

Regional Planning Committee Agenda

Date: Wednesday, May 18, 2022
Time: 10:00 am - 3:00 pm
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Pages

1. CALL TO ORDER

2. AGENDA

2.1. New Items and Re-Ordering of the Agenda

2.2. Approval of Agenda

3. PUBLIC COMMENT PERIOD

4. DELEGATIONS

None

5. CORRESPONDENCE

5.1. 2022-01-22 Riane da Silva

4 - 19

Executive Committee requested the R. da Silva correspondence be forwarded to RPC for consideration on its work in the housing area. It originally appeared at the Denman LTC meeting of March 22, 2022.

6. ADMINISTRATIVE COORDINATION

6.1. Draft Minutes of Previous Meeting

6.1.1. Regional Planning Committee Minutes of February 9, 2022

20 - 25

For review and approval

6.2. Resolutions Without Meeting

None

6.3. Follow up Action List

26 - 32

For review

7. BUSINESS - WORK PROGRAM ITEMS

7.1. ShoreZone Polygon Mapping Summary Report "Eelgrass in the Gulf Islands Trust Area" - Report

33 - 48

Priority #1

Strategic Plan item 2.2 - Eelgrass Bed Mapping

The Eelgrass mapping report and maps complete the Strategic Plan item #2.2. The RPC should forward the report and mapping to Trust Council for information.

7.2. Freshwater Sustainability Strategy - Verbal Update

Priority #1

Strategic Plan Item 2.4 - Freshwater Sustainability Strategy

Island Planner Chadwick will provide the verbal update

7.3. Healthy Watersheds Initiative Funding Outcomes - Briefing

49 - 54

Includes an 8 minute video re: Indigenous perspectives on water

7.4. Groundwater Sustainability Science Program – Verbal Update

Priority #1

Strategic Plan Item 2.5 - Groundwater Mapping

Senior Freshwater Specialist Shulba will provide the verbal update

7.5. Heritage Mapping Project Update - Verbal Update

Priority #1

Strategic Plan Item 4.8 - Heritage Conservation Overlay Mapping

Director Marlor will provide an update. Phase 1 is complete and we have the report from the consultant. Phase 2 is funded and we're working with consultants on the scope of that.

7.6. Other Strategic Plan Items - for discussion

1.2 - Model Coastal Douglas-fir Ecosystem bylaws

2.3 - Shoreline Review

4.4 iii - Using Floor Area Ratio for Affordable housing

4.4 iv- Model density bonus bylaws for Affordable housing

8. BUSINESS - OTHER

8.1. 2021/22 Annual Report: Approval of RPC Section - RFD 55 - 55

that Regional Planning Committee approve the attached text for inclusion in the 2021/22 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

8.2. Both EC and RPC are scheduled to meet on November 23, 2022

This will result in a conflict for next term's Islands Trust Chair and the assigned Executive Committee representative

8.3. Delegation of Development Permits - RFD 56 - 65

Regional Planning Manager Kojima will speak to the RFD

8.4. Review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees - RFD 66 - 88

Regional Planning Manager Kauer will speak to the RFD

9. BUSINESS - NEW

10. WORK PROGRAM 89 - 91

For review and referral to Trust Council before each quarterly TC meeting

Note that TC passed the following resolution at the December, 2021 meeting: "That Islands Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy."

11. NEXT MEETING

Wednesday, August 24, 2022, 10:00 a.m. to 3:00 p.m.

12. CLOSED MEETING

If required:

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 the meeting.

13. RISE AND REPORT

If required

14. ADJOURNMENT

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

January 18, 2022

Dear Denman Island Local Trust Committee and Islands Trust Executive,

I respectfully acknowledge that the land I live, work, play and love on is part of the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land. I am grateful to see the Islands Trust engage in its minimum core obligation to recognize, to respect, to protect, and to fulfill the requirements of UNDRIP. That way forward centres human rights and reconciliation. May we continue the work that must be done.

As you may be aware UNDRAH (United Nations Declaration of the Right to Adequate Housing)¹ was adopted by the Canadian government on June 21, 2019, in the form of the National Housing Strategy Act². As a result, all levels of government are obligated to implement Canada's commitment to the right to housing under international law³

"The right to housing under international human rights law is understood as the right to a safe and secure home in which to live in security, peace and dignity, meeting standards of adequacy, including standards relating to legal security of tenure, affordability, habitability, availability of services, accessibility, location and culture."⁴

"Under international human rights law, everyone has the right to adequate housing as an element of the right to an adequate standard of living. This requires States to ensure that housing is accessible, affordable, habitable, in a suitable location, culturally adequate, offers security of tenure, and is proximate to essential services such as health care and education. The right to adequate housing includes the right to be protected from: arbitrary or unlawful interference with an individual's privacy, family, and home; any forced eviction (regardless of legal title or tenure status); and from discrimination of any kind."⁵

The Province of British Columbia has subsequently required all municipalities in British Columbia to assess and respond to rising housing need through municipal Housing Strategies that centre the human right to adequate housing.

All municipalities in British Columbia require landowners to pay the Provincial Speculation and Vacancy Tax, except for the Islands Trust. All municipalities in British Columbia are required to have a housing strategy, except for the Islands Trust.

On Islands Trust islands, many homes sit vacant, and untaxed for that luxury. While residents of the islands search desperately (and often unsuccessfully) to find an affordable home to rent. Islands Trust's own Northern Housing Needs Assessment (NHNA) of 2018⁶ identified a need for 76 additional homes to meet Denman Island's adequate-housing need, at that time. Over the years Denman's housing crisis has become an emergency. Many residents live in chronic housing insecurity, or hidden homelessness, with traumatic effects.

I am speaking to you today representing a group of people who feel they must stay silent and hide in the shadows, so that their human rights to a home are not once again violated. We know, through

1 Fact Sheet No.21, The Human Right to Adequate Housing

2 National Housing Strategy Act <https://laws.justice.gc.ca/eng/acts/N-11.2/page-1.html#docCont>

3 http://housingrights.ca/wp-content/uploads/National-Right-to-Housing-Network-Backgrounder_Fact-Sheet_FINAL.pdf

4 P.12 http://housingrights.ca/wp-content/uploads/National-Right-to-Housing-Network-Backgrounder_Fact-Sheet_FINAL.pdf

5 A National Protocol for Homeless Encampments in Canada

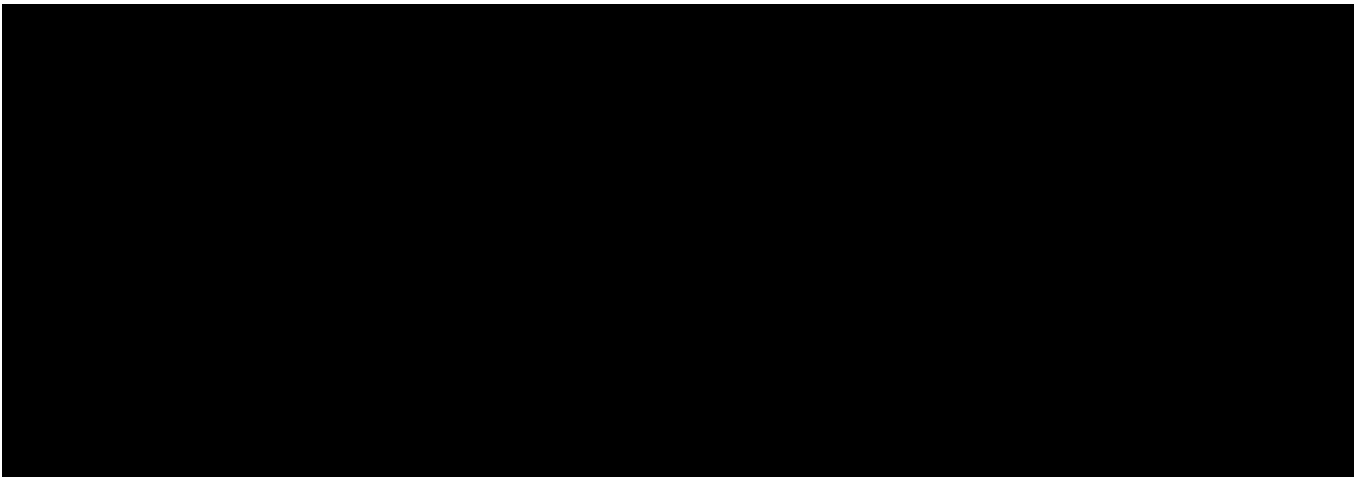
6 <https://islandstrust.bc.ca/document/housing-needs-assessment-northern-region/>

the NHNA, there are at least 75 of them.

I am speaking to you today representing myself. I am a disabled person who requires supports for independent living. I am a member of the LGBTQIA2S+ community. I am a single mother who has raised 2 children while living on Denman Island for the past 25 years. I have participated in various Islands Trust sponsored studies, committees, meetings and information gathering sessions. All of them with a focus on housing.

Despite many attempts at “consultation” about rewrites of Islands Trust policy and Land Use Bylaws (LUB), the housing situation in my home community has grown worse, during my tenure. This has been due, in part, to the fact that the Islands Trust appears to believe that their mandate is not to preserve and protect the human and community aspect of Islands Trust communities. While UNDRAH, and Islands Trust's own legal counsel⁷, say otherwise.

In the past 2 decades, my human rights have been systematically violated by Islands Trust policies, Staff and procedures. My home has been deemed “unlawful” by regressive housing policies and thus subject to bylaw enforcement visits. The most recent enforcement visit was on July 31, 2020, during the COVID pandemic (only 3 months after my own father's death to COVID).



I believe that violations of my human rights have been unintentional, however systemic and repeated. These “unintentional” violations are inevitable because the Islands Trust has yet to bring a human-rights approach to meeting housing need on the Gulf Islands. The Islands Trust has yet to formally acknowledge or recognize that “housing is essential in the inherent dignity and well-being of the individual and to building sustainable and inclusive communities”⁸.

Trustees have a moral and legal obligation to meet human rights obligations. Trustees must ensure that Islands Trust policy and procedures are not putting Trustees, and Staff in positions where they unintentionally or intentionally violate human rights. However, current policies put many Staff in untenable and potentially dangerous (to them, or to rights-holders) positions. (see Appendix B)

I have a human right to be left alone, to live safely in my adequate home. This letter is my formal request that Islands Trust and the Denman Island Local Committee engage with me, as a rights holder, in a manner that centres my human rights and dignity. UNDRAH, Federal legislation, and

7 "Overall, we consider that a Trust Council interpretation of the term "unique amenities" in s. 3 as including a supply of affordable housing would likely pass the reasonableness test" Bill Buholzer of Young Anderson RE: Policy Statement Amendment Project, October 27, 2020

8 4(b) <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

Provincial mandates require the Islands Trust to meet its minimum core obligation to recognize, to respect, to protect, and to fulfill the Human Right to Adequate Housing⁹.

“Meaningful consultation and meaningful engagement are often used interchangeably, but meaningful engagement can be distinguished from consultation in two ways. First, meaningful engagement requires actual partnership in decision-making while consultation may occur prior to decisions being made by others. And second, consultation does not require any particular result while meaningful engagement must achieve compliance with the right to housing.”¹⁰

A recent announcement, that the Islands Trust is seeking to set up a Housing Authority, is encouraging news. However, it is imperative that this Housing Authority, or any other action taken by the Islands Trust or the Denman Island Local Trust Committee, centres the Human Right to Adequate Housing.

As we wait to see the outcome of attempts to set up an Islands Trust Housing Authority, it is likely that homelessness on the Islands will increase, and become more visible. As is happening in so many jurisdictions in Canada. Until major policy changes are made, the numbers of people facing chronic housing insecurity will rise and more people will become visibly unhoused.

Continued enforcement activity against “unlawful” housing is likely to directly increase numbers of homeless people on the islands, possibly resulting in homeless encampments. “Government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. This means a shift away from criminalizing, penalizing, or obstructing homeless encampments, to an approach rooted in rights-based participation and accountability. Ensuring a human rights-based response to homeless encampments should be a key concern for every Canadian city, and all governments should employ a human rights-based framework to guide their engagement with encampment residents.”¹¹

“Now, more than ever, people living in vulnerable circumstances must be at the forefront of government efforts to address housing need. In particular, marginalized groups, including Indigenous people, members of Black and racialized communities, persons with disabilities, those dealing with mental health and addiction issues, women and children experiencing domestic violence, those facing economic hardship, individuals identifying as LGBTQ2S+, and youth are disproportionately represented among those facing homelessness.”¹²

In light of all of the above, I formally request the Denman Island Local Trust Committee and The Islands Trust Executive and Council engage with me as a rights-holder, as defined by UNDRAH and Federal Law. By adopting the following measures your organizations will begin the process of bringing Islands Trust into alignment with Human Rights. Enacting these viable measures will show your good intentions to protect and engage with “unlawfully”-housed rights-holders on the islands, and show your commitment to upholding human rights:

1) Require that all Trustees of the Islands Trust, all Local Trust Committees, and all planning and enforcement Staff read thoroughly, and familiarize themselves with each of the following texts, and

9 <https://laws.justice.gc.ca/eng/acts/N-11.2/page-1.html#docCont>

10 Implementing the Right to Adequate Housing Under the NHSA: The International Human Rights Framework - Prepared for the Office of the Federal Housing Advocate by Bruce Porter
<https://housingrights.ca/wp-content/uploads/Porter-NRHN-OFHA-Paper-2021-FINAL.pdf>

11 A National Protocol for Homeless Encampments in Canada

12 Implementing the Right to Adequate Housing Under the NHSA: The International Human Rights Framework - Prepared for the Office of the Federal Housing Advocate by Bruce Porter

their obligations under these texts (all included attachments):

1. *UNDRAH*¹³;
2. *the National Housing Strategy Act*¹⁴;
3. *Implementing the Right to Adequate Housing Under the NHS Act: The International Human Rights Framework*¹⁵;
4. and *Implementing the Right to Housing in Canada: Expanding the National Housing Strategy*¹⁶;

2) Ensure that all further work of the Islands Trust is done in a manner that fulfills UNDRAH by centering the Human Right to Adequate Housing and through meaningful engagement with rights-holders. This would include, but is not limited to, OCP reviews; LUB reviews; Policy Statements; bylaw enforcement policy; Housing Authority; and any other relevant policies, procedures and/or legislation;

3) Implement an immediate moratorium (on Denman Island and Trust-wide) on all bylaw enforcement action against “unlawful” housing, until housing need can be “lawfully” met, to the satisfaction of rights-holders;

4) In recognition of the growing homelessness emergency across all Islands Trust islands, all levels of Islands Trust (and most especially all bylaw enforcement) must familiarize themselves with *The National Protocol for Homeless Encampments in Canada*¹⁷;

5) Require all Bylaw Enforcement Staff (or anyone who may be making site visits) to undergo TIP (Trauma Informed Practice) training, to respectfully interact with vulnerable and marginalized people as human rights holders; (as per Appendix B)

6) Require all Bylaw Enforcement Officers and staff to make advance arrangements with property owner before visiting people's homes (or suspected homes) on private property; (see Appendix B)

7) Reverse the Islands Trust official stance on the Provincial Speculation and Vacancy Tax, and lobby the Provincial Government to apply this tax on all vacant homes and properties on Islands Trust islands (as per footnote 7, in Appendix A);

8) Specifically add “community”, to “unique amenities” and the “environment”, to the Islands Trust mandate to preserve and protect, in any and all Policy Statements and other documents;

9) Align Denman Island's LUB's with Provincial Regulations *Housing Flexibility on ALR Land*¹⁸ without requirement of Temporary Use Permit (the TUP is a regressive measure, a temporary home is not adequate in meeting rights-holder's ongoing housing need);

10) In order to meet Islands Trust objectives and mandates to preserve and protect, focus Land Use Bylaws on effects of housing, rather than type of housing. Effects including, but not limited to, square footage; lot coverage; water usage and disposal; water storage; sanitation; set backs; driveways; etc

13 https://www.ohchr.org/documents/publications/fs21_rev_1_housing_en.pdf

14 <https://laws.justice.gc.ca/eng/acts/N-11.2/page-1.html#docCont>

15 <https://housingrights.ca/wp-content/uploads/Porter-NRHN-OFHA-Paper-2021-FINAL.pdf>

16 [NRHN - The right to housing in action: Transforming housing law and policy in Canada](#)

17 <https://www.make-the-shift.org/wp-content/uploads/2020/04/A-National-Protocol-for-Homeless-Encampments-in-Canada.pdf>

18 <https://news.gov.bc.ca/releases/2021AFF0043-001352>

11) Remove requirement for LEED certified standards for new buildings. This is unnecessarily restrictive, costly and removes housing options that have historically provided Island appropriate housing. DIY options, affordable methods/materials and/or other creative reuses meet housing need through building with Cob; renovating an old barn or goat shed; re-purposing a bus into a home; and other non-LEED certified, but island appropriate, approaches to building adequate housing;

12) Have Staff craft a “Tiny Home Park” zoning template, as a short-cut, and an incentive to creative land-sharing of housing options;

13) Establish an ongoing process of engagement that welcomes the meaningful participation of renters and rights-holders in identifying systemic issues and appropriate remedies to the ongoing housing crisis, and to meet housing needs of rights-holders on these Islands in the Salish Sea.

I have come to you today, in good faith, to share with you the knowledge that the Denman Island Local Trust Committee and the Islands Trust, as governing bodies, are required to centre human rights. I hope that with this knowledge that you will henceforth “meet a minimum core obligation to recognize, to respect, to protect, and to fulfill” my human right to my adequate home¹⁹.

I welcome any questions or discussion you may wish to have today. And I look forward to future invitations to engage with your organization as we journey forward in this matter of fundamental and undeniable human rights to adequate housing.

In order to clarify my position (and the position of other residents of the islands) as a rights-holder, and to increase knowledge of human rights obligations and ongoing human-rights violations, I will be making this letter, appendices and source materials public on my own website. I will also be sending out press releases to local papers for distribution of information across island communities.

I remain available for any future correspondence and/or meetings. I look forward to your meaningful engagement.

Sincerely,

Riane da Silva
Right-holder of the Human Right to Adequate Housing

CC:

Honorable Josie Osbourne, Minister of Municipal Affairs MAH.Minister@gov.bc.ca

Premier John Horgan Premier@gov.bc.ca

Daniel Arbour at Comox Valley Regional District reachme@danielarbour.ca

Comox Valley Coalition to End Homelessness comoxvalleyhousing@gmail.com

K’ómoks First Nation Reception@komoks.ca

Federal Housing Advocate Info.Com@chrc-ccdp.gc.ca.

Canadian Human Rights Commission communications@chrc-ccdp.gc.ca

19 National Housing Strategy Act <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

Appendix A

The Human Right to Adequate Housing in British Columbia, Canada and Internationally

On June 21, 2019, Parliament passed the *National Housing Strategy Act* which affirmed for the first time in federal legislation that housing is a fundamental human right in Canada.

Furthermore, the right to adequate housing is an important precondition for exercising other human rights, including the rights to life, good physical and mental health, education, and political participation.

The human rights-based approach to housing adopted in the Act and the National Housing Strategy underlines that housing must provide more than four walls and a roof. It should be equitable and accessible to all without discrimination based on gender, race, Indigenous identity, disability, faith, place of birth, age, family status, sexual orientation, gender identity or other factors.¹

Canada's first National Housing Strategy is to eliminate homelessness and realize the right to adequate housing for all in the shortest possible time, using all appropriate means and the maximum of available resources. Among other goals to: Ensure that vulnerable groups and those affected by homelessness and inadequate housing are able to participate in developing housing policy to realize their right to housing.²

Now, more than ever, people living in vulnerable circumstances must be at the forefront of government efforts to address housing need. In particular, marginalized groups, including Indigenous people, members of Black and racialized communities, persons with disabilities, those dealing with mental health and addiction issues, women and children experiencing domestic violence, those facing economic hardship, individuals identifying as LGBTQ2S+, and youth are disproportionately represented among those facing homelessness.³

While local governments cannot address these challenges on their own, they are on the front lines of the housing crisis, and they play a critical role in addressing it. In addition to implementing many federal and state programs, they have tools at their disposal that other levels of government do not, including land use regulations, building and housing codes, and permitting processes. They also have a deep understanding of local needs and market conditions. Local governments are thus uniquely positioned to weave together different funding sources and regulations into a comprehensive local housing strategy – a necessary step in meaningfully tackling the affordability challenges that so many localities confront.⁴⁵

In assessing whether governments have met their obligation to progressively realize the human right to housing, the UN has applied a standard of “reasonableness.” The reasonableness standard encourages us to ask questions like:

- Have government departments engaged with people affected to develop solutions to systemic housing issues?

1 National Housing Strategy Act <https://laws.justice.gc.ca/eng/acts/N-11.2/page-1.html#docCont>

2 <https://laws-lois.justice.gc.ca/eng/acts/N-11.2/FullText.html>

3 <https://www.chrc-ccdp.gc.ca/en/resources/statement-canada-must-uphold-the-rights-persons-experiencing-homelessness>

4

<https://static1.squarespace.com/static/5e3aed3ea511ae64f3150214/t/61855e1bc6bf8578767ae16b/1636130341860/Claiming+the+R2H+in+BC+-+workshop+report.pdf>

5 <https://localhousingsolutions.org/plan/what-is-a-local-housing-strategy-and-why-is-it-important/>

- Has a horizontal, cross-department approach been adopted?
- Has the federal government exercised leadership to ensure that all levels of government are cooperating to implement their shared human rights obligations with respect to the right to adequate housing?
- Are programs and policies consistent with a commitment to realize the right to housing for all, in the shortest possible time?

The question of what constitutes reasonable policy from a human rights standpoint starts by considering the dignity and rights of those who need housing, and from there, considering whether the government's response to their circumstances is reasonable and proportional. It is a similar process as has been applied under human rights legislation with respect to the accommodation of disabilities.

First, we must hear from rights-holders about what they need from the government to ensure dignity and rights, and then we must consider how to address those needs as human rights priorities, within available resources. This new human rights approach can cast a very different light on our assessment of whether housing policies and programs are “reasonable”—and it also leads to innovative and creative solutions which often result in longer term cost-savings.⁶

When rights-holders are asked about claiming their right to housing, they invariably refer to the fact that they are not seen as human beings or treated with dignity. It is in those moments that the importance of recognizing the right to housing as a human right rather than as a mere commitment to solve a social problem for government to solve on its own is clearest.

Housing policies and programs must prioritize the needs of marginalized and vulnerable groups and engage directly with the needs and rights of those who have been left behind. General indicators of over-all progress in achieving housing outcomes are helpful, particularly if they include disaggregated data to capture the circumstances of particular groups, but statistics do not capture the experience of social exclusion or stigmatization or the root causes of systemic inequality.

Experiences of recent decades have shown, however, that governments are only well placed to respond to competing needs and rights if they are committed to the broader human rights project and if there are processes in place to ensure that the human rights of those whose needs and interests are likely to be ignored are being adequately considered.

One of the lessons for Canada from the challenges faced in South African is how difficult it is to reverse embedded inequality and how important it is to prevent socioeconomic inequality and segregation from becoming entrenched in Canada. As Canadian advocates have learned in Geneva, it is also important to be able to feel shame for one's country when it fails to live up to its commitment to human rights.

The court wrote that “those seeking eviction should be encouraged not to rely on concepts of faceless and anonymous squatters automatically to be expelled as obnoxious social nuisances. Such a stereotypical approach has no place in the society envisaged by the Constitution; justice and equity require that everyone is to be treated as an individual bearer of rights entitled to respect for his or her dignity.”

Meaningful consultation and meaningful engagement are often used interchangeably, but meaningful engagement can be distinguished from consultation in two ways. First, meaningful engagement requires actual partnership in decision-making while consultation may occur prior to

6 [NRHN - The right to housing in action: Transforming housing law and policy in Canada](#)

decisions being made by others. And second, consultation does not require any particular result while meaningful engagement must achieve compliance with the right to housing.

Engagement with communities might be better defined as a process through which they are able to advocate for their right to housing and negotiate solutions to systemic issues. In some cases, they may rely on the Federal Housing Advocate or a Review Panel to make findings and recommend measures but in others, rights-based solutions may emerge from the process of meaningful engagement itself.

Using the analogy of reasonable accommodation of disabilities, the application of the reasonableness standard based on a firm normative framework recognizes that what the right means in each case will be different, to be determined through a process of engagement and negotiation, but the rights themselves are not negotiable and the approach has to be coherent and consistent so that there is a clear sense of what constitutes human rights compliance.

The assessment of reasonableness may, through meaningful engagement, generate a collaborative, open and inclusive exploration, facilitated in some cases by the Federal Housing Advocate but driven as much as possible by rights-holders, on how to implement the right to housing in concrete terms.

There is often a tendency to think of State obligations with respect to the right to housing as they relate to direct government involvement through programs to create housing supply or to provide assistance with rent. However, systemic issues frequently relate to failures of governments to regulate private investment or development, and the requirement to realize the right to housing “by all appropriate means” includes the requirement to regulate private actors.

As noted by the former Special Rapporteur on the right to housing in her report on the financialization of housing: The tripartite obligations of States in relation to the management of financial markets and the regulation of private actors are often interpreted too narrowly. Under international human rights law States’ obligations in relation to private investment in housing and the governance of financial markets extend well beyond a traditional understanding of the duty to simply prevent private actors from actively violating rights. The assumption, bolstered by neo-liberalism, that States should simply allow markets to work according to their own rules, subject only to the requirement that private actors “do no harm” and do not violate the rights of others, is simply not in accordance with the important obligation to fulfill the right to adequate housing by all appropriate means, including legislative measures.

The State must regulate, direct and engage with private market and financial actors, not simply to ensure that they do not explicitly violate rights, but also to ensure that the rules under which they operate and their actions are consistent with the realization of the right to adequate housing.⁷

The Committee described the reasonableness standard as requiring the State to make “all possible effort, using all available resources, to realize, as a matter of urgency, the right to housing of persons who, like the authors, are in a situation of dire need.” This requires measures to address systemic issues and structural causes of evictions as well as the individual circumstances of the authors. “The lack of housing is often the result of structural problems, such as high unemployment or systemic patterns of social exclusion, which it is the responsibility of the authorities to resolve through an appropriate, timely and coordinated response, to the maximum of their available resources.”

⁷ The Provincial Speculation and Vacancy Tax is one example of the mechanisms outlined in this and the 2 previous paragraphs

Many of the concepts that have been developed to understand systemic discrimination experienced by persons with disabilities, such as the “social construction of disability”, can enrich the understanding of systemic issues under the NHSA. Similarly, approaches that have been developed under the ICESCR to understand positive obligations and progressive realization can help to assist the disability rights movement better address issues such as disproportionate homelessness among persons with disabilities.

A particularly important provision in the CRPD that must be directly incorporated into the understanding of the right to housing in the NHSA is Article 19 of the CRPD, guaranteeing the right to live independently and be included in the community. Article 19 requires that persons with disabilities have the opportunity to choose where and with whom they live and access to a range of community support services to facilitate inclusion in the community and prevent isolation or segregation. The standard to be applied in assessing the implementation of this right is similar in wording to the “all appropriate means” standard in article 2(1) of the ICESCR. In Article 19, however, this is an immediate obligation, not subject to progressive implementation over time. States must adopt “effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right.”

In its most recent review of Canada’s compliance with article 19, the Committee on the Rights of Persons with Disabilities recommended that Canada adopt a national guideline on the right to live independently in the community; adopt a human-rights based approach to disability in all housing plans; ensure that provinces and territories establish a timeframe for closing institutions and create a comprehensive system of support for community living; ensure that accessibility legislation facilitates inclusion in the community; and implement appropriate service provision within First Nation communities.

The Convention on the Elimination of All forms of Racism (CERD) is unique among international human rights treaties in that it affirms the right not only to non-discrimination in access to housing but also the substantive right to the equal enjoyment of the right to housing and other ESC rights.

The Convention on the Rights of the Child (CRC) is also a relevant source for the interpretation of the right to housing under the NHSA, particularly as the Supreme Court of Canada has recognized that the “best interests of the child” principle in the CRC should be considered when exercising discretion based on a reasonableness standard. This would apply to evictions cases in which children are forced from their homes and often, as a result, from their schools and friends. The CRC has expressed concern about the extent of homelessness among families with children and about the circumstances of “street children” in Canada, noting that many are Indigenous.

The NHSA is federal legislation and must be interpreted and applied as such. It could not, for example, have required provincial and territorial ministers of housing to respond to findings and recommended measures in the way that this is required of the federal minister. But beyond these obvious restrictions, the legislation should be interpreted broadly, in light of its purposes and content, and recognizing that **all orders of government are committed to the right to housing affirmed in international human rights law, even if they have not declared this in legislation.**

Violations of human rights can be either individually based or system based. The two types of violation require different remedial approaches. An individual violation affects one person or a small number of persons and is often perpetrated by one or a small number of individuals. Economic, social and cultural rights are generally more often the subject of systemic violations. Systemic violations have broad causes and effects, often arising from the ways in which society is organized politically, socially and economically. It is often difficult to identify individual perpetrators who bear individual responsibility for systemic violations. The State as a whole will be

responsible.

The commitment to the right to housing under international human rights law requires co-ordination of various spheres of government.

The social housing deficit that was created by the federal withdrawal from social housing programs after 1995 was reinforced by a social rights deficit created at the same time. These are the historical antecedents to the present crisis.

As a fundamental right inextricably linked to the right to a dignified life and core human rights values affirming equality in dignity and rights, the right to housing is a right whose meaning must be clarified by engaging meaningfully with rights-holders.

There are still many in government and elsewhere who are mystified as to what a right to housing means in practice. They understand the value of a rights based approach if it means consulting with vulnerable and marginalized groups in order to allow governments to better design programs and achieve better housing outcomes for constituents. But they are less clear on what it means to recognize the right to housing as a right that can be claimed, adjudicated and made subject to effective remedies. Even in the dialogic and participatory procedures under the NHSA, the idea of claiming a right to housing still seems to create fears of irresponsible and unmanageable demands that the government provide housing for everyone. Will the federal government and other orders of government relinquish their past resistance to recognizing housing as a fundamental right and their insistence that housing policy should be left to governments?

We ultimately rely on faith that governments either believe in human rights, or they believe that it would be politically damaging to turn their backs on them. The challenge with the NHSA is to turn the legislative affirmation of the right to housing under international human rights law into what the Supreme Court refers to as “a moral imperative and a legal necessity.”

The lessons learned by civil society engaging with international human rights mechanism suggest that the best way to make the right to housing meaningful is to utilize procedures that provide an adjudicative space in which it can be claimed. Modern commitments to the right to housing have emerged from new human rights practice that recognizes a previously excluded category or rights claimants as entitled to claim their right to dignity in rights and to recognize that the right to housing requires meaningful accountability, access to justice and effective remedies.

Affected communities must be provided with the resources necessary to organize, with the support of civil society and human rights advocacy organization, and they must be treated with respect and dignity, recognized as absolutely necessary to any assessment of compliance with international human rights norms. Governments, on the other hand, must be convinced to recognize the value of affirming a new human rights framework for policies and decision making, both as a recommitment to core values of Canada’s constitutional democracy and as the most effective means to address the housing crisis and realize the commitment to ensure access to housing for all by 2030 and beyond.⁸

Furthur reading materials found at this webpage <https://housingrights.ca/resources/>

8 <https://housingrights.ca/wp-content/uploads/Porter-NRHN-OFHA-Paper-2021-FINAL.pdf>

Appendix C
TRAUMA INFORMED practice
How law (and bylaw) enforcement can and must support human rights and dignity

Traumatic stress can be devastating and long-lasting. To develop an understanding about how to build trauma-sensitive services, we need to first clearly understand that the impact of traumatic stress can be devastating and long-lasting, interfering with a person's sense of self, and sense of safety, leading to feelings of helplessness, terror, and disempowerment. Traumatic exposure may lead to responses including Post Traumatic Stress Disorder (PTSD) and Complex Trauma.¹

“Realize the widespread impact of Trauma on citizens and first responders alike. Recognize the signs and symptoms of trauma in citizens, self and colleagues. Respond by fully integrating knowledge of trauma into policies, procedures and practices. Resist Re-traumatization actively through trauma informed and compassionate responses.

The most basic thing to keep in mind is when a person with a background of trauma or toxic stress comes in contact with any member of Law Enforcement (including bylaw enforcement), they may already feel unsafe. The authority figure alone may remind them of past experiences where they felt unsafe, and they may have the physiologic reaction that they had in the past. When this happens the Survival/Emotional part of the brain is dominant and they have less access to their Rational/Neocortex brain. They may not hear and process instructions, and they may not be able to take in new information.”²

According to Islands Trust policy, the purpose of bylaw enforcement it is to ensure compliance with bylaws. Many believe that surprise visits are necessary to catch people in the act (of being non-compliant). The fear is that, if the bylaw enforcement officer made an appointment to visit 24 hours or more in advance, an "infraction" could be hidden or made compliant, before the enforcement officer can see it.

If the purpose of enforcement is compliance, how does it harm that goal to give residents 24 hours notice of a site visit? Getting into compliance before a site visit meets the stated goal of “compliance”.

The current approach of "catch them in the act" violates human rights, flies in the face of our social right of “innocent until proven guilty”, and in many cases (ex. "unlawful" housing) can be traumatic to those who are subject to the surprise visit.

Giving 24 hours notice will not significantly affect or diminish the ability of the Bylaw Enforcement Officer to do their job. However, not having notice can significantly and negatively affect the residents (many who are neurodiverse, trauma survivors, and/or otherwise marginalized people who have historically been victimized by "authority" figures). Residents have a right to enjoy their homes, their dignity and to be treated with the respect of not being assumed to be a criminal.

If/when the only reason to support a policy of surprise visits is to 'catch residents in the act' of breaking by-laws (rather than truly seeking compliance) then the Islands Trust is clearly allowing, supporting and engaging in violations of human-rights at people's own homes.

1 Shelter from the Storm: Trauma-Informed Care in Homelessness Services Settings
<https://www.homelesshub.ca/sites/default/files/cenfdthy.pdf>

2 <https://www.traumainformedmd.com/law-enforcement-101.html#/>

“The Vancouver Police Department (VPD) acknowledges that social issues, including mental health, homelessness, substance use and sex work, intersect with public safety issues. The VPD takes efforts to ensure inappropriate, ineffective, and unnecessary criminalization does not occur, but rather focuses on community-based, harm reduction strategies in collaboration with community service providers.

By working together we can alleviate the stigmas and societal impacts surrounding untreated mental health conditions, lack of stable and affordable housing, inability to access appropriate addictions treatment and safety concerns for marginalized sex workers.

The VPD takes a compassionate approach to homelessness in Vancouver, recognizing that homelessness is a social condition reflective of society’s failure to adequately support those most vulnerable and marginalized.

Individuals experiencing homelessness are often encumbered with a multitude of challenges on a daily basis, from an overwhelming lack of stability, shelter, and resources, to the complications that may arise from poor nutrition and health, often further compounded by substance use issues and mental health conditions.

In July 2020, as the President of the Canadian Association of Chiefs of Police (CACP), Chief Palmer recommended that all police agencies in Canada recognize substance abuse and addiction as a public health issue to help reduce drug overdoses.

The Chief Coroner of BC announced that June 2020 was the deadliest month on record for drug overdoses (breaking the record set just one month earlier) and in the past decade alone, 7,934 British Columbians have died from illicit drug overdoses.

It is important to the VPD that the considerable steps taken in the past decade continue towards appropriate continuums of care. The VPD recognizes that, while strides have been made, the significance of these societal issues necessitates that ongoing efforts be maintained. As such, the VPD remains dedicated to the pursuit of improved conditions, services, and programs in the areas of mental health, homelessness, substance use issues and sex work, in close collaboration with community partners and service providers.”³

“Adaptive approaches are especially important for policing vulnerable populations, including people who are elderly, homeless, disabled, undocumented, addicted, and physically or mentally ill.”⁴ Other human rights-holding vulnerable populations include those who are racially profiled, members of the LGBT2SQIA community, neurodiverse individuals, disabled individuals, survivors of trauma, survivors of interpersonal abuse, and other survivors of systemic discrimination and abuses. Communities should “support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all—especially the most vulnerable.”⁵

“Homelessness constitutes a prima facie violation of the right to housing. It is a profound assault on a person’s dignity, security, and social inclusion. Homelessness violates not only the right to housing, but often, depending on circumstances, violates a number of other human rights, including: non-

3 <https://vpd.ca/wp-content/uploads/2021/06/our-community-in-need.pdf>

4 https://www.theiacp.org/sites/default/files/2018-11/IACP_PMP_VulnerablePops.pdf

5 https://www.theiacp.org/sites/default/files/2018-11/IACP_PMP_VulnerablePops.pdf

discrimination; health; water and sanitation; freedom from cruel, degrading, and inhuman treatment; and the rights to life, liberty, and security of the person.

Regardless of the reasons why a person resides in a homeless encampment, homeless encampments do not constitute adequate housing, and do not discharge governments of their positive obligation to ensure the realization of the right to adequate housing for all people. Under international human rights law, “States have an obligation to take steps to the maximum of their available resources with a view to achieving progressively the full realization of the right to adequate housing, by all appropriate means, including particularly the adoption of legislative measures.” As part of these obligations, States must prioritize marginalized individuals or groups living in precarious housing conditions - including residents of homeless encampments.

The fact that encampments violate the right to housing does not in any way absolve governments of their obligations to uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol seek to support governments and other stakeholders to ensure that their engagements with encampments are rights-based and recognize residents as rights holders, with a view to realizing the right to adequate housing for these groups while respecting their dignity, autonomy, individual circumstances, and personal choices.”⁶

As so many levels of government and law enforcement adjust to realizing their Human Rights obligations to the populations that they serve, trauma informed practices are emerging far and wide.

Any employer who wishes to support their enforcement staff must give them access to the appropriate tools to keep them from causing trauma, and/or from experiencing vicarious trauma themselves. Becoming a trauma-informed organization is, therefore, a sound business practice.

“Vicarious trauma is an occupational challenge for people working and volunteering in the fields of victim services, law enforcement, emergency medical services, fire services, and other allied professions, due to their continuous exposure to victims of trauma and violence. Exposure to the trauma of others has been shown to change the world-view of these responders and can put people and organizations at risk for a range of negative consequences.

Vicarious trauma-informed organizations proactively address the existence and impact of vicarious trauma on their staff through policies, procedures, practices, and programs that mitigate the risk of negative consequences for employees, the organization as a whole, and the quality of services delivered.

Vicarious traumatization is a negative reaction to trauma exposure and includes a range of psychosocial symptoms that providers and responders may experience through their intervention with those who are experiencing or have experienced trauma. It can include disruptions in thinking and changes in beliefs about one's sense of self, one's safety in the world, and the goodness and trustworthiness of others; as well as shifts in spiritual beliefs. Individuals may also exhibit symptoms that can have detrimental effects, both professionally and personally.”⁷

6 <https://www.make-the-shift.org/wp-content/uploads/2020/04/A-National-Protocol-for-Homeless-Encampments-in-Canada.pdf>

7 https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/imp_making_the_business_case-508.pdf

“It is reasonable to assume that individuals and families who are homeless have been exposed to trauma. Research has shown that individuals who are homeless are likely to have experienced some form of previous trauma; homelessness itself can be viewed as a traumatic experience; and being homeless increases the risk of further victimization and retraumatization. Historically, homeless service settings have provided care to traumatized people without directly acknowledging or addressing the impact of trauma.

In addition to the experience of being homeless, an overwhelming percentage of homeless individuals, families, and children have been exposed to additional forms of trauma, including: neglect, psychological abuse, physical abuse, and sexual abuse during childhood; community violence; combat-related trauma; domestic violence; accidents; and disasters. Trauma is widespread and affects people of every gender, age, race, sexual orientation, and background within homeless service settings.

Early developmental trauma—including child abuse, neglect, and disrupted attachment—provides a subtext for the narrative of many people’s pathways to homelessness. Violence continues into adulthood for many people, with abuse such as domestic violence often precipitating homelessness, and with homelessness leaving people vulnerable to further victimization. The impact of traumatic stress often makes it difficult for people experiencing homelessness to cope with the innumerable obstacles they face in the process of exiting homelessness, and the victimization associated with repeated episodes of homelessness. Research has found that people who experienced repeated homelessness were more likely than people with a single episode of homelessness to have been abused, often during childhood

Researchers have documented that the rates of traumatic stress are extremely high, and may even be normative, among those experiencing homelessness. Individuals who are homeless may have been exposed to neglect, psychological abuse, physical abuse, or sexual abuse during childhood; community violence; sexual assault; combat-related traumas; domestic violence; and accidents or disasters. A literature review found consistent and well-documented evidence of high levels of multiple forms of traumatic stress within individuals and families who are homeless. It is clear that trauma affects people of every gender, age, race, sexual orientation, and background within homeless service settings. No one is immune.

Women/Mothers

- Although many people think of men when they consider the issue of homelessness, families—typically single mothers with young children—now comprise up to 40% of the overall homeless population.
- Trauma is extremely prevalent among homeless women: over 90% of homeless mothers report having experienced severe physical or sexual assault during their lifetimes.
- The majority of homeless mothers were abused during childhood, with nearly 2/3 reporting severe physical abuse and 42% reporting sexual abuse; 60% were abused before the age of twelve.
- More than 70% of homeless mothers have at least one childhood risk factor, including: severe physical abuse, unwanted sexual contact, having a parent who was mentally ill or who abused substances, running away for a week or more, or being in foster care.
- Homeless mothers are also frequently the victims of abuse during adulthood, with 61% reporting a history of domestic violence and 32% acknowledging recent domestic violence.
- Homelessness puts women at risk for assault; being homeless was associated with more than three times the risk of sexual assault for women.
- Homelessness and victimization are associated with adverse mental health outcomes: more than 50% of homeless mothers reported depression, and more than 40% reported posttraumatic stress disorder

(PTSD)⁸

Professional development courses that assist in understanding and mitigating trauma:

<https://www.cpkn.ca/en/course/using-a-trauma-informed-approach/>

The Using a Trauma-Informed Approach course will introduce the concept of trauma, the different range of reactions to trauma, and conducting investigations using a trauma-informed approach. We will examine trauma, its impacts, and the potential challenges you may face when interacting with victims of trauma.

The objectives of this Using a Trauma-Informed Approach online course are to ensure that upon completion, you will be able to:

Recognize the biological impacts of trauma on the brain

Identify the different types of trauma

Recognize the range of reactions that can occur as a result of a traumatic event

Recognize the importance of your role and the potential impact you can have when interacting with a victim of trauma

Recognize the individual impacts trauma can have on diverse populations

Trauma informed practice training through the Justice Institute of BC

<https://www.jibc.ca/course/trauma-informed-practice-justice-public-safety-anti-violence>

will support learners in recognizing and understanding trauma and its effects on victims/survivors and witnesses and having a clear understanding of how violence and abuse may shape victims/survivors responses; assessing their own practices and processes with a trauma-informed lens; and incorporating trauma-informed learnings to reduce potential re-traumatization experienced by victims/survivors and witnesses participating in the justice system.

<https://www.jibc.ca/course/building-trauma-informed-organization>

Building a trauma informed organization involves shifts in our approaches to interactions with service users, worker wellness, organizational culture and practices, and interagency and community engagement. This one day, virtual course will focus on the components of becoming a trauma informed organization and provide examples of social service, health and other organizations that have put these changes into place.

8 Shelter from the Storm: Trauma-Informed Care in Homelessness Services Settings
<https://www.homelesshub.ca/sites/default/files/cenfdthy.pdf>

Additonal reading

<https://www.msn.com/en-ca/news/other/policing-and-evicting-people-living-in-encampments-will-not-solve-homelessness-in-canada/ar-AAKkV58>

<https://www.make-the-shift.org/wp-content/uploads/2020/04/A-National-Protocol-for-Homeless-Encampments-in-Canada.pdf>



Regional Planning Committee Minutes of a Regular Meeting

Date: February 9, 2022
Location: Electronic Meeting & Public Venue
200-1627 Fort Street
Victoria BC

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

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
Clare Frater, Director, Trust Area Services
Robert Kojima, Regional Planning Manager, Southern Office
Stefan Cermak, Regional Planning Manager, Salt Spring
Heather Kauer, Regional Planning Manager, Northern Office
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Narissa Chadwick, Island Planner
Robert Barlow, Legislative Services Clerk/Recorder

Others Present: One member of the public

1. CALL TO ORDER

The meeting was called to order at 10:04 a.m. Chair Busheikin acknowledged that participants of the meeting were attending from traditional, treaty and unceded territories of many indigenous peoples.

2. AGENDA

2.1 New Items and Re-Ordering of the Agenda

No new items or re-ordering of the agenda.

2.2 Approval of the Agenda

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

3. PUBLIC COMMENT PERIOD

No member of the public indicated a desire to speak.

4. DELEGATIONS

None

5. CORRESPONDENCE

3.1 January 12, 2022 Trustee Wright

Presented for information. It was noted that the motion referred to in the correspondence was presented, debated and carried at the most recent Trust Council (TC) meeting.

6. ADMINISTRATIVE COORDINATION

6.1 Draft Minutes of Previous Meetings

6.1.1 Regional Planning Committee minutes of November 3, 2021

By general consent the Regional Planning Committee minutes of November 3, 2021, were adopted as presented.

6.1.2 Regional Planning Committee minutes of January 13, 2022

By general consent the Regional Planning Committee minutes of January 13, 2022, were adopted as presented.

6.2 Resolutions Without Meeting

None

6.1 Follow-up Action List

The FUAL was presented for information and it was noted that Local Planning Services Director Marlor was unable to be present at the meeting to speak to the FUAL.

7. BUSINESS

7.1 WORK PROGRAM ITEMS

7.1.1 Freshwater Sustainability Strategy – Verbal Update

Island Planner Chadwick provided the update, noting that at the December, 2021 Trust Council meeting, the following resolution was carried:

That Islands Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy

Trustee Colbourne joined the meeting at 10:13 a.m.

RPC-2022-006

It was MOVED and SECONDED,

that Regional Planning Committee request staff develop an Islands Trust Freshwater Sustainability Strategy policy document.

CARRIED

RPC-2022-007

It was MOVED and SECONDED,

that Regional Planning Committee request staff to identify options for the implementation of the Freshwater Sustainability Strategy.

CARRIED

7.2 OTHER BUSINESS

7.2.1 Updated review of Trust Council Policy 5.9.1, Best Practices For Delivery of Local Planning Services To Local Trust Committees - RFD

Regional Planning Manager Kojima presented the RFD, indicating that the additions and edits requested by the Committee at the meeting of January 13, 2022, have been incorporated into the revised version that was presented in the agenda. The Committee made a minor edit to section 8.1 and staff clarified the process to manage late items to Local Trust Committee agendas. The Committee also discussed the importance of the project definition phase, early communication with First Nations, and minor edits that would assist in aligning the policy with Reconciliation efforts.

RPC-2022-008

It was MOVED and SECONDED,

that Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, with amendments to bring in line with UNDRIP and DRIPA, and forward to Trust Council for comment and feedback.

CARRIED

Committee recessed at 11:05 a.m. and resumed at 11:13 a.m.

7.2.2 Referral from Trust Council - Islands Housing Authority

Regional Planning Manager Kojima introduced the referral from the Trust Council (TC) to the Regional Planning Committee for further consideration of a postponed (tabled) TC motion. The motion was moved by Trustee Colbourne and seconded by Trustee Patrick and relates to a potential entity that would address housing issues in the Islands Trust Area. RPM Kojima sees the proposal as a significant request which would include legislative changes and would need clarity in regards to the scope. Director Frater noted current TC policy in regards to advocacy.

Trustee Fenton left the meeting at 11:20 a.m.

Trustees Patrick and Colbourne spoke to the postponed TC motion indicating that it was borne of a recognition that provincial support is needed to address housing issues; that there is a need for a coordinated approach of Islands Trust to the Province and other agencies; and that there is a need for a secure funding mechanism to support such work. Committee discussion included:

- individual Local Trust Area needs may be distinct or unique;
- potential need for a legal opinion in regards to this proposal and the Islands Trust mandate;
- need for clarity about the nature of such an entity and funding;
- need to clarify or define what currently isn't working in regards to addressing housing issues;
- the current role of Islands Trust in regards to advocacy and coordination;
- the current planning tools available to Islands Trust;
- the continuing challenge of intensifying development of new single-user, market-valued homes;
- potential need for a legal opinion in regards to the use of Section 8(2)(e) of the *Islands Trust Act*;
- options to move forward, including: continued discussion in general or in regards to particular aspects of the topic; requesting staff provide some analysis; and, requesting staff to obtain pertinent legal opinions.

Committee recessed at 12:05 p.m. and resumed at 12:37 p.m.

Trustee Fenton returned to the meeting at 12:37 p.m.

RPC-2022-009

It was MOVED and SECONDED,

that Regional Planning Committee request staff to obtain a legal opinion on using S. 8(2)(e) of the *Islands Trust Act*.

CARRIED

RPC-2022-010

It was MOVED and SECONDED,

that Regional Planning Committee request staff to bring back issue identification and simplified recommendations in regards to a Housing Authority-type entity to British Columbia's Lieutenant Governor in Council at the next RPC meeting.

CARRIED

Trustee Fenton left the meeting at 12:56 p.m.

7.2.3 Request to Amend Trust Council Policies to Expedite Affordable Housing Applications - Memo

Regional Planning Manager Cermak spoke to the request from Salt Spring Island Local Trust Committee to the RPC to consider necessary amendments to Trust-wide policies that support expediting rezoning applications for affordable housing. Committee discussion included:

- recognition that there may be a number of different policy or procedure changes that may achieve the goal of increasing support for affordable housing
- there may be some potential overlap with the grant funded work in improving application processing services

7.3 NEW BUSINESS

None

8. WORK PROGRAM

8.1 Current Regional Planning Committee Work Program

Provided for information.

8.2 Regional Planning Committee Work Program - Briefing

RPM Kojima indicated that the briefing was presented for the Committee's information and to provide an opportunity for the Committee to make any changes to their Work Program if desirable.

RPC-2022-011

It was MOVED and SECONDED,

that Regional Planning Committee include a review of the term's projects as an agenda item towards the end of term.

CARRIED

8.3 Salt Spring Island Local Trust Committee request RPC to add "Antenna System Siting Protocol" to the RPC Work Program – Staff Report

Chair Busheikin introduced the 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:

- whether the model bylaw that was produced by RPC in regards to a Strategy for Antenna Systems is consistent with current Islands Trust Reconciliation commitments
- need to monitor model bylaws as to use by LTCs and whether they need to be updated from time to time

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

The Committee discussed adding “Amend Trust Council Policies to Expedite Affordable Housing Applications” to the work program projects list. After some discussion, no motion was made.

9. NEXT MEETING

Wednesday, May 18, 10:00 a.m. - 3:00 p.m.

10. ADJOURNMENT

By general consent the meeting adjourned at 1:39 p.m.

Laura Busheikin, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk

Minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Regional Planning Committee

09-Nov-2020

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to report on the Trust Programs Committee affordable housing discussions on the next Regional Planning Committee agenda.	David Marlor	Target: 18-May-2022	In Progress

12-May-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to bring back further analysis on fee-per-lot structure, including consideration of a cap and park dedication.	David Marlor Narrisa Chadwick	Target: 18-May-2022	In Progress

25-Aug-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request that Staff draft consequential amendments to Trust Council Policy "6.2.1 Priority Setting/Review Guidelines" and "Policy 6.7.1 Work program, Follow-up Action List and Priorities Matrix."	Heather Kauer	Target: 18-May-2022	In Progress

03-Nov-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Regional Planning Committee

03-Nov-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee direct staff to amend version 10 of the Freshwater Sustainability Strategy to amend references to water sustainability 'needs to be the lens' so that it reads 'a key lens'.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	Completed
2 that Regional Planning Committee receive the amended Draft Freshwater Sustainability Strategy and forward it to Trust Council for review.	David Marlor	Target: 18-May-2022	Completed
3 that Regional Planning Committee request staff to return with an Islands Trust Freshwater Sustainability Strategy policy document for approval following Trust Council review.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	In Progress
4 that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.5 - to complete the Islands Trust Groundwater Recharge Mapping project.	David Marlor	Target: 18-May-2022	Completed
5 that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.4 - to implement Freshwater Sustainability recommendations related to the development of a State of Freshwater Report.	David Marlor	Target: 18-May-2022	Completed

Follow Up Action Report

Regional Planning Committee

03-Nov-2021

Activity	Responsibility	Dates	Status
6 that Regional Planning Committee defer the business case for Strategic Plan Item No. 2.4 - to implement Freshwater Sustainability recommendations related to the development of a Freshwater Stewardship Outreach Plan to the 2023/24 budget year.	David Marlor	Target: 21-Sep-2022	In Progress
7 that Regional Planning Committee request staff to create a business case for formatting and publication of the Freshwater Sustainability Strategy and forward it to Financial Planning Committee for inclusion in the 2022/2023 budget.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	Completed
8 that Regional Planning Committee direct staff to write a briefing note to Executive Committee to invite the Province to present the groundwater licensing process and March 2022 deadline at the November 2021 Trust Council meeting.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	Completed
9 2021-10-23 Maxine Leichter Correspondence Chair Busheikin indicated that she would work with staff to provide a response.		Target: 18-May-2022	Completed

01-Dec-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Regional Planning Committee

01-Dec-2021

Activity	Responsibility	Dates	Status
1 That Islands Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy.	David Marlor	Target: 18-May-2021	In Progress

02-Dec-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Regional Planning Committee

02-Dec-2021

Activity	Responsibility	Dates	Status
1 Referred by Trust Council to RPC: Make the following recommendations to British Columbia's Lieutenant Governor in Council, in accordance with S. 8(2)(e) of the Islands Trust Act; 1) That the Province of British Columbia develop the necessary mechanisms to create, fund, govern, and administer an Islands Housing Authority-type entity that will develop housing solutions across the Islands Trust area that: a. Support equitable access to housing as a fundamental human right and an act of Reconciliation with First Nations and Indigenous Peoples; b. recognize that there is critical need for a diversity of housing across the Islands Trust Area, and that the islands are particularly lacking in purpose-built rental housing; c. fosters preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland; d. recognize that intensifying development of new single-user, market-valued homes poses a clear threat to the natural environment and cultural heritage sites, and is not the best use of the remaining residential land on the islands; e. recognize that compact and clustered residential development can make more efficient use of land, resources and infrastructure, produce lower greenhouse gas emissions, and be more affordable than resource	David Marlor	Target: 18-May-2022	In Progress

Follow Up Action Report

Regional Planning Committee

02-Dec-2021

Activity	Responsibility	Dates	Status
intensive single-user homes; f. support a socially and economically diverse population and healthy communities across the Islands Trust Area; g. allow for islands within the current Islands Trust area to opt into the entity. h. recognize the value of island-specific solutions, traditions, and approaches to providing housing options.			

13-Jan-2022

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to report on incorporating Local Trust Committee strategic planning within the Trust Council strategic plan.	David Marlor	Target: 18-May-2022	In Progress

09-Feb-2022

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff develop an Islands Trust Freshwater Sustainability Strategy policy document.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	In Progress

Follow Up Action Report

Regional Planning Committee

09-Feb-2022

Activity	Responsibility	Dates	Status
2 that Regional Planning Committee request staff to identify options for the implementation of the Freshwater Sustainability Strategy.	David Marlor Narrisa Chadwick William Shulba	Target: 18-May-2022	In Progress
3 that Regional Planning Committee endorse the draft policy "5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees" in principle, with amendments to bring in line with UNDRIP and DRIPA, and forward to Trust Council for comment and feedback.	David Marlor Lisa Wilcox Narrisa Chadwick	Target: 17-Feb-2022	Completed
4 that Regional Planning Committee request staff to obtain a legal opinion on using S. 8(2)(e) of the Islands Trust Act	Clare Frater David Marlor	Target: 18-May-2022	In Progress
5 that Regional Planning Committee request staff to bring back issue identification and simplified recommendations in regards to a Housing Authority-type entity to British Columbia's Lieutenant Governor in Council at our next meeting.	David Marlor	Target: 18-May-2022	In Progress
6 that Regional Planning Committee include a review of the term's projects as an agenda item towards the end of term.	David Marlor Narrisa Chadwick	Target: 18-May-2022	In Progress
7 that Regional Planning Committee add "updating the model strategy for antennae systems" to the projects list of RPC's Work Program	Robert Barlow	Target: 18-May-2022	Completed

ShoreZone Polygon Mapping Summary Report

Eelgrass in the Islands Trust Area



Boat Cove, Lasqueti Island (bc20_sc_16658)

Prepared for:
The Islands Trust Council
Suite 200-1627 Fort Street
Victoria, BC, V8R 1H8

Prepared by:
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Victoria, BC. Produced by Coastal & Ocean Resources, Victoria, BC. 11p.

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ShoreZone is an imaging and habitat classification system for the coastal nearshore margin including the shallow subtidal, intertidal shoreline and supratidal fringe. One objective of ShoreZone is to produce a georeferenced, searchable inventory of the physical and biological attributes of coastal habitats. ShoreZone imagery and habitat mapping attributes can provide a useful baseline from which to study change over time, while the attributes mapped (such as shoreline sediments, predicted oil residence and biotic communities) provide an important resource for scientists, managers and responders. The ShoreZone mapping system provides a decision support tool with many potential uses including community planning, facilities siting, conservation planning, research and fisheries management, emergency planning and response, search and rescue, education and habitat modeling.

The ShoreZone system was developed in the 1980s and 1990s to map coastal habitats in British Columbia and Washington State (Howes 2001; Berry *et al.* 2004). In 2001 ShoreZone was implemented in Alaska, beginning with Cook Inlet, Outer Kenai, Katmai, and portions of the Kodiak Archipelago (Harper and Morris 2004; Harper and Morris 2014). ShoreZone has since expanded to a spatially continuous database of over 122,000 km of coastal Alaska, British Columbia, Washington State and Oregon. The most current ShoreZone protocol was updated in 2017 (Cook *et al.* 2017).

A ShoreZone imaging survey was conducted in the local trust areas administered by the Islands Trust Council (Figure 1). This survey acquired aerial video and digital still imagery of the coast during the August 6-9, 2021, low-tide window where the tides were lower than 1m in elevation. This imagery was then used, in conjunction with other data sources such as satellite imagery, to create polygons that delineate the boundaries of the Eelgrass beds in the survey area. Eelgrass beds form valuable habitat for fish and invertebrates, including serving an important nursery habitat function for juvenile salmonids, and are an important part of a healthy coastline and healthy fisheries. This information can be used to inform management and planning decisions that may impact Eelgrass in the Islands Trust area as well as to provide a baseline for monitoring of the extent and health of these habitats in the future.

The purpose of this report is to detail the Eelgrass polygon mapping work with summaries of the data and descriptions of the challenges involved. The length of shoreline imaged was **1,360 kilometers** according to the CHS Highwater line shapefile.

Full ShoreZone (linear and polygon) mapping of this survey area has been funded by DFO Science in support of the PIER program and this mapping is currently underway. That data will be made publicly available on the [CORI Download site](#) in April or May 2022.

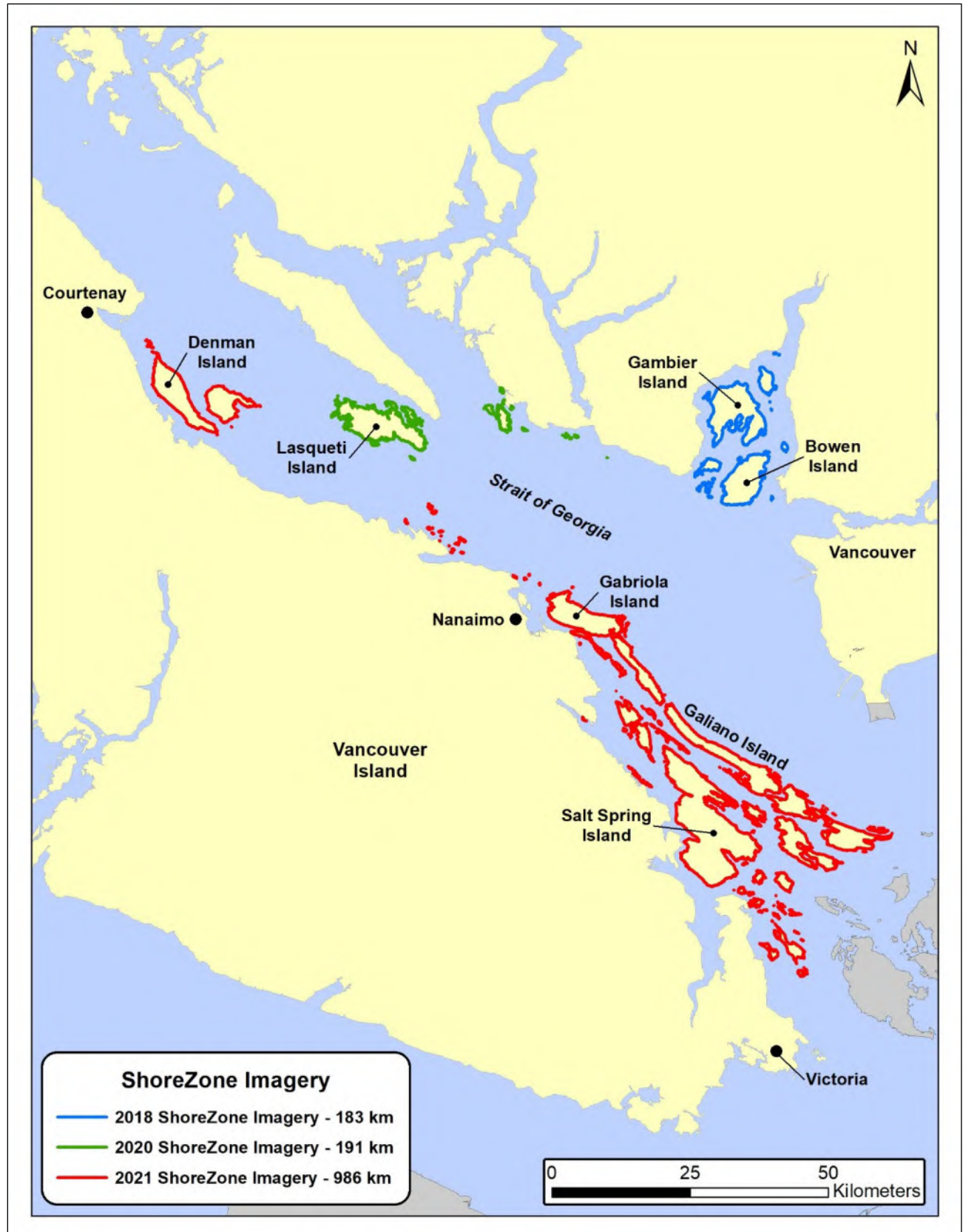


Figure 1. Extent and year of ShoreZone imagery within the Islands Trust area.

2 EELGRASS POLYGON DATA SUMMARY

2.1 Methodology

ShoreZone habitat mapping uses low altitude (100 m elevation), high resolution aerial imagery taken from helicopters to classify the biological attributes in each ShoreZone unit. These attributes are called **biobands** and are defined by a typical tide height, colour and texture. For this project, we focused on the Eelgrass bioband, the definition of which is provided in Table 1 (taken from Cook *et al.*, 2017).

Table 1. Definition of the Eelgrass bioband.

ShoreZone Code	Zone	Typical Color	Indicator Species	Description	Biological Wave Exposure Range
EELG	B (intertidal) & C (subtidal)	Bright to dark green	<i>Zostera marina</i>	Commonly visible in estuaries, lagoons or channels, generally in areas with fine sediments. Eelgrass can occur in sparse patches or thick dense meadows.	Very Protected to Semi-Protected

Our method for creating polygons of the Eelgrass bioband was to take the high resolution ShoreZone imagery in conjunction with the best available public satellite imagery (which varied depending on the area), to define the shape and position of each polygon. The satellite imagery (which is orthorectified) was used as a guide to provide positional data for all boundaries but the ShoreZone imagery (which is not orthorectified) was used as the final guide for shape and extent of the polygon. We also relied on a shapefile of previous eelgrass mapping done by SeaChange Marine Conservation Society in 2014/15 for the Islands Trust. In most areas this indicated linear presence of eelgrass rather than polygons but helped guide the classifiers when telling the difference between eelgrass and green algae or other subtidal vegetation; however, SeaChange did map polygons of the eelgrass beds around Bowen Island and Mayne Island. The mapping on Mayne Island was done in collaboration with the Mayne Island Conservancy Society.

We provided an estimate of the density of the Eelgrass with each polygon. Our density categories were Sparse (S), Moderate (M) and Dense (D). Sparse indicates few or scattered plants within the polygon, Moderate indicates plants are loosely packed or patchy within the polygon, and Dense indicates the plants were tightly packed with little space between. Figures 2 through 4 provide photographic examples of these categories from the Islands Trust ShoreZone imagery. There was also an Undetermined density category for areas where the imagery did not allow for density estimation. These density estimates are qualitative and are based on the classifier observations rather than quantitative assessments; however, these categories should still be useful for any calculation of biomass or for monitoring efforts, understanding that Eelgrass distribution and density can vary on an annual and a seasonal basis.

Each polygon was also assigned a Confidence value (Low, Medium or High) which indicates how certain the classifier was that they accurately captured the extent and location of that polygon. This could vary depending on such things as imaging conditions (glare, shade), water conditions (turbidity, waves), and satellite image quality.



Figure 2. Example of Sparse Density category Eelgrass in the Islands Trust area. Photo bc20_sc_16103 at the Finnerty Islands.



Figure 3. Example of Moderate Density category Eelgrass in the Islands Trust area.
Photo bc21_gi_09122 in Henry Bay on Denman Island.



Figure 4. Example of Dense Density category Eelgrass in the Islands Trust area.
Photo bc20_sc_16877 in Rouse Bay on Lasqueti Island.

We did encounter some challenges in the creation of the Eelgrass polygons using this methodology, most of which were around the varying resolution and quality of the ShoreZone images and the satellite imagery and how those two things interacted. Figure 5 shows an example where the ShoreZone image and the satellite image had a large disparity in the tide level and also where the satellite tiles were from two different time periods, which made it challenging to see landmarks that allowed for accurate location of any sensitive habitat polygons in that area. Figure 6 shows an example of a ShoreZone image with a Low Confidence polygon (Undetermined Density) where the previous eelgrass mapping completed by SeaChange indicated eelgrass was present but where it was not visible in the ShoreZone image. A placeholder polygon was created in these areas to indicate that further surveying by boat is required to create an accurate polygon of that bed. It should also be noted that the new ShoreZone imagery taken for this project in August 2021 was during a low tide window, but there appeared to be areas where the tide was higher than would be typical for a ShoreZone survey. This meant the eelgrass was further under the water than would be typical in ShoreZone imagery, making it more challenging to define in those areas.

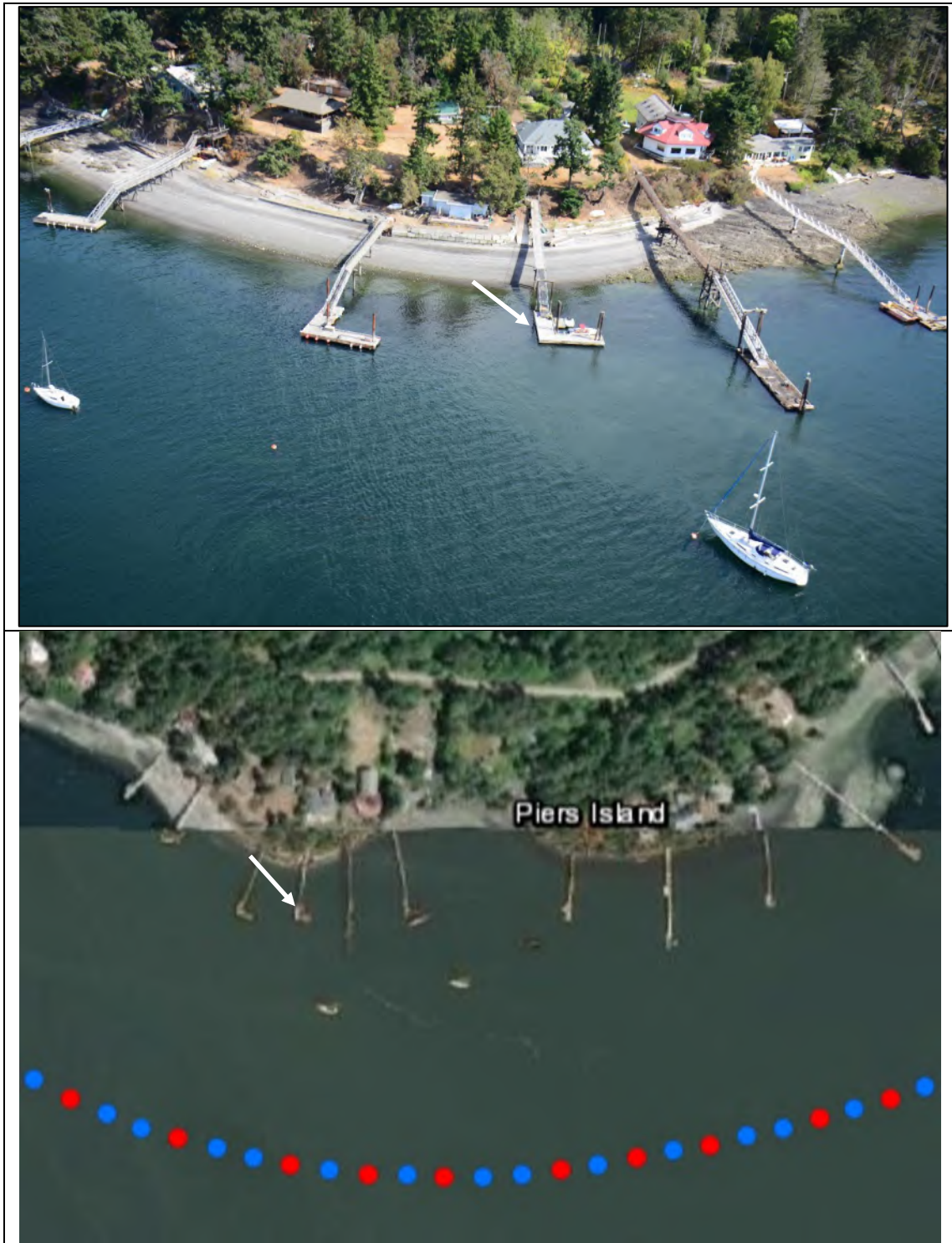


Figure 5. Example of an area where the ShoreZone image (bc21_gi_11717) (top) and the satellite image (bottom) (which shows the same headland on Piers Island) has a large disparity in terms of tide level and also where the satellite image was poor quality. The white arrow on each image indicates the same location. The blue and red dots in the lower image represent the ShoreZone imaging survey helicopter flightline.



Figure 6. Example of a ShoreZone image where previous SeaChange mapping indicated eelgrass was present but where the eelgrass was not visible. The glare on the water and the turbid nature of the nearshore contributed to the low quality of the image. Photo bc18_vr_05140 on Bowen Island.

2.2 Results

In total, CORI created **1,566** Eelgrass habitat polygons. These polygons covered **~1,613.5 ha** of the intertidal/subtidal zones of the Islands Trust area. These polygons were delivered as a shapefile along with this report. Some examples of the polygons created are presented in Figures 7 and 8 while Tables 2 and 3 give a breakdown of the number and area of the Eelgrass polygons by Density and Confidence categories.

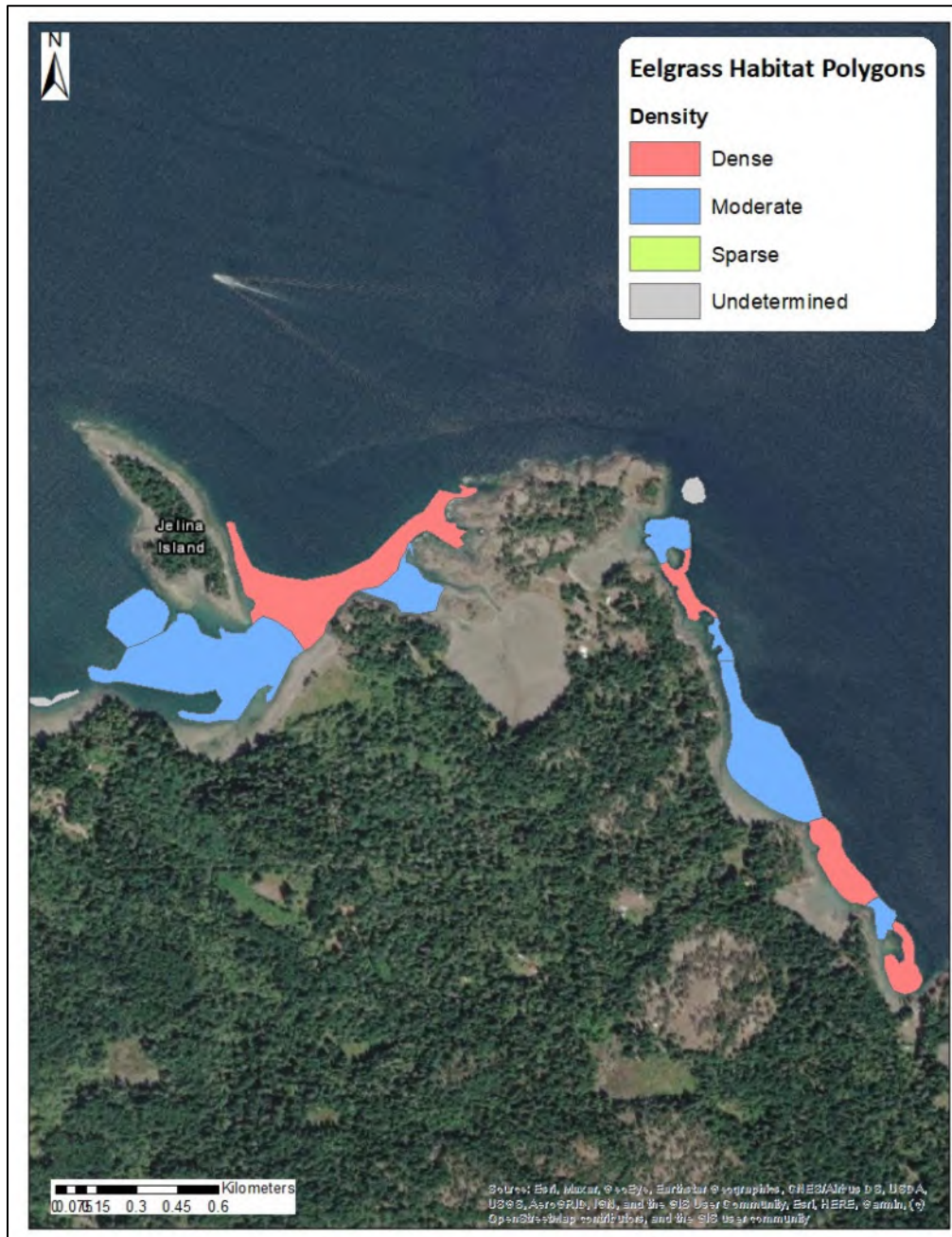


Figure 7. Example of the Eelgrass habitat polygons mapped around Lasqueti Island in the Islands Trust Area.

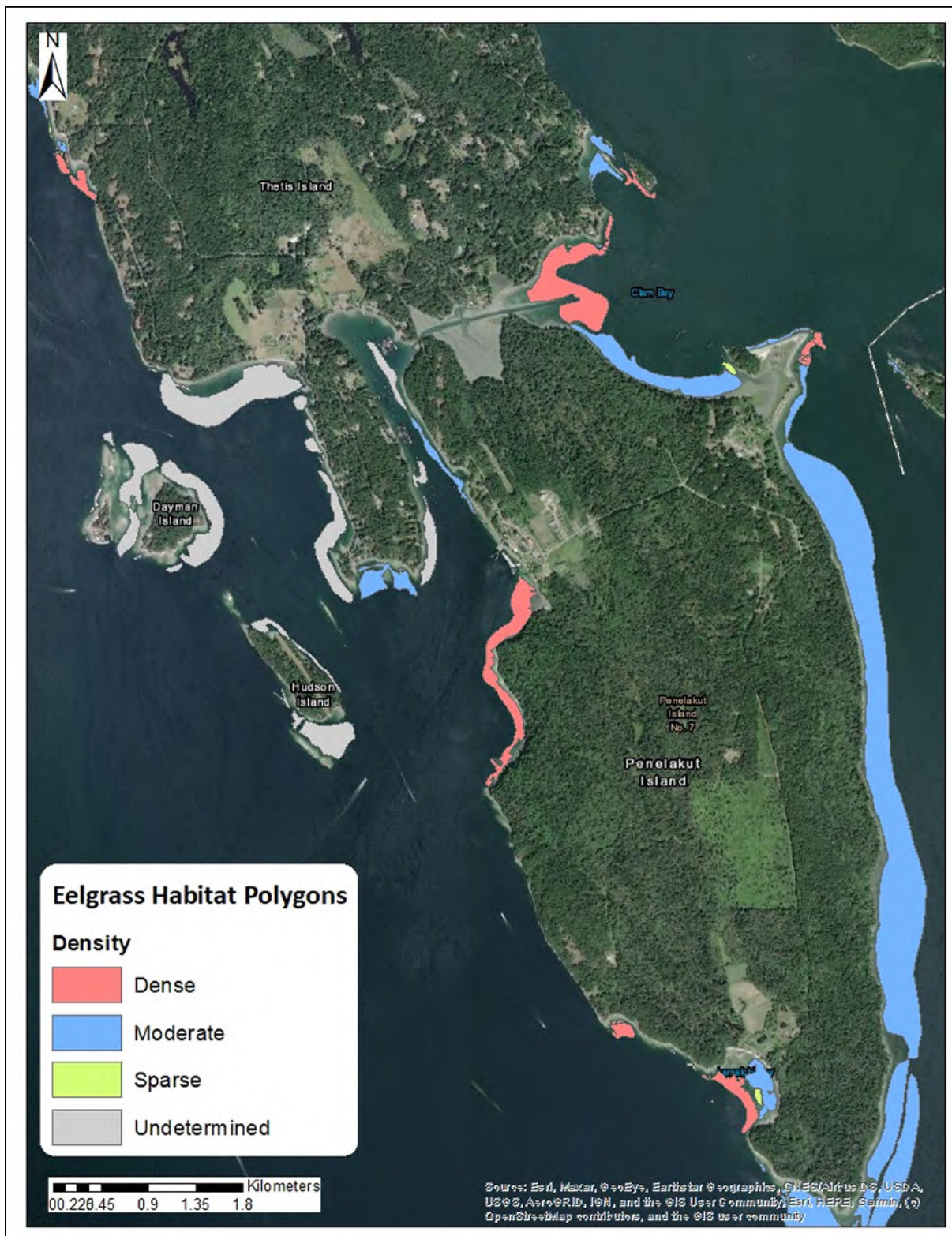


Figure 8. Example of the Eelgrass habitat polygons mapped around Thetis and Penelakut Islands. This was a particularly complex area.

Table 2. Totals of Eelgrass habitat polygons mapped in the Islands Trust area by Density category. The areal extent of the Undetermined polygons should not be taken as accurate as the majority of these are Low Confidence.

Density Category	Number of Polygons	Area of Polygons (ha)
Dense	356	233.7
Moderate	428	622.3
Sparse	125	73.8
Undetermined	657	683.8

Table 3. Totals of Eelgrass habitat polygons mapped in the Islands Trust area by Confidence category. The areal extent of the Low polygons should not be taken as accurate as these could not be properly defined from the imagery.

Confidence Category	Number of Polygons	Area of Polygons (ha)
High	157	48.7
Medium	757	882.8
Low	652	682.0

Over half (59%) of the Eelgrass polygons were of High or Medium Confidence, with 41% having Low Confidence. Those Low Confidence polygons should not be considered accurate in terms of either overall placement or area for management or monitoring purposes and should be surveyed by other means in the future (towed camera, sidescan or dive surveys) to create accurate polygons.

3 REFERENCES

- Berry, H.D., J.R. Harper, T.F. Mumford, Jr., B.E. Bookheim, A.T. Sewell and L.J. Tamayo, 2004. Washington State ShoreZone Inventory User's Manual, Summary of Findings, and Data Dictionary. Reports prepared for the Washington State Dept. of Natural Resources Nearshore Habitat Program.
- Cook, S., S. Daley, K. Morrow and S. Ward. 2017. ShoreZone Coastal Imaging and Habitat Mapping Protocol. Coastal and Ocean Resources, Victoria, BC. 78p.
- Harper, J.R., and M.C. Morris, 2004. ShoreZone Mapping Protocol for the Gulf of Alaska. Report prepared for the Exxon Valdez Oil Spill Trustee Council (Anchorage, AK). 61 p.
- Harper, J.R. and M.C. Morris, 2014. Alaska ShoreZone Coastal Habitat Mapping Protocol. Report prepared by Nuka Research and Planning LCC of Seldovia for the Alaska Bureau of Ocean Energy Management (BOEM), Anchorage, AK, 144 p.
- Howes, D.E., 2001. British Columbia biophysical ShoreZone mapping system – a systematic approach to characterize coastal habitats in the Pacific Northwest. Puget Sound Research Conference, Seattle, Washington, Paper 3a, 11p.

To:	Regional Planning Committee	For the Meeting of:	May 18, 2022
From:	Narissa Chadwick, Island Planner	Date Prepared:	May 10, 2022
SUBJECT:	Healthy Watersheds Initiative Funding Successes		

PURPOSE:

To provide the Regional Planning Committee (RPC) with a summary of the achievements that were made possible as a result of the Province's Healthy Watersheds Initiative (HWI) funding.

BACKGROUND:

The Healthy Watersheds Initiative, administered by the Real Estate Foundation of BC and Watersheds BC, is a provincially-funded program focussing on supporting projects that create economic and skills development opportunities, generate new learning, strengthen relationships with First Nations and Indigenous-led organizations, and improve the health of BC's rivers, streams, lakes, and wetlands. Islands Trust has been fortunate to have received \$245,000 of HWI funding to support the development of the Freshwater Sustainability Strategy (FWSS) and a number of other projects. The projects and what was achieved are described below.

Freshwater Sustainability Strategy (\$96,000 (HWI) + \$20,000 (IT))

Deliverable: [Freshwater Sustainability Strategy](#) document developed and formatted which provides a framework for addressing water supply challenges and climate change threats with action identified for the next decade.

Successes:

- Representatives of different levels of government, water purveyors, consultants and Indigenous Knowledge Holders were engaged. The relationships developed are foundation for the establishment of a Freshwater Advisory Committee.
- Engagement of Indigenous Cultural Knowledge Holders was an important part of the project. Islands Trust staff, engaged Trustees, steering committee members, and consultants were exposed to new perspectives on how to integrate Indigenous teachings into planning processes. (see Attachment 1: Cultural Knowledge Graphic).
- The Strategy, with clear actions identified, provides the opportunity to take better advantage of potential future funding.

Next Steps:

1. Development of a Freshwater Sustainability Implementation Plan
 - Direction provided from Trust Council in December 2021
 - RPC direction for development of policy document provided in November 2021

2. Communications and Engagement

- This was identified as a priority.
- First step is development of a communications and engagement plan.
- Early communication and engagement will support better outcomes.
- In absence of funding for communications and engagement, staff will be focusing on developing related information for newly elected officials.

Indigenous Youth Engagement (\$51, 567)

Deliverables:

- ***Indigenous Youth and Elders Talking Circles*** on the value of water (see Attachment 2: Value of Water Talking Circle graphic).
- ***“Aspiring Leaders” Webinar series*** for Indigenous Youth in the Islands Trust Area. This webinar series was developed as an alternative to the in-person Indigenous Youth and Elders gathering that had been originally planned but was not possible due to COVID.
- ***Training and hiring of two Indigenous youth*** for Salt Spring Island restoration project.

Successes:

- Islands Trust Staff developed relationships with Naut’sa maut event planning staff.
- Program invigorated Naut’sa maut’s youth council and youth program.
- Program provided education, training and work opportunities for Indigenous youth.
- Islands Trust staff learned how Islands Trust can support Indigenous youth interests. Indigenous youth expressed a clear interest in mentoring with Cultural Knowledge Holders and participating in watershed restoration internships.
- Island Trust has a list of Indigenous Youth to engage when opportunities emerge such as the need for a watershed restoration crew (Islands Trust Conservancy has been trying for years to connect with Indigenous youth to hire as work crew).

Next Steps:

1. Maintaining and growing Indigenous youth contact list.
2. Identifying ways to provide opportunities for future opportunities for Indigenous youth to connect with Cultural Knowledge Holders and restoration projects on the Islands.
3. Presenting to Naut’sa maut Tribal council on work done for Indigenous Youth through HWI funding.

Indigenous Perspectives on Water Film (\$6,915)

Deliverable: *Film based on interviews with Indigenous Cultural Knowledge Holders, Elders and youth* identifying Indigenous perspectives on water in the Islands Trust Area.

Successes:

- The film presents in a very accessible form much of what was learned from Indigenous participants throughout this process.
- The film illuminates the interest of Islands Trust to learn from Indigenous people in the Islands Trust Area and sharing what we learn.

Next Steps:

1. Posting film to Islands Trust website.
2. Communication plan for sharing of the film.

Galiano Eco-Cultural Mapping (\$15,725)

Deliverables: Continuation of Xetthecum Ecocultural Mapping pilot project which included:

- ***completion of GIS database and online ecocultural map,***
- ***project toolkit*** identifying process and methodology so that others can do similar work, and
- ***development of a language education initiative*** engaging Elders, educators and youth to preserve the Hul'qumi'num language.

Successes:

- Funding enabled the continuation and completion of aspects of a Galiano Island based initiative integrating ecological and cultural knowledge.
- Provided employment of 7 people on island through Indigenous-led non-profit organization Institute for Multidisciplinary Ecological Research in the Salish Sea (IMERSS) and honorariums for Indigenous Knowledge Holders.
- Supported further outreach to the community.

Next Steps:

1. IMERSS will present to the Galiano Island Local Trust Committee (likely in June)
2. Staff will maintain connection with IMERSS and explore opportunities to integrate their work with Cultural Heritage Mapping work.

Cultural Heritage Mapping (\$25,000 (HWI), \$27,000 (IT))

Deliverables: *Development of mapping methodology, identification of the cultural importance of freshwater to Indigenous people in the Islands Trust Region, and initial mapping work.*

Successes:

- Funding enabled project to move further than it otherwise would have if the funding was not available.

Next Steps:

1. IT funding has been allocated to continuing this project in the 2022/23 fiscal year.

Watershed Resilience Mapping (Hornby, Denman and Lasqueti Islands) (\$6,000)

Deliverable: *The development and application of methods for measuring forest ecosystem resiliency.*

Successes:

1. Development of watershed resilience mapping methodology using an ecosystem-approach to understanding forest vulnerability using the Vegetation Resource Inventory and hydrological mapping data.
2. A pilot project to implementing watershed resilience mapping was completed on Hornby, Denman and Lasqueti Islands.

Next Steps: Connecting watershed resilience mapping data to inform watershed and groundwater protection planning.

Hornby Island Heathy Watersheds Project (\$22,000)

Deliverable: *Development of an on-island educational-focused water testing service and undertaking detailed sampling of stormwater pathways to determine source and fate of common bacteriological contaminants.*

Successes:

1. Support to local non-profit – Heron Rocks Friendship Centre.
2. Supporting Hornby Water Stewardship, a long-standing water champion for the community.
3. Hiring of local Islanders to undertake work.
4. Acquisition equipment for the water testing service at the Hornby Spark.
5. Several months of sampling undertaken in numerous natural drainage features and ditches.

Next Steps: Sampling will continue to include an entire water-year. Analysis is underway in coordination with Islands Trust's Senior Freshwater Specialist.

Salt Spring Island Watershed Restoration – Mawhinna Creek (\$4,712 + Indigenous youth engagement \$8000)

Deliverable: *Removal of invasive species and planting of indigenous species.*

Successes:

- Removal of invasive species and planting of indigenous species
- Webinar on watershed restoration for Indigenous youth
- Training and hiring of two Indigenous youth
- Mentoring of Indigenous youth with Cultural Knowledge Holder and Restoration Biologist
- Development of new protocols for watershed restoration work after midden was found

Next Steps:

1. Islands Trust Conservancy to explore opportunities to engage Indigenous youth in further watershed restoration work.

ATTACHMENTS:

1. Cultural Knowledge graphic
2. Value of Water Talking Circle graphic

Prepared By: Narissa Chadwick, Island Planner

Reviewed By/Date: Robert Kojima, Regional Planning Manager / May 13, 2022

Water?

it's more than A symbol
or a metaphor.

WE ARE INTERCONNECTED
WITH LAND, AIR &

Water.

WE HEAR it in
THE WORDS and
STORIES of our
GRAND Parents

This is 10,000 YEARS of KNOWING To

our CREEKS and RIVERS
allow us to HAVE
SPIRITUAL BATHS...

TO HEAL OURSELVES.

WE COME from
the WATER...

WE NEED A BRIDGE OF UNDERSTANDING THAT INCLUDES OUR SACRED RELATIONSHIP.

WE GET TO REST, BUT
THE WATER IS
ALWAYS at WORK.

IT TEACHES ABOUT
PATIENCE, RESPECT,
DEATH AND BIRTH

RIVERS ARE THE VEINS OF MOTHER EARTH.

WHAT IS IT? A R.K.

ENDING
S over
RELATIONSHIP.

EDUCATING ABOUT THE PAST AND PRESENT...
PROTECT & PRESERVE FOR THE FUTURE!

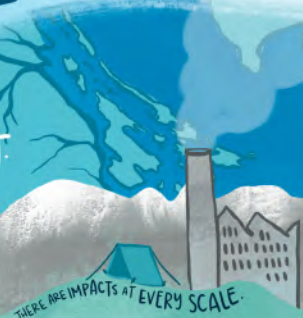
it is ALIVE.
it HAS A SPIRIT.

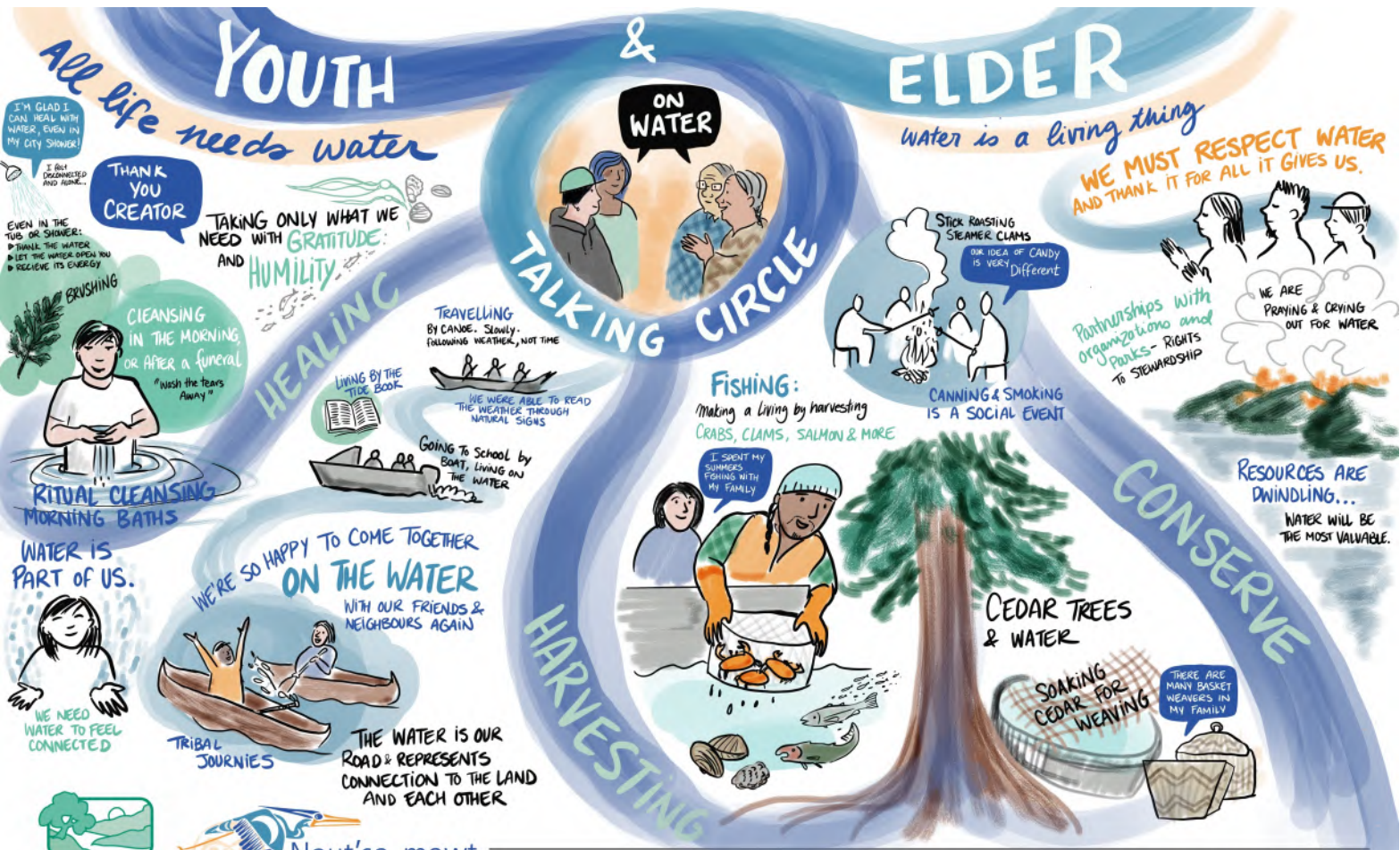
it is ALIVE.
it HAS A SPIRIT.

THERE ARE IMPACTS AT EVERY SCALE.

IT IS OUR GROCERY STORE, OUR PHARMACY,
OUR SCHOOL AND OUR TRANSPORT AND OUR
SACRED PLACES.

IT'S NOT A RESOURCE...
IT IS A RELATIONSHIP.





LIVE GRAPHIC RECORDING
Annalee Kornelsen | Drawing Change

Regional Planning Committee

Role

The Regional Planning Committee (RPC) provides policy and planning advice to Trust Council by identifying and reporting emerging issues related to the committee's areas of responsibility: development management, community planning, and sustainable community. The committee also develops guidelines, policies, and models for use by staff and local trust committees.

Members

Members serving during the 2018–2022 term are:

Laura Busheikin, Denman Island (Chair)
David Maude, Mayne Island (Vice-Chair)
Scott Colbourne, Gabriola Island (appointed December 20, 2021)
Jeanine Dodds, Mayne Island
Doug Fenton, Thetis Island (appointed January 12, 2022)
Kees Langereis, Gabriola Island
Timothy Peterson, Lasqueti Island
Kate-Louise Stamford, Gambier Island
Jane Wolverton, Galiano Island
Laura Patrick, Salt Spring Island (Executive Committee Representative)
Peter Luckham, Thetis Island, Chair Trust Council (Ex Officio Member)

2021/22 Highlights

In the 2021/22 fiscal year, the RPC completed the following Strategic Plan items and presented them to Trust Council:

- an Application Processing Services Policy that includes a Model Fees Bylaw in June, 2021. The Policy was subsequently adopted by Trust Council, which requested all local trust committees to consider adoption of a new Application Processing Services Fees Bylaw.
- the Residential Floor Area Ratio Model Bylaw Report in August, 2021. Trust Council referred the Report back to the Regional Planning Committee and requested that the Report incorporate the work being done on North Pender and South Pender Islands and to update the Report to identify environmental benefit.
- the Shoreline Protection Model Bylaw Report in August, 2021. Trust Council sent the Report to local trust committees and Bowen Island Municipality for information.
- a draft Freshwater Sustainability Strategy for their review in December, 2021. Trust Council received the Report and requested that RPC develop an implementation policy.

REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** May 18, 2022

From: Robert Kojima, Regional Planning Manager **Date Prepared:** May 11, 2022

SUBJECT: Delegation of Development Permits

RECOMMENDATION:

1. That Regional Planning Committee forward the attached draft 'Delegation of Land Use Permits' policy and bylaw template to the June Trust Council meeting with a recommendation that the policy be adopted and that local trust committees be requested to consider adopting delegation bylaws.

DIRECTOR'S COMMENTS: This is consistent with Trust Council's request of the Minister to allow local trust committees to be able to delegate issuance of permits to Staff, and the subsequent amendments to the Islands Trust Regulation to allow this. It is also consistent with recommendations in the 2022 Governance Review commissioned by Trust Council.

-
- 1 **PURPOSE:** to provide policy and a draft bylaw that would enable local trust committees to delegate the issuance of development permits to staff.
 - 2 **BACKGROUND:** recent amendments to the *Islands Trust regulation* by the Minister have empowered local trust committees to delegate the issuance of development permits to staff. This authority has long been provided to other local governments in British Columbia, has been requested by Islands Trust, is a recommendation of the recent governance review and was recommended in previous Local Planning Services reviews. Delegation of the issuance of development permits to staff would generally improve efficiency, reducing the size of LTC agendas, reducing staff time spent on delegated applications, reduce processing times, and provide greater certainty for applicants.

Development permit applications form a significant proportion of applications received by local trust committees generally, second only to development variance permits in terms of the number of applications considered. Over the past five years a total of 175 development permit applications were made (an average of 35 per year), while in 2021 a total of 42 applications were received (this compares to 252 and 68 DVPs and 109 and 18 TUPs respectively). Development permit applications are also disproportionately received by a handful of LTCs, with the following LTCs constituting 86% of applications over the past 5 years:

- Salt Spring LTC= 40%
- North Pender LTC= 20%
- Galiano LTC= 9%
- Hornby = 9%
- Gabriola = 8%

Generally, delegation of development permits is supportable as approval or refusal is based on adherence to guidelines, and supporting information in the form of reports can be required by bylaw. However, not all development permit areas would be suitable for delegation and not all local trust committees may wish to delegate issuance of permits to staff. The attached draft policy provides criteria for the consideration of delegation by local trust committees, policies directing staff in the implementation of delegation, and attaches a delegation bylaw recommended to be used as a template by local trust committees.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Where local trust committees adopt a delegation bylaw, staff will implement processes for the review and consideration of delegated permits, but staff will no longer prepare staff reports for local trust committees nor present reports at LTC meetings (except where an applicant has requested re-consideration by the local trust committee). Reconsideration requests by an owner may include situations where staff have refused a permit, or more likely a request to reconsider specific conditions required by staff in a permit.

FINANCIAL: fees would not change, as staff would still need to review applications and reports, prepare permits and consider issuance or refusal. If RPC recommends referral to Trust Council staff will likely obtain a legal review of the bylaw template.

POLICY: the attached policy, if adopted by Trust Council, would provide guidance to local trust committees in considering delegation, and direction to staff implementing delegation

IMPLEMENTATION/COMMUNICATIONS: where permits are delegated staff would update, revise or create:

- Internal checklists where needed
- application forms and information for applicants and the public
- webpage information
- templates for use in providing a summary and recommendation to the Director
- templates for letters to applicants
- procedures for reconsideration by local trust committees

FIRST NATIONS: development permits are not referred to First Nations, however material and advice would continue to be provided to applicants with respect to archaeological and cultural heritage sites and requirements

4 RELEVANT POLICY(S): none

5 ATTACHMENT(S):

- a. Draft Land Use Permit Delegation Policy
- b. Draft Delegation Bylaw template

RESPONSE OPTIONS

Recommendation:

1. That Regional Planning Committee forward the attached draft policy and bylaw template to the June Trust Council meeting with a recommendation that the policy be adopted and that local trust committees be requested to consider adopting a delegation bylaw.

Alternative:

1. That Regional Planning Committee refer the RFD and attachments back to staff for revisions to
...

Prepared By: Robert Kojima, Regional Planning Manager

Reviewed By/Date: David Marlor, Director, Local Planning Services/May 11, 2022



Policy:	
Approved By:	
Approval Date:	
Amendment Date(s):	
Policy Holder:	Director of Local Planning Services

Delegation of Land Use Permits

Purpose

To provide policy for local trust committee consideration of the delegation of the power to issue certain land use permits to staff

Principles

1. Local trust committee delegation of the issuance of development permits to staff is intended to improve overall efficiency, reduce the number of items on local trust committee agendas and streamline processing of permits.
2. Delegation may be warranted as the scope of determining the approval or refusal of permits is determined by consistency with guidelines adopted by local trust committees.
3. Delegation of the power to issue development permits to staff has been recommended by external reviews, and amendments to the *Islands Trust Regulation* now provide local trust committees with the authority to delegate the issuance of development permits to staff.
4. The delegation of the issuance of development permits to staff by local trust committees should only be implemented where development permit area provisions are consistent with the criteria outlined in this policy.
5. The delegation of the power to issue minor development variance permits to staff may be considered by future amendment of this policy and amendment of delegation bylaws.

A. Definitions

B. Policy

1. Delegation by Bylaw

1.1 Delegation of the power to issue development permits may only be implemented by the adoption of a delegation bylaw by a local trust committee.

1.2 Delegation bylaws adopted by local trust committees should be substantially consistent with the bylaw template attached to this policy.

1.3 A delegation bylaw should only delegate the power to issue permits to staff for development permit areas (DPA) that meet the criteria outlined in this policy.

- 1.4 A delegation bylaw should only delegate the authority to issue permits to the Director and to Regional Planning Managers.
 - 1.5 The staff person reviewing the application shall not also approve or refuse the permit.
 - 1.6 A delegation bylaw should not delegate authority to issue form and character development permits except where a local trust committee considers the guidelines to be sufficiently objective.
 - 1.7 A delegation bylaw should not delegate permits requiring variances unless the local trust committee has also delegated the issuance of minor development variance permits to staff.
 - 1.8 The bylaw must include the opportunity for the owner of the land subject to the decision to have the local trust committee reconsider the decision.
- 2 Local trust committees should only consider delegation of issuance of permits to staff for development permit areas that meet the following criteria:
- 2.1 The development permit area has been designated or substantially amended within the last 20 years.
 - 2.2 A development approval information bylaw has been adopted, or the application requirements are equivalent (e.g. a DPA enacted consistent with the *Riparian Area Protection Regulation* or geo-technical hazard area DPA).
 - 2.3 Professional reports can be required to provide an assessment of impacts and to recommend measures that can be included as conditions of a permit.
 - 2.4 Guidelines have been assessed by staff to be relatively thorough, clear and certain.
- 3 Local Planning Services staff should prioritize drafting of delegation bylaws for:
- 3.1 Local trust committees that have indicated support for delegation.
 - 3.2 Local trust committees that receive higher volumes of permit applications.
- 4 Local Planning Services shall implement the following procedures where delegation has been authorized by a local trust committee bylaw:
- 4.1 Checklists for compliance or non-compliance with guidelines for each DPA shall be prepared prior to implementing delegation.
 - 4.2 The local trust committee shall be provided with a copy of permit applications and copied on the decision to issue or to refuse a permit.

- 4.3 Where the planner reviewing the application determines that the application does not comply with one or more of the guidelines, applicants shall be provided with advice as to why the application does not comply and shall be given the opportunity to revise the application before a decision to issue or refuse the application is made.
- 4.4 The planner reviewing an application shall provide the checklist, draft permit and a written recommendation with reasons to the Director or Regional Planning Manager prior to the delegate making a decision to approve or refuse issuance of a permit.
- 4.5 Where the Director or Regional Planning Manager determines that an application is contrary to one or more of the guidelines, the application should be refused unless the delegate is satisfied that the permit would be consistent with the overall objectives of the development permit area, that the non-compliance is minor, and that compliance with the guideline would result in the application being contrary to other, more relevant guidelines.
- 4.6 If issuance of a permit is refused, the owner of the subject property shall be provided written reasons for the refusal and informed of the opportunity to request a reconsideration by the local trust committee.
- 4.7 The Director may recommend that a refused permit be reconsidered by the local trust committee.
- 4.8 Procedures for reconsideration, consistent with the bylaw, shall be established by the Director.

C. Legislated References

Local Government Act sections 229 [delegation of authority], 230 [bylaw required for delegation], 232 [reconsideration of delegate's decision] 490(5) [development permits: general authority] and 498.1 [delegation of power to issue development variance permit].

BC Reg 119/90 as amended by *B.C. Reg 275/21* [delegation of authority]

D. Attachments:

a. Delegation Bylaw Template

ATTACHMENT A
Delegation Bylaw Template

_____ ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. xxx, 20xx

A bylaw of the _____ Island Local Trust Committee to Delegate the Power to Issue Certain Land Use Permits

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

SHORT TITLE

1. This bylaw may be cited as “_____ Island Local Trust Committee Delegation Bylaw No. XXX, 20XX”.

DEFINITIONS

2. In this bylaw:

“**Act**” means the Local Government Act.

“**Local Trust Committee**” means the _____ Island Local Trust Committee.

“**Director**” means the Director of Local Planning Services.

“**Regional Planning Manager**” means the Manager assigned to the Local Trust Committee.

DELEGATION

3. The Local Trust Committee hereby delegates to the Director, or in his or her absence the Regional Planning Manager, the power to issue a development permit or a development permit amendment under Section 490 of the Act in respect of development permits issued within the following development permit areas:
 - a. Development Permit Area X;
4. The delegation under Section 3 does not include the authority to vary or supplement a land use regulation or a subdivision regulation.
5. The Director is also delegated the power to require, under Section 502 of the Act, an applicant to provide security in an amount stated in the Permit by way of an irrevocable letter of credit or the deposit of securities in a form satisfactory to the Director.
6. The amount of security to be provided under Section 502 of the Act, in relation to a development permit issued by the Director, shall be 125% of the cost of site restoration, landscaping, remediation of damage to the natural environment or improvements including materials and installation, as determined by a professional landscape architect, a nursery person, a landscape contractor, a habitat biologist, or another person approved by the Director to provide.

7. For clarity, a person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

RECONSIDERATION

8. An applicant may have a decision of the Director in relation to a permit reconsidered by the Local Trust Committee by submitting a written request for reconsideration to the Deputy Secretary within thirty days after the decision is delivered to or made available to the applicant.
9. The request for reconsideration must include the following:
 - a. the applicant's address for receiving correspondence related to the request for reconsideration;
 - b. a copy of the written decision;
 - c. reasons why the applicant wishes the decision to be reconsidered by the Local Trust Committee;
 - d. the decision which the applicant requests be made by the Local Trust Committee;
 - e. reasons in support of the decision requested from the Local Trust Committee; and
 - f. a copy of any documents which support the applicant's request for reconsideration by the Local Trust Committee.
10. Each reconsideration request shall be placed on the agenda of a regular Local Trust Committee meeting and shall include a copy of the materials that were considered by the Director in making the decision that is to be reconsidered and any further materials delivered by the owner.
11. The Local Trust Committee may consider any presentations made by the applicant and may either:
 - a. confirm all or part of the delegate's decision,
 - b. set aside all or part of the delegate's decision; or
 - c. amend the delegate's decision or make a new decision.

SCOPE OF BYLAW

12. For clarity, subject to the Act, unless a power, duty or function of the Local Trust Committee has been expressly delegated by this Bylaw or another bylaw, all of the powers, duties and functions of the Local Trust Committee remain with the Local Trust Committee.

READ A FIRST TIME THIS	TH	DAY OF	, 20XX.
READ A SECOND TIME THIS	TH	DAY OF	, 20XX.
READ A THIRD TIME THIS	TH	DAY OF	, 20XX.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
TH DAY OF

, 20XX

ADOPTED THIS

TH

DAY OF

, 20XX.

CHAIRPERSON

SECRETARY



REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** May 18, 2022

From: Heather Kauer,
Regional Planning Manager **Date Prepared:** May 13, 2022

SUBJECT: Review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees

RECOMMENDATION:

That the Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, and forward to Trust Council for approval.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1 PURPOSE: To update the Islands Trust policy on delivery of planning services to local trust committees to include a recommended process and format for systematic updates to official community plans and land use bylaws, to provide a framework for allocating planning resources for local trust committees’ land use planning projects.

2 BACKGROUND: At its regular meeting on February 9, 2022 the Regional Planning Committee passed the following resolution:

RPC-2022-008

It was MOVED and SECONDED,

that Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, with amendments to bring in line with UNDRIP and DRIPA, and forward to Trust Council for comment and feedback.

Attachment 1 of this report was presented to Trust Council at their March, 2022 meeting. Decision highlights from the March, 2022 Trust Council meeting note the following regarding this policy:

Amendments to Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees

Trustees provided feedback on the policy addressing reconciliation work and prioritizing local trust committee official community plan reviews. Feedback will be considered by the Regional Planning Committee with the policy coming back to June Trust Council.

No record of written Trust Council feedback comments are available.

Staff are recommending that the Regional Planning Committee endorse the policy as it was presented to Trust Council. Alternatively, the Committee may consider endorsing the amended policy without including the appendices of the draft policy. These documents may prove to be more operational in nature and more flexible if they are presented to each LTC or Committee in a way that is geared toward individual projects.

3 IMPLICATIONS OF RECOMMENDATION

Staff would forward to Trust Council for feedback in June, and report back to the Regional Planning committee in August 2022.

ORGANIZATIONAL:

Time on Trust Council agenda for feedback opportunity would be required.

FINANCIAL:

No financial implications.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Communication would be via Trust Council agenda.

FIRST NATIONS:

No First Nations implications.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

5.9.1 BEST MANAGEMENT PRACTICES FOR DELIVERY OF LOCAL PLANNING SERVICES TO LOCAL TRUST COMMITTEES

5 ATTACHMENT(S):

Amended draft Trust Council Policy 5.9.1

RESPONSE OPTIONS

Recommendation: That the Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, and forward to Trust Council for approval.

Alternative: That the Regional Planning Committee amend the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees”, endorse it as amended in principle, and forward to Trust Council for comment and feedback.

Prepared By: Heather Kauer, Regional Planning Manager, Northern Office

Reviewed By/Date:



Policy:	5.9.1
Approved By:	Trust Council
Approval Date:	March 10, 2006
Amendment Date(s):	September 11, 2013 June __, 2022
Policy Holder:	Director of Local Planning Services

BEST PRACTICES FOR DELIVERY OF LOCAL PLANNING SERVICES

Purpose

1. To ensure that Local Trust Committees (LTCs) use the Local Planning Services (LPS) staff resources provided to them in accordance with their legislated responsibilities under s. 24 of the *Islands Trust Act* or in accordance with any powers that may be delegated to them under s.10 of the *Islands Trust Act*.
2. To identify the core services provided to LTCs, and to outline the best practices for delivering those services to LTCs in a fair and equitable manner.
3. The Goals of the Policy are as follows:

- 3.1 LTC planning projects are well-defined and planned;
- 3.2 LTC projects reflect community and First Nations expectations;
- 3.3 Staff, trustees, the public, and partners have certainty and clarity around how projects get allocated, resourced, and carried out, leading to realistic expectations;
- 3.4 Resource allocation is efficient, fair and equitable;
- 3.5 OCPs and LUBs are systematically updated on a regular basis;
- 3.6 Planning is both proactive and adaptive;
- 3.7 Local Planning implements Trust-wide planning initiatives and tools (eg. strategies, model bylaws).

A. Definitions

Major Policy/Regulatory Work - a review of official community plan and/or land use bylaw that takes between six and 18 months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix B.

Minor Policy/Regulatory Work – amendments to official community plan and/or land use bylaw that takes less than six months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix C.

Extraordinary Policy/Regulatory Work - a review of official community plan and/or land use bylaw that does not meet the recommended bylaw process and/or the recommended bylaw format requirements in Appendix A or Appendix B, and would require external consultants and additional funding considerations.

Regional Planning Team – a Local Planning Services team assigned to exclusively manage major and extraordinary bylaw reviews for local trust committees and policy planning work of the Regional Planning Committee.

Local Planning Team - a Local Planning Services team assigned to undertake day-to-day planning functions of the local trust committees, including managing minor bylaw reviews, processing of applications and referrals, responding to enquiries, and administering local trust committee meetings.

B. Policy

1. Official Community Plan and Land Use Bylaw Reviews and Amendments

- 1.1 The Regional Planning Team will develop and deliver comprehensive Major Policy Work, Official Community Plan (OCP), and Land Use Bylaw (LUB) documents to assist LTCs in identifying and establishing policy preferences for managing development and conservation in island communities.
- 1.2 Comprehensive OCP and LUB reviews are considered to be major policy/regulatory work.
- 1.3 Regional Planning Team Staff will maintain a checklist of the “health” of official community plans, (Appendix D) and will use this to recommend to Trust Council via Regional Planning Committee prioritization of OCPs for review and update as part of Trust Council’s budget process. Staff will also consider the criteria established in Appendix D.
- 1.4 New and updated official community plans and land use bylaws will follow the recommended format in Appendix A, with some customization to allow for local conditions permitted.
- 1.5 A maximum of two reviews of official community plans and land use bylaws may be started each fiscal year to ensure adequate resourcing is available to complete.
- 1.6 Where possible, the OCP and LUB should be reviewed concurrently as part of the same project, or the LUB should be scheduled to be reviewed as soon as the OCP review is complete.
- 1.7 Within the first year of each term, local trust committees should undertake a strategic planning exercise to determine their goals and priorities for the term.

2. Major Policy/Regulatory Work

- 2.1 The Regional Planning Team will undertake major policy/regulatory projects of LTCs and the Regional Planning Committee. The criteria in Appendix E will be used by

DRAFT – for discussion – yellow highlight indicates proposed major changes

Regional Planning Team staff to recommend to Trust Council via the Regional Planning Committee prioritization of these projects.

2.2 Staff resources will limit the number and type of major policy/regulatory work that can start in any one year. This limit will also be considered when recommending OCP/LUB reviews.

2.3 For any major policy/regulatory work of an LTC or RPC to be considered, it must be a priority of the relevant committee and one of its top priorities. The local trust committee must submit a business case as part of the budget process that sets out the scope, timeline and budget (including estimated staff resources required) of the proposed project. The business case must be endorsed by the local trust committee.

2.4 LTCs may initiate more frequent OCP/LUB reviews and extraordinary OCP/LUB review processes on specific policy issues subject to Trust Council approval of a special tax levy for the relevant Local Trust Area to fund the necessary costs, including additional staffing requirements. Minor OCP/LUBs reviews may also be undertaken as part of a LTCs normal work program, which would be undertaken pending available Local Planning Team resources.

2.5 LPS staff will strive for simplicity and certainty when drafting amendments and will engage stakeholders early in the review process. LTC chairs will ensure timely review and completion of documents.

2.6 LPS staff will provide LTCs with early advice about any proposed OCP amendment that may be inconsistent with the Islands Trust Policy Statement and will seek clarification from Trust Area Services staff if necessary. LPS staff will not spend time on OCP amendments that are inconsistent with the Islands Trust Policy Statement without the prior approval of Trust Council.

2.7 LPS staff will provide LTCs and the Executive Committee with early advice regarding any proposed OCP amendment that may require additional staff resources for administration or enforcement and will confirm the availability of those resources before bylaw adoption. LPS staff will ensure that Bylaw Enforcement staff confirm the enforceability of new OCP provisions that may require enforcement (such as Development Permit Areas) before they submit bylaws to an LTC for first reading.

2.8 For any policy work of an LTC to be considered to be undertaken by the Regional Planning Team, it must be a priority of the LTC and one of its top priorities.

3. Community Engagement

3.1 All community engagement for major policy/regulatory work will establish the appropriate IAP2 engagement level in the Project Charter.

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- 3.2 All major policy/regulatory work shall follow the IAP2 commitments and provide opportunities to be heard, and provide feedback appropriate to the IAP2 level identified for that project.
- 3.3 Stakeholders and key partners should be identified early in the process and during the development of the Project Charter.
- 3.4 In some instances a community group may wish to independently review and make recommendations to the local trust committee. If this is endorsed by the local trust committee, this work would be outside of the Regional Planning Team. The Regional Planning Team could become involved if the local trust committee makes it a priority of the LTC, and has a Project Charter. These projects would be considered priorities the same as any other project under this Policy.

4. Local Trust Committee Meeting and Agenda Preparation

- 4.1 LPS staff will administer planning services through established agendas and a meeting schedule that the LTC pre-determines annually.
- 4.2 Legislative clerks and planners will prepare LTC business meeting agendas. LPS staff will release LTC business meeting agendas to trustees and post them on the Islands Trust website at least one week in advance of the meeting day.
- 4.3 LPS staff will provide applicants who have agenda items with a link to the agenda and any related reports at least one week prior to the meeting day.
- 4.4 LPS staff will not add late items to agendas except with the approval of the Chair. LTC members and staff should not add or suggest new decision items for the meeting agenda after staff has released it, unless the topic has arisen since the agenda release and must be resolved before the next LTC meeting. LTC members and staff who intend to suggest new decision items of this nature should ensure that all LTC members and LPS staff have at least two days' notice of any proposed resolutions.
- 4.5 LTC chairs will keep item debates focused and avoid public debate during the business session of the LTC.
- 4.6 LPS staff and LTC Chairs will ensure that all decisions on the LTC business agenda that require LPS staff resources are relevant to the responsibilities of LTCs to regulate the development and use of land, pursuant to s. 24 of the *Islands Trust Act*, or relevant to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*. LTCs should not instruct LPS staff to undertake work that is unrelated to these responsibilities.
- 4.7 Staff will only undertake work as directed by the local trust committee; trustees are to avoid individual directions or requests for significant staff work.

5. Special Projects

- 5.1 LTCs may undertake special planning projects subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources.
- 5.2 LTCs that have had powers delegated under s. 10 of the *Islands Trust Act* may undertake special projects related to those powers, subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources, or provision of additional staff resources.

6. Review of Development Applications

- 6.1 Local Planning Team planners will evaluate and provide reports to LTCs regarding all development applications that require an LTC decision.
- 6.2 Local Planning Team planning staff will provide updates at LTC meetings regarding the status of applications and referrals that do not require an LTC decision, except for building permit and Crown land referrals.
- 6.3 LTCs are encouraged to make decisions when staff has provided all requested information and avoid unnecessary extensions to the application review period.
- 6.4 At the discretion of an LTC, application referrals to Advisory Planning Commissions (APCs) or other advisory bodies may be limited to those applications requiring an LTC decision. Commissions and advisory bodies are required to reply within given timelines.
- 6.5 LPS staff and LTC chairs will ensure that staff recommendations and LTC resolutions that require the use of LPS staff resources do not exceed LTC decision-making responsibilities as indicated in s.24 of the *Islands Trust Act*, or responsibilities related to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*.
- 6.6 LPS staff will not undertake a comprehensive review of a development application that is inconsistent with the relevant OCP or the Islands Trust Policy Statement. If planning staff receive a development application that is inconsistent with the relevant OCP, the application will be returned to the applicant advising that the proposed application is contrary to the policies of the OCP. If the applicant wants to proceed the application must be amended to include a request to amend the OCP.
- 6.7 Community information meetings are encouraged in conjunction with the review of development applications. These meetings may be hosted by the LTC or the applicant and are desirable before first reading of the bylaw. The purpose of these meetings is to identify the scope of a project, identify issues that need to be reviewed in the planning analysis and to allow the public to ask questions of the

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applicant, trustees and staff. Community information meetings are also desirable as a separate session immediately prior to a Public Hearing when a proposed bylaw is available and has received at least first reading by the LTC. Meetings at this point allow members of the public to engage in dialogue with the applicant, or ask questions of trustees and staff about the planning report or the bylaw prior to the Public Hearing.

7. Bylaw Enforcement

- 7.1 LPS staff will carry out bylaw enforcement activities in accordance with Trust Council Policy 5.5.1.

8. Management of Local Planning Services Staff Time

- 8.1 LTCs will endeavor to schedule most regular LTC business meetings during normal week day business hours of the Islands Trust. LTCs may schedule meetings to address comprehensive OCP and LUB reviews on weekend days or weekday evenings to ensure the broadest participation. LTCs will be mindful of the impact of staff overtime on their respective LTC work programs and will schedule staff participation accordingly.

9. First Nations Engagement and Reconciliation

- 9.1 First Nations with treaty and territorial areas, rights and title within the LTC should be identified. LTCs should be mindful that engagement may need to be inclusive of Indigenous and Métis people living on the island.
- 9.2 Early and meaningful engagement in the process is encouraged to allow for collaborative review and recommendations to the local trust committee.
- 9.3 Engagement and consultation processes will attempt to be flexible to meet the needs of the unique First Nation concerns and capacity.
- 9.4 LPS staff will seek guidance and advice to ensure that wherever possible content aligns with the Truth and Reconciliation Commission Calls to Action, and the Declaration on the Rights of Indigenous Peoples Act and upholds the Islands Trust Declaration on Reconciliation.

C. Legislated References

Sections 10 and 24, *Islands Trust Act*

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

n/a

DRAFT – for discussion – yellow highlight indicates proposed major changes

Appendix A

Standard Bylaw format – Major OCP/LUB Amendment

Appendix B

Standard Process – Major OCP/LUB Amendment

Appendix C

Standard Process – Minor OCP/LUB Amendment

Appendix D

Official Community Plan – Evaluation Framework

Appendix E

Criterion for Major Project prioritization recommendations

EAST BEAUTIFUL ISLAND

Official Community Plan 2021

Schedule X to [Insert Island Name] Official Community Plan Bylaw No. XXXX, 20XX

Islands Trust Object

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

Islands Trust Act, Part 1, Section 3, 1996

Islands Trust Reconciliation Declaration

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

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

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

Adopted by Islands Trust Council, March 14, 2019

Acknowledgments

I'm baby vexillologist chia vegan palo santo live-edge brunch small batch butcher succulents. Knausgaard banh mi narwhal wayfarers humblebrag pinterest XOXO pug celiac small batch. Single-origin coffee banh mi chartreuse tousled shaman 3 wolf moon truffaut, af sartorial la croix pickled edison bulb. Stumptown selfies gluten-free poutine letterpress vegan cronut tote bag 90's butcher. Wolf synth pinterest keffiyeh, direct trade vexillologist pabst plaid.

This section should include (at the discretion of each island)

- Elected officials
- Advisory Commission Members
- Technical Working Group Members
- Specific community members
- First Nations participants
- General community

This section should also include:

- Photo/artwork acknowledgements

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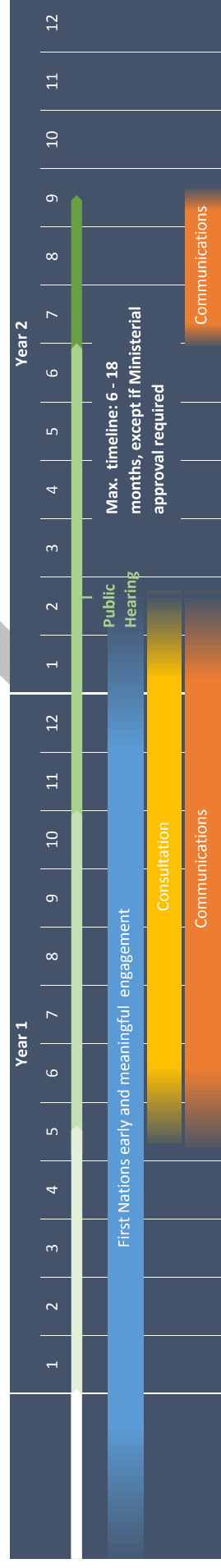
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Appendix B – Standard Process – Major OCP/LUB Amendment (DRAFT)

Major Policy/Regulatory Work

Project scope:	Several topic areas or larger category review (e.g. housing, shoreline/CDFPC protection, temporary use permits, village planning, farm plan implementation, cannabis regulation)											
Project Manager:	Regional Planning staff	Budget: + \$5K, needs business case, approval from EC for \$20 K		Planning staff time: XX% of workload;	Consultant Involvement:		None to limited/focused					



PHASE 0: Defining the Project	PHASE 1: Project Initiation & Analysis	PHASE 2: Consultation & Bylaw Drafting	PHASE 3: Legislative Process	PHASE 4: Implementation
- Added to Top Priorities - Project exploration and scoping - Identification of preliminary issues and opportunities - First Nations early engagement - Potential partnering and funding exploration - Potential budgeting	- Development and consideration of project charter - Resolution requesting funding - Funding allocated, hire consultant - Discussion paper(s) - Development of work plan, engagement and communications plan,* data/mapping gathering	- S stakeholder and public engagement and communications as per plan - Data/mapping gathering/analysis - Development of draft bylaw(s) - Legal review of bylaw(s) - Continued engagement with First Nations and Indigenous peoples	1st, 2nd, 3rd readings - Further engagement - Bylaw referrals - Public hearing - Bylaw changes - Approvals by EC & Ministry (OCPs) - Adoptions of Bylaw(s)	- Bylaw consolidation - Bylaw enforcement - Application checklists - Lessons learned - Bylaw adoption news release

Appendix B – Standard Process – Major OCP/LUB Amendment (DRAFT)

First Nations early and meaningful engagement: • Capacity funding and relationship building • Bylaw referrals • Outline options for engagement approaches based on First Nations concerns and feedback		Consultation: • Minimum: IAP2: Inform - Bylaw referrals (including APC) & Public Hearing • Additional: e.g. early referrals; IAP2: Consult/Involve? - e.g. surveys, charrettes, world cafés, community meetings	Communications: • Minimum: Regular website updates, 1 community information meeting (CIM) / open house • Additional e.g.: additional CIM / open house, project news releases, mailouts re: commencement & bylaw adoption, plain language guide for bylaws
*engagement and communications plans includes the three elements in this box			

Appendix C – Standard Process – Minor OCP/LUB Amendment (DRAFT)

Minor Policy/Regulatory Work

Project scope:	- Technical review (e.g. correct errors, review definitions, up date references, improve readability (format, style, organization, spelling/grammar, references), remove any and all offensive language related to First Nations and Indigenous peoples); and/or - additional topic focus (e.g. new DPA; updating general/subdivision regulations; minor LUB amendments that implement OCP amendments, update dock or commercial zoning regulations; adopt model bylaw, First Nation treaty and territorial area acknowledgement, administrative bylaw amendments (fees, procedures, etc.), OCP map amendments)				
Project Manager:	Local Planning staff	Budget: Max \$5K, from LTC Project Bdgt	Planning staff time: XX% of workload; influenced by other work	Consultant Involvement:	None



	PHASE 0: Defining the Project	PHASE 1: Project Initiation & Analysis	PHASE 2: Consultation & Bylaw Drafting	PHASE 3: Legislative Process	PHASE 4: Implementation
	- Added to Top Priorities - Project exploration and scoping - Potential budgeting - Cost inclusion for First Nations engagement	- Added to Top Priorities - Preliminary scoping - Consideration of project charter - Funding allocated - Discussion paper/other analysis - Development of work plan, engagement and communications plan,* data/mapping gathering - Determine capacity to engage with First Nations and Indigenous people	- Stakeholder and public engagement and communications as per plan - Development of draft bylaw(s) - Legal review of bylaw(s) - Early and meaningful engagement with First Nations	1st, 2nd, 3rd readings - Bylaw referrals - Public hearing - Bylaw changes - Approvals by EC & Minister (OCPs) - Adoptions of Bylaw(s)	- Bylaw consolidation - Bylaw enforcement - Application checklists - Lessons learned - Bylaw adoption new release

First Nations early and meaningful engagement:	- Capacity funding and relationship building processes - Bylaw referrals - Outline options for engagement approaches based on First Nations concerns and feedback	Consultation:	- Minimum: IAP2: Inform - Bylaw referrals (including APC) & Public Hearing - Additional: e.g. early referrals; IAP2: Consult - e.g. surveys, charrettes, world cafés, community meetings	Communications:	- Minimum: Regular website updates/news releases, 1 community information meeting (CIM) / open house - Additional e.g.: additional CIM / open house, mailouts re: commencement & bylaw adoption, plain language guide for bylaws
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APPENDIX D - Official Community Plan - Evaluation Framework

This evaluation framework is currently in draft form. Staff will be working to better align the framework with the OCP template.

Baseline Data/ Context	Does not Contain	Contains	Needs Updating	Issues / Concerns
Douglas fir ecosystem condition (where info is available)				
Groundwater conditions/ vulnerability projections (where info is available)				
Groundwater regions (where info is available)				
Conservation Profile				
Climate Projections				
Climate Change Targets				
Natural Assets Inventory				
Population projections/demographic trends				
First Nations Territorial Recognition				
Economy				
Shoreline Protection Areas				
Provincially Required Content	Does not Contain	Contains	Needs Updating	
Statements and map designation for residential development required to meet anticipated housing needs over a period of at least five years.				
Statements and map designation for present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses.				
Statements and map designation for present and proposed public facilities, including schools, parks and waste treatment and disposal sites.				
Statements and map designation for sand and gravel deposits that are suitable for future sand and gravel extraction.				
Statements and map designation for phasing of any major road, sewer and water systems.				
Statements and map designation for restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development				

Housing Policies for affordable housing, rental housing and special needs housing					
Targets for the reduction of greenhouse gas emissions, and policies and actions of the local government proposed to achieve those targets					
Riparian Area Regulation					
First Nations Reconciliation	Does not Contain	Contains	Needs Updating		
First Nations acknowledgment					
First Nations history					
First Nations goals and policies					
- HCA (Part 15 of LGA)					
Protection of culturally significant species					
Ecosystem Preservation and Protection					
Policies related to forest ecosystem preservation and protection					
- e.g. DPA for Coastal Douglas fir ecosystem					
Policies related to wetland ecosystem and riparian area protection					
- Regulatory bylaws for the protection of foreshore and nearshore					
- e.g. Riparian Area DPAS					
Policies related to coastal and marine ecosystem preservation					
- locations of boat launches, docks, anchorages that do not degrade sensitive marine or coastal areas					
- e.g. Marine Environmental Protection DPAs					
Policies protecting sensitive ecosystems					
Policies protecting species at risk					
Policies protecting native species					
Policies related to the management of invasive species					
Ground water maps					
Policies supporting freshwater sustainability					
- ground water budgets					
- greywater recycling					
- rainwater catchment					

- density and intensity limits where problems with water quantity and quality					
Resilient Communities					
Policies related to the protection of agricultural land					
- Agricultural land designations					
Preservation , protection, encouragement of farming , sustainable farming					
Crown lands for agricultural leases					
Impacts of farming addressed					
Policies addressing the retention of large parcels for sustainable forest use.					
- Forest land use designations					
Policies addressing reducing the fragmentation of forests					
- DPAs for forest protection					
- Forest ecosystem reserves					
Policies protecting soils and other subterranean					
- DPA?					
Community Safety and Resilience (Emergency Management and Climate Change Adaptation)					
Policies addressing slope instability					
Policies addressing erosion					
Analysis of climate change vulnerability					
Policies supporting and encouraging local food production					
Policies addressing drought					
- Policies and regulations to align with development potential as identified through mapping of aquifers, development of water consumption budgets and identification of salt water intrusion risks.					
- Policies encouraging rainwater capture					
Policies addressing wildfire mitigation					
- DPA re: hazardous conditions					
Policies addressing storm surge and other flooding					
- Enact regulations under s.479 of the Local Government Act and flood level regulation under s. 524 of the LGA					
Policies addressing sea level rise					
- DPA					

- Setbacks (LUBs)					
- Softshores/greenshores DPA?					
Designation of areas for the landing of emergency helicopters					
Low Carbon Communities (GHG Reduction)					
Policies encouraging compact, complete and connected land use					
Policies minimizing emission intensive transportation					
Policies supporting and encouraging active transportation					
Policies encouraging low carbon agriculture and food production					
Policies supporting renewable energy systems and efficient building siting and design					
Policies related to carbon sink preservation					
- Park designation					
- Policies related to type of agriculture?					
- Lot coverage maximums					
- DPAs related to forest, ecosystems, eelgrass etc.					
Accommodations for recycling, re-use and composting facilities					
Healthy and Prosperous Communities					
Policies supporting economic activities that are compatible with community character and the preservation and protection of islands ecosystems					
Policies addressing health-related facilities					
Policies related to cultural and recreational facilities and services					
Satisfying LGA requirements					
Indicators					

LTA	Bylaw area	OCP adoption date	Over 5 years Since Major OCP Update	Years Since OCP Amended	Multiple OCPs/LUBs in LTA	Missing Prov. Req'd Elements (legal vulnerability 1-5)	Urgency prompted by external inputs (yes/no)	On Top Priorities List	Notes
BW	BW	2013	X	6					
Denman	Denman	2008		2				X	Funds in draft 2022/23 budget for OCP/LUB Housing Update
Gabriola	Decourcy	2001	X	8	X				
Gabriola	Mudge	2007	X	5	X				
Gabriola	Gabriola	1997		1	X			X	Housing + Freshwater OCP/LUB Project on-going and funded since 2018; no amendments pending
Galiano	Galiano	1995		1					Major OCP amendments adopted in 2011
Gambier	Gambier	2001		2	X			X	Funds in draft 2022/23 budget for Major OCP / LUB update
Gambier	Gambier Associated Islands	2009		2	X				
Gambier	Keats	2002		1	X			X	Shoreline OCP / LUB update anticipated for adoption in 2022
Hornby	Hornby	2014		1				X	Major OCP amendment adopted in 2014; Funds in 2022/23 draft budget for another Major update
Lasqueti	Lasqueti	2005	X	9				X	Major OCP update currently underway
Mayne	Mayne	2007		1					
North Pender	North Pender Associated Islands	2002	X	9	X				Major update in 2011
North Pender	North Pender	2007		3	X				
Salt Spring	Salt Spring	2008		3	X				
Salt Spring	Piers Island	1982	X	40	X				
Saturna	Saturna	2010		2					
South Pender	South Pender	2011		0.5					
Thetis	Thetis Associated Islands	2014	X	5	X				
Thetis	Thetis	2011		3	X				

Top Priorities Report

Regional Planning Committee

1. *Manage Trust Council Strategic Plan Action Items 1.2., 2.2., 2.3., 2.4., 2.5., 4.4iii., 4.4 iv., and 4.8*

Strategic Plan item #1.2 - Model CDF bylaws - to begin fall 2021

Strategic Plan item #2.2 - Map extent of Eelgrass beds - underway,, consultant engaged completion December 2021

Strategic Plan item #2.3 - Shoreline Review - David Marlor

Strategic Plan item #2.4 - Freshwater Sustainability Strategy - Narissa Chadwick and William Shulba

Strategic Plan item #2.5 - Groundwater Mapping - William Shulba

Strategic Plan item #4.4 iii - Using Floor Area Ratio for Affordable housing - to Trust Council September 2021 - David Marlor

Strategic Plan item #4.4 iv- Model density bonus bylaws for Affordable housing - start in September 2021 - David Marlor

Strategic Plan item #4.8- develop heritage conservation overlay mapping - underway, consultant engaged - Lisa Wilox/David Marlor

Responsible

Dates

David Marlor
Narissa Chadwick
William Shulba

Rec'd: 29-Jul-2020
Target: 31-Mar-2022

Projects Report

Regional Planning Committee

1. *Shoreline Marine Planning*

Responsible

Date Received

Trust Council - 2015-2018 Strategic Plan Item

09-Nov-2017

Conduct a working group session to brainstorm possible directions.

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

Responsible

Date Received

1. Map contiguous tracts of the Coastal Douglas-fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems (underway by contractor for completion March 31, 2020) (2018-2022 Strategic Plan item 1.1).

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).

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).

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).

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

Responsible

Date Received

Projects Report

Regional Planning Committee

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 2.5)
2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 2.6).

12-Feb-2020

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

Responsible

Date Received

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

12-Feb-2020

1. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iii).
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

09-Feb-2022