



Thetis Island Local Trust Committee

Regular Meeting Revised Agenda

Date: September 28, 2021
Time: 9:30 am
Location: Electronic Meeting

	Pages
1. CALL TO ORDER 9:30 AM - 9:35 AM	
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA	
3. REPORTS 9:35 AM - 9:50 AM	
3.1. Trustee Reports	
3.2. Chair's Report	
3.3. <i>Electoral Area Director's Report</i>	4 - 4
4. TOWN HALL 9:50 AM - 10:00 AM	
5. MINUTES 10:00 AM - 10:05 AM	
5.1. Local Trust Committee Minutes dated August 3, 2021 - for Adoption	5 - 10
5.2. Section 26 Resolutions-Without-Meeting - none	
5.3. Advisory Planning Commission Minutes - none	
6. BUSINESS ARISING FROM MINUTES 10:05 AM - 10:20 AM	
6.1. Follow-up Action List dated September 21, 2021	11 - 12
7. APPLICATIONS AND REFERRALS 10:20 AM - 10:30 AM	
7.1. Salt Spring Island Trust Area Bylaw Nos. 504 and 505 - Referral Request for Response	13 - 15
7.2. Salt Spring Island Trust Area Bylaw Nos. 523 and 524 - Referral Request for Response	16 - 18
7.3. Islands Trust Area Bylaw No. TC 183 - Referral Request for Response	19 - 22

7.4. Regional Planning Committee Referral Regarding a Shoreline Protection Bylaw

- 8. LOCAL TRUST COMMITTEE PROJECTS** 10:30 AM - 11:30 AM
- 8.1. Islands Trust Project Management Framework - Presentation**
- 8.2. Thetis Island Shoreline and Coastal Protection Project - Staff Report** 23 - 27
- 9. DELEGATIONS - none**
- 10. CORRESPONDENCE - none**
(Correspondence received concerning current applications or projects is posted to the LTC webpage)
- 11. NEW BUSINESS**
- 11.1. New Fees Bylaw - Request for Decision** 28 - 44
- 11.2. Electronic Meetings Bylaw**
- 12. REPORTS** 11:30 AM - 11:40 AM
- 12.1. Trust Conservancy Report dated July 13, 2021** 45 - 47
- 12.2. Trust Conservancy Report dated August 24, 2021** 48 - 49
- 12.2.1. The Heron - Summer 2021** 50 - 53
- 12.3. Applications Report dated September 21, 2021** 54 - 54
- 12.4. Trustee and Local Expense Report dated July, 2021** 55 - 55
- 12.5. Adopted Policies and Standing Resolutions** 56 - 58
- 12.6. Local Trust Committee Webpage**
- 13. WORK PROGRAM** 11:40 AM - 12:00 PM
- 13.1. Top Priorities Report dated September 21, 2021** 59 - 59
- 13.2. Projects List Report dated September 21, 2021** 60 - 63
- 14. CLOSED MEETING - none**
- 15. UPCOMING MEETINGS**
- 15.1. Next Regular Meeting Scheduled for Tuesday, November 16, 2021 at 9:30 am at Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC**

16. ADJOURNMENT

12:00 PM - 12:00 PM

28 Sept. 2021 Thetis Island Local Trust Committee – Lynne Smith CVRD Director Area G
Saltair/Gulf Islands Report

Thetis Island Wharf

A recommendation from the Thetis Island Port Commission was made to the CVRD Board that letters be sent to BC Ferries and VIHA seeking funding towards the wharf revitalization. The CVRD Board authorized this recommendations and letters will be written shortly.

CVRD Board 8 Sept. 2021

“That CVRD Staff draft letters to BC Ferries and the Vancouver Island Health Authority requesting financial assistance in funding repairs to the Thetis Island Wharf.”

Regional Recreation

CVRD Community Services 8 Sept. 2021

“Recommended to the Board that data collection for the upcoming Regional Recreation Facility Use Analysis be designed to report on Area G Gulf Island users separately from the remainder of Saltair.”

Full Regionalization of the Emergency Program Service

CVRD Board 8 Sept. 2021

1. That the CVRD establish a single regional Emergency Management Organization (EMO) to deliver a comprehensive emergency management program for the whole of the CVRD comprising of the City of Duncan; District Municipality of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; and Electoral Areas A to I. 2. That the EMO facilitate implementation of the 2020 Gap Analysis assessment report’s recommendations (Attachment A), as outlined in the September 1, 2021 Staff Report to the September 8, 2021 Community Services Committee meeting.



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: August 3, 2021
Location: Electronic Meeting

Members Present: Laura Patrick, Chair
 Doug Fenton, Local Trustee
 Peter Luckham, Local Trustee

Staff Present: Heather Kauer, Regional Planning Manager
 Jaime Dubyna, Island Planner
 Sarah Shugar, Recorder

Others Present: Lynne Smith, Cowichan Valley Regional District Area G Saltair / Gulf Islands Electoral Area Director

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Patrick called the meeting to order at 9:31 a.m. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. Chair Patrick expressed support for the Penelakut Nation and continued reconciliation.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Luckham presented the following report:

- Attended Trust Council June 8 to 10, 2021.
- Attended a Trust Council special meeting on July 8, 2021 to consider the draft Trust Policy Statement. Trust Council deferred first reading of the draft Trust Policy Statement to continue the public consultation process.
- Attended a Salt Spring Island Local Trust Committee meeting.
- Attended a Lasqueti Island Local Trust Committee meeting.
- Expressed gratitude to live and work on Thetis Island within the Penelakut territory.
- Spoke to the water shortages and impacts to the environment.
- Participated in a Walk for Children event organized by the Penelakut Nation on August 2, 2021. Approximately 1500 people attended the event.

Director L. Smith joined the meeting at 9:35 a.m.

Trustee Fenton presented the following report:

- Expressed gratitude to live and work in Lyackson and Penelakut territory.
- Participated in a Walk for Children event organized by the Penelakut Nation on August 2, 2021.
- Attended an Islands Trust Conservancy meeting.
- Attended a site visit to Sidney Island with Islands Trust Conservancy staff and Raincoast Conservation Federation staff regarding land stewardship.
- Attended a Trust Policy Committee meeting.
- Attended Trust Council June 8 to 10, 2021.
- Attended a Trust Council special meeting on July 8, 2021 to consider the Trust Policy Statement. Trust Council deferred first reading of the draft Trust Policy Statement to continue the public consultation process.
- Attended a meeting with the Thetis Island Nature Conservancy (Thinc) regarding habitat stewardship opportunities for Thetis Island.
- Trustee Fenton expressed support for a community composting project.

3.2 Chair's Report

Chair Patrick reported the Trust Policy Statement is an Islands Trust Federation-wide guiding principles document. Chair Patrick encouraged members of the public to email feedback concerning the draft Trust Policy Statement to islands2050@islandstrust.bc.ca. The Executive Committee supported a resolution requesting staff to report back on further public consultation on the draft Trust Policy Statement and a draft public consultation plan will be considered at the next Trust Council meeting.

3.3 Electoral Area Director's Report

Director Smith presented the following report:

- Participated in a Walk for Children event organized by the Penelakut Nation on August 2, 2021.
- A CVRD regional recreation project will proceed with data collection to bring forward a referendum in 2022. Director Smith expressed support for Area G Gulf Island residents to be excluded from the data collection and the regional recreation usage funding as they would be minimal users of recreation programs.
- The Thetis Island Wharf grant application was unsuccessful. Director Smith will meet with stakeholders in August 2021 to explore options and solutions.
- Expressed support for a Thetis Island community composting initiative.

4. TOWN HALL

There were no speakers in the town hall portion of the meeting. Chair Patrick welcomed members of the public to submit comments and questions to northinfo@islandstrust.bc.ca.

5. MINUTES

5.1 Local Trust Committee Minutes dated June 1, 2021 - for adoption

The following amendment to the minutes was presented for consideration: Replace the statement "Acknowledged the recently discovered missing and murdered students of the former Kamloops Indian Residential School" with "Acknowledged the lost children

and unmarked graves of residential school students of the former Kamloops Indian Residential School” in the Call to Order, Trustee Reports and the Electoral Area Director's Report.

By general consent the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting Report dated July 20, 2021

Received.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated July 26, 2021

Planner Dubyna provided an update regarding an item dated June 1, 2021 - Staff to provide supporting documentation to the Local Trust Committee (LTC) regarding a mining operation permit on Valdes Island.

7. APPLICATIONS AND REFERRALS

7.1 Galiano Island Local Trust Committee Bylaw No. 280 - Referral Request for Response

A bylaw referral form dated July 19, 2021 regarding Galiano Island Local Trust Committee Bylaw No. 280 was presented.

TH-2021-023

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee advise the Galiano Island Local Trust Committee that its direct interests are unaffected by Galiano Island Local Trust Committee Bylaw No. 280, however, the Thetis Island Local Trust Committee is cognisant of the accumulative impacts and is respectful of the need to create high density, low impact housing on the islands.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Shoreline and Coastal Protection Strategy Project - Staff Report

Planner Dubyna presented a staff report dated July 20, 2021 regarding a Thetis Island Local Trust Committee – Shoreline and Coastal Protection Strategy Project.

In discussion, the following comments were noted:

- Add to discussion paper new item 2.4 – Current and future uses.
- Add to discussion paper new item 2.5 - Upland ecosystems at risk. If impacted will (indirectly) affect the health and sustainability of the coastal shoreline ecosystem.
- Project Charter “Objectives” section: Move the second bullet “to frame the direction and scope of the project” to be the first bullet.
- Project Charter “In Scope” section: Discussion paper that includes a review of existing Islands Trust wide and Thetis Island policies and regulations related to shoreline and coastal protection, collates existing data on shoreline ecosystem

features/functions, and an overview of regulatory and educational options available to strengthen shoreline and coastal protection.

- Page 22 of agenda package (discussion paper section 5) – add a description of additional planning tools available (Regional Planning Committee shoreline project or other jurisdictions).
- Project Charter “In Scope” section: add “assess cumulative impacts”.
- Replace title “Thetis Island Shoreline and Coastal Protection Strategy Project - Charter v1” with “Thetis Island Shoreline and Coastal Protection Phase 1 Discussion Paper - Charter v1” to indicate this is a multi-phase project.
- It was noted there is a triangle area of ocean that is not currently zoned and it was asked whether this could be addressed in this project.
- To add funds to the budget to include community mail out and meeting costs.
- Timeline of project charter be extended for the item “Develop Project Charter for next phase” from Nov. 16, 2021 to Spring 2022 to be respectful of the time of mourning for First Nations and Covid.
- Discussion paper item 2.2 amended to recognize First Nations interests are broad and include “tidal, intertidal and upland”.
- Discussion paper item 2.3 - Replace “Data and mapping of buildings and structures sited within the shoreline area” with “Data and mapping of *existing* buildings and structures sited within the shoreline area”.
- Discussion paper item 2.3 - add a fourth bullet “hazard areas including landslip, surface water drainage, and severe weather impacted areas and sea level rise”.
- Discussion paper section 3 “Policy and Regulatory Framework for Shoreline Protection Strategies” moved to later in the document.
 - Under item 3.1. Replace “First Nation role” with “First Nation territorial interests” (to be considered with Lisa Wilcox).
 - Item 3.2. Replace “Federal role” with “Federal responsibilities”.
 - Item 3.3. Replace “Provincial role” with “Provincial responsibilities”.
- Discussion paper section 6, item 6.1 – replace “Identification and analysis of relevant Thetis Island OCP policies” with “Identification and analysis of relevant Thetis Island OCP policies, omissions, relevancy of current policy and climate change”. Applies to LUB (item 6.2) as well.
- In section 7 of the discussion paper, include an “Other” under “Options”.
- Include Regional District under the section 3 “Responsibilities”.
- Include reference to early and ongoing consultation - consultation should follow a ladder approach rather than a linear approach.
- Include provincial mapping for current buoys, docks and aquaculture leases.
- Include Trust-wide climate change adaption report.
- Include reference to Trust Council’s commitment to reconciliation in the introduction statement. Reference made to project work on Salt Spring – Ganges Village Plan and Housing project – for guidance.

TH-2021-024

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to prepare a discussion paper for the Shoreline and Coastal Protection Strategy project in accordance with the draft discussion paper outline, dated August 3, 2021, inclusive of the feedback at the Local

Trust Committee meeting of August 3, 2021.

CARRIED

9. DELEGATIONS – none

10. CORRESPONDENCE - none

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

11. NEW BUSINESS – none

12. REPORTS

12.1 Trust Conservancy Report dated May 25, 2021

12.1.1 The Heron - Spring 2021

Received.

12.2 Applications Report dated July 26, 2021

Received.

12.3 Trustee and Local Expense Report dated May 2021

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage - none

13. WORK PROGRAM

13.1 Top Priorities Report dated July 26, 2021

Received.

13.2 Projects List Report dated July 26, 2021

There was discussion regarding adding a soil removal and deposit bylaw to the Projects List in association with community composting and supporting local food production. It was noted there are concerns regarding introduction of invasive species from removing and depositing soil. It was noted staff could reference North Pender Island Local Trust Committee and Salt Spring Island Local Trust Committee recent work on Soil Bylaw projects.

TH-2021-025

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add development of a Soil Removal and Deposit Bylaw to the Projects List.

CARRIED

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

The next regular meeting is scheduled for Tuesday, September 28, 2021 at 9:30 a.m. at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC.

16. ADJOURNMENT

By general consent the meeting was adjourned at 11:13 a.m.

Laura Patrick, Chair

Certified Correct:

Sarah Shugar, Recorder

Follow Up Action Report

Thetis Island

09-Feb-2021

Activity	Responsibility	Dates	Status
1 that the Thetis Island Local Trust Committee request staff to coordinate a meeting with BC Ferries, the Ministry of Transportation and Infrastructure, the Local Ferry Advisory Committee, the Thetis Island Residents' and Ratepayers' Association, and the Cowichan Valley Regional District to discuss outstanding issues regarding ferry access and parking, wharf entrance congestion and pedestrian and cycling safety on Thetis Island.			In Progress
2 that the Thetis Island Local Trust Committee request Trustee Luckham and Chair Patrick to write a letter of advocacy to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development regarding the clean up of an abandoned property on Valdes Island.	Mike Richards Wil Cottingham		In Progress

01-Jun-2021

Activity	Responsibility	Dates	Status
1 Staff to provide supporting documentation to the LTC regarding the mining operation permit on Valdes Island.	Jaime Dubyna	Target: 03-Aug-2021	Completed

03-Aug-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Thetis Island

03-Aug-2021

Activity	Responsibility	Dates	Status
1 Staff to prepare a discussion paper for the Shoreline and Coastal Protection project, inclusive of LTC feedback provided at Aug 3, 2021 business meeting.	Jaime Dubyna		In Progress
2 Add to LTC Projects list, development of Soil Removal and Deposit Bylaw. Project to include consideration of Salt Spring and North Pender Soil bylaws; on-island composting facilities; reduction of invasive species spread from off-island soil.	Jaime Dubyna		Completed



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 504 and 505 **Date:** August 5, 2021

You are requested to comment on the attached Bylaws for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaws will be held at a later date.

APPLICANTS NAME / ADDRESS:

Fernando and Tammy Dos Santos, 416 Old Scott Road, Salt Spring Island, BC, V8K 2L7, f.dos.santos111@gmail.com

PURPOSE OF BYLAW:

The purpose of OCP proposed bylaw amendment No. 504 is to re-designate the property from rural neighbourhood (RL) to a residential neighbourhood (RN) variant which would allow for medium density of approximately 7 lots/hectare or 3 lots/acre.

The purpose of LUB proposed bylaw amendment No. 505 is to rezone the property from its Rural(R) designation to a Residential (R4) variant to allow for the development of up to 30 lots on the subject property.

GENERAL LOCATION:

221 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 20, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 28650 – PID 001-751-581

SIZE OF PROPERTY AFFECTED:

4.26 Hectares

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Presently Rural Neighbourhood

OTHER INFORMATION:

To review the staff report or for more information on application SS-RZ-2017.2, go to: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Georgie Gordon

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – Ganges Sewer Commission
CRD – SSI Liquid Waste Disposal Local Service Commission
Vancouver Island Health Authority
Islands Trust Bylaw Enforcement and Compliance
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Municipal Affairs
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural
Development Water Authorizations
BC Transit
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
School District No. 64
SSI Chamber of Commerce
SSI Fire-Rescue
Island Pathways

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

504 & 505
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 523 and 524 Date: August 5, 2021

You are requested to comment on the attached Bylaws for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaws will be held at a later date.

APPLICANTS NAME / ADDRESS:

Peter Hunt and Meghan Carr/125 Churchill Road, Salt Spring Island, BC V8K 2R3

PURPOSE OF BYLAW:

To permit indoor retail sales, Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items (provided water consumption does not exceed 1,600 litres/day); one restaurant not exceeding a total floor area of 110 square metres with a maximum of 38 indoor and outdoor seats; and two commercial guest accommodation units not to exceed 25 square metres each.

GENERAL LOCATION:

125 Churchill Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT 3, SECTIONS 3 AND 4, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN VIP54776

SIZE OF PROPERTY AFFECTED:

0.89 hectares (2.21 acres)

ALR STATUS:

Non-ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Residential Neighbourhoods

OTHER INFORMATION:

Use(s) have been operating unlawfully since 2011 & 2015 (Commercial Guest Accommodation Units) and 2018 (Restaurant). To review the staff report or for more information on application SS-RZ-2020.2, go to: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

D. Murphy

on behalf of Planner Mayes

(Signature)

Name: Kristine Mayes

Title: Planner 1

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation
Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)

Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – Building Inspection
CRD – Economic Development Commission
CRD – Parks and Recreation Commission
CRD – SSI Transportation Commission
Vancouver Island Health Authority

Non-Agency Referrals

Chamber of Commerce
North Salt Spring Waterworks District
SSI Fire-Rescue
Island Pathways SSI – Partners Creating Pathways
Salt Spring Island Agricultural Advisory Planning Commission
Salt Spring Island Advisory Planning Commission
Salt Spring Island Agricultural Alliance

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
BC Transit
Ministry of Agriculture, Food and Fisheries
Ministry of Transportation & Infrastructure
Front Counter BC

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee

Mayne Island Local Trust Committee

North Pender Island Local Trust Committee

Thetis Island Local Trust Committee

Cowichan Valley Regional District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

523 and 524
(Bylaw Number)

(Title)

(Agency)



ISLANDS 2050 BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: July 22, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 90 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 25 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island Municipality. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement furthers the mandate of the Islands Trust, in cooperation with the Province and other agencies. Please note that the Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs before Trust Council can adopt this bylaw.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the [Project Overview Briefing](#) along with other resources available on the [Islands 2050 webpage](#).

On Wednesday, July 28, 2021, from 1:00 p.m. to 3:00 p.m., Islands Trust will be hosting a Zoom webinar to provide information to referral agencies on the draft Policy Statement Bylaw and an opportunity for questions and answers.

Please register in advance for this Zoom webinar: <https://islandstrust.zoom.us/j/nyXptbv6RWugCwftiQyJmA>

After registering, you will receive a confirmation email containing information about joining the webinar.

If you are unable to attend on this day, the session will be recorded and posted to the [Islands 2050 webpage](#) on the Islands Trust website.

Please return the response form by **Tuesday, October 22, 2021** to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the Draft New Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: David Marlor

Title: Director, Local Planning Services

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

First Nations

Cowichan Tribes
SXIMELEŁ (Esquimalt) Nation
Halalt First Nation
Homalco First Nation
K'ómoks (Comox) First Nation
Klahoose First Nation
Lake Cowichan First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
xʷməθkʷəy̓əm Musqueam Indian Band
BOKEĆEN (Pauquachin) First Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
Semiahmoo First Nation
Shíshálh (Sechelt) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw (Nanaimo) First Nation
Lekwungen (Songhees) Nation
Skwxwú7mesh (Squamish) Nation
Stz'uminus First Nation
Tla'amin (Sliammon) First Nation
T'Sou-ke (Sooke) Nation
WJOLEŁP (Tsartlip) First Nation
S7ÁUTW (Tsawout) First Nation
Tsawwassen First Nation
Tsleil-Waututh/ Səlílwətaʔ/Selilwitulh (Burrard Inlet) Nation
WŚIKEM (Tseycum) First Nation
We Wai Kai (Cape Mudge) First Nation
Wei Wai Kum (Campbell River) First Nation

Treaty Groups

Nanwakolas Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Naut'sa mawt Tribal Council
Te'Mexw Treaty Association

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture
Ministry of Energy, Mines and Petroleum Resources
Ministry of Environment and Climate Change Strategy
Ministry of Environment and Climate Change Strategy (BC Parks and Conservation Officer Service Division)
Ministry of Environment and Climate Change Strategy (Climate Action Secretariat)
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
Ministry of Transportation and Infrastructure on Vancouver Island and South Coast

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Islands Trust Area (Islands 2050)

(Island)

(Signature)

(Date)

TC 183

(Bylaw Number)

(Title)

(Agency)

File No.: 6500-20
(Thetis Island Shoreline and
Coastal Protection)

DATE OF MEETING: September 28, 2021
TO: Thetis Island Local Trust Committee
FROM: Jaime Dubyna, Island Planner
Northern Team
COPY: Heather Kauer, Regional Planning Manager
SUBJECT: Thetis Island Local Trust Committee Shoreline and Coastal Protection Discussion Paper
Project

RECOMMENDATION

1. That the Thetis Island Local Trust Committee endorse the *Thetis Island Shoreline and Coastal Protection Discussion Paper Project Charter*, dated September 28, 2021.

REPORT SUMMARY

This staff report presents a revised draft project charter for the Thetis Island Local Trust Committee (LTC) top-priority Shoreline and Coastal Protection Discussion Paper project. The project charter includes all amendments made by the LTC to date, and a revised project budget for engagement.

BACKGROUND

Previous versions of the project charter have been presented to the LTC at the [June 1, 2021](#) and [August 3, 2021](#) regular business meetings.

At the June 1, 2021 meeting, the LTC passed the following resolution:

TH-2021-022

that the Thetis Island Local Trust Committee endorse the Thetis Island Shoreline and Coastal Protection Strategy Project charter, dated June 1, 2021 as amended.

CARRIED

The project charter was amended further at the August 3, 2021 meeting; however, an LTC resolution to endorse those amendments was unintentionally not conducted. The amendments made at the August 3, 2021 meeting are reflected in the draft project charter the LTC is asked to consider.

For staff to commence work, the project charter must be endorsed by LTC resolution. Additionally, prior to commencement of a LTC project, the project budget requires approval. This requirement comes from 4.1 and 4.2 of Trust Council [Policy 5.9.1](#) – Best Management Practices for Delivery of Local Planning Services to Local Trust Committees:

- 4.1 LTCs may undertake special planning projects subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources.

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

Once approved by Trust Council, staff may proceed with the project's deliverables, specifically the discussion paper and engagement.

The proposed project budget includes First Nations engagement and a mail notification to the Thetis community (intended to inform residents, landowners, etc. of the project). Staff have included an option to conduct a community information meeting, should the LTC wish to do so. Alternatively, this option could form part of "Phase 2" of the project.

Rationale for Recommendation

To proceed with the Shoreline and Coastal Protection Discussion Paper project, the LTC must endorse the project charter and the budget must be approved by Trust Council. Amendments made to the project charter to date have been included, as well staff have included a project budget for First Nation engagement and a community mail-out.

Staff's recommendation is found on Page 1 of this report.

ALTERNATIVES

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

1. Amend project charter

The LTC may amend the project charter prior to endorsing it. Recommended wording for the resolution is as follows:

That the Thetis Island Local Trust Committee endorse the Thetis Island Shoreline and Coastal Protection Discussion Paper Project Charter, dated September 28, 2021, as amended.

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Thetis Island Local Trust Committee request the following information (to be provided by LTC).

NEXT STEPS

Once the project charter is endorsed and the project budget is approved by Trust Council, staff will proceed with the next steps identified in the project.

Submitted By:	Jaime Dubyna Island Planner	September 15, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	September 17, 2021

ATTACHMENTS

1. Project Charter

Thetis Island Shoreline and Coastal Protection Discussion Paper Project - Charter v1 **DRAFT**

Thetis Island Local Trust Committee

Date: June 1, 2021; **Sept. 28, 2021**

Purpose: *Initiate an information gathering phase to identify the issues to be addressed and the scope of the project. The outcome of this phase is intended to inform the next phase of the project.*

Background: *The Thetis Island Local Trust Committee (LTC) identified shoreline and coastal protection as a top priority project in November 2019. At the April 13, 2021 regular business meeting, the LTC expressed interest in collecting information and local knowledge to gain an understanding of topics of interest or concern in relation to shoreline and coastal protection. A starting point for the project includes initiating First Nations engagement, and the development of a discussion paper that provides an overview of existing policies and regulations, and that introduces potential options for shoreline and coastal protection, including protection of archaeological, heritage and cultural areas.*

Objectives

- To frame the direction and scope of the project
- To identify issues, challenges and opportunities related to shoreline and coastal protection in collaboration with First Nations and community
- To create a framework and definitions respecting shoreline and coastal protection from what we learn through First Nations community engagement and other Islands Trust regional projects respecting shoreline and coastal protection

In Scope

- Discussion paper that includes a review of existing Islands Trust-wide policies, initiatives and plans and Thetis Island policies and regulations related to shoreline and coastal protection, collates existing data on shoreline ecosystem features/functions, and an overview of options available to strengthen shoreline and coastal protection
- First Nations engagement to identify areas of concern
- Early community engagement and sharing
- Review of unzoned marine area ("triangle")

Out of Scope

- Full review of unrelated OCP policies and LUB regulations
- Extensive community engagement
- Mapping of aquaculture

Workplan Overview

Deliverable/Milestone	Date
Draft Project Charter to LTC for consideration	June 1, 2021
Staff prepare Discussion Paper	ongoing
Engage with First Nations	Fall 2021
Discussion Paper to LTC, LTC provide direction for next phase	Fall/Winter 2021
Community engagement	Winter 2021
Develop Project Charter for next phase	Spring 2022
"Phase 2" of project begins	Spring 2022

Project Team

Jaime Dubyna, Planner	Project Manager
Heather Kauer, RPM	Project Sponsor
Lisa Wilcox, SIPA	Project Support
IT Mapping Department	Mapping Support
IT Administration Staff	Administrative Support
RPM Approval: Heather Kauer Date:	LTC Endorsement: Resolution #: Date:

Budget

Budget Sources:		
Fiscal	Item	Cost
2021/2022	First Nation Engagement	\$1000
	Mail-out to community	\$50
	Hall booking (tentative)	\$200
	Total	\$1250

PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
June 1, 2021	Staff present draft project charter to LTC	June 1, 2021	\$0
-	Planner to work with SIPA to develop engagement plan	ongoing	\$0
-	Engagement with Lyackson First Nation and Penelakut Tribe commences	Fall 2021 - ongoing	\$1000
-	Preparation of Discussion Paper	ongoing	\$0
November 16, 2021	Discussion Paper presented to LTC, results from engagement (to date), LTC to provide direction for next phase	November 16, 2021	\$0
-	Mail-out to community	Winter 2021	\$50
-	<i>(tentative) Community Information Meeting</i>	<i>Winter 2021</i>	<i>\$200</i>
2022	Draft project charter to LTC for consideration	Spring 2022	\$0
2022	Phase 2 commences	Spring 2022	\$0
TOTAL			\$1250

REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** September 28, 2021

From: David Marlor, Director, Local Planning Services **Date Prepared:** September 15, 2021

SUBJECT: New Fee bylaws

RECOMMENDATION:

That the Thetis Local Trust Committee request Staff to draft a new Fee Bylaw based on the model fee bylaw attached to Trust Council Policy “5.6.1 Application Processing Services.”

DIRECTOR COMMENTS:

The recommendation will allow staff to draft a fee bylaw specific to each local trust committee’s needs based on the model fee bylaw adopted by Trust Council.

1 PURPOSE: To update all local trust committee fee bylaws to be consistent with the new Application Processing Services policy.

2 BACKGROUND:

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. Trust Council also passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 “Application Processing Services”.

The Trust Council application processing services policy has been amended to:

1. clarify more specifically the activities covered by the application fee to remove ambiguity;
2. remove the need for planners to determine the work required at the start of the process, which has been identified as practically impossible to implement;
3. establish an objective of 80 per cent of the average processing cost for cost recovery;
4. add more clarity around when cost recovery agreements are required, and what are considered extraordinary cost charges; and
5. add a model fees bylaw to the policy as an attachment.

A new model fees bylaw has been developed that:

1. has updated fees that better reflect the actual average cost of processing the various types of applications, designed to include the staff costs and the fixed costs, such as meeting expenses and advertising;
2. adds consideration for recovery of costs associated with First Nation site visits if required;
3. adds more robust fee refund policy to improve fairness;
4. adds an annual automatic increase of fees of two percent to reflect the estimated actual cost increases due to inflation and collective agreement increases for staff;
5. retains ability of local trust committees to reduce fees by up to 20 percent, intended to allow flexibility recognizing local factors affecting cost of application processing;
6. adds flexibility to allow for reduced temporary use permits fees for community benefits as defined by the local trust committee in its official community plan; and
7. adds a 20 per cent higher fee for applications where development began without a permit or permission to reflect the higher cost of processing such an application.

Each local trust committee has been asked by Trust Council to update its fee bylaw to be consistent with the model fee bylaw approved by Trust Council. If a local trust committee wishes to adjust fees in accordance with items 5 and 6 above, the local trust committee should include this request in the resolution to develop a draft fee bylaw. While a local trust committee is under no legislative obligation to amend its fees bylaw, Trust Council has developed the model fee bylaw to assist in assuring the fees charged better reflect the cost of processing applications using shared resources throughout the Islands Trust Area.

Please note that fees charged are to recover the average cost of processing that type of application. Fees cannot be used to be punitive, or to raise funds above the average cost of processing an application. Local trust committees cannot charge fees for building permit referrals or Crown land referrals as there is no authority provided to do so.

Local trust committees are authorized to charge fees for different types of applications as follows:

- **Section 462 of the *Local Government Act*** provides that a local government may, by bylaw, impose fees related to applications and inspections to recover the average costs of processing official community plan amendments, land use bylaw amendments, subdivisions bylaw amendments, heritage conservation bylaw amendments, issuance of a development permit, development variance permit, temporary use permit, heritage alteration permit, land use contract amendments, heritage revitalisation agreement amendments, board of variance orders, and inspection of works and services related to applications and permits, and subdivision applications;
- **Section 31(2)(b) of the *Islands Trust Act*** provides that a local trust committee may impose fees to recover the cost of processing siting and use permits;
- **Section 41 of the *Liquor Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing liquor and liquor licensing referrals; and
- **Section 35 of the *Cannabis Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing a referral for a license under that Act.

Section 462 of the *Local Government Act* also states that local governments must not impose a fee, charge a tax or require works or services to be provided unless authorized by this Act or any other Act. For this reason, fees are not charged for processing of building permit and Crown land referrals, as there is no authorization in any Act for local trust committees to recover these costs.

Fee bylaws are administrative bylaws. There is no requirement for public input. The local trust committee may consider first, second and third readings all at one meeting. The Executive Committee must approve the bylaw before the local trust committee can consider adoption.

Ideally, all local trust committees will have considered updating their bylaws by March 2022 so that the assumptions on revenue can be included in the next fiscal year budget process.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff will draft a fee bylaw based on the model fee bylaw and bring back to a future local trust committee meeting for consideration.

FINANCIAL:

No financial implication from the recommendation.

POLICY:

Updating the Fee bylaw will be consistent with Trust Council Policy 5.6.1 Application Processing Services.

IMPLEMENTATION/COMMUNICATIONS:

Local planning staff assigned to the local trust committee will draft fee bylaw for local trust committee consideration.

FIRST NATIONS:

No First Nations implications from the recommendations.

OTHER:

No other implications from the recommendations.

4 RELEVANT POLICY(S):

Trust Council Policy 5.6.1 Application Servicing Process

5 ATTACHMENT(S):

Trust Council Policy 5.6.1 Application Processing Services

RESPONSE OPTIONS

Recommendation:

That the Thetis Local Trust Committee request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services."

Alternative:

That the Thetis Local Trust Committee request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services" with the following modifications: [list modifications].

Prepared By: David Marlors, Director, Local Planning Services

Reviewed By/Date: Julia Mobbs, Director, Administrative Services/Aug, 2021



Policy:	5.6.1
Approved By:	Trust Council
Approval Date:	June 9, 2021 Repeals policies 5.6.1, 5.6.2 and 5.6.3
Amendment Dates:	
Policy Holder:	Director of Local Planning Services

APPLICATION PROCESSING SERVICES POLICY

Purpose

This policy is intended:

- to identify the services provided by Islands Trust and the different levels of costs associated with these services;
- to provide direction for the preparation of Fees Bylaws and Schedules by Local Trust Committees (LTCs);
- to provide the principles by which cost recovery for extraordinary services beyond the standard fee can be negotiated and agreed to by an applicant and a LTC;
- to recover from applicants 100 per cent of the average cost of processing the development applications, while permitting consideration of lower cost recovery for environmental protection and community benefit.

A. Definitions

1. Application Processing Services include:

- 1.1 Bylaw Amendments to an official community plan, zoning bylaw, subdivision bylaw or other land use bylaws;
- 1.2 Development Application Requests for:
 - 1.2.1 Development Permits,
 - 1.2.2 Development Variance Permits,
 - 1.2.3 Temporary Use Permits,
 - 1.2.4 Soil Removal and Deposit Permits,
 - 1.2.5 Heritage Alteration Permits,
 - 1.2.6 Board of Variance Orders,
 - 1.2.7 Liquor Licensing Permits,
 - 1.2.8 Cannabis Licensing Permits,
 - 1.2.9 Siting & Use Permits,
 - 1.2.10 Land Use Contracts;
- 1.3 Agency Referral Responses and Comments on applications referred from other agencies.

2. Service Levels include:

- 2.1 Information Service that involves providing information to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
 - 2.2 Standard Application Processing Service that involves providing a specific service to applicants as a direct response to an application, whether directly to Islands Trust or through a referral from another agency, and primarily funded by established fees paid by an applicant.
 - 2.3 Extraordinary Processing Service is a service provided to the applicant that is beyond the standard processing service, with funding provided by the applicant as a deposit with the application fee or through a cost recovery agreement.
3. Costs:
- 3.1 General Service Costs includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.
 - 3.2 Estimated Direct Costs include advertisements, delivery of notices, hall rentals, minute taking at public hearings and community information meetings, and staff travel to attend public hearings and community information meetings.
 - 3.3 Extraordinary Processing Costs include costs beyond the standard processing service such as additional community information meetings, review of technical reports provided by specialists hired by the applicant, and specific legal services such as the preparation and registration of legal documents and the acquisition of legal advice.
4. Community Benefit:
- 4.1 Community benefit is the provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

B. Policy

1. Standard Application Processing Services

Applicants are responsible for paying different rates based on the level of service. The details involved in each level of a standard application processing service are identified below.

1.1 Information Service – No Fee Required

Information services are considered a public service and include:

- 1.1.1 ***providing information*** on application process requirements including a meeting with staff;
- 1.1.2 ***providing assistance*** to complete an application;
- 1.1.3 ***determination*** of applicable fees;

1.1.4 **identification** of readily identifiable issues to be addressed.

1.2 Application and Processing Service – Included in Application Fee

For rezoning applications, temporary use permit applications, development variances, development permits, liquor and cannabis retail license applications, and strata conversion applications, the application fee covers the following services:

- 1.2.1 comprehensive staff assessment including site visit where required;
- 1.2.2 staff reports;
- 1.2.3 discussion between planners and applicant throughout process;
- 1.2.4 review of archaeological data;
- 1.2.5 staff referral to other agencies, advisory planning commissions, and analysis of their comments;
- 1.2.6 bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan;
- 1.2.7 staff report with recommendation for Local Trust Committee (LTC) approval consideration;
- 1.2.8 processing bylaws through Executive Committee for approval consideration, if necessary;
- 1.2.9 forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary;
- 1.2.10 adoption of all bylaws or issuing of permits as required.

1.3 Public Hearing – Included in Application Fee

Services related to a Public Hearing that will be provided to an applicant who has paid an application fee include:

- 1.3.1 conducting one public hearing with staff present (includes staff time, staff travel costs and estimated direct costs such as meeting place rental, newspaper notice of public hearing, minute taker fee, and delivery of notices when needed).

1.4 Community Information Meeting – Included in Application Fee

Services related to a Community Information Meeting that will be provided to an applicant who has paid an application fee include:

- 1.4.1 conducting one community information meeting with staff present (includes staff time, staff travel costs, and estimated direct costs such as meeting place rental and delivery of notices when needed).

2. Extraordinary Processing Services – additional fees required

Extraordinary Processing Services are services provided to the applicant that are beyond the standard processing services identified in 1.1- 1.4. Applicants are responsible for paying additional fees for extraordinary processing services.

2.1 Role of LTC in Determining Necessity for Extraordinary Services

- 2.1.1 Local trust committees (LTCs) can determine the necessary requirements for processing applications. These requirements may necessitate extraordinary processing services, where the actual or estimated processing service level costs are in excess of the costs of a standard application fee for a similar process because:
 - 2.1.1.1 of additional requirements such as additional public consultation, complex covenant requirements or extensive staff time; or,
 - 2.1.1.2 the processing requirements include services obtained from professions outside Islands Trust such as special technical assistance and/or specific legal services; or,
 - 2.1.1.3 the processing requirements include First Nations site visit(s).
- 2.1.2 The Regional Planning Manager is responsible for assisting LTCs in identifying and costing extraordinary processing service requirements and advising the LTCs of the options available to handle these requirements.
- 2.1.3 The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for the extraordinary services that are required.

2.2 Provision of Extraordinary Processing Services

- 2.2.1 Extraordinary processing services can be provided by Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.
- 2.2.2 A resolution of the LTC following the recommendation of the Regional Planning Manager is required to proceed.
- 2.2.3 When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application cannot be processed until additional funds are provided by the applicant and a cost recovery agreement with the Islands Trust is signed and a security deposit has been received.

3. Extraordinary Services Cost Recovery Agreements

3.1 Extraordinary Services Cost Recovery – Principles

- 3.1.1 Cost Recovery Agreements reflect a service level which includes the extraordinary services needed to undertake the approval process for a complex application.
- 3.1.2 Cost Recovery Agreements will endeavour to recover all costs of processing that exceed the standard costs of processing services.
- 3.1.3 The existence of a Cost Recovery Agreement will not fetter a LTC's discretion with respect to an application before the committee.
- 3.1.4 Authority for negotiating Cost Recovery Agreements is provided within the respective LTC Fees Bylaws.
- 3.1.5 Cost Recovery Agreements will proceed only by resolution of the LTC after consultation with the Regional Planning Manager, except in situations where an applicant is seeking to discuss an issue directly with Islands Trust legal advisors, in which case the Director of Local Planning Services may approve the Cost Recovery Agreement.
- 3.1.6 The Cost Recovery Agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the LTC resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.

3.2 Services Requiring Extraordinary Services Cost Recovery Agreement

The services identified below are considered to be beyond the scope of standard processing services. These services require payment, in addition to standard application fees established in the Fees Bylaw, of additional fees based on a cost recovery agreement between the Islands Trust and an applicant:

- 3.2.1 staff time required for covenant development;
- 3.2.2 staff time to attend more public consultation meetings than that already covered by the standard application fee, including community information meetings, advisory planning commission meetings, and public hearings;
- 3.2.3 technical assessments or studies as required by the local trust committee;
- 3.2.4 retaining special technical assistance required by the local trust committee;
- 3.2.5 additional legal counsel services required for the application not covered under the estimated direct costs of the Fees Bylaw;
- 3.2.6 process agreement negotiation;
- 3.2.7 First Nations site visits;
- 3.2.8 other resources and/or services required by the local trust committee to process the application not covered by the Fees Bylaw.

4. Funding Basis and Fee Adjustments

- 4.1 Application processing services are funded primarily through fees, as per a LTC's Fees Bylaw. Local trust committees should adopt a Fees Bylaw consistent with the model Fees Bylaw in Attachment 1.
- 4.2 Standard fees in Fees Bylaws are to be based on average processing costs, as per Section 462 of the *Local Government Act*, Section 31(2)(b) of the *Islands Trust Act*, Section 41 of the *Liquor Control and Licensing Act*, and Section 35 of the *Cannabis Control and Licensing Act*. Standard fees are calculated as the product of staff labour costs multiplied by processing time (including Planner and administrative support). Standard application fees include estimated direct costs.
- 4.3 A local trust committee may enact variances of up to 20% below what is indicated in the Trust Council's Model Fees Bylaw when adopting a LTC Fees Bylaw. The following criteria must be considered when evaluating a fee variance:
 - 4.3.1 the level of community/environmental benefit offered by the type of application;
 - 4.3.2 variances in direct costs (e.g. hall rental); and,
 - 4.3.3 an amendment to an approved application occurring within 6 months of the approval date.
- 4.4 Variance to a Fees Bylaw must be adopted by bylaw amendment. All LTC Fees Bylaws and Fees Bylaw amendments must be approved by the Executive Committee before adoption by a LTC.
- 4.5 Where the model fees bylaw permits reduced fees for temporary use permits that have a community benefit and are small scale, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community.
- 4.6 Applications for development that begin without a permit or bylaw authorisation are subject to a 20 per cent surcharge to recover the additional cost in processing these types of applications.

5. Application Fee Sponsorship

- 5.1 If eligible, as identified in [Trust Council Policy 4.1.13 Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications](#), the applicant may apply for development application fee sponsorship.

6. Development Approval Information

- 6.1 The Development Approval Information (DAI) Bylaw provides a mechanism to ensure that the LTC receives appropriate reports and documentation (such as reports from engineers, biologists, hydrogeologists, and geotechnical specialists) from applicants to support rezoning, temporary use permit, and development permit applications.
- 6.2 DAI bylaws reduce operational costs by ensuring that applications are complete and the information provided is appropriate.
- 6.3 Local trust committees should adopt a development approval information bylaw.
- 6.4 The Regional Planning Committee should develop a model Development Approval Information bylaw for addition as Attachment 2 to this policy.

C. Legislated References

Local Government Act, S.462

Local Government Act, S.486

Liquor Control and Licensing Act, S.41

Cannabis Control and Licensing Act, S.35

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

- 1. Model Fees Bylaw

[INSERT LTC NAME] LOCAL TRUST COMMITTEE

BYLAW NO. [XX]

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications. Model fees reflect the cost recovery for application processing.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act, **[DENMAN AND HORNBY ONLY and Section 31(2)(b) of the Islands Trust Act provides that a local trust committee may impose a fees to recover the cost of processing siting and use permits]** ;

NOW THEREFORE the **[Insert LTC Name]** Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the **[Insert LTC Name]** Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "[Insert LTC Name] Local Trust Committee Fees Bylaw, No. [XX]".

Interpretation

2.1 In this bylaw:

"Applicant" means:

2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. ____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;

2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit.

[NOTE: This is in relation to temporary use permits for a use under a specified size that provides a community benefit. The local trust committee would define community benefit here based on its official community plan definition of community benefit]

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2: Fee
1. Major (e.g. change to density or land use designation)	\$7,800
2. Minor (e.g. policy change without changing density or land use designation not requiring an OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000

Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses and commercial uses under 95 square metres that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$700
14. Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits	
15. Siting and Use Permit	\$250
16. Heritage Alteration Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
18. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – per additional lot created	\$100
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rated in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.

- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The (Insert LTC Name) will maintain a record of annual 2% increases and make that record available for public inspection.

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

- 10.1 “[Insert LTC Name] Local Trust Committee Fees Bylaw No. [XX]” is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 13, 2021 BOARD MEETING (OPEN PORTION)

NOTE: Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

JOINT MEETING – Islands Trust Conservancy Board + Islands Trust Executive Committee

- The Islands Trust Conservancy Board and Islands Trust Executive Committee shared a liaison meeting and corresponded on many of the topics outlined in the sections below. The liaison meeting is intended to enhance collaboration between the two bodies by deepening understanding of the current programs and upcoming opportunities each is influencing and to proactively identify points where working together would generate a more positive outcome than would otherwise be possible. This meeting occurs annually as per Islands Trust policy.

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings welcomed Wendy Tyrrell as the new Species at Risk Program Coordinator. Wendy comes to the Conservancy from Habitat Acquisition Trust where she worked for 14 years, originally as the Land Protection Coordinator and the past six years as the Habitat Management Program Coordinator. Having joined Islands Trust Conservancy in July 2021, Wendy is now positioned to lead the Species at Risk (SAR) Program through its second and third years.

2. STRATEGIC PLANNING/ADMINISTRATION

- The Minister of Municipal Affairs is selecting three appointees to serve on the Islands Trust Conservancy Board. The Board hopes that at least two of these appointees will be actively on the Board by the end of August 2021.

3. COVENANT AND PROPERTY ACQUISITIONS

- The Islands Trust Conservancy Board reported that they have entered into a lease agreement with the BC Parks Foundation for Saturnina Island in the Gabriola Island Local Trust Area.
- Ecosystem Protection Specialist Kathryn Martell provided an update for the Crystal Mountain application currently in progress on Galiano Island after recently visiting the site.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed the Regional Conservation Plan Progress Report and noted that the recent “heat dome” effect in the Islands Trust Area and the Salish Sea may have had wide-ranging effects on forage fish populations. They agreed that the effects from the event could be something to monitor in the future.

5. COMMUNICATIONS AND OUTREACH

- Islands Trust Conservancy Chair Kate-Louise Stamford discussed her attendance of a recent Saturnina Island event hosted by the BC Parks Foundation, noting that Islands Trust Conservancy leaders (herself and Manager Kate Emmings) were guests and highlighting that the event was well-attended by press, students, and donors. Islands Trust Conservancy Board discussed partnership between Islands Trust Conservancy and the BC Parks Foundation, specifically in terms of the opportunities it provides for securing and managing land and for communications. Further, they discussed the importance of improving the inclusion of Snuneymuxw First Nation in the Saturnina Island process.
- The Islands Trust Conservancy Board discussed a plan to make a statement of support for the Howe Sound UNESCO Biosphere Reserve nomination. The process for a formal declaration has almost been completed.
- The 2020/2021 Annual Report process has been slightly delayed by a delayed financial audit. The Board resolved to hold a special meeting to review the audit results on August 24, 2021.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- During the liaison meeting, Executive Committee members recognized Acting Fundraising Specialist Carla Funk for her work and for her plan to bring national attention to the Conservancy through a legacy giving platform called “Willpower”. They discussed fundraising results, the importance of developing long-term connections, and suggested commissioning a simple infographic to convey that the Conservancy is not competing with smaller local conservation groups; rather, all are working together to protect the land with the Conservancy often feeding funds directly to the smaller conservancies to “kick-start” conservancy projects (i.e., Opportunity Fund).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

Shortcuts here:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/planning-2018-2027/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY AUGUST 24, 2021 BOARD SPECIAL MEETING (OPEN PORTION)

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) Board thanked Donald Clarke for his service as an appointed member of the ITC Board from August 2019 to August 2021. Don Clarke is a member of the Black River First Nation, and has spent over 25 years working in over 50 First Nations communities (throughout Western Canada) in the area of political advising, negotiations, administration, education, capacity building, strategic planning, Treaty rights, and in strengthening of local, economic and cultural development. His expertise provided important insights to Board decision-making and he will be missed.
- The Minister of Municipal Affairs has reappointed Linda Adams to the ITC Board for a term ending in August 2023. Linda Adams has served on the Board since August 2018. She is an educator, land use planner, local government consultant and the former Chief Administrative Officer (CAO) of Islands Trust. Linda is currently on the faculty of Capilano University's School of Public Administration, where she coordinates a course for Chief Administrative Officers in BC local governments.
- The ITC Board thanked Devin Hentschel for his work as the ITC Conservation Technician. Devin joined ITC as a summer co-op student and assisted the ITC with annual property monitoring, restoration projects and the Species at Risk Program. Devin is returning to study Biology at the University of Victoria.
- The ITC Board thanked Erin Coulson for her work with ITC as a part-time Communications Specialist. Erin assisted with the ITC Annual Report, the Heron Newsletter and with issuing ITC News Releases and she will be missed.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board received and approved its audited financial statements. These are available at islandstrust.bc.ca/about-us/accountability/finance/
- The Minister of Municipal Affairs will be posting a notice of position for a vacant seat at the ITC Board. Staff will circulate the notice of position to trustees and the Bowen Island Municipality and will post it to the Islands Trust website at islandstrust.bc.ca/whats-happening/expressions-of-interest/.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board considered land conservation proposals in the in camera portion of its meeting.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Board reviewed the Sidney Island Ecological Restoration Project Plan, including the Sidney Island Forest Restoration Strategy and Fallow Deer Eradication on Sidney Island. The Sidney Island Ecological Restoration Project is a joint project with First Nations, Parks Canada, the Province of BC and the Sallia Forest Strata. More information about the project is available at pc.gc.ca/en/agence-agency/bib-lib/rapports-reports/core-2018/ouest-west/ouest-west11
- The ITC Board approved Property Management Fund Guidelines. These guidelines will provide direction for use of the Property Management Fund

5. COMMUNICATIONS AND OUTREACH

- The 2020/2021 Annual Report process has been completed and the final report will be posted to the website at islandstrust.bc.ca/about-us/accountability/annual-report/ shortly.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- There were no updates regarding fundraising and conservancy support, but those interested in donating to ongoing Conservancy campaigns can find information at islandstrust.bc.ca/conservancy/current-campaigns/
- Islands Trust Conservancy is now participating in the Willpower campaign. Information about gifts in your will can be found at willpower.ca/charities/islands-trust-conservancy/

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



Protecting islands in the Salish Sea

Lisa Baile of SDAYES/
North Pender Island donates
four hectares to expand network
of protected places [p.3](#)

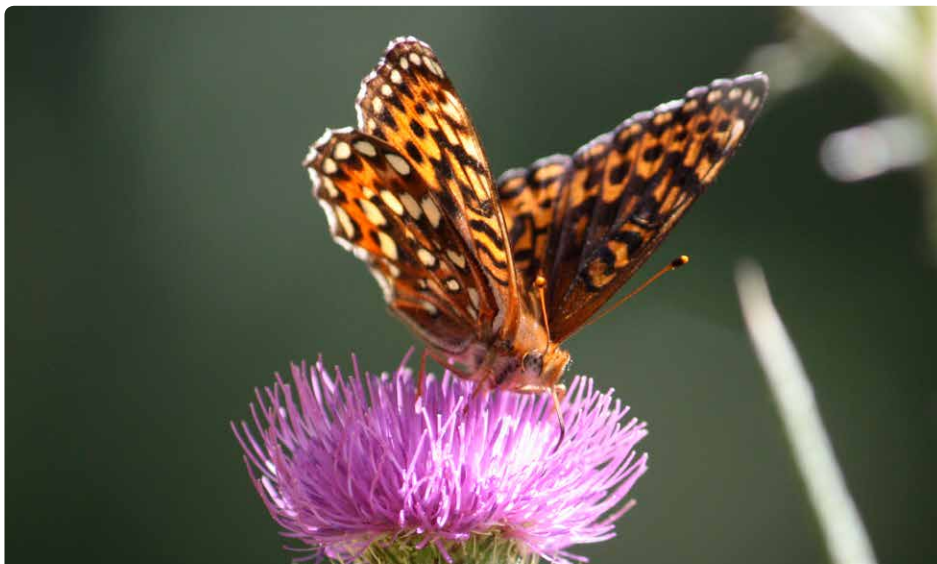


ALSO IN THIS ISSUE

Species at Risk
projects underway
across the region [p. 2](#)



Remembering
Conservation Superheroes
that made their mark [p. 4](#)



Zerene Fritillary Butterfly, Yellow Montane Violet. Cover: Coastal Scouler's Catchfly. PHOTOS: LAURA MATTHIAS

Species at Risk – we've got your backs!

Islands Trust Conservancy has a new program dedicated to protecting and fostering species at risk within the Islands Trust Area. We've begun by searching for the elusive Sharp-tailed Snake, rare lichens, and Western Screech-owl throughout the Trust Area, and by beginning habitat restoration for Yellow Montane Violet and Scouler's Catchfly on Mount Tuam, Salt Spring Island. In July, Wendy Tyrrell began as our Species at Risk Program Coordinator. We are looking forward to growing Islands Trust Conservancy's Species at Risk work with Wendy's help! ([details online](#)) 🌿

You have made a difference!

Supporters of the Opportunity Fund have helped to create a \$47-million-dollar (assessed value) conservation legacy in the islands of the Salish Sea. Kick-start grants were delivered to our partners at critical times — just when they were starting up a land acquisition project, or making the decision to place conservation covenants on sensitive land. ([details online](#)) 🌿

\$47,000,000!

total appraised value of properties
protected by kick-starting grants
to conservation partners



Drum detail. PHOTO: LISA WILCOX

Acknowledgement

Islands Trust Conservancy acknowledges that we work within the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəŋən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səliwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, STÁUTW, Stz'uminus, ʔəʔamən, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁLP, WSIKEM, Xeláltxw, Xwémalhkwx/ʔop qaymıxʷ, and xʷməθkʷəy̓əm.

31st Nature Reserve

Lisa Baile of SDAY,ES /North Pender Island donates four hectares to expand contiguous network of protected places

Lisa Baile Nature Reserve on SDAY,ES (North Pender Island), is the most recent protected place to come under the care of Islands Trust Conservancy. It is home to a mixed mature forest of largely Douglas-fir and western redcedar, and rises steeply to a ridge with small rocky bluffs and Garry oak and arbutus woodlands, with patches of native wildflowers such as fairy-slipper, camas (a lily), chocolate lily, and fawn lily. Several veteran, old-growth Douglas-fir trees – including one measuring almost four metres in diameter – were previously protected under a small conservation covenant along Clam Bay Road.

The Lisa Baile Nature Reserve expands an existing nine-hectare grouping of conserved lands, increasing this network of protected places in the Salish Sea to nearly 13 contiguous hectares that will provide habitat for regional species in perpetuity.

How this piece connects to a bigger story, to partners, and to community

The islands within the Salish Sea are part of the creation stories of the Coast Salish Peoples and are deeply interconnected to the oral history, well-being, and place that Coast Salish Peoples have now, and have called their homelands for over 14,000 years.

Lisa Baile made this nature reserve possible through her generous gift of mature Coastal Douglas-fir forest to Islands Trust Conservancy – a donation that Baile had intended from the moment she purchased the four-hectare undeveloped property in 2019.

The federal Ecological Gifts Program, which provides income and capital gains tax relief for gifts of qualifying, ecologically sensitive land, also contributed to reaching this milestone – making this the 25th property donated to Islands Trust Conservancy as an ecological gift.

Pender Islands Conservancy Association, co-holder of the existing covenant with Islands Trust Conservancy, worked with Lisa Baile and Islands Trust Conservancy to expand the protected area and create the new nature reserve, which will provide increased protection to the forest and woodlands on the entire property.

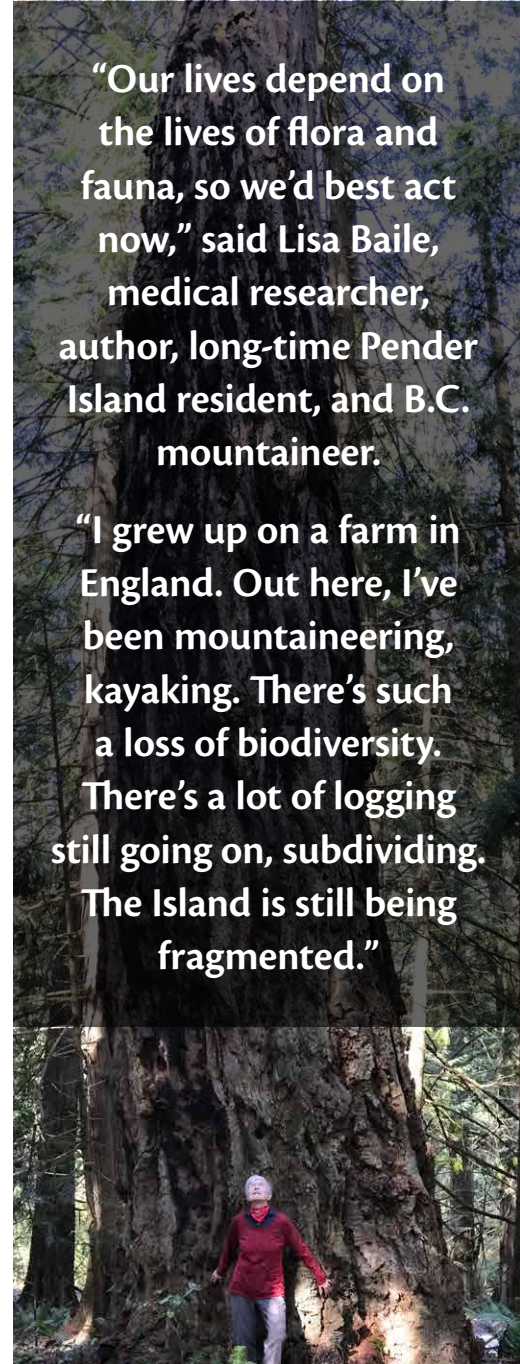
“The vision and generosity of donors like Lisa Baile will be crucial to seeing the islands of the Salish Sea, and their surrounding waters, through the climate crisis and concurrent development surge that we are experiencing,” said Islands Trust Conservancy Board Chair Kate-Louise Stamford. “She deserves our thanks. Our next step will be preparation of the management plan for this site, in collaboration with First Nation governments with shared territory on SDAY,ES/North Pender Island and island residents.”

Lisa Baile donated this land to become the Lisa Baile Nature Reserve on February 25, 2021. Lisa Baile Nature Reserve became Islands Trust Conservancy’s 31st nature reserve. 🌿



“Our lives depend on the lives of flora and fauna, so we’d best act now,” said Lisa Baile, medical researcher, author, long-time Pender Island resident, and B.C. mountaineer.

“I grew up on a farm in England. Out here, I’ve been mountaineering, kayaking. There’s such a loss of biodiversity. There’s a lot of logging still going on, subdividing. The Island is still being fragmented.”



Islands Trust Conservancy donor Lisa Baile pictured with old-growth Douglas-fir tree. PHOTO: TAEVEN LOPATECKI

Remembering extraordinary Conservation Superheroes



Louise Bell, Denman Island (d. June 17, 2021)

While serving as a Denman Island trustee for 15 years, and an Islands Trust Conservancy board member for 10 years, Louise helped shape the future of land conservation in the islands. She was a loyal supporter of the Islands Trust Conservancy's Opportunity Fund which has helped support land acquisition campaigns throughout the Islands Trust Area.



Nancy Braithwaite, Salt Spring Island (d. January 27, 2021)

Nancy was a co-founder of the Salt Spring Island Conservancy and permanently protected land through the creation of the Ruffed Grouse Conservation Covenant. In a final act of conservation, Nancy returned her body to the forest she loved at the Salt Spring Island Natural Cemetery.



Betty Swift, Link Island (d. January 29, 2021)

A Seattleite, Betty loved the islands of the Salish Sea. With her vision and the support of her family, Link Island (21.45 hectares) and the islet Spider Monkey Island (0.17 hectares) were protected, fulfilling a long-time dream to ensure conservation stewardship was in place for future generations, and to contribute a resource for future research.

Like us on Facebook facebook.com/IslandTrustConservancy/

Online islandstrust.bc.ca/conservancy

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♻️ Printed on 100% post consumer recycled paper. Please recycle.

YES! I want to preserve and protect the islands!

100% of your donation goes directly to protecting endangered habitat on the islands you love.

Your donations of \$20 or more will receive an official donation receipt for income tax purposes.*

🖱️ To donate online visit:

islandstrust.bc.ca/donate-to-conservancy

Or mail to: 200-1627 Fort Street, Victoria, BC V8R 1H8

Name	
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Questions? Contact us!

📞 250-405-5186

✉️ itcmail@islandstrust.bc.ca

☐ Yes, I am okay with public recognition of my donation.

My donation amount: ☐ \$50 ☐ \$100 ☐ \$200 ☐ \$_____

I wish to donate by:

☐ Cheque (made payable to the Islands Trust Conservancy)

☐ Visa ☐ MasterCard

Card Number

Expiry Date
mm/yy

Security Code
(back of card)

Signature

Share your vision with future generations — please consider remembering Islands Trust Conservancy in your will.

*Islands Trust Conservancy is a qualified donee as a Crown agent under **53** Islands Trust Act. Islands Trust business # 122013576 RT0001



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
TH-SUB-1998.1	TRAX DEVELOPMENT LTD C/O WRIGHT FOCUS ENGINEERING LTD	25-Sep-1998	Phased Strata Subdivision 'Meadow Valley Properties' phased strata to create 21 strata lots from 4 parent parcels
Planner: Ian Cox			
Planning Status			
<u>Status Date:</u> 26-Aug-2021 Final letter of confirmation that conditions have been met pending review of RAPR report and phasing plan.			
<u>Status Date:</u> 25-Jun-2021 Final plan under review with possible covenant condition.			
<u>Status Date:</u> 08-Dec-2020 File reassigned.			

Islands Trust
LTC EXP SUMMARY REPORT F2022
Invoices posted to Month ending July 2021

670 Thetis	Invoices posted to Month ending July 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	115.00	0.00	115.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	867.00	479.35	387.65
65210-670	LTC - Local Exp - APC Meeting Expenses	370.00	0.00	370.00
65220-670	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-670	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,781.00</u>	<u>479.35</u>	<u>1,301.65</u>
Projects				
73001-670-3008	Thetis RAR	<u>2,700.00</u>	<u>0.00</u>	<u>2,700.00</u>
TOTAL Project Expenses		<u>2,700.00</u>	<u>0.00</u>	<u>2,700.00</u>

Thetis Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	July 3, 2012	TH-03-2012	Professional Minute taker for APC meetings	It was MOVED and SECONDED that the Thetis Island Local Trust Committee authorizes the payment of funds from its local expense account to pay for a minute taker for Advisory Planning Commission meetings.
2.	August 28, 2018	TH-2018-036	Suspension of enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: 1. That whereas the Thetis Island Local Trust Committee intends to facilitate a community process to consider allowing Temporary Use Permits (TUP) to permit temporary non-tourist accommodation use, staff are directed to take no enforcement action against properties where temporary accommodations used for non-tourist accommodation exist. In particular, staff are directed to suspend enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road, Strata Lot B, District Lot 1, Thetis Island, Cowichan District, Strata Plan EPS644; together with an interest in the Common Property shown in proportion to the unit entitlement to the Strata Lot show on Form V. PID 028-987-691. 2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Thetis Island Land Use Bylaw No. 89 and the Thetis Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice. That unless the Thetis Island Local Trust Committee extends the effective period, this enforcement policy expires on July 30, 2019, or when the temporary use permit review project is complete, whichever is the sooner.
3.	August 28, 2018	TH-2018-041	Non-medical cannabis retail applications	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.

No.	Meeting Date	Resolution No.	Issue	Policy
				- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the Local Trust Committee.
4.	December 12, 2018	TH-2018-053	Cannabis License Applications	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: that the Thetis Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
5.	February 22, 2019	TH-2019-020	Electoral Area Director	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: that the Thetis Island Local Trust Committee request staff to circulate future meeting agendas to the Electoral Area Director and provide an invitation to attend or provide reports to the Local Trust Committee.
6.	April 23, 2019	TH-2019-026	LTC to engage in Reconciliation with local First Nations, governments and the island community	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of

No.	Meeting Date	Resolution No.	Issue	Policy
				British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
7.	February 11, 2020	TH-2020-001	Electoral Area Director Reports	It was MOVED and SECONDED that the Thetis Island Local Trust Committee request staff to add a standing resolution that the Cowichan Valley Regional District Area G Saltair/Gulf Islands Director Report reports will be posted to the website.

Top Priorities Report

Thetis Island

1. *Riparian Areas Regulation Implementation*

Ensure protection of freshwater ecosystems in the Ralston Creek watershed through implementation of a development permit area.

Responsible

Marnie Eggen

Dates

Rec'd: 07-Sep-2011
Target: 15-Nov-2014

2. *Shoreline and Coastal Protection Strategy*

LTC to review the Coastal Douglas Fir and Associated Islands Toolkit and CVRD's Bylaw 2500, Section 20.3 Ocean Shoreline Protection Development Permit Area.

Responsible

Jaime Dubyna

Dates

Rec'd: 19-Nov-2019

3. *Relationship Building with First Nations*

Potential topics to explore:

Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place; Co-governance/co-management; follow up from Associated OCP/LUB review: land use considerations for clam gardens; explore private docks as a permitted use; potential impacts of ocean geothermal loops; switchback fencing in setback to the sea.

Responsible

Dates

Rec'd: 27-Feb-2018



Projects Report

Thetis Island

1. Amendments to the Thetis Island OCP and LUB

Responsible

Date Received

- research short-term vacation rentals of principle dwellings in the R-2 zone
 - rainwater storage requirements
 - support the construction of a storage building prior to construction of a principal dwelling
- Update 29-Sept-2020: Added from Projects List items 7 and 9:
- consider ocean loop geothermal exchange systems
 - explore measures to address impacts of wharf related structures
 - (housekeeping) 4.3(d) amend to say: In addition to s.4.3(a), (b), and (c)...
 - (housekeeping) objectives and policies re: sea level rise (was resolution to include in draft but did not make it into adopted OCP)
 - Review TUPs to include non-tourist accommodation (to be advanced at earliest convenience)

07-Sep-2011

2. Island-wide watershed protection

Responsible

Date Received

TBD

21-Nov-2012

3. Pilkey Point/Marina Drive Slough Support for Habitat Restoration

Responsible

Date Received

Include research potential for riparian area inclusion.

20-Nov-2013

4. Sensitive Ecosystems Education and Engagement

Responsible

Date Received

Projects Report

Thetis Island

Environmental education and engagement efforts, in particular with owners on the Associated Islands, to explore ways to protect sensitive ecosystems in the Area.

19-Mar-2014

5. *Associated Islands OCP and LUB*

Responsible

Date Received

Develop new OCP and LUB to replace CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stzuminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.

07-Sep-2011

6. *Letter of Understanding between the Thetis LTC and the Cowichan Valley Regional District*

Responsible

Date Received

Planning staff to begin drafting once project progresses to Priorities.

24-Nov-2015

7. *Thetis Associated Islands Land Use Bylaw Amendment, Ruxton Island Community Dock Review Project*

Responsible

Date Received

Reference Ruxton Island Private Moorage Structures project for preliminary consultation.

22-May-2018

8. *Incorporation of the Regional Conservation Plan into Thetis LTA OCPs and LUBs*

Responsible

Date Received

Investigate and provide recommendations on how to incorporate the plan elements into Thetis, Valdes, and Associated Islands OCPs and LUBs.

28-Aug-2018



Projects Report

Thetis Island

9. Cannabis Production and Retail Sales

Responsible

Date Received

Consideration of regulations to guide cannabis production and retail sales activities.

11-Dec-2018

10. Affordable Housing Strategy

Responsible

Date Received

Housing for young families, workers and seniors; community engagement

11-Dec-2018

11. Model Consultation Process for Antenna Systems

Responsible

Date Received

To amend the Model Consultation Process for Antenna Systems (from the "Model Strategy for Antenna Systems") to include APC recommendations from January 23, 2020 APC meeting and LTC resolutions from February 11, 2020 LTC meeting.

11-Feb-2020

12. Plan to Improve Community Engagement Policy and Practice and to include First Nations

Responsible

Date Received

Reference: "Proposal for a Thetis Island Official Community Plan Engagement Strategy" discussed at February 11, 2020 LTC meeting.

11-Feb-2020

13. Explore zoning the unzoned area of water between the Associated Islands Official Community Plan and the Thetis Island Official Community Plan adjacent to Scott Island and Dayman Island

Responsible

Date Received

21-Jul-2020

14. Development of Soil Removal and Deposit Bylaw

Responsible

Date Received

Projects Report

Thetis Island

Include consideration of Salt Spring and North Pender islands Soil Removal and Deposit
Bylaws; on-island composting facilities; reduction of invasive species from off-island soil.

03-Aug-2021