



# Salt Spring Island Local Trust Committee

## Regular Meeting Addendum

Date: Thursday, May 18, 2023  
Time: 9:30 a.m.  
Location: 64 Learning Hub  
122 Rainbow Road

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			Pages
10.	BUSINESS ARISING FROM MINUTES	10:30 AM - 11:30 AM	
10.3	<i>Salt Spring Island Annual Report</i>		2
	Staff Report		
10.4	<i>Protocol with the Capital Regional District Salt Spring Island Local Community Commission</i>		5
	Staff Report		

## REQUEST FOR DECISION

**To:** Salt Spring Island LTC **For the Meeting of:** May 18, 2023  
**From:** Trust Area Services **Date Prepared:** May 16, 2023  
**SUBJECT:** 2022/23 ANNUAL REPORT – APPROVAL OF SALT SPRING ISLAND SECTION

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**RECOMMENDATION:** That the Salt Spring Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

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- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2023 without further editing from staff or trustees at the Trust Council meeting.

**BACKGROUND:** Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2022/23 Annual Report at its meeting on February 22, 2023.

**2 IMPLICATIONS OF RECOMMENDATION**

**ORGANIZATIONAL:** Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 27- 29, 2023 meeting.

**FINANCIAL:** None.

**POLICY:** No implications for existing policy

**IMPLEMENTATION/COMMUNICATIONS:** The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and then Trust Council consideration of approval in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and circulate it as indicated in Trust Council's policy.

**FIRST NATIONS:** Information about First Nations relations may be included within committee reports.

**OTHER:** None.

- 3 RELEVANT POLICY(S):** Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

**RESPONSE OPTIONS**

**Recommendation:** That the Salt Spring Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

**Alternative:** That the Salt Spring Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs.

**Prepared By:** Chris Hutton, Regional Planning Manager

**Salt Spring Island Local Trust Committee**

The Salt Spring Island Local Trust Committee (SS LTC) held 10 regular business meetings in the 2022/23 fiscal year, three special meetings, and two public hearings. The SS LTC also continued coordinating the Salt Spring Island Watershed Protection Alliance, which had five steering committee meetings, six subcommittee meetings and engaged in various community events.

Work for this period focused on advancing the SS LTC strategic priorities. Initiatives included ensuring freshwater sustainability, protecting the Coastal Douglas-fir and associated ecosystem, increasing meaningful consultation and cooperation with citizens, agencies, and First Nations, and advancing village planning. Housing continues to be a significant challenge for Salt Spring Island.

Key projects included advancing a Ganges Village Local Area Plan and a Housing Action Plan, securing funding to study fire ecology in protected watersheds, providing clarity regarding the content of professional reports required to demonstrate proof of water at the time of subdivision, completing phase 1 of a Watershed Strategic Plan (a situational analysis) and funding a Weston Lake Water Availability Study.

From April 1, 2022, to March 31, 2023, the SS LTC received and considered new applications for two bylaw amendments, six development permits, 12 development variance permits and four temporary use permits. During the same time, staff reviewed 158 building permit referrals, two liquor and cannabis board referrals, five Crown lease referrals, six subdivision referrals, one Agricultural Land Reserve referral, one Board of Variance Order and four soil deposit permits.

DATE OF MEETING: May 18, 2023  
TO: Salt Spring Island Local Trust Committee  
FROM: Chris Hutton, Regional Planning Manager  
Salt Spring Island Team  
SUBJECT: Agreements with the Capital Regional District

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## RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request that staff schedule a meeting in accordance with Section 3.0.1 of Islands Trust Council/Capital Regional District Protocol Bylaw No. 63, 1999.
2. That the Salt Spring Island Local Trust Committee request staff to schedule quarterly staff-to-staff meetings with Capital Regional District staff to discuss matters of importance and report back regularly on those quarterly meetings. The meetings should discuss:
  - a) Budget planning updates for both governments;
  - b) Reviewing and summarizing Islands Trust Council/Capital Regional District Protocol Bylaw No. 63, 1999 to identify recommended changes to the agreement;
  - c) Review of current, active local projects and developments of mutual interest and identify opportunities and constraints for collaboration.
3. That the Salt Spring Island Local Trust Committee ask the Chair to send a letter to the Salt Spring Island Local Community Commission congratulating them on their election and expressing interest to engage on matters of mutual or complementary concern. Further that the Salt Spring Island Local Trust Chairperson advise of an open invite to the Salt Spring Local Community Commission Chair for them to attend meetings of the Salt Spring Island Local Trust Committee to provide updates of the work of the Commission.

## REPORT SUMMARY

This report:

1. Provides a summary of existing agreements between the Islands Trust (IT) and Capital Regional District (CRD) regarding the Salt Spring Island Local Trust Area.
2. Summarizes the functions of the newly formed Salt Spring Island Local Community Commission (LCC).
3. Broadly assesses potential issues and opportunities of the current make-up of agreements and recommended actions to advance collaboration.
4. Provides options to the Salt Spring Island LTC (SS LTC) as to how to proceed with regard to existing agreements.

Given the timeliness of the local relationship, in consideration of the incipient founding of the LCC, this report does not incorporate regionally- or Trust Council-based consideration of regional planning issues.

## BACKGROUND

Following discussion of SS LTC projects and consideration of budget planning, the SS LTC passed the following motion (SS-2022-123) during their regular business meeting on August 9, 2022:

*That the Salt Spring Island Local Trust Committee request staff to report back on options to facilitate the development of a new protocol agreement or a memo of understanding between the Local Trust Committee and the Capital Regional District to facilitate improved cooperation on local and regional planning issues.*

**CARRIED**

Staff have drafted this report as a precursor reinvigoration the CRD:IT relationship and exploring opportunities to renew and improve outcomes for Salt Spring Island.

### **Coordination Agreements**

One way that the Islands Trust preserves and protects the Islands Trust Area in cooperation with First Nations, other governments, and agencies. This includes Regional Districts. There are generally three main types of agreements:

Protocol Agreements: Agreements that Trust Council or a local trust committee (LTC) enters into with First Nations and other government agencies or organizations at a political level.

Letters of Understanding: Agreements that the Chief Administrative Officer enters into with other agencies at an administrative level and are endorsed by Trust Council or a LTC.

Memorandum of Agreement: Agreements that Trust Council, Islands Trust Conservancy Board or a LTC enters into with another corporate entity of the Islands Trust at a political level.

### **Protocol Bylaw No. 63**

The Islands Trust Council has a protocol agreement with the Capital Regional District cited as "Islands Trust Council/Capital Regional District Protocol Bylaw No. 63, 1999" (Protocol Bylaw No. 63). This agreement, attached as Attachment 1 Protocol Bylaw No. 63, is between the CRD and the six Local Trust Areas (LTA) within its district including: Galiano Island, Mayne Island, North Pender Island, Salt Spring Island, Saturna Island, and South Pender Island.

The Protocol Bylaw develops principles, processes and conditions for the coordination of activities within the named LTAs. The agreement states that the parties agree to cooperate in jointly, coordinating the following activities where appropriate:

- (a) community planning;
- (b) parkland and school site acquisition;
- (c) parkland acquisition by way of agreements between local trust committees and parks and recreation commissions;
- (d) servicing arrangements;
- (e) administrative arrangements; and
- (f) regional growth management.

The Protocol Agreement states that the Parties agree to schedule regular meetings of the regional director(s), the LTCs, and appropriate staff to review the implementation of the protocol and letter of understanding. These

meetings have not occurred as originally envisioned though both staff and elected officials regularly work together in numerous ways, and are able to address emerging issues as needed.

### **Other Agreements**

There is currently one other Protocol Agreement regarding the coordination of powers in relation to the provision of parkland between the CRD and the IT, and two letters of understanding between the CRD and the IT in regards to withholding building permits and sharing defense costs in relation to building permit litigation (Table 1). These agreements can be found on the [Islands Trust Webpage – Agreements](https://islandstrust.bc.ca/about-us/accountability/agreements/).

*Table 1 Islands Trust and CRD Agreements (<https://islandstrust.bc.ca/about-us/accountability/agreements/>)*

Agreements between CRD and Islands Trust	Brief Description
Protocol Agreement – General – CRD (Bylaw No. 63)	Develops principles, processes and conditions for the coordination of activities with all LTCs within the regional district
Letter of Understanding – Building Permit Litigation - CRD	Coordinates building permit litigation (joint defense and cost sharing in specified conditions)
Letter of Understanding – Withholding of Building Permit - CRD	Conditions for withholding of building permits (speaks to S. 463 of the Local Government Act)
Protocol Agreement Salt Spring LTC – CRD	Coordinate powers in relation to the provision of parkland

These agreements have been effective in addressing parkland acquisition and managing building permit issues. Protocol Bylaw No. 63 has not guided agency coordination in strict accordance, but both agencies work extensively together and have numerous ways of doing so including at the leadership and staff levels.

### **Integrated Governance Support**

The SS LTC Regular Meeting Agenda has a standing item which welcomes updates from the Salt Spring Island Electoral Area Director and attendance by the Electoral Area Director in a way that privileges the director to provide responsive comment during the Town Hall sessions of the meeting. The SS LTC also appoints LTC members to various community committees or work groups (ex: harbour walk, ferries, other) to support CRD common interest and service functions.

### **Staff Engagement**

Staff at both the CRD and the Islands Trust support work in the community through corporate initiatives and in-community initiatives, including regular meetings with the North Salt Spring Water Works District staff. Regarding enforcement complaint issues that raise potential violations at both agencies, staff work together to ensure that those responsible for addressing these issues are not caught between the requirements of two (sometimes more) agencies.

## Referrals

Islands Trust and CRD staff also coordinate on referrals reciprocally, and tangentially. Islands Trust refers development applications; LTC project products, such as bylaws and policies. The CRD refers Building permit application to IT. When IT refers materials for comment related to LTC projects and applications, these referrals are referred to committees in accordance with CRD policy, depending on service implications.

## Salt Spring Island's Local Community Commission

A local community commission, with an elected membership, is a form of delegated commission within a regional district electoral area, under the *Local Government Act*. In December, 2022 the Capital Regional District (CRD) Board adopted a bylaw to establish a Salt Spring Island (SSI) LCC, following voter endorsement by referendum (Attachment 2). The SSI LCC will be comprised of five members, one of whom will be the Electoral Area Director for Salt Spring Island. A public election will be held for four commissioners in accordance with the LGA on May 27. The scope of authority of the SSI LCC covers the extent of the Salt Spring Island Electoral Area of the Capital Regional District. The area is mostly contained within the Salt Spring Island Local Trust Area (SS LTA)<sup>1</sup>, but does not contain all of it. Figures 1 and 2 below show the boundaries of each. The SSI LCC Area does not include other islands within the SS LTA such as Piers Island, Prevost Island, Wallace Island, the Secretary Islands, and Mowgli Island as well as the marine area extending into the Saanich inlet and along Vancouver Island.



Figure 1 Local Trust Area Boundaries

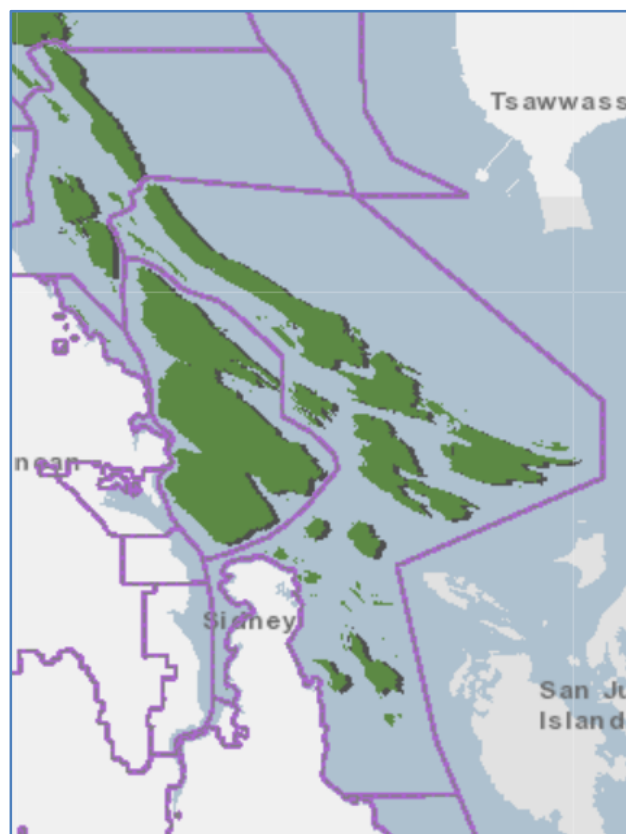


Figure 2 Regional District Boundaries

<sup>1</sup> Excepting a small area of water in Trincomali Channel



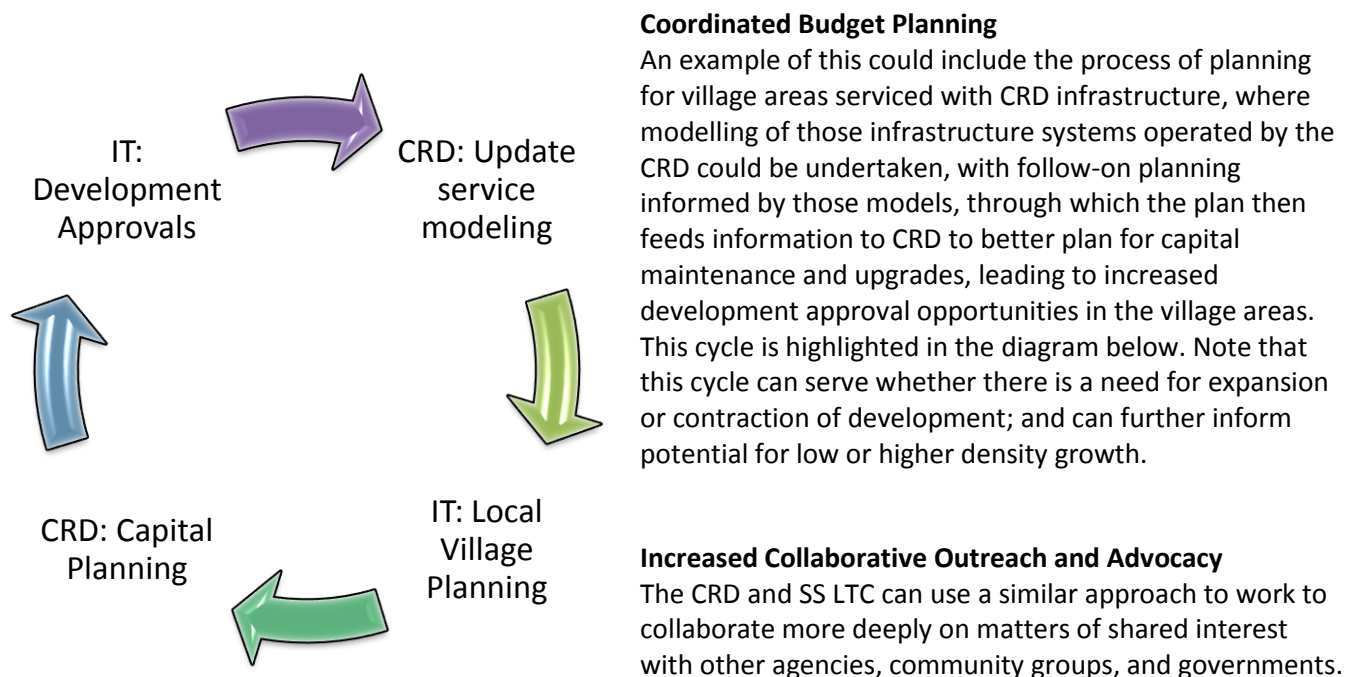
The scope of authority of the SSI LCC similarly intersects with a number of service areas of the SS LTC. These include oversight of bylaws and services related to Salt Spring Island, related to:

- Economic development;
- Island-wide wastewater disposal;
- Community parks and recreation;
- Pool facility
- Parks and recreation facilities;
- Transit and Transportation services;
- Street lighting;
- Salt Spring Island arts, public library, and search and rescue contribution services.

Many of these services may be a point of consideration for the SS LTC in land use decisions making. They are central or important to the land use planning functions of the SS LTC in the execution of its mandate. In this way, the input of the LCC, by way of CRD referrals will be a valuable resource for future decision making. That said, while the breadth of the LCC is wider, these functions have been largely spread across a number of other committees or commissions for some time and the formation of the LCC's main result is to amalgamate them under a single, elected commission. Staff do not foresee substantial operational change over the function of the referrals system as it is today. However, noting the changes and history above, staff believe it is worth reviewing Protocol Bylaw No. 63 and reflecting at the moment to enhance the IT:CRD relationship to the benefit of both organizations.

## ANALYSIS

Resolution No. SS-2022-123 seeks to improve cooperation on local and regional planning issues and identifies creating a new coordination agreement as a potential option. There are perceptions that this protocol does not currently serve the needs of Salt Spring Island's residents, environment, and rights holders. Questions arise from the results of the historical output from the protocol, and further questions arise about the future adequacy of the agreement, given the incipient transition to an LCC structure. Staff invite further exploration of this topic. In discussion with CRD staff, we note that the following actions could be explored to improve fulfilment of the Islands Trust mandate, as well as the service standards of both governments:



Examples include any number of community groups such as the Salish Sea Trails Network or Salt Spring Solutions; or BC ministry staff, such as Transportation, Housing, Municipal Affairs, Economic Development. These efforts could be improved with intentional quarterly staff-to-staff meetings to identify what areas are succeeding and assess the need for different approaches, regarding shared priorities.

**Exploration of Collaborative Engagement with First Nations**

First Nations may also benefit from a collaborative engagement approach, and this is likely the case for the CRD and IT. However, consent should be explored with each First Nation prior to taking action on such an approach.

**Issues Identification**

While the existing framework of protocols does a good job of maintaining a collaborative inter-governmental relationship, improved execution of the protocol, or a revised update could yield efficiencies or service improvements. Further exploring is likely to identify and provide detail to ongoing governance challenges on Salt Spring that could be further identified.

**RATIONALE FOR RECOMMENDATION**

Staff have recommended that the LTC reach out to meet with the Area Director, in accordance with Protocol Bylaw NO. 63. Inclusion of the LCC is not in that format at this point, and staff believe that a dialogue-based approach with CRD is likely the best option. Staff are available to support this meeting.

Staff also suggest that the LTC request staff to begin holding regular meetings with CRD staff to discuss matters of mutual importance and tracked issues. While regular meetings are suggested in Protocol Bylaw No. 63, this is identified as an opportunity for early improvement and one that can be built upon, if SS LTC wishes to pursue a more integrated working relationship with CRD.

Staff recommend that the SS LTC send a note of congratulations to the Salt Spring Island Local Community Commission upon inauguration and election of a chairperson and introduce the members of the SS LTC to invite Trustee to Commissioner engagement, and invite the LCC Chairperson to attend regular LTC meetings alongside the CRD Area Director to provide local update on the work of the LCC.

**Alternatives**

Offer feasible alternatives to the staff recommendation, noting any significant implications and recommended resolution wording. [For example] The LTC may consider the following alternatives to the staff recommendation:

**1. Receive for information**

The LTC may receive the report for information

Submitted By:	Chris Hutton, Regional Planning Manager	May 16, 2023
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**ATTACHMENTS**

- 1. Islands Trust Council/Capital Regional District Protocol Bylaw No. 63, 1999
- 2. Salt Spring Island Local Community Commission Establishment Bylaw No. 1, 2022

ISLANDS TRUST COUNCIL  
BYLAW NO. 63

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A bylaw to adopt a Protocol with the Capital Regional District

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WHEREAS pursuant to Section 9(1) of the *Islands Trust Act* the Trust Council may, for the purpose of carrying out the object of the Trust, on behalf of one or more local trust committees, enter into agreements with a regional district, respecting the coordination of activities within the Trust Area;

NOW THEREFORE the Islands Trust Council, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited for all purposes as "Islands Trust Council/Capital Regional District Protocol Bylaw No. 63, 1999."

Protocol

2. The protocol agreement attached as Schedule "A" and entitled "Protocol Agreement, July 20, 1999 among the North Pender Island Local Trust Committee, South Pender Island Local Trust Committee, Mayne Island Local Trust Committee, Salt Spring Island Local Trust Committee, Galiano Island Local Trust Committee, and Saturna Island Local Trust Committee and Capital Regional District Board" is approved pursuant to Section 9(1) of the *Islands Trust Act*.

Severability

3. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

READ A FIRST TIME THIS	16 <sup>TH</sup>	DAY OF	SEPTEMBER	1999
READ A SECOND TIME THIS	16 <sup>TH</sup>	DAY OF	SEPTEMBER	1999
READ A THIRD TIME THIS	16 <sup>TH</sup>	DAY OF	SEPTEMBER	1999
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	5 <sup>TH</sup>	DAY OF	APRIL	2000
ADOPTED THIS	17 <sup>TH</sup>	DAY OF	JUNE	2000

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
CHAIR

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**CAPITAL REGIONAL DISTRICT BOARD/LOCAL TRUST COMMITTEE  
PROTOCOL AGREEMENT**

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This Protocol Agreement ("Agreement") dated for reference July 20, 1999 is

AMONG:

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE  
SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE  
MAYNE ISLAND LOCAL TRUST COMMITTEE  
SALT SPRING ISLAND LOCAL TRUST COMMITTEE  
GALIANO ISLAND LOCAL TRUST COMMITTEE                      AND  
SATURNA ISLAND LOCAL TRUST COMMITTEE

("Local Trust Committees")

AND:

CAPITAL REGIONAL DISTRICT BOARD

("Regional District Board")

(Referred to as the "Parties")

WHEREAS:

A. Under Section 22(2) of the *Islands Trust Act*, a local trust committee may enter into an agreement with municipalities, regional districts and boards of school trustees respecting the coordination of activities in a local trust area;

B. The North Pender, South Pender, Mayne, Salt Spring, Galiano and Saturna Island Local Trust Committees are local trust committees established under s.21 of the *Islands Trust Act* for the purpose of preserving and protecting the North Pender, South Pender, Mayne, Salt Spring, Galiano and Saturna Island local trust areas respectively and have the authority to regulate the development and use of land in those local trust areas;

C. The Capital Regional District Board is a regional district established by letters patent, dated the 1st day of February, 1966 and continued under 2.775 of the *Municipal Act*, R.S.B.C. 1996, c.323, and has the authority to provide services in these local trust areas; and

D. The Parties met to discuss respective areas of responsibility and to develop principles, processes and conditions for the coordination of activities within the North Pender, South Pender, Mayne, Salt Spring, Galiano, and Saturna Island local trust areas.

NOW THEREFORE, the Local Trust Committees and the Regional District Board agree as follows:

## **1.0 PRINCIPLES**

The Local Trust Committees and Regional District Board agree to the following principles regarding interagency relations:

1. Recognition of and respect for each other=s jurisdictions and capabilities with a commitment to promoting a spirit of partnership through joint legislative, policy, program and communication initiatives;
2. Coordination of planning, servicing and growth management activities that is responsive to the needs of the local trust areas and the remainder of the Capital Region including the electoral areas of which they are a part.
3. Respect for the preservation and protection object of the Islands Trust and the respective land use planning authority of both parties; and the servicing function of the Capital Regional District; and
4. Cooperation through sharing of information and notification of significant initiatives that may impact the other Party and through regular liaison.
5. Recognition that activities in one jurisdiction may impact the other jurisdiction and that participation and cooperation in planning for these activities will benefit both parties.

## **2.0 COOPERATION**

1. The Parties agree to cooperate with respect to the implementation, coordination and administration of each Party=s legislative authority that may impact the other Party.
2. The Parties agree to cooperate in jointly coordinating where appropriate the following activities:
  - (a) community planning;
  - (b) parkland and school site acquisition;
  - (c) parkland acquisition by way of agreements between local trust committees and parks and recreation commissions;
  - (d) servicing arrangements;
  - (e) administrative arrangements; and
  - (f) regional growth management.
3. It is the intent of the Parties to formalize their cooperation by way of letters of understanding as required for specific matters.
4. Both Parties agree to notify and consult the other Party on legislative, municipal incorporation and boundary restructure initiatives.

### 3.0 COMMUNICATIONS

1. The Parties agree to schedule regular meetings of the regional director, the local trustee committees and appropriate staff to review the implementation of the protocol and letter of understanding.
2. Neither Party is obligated to convey information to the other Party that is protected from disclosure under the *Freedom of Information and Protection of Privacy Act*, any other legislation protecting information from disclosure, or that is subject to solicitor-client privilege.
3. Both Parties agree to pursue alternate methods of dispute resolution before initiating legal proceedings directed at the other Party.

### 4.0 CONDITIONS

1. Nothing in this Agreement shall be construed so as to fetter the legislative discretion of either of the Parties within their respective areas of jurisdiction or, without limiting the generality of the foregoing, to oblige either of the Parties to adopt or prevent either of the Parties from adopting any bylaw or resolution.
2. The interpretation of terms used in this Agreement shall be governed by the interpretation provisions of the *Islands Trust Act* and the *Municipal Act*.
3. This Agreement may be amended by agreement in writing between the Regional District Board and the specific Local Trust Committee.
4. Any Party to this Agreement may terminate this Agreement at any time by delivering three months= written notice to the other Party.
5. Information and notification pertinent to this Agreement shall be delivered to:

North Pender Island Local Trust Committee  
South Pender Island Local Trust Committee  
Mayne Island Local Trust Committee  
Salt Spring Island Local Trust Committee  
Galiano Island Local Trust Committee  
Saturna Island Local Trust Committee

Executive Director  
Islands Trust  
200, 1627 Fort Street  
Victoria, BC V8R 1H8

Capital Regional District Board

Executive Director  
Capital Regional District  
524 Yates Street, PO Box 1000  
Victoria, BC V8W 2S6

6. The officials of each Party who shall be responsible for the notices and the administration of this Agreement are:

North Pender Island Local Trust Committee  
South Pender Island Local Trust Committee  
Mayne Island Local Trust Committee  
Salt Spring Island Local Trust Committee  
Galiano Island Local Trust Committee  
Saturna Island Local Trust Committee

Executive Director  
Islands Trust

Capital Regional District Board

Executive Director  
Capital Regional District

As evidence of their agreement of the above terms, the Local Trust Committees and the Regional District Board have executed this Agreement as set out below:

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Chairperson  
North Pender Island Local Trust Committee

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Chairperson  
South Pender Island Local Trust Committee

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Chairperson  
Mayne Island Local Trust Committee

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Chairperson  
Salt Spring Island Local Trust Committee

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Chairperson  
Galiano Island Local Trust Committee

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Chairperson  
Saturna Island Local Trust Committee

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Executive Director  
Islands Trust

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Chairperson  
Capital Regional District Board

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Executive Director  
Capital Regional District

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**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4507**

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**A BYLAW TO ESTABLISH A LOCAL COMMUNITY COMMISSION FOR  
SALT SPRING ISLAND**

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**WHEREAS:**

- A. Salt Spring Island Electoral Area has a number of local, sub-regional, and island-wide services;
- B. Under the *Local Government Act*, RSBC 2015 c 1, a regional district may establish, by bylaw, one or more local communities to be administered by local community commission, provided the electors in the area of the local community assent to the creation of the commission;
- C. The Capital Regional District Board wishes to establish a local community commission for Salt Spring Island, with the scope of authority as set out in this bylaw and such other bylaws as adopted from time to time;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

**CREATION OF LOCAL COMMUNITY COMMISSION**

- 1. A local community is hereby established, to be known as "Salt Spring Island", and a local community commission is hereby established, to be known as the "Salt Spring Island Local Community Commission" (hereinafter the "Commission").

**BOUNDARIES**

- 2. The boundaries of the Salt Spring Island local community are those of the Salt Spring Island Electoral Area.

**SCOPE OF AUTHORITY**

- 3. Subject to the policies and procedures of the Regional Board and limitations in its bylaws and the *Local Government Act*, the Commission may oversee and exercise powers and duties as set out by bylaw in relation to the following Salt Spring Island services:
  - (a) Economic development as set out in Bylaw No. 1824, "Economic Development Commission Establishing Bylaw No. 1, 1990", as it relates to Salt Spring Island;
  - (b) Wastewater disposal set out in Bylaw No. 2118, "Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993";
  - (c) Community parks service continued under Bylaw No. 4149, "Salt Spring Island Community Parks Services Conversion Bylaw No. 1, 2017";
  - (d) Community recreation service continued under Bylaw No. 4151, "Salt Spring Island Community Recreation Services Conversion Bylaw No. 1, 2017";
  - (e) Indoor swimming pool service in Bylaw No. 3206, "Salt Spring Indoor Swimming Pool Facility Service Establishment Bylaw No. 1, 2004";



- (f) Community parks and recreation facilities in Bylaw No. 2422, "Salt Spring Island Parks and Recreation Facilities Local Service Establishment Bylaw No. 1, 1996";
- (g) The Salt Spring Island Small Craft Harbour Facilities local service set out in Bylaw No. 2730, "Small Craft Harbour Facilities (Salt Spring Island) Local Service Establishment Bylaw No. 1, 1999";
- (h) Transportation service established under Bylaw No. 3438, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007";
- (i) Street lighting under Bylaw No. 3746, "Salt Spring Island Street Lighting Service Establishment Bylaw No. 1, 2011";
- (j) The issuance of grants-in-aid for Salt Spring Island initiatives under Supplementary Letters Patent Division XIX, OIC 1013/1977, subject always to the restriction on assistance to business under the *Local Government Act*;
- (k) Determination of compensation for livestock injury by dogs under Bylaw No. 4418, "Livestock Injury Compensation Service (Salt Spring Island) Bylaw No. 1, 2021";
- (l) The arts contribution service set out in Bylaw No. 3116, "Salt Spring Island Arts Contribution Service Establishing Bylaw No. 1, 2003";
- (m) The Salt Spring Island Public Library local service set out in Bylaw No. 2725, "Salt Spring Island Public Library Local Service Area Establishment Bylaw No. 1, 1999";
- (n) The Salt Spring Island Search and Rescue contribution as set out in Bylaw No. 3494, "Salt Spring Island Search and Rescue Service Establishment Bylaw, 2007";

#### **ADVISORY COMMITTEES**

- 4. The Commission may create advisory bodies, subject to prior approval of the Regional Board.

#### **LOCAL COMMUNITY COMMISSION & ELECTORAL AREA DIRECTOR**

- 5. The Electoral Area Director may consult with the Commission on matters of local importance, but is not bound by that advice or direction. The Commission cannot restrict the Electoral Area Director's decision-making authority at the Regional Board.

#### **ELIGIBILITY**

- 6. To be eligible for election as a commissioner, individuals must be eligible as a director under the *Local Government Act*.

#### **COMPOSITION & TERM**

- 7. The Commission shall have the following number of voting members, each having one vote:
  - (a) The Salt Spring Island Electoral Area Director; and
  - (b) Four individuals qualified in accordance with this bylaw to act as commissioners.
- 8. The local community shall elect commissioners at the end of each four year term in accordance with the manner provided in Part 3 [*Electors and Elections*] of the *Local Government Act*.
- 9. Commissioners are not permitted to appoint an alternate to act in their absence.

### **REMUNERATION AND EXPENSES**

10. Commissioners shall receive an annual stipend or payment per meeting, and shall be reimbursed for necessary expenses incurred in the course of carrying out Commission business, as per applicable CRD Board policies.

### **DEATH, RESIGNATION, DISQUALIFICATION AND TERMINATION**

11. A commissioner's appointment ends on the end of election term; resignation; death; incapacity; or ceasing to be qualified as a commissioner.
12. Resignation is effective on receipt of written notice of resignation to the Regional District's Corporate Officer.

### **ABSENCES**

13. If a commissioner is absent for more than four consecutive regularly scheduled commission meetings or 60 consecutive days, subject to leave of the Regional Board or illness or injury, the commissioner may be removed by the Regional Board.

### **CONDUCT OF MEETINGS AND QUORUM**

14. A quorum of the Commission is a majority of its members.
15. Regular meetings shall be held once per month at a time and date set by resolution of the Commission, in consultation with Regional District staff.
16. The Commission shall observe at its meetings the procedural rules set out in Bylaw No. 3828, "Capital Regional District Board Procedures Bylaw, 2012" (the "CRD Procedures Bylaw").
17. Each Commissioner shall have one vote.
18. The rules, policies, procedures and bylaws which govern the Regional Board shall apply to the Commission where applicable.
19. All meetings of the Commission must be held in a public facility and must be open to the public. Meetings may be closed, where authorized by law.
20. The Commission may meet by electronic means, where the requirements in the CRD Procedures Bylaw are met.
21. If, as a result of members of the Commission declaring a conflict of interest in relation to a matter, and as a consequence, there is no longer a quorum of members of the Commission to decide on a particular issue, the issue shall be referred to the Regional Board for a decision.

### **ANNUAL MEETING & OFFICERS**

22. On or before the last day of January of each year, the Commission shall hold an annual meeting (the "Annual Meeting") for the purpose of electing a Chair and Vice-Chair from among its number, to hold such office until the next Annual Meeting. Voting shall be by show of hands, or, if a secret ballot is requested by a member present, by secret ballot.
23. In the event of a vacancy of an officer, the Commission may, by the methods set out in section 22, select another commissioner to fill the vacant officer role until the next Annual Meeting.

**RECORD KEEPING**

24. The Commission shall comply with all public record keeping requirements under the *Community Charter, Local Government Act*, and other applicable legislation.

**CITATION**

25. This bylaw may be cited for all purposes as "Salt Spring Island Local Community Commission Establishment Bylaw No. 1, 2022".

READ A FIRST TIME THIS	13 <sup>th</sup>	day of	July,	2022
READ A SECOND TIME THIS	13 <sup>th</sup>	day of	July,	2022
READ A THIRD TIME THIS	10 <sup>th</sup>	day of	August,	2022
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	12 <sup>th</sup>	day of	August,	2022
APPROVED BY ELECTOR ASSENT THIS	th	day of		20__
ADOPTED THIS	th	day of		20__

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER