



Islands Trust Council

Quarterly Meeting Agenda

Date: Tuesday, December 1 - Thursday, December 3, 2020

Location: Electronic meeting, Public venue

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Pages

1. LAND ACKNOWLEDGMENT / CALL TO ORDER

2. APPROVAL OF AGENDA

2.1. Agenda Amendments

3. GENERAL BUSINESS ARISING

3.1. Consent Agenda Items

THAT Islands Trust Council adopt the recommendations as presented in items 3.1.1. and 3.1.2.

3.1.1. September Trust Council Meeting draft minutes 6 - 23

Adopt the minutes as presented.

3.1.2. Resolutions Without Meeting 24 - 25

Receive for information.

3.2. Trustee Round Table

4. EXECUTIVE

4.1. Consent Agenda Items

THAT Islands Trust Council adopt the recommendations as presented in items 4.1.1. through to 4.1.5.

4.1.1. Executive Committee Work Program Report 26 - 29

Approve the report as presented.

4.1.2. Trust Council Follow Up Action List 30 - 40

Receive for information.

4.1.3. Strategic Plan Update 41 - 51

Receive for information.

- | | | |
|--------|---|---------|
| 4.1.4. | Continuous Learning Plan | 52 - 54 |
| | Receive for information. | |
| 4.1.5. | Potential legislative and procedure change by the Islands Trust in relation to forest protection - Briefing | 55 - 62 |
| | Receive for information. | |

4.2. Discussion and Decision Items

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|--------|---|---------|
| 4.2.1. | Chief Administrative Officer's Report | 63 - 65 |
| 4.2.2. | Trust Council 2021 meeting and location schedule - RFD | 66 - 68 |
| | 1. That Trust Council adopt the following meeting dates for its 2021 schedule: March 9-11, June 8-10, September 21-23 and November 30 to December 2. | |
| | 2. That Trust Council adopt the following meeting locations and times for its 2021 schedule: March 9:00 a.m. start/electronic format; June 9:00 a.m. start/electronic format; September 8:30 a.m. start/in-person in Nanaimo; December 8:30 a.m. start/inperson Victoria. | |

5. CLOSED MEETING (Separate Agenda)

That the Islands Trust Council meeting be closed to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to:(i) receipt of advice that is subject to solicitor-client privilege; and that staff be invited to attend the closed session.

---BREAK---

6. COLLABORATION / ENGAGEMENT

6.1. Delegations

- | | | |
|--------|--|---------|
| 6.1.1. | Salt Spring Community Economic Development Commission & SSI Chamber of Commerce re: Ganges Village Area Planning | 69 - 71 |
| 6.1.2. | Michael Sketch Delegation re: Structure and Implementation of the Trust Policy Statement | 72 - 76 |

6.2. Town Hall

---RECESS FOR THE DAY---

7. TRUST AREA SERVICES

7.1. Consent Agenda Items

THAT Islands Trust Council adopt the recommendations as presented in items 7.1.1. through to 7.1.7.

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|--------|--|---------|
| 7.1.1. | Director of Trust Area Services Report | 77 - 81 |
| | Receive for information. | |
| 7.1.2. | Trust Programs Committee Work Program Report | 82 - 83 |
| | Approve the report as presented. | |

7.1.3.	Islands Trust Conservancy Report	84 - 85
	Receive for information.	
7.1.4.	Legislative Monitoring Report - Briefing	86 - 102
	Receive for information.	
7.1.5.	Policy Statement Amendment Project Update - Briefing	103 - 111
	Receive for information.	
7.1.6.	Climate Change Stewardship Education Program - Briefing	112 - 113
	Receive for information.	
7.1.7.	Community Benefit Land Trust Concept - Briefing	114 - 117
	Receive for information.	
7.2.	Discussion and Decision Items	
7.2.1.	Moss Mountain NAPTEP Certificate, Salt Spring Island - RFD	118 - 121
	That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as "Lot 12, Sections 64, 65, 66, 67 and 68, South Salt Spring Island, Cowichan District, Plan 1914, Parcel Identifier 006-760-112" subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.	
7.2.2.	Leader NAPTEP Certificate, Salt Spring Island - RFD	122 - 124
	That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as "Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974, Parcel Identifier 000-395-081" subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.	
	--BREAK--	
8.	CONTINUOUS LEARNING	
8.1.	Governance Training - Session Outline	125 - 126
	Best Practices for Governance/Staff Relations Presenter Kevin Ramsay - Innova Strategy Group	
9.	LOCAL PLANNING	
9.1.	Consent Agenda Items	
	THAT Islands Trust Council adopt the recommendation as presented in item 9.1.1.	
9.1.1.	Regional Planning Committee Work Program Report	127 - 129
	Approve the report as presented.	

9.2.	Discussion and Decision Items	
9.2.1.	Director of Local Planning Services Report Receive for information.	130 - 132
9.2.2.	Local Planning Services Renewal - Session Outline	133 - 133
9.2.3.	Cost of Local Trust Committee Application and Referral Processing – Briefing	134 - 137
9.2.4.	Amendment to Strategic Plan for Heritage Preservation Overlay Mapping - RFD That Trust Council amend the 2018-2022 Strategic Plan by adding new strategy “19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites.”	138 - 139
9.2.5.	Gabriola Island LTC UBCM Active Transportation Planning Grant Application - RFD That Trust council supports the Gabriola Island Local Trust Committee UBCM Active Transportation Planning Grant application.	140 - 150
10.	STAFF AWARDS	
	---RECESS FOR THE DAY---	
11.	NEW BUSINESS	
11.1.	Trustees re: Islands Trust Governance and Management Review 2021 - RFD	151 - 153
11.2.	Trustee Morrison re: Accelerating Staffing Shifts to Support Strategic Plan Goals - RFD	154 - 156
12.	ADMINISTRATIVE SERVICES	
12.1.	Consent Agenda Items	
12.1.1.	Director of Administrative Services Report Receive for information.	157 - 159
12.1.2.	Financial Planning Committee Work Program Report Approve the report as presented.	160 - 161
12.1.3.	September 30, 2020 Quarterly Financial Report - RFD Approve the report as presented.	162 - 168
12.1.4.	September 30, 2020 Financial Forecast - Briefing Receive for information.	169 - 174
12.2.	Discussion and Decision Items	
12.2.1.	Proposed 2021/22 Budget to Trust Council	
12.2.1.1.	Budget Session Overview	175 - 175

12.2.1.2.	Budget Assumptions and Principles - Briefing	176 - 180
12.2.1.3.	Draft 2021/22 Budget Overview and Highlights - Briefing	181 - 202
12.2.1.4.	2021/22 Funding Requests - Summary and Business Cases	203 - 267
12.2.1.5.	Communications Specialist for Bylaw Infraction Prevention - Business Case	268 - 270
13.	SUMMARY / UPDATES	
13.1.	Trust Council Priorities Chart	271 - 273
13.2.	Proposed March 2021 Trust Council Agenda Program	
	To be determined in item 4.2.2.	
13.3.	Disposition of Delegations and Town Hall Requests	
13.4.	CORRESPONDENCE	
13.4.1.	P. Pare re: Letter to Trust Council dated November 10, 2020	274 - 300
14.	NEXT MEETING	
	To be determined in item 4.2.2.	
15.	ADJOURNMENT	



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Trust Council Minutes of Regular Meeting

Date: September 15 and 16, 2020
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Executive Present: Peter Luckham, Chair, Thetis Island (Victoria boardroom)
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Members Present: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Tahiri Rockafella, Galiano Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
Grant Scott, Hornby Island
Peter Johnston, Lasqueti Island
Timothy Peterson, Lasqueti Island
Jeanine Dodds, Mayne Island
David Maude, Mayne Island
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island
Cameron Thorn, South Pender Island
Steve Wright, South Pender Island
Doug Fenton, Thetis Island

Regrets: Ben McConchie, North Pender Island (Tuesday)
Cameron Thorn, South Pender Island (Tuesday)

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (Victoria boardroom)
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services (Victoria office Tuesday)
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager (Victoria office)

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Lori Foster, Executive Coordinator/Recorder (Victoria boardroom)
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Mark van Bakel, Manager, Information Systems
Kate Emmings, Acting Manager, Islands Trust Conservancy (for item 6.2.1)
Dilani Hippola, Acting Senior Policy Advisor

1. LAND ACKNOWLEDGMENT / CALL TO ORDER

Chair Luckham called the meeting to order at 9:00 a.m. stating gratitude for living and working on the traditional and treaty territories of Coast Salish First Nations.

Chair Luckham conducted a roll call to confirm trustees “electronic” presence and connectivity.

2. APPROVAL OF AGENDA

2.1 Agenda Amendments

For consideration to add or amend the agenda with the following item(s):

- 10.2 The New Brighton Dock, Gambier Island.
- 8.2.5 Northern Gulf Islands Groundwater Study Peer review in respect of the Southern Gulf Islands Groundwater study

By general consent, the agenda was adopted as amended.

3. GENERAL BUSINESS ARISING

3.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations in items 3.1.1. and 3.1.2 as presented.

3.1.1 June 16-17 Trust Council Meeting draft minutes

Adopt the June 16-17 Trust Council meeting draft minutes as presented.
Trustee Dodds noted she was present for most of the June meeting.

3.1.2 Resolutions without Meeting Report (RWM) – None

3.2 Trustee Round Table

Trustees gave verbal updates on their local trust areas. Themes included the real estate market being very active with new comers bringing a new dynamic to communities. The ongoing COVID-19 response and the changes associated with it were discussed.

The meeting recessed for a break at 10:20 a.m. and reconvened at 10:35 a.m.

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4. EXECUTIVE

4.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations in items 4.1.2. and 4.1.4. as presented.

4.1.2 Executive Committee Work Program Report

That Islands Trust Council approved the Top Priorities and Projects of the Executive Committee Work Program Report as presented.

4.1.4 Strategic Plan Update

That Islands Trust Council received the Strategic Plan Update for information as presented.

Items 4.1.1., 4.1.3. and 4.1.5. were taken from the consent agenda for discussion and/or decision.

4.1.1 Chief Administrative Officer's Report (CAO)

Chair Luckham requested CAO Hotsenpiller speak to his report and give updates since its publication.

Trustee Morrison requested the data collection project regarding cost recovery be extended from 3 months to collect data up to December.

Director of Local Planning Services Marlor noted that reporting up to December would not be realistic as reports need to be created before going to committee but would bring the most current information.

By general consent, Islands Trust Council received the Chief Administrative Officer's Report as presented.

4.1.3 Trust Council Follow Up Action List

Trustee Langereis asked for an update on CAO FUAL item #1, requesting additional funding from the Province.

CAO Hotsenpiller responded that this is an ongoing item noting the recent federal funding received for species at risk.

By general consent, Islands Trust Council received the Trust Council Follow Up Action List for information as presented.

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4.1.5 Summary of Local Trust Committee Correspondence Policy - Briefing

Discussion on the addition of correspondence to a local trust committee (LTC) agenda versus posting to the website regarding applications, projects and general correspondence regarding Policy 7.4.i was heard.

TC-2020-067

It was Moved by Trustee Busheikin and Seconded by Wolverton,
That Trust Council request staff review of the Local Trust Committee Correspondence Policy 7.4.i, to ensure it is up to date.

Director of Local Planning Services Marlor and Legislative Services Manager Thiel will review the policy.

CARRIED

By general consent, Islands Trust Council received the briefing, Summary of Local Trust Committee Correspondence Policy for information as presented.

4.2 Discussion & Decision Items

4.2.1 Prioritizing of the 2018-2022 Continuous Learning Plan - RFD

CAO Hotsenpiller spoke to the request for decision.

TC-2020-068

It was Moved by Trustee Rogers and Seconded by Trustee Langereis,
THAT Islands Trust Council approve the delivery of a prioritized Continuous Learning Plan with respect to the report of Sept 15.

Discussion included combining items 1 & 5 as suggested by SIPA Wilcox.

CARRIED

4.2.1.1 Dr. Richard Hebda Presentation resolution amendment - RFD

Vice Chair Fast spoke to the amendment of motion TC-2020-032 which was made just before the province declared a state of emergency due to COVID.

TC-2020-069

It was Moved by Trustee Fast and Seconded by Trustee Stamford,
THAT Trust Council amend **TC-2020-032** to read "Executive Committee postpone investigating a presentation by Dr. Richard Hebda at a Trust Council meeting or webinar until the timing is more appropriate.

CARRIED

DRAFT

4.2.2 Islands Trust Council December Meeting Logistics - RFD

CAO Hotsenpiller spoke to the request for decision and comments were heard on the following:

- Holding the meeting over three days,
- Chat platforms,
- Monthly Trust Council meetings.

TC-2020-070

It was Moved by Trustee Colbourne and Seconded by Trustee Brent,
THAT the December 1-3, 2020 regular in-person Trust Council meeting be cancelled and that the meeting be held electronically on the same scheduled dates.

CARRIED

The meeting recessed for lunch at 11:55 a.m. and reconvened at 1:00 p.m.

5. ADMINISTRATIVE SERVICES

5.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations in items 5.1.1., 5.1.2., 5.1.3., 5.1.4., and 5.1.4.2., as presented.

5.1.1 Director of Administrative Services Report

THAT Islands Trust Council receive the Director of Administrative Services Report as presented.

5.1.2 Financial Planning Committee Work Program Report

THAT Islands Trust Council approve the Top Priorities and Projects of the Financial Planning Committee Work Program Report.

5.1.3 2019/20 Statement of Financial Information (SOFI) - Briefing

THAT Islands Trust Council approve the Statement of Financial Information Report as presented.

5.1.4 2021/22 Draft Budget Information

THAT Islands Trust Council receive the 2021/22 Draft Budget Information and associated items 5.1.4.1 Budget Assumptions and Principles and 5.1.4.2 Budget Timelines as presented.

5.1.4.2 Budget Cycle 2022 Timelines

DRAFT

THAT Islands Trust Council receive the Budget Cycle 2022 Timelines as presented.

Item 5.1.4.1 was taken from the consent agenda for discussion and or decision.

5.1.4.1 Budget Assumptions and Principles (BAP) – Briefing

Trustees discussed application fees and sales, current policy, local trust committee bylaws, and revisiting this briefing this at December Trust Council.

Director of Administrative Services (DAS) Mobbs confirmed to Trustee Kaile that the Bowen Island Municipal requisition remains unchanged at this time.

By general consent, the Budget Assumptions and Principles briefing was received as presented.

5.2 Discussion & Decision Items

5.2.1 June 30, 2020 Quarterly Financial Report - RFD

Financial Planning Committee (FPC) Chair Grove endorsed the report as presented.

DAS Mobbs reviewed the highlights of the report.

TC-2020-071

It was Moved by Trustee Grove and Seconded by Trustee Langereis, THAT Islands Trust Council approve the June 30, 2020 First Quarter Financial Report as presented.

CARRIED

6. TRUST AREA SERVICES

6.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations in items 6.1.1., 6.1.2., 6.1.3., 6.1.4., 6.1.5., as presented.

6.1.1 Director of Trust Area Services Report

THAT Islands Trust Council receives the Director of Trust Area Services Report as presented.

6.1.2 Trust Programs Committee Work Program Report

DRAFT

THAT the Islands Trust Council approves the Top Priorities and Projects of the Trust Programs Committee Work Program Report as presented.

6.1.3 Islands Trust Conservancy Report

THAT Islands Trust Council receives the Islands Trust Conservancy Report for information as presented.

Chair of the Islands Trust Conservancy Stamford noted that Dr. Susan Hannon has resigned from the board and has moved on to work with the Salt Spring Island Conservancy and this position is open by appointment through the ministry.

6.1.4 Climate Indicators Project - Phase 1 Scoping Report - Briefing

THAT Islands Trust Council receives the briefing, Climate Indicators Project - Phase 1 Scoping Report as presented.

6.1.5 Climate Change Stewardship Education Program - Briefing

THAT Islands Trust Council receives the briefing, Climate Change Stewardship Education Program as presented.

Item 6.1.6 was taken from the consent agenda for discussion and or decision.

6.1.6 Legislative Monitoring Report - Briefing

Discussion was heard regarding applications for exclusion from Agricultural Land Commission with regards to recent changes to the regulations.

TC-2020-072

It was Moved by Trustee Patrick and Seconded by Trustee Rogers,

That Trust Council direct staff to work with the Local Planning Committee to review policies and fees related to the Agricultural Land Commission Exclusion Regulation which comes into effect October 1, 2020.

CARRIED

By general consent, Islands Trust Council received the Legislative Monitoring Report as presented.

6.2 Discussion & Decision Items

DRAFT

6.2.1 Islands Trust Conservancy Species at Risk Program - Briefing

Islands Trust Conservancy Chair Stamford spoke to the level of work staff have invested in bringing the federal funding forward.

Islands Trust Conservancy, Acting Manager, Emmings presented a Power Point on the Species at Risk Program then discussed the forthcoming federal funding, family land conservation, research into species at risk and answered questions from Trustees.

By general consent, Islands Trust Council received the briefing, Islands Trust Conservancy Species at Risk Program as presented.

6.2.2 History, Heritage and Conservation Grants-in-Aid Policy - RFD

Chair Luckham introduced Director of Trust Area Services (DTAS Frater) who spoke to the report.

TC-2020-073

It was Moved by Trustee Rogers and Seconded by Trustee Morrison, THAT Trust Council amend Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated March 13, 2018 with the revised Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated September 15, 2020 which is inclusive of First Nations history, heritage, objects and sites.

CARRIED

6.2.3 Secretariat Services Policy - RFD

DTAS Frater spoke to the request for decision noting the funds for this item have been allocated.

TC-2020-074

It was Moved by Trustee Morrison and Seconded by Trustee Grove THAT Trust Council adopt Policy 2.1.15 Secretariat Services.

CARRIED

6.2.4 Policy Statement Amendment Project Update - Briefing

Trust Programs Committee (TPC) Chair Morrison spoke to the report.

By general consent, the Policy Statement Amendment Project Update briefing was received for information.

6.2.5 Amendments to Islands Trust Community Stewardship Awards Program – RFD

TPC Chair Morrison spoke to addressing the policy amendments first then consider the suspension of the program in item 6.2.6.

DRAFT

TC-2020-075

It was Moved by Trustee Morrison and Seconded by Trustee Brent

THAT the Islands Trust Council amend Policy 2.1.11 Administration of the Community Stewardship Awards Program dated March 7, 2003 with the revised Policy 2.1.11 Administration of the Community Stewardship Awards Program dated September 15, 2020.

CARRIED

6.2.6 Suspension of Islands Trust Community Stewardship Awards Program – RFD

Trust Programs Committee (TPC) Vice Chair Colbourne spoke to the request for decision as presented.

Discussion followed in consideration of putting the program on hold, concerns that the program may disappear, and changing the frequency from once every two years to once a term. It was asked if local trust committees could recognize “good works” and DTAS Frater noted there is no specific policy.

TC-2020-076

It was Moved by Trustee Colbourne and Seconded by Trustee Brent

THAT the Islands Trust Council suspend the Community Stewardship Awards Program and revisit the decision at the end of 2021.

CARRIED

At 2:45 p.m., the meeting recessed for a break and reconvened at 3:00 p.m.

6.2.7 Changing Islands Trust Tagline – RFD

Chair Luckham introduced the item and spoke to the background of the tagline conversation. DTAS Frater spoke to the request for decision. Discussion on changing the tag line was heard.

TC-2020-077

It was Moved by Trustee Fast and Seconded by Trustee Fenton,

THAT Trust Council direct staff to replace the tagline “Preserving Island Communities, Culture and Environment” with “Preserving and Protecting Over 450 islands in the Salish Sea”.

Discussion on the use of the term “Salish Sea” ensued.

TC-2020-078

It was Moved by Trustee Rogers and Seconded by Trustee Colbourne,

That motion **TC-2020-077** be tabled until tomorrow and seek advice from Senior Intergovernmental Policy Advisor Wilcox around the use of the term Salish Sea.

CARRIED

DRAFT

By general consent, the meeting recessed for the day at 3:38 p.m.

Wednesday, September 16, 2020

At 9:03 a.m., Chair Luckham called the meeting to order in open session then moved the motion to close the meeting to the public.

At 9:04 a.m. the meeting was closed to the public.

7. CLOSED SESSION (under separate cover)

TC-2020-079

It was Moved by Trustee Luckham and Seconded by Trustee Rogers,

That the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to, labour relations or other employee relations, litigation or potential litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.

CARRIED

At 10:15 a.m., Chair Luckham reopened the meeting to the public and acknowledged the meeting was being held electronically and live broadcasting across the Salish Sea on Coast Salish First Nation treaty and traditional territory and he was present, on Lekwungen territory, with two staff in the Victoria office boardroom.

Chair Luckham took electronic roll call and noted all trustees were present.

Chair Luckham resumed business under item 6.2.7.

6.2.7 Changing Islands Trust Tagline – RFD

TC-2020-080

It was Moved by Trustee Rogers and Seconded by Trustee Fast,

That motion **TC-2020-077** be taken from the table.

CARRIED

Trust Programs Committee (TPC) Chair Morrison thanked Senior Intergovernmental Policy Advisor (SIPA) Wilcox's for her shared knowledge regarding the gifting of the name Salish Sea.

Discussion on motion **TC-2020-077** ensued.

TC-2020-081

It was Moved by Trustee Critchley and Seconded by Trustee Brent,

That motion **TC-2020-077** be amended; after islands add the words "and their surrounding waters".

CARRIED

DRAFT

Chair Luckham then called the vote on **TC-2020-077** as amended by **TC-2020-081**.

THAT Trust Council direct staff to replace the tagline “Preserving Island Communities, Culture and Environment” with “Preserving and Protecting Over 450 Islands and their Surrounding Waters in the Salish Sea”.

CARRIED

8. LOCAL PLANNING

8.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations in items 8.1.1., 8.1.2., 8.1.3., 8.1.4. as presented.

8.1.1 Director of Local Planning Services Report

THAT Islands Trust Council receive the Director of Local Planning Services Report as presented.

8.1.2 Local Planning Committee Work Program Report

THAT Islands Trust Council approve the Top Priorities and Projects of the Local Planning Committee Work Program Report as presented.

8.1.3 Bylaw Enforcement Statistical Reports - Briefing

THAT Islands Trust Council receive the briefing, Bylaw Enforcement Statistical Reports, for information as presented.

8.1.4 Applications Volume - Briefing

THAT Islands Trust Council receive the briefing, Applications Volume, for information as presented.

8.2 Discussion & Decision Items

8.2.1 Cost of Enhanced Bylaw Enforcement – RFD

Director of Local Planning Services (DLPS) Marlor presented the request for decision. (RFD).

DRAFT

TC-2020-082

It was Moved by Trustee Rogers and Seconded by Trustee Morrison,
THAT Trust Council ask the Director of Local Planning Services to put the business case for an additional bylaw compliance and enforcement officer forward to the Financial Planning Committee.

CARRIED

The meeting recessed for a break at 10:40 a.m. and reconvened at 10:50 a.m.

8.2.2 Change the Name of Local Planning Committee to Regional Planning Committee – RFD

Chair of the Local Planning Committee Busheikin and DLPS Marlor spoke to the request for decision. Discussion followed.

TC-2020-083

It was Moved by Trustee Peterson and Seconded by Trustee Fast,
THAT Islands Trust Council approves renaming the “Local Planning Committee” to “Regional Planning Committee.”

CARRIED

TC-2020-084

It was Moved by Trustee Busheikin and Seconded by Trustee Langereis,

That Islands Trust Council request staff to amend Trust Council policies 2.3.1, 2.3.2, 2.1.5, 6.2.1, 6.5.4 and 6.13 to change all instances of “Local Planning Committee” to “Regional Planning Committee”

CARRIED

TC-2020-085

It was Moved by Trustee Busheikin and Seconded by Trustee Wolverton,

That Islands Trust Council request staff to amend Trust Council Policy 6.11.1 to reflect the current Trust Council committee system structure.

CARRIED

8.2.3 Policy Interpretation or Amendment - Trust Council Policy 6.3.2 s.6.3 - RFD

Director of Local Planning Services (DLPS) Marlor spoke to the request for decision.

DRAFT

TC-2020-086

It was Moved by Trustee Patrick and Seconded by Trustee Grove,
THAT Trust Council authorize the Salt Spring Island Local Trust Committee to use unspent special property tax requisition funds from previous fiscal years to undertake water sustainability projects that do not require coordination through the local trust committee's (LTC's) delegated authority under Trust Council Bylaw No. 154.

CARRIED

TC-2020-087

It was Moved by Trustee Patrick and Seconded by Trustee Grove,
That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.

CARRIED

8.2.4 Local Planning Committee - LTC Fees Bylaw - DISCUSSION SESSION

Regional Planning Committee Chair Busheikin facilitated the discussion session following the topics as presented in the session outline. The following comments were heard:

- 80% cost recovery of application fees; some trustees supported 100% cost recovery;
- lower fees in development permit areas for environmental protection while finding a balance with increased density;
- higher fees where environmental impact is bigger and the environment more sensitive;
- temporary use permits for housing for trailers, cottages or tiny homes on wheels to try out the zoning;
- support for higher fees where bylaw enforcement has been triggered, the average cost of processing and not using fees to penalize;
- fees should be appropriate to environmental impact;
- to amend sponsorship policy to allow for any project with social/community benefit to be eligible.

8.2.5 Northern Gulf Islands Groundwater Study Peer review in respect of the Southern Gulf Islands Groundwater study

Regional Planning Committee (RPC) Chair Busheikin spoke to a request to delegate the peer review to the RPC. Discussion followed.

DRAFT

TC-2020-088

It was Moved by Trustee Busheikin and Seconded by Trustee Wolverton,

That Trust Council delegate to the Regional Planning Committee the consideration of the peer review and the usefulness of the Southern Island groundwater project.

CARRIED

By general consent, Trust Council approved Chair Luckham's request to add San Juan County Council Chair Rick Hughes as a delegation.

The meeting recessed for lunch at 12:22 p.m. and reconvened at 1:00 p.m.

9. COLLABORATION / ENGAGEMENT

Chair Luckham reconvened the meeting stating gratitude to live and work on Coast Salish traditional and treaty territory. He welcomed the public and delegations who came to address Trust Council.

9.1 Delegations

9.1.1 Friends of the San Juans re: Roberts Bank Terminal 2 (RBT2)

Lovel Pratt, Marine Protection and Policy Director with Friends of the San Juans, presented on the environmental impacts of the proposed expansion of port facilities at Roberts Bank and requested Islands Trust oppose the expansion.

9.1.1.1 San Juan County Council Chair Rick Hughes

Chair Hughes spoke on San Juan County Council's longstanding and mutually beneficial partnership with Islands Trust, working together for the protection of coastal ecosystems and communities in the Salish Sea.

9.1.2 Canadian Parks and Wilderness Society (CPAWS) / West Coast Environmental Law (WCEL) re: BC Coastal Strategy and law

Kate MacMillan (CPAWS) and Michael Bissonnette (WCEL) shared a Power Point and presented on work to develop a British Columbia Coastal Strategy and law to leverage governments and groups to preserve coastal and ocean health.

9.1.3 Raincoast Conservation Foundation re: Gulf Islands Forest Project policy focus

Shauna Doll spoke to the protection of forest ecosystems in the Islands Trust Area and shared a Power Point presentation calling for policy and legislative reform.

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9.1.4 My Sea to Sky re: Municipal Carbon Accounting and Accountability

Tracey Saxby presented a Power Point on a project to develop a “Climate Action Report Card Tool” and requested Islands Trust take part in this pilot project to track community greenhouse gas emissions.

9.1.5 Salt Spring Solutions & Non-profit Community Groups re: Collective Concern for the Islands 2050 Consultation Process

Elizabeth FitzZaland addressed Trust Council on its Islands 2050 consultation process regarding the Policy Statement review project and concerns regarding affordable housing and land use decisions.

9.1.6 Maxine Leichter re: Islands Trust Bylaw Enforcement

Maxine Leichter addressed Trust Council on ways to improve bylaw enforcement in the Trust Area.

9.1.7 Michael Sketch re: A Regional Plan of Trust Area Policies - history & implementation

Michael Sketch spoke to implementing an environmental body to oversee local area land use planning and, create legislation to establish procedures that each local trust area include directive policies in their official community plans and land use bylaws.

9.2 **Town Hall**

Ian Peace gave a Land Acknowledgement and spoke on behalf of the Gulf Islands Alliance to support the Raincoast Conservation society and its set of recommendations as contained its delegation presentation.

Richard Friesen stated he manages a private managed forest lot on South Pender Island which is protected by Article 21 and asked what would Islands Trust like to see regarding timber harvesting.

Michael Sketch called for disclosure of legal opinions.

The meeting recessed for a break 2:27 p.m. break and reconvened at 2:45 p.m.

10. **NEW BUSINESS / TRUSTEE RFDs**

10.1 **Disturbance of Cultural Heritage Sites and Ecosystems / Trustee Colbourne – RFD**

Trustee Colbourne spoke to the request for decision as presented in the report.

DRAFT

TC-2020-089

It was Moved by Trustee Colbourne and Seconded by Trustee Peterson,
THAT Islands Trust Council formally ask the Province of British Columbia to replace references to “development” with “disturbance” in legislation and processes related to local governments and municipalities.

DEFEATED

10.2 The New Brighton Dock, Gambier Island

Trustee Stamford requested the Chair write a letter to specific ministries, that the New Brighton Dock at Gambier Island remain as public access.

TC-2020-090

It was Moved by Trustee Stamford and Seconded by Trustee Wolverton,
THAT Trust Council direct the Chair to write to Transport Canada and all relevant Ministers of the BC government to request that they develop a clear plan that supports the goal of the local island community to ensure the New Brighton Dock remains a public access point to Gambier Island and the critical port for the Southwest Peninsula; while at the same time being a fair and reasonable option for the owners of the dock, the Skwxwú7mesh Uxwumixw Council, to consider in their deliberations.

CARRIED

11. SUMMARY / UPDATES

11.1 Trustee Updates

No written reports were received and no verbal updates were given on items 11.1.1 to 11.1.6.

11.1.1 BC Ferries (Ferry Advisory Committee Chairs)

11.1.2 First Nations

11.1.3 Gulf Islands National Park Reserve Advisory Committee

11.1.4 Salt Spring Island Watershed Protection Alliance (SSIWPA)

11.1.5 Howe Sound Community Forum

11.1.6 Anchorage Roundtable Update

11.2 Trust Council Priorities Chart

By general consent, the Trust Council Priorities Chart was received for information.

11.3 Proposed December 1-3 Trust Council Agenda Program

Discussion was heard on recommendations to the proposed schedule including shorter meetings over three days, delegations in the evening, and continuous learning events weeks ahead of Trust Council.

DRAFT

11.4 Disposition of Delegations and Town Hall Requests

At 3:40 p.m., Trustee Rockafella left the meeting.

Regarding delegation 9.1.2 Canadian Parks and Wilderness Society / West Coast Environmental Law re: BC Coastal Strategy and law:

TC-2020-091

It was Moved by Trustee Rogers and Seconded by Trustee Colbourne,
THAT Trust Council direct the Chair to write to the Premier and all relevant Ministers of the BC government on behalf of Trust Council to request that the BC government develop and enact a Coastal Strategy and law to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to preserve coastal and ocean health, halt coastal habitat loss, accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy, set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea level rise, climate change, and ocean acidification.

CARRIED

Regarding delegation 9.1.3 Raincoast Conservation Foundation re: Gulf Islands Forest Project policy focus:

TC-2020-092

It was Moved by Trustee Morrison and Seconded by Trustee Peterson,
That Trust Council request the Executive Committee to review the recommendations of Raincoast Conservation Foundation regarding policy reform to protect endangered forests and habitats within the Islands Trust Area and provide recommendations to Trust Council.

CARRIED

TC-2020-093

It was Moved by Trustee Colbourne and Seconded by Trustee Wolverton,
That Islands Trust request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under section 8 of the Community Charter.

CARRIED

Regarding delegation 9.1.4 My Sea to Sky re: Municipal Carbon Accounting and Accountability:

DRAFT

TC-2020-094

It was Moved by Trustee Morrison and Seconded by Trustee Fast,
That Trust Council request the Chair to write to My Sea to Sky indicating commitment to participate as pilot communities for the Climate Action Report Card tool project being developed by My Sea to Sky Society and partners, subject to review of the project and endorsement by the Trust Programs Committee.

CARRIED

Regarding delegation 9.1.5 Salt Spring Solutions & Non-profit Community Groups re: Collective Concern for the Islands 2050 Consultation Process

TC-2020-095

It was Moved by Trustee Patrick and Seconded by Trustee Grove,
THAT Trust Council direct staff to address the public engagement concerns raised by the Salt Spring Solutions & Non-Profit Community Groups re: Collective Concern for the Islands 2050 Consultative Process within the development and implementation of ongoing public engagement related to the Policy Statement Update Project.

CARRIED

11.5 CORRESPONDENCE

11.5.1 F. Attrop re: opinion pieces in Times Colonist email dated Aug 8, 2020

Received for information.

12. NEXT MEETING

The next meeting of Islands Trust Council is scheduled December 1-3, 2020.

13. ADJOURNMENT

By general consent, the meeting was adjourned at 4:06 p.m.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Trust Council

Resolutions Without Meetings Log

Resolution Number	Action	Date
2020-003 It was Moved by Trustee Peterson and Seconded by Trustee Maude, That Trust Council post its quarterly meeting recordings, beginning with the September 15-16, 2020 session, to the Islands Trust website.	Carried	07-Oct-2020

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2020-003 dated October 7, 2020

The following matter is considered urgent and necessary in order for Trust Council to consider posting recordings of its quarterly meetings, beginning with the September 15-16, 2020 session, to the Islands Trust website.

On October 7, 2020,

It was Moved by Trustee Peterson and Seconded by Trustee Maude,

That Trust Council post its quarterly meeting recordings, beginning with the September 15-16, 2020 session, to the Islands Trust website.

<u>TRUSTEES RESPONDED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Sue Ellen Fast	October 7, 2020	In Favour
2. Michael Kaile	October 7, 2020	In Favour
3. Steve Wright	October 7, 2020	In Favour
4. Kate-Louise Stamford	October 7, 2020	In Favour
5. Jeanine Dodds	October 7, 2020	In Favour
6. Doug Fenton	October 7, 2020	In Favour
7. Kees Langereis	October 7, 2020	In Favour
8. David Critchley	October 7, 2020	In Favour
9. Deb Morrison	October 7, 2020	In Favour
10. Laura Patrick	October 7, 2020	In Favour
11. Scott Colbourne	October 7, 2020	In Favour
12. David Maude	October 7, 2020	In Favour
13. Lee Middleton	October 7, 2020	In Favour
14. Dan Rogers	October 7, 2020	In Favour
15. Peter Luckham	October 7, 2020	In Favour
16. Cameron Thorn	October 7, 2020	In Favour
17. Peter Johnston	October 7, 2020	In Favour

TRUSTEE VOTES NOT RECEIVED AT TIME OF MAJORITY (14) VOTE

18. Paul Brent
19. Ben McConchie
20. Jane Wolverton
21. Tahirih Rockafella
22. Laura Busheikin
23. Grant Scott
24. Tim Peterson
25. Peter Grove
26. Alex Allen

FINAL VOTE COUNT (17) IN FAVOUR (0) OPPOSED **DECISION** **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON October 7, 2020, 2020

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE



Top Priorities Report

Executive Committee

1. *Islands Trust Act Amendments*

Investigate possibility of amendments to the Islands Trust Act to broaden the Islands Trusts ability to serve its communities and to strengthen its mandate to preserve and protect. Strategic Plan #20)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 26-Oct-2016

2. *Update Islands Trust Policy Statement*

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Project charter approved February 26, 2020. (Strategic Plan #10, #16, #22, #23)

Responsible

Clare Frater

Dates

Target: 15-Sep-2022

3. *Climate Change Emergency*

Matters pertaining to Islands Trust declaring a climate change emergency. (Strategic Plan #10)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

4. *Business Response to COVID-19*

Draft and implement safety plan, consider public messaging as needed.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020

Top Priorities Report

Executive Committee

5. *First Nations Reconciliation*

Responsible

Dates

Implementation of the Reconciliation Action Plan. (Strategic Plan Items #17 & #18)

Russ Hotsenpiller

Rec'd: 02-Sep-2020



Projects Report

Executive Committee

1. *Development of an Islands Trust Communications Strategy*

Responsible

Date Received

Including development of a new website. (Strategic Plan Item #14)

Clare Frater

30-Aug-2017

2. *Marine Advocacy*

Responsible

Date Received

Associated with i.) impact of commercial activities on SRKW (SP#4), ii.) oil spills and iii.) anchorages.

Clare Frater

02-Sep-2020

3. *Broadcast Public Meetings*

Responsible

Date Received

Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council. (Strategic Plan Item #13)

Clare Frater

02-Sep-2020

Julia Mobbs

Russ Hotsenpiller

4. *Improve Communications about the Islands Trust*

Responsible

Date Received

Related to Strategic Plan Items #13 and #14.

Clare Frater

30-Aug-2017

5. *NAPTEP regulation changes to increase the percentage of tax exemption*

Responsible

Date Received

Strategic Plan Item #3.

Clare Frater

02-Sep-2020

Kate Emmings

Projects Report

Executive Committee

6. *Advocate to reduce negative impacts of shellfish aquaculture practices*

Responsible

Date Received

Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy.

16-Aug-2017

7. *First Nations Reconciliation*

Responsible

Date Received

MMIWG Calls for Justice Resolutions

21-Oct-2020

1. All staff required to take training related to cultural safety in keeping with the Missing and Murdered Indigenous Women and Girls Calls for Justice.
2. That staff plan education on the Missing and Murdered Indigenous Women and Girls Calls for Justice for trustees and senior staff.
4. Staff to include information about the Missing and Murdered Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.
5. Draft amendments to the Communications Policy and the Advocacy Policy to address the Missing and Murdered Indigenous Women and Girls Calls for Justice.

Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 01-Dec-2020	In Progress
2 Deliver a prioritized Continuous Learning Plan and postpone inviting Dr. Richard Hebda to give a presentation, until a more appropriate time.	Russ Hotsenpiller	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
3 The December 1-3, 2020 regular Trust Council meeting will be conducted electronically.	Russ Hotsenpiller	Meeting: 16-Sep-2020 Target: 01-Dec-2020	Completed
4 Adopt the June 16-17 Trust Council meeting draft minutes as presented.	Russ Hotsenpiller	Meeting: 15-Sep-2020 Target: 30-Sep-2020	Completed
5 Executive Committee to review the recommendations of Raincoast Conservation Foundation regarding policy reform to protect endangered forests and habitats within the Islands Trust Area and provide recommendations to Trust Council.	Russ Hotsenpiller	Meeting: 16-Sep-2020 Target: 01-Dec-2020	In Progress

Director, Administrative Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Council

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 01-Dec-2020	In Progress
2 That Trust Council request FPC to provide a report detailing the full staff costs associated with processing land-use applications, by application type. (rescheduled to Dec 2020 meeting)	David Marlor Julia Mobbs	Meeting: 11-Mar-2020 Target: 01-Dec-2020	Completed
3 Provide information on the Bowen Tax requisition to Trustee Kaile.	Julia Mobbs	Meeting: 15-Sep-2020 Target: 14-Oct-2020	Completed
4 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 01-Dec-2020	In Progress

Director, Local Planning Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 That Trust Council request FPC to provide a report detailing the full staff costs associated with processing land-use applications, by application type. (rescheduled to Dec 2020 meeting)	David Marlor Julia Mobbs	Meeting: 11-Mar-2020 Target: 01-Dec-2020	Completed
2 Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress
3 Staff to implement a system of tracking and collecting all local planning service staff hours associated with processing individual applications, beginning as soon as possible, for a three month period, and requested to go up December 2020, however to meet committee reporting up to Nov 1.	David Marlor	Meeting: 17-Jun-2020 Target: 02-Nov-2020	Completed
4 A report from staff about the potential to have an Islands Trust structure to manage Community Benefit Land Trusts.	Clare Frater David Marlor	Meeting: 17-Jun-2020 Target: 01-Dec-2020	Completed
5 That Trust Council request review of the Local Trust Committee Correspondence Policy, to ensure it is up to date.	Carmen Thiel David Marlor	Meeting: 15-Sep-2020 Target: 01-Mar-2021	In Progress
6 Director of Local Planning Services to put the business case for an additional bylaw compliance and enforcement officer forward to the Financial Planning Committee.	David Marlor	Meeting: 15-Sep-2020 Target: 01-Nov-2020	Completed

Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
7 THAT Trust Council authorize the Salt Spring Island Local Trust Committee to use unspent special property tax requisition funds from previous fiscal years to undertake water sustainability projects that do not require coordination through the local trust committee's (LTC's) delegated authority under Trust Council Bylaw No. 154. Advice planning staff on ssi.	David Marlor	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
8 Delegated to the Regional Planning Committee, the consideration of the peer review and the usefulness of the Southern Island groundwater project.	David Marlor	Meeting: 15-Sep-2020 Target: 08-Oct-2020	Completed
9 Trust Council approves renaming the "Local Planning Committee" to "Regional Planning Committee. "Staff to amend Trust Council policies 2.3.1, 2.3.2, 2.1.5, 6.2.1, 6.5.4 and 6.13 to change all instances of 'Local Planning Committee' to 'Regional Planning Committee' and That Islands Trust Council request staff to amend Trust Council Policy 6.11.1 to reflect the current Trust Council committee system structure.	Carmen Thiel David Marlor	Meeting: 16-Sep-2020 Target: 15-Dec-2020	In Progress
10 Staff to work with the Regional Planning Committee to review policies and fees related to the Agricultural Land Commission Exclusion Regulation which comes into effect October 1, 2020.	David Marlor	Meeting: 15-Sep-2020 Target: 08-Oct-2020	In Progress

Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
11 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 01-Dec-2020	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 Investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.	Clare Frater Kate Emmings	Meeting: 20-Jun-2017 Target: 19-Mar-2019	Completed
2 That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 01-Dec-2020	In Progress
3 Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
4 A report from staff about the potential to have an Islands Trust structure to manage Community Benefit Land Trusts.	Clare Frater David Marlor	Meeting: 17-Jun-2020 Target: 01-Dec-2020	Completed
5 That Trust Council request that the Executive Committee support Bowen Island Municipality in its efforts to oppose recreational use of motorized vehicles on Mount Gardner Crown land, subject to Bowen Island's Municipality First Nations consultation.	Clare Frater	Meeting: 17-Jun-2020 Target: 15-Sep-2020	In Progress
6 Cooperate and work with Dr. Tara Martin's delegation re data sharing of CDF.	Clare Frater	Meeting: 17-Jun-2020 Target: 15-Sep-2020	In Progress
7 The Chair was requested to write to all relevant federal and provincial ministries to ensure the New Brighton Dock remains a public access point; while at the same time being a fair and reasonable option for the owners of the dock, the Skwxwú7mesh Uxwumixw Council, to consider in their deliberations.	Clare Frater	Meeting: 16-Sep-2020 Target: 30-Sep-2020	Completed

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
8 THAT Trust Council direct the Chair to write to the Premier and all relevant Ministers of the BC government on behalf of Trust Council to request that the BC government develop and enact a Coastal Strategy and law to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to preserve coastal and ocean health, halt coastal habitat loss, accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy, set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea level rise, climate change, and ocean acidification.	Clare Frater	Meeting: 16-Sep-2020 Target: 01-Dec-2020	In Progress
9 THAT Trust Council amend Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated March 13, 2018 with the revised Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated September 15, 2020 which is inclusive of First Nations history, heritage, objects and sites.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
10 Trust Council adopted Policy 2.1.15 Secretariat Services, a function to provide coordinating administrative services in the Trust-area.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 21-Oct-2020	Completed

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
11 THAT the Islands Trust Council amend Policy 2.1.11 Administration of the Community Stewardship Awards Program dated March 7, 2003 with the revised Policy 2.1.11 Administration of the Community Stewardship Awards Program dated September 15, 2020.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
12 THAT Trust Council direct staff to replace the tagline "Preserving Island Communities, Culture and Environment" with "Preserving and Protecting Over 450 Islands and their Surrounding Waters in the Salish Sea".	Clare Frater	Meeting: 16-Sep-2020 Target: 21-Oct-2020	In Progress
13 Chair to write to My Sea to Sky indicating commitment to participate as pilot communities for the Climate Action Report Card tool project being developed by My Sea to Sky Society and partners, subject to review of the project and endorsement by the Trust Programs Committee.	Clare Frater	Meeting: 16-Sep-2020 Target: 13-Oct-2020	In Progress
14 Staff to address the public engagement concerns raised by the Salt Spring Solutions & Non-Profit Community Groups re: Collective Concern for the Islands 2050 Consultative Process within the development and implementation of ongoing public engagement related to the Policy Statement Update Project.	Clare Frater	Meeting: 16-Sep-2020 Target: 21-Oct-2020	In Progress
15 That Islands Trust request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under section 8 of the Community Charter.	Clare Frater	Meeting: 16-Sep-2020 Target: 18-Nov-2020	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
16 THAT the Islands Trust Council suspended the Community Stewardship Awards Program and will revisit the decision at the end of 2021. Issue news release	Clare Frater	Meeting: 16-Sep-2020 Target: 01-Oct-2020	In Progress

Legislative Services Manager

Activity	Responsibility	Dates	Status
1 That Bylaw No. 180 be read and adopted as presented, amending the Meeting Procedures Bylaw No. 101.	Carmen Thiel	Meeting: 16-Jun-2020 Target: 15-Sep-2020	Completed
2 That Trust Council request review of the Local Trust Committee Correspondence Policy, to ensure it is up to date.	Carmen Thiel David Marlor	Meeting: 15-Sep-2020 Target: 01-Mar-2021	In Progress
3 THAT Trust Council amend Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated March 13, 2018 with the revised Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated September 15, 2020 which is inclusive of First Nations history, heritage, objects and sites.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
4 Trust Council adopted Policy 2.1.15 Secretariat Services, a function to provide coordinating administrative services in the Trust-area.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 21-Oct-2020	Completed



Follow Up Action Report

Trust Council

Legislative Services Manager

Activity	Responsibility	Dates	Status
5 THAT the Islands Trust Council amend Policy 2.1.11 Administration of the Community Stewardship Awards Program dated March 7, 2003 with the revised Policy 2.1.11 Administration of the Community Stewardship Awards Program dated September 15, 2020.	Carmen Thiel Clare Frater	Meeting: 15-Sep-2020 Target: 01-Dec-2020	Completed
6 Trust Council approves renaming the "Local Planning Committee" to "Regional Planning Committee. "Staff to amend Trust Council policies 2.3.1, 2.3.2, 2.1.5, 6.2.1, 6.5.4 and 6.13 to change all instances of 'Local Planning Committee' to 'Regional Planning Committee' and That Islands Trust Council request staff to amend Trust Council Policy 6.11.1 to reflect the current Trust Council committee system structure.	Carmen Thiel David Marlor	Meeting: 16-Sep-2020 Target: 15-Dec-2020	In Progress
7 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 01-Dec-2020	In Progress

Manager, Islands Trust Conservancy

Activity	Responsibility	Dates	Status
1 Investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.	Clare Frater Kate Emmings	Meeting: 20-Jun-2017 Target: 19-Mar-2019	Completed

Follow Up Action Report

Trust Council

Manager, Islands Trust Conservancy

Activity	Responsibility	Dates	Status
2 That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 01-Dec-2020	In Progress

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

1. LAND STEWARDSHIP

Preserve, protect and advocate for forest and terrestrial ecosystems

Strategy	Responsibility	Funding	Comment	Implementation
1. Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.	Regional Planning Committee	2019/20 - \$15,300	Completed. Amendments based on peer review will occur in FY2020/21.	complete
2. Create a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.	Regional Planning committee		Regional Planning Committee has requested \$5,000 for this project in FY2021/22. Included in FY2021/22 budget.	Not started
3. Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.	Executive		Ministry officials have referred the Islands Trust to the Ministry of Finance for further information, which has not yet been scheduled.	In progress

2. MARINE AND FRESHWATER STEWARDSHIP

To preserve and protect marine ecosystems

Strategy	Responsibility	Funding	Comment	Implementation
4. Advocate to minimize the impact of commercial activities on the marine environment and participate in Canada's Southern Resident Killer Whale (SRKW) recovery plan.	Trust Area Services		Saturna LTC has requested advocacy letter. Staff liaising with Trustee Middleton. No progress since June Trust Council meeting.	In progress

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

2. MARINE AND FRESHWATER STEWARDSHIP

To preserve and protect marine ecosystems

Strategy	Responsibility	Funding	Comment	Implementation
5. Map the extent of eelgrass and kelp beds throughout the Trust Area.	Local Planning Committee	2020/21 - \$50,000	RPC has cancelled work on this for FY2020/22 releasing \$50,000 to surplus. Reason for cancelation is matching grant was not available and missed the window to do this work before end of FY2020/21. RPC has requested \$50,000 to undertake some of this work in FY2021/22 (which can be funded from surplus) and staff will look for matching grant opportunities.	On Hold/Not started
6. Undertake a review of Local Trust Committee-Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.	Local Planning Committee	2020/21 - \$10,000	A contractor will be selected later in 2020 and work will be completed by March 31, 2021. Budget for FY2020/21 is \$10,000.	In Progress

Protect quality and quantity of fresh water resources of the Trust Area

Strategy	Responsibility	Funding	Comment	Implementation
7. Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.	Regional Planning Committee	2020/21 - \$20,000	contract entered into for undertaking phase 1 of stage 1 by March 31, 2021. \$20,000. Regional Planning Committee has requested \$30,000 to complete Stage 1 (case studies, options and recommendations) in FY2021/22.	In Progress

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

2. MARINE AND FRESHWATER STEWARDSHIP

Protect quality and quantity of fresh water resources of the Trust Area

Strategy	Responsibility	Funding	Comment	Implementation
8. Map and develop water budgets for groundwater aquifers in the Trust Area.	Regional Planning Committee	2019/20 - \$37,992 2020/21 - \$50,000	Contract in development, with additional \$15,000 from Province to map Hornby, Denman and Gabriola. \$50,000 from Trust Council for this project. Regional Planning Committee has requested \$50,000 for FY2021/22 to continue mapping in northern islands. Regional Planning Committee has requested staff to report back on uses of the groundwater maps. Peer review of Southern Islands mapping complete, adjustments to that mapping to be undertaken based on review.	In progress
9. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.	Regional Planning Committee		RPS has request \$5,000 for this project in FY2021/22. Included in FY2021/22 draft budget.	Not started

Policy Statement Goal B: 'To ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of trust area ecosystems'

3. CLIMATE CHANGE

Mitigate and adapt to climate change impacts

Strategy	Responsibility	Funding	Comment	Implementation
10. Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies.	Trust Area Services	See items 22/23	Policy Statement Amendment Project is underway. EC approved revised project charter on Feb 26 , 2020 and a revised version on Nov. 18, 2020. Staff brought a ""What we heard"" public engagement report to June Trust Council for approval and released it to the public. TPC working groups continue to meet to review the document while First Nations engagement continues. Staff are developing a "What We Learned" report for Executive Committee review on Dec. 16, 2020.	In progress
11. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.	Local Planning Services		Awaiting model bylaw from RPC- item 2 above. This is not budgeted for FY2020/21. budget request would be for FY 2022/23	Not started

Policy Statement Goal B: 'To ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of trust area ecosystems'

3. CLIMATE CHANGE

Mitigate and adapt to climate change impacts

Strategy	Responsibility	Funding	Comment	Implementation
12. Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.	Trust Area Services	2020/21 - \$5,000; 2021/22 - \$25,000 requested	Trust Programs Committee received a contracted report about climate indicators at the August 2020 meeting which it forwarded to Trust Council. TPC has submitted a business case for climate indicator work in 2021/22. Staff are working with My Sea to Sky Society, BCIT and other partners to examine the possibility of Islands Trust participating as a pilot region in the development of a standardized Climate Action Report Card Tool for local governments across Canada to track and report greenhouse gas emissions every year.	In progress

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Improve community engagement and participation in Islands Trust work

Strategy	Responsibility	Funding	Comment	Implementation
13. Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.	Executive Admin-IT	2020/21 - \$19,000	Technology: Testing of Zoom technology has been underway for electronic public meetings due to the COVID-19 pandemic. Currently there have been successful LTC, Council Committee, and TC electronic meetings. Testing with members of the public is underway with LTC meetings and *may* take place at the June TC. Streaming of meetings using Collaborative Video technology has begun for all meeting types. We are noting that streaming is made easier when all meeting participants and attendees are remote, or all are physically present. Complications (and possibly costs) rise when there is a blend of in-person vs. remote participants/attendees. Staff are seeking solutions and brainstorming workarounds. Legislative: Provisions of the <i>Freedom of Information and Protection of Privacy Act</i> (re: collection, storage and disclosure of personal information) and defamation law apply to broadcasting (streaming) meetings. One recommended practice, regardless of whether a meeting is conducted in person, or electronically, is that Islands Trust bodies notify the public that a meeting will be recorded and the recording posted online. Notification is now being provided to the public through Chairs opening remarks and meeting notices that LTC meetings are being recorded and the recording posted online.	In progress

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Improve community engagement and participation in Islands Trust work

Strategy	Responsibility	Funding	Comment	Implementation
14. Develop a new website and initiate a social media program.	Trust Area Services	2019/20 - \$69,512 2020/21 - \$45,000	Website project is now progressing towards a spring completion. A dedicated Communications Specialist has been hired to manage the project through to completion, including development of final pages, form creation, uploading remaining document library documents, and populating the calendar tool with 2021 meetings and events. The site will undergo user testing prior to launch. Facebook is being updated regularly.	In progress
15. Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.	Trust Area Services	2020/21 - \$15,000; 2021/22 - \$15,000 requested	Trust Programs Committee has delivered a water conservation webinar, an eelgrass webinar and an ecosystem adaptation webinar. TPC has requested staff to direct staff to develop a project charter for a "Living in the Islands Trust Area" program for people new to the region.	In progress

Strengthen housing affordability throughout the Islands Trust Area

Strategy	Responsibility	Funding	Comment	Implementation
16. Implement the following high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council.	Trust Area Services/Local Planning Committee		See following	See following

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Strengthen housing affordability throughout the Islands Trust Area

Strategy	Responsibility	Funding	Comment	Implementation
16. i. Review the Islands Trust Policy Statement and give consideration to: a) giving affordable housing a greater profile for its role in sustainable communities b) including a reference to affordable housing in its policy direction to LTCs and municipalities.	Trust Area Services	See items 22/23	Policy Statement Amendment Project is underway. EC approved revised project charter on Feb 26 , 2020 and a revised version on Nov. 18, 2020. Staff brought a "What we heard" public engagement report to June Trust Council for approval and released it to the public. Staff are developing a "What We Learned" report for Executive Committee review on Dec. 16, 2020. TPC's affordable housing working group has been reviewing the document while First Nations engagement continues.	In progress
16. ii. Review the Islands Trust Policy statement to ensure that it: a) includes clear and well-thought out definition of affordability b) includes clearly articulated vision, goal and objectives for affordable housing c) gives affordable housing a greater profile for its role in sustainable communities d) includes a reference to affordable housing in its policy direction to LTCs and municipalities.	Trust Area Services	See items 22/23	Policy Statement Amendment Project is underway. EC approved revised project charter on Feb 26 , 2020 and a revised version on Nov. 18, 2020. Staff brought a "What we heard" public engagement report to June Trust Council for approval and released it to the public. Staff are developing a "What We Learned" report for Executive Committee review on Dec. 16, 2020. TPC's affordable housing working group has been reviewing the document while First Nations engagement continues.	In progress
16. iii. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws.	Regional Planning Committee	2020/21 - \$10,000	A consultant will be selected later in 2020 and the work will be completed by March 31, 2021.	Not started
16. iv. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	Regional Planning Committee		RPC has requested \$10,000 for FY2021/22 for this project.	Not started

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Strengthen housing affordability throughout the Islands Trust Area

Strategy	Responsibility	Funding	Comment	Implementation
16. v. Develop model bylaws to address the use of building stratas as a tool for affordable housing.	Regional Planning Committee		Consideration for FY2022/23 through RPC.	Not Started

Strengthen relations with First Nations

Strategy	Responsibility	Funding	Comment	Implementation
17. Adopt a Reconciliation Declaration.	Trust Council		Adopted March 2019.	Completed
18. Adopt and implement a Reconciliation Action Plan.	EXEC/TAS/LPS	2020/21 - \$17,550; 2021/22 - \$16,950 requested	Implementation in progress. Training design completed and delivered with one outstanding session due to COVID-19. Policy and referral processes being reviewed with gap analysis. Multi-faceted activities are underway throughout the organization with particular effort on the Policy Statement Amendment Project and support for government to government meetings and development of cooperation accords.	In progress
19. Develop a Trust Area-wide archaeological impact strategy and establish a Cultural Working Group.	Trust Area Services		Cultural Working Group established. Interim measures in place for archaeological impact strategy with plans to work with other agencies, including an active liaison with Archeology Branch. Current review of all staff reports in place, with forms to assist and inform applicants.	In progress

Policy Statement Goal D: 'Effective, efficient and collaborative governance'

5. GOVERNANCE

To improve and modernize the ability of the Islands Trust to regulate land use activity and work with others

Strategy	Responsibility	Funding	Comment	Implementation
20. Amend the Islands Trust Act or other legislation to: i. Allow for entry warrants ii. Grant authority to use municipal ticketing for development permit enforcement iii. Enable adoption of development approval information bylaws by local trust committee iv. Add First Nations to the list of bodies with whom the Trust works in cooperation v. Enable delegation to staff the issuance of development permits vi. Clarify foreshore zoning authority	Executive/LPC		i. Indication Province is not going to make any changes. ii. At this time the indication is that the Province is not going to make any changes based on the belief enforcement is possible if guidelines are part of the LUB. iii. Being considered by the Province. iv. We have received positive indications from the Province that this item is pending. v. Being considered by the Province. vi. Being considered by the Province.	In progress
21. Provide a secretariat role to forums within the Trust Area.	Trust Area Services	2020/21 - \$12,000; 2021/22 - \$12,000 requested	Trust Programs Committee co-hosted the Baynes Sound Lambert Channel Forum on May 30, 2020 . In June, TPC allocated \$3,500 to support the coordination of the Baynes Sound/Lambert Channel Ecosystem Forum and \$3,800 to support the coordination of the Howe Sound (Atl'ika7sem) Community Forum. In November, TPC allocated \$3,000 to initiate a Southern Gulf Islands Forum, and \$800 to support the Coastal Douglas-fir Conservation Partnership.	In progress

Policy Statement Goal D: 'Effective, efficient and collaborative governance'

5. GOVERNANCE

To amend the Policy Statement

Strategy	Responsibility	Funding	Comment	Implementation
22. Amend the Policy Statement introductory and definitions sections.	Trust Programs Committee	2019/20 - \$39,820 2020/21 - \$45,000	Policy Statement Amendment Project is underway. EC approved revised project charter on Feb 26 , 2020 and a revised version on Nov. 18, 2020. Staff brought a "'What we heard" public engagement report to June Trust Council for approval and released it to the public. TPC working groups continue to meet to review the document while First Nations engagement continues. Staff are developing a "What We Learned" report for Executive Committee review on Dec. 16, 2020.	In progress
23. Determine if additional changes to the Policy Statement are desired by Trust Council.	Trust Programs Committee	See item 22	Pending outcomes of Policy Statement engagement and First Nations referral.	In progress



Islands Trust Council Plan for Continuous Learning

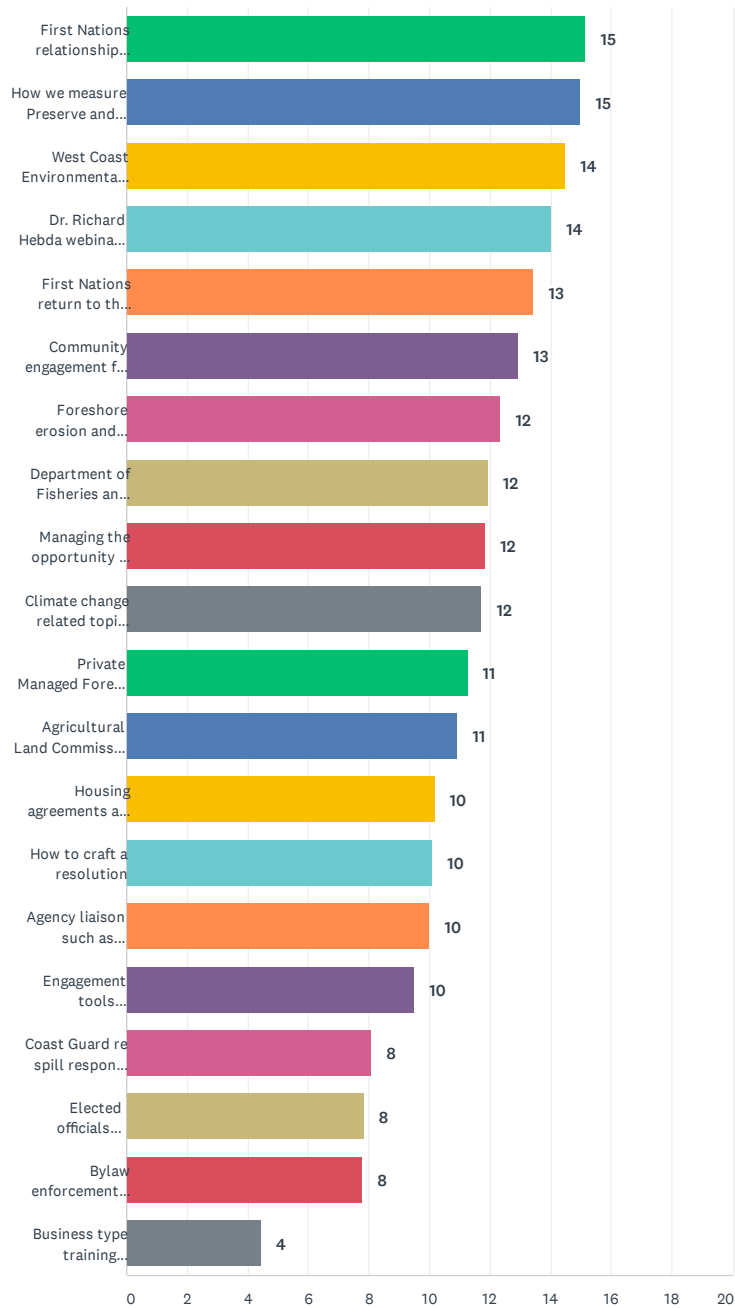
2018-2022 Term

Updated November 12, 2020

Year	Trust Council Meeting	Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2020	December	NA	Bill Buholzer – Closed Session Best Practices for Governance/Staff Relations Kevin Ramsay - Presenter	NA	NA
	September	Dr. Richard Hebda/tabled	NA	NA	NA
	June	Conducting electronic meetings	NA	NA	NA
	March	FOI – Open Meetings Conflict of Interest – closed session, March 11, 2020	NA	Water License Branch session- via webinar on March 3, 2020	Climate change related topics including enforcement, bylaw sharing associated with climate change
2019	December (Victoria)	Strategic Plan Residential/Industrial schools session	NA	NA	National Marine Conservation Area Reserve
	September (Bowen)	Strategic Plan	Role of the Executive Committee	NA	Indigenous Law
	June (Galiano)	Strategic Plan	What Elected Officials Need to Know about FOI & Protection of Privacy Training (LGMA) June 25 th webinar.	NA	Chair, Vice Chair, Committee Chairs & ITC Chair training
	March 2019 (Gabriola)	Strategic Plan	Young/Anderson Introduction Bill Buholzer	NA	NA
	January 2019 Nanaimo	Strategic Plan	Orientation	NA	NA

Council Continuous Learning Plan 2018-2022 term

Answered: 15 Skipped: 0



POTENTIAL TOPICS/AGENCY LIAISON FOR CONSIDERATION FOR FUTURE SESSIONS:

Suggestions arising during 2018-2022 Term:

1. West Coast Environmental Law re foreshore jurisdiction **added December 2019**
2. Coast Guard re spill response plan missed consultation with Trust Council and local trust committees **added December 2019**
3. Bylaw enforcement processes **added December 2019**
4. Department of Fisheries and Oceans re fish stocks in dire straits **added December 2019**
5. Elected officials and/or staff on how the political government works **added December 2019**
6. Foreshore erosion and middens **added December 2019**
7. Community engagement for stewardship **added December 2019**
8. First Nations return to the lands and water **added December 2019**
9. Climate change related topics including enforcement, bylaw sharing associated with climate change
10. Private Managed Forest Lands (PMFL)
11. Housing agreements and how they work
12. First Nations relationship building
13. How we measure Preserve and Protect
14. Engagement tools associated from IAP2
15. Agency liaison such as Agricultural Land Commission
16. Business type training including Microsoft products
17. ALC session with CEO and Chair - aim for September TC
18. How to craft a resolution
19. Dr. Richard Hebda webinar or presentation **added March 2020**
20. Managing the opportunity of change in the COVID moment **added June 2020**

BRIEFING

To:	Trust Council	For the Meeting of:	December 1, 2020
From:	Executive Committee	Date Prepared:	November 12, 2020
SUBJECT:	Potential legislative and procedure change by the Islands Trust in relation to forest protection		

PURPOSE: For Trust Council to receive this briefing, which was reviewed by Executive Committee at its November 18th business meeting, as an initial report reviewing the recommendations of the Raincoast Conservation Foundation received at the September 2020 Trust Council meeting and to consider any recommendations to further any potential policy reform.

BACKGROUND:

Following the presentation at Trust Council in September by Raincoast Conservation Foundation, Trust Council made the following motion(s).

THAT Executive Committee reviews the recommendations of Raincoast Conservation Foundation regarding the policy reform to protect endangered forests and habitats within the Islands Trust Area and provide recommendations to Trust Council.

THAT the Islands Trust Council request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under Section 8 of the Community Charter.

Those recommendations were included in the package provided by RainCoast to the meeting in September, and generally consist of the following:

1. Establish Development Permit Areas to protect forest ecosystems and regulate forest practices on private lands
2. Seek enforceability of Development Permits
3. Pursue the implementation of tree cutting permits and forest management regulations.
4. Use zoning (i.e. Conservation Zoning) as a way to regulate tree removal and retention on private lands.
5. Continue to pursue and support other tools available for "protecting and preserving the islands unique amenities and environment"

Several of these policy requests generally are associated with or directly relevant to current and ongoing strategic initiatives of the Island Trust. A brief review of each of the recommendations follows:

- 1. Establish Development Permit Areas to protect forest ecosystems and regulate forest practices on private lands**

The Islands Trust currently has the authority to protect forest ecosystems through the use of development permits. Currently there are forestry DPAs in the Galiano Island and North Pender Island Local Trust Areas. There are however, limitations associated with how comprehensive the level of protection can be in the application of DPs to regulate forestry.

In 1997, the Islands Trust lost the case, Denman Island vs 4064 Company. In this matter, the LTC established a DP area to protect forest areas and included a specific regime for tree cutting. The landowner challenged the DP, stating that the Trust did not have the authority to regulate forestry on a general landscape level. The courts agreed. Since then the Trust has had more confidence in establishing DPs for very specific forest elements, for instance stands of Gerry Oak or Douglas-fir. Galiano Islands LTC has a general development permit area that covers the island, but has exemptions for certain development and land in Private Managed Forest Land Reserve (PMFL). North Pender LTC has a woodland development permit area to protect woodland strands on the island, with exemptions for certain types of development, and land in PMFL.

Since this ruling, the Province established the Forest Land Reserve (FLR) and then subsequently converted that into Private Managed Forest Land (PMFL), which further protected forestry activities on forest designated lands. Accordingly, to best address the authority to prescribe effective DPs, some accommodation from the current PMFL regime would be needed.

The Islands Trust is currently in discussions with the Ministry of Forests, Lands and Natural Resource Operations and Rural Development (FLNRO), to seek an ability for the Islands Trust and LTCs to have influence over Private Managed Forest Lands. Following the meeting between the Executive Committee and with the Minister in September 2020, the Trust shared documentation on how the PMFL Act could be amended to our satisfaction. We await significant uptake on our proposal.

The University of Victoria's Environmental Law Centre opinion provided by Raincoast Conservation Foundation seeks another route, that being amendment of S 29 of the Islands Trust Act to allow LTCs to comprehensively use DPAs to protect forestry areas. This would be a special request given the unique nature of the Islands Trust, as the intention would not be to extend this authority to Regional Districts. This approach could be researched more fully vs other options described in this report, for viability.

Next action: Further review by staff on viability of amendment of S 29 with a referral to Regional Planning Committee.

2. Seek enforceability of Development Permits

This matter is currently under significant discussion with the Ministry of Municipal Affairs and Housing as part of the suite of amendments to the Islands Trust Act that the Islands Trust requested in 2018 and following the Islands Trust's [UBCM resolution](#) endorsed by UBCM in 2019. We are at an impasse at this time. They indicate that we have the right to enforce development permits via municipal ticketing authorities, whereas staff consider we would have legal vulnerability if we proceeded. Further discussion with the Ministry is scheduled once a Minister has been appointed. At that point, the Islands Trust will need to decide whether it initiates a ticketing scheme, with the attendant legal jeopardy, or seeks further legislative changes. AS UBCM endorsed the resolution in support of this initiative, they may be an ally in advocating on this provincially significant issue.

Next action: continued negotiation with the Ministry of Municipal Affairs as part of legislative change.

3. **Pursue the implementation of tree cutting permits and forest management regulations.** At the September meeting, Trust Council also passed the following specific motion:

THAT Islands Trust request the Province enhance the Trusts jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under Section 08 of the Community Charter.

This is explicit direction for the Islands Trust to move forward with advocacy for legislative change to achieve this outcome. This request came during the 2020 Provincial Election period, during which there are no Provincial Ministers. Accordingly, staff have written to Ministry staff outlining the request and asking for further meetings to provide detail and indicating that a letter from the Chair would be forthwith to the new Minister. Ministry staff indicated that they look forward to receiving a formal request from the Islands Trust, that the matter of tree cutting is historically complex within the Trust Area and that the current municipal authority is directed towards tree cutting in urban environments. By the time Trust Council meets in December the letter to the Minister should have been sent.

Executive Committee will recall that this request was considered by the last Trust Council as a possible legislative change, however, it was removed as an option based at Trust Council direction. While achieving a similar authority to municipalities under S 8 of the Community Charter would provide an expansion of the ability of LTCs to protect forest lands, Division 7 of the Charter also provides for exclusions (in the municipal context) for woodlots and PMFL, which may have the effect of having us back where we started. It is likely that the Ministry will request more detailed explanation of the Islands Trust's goals and objectives and specific desired authorities if this proceeds.

See Appendix A for a more detailed discussion of this option.

4. **Use zoning (i.e. Conservation Zoning) as a way to regulate tree removal and retention on private lands**

There remains opportunities for the use of zoning as protection measures throughout the Trust Area. The current Policy Statement amendment process has the potential to inform OCP amendments and further the ability to use this type of zoning to protect forest lands. Generally, if downzoning is implemented to protect areas of ecological value on private property that restricts the use of land to a public use without the landowner's agreement, there is the possibility of compensation being provided. Landowner agreements avoid the need for compensation and can be realized through conservation covenants, or agreement at the time of a zoning amendment.

Next Action: referral of the issue of conservation zoning to the Regional Planning Committee and Trust Programs Committee for consideration and recommendations to incorporate into a greater number of OCPs.

5. **Continue to pursue and support other tools available for "protecting and preserving the islands unique amenities and environment"**

This recommendation is central to the ongoing Policy Statement amendment project and the current Strategic Plan which is providing increased focus on model bylaws and a more comprehensive adoption process by LTCs than has been seen in the past. This issue of balancing Trust Council powers with respect to progressive land use policy with the regulatory function of LTCs is a long standing matter at the Trust and this is a current conversation for the working groups of Trust Programs Committee. The Strategic Plan includes the activity: Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.

Next action: Initiate conversations with Ministry of Finance staff about potential amendments to the NAPTEP regulation.

Next action: Continue to support Trust Program Committee's stewardship education program and improvement to communications to help the public understand their role in preserving and protecting

Next action: Continue to support the Conservancy Board in raising awareness about land protection options.

ATTACHMENT(S):

1. Discussion paper with regard to requesting legislative change to allow for tree cutting regulation

FOLLOW-UP: Staff will continue to work on the 'next action' activities noted above.

Prepared By: R Hotsenpiller

Reviewed By/Date: David Marlor, Director, Local Planning Services/ November 12, 2020
Clare Frater, Director, Trust Area Services/November 13, 2020
Executive Committee/November 18, 2020

APPENDIX A

TREE PROTECTION BYLAW AUTHORITY: LEGISLATIVE CHANGE

Discussion Paper

This paper reviews, at a high level, key considerations for requesting legislative change to allow the Islands Trust to regulate tree cutting throughout the Trust Area.

Amendment sought: Change in regulation by order-in-council. Lieutenant Governor in Council may make s. 8(3)(c) of the Community Charter apply to LTCs under s.53(2)(j) of the Islands Trust Act.

Enabling Legislation:

- 1) Under Section 8(3)(c) of the *Community Charter*, municipal councils have the fundamental power to “by bylaw, regulate, prohibit, and impose requirements in relation to trees.”
- 2) Division 7 Community Charter— Authority in Relation to Trees

Restrictions in relation to authority

- 50 (1)A bylaw under section 8 (3) (c) [*spheres of authority — trees*] that is in relation to the protection of trees does not apply to the following:
- (a) land and the trees on it if forestry practices on the land are governed by a tree farm licence, permit or other authority or tenure under the [Forest Act](#);
 - (b) land and trees on it if section 21 of the [Private Managed Forest Land Act](#) applies to the land;
 - (c) tree cutting or removal that is undertaken by a utility, on land owned or held by the utility, and done for the purpose of safety, maintenance or operation of the utility's infrastructure.
- (2) Subject to subsection (3), if a bylaw under section 8 (3) (c) would have the effect on a parcel of land of (a)preventing all uses permitted under the applicable zoning bylaw, or (b)preventing the development to the density permitted under the applicable zoning bylaw, the bylaw does not apply to the parcel to the extent necessary to allow a permitted use or the permitted density.
- (3) A bylaw referred to in subsection (2) applies without limit to a parcel if the council, by resolution, commits the municipality to (a)pay compensation to the owner of the parcel for any reduction in the market value caused by the prohibition, or (b)provide, by development permit, development variance permit or otherwise, alternative means for the parcel to be used for a permitted use or developed to the permitted density.
- (4) For the purposes of subsection (3), (a) the compensation must be as determined and paid as soon as reasonably possible in an amount set by agreement between the owner and the municipality or, if no agreement is

reached, by the Supreme Court, and (b) the council may issue a development permit or development variance permit on its own initiative without an application from the owner.

The preceding sections of the Community Charter provide limits to municipal power to regulate trees with regard to lands under the Forest Act, woodlots and PMFL. They also provide instances for compensation associated with any change in designation that results in a market value.

Background:

Prior to 1999, all local governments (including municipalities, regional districts and the Islands Trust) were limited in their powers to regulate tree removal to only those areas considered hazardous. After 1999, amendments to the *Municipal Act*, *BC Community Charter*, and *BC Local Government Act (LGA)* provided municipalities (only) with the authority under Section 8 (3) (c) of the *Community Charter*, to regulate or prohibit the cutting and removal of trees on any land within the municipality.

While municipalities were granted a fundamental power to protect, prohibit and regulate the removal of trees, regional districts and the Islands Trust remained limited in their authority, as follows:

- Section 500 of the *LGA* – a board (or local trust committee) may, by bylaw, regulate tree or prohibit tree removal in areas of land which they consider “may be subject to flooding, erosion, land slip or avalanche”; and
- Section 527 of the *LGA* – local governments may, by bylaw, “require, set standards for and regulate the provision of screening or landscaping for one or more of the following purposes: (a) masking or separating uses; (b) preserving, protecting, restoring and enhancing the natural environment; and (c) preventing hazardous conditions.”
- Section 488 of the *LGA* – Designation of Development Permit Areas in an OCP; a development permit may be required for the alteration of land (including tree cutting) in a DPA designated for any of the following purposes:
 - (b) Protection of the natural environment, its ecosystems and biological diversity;
 - (b) Protection of development from hazardous conditions;
 - (d) revitalization of an area in which a commercial use is permitted;
 - (h) establishment of objectives to promote energy conservation;
 - (i) establishment of objectives to promote water conservation;
 - (j) establishment of objectives to promote the reduction of greenhouse gas emissions.

Islands Trust local trust committees generally exercise their authority through the designation of Development Permit Areas (DPAs) for the purpose of protecting development from hazardous condition (e.g. Denman Komass Bluff DPA) or protection of the natural environment, ecosystems and biodiversity (e.g. Galiano Tree Cutting and Removal DPA). They may also include landscaping and screening provisions within their land use bylaws (e.g. Lasqueti *Riparian Areas Regulation* implementation). There is a further opportunity for local trust committees to leverage their DPA powers to protect trees for the purposes of energy conservation, water conservation and GHG emissions reduction.

1. Benefit to the Islands Trust

The question arises as to what greater benefit could be derived from granting the Islands Trust the same authority as a Municipality under Section 8 (3) (c). While local trust committees may currently adopt tree cutting bylaws in relation to hazardous land or for screening, they do not have the same broad discretion as municipalities. In addition to the ability to regulate tree removal in hazardous areas as per s. 500 of the *LGA*, to regulate screening or landscaping for the purposes noted in s. 527 of the *LGA*, and to designate DPAs which may result in tree protection, the broader power to protect, prohibit or regulate the removal of trees could provide the following benefits:

- Greater control during site development (e.g. establishment of requirements for a minimum treed area or specification of types of trees to be planted, or requirement for disturbed areas to be replanted);
- The ability to regulate the volume or rate of tree removal (e.g. general permission to landowners to remove two trees per year);
- The ability to protect specific varieties of trees, wildlife trees, heritage or culturally-significant landmark trees;
- The ability to require compensation for trees that are removed either through tree replacement or through financial compensation; and
- Greater control over the visual appearance or rural aesthetic qualities of islands, which is intrinsically related to both islanders' quality of life and local economics (i.e. tourism, the arts, recreation, etc.).

2. Costs of change, including general resource considerations.

Provided local trust committees would wish to adopt tree protection bylaws, this would require a community consultation process. Such bylaws should reflect community goals and objectives for tree protection and, more broadly, conservation. Community consultation would logically be led by Islands Trust planners or consultants.

Once adopted, tree protection bylaws would need to be administered by Islands Trust staff. This would ideally include a certified arborist to review tree permits and to conduct any necessary inspections prior to or following tree removal or planting. On the applicants' side, it is anticipated that professionals such as arborists or foresters would need to be retained in order to advise on tree health assessment, and removal, retention and replanting options and plans.

Furthermore, tree protection bylaws would require a combination of education and enforcement in order to be effective.

3. Risks or challenges of change.

A significant challenge would be obtaining public buy-in regarding the adoption of tree protection bylaws. Many islanders believe that they are already good stewards of their land and do not wish to have further regulations imposed upon them. Particular challenges would need to be overcome dealing with waterfront property owners with property rights as they relate to their ability to maintain views as justified by their property values and taxes.

In unserviced areas such as Lasqueti Island, there is a particular challenge related to the use of trees as a source of heat energy. It is expected that many islanders would be opposed to a tree protection bylaw that would limit their ability to cut trees for firewood.

There is a risk that if tree protection bylaws are proposed, this may have the unintended consequence of land-clearing where property owners attempt to beat the clock by cutting their trees before they need to apply and pay for a permit.

There is also a challenge with enforcement of tree protection bylaws. It should be expected that bylaw violation complaints would rise in response to illegal cutting or clearing. In some cases, it may be challenging for Islands Trust staff to follow-up on bylaw complaints due to the remoteness of some islands or because of perceived personal safety risks.

4. How this change would affect others

As regional districts, like the Islands Trust, do not have broad tree protection powers, it is likely that a legislative change for the Islands Trust would also necessitate similar consideration for regional districts. To avoid this conflict a case would need to be made that the Islands Trust Act and the Trust Object make extension of this authority a unique and ultimately beneficial outcome for the region and all British Columbians.

5. How it relates to the Object of the Trust, our mandate and our current authorities.

The proposed authority supports the Islands Trust Object, implementation of the Policy Statement and local trust committee official community plans, and would supplement current authorities provided by the Act. Despite the implementation logistics indicated in this report, the actual granting of authority is straightforward, and certainly defensible as furthering the Object of the Islands Trust.

Updated November 19, 2020

**December 2020 Trust Council
Electronic Meeting**

COVID infections are increasing in BC, with some modest increases in the Vancouver Island Health Region. The provincial response has been to increase orders in other parts of the province with regard to limiting group size as well as guidance for increased use of masks as standard in public spaces. At present there has been no provision of in-person meetings whether at the community, Committee, or Council level at the Islands Trust. There has been some communication that the current electronic means of doing public business does leave out certain segments of the population, including those with less technology literacy.

Staff are currently developing changes to current policy that would allow for an increase in electronic meetings by regular committees and bodies of the Trust.

We are seeing substantial savings associated with the reduction in travel, business meetings, travel for training, and public meetings.

There is current initiative underway to develop a more robust work from home procedure for the Islands Trust staff that will have some impacts on leaseholds and office spaces.

A substantial portion of the last quarter was taken up by the Provincial election period. The short term implications of the period was that there were no sitting ministers in government and there was a general interregnum with regards to provincial work on Islands Trust priorities, including amendments to the *Islands Trust Act*. The comments from last quarter, included here, are still relevant.

Islands Trust Act Amendments

The Ministry has indicated that they are supportive of a number of our requests for legislative change. Ministry staff have been resourced to advancing the following requests:

- There is general support at the Ministry for amending of the *Islands Trust Act* to ‘First Nations’ to Part 3 of the Act, to the list of those with whom we work.”
- The potential for Local Trust Areas to delegate the issuance of development permits to staff is proceeding. This long-standing request will aid in efficiency to applicants and the public.
- There is further progress on adoption of Development Approval Information bylaws at the local trust committee (LTC) level, which should reduce wait times for applicants.
- The Ministry is currently undertaking consultation with First Nations regarding foreshore jurisdiction within the Trust Area.
- With regards to accessing allowance for Entry Warrants, S. 28(1.1) of the *Local Government Act*, which would allow the Islands Trust to access private property via entry warrants, as do others with land use powers, the Ministry presently is not in support of transferring this ability to the Islands Trust, contending that this power is primarily related to health and wellness and realized through the building permitting authority.
- There remains some confusion regarding the use of municipal ticketing to enforce development permits (DP). We currently have limited tools to enforce against development permit violations; the primary tool is to take the violators to civic court. This process is inefficient in terms of staff resources, the extended time it takes to resolve the matter and of course, the extensive costs associated with court action. This approach also does not provide a constant and effective deterrent to environmental DP violations. The

Ministry has requested further information from the Islands Trust on this issue and senior staff will continue to work with them. Our understanding is that ticketing is not currently permitted and have received legal advice to that effect, however, the Ministry has indicated that some jurisdictions are using this power. We will update this issue and report to Executive Committee and Trust Council as soon as it is resolved.

- A letter has been sent to the Ministry requesting legislative change to allow the Islands Trust authority over cutting trees.

Union of British Columbia Municipalities (UBCM) Meetings

The Islands Trust resolution to the UBCM was presented to the Plenary and the motion, which follows, passed.

Coordinated Strategy to Address Liveaboards

Whereas affordable housing pressures are leading to a growing population of liveaboards along the British Columbia coastline

And whereas there are cumulative impacts on the marine environment and inadequate access to public services for liveaboard communities:

Therefore be it resolved that AVICC and UBCM CALL ON THE Province of British Columbia to work with First Nations, and federal, provincial, and local government stakeholders, to develop a coordinated strategy to study and address the environmental and social impacts associated with liveaboards on the British Columbia coastline.

The Executive Committee met with Ministers Donaldson and Heyman on September 14 as part of the Municipalities (UBCM) Ministry meetings program. Speaking notes and specific requests of each Ministry were prepared for Executive Committee (EC) and the Chair, with support from EC, pressed those requests to the Ministers.

Minister Donaldson – Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Topic 1. Crown Land Agreements

- The Minister warmly greeted our delegation and expressed that ‘he was very interested in renewal of agreements and new processes that we could work on together.’ He expressed knowledge of the Islands Trust and the mandate and the number of corporate bodies within the organization.
- Review of crown land agreements; important topic to carry out our preserve and protect mandate, discussed need to update these agreements and to have this advanced in coming months. Current agreements don’t align with mandate of preserve and protect and with cultural heritage and we don’t receive crown referrals consistently. With policies related to reconciliations we would like to see cooperation with the province to build those relations working together.
- Request to seek support to get dedicated resources to update these agreements.
- Minister comments – ‘thank you for the work you do and the responsibilities you have under the Act and how they manifest on the ground with the pressures, I understand the challenges.’
 - We have very old agreements that are 20 plus years and lots has changed in the communities and in government over the last 3 years.
 - Approach to reconciliation and DRIPA is ongoing and they would be very interested to get a report and to direct staff to work on how we engage and the high level way we look at new processes.

- Senior staff to follow up and work together on this.

Topic 2: Private Managed Forest Land (PMFL)

- The Minister indicated that this is a significant issue and that the Ministry would be releasing a more detailed report in November than the “What We Heard” Report that followed the PMFL Review process. He indicated that the Islands Trust would be engaged by his staff prior to this report going out and that the Ministry wishes to ‘find a balance.’ The forest lands in the gulf islands are significant.
- Minister – will follow up with Islands Trust being a contributor to the review and please send him any supplemental reporting.

Minister Heyman – Ministry of Environment and Climate Change Strategy

Topic: Freighter Anchorages within the Trust Area

Minister Heyman warmly greeted Chair Luckham, remembered him from previous discussions.

- Deeply shares the concerns expressed by Chair Luckham and EC regarding environmental impacts of freighter activity.
- Have researched the provincial jurisdiction and have come to the conclusion that it is Federal jurisdiction.
- Indicated concern with First Nations interests being impacted by current freighter management regime and cultural and environmental impacts.
- Promised to reach out to Minister Jonathan Wilkinson, Minister of Environment and Climate Change, to express our mutual concerns and for support and advice in communicating with the Ministry of Transportation.

The December meeting includes further changes to Trust Council meeting format in response to Trustee comments and to provide greater access by the public to Delegations and Town hall.

This Trust Council will have two sessions, one by Bill Buholzer to discuss recent legal opinions with regard to development of the Policy Statement Amendment Project and a Continuous Learning Session on governance and working with staff by Kevin Ramsay. Executive Committee directed that the session be developed to ensure understanding of the roles of elected officials and staff in support of achieving the best possible outcomes for the Islands Trust.

The December Trust Council session is generally the most important session for a deep review of the budget and in anticipation of passage of the financial plan in March. To that end, this session has a significant amount of time dedicated to review of the proposed budget and key work items schedule for 2021/2022. The impacts of COVID on community, local businesses, First Nations, stakeholders and other governments is the backdrop against which Trust Council must affirm its work plan, budget and taxation levels. Work has been done at Trust Programs Committee, Regional Planning Committee, Executive Committee and then forwarded to Financial Planning Committee in order to provide up-to-date information and to reaffirm priorities of the organization.

R Hotsenpiller
Chief Administrative Officer

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020
From: CAO & Executive Coordinator **Date Prepared:** November 12, 2020
SUBJECT: Trust Council DRAFT 2021 meeting schedule

RECOMMENDATION:

1. That Trust Council adopt the following meeting dates for its 2021 schedule: March 9-11, June 8-10, September 21-23 and November 30 to December 2.
 2. That Trust Council adopt the following meeting locations and times for its 2021 schedule: March 9:00 a.m. start/electronic format; June 9:00 a.m. start/electronic format; September 8:30 a.m. start/in-person in Nanaimo; December 8:30 a.m. start/in-person Victoria.
-

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

At its October 21, 2020 business meeting, Executive Committee endorsed the proposed meeting dates and locations presented in this request for decision for Trust Council's 2021 meeting schedule. The 3-day meeting dates shown are "envelopes" offering Trust Council options to consider electronic meetings as longer 2-day meetings or shorter 3-day meetings. The in-person meetings would follow the pre-COVID 3-day schedule.

PURPOSE: To consider recommendations for the 2021 i) meeting dates and ii) locations and times for Trust Council's business meeting schedule.

BACKGROUND:

i. Selection of Trust Council meeting dates, 2021

The December meeting is the required time for Trust Council to adopt its annual schedule. [The Meeting Procedures Bylaw No. 101 2.2](#) directs that Council determine regular Council meetings for the following calendar year at its December meeting, one of which shall be [determined] in each of the months of March, June, September and December.

The following dates are recommended: **March 9-11, June 8-10, September 21-23 and November 30 to December 2.**

These dates have been selected taking into consideration statutory holidays and associated known conference dates and other local government scheduling throughout the year.

ii. Trust Council Meeting Locations

Bylaw 101 directs that at its December meeting of each of the subsequent three years, Trust Council shall establish the schedule time and place of regular Council meetings for the following calendar year.

The proposed locations for the 2021 quarterly meetings recommend that the first two meetings be conducted entirely electronically and the last two meetings be conducted in-person.

Therefore, the following times and locations are recommended: **March 9:00 a.m. start/electronic format; June 9:00 a.m. start/electronic format; September 8:30 a.m. start/in-person in Nanaimo; December 8:30 a.m. start/in-person Victoria.**

IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

There may be a need for reallocation of current administrative staff to assist in running electronic Trust Council meetings.

FINANCIAL:

The draft 2021/22 budget for Trust Council meeting expenses has been based on two electronic and two in-person quarterly meetings.

POLICY:

[Bylaw 101 Meeting Procedures](#)

IMPLEMENTATION/COMMUNICATIONS:

The draft Trust Council meeting dates for 2021 have already been circulated to trustees and staff. Council Committees and LTC meeting date scheduling is underway. Once Trust Council has adopted its 2021 meeting schedule all other meetings will be confirmed.

FIRST NATIONS:

The certainty provided by an adopted meeting schedule will allow for ongoing discussions and meetings with First Nations governments.

ATTACHMENT

1. Calendar view 2021 Draft Trust Council/Executive Committee meeting.

RESPONSE OPTIONS

1. That Trust Council adopt the following meeting dates for its 2021 schedule: **March 9-11, June 8-10, September 21-23 and November 30 to December 2.**

2. That Trust Council adopt the following meeting locations and times for its 2021 schedule: **March 9:00 a.m. start/electronic format; June 9:00 a.m. start/electronic format; September 8:30 a.m. start/in-person in Nanaimo; December 8:30 a.m. start/in-person Victoria.**

Alternative: as directed by Trust Council.

Prepared By: CAO & Executive Coordinator Foster

Reviewed By/Date: November 13, 2020

Calendar View 2021 Adopted EC/ Draft TC Schedule 2020 EC/TC Adopted Meeting Dates

SEPTEMBER 2020							OCTOBER 2020							NOVEMBER 2020							DECEMBER 2020						
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Proposed TC 2021 Schedule

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■ STATUTORY HOLIDAYS

Red Boxed Dates = Executive Committee Meetings
 Purple Boxed Dates = Trust Council Meeting
 Disregard the Green dates

From: Jessica Harkema <jessica@saltspringchamber.com>
Sent: Tuesday, November 10, 2020 12:56 PM
To: Lori Foster <lfoster@islandstrust.bc.ca>
Cc: Francine Carlin
Subject: SS CEDC & SS Chamber Request for Delegation

Dear Lori,

The Salt Spring Community Economic Development Commission and the Salt Spring Island Chamber of Commerce are requesting a delegation to the December 1, 2020 Island's Trust Council Meeting. While Ganges Village Area Planning is related to only one LTC – Salt Spring, the budget necessary to do this work must be approved by the Trust Council.

Please see attached.

Sincerely,

Jessica Harkema
Executive Director



121 Lower Ganges Road
Salt Spring Island, BC, V8K 1C6
250 537 4223
www.saltspringchamber.com
www.saltspringtourism.com

GANGES VILLAGE AREA PLAN

SSI-CEDC – SSI Chamber Delegation in Support of Funding for a Ganges Village Area Plan

December 2020

1.

OVERVIEW

A integrated and comprehensive Ganges Village Area plan will help the Islands Trust maintain a balance between preserve, and protect while ensuring ongoing rural economic and social well-being in the context of the Trust Area.

This plan will benefit the community by providing:

1. A consistent point of reference against which to make decisions
2. The ability to make more informed decisions
3. More predictability regarding budgeting and planning
4. Potential to optimize resource use
5. Means to preserve community character
6. Capacity to produce sustainable economic development

3.

OVERVIEW

- There are many examples of villages, towns and cities that have demonstrated the value in town planning.
- As a community, we need to get ahead of our challenges, seek opportunities and manage risks.
- By engaging in a deep and meaningful assessment of the current situation in the Village of Ganges, and a thorough and robust planning process that reaches out to the island's citizens, energizes the LTC planning department and mobilizes partners, the island could collectively realize a vision.

2.

Community Consultation

- Community consultation is the foundation for achieving a sound plan that reflects the values of the community across all demographics
- Thorough community consultation educates, informs and insures buy-in
- Recommend a variety of engagement tools to obtain a full and transparent recommendations

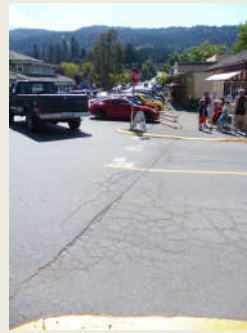
4.

CRITICAL TURNING POINT

- Our community faces critical challenges for sustaining the culture of Ganges which is the core of our unique rural community
- Central to the sustainability of the Ganges village is the ability to create a livable community for residents now and into the future
- Climate change mitigation and housing management are essential to realizing a sustainable Ganges Village Area Plan

5.

PHOTO EVIDENCE



7.

PHOTO EVIDENCE



6.

PHOTO EVIDENCE



8.

-----Original Message-----

From: Michael Sketch
Sent: Tuesday, November 10, 2020 4:03 PM
To: Lori Foster <lfoster@islandstrust.bc.ca>
Cc: Michael Sketch
Subject: M Sketch delegation request for 01Dec2020 trust council

Lori - May I please be given a delegation opportunity at the 01Dec2020 7pm to 9pm evening session of Trust Council's electronic) quarterly meeting?

My delegation submission is attached.

Thank you

Michael Sketch
North Pender Island

**Delegation submission to the Islands Trust Council from
Michael Sketch for an electronic quarterly meeting,
7:00 p.m. session on Tuesday, 1 December, 2020**

***structure and implementation of the trust policy statement
are trust area policies effective?***

Trust councillors, staff and the Trust Programs Committee,

My September delegation argued that the trust policy statement is a regional plan for the trust area. The historical context is clear, as is the moral imperative.

The public believe that trustees have a duty of care to preserve and protect nature's interest, which can not speak for itself. Nature does react when the built environment over extracts natural resources needed to sustain development.

But by then it's too late.

In 1989 the province amended the Islands Trust Act (the Act). A watershed amendment which gave statutory force and effect to the electorate's sense of a duty of care.

At S.15 of the Act, trust council *must, by bylaw, adopt* a trust policy statement.

Trust bodies are continued to further the trust object. The trust policy statement is a general statement of policies to carry out the object of the trust and may establish different policies for different parts of the trust area.

The legal logic is clear. The trust council corporation is continued to further the trust object and must adopt a statement of policies for the same purpose. It follows that if implementation of explicit preserve and protect policies is shown to be ineffective, that the buck stops at the trust council table.

One day the courts may affirm that a statement of policies to preserve and protect is 'no mere piety'.

Trust policies are best known for their role in local trust area bylaw review by Trust Executive. Draft local trust area bylaws submitted for review must not be contrary to or at variance with the trust policy statement.

Structure of Trust Council Bylaw 17, the Trust Policy Statement

Directive policy is the gist of Trust Council's trust policy statement bylaw 17, but the bylaw includes a hundred weight of advocacy, interpretations, explanation and good intentions.

In its current policy statement review, I hope the Trust Programs Committee will recommend publishing the valuable extras on the Trust website. A policy statement bylaw would be less ambiguous and mercifully shorter.

Over decades, the structure of directive policies has persisted. Each numbered preserve and protect policy has two components. The first component is arguably not policy but procedure, for there is direction that the subsequent policy component be addressed in the policy and regulatory bylaws of each local trust area jurisdiction.

Each directive policy delegates implementation to the local trust area.

The procedural component is the same for each directive policy and the eye is drawn to the policy component. The first impression is a comprehensive list of preserve and protect policies.

But a regional plan for the trust area should be just that. In time, there may be a regulatory bylaw for the trust area and wording of each directive policy should be unencumbered policy.

There is a more serious problem with the procedural encumbrance of each directive trust policy. Interpretation.

Implementing the procedural component alone may be conflated with implementation of the policy component.

Implementation of trust area policies

Policy 1.3.1 in the Trust Policy Manual implements the policy statement. At (see appendix) S.B1.4, the trust policy statement requires that local trust area policy and regulatory bylaws address certain matters from the policy statement. The "certain matters" are the preserve and protect policies. Then "A bylaw will not be contrary to or at variance with the policy statement if it fails to include a particular policy or regulation, as long as the bylaw contains sufficient reason for not doing so".

Is the preserve and protect policy component effective? Not at all.

At best, the policy component of directive policies would be included in local trust area policy and regulatory bylaws. But in practice, a development proposal may include application to amend the OCP, the LUB or both.

When last were directive policies included in your island bylaws?

The Act directs that the executive committee of trust council review local area bylaws consequent to the preserve and protect trust area policies. I argue that the safety of that closed loop protection has been compromised by directive policy wording. Compromised, even negated.

It is significant that trust policy implementation policy 1.3.1 is held by the director of trust area services. Do trust area services influence the local planning service respecting inclusion of directive policies in local area policy and regulatory bylaws?

Even worse, although the Act intends that trust area policy be implemented in the day to day advice giving and decision making of trust bodies and staff, the wording of directive policies insulates preserve and protect trust policy from the action at hand.

Remedy is straightforward and begins with stripping out the procedural component from each directive policy. The procedural component is probably best implemented in an adjunct procedural bylaw under S.11 of the Act.

Effective implementation of trust area policy is a serious matter and I ask Trust council to give direction to your Trust Programs Committee to draft necessary changes to the Trust Policy Statement.

Thank you for hearing my submission.

Michael Sketch

North Pender Island


Afterword

These three comments illuminate aspects of what can be accomplished in trust area policies:

1) In deliberating and adopting a trust policy statement bylaw, trust council recognizes that imbalance between built environment and natural environment precipitated the Islands Trust Act. While the connotation of trust object wording is clear, denotation for “preserve and protect the trust area and its unique amenities and environment” is an ongoing debate. *Trust area policy can clarify interpretation of the trust object.*

2) *Trust area policies can mitigate intrinsic conflicting interests for staff advisers and for LTC decision makers.* Sometimes planning staff advise decision makers in order to protect their own interest, be it preservation of local control or preservation of development potential. Sometimes decision makers lose sight of their trustee helmet, in favour of the local politician hat.

3) Of course local politics play a role and may bring pressure which unduly favours the built environment at the expense of nature's interest. The province recognized conflicting interests in 1989. Local interests are balanced by the regional policy imperative. *That is the strength of a regional plan which is effective in guiding local action.* But local interest isn't divorced from the regional plan; it's joined at the trust council hip.

Appendix



Policy:	1.3.1
Approved By:	Trust Council
Approval Date:	June 11, 1994
Amendment Date(s):	March 11, 1995; December 8, 2000; June 16, 2005; and March 23, 2016
Policy Holder:	Director of Trust Area Services

POLICY STATEMENT IMPLEMENTATION

Purpose

To establish policy and procedures for statutory bylaw referrals and other implementation strategies in connection with the Islands Trust Policy Statement Bylaw No. 17.

Excerpts

Policy and Procedures

1. Statutory Bylaw Referrals

- 1.4 The Islands Trust Policy Statement requires local trust committees in their official community plans and regulatory bylaws, and island municipalities under Section 38(1) of the *Islands Trust Act*, to address certain matters from the Policy Statement, or give explicit reasons and justifications for not doing so. A bylaw will not be contrary to or at variance with the Policy Statement if it fails to include a particular policy or regulation, so long as the bylaw contains sufficient reason or justification for not doing so.

Policy Statement Directives Checklist

- 1.6 The primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement rests with each local trust committee, or island municipality.

General:

Trust Area Services (TAS) staff supported three Trust Programs Committee (TPC) meetings and several TPC working group meetings this quarter. Erin Coulson and Emily Kendy have joined the team to share the Communications Specialist role.

Islands 2050 (Policy Statement Amendment) project:

The “Islands 2050: The Future of the Trust Area” project has been the primary focus of Trust Area Services this quarter. The project’s activities are documented separately in the Policy Statement Amendment Project Update briefing in the December 2020 Trust Council agenda package.

Climate Policy & Programs:

Climate Policy Working Group: TAS continues to coordinate a Climate Policy Working Group comprised of staff from Trust Area Services, Local Planning Services and Islands Trust Conservancy to better coordinate, strategize and synergize climate action policies, tools and programs amongst the three departments. The group is developing a joint Climate Action Plan and has presented a draft outline to Executive Committee, the Islands Trust Conservancy Board and Trust Programs Committee. A sketch of the plan will be published on the new Islands Trust website and a final draft of the report will be brought to Trust Council and the Islands Trust Conservancy for their review at a later date. Members of the working group have also been participating in a range of regional and provincial climate change forums, working closely with other governments and partner agencies to foster greater collaboration across the BC coastal region.

Climate Change Strategic Plan Projects: In this quarter, Trust Area Services continued work on climate-related strategic plan projects:

- **Climate Change Indicators Project (Phase 2):** Staff developed a business case for TPC for funds for 2021/22 to implement some of the climate indicator work discussed in the Phase 1 Scoping Report received from Pinna Sustainability this year. Staff are now working with My Sea to Sky Society, BCIT and other partners to examine the possibility of Islands Trust participating as a pilot region in the development of a standardized Climate Action Report Card Tool for local governments across Canada to track and report greenhouse gas emissions every year.
- **Climate Change Stewardship Education Program:** Staff continued work on coordinating this program to engage with community members on ways they can contribute to mitigating and adapting to climate change in the Trust Area through a series of webinars. Rainwater Harvesting webinar attracted 283 people to register and 126 people to participate during the webinar. Ecosystem Based Adaptation webinar attracted 122 people to register and 57 people to participate during the webinar. Eelgrass: The Climate Hero took place on Nov 24th at 6:30 – 8:00 pm. The recordings of the webinars are available to view on the Islands Trust website. The program was advertised through four news releases, nine social media posts, newspaper ads (Gabriola Sounder, Gulf Islands Driftwood, and Bowen Island Undercurrent), along with

connecting to community organizations and groups. Staff have proposed a “living in the Islands Trust Area” package which would include a range of documents and publications for new residents/property owners in the area. Staff believe that by creating a “newcomers” package it could increase knowledge of the Islands Trust Area, provide understanding about reconciliation, create greater understanding about preservation and protection, and reduce bylaw contraventions. Staff have also recommended a continuation of the speaker series in conjunction to meeting the goals of the Reconciliation Action Plan with art two of the speaker series will focus on the Indigenous perspective and climate change. If approved by the Executive Committee staff will work to create up to three webinars to be scheduled by the end of March. Topics could include well-being and climate change climate adaptation from an Indigenous perspective, and oral history and knowledge sharing of the Coast Salish people.

Advocacy

Staff supported the Islands Trust Chair with the following letters:

Advocacy Letters were sent on the following issues:

- **Private Managed Forest Land Act (PMFLA) Amendments:** Letter to the BC Minister of Forests, Lands, Natural Resource Operations and Rural Development, following up on a meeting at UBCM, reiterating concerns that the current provincial *Private Managed Forest Land Act* (PMFLA) is restricting Islands Trust from fulfilling its legislative mandate to preserve and protect the environment of the Trust Area, and enclosing a legal opinion from Young Anderson regarding possible amendments to the PMFLA.
- **New Brighton Dock – Gambier Island, Howe Sound:** Letter to the BC Minister of Transportation and Infrastructure and the federal Minister of Transport, requesting that the Province of B.C. or Transport Canada acquire the New Brighton Dock from the Squamish Nation, and/or assist in the acquisition of the dock by a public entity, such that it be preserved as a critical public port facility for the Gambier Island community.
- **Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice:** Letter to UBCM Executive Board outlining six resolutions adopted by the Islands Trust Executive Committee to help integrate the MMIWG Calls for Justice into the work of Islands Trust, and reaffirming the Trust’s continued commitment to reconciliation and relationship building.
- **Development of BC Coastal Strategy and Law:** Letter to the Premier and to the BC Ministers of Forests, Lands, Natural Resource Operations and Rural Development; and Environment and Climate Change Strategy requesting that the BC government develop and enact a Coastal Strategy and Law.
- **Tree-Cutting Bylaws:** Letter to the BC Minister of Municipal Affairs and Housing, requesting that the Province enhance Islands Trust’s jurisdiction over tree cutting bylaws to make its jurisdiction equivalent to that of municipalities under Section 8 of the Community Charter.

Delegation letters:

Thank-you letters were sent to the following individuals/groups who made presentations to the September 2020 Trust Council Meeting:

- **Canadian Parks and Wilderness Society / West Coast Environmental Law:** who presented on the development of a BC Coastal Strategy and Law.
- **Friends of the San Juans:** who presented on their concerns over the Roberts Bank Terminal 2 Project and its adverse effects on the Salish Sea and transboundary marine environment.
- **Maxine Leichter:** who presented on the topic of bylaw enforcement in the Islands Trust Area.
- **Michael Sketch:** who presented “A Regional Plan of Trust Area Policies: History and Implementation.”
- **My Sea to Sky Society:** who presented on opportunities for Islands Trust to participate as a pilot region in a new Climate Action Report Card Tool being developed by My Sea to Sky and its partners at BCIT, UVic and UBC, with support from the BC Climate Action Secretariat.
- **Raincoast Conservation Foundation:** who presented on recommendations for policy reform to protect endangered forests and habitats within the Islands Trust Area.
- **Rick Hughes, San Juan County Council Chair:** who presented on the need for close collaboration to protect the transboundary marine environment, particularly on oil spill response, the Roberts Bank Terminal 2 Project, vessel anchorages in the Gulf Islands, and protection of species at risk.
- **Salt Spring Solutions:** who presented on their concerns regarding the Islands 2050 public engagement process related to the Policy Statement Amendment Project.

Reconciliation: Realizing that First Nations representatives and governments over the past year have faced the continued threat of COVID-19, Islands Trust staff adjusted engagement processes and timelines to accommodate the constraints imposed by COVID-19. During 2020, the Islands Trust reaffirmed its commitment to the foundation documents, which include the:

- UN Declaration on the Rights of Indigenous Peoples (UNDRIP);
- Declaration on the Rights of Indigenous Peoples Act (DRIPA);
- Truth and Reconciliation Commission (TRC) Calls to Action; and
- Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice;

Over the past year Islands Trust undertook the following:

- Eleven Local Trust Committees (LTC) committed to the implementation of UNDRIP;
- liaised with interagency partners to outline the Islands Trust commitment to the implementation of the foundation documents in the work undertaken by the Islands Trust;
- training and orientation of staff and trustees on reconciliation, and the history and legacy of colonization;
- engagement continued and capacity funding was provided to First Nation governments to review the Policy Statement amendments;
- Cultural Knowledge Holders held sessions about how to respectfully be on the land and waters of the Islands Trust Area, sessions where held with trustees, staff, and island conservancy groups, and the CRD;

- government to government meetings with First Nations and Islands Trust elected officials and staff regarding relationship building and implementation of the foundation documents guiding principles;
- advocacy and cooperation meetings related to shared concerns in the Islands Trust Area (e.g. anchorages)
- preliminary discussions with various First Nations governments regarding the signing of a cooperation accord with the Islands Trust;
- meetings related to land use decision making and planning processes as they relate to treaty and territorial rights and title;
- Executive Committee passed recommendations related to the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice;
- Trustees and Senior Intergovernmental Policy Advisor worked closely with constituents and Archaeological Branch to repatriate ancestral objects and remains unearthed in the Islands Trust Area;
- Trust Programs Committee (TPC) formed a Reconciliation Working Group to focus and assist with the commitment to reconciliation that the Islands Trust Council has undertaken;
- Islands Trust staff and trustees held various meetings with ministers and ministerial staff to outline the Islands Trust Reconciliation Action Plan and initiatives related to reconciliation;

Communications

Annual Report: The annual report was distributed to the Minister and other parties and was made available to the public.

Website Rebuild: The website project is progressing towards a Spring completion. A dedicated staff person has been hired for the project to see it through to completion.

News Releases: Five news releases were distributed over the past quarter:

- Nov 10, 2020 | Eelgrass: A Climate Hero Webinar – November 24
- Oct 27, 2020 | December Trust Council Program Announced Featuring Public Session Evening of December 1
- Oct 14, 2020 | Ecosystem – based Adaptation Webinar – October 27
- Sept 16, 2020 | Rainwater Harvesting Webinar – September 29
- Sept 8, 2020 | Islands Trust Climate Action Speaker Series Launching This Fall

Social Media: In the last quarter, social media has helped promote the climate change speaker series, along with a variety of other topic areas, such as, career opportunities, Trust Council meetings and associated delegation opportunities. Staff have also re-posted other agencies posts, such as, Islands Trust Conservancy, Fisheries and Oceans Canada, and Snuneymuxw First Nation.

Newspaper Advertising: Trust Council meetings are being advertised in newspaper across the Islands Trust Area. The December meeting has been advertised in an array of weekly and monthly publications.

Legislative Monitoring: As requested by the Executive Committee, staff have transitioned to preparing quarterly legislative monitoring reports. Staff provided time-sensitive items to the Executive Committee and prepared a report for Trust Council.

Secretariat Services: Trust Programs Committee allocated funding towards Southern Gulf Islands Forum and Coastal Douglas-fir and associated ecosystems Conservation Partnership. As COVID-19 restrictions will not allow the gatherings to meet in person, upcoming meetings will take place via zoom.

Grants: Grant work has included finalizing the final project and financial reports for the Union of British Columbia Municipalities – Urban Communities Partnering for Reconciliation project, “A Cultural Journey – Connecting Penelakut and Galiano Islands”. Research was conducted for several grant inquiries. A draft application for a Community to Community forum grant for Salt Spring Island was reviewed. A grant application was submitted to UBCM for an Active Transportation Planning Grant for Gabriola Local Trust Committee.



Top Priorities Report

Trust Programs Committee

1. Policy Statement Amendment Project

Implement Policy Statement engagement plan and project charter (in support of Strategic Plan strategies #10,16,22,23)

Responsible

Clare Frater
Dilani Hippola

Dates

Rec'd: 21-Jun-2017
Target: 14-Sep-2022

2. Secretariat Role to Forums within the Trust Area

Provide a report to Trust Council with information about the implications of the Islands Trust taking on a secretariat role.

Responsible

Clare Frater
Gillian Nicol

Dates

Rec'd: 20-Jun-2018
Target: 15-Sep-2020

3. Stewardship Education Program

Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area. (Strategic Plan strategy #15).

Responsible

Clare Frater

Dates

Rec'd: 13-Aug-2020
Target: 31-Mar-2021

Projects Report

Trust Programs Committee

1. *Update Crown Land Agreements*

Engage Bowen Island Municipality and the Province of B.C. in updating and consolidating existing agreements into one.

Responsible

Clare Frater
Lisa Wilcox

Date Received

19-Jun-2014

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. STRATEGIC PLANNING/ADMINISTRATION	
Finalized agreement with Environment and Climate Change Canada for a Species at Risk Program (\$597,000, July 2020 to March 2023) Approved a revised ITC Vision Statement and tagline to reflect ITC's Reconciliation Declaration Investigated socially responsible investments for ITC funds Submitted ITC Budget request to Financial Planning Committee and Trust Council Responded to Thetis LTC Bylaw Referral Posted notice of ITC Board vacancy (closing Dec 4) Staff participated in: • Climate Adaptation for Land Trusts Short Course (Northern Institute of Applied Climate Science) • U.S. Land Trust Alliance's Rally 2020 (virtual conference) • Ecosystem-based Management webinar (internal)	Initiate Species at Risk Program, including hiring a Program Coordinator Update procedures for ITC internal processes and staff positions Continue implementation of climate change impacts project in coordination with Islands Trust Transfer ITC funds into socially responsible investments Drafting of an ITC Reconciliation Action Plan Establishment of a Property Management Fund using \$10,000 from the Sandy Beach financial contribution as start up capital Evaluate progress of 2018-2020 Regional Conservancy Plan workplan and develop 2021-2023 workplan Participate in Working Group for Salt Spring Island LTA Coastal Douglas-fir Protection Project
2. COVENANT AND PROPERTY ACQUISITIONS	
Transferred the Sandy Beach Nature Reserve on Keats Island – ITC's 30th Nature Reserve in 30 years Conservation Proposal assessment for two NAPTEP Proposals for lands on Salt Spring Island Responded to enquiries about conservation donations (Gabriola, Salt Spring, Thetis)	Continue to negotiate eight covenants (S. Pender, Salt Spring (3), Keats, Thetis, and Lasqueti) and three land acquisitions Continue participation on the Coastal Douglas-fir & Associated Ecosystems Conservation Partnership Steering and Securement Committees.
3. COVENANT AND PROPERTY MANAGEMENT	
Completed monitoring of ITC Covenants and Nature Reserves under COVID 19 monitoring plan	Continue management planning for nature reserves on Thetis (1) and Salt Spring (2) Complete Invitation to Quote process for management plans for four nature reserves Plan next stage of restoration for conservation land on Gambier, Gabriola and Salt Spring.

As of December 2020 the Islands Trust Conservancy protects 106 conservation properties, 30 nature reserves and 76 covenants (of which 25 have NAPTEP certificates)

3. COVENANT AND PROPERTY MANAGEMENT (CONT.)	
Completed pond restoration at Salish View Nature Reserve, Lasqueti Island – 841 native plants Trail access finalized and welcome kiosk installed at Fairyslipper Forest Nature Reserve, Thetis Island Aquatic invasive species response planning for two covenants on Sidney and Salt Spring islands Participated in Wildlife Habitat Canada Invasive Yellow Flag Iris Control Workshop and Galiano Conservancy Association Wetland Creation Workshop Joined the Vegetation Working Group of the Sidney Island Ecological Restoration Project Participated in the annual meeting of the Mt Tuam Special Management Area Resource Team, Salt Spring Island	Implement seasonally appropriate species-at-risk inventories and surveys on ITC conservation lands Complete 2020-2021 invasive species removal, restoration monitoring, and trail work Review 2020 monitoring season to refine processes and optimize use of field technology Support one landowner with planning an assessment of pond health on their covenant Continue participation in the Capital Regional Invasive Species Partnership and the Sidney Island Ecological Restoration Project Trial use of iNaturalist for collection of biodiversity information for ITC conservation lands
4. COMMUNICATIONS AND OUTREACH	
Issued 2020 edition of the Heron (ITC Newsletter) Issued news release for Species at Risk Program Issued E-News in support of Salt Spring islanders fundraising for the purchase of “Larmour Lands” Finalized ITC 2019/2020 Annual Report Issued ITC Board report to LTCs/BIM Increasing Facebook followers from 400 in July to 481 early November	Update ITC Communications materials to reflect ITC’s revised Vision Statement and tagline Develop outreach plan for Winter 2020 /2021 Review proto-version of new website; update content as required Plan celebration of ITC’s 30th anniversary Issue news release for Sandy Beach acquisition Issue holiday card (donor relations)
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Approved a \$5,000 Opportunity Fund Grant for the Bowen Island Conservancy Submitted funding proposal to access Provincial COVID stimulus funding for restoration projects Shifted communications to a donor-centric style, (e.g. changes to the Heron Newsletter, fall edition) Provided information and letters of support to projects on Bowen, Galiano, Mayne and Salt Spring	Write Fund Development Action Plan Resume meetings with Planned Giving advisors Continue collaboration with various forage fish, eelgrass, and kelp bed monitoring and restoration projects throughout Islands Trust Area

As of December 2020 the Islands Trust Conservancy protects 106 conservation properties, 30 nature reserves and 76 covenants (of which 25 have NAPTEP certificates)

BRIEFING

To:	Trust Council	For the Meeting of:	December 1-3, 2020
From:	Trust Area Services	Date Prepared:	November 9, 2020
SUBJECT:	Legislative Monitoring Report, November 2020		

PURPOSE: To provide Trust Council with a summary of past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects, as well as information about resources and issues of interest.

Caveat: This document is provided for convenience only and is not to be construed as a legal document or as legal advice.

BACKGROUND: The Legislative Monitoring Report was established in 2003 and was traditionally presented to Trust Council every six months. In October 2019, the Executive Committee requested that the report be provided quarterly at each Trust Council meeting.

The attached legislative monitoring report includes:

- Planned legislation;
- Legislation in process;
- Legislation in effect;
- Court decisions;
- New resources; and
- Discussion/Planning/Conservancy and Advocacy topics;

The report does not track private members' bills, except if introduced by Islands Trust Area Members of Legislative Assembly or Members of Parliament.

The report is updated using a range of sources, including Union of British Columbia publications, the websites of the Legislative Assembly of BC and the Parliament of Canada, provincial and federal news releases, the Canada Gazette, and a variety of websites and RSS news feeds.

ATTACHMENT(S): Legislative Monitoring Report, November 2020

FOLLOW-UP: Staff will follow-up as requested. Staff will post the report to the website and provide to Bowen Island Municipal Council.

Prepared By: Mike Richards, Trust Area Services

Reviewed By/Date: David Marlor, Director, Local Planning Services / November 11, 2020
Clare Frater, Director, Trust Area Services / November 11, 2020
Russ Hotsenpiller, CAO / November 12, 2020
Executive Committee / November 18, 2020



LEGISLATIVE MONITORING REPORT

November 2020

This document is intended to advise Trust Council about past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects. The chart captures changes made in the last three months and is organized according to the following categories:

- **PLANNED LEGISLATION** – the intention to draft and pass new legislation is being developed and may be in a consultation or draft stage. No bill has been introduced to legislature/parliament yet.
- **LEGISLATION IN PROCESS** – a bill has been introduced to legislature/parliament and is awaiting Royal Assent, or Royal Assent has been issued but the new law or regulation has not come into force yet.
- **NEW LEGISLATION IN EFFECT** – legislation has received Royal Assent and any specified timeline for it to come in effect has occurred.
- **COURT DECISIONS** – a ruling from any level of court that affects the Islands Trust.
- **NEW RESOURCES** – publically available reports or websites that provide information relevant to Islands Trust work.
- **DISCUSSION, PLANNING, CONSERVANCY, and ADVOCACY TOPICS** – information related to topics of interest to Islands Trust.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Private Member's Bill, Bill C-250, to amend the Canada Shipping Act, 2001 to prohibit the anchoring of freighter vessels using coastal waters along the Southern Strait of Georgia	First Reading October 26, 2020 (federal)	In addition to the noise and light pollution, the parked freighters, some of which are 300 meters in size, have caused serious concerns with potential pollution of the marine environment and the species that live there. Over the past several years, community groups and First Nations have made repeated calls to Transport Canada to protect clam beds, prawns, oysters, and endangered species, such as the southern resident killer whale, from the environmental impact of the anchored shipping vessels.	Since 2010 Islands Trust has undertaken numerous advocacy actions related to vessel anchoring around the Trust Area.	Staff will continue to monitor.
Proposed Aquaculture Act and Regulations (Federal)	Fisheries and Oceans Canada led two initial rounds of engagement in 2017-18 and in 2019. An online consultation also took place from June - December 2019 along with in-person engagement in some regions. See " What We Heard Report ".	The proposed <i>Aquaculture Act</i> is expected to: • define the term aquaculture in legislation • recognize the need for clarity and stability for responsible economic growth of the aquaculture sector • ensure environmental protections enshrined in the <i>Fisheries Act</i> are included and specific to aquaculture • develop enforcement mechanisms specific to aquaculture • respect provincial and territorial jurisdictions • respect roles and responsibilities articulated in treaties and other rights reconciliation arrangements On Aug 17, 2020, the Minister of Fisheries, Oceans, and the Canadian Coast Guard launched the next phase of the Government's public engagement on the first-ever Aquaculture Act. A discussion paper providing background on aquaculture in Canada, rationale for the proposed legislation and an overview of the elements proposed for the new Act, is now available online with key questions to guide feedback to the Government on this	Jan 2018 Chair letter to Minister of DFO requesting ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea. 2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and enforcement.	The Province has responsibility for issuing tenures for aquaculture. Local governments have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from DFO. Once the amendments are complete, a review should be undertaken to determine any necessary zoning amendments.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
	The next phase of public engagement is now OPEN until January 15, 2021.	important initiative. The public is invited to visit https://dfo-mpo.gc.ca/aquaculture/act-loi/consultations-eng.html , and will have until January 15, 2021 to participate in this round of consultation.	Dec 2019 Chair letters to Ministers of DFO and FLNRORD requesting more resources for enforcement of shellfish regulations and tenure licenses. Trust Programs Committee co-sponsored a virtual Baynes Sound/Lambert Channel Ecosystems Forum in May 2020, together with the World Wildlife Fund.	Applications should include foreshore and underwater archaeological reviews to protect historical clam beds, fish weirs, and cultural heritage. Section 35 rights for access should be considered.

<u>Proposed new residential flexibility for Agricultural Land Reserve (ALR) landowners</u>	The Ministry of Agriculture outlined its proposal in a <u>policy intentions paper</u> released Jan 27, 2020. NEW: The opportunity to provide feedback on the Policy Intentions Paper is now closed and the feedback received has been published in a <u>“What We Heard”</u> report NEW: Due to the policy work that is being finalized on residential options, the grandfathering period for additional residences has been extended to July 31, 2021.	In order to support farmers and non-farmers living in the Agricultural Land Reserve (ALR), the Ministry of Agriculture is considering a change to regulations that will enable landowners in the ALR to have both a principal residence and a small secondary residence on their property, provided they have approval from their local government. In other words, there would be no required application to the ALC. Further, the province would not impose restrictions to require this secondary residence be a manufactured home, or be for an immediate family member, or be part of a farming plan. The primary use of ALR land is, and will continue to be, for agriculture. In April 2020, <u>Policy Directive L-26</u> was adopted. This policy outlines general guidelines for the ALC’s consideration of non-adhering residential use applications which request residential uses in excess of those residential uses permitted by the <i>Agricultural Land Commission Act</i> or its regulations. This includes applications for temporary farm worker housing, and other housing for farm labour, as well as applications to construct or alter a principal residence which will exceed 500m2 in total floor area. The Ministry of Agriculture is currently undertaking engagement on the proposed residential flexibility options outlined in its <u>Residential Flexibility Policy Intentions Paper</u>. As such, there may be future regulatory changes to the permitted residential uses in the ALR. Individuals or associations who would like more information on this process, should contact: <u>ALR_ALCRevitalization@gov.bc.ca</u>	Currently, a second dwelling on ALR property is not permitted without Agricultural Land Commission (ALC) approval.	If adopted, this proposal would allow LTCs to zone for second dwellings, within the limits of the proposed legislative change, without needing to seek ALC approval. Trustees may wish to note that requirement for manufactured home registration has been extended to July. 31, 2021. Applications and policy should ensure to lessen impacts or reduce all impacts to registered archaeological sites, and potential sites.
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LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
<u>BILL C-8 An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94)</u>	First Reading, October 22, 2020	This enactment amends the Citizenship Act to include, in the Oath or Affirmation of Citizenship, a solemn promise to respect the Aboriginal and treaty rights of First Nations, Inuit and Métis peoples, in order to respond to the Truth and Reconciliation Commission of Canada's call to action number 94.	In March 2019, Islands Trust Council unanimously passed the First Nations Reconciliation Declaration and has prioritized reconciliation efforts in its 2018-2022 Strategic Plan. Substantial advocacy since 2011.	
<u>Bill 15 - Agricultural Land Commission Amendment Act, 2019</u>	Royal Assent given on May 30, 2019. <u>On Mar 12, 2020, Order in Council 131/2020</u> brought into force and effect certain parts of Bill 15. Further topics will have force and effect in September 2020.	Bill 15 restores some legal protections for the BC Agricultural Land Reserve (ALR). It proposes to remove regional panels, giving a province-wide Agricultural Land Commission (ALC) the power to determine what happens on ALR lands for the first time since the early 2000s. As of March 12, 2020, the BC Government adopted a new <u>Agricultural Land Reserve General Regulation</u> (ALR General Regulation Reg. 57/2020) and renamed the existing Agricultural Land Reserve General Regulation B.C. Reg 171/2002 the <u>Agricultural Land Reserve Transitional Regulation</u> (ALR Transitional Regulation). Both of these regulations set out application procedures that have partial force and effect. The remaining portions of the new ALR General Regulation will be brought into force on September 30, 2020, and the ALR Transitional Regulation will be repealed. Order in Council 131/2020 sets out which sections of the new ALR General Regulation and the renamed ALR Transitional Regulation are currently in force and effect. Read OIC 131/2020 <u>here</u> .	Historically, a landowner had to make two separate applications to remove land from the ALR: one to the ALC, and one to the local government. <u>Fees</u> Until March 12, 2020, Islands Trust charged \$1,500 for an exclusion request. The ALC kept \$1,200 and Islands Trust kept \$300. The ALC sets the fee structure, not Islands Trust. Islands Trust had one exclusion request in the last three years, on Salt Spring Island, which was	Staff will continue to monitor developments on Bill 15 regulations. As a result of <u>Bill 15</u> , on September 30, 2020, private landowners will no longer be able to make exclusion applications to the Agricultural Land Commission (ALC). Trust Council should develop a policy for LTCs on how exclusion applications will be handled. The LTCs will be responsible for the application cost of \$750.

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
		The Agricultural Land Reserve Use Regulation B.C. Reg 30/2019 remains unchanged by the March 12, 2020 changes and identifies permitted uses in the ALR. In June, 2020, the ALR released information on more updates to ALC Act regulations. In August, 2020, ALC staff released a Frequently-Asked-Questions (FAQ) document, and an Exclusion Application Guide. <u>NEW:</u> As of September 30th, 2020, ALC Application fees will be split evenly between the local government and the ALC. The remittance of fees for applications submitted to local governments prior to September 30th, 2020, needs to comply with the legislation in affect at the time the application was received by the local government.	not supported by the Local Trust Committee.	Operations should not impact culturally sensitive ecology (eg. cedar, streams) or culturally significant species (eg. salmon).

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
		None of note at this time.		

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
<u>Interim Order No. 3 Respecting Passenger Vessel Restrictions Due to the Coronavirus Disease 2019 (COVID-19)</u>	Extended to February 28, 2021	Cruise ships with overnight accommodations carrying more than 100 people continue to be prohibited from operating in Canadian waters. All other passenger vessels must continue following provincial, territorial, local and regional health authority guidance.		Staff will continue to monitor
<u>Environmental Management Act -Contaminated Site Regulation Amendment</u>	Ministerial order 182/2020 was signed on June 09, 2020 and comes into effect on Feb 1, 2021	This amends the Contaminated Sites Regulation and removes the ability for local governments to opt out of requiring site profiles. When the Contaminated Sites Regulation was brought in back in early 2000s (or late 1990s), there was a transitional opting out clause. On legal advice due to unknown liability of the scheme back then, all local trust committees passed resolutions to opt out. Many local governments did this. The new regulation appears to require little from local government other than not processing an application or issuing a building permit that changes a land use on a site that had certain uses that could cause contamination, until the landowner receives permission from the Ministry. There are exemptions. The regulation refers to municipalities. In Part 4 of the Environmental Management Act (under which the Contaminated Sites Regulation		Starting February 1, 2021, all local trust committees and Bowen Island Municipality will be required to participate in site identification to ensure a consistent, provincially run process for identifying contaminated sites. Local Planning Services staff will supply required forms as part

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		is enacted), for the purpose of contaminated sites, the term municipality includes a local trust committee under the Islands Trust Act.		of the application process.
Province Supports Local Governments to Hold Public Hearings Electronically	In effect.	Under the <i>Emergency Program Act</i>, the Province has repealed and replaced Ministerial Order M083 with M139 to expand the authorities given to local governments under M083. The order will help local governments, improvement districts and the Islands Trust continue to make important decisions for their communities during the COVID-19 pandemic, including allowing local governments to hold public hearings electronically. The order gives Islands Trust the authority to hold meetings electronically without in-person public participation, allows for bylaws to be read and adopted in a single day and allows the use of electronic options for its public hearings. <u>NEW</u>: The order has now been replaced by M192 which requires Islands Trust to provide public access to meetings, either in person or electronically, and if cannot, then a resolution is required. This new order is effective for as long as the Provincial state of emergency is in effect, or until otherwise repealed.	Islands Trust bodies have been holding electronic meetings under the Act	LTC and Trust bodies may meet electronically without a public gathering location. LTCs may conduct public hearings electronically. Trust bodies will be prompted to pass the following motion: That in order to meet the principles of openness, transparency, and accessibility, meetings of the [insert name of appropriate Islands Trust body] will be held electronically until Ministerial Orders under the <i>Emergency Program Act</i> and requirements or recommendations under the <i>Public Health Act</i> change regarding public attendance at trust body meetings;

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
				and that such meetings be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair. Staff will continue to monitor the Emergency Program Act in anticipation of its eventual repeal.
BC Building Code Amendments - Changes to Design and Construction Requirements for Secondary Suites	In effect. Applies to building permit applications on or after December 12, 2019.	Previous BC Building Code limited secondary suites to a floor area of not more than 90 square metres and a floor space of less than 40% of the habitable building space; suites also had to be located within a building of residential occupancy containing only one other dwelling unit and located in and part of a building which was considered a single real estate entity. The changes (effective Dec 12, 2019) redefine a secondary suite as a “self-contained dwelling unit located within a building or portion of a building”; the new codes remove the floor area limitations, allow for common spaces and require complete fire separation between units.	LTCs and BIM may have regulations regarding size of secondary suites. The proposed Act change will lift building code limitations, providing more freedom to LTCs/BIM to establish different sizes for secondary suites.	LTCs/BIM may wish to review their secondary suite regulations and amend as required. Applications should reduce or eliminate impacts to registered archaeological sites or potential sites.

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
British Columbia Supreme Court decision re Municipality of North Cowichan bylaw	Decision released Nov 6, 2020	This recently released decision quashed a zoning bylaw addressed the question of whether it is reasonable for a local government, having previously represented and determined that particular uses are permitted in a certain zone, to reach the opposite conclusion on a subsequent application without an explanation for its divergence. The judge found that it was unreasonable not to provide a justification when the Municipality deviated from its previous representations and decision. The judge said it was arbitrary for the Council to diametrically disagree with a past interpretation of the Zoning Bylaw without explaining the basis for the disagreement. The judge noted that while there was a reason, the uses were not compliant with the Zoning Bylaw, not providing a justification in and of itself rendered the decision unreasonable.		Trust bodies should ensure that meeting minutes contain a justification for decisions, particularly when those decisions diverge from previously held direction. Staff will be reviewing the decision and will advise trustees as necessary.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		None of note at this time.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
A Vision for Coastal Ferry Services: Phase Two Engagement Summary of Feedback	Consultation report released September 18 2020	This report summarizes the second phase of engagement, where participants provided feedback on four broad themes and shared their experiences and ideas for the future of ferry travel.	2020 Chair letter re BC Ferries' service levels	
Private Managed Forest Land Act Program Review – Public Engagement – What We Heard Report	Published October 2019	1,225 completed online questionnaires received. The following is selected information most relevant to Islands Trust: • Nearly two thirds of respondents (62%) disagreed that the key public environmental values specified in the PMFL are sufficient. • The majority (70%) of respondents disagreed that the current regulatory framework is effective in supporting achievement of the management objectives specified in the PMFL Act. • The majority of respondents (72%) reported they do not feel informed of forestry activities that may occur, or have occurred, on Private Managed Forest Land in their community, while 21% feel informed and 7% say this it is not a concern for them. Most respondents indicated they were not aware that the Ministry could assist them nor were they aware of the Managed Forest Council.	Written submissions sent from: • Islands Trust Council • Gambier Island Local Trust Committee to Ministry of Forests, Lands, Natural Resources, and Rural Development for inclusion in the report. <u>NEW:</u> The Chair met with Minister Donaldson and other Ministry representatives during the 2020 virtual UBCM	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<u>Key Themes from Written Submissions</u> (283 received): • <u>Local Government</u>: There is a high level of concern among local governments who responded that private managed forest land should be managed to consider cumulative effects and better protect community watersheds, as well as hold private forest land owners with forestry operations more accountable. They argue that local government should have greater authority to oversee forest operations that affect communities. • <u>PMFL Owners</u>: There is general support for the current program and the need to continue being exempt from local government bylaws that may impede forestry operations. <u>Indigenous Nations</u>: Generally, Indigenous Nations are concerned that PMFL owners are not managing their lands to sustainable forest practices standards and they are frustrated with the lack of protection of their traditional use and spiritual sites.	Annual Convention to request dedicated resources to move forward with amendments to the Crown Land Agreements and to request amendments to the PMFL Act to express concerns regarding conflict between the Islands Trust mandate and the values of the PMFLA. A response from that meeting was received.	
Coastal Environmental Baseline Program	Launched in September, 2020	The Coastal Environmental Baseline Program was launched as part of the national Oceans Protection Plan. The Program provides \$50.8 million over five years to collect biological and oceanographic data to characterize the current state of six key coastal ecosystems in Canada. The coastal ecosystems were chosen for their high or potential for increasing vessel traffic and coastal development. These selected ecosystems are the Port of Vancouver, BC; Port of Prince Rupert, BC; St. Lawrence Estuary, QC; Port of Saint John, NB; Placentia Bay, NL; and Iqaluit, NU. Fisheries and Oceans Canada collaborates with coastal communities and research partners to determine what baseline data will be gathered to understand our marine ecosystems and inform		Staff will monitor progress

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		decisions that impact sensitive coastal environments. The Program enables research partners and coastal communities to be directly involved in gathering the scientific data that contributes to characterizing Canada's coastal environments.		
Canada joins the High Ambition Coalition for Nature and People	Announced September 28, 2020	Conserving nature in Canada and across the globe is critical to halt biodiversity loss, tackle climate change, and help all of us live sustainably. Over a million species are threatened with extinction, with 75 percent of our land and 66 percent of the marine environment significantly altered by human actions. In Canada alone, populations of species assessed as at risk have declined on average 59 percent since 1970. That is why Canada pledged to join other countries at the Leaders Event for Nature and People in a “high ambition coalition” to advocate for a target of conserving 30 percent of the world’s lands and oceans by 2030.	Islands Trust and Islands Trust Conservancy have been significant advocates for conservation since inception.	Staff will continue to monitor for impacts to the Trust Area from this initiative.
Commemorating the History and Legacy of Residential Schools	Funding announced September 30, 2020	Budget 2019 provided \$7 million to commemorate the history and legacy of residential schools. In 2019–2020, the Government of Canada invested in six large-scale national projects to educate and raise awareness of this dark chapter in Canadian history. In 2020–2021, 200 organizations and communities will receive funding to organize commemorative events and activities that are suited to specific histories, needs and realities.	In March 2019, Islands Trust Council unanimously passed the First Nations Reconciliation Declaration and has prioritized reconciliation efforts in its 2018-2022 Strategic Plan.	Staff will continue to monitor for initiatives that concern the Trust Area.
<u>Modernizing BC's Emergency Management Legislation</u>	Follow up report release August 31, 2020	The provincial government has released a summary report of feedback provided in response to its discussion paper, Modernizing BC's Emergency Management Legislation. Emergency Management BC's <u>'What We Heard'</u> report also advises that the Province plans to table new emergency management legislation next year.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		EMBC has acknowledged the need to conduct additional work to address many of the remaining issues and questions raised by local governments during the feedback period. The discussion paper and responses were provided in advance of the COVID-19 emergency, but the Province will be considering lessons learned from the pandemic as it develops new emergency management legislation.		
Marine Debris Removal	Ongoing	On August 31, 2020 the B.C. Government announced \$3.5 million in funding to the Small Ship Tour Operators Association (SSTOA) to remove marine debris from B.C.'s Central and North Coasts. Support for this initiative aligns with the priorities and solutions identified during consultations on marine debris and abandoned vessels with communities, organizations and stakeholders. This is the first in an anticipated series of marine debris clean-up projects that will include partnerships with organizations that have expertise in this field		Staff will continue to monitor for initiatives within the Trust Area.
Oil spill prevention processes, including development of geographic response plans	Ongoing	Since 2010, the Islands Trust Council has made advocacy on oil spill preparedness, planning and response a priority. The Canadian Coast Guard is currently developing integrated response plans that include the Trust Area and plan to collaborate on the plans on an ongoing basis. They are applying a holistic approach to marine environmental response planning that takes into account unique regional, ecological, geological and socio-economic factors. The project involves collaboration with Indigenous communities, federal, provincial, and local governments as well as industry, response organizations and port/harbour authorities. They are	Islands Trust has conducted significant advocacy on oil spill prevention and preparedness. A briefing for the Executive Committee (pg 86) was developed by staff for September 30,	Staff will continue to monitor developments in these areas of concern and pass on relevant information

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		conducting planning which is predicated on evidence and risk, and takes into account regional, environmental, ecological, and socio-economic factors, as well as local and Indigenous Knowledge; and facilitates the collection of information on marine sensitivities, socio-economic activities and Indigenous Knowledge to support evidence-based response planning and incident response decisions.	2020 and has since been distributed to all trustees	
Public consultation on the discussion document for Canada's Ocean Noise Strategy	Opened on October 14, 2020 and will close to new input on January 12, 2021.	The Government of Canada is seeking input on a proposed framework that will be used to develop an Ocean Noise Strategy for Canada. This Strategy will build on important work completed to date and be a coordinated and forward-looking plan to help address the impacts of underwater noise caused by human activity on our marine environment. The feedback received on this discussion document will inform next steps for the development of the Ocean Noise Strategy.	Previously, Islands Trust has included its concern about ocean noise in its advocacy work on oil tanker traffic expansion .	Staff will monitor and submit as directed.
Oceans Protection Plan - Cumulative Effects of Marine Shipping - Draft Framework	Distributed November 03, 2020	Launched in 2017, the Cumulative Effects of Marine Shipping (CEMS) initiative is part of Canada's \$1.5 billion Oceans Protection Plan. The goal of this initiative is to study the potential effects of how marine shipping impacts the environment and coastal communities. It will also establish a national framework for assessing those effects. A draft framework has been under development for the past 2 years, informed by a national technical workshop in February 2019 as well as regional work being conducted in each of these coastal areas and multiple regional engagement sessions, bilateral discussions and workshops that have taken place since the inception of the CEMS initiative. Specific discussions on a preliminary visual of this framework took place through 2019 with representatives of Indigenous communities across the country and Academics specializing in cumulative effects assessment.	Chair and staff have participated in cumulative effects discussion groups at Ocean Protection Plan dialogue sessions and the Chair raised concerns about the cumulative effects of shipping in a September 2019 letter on Proactive Vessel Management .	Staff will review the draft document and advise.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
<u>Salt Spring Climate Action Plan 2.0</u>	Public engagement completed	A small group of volunteers has been working alongside Capital Regional District and Islands Trust elected officials and Transition Salt Spring to create the updated Salt Spring Climate Action Plan. The group held a public engagement process and a <u>summary</u> is now available at https://www.saltspringclimateactionplan.com/	In July 2020, Islands Trust Staff and Trustees provided comments to Transition Salt Spring on the draft Salt Spring Climate Action Plan 2.0	Staff will continue to monitor.
<u>BC Old Growth Strategic Review</u>	Public engagement Oct 23, 2019 – Jan 31, 2020. Report Released September 11, 2020	In July 2019, the Government of British Columbia announced that an independent, two-person panel had been appointed as part of an Old Growth Strategic Review, to undertake public engagement on old growth and provide a report to the Minister of Forests, Lands, Natural Resource Operations and Rural Development. On September 11th the Province announced the release of <u>A New Future for Old Forests: What we Heard report</u> . The report by panel members outlines a four-phased process that the Province should undertake to develop and implement an old growth strategy.		
<u>Protecting Canada's Fresh Water Consultation</u>	Consultation open for comments from May 13, 2020 to May 31, 2021.	The Government of Canada, through Environment and Climate Change Canada and support from Agriculture and Agri-food Canada, is seeking public input on freshwater challenges in Canada and how a Canada Water Agency can further protections for Canada's freshwater resources. Over the course of the consultation, they will be publishing discussion aids and posing specific questions on their <u>PlaceSpeak</u> site to find out what Canadians would like to see in this new Agency and how they can further protections for Canada's freshwater.		

To:	Trust Council	For the Meeting of:	December 1, 2020
From:	Trust Area Services	Date Prepared:	November 9, 2020
SUBJECT:	Policy Statement Amendment Project Update		

PURPOSE:

To update Trust Council on the Policy Statement Amendment Project and next steps.

BACKGROUND:

TPC Policy Statement Amendment Project (PSAP) Working Groups :

In May 2020, Trust Programs Committee (TPC) initiated an internal review of the [Islands Trust Policy Statement](#) by establishing three working groups on the priority lenses of Reconciliation, Climate Change and Housing.

In recent months, the TPC Working Group on Reconciliation has been focused on understanding the government-to-government relationships that exist between First Nation governments and the Islands Trust. Engagement with First Nations continues and Islands Trust has provided capacity funding to First Nations in the Trust Area to ensure that the Policy Statement is reflective of treaty and territorial land and water use decisions. The working group has investigated how the Policy Statement has changed over time, reviewed opportunities for advocacy, and examined ways to integrate the guiding principles of reconciliation into the Policy Statement. Throughout this work, working group members have looked to the guiding principles set out in the foundation documents listed below:

- the UN Declaration on the Rights of Indigenous Peoples (UNDRIP);
- the *BC Declaration on the Rights of Indigenous Peoples Act* (DRIPA);
- the Truth and Reconciliation Commission (TRC) Calls to Action; and
- the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice.

Within the other two TPC Working Groups on Climate Change and Housing, a preliminary review of the Policy Statement has brought to light some fundamentally different interpretations of the Trust Object and the scope of “unique amenities”, as noted in [Section 3 of the Islands Trust Act](#). Some trustees have highlighted the need to move towards less human-centric development paradigms, prioritizing the protection and restoration of biodiverse ecosystems as the clearest pathway to climate resilience for all inhabitants of the Trust Area. Other trustees have highlighted an urgent need to prioritize the housing crisis, underscoring issues around equity and gentrification within Trust Area communities. All agree on the importance of protecting both the environment and human communities, but there is little agreement on how to most effectively address the conflicts and tradeoffs that can arise. As such, TPC members have been engaged in some existential contemplations of what it means to govern the Islands Trust Area. They’ve been deeply questioning their understandings of the Trust Object and their unique political role as “trustees”. They’ve been examining knowledge gaps around the carrying capacity of the islands and investigating ecosystem-based approaches. And, they’ve been pondering what it means to be joined together as a regional governance body with a regional mandate, while still valuing local autonomy and acknowledging locally specific needs. These big questions have proven critical to key

decisions on how to take the Policy Statement Amendment Project forward. The three TPC Working Groups will continue to meet regularly, with a view to defining amendment recommendations by the end of the year.

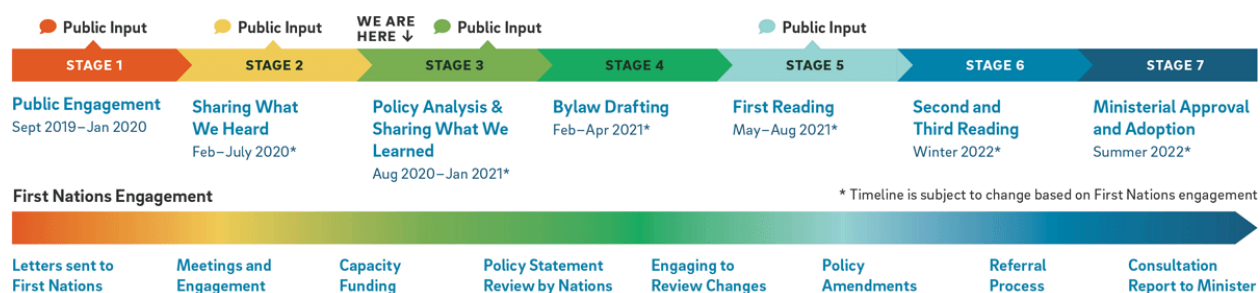
First Nations Engagement: Over the past year, First Nations representatives and governments have faced the continued threat of COVID-19. To support the safety and priorities of First Nations communities, Islands Trust staff and representatives have adjusted engagement processes and timelines to accommodate the constraints imposed by COVID-19. Islands Trust has reaffirmed its commitment to the foundation documents (noted above) and has liaised with First Nations, the Ministry of Indigenous Relations and Reconciliation, and the Archaeological Branch to ensure that the Policy Statement amendment process is being undertaken in a way that is respectful and understanding of relationship building. Staff are working closely with First Nations regarding capacity funding, cooperation accords, and review of the Policy Statement. Islands Trust has received preliminary comments related to the Policy Statement amendments from First Nations.

Islands 2050 Public Engagement: In Fall 2019, staff conducted an Islands 2050 public engagement process to solicit feedback on priority values and concerns for the Trust Area over the next 30 years. Staff consolidated the online and in-person feedback into a final report on: [“What We Heard - Islands 2050: The Future of the Trust Area”](#). In July 2020, the “What We Heard” report was posted to the Islands Trust website and shared with email subscribers, advisory group members and First Nations. Staff members are now working on Part II of the public engagement reporting through development of a report outlining “What We Learned”. This second report will list policy options and recommendations from the TPC working groups and staff regarding priorities for Policy Statement amendments. The report will be accompanied by an online survey and/or online public forum to solicit further public feedback.

Project Budget:

The project has a \$45,000 budget for the 2020/21 fiscal year. So far in this fiscal year, the project has incurred \$4,000 in capacity funding to First Nations, \$1,000 in graphic design costs and \$2,000 in legal costs. A further \$12,000 in capacity funding to First Nations is projected to be allocated by January 2021.

Project Timeline:



The timeline above shows that we are now in the Stage 3 of the project.

Staff will undertake the following work over the coming months:

- Ongoing engagement with First Nations
- Ongoing internal policy analysis, through TPC working groups and staff research/analysis
- Developing the “What We Learned” report (Part II of public engagement reporting) and online engagement (survey/forum)

ATTACHMENT(S):

- 1) Policy Statement Amendment Project Charter v3
- 2) Legal Opinion re Policy Statement (Scope and Interpretations of the Islands Trust Object)

FOLLOW-UP:

Staff will continue to support Trust Programs Committee and Executive Committee in implementing the Project Charter. Staff will be presenting a draft of the “What We Learned” report to Executive Committee at its December 16, 2020 meeting and hope to release the report and online survey/forum to the public in early January 2021, with a three-week window for survey response. In designing the engagement, staff will be taking into account feedback received about the first round of public engagement. With this second round of public feedback in hand, along with amendment recommendations from the TPC working groups, staff will begin drafting the amendment bylaw in February 2021. Looking ahead to the necessary steps required before First Reading, Executive Committee, at the recommendation of Trust Programs Committee, has adopted a revised the Project Charter v3 with updated timelines. It is now expected that First Reading will take place in May 2021.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services
Lisa Wilcox, Senior Intergovernmental Policy Advisor

Reviewed By: Clare Frater, Director, Trust Area Services / Nov 10, 2020
David Marlor, Director, Local Planning Services / Nov 10, 2020
Russ Hotsenpiller, Chief Administrative Officer / Nov 10, 2020
Executive Committee / Nov 18, 2020

Policy Statement Amendment Project - Project Charter v3

Purpose To support a Policy Statement Amendment process that encompasses First Nations and public engagement and that leads to a bylaw approved by Trust Council and the Minister.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, to coordinate a review of the Policy Statement, specifically the Introduction, Part I, Part II and Schedule 1 - Definitions sections, and climate and housing policies, and to undertake meaningful engagement with First Nations in the process. With the project in progress, the 2020/21 budget will be used for engagement with First Nations, public engagement, referrals to agencies/First Nations, and legal review.

Objectives

- Updated preamble and definitions
- Acknowledgement of First Nations treaty and traditional territory; and UNDRIP/ DRIPA / TRC / MMIWG
- Addition of climate and housing policies and other topics raised by First Nations
- Engagement with First Nations on policy amendments
- Re-familiarization of all parties and public with amendment processes

In Scope

- FN / community engagement / intergovernmental advisory group
- Policy analysis
- Drafting
- Legal review
- Referral process and public input
- First, Second, Third & Fourth Readings by Trust Council
- Refer to Minister
- Implementation plan

Out of Scope

- Treaty or territorial negotiations
- Consequential amendments to OCPs and LUBs

Workplan Overview

Major Deliverable/Milestone	Date
-FN Engagement; Public Engagement 1: Islands 2050 In-Person & Online Engagement -FN Engagement; What We Heard Report; Policy Analysis; TPC Working Group Review; -FN Engagement; Public Engagement 2: What We Learned Report & Online Survey/Forum -Staff Draft Amendments to Policy Statement Bylaw; TPC/RPC/EC Review; Inter-Agency Review; Legal Review; Consultative Area Database (FN Engagement) Report to Minister	June 2019 – January 2020 January – December 2020 January 2021 February – April 2021
- First Reading (Special Trust Council Meeting) -First Nations & Agency Referrals; Public Engagement 3 (Online Survey/Forum); Statutory Advertising -Trust Council Considers Input / Redrafts As Needed; Second Legal Review, Second Referral to First Nations; Second Consultative Area Database Report to Minister	May 2021 May – August 2021 September – November 2021
- Second Reading - Third Reading (Scenario 1) —minor changes made and passed to Third Reading at same meeting) - Third Reading (Scenario 2) —substantive changes needed before Third Reading) -Refer Proposed Bylaw to Minister with Final FN Engagement Report. Allow Six Months for Review.	December 2021 1) December 2021 or 2) March 2022 1) Jan 2022 or 2) April 2022
- Fourth Reading ; Post Policy Statement to Website; Draft Implementation Plan	1) June 2022 or 2) Sept 2022

Project Team

TPC/EXEC	Project Champions
Clare Frater	Project Manager
Dilani Hippola	Policy Analysis
Lisa Wilcox	FN Engagement
Gillian Nicol	Public / FN Engagement

Approved by:

Clare Frater, Director, TAS

Endorsement:

Date:

Budget 2019-2022 (19/20 est. \$45k, 20/21 \$45K)

Item	Cost
FN Engagement	\$30,000
Public Engagement	\$35,000
Graphic Design	\$5,000
Legal Review	\$10,000
Statutory Advertising	\$10,000
Total Activity Costs:	\$90,000

VIA EMAIL: cfrater@islandstrust.bc.ca

October 27, 2020

Clare Frater
Director, Trust Area Services
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Ms. Frater:

Re: Policy Statement Amendment Project
Our File No. 00002-0020

You have requested our opinion on the several questions pertaining to the amendment of the Trust Policy Statement, which we will address in order:

1. *Is s. 3 of the Islands Trust Act to be interpreted in such a way as to restrict the scope of the Policy Statement to environmental conservation and cultural heritage matters, or can the Policy Statement include policies in respect of matters like sustainable communities and affordable housing that appear to relate more directly to the exercise of bylaw-making powers by local trust committees under Part 14 of the Local Government Act?*

The general scheme of the *Islands Trust Act* includes the creation of governance bodies that exercise jurisdiction pursuant to both the Act and pre-existing local government legislation, principally what's now Part 14 of the *Local Government Act*. In enacting this legislation, the Province withdrew certain regulatory powers from regional district boards and conferred them on elected local trust committees. The result is that local governance of the trust area is shared between the regional districts and the Islands Trust. In conferring governmental powers on the Islands Trust entities the Legislature identified the statutory object that is in s. 3 of the *Islands Trust Act*. For the purpose of carrying out that object, the Trust Council established under the Act must adopt a policy statement, the scope of which is not prescribed; the Act merely states that the policy statement must be a general statement of the policies of the Trust Council to carry out the object of the trust. The Trust Council may, according to the Supreme Court of Canada's decision in *Canada (Minister of Citizenship and Immigration) v. Vavilov* 2019 SCC 65, interpret s. 3 of the *Islands Trust Act* "applying its particular insight", and a reviewing court will defer to that interpretation unless it can be shown to be unreasonable; the interpretation need not be legally "correct".

The *Vavilov* decision indicates that the scope of the policy statement should be determined according to its “text, context and purpose”. The context and purpose of s. 3 include providing the standard or benchmark for the bylaw approval function performed by the executive committee under s. 15 of the *Act* in respect of local trust committee and island municipality bylaws, and the broader but less binding purpose described in s. 39.1 of the *Act* which requires the council of an island municipality to have regard to the policy statement when enacting bylaws and issuing permits and licences. According to s. 15(4), the executive committee may not approve a bylaw if it is contrary to or at variance with the policy statement. The efficacy of the policy statement in preserving and protecting the trust area lies principally in the direction it gives to the enactment of Part 14 bylaws by the local trust committees and island municipalities. These are the core tools that the Legislature provided to the local trust committees to achieve the object of the trust.

The Trust Council has several options in respect of Part 14 bylaws. It may legitimately determine in respect of particular Part 14 bylaw-making powers that local trust committees and island municipalities can be left to exercise their Part 14 powers as they see fit, in which case the policy statement may be silent on that topic. In other cases, the Trust Council may see fit to state a policy favouring the enactment of a particular type of Part 14 bylaw without indicating in any detail what such a bylaw should achieve. In still other cases the Trust Council may wish to go further, by indicating substantive content for such a bylaw that is considered to be appropriate or necessary for achieving the trust object. Each of these could in our view be a legitimate policy choice for the Trust Council to make in relation to any particular Part 14 topic, and a reasonable interpretation of s. 3 of the *Act* and the provisions of the *Act* dealing with the policy statement. It is implicit in the foregoing opinion that we don’t consider that the policy statement must be restricted in its scope to environmental conservation and cultural heritage, since Part 14 powers extend well beyond those matters.

As to the meaning of the term “unique amenities” in the trust object, according to the Supreme Court’s reasoning in *Vavilov*, the B.C. Legislature is presumed to have intended local and municipal trustees sitting in Trust Council to determine what constitutes a “unique amenity” that falls within the scope of the “preserve and protect” object, subject only to judicial review on a standard of reasonableness. In leaving the term undefined in the statute, the Legislature can be taken to have intended that the Trust Council would determine what features of the trust area warrant preservation and protection as “unique amenities”, by addressing the matter in the policy statement. As regards the text of the statute as referenced in the foregoing citation from the *Vavilov* decision, dictionaries merely define “amenity” as “pleasant feature”. The interpretation of these words in s. 3 seems to us to be an exercise that a reviewing court would see as quintessentially engaging the principle in *Vavilov* that the Legislature’s delegate (Trust Council) may employ its “particular insight”, based on local knowledge, in determining what features of the trust area it will seek to preserve and protect. We don’t interpret the adjective “unique” as meaningfully limiting the scope of the term “amenities”; rather, we think that the term “unique” simply acknowledges the juxtaposition of the trust area’s landforms, plant and

animal communities and so forth with the geographic position of the islands on which they are found, which is by definition unique.

2. *If not, given that local trust committees and island municipalities are required by Section 473 (2) of the Local Government Act to include housing policies in their OCP respecting affordable housing, rental housing and special needs housing, should this topic be addressed in the Policy Statement?*

We indicated above that it's up to the Trust Council to determine whether any matter that is within the scope of Part 14 of the *Local Government Act* ought to be addressed in the policy statement, whether or not the matter is particularly described in s. 3. Addressing or not addressing a particular topic in the trust policy statement has important implications for the operation of the rule in s. 15 that a bylaw must not be approved by the executive committee if it's contrary to or at variance with the policy statement, and the rule in s. 39.1 that the council of an island municipality must have regard to the policy statement when enacting bylaws and issuing permits and licences. It may be that some Part 14 matters are considered so critical to the achievement of the trust object (the use of development permit area designations for the protection of the natural environment might be an example) that trust council considers that the policy statement must address them, while others are more peripheral and can be left to local trustees and municipal councils without policy guidance. It's not our view that the policy statement would be legally vulnerable if it were to omit any reference to housing. Part of the trust council's role is to determine whether such matters related to housing warrant treatment in the policy statement, in view of the fact that the *Local Government Act* requires local trust committees and island municipalities to include housing policies in their OCPs and that if the policy statement is silent on those matters, there may be less leverage to pursue the trust object as interpreted by the Trust Council by refusing to approve an OCP that's contrary to or at variance with the policy statement.

3. *Can the Islands Trust Object, set out in s.3 of the Islands Trust Act, be interpreted to include a mandate to preserve and protect affordable housing?*

As regards housing affordability in particular, it seems to us that the Trust Council might reasonably consider that socially diverse local populations are part of the unique amenities of the trust area. We note that s. 3 refers to the trust area being preserved and protected "for the benefit of the residents of the trust area and of British Columbia generally". Policies that are directed at the maintenance of an adequate supply of housing that is affordable by persons in the income brackets who have historically populated the trust area would seem clearly to be "for the benefit of the residents of the trust area". Further, one of the consequences of preservation and protection of the trust area "for the residents of British Columbia generally" could be that they may visit the trust area, such non-resident enjoyment of the trust area being more feasible given the availability of local services such as visitor accommodation, restaurants, travel services and so forth that rely on an adequate supply of

affordable housing for operators and employees. Overall, we consider that a Trust Council interpretation of the term “unique amenities” in s. 3 as including a supply of affordable housing would likely pass the reasonableness test.

4. *Given that local trust committees and island municipalities are entrusted with local government duties under Part 14 of the Local Government Act, are their roles as members of local Trust Committees and Island Municipalities different from their roles as members of the regional Trust Council which is governed solely by the Islands Trust Act?*

We must distinguish between members of the Trust Council who are members of the council of an island municipality (municipal trustees) and those who are not (local trustees), in responding to this question.

In our view it is incorrect to consider local trustees to be “wearing different hats” when they are sitting in Trust Council and when they are sitting in a local trust committee exercising Part 14 powers. According to s. 9 of the *Islands Trust Act*, the Trust Council must adopt a trust policy statement “for the purpose of carrying out the object of the trust”. Section 24 of the *Islands Trust Act* provides that “for the purpose of carrying out the object of the trust”, each local trust committee may regulate the development and use of land in its local trust area in accordance with sections 29 and 31 of the *Act*, and must submit its bylaws to the executive committee for approval. Section 29 is the source of the local trust committees’ Part 14 powers. Thus, local trustees wear the same hat whether they are sitting in Trust Council dealing with the trust policy statement or sitting in local trust committee dealing with Part 14 matters, and are meant to be pursuing the same purpose in each case: the purpose described in s. 3 of the *Islands Trust Act*.

The situation of municipal trustees is somewhat different. They acquire Part 14 powers directly via the *Local Government Act* and are not mandated to exercise those powers “for the purpose of carrying out the object of the trust”; rather, the object of the trust is secured via special provisions in Part 5 of the *Islands Trust Act*. Section 39.1 requires the councils of municipalities in the trust area to “have regard to the object of the trust” in adopting a bylaw or issuing a permit or licence, and to submit for executive committee approval only their official community plans and zoning bylaws, which approval must (as is also the case with local trust committee bylaws) be withheld if the bylaw is contrary to or at variance with the trust policy statement. It may be that municipal trustees can reasonably be described as “wearing different hats” when they are sitting in Trust Council and when they are sitting in a municipal council exercising Part 14 powers; such a conclusion might be reinforced by the fact that each of them must make separate oaths of office in respect of their municipal council and trust council roles. However, it seems clear to us that local trustees have but a single role and mandate in all their activities: to secure the object of the trust set out in s. 3 of the *Islands Trust Act*.

We trust that these opinions will be helpful to the Trust Council as it considers amendment of the Islands Trust Policy Statement.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

buholzer@younganderson.ca

BB/smj

copy to: Mr. Robert Barlow, Islands Trust

BRIEFING

To:	Trust Council	For the Meeting of:	December 1, 2020
From:	Trust Area Services	Date Prepared:	November 9, 2020
SUBJECT:	Climate Change Stewardship Education Program		

PURPOSE: To provide Trust Council (TC) with an update on the Stewardship Education Program (SEP) in 2020/21.

BACKGROUND: The 2018-2022 Strategic Plan sets out a strategy *“to develop and implement a stewardship education program directed towards the public, industry and/or stakeholders in the Trust Area”*.

On November 6, 2019, TPC adopted the following resolution:

that the Trust Programs Committee request that the Financial Planning Committee include in the Fiscal Year 2020/21 Budget \$15,000 for a climate change-focused stewardship education program.

The program is intended to educate community members on ways they can contribute to mitigating and adapting to climate change in the Trust Area.

Due to measures of physical distancing due to the COVID-19 pandemic staff recommended the program be implemented in two phases:

- **Phase 1:** July–October 2020: Program to be implemented through webinars.
- **Phase 2:** November 2020 – March 2021: Speaker series and/or mail outs are explored.

Phase 1: As of November 4th, two of the three webinars have been completed. The Rainwater Harvesting webinar attracted 283 people to register and 126 people to participate during the webinar. The Ecosystem Based Adaptation webinar attracted 122 people to register and 57 people to participate during the webinar. The recordings of the webinars are available to view on the Islands Trust website.

Phase 2: Due to the physical distancing in place, a working group comprised of staff from Trust Area Services and Local Planning Services identified the following ideas:

- 1) “Living in the Islands Trust Area” package

Staff have identified a need to produce a “living in the Trust Area” package where staff provide a range of documents and publications for new residents/property owners in the area. Packages could include existing and new documents, such as:

- Islands Trust and Islands Trust Conservancy brochures
- a sensitive ecosystem guide for Islands Trust Area

- bylaw compliance and enforcement brochure
- ground water documents
- acknowledgement of the Indigenous and First Nations peoples of the area
- and additional information about what it means to live and work on a protected island.

Staff will use text from the new website to create the publications. This will provide consistency among the communication materials and continue to build the Islands Trust brand. Staff will seek input from trustees about which topics would be beneficial.

Recorded sales of properties in the Trust Area from January 1st, 2020 - September 9th were 1103. By March 2021, staff estimate an additional 827 properties would be added to the list, as the average monthly property sales are 137. Staff understand property sales are higher in the spring and summer so the final number may be lower.

Staff believe that by creating a “newcomers” package it could increase knowledge of the Islands Trust Area, provide understanding about reconciliation, create greater understanding about preservation and protection, and reduce bylaw contraventions.

2) Climate Action Speaker Series - continues

Staff have recommended a continuation of the speaker series in conjunction to meeting the goals of the Reconciliation Action Plan. Staff will work to create up to three webinars to be scheduled. Topics could include well-being and climate change climate adaptation from an Indigenous perspective, and oral history and knowledge sharing of the Coast Salish people. Part 2 of the speaker series will focus on the Indigenous perspective and climate change.

On November 4th, 2020 Trust Programs Committee received a request for decision from staff and passed the following resolution:

that Trust Programs Committee direct staff to develop a project charter for a “Living in the Islands Trust Area” program.

that Trust Programs Committee recommend to Executive Committee that they undertake an extension to the climate change speaker series with an Indigenous perspective.

FOLLOW-UP: Staff will be providing a Request for Decision to the Executive Committee on December 16, 2020. Staff will provide a project charter for February TPC Committee meeting.

Prepared By: Gillian Nicol, Program Coordinator

Reviewed By/Date: Clare Frater, Director, Trust Area Services/ November 11, 2020
Russ Hotsenpiller, CAO/November 12, 2020

To:	Trust Council	For the Meeting of:	December 1, 2020
From:	Trust Area Services	Date Prepared:	November 5, 2020
SUBJECT:	Community Benefit Land Trust Concept		

PURPOSE:

To provide information to Trust Council on the community benefit land trust concept and options for the Islands Trust to hold land for community benefit.

BACKGROUND:

At its regular business meeting in June 2020, Trust Council passed the following resolution in response to a delegation on this issue by a Trust Area resident:

TC-2020-063

That the Trust Council request a report from staff about the potential to have an Islands Trust structure to manage Community Benefit Land Trusts.

Community Land Trusts

A community land trust is usually defined as a non-profit organisation that holds land in trust for the community. On the website “community-wealth.org”¹ defines a community land trust as:

“... nonprofit, community-based organizations designed to ensure community stewardship of land. Community land trusts can be used for many types of development (including commercial and retail), but are primarily used to ensure long-term housing affordability. To do so, the trust acquires land and maintains ownership of it permanently. With prospective homeowners, it enters into a long-term, renewable lease instead of a traditional sale. When the homeowner sells, the family earns only a portion of the increased property value. The remainder is kept by the trust, preserving the affordability for future low- to moderate-income families.”

The Canadian Housing and Renewal Association² has a similar definition:

“A Community Land Trust (CLT) is a non-profit corporation that obtains and holds land and housing for the benefit of the community in which it exists. With the shared value of housing as a right, the goal is to remove land and housing from the real estate market through either purchase or donation, and perpetually hold it in a trust to preserve the affordability of that land and housing asset.”

A community land trust can hold land for any purpose for the benefit of the community. An example of a housing land trust in British Columbia is Community Land Trust (<https://www.cltrust.ca/about/>) which accepts land and building transfers from the community housing sector and also expands housing options, through redevelopment and new projects.

¹ <https://community-wealth.org/strategies/panel/clts/index.html>

² <https://chra-achru.ca/perpetual-affordability-and-community-control-of-the-land-community-land-trusts-in-canada/>

Islands Trust Conservancy powers

The *Islands Trust Act* has a community land trust built into the Islands Trust Conservancy, under Section 41 of the *Islands Trust Act*. The Conservancy Board, for the purpose of carrying out the object of the trust, may "acquire, hold, and dispose of land and other property" so long as those actions are done in accordance with a five-year plan approved by the Minister of Municipal Affairs and Housing. The Board's policies and plans make clear that its priority is to acquire and hold properties for long-term ecological preservation. The Board has a policy that it will not accept or acquire any lands where there is an obligation to maintain buildings or structures.

Trust Council powers

The *Islands Trust Act* permits Trust Council to hold and dispose of land for the purpose of furthering the Object of the Islands Trust. The Object, as stated below (Section 3 of the *Islands Trust Act*) is further refined and implemented through the Islands Trust Policy Statement.

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

While the *Islands Trust Act* does not specify how land held by Trust Council is to be used, it would have to be for a purpose to further the Object in Section 3 of the *Islands Trust Act*. For example, assuming the holding of land for heritage protection or affordable or special needs housing is consistent with the Object, Trust Council could hold land for such a purpose. Trust Council already owns one building – the Marcus Isbister Old School Centre which is leased to the Denman Island Residents' Association. If Trust Council acquires land and provides an affordable housing project (however that is structured) for the benefit of trust area residents, Trust Council needs to be sure that the affordable housing actually provided does not negatively affect "the trust area and its unique amenities and environment."

Trust Council does not have authority in its legislation to build and manage housing; this would need to be undertaken by a non-profit organization, BC Housing or a regional district. Therefore, Trust Council would have to lease, or dispose of the land in some way, to such an organization for the purpose of providing housing.

The *Islands Trust Act* states that Sections 285 and 286 of the *Local Government Act* apply to disposition of land. Section 285 of the *Local Government Act* states that disposition of land must be made available to the public for acquisition; this does not apply to land that is being made available the following reasons:

285 *(1) Subject to subsection (2), if a board intends to dispose of land or improvements, it must make the land or improvements available to the public for acquisition.*

(2) The requirement under subsection (1) does not apply if the disposition is

(a) to a not-for-profit corporation,

(b) to a public authority,

(c) to a person who, as part of the consideration for the disposition, will exchange land or an improvement with the regional district,

(d) to a person under a partnering agreement that has been the subject of a process involving the solicitation of competitive proposals, or

(e) a disposition of land to an owner of adjoining land for the purpose of consolidating the lands.

When disposing of land, Islands Trust bodies would be guided by the principles outlined by the Provincial and Federal government in relation to Indigenous rights and title as they relate to First Nations governments with treaty and territorial lands and waters in the Islands Trust Area.

Delegation of Trust Council powers to local trust committees

Trust Council may, through a bylaw adopted by at least 2/3 of its members present at the meeting at which the vote on adoption takes place, delegate its powers to acquire and dispose of land to a local trust committee, subject to any restrictions or conditions specified in the bylaw. The local trust committee would need to use a special tax requisition to fund costs associated with acquiring, managing or disposing of land.

Potential to have an Islands Trust structure to manage Community Benefit Land Trusts

As previously stated, the *Islands Trust Act* already provides for a community benefit land trust within the Islands Trust – the Islands Trust Conservancy. If Trust Council desired that the Islands Trust Conservancy establish different priorities for its land securement program, it could make a recommendation to the Board. It is likely that the Board would require adequate and ongoing resources, both through staff and budget allocations, to consider holding land for this purpose.

Prior to acquiring land, staff suggest that Trust Council take the following steps:

1. **Amend the Islands Trust Policy Statement.** The Islands Trust Policy Statement should have clear policies in relation to the community benefit (e.g. affordable and special needs housing, community housing, heritage protection, farming) and how provision of such furthers the Object of the Islands Trust.
2. **Establish policies on how it would implement the Islands Trust Policy Statement in regard to the identified community amenity.** The policy would address: how appropriate land would be identified and prioritized; role of Trust Council in relation to regional districts and Provincial housing agencies; and how land would be managed, how land would be disposed for the purpose of the community benefit.
3. **Establish a budget, including allocation of funding for additional staff.** As this would be an expanded function of Trust Council, administrative and specialized land acquisition staff would need to be hired to administer acquisition, management, and disposal of properties in the Islands Trust Area for the identified community benefit. This would include liaison with regional districts and not-for-profit organizations in the Trust Area to identify appropriate locations for the community benefit. This would be a perpetual commitment for as long as Trust Council manages land.

Summary

The Islands Trust already has a community benefit land trust in the Islands Trust Conservancy. At this time, the Islands Trust Conservancy is limited to land acquisitions for conservation purposes based on a five-year plan approved by the Minister.

Trust Council has authority to purchase and dispose of land for any reason that furthers the Object of the Islands Trust. The Islands Trust Policy Statement should have clear policies in relation to the community benefit and Trust Council should establish a policy on how it would implement the Policy Statement in regard to the identified community benefit.

Regardless of the method used, acquiring, managing and disposing of land for non-conservation purposes would be a significant undertaking. If Trust Council wishes to proceed with further work on this topic, it should request a budget for Fiscal year 2021/22 to cover the cost of development of a Project Charter, a consultant to provide advice and develop options for Trust Council's consideration; and legal advice on the preferred option. Trust Council may wish to gauge the interest of the Islands Trust Conservancy in participating in this work should it decide to proceed.

ATTACHMENT(S):

1. No Attachments

FOLLOW-UP:

No further follow-up unless otherwise directed by Trust Council.

Prepared By: David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services

Reviewed By/Date: Kate Emmings, A/Manager, Islands Trust Conservancy, November 5, 2020
Lisa Wilcox, Senior Intergovernmental Policy Advisor, November 6, 2020
Russ Hotsenpiller, CAO, November 9, 2020



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020
From: Islands Trust Conservancy **Date Prepared:** November 5, 2020
SUBJECT: MOSS MOUNTAIN NAPTEP CERTIFICATE, SALT SPRING ISLAND

RECOMMENDATION: That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as “Lot 12, Sections 64, 65, 66, 67 and 68, South Salt Spring Island, Cowichan District, Plan 1914, Parcel Identifier 006-760-112” subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Islands Trust Conservancy Board currently holds ten NAPTEP covenants in the Salt Spring Island Local Trust Area. Trust Council has issued twenty-five NAPTEP tax exemptions in the Islands Trust Area to date.

1 **PURPOSE:** To seek Trust Council approval of a Natural Areas Protection Tax Exemption Certificate

2 **BACKGROUND:**

A NAPTEP application was received on September 10, 2020 to covenant approximately 45 ha (111 acres) of land on Sansum Narrows (map below) in the Salt Spring Island Local Trust Area. The property contains a mosaic of ecosystem types including mixed mature forest, steep mossy bluffs, open mixed stands of Douglas-fir, Shore Pine, and Arbutus, and herbaceous openings.

Property Information

Property Description: PID: 006-760-112, Lot 12, Sections 64, 65, 66, 67 and 68, South Salt Spring Island, Cowichan District, Plan 1914

Property size: 45.87ha (113.35 ac)

NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 **Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation:**
 - *Mature-older forest ecosystem*
 - *Terrestrial herbaceous ecosystem*
 - *Woodland Ecosystem*
- 2 **Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

The following rare plant communities have been mapped on the property):

Coastal Douglas-fir zone:

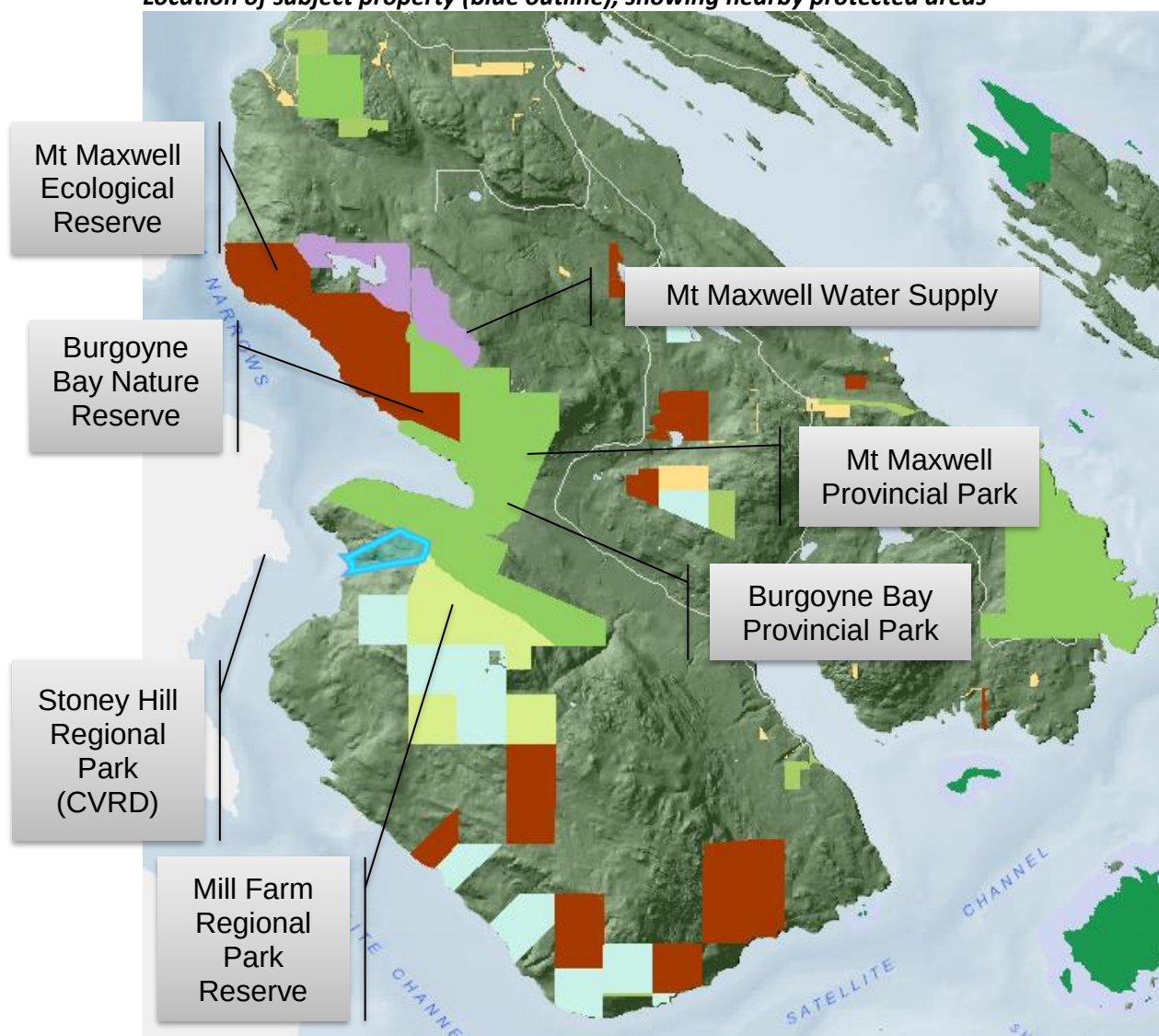
- Douglas-fir – Dull Oregon-grape (Red-listed)
- Douglas-fir – Alaska Oniongrass (Red-listed)
- Cladina – Wallace’s selaginella (Blue-listed)

Coastal Western Hemlock zone:

- Western Redcedar – Snowberry (Red-listed)
- Douglas-fir – Western Hemlock / Salal (Red-listed)
- Western Hemlock – Douglas-fir / Oregon beaked moss (Red-listed)
- Douglas-fir – Sword fern (Red-listed)
- Western Redcedar – Sword fern (Blue-listed)

The Islands Trust Conservancy Board will be reviewing the application at their November 24, 2020 meeting to consider holding the related conservation covenant for this application.

Location of subject property (blue outline), showing nearby protected areas



Shown are: Coastal Douglas-fir Management Areas (light blue); Regional Parks (light green); Conservation Covenants and ITC Nature Reserves (medium green); Provincial Parks (dark green); Community Parks (gold); Public Conservancy Land (maroon/brown); Watershed Protection Areas (mauve). Note that the map does not display several other conservation covenants, for landowner privacy reasons.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Covenant registration and issuance of the Exemption Certificate will be the responsibility of staff. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Given the high conservation priority of this property, ITC may assist with other associated costs such as survey, appraisal, and baseline costs through its current budgets or through Species at Risk funding from Environment and Climate Change Canada. Annual monitoring will be done by the Covenant Management and Outreach Specialist and the ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None. This application is consistent with Trust Council's policies regarding NAPTEP applications.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council's decision.
- The applicant will complete a baseline inventory report and a legal survey and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via a news release and the ITC website.

FIRST NATIONS: In negotiating and drafting the conservation covenant, staff will follow guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation (TRC) Calls to Action. Staff has done a desktop review of RAAD data as per guiding principles of the Archaeological Branch. The application has not been referred to First Nations. Section 35 rights related to harvesting or gathering of flora and fauna at this time has not been inventoried. ITC has not arranged a site visit, at this time, by an Indigenous Knowledge Holder (IKH) or Traditional Ecological Knowledge holder (TEK).

OTHER: The land has good potential for several rare species and staff will pursue relevant species surveys with the landowner through the new ITC Species at Risk Program, funded by Environment and Climate Change Canada.

4 RELEVANT POLICYS:

- Islands Trust Act (7.1)
- Islands Trust Natural Area Protection Tax Exemption Regulation
- [Trust Council procedure 2.1.x re: Administration of the NAPTEP program](#)

5 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation: That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as "Lot 12, Sections 64, 65, 66, 67 and 68, South Salt Spring Island, Cowichan District, Plan 1914, Parcel Identifier 006-760-112"

subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

- Alternative:**
1. To decline to issue the certificate.
 2. To delay issuance of the certificate subject to receipt of additional information.
-

Prepared By: Kathryn Martell, A/Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, A/Islands Trust Conservancy Manager / November 9, 2020
Clare Frater, Director Trust Area Services / November 10, 2020
Russ Hotsenpiller, Chief Administrative Officer / November 10, 2020
Executive Committee / November 18, 2020



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020
From: Islands Trust Conservancy **Date Prepared:** November 5, 2020
SUBJECT: LEADER NAPTEP CERTIFICATE, SALT SPRING ISLAND

RECOMMENDATION: That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as “Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974, Parcel Identifier 000-395-081” subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Islands Trust Conservancy Board currently holds ten NAPTEP covenants in the Salt Spring Island Local Trust Area. Trust Council has issued twenty-five NAPTEP tax exemptions in the Islands Trust Area to date.

1 **PURPOSE:** To seek Trust Council approval of a Natural Areas Protection Tax Exemption Certificate.

2 **BACKGROUND:**

A NAPTEP application was received on June 16, 2020 to covenant approximately 3.5 ha (8.75 acres) of land on Salt Spring Island. The property is largely forested with second-growth Douglas-fir but also contains a wetland, dug pond, seasonal creeks, and a series of small rocky knolls with terrestrial herbaceous vegetation and pockets of Garry Oak woodland.

Property Information

Property Description: PID 000-395-081, Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974

Property size: 5.02 ha (12.4 ac); proposed protected area size: 3.54 ha (8.75ac)

NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

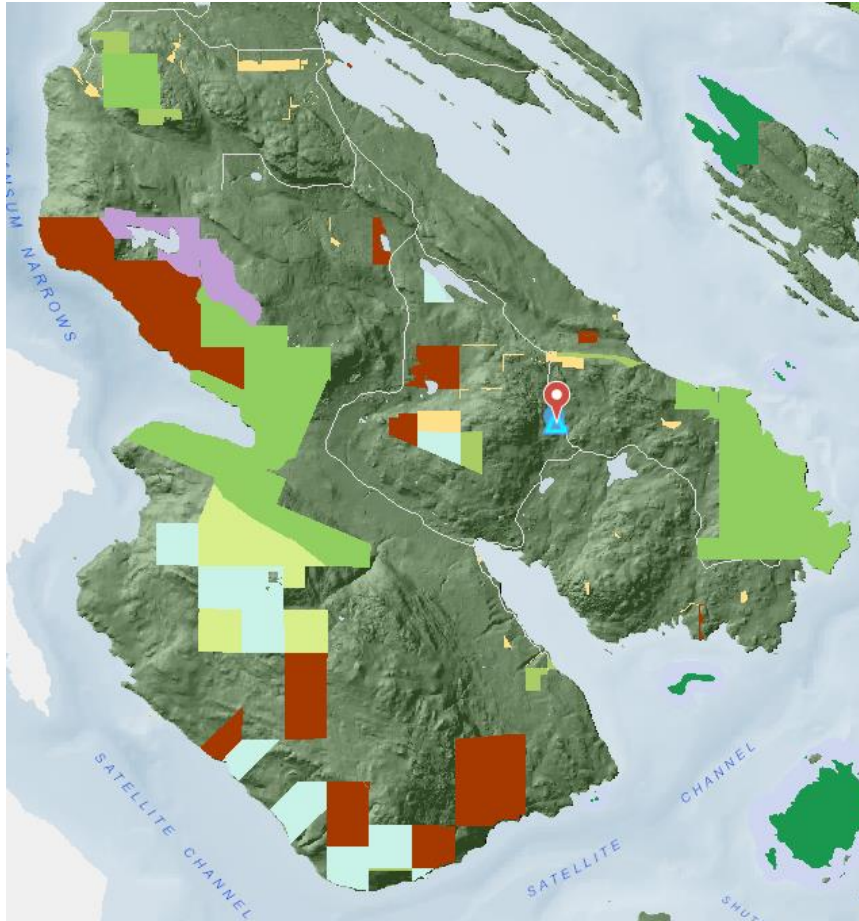
- 1 **Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation:**
 - *Wetland ecosystem:* the property contains both a small wetland and a dug pond, both providing important wetland habitat, as well as several seasonal creeks
 - *Terrestrial herbaceous ecosystem:* there are rocky knolls with small pockets of terrestrial herbaceous ecosystems
 - *Woodland Ecosystem:* there are several small Garry Oak woodland areas

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities
- 3 The following rare plant communities have been mapped on the property (in the Terrestrial Ecosystem Mapping project for the Coastal Douglas-fir zone [2009, and 2017 updates]):
 - Douglas-fir – Dull Oregon-grape (Red-listed)

The Islands Trust Conservancy Board will review the application at their November 24, 2020 meeting to consider holding the related conservation covenant for this application.

Subject Property (blue outline) and nearby Protected Areas.



Shown are: Coastal Douglas-fir Management Areas (light blue); Regional Parks (light green); Conservation Covenants and ITC Nature Reserves (medium green); Provincial Parks (dark green); Community Parks (gold); Public Conservancy Land (maroon/brown); Watershed Protection Areas (mauve). Note that the map does not display several other conservation covenants, for landowner privacy reasons.

4 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Covenant registration and issuance of the Exemption Certificate will be the responsibility of ITC staff. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. There are no anticipated survey costs and the baseline inventory has been undertaken by the landowner. Annual monitoring will be done by the Covenant Management and

Outreach Specialist and the ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None. This application is consistent with Trust Council's policies regarding NAPTEP applications.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council's decision.
- The applicant will complete a baseline inventory report and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via a news release and the ITC website.

FIRST NATIONS: In negotiating and drafting the conservation covenant, staff will follow guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation (TRC) Calls to Action. Staff has done a desktop review of RAAD data as per guiding principles of the Archaeological Branch. The application has not been referred to First Nations. Section 35 rights related to harvesting or gathering of flora and fauna at this time has not been inventoried. ITC has not arranged a site visit, at this time, by an Indigenous Knowledge Holder (IKH) or Traditional Ecological Knowledge holder (TEK).

OTHER: The Salt Spring Island Local Trust Committee was informed about the Leader NAPTEP covenant application via email dated November 9, 2020 and will receive a briefing for their December 10, 2020 meeting following the Trust Council decision.

5 RELEVANT POLICYS:

- Islands Trust Act (7.1)
- Islands Trust Natural Area Protection Tax Exemption Regulation
- [Trust Council procedure 2.1.x re: Administration of the NAPTEP program](#)

6 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation: That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as "Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974, Parcel Identifier 000-395-081" subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

Alternative: 1. To decline to issue the certificate.
2. To delay issuance of the certificate subject to receipt of additional information.

Prepared By: Kathryn Martell, A/Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, A/Islands Trust Conservancy Manager / November 9, 2020
Clare Frater, Director Trust Area Services / November 10, 2020
Russ Hotsenpiller, Chief Administrative Officer / November 10, 2020
Executive Committee / November 18, 2020



December 2, 2020
Islands Trust Council
10:15 a.m.

Title: Best Practises for Governance – Staff Relations

Background: Executive Committee has requested that a learning session be scheduled for December Trust Council that focuses upon best practises in local governance in working with staff. The session will review standards within the industry, review some key principles that were part of the orientation sessions in 2018 and, provide for some questions and answers on some specific examples.

To this end, Kevin Ramsay from Innova Strategy Group has been contracted to lead the session. Mr. Ramsay is an experienced local government practitioner having been a senior administrator with the City of Vancouver, and CAO of Squamish and Port Moody. He specializes in strategic planning, performance management and, organizational development.

Purpose: To ensure good working relationships exist between trustees and staff and to seek clarity on appropriate roles and responsibilities.

Resources: Russ Hotsenpiller, Chief Administrative Officer (CAO)

TIME	TOPIC	WHO
10:15	Best practises in Governance Staff Relations	Kevin Ramsay, Principal, Innova Strategies

INNOVA STRATEGY GROUP

Bio - Kevin Ramsay, AScT, RTMgr

With the City of Surrey, District of West Vancouver, City of Vancouver, District of Squamish and City of Port Moody, Kevin held a total of 19 different local government positions including Superintendent, Manager of Safety & Training, Manager of Waterworks, Manager of Streets, Manager of Sanitation, Director of Emergency Management, General Manager of Human Resources, Chief Administrative Officer, and City Manager. In 2016, after 34 years in local government, Kevin retired from the City of Port Moody and incorporated the Innova Strategy Group.

Kevin excels in leading-edge performance enhancement, maximizing leadership capacity, organizational strategy, and core service reviews in government. Much of his success is related to restructuring supervisory/management groups and team building, with an ongoing focus on leadership values. In addition, high level strategy development and governance reviews has focussed on developing organizational direction, ensuring long-term success.

He has provided keynote addresses, seminars, curriculum training, and one-on-one mentoring on leadership, change management, governance, and core service reviews. Kevin has been fortunate to have had the opportunity to present, instruct, and mentor his leadership values throughout the world.

Kevin's leadership has also encompassed a number of related organizations as he currently sits, or has sat, as president, chair, and/or director for the BC Water & Waste Association, Canadian Water & Waste Association, BC Environmental Operators Certification Program, American Waterworks Association, Water Environment Federation, Applied Science Technologists & Technicians of BC, Canadian Council for Human Resources in the Environmental Industry, BC One Call, the Public Works Association of BC, the Pacific National Exhibition, the Pacific Northwest Preparedness Society, and recently finished an appointment as Vice-Chair of WorkSafeBC.

As Principal of Innova, Kevin leads the most qualified industry experts in providing value-added services to local government organizations. ISG employees and associates are dedicated to providing value, quality and strong leadership to the industry, while staying connected to the latest technologies and trends.

Top Priorities Report

Regional Planning Committee

1. Application Processing Services Update

CURRENT: Consideration of Trust Council feedback by RPC

PLANNED: Final policy and fees bylaw to RPC in /span>, and to Trust Council in March, 2021

Responsible

Narrisa Chadwick

Dates

Rec'd: 22-Aug-2019

Target: 10-Feb-2021

2. Manage Trust Council Strategic Plan Action Items

Strategic Plan item #6 - Shoreline Review - David Marlor

David Marlor

Rec'd: 29-Jul-2020

Strategic Plan item #7 - Freshwater Sustainability Strategy - Narrisa Chadwick and William Shulba

Narrisa Chadwick

Target: 10-Feb-2021

William Shulba

Strategic Plan item #8 - Groundwater Mapping - William Shulba

Strategic Plan item #16 - Using Floor Area Ratio for Affordable housing - David Marlor



Projects Report

Regional Planning Committee

1. *Shoreline Marine Planning*

Responsible

Date Received

Trust Council - 2015-2018 Strategic Plan Item

09-Nov-2017

Conduct a working group session to brainstorm possible directions.

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

Responsible

Date Received

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

12-Feb-2020

2. Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area (2018-2022 Strategic Plan item 2).

3. *Preserve and protect marine ecosystems*

Responsible

Date Received

1. Map the extent of eelgrass and kelp beds throughout the Trust Area (2018-2022 Strategic Plan item 5).

12-Feb-2020

2. Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore (2018-2022 Strategic Plan item 6).

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

Responsible

Date Received

Projects Report

Regional Planning Committee

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 8)
2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 9).

12-Feb-2020

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

Responsible

Date Received

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

12-Feb-2020

1. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 16).
2. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 16).
3. Develop model bylaws to address the use of building stratas as a tool for affordable housing (2018-2022 Strategic Plan item 16).

6. *Mitigate and adapt to climate change impacts*

Responsible

Date Received

1. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater. (2018-2022 Strategic Plan item 11).

12-Feb-2020

General Comments

Contaminated Sites Regulation

Effective February 1, 2020, the Contaminated Sites regulation has been amended so that there is a consistent approach to dealing with contaminated sites throughout British Columbia. This means that local governments that originally opted out of the program can no longer opt out. All local trust committees opted out.

When the Contaminated Sites Regulation was first introduced under the Environmental Management Act in 1996, it required local governments to administer a site profile system in regards to contaminated sites. Local governments raised concerns about liability and cost of administering such a program. In response, the Province included an option in the transitional section of the regulation to allow local governments to opt out by resolution.

The amendments to the contaminated sites regulation end the opt-out ability of local governments. Under the new regulations, all local governments in British Columbia must:

- Take in a Ministry of Environment and Climate Change Strategy site identification form filled out by the applicant with rezoning and development permit applications involving properties that may have in the past or are planning to in the future include commercial or industrial activities that are listed in Schedule 2 of the Contaminated Sites Regulation;
- Forward that form to the Ministry of Environment and Climate Change Strategy ;
- Wait for a response from the Ministry of Environment and Climate Change Strategy prior to issuing the permit or approval. Potential responses from the Ministry of Environment and Climate Change Strategy include:
 - Certificate of Compliance – issued by the Ministry of Environment and Climate Change Strategy when a contaminated site has been cleaned up and the property meets the residential use standards;
 - Approval in Principle - of a remediation plan; issued when a property owner knows and has a plan (remediation must happen within 5 years)
 - Determination - that the site is not contaminated
 - Release – special approval from the Director of the Ministry of Environment and Climate Change Strategy that would allow remediation to occur during construction.

Local Planning Services Renewal

As of November 30, 2020 Local Planning Services has reorganised into a Regional Planning Team (RPT) that is focussed on proactive policy planning for all local trust committees and the Regional Planning Committee, and a Local Planning Team (LPT) that is focused on current application processing and local trust committee administration. There are initially three planners assigned to the RPT and 11 (including the new Planning Technician position) assigned to the LPT. Initially the RPT planners will bring over projects with them that are mid-stream, begin work on Gambier OCP Review, and continue to work with the Director and the RPC on development of Trust Council policy on criteria and framework for strategic approach to reviewing all 20 official community plans and land use bylaws.

As part of the transition, the LPT is working on reviewing the processes for application processing, and revising how we assign and deliver on applications. This will address continued need to provide support and planner

presence at local trust committee meetings, and look for opportunities to assign the same planner to similar issues on different islands, in the interest of reducing planner time taken by current planning and freeing additional time to undertake proactive planning.

Policy Planning

Policy planning includes all of the proactive planning work being undertaken by the local trust committees and Regional Planning Committee.

The Regional Planning Committee has the following work items underway:

1. Strategic Plan Item 6 – Shoreline Review – contract development underway
2. Strategic Plan Item 7 – Freshwater Sustainability Strategy – contract signed.
3. Strategic Plan Item 8 – Groundwater Recharge Mapping – contract development underway
4. Strategic Plan Item 16 – Using Flor area Ration for affordable housing – contract development underway

In addition, the Regional Planning Committee is completing a review and making recommendations on a model fee bylaw, along with recommended amendments to Trust Council policy on application processing.

Throughout the 13 local trust committees, there are 42 top priorities. These are listed in detail on the Top Priorities Chart in the Trust Council Agenda.

Current Planning

Current planning includes processing of all of the applications and referrals received by local trust committees. Since August 26, 2020, to the date of this report, we have received 112 new applications, 77 of which are building permits, Crown land or other such referrals. Staff received two new rezoning application, four development variance permit applications, 11 development permit applications, 10 Temporary Use Permit applications, five subdivision applications, one Board of Variance application, one soil deposit and removal application, and one Agricultural Land Reserve application.

In total, including applications opened prior to March 1, 2020, there are 169 open applications, the same as reported to Trust Council in September 2020.

Senior Freshwater Specialist

Freshwater Sustainability Strategy – Strategic Plan Item 7

A contract has been signed with ECONICs to deliver the first part of Stage 1 of the Freshwater Strategy project by March 31, 2021. The remaining portion of stage 1 (case studies, options and recommendations) is subject to Trust council approval of funding in Fiscal Year 2021/22.

The proposed stages of the project are:



Groundwater Recharge Mapping Project – Strategic Plan Item 8

The Islands Trust Area Groundwater Recharge Mapping Project is a multi-year project. The main objective of this project is to determine groundwater recharge potential across the Islands Trust Area for the purposes of aquifer protection and groundwater availability assessment for sustainable long-term resource management.

Preliminary mapping is complete and has been reviewed for the Southern islands (Mayne, North Pender, South Pender, Galiano and Saturna) and preliminary results were presented to the Regional Planning Committee. The Committee determined that mapping should proceed on Denman, Hornby and Gabriola islands and asked staff to provide report to describe the potential uses of the mapping. That report is intended to be presented to the

Regional Planning Committee at its February 2021 meeting. A contract is in development to undertake groundwater recharge mapping on Denman, Hornby and Gabriola islands this fiscal year. This project is led by the Regional Planning Committee.

Salt Water Intrusion Mapping

The Senior Freshwater Specialist is a project team member working with the Ministry of Environment and Climate Change Strategy and Ministry of Forest, Lands, Natural Resource Operations and Rural Development (FLNRORD) to determine salt water intrusion risk to groundwater resources in the Islands Trust Area and the surrounding coast to Haida Gwaii. The second year of the program is underway, with deliverables expected by the end of FY20/21.

Land Use Planning Support

The Senior Freshwater Specialist continues to support the work of Local Planning Services by responding to land-use planning applications requiring water authorizations, re-zoning applications with considerations of watershed ecosystems, and providing a freshwater lens on other policy driven local trust committee projects.



December 2, 2020
Islands Trust Council

Local Planning Services Renewal

Background: In 2018, Staff undertook a review of the delivery of planning services to address lack of planning time for proactive planning work. From that, Staff is making several changes to service delivery.

Purpose: To update Trust Council on the implementation of the Local Planning Services Renewal

Resources: David Marlor, Director, Local planning Services

TIME	TOPIC	WHO
10 min	LPS Renewal Implementation Presentation	David Marlor
5 min	Questions and Answers	David Marlor

To: Trust Council **For the Meeting of:** December 2, 2020

From: David Marlor, Director, Local Planning Services **Date Prepared:** November 5, 2020

SUBJECT: Cost of Local Trust Committee Application and Referral Processing

PURPOSE:

The purpose of this briefing is to provide an update to Trust Council on costs of processing local trust committee land use applications.

BACKGROUND:

At its regular meeting in March 2020, Trust Council passed the following resolution:

TC-2020-011

It was Moved Trustee Morrison and Seconded by Trustee Brent,

That Trust Council request the Financial Planning Committee provide a report detailing the full staff costs associated with processing land-use applications, by application type.

At its regular meeting in June 2020, Trust Council passed the following resolution:

TC-2020-056

It was Moved by Trustee Morrison and Seconded by Trustee Wright,

That Trust Council request staff to implement a system of tracking and collecting all local planning service staff hours associated with processing individual applications, beginning as soon as possible, for a three-month period to inform the discussion in regards to the review of application fees.

Historical Collection of Staff Time

Prior to June 29, 2020, Local Planning Services (LPS) staff recorded their time information on a high-level basis, broken out into three broad categories for each local trust committee (LTC) and Trust Council (TC).

Staff record time under the following categories:

- Current planning
 - o LPS Planner Current Planning
- Policy planning
 - o LPS Planner Projects
 - o LPS Project (specific name)
- Local Trust Committee Administration
 - o LPS admin Staff
 - o LS Planner Administration

In addition, there is a 'General Leave' category for any time of leave; 'LPS Region Management' used exclusively by the regional planning managers for non-file specific management activities; and 'Bylaw Enforcement' used exclusively by the bylaw enforcement officers.

The collection of time at this high-level was deemed appropriate by the former Director, Administrative Services and Director, Local Planning Services given that the intent of the time collection was to assist regional planning managers in balancing workload/staff resources between local trust committees, and generally between current and policy planning. The time collection information was also used annually by finance staff to as a basis for allocation of annual financial operations by LTA in the allocated financial statements. The high-level breakdown provided by these categories was useable for this exercise.

Audited Applications – Time Collection

Local Planning Committee began work on a model fees bylaw in August 2019. An understanding of the cost of processing applications was required in order to facilitate conversation around this work. To this end, on November 1, 2019 LPS staff began tracking their time worked on select applications. This was undertaken so that over the period of time, a better understanding of actual costs for application processing could be obtained that included staff efforts.

All Applications – Time collection

As of June 29, 2020 Local Planning Services staff have been recording their time spent working on all applications as per the request of Trust Council (*Resolution TC-2020-056* above). Currently, there are 305 active applications with staff time recorded against them. Of these, 105 were opened before June 29, 2020; therefore hours recorded against these files would not reflect the actual cost of processing. Seventeen of these files were being tracked and have concluded as of October 31, 2020, and have been included in the table below. There are 74 files that were opened since June 29, 2020 that are still open and staff continue to collect time spent on these files.

Table 1 includes the hours recorded against the application and referral files that were processed since June 29, 2020, including the 17 that were audited prior to that and closed during the time:

Table 1: Applications Time tracking by Type (June 29 to October 31, 2020)				
Application (App) Type	Number of Applications completed	Total Staff hours recorded	Estimated average Staff cost to process¹	Total Apps Opened FY 2019/20
ALR ²	1	1.5	\$85	8
Building Permit ³	78	137	\$95	255
Crown Land Referral ⁴	4	10	\$140	27
Development Permit	9	146	\$895	30
Development Variance permit ⁵	15	97	\$380	35
Liquor and Cannabis Referral	0	0	0	4
Rezoning	3	179	\$3,275	9
Subdivision Referral	3	21	\$385	17
Siting and Use Permit	8	37	\$255	28
Temporary Use Permit ⁶	5	101	\$1,115	31
TOTALS	126	729.5	-	444

¹ Using an average of \$55 per hour – this will vary depending on which staff are working on the file.

² ALC Act sets the fee at \$750.

³ No fee is charged – no legislation to charge fees

⁴ No fee is charged – no legislation to charge fees

⁵ Does not include statutory advertising costs

⁶ Does not include statutory advertising costs

Of the above, the same of building permits and siting and use permits is large enough to be considered representative of the average costs for processing those types of applications and referrals. The same is too small to be considered a good estimate of average and more data is required before we can begin to draw conclusions on the average costs of processing those applications. Rezoning applications in particular, due to their nature, can vary a lot.

The hours collected were during the 2020 COVID-19 pandemic and as a result less travel and travel time would likely have been experience in processing applications. While site visits restarted in June 2020, meetings with applicants, stakeholders and the local trust committees were mostly handled through electronic means. Therefore, this should be considered when assessing the data for establishing fees post-pandemic.

Based on the information provided in Table 1, our best estimates for the average cost of processing each type of application is in Table 2.

Table 2: Estimated Average Cost to process applications by type (June 29 to October 31, 2020)				
Application (App) Type	Average Staff Cost	Other Costs	Total Average Costs	Sample Size
ALR ⁷	\$85	None	\$85	1
Building Permit ⁸	\$95	None	\$95	78
Crown Land Referral ⁹	\$140	None	\$140	4
Development Permit	\$895	None	\$895	9
Development Variance permit ¹⁰	\$380	\$100 ¹¹	\$480	15
Rezoning	\$3275	\$2500 ¹²	\$5775	3
Subdivision Referral	\$385	None	\$385	3
Siting and Use Permit	\$255	None	\$255	8
Temporary Use Permit ¹³	\$1115	\$500 ¹⁴	\$1615	5

The above data represents data collection over four full months (July, August September and October of 2020). The highlighted lines indicate where the data sample means that that the average costs may not be representative.

Rezoning

To understand better the cost of processing rezoning applications, Staff reviewed applications received between January 1, 2015 and December 31, 2019 that were closed as of October 2020.

Between January 1, 2015 and December 31, 2019 we have received 31 rezoning application in which the local trust committees had made a decision before the date of this report (that is, decided to adopt a bylaw or deny the

⁷ ALC Act sets the fee at \$750.

⁸ No fee is charged – no legislation to charge fees

⁹ No fee is charged – no legislation to charge fees

¹⁰ Does not include statutory advertising costs

¹¹ Using Canada Post at \$1 per delivery, varies on situation and location

¹² Advertising, hall rental for one community information meeting and one public hearing for an average bylaw (size of advertisement will affect cost of the advertisement)

¹³ Does not include statutory advertising costs

¹⁴ Average cost of one advertisement in the Driftwood, actual will vary by application and publication used.

application). Of those for which the local trust committee adopted bylaws, the duration from application to bylaw adoption ranges from six months to just short of three years. The average duration is 20 months. Of those the local trust committees denied the application, the duration from application to decision ranges from just over two and a half months to just over one year. The average duration is five months.

Table 3: Rezoning – Processing duration where local trust committee made a decision.				
Rezoning received after Jan 1, 2015 and closed before October 2020				
Decision	Shortest Duration Days (months)	Average Duration Days (months)	Longest Duration Days (months)	
Bylaw Adopted	182 (6)	600 (20)	1069 (35)	
Proceed No Further	73 (2.5)	158 (5)	387 (13)	

The three rezoning applications in Table 1, for which time was tracked took 473 days, 646 days and 850 days from application to adoption of the bylaws. This provides an average of 656 days to process, or 21 months. These three applications took about the average time to process in comparison to the rezoning applications reviewed in Table 3.

The hours recorded in Table 1 and 2 for staff time does not include consultant time. Consultants were brought in to assist during a staff shortage. From invoices, the consultants spent about 250 hours on each of two rezoning applications. Therefore, the actual cost of processing those applications is significantly higher than as shown in Table 2. With the consultants the average cost for these three applications raises to \$12,440.

Subdivision and Agricultural Land Reserve (ALR) Applications

The other two types of applications where the data sample is low are subdivisions and ALR applications. Subdivision applications are not closed until the Provincial Approving Officer signs off on the subdivision plan. As such, subdivision applications remain open for years.

The Agricultural land Commission sets the fee for ALR applications; this is currently set at \$750.

ATTACHMENT(S):

1. None

FOLLOW-UP:

Staff will continue to collect planner hours for each type of application. This information will also be utilized by management to assist with the Local Planning Services renewal and managing current application processing.

If FPC wishes for costing information to be applied to the current dataset for presentation to Trust Council in December 2020, Staff will complete this work and prepare a report for December 2020 Trust Council. In the absence of this direction, Staff will continue to collect data on planner hours by application. This information will be presented to the Regional Planning Committee as part of its work in recommending a model application fee structure. A further report with seven months of date (June 29 to January 31, 2021) would be provided to FPC in advance of March 2021 Trust Council.

Prepared By: David Marlor, Director, Local Planning Services
Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020
From: Executive Committee **Date Prepared:** November 12, 2020
SUBJECT: Amendment to Strategic Plan for Heritage Preservation Overlay Mapping

RECOMMENDATION: That Trust Council amend the 2018-2022 Strategic Plan by adding new strategy “19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites.”

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Adding this to the Strategic Plan would support the allocation of funding in Fiscal Year 2021/22 to undertake this work, and further Trust Council’s Reconciliation Declaration.

PURPOSE:

To amend the Strategic Plan to recognize the importance of preserving and protecting the heritage in the Islands Trust Area.

BACKGROUND:

The Executive Committee passed the following resolutions on September 30, 2020:

EC-2020-117

It was Moved and Seconded,

That the Executive Committee request staff to draft an amendment to the Strategic Plan regarding development of heritage overlay mapping and development of model bylaws.

EC-2020-118

It was Moved and Seconded,

That the Executive Committee recommend that the Financial Planning Committee include \$30,000 in the Fiscal Year 2021/22 for the development of heritage overlay mapping and development of model bylaws (pending Executive Committee approval of a business case and adoption of a Strategic Plan amendment).

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

This will add one additional item to the 2018-2022 Strategic Plan under the reconciliation heading.

FINANCIAL:

Adding this item to the Strategic Plan will not have a financial impact; however, a proposal of \$30,000 has also been submitted to the Financial Planning Committee for FY2021/22 to undertake this work.

POLICY:

The recommendation will support Trust Council's Policy 6.1.1 First Nations Engagement Principles, the TRC Calls to Action, UNDRIP, and the MMIWG Calls for Justice. The recommendation will also support existing legislation under the Heritage Conservation Act, and Local Government Act.

IMPLEMENTATION/COMMUNICATIONS:

If approved, the 2018-2020 Strategic Plan will be updated and added to the Islands Trust website.

FIRST NATIONS:

The Islands Trust would like to undertake engagement with First Nation governments in the Islands Trust Area on how best to preserve and protect heritage sites and cultural heritage. The Islands Trust is currently guided by the principles outlined in the TRC Calls to Action, UNDRIP, and the MMIWG Calls for Justice. In collaboration with First Nations, Archaeological Branch, and other agencies, Islands Trust will seek to ensure initiatives such as the Heritage Preservation Overlay mapping informs the work and decisions we do. Working closely with First Nations to create greater understanding of heritage sites and cultural heritage preservation and protection is vital to preservation of this history.

OTHER:

No other implications identified.

RELEVANT POLICY(S):

Policy 6.1.1 First Nations Engagement Principles.

ATTACHMENT(S):

No attachments.

RESPONSE OPTIONS**Recommendation:**

That Trust Council amend the 2018-2022 Strategic Plan by adding new strategy "19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage preservation permit bylaws for protection of potential heritage and cultural sites."

Alternative:

- That Trust Council not amend the 2018-2020 Strategic Plan to add a new strategy to develop heritage preservation overlay mapping for the Trust Area and model heritage preservation permit bylaws for protection of potential heritage and cultural sites.
- Request staff review and provide further information.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Advisor/Nov 12, 2020
CAO/November 12, 2020

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020

From: David Marlor, Director of Regional Planning Services **Date Prepared:** November 10, 2020

SUBJECT: Gabriola Island Local Trust Committee UBCM Active Transportation Planning Grant application.

RECOMMENDATION: That Trust council supports the Gabriola Island Local Trust Committee UBCM Active Transportation Planning Grant application.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Trust Council support is required by UBCM in order to consider the project. While not directly addressed in the Strategic Plan, the development of active transportation with involvement of First Nations connecting the ferry to the village on Gabriola will further Trust Council's climate change emergency and reconciliation declarations.

1 PURPOSE: To gain Trust Council support for the Gabriola Island Local Trust Committee Union of British Columbia Municipalities (UBCM) Active Transportation Planning Grant application

2 BACKGROUND:

At its October 22, 2020 meeting, the Gabriola Local Trust Committee unanimously passed this motion:

That the Local Trust Committee supports the Ferry to Village Project and UBCM grant for an active transportation plan for all ages and abilities.

At its October 27, 2020 meeting, the Regional District of Nanaimo passed this motion, sponsored by Electoral Area B Director Vanessa Craig:

That subject to UBCM approval, \$5,000 in Electoral Area B Community Works Funds be provided to the Gabriola Island Local Trust Committee to initiate planning of an active transportation connector between the Village Way Path and ferry terminal on Gabriola Island if the Gabriola Island Local Trust Committee receives an Active Transportation Planning Grant through the Active Transportation Planning program.

A grant application has been submitted to UBCM who require a resolution from Trust Council for the application to proceed.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

The Local Trust Committee will lead the project in the role of land use planning, and make this item a priority of the Local Trust Committee.

FINANCIAL:

Funding provided from UBCM and the Regional District will cover cost of consultants. The LTC will provide management of the contract (planning staff) in-kind. No additional financial implications identified.

POLICY:

No implications on policy.

IMPLEMENTATION/COMMUNICATIONS:

Staff will advise UBCM and the Regional District of Nanaimo of the decision of Trust Council.

FIRST NATIONS:

The application provides funding to work closely and engage with Snuneymuxw First Nation. As well, the grant supports the MMIWG Calls for Justice related to road safety and infrastructure. ¹

OTHER:

No other implications.

4 RELEVANT POLICY(S):

n/a

5 ATTACHMENT(S): Active Transportation Planning Grant Application submitted to UBCM on behalf of the Gabriola Local Trust Committee.

RESPONSE OPTIONS**Recommendation:**

That Island Trust Council supports the Gabriola Island Local Trust Committee Ferry to Village Project and application for a UBCM grant for an active transportation plan for all ages and abilities.

Alternative: That Island Trust Council does not pass the resolution and the project becomes ineligible for Active Transportation Planning funding.

Prepared By: David Marlor, Director of Regional Planning Services

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Advisor
CAO November 12, 2020

¹ MMIWG Calls for Justice 4.8 We call upon all governments to ensure that adequate plans and funding are put into place for safe and affordable transit and transportation services and infrastructure for Indigenous women, girls, and 2SLGBTQQIA people living in remote or rural communities.

Active Transportation Planning

2020 Application Form

Please complete and return the application form by October 30, 2020. All questions are required to be answered by typing directly in this form. If you have any questions, contact lgps@ubcm.ca or (250) 356-5193.

SECTION 1: Applicant Information	AP- (for administrative use only)
Name of Local Government: Gabriola Island Local Trust Committee / Islands Trust	Complete Mailing Address: Islands Trust Northern Office, 700 N Rd, Gabriola, BC V0R 1X3
Contact Person: Mike Richards	Position: Grants Program Manager
Phone: (250) 247-2063	E-mail: mrichards@islandstrust.bc.ca

*Contact person must be an authorized representative of the applicant (i.e. staff or elected official)

SECTION 2: Eligibility Requirements

1. Please review the requirements below and provide the requested information.
 - A. Have a population of up to 25,000 (based on 2016 Census data). Note: regional districts can apply for one or more electoral areas with a combined population of up to 25,000 in a single application.
2016 population for local government or electoral area(s): 4033
 - B. Do not have an active transportation plan or a plan over 5 years old.
Date of current plan: No current Active Transportation plan
 - C. Are currently or will be undertaking a community land use and/or transportation plan to which an active transportation lens will be included.
What plan(s) is being developed: Gabriola Official Community Plan, Cycle Route Plan: BC Ferries Terminal to Gabriola Village Connectors
 - D. Have not received a network planning grant from the Ministry of Transportation and Infrastructure's Active Transportation Infrastructure Grant program: Yes, no previous grant.

SECTION 3: Project Information

1. Project Information

Project Title: Cycle Route Plan: BC Ferries Terminal to Gabriola Village Connectors

- A. *Proposed start and end dates.* Start: Dec 2020 End: Aug 2021
- B. *Total proposed project budget:* \$17,500.00
- C. *Total proposed grant request (maximum \$10,000):* \$10,000.00
- D. *Have you applied for, or received, funding for this plan/assessment from any other sources?:*
Gabriola Chamber of Commerce: **\$2,500**; Regional District of Nanaimo (pledged Community Works Funds): **\$5,000**

1. Proposed Activities. *Please describe the specific activities you plan to undertake. Refer to Sections 3 and 4 of the Program & Application Guide and specifically describe how the proposed activities will increase options for active transportation and encourage more people to use active transportation.*

This project is to develop a plan that will enable safe active transportation for people of all ages, abilities between two vital convergence sites on Gabriola Island, home and territory to Snuneymuxw First Nation since time immemorial.

The proposed traffic-separated pedestrian and cycling connection will increase safe active transportation options between the BC Ferries Terminal and the island's soon-to-be completed Village Way path, and the commercial centre of Gabriola island, respecting and recognizing these sites' importance for and with Snuneymuxw First Nation.

Now under construction by the Regional District of Nanaimo, on a leased Ministry of Transportation right of way, the Village Way path is a mobility-friendly corridor that extends through the village/commercial core, connecting the elementary school, seniors residences, and nearby neighbourhoods as well as three well-used parks.

The intent of this plan is to identify new connectors to the ferry, thus providing safe options for people walking and using mobility aids and for people riding bikes to move between the ferry terminal, the village core, and to all points beyond. It will also provide the Gabriola Local Trust Committee a plan to incorporate into its Official Community Plan.

Consultant services will be retained by the project lead and will liaise with potential partners and decision makers including Snuneymuxw First Nation, the Regional District of Nanaimo (Electoral Area B), the Ministry of Transportation and Infrastructure Nanaimo Region, and BC Ferries. The RDN and MoTI are critical stakeholders in this planning exercise due to the distribution of authority to plan and implement transportation projects on Gabriola Island, which is an electoral area of the RDN.

The consultant will undertake these activities: (1) conduct an active transportation (pedestrian & cycling) assessment of the connection options between the Gabriola Ferry Terminal, the Village Way path, and existing trail connections; (2) develop a consensus among the key plan partners on the challenges and opportunities; (3) develop consensus on the functional objectives and scope of the active transportation connections; (4) consult with community stakeholders to include input on challenges and opportunities; (5) develop "next steps" that will guide the subsequent design of the pathway connection in a manner that respects and recognizes Snuneymuxw First Nation, and in a manner that meets MOTI construction standards and the

guidelines set forth in the BC Active Transportation Design Guide; and (6) prepare a final report to document all the findings and recommendations.

1. Program Intent & Objectives. *How will the proposed activities meet the intent of the 2020 Active Transportation Planning program? Refer to Section 6: Review of Applications.*

The intent of this planning project is to find safe and common ground between levels of government and communities to address safety issues that are limiting options for people moving between the ferry terminal, the village, and other points on the island.

The planning project seeks to alleviate an unsafe and stressful experience for residents and visitors who walk, use mobility aids, and ride bicycles. Currently there are no marked crosswalks or adequate signage directing pedestrian traffic in the terminal area, nor are there active transportation lanes or buffers along North Road where people walking and people riding bikes travel to the Village with their backs to oncoming vehicles unloading from the ferry. Visibility at these much-travelled convergence points is particularly difficult at night and in the winter season.

In addition, please describe how the proposed activities will support the following:

- A. *Consider connections to community amenities, affordable housing, senior's housing, schools and other key community institutions:* The proposed traffic-separated pathway would connect the Gabriola Ferry Terminal to the commercial core and village centre of Gabriola where there are two seniors residences, the elementary school, the medical clinic, library, the weekly Farmers' Market, People For a Healthy Community, and the Commons. The latter two locations house the Gabriola Food Bank, and programs to reduce social isolation among seniors and vulnerable islanders.
- B. *Reduce greenhouse gas emissions through active transportation options (in alignment with Community Charter (Part 14, Sec 473 sub 3) GHG emission targets):* The Gabriola ferry (Route 19) operates 15 round trips to Nanaimo daily and generates a significant volume of traffic throughout the year. BC Ferries reports an average of 2266 daily passengers, of whom some 24% are walk-ons. Long vehicle lineups along Taylor Bay Road are a daily occurrence, and vehicle overloads are common. As a result, a growing percentage of islanders and visitors choose to bike or walk to the Gabriola ferry terminal to board the ferry. More people would consider walking or cycling to and from the Gabriola ferry if there were facilities and infrastructure that felt safe from vehicle traffic, thereby reducing transportation-related greenhouse gas emissions that account for roughly 80 per cent of the island's total.
- C. *Consider equity, accessibility and people of all ages and abilities in active transportation planning:* The planning work would incorporate the Ministry of Transportation and Infrastructure BC Active Transportation Design Guide, with an emphasis on rural design standards and accessible options for people using mobility aids. Snuneymuxw First Nation has been invited to take part in the project during meetings between representatives of the Nation and elected Trustees. Consultation will include community organizations representing seniors, youth, and adults.

- 1. Community Consultation & Public Engagement.** *List all confirmed partners (e.g. school districts, First Nations or Indigenous organizations, community organizations, and other local governments) that will directly participate in the proposed planning activities and the specific role they will play.*

The Gabriola Local Trust Committee (LTC) will sponsor the work and administer the grant as a contribution in kind. Due to the division of responsibility for land-use planning, transportation planning, and operations, this project could proceed with a project committee comprised of representatives from the various government authorities involved: Gabriola Local Trust Committee, the Snuneymuxw First Nation, the Regional District of Nanaimo, and regional staff with the Ministry of Transportation and Infrastructure. Among the local community organizations and stakeholders that would be consulted in developing this plan are the Gabriola RCMP detachment, the Gabriola Ferry Advisory Committee, Sustainable Gabriola, Island Futures, Gabriola Elementary School Parent Advisory Committee, and People for a Healthy Community. Their role will be to advise the project consultant on ideas pertaining to the proposed safe pathway between the BC Ferries Gabriola Terminal and the intersection of North & South Road (Village Way Path).

- 1. Evaluation.** *How will the project be evaluated (performance measures and/or benchmarks be used to measure outcomes)? How will this information be used?*

This project's success will be measured by the approvals processes necessary to move from the planning stages to infrastructure design and construction. Future benchmarks will be increased use of the safe connectors, thereby reducing the number of vehicle trips on and off the ferry and the system stress caused by vehicle overloads. Combined with safety enhancements taking place in the City of Nanaimo, this could increase regional options for safe and active transportation.

All of these decision-making processes will be enhanced by community consultation about the use, form and character of these safe connectors and sites, and increased understanding of what it means to respect and recognize this unique place with and for Snuneymuxw First Nation. This planning will be used to help this island community and others identify safe, inclusive, climate-friendly solutions by working together to find common ground.

1. Additional Information. Please share any other information you think may help support your submission.

Map / illustration of the proposed scope of this plan attached.

The Islands Trust Policy Statement (Directive Policies 5.3.7 and 5.3.9) and the Gabriola Official Community Plan support this project as described in the excerpt from the Gabriola OCP below:

Gabriola OCP (BylawNo166):

"Section 7.1-The MOTI-Islands Trust agreement includes provision for the designation of scenic/heritage roads and bicycle routes in the Trust Area. A bicycle route plan allows for the adjustment of shoulder width standards when roads are upgraded by MOTI.

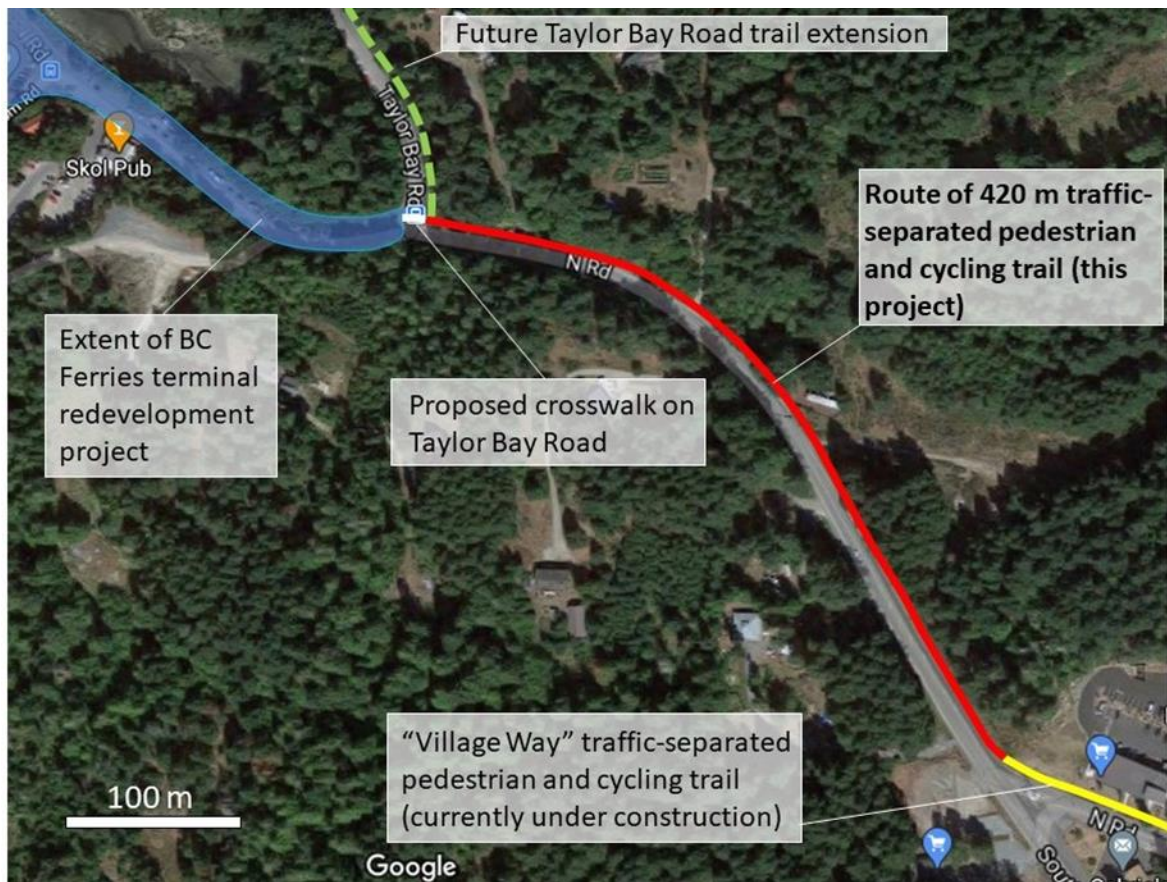
3.To support alternative transportation initiatives that reduce dependency on private automobile use and reduce greenhouse gas emissions, including, but not limited to, public transit, carstops, neighbourhood zero emission vehicles, carshares, bicycle routes, and walking trails that link population to services;

4.To provide a network of bicycle routes and ensure island roads are able to accommodate cycling safely;

5.To encourage the provision of a network of public pathways island-wide and safe pedestrian access along the Island's main roadways."

In addition, Gabriola has an active and involved resident population who have indicated support for this plan and ultimately the infrastructure as demonstrated by discussions by local organizations. Sustainable Gabriola (<http://sustainablegabriola.ca/initiatives/>) has published a presentation of ideas to improve the cycling and pedestrian connection between the Gabriola ferry terminal and the Village Way trail.

There is precedent for developing this proposed pedestrian and cycling plan to connect to the Gabriola Ferry terminal. Working with the Regional District of Nanaimo, the community created a pathway plan known as the Village Way, and received infrastructure funding to construct a one-kilometre path alongside and within the Ministry of Transportation and Infrastructure right of way. The Village Way is being built and maintained by the RDN under licence with the Ministry of Transportation and Infrastructure. This path will run along North Road through the commercial district but does not include the approximately 0.45 km road segment between the ferry terminal and the main intersection of North and South Road, which is the focus of this application.



SECTION 4: Required Attachments

Please submit the following with your application:

Council/Board Council Resolution – Indicating support for the proposed project and a willingness to provide overall grant management:

At its October 22, 2020 meeting, the Gabriola Local Trust Committee unanimously passed this motion: That the Local Trust Committee supports the Ferry to Village Project and UBCM grant for an active transportation plan for all ages and abilities.

At its October 27, 2020 meeting, the Regional District of Nanaimo passed this motion, sponsored by Electoral Area B Director Vanessa Craig: That subject to UBCM approval, \$5,000 in Electoral Area B Community Works Funds be provided to the Gabriola Island Local Trust Committee to initiate planning of an active transportation connector between the Village Way Path and ferry terminal on Gabriola Island if the Gabriola Island Local Trust Committee receives an Active Transportation Planning Grant through the Active Transportation Planning program. (Letter attached.)

A resolution from Trust Council is being requested and is expected to be passed in Early December.

Detailed budget: See Below

Submit the completed application form and all required attachments as an e-mail attachment to lgps@ubcm.ca and note "2020 Active Transportation" in the subject line. Submit your application as either a Word or PDF file(s). If you submit by e-mail, hardcopies and/or additional copies of the application are not required.

SECTION 5: Signature

Applications are required to be signed by an authorized representative of the applicant. Please note all application materials will be shared with the Province of BC.

Name: Mike Richards	Title: Grants Program Manager
Signature: 	Date: November 12, 2020

Project Budget – October 2020

“Gabriola Official Community Plan, Cycle Route Plan: BC Ferries Terminal to Gabriola Village Connectors”

Budgeted Expenditures	UBCM funding request	Regional District of Nanaimo (Community Works Fund) funding (confirmed)	Gabriola Chamber of Commerce funding (confirmed)	Gabriola Island Local Trust Committee (in-kind)	TOTAL
Consultant fees - Active transportation assessment; - Consultation and advising key stakeholders: RDN, MoTI, LTC, ITC. - Designing and coordinating public and First Nations consultation and engagement; - Final Recommendations	\$10,000	\$3,000	\$1,000	-	\$14,000
Administrative costs (printing, advertising, communications, webposting)	-	\$500	\$250	\$1,500 (In-kind)	\$2,250
Gabriola Island consultation and engagement	-	\$500	\$250	\$1,250 (in-kind)	\$2,000
Snuneymuxw First Nation consultation and engagement meetings, events, and Elders honoraria	-	\$500	\$1,000	-	\$1,500
Final Report to UBCM	-	\$500	-	\$1,000 (in-kind)	\$1,500
Total:	\$10,000	\$5,000	\$2,500	\$3,750 (in kind)	= \$21,250



TRUSTEE SPONSORED REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020

From: Paul Brent, David Critchley,
Michael Kaile, Kees Langereis,
Ben McConchie, Lee
Middleton, Deb Morrison,
Cameron Thorn, Steve Wright. **Date Prepared:** November 8, 2020

SUBJECT: Islands Trust Governance and Management Review 2021

RECOMMENDATION: Trust Council fund a comprehensive independent review of Trust Governance and Management to achieve the objectives outlined in the attached Governance and Management Review 2021 document.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: (Nov 17, 2020) The following comments are in support of the best possible outcomes for the Islands Trust and they primarily focus upon functional elements within the terms of reference, any current policies that would apply and administrative/operational considerations. These are preliminary comments and should this project proceed, more in depth analysis is certainly possible.

As presented, the proposed Governance and Management Review is a wide ranging project with a number of significant areas of enquiry. It has been provided in the form of a draft Terms of Reference in support of a future Request for Proposals. The Review seeks review of most of the functional areas of the Islands Trust and includes a focus upon the development of identifying measurable indicators of success in the following: governance in terms of effective and efficient fiscal oversight of the daily and strategy direction of the organization, advocacy, planning services, performance measurement and some elements of visioning. It excludes the Islands Trust Conservancy.

Terms of Reference: It is assumed that this is an overview of what would be included in an actual Terms of Reference and not an actionable document. In development of a final terms of reference consideration should be given to the following:

It is recommended that the outcomes or deliverables of such a review be made as specific as possible to focus on areas of key concern that will in turn lead to measurable and successful change. A formal process of problem or issue identification may assist. At present the document does not clearly delineate project specifics which in turn could lead to variable results or recommendations from the consultant. Consideration of how the results of the various study elements are integrated to a successful conclusion and an overall vision for the organization may also be helpful.

It would be of value for Trustees to agree on common understanding of governance, management, operations, and other terms in the document. A number of concepts, dates, and descriptions are not accurate. Further, a number of terms or descriptions should be revised to ensure that the reader/bidder is not lead to a conclusion. For instance, the description of the advocacy function is incorrect/limited, planning staff are not municipal planners, the current land use function does not rely on advocacy.

The governance section seeks analysis of governance structure and its relative performance over time. As governance structure is set by legislation, any discussion of governance structure should include in the deliverables, requests for potential legislative change. Accordingly, as the Islands Trust is a creature of the Province, some inclusion of the role of the Province in the Review should be included in the report, perhaps as a member of the Steering Committee.

It is recommended that a communications plan be developed with key messages for responding to enquiries and providing information to the public. The Review will attract public interest and it may be of value to include a communications function in the Terms of Reference and RFP.

Consideration should be given to how the Review will address Trust Council's Reconciliation Principles and any input from First Nations with regard Trust performance.

In addition, there may be value in including some public/stakeholder outreach as part of the project or at least addressing external input.

Any progressive means of performance management can make an organization better. In this case it critical that the unique structure and legislative framework of the Islands Trust and its 'baked in' inefficiencies, need to be understood by any successful consultant as they develop comparables in any area of Trust function. This understanding should be included in selection criteria.

Usually staff assist with the development of Terms of Reference to ensure industry standards and to assist in the development of specific outcomes or deliverables and this is recommended if the project proceeds.

Operational support: The Review would become a significant project of the Islands Trust by its nature and scope, and should be amended to the Strategic Plan as a priority. The consultant will need support to understand the unique structure, governance, processes and legislation that applies to the Islands Trust. Information will need to be provided on relevant history, LTC decisions over time, Trust Council decisions, planning statistics and reporting, budget and finance, advocacy outcomes and work planning. The Review will require interviews and discussion with staff, trustees and possibly First Nations and stakeholders/ community. A coordination function/capacity should be considered or the CAO/Executive Branch of the Islands Trust should be designated as primary contact with appropriate direction for reprioritization of current work.

Procurement: Procurement Policy 6.5.3 does not contemplate elected officials participating in the selection of consultants or directing of work, which is in keeping with best practises in local governance and the industry standard. There is no rationale included in the RFD that would explain the need for elected officials to award the contract. The regular process would have staff develop the bid package with attendant criteria (developed by Steering Committee), a release to BC Bid and a staff recommendation on the successful proponent based on a pre-determined system of scoring.

Process: The recommendation of a Steering Committee is a good one, providing for overall direction of the Review and engaging with the consultant on a regular basis. It is recommended that the Chair of Trust Council, as the spokesperson for the organization, would sit on anybody that fundamentally reviews its vision, policy and operations.

Implementation The Review would impact some ongoing work and Trust Council should give consideration to projects such as:

- Policy Statement Project
- Local Planning Services Renewal
- Request of the Province for additional funding
- Requests for legislative change

Budget considerations: This work is not in the current budget or strategic plan and if initiated during 2020/21 would need a budget amendment and if included in 2021/22 would need to be included in the current budget planning process.

1 PURPOSE:

The purpose of the review is outlined in the attached terms of reference document.

2 BACKGROUND:

Background is provided in the attached terms of reference document.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

The review of Trust Governance and Management is designed to be led by a professional management consultant overseen by a Committee of Trustees and the CAO and as such is organized to have as little impact on daily operations as possible.

FINANCIAL:

The review is to be funded from Fiscal 2021/2022 surplus and is funded through a mechanism that will not displace existing or proposed line items.

POLICY:

IMPLEMENTATION/COMMUNICATIONS:

FIRST NATIONS:

OTHER:

4 RELEVANT POLICY(S):

5 ATTACHMENT(S):

Islands Trust Governance and Management Review 2021 (Gov Mgmt review Nov 10 20.pdf)

RESPONSE OPTIONS

Recommendation:

That Trust Council approve the entering into a contract with a management consultant firm (certified by the Canadian Association of Management Consultants) to undertake a comprehensive performance review of the Islands Trust's governance, management and operations, in accordance with the Terms of Reference attached as Appendix 1 to this Request for Decision using reserve funds from fiscal 2020/21 to a maximum of \$75,000. This work will be overseen by an ad hoc Steering Committee of Trust Council identified in the Terms of Reference Document attached as Appendix 1.

Alternative:

Prepared By:

Reviewed By/Date:

CAO comments added November 17, 2020.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 1, 2020
From: Trustee Deb Morrison **Date Prepared:** November 11, 2020
SUBJECT: Accelerating Staffing Shifts to Support Strategic Plan Goals

RECOMMENDATION:

“That Trust Council direct Staff to allocate five full-time equivalent (FTE) planners towards proactive policy planning, shifting these FTEs from current application planning work and to prepare draft amendments to relevant trust council policies.”

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The current number of planners is 14 (including Planning Technician). As part of the current Local Planning Services (LPS) Renewal, it is planned that Planners currently available for project planning is 2.6 and will increase to 3.6 once the Planning Technician is fully up and running (likely by January/February). The proposed recommendation will increase the allocation by remaining 1.4 FTE and will require reduction in time spent on application processing and current planning by about 22 per cent. At this point, there has not been a detailed analysis of impacts to current planning; however, the recommendation is in alignment with the goals of the LPS Renewal and, if supported by Council, will indicate support for a reallocation of resources towards local trust committee projects and Strategic Plan work.

1 PURPOSE:

This RFD seeks to realign staff resources in ways that are both consistent with our reconciliation and climate change efforts to realign our Trust Policy Statement and local bylaws as well as ensure that financial resources of the Trust are not overly promoting development.

2 BACKGROUND:

We are in a climate crisis that is fundamentally interwoven with our work on reconciliation. Our strategic plan highlights the multitude of ways that we need to urgently make progress to best preserve and protect our unique amenities and environments.

The Regional Planning Committee has been engaged in a Model Fee Bylaw review in relation to permit applications for over a year. This work is likely not to be resolved in time to impact decisions around the 2020-2021 budget. Our current budget has no mechanism in it for adjusting the cost recovery of permit costs in RPS to be in alignment with our policy for ensuring that those requesting development in the Trust Area are paying for staff time to consider such development instead of that cost being born by tax payers within the Trust area.

Regional Planning Services has been implementing a review of staff assignments since 2018. The current phasing in of this work has a target of 3 FTE planning staff being reallocated to more general work on strategic planning focused work over the next year. There is potential for this to be increased, through shifting more staff from one area to another in RPS but this requires political commitment.

The Trust Policy Committee has been engaged in extensive working group conversations about how best to define and implement possible policy statement shifts through the revision of the Trust Policy Statement. This work is roughly on timeline to be completed before the end of the 2022 term but would greatly benefit from parallel work of planners designing model bylaws that LTCs could adopt even

before the TPS is completed its current revision work. Such model bylaws, developed across islands instead of only within one LTC would greatly increase the efficiency of LTCs ability to have multiple projects underway to implement the broad reaching changes necessary to address both the current climate crisis and reconciliation efforts.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Increasing FTEs to general planning away from permitting related planning without increasing the number of planners will not change overall workloads but will more appropriately align desired goals of the strategic plan with staff resources. However, it should be noted that there could be a slowdown of some permit processing as a result. This slowdown, which will slow down development, is likely to benefit the interests of the Trust mandate while we realign our current policy, including LTC bylaws, with our modern understanding of the climate crisis and reconciliation.

FINANCIAL:

This RFD would align us more closely with our existing financial policy by reducing the number of permit related planners – an area that is currently not in cost recovery as per our [Policy 5.6.1. – Application Processing Services](#).

POLICY:

Both the permit fee policy - [Policy 5.6.1. – Application Processing Services](#) and the [Trust Policy Statement](#) are impacted by this RFD. The first is brought more into line by this motion and the latter is more rapidly revised.

IMPLEMENTATION/COMMUNICATIONS:

This RFD would allow the IT to communicate its increased commitments to both the climate crisis and reconciliation efforts by naming our shifting financial resources to make this happen more quickly.

FIRST NATIONS:

This decision would more rapidly allow us to ensure our reconciliation efforts are implemented into bylaws across the Trust Area.

OTHER:

This is a political decision. It moves us as an organization to act more rapidly to our stated goals while at the same time having possible implications for slowing of permit processing in our LTC areas. We as a Trust Council need to take a stand on what our communities want – truly protected and preserved environments in which we thrive or development that is not in line with our shifting climate and in disregard for our reconciliation efforts.

4 RELEVANT POLICY(S):

[Policy 5.6.1. – Application Processing Services](#) and [Trust Policy Statement](#).

5 ATTACHMENT(S): None

RESPONSE OPTIONS

Recommendation: That the Trust Council direct staff to prepare a budget option for the March 2021 Trust Council meeting that includes 5 general planning staff directed towards Strategic Planning and Trust Policy Statement tasks, shifting these FTEs from current permit application work.

Alternative:

Prepared By:

Reviewed By/Date: Discussed with CAO Hotsenpiller, DRPS David Marlor and DTAS Frater on November 4, 2020.

CAO Comments added: November 12, 2020.

1. GENERAL & FPC

In support of the Financial Planning Committee (FPC) we have completed work on the following standard areas of reporting:

- ~ **Second Quarter Financial Report:** We have completed the second quarter financial report, which tracks our actual financial performance against budget. This report showed that Island Trusts is tracking well against budget as at the end of quarter two.
- ~ **Second Quarter Financial Forecast:** The forecasted spending for the current fiscal year has been completed which shows that the Islands Trust is not expected to spend its full budget by March 31, 2021, thereby reducing the expected draw from the General Revenue Surplus fund.
- ~ **Draft 2021/22 Budget:** The first draft of the budget has been prepared by staff and reviewed by FPC and is now heading to Trust Council for their first review. Further refinements are expected prior to final submission of the budget to Trust Council in March 2021. As part of the budget draft creation, FPC requested that staff undertake efforts to reduce the magnitude of the budget for fiscal 2021/22. The results of these reduction findings have been incorporated into the budget being reviewed by Trust Council in December 2020.

Additional work has been completed by FPC over the following:

- ~ Analysis of historical creation and use of the Islands Trust accumulated surplus has been underway, with two reports being reviewed by FPC on this topic, one at each of their August and November meetings.
- ~ FPC has reviewed information related to the staff costs associated with processing applications at Islands Trust, to help inform the Model Fees Bylaw work being undertaken by Regional Planning Committee (RPC).
- ~ FPC continues to review reports related to a new Model Fees Bylaw, as referred to them by RPC.

The next FPC meeting will be held in January 2021 with a continued focus on the 2021/22 budget development. Budget Assumptions and Principles will once again be updated and reviewed, along with the second draft of the 2021/22 budget which will incorporate any directions received from Trust Council in December 2020. Budget consultation will take place in early 2020 to ensure the public has the opportunity to voice their opinions on our financial plan for the upcoming year.

2. FINANCE

Finance staff continue to keep the day-to-day financial operations running smoothly in a remote work setting, while supporting the work of Financial Planning Committee during the busy budget cycle.

Completion of a single procurement process has been achieved during quarter for a Request for Proposal related to the Freshwater Sustainability Strategy project being overseen by Regional Planning Committee.

3. EMPLOYEE SERVICES/HUMAN RESOURCES (HR)

We have completed several hiring actions and internal position updates this quarter, resulting in the following changes to the Islands Trust team:

- ~ Stephen Baugh joined the Local Planning Services team in the newly created position of Planning Technician on October 19, 2020. Stephen will be providing support for the entire Trust Area but is headquartered out of the Northern office.
- ~ Erin Coulson and Emily Kendy joined the Trust Area Services team on October 6, 2020. Both are working part time hours to backfill the Communications Specialist position, which was temporarily vacated by Vicki Swan, who accepted a seven month temporary assignment as Manager of Digital Communications with the Office of Seniors Advocate.
- ~ Jennifer Eliason, Trust Conservancy Manager has accepted a permanent position as a Senior Parks and Protected Areas Planner with BC Parks. We wish Jennifer all the best in her new role, and are happy to have Kate Emmings extended in the role of Acting ITC Manager as we determine next steps for this position.
- ~ Dilani Hippola was made permanent in the role of Senior Policy Advisor effective November 5, 2020 upon the official retirement of Karen Hurley who formerly occupied this role.
- ~ Kathryn Martell has been extended in the role of Acting Ecosystem Protection Specialist until March 31, 2021.

Current ongoing and upcoming hiring competitions are as follows:

- ~ We are nearing the completion of the competition process for an Applications Programmer and Support Analyst (formerly Computer Applications Support Technician). This recruitment process will fill the void left by Nigel Hughes who accepted a position with the Ministry of Social Development and Poverty Reduction as a Programmer Analyst. His last day with the Trust was July 3, 2020.
- ~ We are currently in the process of screening applications received for the recently posted Finance Clerk position at the Victoria office to fill the vacancy left by Laurel Sadgrove, who accepted a 14-month temporary assignment with the Ministry of finance as a Collection Analyst. Laurel's last day of work with the Trust was October 9, 2020. We are grateful to that Nancy Rogers, Finance Officer, is able to backfill the Finance Clerk position while maintaining her regular duties until a new hire is brought on board.

Our All Staff Meeting this quarter took place on October 1, 2020 and was conducted as a virtual Zoom meeting in compliance with health orders prohibiting gatherings larger than 50 people. The meeting included an update for staff on the Islands Trust COVID-19 Safety Plan. A session was delivered by Lisa Wilcox, Senior Policy Advisor on First Nations Land Acknowledgements. The meeting then wrapped up with a fun “Virtual Escape Room” team-building activity that was enjoyed by all.

4. INFORMATION SERVICES (IS)

Information Services has (finally) reached a steady state of workflow after the intensity of transitioning to a remote workforce – a well-deserved moment of calm. Support remains ongoing as slight shifts in working processes evolve, but overall demand in this area has settled to more usual levels.

The team continues to support the Website Design and Development project in conjunction with Trust Area Services staff. Design work and document library development is complete, and content editing for the new website pages continues. Based on current project timelines, the new website release is scheduled for the beginning of 2021.

Specific project milestones completed over the last quarter include:

- ~ Completed development of custom scheduling and edit-request interface tool for Zoom video-on-demand.
- ~ Completed the reclassification process for the Computer Application Support Technician STO18 to Application Programmer Support Analyst STO21 and initiated recruitment for the currently vacant position.



Top Priorities Report

Financial Planning Committee

1. Budget 2021/22: Draft 2 Review

Review Draft 2, version 1 of the 2021/22 budget in January 2021.
Review Draft 2, version 2 of the 2021/22 budget in February 2021 and make a final recommendation to TC to debate at their March 2021 meeting.

Responsible

Julia Mobbs
Russ Hotsenpiller

Dates

Rec'd: 03-Dec-2020
Target: 17-Feb-2021

2. Budget 2021/22 Public Consultation: Planning and Execution

Initial review of planned consultation materials and engagement platforms took place at FPC's meeting in January 2021.
Final review and approval of consultation materials and engagement platforms will take place at FPC's meeting in January 2021 to facilitate public consultation in advance of the final budget review by FPC.
FPC will review public consultation findings at their February 2021 meeting.

Responsible

Clare Frater
Julia Mobbs

Dates

Rec'd: 12-Nov-2020
Target: 20-Jan-2021

3. Q3 Financial Reporting

Preparation of Quarter 3 Financial Results and Financial Forecast will be presented at FPC's February 2021 meeting. These reports help inform draft budget discussion as well as provide current year financial performance oversight.

Responsible

Julia Mobbs
Nancy Rogers

Dates

Rec'd: 12-Nov-2020
Target: 13-Jan-2021

Projects Report

Financial Planning Committee

1. *Review Trust Council Policy 7.2.1 Trustee Remuneration*

Responsible

Date Received

Review Trust Council Policy 7.2.1 Trustee Remuneration against recently released UBCM 'Council and Board Remuneration Guide' to ensure best practices are being followed with regard to elected official compensation.

Julia Mobbs

19-Aug-2020

This action item was originally Priority #3 as of November 6, 2019 which had a target date to be October 14, 2020.

To: Trust Council

For the Meeting of: December 3, 2020

From: Nancy Roggers, Finance Officer

Date Prepared: October 28, 2020

SUBJECT: Q2 SEPTEMBER 30, 2020 FINANCIAL REPORT

RECOMMENDATION:

That Trust Council approve the September 30, 2020 Financial Report as presented.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The second quarter financial report indicates that Islands Trust is generally following the financial plan for 2020/21.

1 PURPOSE:

To summarize the findings of the September 30, 2020 first quarter financial report.

2 BACKGROUND:

Islands Trust *Policy 2.3.3 Financial Planning Committee Terms of Reference* requires the Financial Planning Committee to report to Trust Council on the organization's financial management practices. Quarterly financial reports are prepared by staff, reviewed by FPC, and presented to Trust Council as part of this requirement.

Financial Report Findings

The benchmark for non-tax and non-grant revenue sources and operational expenditures after three months of operations can be estimated at 50% of the annual expected or budgeted. As at September 30, 2020 Islands Trust has consumed a net 43% of the annual approved budget which is slightly below expectations primarily due to fewer than anticipated meeting expenses, travel and training expenditures due to COVID-19 restrictions. The percentage of consumed budget is expected to increase as the fiscal year progresses as we adapt to the COVID-19 restrictions and project work advances. Individual areas may experience overspending or underspending based on activities in the year to date. Individual revenue and expense items that vary significantly (where significance is determined as more or less than 10%, and more or less than \$5,000) from the 50% benchmark include:

Revenues

Total revenue to September 30, 2020 is approximately \$7,466,454 (99% of annual expected revenue), comprised mainly of the \$180,000 provincial grant, \$6,783,141 property tax levy, \$75,500 special property tax requisition, and \$303,026 Bowen tax levy monies received in the first and second quarters.

Fees & Sales revenue to the end of Q2 is approximately \$68,000 (60% of budget) due to an rise in development permit and subdivision applications during the summer months.

Investment Income earned in quarter two is approximately \$16,000 (20% of budget). This is less than a quarter of the annual budgeted as the change in investment practices to more sustainable vehicles has delayed the investment of property tax revenues and municipal contributions. Anticipated investment yields for the year are likely to be lower than planned due to significant interest rate falls resulting from the COVID-19 pandemic.

Other Revenues reflects grants awarded and earned in the year, ITC NAPTEP application fees, and credit card reward funds and is reported at approximately \$39,000 (331% of budget) at September 30, 2020. Actual amounts relate predominately to grant income for the Islands Trust Conservancy Species at Risk (SAR) project. Islands Trust has approximately \$31,000 in approved and received grant funded yet to be spent on various initiatives. Staff are actively engaged in identifying opportunities to put these funds to good use in this fiscal year or the next. Opportunities for grant funding continue to arise throughout the year.

Expenses by Functional Area

Council

Total Council expenses include costs related to three main areas: Trust Council (TC); Executive Committee (EC); and Trust Area Services (TAS); as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation Council expenses are \$572,000 (42% of budget) at the end of quarter two. This is lower than expected by approximately \$102,000 (-8%).

Trust Council expenses are comprised of the TC committee meeting; cultural working group; contingency; elections and by-elections; portion of insurance attributed to TC activities; portion of legal expenditures attributed to TC legal advice; training specific to TC, and the TC portion of trustee remuneration and benefits. Total Trust Council spending to September 30, 2020 is \$112,000 (36% of budget), which is lower than expected by \$203,000 (-14%). TC and TC committee meeting expenses are lower than expected (\$35,000, 15%) to the end of quarter two, due to the COVID 19 pandemic where meetings are being conducted electronically.

Local Planning Services (LPS)

Total LPS expenses include costs related to five main areas: Local Trust Committees (LTCs); LPS Projects; LPS Staff; LPS facilities; and Bylaw enforcement; as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation, these expenses are \$2,665,000 (45% of budget) which is lower than expected by approximately \$311,000 (-5%).

LPS Projects costs are comprised of all LTC projects and related protocol funds, a share of the website renewal project costs, northern and southern island groundwater aquifer and sustainability costs, eelgrass and kelp bed mapping costs, regional freshwater management strategy costs, foreshore policy costs, housing initiative costs, and includes all SSIWPA expenses. Spending in this area to the end of quarter two is \$76,000 (23% of budget). Most LPS projects have not seen spending in quarter one and two. Projects with expenses incurred are as follows:

- SSIWPA: expenses of approximately \$30,000 (41% of budget);
- LTC projects: expenses of approximately \$2,000 (3% of budget) due to a delayed start in projects and projects where completion won't take place until next fiscal ;
- Website renewal: total expenses on this project are \$42,000 at the end of quarter two. Of this total, approximately \$35,000 (70% of the total project budget) is allocated to LPS with the remaining \$8,000 allocated to Trust Area Services. This project is expected to be completed by the end of quarter three which aligns with the greater portion of budget spent.

Bylaw enforcement costs are comprised of all salaries, benefits, training, and travel costs associated with bylaw staff or contractors used to cover staff vacancies or collect on fines. Bylaw enforcement expenses are below expected by approximately \$6,000 (-19%) due to staff vacancies.

Islands Trust Conservancy (ITC)

Total ITC expenses include costs related to three main areas: board expenses; operations expenses including project cost for the species at risk project; and property management expenses; as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation, spending in this area at September 30, 2020 is \$371,000 (42% of budget) which is lower than expected by approximately \$74,000 (-8%).

ITC Board costs are comprised of ITC board meeting expenses, honoraria and training for board members. Board expenses are \$2,000 (8% of budget) as at September 30, 2020 which is below expected by approximately \$10,000 (-42%) due mainly to meeting cancellations associated with the early days of the COVID-19 pandemic, as well as reduced meeting costs due to meetings being conducted electronically.

Property Management costs are comprised of property management and conservation planning and land securement. Expenses incurred in this area at September 30, 2020 is \$5,600 (6% of budget), which is below expected by approximately \$37,000 (-44%). Work in this area is largely seasonal in nature and primarily carried out in quarter one, two, and the start of quarter three, however there was a delay in beginning this work due to travel restrictions associated with the COVID-19 pandemic.

General Administration

Total general administrative expenditures include costs related to six main areas: Executive office; Administrative services; Office Operations; Information systems; Computer, Furniture and Equipment; and Amortization expense. General administration costs are allocated to the three functional areas of the Trust (Council, LPS, and ITC) based on their relative dollar magnitudes for the period. General administrative expenses total approximately \$1,017,000 (51% of budget) at the end of quarter two which is in line with overall expectations.

Consolidated Expenses by Object

Public Sector Accounting Standards determine that financial reporting for government entities be reported "by function" (i.e.: service area) in the Statement of Financial Operations as presented in the earlier section of this report. Expenses "by object" (i.e.: type) are reported in accompanying financial statements notes. For purposes of greater transparency and understanding of Islands Trust financial results, September 30, 2020 expenses by object are shown as follows:

Expense	2020/21 Approved Budget	Actuals to 9/30/2020	% of Budget Consumed
Staff Salaries and benefits	5,097,171	2,327,390	45.7%
Office Operations	1,043,238	533,710	51.2%
Council and trustee costs	892,796	355,001	39.8%
Programs	596,651	141,204	23.7%
Legal	270,000	140,671	52.1%
Travel/training and recruitment	149,955	24,409	16.3%
Elections	5,000	-	0.0%
Subtotal	8,054,811	3,522,384	43.7%
Amortization	140,000	87,154	62.3%
Total Expenses	8,194,811	3,609,538	44.0%

Staff salaries and benefits expense are below quarter two expected (by \$232,000 -4.5%) due mainly to the following:

- Bylaw Enforcement Officer: Vacant for all of quarter one and quarter two.
- Bylaw Enforcement Admin Assistant: Vacant for all of quarter one and quarter two.
- Delay in hiring the new LPS Technician: Vacant for all of quarter one and quarter two.
- Computer Applications Support Technician: Vacant for all of quarter two.
- SSI Island Planner: Vacant for all of quarter one and two thirds of quarter two.
- SSI Planning Team Assistant: Vacant for two weeks in quarter one.
- Communications Specialist: Vacant for two weeks in quarter two.
- Some part-time unpaid leave for specific individual staff members.

Office operations expenses are in line with general benchmark spending of 50%.

Council and trustee costs are below expected (by \$91,000, 10%) primarily due to meeting cancellations (TC, Committees, LTCs) and electronic meetings replacing in-person meeting due to the COVID-19 pandemic.

Programs expenses relate mainly to projects associated with LTCs and the strategic plan including the Islands Trust Conservancy Species at Risk work. Cost are below expected (by \$157,000, 26%) due to pandemic-related LTC project delays , and the fact that most strategic plan project expenses tend to be incurred later in the year upon completion of project planning and procurement processes that take place in the earlier months of the year.

Legal expenses are in line with general benchmark spending of 50%. Legal expenditures are broken down as follows:

- General legal expenses are at 39% of budget spent, due to less general legal advice acquired for LTCs in quarter one.
- Bylaw Enforcement litigation expenses are at 50% of budget spent, in line the proportion of the fiscal year that has passed.
- Legal Litigation and Defense are at 86% of budget spent which is higher than expected at this time of year. This is due to new litigation that has arisen against the Trust in quarter one.
- Statutory Notice expenses are at only 12% of budget spent, due to lower than anticipated notice requirements in quarter one.

Traveling/training and recruitment are well below expected (by \$50,000, 34%) due to COVID-19 travel and gathering restrictions. Training has also been limited as a result of the pandemic, and staff have directed training efforts towards learning new remote work skills versus attendance at externally-held courses and conferences.

Elections expense is nil and will remain as such unless by-elections are necessary in the year.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None. Expenditures to September 30, 2020 are within the overall Islands Trust annual approved budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: None. Managerial staff at Islands Trust and Islands Trust Conservancy will continue to receive financial reporting on their respective areas of oversight throughout the year.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):

Islands Trust Policy 2.3.3 Financial Planning Committee Terms of Reference
Bylaw No. 178, Islands Trust Financial Plan Bylaw 2020/21

5 ATTACHMENT(S):

September 30, 2020 Financial Report

RESPONSE OPTIONS

Recommendation:

That Trust Council approve the September 30, 2020 Financial Report as presented.

Alternative: None.

Prepared By:	Nancy Roggers, Finance Officer
Reviewed By:	Julia Mobbs, Director, Administrative Services Russ Hotsenpiller, Chief Administrative Officer

Islands Trust
Statement of Revenue and Expenditure
For The 6 Months Ending September 30, 2020

Expected % of Budget Received/Used as at Report date = 50%
Exceptions: Grant revenue, property tax levies, other revenues, project spending
Variances > +/- 10% include explanations

				% of budget		% over	
	Description	Annual Budget	YTD Actual	\$ budget not yet received/spent	received/ spent	\$ over (under) benchmark	(under) benchmark
Revenue:							
	Fees & Sales	115,000	68,505	(46,495)	60%	11,005	10%
	Provincial Grant	180,000	180,000	-	100%	90,000	50%
	Property Tax Levy General	6,783,141	6,783,141	-	100%	3,391,571	50%
	Special Property Tax Requisition	75,500	75,500	-	100%	37,750	50%
	Property Tax Levy Bowen	303,020	303,026	6	100%	151,516	50%
	Investment Income	85,000	16,588	(68,412)	20%	(25,912)	-30%
	Other Revenues	(12,000)	39,694	51,694	-331%	45,694	-381%
Total Revenue		7,529,661	7,466,454	(63,207)	99%	3,701,624	49%
Expenses							
	Trust Council	315,164	111,935	(203,229)	36%	(45,647)	-14%
	Executive Committee	112,710	46,256	(66,454)	41%	(10,099)	-9%
	Trust Area Services	593,392	252,364	(341,028)	43%	(44,332)	-7%
	General Admin Allocation - 16%	328,741	161,988	(166,753)	49%	(2,382)	-1%
Total Council Expenses		1,350,007	572,544	(777,463)	42%	(102,460)	-8%
Local Planning Services							
	Local Trust Committees	796,572	377,745	(418,827)	47%	(20,541)	-3%
	LPS Projects (Note 1)	329,950	76,038	(253,912)	23%	(88,937)	-27%
	Planning Staff	2,715,747	1,207,584	(1,508,163)	44%	(150,289)	-6%
	LPS Facilities	367,263	165,156	(202,107)	45%	(18,476)	-5%
	Bylaw Enforcement	294,173	91,164	(203,009)	31%	(55,923)	-19%
	General Admin Allocation - 73%	1,449,720	747,448	(702,272)	52%	22,588	2%
Total Local Planning Services Expenses		5,953,425	2,665,136	(3,288,289)	45%	(311,577)	-5%
Trust Conservancy							
	Board	24,450	2,022	(22,428)	8%	(10,203)	-42%
	Operations	562,869	256,322	(306,547)	46%	(25,112)	-4%
	Property Management	87,000	5,608	(81,392)	6%	(37,892)	-44%
	General Admin Allocation - 11%	217,060	107,905	(109,155)	50%	(625)	0%
Total Trust Conservancy Expenses		891,379	371,858	(519,521)	42%	(73,831)	-8%
General Admin							
	Executive Office	450,008	205,360	(244,648)	46%	(19,644)	-4%
	Admin Services	484,505	230,392	(254,113)	48%	(11,860)	-2%
	Office Operations	264,879	110,634	(154,245)	42%	(21,806)	-8%
	Information Systems	557,529	287,288	(270,241)	52%	8,524	2%
	Computer/Furniture & Equipment	98,600	96,515	(2,085)	98%	47,215	48%
	Amortization Expense	140,000	87,154	(52,846)	62%	17,154	12%
	General Admin Recovery	(1,995,521)	(1,017,342)	978,179	51%	(19,581)	1%
Total General Admin Expenses		-	-	-	0%		
Total Expenses		8,194,811	3,609,538	(4,585,273)	44%	(487,868)	-6%
YTD Suplus (Shortfall)		(665,150)	3,856,916				
Amortization Adjustment		140,000	n/a				
Capital adjustment		n/a	54,672				
Adjusted surplus (shortfall)		(525,150)	3,911,588				
Transfer from (contribution to) General Revenue Surplus Fund		429,650	(3,913,516)				
Transfer from LTC Project Specific Reserve Fund		71,500	1,928				
Total Transfers from Surplus		501,150	(3,911,588)				
Net Balance		(24,000)	0				
Surplus Fund, beginning of the period (March 31, 2020)		2,871,270	2,882,924				
Surplus Fund, end of the period		2,346,120	6,794,512				

Description	Annual Budget	YTD Actual	% of budget		\$ over (under) benchmark	% over (under) benchmark
			\$ budget not yet received/spent	received/ spent		

Note 1:

Projects made up of:

Salt Spring Watershed Management Delegated Authority (SSIWPA)	75,500	30,600	(44,900)	41%	(7,150)	-9%
LTC Projects	71,500	1,928	(69,572)	3%	(33,822)	-47%
First Nations Protocol Funds/Cultural Working Group Funds	1,000	-	(1,000)	0%	(500)	-50%
Southern Islands Groundwater Aquifers & Sustainability	10,000	8,625	(1,375)	86%	3,625	36%
Website Renewal (70%)	31,950	34,794	2,844	109%	18,819	59%
Eelgrass and Kelpbed Mapping	50,000	-	(50,000)	0%	(25,000)	-50%
Regional Freshwaer Management Strategy	20,000	-	(20,000)	0%	(10,000)	-50%
Foreshore Policy	10,000	-	(10,000)	0%	(5,000)	-50%
Housing Initiatives	10,000	92	(9,908)	1%	(4,908)	-49%
Nothern Islands Groundwater Aquifers & Sustainability	50,000	-	(50,000)	0%	(25,000)	-50%
	329,950	76,038	(253,912)	23%	(88,937)	-27%

BRIEFING

To:	Trust Council	For the Meeting of:	December 3, 2020
From:	Nancy Rogers, Finance Officer	Date Prepared:	November 5, 2020
SUBJECT:	FINANCIAL FORECAST AS AT SEPTEMBER 30, 2020		

PURPOSE:

To provide Trust Council with an overview of forecasted financial performance to the end of the current fiscal year, to support their responsibility for financial management oversight.

BACKGROUND:

The forecasted financial results for March 31, 2020 have been prepared based on actual financial performance to September 31, 2020, plus estimates of expected spending for the remainder of the fiscal year. The September 30, 2020 forecast reflects a projected underspending of \$536,589, primarily due to staff shortages and reduction in meeting and travel expenditures due to the COVID pandemic which has carried on longer than anticipated at budget time where a reduction in budget was done to include underspending only in quarter one. At the time of this forecast it was anticipated that the current state would continue until at least the end of the fiscal year, meaning we anticipate an additional three quarters of savings that were not anticipated as part of the budget reductions related to the pandemic. An explanation of the significant revenue and expenditure areas contributing to this variance are as follows (where significance is determined as greater than or less than 10% from budget, and greater than or less than \$5,000 from budget).

Revenues:

Revenues are forecasted to come in at a net \$144,777 higher than budgeted due to:

- Interest Income - expected \$37,787 under budget due to a significant decrease in interest income where interest rates on guaranteed investment certificates have dropped significantly during the global pandemic. Current rates are very low in comparison to prior years (0.6%). In addition there has been a delay in investing funds while staff review offers from credit unions supplying IMPACT GICs (sustainable lending) which ensure Islands Trust invested funds are used by the financial institution to provide ethical and sustainable loans to local businesses that publicly pursue at least one of the United Nations' Sustainable Development Goals
- Grant Income – expected \$180,400 over budget due primarily to significant grant funds being received this fiscal for the Islands Trust Conservancy Species at Risk project.

Expenditures:

Total forecasted expenditures come in lower than budget by a net of \$512,893.

Significant areas of overspending include:

- Amortization – expected overspending of \$39,000 due to the increase in capitalized expenditures relating to the office renovation in Fiscal 2020 all of which were not incorporated into the amortization budget. Since this is a non-cash item there is no impact on operations as a result of this overage.
- Contract Service – expected overspending of \$7,700 due to hiring of contractors to cover staff vacancies.
- Insurance – expected overspending of \$22,500 as the insurance renewal rates were higher than budgeted given a shift in the insurance market. The Islands Trust claims history makes the opportunity to find reduced premiums challenging, despite considerable efforts.
- Legal expenses – expected overspending of \$20,000 in Legal “Litigation Defence” due to new and ongoing litigation against the Islands Trust.

Significant areas of underspending include:

- By Elections – expected underspending of \$7,000 as no by election is anticipated during the fiscal period.
- ITC Property management – expected underspending of \$24,000 where ITC is relying less on tax funds this fiscal year for items that are covered by the species at risk grant.
- ITC Ecosystem Mapping – expected underspending of \$10,000 due to stretched resources to undertake this work while staff are working on the species at risk initiative.
- The following areas are significantly underspent by a total of \$138,661 due exclusively to meetings being held electronically due to the impacts of the COVID pandemic, eliminating the need for travel, accommodation, hall rental and food expenditures associated with undertaking these meetings:
 - FPC, RPC and LTC Committee Expenses – expected net underspending of \$8,163;
 - ITC Board Meeting Expenses – expected underspending of \$13,850;
 - LTC expense for Trustees, EC on LTC, and LTC and APC meetings – expected net underspending of \$29,948;
 - Meeting expense – expected underspending of \$80,000 primarily for Trust Council meetings;
 - Staff Meetings – expected underspending of \$6,700
- Statutory Notices – expected underspending of \$15,000 where lower than expected advertising is taking place for statutory notices this fiscal year in comparison to budget due to a reduced need

to advertise where public hearings and community information meetings are not being held due to the COVID pandemic.

- Office Services – expected underspending of \$9,760 due to the requirement for less services like recycling, garbage disposal, etc with lower number of staff using office space due to the COVID pandemic.
- Salaries and Benefits – expected underspending of \$287,478 due to vacancies in positions during the fiscal year. The significant areas of underspending are as follows:
 - Bylaw Enforcement Officer – vacant between April 1 to October 25, 2020, underspending of \$32,000;
 - Bylaw Enforcement Admin Assistant – vacancy is expected for full fiscal year, underspending of \$49,000;
 - Delay in hiring the new LPS Technician - vacant between April 1 to October 18, 2020, underspending of \$24,000;
 - Senior Intergovernmental Policy Advisor – budget was too high as an error was made in budget calculations, underspending of \$30,000;
 - ITC Secretary – covering for another employee on temporary assignment with another ministry worked reduced hours, underspending of \$30,000;
 - Computer Applications Support Technician: vacant, hiring expected Jan 1, 2021, underspending of \$27,000;
 - SSI Island Planner – vacant between April 1 to September 6, 2020 underspending of \$30,000;
 - Communications Specialist – vacant between September 13 to September 26, 2020, underspending of \$9,000;
 - Trust wide funds for covering staffing overlaps is not expected to be used, underspending of \$20,000
 - Some part-time unpaid leave for specific individual staff members, underspending of \$22,000
- Training and Conferences/Travel expenses– net expected underspending of \$87,000 due to meetings being held electronically due to the impacts of the COVID pandemic, eliminating the need for staff travel, accommodation, and food expenditures as well as conferences and training being held by webinar reducing the cost to attend.
- Trustee Heath/Dental Benefit expenses – underspending of \$6,190 due to negotiation of lower rates by UBCM for the elected officials benefit program that begin October 1, 2020.
- Projects - expected underspending of \$107,593 which is offset by expenditures of \$82,733 for species at risk expenditures that were not included in the original budget but are covered by matching grant income for a net underspend on projects of \$24,820. Expected spending is related to the following:
 - LTC projects – expected underspending of \$23,500 against the budgeted \$71,500 draw from reserve primarily due to LTC projects that will carry forward into next fiscal year for completion. A transfer of \$48,040 will be required from the LTC Specific Reserve fund rather than the \$71,500 that was included in the budget.
 - Projects funded by grants – fewer than anticipated grants expected, resulting in \$8,000 underspending.
 - SSIWPA – expected underspending of \$10,500 due to a reduction in the number of meeting to be held to 4. The meeting expenditures budget was originally based on 12 meetings.

- Strategic Plan Projects –
 - Expected underspending of \$50,000 for Mapping Eelgrass and kelpbeds due to a delay in project work that missed the window to undertake this work during the spring and summer month. In addition, this work was originally going to be done in partnership with another organization and that has fallen through. Staff are considering options to undertake this work;
 - Expected underspending of \$10,000 in the Islands Trust Act Amendment project due to uncertainty around the expenditures to be incurred by consultations with First Nations groups;
 - Expected underspending of \$5,000 for the housing initiatives due to project delays.

Underspending in strategic plan projects is somewhat offset by unanticipated spending of \$82,773 for the species at risk ITC project which was not included in budget and which is covered by matching grant income.

Other variances are not considered significant for the purposes of reporting.

CONCLUSIONS:

The approved budget for fiscal year ending March 31, 2021 included approved expenditures of \$8.2M. Current forecasted spending for the year is expected at \$7.65M, which is under by \$536,589 (7%). Underspending is primarily due to underspending due to staff shortages and underspending in meeting, travel and training expenditures due to the COVID pandemic which has carried on longer than anticipated at budget time where a reduction in budget was done to include underspending only in quarter one. At the time of this forecast, it is anticipated that the current state of the pandemic will continue until at least the end of the fiscal year; therefore we anticipate an additional three quarters of savings that were not anticipated as part of the budget reductions for the pandemic. Accounting standards dictate that capital assets be removed from expenditures on the Statement of Operations and capitalized as a tangible capital asset on the Statement of Financial Position. Consequently, additional funding from surplus to cover this spending is reduced by the value of items capitalized. The forecasted amount to capitalize is \$54,672. The budget approved a transfer from the General Revenue Fund Surplus of \$429,650 and a transfer from the LTC Specific Reserve Fund of \$71,500 for Local Trust Committee projects, for a total draw on surplus funds of \$501,150. Based on the second quarter forecast, adjusted for capitalized assets, the contribution to the General Revenue Fund Surplus is estimated at \$142,928 and the transfer from LTC Specific Reserve Fund is now estimated at \$48,040. This means that the budgeted transfer from surplus of \$501,150 will not be required.

ATTACHMENT:

- **Second Quarter Forecast to March 31, 2020**

FOLLOW-UP:

Prepared By: Nancy Rogers, Finance Officer

Reviewed By: Julia Mobbs, Director, Administrative Services
 Russ Hotsenpiller, Chief Administrative Officer

ISLANDS TRUST							
Q2 Forecast to March 31, 2021							
Note: Actuals on this are before adjustments to Q2 for retro excluded salaries which are already included in the forecast.							
Acct #	Description	Annual Budget	YTD Actuals	YTD Actuals Annualized	Forecast to March 31/21	Forecast Over (Under) budget \$	Forecast Over (Under) budget %
	REVENUES						
40300	Fees & Sales	115,000	68,505	137,010	115,000	0	0%
45000	Provincial Grant	180,000	180,000	180,000	180,000	0	0%
46000	Property Tax Levy General	6,783,141	6,783,141	6,783,141	6,783,141	0	0%
46100	Property Tax Levy Bowen	303,020	303,026	303,020	303,026	6	0%
46200	Special Levy Property Tax Requisition	75,500	75,500	75,500	75,500	0	0%
48000	Interest Income	85,000	16,588	33,177	47,213	(37,787)	-44%
49001/49002	Grant Income for projects	12,000	38,536	77,072	192,400	180,400	1503%
49005/49010	Other Revenue	0	1,158	2,316	2,158	2,158	
	Total Revenue	7,553,661	7,466,454	7,591,236	7,698,438	144,777	
	EXPENSES						
50500	Admin Cost Recovery	(1,995,521)	(1,009,842)	(1,995,521)	(1,995,521)	0	0%
50700	Admin Support Services	1,995,521	1,009,842	1,995,521	1,995,521	0	0%
50900	Amortization Expense	140,000	87,154	174,307	179,012	39,012	28%
50950	Applications Sponsored by EC	5,000	1,000	2,000	5,000	0	0%
50960	History and Heritage Funding Grants in Aid	5,000	0	0	5,000	0	0%
51000	Audit	20,000	(2,000)	(4,000)	20,000	0	0%
51500	Bank Charges & Interest	4,000	1,248	2,497	2,500	(1,500)	-38%
52500	Board of Variance	1,100	0	0	50	(1,050)	-95%
53500	Carbon Offset Purchases	500	(622)	(1,244)	0	(500)	-100%
54000	Committee Expense FPC	4,918	0	0	0	(4,918)	-100%
54100	Committee Expense LPC	1,921	0	0	0	(1,921)	-100%
54200	Committee Expense TPC	1,324	0	0	0	(1,324)	-100%
54300	Cultural Working Group	2,500	0	0	1,000	(1,500)	-60%
54500	Communications	33,000	5,143	10,285	29,000	(4,000)	-12%
54580	FN Protocol Funds	6,004	0	0	2,502	(3,502)	-58%
55105	S/W Support & Maintenance	76,700	36,032	72,065	76,700	0	0%
55200	Internet	41,000	23,569	47,138	47,000	6,000	15%
55500	Technical Support	89,000	56,052	112,103	89,000	0	0%
56000	Contingency	12,000	(561)	(1,122)	6,000	(6,000)	-50%
56500	Contract Services	58,500	20,712	41,425	66,224	7,724	13%
57050	Elections "By Elections"	5,000	0	0	0	(5,000)	-100%
60000	Insurance	151,385	82,035	164,070	173,899	22,514	15%
61100	ITC "Board Honoraria"	6,600	2,000	4,000	2,700	(3,900)	-59%
61200	ITC "Board Meeting Expense"	13,850	11	21	0	(13,850)	-100%
61210	ITC "Board Training & Conferences"	4,000	0	0	1,000	(3,000)	-75%
61300	ITC "Property Management"	72,000	4,438	8,876	48,000	(24,000)	-33%
61500	Conservation Planning & Land Securement	15,000	1,170	2,340	19,500	4,500	30%
61600	ITC "Ecosystem Mapping"	15,000	0	0	5,000	(10,000)	-67%
62000	Land Title Registrations	1,500	1,918	3,836	4,000	2,500	167%
63000	Legal "General"	90,001	35,151	70,301	90,001	0	0%
63100	Legal "Bylaw Enforcement Litigation"	85,000	42,312	84,623	85,000	0	0%
63200	Legal "Litigation Defence"	69,999	60,101	120,202	90,000	20,001	29%
65000	LTC Trustee Expenses	7,607	385	770	1,200	(6,407)	-84%
65050	LTC "Executive Expense on LTC's"	18,469	480	960	1,500	(16,969)	-92%
65200	LTC Local Exp LTC Meeting Expenses	28,377	12,479	24,958	22,458	(5,919)	-21%
65210	LTC Local Exp APC Meeting Expenses	3,630	1,031	2,061	2,978	(652)	-18%
65220	LTC Local Exp Communications	5,000	2,260	4,520	6,675	1,675	34%
65230	LTC Local Exp Special Projects	4,999	0	0	2,941	(2,058)	-41%
67000	Meeting Expense	95,719	5,910	11,820	15,470	(80,249)	-84%
67500	Memberships	16,815	1,770	3,540	13,685	(3,130)	-19%
68100	Notices Statutory & Non Statutory	25,000	3,108	6,216	10,000	(15,000)	-60%
69000	Office Rent	397,940	197,830	395,660	397,940	0	0%
69005	Office Services	60,060	20,184	40,369	50,300	(9,760)	-16%
70000	Postage & Courier	10,000	4,484	8,968	10,000	0	0%
74000	Recruitment	8,000	4,097	8,194	8,000	0	0%
74900	Safety	5,000	4,125	8,249	7,000	2,000	40%
75100	Salaries - Admin Staff	2,112,239	1,002,645	2,005,291	4,809,693	(287,478)	-6%
75110	Benefits - Admin Staff	531,899	251,846	503,691			
76100	Salaries - Planners & RPMs	1,341,959	583,524	1,167,048			
76110	Benefits Planners & RPM's	344,710	146,593	293,187			
77100	Salaries Planning Support Staff	394,741	196,881	393,762			
77110	Benefits Planning Support Staff	99,897	49,441	98,882			
78100	Salaries Bylaw	217,565	67,754	135,508			
78110	Benefits Bylaw	54,161	17,025	34,049			
79000	Stationary & Supplies	33,000	14,494	28,987	28,500	(4,500)	-14%
79500	Subscriptions	6,500	1,745	3,491	6,000	(500)	-8%

ISLANDS TRUST							
Q2 Forecast to March 31, 2021							
Note: Actuals on this are before adjustments to Q2 for retro excluded salaries which are already included in the forecast.							
Acct #	Description	Annual Budget	YTD Actuals	YTD Actuals Annualized	Forecast to March 31/21	Forecast Over (Under) budget \$	Forecast Over (Under) budget %
80100	Telephone	14,000	6,395	12,790	14,000	0	0%
80300	Mobile Devices	23,400	12,350	24,700	23,400	0	0%
81100	Training "Organization Wide"	4,421	0	0	4,421	0	0%
81200	Staff Meetings & Recognition	8,753	774	1,547	2,000	(6,753)	-77%
81300	Training & Conferences	39,302	8,646	17,292	20,328	(18,974)	-48%
81305	Travel for Training	28,136	20	40	3,000	(25,136)	-89%
82300	Travel	61,343	10,872	21,744	18,399	(42,944)	-70%
84100	Trustee Remuneration	518,753	260,977	521,954	521,954	3,201	1%
84110	Trustee Remuneration "CPP Expense"	21,667	9,052	18,105	18,105	(3,562)	-16%
84120	Trustee Remuneration Health/Dental Benefits	43,561	18,371	36,742	37,371	(6,190)	-14%
84140	Trustee Remuneration Pay In Lieu of Benefits	1,000	500	1,000	1,000	0	0%
84150	Trustee Remuneration "Employer Health Tax"	10,135	5,134	10,268	10,135	0	0%
	Operating Expenses Subtotal	7,629,561	3,380,043	6,760,087	7,116,539	(513,021)	
CAPITAL							
55100	Hardware	90,600	90,852	181,704	91,852	1,252	1%
69100	Furniture and Equipment	8,000	5,663	11,326	8,000	0	0%
69500	Office Renovation	0	0	0	0	0	0%
	Capital Subtotal	98,600	96,515	193,030	99,852	1,252	
PROJECTS							
	LTC Projects	71,500	3,011	6,023	48,040	(23,460)	-33%
	LTC Projects Funded by Grants (590)	12,000	(1,083)	(2,167)	3,917	(8,083)	-67%
	LTA Work Funded by Special requisition (SWIPPA)	75,500	30,600	61,199	65,000	(10,500)	-14%
73001-A	<u>Strategic Plan Projects</u>					0	0%
	Map Eelgrass + Kelpbeds	50,000	0	0	0	(50,000)	-100%
	Develop a regional freshwater management strategy	20,000	0	0	20,000	0	0%
	Review Foreshore Policies/Bylaws + Develop Model Policy	10,000	0	0	10,000	0	0%
xbim	Map+Develop Water budgets for groundwater aquifers ***Added back, per T	50,000	0	0	50,000	0	0%
xbim	Create model OCP policies using groundwater budgets			0		0	0%
	Develop set of climate change, demographic + environmental data	5,000	5,000	10,000	5,000	0	0%
xbim	Broadcast public meetings	7,100	2,237	4,474	7,100	0	0%
	Develop and implement a stewardship education program	15,000	577	1,154	15,000	0	0%
	Adopt and implement a Reconciliation Action Plan	17,550	6,360	12,720	17,000	(550)	-3%
	Amend the Policy Statement introductory + definitions sections	45,000	7,598	15,196	35,000	(10,000)	-22%
	Housing Initiatives: 1 per year	10,000	92	184	5,000	(5,000)	-50%
	Secretariat Function	12,000	2,080	4,160	12,000	0	0%
*	Prior Year project carryover - Website Renewal	45,000	42,446	84,892	45,000	0	0%
*	Prior Year project carryover - Groundwater Sustainability Mapping	10,000	8,625	17,250	10,000	0	0%
	Species at Risk - ITC project		8,503	17,006	82,773	82,773	0%
	Electronic Data Management (EDM)	5,500	3,465	6,930	5,500	0	0%
	Prior Year project carryover - Photo Management	5,500	1,788	3,576	5,500	0	0%
	Projects Total	466,650	121,299	242,597	441,830	(24,820)	
	Total Expenditures	8,194,811	3,597,857	7,195,714	7,658,221	(536,589)	-7%
	Surplus (shortfall)	(641,150)			40,216		
	<u>Funded by:</u>						
	Transfer from (Contribution to) General Revenue Surplus Fund	429,650			(142,928)		
	Transfer from LTC Project Specific Reserve Fund	71,500			48,040		
	Net Surplus (Shortfall)	(140,000)	0	0	(54,672)		
	Add back Amortisation Expense (not taxed, so removed for purposes of balance)	140,000					
	Add back Capital Expenditures (not expensed in year of purchase, so removed from actuals)				54,672		
	Balance	0	0	0	0		



December 2020 Islands Trust Council 2021/22 Proposed Budget

Purpose:

- To provide Trust Council with an overview of the Financial Planning Committee's current draft of the 2021/22 budget;
- To discuss the proposed revenues, expenses, and resulting surplus balances with Trust Council and receive feedback for amendments as needed;
- To provide an opportunity for questions, comments and recommendations from Trustees before the Financial Planning Committee develops a draft budget package for public comment.

Resources:

Peter Grove, Financial Planning Committee (FPC)
 Julia Mobbs, Director, Administrative Services (DAS)
 Russ Hotsenpiller, Chief Administrative Officer (CAO)
 Clare Frater, Director, Trust Area Services (DTAS)
 David Marlor, Director, Local Planning Services (DPLS)

Introduction (3 minutes) Comments (2 minutes) 2021/22 Proposed Budget Highlights (20 minutes) <u>Document References</u> • Budget Assumptions and Principles • Draft Budget Highlights • Draft Budget Detail • Funding Requests Summary ○ Strategic Plan Initiatives ○ Operational Initiatives ○ Staffing Changes Trustees Questions and Discussion (65 minutes)	Peter Grove, FPC Russ Hotsenpiller, CAO Julia Mobbs, Director, Administrative Services Trustees
NEXT STEPS: • January 2021: ○ FPC meeting to review Draft 2, Version 1 of the budget and public consultation documents. • February 2021: ○ Consultation with public on draft budget package. ○ FPC meeting to review Draft 2, Version 2 of the budget and results of budget public consultation. • March 2021: ○ Trust Council approval of a Budget Bylaw to be forwarded to the Minister by March 31, 2021	

ISLANDS TRUST

2021/22 Draft Budget

Assumptions and Principles

December 2020

Draft Budget Development Process:

During the budget cycle, each line of the detailed draft budget is reviewed by the responsible manager, giving consideration to previous years' spending and future work programs and services (including Trust Council's Strategic Plan initiatives). Planning staff review planning project needs with Local Trust Committees and identify top priorities. The Islands Trust Conservancy Board requests budget funding levels appropriate to support the goals in its Regional Conservation Plan and other fiscal initiatives. Directors review their respective Committee work programs to ensure work plan activities are appropriately funded. The Director, Administrative Services reviews the detailed spending and projects costs on behalf of the organization with respect to completeness and accuracy and compiles the detailed budget for the year. The draft budget detail is reviewed and by the Islands Trust management team prior to being submitted to the Financial Planning Committee for review and consideration. A first draft of the budget is forwarded to Trust Council in December of each year, or in the case of election years, the following January.

REVENUES			
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
1	Fees and Sales	Assumed that the application fees review currently underway with LPC and FPC will be completed in time for to incorporate recommendations into the 2021/22 budget. Application volumes are difficult to anticipate. For purposes of draft budget development, the assumption is made that application volumes will remain fairly stable, however the ongoing pandemic may create a shift which will be incorporated as identified.	Potentially forth coming Local Planning Committee (LPC) recommendations. Current application volumes and anticipated adjustments as identified by the Director, LPS.
2	Provincial Grant Funding	Assumed that funding received from the Province will be received, and will remain consistent with prior years. Although there is a Trust Council resolution to request more funds from the Province, no work has progressed on this task and likely will remain the case due to the ongoing pandemic. As such, no increase in funds is anticipated at this time.	Prior year funding levels.
w3	Property Taxes - General	Assumed property tax revenue will be required to balance the Islands Trust budget.	Draft budget planned expenditures less other revenue sources.

4	Non-market Growth in Property Taxes	The property tax base within the Islands Trust Area will grow due to new development activity.	BC Assessment report provided in December each year indicates non-market growth for the Gulf Islands.
5	Property Taxes – Special Requisitions	Assumed SSI LTC will request a special levy to continue the SSIWPA work. Assumed this request will be at lower levels than previous years given existing SSIWPA surplus funds that remain unspent from previous fiscal years.	Trust Council <i>Policy 6.3.2 Special Property Tax Requisitions</i> LTC resolution, Accumulated surplus balance for SSIWPA funds.
6	Property Taxes – Bowen Island Municipality	Assumed relevant policy regarding this requisition will remain unchanged.	Trust Council <i>Policy 7.2.6 Municipal Property Tax Requisition Calculation</i>
7	Investment Income	Assumed interest income will be lowered from historical levels due to low interest rates. Assumed Islands Trust will continue to invest in conservative investments in line with legislation. Assumed sustainable investment vehicles will be secured for a portion of invested funds to align with Trust values.	Islands Trust Act, Community Charter, current interest rate trends and investment advisor information.
8	Other Grant Funding	Islands Trust will continue to monitor grant opportunities available for corporate work, but does not expect significant new inflows of revenue from this source. Any budgeted revenue from grant funds for projects will be offset by a budgeted expense for the same amount, to ensure appropriate conservatism in the budget.	Current grant programs available to Islands Trust and historical inflows of grant funding, adjusted for change in staff hours dedicated to the grants function.

EXPENSES

	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
9	Inflation	The cost of goods and services will rise in line with inflation. Application of this assumption is not applied in a direct manner whereby all expenses are increased by a percentage. Rather, where real spending trends are analysed for purposes of generating a budget figure, historical averages are most frequently rounded upwards.	Consumer Price Index (CPI) for Victoria, as reported by Statistics Canada, to assess if current inflation accommodations are appropriate.
10	Staffing Levels	Assumed current staffing levels are appropriate to carry out the anticipated services provided by the Islands Trust. Decreased staffing levels may result in a reduced level of services or functions. New functions or services may require either additional staffing or the deletion of some existing functions or service levels.	Current staffing levels, plus a request for an additional bylaw officer. 2008 Bylaw Enforcement Function Review (Bylaw

			staffing levels), updated for coming business case for new BEO. 2018 Local Planning Services Review (LPS staffing levels).
11	Staffing Salaries and Benefits	Assumed that staff will continue to be appointed subject to the <i>Public Services Act</i> and the <i>Public Service Labour Relations Act</i>, in accordance with the <i>Islands Trust Act</i>. Assumed costs for staff salaries and benefits will rise in accordance with relevant legislation and union agreements.	<i>Public Service Labour Relations Act</i> (all staff). <i>Public Services Act</i> and PSA Policy on salary administration for management employees (exempt staff). BCGEU union agreement (union staff). Public Service Agency (benefits costs/rate, all staff).
12	Trustee Remuneration	Assumed that no changes will be made to the guiding policy for Trustee Remuneration. Assumed that the number of meetings requiring payment to trustees will increase slightly, as directed by committees in recent months as planning for 2021 meeting dates has been underway.	Trust Council's Policy 7.2 <i>Trustee Remuneration</i>. (census information 2016, stats Canada CPI information, Folio information from BC Assessment)
13	Office Facilities	Assumed that office locations for staff will remain in Victoria, on Salt Spring Island and on Gabriola Island. Assumed that the Bylaw unit will be released at the Victoria office, and investigation of relinquishing additional Victoria units (Fin/HR and IS) will continue with a decision made prior to March Trust Council. Assumed that Islands Trust will continue to lease office space for trustees on Denman Island, Galiano Island, North Pender Island, Mayne Island, and Saturna Island subject to trustee needs.	Trust Council Policy 7.4.4 <i>On-Island Trustee Offices</i>. Existing multi-year office leases.
14	Local Planning Services	Assumed that Islands Trust Council will continue to provide sufficient funding for LTCs to carry out their primary function of land-use planning and regulatory activities within their local trust area, as permitted by the <i>Islands Trust Act</i>. OCP and LTCs project budgets over the long-term will be distributed between LTCs based on their relative percentage of assessed value, per the resource allocation model.	Local Planning Services Review 2018 Strategic Plan 2018-2022 Trust Council Policy 5.9.1 <i>Best Management Practices for Delivery of Local Planning Services to Local Trust Committees</i>

15	Planner Resource Allocation	The current work program system which determines the allocation of planner time to LTCs and projects will change during the implementation of the LPS review. This change will be in effect in time for the 2021/22 fiscal year. Resources will continue to aim for fair distribution of time between the three planning regions (North, South, Salt Spring)	LPS Review 2018 Strategic plan 2018-2022 implementation
16	Strategic Plan Projects	Assumed projects underway as part of the current strategic plan will be seen through to completion.	Trust Council Strategic Plan 2018-2022
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
17	General Surplus	Assumed that accumulated surplus funds will be drawn down more or less in line with the current year financial plan, leaving the opening balance for fiscal 2021/22 at a healthy level. Assumed the current review of surplus funds being undertaken by FPC will be complete and any revisions to minimum balances or how surplus is used will be incorporated in time for the approval of the 2021/22 budget.	Trust Council's <i>policy 6.5.1 Reserves and Surplus</i> , section D.6, recommends a minimum level of General Revenue Surplus as " <i>three months of expenses net of three months of revenue, excluding revenue from property taxes or the provincial grant</i> ".
18	LTC-Specific Reserve Fund	Assumed Trust Council will continue to make use of the LTC-Specific Reserve Fund.	Consolidated report of approved, planned LTC projects for the coming fiscal year, provided by Local Planning Services and LTCs.
19	Special Property Tax (SSIWPA) Surplus Fund	Assumed accumulated surplus funds for SSIWPA will be spent in part of in full in 2021/22.	Accumulated surplus balance from March 31, 2020 + expected contribution to the SSIWPA surplus fund from the year ending March 31, 2021.
20	Significant Unusual Circumstances	The COVID-19 pandemic is ongoing. The ramifications of this are very likely to continue into fiscal 2021/22, impacting the way in which we do business. Many of the new processes that have been adopted during the pandemic are likely to continue in some capacity even when the pandemic is declared over. Significant new processes expected to continue into fiscal 2021/22 include Council Committee meetings being conducted almost exclusively electronically, more Trust Council meetings being conducted electronically, and a more permanent remote workforce. The impacts of these items has been included in the budget for review.	Provincial Health Officer updates, Islands Trust CAO and management team, Council and Council Committees

BRIEFING

To: Trust Council **For the Meeting of:** December 3, 2020
From: Financial Planning Committee **Date Prepared:** November 13, 2020
SUBJECT: Budget 2021/22 Overview and Highlights

PURPOSE:

To provide Trust Council with the first draft of the fiscal 2021/22 budget for review and comment.

BACKGROUND:

The Budget Assumptions and Principles (BAP) for the fiscal 2021/22 budget cycle were reviewed by Trust Council (TC) at their September 2020 meeting with no requested changes to the planned budget approach. The document contained an overview of the standard annual areas of importance, but did not contemplate the ongoing impact of the COVID-19 pandemic on next fiscal operations. However, it is expected that the pandemic will extend beyond March 31, 2021 and that even once health guidelines have relaxed to more customary levels, certain operational practices adopted during the pandemic will continue in some capacity (such as electronic meetings, more virtual training opportunities for staff and trustees, and a more remote workforce). Islands Trust management has incorporated the following assumptions into the draft 2021/22 budget to estimate the ongoing impact of COVID-19 on operations:

- Assumption that Trust Council and Council Committees meetings will continue to be held almost exclusively electronically. Budgets have been adjusted downwards to reflect this. Should TC or Committees pass resolutions for alternative plans, budget amounts will be adjusted accordingly.
- Assumption that staff will continue to attend some LTC meetings electronically, even when in-person meetings resume. Travel and staff overtime budgets have been reduced to reflect this.
- Assumption that Training will occur at levels similar to actual historical norms, with more training being received via virtual means resulting in reduced travel for training. Budgets have been adjusted downwards accordingly.
- An ongoing more remote workforce is being contemplated by management, the impacts of which have been partially incorporated into the draft budget in the form of a very slight reduction to rented real estate (the bylaw unit) in Victoria. If additional rented units in the Victoria office location are relinquished as a result of the future of work discussion, savings will be realized and applied to the budget.

Since Trust Council's meeting in September, all business units in Islands Trust have provided their departmental budgets and funding requests, Council Committees have made resolutions and provided business cases requesting funding for planned projects, and finance staff have prepared estimates for Trust-wide expenses with the input of the CAO and Directors. This information has been collated into the draft budget 2021/22. Financial Planning Committee (FPC) has reviewed the budget draft twice and forwards this draft to TC as their current budget recommendation.

DRAFT 2021/22 BUDGET HIGHLIGHTS:

Comparisons to Previous Fiscal Years:

The current draft of the fiscal 2021/22 budget presents an overall expenditure increase of 5.3%, \$437,613 over the (COVID-19 amended) approved budget for fiscal 2020/21. A comparison to the previous budget year is helpful to understand possible impacts to taxation levels, as tax requisition increases are based on prior year budget numbers.

The current draft of the fiscal 2021/22 budget presents an overall operating budget increase of 10%, \$726,356 over *actual* operating expenses for fiscal 2019/20 (two fiscal years of separation). A comparison to actual operating expenses from previous fiscal years is helpful to determine real trends in spending levels, to inform budget development for future fiscal years. The 'operating budget' figure is the total budget less capital purchases, as capital purchases receive different treatment in Islands Trust budget reporting than they do in actuals reporting. As such, they need to be excluded for purposes of budget to actual comparisons. A subtotal for the operating budget is shown in the Budget Detail at Appendix A.

The largest contributing increases in the operating budget over this two year span are in the areas of amortization expense (non-cash), salaries and wages, insurance costs, ITC operations costs due to new Species at Risk grant funding received, and trustee remuneration. Offsetting areas of decrease relate to meeting expenses, office expenses, training, travel, supplies, and contracted services costs. A breakdown of these increases and decreases is provided in the Budget Detail at Appendix A.

Project expense comparatives are also provided in the Budget Detail but are potentially less helpful for future year decision making as projects vary from year to year based on Council priorities and could have very different costs depending on the nature of work being completed. Of note, however, is that actual project spending over the last four fiscal years has not exceeded \$300,000 in any given year.

Details of Specific Budget Areas:

Details on planned revenues and planned expenditures in the draft budget include the following:

Planned Revenues:

Local Trust Area (LTA) Taxes:

- A proposed average tax increase of 2.66%, (\$180,432) across Local Trust Areas (LTAs) to cover ongoing annual operational costs.
- An anticipated 0.93% (\$63,083) average tax increase across Local Trust Areas (LTAs) to account for the Non-Market Change (NMC) factor, which is an increase to the tax base for new construction, developments, changes in land-use. This figure is based on the NMC Roll Comparison report from BC Assessment as at March 2020 and will be updated to reflect new figures upon release from BC Assessment in time for the March 2021 TC budget review.

The total increase in tax revenues to be received from LTAs over last year's budget is an increase of 3.56% (\$241,480).

Bowen Island Municipality Taxes:

- A proposed tax levy decrease of 3.5% (\$10,752) to Bowen Island Municipality (BIM) for their contribution to the Trust Council and Islands Trust conservancy and related administration costs portion of the Islands Trust budget. The contribution has been calculated at \$292,269 in the draft budget.

Special Tax Requisitions:

- An anticipated special property tax levy for the SSI LTA has been budgeted at \$75,500 to continue funding the SSI Watershed Protection Alliance (SSIWPA) initiative. The actual amount requested for this special levy, if continued, will be determined based on resolution from the SSI Local Trust Committee (LTC) and subsequent Trust Council approval, and will likely take into account unspent special levy funds from previous fiscal years.

Surplus Funding:

- A transfer of \$288,000 (2020/21 budget - \$429,650) from the General Revenue Surplus Fund, of which \$258,000 is allocated to strategic plan initiatives, and \$30,000 is allocated to a potential project for developing heritage overlay mapping, at the direction of Executive Committee.
- A transfer of \$159,000 (2019/20 budget - \$71,500) from the LTC-Project Specific Reserve Fund to fund ongoing LTC projects and anticipated new projects that may arise in the fiscal year (see Appendix B for a summary list of these projects).

The total planned draw from accumulated surplus funds in the draft budget is \$447,000 (2020/21 budget - \$501,150).

Other Revenue Sources:

- Fees and Sales from applications is set at \$120,000 (2020/21 - \$115,000) based on current year application trends, as determined by the Director of Local Planning Services. Regional Planning Committee (RPC) is currently conducting a review of application fees which is set to be complete by the end of the current fiscal year 2020/21. Any recommendations from this review will be incorporated into the budget to the extent possible, acknowledging that recommendations may or may not be adopted by Local Trust Committees (LTCs).
- The Provincial Grant funds have been budgeted at historical levels of \$180,000 (2020/21 - \$180,000). Executive Committee and Trust Council are tasked with strategizing an approach to request more funding from the province, and any required adjustments from this work will be made to the draft budget as the budget cycle continues.
- Interest and other income is budgeted at \$60,000 (2020/21 - \$85,000) based on known investment returns from existing investments, plus estimated returns on the investment of 2021/22 property tax funds, and assumes low interest rates will continue into the fiscal year.
- Grant income is estimated at \$8,000 (2020/21 - \$12,000) for Islands Trust. This amount has been reduced as resources dedicated to the grant management function will be reduced in the coming fiscal year, in favour of dedicating staff time to LTC advocacy. This change is a result of the LPS Review implementation. To acknowledge the inherent uncertainty and contingent nature of grant revenues, an equal and offsetting amount has been included in planned expenditures to ensure a balanced budget even in the event that no grant income is realized in the fiscal year. Islands Trust is currently holding approximately \$26,000 in unspent grant monies, which will be recorded as revenue when spent on approved expenditures. Staff will work to identify which of these grant funds are likely to be spent in fiscal 2020/22 and will incorporate associated revenues (and expenses) in future budget drafts.
- ITC Species at Risk (SAR) grant funds are reflected in the budget at \$205,000 (2020/21 - \$nil) in accordance with the proposed contribution agreement with Environment and Climate Change Canada. Expenses covered by these funds are recorded in their appropriate expense area within the ITC budget.

Planned Expenditures:

The largest budgeted expense to Islands Trust remains staff salaries and benefits expense, at \$5,454,999 in the 2021/22 draft budget (2020/21 - \$5,097,170), representing 63% of the overall draft budget. Staffing levels, by department, expressed as Full-Time Equivalents (FTE), are broken down as follows:

**areas with a 0.3FTE co-op student included*

- Executive and Legislative Services – 2.8 FTE
 - Trust Area Services – 4.6 FTE
 - Islands Trust Conservancy – 7.3 FTE*
 - Local Planning Services – 29.8 FTE
 - Bylaw Enforcement – 4.6 FTE
 - Administrative Services – 9.3 FTE
- TOTAL = 58.3 FTE

Factors influencing this expenditure line item include:

- Changes to staffing levels and complements:
 - A request for an additional Bylaw Enforcement Officer, budgeted at approximately \$74,413 for base salary and benefits (\$82,599 for all associated costs). This amount represents 10.5 months of wages,

acknowledging it will take time to recruit for the position at the start of the fiscal year. A business case for this request is included with the funding requests in this agenda.

- The removal of a Planner 1 position in the Gabriola (GAB) office and replacement with a Planner 2 position, resulting in a \$13,159 increase to salaries and wages.
- The removal of a Planner 2 position in the Gabriola (GAB) office and replacement with an Island Planner position, resulting in a \$15,773 increase to salaries and wages.
- The addition of an ITC Species at Risk Program Coordinator, budgeted at approximately \$87,055 for base salary and benefits (\$91,955 for all associated costs). This role will be funded by the Species at Risk grant funding from Environment Canada.
- The addition of an ITC Co-op field technician, budgeted at approximately \$17,702 for salaries and benefits (\$22,260 for all associated costs) which includes costs to cover a potential Pacific Leaders tuition Grant for co-op employees, should this student apply for and receive it. This role will be funded by the Species at Risk grant funding from Environment Canada.
- Staff salaries and benefits have been adjusted from previous years for the following factors:
 - A 2.0% wage increase for all 50 BCGEU staff members, effective April 1, 2021.
 - An adjustment for the 21 BCGEU staff who will move up 'steps' in their range in the fiscal year (3.0% per step per person).
 - A movement from Grid 14 to Grid 15 for four staff members, as well as increases in Temporary Market Adjustments (TMAs) for select staff, for a total increase to salaries of \$9,300.
 - An effective up-to 1.5% wage increase for eight excluded management staff members to anticipate potential increases from PSA received in the fiscal year. PSA has communicated that executive wage freezes are in place for next fiscal year and as such no increase has been included for executive staff (i.e.: the CAO).
 - Current year salaries impact starting salaries figures for next fiscal year. Adjustments have been made to excluded staff starting salaries in the current draft to account for recently determined increases for both the CAO and excluded management staff, which were delayed in determination.
 - An analysis of historical staff overtime has been performed and used to budget for estimated overtime in fiscal 2021/22. Overtime costs currently make up approximately \$38,448 (2020/21 - \$44,128) of the total salaries and benefits expense, which equates to approximately \$57,834 (2020/21 - \$54,939) when the cost of benefits associated with potential payouts of this expense is included. This overtime figure was reduced by approximately \$24,000 from the original draft budget as a result of the budget reduction exercise undertaken by staff at the direction of FPC (see attachment to this report for the full report that went to FPC).
 - Benefits expense on base salaries remains calculated at 25.4% of gross salaries, consistent with prior years, and is estimated at \$1,096,920 (2020/21 - \$1,030,666). This payment to PSA is made to pay for items such as: employer portions of CCP, EI, EHT, and pension contributions for staff; extended benefit plan premiums for staff; and other fringe benefits for staff. The actual rate for next fiscal year will be received by PSA later in the budget cycle and will be updated in the budget draft when received.
 - No allowance for staff turnover has been made in the 2021/22 draft budget (2020/21 – \$nil) as it is expected any savings realized through staff vacancies will be offset by the hiring of temporary or contracted human resources to ensure adequate production of planned work for the fiscal year.

Trustee remuneration remains quantified by Trust Council policy 7.2.1 *Trustee Remuneration* and amounts to \$596,098 in the 2021/22 draft budget (2020/21 - \$595,113). Factors influencing this figure include the following:

- An anticipated 1.2% increase to base remuneration to adjust for CPI changes, based on recently reported annual inflation figures for the Victoria area. This rate will be adjusted to reflect final Statistics Canada inflation rates at the end of the calendar year.
- No change to population figures which are updated every five years in line with census reports issued by Statistics Canada.
- Adjustments for the number of folios by LTA as provided by BC Assessment.
- Inclusion of employer CPP contributions at new rates of 5.45% and 5.75% as at January 1, 2021 and January 1, 2022 respectively. The formula to estimate this expense has been updated to include exemptions and yearly maximums which has reduced the budgeted figure to more closely align with actual costs associated with this expense.

- Extended benefit premiums have been reduced slightly per UBCM correspondence received in October 2020.
- Employer Health Tax (EHT) remains at 1.95% of base salary.
- Inclusion of committee meeting remuneration for Council Committee members at a rate of \$150/meeting for Committee Chairs and \$100/meeting for Committee members. Additional Committee meetings have been added to the budget for RPC who intends to increase the frequency of their meeting schedule.

Trust Council meeting expenses have been budgeted under the assumption that three meetings of Trust Council will be held electronically with the Council Chair and a Vice-Chair travelling to Victoria to manage the meetings from the office boardroom, and one meeting will be held with Council in attendance in-person. This is a deviation from Trust Council's desire to plan for two e-meetings and two in-person meetings, but was incorporated as part of a budget reduction exercise initiated by FPC. To acknowledge trustee comments that in-person connections at these meetings are important, one meeting remains budgeted for in-person. Staff will receive direction from TC to revise this assumption if desired by Council.

The draft budget assumes Trust Council will continue to meet quarterly. Should Trust Council decide that a different format of meetings for next fiscal year should be undertaken (i.e.: that more or less meetings will be held electronically), adjustments will be made to these assumptions accordingly. Current planned spending for Trust Council meetings in the draft budget is \$26,500 (2020/21 – \$95,000) which includes the travel and accommodation costs for the Chair and Vice Chair for the three e-meetings. This amount is include d

Executive Committee meeting expenses are budgeted at \$3,000 (2020/21 - \$16,600). This follows the assumption that most meetings will be conducted electronically resulting in reduced costs from previous years. Should TC or EC decide that a different format of meetings should be planned for, adjustments will be made to these assumptions accordingly. This figure is a revision from the FPC-reviewed budget amount of \$nil which was reviewed at their most recent meeting. EC met subsequent to the FPC meeting date and passed a resolution directing staff to add back \$3,000 to this line item.

Council Committee meeting expenses (FPC, TPC, RPC) are budgeted at \$1,000 in total for next fiscal year. FPC and RPC have been budgeted to continue holding all meetings electronically which reduces meetings costs to nil. TPC has passed a resolution to hold all electronic meetings with the exception of one in-person meeting which will require funding for trustee travel costs and catering.

All Staff Meeting costs (line 'training – staff recognition & meetings) have been reduced to \$4,000 from historical spending norms to incorporate the impact of more virtual meetings taking place into the future. Holding a small amount to ensure staff can get together at least once annually maintains a part of Islands Trust culture that staff have indicated in previous and current year surveys is important to them in their work satisfaction. **LPS Pro-D day meeting expenses** (included in line 'meeting expenses) has also been reduced from historical norms to acknowledge these meetings will be held more electronically into the future.

LTC-direct expenses amount to \$68,400 (2020/21 - \$68,088). Reductions to LTC trustee expenses was made under the assumption that less travel would be incurred in light of the pandemic. LTC meeting expenses was reduced by 10% assuming electronic meetings would result in less costs for venue rentals. Minute-taker costs make up the bulk of LTC meeting costs and are not expected to see a reduction with a change in meeting format. LTC Communications and Funds for Special Projects remain consistent with actual historical spending and budget at \$5,000 for each area.

LTC-specific project expenses are budgeted at \$159,000 (2020/21 - \$71,500) for LTC projects that are currently ongoing and expected to carry over into the 2021/22 fiscal year (see Appendix B for project list), plus an allowance for upcoming, currently unknown LTC projects (\$39,000). Estimated amounts in this calculation include potential First Nations capacity funding. These projects will continue to be funded from monies in the Special Purpose LTC Project Reserve fund unless directed otherwise by Trust Council.

Islands Trust Conservancy expenses, amount to a total of \$819,166 in the draft budget. \$205,000 in SAR grant funding will offset these expenses (~\$179,000 will offset new planned SAR programming costs, and ~\$26,181 will offset existing staff salaries for time they spend on this work). A breakdown of ITC costs can be found in the funding request summaries.

Excluding budgeted ITC staff salaries and benefits of \$584,411, a budget of \$234,755 is included in the 2021/22 draft budget (2020/21 - \$167,000). Significant budget changes to funding for existing programming include:

- An increase to property management costs to account for the anticipated addition of two nature reserves and one conservation covenant (+\$5,810).
- An increase in legal costs to account for higher rates charged by the new ITC legal counsel (+\$7,000). ITC's former legal counsel is no longer operating.
- A reduction in meeting expenses to account for a 50% reduction in in-person meetings due to the CoViD-19 pandemic (-\$6,925).
- An increase to Communications and Fundraising costs to support an ITC Fund Development Plan (+\$7,000).

Additional new programming related to Species at Risk (SAR) is planned for the 2021/22 fiscal year due to grant funding from Environment and Climate Change Canada that has been awarded to ITC. New programming plans has resulted in the following budgeted expenses associated with new SAR work:

- \$104,263 to cover the salaries and benefits associated with the two new ITC staff positions and \$26,181 to offset a portion of existing staff salaries and benefits.
- Property management associated with SAR work, primarily for Species at Risk surveys on ITC-managed land (\$25,000);
- Conservation planning and land securement costs, which cover potential surveys, appraisals, and ecological inventories on proposals that may be brought forward in the year (\$15,000);
- Mapping of Species at Risk habitats within the Trust Area (\$5,000);
- Legal costs resulting from anticipated higher number of proposals received (\$3,000);
- Training for the new SAR coordinator (\$750);
- Increased travel to account for the new SAR position and the co-op student field tech (\$5,000).

The ITC Board has passed a resolution approving their budget request which includes the items listed above. The RFD that was reviewed by the Board is included with the project business cases/funding requests in this agenda package which provides additional detail. Included at the end of this detail is a breakdown of the ITC budget by new and existing programming, prepared by staff for FPC/TC.

Office leases and associated costs amount to \$447,600 (2020/21 - \$458,000). Main staff office spaces remain in Victoria, and on Gabriola Island and on SSI. Smaller on-island office leases remain in use on Galiano Island, Mayne Island, Pender Island, Saturna Island, and Denman Island used mainly by trustees and LPS staff for meetings with members of the public. Small increases to rental rates have been seen in many of the office spaces, as well as increased cleaning rates for island offices. This draft of the budget includes all existing rented space in the Victoria office with the exception of the Bylaw unit, which will be released in advance of April 1, 2021. Discussions remain underway regarding the other smaller units in the Victoria office (Fin/HR/IS) to determine if these additional units can be terminated in light of the new manner of remote working that may continue post-pandemic. Should decisions around this be reached in time to incorporate in to the final budget draft, amounts will be updated and reduced as appropriate. **Office services costs** have been reduced where appropriate to reflect the reduction in Victoria office space.

Furniture and Equipment costs are included in the budget at \$4,000 which is a 50% reduction from previous budget years. Given the increase in current year purchased equipment and supplies for staff in the wake of Covid-19, as well as the conversation around reducing real estate, it can be anticipated that furniture and equipment purchases may be reduced next fiscal year. As such, a \$4,000 reduction to this item has been included in the budget. Realizing this reduction will be contingent upon the new working arrangements for staff and whether or not requirements for home office hardware is required for specific situations.

Insurance costs have once again risen and are budgeted at \$185,000 (2020/21 - \$151,385), based on renewal amounts for the current fiscal year. Almost all of this increase relates to General Liability and Errors and Omissions insurance coverage, which provides professional liability coverage for staff and directors liability coverage for trustees. The premium for this insurance plan received a 23% increase as a result of a hardening insurance market and an extended period of claims history reviewed by insurers. It is possible that renewal mid-next fiscal year will see reduced premiums as claims history periods roll forward one year and older claims are removed from the Trust's history list, however it is not possible to determine where markets may be at that time nor is it possible to foresee what new claims may befall the Trust over the next year. As such, the draft 2021/22 budget includes the high rates seen at current fiscal renewal. An

alternative approach would be to budget for a hopeful decrease in premium at renewal, and draw on accumulated surplus funds should this reduction not be realized.

Legal Costs (General, Bylaw enforcement litigation, Litigation defense) have been budgeted at a total of \$265,000 (2020/21 - \$245,000). Legal General remains budgeted at \$90,000 consistent with the 2020/21 budget, in line with upward spending trends in this area. This area of funding pays for legal opinions, interpretations and advice on various topics not associated with litigation or claims files. Legal for Bylaw Enforcement remains budgeted at \$85,000 consistent with the 2020/21 budget, which is in line with upward spending trends in this area, and accounts for the increased desire from trustees that greater enforcement take place on the islands. This also takes into consideration the request for an additional Bylaw Enforcement Officer which could result in greater enforcement action taken. Legal Litigation is budgeted at \$90,000, consistent with prior year actuals and in line with upward spending trends in this area. This is a difficult item to budget for, and while consideration for known claims can be made, there is no way to know what may come forward in the year. Similar to insurance costs, an alternative approach would be to budget for a lower expense in this area, and draw on accumulated surplus funds should additional funds be required in the year for increased litigation.

Contingency funding is included in the budget every year, providing a line item against which unanticipated necessary spending can be allocated. A review of the last four years of actual spending shows contingency funds largely unspent, with two of the four years recording contingency spending at \$2,500 and \$2,700 each related to Trustee training. Contingency funding can be reduced or eliminated in the budget with the understanding that any significant contingencies in the year be funded from surplus funds. There are no negative implications to this change. Contingencies can still be funded at the discretion of the CAO, and would be reported in the area that they relate to. The draft budget includes contingency funding at \$5,000, a reduction from the historical \$12,000.

Software Support and Licensing expenses are budgeted at \$103,900 (2020/21 - \$76,700), which includes a \$30,000 Microsoft Windows upgrade to support organization-wide operations. Software costs have risen over the last few years as more electronic processes are embraced, more complex systems are developed and purchased, and the fact that more software is being offered as “a service” in recent years, versus “a purchase”, which results in a shift of budget from capital “Computer H/W and S/W” to this expense line.

Computer Hardware and Software expenses have been budgeted at \$29,200 (2020/21 - \$90,600) which includes costs to purchase new computers for those nearing or at end of life and machines for new staff, as well as an expansion of server bandwidth capacity to accommodate increased server traffic.

Contracted Services are budgeted at \$45,000 in the 2021/22 draft budget (2020/21 - \$58,500) for services acquired from external providers, generally related to specialized areas of work. The bulk of this planned spending decrease comes from a reduction in ACCPAC consulting services (-\$1,000), a reduction in payroll processing costs (-\$5,000) and a reallocation of temporary staff resources to salaries (-\$3,000). Offsetting increases are associated mainly with funding for contracted FOI assistance (+\$4,500). As part of the FPC-directed budget reduction exercise, this line item was reduced by \$7,000 for LPS contracted services to remove funding for scientific technical services, which historically have not been needed by the Trust. This line was further reduced by \$4,000 associated with TAS monies, which staff have determined can be removed and funded from other budget lines as needed in the year.

Communications and ITC Fundraising costs are budgeted at \$46,000 for the fiscal 2021/22 year, which includes \$20,000 for Communications work under TAS, \$20,000 for ITC communications work, and \$6,000 for communications associated with LTCs and LPS.

Recruitment costs are budgeted at \$6,000 for the 2021/22 year, which is a reduction of \$2,000 from previous years. Recruitment costs may be reduced in coming years as a more flexible work environment may retain more staff, and relocation costs may be reduced if new hires are not required to reside in particular locations for their job.

Memberships costs are budgeted at \$15,210 for the 2021/22 year, which is a reduction of \$2,100 from previous budget versions. This budgeted figure more closely aligns with actual historical averages and known new membership costs for the coming year.

Notices costs are budgeted at \$21,000 for the 2021/22 year, which is a reduction of \$4,000 from previous budget versions. This budgeted figure more closely aligns with actual historical averages and known new membership costs for the coming year.

Strategic plan projects with budget funding requests reflect the initiatives approved by Trust Council as part of their strategic plan, and amount to \$288,000 (2020/21 - \$296,650), broken down in the following list. Also included in this draft budget is an additional staff-proposed project for heritage overlay mapping for \$30,000 which is currently under review by Executive Committee. This item may be removed or revised at the recommendation of EC and TC in future draft budgets.

- Create a model DPA for LTC-BIM OCP bylaws to protect CDF zones throughout the Trust Area (Strat Plan item #2) - \$5,000
- Continue to map the extent of eelgrass and kelp beds throughout the Trust Area (Strat Plan Item #5) - \$nil (V1-50,000)
- Finish mapping and develop water budgets for groundwater aquifers in the Trust Area (Strat Plan Item 8) - \$50,000
- Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (Strat Plan Item #9) - \$5,000
- Implement actions outlined in TC Strategic Actions and Develop model density bonus bylaws for LTC conisation (Strat Plan item #16) – \$10,000
- Develop set of climate change, demographic + environmental data along with performance criteria (Strat plan item #12) - \$25,000
- Broadcast public meetings (Strat Plan item #13) - \$19,000
- Develop and implement a stewardship education program (Strat plan item # 21) - \$15,000
- Implementation of the Trust Reconciliation Action Plan (Strat plan item #18, 19) - \$17,000
- Amend the Policy Statement project (Strat plan item # 10,16,22,23) - \$10,000
- Develop heritage overlay mapping - \$30,000
- Secretariat Function (Strat plan item # 21) - \$12,000
- *Freshwater Strategy work (Strat Plan item #7) – *completion of phase 1* (Strat plan item #7) - \$30,000
- Prior Year Project carryover: Policy Statement Amendment project, phase 1 – \$10,000
- Prior Year Project carryover: Eelgrass Mapping, phase 1 – \$50,000

Budget funding request business cases for all new initiatives are included in this agenda package for review (see Appendix C). Projects that are prior year carryovers do not have business cases included in this agenda as these cases would have been reviewed and approved in March 2020 with approval of the current year budget. Staff can provide information on project delays as requested.

*The Freshwater Strategy work (Strat Plan item #7) phase 1 was approved in the current year budget for \$20,000. Procurement processes associated with this project revealed an additional funding requirement of \$30,000 to complete the planned scope of work to the quality standards deemed necessary by staff and RPC. Rather than overspend on the project in the current year, staff proposed and RPC agreed that the approved 2020/21 budget amount of \$20,000 be used in the current year to start the work, and that the additional \$30,000 be requested from Trust Council as part of the 2021/22 budget to complete the work next fiscal. A business case related to this project is included in this agenda package for review.

Surplus funds in Accumulated Surplus are expected to remain healthy due to savings in the current fiscal year which are likely to result in a significantly lower draw from surplus in the current fiscal year than planned. Initial estimates of the balance in the general revenue surplus fund plus the LTC project specific fund at March 31, 2022 are \$1.74M, which is 89% of the recommended minimum balance of \$1.95M.

Key Subject Areas:

Climate action and water resources once again remain key areas of funding in the draft budget, in line with Trust Council's strategic plan.

ATTACHMENT(S):

1. Report to FPC re: Budget Reductions Exercise

2. **Appendix A: Budget 2021/22: Draft 1, Version 2 Detail**
3. **Appendix B: Surplus Allocations**
4. **Appendix C: List of LTC Projects Funded by the LTC-Project Specific Reserve Fund**

FOLLOW-UP:

As directed by Financial Planning Committee.

Prepared By: Julia Mobbs, Director, Administrative Services
Reviewed By: Russ Hotsenpiller, Chief Administrative Officer/November 16, 2020

		2016/17	2017/18	2018/19	2019/20	2020/21			2021/22	Budget-Budget Comparisons		Budget-Actual Comparisons	
		ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET (COVID-19 amended)	Q2 Actuals	Forecast	Draft BUDGET	Budget Change \$	Budget Change %	Draft budget vs 2019/20 Actuals	Draft Budget to 2019/20 Actuals % change
REVENUE													
40300	Fees & Sales	136,863	139,199	166,154	102,051	115,000	68,505	115,000	120,000	5,000	4.3%	17,949	18%
45000	Provincial Grant	177,880	180,000	180,000	180,000	180,000	180,000	180,000	180,000	-	0.0%	-	0%
	ITC Species at Risk Grant Funds					-			205,000	205,000	100.0%	205,000	
46000	Property Tax Levy - LTA	6,249,834	6,312,332	6,312,331	6,696,752	6,783,140	6,783,141	6,783,141	6,783,140	-	0.0%	86,388	1%
2.66%	Property Tax Levy - LTA General Increase			126,247					180,432	180,432	3.6%	180,432	
0.93%	Property Tax Levy - LTA NMC Increase			63,123					63,083	63,083		63,083	
	Property Tax Levy - Bowen	223,418	242,680	293,933	329,634	303,021	303,026	303,026	303,021	-	0.0%	(26,613)	-8%
-4.7%	Property Tax Levy - Bowen General Increase								(14,116)	(10,752)	-3.5%	(14,116)	
1.1%	Property Tax Levy - Bowen NMC Increase								3,364			3,364	
46200	Special LTC Tax Requisition - SSIWPA	110,500	98,500	98,500	98,500	75,500	75,500	75,500	75,500	-	0.0%	(23,000)	-23%
47000	Transfer from LTC Specific		0			71,500			159,000	87,500	122.4%	159,000	
47000	Transfer from General Revenue Surplus Fund		0			429,650			288,000	(141,650)	-33.0%	288,000	
48000	Interest Income	63,629	71,295	104,385	102,281	85,000	16,588	47,213	60,000	(25,000)	-29.4%	(42,281)	-41%
49000	Other income	10,214	16,795	8,692	161,853	-	38,536	192,400	0	-	100.0%	(161,853)	-100%
49001	Grant income - projects	16,965	0	8,329	13,201	12,000	1,158	2,158	8,000	(4,000)	-33.3%	(5,201)	-39%
Total Revenue		6,989,304	7,060,801	7,361,694	7,684,271	8,054,811	7,466,454	7,698,438	8,414,424	359,613	4.5%	730,152	10%
EXPENSES													
50900	Amortization	67,668	92,719	79,978	175,329	140,000	87,154	179,012	218,000	78,000	55.7%	42,671	24%
50950	Applications sponsored by Exec Committee	0	(5,312)	10,050	2,035	5,000	1,000	5,000	5,000	-	0.0%	2,965	146%
50960	History and Heritage Funding Grants-in-Aid	0	0	1,500	4,500	5,000	0	5,000	5,000	-	0.0%	500	11%
51000	Audit	16,825	20,000	23,725	13,725	20,000	(2,000)	20,000	20,000	-	0.0%	6,275	46%
51500	Bank Charges & Interest	3,507	2,553	3,176	4,181	4,000	1,248	2,500	4,000	-	0.0%	(181)	-4%
52500	Board of Variance	138	0	747	1,974	1,100	0	50	1,100	-	0.0%	(874)	-44%
53500	Carbon Offset Purchases	549	(2,678)	300	(922)	500	(622)	0	-	(500)	-100.0%	922	-100%
54000	Committee Meeting Expense - FPC			5,965	2,269	4,918	0	0	-	(4,918)	-100.0%	(2,269)	-100%
54100	Committee Meeting Expense - RPC			3,049	1,526	1,921	0	0	-	(1,921)	-100.0%	(1,526)	-100%
54200	Committee Meeting Expense - TPC			4,973	2,200	1,324	0	0	1,000	(324)	-24.5%	(1,200)	-55%
54300	Cultural Working Group			-	75	2,500	0	1,000	-	(2,500)	-100.0%	(75)	-100%
54500	Communications and ITC Fundraising	23,447	31,292	40,666	16,243	33,000	5,143	29,000	49,000	16,000	48.5%	32,757	202%
54580	FN Protocol Funds			-	1,831	6,000	0	2,502	-	(6,000)	-100.0%	(1,831)	-100%
55105	SW Support and Licensing	41,874	53,025	59,371	64,521	76,700	36,032	76,700	103,900	27,200	35.5%	39,379	61%
55200	Internet	44,183	40,149	48,022	43,895	41,000	23,569	47,000	48,000	7,000	17.1%	4,105	9%
55500	Technical Support	85,429	92,514	74,180	89,251	89,000	56,052	89,000	88,000	(1,000)	-1.1%	(1,251)	-1%
56000	Contingency	0	2,466	48	2,737	12,000	(561)	6,000	5,000	(7,000)	-58.3%	2,263	83%
56500	Contract Services	134,385	294,396	96,265	66,801	58,500	20,712	66,224	45,000	(13,500)	-23.1%	(21,801)	-33%
57000	Elections - General	0	0	125,868	-	-	-	-	-	-	0.0%	-	
57050	Elections - By-elections	0	0	14,997	61	5,000	0	0	-	(5,000)	-100.0%	(61)	-100%
60000	Insurance	107,162	106,422	106,588	119,259	151,385	82,035	173,899	185,000	33,615	22.2%	65,741	55%
61100	ITC - Board Honoraria	4,650	7,600	6,850	7,000	6,600	2,000	2,700	6,600	-	0.0%	(400)	-6%
61200	ITC - Board Meeting Expense	8,618	14,100	11,451	8,982	13,850	11	0	6,925	(6,925)	-50.0%	(2,057)	-23%
61210	ITC - Board Training & Conferences	2,298	1,398	94	3,010	4,000	0	1,000	4,000	-	0.0%	990	33%
61300	ITC - Property Management	59,933	74,589	55,835	61,067	72,000	4,438	48,000	102,810	30,810	42.8%	41,743	68%
61500	ITC - Conservation Planning & Land Securement	20,990	14,577	13,366	12,177	15,000	1,170	19,500	30,000	15,000	100.0%	17,823	146%
61600	ITC - Ecosystem Mapping	0	18,981	22,000	1,449	15,000	0	5,000	20,000	5,000	33.3%	18,551	1280%
62000	Land Title Registrations	4,067	3,546	3,476	3,600	1,500	1,918	4,000	4,500	3,000	200.0%	900	25%
63000	Legal - general	60,345	96,598	73,003	80,475	90,000	35,151	90,001	90,000	(0)	0.0%	9,525	12%
63100	Legal - bylaw enforcement litigation	73,892	63,491	97,524	81,806	85,000	42,312	85,000	85,000	-	0.0%	3,194	4%

Amt to balance budget, excluding amort =		-	-	-	0								
		2016/17	2017/18	2018/19	2019/20	2020/21			2021/22	Budget-Budget Comparisons		Budget-Actual Comparisons	
		ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET (COVID-19 amended)	Q2 Actuals	Forecast	Draft BUDGET	Budget Change \$	Budget Change %	Draft budget vs 2019/20 Actuals	Draft Budget to 2019/20 Actuals % change
63200	Legal - litigation defence	-109,009	27,100	64,387	89,639	70,000	60,101	90,000	90,000	20,000	28.6%	361	0%
65000	LTC "Trustee Expenses"	9,502	8,857	6,928	4,745	7,610	385	1,200	5,000	(2,610)	-34.3%	255	5%
65050	LTC "Executive Expense on LTC's"	22,155	23,832	18,274	14,458	18,469	480	1,500	12,000	(6,469)	-35.0%	(2,458)	-17%
65200	LTC Meeting Expenses	40,212	37,948	37,579	39,150	28,378	12,479	22,458	36,000	7,622	26.9%	(3,150)	-8%
65210	LTC Local Exp APC Meeting Expenses	7,296	5,190	5,745	8,096	3,632	1,031	2,978	5,400	1,768	48.7%	(2,696)	-33%
65220	LTC Local Exp Communications	3,032	4,693	3,144	5,166	5,000	2,260	6,675	5,000	-	0.0%	(166)	-3%
65230	LTC Local Exp Special Projects	5,735	4,336	3,491	4,648	5,000	0	2,941	5,000	-	0.0%	352	8%
67000	Meeting Expense	126,247	129,426	167,826	136,652	95,718	5,910	15,470	31,500	(64,218)	-67.1%	(105,152)	-77%
67500	Memberships	13,657	14,208	13,406	13,822	16,815	1,770	13,685	15,210	(1,605)	-9.5%	1,388	10%
68100	Notices - Statutory & Non-Statutory	31,714	24,789	19,755	18,085	25,000	3,108	10,000	21,000	(4,000)	-16.0%	2,915	16%
69000	Office - Lease costs	363,604	380,928	387,820	406,751	397,940	197,830	397,940	388,700	(9,240)	-2.3%	(18,051)	-4%
69005	Office - outside services	39,367	39,715	53,754	58,256	60,060	20,184	50,300	58,900	(1,160)	-1.9%	644	1%
70000	Postage, Courier & Delivery	12,976	10,573	10,403	13,164	10,000	4,484	10,000	10,100	100	1.0%	(3,064)	-23%
74000	Recruitment	11,199	8,801	6,471	4,216	8,000	4,097	8,000	6,000	(2,000)	-25.0%	1,784	42%
74900	Safety	4,175	6,096	327	1,548	5,000	4,125	7,000	5,000	-	0.0%	3,452	223%
75100	Sal & Ben - Salaries - Exec/TAS/ITC/Admin staff	1,621,684	1,716,731	1,747,836	1,940,821	2,112,238	1,002,645	4,809,693	2,224,764	112,525	5.3%	283,942	15%
75110	Sal & Ben - Benefits - Exec/TAS/ITC/Admin staff	407,507	413,561	427,874	487,330	531,900	251,846		565,090	33,190	6.2%	77,760	16%
76100	Sal & Ben - Salaries - Planners & RPMs	1,115,822	1,137,665	1,192,741	1,306,864	1,341,960	583,524		1,360,295	18,335	1.4%	53,431	4%
76110	Sal & Ben - Benefits - Planners & RPMs	280,969	274,592	292,343	329,987	344,708	146,593		345,515	807	0.2%	15,528	5%
77100	Sal & Ben - Salaries - Planning Support Staff	353,243	366,740	351,127	390,031	394,741	196,881		485,957	91,216	23.1%	95,927	25%
77110	Sal & Ben - Benefits - Planning Support Staff	89,289	88,450	86,195	97,666	99,898	49,441		123,433	23,535	23.6%	25,767	26%
78100	Sal & Ben - Salaries - Bylaw	214,971	189,439	216,064	200,787	217,565	67,754		278,803	61,238	28.1%	78,016	39%
78110	Sal & Ben - Benefits - Bylaw	54,417	45,636	53,134	50,270	54,160	17,025		70,816	16,656	30.8%	20,546	41%
79000	Stationery & Supplies	50,779	52,256	52,546	47,775	33,000	14,494	28,500	34,200	1,200	3.6%	(13,575)	-28%
79500	Subscriptions	6,405	5,122	6,630	6,627	6,500	1,745	6,000	6,500	-	0.0%	(127)	-2%
80100	Telephone	36,069	18,534	16,945	18,127	14,000	6,395	14,000	11,500	(2,500)	-17.9%	(6,627)	-37%
80300	Mobile Devices	21,741	23,928	25,072	23,511	23,400	12,350	23,400	24,100	700	3.0%	589	3%
81100	Training - Organization-wide	8,837	2,297	3,524	2,886	4,421	0	4,421	3,000	(1,421)	-32.1%	114	4%
81200	Training - staff recognition & meetings	13,472	19,566	16,837	17,529	8,753	774	2,000	4,000	(4,753)	-54.3%	(13,529)	-77%
81300	Training & Conferences	47,000	51,909	41,180	41,723	41,126	8,646	20,328	34,550	(6,576)	-16.0%	(7,173)	-17%
81305	Travel for Training	38,329	37,394	28,590	32,010	26,312	20	3,000	18,385	(7,927)	-30.1%	(13,625)	-43%
82300	Travel	82,370	108,337	74,427	84,624	61,346	10,872	18,399	59,072	(2,274)	-3.7%	(25,552)	-30%
84100	Trustee Remuneration	373,293	383,213	387,062	415,456	518,753	260,977	521,954	528,072	9,319	1.8%	37,335	8%
84110	Trustee Remuneration - CPP Expense	16,107	16,049	15,937	16,345	21,667	9,052	18,105	19,111	(2,555)	-11.8%	2,766	17%
84120	Trustee Remuneration - Health/Dental benefits	40,416	42,753	43,243	43,014	43,558	18,371	37,371	37,598	(5,960)	-13.7%	(5,416)	-13%
84130	Trustee Remuneration - MSP Benefits	31,846	29,627	18,122	13,200	-	-	-	-	-	0.0%	(13,200)	-100%
84140	Trustee Remuneration - Pay in Lieu of benefits	4,000	4,000	3,500	1,333	1,000	500	1,000	1,000	-	0.0%	(333)	-25%
84150	Trustee Remuneration - Employer Health Tax			2,268	9,715	10,135	5,134	10,135	10,317	182	1.8%	602	6%
84500	Trustee Remuneration - Executive on LTCs	69,565	72,045	73,558	75,281	-			-	-	0.0%		
Operating Budget Subtotal		6,319,953	6,848,759	6,959,130	7,342,368	7,629,561	3,380,043	7,116,540	8,068,724	439,163	5.8%	726,356	10%
CAPITAL													
55100	Computer H/W & S/W	39,809	34,964	98,021	61,750	90,600	90,852	91852.22	29,200	(61,400)	-67.8%	(32,550)	-53%
69100	Office - Equipment & Furniture	14,561	7,730	1,835	3,844	8,000	5,663	8000	4,000	(4,000)	-50.0%	156	4%
69500	Office - Renovations	6,794	3,553	11,101		-			-	-	#DIV/0!	-	
73001-825-8024	Prior Year Project - Electronic Meetings								-	-	#DIV/0!	-	
Capital Subtotal		61,164	46,247	110,957	65,856	98,600	96,515	99,852	33,200	(65,400)	-66.3%	(32,656)	-50%
									3.62%				
PROJECTS													
73001	LTA Projects: LTC Projects	58,002	58,406	57,713	33,023	71,500	3,011	48,040	159,000	87,500	122.4%	125,977	381%

ISLANDS TRUST
BUDGET DRAFT: 2021/22

Amt to balance budget, excluding amort =

- - - 0

		2016/17	2017/18	2018/19	2019/20	2020/21			2021/22	Budget-Budget Comparisons		Budget-Actual Comparisons	
		ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET (COVID-19 amended)	Q2 Actuals	Forecast	Draft BUDGET	Budget Change \$	Budget Change %	Draft budget vs 2019/20 Actuals	Draft Budget to 2019/20 Actuals % change
	LTC Projects Funded by Grants (590)			0	2,757	12,000	(1,083)	3,917	8,000	(4,000)	-33.3%	5,243	190%
	LTA Work Funded by Special requisition (SWIPPA)	105,894	91,524	96,571	45,256	75,500	30,600	65,000	75,500	-	0.0%	30,244	67%
73001-A	<u>Strategic Plan Projects</u>												
	Create a model DPA for LTC-BIM OCP bylaws to protect CDF zones throughout the Trust Area (Strat Plan item #2)								5,000	5,000		-	
	Continue to map the extent of eelgrass and kelp beds throughout the Trust Area (Strat Plan Item #5)								-	-		-	
	Finish mapping and develop water budgets for groundwater aquifers in the Trust Area (Strat Plan Item #8)								50,000	50,000			
	Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (Strat Plan It								5,000	5,000			
	Implement actions outlined in TC Strategic Actions and Develop model density bonus bylaws for LTC consideration (Strat Plan item #16)								10,000	10,000			
	Develop set of climate change, demographic + environmental data along with performance criteria (strat plan item #12)								25,000	25,000			
	Broadcast public meetings (Strat Plan item #13)								19,000	19,000			
	Develop and implement a stewardship education program (strat plan item # 21)								15,000	15,000			
	Implementation of the Trust Reconciliation Action Plan (strat plan item #18, 19)								17,000	17,000			
	Amend the Policy Statement project (strat plan item # 10,16,22,23)								10,000	10,000			
	Develop heritage overlay mapping								30,000	30,000			
	Secretariat Function (Strat Plan item # 21)								12,000	12,000			
	Freshwater stretegy (Strat Plan item #7) - completion of phase 1								30,000	30,000			
*	Prior Year project carry over: Policy Statement Amendment, phase 1								10,000	10,000			
*	Prior Year project carryover - Eelgrass mapping phase 1								50,000	50,000			
	Prior Year Projects	43,523	86,930	113,604	183,357	296,650	83,518	313,873		(296,650)			
73001-B	<u>Operational Projects</u>												
	Salish Sea Conference								-	-			
	Electronic Data Management (EDM)					5,500	3,465	5,500	-	(5,500)			
*	Prior Year project carryover - Photo Management					5,500	1,788	5,500	-	(5,500)			
	<i>Photo Management</i>								-	-			
	<i>Prior Year Project - Electronic Meetings</i>								-	-			
	Projects Total	207,419	236,859	267,888	264,394	466,650	121,299	441,830	530,500	63,850	13.7%	266,106	101%
	Contribution to Surplus												
	Total Expenditures	6,588,536	7,131,865	7,337,974	7,672,618	8,194,811	3,597,857	7,658,222	8,632,424	437,613	5.3%		
	Net Surplus (Shortfall)	400,768	(71,064)	23,719	11,654	(140,000)		40,216	(218,000)				
	Add non-cash Item - amortization					140,000			218,000				
	Surplus (deficit)	400,768	(71,064)	23,719	11,654	(0)	-	40,216	0				
	<u>Adjustments for reporting:</u>												
	Capitalized Expenditures							54,672					
	Transfer from (to) General Revenue Surplus Fund	(400,768)	71,064	(23,719)	(11,654)			(142,928)					
	Transfer from (to) LTC Project Specific Reserve Fund							48,040					
	Net Balance	-	-	-	-	(0)	-	(0)	0				

Islands Trust
 Budget Requests Summary
 Fiscal Year: 2021/22
 Version: Draft 1, Version 2

CATEGORY	DESCRIPTION	AMOUNT
STRATEGIC PLAN	Create a model DPA for LTC-BIM OCP bylaws to protect CDF zones throughout the Trust Area (Strat Plan item #2)	\$ 5,000
	* Continue to map the extent of eelgrass and kelp beds throughout the Trust Area (Strat Plan Item #5)	\$ -
	* Finish mapping and develop water budgets for groundwater aquifers in the Trust Area (Strat Plan Item #8)	\$ 50,000
	Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (Strat Plan Item #9)	\$ 5,000
	Implement actions outlined in TC Strategic Actions and Develop model density bonus bylaws for LTC consideration (Strat Plan item #16)	\$ 10,000
	* Develop set of climate change, demographic + environmental data along with performance criteria (strat plan item #12)	\$ 25,000
	Broadcast public meetings (Strat Plan item #13)	\$ 19,000
	* Develop and implement a stewardship education program (strat plan item # 21)	\$ 15,000
	Implementation of the Trust Reconciliation Action Plan (strat plan item #18, 19)	\$ 17,000
	* Amend the Policy Statement project (strat plan item # 10,16,22,23)	\$ 10,000
	Develop heritage overlay mapping	\$ 30,000
	Secretariat Function (Strat Plan item # 21)	\$ 12,000
	Freshwater strategy (Strat Plan item #7) - completion of phase 1	\$ 30,000
	* Prior Year project carry over: Policy Statement Amendment, phase 1	\$ 10,000
	* Prior Year project carryover - Eelgrass mapping phase 1	\$ 50,000
	Total Strategic Plan Projects	288,000
STAFFING (Temporary)	<u>ITC Co-op Student (FT, 4 months only)</u>	
	Salary	12,723
	Benefits	3,232
	Pacific Leaders Tuition Grant	1,254
	Travel	3,252
	Mobile Phone	-
	Computer - Desktop	1,800
	Training	-
		22,260
	<u>SAR Program Coordinator (FT, estimated start date April 1, 2021)</u>	
	Salary (includes estimated OT)	69,422
	Benefits	17,633
	Travel	1,000
	Mobile Phone	650
	Computer - Laptop	2,750
	Training	500
	Total New Staff (T) Costs	114,215
STAFFING (Permanent)	<u>Planner 2 (GAB Office)</u>	
	Remove Planner 1 position (includes estimated OT)	(62,226)
	Add Planner 2 position (includes estimated OT)	72,720
	Benefits cost impact	2,665
		13,159
	<u>Island Planner (GAB Office)</u>	
	Remove Planner 2 position (includes estimated OT)	(69,577)
	Add Island Planner position (includes estimated OT)	82,155
	Benefits cost impact	3,195
		15,773
	<u>Bylaw Enforcement Officer (FT, estimated start date May 15, 2021)</u>	
	Salary (includes estimated OT)	58,267
	Benefits	16,146
	Travel	4,286
	Mobile Phone	617
	Computer - Laptop	2,500
	Training	783
	Total New Staff (P) Costs	111,531

ISLANDS TRUST
Draft Budget 2021/22 D1V2
LTC PROJECTS BUDGET

APPENDIX C

Purpose - to estimate the level of funding required for LTC projects in the fiscal year.

ITEM	LTA	AMOUNT	TOTAL
<u>Specific Projects:</u>			
DPA review	SP	5,000	
Protection of the CDF Ecosystem - PHASE 2	SSI	5,000	
Ganges Village Planning (initiation phase)	SSI	<u>93,000</u>	103,000
<u>Amount per LTC:</u>			
Placeholder	DE	3,000	
Placeholder	GAL	3,000	
Placeholder	GB	3,000	
Placeholder	GM	3,000	
Placeholder	HO	3,000	
Placeholder	LA	3,000	
Placeholder	MAYNE	3,000	
Placeholder	NP	3,000	
Placeholder	SAT	3,000	
Placeholder	SP	3,000	
Placeholder	SSI	3,000	
Placeholder	TH	3,000	
Placeholder	BW	<u>3,000</u>	39,000
RPC OCP REVIEW SUPPORT			17,000
Total LTC Projects budget			159,000

Islands Trust
Budget 2021/22 D1 V2
SURPLUS ALLOCATIONS + BALANCES

ALLOCATION OF SURPLUS DRAW TO SPECIFIC EXPENDITURES

	Project/Area	Amount	Area	Bowen Contrib Factor	\$ Credit Included in Bowen Calc
Gen	Amount to fund general operations	-		26.8%	\$ -
Strat	Create a model DPA for LTC-BIM OCP bylaws to protect CDF zones throughout the Trust Area (Strat Plan item #2)	5,000	LPS	0%	\$ -
Strat	Continue to map the extent of eelgrass and kelp beds throughout the Trust Area (Strat Plan Item #5)	-	LPS	0%	\$ -
Strat	Finish mapping and develop water budgets for groundwater aquifers in the Trust Area (Strat Plan Item #8)	50,000	LPS	0%	\$ -
Strat	Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycl	5,000	LPS	0%	\$ -
Strat	Implement actions outlined in TC Strategic Actions and Develop model density bonus bylaws for LTC consideration (Strat Plan item #16)	10,000	LPS	0%	\$ -
Strat	Develop set of climate change, demographic + environmental data along with performance criteria (strat plan item #12)	25,000	TAS	100%	\$ 25,000
Strat	Broadcast public meetings (Strat Plan item #13)	19,000	LPS-Ad	0%	\$ -
Strat	Develop and implement a stewardship education program (strat plan item # 21)	15,000	TAS	100%	\$ 15,000
Strat	Implementation of the Trust Reconciliation Action Plan (strat plan item #18, 19)	17,000	TAS	100%	\$ 17,000
Strat	Amend the Policy Statement project (strat plan item # 10,16,22,23)	10,000	TAS	100%	\$ 10,000
Strat	Develop heritage overlay mapping	30,000	LPS	0%	\$ -
Strat	Secretariat Function (Strat Plan item # 21)	12,000	TAS	100%	\$ 12,000
Strat	Freshwater strategy (Strat Plan item #7) - completion of phase 1	30,000	LPS	0%	\$ -
PY	Prior Year project carry over: Policy Statement Amendment, phase 1	10,000	TAS	100%	\$ 10,000
PY	Prior Year project carryover - Eelgrass mapping phase 1	50,000	LPS	0%	\$ -
Total transfer from General Revenue Surplus Fund (GRSF)		288,000			89,000

BRIEFING

To: Financial Planning Committee **For the Meeting of:** November 12, 2020

From: Director, Administrative Services **Date Prepared:** November 4, 2020

SUBJECT: Draft Budget 2021/22 Reduction Options

NOTE – This is the report that went to FPC in November 2020 as part of their request to find budget reduction options. Upon review of this report, FPC directed staff to add back funding for two co-op students and bring the Communications budget back to its original amount. This report has not been amended to reflect the directions received upon its review, however these directions from FPC have been updated in the draft budget under review by Trust Council.

Subsequent to the FPC meeting, EC also directed staff to add back funds for them to meet in person from time to time next fiscal year. This also has been updated in the draft budget under review by Trust Council, but again has not been amended in this report.

This report is here for information of Trust Council only, as an attachment to the draft budget highlights briefing. No action by Trust Council is required in relation to this report.

PURPOSE:

To explore options for reducing the draft 2021/22 budget in response to direction from Financial Planning Committee (FPC).

BACKGROUND:

At its October 2020 meeting, FPC passed the following motion:

That Financial Planning Committee request staff return to the November 12, 2020 meeting with options for a budget that is no more than \$8.3M.

Subsequent to the passing of this motion, at that same meeting, staff clarified with the Committee that the \$8.3M represented total budgeted expenses less planned amortization expense, a non-cash expense.

Islands Trust senior management has reviewed all areas of the budget to determine where areas of potential reduction may be feasible. Discussion of these items and the impact to operations is provided in this report. Any noted savings reflect reductions from Draft 1, Version 1 of the 2021/22 budget. Where amounts have been incorporated into Draft 1, Version 2 of the budget, it is noted. Otherwise, these options are presented for the information of the Committee.

Trust Council E-Meetings

Version 1 of the draft budget incorporated two in-person TC meetings and two electronic meetings for a total cost of \$49,000. This was based on a resolution passed by EC recommending that TC plan their 2021 meetings in this fashion. This recommendation from EC is going to the December TC meeting. As part of the budget reductions exercise directed by FPC, staff have included funding for only one in person TC meeting for fiscal 2021/22. TC e-meetings revisions generate the following savings:

One extra e-meeting (for a total of 3 e-meetings) would generate a savings of \$22,500.

Two extra e-meetings (for a total of 4 e-meetings) would generate savings of \$45,000.

The Chair of Trust Council has stated a desire to conduct electronic TC meetings from the Victoria office board room. There has also been discussion of having a Vice Chair present as well. As such, \$1,000 per meeting has been included in the budget to account for travel, accommodation, and meals costs for these in-person attendees. If the Chair and Vice Chair also attend the meetings remotely, an additional savings of \$4,000 would be generated.

Council Committee E-Meetings

Version 1 of the draft budget assumed that EC, RPC, TPC, and FPC would be conducted partially in-person and partially electronic, with a 50/50 mix. Staff have approached the committees seeking resolutions on how meetings will be conducted into the future, to have more solid information for budget planning purposes. As of the date of this report, the following decisions have been made in regards to this topic:

EC – No decision has been made by EC at this time, however this topic will be debated at their meeting on November 18. The budget has been adjusted assuming RPC will follow the rest of the committees and plan for all electronic meetings. This generates a \$8,000 savings. This savings has been incorporated into Version 2 of the draft budget.

FPC – All meetings will be conducted electronically. This generates a \$2,500 savings. This savings has been incorporated into Version 2 of the draft budget.

TPC – One in-person meeting, all else electronic. This generates no savings over version 1 of the budget, which already incorporated this planned approach.

RPC – No decision has been made by RPC at this time, however this topic will be debated at their November 9th meeting. The budget has been adjusted assuming RPC will follow the rest of the committees and plan for all electronic meetings. This generates a \$1,500 savings. This savings has been incorporated into Version 2 of the draft budget in anticipation of RPC accepting this meeting format.

Total potential savings from these Council Committee changes is \$12,000.

LTC E-Meetings

Version 1 of the budget assumed half of all LTC meetings would be held electronically, and thus assumed travel costs would be incurred by both staff and LTC Chairs to attend the meetings held in-person. If all LTCs agreed to permit staff to attend all meetings electronically, savings could be realized in terms of travel costs as well as overtime costs. If LTC Chairs were to attend meetings electronically, an additional savings for travel expenses is possible. However, chairing an LTC meeting from a remote location with the rest of the Committee and attendees in person may be challenging and may not be a desirable option. As such, no amount has been included for this possibility as an option.

Staff OT impacts are included in the Staff overtime discussion.

Electronic LPS Pro-D Days

Version 1 of the draft budget included \$2,000 for LPS Pro-D days. Should more of these days be conducted electronically, a savings of \$1,500 could be generated. Amounts for honorariums for guest speakers would remain an expense regardless of meeting format, so a full reduction in expense for these meetings is not feasible. This change has been incorporated into version 2 of the draft budget.

All Staff Meetings

Version 1 of the budget funded All Staff Meetings at \$8,000. By committing to hold 3 of the quarter ASMs as virtual meetings, a budget reduction of \$4,000 can be realized. Holding a small amount to ensure staff can get together at least once annually maintains a piece of Islands Trust culture that staff have indicated in previous and current year surveys is important to them in their work satisfaction. As discussion of moving to a more permanent remote workforce is undertaken, ensuring opportunities to connect face-to-face remain is important. As such, some funds remain in the budget for this undertaking. A reduction of \$4,000 has been incorporated into version 2 of the budget.

Real Estate Reductions – Staff Offices

Islands Trust currently leases office space for staff in Victoria, on Salt Spring Island and on Gabriola Island. Senior management at the Trust are exploring the future of work at Islands Trust and how remote working may be incorporated on a more permanent basis. This would create desk sharing opportunities for staff, which would reduce the amount of desk space required, making real estate reduction a possibility. Possible reductions to leased real estate are more easily made at the Victoria office due to the nature of leased space, being one large main office plus three smaller units down the hall. Relinquishing one or more of the smaller units is a possibility that will be examined by senior management staff in coming weeks. Per the existing lease agreement, a three month notice is required to relinquish any space, so in order to realize the full fiscal year savings in next year's budget, a decision on these units would be required by December 31, 2020. Possible savings from this potential change are as follows:

Bylaw Space, Unit #222 – Cost \$984/month generates annual savings of \$11,805 each year. This would displace three staff members. Releasing this space would result in a one-time penalty in the amount of \$1,379 which would be an expense incurred in the current fiscal period thus not impacting savings in next year's budget or future budgets. It is very likely this space will be released and as such this savings has been incorporated into version 2 of the budget.

Two additional smaller units are leased at the Victoria office for Finance/HR and IS staff. These units cost \$24,836/year and \$30,454/year respectively and currently seat 7 staff members in total. Budget reductions for these units have not been included in version 2 of the budget as senior management has not yet reached a decision on whether or not these units will be released.

Total savings from releasing all three units would be \$67,095.

Office Services

Office services has been reduced to account for less lease space. Adjustments have also been made to align with new rates for snow removal and to remove contingency funds in this category. Total reduction to this expense in version 2 is \$6,900.

Real Estate Reductions – Trustee Offices

On island office space is leased on Deman Island (\$1,700/year), Galiano Island (\$9,700/year), Mayne Island (\$1,200/year), North Pender Island (\$7,600/year), and Saturna Island (\$1,800/year). Any one of these offices could be relinquished; however discussion with impacted trustees should be undertaken prior to these decisions. Staff use these spaces on occasion to meet with members of the public, however these meetings are not frequent in nature. Estimates during non-pandemic operations of the use of these offices by staff reveal that planners use the on-island offices on Mayne, Galiano, and North Pender usually about once per month. Sometimes use is more frequent on North Pender. Saturna is used about 4 to 6 times per year by staff. The use is to hold office hours to meet with members of the public. The office also gets used when the planner has a site visit, or a meeting for part of the day, so the planner can use the office to do work while waiting for the ferry. The Denman office is not used by planners.

Furniture and Equipment

Version 1 of the budget included \$8,000 for furniture and equipment. Given the increase in purchased equipment and supplies for staff in the wake of Covid-19, as well as the conversation around reducing real estate, it can be anticipated that furniture and equipment purchases may be reduced in the coming year. As such, a \$4,000 reduction in the budget has been included in version 2. This will be contingent upon the new working arrangements for staff and whether or not requirements for home office hardware is required for specific situations.

Staff Co-op Positions

Version 1 of the budget funded two co-op positions, one for LPS (GAB) and one for IS. Removing these temporary positions from the budget would generate savings of \$20,007 and \$17,208 respectively.

Not hiring an LPS (GAB) co-op student provides less vacation coverage for staff during the summer months, less assistance with basic applications, and reduced relationship capacity with new students for future

recruitment. As the LPS Technician has been brought on staff, the impact of lost vacation coverage capacity and basic application work is mitigated.

Not hiring the IS co-op student may delay the completion of planned upgrades to GIS architecture, but no significant impacts will be felt from this delay. In addition, alternative methods of doing this work are currently being explored which would not require a co-op student to be hired.

New Staff Positions

Version 1 of the budget includes a request to fund a new Bylaw Enforcement Officer, with a total cost of \$91,579 which includes the cost of equipment, training, travel, a mobile phone, as well as base salary and benefits.

Not approving this position would generate savings of the same amount.

Approving the position on a part time basis, such as 60% (3 days per week), would generate savings of approximately \$31,479.

Assuming approval of this position in March 2020, this new hire will likely not begin work until 6 weeks into the new fiscal year (to allow for recruitment), generates a reduction of \$8,586 which has been incorporated into version 2 of the budget.

Staff Overtime Reduction

Version 1 of the budget includes approximately \$79,000 in staff overtime (including benefits costs associated with these payments). A reduction could be made to planned staff overtime costs, however such reductions would require some internal process review and greater prioritization of work tasks by staff and their supervisors to stay within reduced limits. A reduction of some amount would be likely if staff attendance at meetings continues to remain electronic, as there would be reduced travel time for staff to attend LPS Pro-D days, All Staff Meetings, LTC meetings, Committee meetings, and Council meetings. Version 2 of the budget reduces staff overtime by \$24,000. Options for further reduction are possible.

Recruitment

Version 1 included \$8,000 for recruitment purposes. A reduction of \$2,000 has been incorporated in version 2 to bring budgeted figures in line with the historical three year average. Recruitment costs may be reduced in coming years as a more flexible work environment may retain more staff, and relocation costs may be reduced if new hires are not required to reside in particular locations for their job.

Memberships

Version 1 of the budget included \$17,310 for membership costs. This is not in line with actual spending trends and as such reduction is possible. A reduction of \$2,100 has been incorporated into version 2 of the budget to more closely align with the historical 3 year average and actual known membership costs for the coming year.

Notices – Statutory and Non-Statutory

Version 1 of the budget included \$25,000 for notice costs. This is not in line with actual spending trends and as such budget reduction is reasonable, in the absence of rationale to keep this amount at higher levels for specific planned work. A reduction of \$4,000 has been incorporated into version 2 of the budget to more closely align with the historical 3 year average.

Insurance Costs

Insurance was budgeted at the current year renewal cost in version 1 of the budget. As previously mentioned, several claims will drop off the Islands Trust 10 year claims history next year, which may generate more favourable insurance rates. Budgeting with optimism that more favourable rates may be achieved would permit a potential savings of \$16,808 in the budget. This change has not been incorporated into version 2 at this time.

Legal Costs

Legal costs continue to rise in the budget due to increased legal activity associated with litigation, bylaw enforcement, and general legal advice. Litigation costs are largely outside of the control of the Trust, however general legal advice and bylaw enforcement litigation activities are more reasonably impacted by decisions made by staff and trustees in day to day operations. Bylaw enforcement litigation costs continue to rise as Trust Council has requested greater enforcement action. Cost for general legal advice continue to rise as more complex work is undertaken by the Trust requiring greater legal scrutiny. Changes to these activities could be made to accommodate a reduction in costs, the magnitude of which would be purely an estimate. Should legal costs be reduced in the budget and actual costs be significantly higher in the year, surplus funds would be used to fund the overage. For the purposes of this exercise, consideration could be given to reduce legal costs for bylaw enforcement litigation and general legal advice to previous year actual spending levels (fiscal 2019/20) which would provide a reduction of \$9,525 and \$3,194 respectively, for a total of \$12,719 in savings.

Contingency Funds

Version 1 of the draft budget includes \$12,000 in contingency funding, allocated between Trust Council and management administration. A review of the last four years of actual spending shows contingency funds largely unspent, with two of the four years recording contingency spending at \$2,500 and \$2,700 each related to Trustee training. Contingency funding can be reduced or eliminated in the budget with the understanding that any significant contingencies in the year be funded from surplus funds. There are no negative implications to this change. Contingencies can still be funded at the discretion of the CAO, and would be reported in the area that they relate to. Version 2 of the budget reduces contingency funds to \$5,000.

Islands Trust Conservancy Board

Version 1 of the budget included a funding request from the ITCB totaling \$822,921 for all operations. ITC staff have reviewed this budget and proposed several possible reductions to the funding request including a \$7,000 reduction in communications, a \$2,000 reduction in board training, a \$1,050 reduction in staff training and \$550 in associated travel for a total of \$10,600 in reduced spending. These amounts have not been included in version 2 of the budget as the ITCB has not yet reviewed these staff-proposed change possibilities. Should FPC desire that ITCB conduct this exercise, it would be advisable to pass a motion requesting them to do so.

Local Planning Services

The area most easily reduced in the draft budget for LPS relates to contracted services. Historically this bucket of funds includes amounts of scientific technical work that has been largely unspent in recent years. LPS contracted services could be reduced by \$7,000 if this is removed. This has been incorporated into version 2 of the budget.

Trust Area Services

Version 1 of the budget included \$23,000 for TAS communications work. Staff has determined that a reduction of \$3,000 is feasible, and as such this has been incorporated into version 2 of the budget.

Version 1 also included \$4,000 for contracted services, an unallocated slush fund of monies for potential contract service requirements that arise in the year. Staff has determined that these funds could be removed from the budget and required work normally funded here can be funded from other areas.

Trustee Remuneration CPP

Version 1 of the budget included \$23,810 for Trustee CPP costs. Historical CPP budget calculations have been basic in nature and have not accounted for such things as basic exemption amounts and yearly maximum contributory earnings. Calculations have been adjusted to include these figures, and analysis of the historical rate of actual CPP versus total remuneration has been performed to more accurately budget for this figure. A reduction of \$4,787 has been made in version 2 of the budget to reflect the updated calculation.

SSIWPA

SSIWPA expenses has been reduced by \$10,000 in version 2 of the budget to align with amounts being discussed by the SSIWPA body and the SSI LTC. This is not included in the overall summation of total reductions at the end of this report as this figure also sees a corresponding reduction in revenues for the same amount.

Strategic Plan Projects:

Version 1 of the draft budget funded \$218,000 in strategic plan projects, and \$30,000 for a newly contemplated project not in the strategic plan related to heritage site mapping within the Trust Area. Removing any of these projects would yield savings equivalent to the project budget. If projects are deferred into future years, future budgets may be increased, and the ability to achieve strategic plans in the Council term may be impacted.

Removing strategic plan projects from the budget is a political decision. However, executive staff understand that the Eelgrass Mapping project has experienced delays and as such may be an area to examine if budget reduction is desirable. The current budget version 2 includes a \$50,000 (phase 1) amount in funds carrying over from the current fiscal year, and removes the original \$50,000 that was included in version 1. This project is being discussed at RPC on their November 9, 2020 meeting and any results will be reported to FPC verbally at the upcoming meeting.

Discussion by Trust Programs Committee yielded no desire to remove or defer any planned projects for fiscal 2021/22.

Discussion by Executive Committee will not take place in advance of FPC and thus no direction on their projects has been received.

SUMMARY

Overall reductions incorporated into the budget are approximately \$166,000 (excludes SSIWPA reduction) which is offset by net increases resulting from project carry overs and other small changes (see Budget Highlights Briefing for details), yielding a budget (excluding amortization expense) of \$8.3M.

ATTACHMENT(S):

1. Budget Reduction Options Summary

FOLLOW-UP:

Staff will incorporate revisions to the draft budget at the direction of the Committee.
Other follow-up as directed by the Committee.

Prepared By: Director, Administrative Services
Reviewed By/Date: Chief Administrative Officer/November 5, 2020

ISLANDS TRUST
Budget Year 2021-22

✓ = relatively easy to implement/low negative impact to operations
 ⊖ = moderately complex to implement/moderate negative impact to operations
 ✕ = highly complex to implement/significant negative impact to operations

Note: Expense areas that have increased in V2 are not included in this summary

		Totals =		(166,393)	(315,995)	
#	ITEM	Implement- ation Rating	Impact Rating	Reduction (incl in V2)	Reduction Options (not in V2)	Total Possible Reduction
1	TC e-meetings, 3 vs 4	✓	⊖	(22,500)	(22,500)	(45,000)
2	EC e-meetings only	✓	✓	(8,000)	-	(8,000)
3	FPC e-meetings only	✓	✓	(2,500)	-	(2,500)
4	TPC e-meetings w/one in-person meeting	✓	✓	-	-	-
5	RPC e-meetings only	✓	✓	(1,500)	-	(1,500)
6	LTC e-meetings for staff and LTC chairs	✓	✓	-	?	-
7	LPS Pro-D days fully electronic	✓	⊖	(1,500)	-	(1,500)
8	All Staff e-Meetings w/one December in-person meeting	✓	⊖	(4,000)	-	(4,000)
9	Real estate reduction - Vic Bylaw unit	✓	✓	(11,805)	-	(11,805)
10	Real estate reduction - Vic Fin/HR unit	⊖	⊖		(24,836)	(24,836)
11	Real estate reduction - Vic IS unit	⊖	⊖		(30,454)	(30,454)
12	Office Services	✓	✓	(6,900)	-	(6,900)
13	Real estate reduction - Trustee office (Denman)	✓	?		(1,700)	(1,700)
14	Real estate reduction - Trustee offices (Galiano)	✓	?		(9,700)	(9,700)
15	Real estate reduction - Trustee offices (Mayne)	✓	?		(1,200)	(1,200)
16	Real estate reduction - Trustee offices (North Pender)	✓	?		(7,600)	(7,600)
17	Real estate reduction - Trustee offices (Saturna)	✓	?		(1,800)	(1,800)
18	Furniture and Equipment	✓	⊖	(4,000)	-	(4,000)
19	LPS Co-op forgone	✓	✓	(20,007)	-	(20,007)
20	IS Co-op forgone	✓	✓	(17,208)	-	(17,208)
21	Bylaw Enforcement Officer - hire date 6 weeks into fiscal year	✓	✓	(8,586)	-	(8,586)
22	Bylaw Enforcement Officer (new) forgone	✓	✕		(82,599)	(82,599)
23	Bylaw Enforcement Officer (new) PT at 60%	✓	⊖		(31,479)	(31,479)
24	Staff overtime reductions	✓	⊖✕	(24,000)	(55,000)	(79,000)
25	Recruitment	✓	⊖	(2,000)	(2,000)	(4,000)
26	Memberships	✓	✓	(2,100)	-	(2,100)
27	Notices - Statutory & Non-Statutory	✓	✓	(4,000)	-	(4,000)
28	Insurance Costs	✓	✓		(16,808)	(16,808)
29	Legal - General Costs	⊖	⊖✕		(9,525)	(9,525)
30	Legal - Bylaw Enforcement Litigation	✓	⊖		(3,194)	(3,194)
31	Contingency Funds	✓	✓	(7,000)	(5,000)	(12,000)
32	ITC - Communications	✓	⊖		(7,000)	(7,000)
33	ITC - Board Training	✓	✓		(2,000)	(2,000)
34	ITC - Staff Training	✓	⊖		(1,050)	(1,050)
35	ITC - Staff Travel for Training	✓	✓		(550)	(550)
36	LPS - Contracted services - Scientific Technical/FN	✓	✓	(7,000)	-	(7,000)
37	TAS - Communications	✓	✓	(3,000)	-	(3,000)
38	TAS - Contracted Services	✓	✓	(4,000)	-	(4,000)
39	Trustee Remuneration - CPP	✓	✓	(4,787)	-	(4,787)
40	Strategic Plan Projects	?	?	-	?	-

Islands Trust
 Budget Requests Summary
 Fiscal Year: 2021/22
 Version: Draft 1, Version 2

CATEGORY	DESCRIPTION	AMOUNT
STRATEGIC PLAN	Create a model DPA for LTC-BIM OCP bylaws to protect CDF zones throughout the Trust Area (Strat Plan item #2)	\$ 5,000
	* Continue to map the extent of eelgrass and kelp beds throughout the Trust Area (Strat Plan Item #5)	\$ -
	* Finish mapping and develop water budgets for groundwater aquifers in the Trust Area (Strat Plan Item #8)	\$ 50,000
	Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (Strat Plan Item #9)	\$ 5,000
	Implement actions outlined in TC Strategic Actions and Develop model density bonus bylaws for LTC consideration (Strat Plan item #16)	\$ 10,000
	* Develop set of climate change, demographic + environmental data along with performance criteria (strat plan item #12)	\$ 25,000
	Broadcast public meetings (Strat Plan item #13)	\$ 19,000
	* Develop and implement a stewardship education program (strat plan item # 21)	\$ 15,000
	Implementation of the Trust Reconciliation Action Plan (strat plan item #18, 19)	\$ 17,000
	* Amend the Policy Statement project (strat plan item # 10,16,22,23)	\$ 10,000
	Develop heritage overlay mapping	\$ 30,000
	Secretariat Function (Strat Plan item # 21)	\$ 12,000
	Freshwater strategy (Strat Plan item #7) - completion of phase 1	\$ 30,000
	* Prior Year project carry over: Policy Statement Amendment, phase 1	\$ 10,000
	* Prior Year project carryover - Eelgrass mapping phase 1	\$ 50,000
	Total Strategic Plan Projects	288,000
STAFFING (Temporary)	<u>ITC Co-op Student (FT, 4 months only)</u>	
	Salary	12,723
	Benefits	3,232
	Pacific Leaders Tuition Grant	1,254
	Travel	3,252
	Mobile Phone	-
	Computer - Desktop	1,800
	Training	-
		22,260
	<u>SAR Program Coordinator (FT, estimated start date April 1, 2021)</u>	
	Salary (includes estimated OT)	69,422
	Benefits	17,633
	Travel	1,000
	Mobile Phone	650
	Computer - Laptop	2,750
	Training	500
	Total New Staff (T) Costs	114,215
STAFFING (Permanent)	<u>Planner 2 (GAB Office)</u>	
	Remove Planner 1 position (includes estimated OT)	(62,226)
	Add Planner 2 position (includes estimated OT)	72,720
	Benefits cost impact	2,665
		13,159
	<u>Island Planner (GAB Office)</u>	
	Remove Planner 2 position (includes estimated OT)	(69,577)
	Add Island Planner position (includes estimated OT)	82,155
	Benefits cost impact	3,195
		15,773
	<u>Bylaw Enforcement Officer (FT, estimated start date May 15, 2021)</u>	
	Salary (includes estimated OT)	58,267
	Benefits	16,146
	Travel	4,286
	Mobile Phone	617
	Computer - Laptop	2,500
	Training	783
	Total New Staff (P) Costs	111,531



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to Regional Planning Committee approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor, Director, Local Planning Services	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ X Other – please describe: _Strategic Plan Program
Business Area: Regional Planning Committee	
Name of Request: Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area \$5,000	
Date of Funding Request: October 8, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Trust Council has adopted a new Strategic Plan. Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area. Staff is recommending that this work be undertaken in FY20/21. Regional Planning Committee passed the following resolution on Oct 8, 2020: <i>That Regional Planning Committee forward to the Financial Planning Committee for inclusion in the Fiscal Year 2021/22 the business case for Strategic Plan Item No. 2 - to create a model</i>	

development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area.

PROJECTED RESULTS/DELIVERABLES:

Model bylaws to protect CDF and related ecosystems throughout the Trust Area.

RISK ASSESSMENT:

On Trust council's Strategic Plan for Fiscal Year 2021/22. The Local Planning Committee (now Regional Planning Committee) has passed the following resolution on August 4, 2020:

That Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 2 - to create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area

The risk that work will not be undertaken is low.

ALTERNATIVES CONSIDERED:

Option 1: Undertake the work in-house using dedicated planning staff. This would require allocation of planner time to this project, and a budget of \$5,000 to cover legal review.

Option 2: Hire a consultant to undertake the review, and/or development of the model bylaws. Some staff time required to manage the consultant. Budget would need to cover the cost of the consultant estimated at \$8,000, plus legal review of \$2,000.

Option 3: A hybrid of 1 and 2, with some work being undertaken by planning staff, with support from a consultant. This would require \$3,000 for consulting and \$2,000 for legal review.

CRITICAL SUCCESS FACTORS:

Completion of model bylaws by the end of FY21/22.

RECOMMENDED OPTION:

Option 3 is recommended to use staff knowledge and consultant resources to undertake the work in as cost effectively as possible.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

\$3,000 for consulting
\$2,000 for legal
\$5,000 total request

As this is a program project, there will be no cost saving by undertaking this. Some staff saving is anticipated over each local trust committee undertaking this work independently, provided that most local trust committees are willing to adopt the model bylaws into their bylaws.

Product will be added to the Standard OCP/LUB bylaw (model bylaws) that will form the basis of any updates or reviews of local trust committee bylaws.

Qualitative Analysis:

This will further the Islands Trust Mandate and the Strategic Plan of Trust Council by providing further protection options for the CDF and associated ecosystems.

PURCHASING PROCEDURE:

As per Islands Trust process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY:

As determined by the Regional Planning Committee.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Reports to Trust Council via Local Planning Committee.

David Marlor, Director, Local Planning Services

Initiator Name and Title

October. 8, 2020

Date

Regional Planning Committee

Reviewed by: Name and Title

October 8, 2020

Date

REVIEWED BY MANAGEMENT TEAM:

Approved in Concept for Inclusion in Draft Budget?

☐ YES ☐ NO

Business Case reviewed by management team or CAO?

☐ YES ☐ NO

Next steps:

- If approved-in-concept by management:
 - The funding for the request will be included in Draft 1, Version 1 of the budget which is reviewed by FPC in October of each year, and a business case will be developed by the initiative owner and forwarded to FPC.

- If not approved-in-concept by management:
 - Funding for the request will not be included in Draft 1, Version 1 of the budget, and no business case will be forwarded to FPC. However, notice of the unapproved concept will be highlighted for the Committee.



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to Local Planning Committee approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor Director, Local Planning Services	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _Strategic Plan Program
Business Area: Regional Planning Committee	
Name of Request: Continue mapping of groundwater aquifers in the Islands Trust Area. \$50,000	
Date of Funding Request: October 8, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Trust Council has adopted a new Strategic Plan. Map and develop water budgets for groundwater aquifers in the Trust Area (Strategic Plan Item 8). Regional Planning Committee passed the following resolution on October 8, 2020: <i>That Regional Planning Committee forward to the Financial Planning Committee for inclusion in the Fiscal Year 2021/22 the business case for Strategic Plan Item No. 8 - to finish mapping and develop water budgets for groundwater aquifers in the Trust Area</i>	

PROJECTED RESULTS/DELIVERABLES:

At end of multi-year project, mapping of all groundwater aquifer recharge areas in the Islands Trust.

RISK ASSESSMENT:

On Trust council's Strategic Plan for Fiscal Year 2021/22. Local Planning Committee (now the Regional Planning Committee) has passed the following resolution on August 4, 2020:

That Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 8 - to finish mapping and develop water budgets for groundwater aquifers in the Trust Area.

The risk that work will not be undertaken is low. Work already completed for the southern islands and underway for some northern islands. This work is expected to largely complete the project.

ALTERNATIVES CONSIDERED:

Option 1: Hire consultants/contractors to undertake the work using methodology undertaken for previous mapping projects.

Option2: Not undertake the work. As specialised work, this work cannot be completed using existing staff resources.

CRITICAL SUCCESS FACTORS:

Completion of mapping for entire Trust Area by end of term (November 2022).

RECOMMENDED OPTION:

Option 1 is recommended to use staff knowledge and consultant resources to undertake the work in as cost effectively as possible.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

\$40,000 for consultant

\$10,000 for peer review and incidental

As this is a program project, there will be no cost saving by undertaking this. Some saving is anticipated as each local trust committee undertaking this work independently as a single contract is easier to manage and resource rather than multiple contracts.

Product will be an added data layer for consideration during policy and regulatory planning work. It will also inform the province in water allocation budget updates for the islands.

Qualitative Analysis:

This will further the Islands Trust Mandate and the Strategic Plan of Trust Council by providing further protection options for groundwater.

PURCHASING PROCEDURE:

As per Islands Trust process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY:

As determined by the Regional Planning Committee.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Reports to Trust Council via Regional Planning Committee.

David Marlor, Director, Local Planning Services

Initiator Name and Title

September 24, 2020

Date

Regional Planning Committee

Reviewed by: Name and Title

October 8, 2020

Date

REVIEWED BY MANAGEMENT TEAM:

Approved in Concept for Inclusion in Draft Budget?

☐ YES ☐ NO

Business Case reviewed by management team or CAO?

☐ YES ☐ NO

Next steps:

- If approved-in-concept by management:
 - The funding for the request will be included in Draft 1, Version 1 of the budget which is reviewed by FPC in October of each year, and a business case will be developed by the initiative owner and forwarded to FPC.
- If not approved-in-concept by management:
 - Funding for the request will not be included in Draft 1, Version 1 of the budget, and no business case will be forwarded to FPC. However, notice of the unapproved concept will be highlighted for the Committee.



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to Local Planning Committee approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor, Director, Local Planning Services	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _Strategic Plan Program
Business Area: Regional Planning Committee	
Name of Request: Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling. \$5,000	
Date of Funding Request: October 8, 2020	Funding Required for (date range): Fiscal 2021/22

ISSUE/OPPORTUNITY:

Trust Council has adopted a new Strategic Plan. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling. (Strategic Plan Item 9).

Regional Planning Committee passed the following resolution on October 8, 2020:

That Regional Planning Committee forward to the Financial Planning Committee for inclusion in the Fiscal Year 2021/22 the business case for Strategic Plan Item No. 9 - to develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling

PROJECTED RESULTS/DELIVERABLES:

Use groundwater aquifer mapping to develop model bylaws to promote freshwater sustainability.

RISK ASSESSMENT:

On Trust council's Strategic Plan for Fiscal Year 2021/22. Local Planning Committee (now Regional Planning Committee) has passed the following resolution on August 4, 2020:

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 9 - to develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.

Risk work will not be undertaken is low. Groundwater mapping is completed for the southern islands and expected to be completed for several northern islands by March 31, 2021, with remaining islands to be completed in 2021/22.

ALTERNATIVES CONSIDERED:

Option 1: Hire a consultant to undertake development of model bylaws. Cost would be about \$10,000. This option would require knowledge of the groundwater mapping project, and close liaison with the Senior Freshwater Specialist.

Option 2: Undertake the work using planning staff resources allocated to the Regional Planning Committee in cooperation with the Senior Freshwater Specialist. Some outside assistance (contractual) work may be required. This option is estimated to cost \$5,000.

CRITICAL SUCCESS FACTORS:

Completion of model bylaws for inclusion in the model standardised official community plan and land use bylaw so they are considered in any future review of OCPs and LUBs, and to be circulated to local trust committees and Bowen Island Municipality for consideration.

RECOMMENDED OPTION:

Option 2 is recommended to use staff knowledge and consultant resources to undertake the work in as cost effectively as possible.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

\$4,000 for consultant
\$1,000 for legal review

As this is a program project, there will be no cost saving by undertaking this. Some saving is anticipated over each local trust committee undertaking this work independently as a single contract is easier to manage and resource over multiple contracts.

Product will be included in the model standardised official community plan and land use bylaw so they are considered in any future review of OCPs and LUBs, and to be circulated to local trust committees and Bowen Island Municipality for consideration. <u>Qualitative Analysis:</u> This will further the Islands Trust Mandate and the Strategic Plan of Trust Council by providing further protection options for freshwater.
PURCHASING PROCEDURE: As per Islands Trust process for hiring consultants.
PROPOSED IMPLEMENTATION STRATEGY: As determined by the Regional Planning Committee.
CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: Reports to Trust Council via Regional Planning Committee.

David Marlor, Director, Local Planning Services

_____	September 24, 2020
Initiator Name and Title	Date
_____	October 8, 2020
Regional Planning Committee	Date
Reviewed by: Name and Title	

REVIEWED BY MANAGEMENT TEAM:	
Approved in Concept for Inclusion in Draft Budget?	☐ YES ☐ NO
Business Case reviewed by management team or CAO?	☐ YES ☐ NO
Next steps: • If approved-in-concept by management: ○ The funding for the request will be included in Draft 1, Version 1 of the budget which is reviewed by FPC in October of each year, and a business case will be developed by the initiative owner and forwarded to FPC. • If not approved-in-concept by management: ○ Funding for the request will not be included in Draft 1, Version 1 of the budget, and no business case will be forwarded to FPC. However, notice of the unapproved concept will be highlighted for the Committee.	

Budget Funding Request Short-Form Business Case

TO BE COMPLETED BY INITIATOR

Initiated by:

David Marlor,
Director, Local Planning Services

Business Area:

Regional Planning Committee

Name of Request:

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

- Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.

\$10,000

Budget Source (select all that apply):

X Specific Project Funding (select all that apply)

- ☒ Third Party Contractors
- ☐ Staff Travel Expense
- ☐ Staff Overtime Expense
- ☐ New Staff Member – Temporary for project
- ☐ Computer Hardware/Software

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

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

☐ **Permanent**

☐ **Temporary**

Temp Duration: _____

☐ **Other – please describe:** _Strategic Plan Program

Date of Funding Request: October 12, 2020

Funding Required for (date range): Fiscal 2021/22

ISSUE/OPPORTUNITY:

Trust Council has adopted a new Strategic Plan. Implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council. Staff is recommending that this continue in FY21/22 by undertaking work developing model density bonus bylaws for consideration of implementation in local trust area land use bylaws.

The Regional Planning Committee passed the following resolution on October 8, 2020:

That Regional Planning Committee forward to the Financial Planning Committee for inclusion in the Fiscal Year 2021/22 the business case for Strategic Plan Item No. 16 - to implement the

high priority action outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council: Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws

PROJECTED RESULTS/DELIVERABLES:

The funding request for FY21/22 is to cover costs associated with development of model policy and regulations. \$5,000 is reserved for legal review of the draft. \$5,000 is reserved for consultant/research assistance to planning staff undertaking this work. This work on density bonusing would be focused on how this tool could be used to improve housing affordability in the Islands Trust Area.

RISK ASSESSMENT:

Risk that local trust committees may not adopt bylaws based on the model bylaws.

ALTERNATIVES CONSIDERED:

Option 1: Undertake the work in-house using dedicated planning staff. This would require allocation of planner time to this project, and a budget of \$5,000 for legal review, and \$5,000 for consultant/research assistance. This work would involve review of existing bylaws, practices used in other areas, and recommendations on approaches to use floor area ratio for housing. This is to further affordable housing on the islands. A model bylaw would be presented to the Regional Planning Committee.

Option 2: Hire a consultant to undertake the work. Given the potential scope, \$10,000 should be allocated for a contract, and \$5,000 reserved for legal review.

CRITICAL SUCCESS FACTORS:

Model bylaws with recommended policy and regulations by end of FY21/22.

RECOMMENDED OPTION:

Option 1 is recommended to tap into external expertise and obtain advice in this area.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

\$5,000 for legal review
\$5,000 for consultant/research assistance
\$10,000 total request.

As this is a program project, there will be no cost saving by undertaking this. Work on developing model bylaws can be more efficient than each local trust committee undertaking the work individually provided that most local trust committees are willing to adopt the model bylaws into their bylaws.

Qualitative Analysis:

This will further the Strategic Plan of Trust Council by providing model bylaws for LTCs to consider in regards to density bonuses.

PURCHASING PROCEDURE:

As per Islands Trust process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY:

As determined by the Regional Planning Committee.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Reports to Trust Council via Regional Planning Committee.

David Marlor, Director, Local Planning Services

Initiator Name and Title

September 24, 2020

Date

Regional Planning Committee

Reviewed by: Name and Title

October 8, 2020

Date

REVIEWED BY MANAGEMENT TEAM:

Date received:

Approved: ☐ YES ☐ NO

Next steps:

- If approved by management:
 - the business case will be forwarded to FPC for review in October of each year.
 - the funding for the request will be included in Draft 1, Version 1 of the budget which is reviewed by FPC in October of each year, and the business case forwarded to FPC.
- If not approved by management:
 - the business case will be forwarded to FPC for information in October of each year, but not included in the budget draft.

Budget Funding Request Short-Form Business Case

TO BE COMPLETED BY INITIATOR

Initiated by: Clare Frater, Director, Trust Area Services	Budget Source (select all that apply): ☒ Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _____
Business Area: Trust Area Services	
Name of Request: Develop climate change, demographic, and environmental data sets and climate change performance criteria. \$25,000	
Date of Funding Request: October 5, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Strategic Plan Item 12 is: a) a set of climate change, demographic and environmental data; and b) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaptation efforts. The Climate Change Indicators Project is being delivered in phases. In Phase I (2020/21), Trust Programs Committee contracted Pinna Sustainability to provide a report outlining a shortlist of potential climate change indicators suitable for the Islands Trust Area. In the briefing about the report, staff noted: <i>Although it was out of the scope of this project to estimate a budget for data collection, there was general consensus among staff and trustees that there would be little value in Islands Trust investing large sums of money in broad-based data collection for the Trust Area as many relevant climate change indicators are more squarely under the purview of other levels of government. Rather, it is recommended that the purpose and scope of the Climate Change Indicators Project be refined and narrowed to focus on tangible, easily measurable indicators related directly to</i>	

the mandate and climate action priorities of Islands Trust and Islands Trust Conservancy. Where more broad-based climate change data sets are desired to inform the Trust's long-term decision-making and climate action planning, it was recommended that the Trust advocate to other levels of government (i.e. regional districts, provincial and federal governments) and collaborate with partner agencies to access those data sets.

Further, staff has received correspondence from My Sea to Sky Society and a group of partner agencies including Climate Caucus, BCIT, UVic, and the Climate Action Secretariat, indicating that they plan to apply for a multi-million dollar grant to develop a Climate Action Report Card tool that will build capacity for local governments to track and report greenhouse gas emissions every year. They have invited Islands Trust to participate as a pilot project and are keen to work with the Trust to develop meaningful indicators for small rural island communities in the Trust Area.

The \$25,000 amount in the resolution is the amount earmarked in the Gross Budget and Implementation pages of the Trust Council 2018-2022 Strategic Plan.

PROJECTED RESULTS/DELIVERABLES:

Phase Two of this project (2021/22 and future years) will involve fostering partnerships with First Nations, as well as other levels of government and academic/civil society organizations, in the development of climate change related data sets and ongoing monitoring and reporting. This may involve hiring a third-party contractor or student to coordinate data collection and liaise with partner agencies.

TPC-2020-042

It was MOVED and SECONDED,

that Trust Programs Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$25,000 for Strategic Plan Item No. 12 - Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaptation efforts.

RISK ASSESSMENT:

A risk for this project is that staff cannot retain an appropriately qualified contractor or cannot develop the desired partnerships. A further risk is that the desired data sets may be too impractical or expensive to collect.

ALTERNATIVES CONSIDERED:

Option 1: Budget a reduced funding amount.

Option 2: Defer work on the project to FY22/23. This option would delay completion of development of data sets and performance criteria in the Trust Area by one year.

CRITICAL SUCCESS FACTORS:

The project will require advice and support from Islands Trust Geographic Information Systems staff and Administrative Services staff, and for climate-related data, willing partners with the capacity to develop the desired climate related data sets.

RECOMMENDED OPTION:

That \$25,000 be budgeted for Strategic Plan Item No. 12 - Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaptation efforts.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

\$25,000 to contribute to a larger partnership.

Qualitative Analysis:

High quality data sets can support informed and ecosystem-based decisions about the Islands Trust Area and the effectiveness of its climate change mitigation and adaptation efforts.

PURCHASING PROCEDURE:

Contractor will be hired in accordance with Policy 6.5.3 on Procurement.

PROPOSED IMPLEMENTATION STRATEGY:

Staff will work with Trust Programs Committee to develop a project charter and communications plan. Staff will then hire a contractor to work with staff, partner agencies and Trust Programs Committee to coordinate the collection and dissemination of relevant data.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

The project will involve collaborating with other agencies, including the Province of BC, to determine what data sharing is available.

Clare Frater / Director, trust Area Services

Initiator Name and Title

October 5, 2020

Date

Reviewed by: Name and Title

Date



Budget Funding Request Short-Form Business Case

TO BE COMPLETED BY INITIATOR

Initiated by:

Mark van Bakel,
Information Services Coordinator

Business Area:

Administrative Services - Information Services

Name of Request:

Broadcasting of Public Meetings

\$18,672

Budget Source (select all that apply):

- ☐ **Specific Project Funding**
- ☐ Third Party Contractors
 - ☐ Staff Travel Expense
 - ☐ Staff Overtime Expense
 - ☐ New Staff Member
 - ☐ Computer Hardware/Software

☐ **Furniture & Equipment**
☒ **Computer Hardware/Software**
☐ **New Staff Resources** (see Staff Costing Tool)

☐ Permanent

☐ Temporary

Temp Duration: _____

☐ **Other – please describe:** _____

Date initiated: September 24, 2020

Funding Required for (date range): Fiscal 2021/22

BACKGROUND:

Islands Trust strategic plan includes the following strategy: #13 Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.

Trust Council approved an amount of \$7,100 to trial meeting broadcasting with a subset of Local Trust Committees (LTCs) in the year, prior to determining if this was a desired undertaking for all public meetings at the Trust.

Prior to commencing the trial, COVID-19 forced the Trust to revise how public meetings are conducted to comply with health and safety regulations. This reimagining of meeting delivery resulted in all Islands Trust public meetings, including LTC, ITC, Council Committee, and Trust Council meetings being conducted under a fully digital model using the Zoom Webinar and Meeting platforms. In addition to providing a safe and cost effective alternative to physical meetings, Zoom also facilitates live streaming for members of the public using a contracted private streaming service, in full compliance with the *Freedom of Information and Protection of Privacy Act* (FOIPPA). In effect, the 2020/21 budgeted trial planned for a portion of LTCs was expanded to

all Committees by necessity as a result of the pandemic. However, as health restrictions ease and the ability to return to physical meetings arises, a decision will need to be made as to how this streaming initiative will continue, if at all. This decision will have varying budget implications.

PROBLEM STATEMENT/OBJECTIVES:

Under the current fully digital mode of conducting meetings, the public has three ways to view/engage in Islands Trust meetings:

1. Via Zoom as a meeting attendee in the session
This option allows the public to participate in a meeting (ie: speak at a town hall session) as directed by the meeting Chair and enabled by the meeting host.
2. By watching the Live Stream online as the meeting happens
This option simply allows members of the public to view the meeting as it unfolds but does not provide participation opportunities. Meeting viewing is provided by way of a web link.
3. By watching the recorded meeting posted online subsequent to the meeting time (called Video on Demand (VOD)).
This option is similar to option 2 in that it allows for meeting viewing only, but no participation. This option provides the ability to watch the meeting at a later date.

In the coming fiscal year, the manner in which meetings are conducted will depend in part on the evolving external COVID-19 protocols. However, as life returns to a more usual standard, decisions will need to be made internally as to how public meetings should continue. Currently identified options include: the COVID-19 status quo, relying entirely on digital participation; a hybrid approach integrating both digital attendees with physical public venues; and a return to purely physical meetings. The technology implications of each of the identified options and the associated cost estimates are provided in this report.

PROJECTED RESULTS/DELIVERABLES:

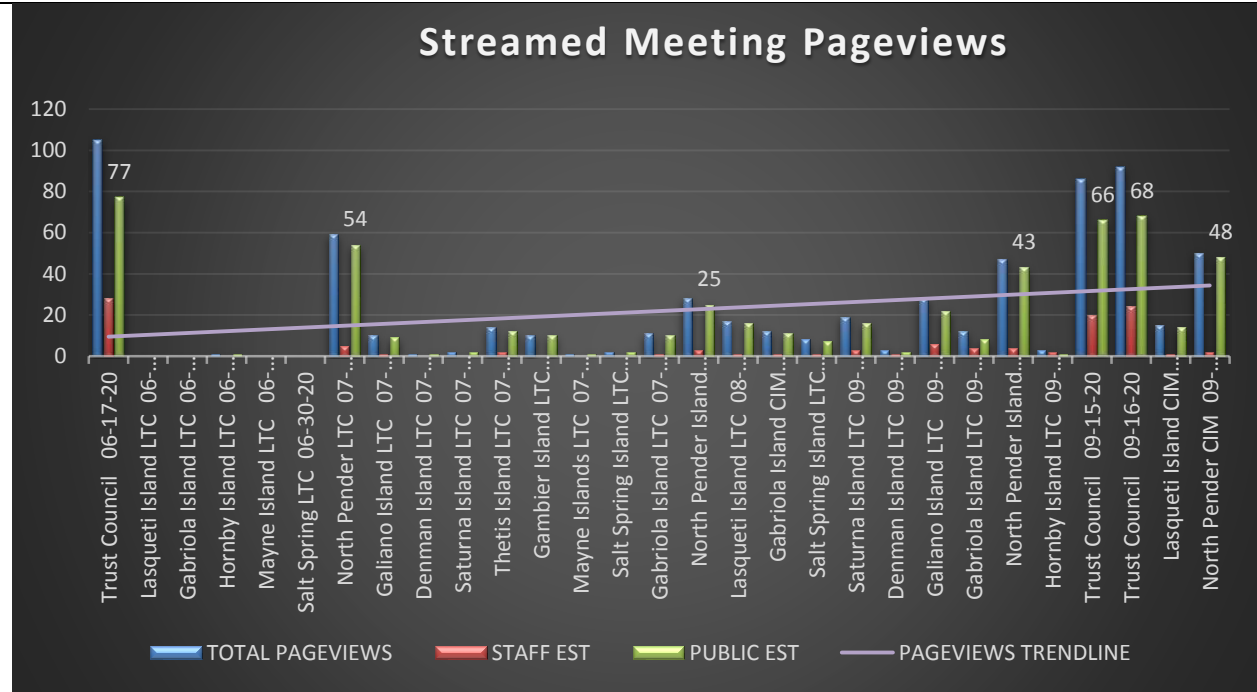
Broadcasting of public meetings in line with strategic plan item 13 which allows for increased engagement with Islands Trust.

ALTERNATIVES CONSIDERED:

OPTION 1: CONTINUE WITH FULLY DIGITAL PUBLIC MEETINGS

Digital meetings have provided a new way for members of the public to engage with and learn about Islands Trust. Analytics tracking of meeting views since June 17, 2020, provides preliminary information regarding meeting viewership online (see Chart below). Since analytics tracking began, there have been a total of 74 Zoom webinars/meetings which have yielded the following:

- A total of 2025 Zoom participants (i.e. panelists + attendees). We are currently unable to effectively extract the number of attendees (i.e. public) but are working to remedy this;
- An estimated 526 live stream views, with Trust Council and North Pender LTC meetings attracting the greatest public streaming volumes.



Islands Trust’s private streaming service provider live streams Zoom content and provides unlimited data storage at a cost of \$700/month. In addition, in order to facilitate full public participation in Islands Trust meetings, two additional webinar licenses have been procured at an annual cost of \$1,272 annually. The following table describes the estimated cost of maintaining fully digital meetings in fiscal 2020/21.

ITEM	Units Required	Cost per Unit	Total Cost
Private Streaming Service & Storage	1	\$8,400	\$8,400
Zoom Webinar License	2	\$636	\$1,272
TOTAL			\$9,672

This option provides significant savings in the area of staff and trustee travel costs (including meal and accommodation); reduces travel time for staff which results in less OT expense and an increase in time for other work; reduces meeting hall rental costs; reduces Islands Trust’s operational carbon footprint; and creates time and expense savings for public attendees while increasing the public’s ability to engage in Islands Trust work.

OPTIONS 2: A HYBRID MODEL - DIGITAL + PHYSICAL ATTENDEES

When public meeting venues are once again permitted under health regulations, a decision to incorporate this manner of meeting back into Islands Trust operations may be made. An option to integrate public meeting venues into a hybrid in-person and digital model is possible, but accommodating two modes of delivery into one model creates twice as much effort and similarly the same increase in technology costs. In this option, the Zoom platform would continue to be used for participants who wish to remain remote, and in-person attendees would be integrated into the Zoom meeting with additional on-site video and audio hardware to capture the physical attendees as a single Zoom participant with a single camera view/audio track. The following table describes the estimated cost of integrating public venue attendees into the digital Zoom and live streaming approach.

ITEM	Units Required	Cost per Unit	Total Cost																																
Audio/Visual Capture Device	4	\$1,000	\$4,000																																
Control Unit (TC meetings only)*	1	\$5,000	\$5,000																																
Private Streaming Service & Storage	1	\$8,400	\$8,400																																
Zoom Webinar License	2	\$636	\$1,272																																
TOTAL			\$18,672																																
<i>* The number of attendees and speaker configuration associated with Trust Council requires multiple cameras, requiring a production control unit for camera management.</i> Above estimates include only technology costs and do not contemplate the possibility that additional staff support or time may be required to set up the hardware at the physical meeting location or support for this function. OPTION 3: PHYSICAL ATTENDEES ONLY If physical meeting venues once again become the preference and standard for all public meetings, the option to revert to the 2019 streaming recommendations (See Item 12.8 Streaming Committee Meetings: Information Technology Considerations Briefing of the September 18, 2019 Trust Council meeting) and employ on-site audio, video and encoding hardware to live stream meeting proceedings is available. The following table outlines the costs of physical meeting configurations, along with the option to stream the proceedings, while eliminating the option for remote participation. Zoom would no longer be employed as the standard platform. Meeting content would be recorded via audio/visual capture devices, encoded locally at the meeting, and broadcasted via the existing streaming service. Note that the 2019 recommendations have been adjusted to reflect the significant savings in network storage requirements in light of the existing private streaming service contract which includes data storage. Since Zoom webinars would no longer be the standard platform for meetings, the cost for two additional licenses would no longer be required which has been accounted for in the estimated figures. <table> <tr> <th>ITEM</th><th>Units Required</th><th>Cost per Unit</th><th>Total Cost</th></tr> <tr> <td>Audio/Visual Capture Device</td><td>4</td><td>\$1,000</td><td>\$4,000</td></tr> <tr> <td>Control Unit (TC meetings only)</td><td>1</td><td>\$5,000</td><td>\$5,000</td></tr> <tr> <td>Private Streaming Service & Storage</td><td>1</td><td>\$8,400</td><td>\$8,400</td></tr> <tr> <td>Zoom Webinar License</td><td>-2</td><td>-\$636</td><td>-\$1,272</td></tr> <tr> <td>Encoder</td><td>3</td><td>\$5000</td><td>\$15,000</td></tr> <tr> <td>Post-Processing Software</td><td>1</td><td>\$500</td><td>\$500</td></tr> <tr> <td>TOTAL</td><td></td><td></td><td>\$31,628</td></tr> </table> Above estimates include only technology costs and do not contemplate the possibility that additional staff support or time may be required to set up the hardware at the physical meeting location or support for this function. CRITICAL SUCCESS FACTORS: Appropriate technology for desired manner of meeting conduction; appropriately trained staff to administer technology; and, appropriately informed public to make the undertaking worthwhile.				ITEM	Units Required	Cost per Unit	Total Cost	Audio/Visual Capture Device	4	\$1,000	\$4,000	Control Unit (TC meetings only)	1	\$5,000	\$5,000	Private Streaming Service & Storage	1	\$8,400	\$8,400	Zoom Webinar License	-2	-\$636	-\$1,272	Encoder	3	\$5000	\$15,000	Post-Processing Software	1	\$500	\$500	TOTAL			\$31,628
ITEM	Units Required	Cost per Unit	Total Cost																																
Audio/Visual Capture Device	4	\$1,000	\$4,000																																
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Zoom Webinar License	-2	-\$636	-\$1,272																																
Encoder	3	\$5000	\$15,000																																
Post-Processing Software	1	\$500	\$500																																
TOTAL			\$31,628																																

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Continued communications and notices currently underway for public meetings, including notice of physical and digital attendance options with links to livestreams on the website. News releases would be circulated as deemed necessary by the Communications team.

BENEFIT/COST ANALYSIS SUMMARY:

Option 1 – Lowest cost option; staff and trustees hold knowledge and skill in this meeting delivery model given current use; no additional purchases of hardware which would require refresh periodically; provides a significant increase in the ability of the public to engage and participate in, or view, Islands Trust meetings; significantly reduces travel costs and staff time savings as outlined above.

Option 2 – Mid-level cost option; benefits mirror those outlined in Option 1, with the added benefit of physical attendance for members of the public who may have limited access to reliable internet for digital attendance as well as providing compliance with current, non-pandemic legislated meeting requirements to have physical locations for public meetings.

Option 3 – Highest cost option; no staff time or travel cost savings; increased training for staff on new hardware; increased staff time to process meeting recordings post-meeting; no digital attendance options for the public which restricts access to engagement opportunities.

RECOMMENDED DECISION:

If meeting streaming remains an objective of Islands Trust after the current year 'trial', and health restrictions lift to allow for physical meetings, staff recommend Option 2 – A Hybrid Model, digital and physical attendees.

Staff will include amounts for meeting streaming under Option 2 in the fiscal 2020/21 budget unless directed otherwise.

PURCHASING PROCEDURE:

Software is already in use with no additional purchases required. Zoom software renewals would take place in the new fiscal year as required.

Hardware purchases will be made via minimum of three quotes from known vendors or via an ITQ process.

Mark van Bakel,
Information Services Coordinator

Initiator Name and Title

September 24, 2020

Date

Julia Mobbs, Director, Administrative Services
Russ Hotsenpiller, Chief Administrative Officer

Reviewed by: Name and Title

September 24, 2020

September 25, 2020

Date

Budget Funding Request Short-Form Business Case

TO BE COMPLETED BY INITIATOR

Initiated by: Clare Frater, Director, Trust Area Services	Budget Source (select all that apply): ☒ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: Legal Services
Business Area: Trust Area Services	
Name of Request: Stewardship Education Program \$15,000	
Date of Funding Request: October 5, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Strategic Plan Item 21 is to develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area. There are many opportunities to deliver stewardship education programming in the Trust Area. Trust Programs Committee will develop a project charter(s) to guide the specifics of the stewardship education program after being presented with a range of options by staff. On August 13, 2020, the Trust Programs Committee passed the following resolution: TPC-2020-043 It was MOVED and SECONDED, that Trust Programs Committee request the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$15,000 for Strategic Plan Item No. 21 - Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.	

The \$15,000 amount in the resolution is the amount earmarked in the Gross Budget and Implementation pages of the Trust Council 2018-2022 Strategic Plan.
PROJECTED RESULTS/DELIVERABLES: Provide educational programming and materials on topics to be determined by Trust Program Committee (TPC). Trust Programs Committee has discussed that potential programming could include presentations/outreach to new land purchasers and professional practitioners such as realtors, dock installers, surveyors, builders, heavy equipment operators, and/or other delivery methods/audiences.
RISK ASSESSMENT: This project would require that sufficient staff time be available to deliver the initiative.
ALTERNATIVES CONSIDERED: Option 1: Budget a reduced funding amount. Option 2: Defer work on the project to FY22/23.
CRITICAL SUCCESS FACTORS: Sufficient staff time to administer and deliver the program. Trust Programs Committee decision-making regarding the topics to be addressed and methods of outreach.
RECOMMENDED OPTION: That \$15,000 be budgeted for the Stewardship Education Project.
COST/BENEFIT ANALYSIS: <u>Quantitative Analysis:</u> • \$15,000 for the Stewardship Education Project <u>Qualitative Analysis:</u> A stewardship education program offers the opportunity to educate community members and professional practitioners about the importance of preserving and protecting the Trust Area, climate change, and methods of being a good steward. Increased understanding of the Islands Trust and rationale for the preserve and protect mandate could result in reduced bylaw infractions.
PURCHASING PROCEDURE: All expenditures will be in accordance with Policy 6.5.3 on Procurement.

PROPOSED IMPLEMENTATION STRATEGY:

The implementation of this project will be determined by Trust Programs Committee via a project charter to be approved in Spring 2021. Work would be completed by March 31, 2022.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Change management, communication and collaboration will be addressed via the strategies outlined in the project charter and as directed by Trust Programs Committee during consideration of next steps.

The program would be supported by a communications plan. Ideally, components of the program would be delivered in collaboration with local agencies and/or First Nations.

Clare Frater / Director, Trust Area Services

Initiator Name and Title

October 5, 2020

Date

Reviewed by: Name and Title

Date



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to Executive Committee approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

<u>Initiated by:</u> Lisa Wilcox, Senior Intergovernmental Policy Advisor	<u>Budget Source</u> (select all that apply): ☐ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☒ Staff Travel Expense ☒ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: Training and Reconciliation Initiatives
<u>Business Area:</u> Trust Area Services	
<u>Name of Request:</u> Reconciliation Action Plan FY21/22 \$16,950	
Date of Funding Request: October 1, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Other the past year initiatives related to the Reconciliation Action Plan have achieved significant progress. Training and orientation sessions for staff and trustees were successfully implemented and engagement with First Nations, cultural knowledge holders, and Indigenous community members created new opportunities for sharing understanding, dialogue about core concerns, and principles. COVID-19 meant that some initiatives were not fully realized due to the inability to meet face to face in community. In many cases, a shift in focus, technology and connectivity limitations made it difficult to implement some Reconciliation Action Plan initiatives. Adapting to this challenge, the focus shifted to online engagement, and development of internal processes that would see long term reconciliation principles integrated into the work of the Islands Trust. This Islands Trust Reconciliation Action Plan is based on the following principles called the foundation documents:	

[Islands Trust First Nations Engagement Principles Policy](#)

[Islands Trust Reconciliation Declaration](#)

[Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples \(relevant Principles\)](#)

[United Nations Declaration on the Rights of Indigenous Peoples \(relevant Articles\)](#)

[Truth and Reconciliation Commission: Calls to Action \(relevant Calls to Action\)](#)

[Declaration on the Rights of Indigenous Peoples Act \(DRIPA\)](#)

[Murdered and Missing Indigenous Women and Girls: Calls for Justice \(relevant Calls\)](#)

PROJECTED RESULTS/DELIVERABLES:

Total budget request for FY21/22 is \$16,950. The breakdown of the budget request are shown against the relevant items from Trust Council's Reconciliation Action Plan. Only those items with a budget request for FY21/22 are shown below.

1. Education/Training - Cultural Competency, Cultural Safety – FY2021/22 Total Budget: \$4,750		
Goal/Action Item	Details	Budget Forecast
1.1 One to One Dialogue Sessions	• On-going • SIPA travel to each office twice per year. • Focus moves to land use planning and cultural safety.	• \$500
1.2 Facilitated Workshop	• On-going • SIPA travel to each office once per year. • Focus moves to needs based topics.	• \$500
1.5 Learning about the Land – The importance of place.	• Honorarium for speaker at LPS day or other scheduled meeting with Planning staff.	• \$1,000
1.6 Speaker Series	• On-going • Cost for honorarium, travel costs, mileage, expenses for continuous learning session for trustees.	• \$1,000
1.7 Lunch & Learn Series	• On-going • Cost for snacks, or lunch.	• \$100
1.8 Indigenous Learning Series	• On-going • Honorarium for webinar speakers or on-site learning.	• \$1,200
1.9 New Employee Orientation	• On-going • Travel for SIPA to regional offices or locations for training.	• \$300

	• Mileage, travel, expenses.	
1.11 Monthly Learning Series	• On-going • Webinar or online	• \$50
1.12 External Presentations/Education	• On-going • Travel costs, expenses for SIPA to location.	• \$100
3. Policy & Procedures – FY2020/21 Total Budget: \$4,850		
Goal/Action Item	Detail	Budget Forecast
3.2 Land Use Planning	• Honorarium for engagement with First Nations and cultural knowledge holders	• \$2,500
3.4 Cultural Sites Preservation & Protection	• Initiative to define and engage on cultural site preservation and protection. • Travel and honorarium costs.	• \$2,000
3.5 Review of Current Initiatives	• Review of files contract	• \$250
3.6 Database	• Review of files contract	• \$100
4. Cultural, Naming & Recognition Work – FY2021/22 Total Budget: \$250		
Goal/Action Item	Detail	Budget Forecast
4.1 Naming and Recognition	• From time to time travel to various locations to engage in dialogue on naming and recognition. • Honorarium for dialogue on naming.	• \$250
5. Liaison and Engagement with First Nations & Others – FY2021/22 Total Budget: \$1,100		
Goal/Action Item	Timeline	Budget Forecast
5.1 Crown Agreements	• Engagement with other Ministries to update past Crown agreements	• \$0
5.2 Community to Community Engagement	• Grant should be sought for UBCM funding	• Seek UBCM funding
5.3 Regional Districts & Islands Trust	• 2022 initiative	• N/A
5.4 Ministry Indigenous Relations and Reconciliation (MIRR) & Islands Trust	• On-going	• \$0
5.5 First Nations & Islands Trust	• On-going	• \$500

5.6 Treaty Table	• 2022 initiative	• N/A
5.7 Advocacy	• Work with First Nation Leadership Council	• \$100
5.8 Protocol Agreements	• Review and engage on past protocol agreements • Further development and engagement with Naut'sa'mawt	• \$500
6. Communications and Messaging – FY2021/22 Total Budget: \$2,500		
Goal/Action Item	Timeline	Leads
6.1 Creation of Public Materials.	• Brochure and material • Design, writing, and engagement	• \$2,000
6.2 Webpage	• Honorarium for Indigenous writing and posts	• \$500
6.3 News Releases	• N/A	• N/A
6.4 On-going review	• N/A	• N/A
7. Cultural Working Group – FY2021/22 Total Budget: \$3,500		
Goal/Action Item	Detail	Budget Forecast
7.2 Cultural Working Group Training	• Travel and mileage, expenses to locations and regional offices. • Honorarium for cultural knowledge holders.	• \$2,500
7.3 Incident-based Liaison	• On-going	• \$1,000
RISK ASSESSMENT: Implementation of the Reconciliation Action Plan is dependent on interagency cooperation and building relationships. COVID-19 restrictions and challenges may require shifting focus to online and technology based engagement until such time as community and on-site engagement can resume.		
ALTERNATIVES CONSIDERED: Option 1: Limit development of reconciliation process to a specialized single staff member. Cost of implementation would be reduced to salary, travel expenses etc. This approach allows for implementation of some aspects of the Reconciliation Action Plan but limits cultural competency to one individual that retains most of the knowledge versus the dissemination of knowledge and skills to all staff. Option 2: End initiatives at an organizational training level. Organizational training with cultural competency and cultural safety initiatives would allow for the dissemination of knowledge to most staff and trustees. However, without review of best practices and implementation of policy and process initiatives the Islands Trust will continue to work in the same way as an organization and may not be able to create the necessary relationships at a government-to-government level with First Nations to ensure that they are in line with		

Provincial and Federal reconciliation initiatives. This may ultimately lead to challenges to the jurisdictional relevance of the *Islands Trust Act* and organization as a whole.

Option 3: Do nothing. This may ultimately lead to possible litigation due to poor decision making and challenges to meaningful engagement, lack of ability to realize risks of decisions in relation to Aboriginal rights and title, treaty, and traditional territory factors.

CRITICAL SUCCESS FACTORS:

Over the past year the Reconciliation Action Plan success factors included standardization of resolutions related to implementation on reconciliation and UNDRIP at with all LTC's with the exception of Bowen and Saturna. Training and orientation standards were successfully implemented with training sessions held with all staff and trustees, with new staff orientation. Naming and recognition signage was successfully completed on Bowen Island with a process to implement region wide. The Cultural Working Group met separately (due to COVID-19) with cultural knowledge holders to learn about how to be on the land in a respectful way. Reconciliation communications included postings online and communications to community about specific initiatives and principles. Trustees began utilizing training understanding to create more meaningful and thoughtful engagements with First Nation elected officials. Staff began to realize tangible ways to incorporate reconciliation into the object and mandate of the Islands Trust and Islands Trust Conservancy.

The past two years have established a solid foundation to build on the coming work that needs to be undertaken. Staff and trustees have engagement in a meaningful way to acknowledge the history and legacy that is part of the Islands Trust area. Having undertaken this internal work, the staff and trustees can turn their minds to implementing initiative that are reflective of the foundation documents and apply these principles to land and water use decision making.

RECOMMENDED OPTION:

That \$16,950 be budgeted to support the Reconciliation Action Plan.

Work closely with local trust committees, trustees, and staff to develop methodology and processes that create paths of respect, partnership, and collaboration. These would include mapping and heritage preservation to inform land and water use decisions, on-going learning from Indigenous knowledge holders and speakers, and continued engagement with First Nations governments and their representatives to develop and define reconciliation within the Islands Trust area.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

Financial costs due to COVID-19 where significantly reduced for 2019-2021 budget. Cost for honorarium or contract work are expected to be higher this budget period as the Reconciliation Action Plan moved to implement the building of competency with cultural knowledge holders, and First Nation experts in planning and community.

Qualitative Analysis:

Benefits to the Islands Trust that are outside the financial scope include greater satisfaction among staff in the alignment of core values to values of stewardship, respect, purpose, and preservation. This leads to retention among staff who feel their core values align with the values of the organization.

Implementation of reconciliation aligns the work of the Islands Trust bodies with those of the Province of BC, and Federal government and the foundational principles of UNDRIP, TRC, and MMIWG Calls for Justice; as well as, the Declaration on the Rights of Indigenous Peoples Act. It provides effective mechanisms for redress related to the history of the islands and Salish Sea area. This allows for direct skills based processes that guide staff and trustees in the work that they are undertaking in relation to land and water decisions. These processes lead to cost reductions creating overall processes and initiatives that are applicable to the region as a whole.

PURCHASING PROCEDURE:

All funding will be implemented and deliverables outlined as per the Islands Trust policies and procedures.

PROPOSED IMPLEMENTATION STRATEGY:

The Reconciliation Action Plan roll-out is from April 2019-December 2022. The 2021 to 2022 budget covers Phase Two initiatives.

Phase Two is the implementation phase. With staff and the organization at a place of awareness after year one we reach out to begin the elements “gathering together to share knowledge and understanding”. Staff and the organization as a whole will feel confident in understanding how to learn about First Nation core concerns, how those concerns are incorporated into the work we do and how we are supported in the work we do as an organization.

Phase Two will include the implementation of process and policies that meet the needs and engagement best practices of First Nations, and will see the development of cooperative process for Indigenous and non-Indigenous communities. The Islands Trust as an organization will in Phase Two build on the foundational work that has been undertaken toward reconciliation and will strive to build trust and demonstrate their commitment to the long-term relationships needed to facilitate reconciliation. Phase Two will see the development of procedures to support long-term reconciliation process through protocols, agreements, engagement processes, and change management.

Phase Two ensures that support to Local Trust Committees is facilitated to assist them in the work they endeavor. The principle will be to hear, advise, reflect and comment while building and developing the foundational work of the Islands Trust as a whole.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

First Nations are identified through the consultative area database (CAD) provided by the Provincial Government, as well as through the BC Treaty Commission stages 1-6 Statement of Intent and Final Agreements, as well as First Nations stated territories and treaty areas. Interagency partnerships are identified through Ministry contacts and roles in relation to First Nation engagement. Note that the Islands Trust work focuses on land use decision making and preserving and protecting land and marine values versus programs and services so is specific to agencies that work within the land and water tenure and decision making structure of government-to-government discussion, policy, and initiatives. Islands Trust also represents constituents within the Islands Trust region, people of British Columbia, and Canada as a whole. Hence processes should be considerate of Indigenous, Métis, and Inuit throughout British Columbia and Canada. Islands Trust also works with stakeholders, advocacy group, property owners, and other municipal, and regional governments.

Lisa Wilcox
Senior Intergovernmental Policy Advisor

Initiator Name and Title

September 25, 2020

Date

Clare Frater
Director Trust Area Services

David Marlor
Director, Local Planning Services

Reviewed by: Name and Title

September 25, 2020

Date



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to EC/TPC approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

Initiated by: Clare Frater, Director, Trust Area Services	Budget Source (select all that apply): ☒ Specific Project Funding (select all that apply) ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☒ Other – please describe: Legal Services
Business Area: Trust Area Services	
Name of Request: Policy Statement Amendment Project \$10,000	
Date of Funding Request: September 20, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: Trust Council's Policy Statement Amendment Policy (1.2.i) states that each term Trust Council will identify Policy Statement review and/or amendment tasks. The Islands Trust Council has assigned the Executive Committee, with involvement from Trust Programs Committee as appropriate, to co-ordinate a review of the Introduction, Part I, Part II and Schedule 1 - Definitions sections and climate policies of the Policy Statement. The Executive Committee has adopted an engagement plan and project charter to guide the amendment process. The 2018-2022 Strategic Plan includes the following direction: • <u>Strategic Plan Item 10</u>: "Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies." • <u>Strategic Plan Item 16</u>: "Implement the following high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council."	

- i. Review the Islands Trust Policy statement and give consideration to: a) giving affordable housing a greater profile for its role in sustainable communities b) including a reference to affordable housing in its policy direction to LTCs and municipalities.
- ii. Review the Islands Trust Policy statement to ensure that it: a) includes clear and well-thought out definition of 'affordability' b) includes clearly articulated vision, goal and objectives for affordable housing c) gives affordable housing a greater profile for its role in sustainable communities d) includes a reference to affordable housing in its policy direction to LTCs and municipalities.
- Strategic Plan Item 22: Amend the Policy Statement introductory and definitions sections.
- Strategic Plan Item 23: Determine if additional changes to the Policy Statement are desired by Trust Council.

The multi-year Policy Statement Amendment Project is expected to continue into 2021/22. In 2020/21, Trust Council approved spending of \$45,000 for this work. As of September 24, 2020, staff have spent approximately \$7,000 and expect to spend a further \$28,000 by the end of the fiscal year on First Nations and public engagement, and on legal review. This would leave \$10,000 in unspent monies that would contribute to the accumulated surplus fund at the end of the fiscal year, in accordance with accounting practices.

To complete the project in 2021/22, staff recommend that Trust Council include \$10,000 in the 2021/22 budget for this work. This budget amount could be funded from surplus funds to avoid any new taxation for this project. This funding amount is consistent with the total project budget approved in the project charter and would be used for statutory advertising and legal review if required.

On August 13, 2020, the Trust Programs Committee passed the following resolution:

TPC-2020-041

It was MOVED and SECONDED,

that Trust Programs Committee request that the Executive Committee recommend to Financial Planning Committee to include \$10,000 in Fiscal Year 2021/22 for the Policy Statement Amendment Project (Strategic Plan items 10, 16, 22,23).

PROJECTED RESULTS/DELIVERABLES:

4th Reading by Trust Council of an amended Policy Statement bylaw, and a plan for subsequent amendments.

RISK ASSESSMENT:

As noted in the project's engagement plan, 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 maintain a focus on the big-picture (e.g. Reconciliation as an overarching priority) and will bring forward recommendations to Executive Committee and Trust Programs Committee for project amendments as needed.

ALTERNATIVES CONSIDERED:

Option 1: Budget a reduced funding amount. This option is not recommended as the amount recommended is the minimum required to complete the project.

Option 2: Defer work on the project to FY22/23. This option is not recommended as the project is already underway with active First Nation and public engagement, and it would push the project completion past the end of the 2018-2022 term of office.
CRITICAL SUCCESS FACTORS: Successful adoption of an amended Policy Statement bylaw depends on shared understanding by Trustees, the Minister, First Nations, referral agencies, stakeholders and the public about the purpose and function of the Policy Statement and the rationale for any changes.
RECOMMENDED OPTION: That \$10,000 be budgeted for the Policy Statement Amendment Project.
COST/BENEFIT ANALYSIS: <u>Quantitative Analysis:</u> \$10,000 for Policy Statement Amendment Project <u>Qualitative Analysis:</u> Amending the Policy Statement will advance the Islands Trust Council's commitment to Reconciliation and to updating its foundational document.
PURCHASING PROCEDURE: All expenditures will be in accordance with Policy 6.5.3 on Procurement.
PROPOSED IMPLEMENTATION STRATEGY: As per the adopted engagement plan.
CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: Change management, communication and collaboration will be addressed via the strategies outlined in the project's engagement plan and as directed by Trust Programs Committee and Executive Committee during consideration of next steps.

Clare Frater / Director, Trust Area Services

Initiator Name and Title

September 24, 2020

Date

Executive Committee

Reviewed by: Name and Title

September 30, 2020

Date



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

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

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor and Lisa Wilcox	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _Strategic Plan Program
Business Area: Executive Committee	
Name of Request: Undertake development of heritage overlay mapping and development of model bylaws \$30,000	
Date of Funding Request: October 12, 2020	Funding Required for (date range): April 1 2021
ISSUE/OPPORTUNITY: <i>(What issue are you trying to resolve with this initiative, or what opportunity has been identified that would benefit Islands Trust by undertaking this initiative? What strategic item(s) is this addressing? What are the future needs? What organizational objectives are being addressed? Include background information that decision makers will need to properly assess this request.)</i> The Executive Committee passed the following resolutions on September 30, 2020: That the Executive Committee request staff to draft an amendment to the Strategic Plan regarding development of heritage overlay mapping and development of model bylaws. That the Executive Committee recommend that the Financial Planning Committee include \$30,000 in the Fiscal Year 2021/22 for the development of heritage overlay mapping and development of model bylaws (pending Executive Committee approval of a business case and adoption of a Strategic Plan amendment).	

PROJECTED RESULTS/DELIVERABLES: *(How does this address the issue/opportunity described above?)*

The funding request for FY21/22 is to cover costs associated with identification of appropriate heritage areas requiring protection and conservation, and the development of model policy and regulations. Work would involve engaging a consultant and working with the Archaeology Branch to identify areas, and working with First Nations in the Islands Trust Area to confirm and identify areas not covered in the Archaeology Branch database. The consultant may work with First Nations on appropriate means to use the Heritage Conservation Area tools in the Local Government Act to protect cultural heritage sites.

Work would be led by the Senior Intergovernmental Policy Advisor.

RISK ASSESSMENT: *(Discuss potential risk factors associated with this work, if identified.)*

Timing for undertaking the mapping portion may pre-empt the ability to develop model bylaws within the same fiscal year. In this case, the creation of bylaws would roll over to the following fiscal year with appropriate budget request.

Risk that local trust committees may not adopt bylaws based on the model bylaws. Model bylaws would be adopted as part of the standard model OCP and LUB, and will be used when reviews of OCPs and LUBs are undertaken.

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

Option 1: Undertake the work in-house using the Senior Intergovernmental Policy Advisor (SIPA) and dedicated planning staff. This would require allocation of SIPA and planner time to this project, and a budget of \$2,000 for legal review, and \$8,000 for supportive First Nations engagement or expertise. This work could be quite involved and would defer other work program projects to allow staff to undertake this work.

Option 2: Hire a consultant to undertake the work with SIPA as the lead staff person on the project. This would leverage our internal expertise in this area, and gather wider information through one or more consultant contracts. Given the potential scope, \$20,000 should be allocated for a contracts, \$8,000 for outreach and support to First Nations engaging in the process, and \$5,000 reserved for legal review.

CRITICAL SUCCESS FACTORS: *(What related factors have been identified? What risks are involved?)*

Model bylaws with recommended policy and regulations by end of FY21/22, and adoption by local trust committees in the following fiscal year. Protection of cultural heritage sites by the end of FY22/23.

RECOMMENDED OPTION: *(State your recommendation, and summarise why you chose it over others.)*

Option 2 is recommended to use internal expertise (SIPA) and tap into external expertise and obtain First Nations input in this area.

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

Quantitative Analysis:

- \$20,000 for a contract with a consultant with experience in First Nations engagement and protection of cultural heritage sites, and to develop model policy and regulations.
- \$8,000 reserved for outreach and support to First Nations engaging in the process
- \$2,000 for legal review, as required, on draft model policy and regulations

As this is a program project, there will be no cost saving by undertaking this. Work on developing model bylaws can be more efficient than each local trust committee undertaking the work individually provided that most local trust committees are willing to adopt the model bylaws into their bylaws.

Qualitative Analysis:

This will further the Strategic Plan of Trust Council (Goal: Strengthen Relations with First Nations) by providing model bylaws for local trust committees to consider in regards to protection of First Nation cultural heritage sites. It will also further Trust Council's goal on reconciliation.

PURCHASING PROCEDURE: *(describe any purchasing processes that will be needed to support this initiative (i.e. Direct Award, RFP, ITQ to qualified vendor)*

As per Islands Trust process for hiring consultants.

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

As determined by the Executive Committee (likely this would be assigned to the Regional Planning Committee).

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: *(Are there any concerns and how will these be addressed? Have other stakeholders been identified?)*

Reports to Trust Council via Executive Committee (or if so assigned, the Regional Planning Committee).

David Marlor, Director, Local Planning Services

Initiator Name and Title

September 2020

Date

Russ Hotsenpiller, CAO

Reviewed by: Name and Title

September 2020

Date



Budget Funding Request Short-Form Business Case

This business case is a Staff recommendation, and is subject to Trust Programs Committee approval on October 20, 2020.

TO BE COMPLETED BY INITIATOR

Initiated by: Clare Frater, Director, Trust Area Services	Budget Source (select all that apply): ☒ Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _____
Business Area: Trust Area Services	
Name of Request: Secretariat Services \$12,000	
Date of Funding Request: October 5, 2020	Funding Required for (date range): Fiscal 2021/22
ISSUE/OPPORTUNITY: The <i>Islands Trust Act</i> states that that Trust Council may coordinate and assist in the determination, implementation and carrying out of municipal, regional and improvement district, First Nations, and government of British Columbia policies for the preservation and protection of the trust area and its unique amenities and environment. Strategic Plan Item 21 is: Provide a secretariat role to forums within the Trust Area. **Trust Programs Committee will consider its requested budget for 2021/22 for the secretariat services program on October 20, 2020. This business case is provided as a placeholder in the budget.**	

PROJECTED RESULTS/DELIVERABLES:

Continued support to coordination groups in the Trust Area such as the Howe Sound Community Forum and the Baynes Sound/Lambert Channel Ecosystem Forum.

RISK ASSESSMENT:

Continuing to offer secretariat support may raise expectations of ongoing support.

Withdrawing support may hamper ongoing coordination efforts.

ALTERNATIVES CONSIDERED:

Option 1: Budget an increased funding amount.

Option 2: Budget a reduced funding amount.

Option 3: Do not budget funds in 2021/22 and consider funding in future years.

CRITICAL SUCCESS FACTORS:

Some staff time must be available to manage contractors and work with partners. There must also be available contractors willing to take on the coordination/secretariat work.

RECOMMENDED OPTION:

That \$12,000 be budgeted for secretariat services.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

\$12,000 budgeted to fund requests from groups for 2021/22 FY

Qualitative Analysis:

Supporting coordination groups/partnerships allows for Islands Trust to support enhanced coordination and cooperation in the Islands Trust Area be engaged and learn from these groups, which advocate on similar issues that are of interest to Islands Trust residents and Trustees. By supporting these local groups, it strengthens Islands Trust's position within the community as a leader and ally, and creates an opportunity to build relationships with members.

PURCHASING PROCEDURE:

Contractor(s) will be hired in accordance with Policy 6.5.3 on Procurement.

PROPOSED IMPLEMENTATION STRATEGY:

Trust Programs Committee will allocate funding upon request from Trust Council and coordination partnerships/groups. Staff will establish and monitor contracts.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Support for secretariat services supports enhanced collaboration in the Islands Trust Area. Staff will promote the Islands Trust's contributions, as appropriate.

Clare Frater / Director, Trust Area Services

Initiator Name and Title

October 5, 2020

Date



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

This business case is a Staff recommendation, and is subject to Regional Planning Committee approval of its work program for FY21/22.

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _Strategic Plan Program
Business Area: Regional Planning Committee	
Name of Request: Freshwater Sustainability Strategy: Phase 1 (Part 2) - Scoping and Options \$30,000	
Date of Funding Request: October 30, 2020	Funding Required for (date range): April 1 2021 – September 31 2021

ISSUE/OPPORTUNITY:

Freshwater sustainability is a strategic priority for the Islands Trust. Focused analysis of where Islands Trust currently is with addressing this priority, where scientific and policy gaps exist, challenges to be addressed and options and opportunities to move forward is critical to the development of a robust and enduring strategy for long-term freshwater sustainability.

An RFP was issued for Phase 1 (of 4) of the project which focusses on the identification of issues and will provide options for the development of a Freshwater Sustainability Strategy. The lead consultant (Econics) estimated the cost of Phase 1 to be ~\$50,000 based on similar work they have done.

Regional Planning Committee passed the following resolution on October 8, 2020

*It was MOVED and SECONDED,
that Regional Planning Committee direct Staff to negotiate the scope of the Freshwater Strategy to remain within the \$20,000 approved budget and to prepare a business case for Fiscal Year 2021/22.*

Discussion with Econics identified that Phase 1 could be effectively broken up into two steps. The \$20,000 will cover Step 1, the work needed to provide a situation analysis report. Additional funding of ~\$30,000 would be required in the 2021/22 budget year for Step 2 to cover the remaining work needed to produce a clear identification of options upon which an implementation strategy can be developed .

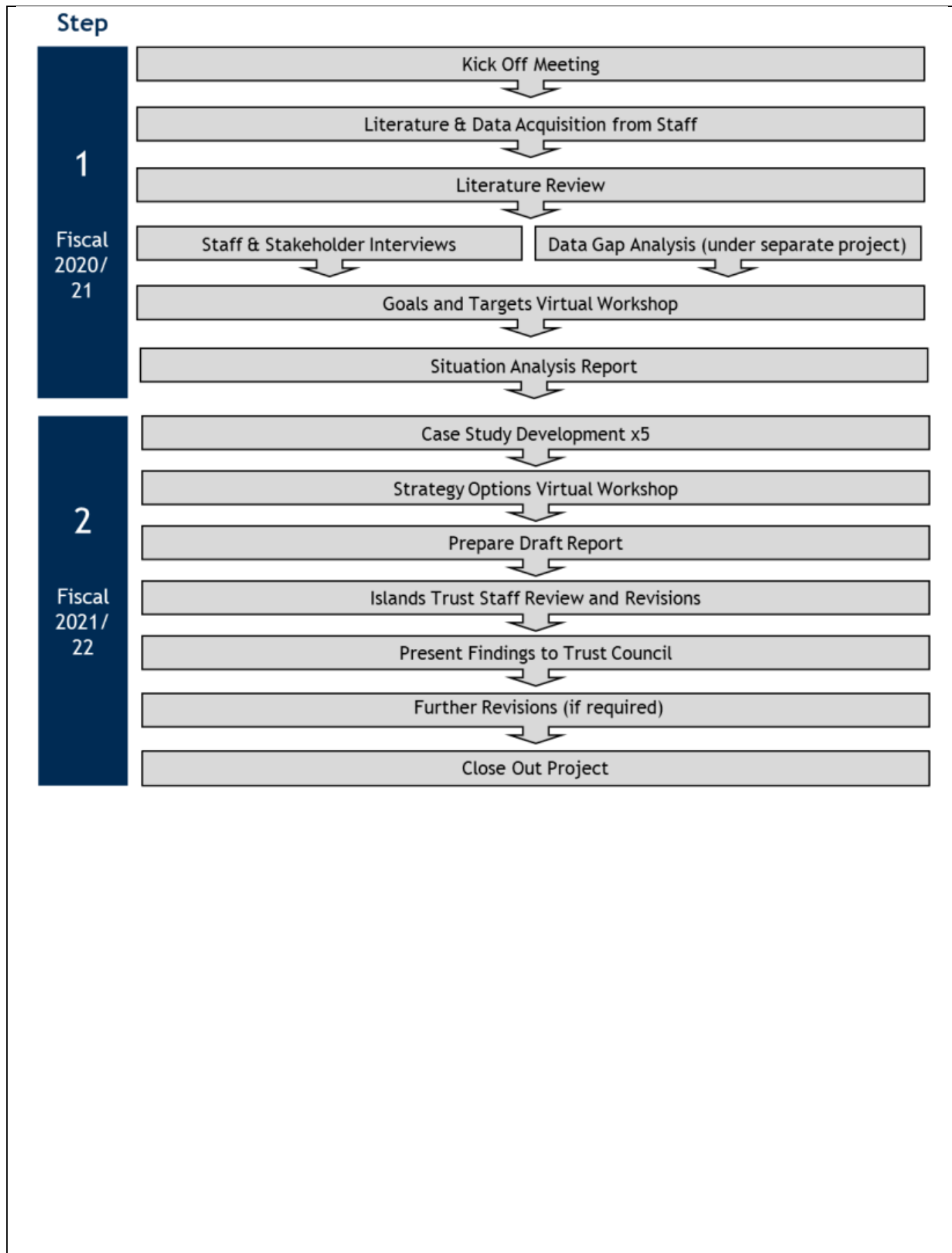
If Econics is able to work through both Part 1 and Part 2 in succession, completing Phase 1 by June/July of 2021 the Islands Trust will be well positioned to take advantage of a portion of funding from the Province dedicated to supporting local government with watershed sustainability projects (The Healthy Watersheds Initiative).

Healthy Watersheds Initiative funding could be used for the development of the Trust's Freshwater Sustainability Strategy (Phase 2) which will detail the steps needed to implement the options that the Trust would like to pursue. Being a part of this initiative could also lead to ongoing support from the Province and water sustainability partner organizations for the implementation of options to include First Nations relationship building.

PROJECTED RESULTS/DELIVERABLES:

Deliverable Phase 1 (Part 2): Scoping and Options Report. Econics approach will be to keep the main report concise (e.g., 20 to 30 pages), leaving the details literature review findings, case studies and so on to separate appendices. Econics will make extensive use of tables and graphics to facilitate communication to staff and trustees. Econics will also present to the Executive and the Regional Planning Committee.

The details of Phase 1 (Part 1 and Part 2) are identified in the following table.



Associated deliverables include:

RFP Deliverable (Islands Trust RFP p. 10, s. 6)	Information Sources
Identification of Islands Trust jurisdiction and responsibilities with respect to preserving and protecting freshwater	- Literature review - Interviews
Identification of how Islands Trust is currently supporting freshwater sustainability in the Trust Area	- Literature - Interviews - Review of data gap analysis
Examination of where other jurisdictions are at with supporting Islands Trust freshwater sustainability - including Federal, Provincial, Regional Districts and First Nations.	- Literature review - Interviews
Identification of any available funding/grant sources for future phases	- Literature review - Interviews - Case studies
Identification and clarification of goals and targets for the freshwater sustainability strategy	- Literature review - Interviews - Goals and targets workshop
Identification of data gaps	- Literature review - Review of data gap analysis
Identification of policy gaps	- Literature review - Interviews - Goals and targets workshop
Identification of best practices in other jurisdictions	Case studies
Identification and evaluation of options related to strategy development and implementation	- Interviews - Case studies - Strategy options workshop

RISK ASSESSMENT:

On Trust council's Strategic Plan for Fiscal Year 2021/22.

Regional Planning Committee has passed the following resolution:

*It was MOVED and SECONDED,
that Regional Planning Committee direct Staff to negotiate the scope of the Freshwater Strategy to remain within the \$20,000 approved budget and to prepare a business case for Fiscal Year 2021/22.*

The risk of supporting Step 2 of Phase 1 of this project is low. Econics provided a scope of work in two fiscal periods FY20/21 and FY21/22. This business case is requesting funding for FY 21/22 to undertake the deliverables for Step 2

If Step 2 of Phase 1 is not supported the Islands Trust will run the risk of not being well positioned to benefit from Healthy Watershed Initiative funding and the other continued provincial support that may be related to that program.

ALTERNATIVES CONSIDERED:

Option 1: Not undertake the work. As specialised work, this work cannot be completed using existing staff resources.

CRITICAL SUCCESS FACTORS:

The proposed **FWSS: Phase One** is a critical step in identifying and evaluating options and opportunities to support existing Islands Trust work with Local Planning Services (LPS) applications and implement new approaches to support freshwater sustainability in the Islands Trust Area into the future.



The scoping and options document will inform budget and scope for Phase 2

RECOMMENDED OPTION:

Option 1 is recommended to use staff knowledge and consultant resources to undertake the work in as cost effectively as possible.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

\$30,000 for consultant

It is intended that a draft of the FWSS options and opportunities report be ready by September 2020 to inform next steps including budget considerations for the 2020/2021 fiscal period. Local Trust Committees will be informed of the **FWSS – Phase One** process. Updates on all Phases of FWSS development and implementation will be made on the Islands Trust website on a dedicated webpage. This webpage is currently being developed as part of the Islands Trust website upgrade.

Qualitative Analysis:

This will further the Islands Trust Mandate and the Strategic Plan of Trust Council by creating a multi-year plan for preserving and protecting freshwater resources.

PURCHASING PROCEDURE:

As per Islands Trust process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY:

As determined by the Regional Planning Committee.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Reports to Trust Council via Regional Planning Committee.

David Marlor, Director, Local Planning Services

Initiator Name and Title

November 2, 2020

Date

Regional Planning Committee

Reviewed by: Name and Title

October 8, 2020

Date



Budget Funding Request Short-Form Business Case

Initiated by: Kate Emmings A/Manager, Islands Trust Conservancy	Budget Source (select all that apply): ☐ Specific Project Funding ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member (Program) ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software ☒ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☒ Temporary Temp Duration: __2021/22 – 2022/23_____ ☐ Other – please describe: _____
Business Area: Islands Trust Conservancy	
Name of Request: Species at Risk Program Staff Budget Amount: \$114,215 Source: Environment and Climate Change Canada Grant Funds	
Date initiated: October 6, 2020 (by ITC Board)	Date required: April 1, 2020
This business case supports both new ITC staff positions that are being funded under the SAR grant. BACKGROUND: The ITC has received funding for a Species at Risk (SAR) Program through Environment and Climate Change Canada (ECCC) in the amount of \$597,000 to be delivered over three fiscal years (2020/21, 2021/22, 2022/23). The ITC requires extra staff capacity to deliver the SAR Program (see Problem Statement/Objectives, below). At its October 6, 2020 meeting the ITC Board approved a budget which was submitted to FPC that included two new staff positions to assist with this new program: a SAR Program Coordinator and an ITC Co-op Student position. ITC-2020-027 <i>It was MOVED and SECONDED, that the Board approve the draft 2021/22 ITC Budget as amended, with the understanding that budget items for salaries and benefits and administrative allocation will be adjusted, and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.</i> The budget request was submitted to FPC at its October 14, 2020 meeting. After consideration of the submitted budget, FPC requested “an amendment... to the information provided in regards to the ITC staff.” ITC staff have provided a budget case to meet this request. The ITC Board has not considered the budget case, but will receive it for information by email and at their next meeting on November 24, 2020.	

PROBLEM STATEMENT/OBJECTIVES: ITC has signed a contribution agreement with ECCC committing to deliver on a SAR Program. The current complement of ITC staff cannot deliver on current work programs and add a new SAR Program. ITC needs to increase its staff capacity to deliver on its commitment to ECCC.

PROJECTED RESULTS/DELIVERABLES: ITC will deliver a SAR Program that will include:

- Conducting surveys and monitoring
- Restoring critical habitat
- Providing outreach materials and events
- Assisting landowners who wish to protect species at risk on their land
- Engaging and working with First Nations

The SAR Program Staff will be responsible for the Program as follows:

- SAR Program Coordinator: will coordinate all aspects of the SAR Program and will assist with the preparation of annual reporting to ECCC. This is a full time position and is anticipated to begin in Q4 of the 2020/21 fiscal year. This business case is a request to continue the position over two fiscal years.
- ITC Co-op Student: will assist ITC staff with surveys and monitoring related to the SAR Program. This position will be from May to August each year (2021/22, 2022/23).

Both positions may be continued if SAR funding is renewed.

ALTERNATIVES CONSIDERED: ITC staff considered contract options for these two positions, but felt that it was important to have the positions integrated into the ITC team to more easily coordinate with existing staff. The ITC Co-op position will also be working closely to assist the Property Management Specialist and the Covenant Management and Outreach Coordinator with fieldwork over the summer and is more reasonably an in-house position for supervision purposes.

CRITICAL SUCCESS FACTORS (List):

- Timely development of job descriptions and suitable job classification
- Timely hiring process (we hope to hire the SAR Program Coordinator late in the 2020/21 fiscal year, subject to CAO approval, grant funds will be used to pay costs)
- Appropriate skill sets and ability of new staff to quickly come up to speed on ITC work

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: Clear communication with the ITC Team and integration of the new roles into the Team is essential. ITC Manager position responsibilities will be expanded to include supervision of the additional staff. Coordination with Administrative Services to track and allocate staff costs to the ECCC grant funding is also important. New staff will also require appropriate training and this may need to happen in a remote work environment. The ITC Manager will work with Administrative Services to coordinate a smooth transition.

BENEFIT/COST ANALYSIS SUMMARY:

Quantitative Analysis: Total cost of the additional staff positions is expected to be \$115,886, with a possible reduction should the SAR Program Coordinator position not be classified at the anticipated level or should the successful candidate be hired at a lower grid level.

SAR Program Coordinator:

Summary for Business Case Insertion

Salary + Benefits (Grid 5)	\$	87,055
Travel	\$	1,000
Cell Phone	\$	650

Computer – Laptop	\$	2,750
Training	\$	500
TOTAL COST OF NEW POSITION in 1st year	\$	91,955
ITC Co-op Student:		
Summary for Business Case Insertion		
Salary + Benefits	\$	15,954
Potential Pacific Leaders Expense	\$	1,254
Travel	\$	3,252
Cell Phone	\$	-
Computer – Desktop	\$	1,800
Training	\$	-
TOTAL COST OF NEW POSITION in 1st year	\$	22,260
<u>Qualitative Analysis:</u> There will be added benefits for existing staff who will gain support from the SAR Program Coordinator to assist them with components of their jobs that include species at risk work. Property management staff will also benefit from the ITC Co-op Student for their annual monitoring program and species at risk property management work. The addition of an ITC Co-op Student position may also help with ongoing recruitment of staff for ITC into the future. Co-op students have been hired in other units of the Islands Trust in recent years.		
RECOMMENDED DECISION: Approve the creation of two temporary positions, the SAR Program Coordinator and the ITC Co-op Student, with funding provided by grant funds from ECCC.		
PURCHASING PROCEDURE: Recruitment as per Islands Trust recruitment policy.		

Kate Emmings, A/Manager, ITC

Initiator

October 26, 2020

Date

Clare Frater, Director, Trust Area Services

Director/CAO

October 26, 2020

Date



REQUEST FOR DECISION

To: ITC Board

For the Meeting of: October 6, 2020

From: Staff

Date Prepared: September 20, 2020

SUBJECT: 2021/22 ITC Budget Request

RECOMMENDATION: That the Board approve the draft 2021/22 ITC Budget as presented and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

The following is the RFD that went to the ITC Board when they were discussing their budget. This report is included in the budget package for Trust Council to assist in understanding the various items in the ITC budget.

1 PURPOSE: To provide the ITC Board with a proposed 2021/22 budget to assist in making a budget request to Trust Council.

2 BACKGROUND:

ITC Policy 1.6 requires that the ITC Manager prepare a proposed ITC budget for ITC Board approval. In general, the budget will see an increase of approximately \$200,000 due to an influx of funding from Environment and Climate Change Canada for a new ITC Species at Risk Program. This grant may or may not reduce the amount of required tax requisition for the ITC. Final tax requisition amount will depend on final budget needs, in particular those associated with administrative allocation and final salary/benefit numbers. The proposed budget will include funding for increased capacity, assisting the ITC to better meet the object of the Islands Trust.

The following items have been considered in the proposed ITC budget:

1. The addition of a new Species at Risk Program, including the influx of \$205,000 for program costs from Environment and Climate Change Canada. The anticipated use of these funds is detailed in Table 1 below and includes additional staff positions as follows:
 - a. A Species at Risk Program Coordinator: approximate cost of \$74,993, plus travel and training; and
 - b. A Summer Co-op position: approximate cost of \$17,343, plus travel.Both positions would be temporary positions and subject to available funding.
2. The addition of \$5,810 for property management of two new nature reserves and one new conservation covenant, plus an addition of \$450 for travel by water taxi to the Sandy Beach Nature Reserve to allow for annual monitoring. Increases to the property management budget are due to additions of ITC conservation land with an average annual maintenance cost of \$2,325/nature reserve and \$1,160/covenant. The formula used for property management is as follows and will be reevaluated on an annual basis to account for inflation costs:

Average Annual Cost	Nature Reserve	Covenant
Management Plan Renewal	\$600	
Recreation Management	\$400	
Habitat Restoration	\$675	\$675
Signage	\$65	\$65
Species/Ecosystem Inventory and Surveys	\$250	\$250
First Nations engagement and cultural site management	\$335	\$170
TOTAL	\$2,325	\$1,160

Additional Costs as determined by property:

Cost Item	Description
Travel	Water taxi requirements or added days requiring additional ferry fares or overnight stays.
Special Items	Dependent on special needs of the site. For example, dog waste collection or an increase in recreational management needs for a well-used site.
Special Start Up Costs	ITC works hard to pay for expenses associated with land securement but may in some instances require additional budget for costs anticipated to be in excess of its current budget. For example, the current property management budget anticipates signage and management planning needs for one new nature reserve each year. If the ITC were to take on multiple nature reserves in a given year, it may need to request additional budget.

3. An increase in the ITC legal budget to an amount consistent with prior years. The ITC legal budget was reduced from \$15,000 in 2019/20 to \$8,000 in 2020/21. At the beginning of the 2020/21 fiscal year, ITC changed legal counsel and legal costs have increased. ITC staff anticipate the legal expenses for the 2020/21 fiscal year will exceed \$15,000 and are recommending that the legal budget return to its prior amount and include an additional amount of \$3,000 for the Species at Risk Program as noted in item 1 above.
4. The assumption that the CoViD-19 pandemic will not affect staff and board travel and meeting expenses. As the final budget approval gets closer, the ITC Manager, in collaboration with the Director of Administrative Services, will reassess the status of the pandemic and its effect on ITC budgets. The ITC Board may wish to discuss its wishes with respect to continued use of electronic meetings as a means of keeping costs lower.

Table 1. Proposed 2021/22 ITC Budget. Final numbers may alter, particularly as salaries/ benefits are finalized and administrative allocations are calculated.

Fiscal Year	2021/22		2020/21
Budget Item	ITC Budget	SAR Program funds*	
Salaries and Benefits	570,128	133,257	508,555
Communications	13,000		13,000
Board Honoraria	6,600		6,600
Board Meeting Expense	13,850		13,850
Board Training and Conferences	4,000		4,000
Property Management	102,810	25,000	72,000
Conservation Planning and Land Securement	30,000	15,000	15,000
Ecosystem Mapping	20,000	5,000	15,000
Legal	18,000	3,000	8,000
Mobile Devices	2,400		2,400
Training and Conferences	5,250	750	4,169
Travel for Training	2,750		2,750
Travel	15,950	5,000	6,245
Photo Management	-		2,750
Summer Co-op Student	17,343	17,343	
TOTAL Direct ITC Costs	822,081	204,350	674,319
Admin Allocation	271,128	650	217,060
TOTAL	1,093,209	205,000	891,379
Funded by SAR monies	(205,000)		-
Total for Tax Requisition	888,208		891,379

* SAR Program budget amounts may change during the negotiation of the Contribution Agreement with Environment and Climate Change Canada. The amounts presented in this budget are an approximation. The total grant of \$205,000 will remain the same.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: If the budget is approved by Trust Council it will form the basis for the ITC work program in 2021/22. The influx of funding from Environment and Climate Change Canada will increase the work program of the ITC and require new staff positions and contractors among other expenses.

FINANCIAL: None.

POLICY: None. The Board may wish to revise its meeting procedure bylaw if it elects to allow for fully electronic meetings on a permanent basis.

IMPLEMENTATION/COMMUNICATIONS: The ITC Manager will provide the ITC budget request to the Director of Trust Area Service and the Director of Administrative Services at the Islands Trust with explanatory notes for the requested changes. The Director of Administrative Services will prepare the budget for review by the Financial Planning Committee and approval by Trust Council. The ITC Chair may make representations to the Financial Planning Committee regarding the ITC budget request.

FIRST NATIONS: The budget includes funds for archaeological assessments and funds to engage First Nations knowledge holders, particularly to assist staff in assessing conservation proposals and in land management.

CLIMATE CHANGE: The budget increases anticipate an increase in travel which will increase the carbon emissions of the ITC work. It is hoped that these emissions will be balanced by an increase in habitat conservation which will result in ensured carbon storage and sequestration. At this time, staff are not able to predict these tradeoffs in a meaningful way.

OTHER: At its May 2019 meeting, the ITC Board passed the following resolution:

ITC-2020-011

It was MOVED and SECONDED, that Islands Trust Conservancy Board direct staff to prepare a budget request for the 2021-2022 fiscal year for a report with options and recommendations for managing wildfire risks on ITC conservation properties.

Staff are exploring a memorandum of understanding with the Martin Conservation Decisions Lab (CDL) at the University of British Columbia and believe that this need may be met through work with the CDL and that existing budgets will be sufficient for the desired report. If this understanding should change, budget requests can be altered up to early March 2021.

- 4 **RELEVANT POLICY(S):**
[ITC Policy 1.6: Annual Budget Submissions Policy](#)
[Islands Trust Policy 6.3.1: Budget Process](#)

- 5 **ATTACHMENT(S):** None.

RESPONSE OPTIONS

Recommendation: That the Board approve the draft 2021/22 ITC Budget as presented and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

Alternative: That the Board approve the 2021/22 ITC Budget as presented with the following amendments:

- *[insert amendments]*

and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

Prepared By: Kate Emmings, A/Manager

Reviewed By/Date: Clare Frater, Director, Trust Area Services / September 21, 2020

Budget Funding Request Short-Form Business Case

TO BE COMPLETED BY INITIATOR

Initiated by: Warren Dingman, Bylaw Compliance & Enforcement Manager	Budget Source: Bylaw Compliance & Enforcement Budget
Operational Unit: Local Planning Services	Budget Amount: Start April 1, 2021 - \$91,579 Start November 1, 2020 - \$38,824 FY2020/21 \$91,579 FY2021/22
Name of Request: Bylaw Compliance and Enforcement Officer	
Date initiated: July 15, 2020	Date required: November, 2020

1. BACKGROUND

Bylaw Compliance and Enforcement is currently staffed by one manager, two full-time bylaw officers and 0.6 FTE for an administrative assistant.

The file load over the past several years are been consistently above 300 files, and at times spikes to over 350. Previous years averaged 250-280 compliance and enforcement files. Much of the enforcement is related to short-term vacation rentals and concerns that such operations are restricting the residential housing supply for local communities.

Trust Council passed the following resolution on September 16, 2020

TC-2020-082

THAT Trust Council ask the Director of Local Planning Services to put the business case for an additional bylaw compliance and enforcement officer forward to the Financial Planning Committee.

2. PROBLEM STATEMENT/OBJECTIVES (What is the problem you are trying to solve? What strategic item is this addressing? What are the future needs? What personal or organizational objectives are being addressed?)

The current workload is well over 120 files per officer. An analysis undertaken in 2019 indicates that this is substantially higher than in other local governments in the lower mainland such as Richmond, Delta, Surrey and Vancouver, and that analysis states that the optimum file load is between 20-30 files.

Provide timely enforcement on STVR files, and other BCE files, by ensuring that there is a bylaw officer assigned to and working with each local planning office. Also, with an additional officer, we can try to limit file load to 100 files per officer, or less.

Seasonal proactive STVR enforcement is a priority for six local trust areas and this adds considerable file load for the summer months when STVR operations are most active. The following Local Trust Areas (LTAs) have authorized proactive STVR enforcement:

1. North Pender
2. Mayne
3. Galiano
4. Salt Spring
5. Denman
6. Hornby
7. Gabriola

This now constitutes the majority of LTAs, Gabriola is the latest to add proactive enforcement but the GBILTC has been advised that the work cannot begin in earnest until the staff resources are available.

North Pender and South Pender have also authorized proactive enforcement on derelict vehicles.

3. PROJECTED RESULTS/DELIVERABLES

(How does this address the objectives described above?)

Reduced file load for the officers to more manageable levels. This will ensure more efficient use of time by officers, and will help the Islands Trust in retention of enforcement officers.

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

1. Reduce enforcement in some areas and focus on the high priority, as established by Trust Council policy, to manage workloads. This would result in some types of complaints being delayed or not investigated.
2. Require that Local Trust Committees that want proactive enforcement on a particular type of violation to include a funding request for additional enforcement staff to undertake the work. This would protect existing bylaw staff to undertake regular complaints, with policy directed proactive enforcement being undertaken by contractor under direction of the Bylaw Compliance and Enforcement Manager.
3. Consider converting all or part of the Bylaw Administrative Assistant to Bylaw Compliance and Enforcement Officer. This position is shared with 60 per cent to bylaw enforcement, and 40 per cent to the Director of Local Planning Services. This option was not considered ideal as administrative work would still need to be provided, either by the officers, or other staff members. Further, consideration of work undertaken for the director would also need to be reassigned to other administrative staff.

5. CRITICAL SUCCESS FACTORS *(What related factors have been identified? What risks are involved?)*

1. Increase in staff response.
2. Increased number of closed files.
3. Risk: increased requests for proactive enforcement. Even with an additional bylaw officer, we may be at maximum capacity for proactive enforcement. If Salt Spring continues to have what is believed to be hundreds of non-permitted STVRS, then that number of open files will exceed the capacity of even 3 officers and a manager.
4. There will be a need to management expectations of LTCs as new staff are brought on to learn the job. The Islands Trust bylaw compliance and enforcement role is unique, and even experienced bylaw officers have difficulty learning the LUBs and managing the file load.

6. CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION *(Are there any concerns and how will they be addressed? Have other stakeholders been identified?)*

There are limited concerns with the addition of a new officer as the proposal is in response to increased workloads and demands for service that have been recognized by staff and Trustees. However, there will be an opportunity for increased supervision of staff and their work. The culture currently is for bylaw officers to do the great majority of their work on a self-directed basis, with minimal supervision.

Increased supervision will be a significant change for current staff, and a graduated approach should be taken to the change, and there will need to be attention given to possible negative staff reaction.

7. BENEFIT/COST ANALYSIS SUMMARY *(Summarize the benefits and costs included. Identify capital and operational needs. Are there one-time or start-up costs? Are there impacts in future years?)*

The benefits are efficiency in service and a less stressful workload on staff, and increased supervision should increase the quality of service, and reduce the time for properties to come into compliance. This has the potential of reducing time off due to illness. It would hopefully reduce training costs in the long run if staff can be retained for longer periods of time. While an effort has been made to hire staff with all the necessary training, there are still courses that staff will need to attend, especially in mediation and negotiation.

There will be additional salary costs, and employee benefit costs, plus the additional computer and phone procurements, and required safety equipment.

While there will be an additional full-time equivalent (FTE) officer, given the turnover with the Salt Spring Island BCEO position, there may be gaps of up to six months at a time when one of the three BCEO positions is not filled, and this will reduce the overall cost somewhat. There is the possibility that with three positions, there could be turnover each year, and the actual cost per year may be well less than 3 FTEs.

8. RECOMMENDED DECISION *(Clearly outline the decision being sought and why this particular decision is being recommended)*

Approve the funding as requested.

9. PURCHASING PROCEDURE *(describe any purchasing processes that will be needed to support this initiative (ie. Direct Award, RFP, ITQ to qualified vendor)*

Recruitment as per Islands Trust recruitment policy.

Warren Dingman,
Bylaw Compliance and Enforcement Manager

Initiator Name and Title

August 24, 2020.

Date

David Marlor,
Director, Local Planning Services

Reviewed by: Name and Title

August 24, 2020

Date



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

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

TO BE COMPLETED BY INITIATOR

Initiated by: Louisa Garbo	Budget Source (select all that apply): X Specific Project Funding (select all that apply) ☒ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary Temp Duration: _____ X Other – please describe: UBCM-C2C Funding (applied)
Business Area: Salt Spring Island Local Trust Committee	
Name of Request: Ganges Village Project – Public Engagement <i>From draft Project Charter (attached):</i> - FY2021/22 - \$97,000 (expecting grant of \$5000, reducing budget need to \$93,000) - FY2022/23 - \$27,000 - FY2023/24 - \$24,000 Project Charter will be considered by the Salt Spring Local Trust Committee on November 10, 2020.	
Date of Funding Request: November 10, 2020	Funding Required for (date range): April 1 2021-March 31, 2022

ISSUE/OPPORTUNITY:

Note – This project is included in the LTC Projects budget amount. See Budget Highlights Briefing, Appendix C.

Ganges Village is the urban core of the Islands Trust and faces unique demands on a scale and intensity not experienced elsewhere within the Trust area. Previous community engagement efforts in relation to Ganges Village Planning were undertaken in 1995 and again in 2006. Much has changed since then while much remains unresolved. For example: Ganges is First Nations village site, Ganges is subject to sea level rise with the greatest social, economic impacts in the Trust area, Ganges is the focal point of homelessness on Salt Spring Island and has the greatest per capita homeless population in the Capital Regional District, Ganges infrastructure is aging and being replaced or upgraded which requires consideration of growth patterns, Ganges is subject to a moratorium restricting new connections to the community water system. Ganges is the economic driver for Salt

Spring Island, and to many extents, the Trust area, and with high land values comes desires to revitalize properties, hotels, harbours, and key institutional lands. Meanwhile policies are woefully outdated and do not reflect Trust Council's implementation of the First Nations Engagement Principles Policy, Trust Council's Reconciliation Declaration, and Trust Council's declaration of a Climate Emergency. To address these numerous issues, the SSI LTC has directed staff to create a Project Charter that will deliver a Ganges Village Local Area Plan. The creation a Ganges Village Area Local Area Plan will rely on a successful public engagement process which requires a skilled facilitator to deal with a diverse group of stakeholders and the numerous issues affecting their community.

This project provides the SSI LTC the opportunity to advance various objectives within the Trust Council Strategic Plan including:

- *Mitigate and adapt to climate change impacts*
- *Improve community engagement and participation in Islands Trust work*
- *Strengthen housing affordability*
- *Strengthen relations with First Nations and to advance Trust Council's commitment to Reconciliation*

The Ganges Village Planning Project item was originally listed on the projects list back in 2015, but it was elevated as an SSI LTC Strategic Priority at the beginning of the current term.

On November 10, 2020, the SSI LTC passed (is anticipated to pass and time of drafting this business case) the following resolutions adopting the Project Charter, budget and Engagement Plan

1. That the Salt Spring Island Local Trust Committee approves the proposed Ganges Village Area Plan Project Charter and project budget.
2. That the Salt Spring Island Local Trust Committee approves the proposed Ganges Village Area Plan Public Engagement Program.
3. That the Salt Spring Island Local Trust Committee approves the proposed Terms of Reference for the Ganges Village Planning Task Force.

PROJECTED RESULTS/DELIVERABLES:

The funding request for FY21/22 is to cover costs associated with:

Preliminary review of Project Charter	-	\$0
LTC endorse revised project charter	-	\$0
Meeting between LTC and First Nations	One half day in FY 2021/22	\$10,000 (\$5,000 matching fund with \$5,000 from UBCM grant)
Consultant selection process for public engagement facilitation/presentation, and consulting contract	FY 2021/22 for six months	\$70,000 – consulting contract
Task Force Project meetings (virtual or COVID-proof meetings) • Open to the public • Potential guest presenters (biodiversity, water, fire, First Nations)	FY 2021/22	\$3,500 – (Cost anticipates advertising, honoraria for speakers, coffee and snacks, and minutes taking at ±\$25/hr)
Technology (mapping, data analysis, etc.) and administrative support for public engagement program, design charrettes, task force meetings, meetings with stakeholder groups and agencies	FY 2021/22	\$3,000

Development of communication and educational info, printouts, mail-outs, brochures, posting of meetings and legal notifications	FY 2021/22	\$6,000
First Nation Consultation early and ongoing • Coordination with First Nations' staff • Collaborations with First Nations in their preferred methods	FY 2021/22 And likely FY22/23	\$2,500 - Cost anticipates advertising, honoraria for participants, coffee and snacks
Multiple virtual and/or in-person COVID-safe open houses and community engagement meetings	FY2021/22	\$3,000 – technology support, facility rental, and open houses material
Union staff over-time off business hours meetings	Funded from general staff budget	\$2,000
Progress update to LTC	One in spring and one the summer 2021	0
	Total	\$93,000, or \$97,000 if grant not available

RISK ASSESSMENT:

Ganges Village faces an immense demand for change. Without updating the plan, the Island Trust's core urban centre will grow in the direction that deviates from the objectives set forth in the Trust Council Strategic Plan, which includes their commitment to First Nations Reconciliations, protection and preservation of the environment, and Climate Change.

ALTERNATIVES CONSIDERED:

Option 1: Undertake the work in-house, with a less robust public engagement process.

The risk is the lack of expertise to ensure effective engagement process, while balancing the competing interests, and without the ability for staff to appear neutral on the issues. The financial implications of contracting the service may seem to be a reduction of fiscal resources; however, the soft cost, the likelihood of a less successful outreach process, and the additional staff resources required by performing the public engagement in-house may outweigh the cost of contracting a professional facilitator.

Option 2: Keep the same project charter and budget but fund the project via a Special Tax Requisition. This project is not relevant to just Salt Spring Island, Ganges Village being the urban heartbeat of the Islands Trust area and Ganges Village Planning is vital to the health of the Islands Trust's communities as a whole. The project will apply Trust Council's declarations and implement Trust Councils Strategic Plan. Salt Spring Island contributes the greatest portion of funding to the Islands Trust federation model. Salt Spring Island already uses a special tax requisition to fund SSIWPA which assists other water sustainability projects throughout the Trust area. The impact of funding this project via special tax requisition is to save the overall proposed Trust Council budget of approximately 1%, whereas the special tax requisition would have a more dramatic impact on local Salt Spring Island taxpayers.

CRITICAL SUCCESS FACTORS:

Skilled facilitation, innovative approaches, with an unbiased, neutral third-party professional, versus having the community to deal with the same Islands Trust office that they already have an opinion of being bureaucratic and one-sided.

RECOMMENDED OPTION:

Approve the request for \$93,000 (the remaining funds to be supplemented by other sources).

COST/BENEFIT ANALYSIS:Quantitative Analysis:

- \$70,000 for a contract with a consultant with experience in public engagement program, from designing visuals, preparing the technical aspect, conducting the facilitation and outreach, to analyse, summarize and presenting the outcome.
- \$3,500 to support the task force activities
- \$10,000 for Community-to-Community forum with First Nations (\$5,000 if grant is awarded by UBCM)
- Staff time to develop and carry out a public engagement plan as described is estimated at minimum to be \$20,000, with other costs on top of that. However, the time to implement will not only be substantially longer, but the quality will also be substantially reduced, and risks leaving issues unaddressed and unresolved.

Qualitative Analysis:

If the public engagement process has to be done in-house, the amount of time required will be substantially longer than in the proposed timeline. Many activities within the three phases are proposed to be conducted concurrently whenever possible; without consultant's support, all the activities within the process will be much more linear. The preparation, design, facilitation of the various public engagement events and the subsequent presentation preparation and report summary are very time-consuming. Instead of processing the various steps (including research and analysis of existing conditions and efforts, collaboration and consultation with agencies, community leaders and First Nations, supporting the Task Force activities, working on contractual agreements with potential partners such as the universities, research and competing for grant funding, and the subsequent drafting of the area plan) while the consultant is launching the public engagement program, many of those tasks will have to be pushed back in order to work on a robust public engagement program as directed by the elected officials, the proposed timeline will not likely be realistic. Keep in mind that the public engagement process to be conducted in-house would consume additional time from the team members that already have a full-load of responsibilities and assignments.

In planning and implementing public engagement activities, local governments often contract with external consultants for services. These may be consultants who design and lead activities devoted solely to public engagement, such as a series of community conversations contributing to the development of a specific area plan, or to carry out tasks well beyond the public engagement process, such as assisting in the overall development of the plan itself. This request doesn't include the development of the area plan.

The consultant team will draw on their experience and propose a creative and responsive public engagement process that can best achieve the desired goals and outcomes for the Ganges Village community. They will interview key stakeholders, interest groups, communities, and others who may be the focus of an engagement process. The contract will include the design of a public engagement plan, the facilitation of engagement activities, participation logistics, prepare materials and/or translation, offer interacting tools for public

engagement, recording and documenting public input received, conduct an ongoing assessment of engagement activities, summary and presentation of the outcomes to LTC, and other activities as appropriate.

The biggest component in creating the Ganges Village Area Plan is the public engagement process, not just an engagement process to simply check off the list, but to develop a governing document that truly respond to the community's concerns requires a meaningful engagement process that utilizes non-traditional approaches. Given the culture in the Salt Spring community, along with certain predetermined ideas of solutions along with the cynicism of government, coupled with diverse, and at times, opposing interests within the community, the public engagement program must be done cautiously in order to transform any preconceived mind-sets and to inspire collective common visions. Bringing in a skilled consultant, a neutral third-party professional to help plan, design, facilitate, present, and most importantly, introduce innovative engagement approaches to the process can ensure successful outcomes. We need to draw on the skill sets and experiences, as well as the models or approaches that a professional group can offer to better respond to the public participation needs unique to the Ganges Village community.

PURCHASING PROCEDURE:

As per Islands Trust process for hiring consultants.

PROPOSED IMPLEMENTATION STRATEGY:

Project Charter identified the consultation process to be completed in Phase 1, and potentially cross over into Phase 2 (i.e. spring 2021/spring 2022).

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

A standard engagement and online tools have been proposed, and a general stakeholder groups have been identified in the Ganges Village Public Engagement Program. A specific list of contacts that include stakeholders, community groups, relevant agencies, and various First Nations communities is currently in progress.

Louisa Garbo, Island Planner

Initiator Name and Title

November 5, 2020

Date

Stefan Cermak, RPM

Reviewed by: Name and Title

November 5, 2020

Date



Budget Funding Request Short-Form Business Case

Initiated by: Financial Planning Committee	Budget Source (select all that apply): ☐ Specific Project Funding ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member (Program) ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software ☒ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☒ Temporary Temp Duration: July 1, 2021 to March 31, 2022 ☐ Other – please describe: _____
Business Area: Local Planning Services	
Name of Request: Communications Specialist for bylaw Infraction prevention Budget Amount – Fiscal 2021/22: \$35,329 Budget Amount – ongoing fiscal years: \$43,439	
Date initiated: November 12, 2020 (by FPC)	Date required: July 1, 2020
BACKGROUND: At its November 12, 2020 meeting, the Financial Planning Committee passed the following resolution: It was MOVED and SECONDED, that the Financial Planning Committee request staff to bring forward a business case for a part-time communications position to focus on awareness and understanding of bylaws and permits, with the goal of increasing bylaw compliance across the Trust Area. NOTE – funding for this position is not included in the draft budget. In the absence of a business case to support the position, FPC did not have proper information to make a decision to add the resources, hence the motion passed by FPC above. This is the first time this case is being formally reviewed by trustees.	
PROBLEM STATEMENT/OBJECTIVES: FPC discussed that proactive communications with residents, realtors, land development advisors and tradespeople regarding Islands Trust bylaws could increase understanding of the Trust and promote compliance with bylaws.	
PROJECTED RESULTS/DELIVERABLES: A part-time (50%) Communications Specialist (Bylaws and Bylaw Compliance) for 10 months would focus on the following deliverables: • Development of a bylaw compliance communications plan • Development of communication products (e.g. website content, publications, fact sheets, social media content, newspaper articles, PowerPoint presentation, explainer video) (exact products to be	

dependent on TAS communications budget and TPC decisions re Stewardship Education Program priorities) on local trust committees' bylaws and bylaw compliance.

- Organizing and hosting of education events for residents, realtors, land development advisors and tradespeople regarding local trust committees' bylaws and the role and methods of bylaw compliance officers.

ALTERNATIVES CONSIDERED: No alternatives were discussed by FPC.

CRITICAL SUCCESS FACTORS (List):

- Timely development of job descriptions and suitable job classification
- Timely hiring process
- Appropriate skill sets and ability of new staff to quickly come up to speed

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION: Clear communication with the Trust Area Services' Communications and Local Planning Services' Bylaw Compliance and Enforcement teams is essential. TAS Director position responsibilities will be expanded to include supervision of the additional staff. New staff will also require appropriate training and this may need to happen in a remote work environment. The TAS Director will work with Administrative Services to coordinate a smooth transition.

BENEFIT/COST ANALYSIS SUMMARY:

Quantitative Analysis: Total cost of the additional staff positions is expected to be \$35,663 in the first year, which represents 9 months of the year, allowing time for recruitment in the first three months of the fiscal period. If the Communications Specialist (Bylaws and Bylaw Compliance) position not be classified at the anticipated level (grid 21) or should the successful candidate be hired at a lower grid level, there is possibility that this amount will be slightly lower.

Communications Specialist (Bylaws and Bylaw Compliance):

Summary for Business Case Insertion		
Salary + Benefits	\$ 31,545	<i>increases to \$42K in future years for full 12 months</i>
Overtime	\$ 284	<i>increases to \$400 in future years for full 12 months</i>
Travel	\$ 500	<i>Ongoing fiscal year cost</i>
Cell Phone	\$ -	
Computer - Laptop	\$ 2,500	<i>One-time expense</i>
Computer - Desktop	\$ -	
Training	\$ 500	<i>Ongoing fiscal year cost (may decrease over time)</i>
TOTAL COST OF NEW POSITION in 1st year	\$ 35,329	

Qualitative Analysis: Improved communication and education about local trust committees' bylaws and bylaw compliance would improve public understanding of the Islands Trust and may lead to higher compliance with bylaws due to increased understanding of the rationale for bylaws and the permit application process.

RECOMMENDED DECISION: Approve the creation of a temporary part-time (50%) Communications Specialist (Bylaws and Bylaw Compliance) for 10 months

PURCHASING PROCEDURE: Recruitment as per Islands Trust recruitment policy.

Financial Planning Committee (not reviewed)

Initiator

November 12, 2020

Date

Clare Frater, Director, Trust Area Services

Director/CAO

November 13, 2020

Date

Islands Trust Council Goals	Executive Committee	Islands Trust Conservancy
1. Ecosystem Preservation and Protection 2. Ensure human activity and development are compatible with maintenance of Trust Area ecosystems 3. Sustain Island Character and Healthy Communities 4. Effective, Efficient and Collaborative Governance	1. Islands Trust Act Amendments 2. Update Islands Trust Policy Statement 3. Climate Change Emergency 4. Business Response to COVID-19 5. First Nations Reconciliation	1. Strategic Planning/Administration 2. Covenant and Property Acquisitions 3. Property and Covenant Management 4. Communications 5. Fundraising and Conservancy Support
Financial Planning Committee	Local Planning Committee	Trust Programs Committee
1. Budget 2021/22: Draft 2 Review 2. Budget 2021/22 Public Consultation: Planning and Execution 3. Q3 Financial Reporting	1. Application Processing Services Update 2. Manage Trust Council Strategic Plan Action Items	1. Policy Statement Amendment Project 2. Secretariat Role to Forums within the Trust Area 3. Stewardship Education Program



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Ballenas-Winchelsea Islands

- . Advocacy for the protection and appropriate use of Crown islets.
- . Nanoose First Nation Relationship Building.
- . Implement the Protection of Coastal Douglas fir and Associated Ecosystems toolkit and Islands Trust Conservancy Regional Conservation Plan.

Denman Island

- . Denman Island Farm Plan Implementation
- . Denman OCP/LUB Review
- . Cannabis Land Use Regulation

Gabriola Island

- . Housing Options and Impacts Review Project
- . Develop an Ecological Protection Zone
- . UBCM Active Transportation Grant Application

Gambier Island

- . Riparian Areas Regulation
- . Gambier OCP Comprehensive Review
- . Keats Island Shoreline Protection Project - Phase 2
- . OCP Advocacy Policies - Implementation & Support

Southern Islands

Galiano, Mayne, North Pender,
South Pender, Saturna

Galiano Island

- . Affordable Housing Strategy - STVR Review
- . Groundwater Sustainability
- . Land Use Bylaw amendments

Mayne Island

- . Land Use Bylaw Technical Amendments
- . Housing Regulations and Policy Review (tiny home initiative)
- . Groundwater Sustainability Project

North Pender Island

- . STVR review
- . Climate Change Adaptation, Mitigation and Resilience
- . LUB Review

Saturna Island

- . First Nations Relationship Building
- . Groundwater Sustainability Project
- . Review and amendment of Zoning and OCP Designations on National Park Reserve Lands

South Pender Island

- . Groundwater Sustainability project
- . STVR Review
- . Alternative Housing



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Hornby Island

- . Comprehensive OCP Review
- . Watershed Protection and Groundwater Preservation
- . Amend the OCP and LUB with regards to the Rural Residential land use designation and R2 zoning regarding Minimum Average Lot Area.

Lasqueti Island

- . OCP/LUB Review
- . Freshwater Project
- . Model Cell Tower Strategy

Thetis Island

- . Riparian Areas Regulation Implementation
- . Coastal Shoreline Protection
- . Relationship Building with First Nations

Salt Spring

Salt Spring Island

- . Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection
- . Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)
- . Ganges Village Planning
- . Housing Challenges and Solutions
- . TUPs for Residential Uses

From: Peter Pare [REDACTED]
Sent: Tuesday, November 10, 2020 11:47 AM
To: Lori Foster <lfoster@islandstrust.bc.ca>
Cc: Gregory Nicholls [REDACTED]
Lisa Baile [REDACTED]; information <information@islandstrust.bc.ca>;
john allan <[REDACTED]>; maryanne pare <[REDACTED]>;
Monica Petrie <[REDACTED]>; Paul Petrie <[REDACTED]>
Subject: Correspondence to the Trust Council

Dear Ms Foster,
Please find attached a letter from a group of citizens on the Pender Islands to the Trust Council, along with a copy of the 1992 MOU between the Trust and MOTI.
We ask that this correspondence be considered at the next Trust Council in December and we would appreciate a response from the Islands Trust Council.

Peter Pare

November 10, 2020

Dear Islands Trust Council

We are a group Citizens on the Pender Islands who have been closely following the current process of review and revisions of land use bylaws on Pender Island. We believe that our observations of the process has broad relevance for the entire Trust, predominantly in highlighting the limitations of local bylaws to achieve the preserve and protect mandate.

The aim of the bylaw review is, in part, to allow islanders to better deal with the Climate Emergency declared by the Trust and the Capital Regional District of which Pender is a part. We have been asked to submit written and verbal communications to the Local Trustees concerning how the bylaws can be altered to better address the Official Community Plan and mitigate the effects of climate change.

Among our major concerns are:

1. The relentless loss and degradation of the Island's unique and endangered ecosystems with resultant loss of biodiversity
2. The continued excessive reliance on water extraction from our limited aquifers
3. Limiting Pender's contribution to emissions. Energy efficient housing, rainwater harvesting, encouraging the planting of trees, encouraging active transportation (walking, cycling), supporting public transit
4. The constraints placed on local food production by regulations

All of these concerns are concordant with the Trust's Mandate to "preserve and protect the Trust area and its unique amenities and environment". Alarming we find that the local trust has very limited powers to address many of these issues and fulfill its preserve and protect responsibilities. Given that we are in a global climate emergency, it seems timely that the regulatory powers of the Trust be expanded to address the urgent local issues concerning the impact on the environment.

For example, the majority of the island's area is composed of the critically endangered Coastal Douglas-fir biogeo-climatic zone (CDF), the smallest of the 16 biogeo-climatic zones in British Columbia and the least represented within parks and protected areas. Only 4% is under protected area status.

In theory land use bylaws on the islands are a way of protecting CDF. However the majority of the endangered ecosystem is on private land and at present there is no mechanism available to local government to protect it. Wholesale logging of private land is permitted and in fact local realtors mention the added value of tree harvest in their advertisements!

The Trust does not have the same legal tools that municipalities or regional districts use for tree protection. Attempts by local trustees to implement tree protection through Development Permit Areas (DPAs) have been denied in the past, and currently, the implementation of tree protection bylaws is outside the Trust's jurisdiction.

We believe the Trust Council should adopt all of the Raincoast Conservation Foundation's - recommendations: (<https://www.raincoast.org/press/2020/stronger-forest-protection-policy-needed-on-the-gulf-islands/>)

Another area where the local trust's ability to preserve and protect is limited is with respect to transportation on the island. Although the Islands' contribution to greenhouse gas emissions is relatively small, transportation makes up the most important source related to the excessive use of motor vehicles. Despite the rural nature of the islands few people cycle or walk, not because they don't want to, but because of safety concerns. Roadside multimodal walking/cycling trails would address this concern but again the local trust has no power to mandate this.

Despite a 1992 memorandum of understanding between the Ministry of Transportation and the Island Trust (attached) to build a network of cycle paths on the islands this has never happened. Why? Just as the Trust is requesting more control over trees and forests on the islands it should seek more local control of transportation.

Additionally local bylaws have little or no influence on the degradation of the waters that surround the islands that make up the Trust. Anchor chains damage the ocean floor and life forms that inhabit that environment, parked freighters create noise and light pollution. The local trust cannot control fracking which can destabilize steep locations and have adverse effects on aquifers and individual wells.

Local trusts have little control over regulations related to sustainable local agriculture such as community composting, large scale food storage, construction and operation of local abattoirs, food bank facilities, and food processing. Such initiatives are important responses to the challenges of climate change.

Surely these are common issues in the whole Trust area?

How can the Trust Council address our concerns, not only on North Pender but across the Trust?

Peter Paré, Monica Petrie, Paul Petrie, Lisa Baile, Maryanne Paré, John Allan, Gregory Nicholls and Julia Nicholls

LETTER OF AGREEMENT

between

THE MINISTRY OF TRANSPORTATION & HIGHWAYS (MOTH)

and

THE ISLANDS TRUST (IT)

SUBJECT:

**ROAD STANDARDS, CLASSIFICATION
AND MOTH/IT CONSULTATIVE
PROCESS IN THE ISLANDS TRUST AREA**

October 20, 1992

WHEREAS, pursuant to Section 8(2)(a) of the *Islands Trust Act*, for the purpose of carrying out the object of the trust, the Islands Trust Council may, subject to the approval by the Minister of Municipal Affairs, Recreation and Housing, enter into agreements with the Province and agents of the Province respecting the coordination of administrative activities within the trust area;

WHEREAS, roads in the Trust Area form part of the unique amenities of the Trust Area and require extraordinary measures to protect their unique character and to encourage safe use, both the Islands Trust Council and the Minister of Transportation and Highways are desirous of entering into an agreement for ongoing consultation respecting road standards, road classification, and posted speed limits;

THEREFORE, both parties commit to respect the attached Letter of Agreement, dated October 20th, 1992.

1. ASSENTED TO THIS 12th DAY OF November, 1992 BY:


The Honourable Art Charbonneau
Minister of Transportation
and Highways


Carol Martin, Chairperson
Islands Trust Council

2. APPROVED, PURSUANT TO SECTION 8(2)(a) OF THE *ISLANDS TRUST ACT*,
THIS 8th DAY OF DECEMBER, 1992 BY:

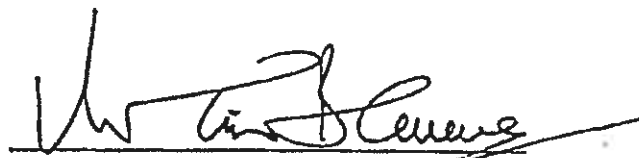

The Honourable Robin Blencoe
Minister of Municipal Affairs,
Recreation and Housing

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A. PURPOSE

The purpose of this agreement is:

1. To establish an ongoing consultative process between the agencies.
2. To establish an agreement on road standards and road classification in the Trust Area and;
3. To establish a procedure for the designation of scenic/heritage roads and bicycle route plans in the Trust Area.

B. OBJECTIVES

1. To establish a functional classification of rural roadways which:
 - a) classifies rural Island roads recognizing the relative importance of their role in servicing traffic between ferry linkages and major destinations on an island, and relates the classification to the road's importance and role in serving through traffic or providing access to land;
 - b) ensures all rural settlement areas, resource areas, recreational areas, commercial areas and other activity areas are provided with safe rural road service based on the level of traffic generating activity and rural traffic volumes;
 - c) classifies routes to maintain a safe and efficient relationship between the needs of road users and the users of adjacent land;
 - d) ensures that appropriate planning and design standards are used as agreed upon.
2. To establish the road standards for new roads, including new subdivision roads, and for existing roads when upgrading is required.
3. To establish scenic/heritage road designations for unique and valued roadways which recognize the objectives of the Islands Trust, and the process to be followed when improvements are to be undertaken.
4. To establish cycle route plans and roadway standards to accommodate safe cycling.
5. To establish a regular consultative process between the agencies on issues of common interest such as rehabilitation and maintenance programs and new road site-specific consultation.

6. To develop and agree upon cycle route plans and scenic/heritage designations to be in place by September 1993 to supplement this agreement.

C. CONSULTATIVE PROCESS

The Ministry of Transportation and Highways and the Islands Trust agree to the establishment of a consultative process to foster common understanding and hereby agree to facilitate the process by arranging meetings between respective staff and Local Trust Committees as required.

To facilitate ongoing dialogue the consultative process will be fostered through:

- An annual meeting of Ministry of Transportation and Highways staff and Islands Trust planning staff held in the fall at the call of the Manager of Local Planning of the Islands Trust to review with Ministry of Transportation and Highway staff any current issues such as proposed upgrading and maintenance programs and classification of proposed new subdivision roads.
- Routine exchange of information regarding specific concerns between the Islands Trust as represented by its local planning staff and Ministry of Transportation and Highways local staff as represented by the District's Highways Manager and/or their Area Managers.
- The establishment by the Trust of Local/Island Advisory Transportation Committees appointed by each Local Trust Committee to make recommendations to the Trust Committee and MoTH as specific issues arise and to assist in the development of bicycle route and Heritage/Scenic route plans. Special meetings may be called by either the Islands Trust or the Ministry of Transportation and Highways, as specific issues arise.
- Jointly reviewing the road classification networks and road standards every five years (effective in 1997.)
- Discussion in 1992 and 1993 of bicycle routes and Scenic/Heritage route designations.
- Ministry of Transportation and Highways routinely consulting with the Islands Trust prior to upgrading of designated scenic/historic routes.

D. ROAD CLASSIFICATIONS AND BICYCLE AND SCENIC/HERITAGE ROUTE DESIGNATION

1. Road Classifications of Island Roads

A hierarchy of road classes for the designated islands is set out in the Island-specific maps attached to the document (Appendix A). The Islands Trust will facilitate a timely process for each local trust committee to review, negotiate, revise or approve the maps attached in Appendix A. Until such time as the local trust committee approves the road classification map for their island, the Appendix A map will be used within the context of the consultative process.

The designated islands for purposes of road classification and standards are:

- Saltspring
- Gabriola
- North and South Pender
- Saturna
- Galiano
- Denman
- Hornby
- Mayne
- Lasqueti
- Thetis
- Keats
- Bowen
- Gambier
- Thormanby

The nomenclature used for road classes in this document is terminology suggested by the Islands Trust. The equivalent terminology normally used by the Ministry for functional classification is:

Islands Trust Nomenclature

Major Rural
Main Rural
Minor Rural
Residential Rural/Local

Ministry of Transportation and Highways Nomenclature

Secondary Highway
Major road
Minor Road
Local Road

The road standard for the applicable classifications as set out in Section E will be applied for new roads, including subdivisions, and to existing roads when being upgraded.

2. Cycle Route Plans

The Islands Trust will prepare proposals for cycle route plans on the islands. Consultation on these proposals will occur with the Ministry of Transportation and Highways.

A negotiated agreement on the cycle route plan for the Islands Trust area is to be achieved between the Islands Trust and Ministry of Transportation and Highways by September 1993 and will subsequently form a component of this letter of understanding (Proposed Appendix B).

The agreed-to cycle route plan, when adopted by resolution or bylaw by the Local Trust Committee, may be forwarded to the Ministry of Highways and Transportation for registration.

The approved plan, for the designated cycle routes, will trigger adjustment of the shoulder standards for new roads and for existing roads when they are to be upgraded as indicated in section E. The requirements for safely accommodating cyclists will be recognized when prioritizing roads for upgrading.

3. Scenic Heritage Designation

The Islands Trust will prepare proposals for scenic/heritage designation to recognize roadways having unique and significant scenic and/or heritage value. Only a limited portion of roadways on an island will qualify for such designation.

3. Scenic Heritage Designation Continued

Consultation will occur between the Ministry of Transportation and Highways and the Islands Trust on the criteria for evaluation of scenic and heritage values and the proposals for scenic/heritage road designations. The agreed upon criteria shall be incorporated as part of this agreement.

A negotiated agreement on scenic/heritage designation of roads in the Island Trust area is to be achieved between the Islands Trust and Ministry of Transportation and Highways by September 1993 and will subsequently form a component of this letter of understanding (Proposed Appendix C).

The Ministry of Transportation and Highways will be consulted, and its agreement obtained, on a proposed scenic/heritage road designation plan for an island prior to adoption of the plan, by resolution or bylaw, by the Local Trust Committee.

Planned work on roads designated as Scenic/Heritage will trigger a consultative process between the Islands Trust and the Ministry of Transportation and Highways prior to the initiation of upgrading.

E. ROAD STANDARDS FOR ISLAND ROADS

It is recognized that road standards in the Islands Trust Areas have been lowered in response to the Trust objective to maintain the Rural character of the islands and in recognition of the size of Islands and their unique character and the need for a gentler approach in harmony with the land. With the exceptions of Denman, North Pender and Saltspring in the Trust Area, island roads do not carry travellers to any points beyond.

However, the standards must recognize a requirement for safe transportation facilities.

The standards to be utilized for construction on each of the road classifications are outlined in the following paragraphs and table.

Figure 1

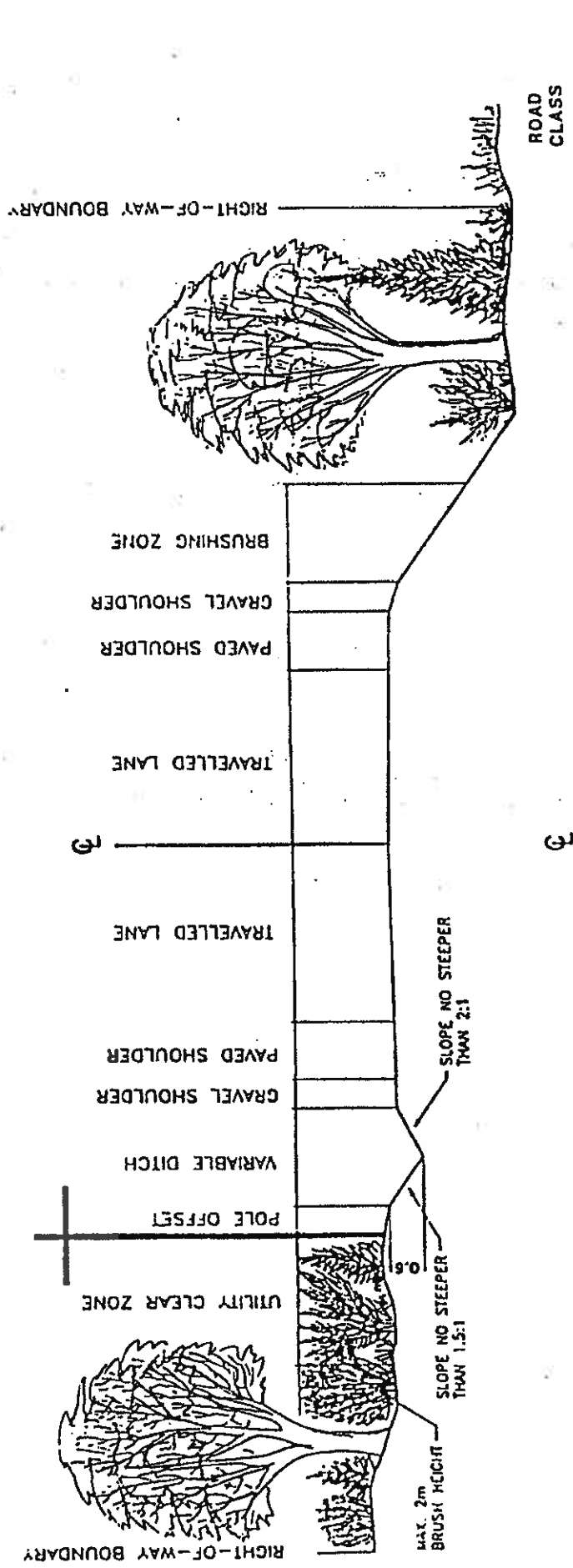
ISLAND ROAD STANDARDS

Islands Trust Nomenclature	R/W Width	Design Speed	Cleared Width	Driving Lanes	Constructed (Top) Width	Surfaced Shoulder Standard	Gravel Shoulder	Cycle Lanes
Residential Rural/Local	20m(66')	50km/hr	13.9m(45.6')	5.5m(18.0')	6.7m(22')	not required	0.6m	No lanes
Minor Rural	20m(66')	50km/hr	14.5m(47.6')	6.1m(20')	7.3m(24')	not required	0.6m	2 lanes *
Main Rural	20m(66')	60 km/hr	15.6m(51.1')	6.7m(22') 7.3m(24') crest/curve	9.1m(29.8') or 9.7m crest/curve	0.6m/lane	0.6m	2 lanes **
Major Rural	25m/80'	80km/hr	18.1m(59.4')	6.7m(22') 7.3m(24') crest/curve	10.3m(34.8') or 10.9m crest/curve	1.2m/lane (3.9')	0.6m	2 lanes

* Constructed top width for each bicycle shoulder lane can range from 0 to 1.2 meters on both sides for each section as designated in an Island Specific Cycle route plan.

** Constructed top width for each bicycle shoulder lane can range from 0.6 to 1.2 meters on both sides for each section as designated in an Island Specific Cycle route plan.

Figure 2
Typical Cross Section (Metric)



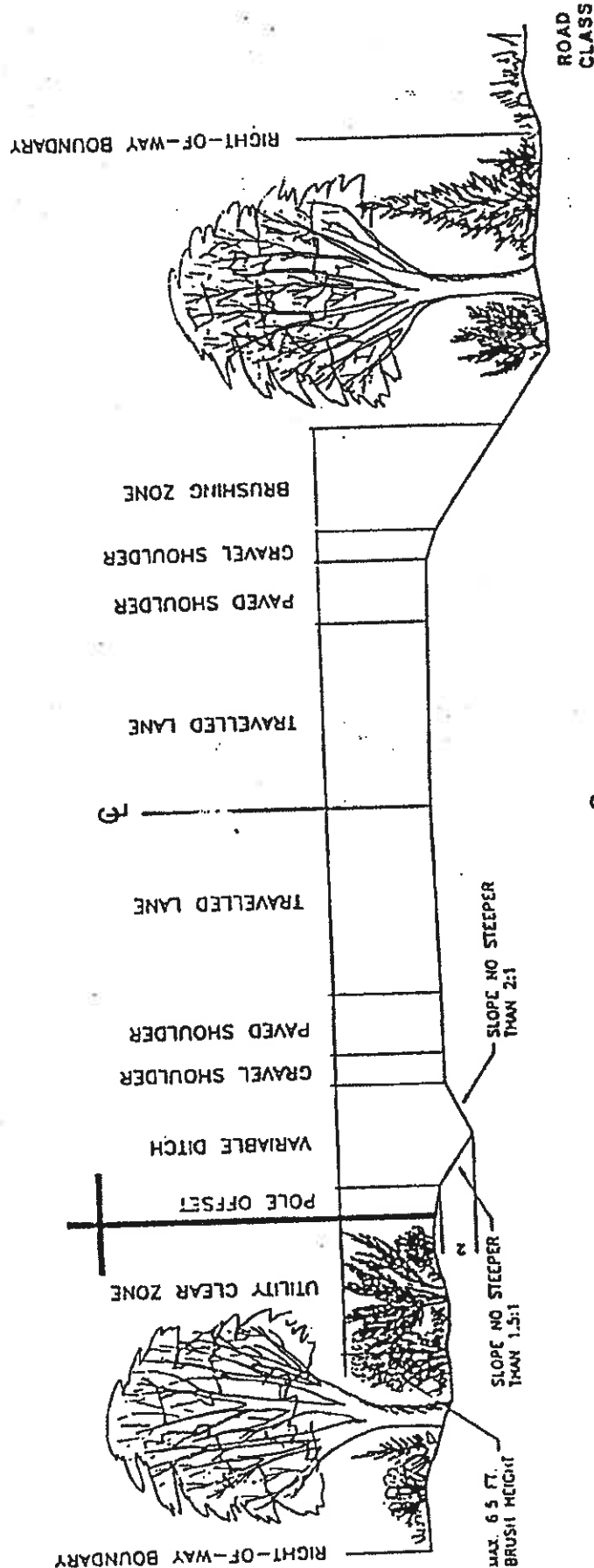
		MIN. WIDTH	0	0.6	2.75	2.75	2.75	2.0	RESIDENTIAL
2.75	0.6	2.1	0.6	0	2.75	2.75	2.75	2.0	MINOR RURAL
2.75	0.6	2.1	0.6	0	3.05	3.05	3.05	2.0	MAIN RURAL
2.75	0.6	2.1	0.6	0.6	3.35	3.35	3.35	2.0	MAJOR RURAL
2.75	0.6	2.1	0.6	1.2	3.35	3.35	3.35	2.0	

NOTE:

- DIMENSIONS IN METRES
- REQUIRED DITCH WIDTH VARIES DEPENDING UPON THE DEPTH OF DITCH REQUIRED FOR DRAINAGE.
- * DESIGNATION AS CYCLE ROUTE INCREASES SHOULDER WIDTH TO 1.2m
- R.O.W. WIDTH 20m FOR ALL CLASSES EXCEPT MAJOR RURAL WITH A WIDTH OF 25m.

Figure 2b

Typical Cross Section (Imperial)



												ROAD CLASS	
3	2	MIN. WIDTH 6.9	2	0	9	9	0	2	6.5	RESIDENTIAL			
	2	MIN. WIDTH 6.9	2	0*	10	10	0*	2	6.5	MINOR RURAL			
	2	MIN. WIDTH 6.9	2	2*	11	11	2*	2	6.5	MAIN RURAL			
	2	MIN. WIDTH 6.9	2	4	11	11	4	2	6.5	MAJOR RURAL			

NOTE:

- DIMENSIONS IN FEET.
- REQUIRED DITCH WIDTH VARIES DEPENDING UPON THE DEPTH OF DITCH REQUIRED FOR DRAINAGE.
- * DESIGNATION AS CYCLE ROUTE INCREASES SHOULDER WIDTH TO 4 FT.
- R.O.W. WIDTH 65.6 FT. FOR ALL CLASSES EXCEPT MAJOR RURAL WITH A WIDTH OF 82 FT.

NOTE: Where the Islands Trust and the Ministry of Transportation and Highways identify a need for cycling facilities, as established by the agreed to cycle route plan, the standards for shoulders shall be adjusted as noted in the footnotes in the road standards table which follows. (See Figure 1, page 8).

1a) Major Rural

This classification of road applies only to a limited section of road on Salt Spring Island.

The road in this class typically carries substantially higher volumes of traffic at higher speeds than a Main Rural road.

This classification will have a paved travel-way width of 6.7 m except on crest and horizontal curves where a 7.3 m width will apply.

A 1.2 m paved width on each side of the travel way will provide for cycling, pedestrian and emergency parking use.

The bicycle route plan will incorporate all sections classified as Major Rural road as an element in the cycle plan.

Posted speed shall not exceed 80 km/hr.

1b) Main Rural

This classification of road applies to all designated islands within the Islands Trust except for South Pender, Gambier, Lasqueti, Keats, Thormanby and the undesignated Islands.

This classification of road will have a paved travel-way width of 6.7 m except on crest and horizontal curves where a 7.3 m top paved width will apply.

A 0.6m paved shoulder on each side will be provided.

The bicycle route plan will designate road sections requiring adjustment of the shoulder width to safely accommodate cycling demands. The constructed top width for each bicycle shoulder lane can range from 0.6 to 1.2 metres on both

sides in recognition of safety and travel demand requirements, as designated in Island specific cycle route plans.

The posted speed shall not exceed 60 km/hr.

1c) Minor Rural

This classification of road applies to all designated Islands within the Islands Trust, but does not include the undesignated islands.

This classification of road will have a paved top width of 6.1m.

Paved shoulders are not required unless identified in the cycle route plan. The bicycle route plan will designate road sections requiring adjustment of the shoulder width to safely accommodate cycling demands. Constructed top width for each bicycle shoulder lane can range from 0 to 1.2 metres on both sides in recognition of safety and travel demand requirements, as designated in Island specific cycle route plans.

The posted speed shall not exceed 50 km/hr.

1d) Residential Rural/Local

This classification applies to all designated Islands and the undesignated Islands within the Islands Trust.

This classification applies to most new roads in small subdivisions.

This classification of road will have a paved top width of 5.5 m.

The posted speed may be in the range of 30 to 50 km/hr

2a) Illustrative Cross-Sections by Road Standard

The Island Road standards and illustrative cross-sections are shown on the following pages.

2b) Heights and Clearance Zone

Height of vegetation within the brushing and utility zone shall be controlled to maintain sight distance on curves and intersection sight triangles for traffic safety reasons.

APPENDICES

APPENDIX A: ROAD CLASSIFICATION BY ISLAND

Salt Spring
Gabriola
North and South Pender
Saturna
Galiano
Denman
Hornby
Mayne
Lasqueti
Thetis
Keats
Bowen
Gambler
Thormanby

APPENDIX B: CYCLE ROUTE PLAN (to be developed in 1992/93)

APPENDIX C: SCENIC/HERITAGE ROUTE PLAN (to be developed in 1992/93)

**Amending Agreement
to the
Letter of Agreement**

between

The Ministry of Transportation and Highways

and

The Islands Trust

Subject:

**Road Standards, Classification and
The Consultative Process in the Islands Trust Area**

Dated July 18, 1996

WHEREAS, the Ministry of Transportation and Highways and the Islands Trust Council (the Parties) signed a Letter of Understanding on November 12, 1992, respecting road standards in the Islands Trust Area; and

WHEREAS, the Parties wish to amend this agreement in the following areas only:

- Principles;
- Gravel Road Classification;
- Access-By-Water Only Classification;
- Variance Referral Process within the Subdivision Approval Process; and
- Road System Planning

NOW THEREFORE, the parties agree as follows:

PRINCIPLES *(addition to Section A - Purpose)*

The authorities of MOT and the Islands Trust involve the planning and development of road systems in the Trust Area as provided for through:

- the object of the Islands Trust is "to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the Province". (*Islands Trust Act, Section 3*);
- the mandate of the Ministry of Transportation and Highways is: "To facilitate the safe and efficient movement of people and goods, and the realization of government objectives by planning, delivering and operating British Columbia's highways infrastructure, and, by licensing and regulating its users."
- the Islands Trust is comprised of the following corporate entities:
 - **Trust Council** is responsible for managing the resources of the Islands Trust and providing general policies to guide land use planning throughout the Trust Area [Islands Trust Act Section 5];
 - **Local Trust Committees** are responsible for regulating the development and use of land within each local trust area [Islands Trust Act Section 22]; and

- **Islands Trust Fund Board** is responsible for acquiring, holding and managing lands and assets to preserve and protect significant sites and features of the environment within the Trust Area [Islands Trust Act Section 37]; and

- the parties agree that the following principles shall form the basis for cooperation and consultation among the Parties.

- **SAFETY**

Safety for road system users and the public safety shall be given significant importance in the evaluation of road location, design and construction proposals and activities.

- **ENVIRONMENTAL PROTECTION**

The parties are committed to respond to environmental matters arising from road system design and construction activities within their exclusive areas of jurisdiction, while respecting the jurisdiction of the other, to protect, and conserve the environment for use by present and future generations.

- **AFFORDABILITY**

Either party proposing a significant change in road location, design or construction practices that affects the other party, the developer and the community will ensure that overall road costs, including capital, rehabilitation and maintenance will be taken into consideration.

- **PUBLIC/APPLICANT INPUT**

To ensure that a broad range of views regarding the community's future is heard, MOTI and the Islands Trust will provide the applicant and the public with appropriate opportunities to provide input to decisions which have significant road system impact.

- **SUSTAINABILITY**

Both parties are committed to integrating the environmental, economic and social values of an island community in evaluating road system proposals.

- **COMMUNITY ASSET**

Effective evaluation of road design and construction proposals will consistently consider:

- the rural character of an Island;
- impact on the environment;
- maintaining roads as a safe and affordable asset; and
- provision of equitable levels of mobility and accessibility for Island residents and visitors.

- **COOPERATION**

Effective cooperation between MOTH and the Islands Trust will lead to certainty in road system planning and development, coordinated responses from the parties, and the harmonization of relevant legislation, bylaws, policies and programs.

ROAD CLASSIFICATIONS

(Addition to Section E - Road Standards for Island Roads)

E.3 GRAVEL ROADS

1. The intent of allowing gravel road standards is to balance road safety and development/maintenance costs with preservation of the rural atmosphere of Trust Area islands.
2. To deal equitably with minor developments where the cost of utilizing the usual pavement standard would be disproportionate, the Ministry of Transportation and Highways allows the developer the option of using a crushed gravel surface for construction of local (residential) road class, rather than the usual provision of pavement when the number of lots to be created is fewer than four and when all lot sizes are more than two hectares and there is no potential for the future connection to a further subdivision. This will be applicable for the local road class on all islands in the Trust Area.
3. As well, on islands not served by car ferries, the lower level of car usage and the presence of gravel roads makes the use of gravel roads possible. For clarity these include islands such as Lasqueti, Gambier, Keats, Coal, DeCourcy, Moresby, Mudge, Piers, Valdes, Portland, Reid, Ruxton, Sidney, Thormanby, Wallace, and other lesser islands.

4. The Ministry of Transportation and Highways will consult with the appropriate local trust committee prior to the change of any gravel road to a pavement surface, preferably through the annual consultation process.

E.4 ACCESS-BY-WATER ONLY

The required minimum standard for a water access only road with ditches is a road having a 3.6 metre top width, and gravel or crushed granular surfacing acceptable to the District Highways Manager.

This standard for access-by-water only will be applicable only where a limited number of lots are to be served, and there is no potential for the future connection to an existing public road in the foreseeable future. The normal road standards established by the Memorandum of Understanding will be applicable otherwise.

VARIANCE REFERRAL PROCESS

(New Section G)

G. VARIANCE REFERRAL PROCESS

The variance referral process within the subdivision approval process provides for Islands Trust input on road system proposals, road designs and road construction within MOTH's approval and monitoring process to enable both agencies to achieve the stated principles for road standards in the Trust Area.

1.0 REFERRAL PROCESS

- 1.1 Within the MOTH's Road System Proposal Review process, variances will be noted and referred to the Islands Trust prior to: 1) Preliminary Layout Conditions being established; 2) Road Design Approval; and 3) during the monitoring of construction (See Display G.1).
- 1.2 The Islands Trust and MOTH will prepare and distribute applicant guidelines for road construction in the Trust Area.
- 1.3 MOTH will encourage applicants to consult with the Islands Trust to deal with variances prior to submitting their application.

2.0 VARIANCES

2.1 Road standards within the agreement are to be considered as providing the maximum right of way width for the following road classifications:

- 20 meters for Residential Rural/Local, Minor Rural and Main Rural Classifications; and
- 25 meters for the Major Rural Classification.

2.2 Right of way widths which exceed those in the road standards for a distance greater than 20% of the total proposed road length; and/or a continuous road length greater than 75 meters will be considered as a variance, unless otherwise mutually agreed to by way of an agreed addendum to this agreement.

3.0 PLA CONDITIONS

3.1 MOTH will note any anticipated variances to the Islands Trust in its referral of the Subdivision Application.

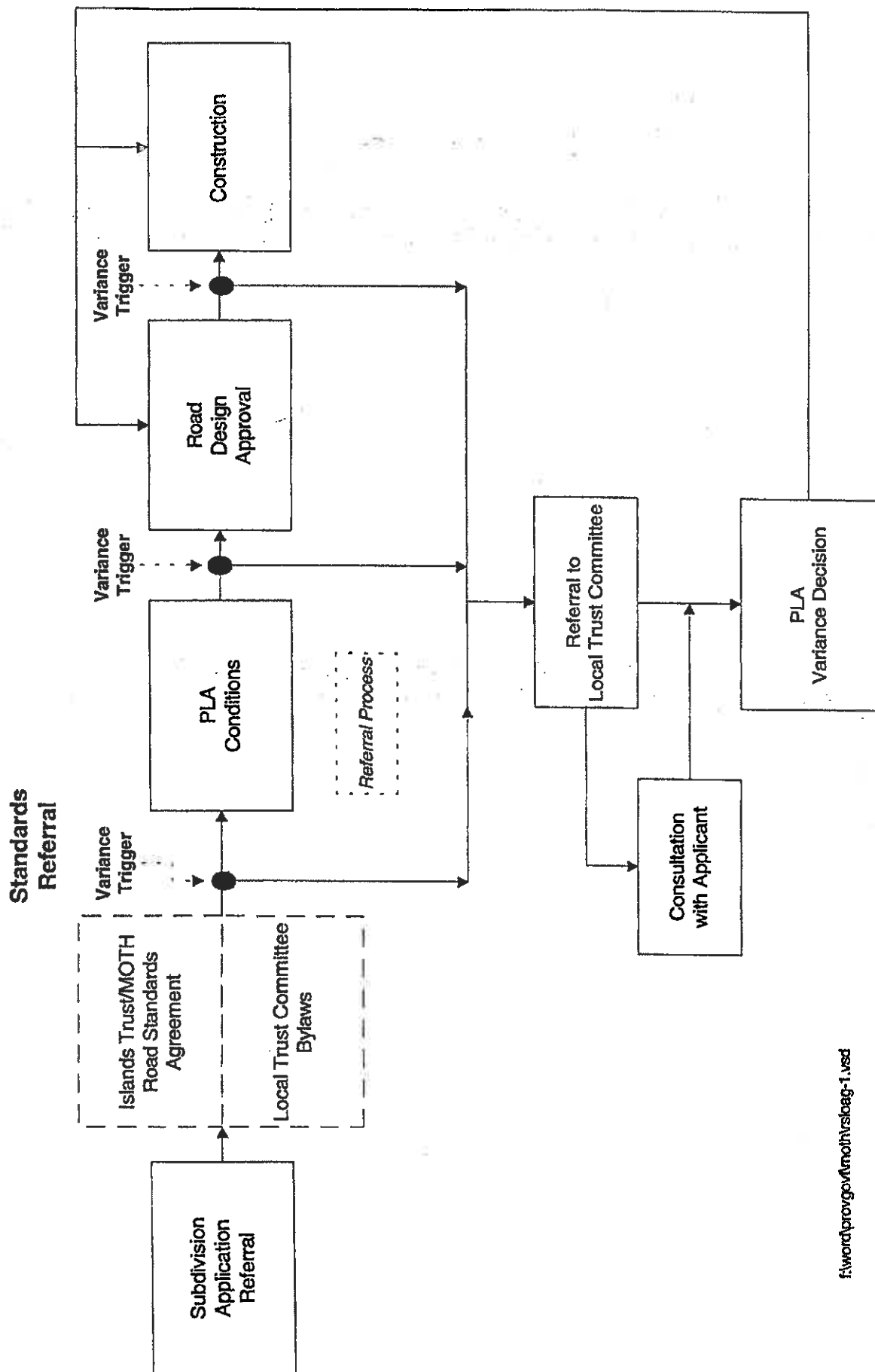
3.2 MOTH will request the applicant to meet with the Islands Trust to discuss the anticipated variances.

3.3 The Islands Trust and/or the applicant may put forth options to MOTH to deal with variances such as:

- accept the variance and ensure the public is aware of the proposal and reasons for the variance;
- utilize landscaping techniques to repair the impact of road clearing activities;
- employ different construction techniques which do not compromise safety;
- relocate the proposed road which may require modification of subdivision layout requirements; and
- request MOTH to modify the road standards.

3.4 MOTH, unless otherwise mutually agreed to by the applicant and Islands Trust, will provide 30 working days for the applicant/Islands Trust to meet and prepare a joint submission to deal with variances.

ISLANDS TRUST AND MINISTRY OF TRANSPORTATION AND HIGHWAYS ROAD STANDARDS VARIANCE REFERRAL PROCESS



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- 3.5 Within 5 working days following the above deadline, the applicant and/or Islands Trust may submit their own proposals in writing and request a meeting with MOTH to present their views.
- 3.6 Both parties acknowledge that MOTH retains the authority to make all final road construction decisions and that the Ministry's role in any applicant/Islands Trust consultations will be to provide access to information.

4.0 ROAD DESIGN APPROVAL

- 4.1 MOTH will require the applicant to notify MOTH of any variances to the standards or variances stated in the Preliminary Layout Approval (PLA) which arise during the road design approval stage.
- 4.2 MOTH will refer any variances to the Islands Trust which arise during the road design approval stage.
- 4.3 The parameters outlined in Section 2.0 will apply to applicant/Islands Trust consultations within 10 working days for a joint applicant/Islands Trust submission or 15 working days for individual submissions by the applicant and/or the Islands Trust.

5.0 ROAD CONSTRUCTION MONITORING

- 5.1 MOTH will require the applicant to notify MOTH of any variances which arise during the construction stage to standards and/or variances stated in the Road Design Approval.
- 5.2 MOTH will refer any variances to the Islands Trust which arise during the road construction stage.
- 5.3 MOTH may request the applicant to halt construction and it may conduct a meeting of the applicant/Islands Trust to deal with unresolved variances.

H. ROAD SYSTEM PLANNING

(New Section H)

1. MOTH will assist, subject to the availability of resources, local trust committees in developing Road System Plans as a component of the Official Community Plan.
2. The Road System work program will be established at the annual interagency meeting.

C. INTERAGENCY LIAISON

(addition to section C - Consultative Process)

The parties agree to maintain an Interagency Task Force for the purposes of:

- dealing with arising issues;
- establishing an annual work program to: ensure staff liaison; develop further the road standards agreement; and review agency initiatives - legislation, bylaws, and programs of mutual interest; and
- meet at least twice annually for the above purposes.

THEREFORE, both parties commit to respect the above terms of the Amending Agreement,
dated 18 day of July, 1996.

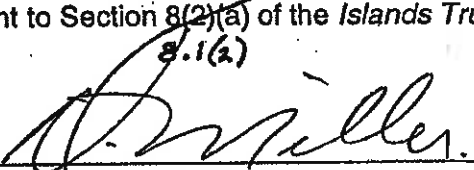
1. Approved by the Islands Trust Council on this 7 day of June, 1996.
-

2. Assented to this 4 day of October, 1996.


Honourable Lois Boone
Minister of Transportation and Highways


Graeme Dinsdale
Chairperson, Islands Trust Council

3. Approved, pursuant to Section 8(2)(a) of the *Islands Trust Act*, this 9 ^{Dec} day of 1996.
^{8.1(2)}


Honourable Dan Miller
Minister of Municipal Affairs and Housing
