



Regional Planning Committee Minutes of a Regular Meeting

Date: February 7, 2025
Location: Electronic Meeting

Members Present: Laura Patrick, Salt Spring Island Local Trustee, Chair
Mairead Boland, Saturna Island Local Trustee
Aaron Campbell, North Pender Island Local Trustee
Tobi Elliott, Executive Committee Representative
Mikaila Lironi, Lasqueti Island Local Trustee
David Graham, Denman Island Local Trustee

Member Regrets: Peter Luckham, Thetis Island Local Trustee (Ex Officio)
Sam Borthwick, Denman Island Local Trustee, Vice Chair

Staff Present: Stefan Cermak, Director, Planning Services
Warren Dingman, Bylaw Compliance and Enforcement Manager
Robert Kojima, Regional Planning Manager
William Shulba, Senior Freshwater Specialist
Rob Kroeker, Planning Services Administrative Assistant / Recorder

Others Present: None.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:01 a.m. and acknowledged that participants of the meeting were attending all across the home and territories of the Coast Salish peoples.

2. AGENDA

2.1 Review of the Agenda

Director Cermak reported that Senior Freshwater Specialist Shulba is engaged until the afternoon. It was proposed to discuss agenda item 7.3 at the end of the meeting.

2.2 Approval of the Agenda

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

3. PUBLIC COMMENT PERIOD

No members of the public were present.

4. DELEGATIONS

ADOPTED

None.

5. CORRESPONDENCE

None.

6. ADMINISTRATIVE COORDINATION

6.1 Draft Minutes of Previous Meeting

6.1.1 Regional Planning Committee Draft Minutes of November 8, 2024

By general consent the Regional Planning Committee Minutes of November 8, 2024, were adopted as presented.

6.2 Resolutions Without Meeting (RWM)

The Resolution Without Meeting was presented for information.

7. BUSINESS – WORK PROGRAM ITEMS

7.1 Regional Planning Committee Minutes of Sept. 4, 2024 - Discussion

Trustee Elliott introduced the discussion, indicating that as the liaison to Executive Committee, her role is to ensure the flowthrough of information is accurate. She noted that at the September 4, 2024 Regional Planning Committee meeting, discussion of several documents of the Bylaw Enforcement Review project was concluded by an unclear decision to forward documents still in draft form. Committee discussion included:

- the minutes did not capture a decision to forward documents to Executive Committee by general consent
- it is important to be articulate about what action is being sought
- Chairs and Vice-chairs should check carefully whether material is ready to be forwarded
- the November 8, 2024 Regional Planning Committee meeting addressed the committee's Terms of Reference and discussed referring documents only with clear instructions
- the September 4, 2024 minutes are correct and general consent was not sought
- Trust Council Policy 2.2.2 Council Meeting Preparation is useful to review

7.2 Approval to Submit a Grant Application to the Watershed Security Fund - Briefing

Director Cermak introduced the briefing, stating that Executive Committee has confirmed the authority of Regional Planning Committee to pass a resolution requesting staff to apply for the grant. Committee discussion included:

- the Watershed Security Fund grant is significant, involving 2 staff positions and \$400,000

ADOPTED

- its significance provoked questions regarding Regional Planning Committee's authority to authorize staff to make an application
- Policy 6.5.4 Grants and Donations Administration deserves review to make clear who should make pertinent decisions on grants and under what conditions
- grant applications are occasionally required to have council approval, or strengthened by a resolution
- grant applications may affect budgets or require matching funds
- other jurisdictions have made grant application processes in line with procurement approvals, requiring reporting on status
- alignment with the budget and Strategic Plan is captured by approval processes

RPC 2025-002

It was MOVED and SECONDED,

That RPC recommend that Trust Council request staff to revise policy 6.5.4 "Grants and Donations Administration" to develop clear guidance for staff and Trust bodies when applying for external grant funding opportunities by aligning approval limits with procurement policies and to establish clear approval and reporting processes.

CARRIED

7.4 Housing Action Plan Tiny Homes On Wheels Project Management Report - Briefing

Trustee Boland introduced the report, indicating that she serves as Chair of the Steering Committee for the Tiny Homes On Wheels Enablement Project. She said that the Steering Committee recently reviewed a technical panel charter, an agenda for a technical panel workshop, and confirmed workshop invitees. Committee discussion included:

- the technical panel invitees have relevant building, planning, and servicing expertise for tiny homes on wheels
- completion of the project is targeted for Mar. 31, 2025 with the delivery of the final report
- the original contract for the Project Manager was \$16,000 with \$4,000 allocated for project expenses
- more hours are required for the Project Manager to meet the project Steering Committee's request for expanding the scope and duration of a technical panel workshop
- Reallocation of \$3,000 of the expenses budget is requested to compensate the Project Manager for increased time spent on the project
- the overall budget of \$20,000 does not need to be increased

RPC 2025-003

It was MOVED and SECONDED,

that Regional Planning Committee approves amending the services contract of the Project Manager of the Tiny Homes on Wheels project from \$16,000 to \$19,000 to support the scope approved by the Tiny Homes on Wheels Steering Committee.

CARRIED

The Committee next discussed agenda item 6.3.

6.3 Follow-up Action List

The Follow-up Action List was presented by Director Cermak. Committee discussion included:

- discussion of a staff-led online education session on housing challenges and solutions was deferred in favour of tiny homes on wheels work
- a Trustee expressed interest in having this education session
- the suitable land analysis tool was not shown to Trustees in sufficient depth during the rollout of the Housing Options Toolkit
- Gabriola has scheduled a Special Meeting with a walkthrough of the suitable land analysis tool as part of their Official Community Plan review
- a Trustee expressed the expectation at Trust Council to have the Housing Options Toolkit returned at the Trust Council level
- there is interest in an education session for all Trustees on the full suite of tools in the Housing Options Toolkit
- community feedback on housing and visioning for Official Community Plans is linked to the Housing Options Toolkit on topics like housing forms
- the Toolkit, Policy Statement and Official Community Plan + Land Use Bylaw reviews are living documents in the changing realms of housing and policy
- staff could cross-reference helpful material from the Housing Options Toolkit to guide policy crafting in Committee of the Whole
- a Trustee expressed the desire for a workshop connecting policy options from Tool 3 of the Housing Options Toolkit with the Policy Statement
- the Toolkit should be returned to Regional Planning Committee for updates before a workshop is crafted
- housing strategy implementation is a top priority for Regional Planning Committee
- the housing issue requires more urgent treatment than returning a workshop to Trust Council in a year's time
- could the Housing Options Toolkit be returned to Regional Planning Committee for updating in May, and then taken to Trust Council in June?

RPC 2025-004

It was MOVED and SECONDED,

that Regional Planning Committee request staff to update the Islands Trust Housing Options Toolkit and Housing Strategic Action Plan for the May Regional Planning Committee meeting, and provide options for a presentation for Trustees at a future date.

CARRIED

By general consent item 1 from February 2022 is removed from the Regional Planning Committee's Follow-up Action List.

ADOPTED

Regional Planning Committee paused discussion of the agenda item 6.3 to address agenda item 7.5, due to the scheduled availability of presenter Brendan Dawe at 11:00 a.m.

7.5 Housing Action Plan Needs Assessment Update - Presentation

Director Cermak introduced the presentation from Brendan Dawe, Vice President of Urbanics Consulting. Committee discussion included:

- there is a lack of forecasting data for housing needs that is specific to the Gulf Islands
- retirees being such a high proportion of survey respondents presents a bias for the dataset
- there is a need for assessment processes tailored to rural communities
- the Housing Advisory Planning Commission on Denman Island has conducted meetings engaging diverse community members on their housing experiences
- the information resulting from the above community work on Denman is not reflected in a provincially mandated, data driven housing survey
- available data does not reflect the reality of people living in ad hoc situations
- housing situations on island can be hidden and unlawful
- the provincial methodology for assessing housing needs struggles to reach the most vulnerable community members
- potential engagements with community groups for the report could be made more robust with local knowledge
- when is the Housing Needs Assessment report released to the public?
- reports should be brought out to Local Trust Committees in advance so that Trustees can review prior to public release

The Committee resumed discussion of agenda item 6.3.

Committee discussion continued:

- is there an update on when Regional Planning Committee can expect an implementation plan for the Freshwater Sustainability Strategy?

Director Cermak explained that with very minimal planning support for the Senior Freshwater Specialist, the grant application addressed in agenda item 7.2 is intended to obtain the dedicated resources necessary to craft a comprehensive implementation plan. Committee discussion continued:

- initial work on the Freshwater Sustainability Strategy was undertaken in 2020
- this places current work halfway through an intended ten-year timeframe
- an independent review or audit of project status could clarify what's been accomplished
- an example was given of the Freshwater Atlas which had a co-op student assigned
- a Trustee found what was delivered by the Freshwater Atlas to be unclear
- a concern is the scale of the project relative to limited Islands Trust resources
- the grant application for \$400,000 may address this concern

ADOPTED

- should the original Freshwater Sustainability Strategy plan be reviewed, and elements of it culled?
- a review could take place after water balance reporting on Gabriola is delivered in June
- community members want evidence that further development or intensification of land use is supported by groundwater availability
- the Salt Spring Island Watershed Protection Alliance is an example of discontinued work on watershed management initiatives
- attention must be paid to ensure water-related work is accurate and meeting residents' needs
- even with grant success, evaluation about proceeding appropriately is sought

Regional Planning Committee recessed for lunch at 11:57 a.m.

The meeting resumed at 12:30 p.m. Senior Freshwater Specialist Shulba joined the meeting for discussion of agenda item 7.3.

7.3 Fiscal Year 2025/26 Business Cases – Request For Decision

Director Cermak introduced the request for decision, explaining that the business case covers \$5,000 the purchase of annual software maintenance for Freshwater Sustainability Strategy aquifer conceptualization software, and \$12,000 for contractor services to complete the Freshwater Atlas. Committee discussion included:

- this modelling has been used on Salt Spring adjudicate a groundwater license and inform work on a multi-family water system
- interested parties will get the tools to explore watershed data and make informed requests of Islands Trust staff
- what's the utility for islands with less data and mapping than Salt Spring?

Senior Freshwater Specialist Shulba explained that Denman and Hornby Islands were the demonstration case of aquifer conceptualization work in 2017. He gave the example that machine learning of well drilling data can potentially provide preliminary information for the depth of producing fractures for wells. He stated that a goal for the Freshwater Atlas is to be able to generate a report of freshwater related data per parcel. Committee discussion continued:

- there is a long duration of time between funding requests and deliverables
- are there existing examples to assist Trustees to see what will be delivered?
- this initiative is a communications tool to the public
- would it be possible to have examples of the types of images that will be produced to articulate its usefulness to the Trust Area and the Province?
- example modelling would help Trustees make the case that this work is contributing to advancing Trust Council's strategic plan
- financial discussions need good supporting evidence
- Trustees want to be able to advocate for the work with the clearest possible supporting information

ADOPTED

- an earlier alert to process challenges for the Freshwater Sustainability Strategy is desired to set expectations for Regional Planning Committee
- the business case should be clear that \$5,000 is an annual software maintenance fee
- care should be taken in promising data about predicting well fractures
- is this work subsidizing development by supplying detailed data?
- there is concern around providing information at the parcel level
- intent must be carefully considered as to whether development decisions could be made upon this material
- if choices in spending have to be made, should information such as assessing the groundwater level be privileged?
- visual representation is requested to support the business case
- previous work such as the Salt Spring cross-section described by Senior Freshwater Specialist Shulba is suitable

RPC 2025-005

It was MOVED and SECONDED,

that Regional Planning Committee request staff to include visual representation of the aquifer conceptualization models to enhance the business case for the Freshwater Atlas.

CARRIED

RPC 2025-006

It was MOVED and SECONDED,

that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2025-26 budget a business case for Freshwater Atlas (\$17,000).

CARRIED

Director Cermak discussed bringing the Freshwater Atlas to Regional Planning Committee for review before it is posted online so that the committee can help develop supporting communication materials. He said that July was a likely time for the return of this deliverable, and if an audit of the project is desired by Regional Planning Committee, this would be an appropriate time.

RPC 2025-007

It was MOVED and SECONDED,

that Regional Planning Committee request staff to report back in July 2025 the status of the Freshwater Atlas.

CARRIED

Committee discussion continued:

- a benchmark should be established before the grant resources become available, if the application is successful
- an external review of the Freshwater Sustainability Strategy is due given that the halfway mark of the proposed timeline for the project has arrived

ADOPTED

- early priorities of the strategy such as convening a technical panel have been set aside in favour of project work
- the grant result should be known by May

RPC 2025-008

It was MOVED and SECONDED,

that Regional Planning Committee include in the May Regional Planning Committee agenda the discussion of a mid term independent review of the 10 year Freshwater Strategic Plan and accomplishments to date.

CARRIED

7.6 Bylaw Compliance and Enforcement Policy Review Draft Manual and Trust Council Policy 5.5.1 – Request For Decision

Regional Planning Manager Kojima indicated that Regional Planning Committee is resuming work from their last meeting at section 6 of the draft Trust Council Policy 5.5.1, on the topic of closing bylaw investigations. Committee discussion included:

- adding cultural heritage sites to the priority of investigation items captured in section 7, Priority of Investigation
- where and how should Islands Trust be specific about cultural heritage protection?
- a Trustee suggested to flag work in cultural heritage sites for further discussion at Trust Council
- standard practice upon a disturbance is to notify the appropriate First Nation as well as the Heritage Branch
- a new point in section 3 is added to describe notifying local Nations if work is discovered that involves potential cultural heritage impacts
- is there a standard reference for the principles and techniques of mediation?

Manager Dingman explained that Bylaw Officers have completed additional mediation and negotiation courses since the review project was undertaken. He has found that the majority of complainants do not wish to be involved in mediation between parties, or neighbours talk on their own without Islands Trust facilitation. Committee discussion continued:

- it is good to have this mediation policy despite its lack of utilization
- some municipalities explicitly state they will avoid involvement in civil disputes
- as a policy, should Islands Trust be involved in a civil dispute?
- if there is a confirmed bylaw contravention then attempts are made to work towards compliance
- fencelines are an example of civil disputes, whereas structures in setbacks are a matter that Islands Trust will take up
- Islands Trust is not obliged to mediate a private dispute
- personal or vexatious disputes are covered in a new addition to Policy 5.5.1

ADOPTED

Director Cermak explained that hosting information on the conduct review process in Trust Council Policy 5.5.1 replaces work on Trust Council Policy 7.1.2 Handling of Administrative Fairness Complaints. Committee discussion continued:

- if respondents are not satisfied with Bylaw Officer Conduct Review process (section 9), an escalation pathway is described with the administrative fairness complaint stream
- an information tree could demonstrate the review process better than a list
- the Best Practices Manual may be a better home for a visual depiction of the above process
- advice of the Ombudsperson was that policy should be clear to read, as well as public-oriented manuals
- the Guiding Principles section should address administrative fairness principles specifically
- a point will be added to Guiding Principles to state that Islands Trust will address and take seriously any complaint about behaviour or administration
- community members who have been through the bylaw enforcement process should be sought to review the plain language Bylaw Compliance and Enforcement Best Practices Manual
- public engagement should occur at some point in the review process, such as a focus group

Director Cermak advised that public consultation would require requesting Trust Council to amend the Project Charter. Committee discussion continued:

- review by the Ombudsperson's office is next after Trust Council review and approval of the edited documents
- the Bylaw Enforcement Notice and Dispute Adjudication system (section 10) explanation is brief, but thoroughly considered in the plain language Manual
- Local Trust Committee Enforcement Policies (section 12) are new and enshrine direction for enforcement previously done by standing resolution
- Local Trust Committee Bylaw Enforcement Policies are a discretionary document outlining community enforcement priorities
- is there divergence between Trust Council Policy 5.5.1 and Local Trust Committee Bylaw Enforcement Policies?

Manager Kojima said that in the example of entry to properties by bylaw enforcement, Trust Council Policy 5.5.1 is in line with legislation by stating that entry can occur during reasonable hours. He explained that the Local Trust Committee can state their further discretionary preferences by adopting a Local Trust Committee Bylaw Enforcement Policy. Committee discussion continued:

- Trust Council grants discretionary authority to cancel debt by Director of Planning Services and Bylaw Compliance and Enforcement Manager
- are staff put in a difficult position by cancelling debts?
- the debts cancelled are typically small amounts when there is compliance on the property

ADOPTED

- the issue of cancelling debt is flagged for further discussion at Executive Committee
- edit section 15, Frivolous Repeat or Vexatious Complaints, so that it is clear that the complaint and not the complainant is declared vexatious
- complaints that form part of a pattern of conduct that amounts to an abuse of the complaint process may not be acted upon
- staff should be protected from verbal abuse or inappropriate patterns of conduct
- section 16 Local Trust Committees, Trust Council, and Trustees should be titled to reflect that this is information about roles

RPC 2025-009

It was MOVED and SECONDED,

that Regional Planning Committee request staff to make amendments to Trust Council Policy 5.5.1 as recorded in the February 7 2025 Regional Planning Committee meeting amendments table.

CARRIED

8. BUSINESS - OTHER

None.

9. BUSINESS – NEW

None.

10. WORK PROGRAM

Received for information.

11. NEXT MEETING

The next scheduled meeting of the Regional Planning Committee is May 9, 2025.

12. CLOSED MEETING

The Committee did not close the meeting.

13. RISE AND REPORT

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

14. ADJOURNMENT

By general consent the meeting adjourned at 3:23 p.m.

ADOPTED

Laura Patrick, Chair

Certified Correct:

Rob Kroeker, Planning Services Administrative Assistant / Recorder