



Saturna Island Local Trust Committee Regular Meeting Agenda

Date: May 9, 2019
Time: 12:30 pm
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

	Pages
1. CALL TO ORDER	12:30 PM - 12:30 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	
4. COMMUNITY INFORMATION MEETING	
4.1 Secondary Suites - Bylaws 124 and 125	
5. PUBLIC HEARING	12:45 PM - 1:15 PM
5.1 Saturna Island Local Trust Committee Bylaw 124 - OCP Amendment 3, 2018 AND Saturna Island Local Trust Committee Bylaw 125 - LUB Amendment 1, 2018	
Public Hearing binder under separate cover	
6. MINUTES	
6.1 Local Trust Committee Minutes Dated March 7, 2019 (for information)	4 - 10
6.2 Section 26 Resolutions-without-meeting Report Dated May 2019 (for information)	11 - 11
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	1:15 PM - 2:00 PM
7.1 Follow-up Action List Dated May 2019	12 - 13
8. DELEGATIONS	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	

10.	APPLICATIONS AND REFERRALS	2:00 PM - 2:45 PM	
10.1	SA-RZ-2019.1 (Money) - Staff Report (attached)		14 - 22
11.	LOCAL TRUST COMMITTEE PROJECTS		
11.1	Saturna Island Local Trust Committee Secondary Suite Bylaws 124 and 125 - Staff Report (for further consideration) (attached)		23 - 32
11.2	Density Transfer - Saturna Island LTC Bylaw No. 126 - Staff Report (for further consideration) (attached)		33 - 37
11.3	Commercial Vacation Rentals – Saturna Island LTC Draft Bylaw 127 – Staff Report (attached)		38 - 50
12.	REPORTS	2:45 PM - 3:00 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report dated May 2019</u>		51 - 51
12.1.2	<u>Projects List Report Dated May 2019</u>		52 - 52
12.2	Applications Report Dated May 2019 (attached)		53 - 55
12.3	Trustee and Local Expense Report Dated February 2019 (attached)		56 - 56
12.4	Adopted Policies and Standing Resolutions (attached)		57 - 60
12.5	Local Trust Committee Webpage		
12.6	Trustee Report		
12.7	Chair's Report		
12.8	Islands Trust Conservancy Report Dated March 2019 (attached)		61 - 62
13.	NEW BUSINESS	3:00 PM - 3:30 PM	
13.1	Annual Report		63 - 63
13.2	Unlawful Short-Term Vacation Rental Enforcement Policy - Staff Report (attached)		64 - 68
13.3	Policy Statement Amendment Process - Staff Report (attached)		69 - 110
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for July 18, 2019, at 1:00 pm, at the Recreation and Cultural Centre, Saturna Island		
15.	TOWN HALL		

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a,d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated March 7, 2019*
- *Appointment of APC Members*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

3:30 PM - 3:30 PM

ADOPTED



Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: March 7, 2019
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: Laura Patrick, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee (arrived at 1:22 p.m.)

Staff Present: Gary Richardson, Planner
Ruth Daber, Recorder

Public: There were approximately (10) members of the public

1. CALL TO ORDER

Chair Patrick called the meeting to order at 1:00 p.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

Trustee Middleton was expected to arrive 10 minutes late. Agenda items were therefore rearranged to delay Town Hall as requested by Trustee Middleton.

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Chair Patrick opened the floor to enquiries.

Fiona MacRaid asked for specifics of First Nations relationships building as they seemed to be stopped and communication is not working. She mentioned the recent start of logging on Block A on Saturna Island IR#7 and urgency to communicate better.

Trustee Brent stated it being delicate and that they were doing their best. The Trustees explained the avoidance of political contact with First Nations and a danger to involve themselves in an issue that is First Nations'.

Trustee Middleton joins the meeting at 1:22 p.m.

Fiona MacRaid asked the Trust Members for a commitment to progress work on the relationship with all 13 First Nations. She likes to see relationship and trust with all 13 First Nations, speaking in behalf of her family as well as a resident.

Trustee Middleton acknowledged it being difficult.

A reconciliation declaration will be made at the next Trust Council.

Janet Land expressed discontent in delay of minutes from previous meetings and wishes more detail of discussions in minutes. She requested communications to be included in minutes. She pointed out that her letter including Pat Lapcevic's comments was posted on the Islands Trust's website, but is too hard to find.

Planner Richardson clarified that letters do not get attached to minutes; if appropriate they get posted on the Islands Trust website for reference.

Trustee Brent added that minute guidelines are set for all the Islands and that we cannot set new guidelines for ourselves.

Janet Land suggested get a community meeting and get everyone's input in discussion prior to drawing up a bylaw.

John Money enquired how last year's budget was calculated.

Trustee Brent explained.

John Hutchinson made a general comment on First Nations and his personal involvement. He stated that meeting minutes purpose is to record actions that have been taken and one needs to dig out details for more info.

David Osborne encouraged the Trustees to establish a non-political but personal relationship as people with First Nations to get to know some of the elders and others, i.e. in open lunches.

Fiona MacRaid warned of the cost of non-action and mentioned strong feeling on both sides. She asked to keep moving forward despite push back.

Trustee Brent stated to push forward, proceed cautiously.

Trustee Brent indicated that the LTC had supported community-led (non-political) initiatives from behind the scene, providing funding from the Trust for events such as the Thirteen Moons sign installation and the introduction of the SENĆOŦEN dictionary to the island school and library. Further, that while the pace of change was perhaps viewed as slow by some, more significant gains had been made in the last couple of years than in past years.

Fiona MacRaid asked for details on the budget spent for Saturna First Nations Relations.

Trustees Middleton and Brent referred to the initiative previously mentioned.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated January 17, 2019 (for Information)

Received for information.

6.2 Section 26 Resolutions-without-meeting Report

It was noted that the Minutes of January 17, 2019 were adopted by Resolution-Without-Meeting.

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated February 2019

Received for information.

Planner Richardson gave an update.

The secondary suite project was briefly discussed. Trustee Brent asked Planner Richardson to verify the water risk map accuracy with Pat Lapcevic with a response in writing. Trustee Middleton asked to get a scientific notation to the data set and maps Pat L. was quoting in her bylaw response. In this way we know what science our bylaw is rooted in. There was mention of the upcoming May 9th Public Hearing for the secondary suite bylaws.

SA-2019-013

It was Moved and Seconded,

that staff not progress with Development Permit Areas for the secondary suite project.

CARRIED

Planner Richardson will add a footnote as to the source of the research for the saltwater vulnerability mapping.

Trustee Middleton asked to keep pushing for acceptability of water catchment.

Trustee Brent criticized there being no acknowledgement of the use of catchment and reduction of groundwater use.

Chair Patrick expressed to be looking for an acceptable way to do this.

8. DELEGATIONS

none

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

10. APPLICATIONS AND REFERRALS

none

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Secondary Suites Discussion

No further discussion was needed as already covered in previous agenda items.

11.2 Short Term Vacation Rentals (STVR) - Staff Report

Planner Richardson referred to the Temporary Use Permit (TUP) guidelines on Attachment 1 of the staff report.

Anyone can apply for a TUP and STVR at this time. The guidelines will give some certainty as to what will be expected if a permit is issued.

Recommendations are to put a cap of 6-8 people for a commercial licence.

Planner Richardson stated that certain parts of the Official Community Plan (OCP) regarding TUP's is out of date and needs updating.

Trustee Brent found the guidelines to be close to his article in the March 2019 Saturna Scribbler. One option could be to charge commercial operators and use funds directly to contribute toward affordable housing and suggested to find out what the community thinks.

Planner Richardson clarified that a Temporary Use Permit cannot be withdrawn but a renewal denied.

Trustee Middleton stated that there is a desire for clarity as to when a home can be used as a STVR. He read out "Guideline 5" and asked to use the word "approval" in the case of shared water resources and similar instead of "comment".

It was requested that "Guideline 12" be amended to include permission from all property owners with interest in a shared access, when shared accesses are used.

Trustee Brent highlighted that they are guidelines.

John Hutchinson asked if this applies to new applications or also existing.

Trustee Brent referred to enforcement as future discussion but wants funds to flow back to the island.

Janet Land mentioned STVR at Hawks had a problem with the water.

Janet Land pointed out there is no required test for salinity and expressed concern about the monitoring lack of private wells. There have been four orders on a place on Eastpoint, and nothing has been done or changed.

SA-2019-014

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff prepare a bylaw, to amend the Saturna Island Official Community Plan No. 70, 2000, to incorporate guidelines as amended regarding the issuance of Temporary Use Permits for Commercial Vacation Rentals.

CARRIED

SA-2019-015

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to update the Temporary Use Permit section of the Saturna Island Official Community Plan No. 70, 2000 with respect to current legislation.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report dated February 2019

Planner Richardson provided an overview and commented that First Nations Relationship Building were one of the priorities of the work program.

12.1.2 Projects List Report Dated February 2019

Trustee Brent expressed discontent about the budget.

Chair Patrick thanked everyone who participated in survey.

Trustee Brent stated that that Saturna's percentage of participation in this survey was five times the Trust average and typical for Saturna Island.

12.2 Applications Report Dated February 2019

Received for information.

12.3 Trustee and Local Expense Report Dated December 2018

Received for information.

12.4 Adopted Policies and Standing Resolutions

We await information and recommendations from staff regarding some requested changes to our adopted policies and standing resolutions regarding non-enforcement criteria, which it is hoped will be available for our next meeting.

12.5 Local Trust Committee Webpage

Discussions were made on budgets for the LTC webpage.

12.6 Chair's Report

Chair Patrick announced Grant Scott as the new elected trustee for Hornby Island as recent addition to the Trust Council.

12.7 Trustee Report

Trustee Brent spoke about the budget.

Trustee Middleton mentioned funding that the Capital Regional District (CRD) want to use for regional delivery of high-speed internet. The Saturna Island internet Co-op being a good model.

Cy Tordiffe shared about the challenges is the last mile. Suggested cooperation with other islands, inviting reps from the co-op, to expand and share towers.

12.8 Electoral Area Director's Report

none

12.9 Islands Trust Conservation Report

none

13. NEW BUSINESS

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for May 9, 2019, at 12:30 p.m., at the Community Hall, Saturna Island

15. TOWN HALL

Janet Land inquired about the mentioned discrepancy of maps for Secondary Suites.

John Money commented on developments and processes for small changes takes too long.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

SA-2019-016

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a, d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated January 17, 2019*
- *BOV Memberships*

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

At 3:15 p.m., the meeting was recalled to order with 2 members of the public present.

16.3 Rise and Report

The Saturna LTC reported on the appointment of the BOV members: Priscilla Ewbank, Priscilla Zimmerman and Jim Petrie for three years commencing immediately and ending January 1, 2022.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:20 p.m.

Laura Patrick, Chair

Certified Correct:

Ruth Daber, Recorder



Islands Trust

Saturna Island

Print Date: April 29, 2019

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2019-01	In Favour	THAT Saturna Island Local Trust Committee adopt their January 17, 2019, Local Trust Committee Draft Meeting Minutes as presented.	27-Feb-2019
2019-02	In Favour	THAT Saturna Island Local Trust Committee Bylaw No. 126 cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2019" be read a first time.	17-Apr-2019
2019-03	In Favour	THAT the requirement for a Public Hearing for Saturna Island Local Trust Committee Bylaw No. 126 cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2019" be waived.	17-Apr-2019
2019-04	In Favour	THAT Saturna Island Local Trust Committee adopt their March 7, 2019, Local Trust Committee Draft Meeting Minutes as amended.	23-Apr-2019

Follow Up Action Report

Saturna Island

17-Jan-2019

Activity	Responsibility	Dates	Status
1 Saturna Island LTC Bylaws 124 and 125 (Secondary Suites) - updated showing 1st reading - Done - public hearing and CIM to be scheduled - ongoing	Sharon Lloyd-deRosaric		Completed
2 STVR enforcement policy to be prepared for the LTCs consideration.	Miles Drew Warren Dingman		Completed
3 Unlawful dwelling policy to be prepared as per resolution.	Miles Drew Warren Dingman		Completed

Follow Up Action Report

Saturna Island

07-Mar-2019

Activity	Responsibility	Dates	Status
1 Secondary Suites - staff directed to proceed to public hearing May 9, 2019			Completed
2 Short Term Vacation Rentals (Commercial Vacation Rentals) - staff directed to draft OCP amendment bylaw for May 9, 2019 LTC meeting. Amend proposed guidelines provided in March 7, 2019 staff report.	Gary Richardson		Completed
3 In-camera minutes of January 17, 2019 adopted as drafted.	Maple Hung		Completed
4 Board of Variance - staff directed to process appointments to the Saturna Board of Variance. Priscilla Ewbanks, Priscilla Zimmerman, and Jim Petrie. (MH - Appointment letters sent to new BOV members)	Jas Chonk Sharon Lloyd-deRosario		Completed
5 Create policy regarding bylaw referrals from adjacent Trust Committees. Place in adopted policy report.	Gary Richardson Sharon Lloyd-deRosario		In Progress

DATE OF MEETING: May 9, 2019

TO: Saturna Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Southern Team

CC: Robert Kojima, Regional Planning Manager

SUBJECT: Proposed LUB amendments to allow for Residential Use on Fractional Section 8, Saturna Island, Cowichan District, Except: 1) West ½ of the SE ¼ Thereof, 2) SW ¼ Thereof, and 3) Those Parts in Plans 2755, 8220, 15123, 18277, 18592, 19557, 19752, 21813, 32473, 40064, 44888, VIP67333, VIP84109, EPP34443 and EPP70279.

PID: 000-019-968

Applicant: Money Family Projects Ltd.

Location: 186 Harris Road, Saturna Island

RECOMMENDATION

1. That Saturna Island Local Trust Committee proceed no further with SA-RZ-2019.1.

REPORT SUMMARY

This report reviews an application made by Money Family Projects Ltd. to rezone a 30 ha. property to allow a house and cottage to be permitted on each lot that can be created by subdivision of the subject parcel. This property is currently subject to a subdivision application to allow three lots be created.

BACKGROUND

An application to rezone a Watershed Designated Property to allow residential use was received from Money Family Projects Ltd. March 2019.

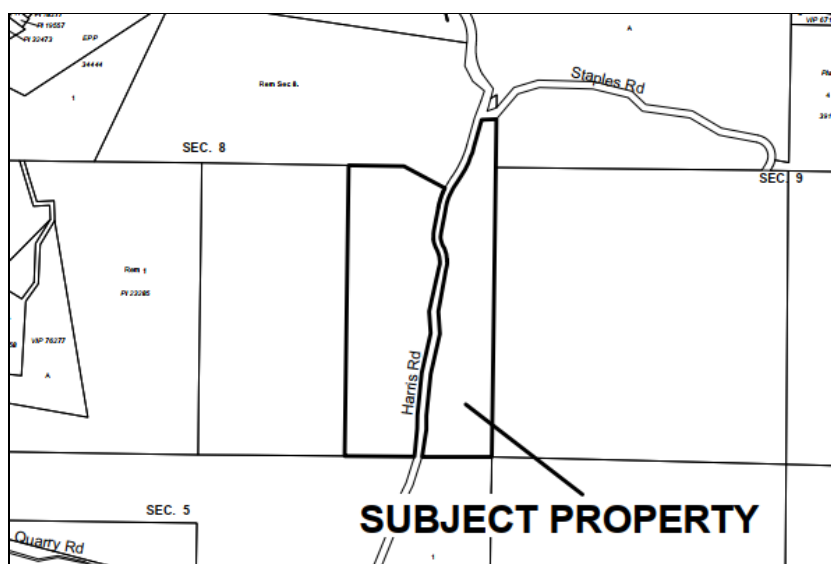
The application specifically requests that the Watershed Zoning be changed to: 1) limit tree removal to selective harvesting of trees 50.8 cm (20 inches) or larger; 2) permit no harvesting of trees other than dead or dangerous trees within 200 feet of Money lake; 3) allow one house and one guest house per lot; 4) prohibit sewage disposal within 300 feet of Money Lake; and 5) allow only road maintenance and one access road.

The application also states that that the applicant intends to donate proposed Lot 1 that encompasses Money Lake to the CRD (Lyll Harbour – Boot Cove water system) if this rezoning application is successful.

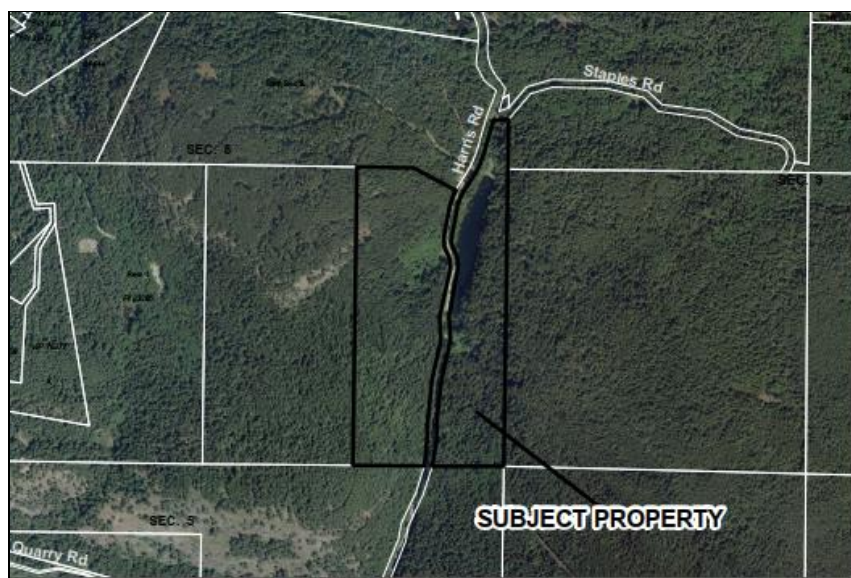
There is an active subdivision application to subdivide the 30.3 ha property in to 3 lots (SA-SUB-2019.1). Residential use is being requested on all three proposed lots for a total of 3 residences and 3 cottages, including the lot being donated to the CRD. The property contains Money Lake which supplies water to the Lyall Harbour-Boot Cove water system. The water system is run by the Capital Regional District.

The property is vacant and forested. The Gulf Islands National Park reserve lies to the East and West and there are large private forested lots to the North and South.

PLAN 1 – SUBJECT PROPERTY



PLAN 2 – ORTHOPHOTO OF SUBJECT PROPERTY



ISSUES AND OPPORTUNITIES

1. Islands Trust Policy Statement – The ITPS states that OCPs and regulatory bylaws shall contain measures that ensure water quality is maintained. The Saturna OCP and LUB contain policies and regulations within the watershed designation and zone that were put in place to achieve this objective. One of these regulations is that residential use not be permitted in the area designated/zoned watershed.
2. OCP – General Policy - Density Increase within the Saturna Island Local Trust Area – General Policy C.1.3 – Policy C.1.3 states that: “...no rezoning ... should be used to increase the total residential density of any island within the Area”. This application proposes to increase the residential density (3 residences and 3 cottages) within the Saturna Island Local Trust Area beyond what existed when the OCP was adopted. An increase in residential density does not comply with OCP Policy C.1.3.
3. OCP - Watershed Policies - The subject property has been placed in a watershed OCP designation. The OCP states (D.3.2) that residential use is not to be permitted in watershed designated areas. The watershed designation in the OCP identifies some of the major high-elevation recharge areas and catchment basins capable of being dammed for fresh water storage and use. The objective of the watershed designation is to protect and ensure that the quality and quantity of fresh water resources are not degraded. Money Lake is used as a water supply for the Lyall Harbour - Boot Cove water system. The watershed designation also suggests that (D.3.3) development should be discouraged and watershed subdivision capacity should be transferred out of the watershed designation for use elsewhere. OCP watershed policies would need to be amended to accommodate this proposal.
4. OCP - Community Amenity Density Reserve (CADR) – The CADR represents an accounting of subdivision and residential building capacity banked through rezoning. One of the options to allow this residential density increase to occur without offending General OCP policy C.1.3 (density cap) would be to provide an amenity (Money Lake as has been suggested in the application or some other amenity) and subtract the necessary residential density required for this proposal (3 residences and 3 cottages) from the CADR.

There are a couple of issues that arise with this option: 1) presently there is no density in the CADR, therefore, the CADR can not be used to populate the residential density required for this proposal; 2) previous LTCs attempted to populate the CADR with residential density that was not successful due to community concerns; and 3) even if there was enough residential density in the CADR and the LTC accepted Money lake or something else as an amenity to accommodate this proposal, requirement f) of the CADR would not allow it as it states that: f) Density increases shall not be permitted in the Wilderness, Heritage Forest, or Watershed designations.” Providing an amenity and taking density from the CADR is not an option without amending the CADR policies.

5. OCP and LUB amendment – if this proposal proceeds it will require several OCP and LUB amendments. Staff is of the opinion that the OCP and LUB amendments required to accommodate this rezoning application are larger in scope than can be addressed in one application. If the LTC wants to consider amending the watershed designation to allow for residential use it should be made a work program item of the LTC and reviewed in greater detail.

Rational for Recommendation

- The Islands Trust Policy Statement states that OCPs and LUBs are to contain policies and regulations to maintain water quality. The Saturna OCP and LUB contain policies and regulations to achieve this objective and one of the conditions is that residential use not be permitted on watershed designated land.
- OCP does not allow increase in residential density greater than what was permitted when the OCP was adopted.
- CADR does not contain any density and even if it did it does not allow density to be transferred to watershed designated lands.
- This proposal would require several OCP and LUB amendments which would require a high level of research and community consultation as long standing policies of the OCP would need to be changed to accommodate this application.

ALTERNATIVES

1. Proceed with the application

The LTC may proceed with the application and request staff to prepare OCP and LUB amendments necessary to implement proposal.

NEXT STEPS

- 1) Close file and calculate application fee refund.

Submitted By:	Gary Richardson, Island Planner	April 30, 2019
Concurrence:	Robert Kojima, RPM	April 30, 2019

ATTACHMENTS

- 1) Site Context
- 2) Policies
- 3) Proposed Plan of Subdivision

ATTACHMENT 1 – SITE CONTEXT 186 HARRIS ROAD

LOCATION

Legal Description	Fractional Section 8, Saturna Island, Cowichan District, Except: 1) West ½ of the SE ¼ Thereof, 2) SW ¼ Thereof, and 3) Those Parts in Plans 2755, 8220, 15123, 18277, 18592, 19557, 19752, 21813, 32473, 40064, 44888, VIP67333, VIP84109, EPP34443 and EPP70279.
PID	000-019-968
Civic Address	186 Harris Road

LAND USE

Current Land Use	Vacant Forested Land
Surrounding Land Use	National Park Reserve lands to the East and West. Large private forested lots to the North and South.

HISTORICAL ACTIVITY

File No.	Purpose
Previous file activity	Several Previous Files on the larger parent parcel that was associated with this parcel which included: ALR application; Building Permit Application; Rezoning Application; and Subdivisions Applications.

POLICY/REGULATORY

Official Community Plan Designations	Watershed There are no Development Permit Areas designated on or near this lot.
Land Use Bylaw	Watershed (W)
Other Regulations	n/a
Covenants	There are several covenants, statutory rights of way, an easement and an injunction that will be further commented on if this proposal proceeds.
Bylaw Enforcement	none

SITE INFLUENCES

Species at Risk	None shown on mapping
Sensitive Ecosystems	Sensitive features shown for this lot on the Islands Trust Sensitive Ecosystem Mapping are: Freshwater, Herbaceous, Mature Forest, and Wetland.
Hazard Areas	none
Archaeological Sites	In reviewing the Remote Access to Archaeological Data (RAAD) information there are areas of archaeological potential.
Climate Change Adaptation and Mitigation	n/a

Shoreline Classification	Not Applicable
Other	none

ATTACHMENT 2 – POLICIES

ISLANDS TRUST POLICY STATEMENT

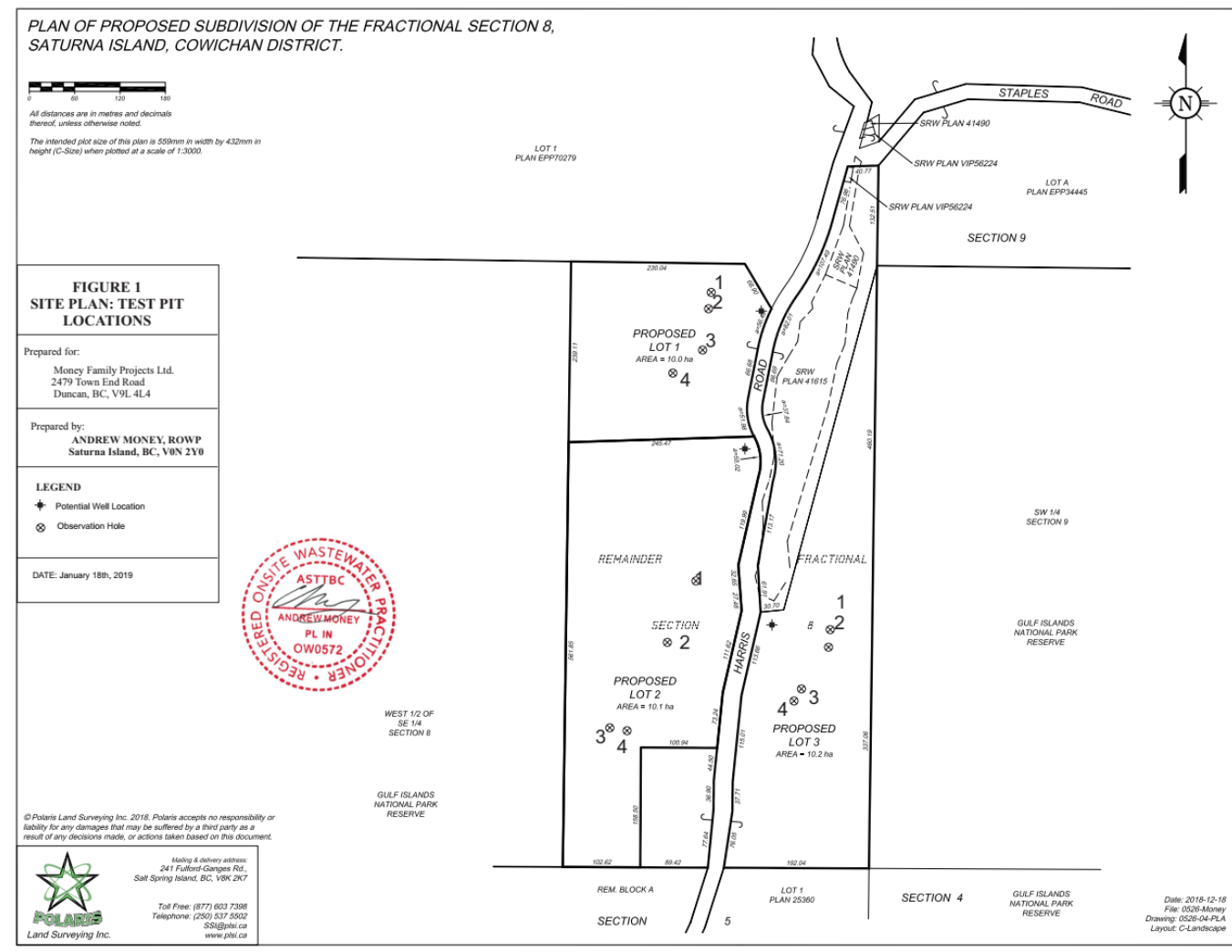
ITPS Policy	Complies	Planner Comments
Directive Policy 4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure: • water quality is maintained, and • existing, anticipated and seasonal demands for water are considered and allowed for.	no	If residential use is permitted it could have an effect on the water quality of Money Lake.
Directive Policy 4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that insure: Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses (18). (18) Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and the maintenance of water quality in lakes and streams and wetlands.	no	If residential use is permitted it could have an effect on the water quality of Money Lake.

SATURNA ISLAND LTC OFFICIAL COMMUNITY PLAN BYLAW NO. 70

OCP Objective/Policy	Complies	Planner Comments
D.3.2 No residential, commercial accommodation or industrial use is to be permitted in Watershed designated areas of a lot.	no	The Watershed designation identifies some of the major high-elevation recharge areas and catchment basins capable of being dammed for fresh water storage and use. The objective of this designation is to protect and ensure that the quality and quantity of fresh water resources are not degraded.
D.3.3 Development should be discouraged and Watershed Subdivision Capacity should be transferred out of the designation for use elsewhere.	no	This application would increase development on watershed designated land.
D.3.6 Dedication of Watershed designated land for non-residential public uses will be considered a community amenity with respect to amenity rezoning under the Community Amenity Density Reserve.	no	This encourages watershed land to be dedicated for public use.

Community Amenity Density Reserve The Community Amenity Density Reserve (CADR) represents and is to account for subdivision and residential building capacity removed from lots through rezoning. When subdivision or residential density is removed, that density is to be placed in a pool of unallocated density, which in the future may be drawn from and granted to a lot in exchange for community amenities. The following requirements shall be met when implementing this provision: f) Density increases shall not be permitted in the Wilderness, Heritage Forest, or Watershed land use designations;	no	The proposal does not comply with this condition of the CADR.
General Policies C.1.3 From the date of adoption of the Plan, no rezoning, development permit, temporary permits, or other planning tool or device available to the local trust committee should be used to increase the maximum subdivision capacity, or total residential density of any island within the Area.	no	The proposal does not comply with this policy.

ATTACHMENT 3 – PROPOSED PLAN OF SUBDIVISION



File No.: 6500-20 (Secondary Suite Review)

DATE OF MEETING: May 9, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaw 124 (OCP) and Proposed Bylaw 125 (LUB) – Secondary Suite Amendments – Saturna Island Local Trust Area

RECOMMENDATION

1. That Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be read a Second time.
2. That Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a Second time.
3. That Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be read a Third time.
4. That Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a Third time.
5. That Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
6. That Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
7. That Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be forwarded to the Minister of Municipal Affairs and Housing.

REPORT SUMMARY

Proposed Bylaw 124 amends the Saturna Island OCP by adding policies regarding secondary suites.

Proposed Bylaw 125 amends the Saturna Island Land Use Bylaw by adding regulations regarding secondary suites.

This report recommends steps to be taken following public hearing.

BACKGROUND

The Local Trust Committee is considering a bylaw to amend the Saturna OCP and LUB.

This issue was identified as a Work Program Priority by Resolution-Without-Meeting November 22, 2017.

A project charter was endorsed March 8, 2018.

There have been various staff reports prepared summarizing this project and the LTC's options for implementation (available on the Saturna Island LTC webpage).

Statutory notification has been carried out and no comments have been received as a result of the notification.

A public hearing is scheduled for May 9, 2019.

A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding to the Minister of Municipal Affairs and Housing for approval.
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

- The proposed bylaws are a result of several months of review and discussion regarding allowing secondary suites within the Saturna Island Local Trust area.

- The community has had several to opportunities to comment on this project and the proposed bylaws.
- First Nations and Agencies have been consulted.
- As a result of referral comments received from Pat Lapcevic, Section Head of Water Protection at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and direction given by the LTC, regarding aquifer vulnerability to saltwater intrusion earlier versions of the bylaws were amended to exclude areas in the moderate, moderately high, and high vulnerability classifications, as shown on mapping titled “Aquifer Vulnerability to Saltwater Intrusion – Saturna Island”
- Statutory notification has been carried out and as of the date of this report no comments had been received as a result of the notification.
- A Public Hearing has been held.

NEXT STEPS

- Forward the proposed bylaw to the Executive Committee of the Islands Trust for approval.
- Forward the Bylaw to the Minister of Municipal Affairs and Housing for approval.
- Place on future LTC agenda for adoption.

Submitted By:	Gary Richardson, Island Planner	May 1, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	May 1, 2019

ATTACHMENTS

1. Proposed Bylaw 124
2. Proposed Bylaw 125

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 124

A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 70, 2000

The Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2018”.

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	17 TH	DAY OF	JANUARY	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 124**

SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Amending subsection C.1.3 by inserting the following as the last sentence in the subsection: "Secondary suites are not considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area."

2. Amending section D.1 Rural by adding a new section j) immediately following section i) as follows:

"j) Secondary suites may be permitted in designations that permit residential use."

3. Amending subsection D.1.R Rural Residential by adding a new article D.1.R.7 immediately following article D.1.R.6 as follows:

"D.1.R.7 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."

4. Amending subsection D.1.G Rural General by adding a new article D.1.G.6 immediately following article D.1.G.5 as follows:

"D.1.G.6 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."

5. Amending subsection D.1.C Rural Comprehensive by adding a new article D.1.C.5 immediately following article D.1.C.4 as follows:

"D.1.C.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."

6. Amending section D.2 Farmland by adding a new subsection D.2.10 immediately following subsection D.2.9 as follows and renumbering the remaining subsections accordingly:

"D.2.10 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."

7. Amending section D.4 Forest by adding a new subsection D.4.14 immediately following subsection D.4.13 as follows and renumbering the remaining sections accordingly:

“D.4.14 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

8. Amending section D.4 Forest by adding a new subsection D.4.20 immediately following subsection D.4.19 as follows and renumbering the remaining subsections accordingly:

“D.4.20 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence on Forest Residential zoned land.”

9. Amending section D.5 Heritage Forest by adding a new subsection D.5.6 immediately following subsection D.5.5 as follows:

“D.5.6 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

10. Amending section D.6 Wilderness Reserve by adding a new subsection D.6.5 immediately following subsection D.6.4 as follows and renumbering the remaining sections accordingly:

11. “D.6.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 125

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW 78, 2002

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw 119, 2018, Amendment No. 1, 2018”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw 119, 2018,” is amended as follows:

1. Part 2 General Regulations is amended by inserting the following as a new section 2.18:

“2.18 Secondary Suites

(1) The secondary suite must be contained within the walls of the building that contains the principal residence.

(2) The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal residence.

(3) A building permit shall not be issued for a secondary suite until the building is serviced by an adequate supply of potable water.

(4) The floor area of the secondary suite shall not exceed 90 m² (968 ft²) nor shall it exceed 40 per cent of the floor area of the principal residence. A secondary suite must not be subdivided from the principal residence under the Land Title Act or the Strata Property Act.

(5) Secondary suites are not permitted in the areas identified as having moderate to high aquifer vulnerability depicted on Schedule D.”

2. By adding a new subsection immediately following subsection 4.1.4 as follows:

“ 4.1.5 One *secondary suite* is permitted per *residence* subject to section 2.18.” and renumbering the following sections accordingly;

3. By adding a new subsection immediately following subsection 4.2.6 as follows:

“ 4.2.7 One *secondary suite* is permitted per *residence* subject to section 2.18.” and renumbering the following sections accordingly;

4. By adding a new subsection immediately following subsection 4.4.4 as follows:
 “ 4.4.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
5. By adding a new subsection immediately following subsection 7.1.2 as follows:
 “ 7.1.3 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
6. By adding a new subsection immediately following subsection 7.3.4 as follows:
 “ 7.3.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
7. By adding a new subsection immediately following subsection 9.2.4 as follows:
 “ 9.2.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
8. By adding a new subsection immediately following subsection 9.3.6 as follows:
 “ 9.3.7 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
9. By adding a new subsection immediately following subsection 10.1.3 as follows:
 “10.1.4 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
10. By adding a new parking requirement “k” to Part 14, Table 1: Off street parking requirements, following “(j)” as follows:

Table 1: Off street parking requirements		
	Use	Minimum Number of Off street parking Spaces Required
(k)	<i>Secondary Suite</i>	1 per <i>secondary suite</i>

11. By adding a new definition to Part 15. Interpretation immediately after subsection 15.1.40 as follows:
 “15.1.41 “***secondary suite***” means an accessory, self-contained residential unit, located within a building that otherwise contains a residential unit, and having a lesser floor area than the principal residential unit.”;
 and renumbering the following sections accordingly.
12. By adding a new ‘Schedule D’ immediately following ‘Schedule C’ as shown on Plan No. 1 which is attached to this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

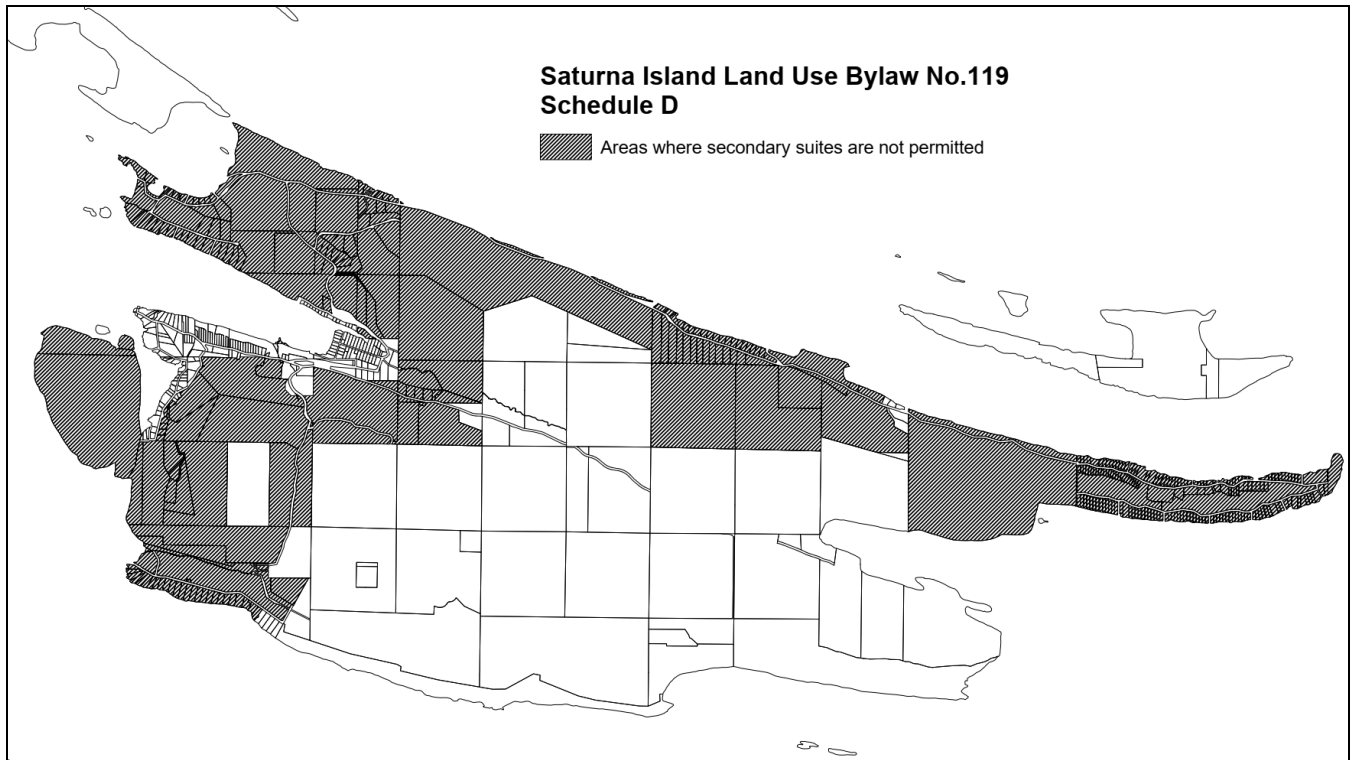
READ A FIRST TIME THIS	17 TH	DAY OF	JANUARY	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 125**

Plan No. 1





File No.: 6500-20 (Density Transfer)

DATE OF MEETING: May 9, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaw 126 (LUB) – Density Transfer

RECOMMENDATION

1. That Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be read a Second time.
2. That Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be read a Third time.
3. That Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

Proposed Bylaw 126 amends the Saturna Island Land Use Bylaw to incorporate an amendment previously adopted by the LTC into the new LUB. It would include regulations to accomplish a transfer of subdivision potential from one lot to another. This report recommends steps to be taken to advance proposed Bylaw 126.

BACKGROUND

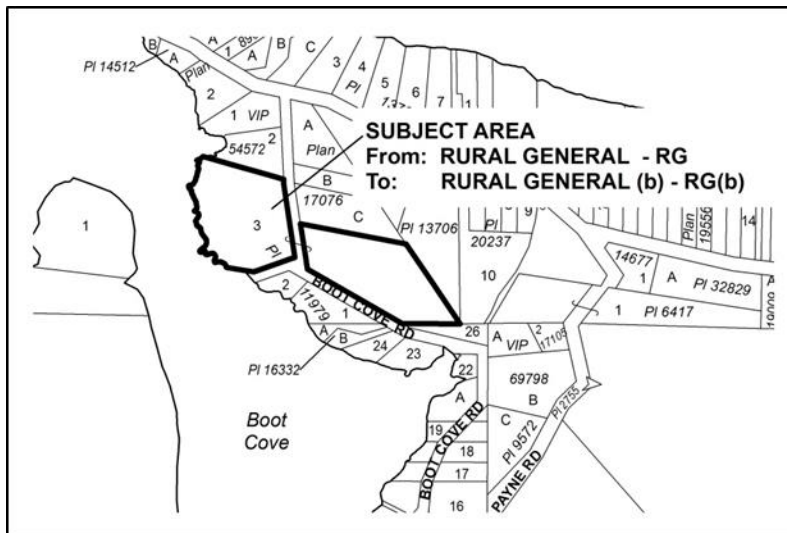
Recently this issue was identified in a review of the new Land Use Bylaw for Saturna Island “Saturna Island Land Use Bylaw 119, 2018”. The new LUB (Bylaw 119) did not include a bylaw amendment (Bylaw 118) that had amended the previous Land Use Bylaw for Saturna Island “Saturna Island Land Use Bylaw No. 78, 2002”. This bylaw (Bylaw 126) would correct that oversight.

The purpose of the previous bylaw amendment was to transfer subdivision potential from one lot (donor lot) to another lot (recipient lot).

The Napenthe Lot (recipient lot) is a waterfront property located in the Boot Cove area of the Saturna Island. The property is predominantly surrounded by smaller residential lots. A 1.78 hectare portion of the lot is separated from the waterfront portion and is located across Boot Cove Road. A site review was carried out March 6, 2012 and it was evident from the review that the houses have been in place for some time. There is a 1971 building permit that was taken out for the construction of the three houses; therefore the houses are

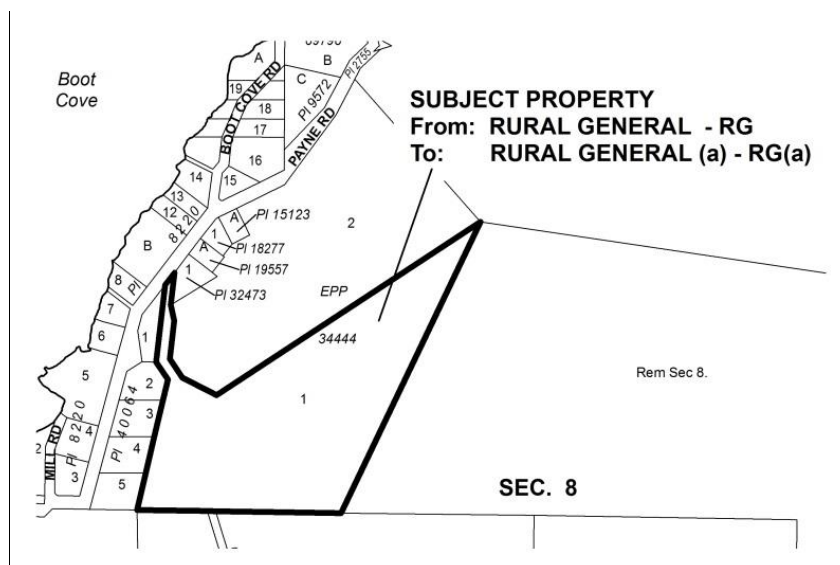
lawfully constructed. Two of the houses share one access and the third house has its own access. There is one dock in place which fronts proposed Lot C. It appeared as though one of the houses contains a second set of cooking facilities. The lots are well treed and are covered with mostly mature native vegetation.

Figure 1 - Napenthe Holdings Ltd. Lot (Recipient Lot)



The subject area (donor lot) is a 10.6 hectare lot in the Boot Cove area of Saturna Island. The donor lot has a subdivision development potential of 5 lots. The property owner (Money Family Projects Ltd.) entered into an agreement to transfer 2 of the subdivision densities to the Napenthe Lot. The donor parcel is located on Payne Road approximately 500 metres south of the recipient lot near Boot Cove. The donor parcel is treed and is undeveloped.

Figure 2 – Money Family Projects Ltd. Lot (Donor Lot)



As per s. 462(2) of the *Local Government Act* the public hearing requirement for proposed Bylaw 127 has been waived. The proposed bylaw is consistent with the Saturna Island Official Community Plan. A public hearing is not being held as the amendment to the previous LUB was subject to all statutory requirements including a public hearing. This proposed bylaw is re-enacting an amendment that has previously been made.

The LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Reconsideration and adoption.

A bylaw may be altered provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

- Statutory notification has been carried out.
- Re-enacting a bylaw amendment that was previously adopted.

NEXT STEPS

- Forward the proposed bylaw to the Executive Committee of the Islands Trust for approval.
- Place on future LTC agenda for adoption.

Submitted By:	Gary Richardson, Island Planner	May 2, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	May 2, 2019

ATTACHMENTS

1. Proposed Bylaw 126

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 126

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No.119, 2018, Amendment No. 1, 2019”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 119, 2018,” is amended as follows:

2.1 Section 4.2 (Rural General Zone) is amended by adding the following immediately after subsection 4.2.12:

“4.2.13 Site Specific Regulations

4.2.13 (1) The regulations listed in Column 3 of the following table only apply to the land listed in Column 2 of the same row. These lands are identified on the zoning map by the site-specific zoning reference listed in Column 1.

Column 1 Site-Specific Zone Reference	Column 2 Legal Description	Column 3 Site Specific Regulations
RG(a)	Lot 1, Section 8, Saturna Island, Cowichan District, Plan EPP34444.	(1) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 3.3 hectares (8.15 acres).
RG(b)	Lot 3, Section 18, Saturna Island, Cowichan District, Plan 11979, except part in Plan 17076.	(2) Despite 4.2.11 no lot having an area of less than 0.60 hectares (1.48 acres) may be created by subdivision. (3) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 1.1 hectares (2.7 acres).

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS 17TH DAY OF APRIL 2019.

READ A SECOND TIME THIS DAY OF

READ A THIRD TIME THIS DAY OF

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

ADOPTED THIS _____ DAY OF _____

Chair

Secretary



File No.: 6500-20-STVR- TUP Guideline
Review

DATE OF MEETING: May 9, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
SUBJECT: Short Term Vacation Rental Review – TUP Guidelines
Location: Saturna Island Local Trust Area

RECOMMENDATION

1. That Saturna Island Local Trust Committee Draft Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” be read a first time.
2. That the Saturna Island Local Trust Committee directs staff to schedule a public hearing for Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019”.
3. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” is not contrary or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

This report has been prepared to further advance the Saturna Local Trust Committee’s work program priority to implement Commercial Vacation Rental (CVR) guidelines for issuance of Temporary Use Permits (TUP) in the Saturna Island Local Trust Area. This report contains a draft bylaw (127) to amend the Saturna Island Official Community Plan No. 70, 2000 (OCP). Specifically draft bylaw 127: creates guidelines for the issuance of TUPs for CVRs; and 2) amends the TUP section of the OCP to comply with current legislation.

BACKGROUND

This issue was identified as a Work Program Priority by Resolution-Without-Meeting January 2019.

A project charter was endorsed January 17, 2019.

STVR is a term commonly used to describe the commercial rental of dwellings to paying guests for a period of time generally less than a month. Currently, the Land Use Bylaw defines STVRs as a permitted home occupation use in cottages in residential zones. The more commonly used term applies to the use of any residence (not just a cottage) as a vacation rental.

If the LTC were to amend the OCP to include guidelines for Temporary Use Permits for vacation rentals in other residences, the current home occupation option would remain as an outright permitted use. In order to provide certainty with respect to the existing cottage option, staff have drafted the proposed TUP guidelines to use a

different terminology - “commercial vacation rental”. The definition of commercial vacation rental will be included in the TUP guidelines.

Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years. The LTC has identified that specific guidelines relating to issuance of TUPs for vacation rentals should be drafted for inclusion in the OCP.

The LTC reviewed a staff report regarding proposed CVR guidelines at its March 7, 2019 LTC meeting.

The LTC passed the following resolutions at the March 7, 2019 meeting:

SA-2019-014

that Saturna Island Local Trust Committee direct staff prepare a bylaw, to amend the Saturna Island Official Community Plan No. 70, 2000, to incorporate guidelines as amended regarding the issuance of Temporary Use Permits for Commercial Vacation Rentals.

SA-2019-015

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to update the Temporary Use Permit section of the Saturna Island Official Community Plan No. 70, 2000 with respect to current legislation.

The amendments suggested in the minutes:

Trustee Middleton stated that there is a desire for clarity as to when a home can be used as a STVR. He read out “Guideline 5” and asked to use the word “approval” in the case of shared water resources and similar instead of “comment”.

It was requested that “Guideline 12” be amended to include permission from all property owners with interest in a shared access, when shared accesses are used.

These amendments have been incorporated into draft bylaw 127.

Consultation

A community information meeting is recommended as part of the bylaw review process for any new bylaw.

When a public hearing is scheduled for draft bylaw 127 a notice will be posted in the newspaper, website, mailed and hand delivered to surrounding property owners, and posted on notice boards as per statutory requirements in advance of the public hearing.

The following agencies and First Nations have been identified as requiring bylaw referral for comment.

- Ministry of Transportation and Infrastructure
- Lyall Harbour Boot Cove water system
- Island Health

- FLNRORD – Pat Lapsevic
- Agricultural Land Commission
- CRD, Building Inspection Services
- North Pender Island Local Trust Committee
- South Pender Island Local Trust Committee
- Mayne Island Local Trust Committee
- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Lyackson First Nation
- Malahat First Nation

Rationale or Recommendation

- Overall, TUPs are a valuable tool to allow a use to be carried out for a limited time with conditions that can be more specific than can be contained in an LUB.
- TUPs for CVRs can presently be issued in the Rural, Forest, Farmland and Harbours designation as shown on OCP Schedule B. These proposed guidelines give the LTC, public and planners some guidance when considering TUPs for CVR use.
- The CVR guidelines will allow the staff and LTC guidelines to review CVR requests and can be included as conditions in a TUP.

- CVRs can be permitted in a way that does not impact the residential character of a neighborhood.
- The licensing requirements of FLNRORD provide for another level of review with respect to potential groundwater use.
- CVRs can be restricted in numbers so there is not a concentration of them in any one area.
- Guidelines will ensure water quality/quantity issues are considered before TUP is issued.
- Updates the TUP section of OCP with current legislation.
- Staff has made amendments to the guidelines as per LTC direction.
- Allowing CVRs could assist the community in addressing its limited accommodation for the travelling public.

ALTERNATIVES

1. Request amendments

LTC can request bylaw to be amended prior to proceeding.

2. Proceed No Further

If the LTC determines that bylaw 127 should not proceed a resolution to proceed no further should be passed.

NEXT STEPS

- 1) Refer bylaw 127 to First Nations and agencies.
- 2) Schedule a CIM.
- 3) Schedule public hearing.

Submitted By:	Gary Richardson, Island Planner	May 1, 2019
Concurrence	Robert Kojima, Regional Planning Manager	May 1, 2019

ATTACHMENTS

1. Draft Bylaw 127
2. Policy statement checklist

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 127**

**A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 70, 2000**

The Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2019".

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING
THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 127

SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2018" is amended by deleting Part H (Temporary Commercial and Industrial Use Permits) in its entirety and replacing it with the following:

"PART H - TEMPORARY USE PERMITS

- H.1** The Saturna Island Local Trust Committee may issue Temporary Use Permits in the Rural, Forest, Farmland and Harbours designations as shown on Schedule B.

Objectives for Issuing Temporary Use Permits

- H.1.1** Permits for temporary uses may be issued:
- a) for short term uses;
 - b) as a test of the compatibility of the proposed land use, which may not have been anticipated, with existing uses; or
 - c) for the rental of a residence as a short term commercial vacation rental.

Permit Guidelines

- H.1.2** Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- H.1.3** Permitted uses should be consistent with the policies of the designation and the provisions of H.1.1.
- H.1.4** Permitted uses should not preclude or compromise future permitted uses on the affected lot.
- H.1.5** Uses should not be allowed if they conflict with any ongoing planning policies or programs.
- H.1.6** Permit conditions must make reference to measures dealing with the following points:
- a) general activity levels that will not create any disturbance apparent beyond the property's boundaries;
 - b) adequate landscape buffering or distance separation to adjacent lots;
 - c) provision of off-street parking spaces consistent with regulatory bylaws;
 - d) reclamation measures that will restore the permit area to suitability for its designated primary use; and
 - e) adequate supervision of the site.

- H.1.7** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.
- H.1.8** Campsites may be permitted provided there is adequate supervision to a maximum density of 2 campsites per acre on properties of at least 2.02 hectares (5 acres).
- H.1.9** All individual campsites will have walk-in access only with no vehicle access directly to the site.
- H.1.10** In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.
- H.1.11** In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial vacation rental:
- a) For the purpose of a temporary use permit, “commercial vacation rental” means the use of a residence as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier;
 - b) The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for commercial vacation rentals;
 - c) The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence;
 - d) The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - e) The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater catchment system may be required as a condition of the permit. If the lot is served by a community water system, the application should be referred to the water system operator for approval.
 - f) A temporary use permit for a CVR on a parcel in the Agricultural Land Reserve may require approval of the Agricultural Land Commission.
- H.1.12** In addition to the above requirements any TUP issued for CVR use should:
- a) restrict advertising to one unilluminated sign, with a maximum area;
 - b) demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
 - c) require that the owner or other contact be available on Saturday by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit;
 - d) require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager’s phone number,

and a copy of the temporary use permit;

- e) require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area;
- f) establish a maximum number of occupants;
- g) prohibit camping or occupancy of RVs on the property;
- h) prohibit outdoor fires;
- i) require the landowner/operator to post for guests emergency service contact information;
- j) require the landowner/operator to post contact information and permit information at the entrance to the property;
- k) require that a water licence for commercial use is to be obtained from prior to commencing the use; and
- l) ensure that there is legal access to the property where the CVR use is to be carried out. In the case of a shared access permission from all the property owners with an interest in the access be required.



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: SA-BL127 - 6500-20-STVR Review

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
n/a	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
n/a	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

Top Priorities Report

Saturna Island

1. *Secondary Suite Review*

Public hearing scheduled for May 9, 2019 (proposed bylaws 124 and 125)

Responsible

Gary Richardson

Dates

Rec'd: 22-Nov-2017
Target: 30-Jun-2019

2. *Short Term Vacation Rentals - TUP Guidelines*

Draft Bylaw prepared for LTCs consideration at May 9, 2019 LTC Meeting

Responsible

Gary Richardson

Dates

Rec'd: 08-Jan-2019

3. *First Nations Relationship Building*

Review of OCP to include references to First Nations.

Target date for next staff report on this project July 18, 2019

Responsible

Gary Richardson

Dates

Rec'd: 16-Sep-2016

Projects Report

Saturna Island

1. <i>Shoreline Review</i>	Responsible	Date Received
17-Jun-2016		
2. <i>Amenity Zoning and Accessible Housing Review</i>	Responsible	Date Received
04-Oct-2018		
3. <i>National Park Zoning</i>	Responsible	Date Received
04-Oct-2018		



Islands Trust

Print Date: April 29, 2019

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2018.1	Ronald Hall & Saturna Garage and Contracting Planner: Gary Richardson	15-Jan-2018	To amend zoning of two properties.
Planning Status			
Status Date: 18-Oct-2018 Adoption on hold pending direction from applicant to proceed with consideration			
Status Date: 23-Sep-2018 Bylaws approved by executive committee.			
Status Date: 23-Sep-2018 Bylaws forwarded to Minister Sept 25.			

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2019.1	Money Family Projects Ltd. Planner: Gary Richardson	20-Mar-2019	rezoning application for an OCP and LUB amendment
Planning Status			
Status Date: 29-Apr-2019 Satff report prepared for LTCs consideration at May 9, 2019 LTC meeting.			
Status Date: 20-Mar-2019 PTA created file, fees received, LTC notified, given to Planner			

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL Planner: Gary Richardson	22-Nov-2017	Subdivision to create a new parcel.
Planning Status			

Applications

Status Date: 06-Apr-2018

Staff sent response to MoTI March 12, 2018

Status Date: 04-Dec-2017

Fees received, LTC notified - new application/referral.

Status Date: 29-Nov-2017

Received application, sent subdivision fee request.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL	01-Feb-2018	Create one lot with one remainder.

Planner: Gary Richardson

Planning Status

Status Date: 06-Apr-2018

Staff sent response to MoTI April 4, 2018.

Status Date: 15-Feb-2018

Fees received, notified LTC, gave file to Planner.

Status Date: 01-Feb-2018

opened file, sent fee request to applicant. RPM to assign planner.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.2	JORDAN ELLIOT LITKE c/o POLARIS LAND SURVEYING	06-Jun-2018	105 Payne Road - Proposed 2-lot conventional boundary adjustment subdivision with 187 East Point Road (see SA-SUB-2015.2)

Planner: Gary Richardson

Planning Status

Status Date: 30-Oct-2018

Response sent to MOTI Oct 30, 2019.

Status Date: 23-Jul-2018

Emailed scanned letter, receipt and cheque to Applicant, mailed originals; emailed Subd Ref Review application to LTC cc Planner and MoTI. Gave folder to Planner.

Applications

Status Date: 15-Jun-2018

Prepared and emailed letter with Subdivision Referral Review form and application package to Applicant, cc LTC, Planner and MoTI; mailed original letter and application form.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2019.1	Blake, Michelle	22-Feb-2019	subdivision plans for two lots on Saturna Island.

Planner: Gary Richardson

Planning Status

Status Date: 03-May-2019

Advised MOTI that referral response will be sent May 3, 2019

Status Date: 05-Mar-2019

PTA received MoTi Ref and created Subdivision Ref App, fees received, given to Planner, sent to LTC

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending February 2019

660 Saturna	Invoices posted to Month ending February 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	2,500.00	156.89	2,343.11
65210-660	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,750.00</u>	<u>156.89</u>	<u>3,593.11</u>
Projects				
73001-660-4032	Saturna Secondary Suite Review	2,000.00	905.40	1,094.60
73001-660-4069	Saturna LUB Technical Review	1,500.00	1,546.70	-46.70
73001-660-4077	Saturna First Nations Relations	4,000.00	1,713.28	2,286.72
TOTAL Project Expenses		<u>7,500.00</u>	<u>4,165.38</u>	<u>3,334.62</u>

Saturna Island Local Trust Committee POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.

No	Meeting Date	Resolution No.	Issue	Policy
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; More than one STVR per constructed residence on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers, or RV's; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR; 7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR. And THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
3.	February 25/09	SA-LTC-09-09	Adopt LTC Minutes by RWM	It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.
4.	June 22/11	SA-LTC-	Adopting In Camera Minutes	It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.

No	Meeting Date	Resolution No.	Issue	Policy
5.	February 9/12	SA-LTC-11-12	Adopt SOL policy	It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration
6.	October 4, 2018	SA-LTC-	Processing of Cannabis Retail License applications	- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the local trust committee.

No	Meeting Date	Resolution No.	Issue	Policy
7.	January 17, 2019	SA-LTC-2019-11	Enforcement on unlawful housing	It was Moved and Seconded, that the Saturna Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: There is a complaint from an immediate neighbour; or there is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality March 2019

Local Trust Committee Referrals

The ITC Board considered two local trust committee referrals regarding development proposals on two properties adjacent to ITC Nature Reserves on Salt Spring and North Pender Islands. Read the details in the Island-by-Island Activities.

Standards and Practices for Land Trusts

The ITC Board received a comparison report about the revised Canadian Land Trust Alliance Standards and Practices. While the Islands Trust Conservancy meets the majority of recommended standards, there will be further work done to ensure it fulfills all relevant recommendations.

ITC Board Fund Development Advisory Committee

The ITC Board Fund Development Advisory Committee met for the first time since forming in a special closed meeting after the regular closed and open March 26 ITC Board meetings.

Islands Trust Reconciliation Declaration

The ITC Board discussed options for endorsement or participation in the Islands Trust Reconciliation Declaration.

Summary of Current Island-by-Island Activities

The ITC continues to work on management plans for eight nature reserves on Thetis (1), Gambier (3) and Denman (4) Islands and received forage fish habitat mapping for Sidney and James Islands.

Denman

The ITC Board received a briefing on the Comox Valley Regional District Engagement with First Nations in relation to a request from the Cowichan Valley Regional District to allow a segment of the Denman Cross Island Trail to cross the Lindsay Dickson Nature Reserve.

Management planning for the Valens Brook Nature Reserve, including the recent addition, is under way. Invasive species removal and trail clearing, sign installation, and tree protection for forest restoration continue at Inner Island, Lindsay Dickson, and Morrison Marsh Nature Reserves on Denman. New ten-year management plans for these three nature reserves will be completed in 2019.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and additional minor trail improvements are planned for 2019.

Galiano

The ITC received a report from the Habitat Acquisition Trust that approximately 30 m³ of Scotch broom was removed from the bluffs at Trincomali Nature Sanctuary by volunteers in October 2018. Improved signage for the trail in Vanilla Leaf Land Nature Reserve is planned for 2019.

Gambier

Management planning for three Gambier Island Nature Reserves (Brigade Bluffs, Long Bay Wetland, Mount Artaban) continues.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, public consultation and management planning will begin.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff regarding best management practices for external lighting and wildlife.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the Nature Reserve.

Thetis

The ITC is assisting the Thetis Island Nature Conservancy and the Cowichan Community Land Trust with an application for funding for a trail and kiosk on Fairyslipper Forest Nature Reserve. The ITC continues to work on management plans for recent acquisitions on Thetis Island, including archaeological work and communications with the Penelakut Tribe regarding cultural values on the lands. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries in 2019.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

MEMORANDUM

File No.: 0680-25
(Annual Report)

DATE OF MEETING: May 9, 2019
TO: Saturna Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
SUBJECT: 2018-2019 Annual Report

RECOMMENDATION:

1. That the Saturna Island Local Trust Committee endorse the following text for inclusion in the 2018-2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing:

The Saturna Island Local Trust Committee (SA LTC) held five regular business meetings and one special business meeting in the 2018/19 fiscal year.

Work for this period focused on advancing the LTC priorities of zoning for secondary suites and guidelines for vacation rentals, along with completion of an update to its Land Use Bylaw.

The LTC continued to work on building its relationships with First Nations.

The LTC also considered two rezoning applications, one variance, and one temporary use permit.

DISCUSSION

Local trust committees are asked to endorse their draft sections of the 2018-2019 Annual Report so that Trust Council is readily able to approve the annual report at the Trust Council meeting in June 2019.

Preparation of the Islands Trust 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 subsequent consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs & Housing and circulate it as indicated in Trust Council's policy.

The recommended text (above) has been reviewed by the Islands Trust Communications Specialist and approved by the Director of Local Planning Services (or designate).

Submitted By:	Robert Kojima Regional Planning Manager	April 24, 2019
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File No.: File Number(s)
(File Name or Cross Ref. No.)

DATE OF MEETING: May 9, 2019
TO: Saturna Island Local Trust Committee
FROM: Miles Drew, Bylaw Compliance and Enforcement Manager
Local Planning Services
SUBJECT: Unlawful Short-Term Vacation Rental Enforcement Policy

RECOMMENDATION

That the Saturna Island Local Trust Committee makes the following resolution:

1. Unlawful short-term vacation rentals (STVRs) that have one or more of the following characteristics will be subject to enforcement:
 - a. They are advertised on the Internet, newspapers or other media;
 - b. More than one STVR per constructed residence on the lot is simultaneously made available for an STVR;
 - c. While the property is rented, persons are also staying in tents, trailers or RV's;
 - d. There are issues related to health and safety;
 - e. There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR;
 - f. The owner of the property uses more than one property on Saturna Island as an unlawful STVR.
2. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw, and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.

REPORT SUMMARY

The purpose of this report is to make recommendations about bylaw enforcement policy related to unlawful short-term vacation rentals.

BACKGROUND

At the January Saturna Island Local Trust Committee (LTC) meeting, the LTC made the following resolution:

SA-2019-009

It was Moved and Seconded,

that Saturna Island Local Trust Committee recommends a drafting of a new Short-Term Vacation Rental bylaw enforcement policy and resolution based on the conversations which occurred at the LTC meeting on January 17, 2019.

The minutes from that meeting seen below do not clearly indicate the desires of the LTC.

Planner Richardson mentioned STVRs at this time can happen if a TUP is granted. The LTC has requested TUP guidelines regarding STVRs similar to those in place on other Island OCP's.

Cy Tordiffe spoke of STVR water usage, which is three to four times more than regular residential use.

Trustee Brent makes suggestions for the STVR and TUP costs to be kept on the island for use towards affordable housing, instead of being used to advertise notices in the Driftwood.

Warren Dingman commented that complaints regarding STVRs are rare on Saturna Island. Currently, enforcement is initiated if the Islands Trust bylaw enforcement office receives a complaint.

Warren Dingman stated that if the LTC wished to change the current standing resolution on Short-Term Vacation Rentals and what initiates enforcement, they could do so. The LTC was given an example from a previous Mayne Island standing resolution on STVR enforcement that stated that enforcement would begin, if there were two written complaints received about a Short-Term Vacation Rental.

Trustee Brent stated that he wanted the new enforcement policy to address concerns the local improvement districts may have regarding excessive water use and shared driveways with Short-Term Vacation Rental operations.

Staff at the meeting recollect that some members of the LTC indicated they would like to replace the existing unlawful STVR enforcement policy with a new one that only permitted enforcement if there were two complaints from neighbours. However, there is no record of that comment. The Mayne Island STVR enforcement policy referred to required two written complaints only for issues related to nuisances, such as noise caused by STVRs. Otherwise, the policy directed staff to take proactive enforcement on unlawful STVRs.

The Saturna STVR policy is out of date, as the Land Use Bylaw it references is repealed and it needs to be updated. The current version is below:

THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement:

1. They are advertised on the Internet, newspapers or other media;
2. They are not managed by the property owner;
3. More than one STVR per constructed residence on the lot is simultaneously made available for an STVR;

4. While the property is rented, persons are also staying in tents, trailers, or RV's;
5. There are issues related to health and safety;
6. There is a written complaint by owners or residents about bona fide nuisance issues, such as noise or parking congestion related to the STVR;
7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR.

And THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw, and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.

This enforcement policy has existed since August of 2008. Proactive enforcement may have limited the number of unlawful STVRs on Saturna Island. Currently there are only four. This low number is consistent with other Local Trust Areas where there has been long-standing proactive enforcement. Other Local Trust Areas have higher numbers of unlawful STVRs. For instance, when Denman Local Trust Area initiated proactive enforcement, research identified seventeen unlawful STVRs. In the Gabriola Local Trust Area, there is a Temporary Use Permit (TUP) specifically designated for STVRs. The permit conditions ameliorate community concerns. However, in the absence of proactive enforcement, there are only three valid permits. Recently, a complainant identified ten unlawful STVRs but many more probably exist. This seriously undermines the intent of the TUP conditions and the purpose of the Land Use Bylaw (LUB). The Salt Spring Local Trust Committee abandoned proactive enforcement and then, after six years, restarted it. In that time, the number of unlawful STVRs ballooned to over fifty. A year and half of proactive enforcement reduced the number to thirty-two. However, it will consume significant resources to reduce substantially the negative impacts of unregulated STVR operations on Salt Spring Island.

Of the four open unlawful STVRs on Saturna Island, one is in a local improvement district and reportedly consumes three to four times the normal water use, while another is on a private island.

ANALYSIS

Policy/Regulatory

One of the LTC's top priority projects is to amend the Saturna Island Official Community Plan No. 70, 2000, to incorporate guidelines regarding the issuance of TUPs for Commercial Vacation Rentals (CVRs). The purpose of this project is to provide an opportunity for property owners to operate commercial vacation rentals lawfully and to ensure that the guidelines in the Saturna Official Community Plan (OCP) and the Islands Trust Policy Statement (ITPS) are met.

Commonly, community concerns about unlawful STVRs include overuse of scarce water resources, nuisances, reduction in available long-term rental housing, and impacts on community amenities. Both the OCP and the ITPS have guidelines that cover these issues.

Islands Trust Policy Statement:

4.4.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of

freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.

Official Community Plan:

C.2.2 In considering permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee should use all available means within its direct jurisdiction to ensure the preservation and protection of the Area's diverse natural environment by:

d) basing land use decisions on the inherent capability of land and water areas to accommodate the type, scale and intensity of proposed land uses...

C.3.2 The type, scale, and concentration of development, including the ultimate resident and visitor populations, are to be managed to preserve the quiet rural atmosphere.

C.3.3 The rate of growth of residential, commercial accommodation and commercial use is to be managed to facilitate the community's ability to absorb proposed change and optimize any related benefits.

Land Use Bylaw:

Commercial visitor accommodation is only permitted in the Commercial Recreation and Accommodation Zone, Farm Resort Zone and Farm Retreat Zone. The home occupation regulations permit STVR use in cottages, while the operator occupies the permitted second dwelling on the same property.

Rationale for Recommendation

Although the LTC can choose to enforce or not enforce any bylaws, the OCP, the ITPS and the LUB all have statements that indicate that STVR uses should be carefully managed. Representatives from the local improvement district say that STVRs use much more water than non-STVR users. There is little reason to think that STVRs outside the improvement district will use less. Concerns expressed by community members in other local trust areas are that STVRs reduce availability of housing and negatively affect the rural nature of communities. Finally, evidence across the Islands Trust Area is that where proactive STVR enforcement has taken place, STVRs are relatively well controlled. However, in other areas STVR uses have proliferated. Adopting the recommended resolution will ensure that unlawful STVR uses on Saturna will be limited. Additionally, it is clear from the experience in the Gabriola Local Trust Area that, without proactive enforcement, there is no motivation for STVR operators to apply for TUPs. With the planned amendment of the OCP to create specific guidelines for CVR TUPs, coupled with the specific LUB provisions for lawful STVRs operated as home occupations, and a proactive enforcement policy, the Saturna LTC will be managing STVRs in same manner as the Mayne, Galiano and North Pender Local Trust Areas.

Recommended changes to the existing unlawful STVR policy are:

1. eliminate reference to specific LUB sections; (This will prevent the need to update it if the LUB numbering changes.)
2. eliminate the section authorizing enforcement if there is a property manager; (Experience in other Trust Areas shows that STVRs operate better with on-island managers.)
3. change the section authorizing enforcement against nuisances to require two complainants from the immediate neighbourhood.

ALTERNATIVES

The LTC could adopt the following resolution:

That the Saturna Island Local Trust Committee only authorize enforcement against unlawful short term vacation rentals, unless one of the following circumstances exists:

1. There is more than one complainant from the immediate neighbourhood;
2. The complaint is made by a representative of an improvement district and it concerns overuse of water;
3. The complaint concerns use of a common driveway servicing at least two separate lots.

Submitted By:	Miles Drew, Bylaw Compliance and Enforcement Manager	April 23, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	April 24, 2019



File No.: File Number(s)
(File Name or Cross Ref. No.)

DATE OF MEETING: May 9, 2019

TO: Saturna Island Local Trust Committee

FROM: Gillian Nicol,
Project Lead, Visions 2099: The Future of the islands in the Salish Sea
Program Coordinator, Trust Area Services

Andrew Templeton,
Communication Lead, Visions 2099– The Future of the islands in the Salish Sea
Communication Specialist, Trust Area Services
Southern Team

COPY: Russ Hotsenpiller
Project Sponsor, Visions 2099–The Future of the islands in the Salish Sea
Chief Administrator Officer, Islands Trust

SUBJECT: Public Engagement on Saturna Island for Visions 2099: The Future of the islands in the Salish Sea

RECOMMENDATION

That the Saturna Island Local Trust Committee approve option 1 for public engagement to take place in the Saturna Local Trust Area in support of the Trust Council's Visions 2099: The Future of the islands in the Salish Sea .

REPORT SUMMARY

The purpose of this report is to give the Saturna Island Local Trust Committee (SA LTC):

- background information on Trust Council's Visions 2099: The Future of the islands in the Salish Sea (working title);
- an outline and description of the in-person and online engagement activities that are proposed for the Saturna Local Trust Area, which will take place at some point between June and November 2019.

BACKGROUND

On June 21, 2017, the Islands Trust Council voted to assign the Executive Committee (EC) co-ordination of a review of the following sections of the Islands Trust Policy Statement: Introduction, Part I, Part II and Schedule 1 - Definitions.

Objectives for this review have been defined as follows:

1. To receive final adoption by Trust Council of a bylaw amending Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement that includes up-to-date information, improved history section

and appropriate acknowledgment of First Nations, and a recognition of the increasing impacts of climate change.

2. To improve understanding of the content and function of the Policy Statement
3. To increase awareness and knowledge about Islands Trust and its mandate
4. To promote understanding of Reconciliation and history
5. To develop stronger relationships with First Nations
6. To seek input on long term visions for the Trust Area.
7. To gain experience with the Policy Statement amendment process to inform future processes and budget processes.
8. To increase awareness about the potential impacts of climate change on the Trust Area, as well as opportunities for mitigation, resilience, and adaptation policies to prepare for this threat.

At its March 2019 meeting, EC approved an engagement plan to support this review process. With the working title *Visions 2099: The Future of the islands in the Salish Sea*, the plan features a twin-track approach with strategies designed to engage First Nations alongside residents of the island communities and the general public. It is with the latter engagement work that this current report is concerned.

An individual engagement plan will be developed for each local trust area, making use of different engagement options which are outlined in the attached report.

Both online and in-person, the approach will be one of openhearted engagement, a genuine opportunity to take the temperature and better understand the visions that different communities/people have for themselves, the islands individually, and for the region as a whole, in order to better understand present hopes and fears and to effectively prepare for the future.

This discussion will be framed through the Object of the Islands Trust with acknowledgement that the world has changed and the Islands Trust needs to remain effective in preserving and protecting for the long-term and be prepared to meet new and unexpected challenges.

ANALYSIS

The recommended course of action (Option 1) for the Saturna Local Trust Area in support of *Visions 2099* is as follows:

1. We would hold a community drop-in and world café event (Appendix 1, Page 14 for more information) during the engagement period of June – November 2019.

During the community drop-in portion of the event, information boards with the following content will be posted:

- The history of First Nations in the Salish Sea region, with specific reference to the Saturna Island LTA;
- Reconciliation and rights and title;
- A very brief history and purpose of the Islands Trust and our areas of responsibility;
- An overview of how the Policy Statement impacts decision-making in the Islands Trust Area;

- A snapshot of environmental health and demographics of the Saturna Island LTA, how things might change in the future if trends continue as they are;
- A snapshot of the environmental and social health of the Salish Sea region as a whole;
- Identify some of the issues that unite island communities; how things might change in the future if trends continue as they are.

The world café is a technique that brings people together in simultaneous rounds of conversation about questions that matter. We will provide members of the public an opportunity to foster meaningful discussion on questions pertaining to the topics from the information boards and others identified. This method provides the opportunity for members of the public to collaborate with others and empower one another.

2. That the online engagement (Appendix 1, Page 15 for more information) would offer a robust online campaign using a range of social media tools and our website to disseminate information about the engagement process. It will contain the same information about the Saturna LTA provided during the in-person engagement and encourage online participation on the issues.

Promotion of the project will happen at both the regional and local level. This will include advertising in local papers and promotion through social media. A few weeks in advance of the proposed in-person engagement, individuals with an interest in the Saturna LTA will be invited to submit their suggestions and ideas for topics that could fit within the broad themes of the project for the in person engagement.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Suggest alternative engagement methods

The LTC suggest an alternative option for how engagement could take place in the Saturna LTA, supported by the materials contained in the attached Visions 2099 document. The LTC should be aware that the engagement processes—involving as it does, 13 different local trust areas—is complex and requires a certain level of consistency across the entire Islands Trust Area to support appropriate data-collection.

RECOMMENDATION

That the Saturna Island Local Trust Committee approve option 1 for public engagement to take place in the Saturna Local Trust Area in support of the Trust Council's Policy Statement amendment project.

NEXT STEPS

Describe the next steps in the process, if applicable.

Submitted By:	Gillian Nicol, Project Lead, Visions 2099: The Future of the islands in the Salish Sea Program Coordinator, Trust Area Services Andrew Templeton Project Communication, Visions 2099: The Future of the islands in the Salish Sea Communications Specialist, Trust Area Services Southern Team	April 29, 2019
Concurrence:	Russ Hotsenpiller Project Sponsor, Visions 2099: The Future of the islands in the Salish Sea Chief Administrator Officer, Islands Trust	April 29, 2019

ATTACHMENTS

Appendix 1: Engagement plan for the Visions 2099: The Future of the islands in the Salish Sea, working title.



**Visions 2099:
The future of the islands in the Salish Sea
(Working Title)
Engagement Plan**

**(to inform amendments to Introduction, Part I, Part II and
Schedule 1 - Definitions sections
of the Islands Trust Policy Statement and the Islands Trust Act)**

March 29, 2019

Introduction

On June 21, 2017, the Islands Trust Council voted to assign the Executive Committee, with involvement from Trust Programs Committee as appropriate, co-ordination of a review of the Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement; herein called Phase 1. By limiting the review/ amendment process to the preamble and definitions sections, Trust Council provides an opportunity to update sections of the document while promoting better understanding of the Islands Trust and an opportunity for all parties in the amendment process (Islands Trust staff, provincial staff, First Nations, referral agencies and the public) to familiarize themselves with the Policy Statement and amendment processes.

Thereafter, information and insight gained from Phase 1 will be applied to the more complex engagement required to amend the commitment, recommendation and directive policies of Trust Council in Part Three of the Policy Statement; herein called Phase 2. Trust Council's Policy Statement Amendment Policy outlines the required steps for Trust Council to review and amend the Policy Statement Bylaw. Key considerations for the amendment process are that the Policy Statement Bylaw may be amended by Trust Council only with the approval of the Minister responsible for local government, and such Ministerial approval will be based on ensuring no conflicts with Provincial interests and adequate engagement with First Nations.

The Policy Statement Amendment Policy defines the required sections and audiences for a plan for engaging First Nations and stakeholders on the Policy Statement. These are addressed below.

In November 2017, the Islands Trust Chair sent letters to First Nations inviting them to be involved in this project. This plan will support re-initiation of that invitation.

In December 2018, Trust Council requested that the Minister consider 10 changes to the Islands Trust Act that address the themes of enforcement and administration, modernization and advancing the mission.

In March 2019, Trust Council adopted a Reconciliation Declaration that will underpin this project. The First Nations Engagement Principles Policy sets out that Trust Council is committed to proving sincere desire for reconciliation with First Nations. Phase 1 engagement will endeavor to ensure First Nations define how they want to comment and which areas of the Policy Statement they would like to review. Phase 1 should ensure that we do not define the process and limit it to how we would like to engage. We want to ensure that engagement is allowing for collaborative decision-making and relationship building. This may include First Nations providing extensive comments on the document as a whole, while others may only focus on certain areas.

In March 2019, Trust Council added climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.

Reconciliation with First Nations and the impact of climate change are changing how we think of our communities and how we plan for the future. With these major forces in play, impacting our lives on both the individual and collective levels, we need to ensure that the policy foundations set in place today preserve and protect the islands in ways that will ensure their health into the long-term future. What are our Island Visions for 2099? Do our current policy frameworks guide us to that desired future?

Objectives

1. To receive final adoption by Trust Council of a bylaw amending Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement that includes up-to-date information, improved history section and appropriate acknowledgment of First Nations, and a recognition of the increasing impacts of climate change.
2. To improve understanding of the content and function of the Policy Statement
3. To increase awareness and knowledge about Islands Trust and its mandate
4. To promote understanding of Reconciliation and history
5. To develop stronger relationships with First Nations
6. To seek input on long term visions for the Trust Area.
7. To gain experience with the Policy Statement amendment process to inform future processes and budget processes.
8. To increase awareness about the potential impacts of climate change on the Trust Area, as well as opportunities for mitigation, resilience, and adaptation policies to prepare for this threat

Context

The Policy Statement was developed over a period of two years from 1991 to 1993, through a comprehensive public consultation process that generated a high level of public participation and interest. However, at that time the consultation process did not focus or include engagement with First Nations who had historical and present day treaty, rights and title, and reserves within the Trust Area. Trust Council considered input from individuals, groups and other government agencies through presentations and more than 400 written submissions that outlined values, hopes and concerns. The Islands Trust Council adopted the Policy Statement bylaw in June 1994, following approval by the Minister of Municipal Affairs. Trust Council made updates to the Policy Statement in 1996, 1998, and 2002, following further consultation and ministerial approval.

In March 2010, Trust Council established a Policy Statement Assessment Task Force to conduct a preliminary assessment of the Trust Policy Statement and make recommendations regarding further actions. The task force produced a final report in May 2011. In March 2012, Trust Council decided not to undertake a three year comprehensive Policy Statement review process with funding from Canada's Gas Tax Fund.

Since that time there has been many changes in case law such as the Tsilhqot'in decision, signing of the United Nations Declaration on the Rights of Indigenous Peoples, the Trust and Reconciliation

Commission Calls to Action, as well as the Islands Trust First Nations Engagement Policy, and Islands Trust Reconciliation Declaration. There have also been changes in the region that include population growth, property value increases, demographics changes, climate change concerns, and increased concern with marine shipping and other marine uses. In preparation for this engagement initiative, staff have prepared an interim State of the Islands report that will inform conversations. There is an opportunity to engage on these societal and environmental changes through an inclusive process that creates positive opportunities to educate about the present state and the role of Islands Trust, and to envision a desired future.

Approach

Island Vision 2099

The project will be overseen by the Executive Committee with involvement from Trust Programs Committee as appropriate. In addition, the Ministry of Municipal Affairs and Housing has requested that the project have an inter-municipal advisory group comprised of, at minimum, representatives of the Ministry of Municipal Affairs and Housing, the Ministry of Indigenous Relations and Reconciliation, and Forests, Lands and Natural Resource Operations and Rural Development. There is also a need to keep the Minister of Municipal Affairs and Housing informed about the project on a regular basis. The first update to the Minister is proposed for mid-May 2019.

The project will feature a twin-track approach with strategies designed to engage with First Nations alongside engagement work designed for general island communities. It will also include regular updates to Trust Council and some engagement with Trust Council itself. As an agency that works on behalf of all British Columbians, the project will accept feedback from individuals who have an interest in the Trust Area but may not currently be a resident or landowner.

Both online and in-person, the approach will be one of openhearted engagement, a genuine opportunity to take the temperature and better understand the visions that different communities/people have for themselves, the islands individually and for the region as a whole, in order to better understand present hopes and fears and to effectively prepare for the future.

This discussion will be framed through the Object of the Islands Trust with acknowledgement that the world has changed and the Islands Trust needs to remain effective in preserving and protecting for the long-term and be prepared to meet new and unexpected challenges.

To support the conversation, we will provide background information in the following topic areas:

- The history of First Nations in the region and the LTA in question;
- Reconciliation and rights and title;
- A very brief history and purpose of the Islands Trust and our areas of responsibility;
- A snapshot of environmental health and demographics of the LTA in question, how things might change in the future if trends continue as they are;
- A snapshot of the environmental and social health of the region as a whole;

- Identify some of the issues that unite island communities; how things might change in the future if trends continue as they are.

The first three bullet points—dealing with First Nations, Reconciliation, and the Islands Trust—are communication exercises that will help establish context and baseline knowledge among those who are participating in the process. If people want to discuss these issues, we will note their points of view but will try to gently keep the conversation focused on the primary topics.

It will be under the following bullet points—local and regional environmental health—that the engagement activities will be organized (at least for the general communities). Feedback and ideas generated under these two headings will help us reshape how the Policy Statement could / should be reframed.

Both online and in-person, the process for engagement will be similar: layout the background information, as described above, and then invite feedback on the core issues that communities are facing on the local and larger regional levels and what could/should be doing to preserve and protect.

Key messages

In keeping with Islands Trust Public Engagement Principles (Appendix C) and the [December 2016 First Nations and Public Engagement project charter](#) this engagement strategy aims to be inclusive, respectful of Reconciliation principles, accessible, transparent, and adaptable. Initial key messages will be those below, recognising that these messages will evolve as staff develop the engagement materials, hear from the Ministry about how to proceed with engaging on the Islands Trust Act changes, and receive feedback:

- The Islands Trust Policy Statement is fundamental to the operations of the Islands Trust, guiding decisions about land use planning and advocacy.
- The 20-year-old Policy Statement continues to offer a positive vision for the Trust Area but is overdue for some updates.
- The Policy Statement Amendment Project will offer diverse opportunities for community members and First Nations to raise issues they are passionate about;
 - Trust Council's current Policy Statement Amendment Project is focused on the introduction and definition sections.
- The Policy Statement will play a role in reconciliation creating policies and principles that uphold the Islands Trust Reconciliation Declaration, and other guiding principles at this time.

Staff will work with the Executive Committee on any major deviations from this messaging.

Interested parties

- Trust Council
- Executive Committee
- Trust Programs Committee
- Interagency advisory group
- Trust Area community members
- Islands Trust trustees
- Islands Trust staff
- Honourable Selina Robinson, Minister of Municipal Affairs and Housing
- Ministry of Municipal Affairs and Housing staff
- Media
- First Nation Chiefs and Councils
- Referral agencies: (listed below)

Islands Trust bodies

1. Ballenas-Winchelsea Island LTC
2. Bowen Island Municipality
3. Denman Island LTC
4. Gabriola Island LTC
5. Galiano Island LTC
6. Gambier Island LTC
7. Hornby Island LTC
8. Lasqueti Island LTC
9. Mayne Island LTC
10. North Pender Island LTC
11. Salt Spring Island LTC
12. Saturna Island LTC
13. South Pender Island LTC
14. Thetis Island LTC
15. Trust Fund Board

First Nations

16. Cowichan Tribes
17. SXIMEŁEŁ (Esquimalt) Nation
18. Halalt First Nation
19. Homalco First Nation
20. K'ómoks (Comox) First Nation
21. Klahoose First Nation
22. Lake Cowichan First Nation
23. Lyackson First Nation

24. MÁLEXEL (Malahat) Nation
25. xʷməθkʷəy̓əm Musqueam Indian Band
26. BOKÉCEN (Pauquachin) First Nation
27. Penelakut Tribe
28. Qualicum First Nation
29. Scia'new (Beecher Bay) First Nation
30. SEMYOME (Semiahmoo) First Nation
31. Shíshálh (Sechelt) Nation
32. Snaw-naw-as (Nanoose) First Nation
33. Snuneymuxw (Nanaimo) First Nation
34. Lekwungen (Songhees) Nation
35. Sk̓wx̓wú7mesh (Squamish) Nation
36. Stz'uminus (Chemainus) First Nation
37. Tla'amin (Sliammon) First Nation
38. T'Sou-ke (Sooke) Nation
39. W̱JOŁŁP (Tsartlip) First Nation
40. S̱ÁUTW̱ (Tsawout) First Nation
41. Tsawwassen First Nation
42. Tsleil-Waututh/
Səlílwətaʔ/Selilwitulh (Burrard Inlet)
Nation
43. W̱SIKEM (Tseycum) First Nation
44. We Wai Kai (Cape Mudge) First
Nation
45. Wei Wai Kum (Campbell River) First
Nation

46. Treaties and Treaty Groups

47. Douglas Treaty
48. Nanwakolas Council
49. Hul'qumi'num Treaty Group
50. Laich-kwil-tach Treaty Society
51. Naut'sa mawt Tribal
52. Te'mexw Treaty Association

Regional districts

53. Capital Regional District
54. Comox Valley Regional District
55. Cowichan Valley Regional District
56. Metro Vancouver Regional District

- 57. Nanaimo Regional District
- 58. Powell River Regional District
- 59. Sunshine Coast Regional District

School district boards

- 60. School District No. 45 (West Vancouver) (Gambier)
- 61. School District No. 46 (Gambier)
- 62. School District No. 79 (Thetis)
- 63. School District No. 68 (Ballenas-Winchelsea)
- 64. School District No. 69 (Ballenas-Winchelsea/Lasqueti)
- 65. School District No. 71 (Denman/Hornby)
- 66. School District No. 64 (Gulf Islands – Galiano/Mayne/North Pender/Salt Spring/Saturna/South Pender)

Improvement district boards

- 67. Gabriola (Fire Protection District)
- 68. Graham Lake (Improvement District)
- 69. Schmidt (Improvement District)
- 70. Galiano Estates (Improvement District)
- 71. Gossip Island (Improvement District)
- 72. Montague (Improvement District)
- 73. Spanish Hills (Improvement District)
- 74. Wise Island (Improvement District)
- 75. Bennett Bay (Waterworks District)
- 76. Campbell-Bennett Bay (Improvement District)
- 77. Lighthouse Point (Waterworks District)
- 78. Mayne Island (Improvement District)
- 79. Village Point (Improvement District)
- 80. Georgina (Improvement District)
- 81. Razor Point (Improvement District)
- 82. Trincomali (Improvement District)
- 83. Harbour View (Improvement District)
- 84. Mount Belcher (Improvement District)
- 85. North Salt Spring (Waterworks District)
- 86. Piers Island (Improvement District)
- 87. Salt Spring Island (Fire Protection District)
- 88. Scott Point (Waterworks District)
- 89. Secret Island (Waterworks District)
- 90. Saturna Shores (Improvement District)
- 91. Thetis Island (Improvement District)
- 92. Vaucroft (Improvement District)

Provincial government

- 93. Ministry of Agriculture

94. Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
95. Ministry of Municipal Affairs and Housing (Housing Policy Branch)
96. Ministry of Energy, Mines and Petroleum Resources
97. Ministry of Environment and Climate Change Strategy
98. Ministry of Environment and Climate Change (BC Parks and Conservation Officer Service Division)
99. Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office
100. Ministry of Forests, Lands, Natural Resource Operations and Rural Development – West Coast Office
101. Ministry of Transportation and Infrastructure
102. Ministry of Indigenous Relations and Reconciliation (West Coast Office)
103. Ministry of Indigenous Relations and Reconciliation (South Coast Office)
104. Ministry of Health
105. BC Ferries
106. Agricultural Land Commission

Federal government

107. Environment Canada
108. Transport Canada
109. Fisheries and Oceans Canada
110. Parks Canada

Resources

The project will be supported by the following elected officials:

Position	Role
Chair	Spokesperson and participant in First Nations meetings
Vice Chairs	Participant in First Nations meetings, as required, as spokespeople as required.
Trustees	Participants in public engagement processes on their islands.

This project will be supported by the following staff positions:

Position	Role
Chief Administrative Officer	General project oversight and participant at meetings with First Nations
Director, Trust Area Services	Project manager, note taker at First Nations meetings as required, project reporting
Senior Intergovernmental Policy Advisor	Delivery of First Nations engagement, support to public engagement, note taker at First Nations meetings as required, project reporting
Senior Policy Advisor	Support for public engagement and support to First Nations engagement, note taker at First Nations meetings as required, project reporting
Communications Specialist	Communications planning and implementation
Program Coordinator	Project lead, Project coordination, delivery of public engagement, delivery of first nations engagement, correspondence mgm't, meeting logistics, referral mgm't, tracking of project milestones/ costs/reporting, comms support
Finance Officer	Processing of service contracts
Finance Clerk	Processing of invoices
Director, Local Planning Services	Advisor on public engagement processes

Promotion

To support the engagement processes in-person and online, staff will be creating a variety of print and digital materials that will explore the key themes of the review process from both a regional and local perspective for each local trust area.

Launch: On Monday June 24th, 2019, after presenting to Trust Council, staff will launch the Island Visions 2100 engagement. This will include sending out a media release and follow up with key media, an all island subscriber notice, a dedicated page on our website with a pop-up from the home page, and through our social media platforms for both the Islands Trust and the Islands Trust Conservancy (Twitter, YouTube, and a planned new Facebook page). This campaign will be supported by advertising in local print media and strategic boosts to social media posts.

Throughout the engagement process, these social media platforms will lead individuals to information about the upcoming in-person engagements, as well as the online survey-based engagement process.

Video: During the launch period, the Trust will release two videos: **What is the Islands Trust?** and **What is your Vision for the islands in the Salish Sea** (which will act as an introduction to goals of the Policy Statement process). In addition to supporting dialogue, the videos will help build awareness about the Islands Trust and the work that we do.

Print: Brochures on both subjects – What is the Islands Trust and the Policy Statement review—will be made available to trustees and staff, along with posters of detailing upcoming island engagements and links to the Islands Trust website where they can connect to the online survey.

Social media: Staff will provide trustees with the appropriate information and tools to help spread the word on our social media platforms, which will help boost our new Facebook page.

Partnerships: Staff will reach out and collaborate with regional governments, local governments, community organizations, and educational intuitions to help spread the word.

Prizes: The Islands Trust will offer a range of prizes during the engagement process. We will provide some prizes during our online survey, in-person engagement events, and/or for youth who participate in our art engagement at the markets/fairs. We will also offer door prizes at every in-person engagement to help spread the word. The prizes would range from \$5.00 to \$250.00. Some examples are ferry passes, local artwork and other local products from islands, and short trips depending on the engagement method.

Engagement Methods

This plan includes multiple channels for engagement with the public, First Nations, referral agencies, and Trust Council. It includes a suite of tools that will be selected and applied as appropriate for each community/Nation.

First Nations and Organizations Engagement

First Nations engagement begins with Trust Council's Declaration on Reconciliation and making that visible and distributed out to community. The Declaration affirms the organization's commitment to Reconciliation and how the Trust will be moving forward. From that platform we will then begin re-engaging with First Nations within the consultation boundary of the Islands Trust Area. The engagement will consider the commitments within existing and planned protocol agreements with First Nations. Results from this re-engagement will determine which Nations we will develop more meaningful engagement with in the process of a dialogue about and reviewing the Policy Statement. Meaningful engagement will include the following suite of engagement options to be applied as appropriate and as desired by the individual Nations:

- Leadership government to government meetings to discuss core concerns;
- Community meetings with membership and leadership to talk about the Policy Statement and the vision for the future;
- Online interaction including surveys, newsletter notices, Facebook, letters to Chiefs and Councils;
- Meetings with alliances and First Nation associations such as First Nations Summit, BC Treaty Commission and Tribal Councils;
- Collaborate with schools and youth organizations.

There will be follow-up and building of relations. Staff will ensure that meetings held for purposes of relationship building are not classified as consultation on the Policy Statement. Staff will keep a record of each meeting and compile into an engagement record to provide to Ministry with the final bylaw after third reading.

Staff will collaboratively develop storyboard as an education component of Reconciliation for use at engagement events. Acknowledgement of place will be included as a central theme.

General Public and Island Resident Engagement

The engagement strategies for the general public and island residents will include educational materials and will be supported by prepared questions and a strongly facilitated process. All in-person events will be supported by companion online engagement opportunities (survey and e-mail).

Creating opportunities for meaningful engagement means building new communities and sparking people's imagination. Our goal is to create content that resonates enough that people personalize it and push it onto the other audiences. We want social media users to own the message we are trying to

confirm with them. We will do this by encouraging them to personally consider: What are their Island Vision 2099?

There will be a suite of five different engagement options developed to be applied locally as appropriate, with decisions to be made in consultation with local trustees and in consideration of different island populations.

- Large-scale community drop-in and open space / world café events, featuring educational information boards;
- Vision Booth, featuring information boards set up at community events, markets, or other community driven event; this could also include making online content available through laptops or tablets;
- Online survey/e-mail feedback;
- Collaborating with schools/ youth organizations.

Each engagement channel will feature a data collection method, all of which will feed into a final report on the findings from the engagement process. During in person, large-scale community engagements, we will provide educational information boards and brochures that address the key themes and help explain the work of the Islands Trust. Each of these themes will also be supported by a short explainer video that provides the context and background, which will also be a part of our online education campaign. The online component will feature a survey and potential live-streaming of key meeting(s).

Our goal is to have in-person engagements within each of the thirteen island communities. Because each island community is different, our expectation is that the Island Vision 2099 process will have a different look in each local trust area, drawing on the different engagement options available. Working with trustees, we will identify which combination of engagements will work best in a particular local context. It is also expected that local trust areas with larger populations will receive a higher number of in-person engagements.

This process is also an opportunity for Islands Trust to pilot the use of different forms of engagement tools and methods and measure their effectiveness.

Below are identified 'options' streams which will run parallel to one another. First Nation and Alliances engagement will commence at the same time as the process designed to reach out to the general public and island residents.

Engagement methods: the suite of options

The IAP2's Spectrum of Public Participation (see Appendix D) was designed to assist with the selection of the level of participation that defines the public's role in any public participation process as much as possible, within resources, we will strive to follow these guidelines for public engagement

In defining the different First Nations engagement options, it is acknowledged that some Nations might rather have Islands Trust build relationships with designated individuals and/or committees instead of with the wider community. This form of engagement, which is outlined below as option C, could be something that happens in its own right or as a precursor to a large-scale event that involves the rest of the community. In these instances, individuals and/or committees could support the implementation of a large-scale event hosted by both governments

General Public and Island Residents	Options	Description	Objectives	Timeframe	Who is involved?	Estimated Budget
	Option A: Community drop-in and open space, featuring information boards that explore each of the major Visions 2099 themes.	Following IAP2 guidance on how to conduct healthy engagement processes, we host an open house first to featuring information boards that explore each of the major Visions 2099 themes, and then we would use world café forms of engagement. The goal through open house engagement is to help improve public understanding about a complex project to receive public input and provide information through information boards covering major themes. World Café engagement style would help foster meaningful discussion on questions pertaining to	To provide opportunities for members of the public and island residents a chance to participate in an interactive and dynamic way where we inform, consult, involve, collaborate and empower with them.	July – December 2019, Jan – March 2020	Trust Area Services staff, local trustees, Information Systems Coordinator, and Computer Applications Support Technician,	Upfront Cost - \$5,000.00, Individual Event - \$500.00 – \$2000.00

		these topic(s) among participants who otherwise would not listen, talk or share with one another.				
	Option B: Vision Booth	We will set up information booths, featuring local and regional information boards and access to the online survey during existing community events, markets, and/or other community driven events.	To target the general public as well as residents of the islands at existing events	July – December 2019	Trust Area Services staff, local trustees	\$300.00 - \$500.00 per event
	Option C: On-line survey & dedicated email address	The main form of the online engagement will be survey-based. We would offer a robust online campaign using a range of social media tools and our website to disseminate information about the engagement process. The online information campaign will replicate the information that will be produced for the in-person engagements, so individuals can learn about the situation in their local context as well as the regional context. Because some individuals are more comfortable with emails than surveys, we will also provide a dedicated	To provide an inclusive opportunity for the general public and island residents to participate in the process, if they cannot attend in person participation. It is also an opportunity to gain input from wider communities outside of the Islands Trust Area.	July – December 2019, January – March 2020	Trust Area Services Staff, Information Systems Coordinator, and Computer Applications Support Technician	\$4000.00

		"Visions2099@" email address where people can send in their idea. They can also send them through traditional mail as well				
	Option D: Collaborate with Schools/ Youth Organizations	We will provide opportunities to connect with students and youth with school classrooms and youth organizations. We would use a creative writing and/or art opportunities for youth to describe their vision of the islands. We would offer a prize.	To connect with youth, to be able to provide them with opportunities to engage in the issues that Visions 2099 is concerned with	July – December 2019	Trust Area Services Staff,	\$500 - \$1000.00

First Nations and Alliances	Options	Description	Objectives	Timeframe	Who is involved?	Estimated Budget
	Option E: Leadership government-to-government meetings	Leadership from Trust Council and leadership from a First Nation(s) meet to discuss core concerns. Each meeting takes place at a location convenient for First Nation leaders to attend.	To build relationship and discuss core concerns. If appropriate, support the provision of other 'options' for engagement to their membership	July 2019 — June 2021 and ongoing (Squamish mtg April 8)	CAO, Chair, Executive Committee, Trust Area Services Director and some Staff, possibly Trust Council	\$300.00 - \$500.00
	Option F: Community meetings with membership and leadership	A small-large scale lunch/dinner event where Islands Trust, in partnership with the Nation, provides opportunities for community members to share their core concerns of their territory, and their vision for the future.	For Islands Trust to build relationships with staff, leadership, and members of the community, Visions 2099 process and create opportunity to discuss their vision for the future and, if	July – December 2019	Trust Area Services Staff and local trustees	\$500.00 - \$2000.00

			appropriate, contribute to the Visions 2099 process.			
	Option G: Face-to-face with staff	Meetings with staff, and/or committees to work on various topics: educational materials, visioning work as part of the Visions 2099 process as well as other core concerns and/or items of interest to the First Nation.	To communicate and engage with Nations in an accessible manner that is appropriate to the situation.	July – December 2019	CAO, Trust Area Services Director and staff, Local Planning Services Director	\$200 - \$1000
	Option H: Survey engagement	A social media campaign targeted at a variety of community members from different Nations across the Salish Sea. Using a variety of tools, including targeted advertising and prizes, the campaign would encourage participants to view our background materials and fill in a special survey. May also include printed material distributed through newsletters and on reserve.	To engage a range of First Nations members through online survey.	July – December 2019	Trust Area Services Staff	\$750.00 - \$1000.00
	Option I: Meetings with alliances and First Nation associations	Islands Trust co-host an event with First Nation associations/alliances such as First Nations Summit, BC Treaty Commission, and Tribal Councils.	To connect with a range of First Nations all at once and build relationships with them. If appropriate, engage them with the issues of Visions 2099 and how they imagine the future.	July – December 2019	CAO, Trust Area Services Director and staff, Local Planning Services Director	\$250.00 - \$5000.00

	Option J: Collaborate with Schools/ Youth Organizations	We connect with schools in community along with organizations that support youth to offer some opportunities for them to be heard and to be able to take action through various means (e.g. art work, writing, etc).	To connect with youth, to be able to provide them with opportunities to engage in the issues that Visions 2099 is concerned with	July – December 2019, January to March 2020	Trust Area Services staff	\$500.00 - \$1000.00
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Referral agencies	N/A	As required by provincial statutes: LTCs; First Nations; local, regional, provincial and federal government agencies will be sent referral letters inviting input on the draft amendments to the Policy Statement	To solicit feedback on the proposed amendments.	June – September 2021	Trust Area Services staff, Chair	\$1,000
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Risks and mitigation

There are risks with any project. Due to the nature of this project and the number of First Nations and stakeholders involved, there is substantial risk that the project plan will need to be amended to respond to emerging issues, communication/engagement requests or other developments. Staff will try to be nimble and responsive and will maintain a focus on the big-picture (e.g. Reconciliation as an overarching priority) and will bring forward recommendations to Executive Committee for project amendments as needed.

At this time the Islands Trust has established a level of engagement and relationship with First Nations within the Trust Area. However, when looking at the relationship over time, many Nations may view processes and engagement with the Trust with hesitation. Not only is there a level of jurisdictional scepticism but there is also a level of distrust that the mandate of the Trust applies to First Nations concerns. First Nations view government bodies such as municipal, district, regional, and city as not having their interests at the forefront of their policies and processes. They may feel the jurisdictional authority lies with the Province and that providing education on Reconciliation, rights and title, and treaty is not a valuable process to engage in.

It is staff's understanding that many Nations within the Island Trust Area continue to see a lack of consideration by the Islands Trust and other levels of government in relation to their cultural heritage, archaeological sites, land use and marine use planning, and use of cultural and spiritual areas for recreational use without engagement on impacts or accommodation. This raises questions for Nations about the willingness of the Island Trust to truly engage and create meaningful policy processes that are inclusive of their core concerns. At this time, it could be seen that the Islands Trust preserves and protects only the values of post-colonial interests.

Given this situation, it may be difficult to create an effective engagement process that allows for meaningful understanding of core concerns and impacts. It may be difficult to receive responses that recognize the cumulative effects and policy initiatives that will impact Nations rights and title. Therefore, it will require that the Islands Trust continues to engage and sets out the processes in which it will regain the trust of First Nations and First Nations community without defined timelines. Interagency meetings may allow for more valuable interactions that provide informed recommendations for engagement, but processes will be highly dependent on walking the talk: to build trust all Islands Trust bodies need to make decisions and undertake reconciliation actions that result in tangible sustained changes that demonstrate sustained commitment over time.

There is also risk that referral agencies will not understand the Policy Statement or purpose of referral. It has been many years since Islands Trust referral agencies have had to consider changes to the Policy Statement. In addition, they may question why their input is being sought on the introduction and definition sections only, rather than the policies that they may be more familiar with. They may wish to request significant amendments that are outside the scope of the project. To mitigate these risks, staff will undertake an assessment and, as necessary, contact referral staff before the referral is sent to explain the project. Should there be requests for significant changes that are outside the scope of this

project, staff will explain that these requests will be considered in future phases and will work with Ministry of Municipal Affairs staff and the interagency working group to coordinate responses.. Staff will also draft a clear, easy-to understand, referral letter.

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Appendices

Appendix A – Draft timeline (subject to change based on feedback and First Nation engagement processes)

Appendix B – Budget

Appendix C – Islands Trust Public Engagement Principles and Communication Objectives

Appendix D - IAP2 Spectrum

Appendix E –Reconciliation Declaration

Appendix F – December 2018 Chair letter to Honourable Selina Robinson re Legislative change to the *Islands Trust Act*.

Appendix G – Visions 2099 Project charter



Appendix A: Visions 2099 Engagement Strategy – Work Plan

Deliverables Detail

Phase 1 of the Islands Trust Policy Statement involves amending Part 1, Part II and definitions.

Deliverable / Milestone	Target Completion Date	Responsible
Approval of revised Project Charter	March 27, 2019	Executive Committee
Endorsement of Policy Statement Engagement Plan	March 27, 2019	Executive Committee
Review of Policy Statement Engagement Plan	May ?, 2019	Trust Programs Committee
Approval of Policy Statement Engagement Plan	June 5, 2019	Executive Committee
Launch Policy Statement Engagement Process	June 24, 2019	Trust Council/Chair
Launch on-line engagement	June 24, 2019	TAS Staff
Undertake in-community meetings in each local trust area	July to December 2019	TAS Staff
Bowen Island Municipality	July to October 2019 - TBA	TAS Staff
Denman LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Gabriola LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Galiano LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Gambier LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Hornby LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Lasqueti LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Mayne LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
North Pender/South Pender LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Salt Spring LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Saturna LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Thetis LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Undertake First Nations engagement	July to December 2019 and ongoing throughout	SIPA, CAO, Chair, Executive Committee, TAS Staff
Interim Report to Trust Council	December 2019	TAS Staff
Compilation of community and First Nations input report	December 2019	TAS Staff
Draft RFD with engagement analysis based on community and First Nations input, and recommendations to request staff draft bylaw	December to March 2020	TAS Staff
RFD to Trust Council with recommended ITPS amendments and request staff to draft bylaw	March 2020	
Trust Council – 1 st Reading of ITPS Amendment Bylaw	June 2020	
Referral of proposed bylaw to agencies and First Nations	June to September 2020	

Deliverable / Milestone	Target Completion Date	Responsible
Public Meeting (or on-line public review of the draft bylaw amendments)	June to September 2020	
RFD to Trust Council with summary of referrals and recommended amendments – if any	September 2020	
Trust Council consideration of 2 nd and Third Reading Reading	December 2020	
Submission to Minister for Approval	December 2020	
Final adoption by Trust Council (can be by RWM if not back in time for council meeting)	June 2021	

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Appendix B: Budget

Preliminary estimates per activity are included above in the engagement methods section. A detailed budget will be developed prior to the launch of Visions 2099.

Item	Cost
Communication Materials	\$11,000
Legal review	\$4,000
FN engagement	\$20,000
Public engagement	\$25,000
Total activity costs:	\$60,000

Appendix C: Islands Trust Public Engagement Principles and Communications Objectives

(adopted by the Executive Committee, August 17, 2016)

“Good public participation results in better decisions” – [International Association for Public Participation](#).

Local trust committees and Trust Council make decisions about the islands in the Salish Sea that affect First Nations, the public and other stakeholders.

Effectively and consistently engaging with people affected by those decisions leads to good governance, better policies, durable decisions, reduced conflict and enhanced civic participation.

Successful public engagement is guided by well-defined and formalized principles that represent a promise to the public and stakeholder groups, help establish shared expectations and a shared vocabulary and improve the working relationship between elected officials, senior managers and staff.

The principles that follow are adapted from the Islands Trust Policy Statement, the Communications Policy 6.10.ii, in the Executive Committee Terms of Reference, observations from Trust Council roundtable discussions, staff survey and conversations, as well as the International Association of Public participation and best practices research in local government public engagement.

The principles will guide the communications and engagement initiatives and activities sponsored by Trust Council, local trust committees and within the organization.

Guiding Principles for public engagement at Islands Trust

Inclusive:

Those who are affected by an issue or decision should have an opportunity to influence outcomes and choices. Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard (Policy Statement)

Open and authentic:

Input of the public should play a role in the decision-making process. Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area (Policy Statement)

Respectful of First Nations:

To strengthen relationships with over 30 tribes and nations in the Trust Area, Trust Council will root all its engagement practices in the spirit of reconciliation. (In a separate RFD, staff are seeking direction from EC to develop a Project Charter and set of principles to inform a new organizational approach to First Nations' relationship-building. Once approved by EC and possibly TC, these principles would be incorporated into all correspondence and communication.)

Diverse:

Decisions are more durable when all participants are aware of the range of interests and needs of everyone involved, including decision makers, surrounding an issue or decision.

Accessible:

Everyone potentially affected by the process has an opportunity to become involved.

Appropriate:

The public engagement process uses one or more discussion formats to reach the identified participants and, where feasible, invites input into the design of the process.

Informed:

Those involved in engagement exercises have the information required to meaningfully participate in the process.

Transparent:

Participants are informed about how their contributions were considered, used and/or not used.

Adaptable:

Each public engagement process, along with the collected feedback, is evaluated so that lessons can be shared broadly and applied to future engagement efforts.

Communications Objectives

The following communications objectives will be realized using different strategies and will be updated regularly as appropriate.

1. Improve community and agency understanding and support of the Islands Trust (2014-2018 Strategic Plan – priority #9)
2. Improve community engagement and participation in Islands Trust work (2014-2018 Strategic Plan – priority #10)
3. Increase profile (visibility) of the Islands Trust within the Trust Area (e.g. increased presence at community events and going where the public is)
4. Create and maintain a positive (modern, consistent, uniform) image of the Islands Trust (e.g. graphic design standards, issues management and processes, revisit tag line – on EC agenda)
5. Prepare trustees and staff (planning and bylaw enforcement) – the face of the organization – to deliver consistent and co-ordinated messages to the public and stakeholders in a way that reflects the unique character and needs of each island and project.
6. Create ongoing opportunities to listen to public and stakeholder opinions and concerns and report back when appropriate (e.g. web comments handling, feedback line/channel, comment cards at offices, rotating weekly/monthly FAQs on web, at LTC meetings, etc.)

Appendix D: IAP2 Spectrum

IAP2 Spectrum of Public Participation



IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Appendix E: 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 honours the rich history, stewardship, and cultural heritage that embody this place we all call home.

The Islands Trust Council is committed to establishing and 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: March 14, 2019 Trust Council on Gabriola Island

Appendix F: December 2018 Chair letter to Honourable Selina Robinson re Legislative change to the Islands Trust Act



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Telephone **(250) 405-5151** Fax (250) 405-5155
Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

December 18, 2018

File No.: 0110-20

via email: MAH.minister@gov.bc.ca

The Honourable Selina Robinson
Minister of Municipal Affairs and Housing
Parliament Buildings
Victoria BC V8V 1X4

Dear Minister Robinson:

Re: Request for legislative change

This request follows our January 23, 2018 meeting to discuss matters of importance to the Islands Trust Executive Committee, including potential legislative changes to the *Islands Trust Act* and other relevant legislation. At that time you requested a prioritized list of *Act* amendments that could form the basis for a review by Ministry and Islands Trust staff. I also understood from that discussion that it would be important that the Islands Trust ensure that it was fully utilizing its current authorities to achieve its preserve and protect mandate and that any proposed amendments to the *Act* would need to be demonstrably necessary.

We have taken that advice to heart and believe that we have identified realistic and achievable amendments to our primary legislation that will support the efforts of the Trust on behalf of all British Columbians. At their September 18, 2018 meeting Trust Council requested that I write to you asking for legislative change along three broad themes, as follows:

ENFORCEMENT AND ADMINISTRATION: Improvements to the Islands Trust's ability to enforce its current regulatory and legislative powers in support of the preserve and protect mandate of the Trust and its land use planning function. The Islands Trust does not have the same enforcements tools as other land use jurisdictions in British Columbia but is expected to provide a similar service. The recommended amendments are:

1. Allowance for entry warrants;
2. Development permit area enforcement via municipal ticketing;
3. Adoption of development approval information bylaws by local trust committees;
4. To enable the ability to charge fees for telecommunication applications.

MODERNIZATION: The *Islands Trust Act* has not been substantially amended in a number of years and there are areas that require updating in order for the organization to remain relevant. Recommended amendments are:

5. Amending the *Act* to add "First Nations" to the list of those with whom we work "in co-operation;"
6. The ability to delegate development permit and temporary use permits to staff;
7. Clarification of foreshore zoning authority and jurisdiction throughout the Trust Area;
8. In keeping with broader powers afforded regional districts, relative to S. 294 of the *Local Government Act*, to allow the Islands Trust entities, "incidental or conducive powers;"
9. To include reference to the ecosystem in section 8.2 of the *Islands Trust Act*.

ADVANCING THE MISSION OF THE ISLANDS TRUST: Diverse communities are a key element of Trust Council's vision for the Trust Area and relates to its current land use authority. Recommended amendments are:

10. Affordable Housing: to be able to enter into agreements with third parties to administer affordable housing, to be able to operate a housing service, and for local trust committees to be able to acquire and dispose of land.

(Appendix A attached provides a brief rationale and implementation requirement for each of the above amendments)

These amendments vary in terms of the difficulty or complexity of implementation with, in our minds, the foreshore jurisdiction and affordable housing service amendments being the most complicated and in need of a cooperative approach.

We would sincerely appreciate your Ministry's feedback on this proposal and how it could be achieved. We are hopeful that you will be able to dedicate some Ministry staff time in order to work with us on developing a defensible and modern update to the *Islands Trust Act*. Of course, we also wish to understand your priorities and if they can be realized through this work. Trust Council considers that this is an important opportunity for the Islands Trust, and the region, and we wish to work with you to implement reasonable change.

A topic as important as legislative change to the *Islands Trust Act* will require public engagement and I would appreciate collaboration with the Ministry on how it would foresee an appropriate process. Undoubtedly full and authentic public engagement will generate additional suggestions for legislative changes from the community itself. We are mindful that Island communities are participatory, feel their future is vested in the Trust and want to contribute to that future.

In closing, I note that Bill 52, : *Agricultural Land Commission Act* 2018 has passed into legislation and I am struck by the symmetry of how the Islands Trust and the Agricultural Land Reserve, born of a certain era in BC politics, have stood the test of time. We believe it is time that the *Islands Trust Act* is given appropriate and similar attention.

Of course, if it would be convenient to you or beneficial to this request, we are happy to meet with you at your convenience.

With appreciation,



Peter Luckham, Chair
Islands Trust Council

cc: Islands Trust Area MPs
Islands Trust MLAs
Islands Trust Electoral Area Directors
Assistant Deputy Minister Faganello
BOKEĆEN (Pauquachin) First Nation
Cowichan Tribes
Halalt First Nation
Homalco First Nation
Klahoose First Nation
K'ómoks First Nation
Lake Cowichan First Nation
Lekwungen (Songhees) Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
SEMYOME (Semiahmoo) First Nation
shíshálh First Nation

Snuneymuxw First Nation
Skwxwú7mesh (Squamish) Nation
Snaw-naw-as (Nanoose) First Nation
SṪÁUTW (Tsawout) First Nation
Stz'uminus First Nation
SXIMEŁEŁ (Esquimalt) Nation
Tla'amin (Sliammon) Nation
Tsawwassen First Nation
Tsleil-Waututh Nation
T'Sou-ke Nation
Wei Wai Kum (Campbell River) First Nation
We Wai Kai (Cape Mudge) First Nation
WJOŁEŁP (Tsartlip) First Nation
WŚIKEM (Tseycum) First Nation
x"məθk"əyəm Musqueam
Bowen Island Municipal Council
Islands Trust Council
Islands Trust website

Appendix A

Summary of potential amendments to the

Islands Trust Act, 2018

ENFORCEMENT AND ADMINISTRATION AMENDMENTS

1. Allowance for Entry Warrants	S. 28(1.1) of the <i>Local Government Act</i> is applicable to Regional Districts but not the Islands Trust. This authority should not be excluded from Islands Trust/local trust committees and the lack of authority impacts delivery of enforcement of land use planning decisions.
Implementation i. Amend Section 28 (1.1) of the <i>Local Government Act</i> to add “Islands Trust”. ii. Staff training and administrative training would be required. Actual bylaw enforcement procedures would require some change management process to ensure appropriate use. iii. There does not seem to be any cogent policy reason for excluding s. 424 of the <i>Local Government Act</i> (entry warrants) from the bundle of enforcement powers conferred on local trust committees. With this amendment of s. 28(1.1) of the <i>Islands Trust Act</i>, Division 1 of Part 12 of the <i>Local Government Act</i> including s. 424 would apply to the local trust committees and s. 424 in turn applies s. 275 of the Community Charter. Section 275 enables a justice to issue an entry warrant if satisfied that access to property is necessary for the purposes of the <i>Local Government Act</i>, which is the source of the enforcement powers that are conferred on local trust committees by s. 28(1.1) of the <i>Islands Trust Act</i>, in connection with which an entry warrant would be sought.	
2. Development Permit Area Enforcement Using Tickets	The use of ticketing to support the administration and delivery of a robust development permit authority would be the preferred outcome. The Trust has made this request of the Ministry in the past, most recently in 2016.
Implementation i. Pilot project in the Islands Trust Area – by conferring additional enforcement powers by regulation under Section 54(2) of the <i>Islands Trust Act</i>. ii. Add to s. 28 a section to the effect that under s. 264 of the Community Charter, applicable to local trust committees under s. 414 of the <i>Local Government Act</i> and s. 28(1.1) of the <i>Islands Trust Act</i>, a local trust committee may also designate ss. 489 and 501(2) of the <i>Local Government Act</i> for the purposes of s. 264. Section 489 is the section of the <i>Local Government Act</i> that prohibits subdivision, etc. in a development permit area if a development permit hasn’t been obtained. Section 501(2) is the section that requires land to be developed strictly in accordance with the permit. There are currently no jurisdictions that have the authority to issue tickets for development permit	

violations, so the Islands Trust would be joining municipalities and Regional Districts in requesting this change. While this authority would be useful to all local governments, it is particularly relevant for an entity with a statutory mandate to “preserve and protect” an area of the province that is environmentally sensitive, since the key land use management tools in relation to environmental protection are development permit area designations and development permit conditions. However, allowing local governments to ticket for an offence against a provincial statute is a novel idea.

The Ministry may want to consider proposing this amendment as a “pilot project” for the Islands Trust only, following the evaluation of which the Province might consider extending the authority to municipalities and regional districts, and offering to partner with the Province in monitoring and evaluating the enforcement approach. This additional authority could be conferred on the local trust committees by Cabinet order under s. 54(2) of the *Islands Trust Act* on a pilot project basis.

3. Adoption of Development Approval Information Bylaws by local trust committees (LTC)	Mainly an administrative improvement, this amendment would increase the efficiency and independent ability of LTCs to administer their areas. This should reduce wait times for applicants.
Implementation i. Amend <i>Islands Trust Act</i> by repealing s.29(3.1) Amendment of s. 29(3.1) of the <i>Local Government Act</i> is required. Implementation by the Islands Trust would be relatively easy, would simplify the process and would reduce staff/administrative time.	

4. For the Islands Trust to obtain the authority to charge a fee for telecommunications applications	A fee structure and process is needed to allow thorough review of antenna and telecom infrastructure applications.
Implementation (to be determined) The Ministry of Innovation, Science and Economic Development Canada (ISED) has jurisdiction over telecommunications. ISED looks for the relevant land use authority to issue a letter of concurrence, the production of which requires a public process. Section 462 of the <i>Local Government Act</i> restricts the ability for local trust committees to charge fees. The <i>Islands Trust Act</i> limits the Islands Trust to only proscribe fees associated with its land use authority. We would request assistance from the Ministry to find a means for the Islands Trust to charge a fee for such an occurrence as is described.	

MODERNIZATION

5. Support in principle for amending the <i>Islands Trust Act</i> to add "First Nations" to the list of those with whom we work "in co-operation"	This amendment is both timely and appropriate with the focus of Trust Council on principles of reconciliation and the adoption of a First Nations Engagement Plan.
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Implementation

- i. amendment to the *Islands Trust Act*, Part 2, Section 9 to add First Nations.
- ii. amendment to *Islands Trust Act*, Part 3 to add “First Nations”

This request was made to the Ministry in 2015. It would not be a significant challenge for the Islands Trust to implement. An amendment to Part 2 section 9 ‘Coordination agreements with other government bodies’ would enable the Trust Council and its delegates to enter into coordination agreements with First Nations and this seems uncontroversial.

6. Development Permit and Temporary Use Permit delegation to Staff

Unlike other jurisdictions in BC with land use authority, the Islands Trust does not have the ability to delegate via bylaw the authority to staff to issue development permits.

Implementation

- i. Amend Section 29 of the *Islands Trust Act* to enable local trust committees to delegate, by bylaw, the issuance of development permits and development variance permits, subject to the right of the applicant to have the local trust committee reconsider the matter without charge and to the local trust committee, in its procedures bylaw enacted under s. 460 of the LGA, establishing reconsideration procedures.

Each LTC would decide on whether or not to delegate issuance of development permits. This would reduce wait times, simplify the application process and reduce administrative costs. As development permits are issued based upon guidelines in the OCP or LUB, which are approved by LTCs, there is relatively little discretion afforded staff in issuing a permit. Implementation from an operating perspective would be straight forward once the delegation bylaws were adopted.

7. Clarification of foreshore zoning authority

There are jurisdictional inconsistencies with how foreshore zoning is administered with regard Regional Districts throughout the Trust Area. This matter is long standing and is a function of language and mapping in the *Islands Trust Act* and the Islands Trust Regulation.

Implementation (to be determined)

Clarification on this matter would support consistency in interpretation and aid in working with other jurisdictions that have foreshore zoning powers. Implications of implementation of any potential changes are undetermined. Engaging in discussions with the Ministry on this issue would require dedicated staff time and legal analysis.

The matter is sensitive since it potentially affects the enforcement of Islands Trust and regional district bylaws throughout the water areas within the trust area, where some of the most controversial land use issues tend to arise. Jurisdiction should not be controversial in relation to either the foreshore areas immediately adjacent to the various Gulf Islands or the estuary areas immediately adjacent to the upland areas of the regional districts, because effective land use management in either case has to include jurisdiction over immediately adjacent water area. However, a dividing line between jurisdictions has to be established somewhere, and there may be legitimate differences of opinion on where it should be.

8. Add language to *Islands Trust Act* similar to *Local Government Act*, s. 294, allowing for “incidental or conducive powers.”

A minor broadening of corporate power, similar to what Regional Districts have, would allow the Trust to undertake some supportive actions in support of the mandate of Trust.

Implementation

- i. Amend Section 4 of the *Islands Trust Act* by adding “The Trust Council, the executive committee, and the local trust committees have all the necessary power to do anything incidental or conducive to the exercise or performance of any power, duty or function conferred by this or any other enactment.”

This power is not a full ‘corporate person power;’ rather it would provide a backstop to a given jurisdictional issue or challenge. Some recommended language would be something like:

“the Local Trust Committee and, the Executive Committee, have all necessary power to do anything incidental or conducive to the exercise or performance of any power, duty, or function conferred on them by this or any other enactment.”

There is no logical reason that Islands Trust entities exercising exactly the same type of regulatory authority as other land use regulators should not have access to the same complementary authority to do things that are “incidental and conducive” to the exercise of their land use management authority. The wording of s. 294 makes the scope of these complementary powers exactly coterminous with the scope of the basic powers that have otherwise been conferred, so there is no substantive expansion of jurisdiction or authority and this should not be controversial.

9. Include reference to the ecosystem in section 8.2 of the *Islands Trust Act*

8.2 (f) and (h) of the ITA allows for ‘support and give financial assistance to activities referenced to in paragraphs (f) and (g) that are undertaken by others. This section seems to all LTCs to fund heritage and history related activities but does not include “environment or ecosystem.”

Implementation

- i. Amend s. 8(2)(f) of the *Islands Trust Act* to “amenities, environment, history and heritage”

Clarity is sought as to whether LTCs can allocate funds for environmental activities undertaken by others, in a similar fashion to history and heritage conservation. We recommend amending “history and heritage” in

two places in 8(2)(f) to “amenities, environment, history and heritage”. Amenities and environment are the terms used in the object statement in s. 3 of the Act.

ADVANCING THE MISSION OF THE ISLANDS TRUST

10. Affordable Housing and Housing service amendments	The Islands Trust has limited ability to provide affordable housing initiatives to communities and is reliant on Regional Districts to establish and deliver affordable housing services, in cooperation with the Trust. Increased authority in this area would be in keeping with both a key vision element of Trust Council and its strategic plan.
Implementation i. Amendments to confer the powers of a regional district board that would be required to establish and operate a non-profit housing service, including the authority to acquire and dispose of land and interests in land The Islands Trust would seek to be able to hold land for the purposes of affordable housing. We would seek to cooperate with relevant Regional Districts but also provide this service if a given Regional District does not provide a satisfactory service. Desired changes: a) To be able to enter into agreements with third parties to administer affordable housing. b) To be able to operate a housing service. c) Local Trust Committees be able to acquire and dispose of land.	