accordance with the administrative fairness principles outlined in the BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016.

3. COMMENCING INVESTIGATIONS

- 3.1 Investigations are commenced on a complaint-basis, with the exception provided below.
- 3.13.2 Bylaw investigations may be commenced at the discretion of the Manager of Bylaw

S
X

Compliance and Enforcement and an investigation file opened in one or more of the following circumstances:

if "that"

then... →

- 3.1.13.2.1 In response to written complaints of an alleged contravention made by any person that is within the jurisdiction of Islands Trust and that is not vexatious nor anonymous;
- 3.1.23.2.2 bylaw ~~Bylaw~~ contraventions appear to occur in setbacks from water bodies or in development permit areas;
- 3.1.33.2.3 bylaw ~~Bylaw~~ contraventions appear to cause health and safety issues;
- 3.1.43.2.4 bylaw ~~Bylaw~~ contraventions appear to occur as part of a building permit process or other permitting process administered by a local government or the Islands Trust siting and use permit applications;
- 3.1.53.2.5 A referral is received from a permitting agency that identifies alleged land use bylaw contraventions associated with the permit request;
- 3.1.63.2.6 advertisements exist for apparently ~~Advertising of~~ unlawful uses; or
- 3.1.73.2.7 A Local Trust Committee directs staff to commence an investigation.

→
→

- 3.3 Respondents and complainants will be notified in writing if an investigation has been commenced and they will be notified in writing of the determination of an investigation.
- 3.4 Respondents may request that a determination of a contravention be reviewed by the Manager of Bylaw Compliance and Enforcement.
- 3.5 Complainants may request the Director of Planning Services to review a file if no contravention has been determined by the Manager of Bylaw Compliance and Enforcement.

4. CLOSING INVESTIGATIONS

if there is a determination that...

- 4.1 Bylaw investigation files ^{may} can be closed, and notice will be given, in one or more of the following circumstances and notice will be given:
 - 4.1.1 if no contravention existed;
 - 4.1.2 if compliance has been achieved;
 - 4.1.3 on On direction of a Local Trust Committee;
 - 4.1.4 if the Director of Local Planning Services concurs with the Bylaw Compliance and Enforcement Manager of compliance and Bylaw Compliance and Enforcement that the contravention is of a minor character and does not suit the public interest to enforce;
 - 4.2 ~~4.1.5~~ Complainants may request that a closing of a file be reviewed by another Bylaw Enforcement Officer or the Manager of Bylaw Compliance and Enforcement.
- 4.3 Respondents and complainants will be notified in writing when a file has been closed.

✓
✓

5. PRIORITY OF INVESTIGATION

- 5.1 The workload for bylaw investigations will be prioritized as follows:
 - 1.1.1 by specific direction of a Local Trust Committee;
 - 5.1.1 ~~health~~ Health and safety issues;
 - 5.1.2 ~~adverse~~ Adverse environmental impact that could result in irreversible damage if not prevented in a timely fashion;
 - 5.1.3 ~~contraventions~~ Contraventions of land use bylaws and other bylaws;
 - 5.1.4 By specific direction of a Local Trust Committee;

✓
✓

6. MEDIATION

- 6.1 ~~Bylaw investigation efforts~~ Efforts to gain compliance should be conducted using the principles and techniques employed in mediation.
- 6.2 ^{Complainants and} Persons alleged to have committed contraventions and complainants may be invited ~~by staff~~ to participate in a process designed to:
- 6.2.1 ~~provide~~ Provide full information and exchange of information;
 - 6.2.2 ~~confirm~~ Confirm facts;
 - 6.2.3 ~~explore~~ Explore opportunities for compliance;
 - 6.2.4 ~~negotiate~~ Negotiate a timeline for compliance;
 - 6.2.5 ~~reach a~~ Reach compliance solutions.

7. LEGAL ACTION

- ~~7.1~~ If unlawful activity does not cease or if compliance is not achieved, a ~~bylaw enforcement officer~~ Bylaw Compliance and Enforcement Officer may:
- ~~7.1.1~~ issue a bylaw violation notice; or
 - ~~7.1.2~~ make recommendations to the Local Trust Committee on how to proceed, including taking civil action or closing the investigation without compliance.
- 7.2 Immediate legal action may be recommended to Local Trust Committees ~~or bylaw violation notices issued~~ if impacts of unlawful activity risk serious harm to persons or the environment.
- 7.3 Offence Act prosecutions may be recommended to the Local Trust Committees under the following conditions:
- ~~7.3.1~~ 7.3.1 Offence Act prosecutions are to be used only for serious land use permit contraventions;
 - ~~7.3.2~~ 7.3.2 A long-form information may be sworn only after approval by a local trust committee; and
 - ~~7.3.3~~ 7.3.3 Executive Committee has approved legal funding for the prosecution; and
 - ~~7.3.4~~ 7.3.4 The long-form information has been reviewed and prepared by legal counsel.

8. USE OF DISCRETION

- 8.1 Local Trust Committees may adopt discretionary enforcement policies using the following guidelines:
- 8.1.1 The nature and urgency of the complaint or alleged contravention.
 - 8.1.2 The impact of the contravention on the complainant and community.
 - 8.1.3 Previous decisions or legal precedents on similar complaints.
 - 8.1.4 The matter appears to be a civil dispute, frivolous or vexatious in nature (see policy 11.0).
 - 8.1.5 The impact of the contravention on the complainant or other persons.
 - 8.1.6 The impact of the complaint or alleged contravention on public health, safety, or the environment.
 - 8.1.7 There are limited resources available to resolve the matter.

8.9. BYLAW NOTICE DEBT

8.19.1 Debts incurred as the result of default on bylaw notices are payable to Trust Council and they may be cancelled if the Director of Local Planning Services and the Manager of Bylaw Compliance and Enforcement Manager concur that contraventions on the subject property no longer exist, and it is not in the interest of Islands Trust to pursue the debt.

9.10. CONFIDENTIALITY

10.1 Information in regards to a complainant is kept confidential. However, confidentiality cannot be guaranteed should litigation proceed against the violator or where a request for information is received under the *Freedom of Information and Protection of Privacy Act/Privacy Act*.

11. FRIVOLOUS, REPEAT, OR VEXATIOUS COMPLAINTS

11.1 Investigations and Enforcement Files may not be opened if a complaint is considered vexatious.

11.2 Persons may be declared vexatious complainants if the Director of Planning Services and the Manager of Bylaw Compliance and Enforcement concur and ~~the vexatious complainant will be advised that no further submissions will be accepted from them.~~
without permission of the Director.

10.12. LOCAL TRUST COMMITTEES, TRUST COUNCIL, AND TRUSTEES

10.12.1 Trustees will be immediately advised when a bylaw investigation file is opened indicating the type and area where the contravention is alleged to occur but names and addresses of the complainant and alleged violator will not be communicated/shared.

12.2 Local Trust Committees will be advised of when a bylaw investigation file has been closed.

10.212.3 Trustees may make a written complaint alleging a bylaw contravention.

10.312.4 Local Trust Committees and trustees ~~are will~~ not to be involved in the investigation of a complaint or the preparation of bylaw enforcement reports.

10.412.5 Local Trust Committees may make bylaw enforcement policies to direct compliance and enforcement in regards to specific issues.

10.512.6 Local Trust Committees may request reports about specific investigations or about general enforcement activity in the Local Trust Area.

10.612.7 Trust Council will be informed of the volume and type of bylaw enforcement files bi- annually.

C. Legislated References

1. *Islands Trust Act*
Policy – 5.5.1 Bylaw Compliance and Enforcement

2. Offence Act

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

- [BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016](#)
- [Best Practices Manual](#)
- [BC Local Government Bylaws>Bylaw Enforcement](#)

DRAFT

PROPOSED

Local Trust Committee Bylaw Compliance & Enforcement Policy

Bylaw Compliance & Enforcement Policy No. 1, effective ____XXX____, 2024

Version No. 1

Purpose

To establish policies and procedures for bylaw compliance and enforcement in the [name] Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1, ~~and that are within the authority of the Local Trust Committee to enforce, and to ensure that policies and procedures are efficient, transparent, reasonable, and consistent with local community standards.~~

PART A

1.0 Application

This policy will apply to the [name] Local Trust Area and the enforcement of all applicable regulatory bylaws.

2.0 Definitions & Abbreviations

BEN – bylaw enforcement notice (as defined in the Local Government Bylaw Enforcement Act)

LUB – Land Use Bylaw

LTC – Local Trust Committee

Minor structure – any structure that does not require a building permit, and that is not located in a development permit area or located within any other environmentally sensitive area

Respondent – a property owner whose property is subject to a bylaw enforcement complaint

Health & Safety concerns – fire, unsafe construction, hazards relating to steep slopes or cliffs

Approved septic system – one that has been registered with the Vancouver Island Health Authority

3.0 References

This section will cite references to the relevant LTC bylaws that are affected by the compliance and enforcement policies.

4.0 Priorities

4.1 This section will contain the priorities established by LTC standing resolutions on bylaw enforcement or the deferrals established in the adopted resolutions.

p. 271 Definitions

Vexatious Complaint means a frivolous, repetitive ~~(if previous)~~ or false complaint made with the sole purpose to harass, frustrate & annoy ~~the~~ the defendant

Frivolous complaint means a complaint w/ no serious ~~pro~~ purpose or little likelihood of succeeding;

Repetitive Complaint means a complaint involving the same people or property or allegations which has been adjudicated, or otherwise resolved to the satisfaction of I/T. (with the exception of an ongoing unresolved alleg'n where there is a change of tenancy or ownership)

BRIEFING

To: Regional Planning Committee **For the Meeting of:** November 8, 2024

From: Robert Kojima,
Regional Planning Manager **Date Prepared:** November 1, 2024

SUBJECT: Housing Strategic Action Plan

PURPOSE: To provide Regional Planning Committee (RPC) with the Trust Council resolutions regarding Tiny Homes on Wheels and to seek direction to staff to implement the resolutions.

BACKGROUND: The Regional Planning Committee has been overseeing implementation of the Islands Trust Housing Action Plan since its adoption by Trust Council in December of 2023. More recently a working group of RPC consisting of Trustees Boland, Campbell and Elliott have investigated barriers to tiny homes on wheels. An update was provided to Trust Council at the September meeting and the following resolutions were adopted:

TC-2024-089

It was MOVED by Trustee Yates, and SECONDED by Trustee Scott,
that implementation of the Islands Trust Housing Action Plan be included in the 2025-2028 Strategic Plan, and that Trust Council prioritize implementation of Actions 23, 24 and 26, with a focus on enabling Tiny Homes On Wheels in the Trust Area. (RPC resolution 2024-020)

CARRIED

TC-2024-090

It was MOVED by Trustee Boland, and SECONDED by Trustee Yates,
that Trust Council allocate \$20,000 (of the \$30,000 budgeted in fiscal 2024-2025 to advance the Housing Strategy and Housing Options Toolkit) to support coordination of roundtables and technical workshops with a focus on enabling Tiny Homes in the Trust Area. (RPC Resolution 2024-021)

CARRIED

Specifically, these resolutions would prioritize:

1. Establishment of regional interagency cooperation such as round tables to coordinate servicing and zoning requirements, and remove funding and legislative barriers, in support of the development of affordable housing
2. Working with Regional Districts to facilitate the development and implementation of affordable housing strategies for the islands
3. Advocating to the Province for changes at the Provincial and regional level to support tiny homes on wheels

Additionally, Trust Council has authorized the expenditure of up to \$20,000 to support meetings and workshops. While staff resources to support these initiatives are limited, there is some capacity to draw on administrative support to assist with scheduling and coordinating of workshops and roundtables.

Staff are requesting that RPC provide some specific direction on timing, content of workshops and suggested invitees.

ATTACHMENT(S):

1. Housing Action Plan

FOLLOW-UP: Staff will follow-up on direction of RPC.

Prepared By: Robert Kojima, Regional Planning Manager

Reviewed By/Date: Stefan Cermak, Director Planning Services / Nov. 1, 2024



Islands Trust Housing Strategic Action Plan

Context

The Islands Trust Area is located within Coast Salish Territory, in the treaty lands and territories of 27 First Nations. The Islands Trust is committed to working towards building strong relationships and foundations for collaborative governance with Indigenous governing bodies.

The Islands Trust has a mandate 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 in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia. The Islands Trust preserves and protects the islands in the context of many complex challenges including: climate change, lack of affordable housing, freshwater limitations, many species at risk, development and tourism pressures.

The Islands Trust Policy Statement¹ identifies goals and policies that guide the work of the Islands Trust. Specifically, it guides the development of official community plans (OCPs) and regulatory bylaws by local trust committees (LTCs) and island municipalities and provides specific directives to all LTCs and island municipalities in support of affordable housing policy goals.

Availability of affordable, appropriate, and adequate housing for all individuals and families is an important part of healthy communities in the Trust Area. Many communities in the Trust Area are experiencing a shortage of safe, secure, and affordable housing. More and more often, island workers are needing to commute from off-island locations, seniors are finding it challenging to age in place, and many people do not have secure housing. The Islands Trust Council has declared that a housing equity and workforce shortage crisis exists on many of the islands within the Islands Trust Area. Strengthening housing affordability is an Islands Trust Council priority.

While Islands Trust and local trust committees cannot tackle these issues alone, local trust committees can regulate use and density, ensuring new housing is located in appropriate locations, can regulate short-term rentals, and can coordinate with other levels of government to foster safe, secure, and affordable housing. Meeting the diverse housing needs of Trust Area communities requires an integrated and collaborative approach with communities, First Nations, federal, provincial, and regional governments, and non-governmental organizations.

In the spring of 2019, the Province introduced legislation requiring local governments, including LTCs, to prepare housing needs reports to better understand current and future housing needs in their communities. Local governments and LTCs must consider their most recent housing needs report when developing or amending an OCP. More recently, the Province has begun introducing new housing legislation to address short-term rentals and deliver more small-scale, multi-unit housing for people,

¹ Note the Policy Statement Amendment project is underway to adapt the Policy Statement to current and future challenges and opportunities, and to reflect its commitments related to reconciliation, climate change, and affordable housing.



including townhomes, triplexes and laneway homes, and fix outdated zoning rules to help build more homes faster. Housing needs reports will now be required to consider 5 and 20 year housing needs.

This action plan supports the Trust Council Strategic Plan. The Trust Council Strategic Plan represents the priorities of Trust Council and the Islands Trust and provides a framework to guide decision-making and allocate resources.

Objectives of the Housing Strategic Action Plan

Through a review of information and consultation the following have been identified as key objectives for the Housing Strategic Action Plan. These objectives are intended to guide Housing Strategic Action Plan actions by providing a focus for how the Islands Trust will achieve its housing goals as described in the Policy Statement²:

Goal: To Sustain Island Character and Healthy 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".

Directive Policy: "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."

These objectives include both objectives that the Islands Trust can implement as well as objectives that require partnership and advocacy. The discussion under each objective provides more information about the objective and why it is needed, in addition to identifying some of the actions to be undertaken. The Islands Trust Housing Action List table provides a full list of actions for the Housing Strategic Actions Plan.

Objectives Internal to the Islands Trust

A) Identify and Communicate Housing Need and Activities

Identifying housing need is the starting point for implementing policies and actions related to housing in every LTC. Housing needs assessments are a legislated requirement (every 5 years) and a critical component of understanding housing needs. The Islands Trust 2020 LTC Housing Profiles provide a snapshot of housing need. Communication identifying the unique nature of the housing crisis in island communities is critical to facilitating more focussed and specific attention to these needs by regional districts, the Province and the federal government as well as those who own property and live in the Islands Trust Area. Communications should consider each audience in the

² <https://islandstrust.bc.ca/document/islands-trust-policy-statement-bylaw-no-17/>.



Islands Trust Area and include information about housing needs, activities being done to address need and actions individuals can take.

B) Develop Trust-wide consistency in housing policy and project processes

Consistency is important in order to ensure the goals of the organization area being implemented throughout the Trust Area. In addition, it can provide efficiencies for resourcing and predictability for all people involved in housing policy and projects. Articulating a vision for housing affordability in the updated Islands Trust Policy Statement is a key element that will support consistency.

C) Identify Suitable Land for Additional Housing and Density Using Best Available Environmental And Social Impact Data

Housing options related to increasing affordability may involve increasing density or redirecting growth to preferred areas. Suitable land for density increase is land that has a reliable source of potable water, is less ecologically sensitive than others and is close to community services and amenities. Data is needed to support mechanisms to identify suitable land.

D) Support Local Trust Committee Land-Use Policy Reviews and Updates

Regulating land use is the primary tool the Islands Trust has to help meet housing need. OCP policies should be flexible enough to support a diversity of housing in a diversity of locations. Creative solutions may be necessary, including the development of housing for workers and volunteers in areas that are not currently zoned for such housing. Land use regulations implement OCP policies, e.g., pre-zoning land to support a specific type of housing (e.g., rental) or to increase density. Both OCP policy and subsequent land use bylaw (LUB) zoning changes must be in accordance with the Islands Trust Policy Statement. These policies can all work together to create housing solutions especially when reviewed on a regular basis.

E) Streamline and Support Processes for Non Profit-Led Rezoning Applications

Because of the limited scale of development, providing multi-family affordable housing is generally the purview of not-for-profit community organizations with government support, rather than the private sector. These organizations have identified challenges with moving through the pre-development phase. A number of recent housing studies have identified steps the Islands Trust can take to support an increase in multi-family affordable housing zoning, including a need to streamline and support the processes for non-profit-led rezoning applications.

F) Support Housing Affordability Through Housing Agreements

Housing agreements are the tool used to protect the affordability of different types of housing. The Islands Trust has several housing agreements for various multi-family developments.



Actions Requiring Partnership and Advocacy

G) Collaborate with Indigenous Nations

As discussed above, the Islands Trust Area is located within Coast Salish Territory, in the treaty lands and territories of 27 First Nations. The Islands Trust is committed to working towards building strong relationships and foundations for collaborative governance with Indigenous governing bodies including in the area of housing.

H) Develop Partnerships to Improve Existing Housing and to Deliver New Housing

The unique and multi-agency governance structure of the Islands Trust requires focussed co-ordination, particularly with regional districts to support programs that are beyond regulating land use but serve the Islands Trust mandate (e.g., education, providing infrastructure, providing subsidies for housing related supports). Such coordination has been limited to date.

I) Advocate for Policy and Process Changes That Will Address Housing Challenges on the Islands

Housing challenges on the islands are unique and require unique solutions. There are a number of external policy and process changes that would support housing needs in the Islands Trust Area that require policy change by a number of agencies.

J) Advocate for Funding to Support Housing Needs on the Islands

Addressing housing need in the Islands Trust Area requires staff resources and funding. Because of the uniqueness of the Islands Trust, it can be difficult to access some of the existing funding mechanisms available to other local governments.

Islands Trust Housing Strategic Action Plan - Action List

The Islands Trust Housing Action List table provides the full list of Housing Strategy actions under each of these objectives.

Colour Legend: Internal to Islands Trust Advocacy and Partnerships

ACTION		TIMING ^{3,4}	COMMENTS
Objective A) Identify and Communicate Housing Need and Activities			
1	Updates to Housing Profiles for all LTCs when new data available from: -Census (release Feb 2026, 2030, etc.) -Housing Needs Reports (every 5 yrs, 2024, 2029, etc.)	Q3 of 24/25 Ongoing	Housing Profiles for each LTC created as part of Housing Options Toolkit Part 1 and provide snapshot of housing need.
2	Updates to Housing Needs Reports every 5 years (2024, 2029 etc)	Q1 of 24/25 Ongoing	Required, business case supported by RPC and advanced to Financial Planning Committee. Next update needs to include data about housing impacts on businesses and community services. Needs assessments were undertaken for the Northern and Southern Islands in 2018, and for Salt Spring and Bowen Island in 2020. All of these have used 2016 census data.
3	Improve the Housing Affordability webpage to facilitate easy access to the housing toolkit tools and LTC project work and support awareness of housing affordability advocacy	Q3 of 23/24	Funding has been identified for 2023/2024
4	Communicate to property owners what housing actions (e.g., secondary suites etc.) can be taken under existing bylaws and constraints that are beyond an LTC's authority to address, e.g. Building Code	Q4 of 23/24	Funding has been identified for 2023/2024
Objective B) Develop Trust-Wide Consistency in Housing Policy and Project Processes			
5	Islands Trust Policy Statement amendments to provide affordable housing vision	Q3 of 26/27	As part of the Policy Statement amendment project, which is underway, anticipated to be completed in late 2026.
6	Trust Council to prioritize funding business cases resulting in meeting Housing Strategic Action Plan goals especially those that result in effective and/or	Q4 of 24/25 On-going	Funding needs to be prioritized by Trust Council and RPC and LTCs have to initiate business cases or

³ If "ongoing" is indicated then this is action that is intended to be repeated at the appropriate time interval. If a date is identified that is the planned for end date of the first action.

⁴ Note: Q1 =Apr-Jun; Q2=July-Sept; Q3=Oct-Dec; Q4=Mar-May

ACTION		TIMING ^{3,4}	COMMENTS
	innovative bylaws increasing housing options (OCP and LUBs) and updates to older zoning provisions		minor projects. It may be helpful to set goals for % of funding requests approved.
7	Draft consistent definitions of affordable housing and other housing-related terms.	Q4 of 23/24 On-going	Once drafted, LTCs need to prioritize updating definitions
8	Create Housing Toolkit for Planners and LTCs to include recommended process for LTC housing projects and list of land use planning options to address housing need	Completed	Part 1 of Housing Options Toolkit work completed, additional new actions to create "Part 2" Tools 11-16 included as part of this table
9	Create a model engagement framework for LTCs that will educate and effectively engage communities in affordable housing discussions	Q3 of 24/25	On-going. RPC priority.
Objective C) Identify Suitable Land for Additional Housing and Density Using Best Available Environmental And Social Impact Data			
10	Undertake suitable land (for development) analysis using existing evidence-based mapping data	Q4 24/25 On-going	Suitable land analysis initiative on-going. Will be prioritized for LTCs with approved projects. Current data available: saltwater intrusion; aquifer contamination potential; groundwater aquifer vulnerability; groundwater availability assessments (southern islands only); sensitive ecosystems
11	Incorporate new data on social and economic implications of housing location into suitable land analysis	Q4 23/24 Q4 24/25	Apply for and secure funding Pilot approach
12	Undertake work with First Nations to identify and incorporate indigenous interests into suitable land analysis	Q4 23/24 Q4 24/25	Apply for and secure funding Pilot approach
Objective D) Support Local Trust Committee Land-Use Policy Review and Update			
13	Encourage (through communications from staff) LTCs to update OCPs to facilitate the development of housing to address housing needs, could include development of policies that will encourage and facilitate land donation to regional districts or non-profits	Q2 24/25 On-going	Part 1 of Housing Options Toolkit work completed to support this work. Several LTCs are undertaking Housing Projects, however up to LTCs to prioritize
14	Encourage LTCs (through communications from staff) to create opportunities through zoning for housing forms that address housing needs	Q2 24/25 On-going	Part 1 of Housing Options Toolkit work completed to support this work. Several LTCs are undertaking Housing Projects, however up to LTCs to prioritize
Objective E) Streamline and Support Processes for Non Profit-Led Rezoning Applications			
15	Develop communications materials on pre-development steps and costs for community organizations and affordable housing application process (Tools 11, 12)	Q4 24/25	Part 2 of Housing Options Toolkit action. Identified by several Island Housing groups as a priority.

ACTION		TIMING ^{3,4}	COMMENTS
16	Resource a technical services fund (available to LTCs) to commission professional reports for site-specific affordable housing projects or a granting function to support pre-development costs for affordable housing where a non-profit has made an application	Q4 25/26	A potential future business case, however applications are inconsistent in terms of timing.
17	Convene pre-development meetings to assess feasibility for all proposed multi-family re-zoning applications	Completed	This guidance has been incorporated into the Housing Options Toolkit Part 1. This should be a practice for any significant application
18	Terms of Reference and Water Management Plan Template including proof of water guidance (Tools 14-16)	Q4 24/25	Part 2 of Toolkit action. Identified by several Island Housing groups as a priority.
Objective F) Housing Affordability Through Housing Agreements and Land Acquisition			
19	Adopt revised Housing Agreement template for multi-family developments	Q4 25/26	Part 2 of Toolkit action (Tool 13). Identified by several Island Housing groups as a second-tier priority.
20	Co-ordinate with Regional Districts (RDs) to develop a simple program to administer housing agreements	Q4 25/26	RDs would need to have a funded service.
21	Trust Council to identify if there are specific circumstances where they want to hold land for housing in a manner consistent with its mandate	Q1 24/25	Trust Council and RDs can hold land. Legislative amendment may be required.
Objective G) Collaborate with Indigenous Nations			
22	Work with Indigenous Nations to address their interests	Q4 23/24 Ongoing	Begin conversations in Q4 of 23/24
Objective H) Develop Partnerships to Improve Existing and Deliver New Housing			
23	Establish regional interagency cooperation such as round tables to coordinate servicing and zoning requirements, and remove funding and legislative barriers, in support of the development of affordable housing	Q3 24/25 Q2 25/26	First roundtable proposed to be staff focused with IT staff, RD staff and NGOs, and some housing leaders Second roundtable proposed to build off work of first roundtable and be for elected officials .
24	Work with Regional Districts to facilitate the development and implementation of affordable housing strategies for the islands	Q4 23/24 Ongoing	First step would be to reach out to regional districts to understand their planning workplan and timelines. CRD has a Southern Gulf Island strategy
Objective I) Advocate for Policy Changes That Will Address Housing Challenges On the Islands			
25	Advocate to Island Health to develop support and guidance for unplumbed sewage disposal such as composting toilets and alternative water solutions such as graywater recycling and rainwater catchment	Q3 24/25	In accordance with Islands Trust advocacy policies. May extend beyond Island Health if provincial regulations are the obstacle.

ACTION		TIMING ^{3,4}	COMMENTS
26	Advocate to Province for changes at the Provincial and regional level to support tiny homes on wheels	Q1 24/25	In accordance with Islands Trust advocacy policies. Advocacy for changes to BCBC is on-going from many jurisdictions.
27	Advocate to Province to enable improvement districts to access infrastructure grants	Q3 23/24	In accordance with Islands Trust advocacy policies. Advocacy initiative with RDs. Staff level also.
Objective J) Advocate for Funding to Support Housing Needs on the Islands			
28	Advocate for the provincial government to fund growth-limits assessment like groundwater availability studies to support “preserve and protect” mandate.	Q4 24/25	In accordance with Islands Trust advocacy policies, potential actions include letter writing, UBCM resolutions.
29	Advocate for BC Housing and CMHC to incorporate a low density, rural framework within capital funding programs	Q2 24/25	In accordance with Islands Trust advocacy policies, potential actions include letter writing, UBCM resolutions.
30	Advocate for ongoing provincial funding to help address housing need in the Islands Trust (e.g. staff capacity, funding to build housing and supports like septic and water catchment systems, housing authority (explore use of Municipal and Regional District Tax from vacation rentals)	Q4 24/25	In accordance with Islands Trust advocacy policies, potential actions include letter writing, UBCM resolutions.
General			
31	Monitor regulatory changes on a regular basis and make updates to this plan as necessary	Q4 23/24 Ongoing	Review of provincial regulations as released in spring 2024.

REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** November 8, 2024

From: William Shulba, P.Ge
Senior Freshwater Specialist **Date Prepared:** October 31, 2024

SUBJECT: Watershed Security Strategy Grant Application for Implementation of the Islands Trust Freshwater Sustainability Strategy

RECOMMENDATION

That the Regional Planning Committee approve staff proceeding with a grant application for \$500,000, over two years, from the Watershed Security Fund, to implement key initiatives under the Islands Trust Freshwater Sustainability Strategy, including staffing, consulting, and technical resources to undertake the following projects and initiatives:

- Islands Trust Area Freshwater Footprint,
- Islands Trust Area Watershed Resiliency Mapping,
- Freshwater Sustainability Regulatory and Policy Audit,
- Freshwater Helpdesk,
- Islands Trust Freshwater Atlas, and
- Freshwater Sustainability Technical Advisory Committee.

Director Comments: Implementing the Freshwater Sustainability Strategy (FWSS) is a strategic priority for the Islands Trust. Actions and deliverables within the FWSS have been successfully advanced or achieved from individual or “one off” requests supported by Trust Council (ex: salt water intrusion and groundwater recharge mapping). However, as noted in the FWSS, implementation of the FWSS requires critical organizational structures like a Freshwater Sustainability Team and Freshwater Advisory Committee. These structures require dedicated resources. The Watershed Security Fund provides an opportunity to secure funding and advance this strategic priority. Without such resources Planning Services can only dedicate minimal support time (ex: 0.1 – 0.3 FTE) to assist the Senior Freshwater Specialist.

1 PURPOSE

The purpose of this Request for Decision (RFD) is to secure approval for submitting a Regional Planning Committee initiated grant application for \$500,000 from the Watershed Security Fund. The grant will fund projects and initiatives under the *Islands Trust Freshwater Sustainability Strategy* that directly support freshwater sustainability, public engagement, and policy alignment within the Islands Trust area.

2 BACKGROUND

Strategic Priority

At its December 2021 meeting, Trust Council received the [Islands Trust Freshwater Sustainability Strategy](#) (FWSS). The development of the Freshwater Sustainability Strategy addressed Trust Council Strategic Plan

Item 2.4 “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”

At its March 2024 meeting, Trust Council approved the Regional Planning Committee’s top three priorities, including implementing the Freshwater Sustainability Strategy. Implementation of the FWSS is an action in the draft Islands Trust Council 2025-2028 Strategic Plan.

Executive Committee Support for Watershed Security Strategy and Fund

In March 8, 2022, the Executive Committee approved a draft letter to the Water Protection and Sustainability Branch of the Ministry of Environment and Climate Change Strategy providing general support for the Watershed Security Strategy and Fund. The letter states:

“This letter provides general support for the Watershed Security Strategy and Fund. All of the outcomes of the Watershed Security Strategy and Fund discussion paper have relevance to the Islands Trust Object. While addressing watershed resilience and freshwater sustainability is a top priority of the Islands Trust, it will require us to go above and beyond our day-to-day business. We will need coordinated efforts and funding to help us effectively gather and update data, undertake risk and vulnerability assessments and integrate adaptation strategies into our policies and regulations.” The letter goes on to say:

“The Watershed Security Strategy and Fund could provide an avenue for collaboration and sustainable long-term funding to local government watershed resilience initiatives. For example, a case example of the Watershed Security Strategy and Fund is the Healthy Watershed Initiative, which funded the development of the Islands Trust Freshwater Sustainability Strategy in 2021. This included federation-wide governance actions, supported Indigenous led freshwater heritage projects, and facilitated local island water champion organizations to undertake watershed resilience projects. The effective and timely development of the Islands Trust Freshwater Sustainability Strategy demonstrates that the Islands Trust has organizational capacity and commitment to engage provincial funding for the protection of watersheds and preservation of freshwater in a meaningful way that addresses the Islands Trust’s Climate Emergency and First Nations Reconciliation Declaration.” (see full letter [here](#)).

Watershed Security Strategy and Fund

The Islands Trust Freshwater Sustainability Strategy (FWSS) aims to guide sustainable water management across the Islands Trust Area by undertaking research, education, and aligning local government policies with provincial governance. The strategy focuses on long-term ecological health and community water needs, supporting the preserve and protect mandate by addressing issues such as groundwater vulnerability, watershed security, water conservation, and resilience to climate change.

The Watershed Security Strategy and Fund aims to protect British Columbia’s watersheds through sustainable management, addressing climate resilience, and supporting communities’ access to clean water. Established with an initial \$100 million investment, it is co-developed with First Nations to reflect collaborative stewardship and uphold Indigenous water governance rights. By funding projects focused on reconciliation, ecosystem restoration, and long-term resilience, the strategy seeks to secure the health of watersheds across B.C. for future generations.

The intake for funding is closing in December 2024 with decisions on funding to be released in early 2025. Currently there are no provided intentions for future calls and therefore this is considered a significant funding window opportunity that is time sensitive.

Proposed Projects

Relation of Proposed Projects to the Islands Trust Freshwater Sustainability Strategy

The proposed projects within the Islands Trust Freshwater Sustainability Strategy (FWSS) relate to numerous actions outlined in the strategy's framework, as detailed in the attached table of actions. These initiatives, including the Freshwater Footprint Project, Watershed Resiliency Mapping, Freshwater Sustainability Audit, and Freshwater Helpdesk, address diverse objectives ranging from data collection and policy alignment to public engagement and ecological resilience (Attachment 1).

Each project fulfills multiple actions within the FWSS, driving progress in areas such as climate adaptation, community education, water resource tracking, and conservation planning. This alignment ensures that the FWSS's comprehensive approach to sustainable freshwater management is realized, supporting the long-term health and equity of water resources across the Islands Trust Area.

Relation of Proposed Projects to the Watershed Security Strategy and Fund

The proposed Islands Trust Freshwater Sustainability Strategy (FWSS) projects closely align with the Watershed Security Strategy and Fund's mandate by promoting resilient, equitable, and sustainable water management throughout the Islands Trust Area. Each FWSS project contributes to overarching goals of climate resilience, community engagement, and ecosystem protection. For instance, the Freshwater Footprint Project establishes a holistic metric for freshwater sustainability, tailored to the specific challenges of island environments, helping communities and policymakers make informed decisions. Similarly, Watershed Resiliency Mapping identifies vulnerable ecosystems, supporting conservation planning and guiding sustainable land use in response to climate and development pressures. These projects contribute essential data and insights, advancing watershed health and supporting long-term resilience across the region.

The FWSS further supports the key principles of the Watershed Security Strategy by embedding Free, Prior, and Informed Consent (FPIC) through respectful collaboration with First Nations, ensuring Indigenous rights and perspectives shape project outcomes. The strategy also promotes Regional Equity by adapting projects like the Freshwater Footprint and Resiliency Mapping to meet diverse community and environmental needs, enabling fair access to water resources. Through Community Connection, local residents, interest groups, and traditional knowledge holders are engaged in water stewardship, fostering public awareness and involvement in watershed protection. Lastly, the FWSS emphasizes Diversity of Interests and Collaboration by uniting government agencies, environmental groups, First Nations, and local communities, fostering a collaborative, inclusive approach to watershed security, and sustainable water governance.

Islands Trust Area Freshwater Footprint Project

This project is currently underway whereby a consultant is procured to develop the methodology in consultation with Islands Trust staff, interest groups, other government, and community. Freshwater Footprint, defined as a holistic metric of freshwater sustainability, is a confluence of the water cycle, community influence, and environmental variables that collectively affect the availability, distribution, and quality of freshwater resources. It includes exploring island-specific water use practices, societal contributions to water conservation, traditional practices, and attributes of a changing climate to delineate the diverse sources contributing to the various pathways through which water is used and transits through a watershed.

Community engagement with island residents, Indigenous Knowledge Holders, First Nations, interest groups, and government agencies is required to understand the unique relationship to water in island communities. To integrate this into technical assessment of water budgets, community coordination is a

focal point of the Freshwater Footprint methodology. Freshwater Footprint is anticipated to facilitate adjudication of water authorizations, establish community need, and to provide a scope for long-term sustainability management of freshwater resources.

Islands Trust Area Watershed Resiliency Mapping

Watershed resiliency mapping across the Trust Area is aimed to be a fundamental assessment of ecosystem vulnerability under the pressures of climate change, water resource demand, and land-use development. This mapping can assist in identifying areas requiring targeted conservation efforts, further guiding sustainable management practices. Watershed resiliency mapping constitutes a primary analytical layer utilizing derived data as a technical framework to inform evidence-based, sustainable land-use planning decisions. By delineating optimal areas for development while preserving essential watershed functions, this integrated approach supports scientifically informed decision-making, advancing long-term watershed protection and ecological resilience across the region.

Freshwater Sustainability Audit

The Freshwater Sustainability Audit is a proposed project to evaluate and enhance the existing land-use bylaws and Official Community Plans (OCPs) to ensure they effectively support sustainable water resource management across the Islands Trust Area. This audit will involve a comprehensive review of current policies related to zoning, subdivision, land use, and environmental protections to determine how well they align with sustainable freshwater use practices. By focusing on key areas, including proof of water, rainwater catchment, water treatment requirements, aquifer protection, groundwater recharge, and watershed management, the audit will identify specific gaps and opportunities to strengthen local regulations. The project will produce actionable recommendations for policy updates, new bylaws, and modifications that support long-term water sustainability goals, incorporating insights from recent initiatives such as the Islands Trust Policy Statement and the Watershed Security Strategy.

This project will be collaborative, engaging local residents, environmental organizations, First Nations communities, and provincial authorities to gather valuable input on policy effectiveness and improvement areas. By integrating community perspectives, traditional knowledge, and technical expertise, the audit will ensure a well-rounded approach to freshwater sustainability. The audit will also benchmark against best practices from other jurisdictions, identifying model policies that could be adapted locally. Through its comprehensive review and interest group engagement, the Freshwater Sustainability Audit will provide a clear roadmap for policy enhancements, building a strong foundation for proactive water resource stewardship in the Islands Trust Area.

Freshwater Helpdesk

The Freshwater Helpdesk will serve as a centralized platform to address both public-facing and internal inquiries regarding freshwater matters. Building on existing software systems managed by Information Services, this helpdesk will efficiently manage external inquiries from residents, applicants, and interest groups who seek information, guidance, or assistance on water-related issues. By tracking and triaging inquiries, the Freshwater Helpdesk will provide timely responses to questions about groundwater protection, water conservation, watershed management, and other key aspects of freshwater sustainability. This public-facing component will enhance transparency and accessibility, empowering communities with clear information and resources to support sustainable water use practices in the Islands Trust Area.

Internally, the Freshwater Helpdesk will assist planning staff, trustees, and other agency personnel by streamlining referrals and coordinating responses to freshwater sustainability questions within the organization. Advanced features in the software will support detailed tracking, allowing staff to monitor the progress of each inquiry and generate reports for analysis. This internal function will enable effective collaboration across departments and improve data management for water-related decision-making. Through its dual focus, the Freshwater Helpdesk will strengthen both public engagement and internal coordination, fostering a well-informed and proactive approach to freshwater resource management.

Islands Trust Freshwater Atlas Public Engagement

The Islands Trust Freshwater Atlas Public Engagement project aims to improve community involvement in water resource management by enhancing accessibility to the Islands Trust Freshwater Atlas, a comprehensive ArcOnline experience similar to other provincial outreach platforms like the BC Drought Information Portal. By offering an interactive, user-friendly online tool, the Freshwater Atlas will allow residents, local interest groups, and decision-makers to access up-to-date information on aquifers, watershed health, groundwater recharge, and other essential freshwater data. This enhanced accessibility will empower communities to stay informed about local water resources, promoting a more transparent, data-driven approach to sustainable water management.

This project will also incorporate a proactive public engagement strategy, inviting community members to participate in workshops, virtual presentations, and informational sessions to better understand the Freshwater Atlas's features and functionalities. Through these activities, the Islands Trust aims to foster a greater sense of community stewardship and responsibility for freshwater resources, encouraging residents and stakeholders to contribute to resource planning and conservation efforts. By aligning the Atlas with other public outreach platforms, this engagement initiative will ensure that the Islands Trust Area's communities have both the tools and the knowledge to support resilient, informed water management and protection efforts.

Freshwater Sustainability Technical Advisory Committee

The Freshwater Sustainability Technical Advisory Committee is to be established with a clear Terms of Reference, drawing on the successful model of the Regional District of Nanaimo's Drinking Water and Watershed Protection (DWWP) initiative. This committee will be composed of experts from various fields related to water resource management, including hydrology, ecology, and environmental planning, to provide informed, science-based guidance on freshwater issues across the Islands Trust Area. By incorporating technical expertise into the decision-making process, the committee will play a crucial role in supporting sustainable policy development, helping to address current and future challenges in water management. This advisory body will be essential to ensuring that freshwater resources within the Islands Trust Area are managed effectively and equitably, aligning with the Trust's preserve and protect mandate. The committee will review ongoing initiatives, analyze data, and provide recommendations that support resilient and responsible water use policies. With the committee's input, the Islands Trust can make well-informed decisions that consider both environmental needs and community welfare, promoting a balanced approach to freshwater sustainability that benefits all stakeholders in the region.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL

To successfully implement the initiatives under the Islands Trust Freshwater Sustainability Strategy, two temporary staffing positions are recommended. These roles are proposed to be funded by the grant from the Watershed Security Fund and will provide essential support for the duration of the projects.

Freshwater Sustainability Coordinator (New Position – Temporary Assignment – STO 21)

The Freshwater Sustainability Coordinator will be instrumental in enhancing community engagement and ensuring transparent communication around freshwater sustainability initiatives within the Islands Trust Area. Drawing on key duties established by the Regional District of Nanaimo (RDN) Drinking Water and Watershed Protection (DWWP) Coordinator role, this position will oversee the Freshwater Helpdesk, acting as the primary point of contact for both internal staff and the public. The coordinator will manage inquiries, facilitating efficient information flow on water-related issues and fostering responsive communication. Additionally, the Freshwater Sustainability Coordinator will lead outreach efforts to

improve public engagement with the Islands Trust Freshwater Atlas, ensuring that this valuable resource remains accessible and user-friendly for residents, interest groups, and decision-makers alike.

In support of the Freshwater Footprint Project, the Freshwater Sustainability Coordinator will actively engage community members, collecting input on freshwater usage patterns and sharing project findings to promote a better understanding of local water sustainability. This role will also involve coordinating public education initiatives that emphasize sustainable water use, watershed protection, and climate resilience planning, helping to build a community foundation of awareness and stewardship. Through these duties, the Freshwater Sustainability Coordinator will play a vital role in bridging the gap between technical freshwater management efforts and the broader community, aligning with the Islands Trust's preserve and protect mandate while supporting the objectives of the Watershed Security Strategy.

Senior Water Policy Analyst (New Position – Temporary Assignment – POL 27)

The Senior Water Policy Analyst will focus primarily on governance and policy development within the Islands Trust Freshwater Sustainability Strategy (FWSS), drawing direction and best practices from the POLIS Water Sustainability Project, known for its work in advancing water governance reform and promoting collaborative watershed management. This role will be integral in ensuring that FWSS projects align with the goals of sustainable water management and community resilience as set out in the FWSS and the Watershed Security Strategy. Following POLIS's principles, the analyst will emphasize inclusive governance and science-informed policy by leading initiatives like the Freshwater Sustainability Audit, which evaluates and enhances land-use bylaws and Official Community Plans (OCPs). This review aims to identify and address policy gaps that may impede sustainable water management, providing recommendations for strengthening governance structures to adapt to changing environmental and community water needs.

In alignment with the POLIS approach to collaboration and community-focused governance, the analyst will work closely with key interest groups, ensuring that scientific data and community perspectives inform policy recommendations. The analyst's work will emphasize public and organizational education, cultivating community stewardship and supporting transparent, adaptive governance. By shaping policies that integrate traditional knowledge and technical insight, the Senior Water Policy Analyst will contribute to a robust framework for responsive, sustainable water governance, advancing the Islands Trust Area's long-term water resilience and stewardship efforts. Through this comprehensive approach, the analyst will ensure that governance frameworks are resilient, inclusive, and well-equipped to address future water resource challenges.

Senior Freshwater Specialist (Existing Permanent Position)

The Senior Freshwater Specialist will lead the technical implementation of FWSS projects, focusing on the scientific and operational aspects of the projects. As a technical expert, the Senior Freshwater Specialist will provide oversight on the data-driven initiatives within the FWSS, including the Freshwater Footprint Project and Watershed Resiliency Mapping. By coordinating with hydrologists, ecologists, and GIS specialists, the Senior Freshwater Specialist will ensure that each project adheres to rigorous scientific methodologies, producing high-quality data to guide decision-making. This role will also oversee technical assessments and the integration of hydrological data and ecological indicators into project workflows, ensuring that all outputs contribute meaningfully to the sustainable management of freshwater resources in the Islands Trust Area.

Working closely with the Senior Water Policy Analyst, the Senior Freshwater Specialist will ensure that the technical findings inform policy development and community engagement strategies. Additionally, the Senior Freshwater Specialist will play a strategic role in aligning each initiative with the Islands Trust Policy Statement and other provincial water management frameworks. This role's focus on scientific accuracy and data integrity will enable effective, evidence-based planning for the Islands Trust, ensuring that technical solutions are at the forefront of sustainable water resource management and that projects remain on schedule and within scope.

Grants Manager (Existing Permanent Position)

The Grants Manager at Islands Trust is responsible for overseeing the administration, compliance, and reporting of funded projects to ensure that all funder requirements are met, and that project goals are effectively achieved. This role includes managing timelines, budgets, and project deliverables, working closely with project teams to monitor progress and address any emerging challenges. The Grants Manager ensures transparent communication with funders by providing timely updates, detailed reports, and performance metrics that demonstrate alignment with the funder's objectives. Through proactive oversight and quality assurance, the Grants Manager upholds accountability to the funder, fostering a collaborative relationship and supporting the successful realization of project outcomes within the framework of the Islands Trust's mandates.

Senior Indigenous Relations Advisor (Existing Permanent Position)

The Senior Indigenous Relations Advisor will play a central role in ensuring that First Nations perspectives are integral to the Islands Trust Freshwater Sustainability Strategy, fostering meaningful partnerships that prioritize reconciliation, respect for Indigenous rights, and the inclusion of traditional ecological knowledge. This advisor will lead collaboration efforts with First Nations communities throughout the implementation of freshwater initiatives, facilitating consultative engagement on projects such as the Watershed Resiliency Mapping and Freshwater Footprint Project. By actively involving First Nations in discussions around freshwater resources that hold cultural and ecological significance, the Senior Indigenous Relations Advisor ensures that these projects reflect community priorities and uphold culturally sensitive approaches to water management. Additionally, they will support First Nations representatives in the Freshwater Sustainability Technical Advisory Committee, where Indigenous voices can directly influence technical decisions, integrating traditional knowledge into project planning and policy development.

The advisor's role also involves establishing ongoing communication channels between the Islands Trust and First Nations, promoting transparency and accountability through regular updates, feedback sessions, and adaptive management practices. This position will guide the Trust's respect for water sovereignty by acknowledging First Nations' governance over freshwater within their territories, ensuring projects align with Indigenous governance structures and environmental stewardship goals. By supporting knowledge exchange and capacity-building opportunities, the Senior Indigenous Relations Advisor will cultivate mutual learning, enabling First Nations to share traditional insights while the Trust provides technical resources where needed. Through these efforts, the Senior Indigenous Relations Advisor will contribute to a reconciliatory approach in freshwater management, recognizing the interconnectedness of ecological resilience and Indigenous cultural heritage within the Islands Trust Area.

FINANCIAL

The total funding request is \$500,000 over two years from the Watershed Security Fund (Stream 3). The grant will cover the following estimated costs, which will be refined during the application development:

Staffing costs

The grant will fully fund the two temporary positions:

- Freshwater Sustainability Coordinator: This role will be funded for two years, focusing on community engagement, public outreach, and management of the Freshwater Helpdesk. Estimated cost: \$120,000 (over two years).
- Senior Water Policy Analyst: This role will be funded for two years, providing technical support for policy audits, mapping, and methodology development. Estimated cost: \$220,000 (over two years).

Project-specific costs

Funds will cover direct project expenses for the following:

- Islands Trust Area Freshwater Footprint Project (methodology development, data analysis, community outreach). Estimated cost: \$100,000.
- Watershed Resiliency Mapping (completion across remaining islands, ecological assessments). Estimated cost: \$20,000.
- Freshwater Sustainability Audit (review and updates to land-use bylaws and OCPs). Estimated cost is included in staff costs
- Development and implementation of the Freshwater Helpdesk (software integration, public-facing features). Estimated cost: \$5,000
- Further development of the Freshwater Atlas and monitoring data dashboard. Estimated cost: \$20,000

POLICY

Implementation of the Freshwater Sustainability Strategy is a proposed action in the draft 2025-2028 Trust Council Strategic Plan.

The proposed initiatives under the Islands Trust Freshwater Sustainability Strategy align closely with the Islands Trust Policy Statement, which serves as the guiding framework for sustainable development and environmental protection within the Trust Area. The policy statement identifies freshwater resources as a key environmental asset and mandates their protection as part of the broader preserve and protect mandate.

The proposed projects reinforce these core policy objectives in the following ways:

Preservation of Freshwater Resources

The Islands Trust Policy Statement recognizes that freshwater is a critical and limited resource that must be preserved to support both ecosystems and human communities. The Freshwater Footprint Project and the Watershed Resiliency Mapping directly contribute to this policy by providing data-driven insights into water usage and watershed health. These projects will help identify areas where water resources are under stress, allowing for more informed decisions that prioritize water conservation and ecosystem protection.

Sustainable Land-Use Planning

The Freshwater Sustainability Audit aligns with the policy statement's emphasis on ensuring that land-use planning supports long-term environmental health. By reviewing and auditing land-use bylaws and Official Community Plans (OCPs), this project will help ensure that local policies are up to date and support sustainable freshwater management practices. This aligns with the policy's requirement for all land-use decisions to take into account the need for long-term water sustainability.

Public Engagement and Accountability

The policy statement calls for transparency and public participation in decisions affecting the environment. The Freshwater Helpdesk and enhanced public engagement with the Islands Trust Freshwater Atlas will provide a platform for community involvement, ensuring that residents and interest groups have access to important data and are informed about water resource management. This engagement will help build a culture of shared responsibility for water conservation, in line with the Trust's commitment to accountability and public stewardship.

Collaboration with First Nations

The Islands Trust Policy Statement emphasizes the importance of working with First Nations to manage natural resources in a way that respects Indigenous rights and knowledge. The establishment of a Freshwater Sustainability Technical Advisory Committee, with representation from First Nations, will ensure that traditional knowledge and Indigenous perspectives are integral to freshwater management decisions. This aligns with the Trust's commitment to reconciliation and collaboration with First Nations communities.

Climate Change Resilience

The Islands Trust Policy Statement recognizes the need to build resilience to climate change, which is directly connected to freshwater resource management. The Watershed Resiliency Mapping will identify areas where watersheds are most vulnerable to the impacts of climate change, such as reduced rainfall or increased drought. This project supports the policy's goal of building climate-resilient ecosystems and communities by providing the data needed to adapt to changing environmental conditions.

Long-Term Resource Management

Overall, the Islands Trust Policy Statement mandates the preservation and protection of resources for future generations. Each of the proposed initiatives contributes to the Trust's ability to manage freshwater resources in a way that balances current needs with long-term sustainability. These projects ensure that freshwater resources are managed with foresight, considering both ecological health and community well-being over the long term.

By aligning these initiatives with the Islands Trust Policy Statement, the RFD reinforces the Trust's overarching commitment to sustainable development, environmental protection, and community engagement, all of which are foundational to the Trust's governance framework.

IMPLEMENTATION/COMMUNICATIONS

The implementation of these projects will involve collaboration across various departments within the Islands Trust, ensuring the effective management and communication of the initiatives under the Islands Trust Freshwater Sustainability Strategy. The following key components will be crucial for successful implementation and communication:

Freshwater Helpdesk

Internal Integration: The Freshwater Helpdesk will be built on the existing Service and Mapping Helpdesk infrastructure managed by Islands Trust Information Services. The Helpdesk will integrate advanced features such as the ability to accept, triage, manage, and report on inquiries related to freshwater management. These inquiries will come from residents, applicants, trustees, and internal staff, including planners and specialists handling freshwater sustainability matters. The integration with existing helpdesk systems will streamline communication and enable efficient management of both public and internal inquiries.

Public Interface: The public-facing component of the Freshwater Helpdesk will provide an accessible platform where residents and community interest groups can submit inquiries, request information, and receive guidance on water conservation, watershed protection, and sustainability initiatives. The Helpdesk will play a key role in facilitating community engagement, ensuring transparency in decision-making and policy development related to freshwater management.

Internal Referrals and Coordination: Internally, the Helpdesk will be a hub for referrals from planners and other Islands Trust staff on freshwater-related matters. It will facilitate coordination among staff and departments, improving the flow of information and enabling timely responses to complex freshwater management issues.

Public Engagement on the Freshwater Atlas

Community Awareness and Accessibility: One of the major initiatives within the Islands Trust Freshwater Sustainability Strategy is enhancing public engagement with the Freshwater Atlas. This tool provides comprehensive data on freshwater resources across the Islands Trust Area. By making this information more accessible and understandable to residents and community interest groups, the Trust will empower the public to participate in water resource management.

Outreach and Education: The Freshwater Sustainability Coordinator will lead outreach efforts aimed at educating the public about the Freshwater Atlas. This will involve public meetings, workshops, and digital outreach strategies to ensure that communities are aware of the data available to them and how it can inform local water usage practices. Educational campaigns will focus on the importance of watershed protection, freshwater conservation, and the impacts of climate change on local water supplies.

Digital Tools and Media: Public engagement will be further enhanced through the use of digital tools such as interactive web portals, social media outreach, and multimedia content that can explain complex data in more accessible formats. The goal is to increase community involvement in freshwater management by providing clear, actionable information through various channels.

Internal Communications and Collaboration

Cross-Departmental Collaboration: Successful implementation of these initiatives will require strong coordination between the Senior Water Policy Analyst, Freshwater Sustainability Coordinator, and existing staff. The internal communications plan will ensure that all departments involved, including planning, information services, and freshwater specialists, are aligned and working together efficiently.

Regular Updates and Feedback Loops: Regular updates and feedback loops will be established to ensure that project progress is communicated effectively across all relevant departments. The Senior Freshwater Specialist will oversee these communications, ensuring that milestones are met and any challenges are addressed promptly.

Technical Advisory Support: The Freshwater Sustainability Technical Advisory Committee, once established, will provide expert guidance on implementation. Their input will help shape communications strategies and ensure that technical advice is incorporated into both the internal and external communications plans.

Interest Group Engagement and First Nations Collaboration

Interest Group Engagement: Communication efforts will target interest groups, including local residents, environmental organizations, and community representatives. The Freshwater Helpdesk and Freshwater Atlas engagement will ensure that interest groups have a direct line of communication with the Trust, allowing for collaborative input and feedback on freshwater sustainability issues.

First Nations Relations: Collaborating with First Nations communities will be a priority throughout the implementation process. Regular communication channels will be maintained to ensure that First Nations perspectives are included in decision-making, particularly concerning the management of freshwater resources that are culturally and ecologically significant. The Freshwater Sustainability Technical Advisory Committee will also provide a platform for incorporating traditional knowledge and ensuring respectful and meaningful engagement with First Nations.

Communication Outcomes and Reporting:

Transparency and Reporting: The public will be kept informed of project progress through regular reports and updates. These reports will be made available on the Islands Trust website and through community engagement sessions. The Freshwater Helpdesk will track and report on inquiries, providing valuable insights into the concerns and priorities of residents and interest groups. Reporting will also include updates on the completion of key initiatives, such as the Freshwater Footprint Project and Watershed Resiliency Mapping.

Ongoing Engagement: The Freshwater Sustainability Coordinator will oversee ongoing engagement efforts, ensuring that communication remains a two-way process, with community input continuously informing the direction of the projects.

FIRST NATIONS RELATIONS

Collaboration with First Nations is a core principle of the Islands Trust Freshwater Sustainability Strategy, reflecting the Trust's commitment to reconciliation, respect for Indigenous rights, and the inclusion of traditional knowledge in decision-making processes. The following key elements highlight how the proposed initiatives will foster meaningful and respectful engagement with First Nations communities across the Islands Trust Area:

Inclusion in the Freshwater Sustainability Technical Advisory Committee

Representation and Participation: The establishment of a Freshwater Sustainability Technical Advisory Committee will include direct representation from First Nations communities. This committee will provide a platform for First Nations to offer technical guidance, share traditional ecological knowledge, and participate in discussions related to freshwater management across the Islands Trust Area. The involvement of First Nations representatives will ensure that their perspectives are incorporated into decisions related to the management of culturally significant freshwater resources.

Cultural and Environmental Sensitivity: The inclusion of traditional knowledge in advisory roles will help ensure that freshwater management decisions are culturally sensitive and environmentally aligned with the values and practices of First Nations. This collaborative approach will foster a deeper understanding of the ecological and cultural importance of freshwater resources, strengthening the Trust's commitment to holistic and inclusive water management strategies.

Ongoing Consultation and Collaboration

Consultative Engagement: The implementation of freshwater sustainability initiatives will involve ongoing consultation with First Nations communities. This will include formal and informal opportunities for First Nations to provide input on projects such as the Watershed Resiliency Mapping and the Freshwater Footprint Project. These consultations will allow First Nations to influence the direction of projects that impact their lands and waters, ensuring that their rights and interests are fully respected.

Collaboration on Specific Projects: Projects such as the Watershed Resiliency Mapping will benefit from the integration of traditional ecological knowledge. First Nations communities, many of whom have a deep historical understanding of the watersheds and ecosystems in the Islands Trust Area, will be valuable partners in identifying key areas of vulnerability, resilience, and cultural significance. Their input will directly inform strategies for protecting watersheds that are vital to both the ecological health of the region and the cultural heritage of First Nations.

Recognition of Indigenous Rights and Water Governance

Respect for Water Sovereignty: The Freshwater Sustainability Technical Advisory Committee will provide an avenue for First Nations to have a formal voice in freshwater governance, ensuring that their rights are acknowledged in all decision-making processes related to water management.

Reconciliation through Watershed Stewardship: The integration of First Nations in freshwater management initiatives is part of the Trust's broader reconciliation efforts. By actively engaging First Nations in the stewardship of freshwater resources, the Islands Trust supports a reconciliatory approach that acknowledges past injustices and strives for collaborative, forward-thinking partnerships in the management of shared resources.

Capacity Building and Mutual Learning

Knowledge Sharing and Capacity Building: The Islands Trust is committed to mutual learning and capacity building with First Nations. This includes providing opportunities for First Nations to share traditional knowledge with the Trust and for the Trust to provide technical support where needed. Through partnerships on initiatives like the Freshwater Footprint Project, both First Nations and the Islands Trust

can benefit from shared expertise, fostering stronger, more resilient communities with a common goal of sustainable water management.

Education and Awareness: As part of the public engagement initiatives, the Islands Trust will also incorporate educational programs that highlight the role of First Nations in the management of freshwater resources. This will raise awareness among residents and other interest groups about the importance of traditional knowledge and the significance of freshwater ecosystems to First Nations cultures and livelihoods.

Reporting and Accountability

Ongoing Reporting to First Nations: Updates and reports on the progress of freshwater sustainability initiatives will be provided to First Nations communities. This ensures transparency and ongoing collaboration, with opportunities for First Nations to provide feedback and input at each stage of the project lifecycle.

Adaptive Management Based on First Nations Input: The Islands Trust is committed to an adaptive management approach, meaning that feedback and guidance from First Nations will be integrated into project planning and implementation. This ensures that First Nations' concerns, insights, and priorities are reflected in the management of freshwater resources.

By prioritizing the integration of First Nations perspectives and traditional knowledge in freshwater management, the Islands Trust aims to create a framework for collaboration that respects Indigenous rights and advances reconciliation. These efforts support the Trust's preserve and protect mandate, while recognizing the inherent rights of First Nations to govern their lands and waters.

4 RELEVANT POLICY(S):

Islands Trust Policy Statement

The Islands Trust Policy Statement is the overarching policy framework guiding land-use planning and resource management within the Islands Trust Area. The policy emphasizes sustainable development and the preserve and protect mandate, focusing on protecting sensitive ecosystems, particularly freshwater resources.

Projects such as the Freshwater Footprint Project, Watershed Resiliency Mapping, and the Freshwater Sustainability Audit directly contribute to:

- Protecting water quality and quantity for both human and ecological needs.
- Ensuring that development conserves freshwater resources.
- Promoting community engagement in decisions related to environmental protection. These initiatives support the long-term sustainability goals outlined in the Policy Statement by protecting freshwater systems, promoting community awareness, and fostering a balance between development and conservation.

Islands Trust Council Strategic Plan (2018-2022 – ongoing)

The Islands Trust Council Strategic Plan identifies key priorities for achieving environmental sustainability, climate change resilience, and fostering partnerships with First Nations. The proposed projects align with the strategic plan's objectives, particularly:

- Climate Change Resilience: The Watershed Resiliency Mapping will help identify vulnerable ecosystems and inform strategies to mitigate the impacts of climate change on water resources.
- Sustainable Development and Resource Management: The Freshwater Sustainability Audit will help ensure that land-use policies are aligned with water conservation and sustainability goals, contributing to long-term ecological protection.

- First Nations Engagement: The formation of the Freshwater Sustainability Technical Advisory Committee, with First Nations representation, strengthens the Trust's commitment to reconciliation and inclusive resource management.
- Implementation of the FWSS is an action in the draft 2025-2028 Strategic Plan

Relevant Provincial Policy:

Healthy Watersheds Initiative

The Healthy Watersheds Initiative (HWI) provided foundational support for the development of the Islands Trust Freshwater Sustainability Strategy. This initiative demonstrated the importance of coordinated, data-driven approaches to watershed protection. The proposed projects, such as the Freshwater Footprint Project and Watershed Resiliency Mapping, build upon the principles of HWI by:

- Promoting watershed health through data-driven, community-inclusive management strategies.
- Utilizing advanced methodologies to measure water usage and protect watershed resilience, as demonstrated in the initial phases of the Healthy Watersheds Initiative.

Watershed Security Strategy

The Watershed Security Strategy represents the provincial government's long-term vision for safeguarding B.C.'s freshwater resources. The strategy focuses on:

- Ensuring that watersheds are resilient to climate change.
- Protecting drinking water sources for communities.
- Supporting the health of freshwater ecosystems. The proposed projects, which include the Watershed Resiliency Mapping, Freshwater Sustainability Audit, and the development of public-facing tools like the Freshwater Helpdesk, directly contribute to these goals by providing data, engaging communities, and promoting sustainable water management practices. By applying for the Watershed Security Fund (Stream 3), the Islands Trust's initiatives align closely with the provincial strategy to ensure comprehensive and sustainable freshwater management across the region.

5 ATTACHMENT(S):

1. Islands Trust Freshwater Sustainability Strategy Proposed Projects FY 25/26

RESPONSE OPTIONS

Recommendation: Apply for funding as per Request for Decision: That the Regional Planning Committee approve the submission of a grant application for \$500,000 over two years to the Watershed Security Fund to implement key initiatives under the Islands Trust Freshwater Sustainability Strategy, including staffing, consulting, and technical resources to undertake the following projects and initiatives:

- Islands Trust Area Freshwater Footprint,
- Islands Trust Area Watershed Resiliency Mapping,
- Freshwater Sustainability Regulatory and Policy Audit,
- Freshwater Helpdesk,
- Islands Trust Freshwater Atlas Public Engagement, and
- Freshwater Sustainability Technical Advisory Committee.

Alternative 1: Amend grant application details:

That the Regional Planning Committee request staff to revise the submission of a grant application to the Watershed Security Fund by:

- [list supported projects and initiatives from Freshwater Sustainability Project]

Alternative 2: Not support grant application:

That the Regional Planning Committee not support proceeding with the submission of a \$500,000 grant application to the Watershed Security Fund (Stream 3).

That the Regional Planning Committee request staff to prioritize implementing the following actions from the FWSS:

- [list supported actions from FWSS to implement without funding]

Prepared By: William Shulba, P.Geo, Senior Freshwater Specialist

Reviewed By/Date:

Stefan Cermak, Director Planning Services / Nov. 1 2024

Robert Kojima, Regional Planning Manager / Oct 30, 2024

Islands Trust Freshwater Sustainability Strategy Proposed Projects FY 25/26																									
PROJECTS		ACTIONS																							
		GWSS										WSSS		CKE						CAOA					
		1	2	3	4	5	6	7	8	9	10	1	2	1	2	3	4	5	6	1	2	3	4		
Islands Trust Area Freshwater Footprint																									
Islands Trust Area Watershed Resiliency Mapping																									
Freshwater Sustainability Regulatory and Policy Audit																									
Islands Trust Freshwater Atlas																									
Freshwater Sustainability Technical Advisory Committee.																									
Freshwater Helpdesk																									
GWSS 1	Improve data management to inform decision making																								
GWSS 2	Develop a coordinated long-term water monitoring program																								
GWSS 3	Continue groundwater data and information inventory																								
GWSS 4	Continue groundwater recharge potential mapping																								
GWSS 5	Continue groundwater availability assessments																								
GWSS 6	Establish groundwater regions as a focus for land use planning for all Islands																								
GWSS 7	Integrate water availability and vulnerability information into land-use policies and regulations																								
GWSS 8	Implement appropriate planning and regulatory tools to protect vulnerable aquifers and sensitive aquatic ecosystems																								
GWSS 9	Improve the availability of water-related information to support development application reviews																								
GWSS 10	Customize water supply requirements for new development to local circumstances																								
WSS 1	Inventory and understand the status of watersheds and aquatic ecosystems																								
WSS 2	Continue to explore the potential for rainwater harvesting and other alternatives to supplement water supplies and promote this as conservation and resilience strategy																								
CKE 1	Identify freshwater sites of cultural and spiritual significance to First Nations																								
CKE 2	Collaborate with First Nations and Indigenous organizations to increase community awareness of water-related cultural values, interests, and inherent rights																								
CKE 3	Develop and implement a freshwater stewardship outreach plan																								
CKE 4	Develop and implement water-focussed training for new Trustees and Trust staff																								
CKE 5	Use market research methods to understand and monitor change in attitudes and behaviours related to water																								
CKE 6	Support water purveyors' adoption of sustainable water management practices																								
CAOA 1	Collaborate with First Nations and Indigenous organizations to develop understanding and integrate their participation, perspectives, and interests into water-related decision making by all agencies																								
CAOA 2	Work with the Provincial Government to employ appropriate regulatory instruments in areas with acute water challenges																								
CAOA 3	Work with partner regulatory agencies to harmonize approval processes and integrate Freshwater Sustainability Strategy goals and objectives into decisions																								
CAOA 4	Work with partner agencies to manage water use and quality impacts from existing users, particularly in areas experiencing supply constraints																								

Active Projects Report

Regional Planning Committee

1. *Bylaw Compliance and Enforcement Review*

Activity:

RPC endorsed project charter and work plan Trust Council agenda.

Responsible

Anthony Fotino
Robert Kojima
Stefan Cermak
Warren Dingman

Dates

Rec'd: 13-Mar-2024
Target: 31-Mar-2025

2. *Implement the Housing Strategic Action Plan*

Activity:

Strategic Plan Goal: Strengthen housing affordability throughout the Islands Trust Area

Trust Council Adopted Housing Strategic Action Plan on December 2023. Includes Implementation Plan.

Responsible

Anthony Fotino
Robert Kojima
Stefan Cermak

Dates

Rec'd: 12-Feb-2020
Target: 31-Mar-2025

Active Projects Report

Regional Planning Committee

3. *Implement the Fresh Water Sustainability Strategy*

Activity:

Strategic Plan Goal: Protect quality and quantity of fresh water resources of the Trust Area

Feb. 16, 2024: RPC has requested staff to draft an Implementation Plan that defines the roles and responsibilities of the RPC, Trust Programs Committee, Trust Council and key staff that is operationalized through multi-year work plans, budget requests, and program-specific implementation plans.

Strategic Plan item #2.4: FWSS-completed and presented to Trust Council in December 2021. A webpage devoted to implementation of the Freshwater Sustainability Strategy is being developed.

Strategic Plan item #2.5 - Map and develop water budgets for groundwater aquifers in the Trust Area. Grant funding to develop water budgets are still required for Hornby, Denman and Gabriola, Salt Spring, Thetis, Keats, Gambier and updates for southern gulf islands.

Responsible

Anthony Fotino
Stefan Cermak
William Shulba

Dates

Rec'd: 12-Feb-2020
Target: 31-Mar-2025

Future 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.

Updated: Feb. 21, 2024: Strategic Plan item #2.2 - Map the extent of eelgrass and kelp beds throughout the Trust Area. Phase 1 of mapping received March 2023. Phase 2 mapping business case not supported by RPC due to funding concerns. RPC requested staff to develop a terms of reference if and when grant funding becomes available.

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 (Completed March 31, 2020) (2018-2022 Strategic Plan item 1.1).

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 1.2).

Updated Feb. 21, 2024: Strategic Plan item #1.1: Model CDF Protection DPA. SS LTC developed communications materials but changed to Wildfire DP (which could protect some CDF). At present, no future work planned.

Future Projects Report

Regional Planning Committee

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 2.2). Phase 1 (GIS and aerial data review) done. Phase 2 - groundtruthing - feasible next step.

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 2.3). Received Consultants Report.

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

Responsible

Date Received

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 2.5)

12-Feb-2020

2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 2.6).

3. -Develop an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy

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

Responsible

Date Received

Future Projects Report

Regional Planning Committee

Implement the high priority actions outlined in the Affordable Housing in the Trust Area:

12-Feb-2020

Strategic Actions for Islands Trust previously referred by Trust Council:

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 4.4 iii).

Received Consultants Report.

2. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iv).

3. Develop model bylaws to address the use of building stratas as a tool for affordable housing (2018-2022 Strategic Plan item 4.4 v).

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 3.2).

12-Feb-2020

7. *Update the model strategy for antennae systems*

Responsible

Date Received

Future Projects Report

Regional Planning Committee

Feb. 9, 2022

09-Feb-2022

Request from SSI LTC which indicated a need to include First Nations consultation requirements; cultural and sacred sites siting requirements; and consideration of Salt Spring Island Advisory Planning Commission recommendations. Committee discussion included:

RPC-2022-012

It was MOVED and SECONDED,
that Regional Planning Committee add "updating the model strategy for antennae systems" to the projects list of RPC's Work Program.

CARRIED

8. *Develop healthy, resilient island communities*

Responsible

Date Received

Work on a suite of projects that will employ two lenses: mitigating and adapting to the effects of climate change; and managing growth by cultivating equitable, inclusive, and resilient communities and the natural environment.

27-Apr-2023

9. *Strengthen Relations with First Nations*

Responsible

Date Received

Future Projects Report

Regional Planning Committee

Strategic Plan item #4.8: Heritage Conservation Overlay Mapping. Phase 1 complete.
Phase 2 not started due to loss of key staff, loss of key consultants, and feedback from various First Nations. At present, no future work planned.

21-Feb-2024



REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** November 8, 2024

From: Planning Services **Date Prepared:** October 25, 2024

SUBJECT: Proposed Regional Planning Committee 2025 Meeting Schedule

RECOMMENDATIONS:

1. That Regional Planning Committee adopt the meeting dates of February 7, May 9, July 18, and October 31 for the 2025 calendar year, and February 6 for the 2026 calendar year.
2. That Regional Planning Committee schedule the proposed Regional Planning Committee meeting dates as electronic meetings.

SENIOR STAFF COMMENTS:

1 PURPOSE:

- To determine the 2025 meeting schedule for the Regional Planning Committee (RPC); and
- To confirm the continuation of RPC meetings in electronic format.

2 BACKGROUND:

Meeting Dates

Near the end of each calendar year, Regional Planning Committee determines the meeting dates for the next calendar year by way of resolution. The inclusion of the first 2026 meeting date follows a new council committee meeting scheduling procedure tracking the fiscal year. Proposed meeting dates are as follows:

PROPOSED RPC DATE (Year 2025)	ASSOCIATED EC DATE (Year 2025)	TRUST COUNCIL DATES (Year 2025)	ANNUAL RPC TASKS
Friday, February 7	February 26 (agenda February 19)	March 11-13	
Friday, May 9	May 14 (agenda May 7)	June 17-19	Annual Report: Approval of RPC Section – RFD
Friday, July 18	August 6 (agenda July 30)	September 16-18	Budget business cases – RFD
Friday, October 31	November 19 (agenda November 12)	December 2-4	Proposed RPC Meeting Dates – RFD
PROPOSED RPC DATE (Year 2026)	ASSOCIATED EC DATE (Year 2026)	TRUST COUNCIL DATES (Year 2026)	ANNUAL RPC TASKS
Friday, February 6	February 25 (agenda February 18)	March 10-12	

Meeting Format

Regional Planning Committee decided by general consent at its Nov 15, 2023 meeting to hold all meetings for 2024 in electronic format. As a result, the budget allocation for an in-person meeting in the 2024/25 fiscal year was foregone. There is no provision for an in-person meeting in the draft 2025/2026 budget.

Electronic meetings create time savings for trustees who do not have to travel, time savings for staff in terms of travel and catering arrangements, generates several thousands of dollars in cost savings to the organization annually, and reduces corporate greenhouse gas emissions in alignment with Islands Trust values. In addition, fully electronic meetings tend to generate higher quality meeting recordings for future public viewings.

Trust Council Bylaw 101 permits Council Committees to conduct fully electronic regular and special meetings. Section 11.11(a) states: *"A regular or special meeting of a Council committee or a special meeting of the Executive Committee may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the committee have agreed by resolution that the meeting may be conducted in this way and provided the Secretary has received sufficient notice and can make the necessary arrangements."*

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Allows for appropriate coordination of financial activities with Executive Committee and Trust Council meeting dates, and allows adequate time for staff and Committee members to perform their duties with appropriate care and due diligence.

FINANCIAL:

Electronic meetings are held at no cost. Regional Planning Committee has no budget allocated for in-person meetings in the draft 2025/2026 budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Communications with meeting administrative staff will circulate internally for purposes of planning.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICIES:

[Trust Council Bylaw 101](#)

[Trust Council Policy 2.3.1 Council Committee System](#)

5 ATTACHMENT(S): None.

RESPONSE OPTIONS

Recommendations:

1. That Regional Planning Committee adopt the meeting dates of February 7, May 9, July 18, and October 31 for the 2025 calendar year, and February 6 for the 2026 calendar year.

2. That Regional Planning Committee schedule all the proposed Regional Planning Committee meeting dates as electronic meetings.

Alternatives:

1. That Regional Planning Committee adopt the proposed meeting schedule for the 2025 calendar year with amendments [as directed].

Prepared By: Rob Kroeker, Planning Services Administrative Assistant

Reviewed By: Director, Planning Services