



Islands Trust Council

Decision and Information Items Agenda

Date: Tuesday, March 5 - Thursday, March 7, 2013

Location: Overbury Resort - 288 Forbes Drive, Thetis Island BC

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Draft – Subject to Council Approval

**Minutes of Islands Trust Council Meeting
December 4-6, 2012
Salt Spring Island, BC**

Present:

Executive Committee: Sheila Malcolmson, Chair (Gabriola)
David Graham, Vice Chair (Denman)
Ken Hancock, Vice Chair (North Pender) (December 4 & 5)
Peter Luckham, Vice Chair (Thetis)

Trustees:

Wolfgang Duntz, Bowen
Andrew Stone, Bowen
Laura Busheikin, Denman
Gisele Rudischer, Gabriola
Louise Decario, Galiano
Sandy Pottle, Galiano
Kate-Louise Stamford, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Peter Johnston, Lasqueti
Susan Ann Morrison, Lasqueti
Jeanine Dodds, Mayne
Brian Crumblehulme, Mayne
Gary Steeves, North Pender
George Grams, Salt Spring
Peter Grove, Salt Spring
Paul Brent, Saturna
Pam Janszen, Saturna
Mike Jones, South Pender
Liz Montague, South Pender
Sue French, Thetis (partial attendance December 4)

Regrets:

Jan Hagedorn, Gambier
Sue French, Thetis
Ken Hancock, North Pender (December 6)

Staff:

Linda Adams, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlors, Director, Local Planning Services
Cindy Shelest, Director, Administrative Services
Marie Smith, Executive Coordinator (Recorder)

TUESDAY, DECEMBER 4, 2012

Call to Order

The meeting was called to order at 1:45 pm. Twenty-five trustees were in attendance.
Trustee Absent: Jan Hagedorn – Gambier.

Chair Sheila Malcolmson welcomed everyone to the meeting and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Approval of Agenda/Notice of New Items

Trustee Peter Johnston – 8.1 Coal Export Increase
Trustee Peter Luckham – 8.2 Oil Spill Cost Assessment

Resolution TC 192/12

It was Moved and Seconded:

To add Coal Export Increase as a New Business Item. 8.1.

OPPOSED – 2
(Brent-Saturna; Janszen-Saturna)
CARRIED

Resolution TC 193/12

It was Moved and Seconded:

To add Oil Spill Cost Assessment as a New Business Item. 8.2.

CARRIED

By General Consent, the Agenda for the March 2013 Trust Council meeting was approved as amended.

GREEN SHORES FOR HOMES/SHORELINE MAPPING

Presentations from Paul deGreef with Murdoch deGreef Inc., Linda Lyshall, Marine Resources Committee Coordinator for San Juan County and Brian Emmett with Archipelago Marine Research

provided trustees with an opportunity to hear about the Green Shores for Homes credit rating and incentive program, work being done in San Juan County in respect to implementing the Program and the methodology and purpose of the integrated shoreline mapping project.

Trustee Sue French advised she was unable to attend the remainder of the Council program and left the meeting.

DECISION AND INFORMATION ITEMS

1. GENERAL

1.1 Resolutions Without Meeting

The following Resolution Without Meeting was Carried on October 1, 2012: RWM 04-2012: That Islands Trust Council Bylaw No. 146, cited as "Galiano Island Local Trust Committee Development Approval Information Bylaw No. 148, 2012", be adopted.

July 11, 2012: RWM 03-2012: "That Islands Trust Council Bylaw No. 145, cited as "Islands Trust Council Trust Officials Indemnification Bylaw, 2012" be adopted.

1.2. September 2012 Trust Council Meeting - Draft Minutes

By General Consent, the September 2012 Trust Council Meeting Minutes were approved, as amended.

1.3 Trust Council Follow-Up Action List

The Trust Council Followup Action List, dated November 20, 2012, was provided for information.

By General Consent, Council agreed to address Agenda Item 5.6 next while applicable staff were in attendance.

5.6 Islands Trust Response to BC Ferries Consultation

Resolution TC 194/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council endorse the following principles, to inform the Chair's December 21 submission to the BC Coastal Ferries Consultation and Engagement process:

1. Ferries are lifelines for coastal communities and businesses; as highways are in the rest of the province. Businesses and families invested on the islands based on an expectation that the Province would sustain ferry services. Provincial government support for coastal ferry service is not a subsidy or a privilege. In a coastal province, affordable ferry service is as much of a necessity as affordable public transit or affordable highway systems.
2. Ever-increasing fares are hurting our residents and reducing ridership. Fares have risen dramatically over the last six years and are imposing significant hardship on ferry dependent communities. The Province should immediately provide sufficient funding to significantly reduce fares on the minor routes as island communities have been hard hit by substantial cumulative fare increases.
3. Islanders acknowledge the budget challenges facing the provincial government and are willing to help find innovative solutions. But, they are telling us that the current consultation framework and lack of information prevents them from contributing meaningfully on coastal ferry governance and service issues.

4. British Columbia's prosperity depends on an integrated, accessible, and affordable transportation system that efficiently links all communities and businesses - whether separated by land or water.
5. Increasing island property taxes to help fund BC Ferries is unjustifiable in light of the fact that ferry users' fares already cover 85% of ferry operating costs; a much higher rate of fare box recovery than other BC transit systems.

CARRIED

Trustees were requested to share any useful information or data with staff who are preparing the submission.

2. LOCAL PLANNING

2.1 Director of Local Planning Services Report

Provided for information.

2.2 Local Planning Committee Report

By General Consent, the Local Planning Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) Renewable Energy Technology in the Trust Area; 2) Development of Water Quality and Quantity Tool Kit; and 3) Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore.

2.3 Riparian Areas Regulation Implementation Briefing

A Briefing outlining the status of the implementation of the Riparian Areas Regulation in the Trust Area was provided for information.

2.4 Bylaw Enforcement Investigations Report Briefing

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area, and provided a chart detailing the Bylaw Enforcement Notice Dispute Adjudication System.

2.5 Development Permit Monitoring Briefing

A Briefing outlining the status of the Development Permit Monitoring Program was provided for information.

2.6 Unlawful Dwellings

TC 195/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council refer the issue of unlawful dwellings to the Local Planning Committee and request that the Committee advise Council on how it might include in its work program a process to identify and provide for local trust committee consideration: a) bylaw enforcement strategies; and b) information to support solutions through implementing strategy 4.3 of the Strategic Plan - Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing.

Some trustees felt this issue was better dealt with at the local trust committee level through OCPs and refer to the Affordable Housing Tool Kit for more information.

TC 196/12

It was Moved by Trustee Gisele Rudischer and Seconded:

To amend the motion as follows:

That the Islands Trust Council refer the issue of unlawful dwellings to the Local Planning Committee and request that the Committee advise Council on how it might include in its work program a process to identify and provide bylaw enforcement strategies for local trust committee consideration. ~~; a) bylaw enforcement strategies and b) information to support solutions through implementing strategy 4.3 of the Strategic Plan.~~

On the Amendment

**In FAVOUR – 10
OPPOSED - 14**

(Crumblehulme-Mayne; Brent-Saturna; Grams-Salt Spring; Luckham-Thetis; Busheikin-Denman; Pottle-Galiano; Dodds-Mayne; Duntz-Bowen; Malcolmson-Gabriola; Allen-Hornby; Law-Hornby; Montague-South Pender; Decario-Galiano; Morrison-Lasqueti)

MOTION FAILS

On the Original Motion

**IN FAVOUR – 11
OPPOSED – 13**

Brent-Saturna; Crumblehulme-Mayne, Stone-Bowen, Jones-South Pender; Steeves-North Pender; Rudischer-Gabriola; Hancock-North Pender; Malcolmson-Gabriola; Decario-Galiano; Pottle-Galiano; Janszen-Saturna; Dodds-Mayne; Allen-Hornby)

MOTION FAILS

Resolution TC 197/12

It was Moved by Trustee David Graham and Seconded:

That the Islands Trust Council meeting be closed to the public subject to Sections 90(1)(g) and (i) of the Community Charter in order to distribute documents related to litigation affecting the Islands Trust, and receipt of advice that is subject to solicitor-client privilege; and staff be invited to attend the meeting.

CARRIED

The meeting closed to the public at 5:32 and reopened at 5:35 pm.

The meeting recessed at 5:35 pm.

WEDNESDAY, DECEMBER 5, 2012

The meeting reconvened at 8:35 a.m. Twenty-four trustees were present. Trustees absent: Jan Hagedorn-Gambier; Sue French-Thetis.

CLOSED SESSION

Resolution TC 198/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council meeting be closed to the public subject to Sections 90(1)(c),(g) and (i) of the Community Charter in order to consider matters related to: labour relations and other employee relations, litigation affecting the Islands Trust, and receipt of advice that is subject to solicitor-client privilege; and that CAO Linda Adams be invited to attend the entire meeting, and that Islands Trust staff be invited to attend Parts 2, 3 and 4 of the meeting.

CARRIED

The meeting closed to the public at 8:35 am and reopened at 9:17 am.

DECISION AND INFORMATION ITEMS

3. EXECUTIVE

3.1 Chief Administrative Officer's Report

Provided for information.

3.2 Executive Committee Report

By General Consent, the Executive Committee Report was endorsed, as presented. The top work program priorities as of November 2012 were: 1) Advocacy; 2) Strategic Planning; and 3) Organizational Effectiveness.

3.3 Trust Council Plan for Continuous Learning 2011-2014

Provided for information.

3.4 Strategic Plan Update

Staff provided an update to Trust Council regarding the status of strategies and activities identified in Council's strategic plan.

3.5 Local Government Restructure

Staff provided a Briefing and documentation outlining general information regarding local government restructure in British Columbia and an update regarding the current governance study on Salt Spring Island.

Resolution TC 199/12

It was Moved by Trustee George Grams and Seconded:

That the document entitled 'Local Government Restructure in the Islands Trust Area Update - November 23, 2012 be referred to the Financial Planning Committee for review and reconsideration at the next Trust Council meeting.

CARRIED

AGRICULTURAL LAND COMMISSION

Provincial Agricultural Land Commission Chair Richard Bullock spoke to trustees about recent and planned changes to the Commission and provided an opportunity for trustees to ask questions and discuss issues related to the Agricultural Land Reserve in island communities.

The meeting recessed at 12:30 pm and reconvened at 1:00 pm.

DELEGATIONS AND TOWN HALL SESSION

1. Islands Studies Conference

Gloria Filax and Pat Rasmussen spoke to Trustees about the Islands Studies Conference being held on Gabriola Island in May 2013 and requested support for the program through attendance, as program speakers, and assistance with costs.

2. Tom Varzeliotis

Tom Varzeliotis addressed Council members with his views on democracy.

3. Jenny McClean

Jenny McClean addressed Council members on her views about retaining a certain amount of land in the Agricultural Land Reserve near Ganges or to allot land that is not in the ALR for food security purposes.

DECISION AND INFORMATION ITEMS

5. TRUST AREA SERVICES

5.1. Director of Trust Area Services Report

Provided for information.

5.2. Trust Fund Board Report

Trustee Tony Law, Chair of the Trust Fund Board highlighted the Board's accomplishments as of November 2012 in the areas of Strategic Planning/Administration, Covenant and Property Acquisition, Property and Covenant Management, Communications and Fundraising. A written report was provided for information.

5.3 Trust Programs Committee Report

By General Consent, the Trust Programs Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) Community Economic Sustainability; and 2) Encourage Understanding and Voluntary Stewardship of Water Resources

5.4 Legislative Monitoring Chart

Provided for information.

5.5 National Marine Conservation Area Reserve

Resolution TC 200/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council reaffirm its support for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed.

Resolution TC 201/12

It was Moved by Trustee Peter Grove and Seconded:

To Amend the Motion as follows:

That the Islands Trust Council reaffirm its support in principle for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed.

(Grove-Salt Spring; Grams-Salt Spring; Rudischer-Gabriola; Jones-South Pender)

IN FAVOUR – 4

OPPOSED – 20

MOTIONS FAILS

On the Original Motion

CARRIED

Resolution TC 202/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council recommend that local trust committee zoning be used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Resolution TC 203/12

It was Moved by Trustee Gisele Rudischer and Seconded:

To amend the motion as follows:

That the Islands Trust Council's support is contingent on ~~recommend that~~ local trust committee zoning ~~being~~ used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Staff noted this proposed amendment was very prescriptive and may not be possible.

On the Amendment

(Steeves-North Pender; Graham-Denman; Dodds-Mayne;
Rudischer-Gabriola; Jones-South Pender)

IN FAVOUR – 6

OPPOSED – 18
MOTIONS FAILS

CARRIED

Resolution TC 204/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council propose that the Islands Trust be included in a joint management approach to the National Marine Conservation Area Reserve.

CARRIED

6. CORRESPONDENCE

6.1 Gulf Islands Alliance re: Islands Trust Position on Oil Tanker and Barge Traffic in the Salish Sea (Nov 19/12)

The above noted correspondence was provided for information.

7. SUMMARY/UPDATES

7.1 Trustee Updates

7.1.1 BC Ferries

Trustee Tony Law provided highlights from his written report to Council members.

7.1.2 First Nations

Verbal updates were provided by Trustee Peter Luckham and Trustee Kate Louise Stamford about First Nations issues in their respective trust areas.

7.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Pam Janszen provided a verbal update in her role as a member of the Gulf Islands National Park Reserve Advisory Committee.

7.1.4 Association of Vancouver Island Coastal Communities (AVICC)

Trustee Gary Steeves provided a verbal update on recent activities and discussions of the AVICC Executive, including derelict vessels and tanker traffic. Acting Regional Planning Manager Planner Courtney Simpson reported on activities of the Aquaculture Working Group which she participates in on behalf of the Islands Trust.

7.2 Priorities Chart

The Islands Trust Priorities Chart highlights the current top priorities of Trust Council and its Committees, the Trust Fund Board and Local Trust Committees.

By General Consent, the Islands Trust Council approved the Priorities Chart, as presented.

7.3 2013 Quarterly Meetings Schedule - Decision

A proposed schedule for Trust Council meetings to be held in 2013 was presented for endorsement. Trustees discussed the location for the the December 2013 Council meeting between an island location (Gabriola) or Victoria.

Resolution TC 205/12

It was Moved by Ken Hancock and Seconded:

To hold the December 2013 Trust Council meeting in Victoria.

IN FAVOUR-15
OPPOSED-9

(Grove-Salt Spring; Morrison-Lasqueti; Johnston-Lasqueti; Stone-Bowen; Busheikin-Denman;
Graham-Denman; Malcolmson-Gabriola; Allen-Hornby; Law-Hornby)

CARRIED

Resolution TC 206/12

It was Moved by Ken Hancock and Seconded:

That the Islands Trust Council establish the following meeting schedule for 2013:

- March 5-7, 2013 - Thetis Island
- June 11-13, 2013 - Mayne Island
- September 10-12, 2013 – Lasqueti Island
- December 3-5, 2013 – Victoria

CARRIED

7.3. Proposed March 2013 Trust Council Agenda Program

A draft schedule for the March 2013 Islands Trust Council meeting to be held on Thetis Island was provided for information.

7.4. Disposition of Delegations and Town Hall Requests

By General Consent, the Islands Trust Council requested the Chair to write to the delegation participants and to thank them for their submissions.

8. NEW BUSINESS

8.1 Coal Export Increase (P. Johnston)

Resolution TC 207/12

It was Moved by Trustee Peter Johnston and Seconded:

That the Islands Trust Council request the Chair to sign the November 27, 2012 open letter to the Vancouver Fraser Port Authority by Bill McKibben, James Hansen, Mark Jaccard and Andrew Weaver outlining concerns about proposed projects that would increase coal export capacity.

Some trustees felt more information was needed and questioned supporting an issue that was not relative to the Trust Area while others voiced concern about shipping coal through the Islands Trust Area, especially the Lasqueti Trust Area.

On the Motion

IN FAVOUR - 15

OPPOSED – 9

(Brent-Saturna; Janszen-Saturna; Dodds-Mayne; Allen-Hornby; Law-Hornby;
Duntz-Bowen; Graham-Denman; Grove-Salt Spring; Stamford-Gambier)

CARRIED

8.2 Oil Spill Cost Assessment (P. Luckham)

Resolution TC 208/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council direct the Chair to write to the BC Minister of the Environment to request the ministry, in coordination with the State of Washington, to assess the estimated costs associated with a significant heavy crude oil spill in the Salish Sea greater than 25,000 tonnes, including an economic evaluation of the loss of "natural" services from damaged and destroyed ecology.

Trustees expressed the need for more information before making a decision and suggested referring the issue to the Executive Committee.

MOTION FAILS

Resolution TC 209/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council refer Item 8.2 – Oil Spill Cost Assessment, to the Executive Committee for consideration of inclusion in the shipping safety advocacy program.

IN FAVOUR - 23

OPPOSED – 1

(Graham-Denman)

CARRIED

4. ORGANIZATIONAL/FINANCE

4.1 Director of Administrative Services Report

Provided for information.

4.2 Financial Planning Committee Report

By General Consent, the Financial Planning Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) First Draft of 2013/14 Budget; 2) Complete 2012/13 Forecast; 3) Develop new Whistleblower Policy to comply with Auditor's Audit Findings Report.

4.3 September 30, 2012 Quarterly Financial Statement

Resolution TC 210/12

It was Moved by Trustee Gary Steeves and Seconded:

To approve the September 30, 2012 Quarterly Financial Report as presented.

CARRIED

The meeting recessed at 5:10 pm.

THURSDAY, DECEMBER 6, 2012

The meeting reconvened at 8:40 am.

Trustees Absent – Jan Hagedorn-Gambier; Sue French-Thetis; Ken Hancock-North Pender.

DECISION AND INFORMATION ITEMS

4. ORGANIZATIONAL/FINANCE

4.4 Policy 7.2.v Restructure Incorporation Study Cost Allocations

Resolution TC 211/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council approve the revisions to Policy 7.2.v Restructure Study Cost Allocations, dated December 6, 2012 and rename the policy 'Incorporation Study Cost Allocations'.

CARRIED

4.5 Policy 7.2.vi Municipal Tax Requisition Calculation

Resolution TC 212/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

The proposed policy amendments would update Trust Council's existing guidelines for calculating the amount of the annual tax requisition due from an island municipality.

Resolution TC 213/12

It was Moved by Trustee Peter Luckham and Seconded:

To Table the Motion.

**IN FAVOUR – 22
OPPOSED – 1
(Steeves-North Pender)
CARRIED**

The meeting recessed for 15 minutes and reconvened.

Resolution TC 214/12

It was Moved by Trustee Peter Luckham and Seconded:

To Untable the Motion: That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

Resolution TC 215/12

It was Moved by Trustee Peter Luckham and Seconded:

To amend the policy by deleting the words "at the Administrative Allocation Rate", under 'Provincial Grant' in Appendix B of Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012.

CARRIED

The question on the motion to approve the draft policy, as amended, was put forward:

That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation as amended December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

CARRIED

4.6 Financial Forecast for March 31, 2013 Year End - Briefing

Provided for information.

BUDGET SESSION

Staff provided Trust Council with an overview of the Financial Planning Committee's current draft of the 2013/14 Budget. Trustees discussed the proposed revenue, expenses and General Revenue Fund Surplus in detail, and provided comments and recommendations for the Financial Planning Committee to consider when it develops a draft budget package for public comment.

Trustee Pam Janszen left the meeting.

Recommendation TC 216/13

It was Moved by Trustee Tony Law and Seconded:

That Trust Programs Committee and Financial Planning Committee be requested to work with staff to reframe and recast the proposed BC Ferries project as a review and summary of available information and a gap analysis with respect to the role of ferry service in sustaining island character and healthy communities.

It was Moved by Trustee Tony Law and Seconded:

To amend the motion as follows:

That Trust Programs Committee and Financial Planning Committee be requested to work with staff to reframe ~~and recast~~ the proposed BC Ferries project as a review and summary of available information and a gap analysis with respect to the role of ferry service in sustaining island character and healthy communities.

ON AMENDMENT

IN FAVOUR - 21
OPPOSED – 1
(Steeves-North Pender)
CARRIED

ON AMENDED MOTION

IN FAVOUR - 21
OPPOSED – 1
(Duntz – Bowen)
CARRIED

The meeting recessed at 12:00 and reopened at 12:30 pm.
Gisele Rudischer, Gary Steeves and Jeanine Dodds left the meeting.

TRUSTEE ROUNDTABLE

Trustees met in an informal roundtable format to provide updates on activities in their local trust areas.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 1:45 pm.

Next meeting: March 5-7, 2013 on Thetis Island.

Sheila Malcolmson, Chair, Islands Trust Council

Marie Smith, Executive Coordinator & Recorder

Islands Trust Council Follow up Action List

Updated: Feb 20/13

Codes

TC	Trust Council	TFB	Trust Fund Board
EC	Executive Committee	LTC	Local Trust Committees
FPC	Financial Planning Committee	LPS	Local Planning Services Unit
TPC	Trust Programs Committee	()	Staff Member Lead for Action Required
LPC	Local Planning Committee	LA–Linda Adams; LG–Lisa Gordon; DM–David Marlor	
		CS–Cindy Shelest; MD–Miles Drew; CF–Clare Frater	
		MS–Marie Smith; JE–Jennifer Eliason; CT–Carmen Thiel	
		JC – Jas Chonk	

MEETING/Item	Action By/To	Target/Status
* Next TC Agenda ▲ to Bowen Island Municipality		
<u>Previous Meetings</u>		
Riparian Areas Regulation Status report to Council until completed	LPC (DM) to TC	Ongoing
Integrated Watershed and Shoreline Mapping Develop and implement strategy to integrate maps into TAPIS & operations (DM)		June
Integrated Shoreline/Watershed Protection Approach * Final report to Council	LPC (DM) to TC	June
Food Security Develop internal policies and procedures re procurement (CS)		2013
Review food security topics in existing protocols and in protocol devt process (LA)		2013
Carbon Neutral Operations Policy * Develop carbon neutral operations policy	FPC (CS) to TC	June
Islands Trust Fund 2011-2015 Regional Conservation Plan Draft proposed updates to Policy 3.3.ii	(JE/DM)	Pending
NAPTEP Certificates - Issue subject to survey, covenant and baseline report (LG/JE)		
- SSI-NAP 2012.1		Pending
- HO-NAP-2011.1		Pending
- HO-NAP 2011.2		Pending
- HO-NAP 2011.3		Pending
Legislative Monitoring Chart Post to new website	(LG/CF)	Pending
Response to BC Ferry Commissioner Draft letter to Minister of Transportation (See RFD seeking deletion)	(LG/CF)	2012
Howe Sound Planning Advocate for a Howe Sound management plan	(LG/CF)	2013



December 2012 Meeting

BC Ferries Advocacy

Prepare submission to BC Coastal Ferries Consultation and Engagement process (LG/CF) Done

National Marine Conservation Area Reserve Advocacy

Chair letter to provincial and federal gov indicating support (LG/CF) Done

Trust Council Meeting Schedule 2013

Post meeting schedule on office bulletin board and website (MS) Done

Coal Export Increase

Add Islands Trust signatory to joint letter to Vancouver Fraser Port Authority (LG/CF) Done

Policy 7.2.v Restructure Study Cost Allocations

Circulate and post policy on website (CS/JC) Done

Policy 7.2.vi Municipal Tax Requisition

Amend, circulate and post policy on website (CS/JC) Done

Budget request – BC Ferries study

Amend budget request FPC/TPC (LG/CS) Done

* Amend next draft of strategic plan EC (LA) to TC Done

Local Government Restructure Briefing

* Refer to Financial Planning Committee re tax impact details FPC (CS) to TC May

Oil Spill Cost Assessment

Refer to Executive Committee EC (LA) 2013

Followup Letters

Acknowledge Delegates (LG) Done

Next Trust Council

Sept 2012 Council minutes to website (MS) Done

Follow Up Action List to Trustees and staff (MS) Done

Dec 2012 Council meeting decision highlights to website EC (MS) Done

News Release and Agenda for Mar 2013 Council meeting EC (MS) Done

Invitations – Area MLAs, MPs, RD Director, former trustees (MS) Done

Post notice on community bulletin boards (on island of meeting only) (MS) Done

Agenda Package - Review/Distribution to Trustees EC (MS) Done

DIRECTOR OF LOCAL PLANNING SERVICES 2012-2013 FOURTH QUARTER REPORT

Date: February 2013

ACTIVITIES COMPLETED SINCE LAST REPORT	NEXT QUARTER ACTIVITIES
Management of the Local Planning Services (LPS) Unit including personnel and financial management: • Undertook monthly meetings with Regional Planning Managers (RPMs) and Coordinators • Completed various managerial projects • Completed recruitment to fill vacancies • Organised Professional Development day for November 2012 – on Island Planner roles and responsibilities • Determined LPS budget requirements for 2013/14 fiscal year • Working with Bylaw Enforcement Manager to develop resource allocation guidelines and best practices for bylaw enforcement. • Worked with RPMs to recruit 3 positions and plan for a 4th. • Took on bylaw enforcement management due to leave of Enforcement manager to April 2013 • Worked with senior staff to request exemptions for LPS positions requiring recruitment due to Provincial freeze on hiring • Orientation of 3 new planners and planning clerk	Management of the Local Planning Services (LPS) Unit including personnel and financial management: • Continue monthly meetings with Regional Planning Managers (RPMs) and Coordinators • Update LPS three-year term plan based on feedback and plan to submit quarterly to LPC and TC • Undertake various managerial projects • Work with RPMs and coordinators to implement programs based on approved budgets • Continue process to determine Local Planning Services budget requirements for 2013/14 fiscal year • Continue to support RPMs and coordinators as necessary • Hold monthly LPS management meetings • Continue working with Bylaw Enforcement Manager to develop resource allocation guidelines and best practices for bylaw enforcement.
Planning support to LTCs: • Fifth meeting of the Local Planning Committee (Feb) . • Continued to work with RPMs and Legislative Services Manager to continue review of LPS Corporate Services • Continued work with Bylaw Enforcement on adjudication system and implementation of system in all local trust areas • Worked with RPMs on various issues related to planning coordination and establishment of Local Trust Committee work programs	Planning support to LTCs: • Continue to work with RPMs on providing planning services to local trust committees • Work with RPMs to continue to review and improve service delivery and resource allocation • Work with directors to provide support to regional offices and to Island Planners • Continue to work with LPC and Island Planner to provide dedicated planning support.
Comprehensive community planning initiatives including the Preparation and review OCPs and Land Use Bylaws, and the undertaking of special projects: • Participated in Green Shores for Homes Steering Committee - San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project • Participated in one-day Green Shores for Homes workshop on San Juan Island • Worked with RPMs to complete Local Trust	Comprehensive community planning initiatives including the Preparation and review OCPs and Land Use Bylaws, and the undertaking of special projects: • Complete the Integrated shoreline mapping process – public process continues • Continue to work with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project • Continue to worked with Trust Area Services on improving communications and public engagement

ACTIVITIES COMPLETED SINCE LAST REPORT	NEXT QUARTER ACTIVITIES
Committee work programs - Attend Marine Managers Workshop on San Juan Island in February - Attend series of shoreline mapping workshops on the islands	First Nations strategy - Continue to work with regional planning managers to bring official community plans and land use bylaws into compliance with the Riparian Areas Regulation - Work with bylaw enforcement office to deliver on development of policies for Executive Committee and local trust committees
Processing of applications for land use changes, in accordance with the statutory responsibilities of LTCs: - Worked with Bylaw Enforcement manager on improving operations of Bylaw Enforcement office - Worked with regional planning managers to develop consistent approaches in regional offices - Worked with Legislative Services Manager to develop consistent approaches in regional offices - Worked with regional planning managers on contentious issues and to continue to review and improve service delivery and resource allocation - Worked with staff to implement new meeting management software into LPS	Processing of applications for land use changes, in accordance with the statutory responsibilities of LTCs: - Continue to work with RPMs and Legislative Services Manager to develop consistent approaches in regional offices - Continue work on improving minute taking and agenda preparation system - Work with regional planning managers to continue to review and improve service delivery and resource allocation - Implementation of procedures for use of new website (delayed) - Continue to work with Bylaw Enforcement manager on improving operations of Bylaw Enforcement office - Work with staff to implement Sharepoint in LPS with aim to have staff using it by end of 2013.
Trust Council, the Executive Committee, the Local Planning Committee and the Financial Planning Committee: - Attended and reported to Executive Committee meetings - Worked with management on implementation on new meeting management software - Worked with staff to complete priorities of Local Planning Committee. - LPC meeting Nov 2012 – meeting agenda preparation, briefing updates - Worked with Senior staff to deal with mining claims issues on North Pender Island	Trust Council, the Executive Committee, the Local Planning Committee and the Financial Planning Committee: - Work with staff to complete items from Executive Committee Follow-up Action List - On-going orientation and development program for trustees - Attend and report to Executive Committee - Report to Executive Committee on identified procedural issues and recommended solutions - Continue to work with Ministry of Transportation and Infrastructure to review Letter of Agreement - RFD to LPC on Green technologies and development permit monitoring. - LPC meeting Feb 2013 – meeting agenda preparation, briefing updates
Liaison with staff of island municipalities, regional districts, improvement districts and provincial agencies: Attended Green Shores for Homes steering	Liaison with staff of island municipalities, regional districts, improvement districts and provincial agencies: Green Shores for Homes steering committee –

ACTIVITIES COMPLETED SINCE LAST REPORT	NEXT QUARTER ACTIVITIES
committee meetings	continuation • Work with Islands Trust Fund staff on incorporation of implementation of Regional Conservation Plan into Local Planning Services three-year work plan (fall) • Continue to work on First Nations liaison and improved methods of consultation for Local Planning Committee bylaw referrals • Arrange third meeting with Ministry of Transportation and Infrastructure to follow-up on discussion held in Spring 2013
Support for the Chief Administrative Officer, and liaising with other Directors: • Participated in management meetings • Worked with Trust Area Services on improving communications and public engagement • Worked with Administrative Services on improving communications between offices and units • Collaboration training • Project managing eScribe and Sharepoint	Support for the Chief Administrative Officer, and liaising with other Directors: • Project managing eScribe and Sharepoint implementation for Islands Trust • Participate in management meetings • Continue working with Trust Area Services to develop standards for cooperative tasks • Continue with collaboration training and look at ways to implement in organisation

David Marlor, MCIP
Director of Local Planning Services

To: Islands Trust Council

Date: February 7, 2013

WORK PROGRAM

1. **DEVELOP MECHANISM FOR PROACTIVE BYLAW ENFORCEMENT OF ILLEGAL STRUCTURES ON THE FORESHORE (Strategic Plan 2.2)**

Current – Develop project charter.

Planned – Undertake research and draft report and RFD.

2. **DEVELOPMENT OF WATER QUALITY AND QUANTITY TOOL KIT (Strategic Plan 3.3)**

Current – Develop project charter and begin research on tool kit for water quality and quantity. Develop report and RFD.

Planned – Development permit areas for water conservation

3. **RENEWABLE ENERGY TECHNOLOGIES IN THE TRUST AREA**

Current - Model policy and regulatory wording to address micro-hydro projects.

Planned – Model policy and regulatory wording to address domestic tidal power.

ON-GOING ITEMS

INTEGRATED WATERSHED & SHORELINE STEWARDSHIP PROTECTION APPROACH (Strategic Plan 2.1) – Mapping work completed (except Gambier LTC). Public process to review maps is to be completed by end of March 2013. LPC is monitoring progress.

IT GREEN SHORES FOR HOMES PROJECT (Strategic Plan 2.1) – Steering committee and technical committee working on credits and incentives. LPC is monitoring progress.

LETTER OF AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE – including discussion around access to water - Staff working with the MOTI to address the Letter of Agreement; next meeting planned for Spring 2013. LPC is monitoring progress.

OCP/LUB PROGRAM STATUS – LPC is monitoring progress and funding availability.

DOMESTIC WIND POWER – Update report as required.



Local Planning Services

Three-Year Work Plan

December 2011 to November 2014

To: Islands Trust Council

For the Meeting of: March 5-7, 2013

Date: Jan 31, 2013

PURPOSE

The purpose of the three-year term plan is to ensure resources and budgets are coordinated to support the work programs of the local trust committees and local planning committee. The first report was provided to Trust Council in June, 2012 and then at every second Council meeting thereafter to the end of the term.

UPDATING AND REPORTING

The plan will be updated as changes in resources, budgets or priorities change and submitted quarterly to Trust Council for information.

STRATEGIC PLAN

Pursuant to the Islands Trust Strategic Plan adopted in September 2012 and updated in December 2012, the following strategic plan items are relevant (please see the noted sections of the Strategic Plan for more details on specific actions and status):

- | | | |
|--|-------|--|
| 1.3 Protect fish habitat by implementing Riparian Areas Regulation | 1.3.1 | Identify unassigned RAR watersheds |
| | 1.3.2 | Improve mapping of some riparian areas on SSI |
| | 1.3.3 | Improve mapping of additional riparian areas on SSI and northern islands |
| | 1.3.4 | Adopt new bylaws to implement RAR on selected islands |
| | 1.3.5 | Adopt new bylaws to implement RAR on all islands where still required |
| 1.6 Use land use planning tools and decisions to increase protection of special areas | 1.6.1 | Explore model land use planning tools that protect species and ecosystems at risk |
| | 1.6.3 | Develop policy, OCP and LUB amendments that include protective measures for biodiversity |

1.7 Reduce greenhouse gas emissions	1.7.1	Include GHG emission reduction targets, policies and actions in all OCPs, as required
	1.7.2	Use new planning tools to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term
2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	2.1.1	Develop integrated shoreline and watershed protection mapping for major islands
	2.1.3	Pilot green a Green Shores for homes credit rating incentive system in one LTA
	2.1.4	Host a shoreline stewardship landowner workshop on one island
2.2 Use land use planning tools and decisions to improve protection of coastal areas	2.2.1	Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping
	2.2.2	Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore
2.3 Participate in planning for National Marine Conservation Area	2.3.2	Participate in NMCA workshop and consultation opportunities
	2.3.3	Respond to NMCA implementation steps with complementary activities, as required
2.5 Advocate for appropriate regulation of aquaculture	2.5.1	Collaborate with DFO regarding shellfish regulation through local government advisory committee as a pilot project for one LTC (Denman)
2.6 Advocate for effective regulation of marine sewage	2.6.2	Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas
3.3 Use land use planning tools and decisions to protect water quality and quantity	3.3.1	Develop toolkit for use by LTCS/BIM that illustrates options for using planning tools to protect water quality and quantity
	3.3.2	Amend LUBs to include new regulation for water resource protection
	3.3.3	Amend LUBs to include new regulation aimed at protection of water quality and quantity
	3.3.4	Develop model DPAs that LTCs and BIM may consider in regards to water conservation
	3.3.5	Adopt new DPAs to enhance water conservation
3.4 Explore alternative tools for improving watershed management	3.4.2	Consider one pilot project for coordination of watershed protection within one LTA
4.3 Use land use planning tools and decisions to improve the	4.3.1	Amend OCPs to include affordable housing policies
	4.3.2	Amend LUBs to improve availability of affordable

availability of affordable/accessible/appropriate housing	housing	
4.4 Use land use planning tools and decisions to increase local food security and farmland protection	4.4.1	Amend OCPs to include food security and farmland protection policies
	4.4.2	Amend LUBs to improve food security
6.2 Improve cost-recovery from development application fees	6.2.1	Develop model fees bylaw for consideration by LTCs
	6.2.2	consider adoption of amended fees bylaw

STAFF RESOURCES

The total resources available to Local Planning Services are listed below (FTE):

	Mapping	Bylaw Enforcement	Director LPS Support	Northern Planning Team	Salt Spring Planning Team	Southern Planning Team
Regional Planning Manager				1	1	1
Island Planner				3	1	3
Planner 2				1	1	
Planner 1				1	2	0.6
Planning Clerk				1	0.8	1
Planning Secretary				1	1	1
Office Assistant				1	1	
Bylaw Enforcement Manager		1				
Bylaw Enforcement Officer		1.6				
Secretary		0.6	0.4			
GIS Coordinator	1					
GIS Technician	1					
Totals	2	3.6		9	7.8	6.6

** This position is shared 60% bylaw enforcement, and 40% Director of Local Planning Services

LOCAL PLANNING COMMITTEE

Resources Allocation:

Effective with the November 2012 meeting, the Local Planning Committee is attached to the Southern Team and will have dedicated planner resources allocated. Resource allocation includes the Director of Local Planning Services and a portion of the Bylaw Enforcement Secretary's time to provide secretarial support to the Local Planning Committee and a portion of a Southern Region planner's time for undertaking project work.

Local Planning Committee Top Priorities:

The Top Priorities of the Local Planning Committee are detailed in the ***Local Planning Committee Program Report*** in the Council Agenda Package.

Local Planning Committee work program expectations:

The Local Planning Committee responds to referrals by Trust Council. As such, the work program is as approved by Trust Council and presented in the ***Local Planning Committee Program Report*** in the Council Agenda Package.

NORTHERN TEAM

Resources Allocation:

The Regional Planning Manager is responsible for the overall management of the Northern Team and Northern Office, and the management and delivery of the local trust committee work programs. At the time of writing this report Courtney Simpson was acting as Regional Planning Manager and a competition to fill the position permanently was underway.

The five planners assigned to the Northern Office are allocated as follows:

- Vacant, Island Planner – Gabriola Island Local Trust Area – policy planning and major applications. A competition to fill this position is underway.
- Sonja Zupanec, Island Planner (on leave April 30 - November 18, 2013– Gambier Island Local Trust Area and Hornby Island Local Trust Area – policy planning and major applications. A temporary Island Planner will be hired to fill this position during the leave.
- Courtney Simpson, Island Planner – Denman Island Local Trust Area and Thetis Island Local Trust Area – policy planning and major applications
- Aleksandra Brzozowski, Island Planner (one-year term) – currently backfilling Denman and Thetis Local Trust Area planning
- Linda Prowse, Planner 2 – policy planning for Lasqueti Island Local Trust Area, and general planning application processing and enquiries for all local trust areas served by the Northern Office
- Marnie Eggen, Planner 1 (currently Acting Planner 2 – policy planning for Ballenas – Winchelsea Local Trust Area, general planning application processing and enquiries for all local trust areas served by the Northern Office

In general, Northern Office Planning Staff allocates its time (after administrative requirements) one-third for local trust committee meetings, one-third for application processing and enquiries, and one-third for undertaking local trust committee top priority work program initiatives.

The three administrative support staff allocate their time proportionally to all Northern Office local trust areas:

- Lisa Webster-Gibson, Legislative Clerk and Freedom of Information Protection of Privacy Officer
- Becky McErlean, Planning Secretary
- Theresa Warren, Office Assistant

Local Trust Committee Top Priorities:

The top priorities for each local trust committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations:

The following are items that local trust committees are considering working on over the three-year term. The following list and timing is subject to approval by each local trust committee. For the

2012/13 fiscal year, the items are taken from each LTC top priorities list. For 2013/14 and 2014/15 fiscal years, the list is derived from expected carry work from the 2012/13 fiscal and from items noted in LTC Project lists.

2012/13 Fiscal Year

Denman

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Agriculture Plan		Completed		
Review of OCP section C3 with a view to addressing the impacts of shellfish farming on the natural marine environment and residential properties, and review of associated LUB regulations		X	X	
Implementing Riparian Areas Regulations: Mapping of streams and wetlands for RAR, and follow-up bylaw work	1.3.5	X	X	
Review of Housing Policies E.1 with respect to secondary cottages and suites in residential designations.			P	P
Food Security Bylaw amendments	4.4.2		P	P
Development of Protected Area Network	1.6.3		P	P
Housekeeping Bylaw Amendments			P	P
Review of Wind Energy Regulations	1.7.2		P	P
Affordable Housing Strategy	4.3.1		P	P
Review of Floor Area regulations for dwellings			P	P
Regulations to promote greenhouse gas emissions reduction	1.7.2		P	P
Review of Development Procedures Bylaw No. 71			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Executive Islands (Ballenas – Winchelsea)

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Complete OCP/LUB		X		
Consider amending/adopting all necessary administrative bylaws		X		
Amend adopt all necessary administrative bylaws			P	
X = budgeted and committed P = planned – subject to budget and LTC direction				

Gabriola

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Exploring the use of alternate consultation methods for OCP Review Process - Gabriola Planning Area OCP Review, including Hazardous and Steep Slopes DPA, Riparian Area Regulation Implementation, update of build out map and report, rezoning of RDN parks and ITF nature reserves		Completed		
Gabriola Planning Area OCP Review, including Hazardous and Steep Slopes DPA, Riparian Areas Regulation Implementation, update of build out map and report, rezoning of RDN parks and ITF nature reserves, implement OCP climate change policies into LUB, amendments to increase local food security and farmland protection, review form and character DPA guidelines and amendments to make village core more pedestrian-friendly, adopt policies for archaeological site protection, policies regarding cottage densities for density banking, include biodiversity protection, improve protection of coastal areas, and protect water quality and quantity	1.3.5 1.7.2 4.4.2	X	X	
Integrated Watershed and Shoreline Mapping Workshop	2.1.1	X		
Snuneymuxw First Nation Protocol Agreement Implementation			P	P
Development Approval Information Bylaw		X	X	
Mudge and DeCourcy Island Greenhouse Gas Emission Inventories	1.7.2		P	P
DeCourcy Island Official Community Plan Review and APC appointments			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Gambier

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Land Use Bylaw for SCRD Islands		X		
RAR Implementation	1.3.3	X	X	
Foreshore Protection/stewardship (including February 2013 shoreline mapping for Keats and Thormanby)	2.2.1	X	X	P
Development Approval Information Bylaw for DPAs			P	P
Land Use Bylaw for SCRD Islands			P	P
Mapping and Bylaw work for RAR Implementation	1.3.4		P	P
Development Approval Information Bylaw			P	P

Trail Map Amendment for Keats Island OCP			P	P
Project Overview of Gambier Island Comprehensive Land Use Planning Project			P	P
Review of additional dwellings on Keats Island			P	P
Examine proactive approaches for GHG emission reductions through land use planning	1.7.2		P	P
Develop a sustainability checklist in consultation with SCRD			P	P
Food Security implementation into OCPs	4.4.2		P	P
Initiate dialogue with Squamish First Nation			P	P
Strategic Planning Review for Howe Sound			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Hornby

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Vacation Home Rentals Review		X		
OCP and LUB Review		X	X	
RAR Implementation	1.3.3	X	X	
Home Occupation Regulations Review			P	P
Mapping and Bylaw amendments for RAR Implantation	1.3.4		P	P
Review of Development Procedures Bylaw			P	P
Continued relationship building with K'omoks First Nation			P	P
Facilitate GHG Emission reduction with community organizations	1.7.2		P	P
Develop communications strategy for OCP and LUB project			P	P
Review Community Profile			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Lasqueti

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
RAR Implementation	1.3.3	X	X	
False Bylaw Parking and Master Plan		X		
Integrated Shoreline and Watershed Mapping Workshop	2.1.1	X		
Update OCP with intertidal zone policies using specific recommendations from Forage Fish workshops	2.2.1	X		
Update OCP to require pump-out stations for marinas	2.6.2		P	P
Update OCP to include provisions for food security	4.4.2		P	P

Develop Protocol Agreement with Sliammon First Nation			P	P
Review of Lasqueti Crown Lands			P	P
Targeted Review/Update of OCP and LUB			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Thetis

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Associated Islands OCP and LUB creation		X	X	
Shoreline DPA	2.2.1	X	X	
OCP amendment indicating RAR Compliance	1.3.4	X	X	
Protocol Agreement and MOU with Penelakut First Nation			P	P
Joint Proactive enforcement with the CVRD			P	P
Revise Protocol Agreement with Lyackson First Nation			P	P
Development Approval Information Bylaw			P	P
Housekeeping Amendments for LUB			P	P
Sustainability Guidelines for Thetis Island in collaboration with CVRD			P	P
Island-wide watershed protection			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

SALT SPRING

Resource Allocation:

Leah Hartley, Regional Planning Manager, is responsible for the overall management of the Salt Spring Team and the Salt Spring Office, and the management and delivery of the local trust committee work programs.

The four planners assigned to the Salt Spring Office are allocated as follows:

- Justine Starke , Island Planner – policy planning and major applications
- Stefan Cermak , Planner 2 – policy planning and application processing
- Chris Larson, Planner 1 – enquiries and application processing
- Caitlin Brownrigg, Planner 1 – enquiries and application processing

The three administrative support staff assigned to the Salt Spring Office are Pauline Brazier, Planning Clerk, Claire Olivier, Planning Secretary, and Lisa Floritto, Administrative Support.

In general, the Salt Spring Office Staff allocates its time one-third for organizational responsibilities including local trust committee meetings, one-third for application processing and development enquiries and one-third for undertaking local trust committee policy work.

Local Trust Committee Top Priorities:

The top priorities for the Salt Spring Island Local Trust Committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations:

The following are items that Salt Spring Island Local Trust Committee is considering working on over the three-year term. The following list and timing is subject to approval by the Salt Spring Island Local Trust Committee.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
LUB: Industrial (incl Land Needs Assessment)		X	X	
LUB Update: Secondary Suites	4.3.1	X		
OCP Review: DPA4/RAR mapping	1.3.3	X	X	
Advisory Committees Review T of Ref		X		
OCP Review: watershed management	2.1.1	X	X	
Video Recording Pilot and Evaluation		Completed		
Community Engagement Pilot		Completed		
OCP Review: Village Area planning			X	
Ganges Harbour Management Plan			X	
OCP & LUB Review: Subdivision for a Relative, Farmworker Housing			X	
LUB Update: Technical Amendments			X	
OCP Affordable Housing – Monitor Suites	4.3.1		X	
Quality Management Procedures			X	
Development Approval Information Bylaw			X	
Prop. National Marine Conservation Area Reserve internal boundaries	2.3.3		P	
Soil Bylaw Implementation				P
LUB Update - cottages	4.3.1			P
OCP/LUB : climate change adaptation	1.7.2	P		P
LUB Update- Affordable Housing	4.3.1			P
Bill 27 Piers Island OCP Update				P
Community Economic Sustainability & Security			P	P
OCP Review: Hazard lands				P
OCP Review: Sensitive Ecosystem Management	1.6.3			P
OCP Review: DPA 3 (Shorelines)	2.2.1			P
OCP/LUB Update on heritage conserve.				P
OCP/LUB Update on raptor nest management				P
Ganges Storm Water Management Plan				P
X = highest priorities - pending budget and timing P = planned – subject to budget and LTC direction				

SOUTHERN TEAM

Resources Allocation:

Robert Kojima, Regional Planning Manager, is responsible for the overall management of the southern Team, and the management and delivery of the local trust committee work programs.

The four planners assigned to the Southern Office are allocated as follows:

- Andrea Pickard , Island Planner – North Pender Island Local Trust Area and South Pender Island Local Trust Area – policy planning and major applications
- Gary Richardson, Island Planner – Mayne Island Trust Area and Saturna Island Trust Area – policy planning and major applications
- Kris Nichols, Island Planner – Galiano Island Local Trust Area and support to Local Planning Committee – policy planning and major applications
- Kim Farris, Planner 1 – general planning application processing and enquiries for all local trust areas served by the Southern Office

The two administrative support staff assigned to the Southern Office (Kathy Jones, Planning Clerk and Sharon Lloyd-deRosario, Planning Secretary) allocate their time proportionally to all local trust areas served by the Southern Office.

In general, the Southern Office Planning Staff seek to allocate their time one-third for local trust committee meetings, travel, leave and general administration, one-third for enquiries and application processing, and one-third for undertaking local trust committee policy work.

Local Trust Committee Top Priorities:

The top priorities for each local trust committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations:

The following are items that local trust committees are considering working on over the three-year term. The following list and timing is subject to approval by each local trust committee.

Galiano

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Land Use Bylaw Update (Phase 1)		X		
Implement DPA: replace DAI bylaw, develop public communications tools, implementation administrative steps		X	P	
Groundwater DPA Implementation		P	P	
LUB Update (Phase 2)			P	
Soil Removal and Deposit bylaw			P	P
STVR Review			P	
Amendments to F1 zoning			P	P
Associated Islands Parking issues			P	P

Heritage conservation review			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Mayne

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Consider amendments to OCP/LUB to implement recommendations of Housing Options Task Force report		X	P	
Consider amendments to OCP/LUB to implement recommendations of Commercial Land Use Review Task Force report		X	P	
Implement Riparian Areas Regulation	1.3.4	X		
Climate Change adaption	1.7.2		P	
Agricultural building riparian setbacks			P	
Review LUB requirements for proof of water for boundary adjustment subdivisions		X	P	
Review Density provisions for larger lots			P	
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

North Pender

Project	Strategic Plan Reference	2012/13 3	2013/14	2014/15
Complete review and update of Associated Islands OCP and LUB pertaining to Sidney Island.		X		
Shoreline Development Review	2.2.1	X	P	
Pedestrian and bicycle route designations		X		
Review and update subdivision servicing regulations		X	P	
Affordable housing implementation	4.3.1		P	
Climate adaptation and community resilience	1.7.2		P	
Various OCP policy implementation			P	P
Various LUB amendments			P	P
Geological hazard implementation			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Saturna

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Amend zoning and OCP designations for community park lands		Completed		
Amend OCP to implement RAR	1.3.4	Completed		
Consider amendment to LUB for ocean loop geo-		X		

thermal				
Targeted LUB review			P	
Review of Community Amenity Density Reserve policies			P	
Implement SEM, steep slope and raptor nest mapping	1.6.3	P		P
East point water conservation	1.7.2	P		P
Agricultural building watercourse setbacks			P	
National Park Lands OCP and LUB amendments			P	
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

South Pender

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
LUB review and update		X		
Shoreline protection	2.2.1	X	P	
On-line survey (Completed)		Completed		
DAI Bylaw				P
Forest land zoning review			P	
Implement SEM mapping	1.6.3		P	P
Steep slope Mapping implementation			P	P
Raptor Nests protection implementation	1.6.3		P	P
Parks and recreation OCP amendments			P	
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

BYLAW ENFORCEMENT

Resources Allocation:

The four bylaw enforcement staff members are allocated as follows:

- Miles Drew , Bylaw Enforcement Manager – management of the Bylaw Enforcement Office and programs and policy planning for Trust Council, Executive Committee and all local trust committees.
- Peter Phillips, Bylaw Enforcement Officer – responding to bylaw enforcement enquiries, investigations and bylaw compliance concentrating on the Northern region
- Geoff Kinnear, Bylaw Enforcement Officer – responding to bylaw enforcement enquiries, investigations and bylaw compliance concentrating on Salt Spring Island and Sothern Region. Part time position three days per week.
- Stephanie Somers, Administrative Assistant – administrative support to the bylaw enforcement manager and officers-part time position.

In general, the Bylaw Enforcement staff allocates its time 30% for policy development and 70% for enquiries and enforcement investigation and compliance.

Bylaw Enforcement Priorities:

For this reporting period, the bylaw enforcement staff members are focusing on the following policy development:

- 1 Bylaw Enforcement Notification bylaws (implementation in all 12 LTCs)
2. Foreshore strategic enforcement
3. Unconventional unlawful housing enforcement

Bylaw Enforcement Work Program Expectations:

The following are items that Bylaw Enforcement Office is considering working on over the three-year term. The following list and timing is subject to approval by the relevant local trust committee, Executive Committee or Trust Council.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Bylaw Enforcement Notification bylaws (implementation in all 12 LTCs)		X		
Finish STVR project		X	P	
Unlawful Foreshore structures (via EC)	2.2.2	X	P	P
Unlawful dwellings (via EC)		X	P	P
Thetis Trust Area Unlawful structures on outer islands		X	P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

GIS DEPARTMENT (MAPPING)

Resources Allocation:

The two GIS staff members are allocated as follows:

- Mark Van Bakel, GIS Coordinator – management of the GIS office and programs and GIS and mapping technical support.
- Barb Dashwood, GIS Technician – GIS and mapping technical support.

In general, the mapping department allocates its time based on the needs of the organisation. The mapping department meets regularly with the Regional Planning Managers to determine priorities.

GIS Department Priorities

For this reporting period, the GIS department staff members are focusing on the following:

- 1 TAPIS application renewal
- 2 TAPIS custom reporting and workflow design and implementation
- 3 Mapping web site development and implementation

GIS Department Work Program Expectations:

The following are items that GIS Department Staff members are considering working on over the three-year term. These items may change depending on local trust committee requirements, organisational requirements and funding requirements.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
TAPIS application renewal		X		
TAPIS custom reporting		X	P	
Mapping web site development			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

BRIEFING

To: Trust Council **For the Meeting of:** March 5-7, 2013
From: Local Planning Committee **Date:** February 21, 2013

SUBJECT: BYLAW ENFORCEMENT INVESTIGATIONS REPORT

DESCRIPTION OF ISSUE: A report to summarize 2013 bylaw enforcement investigations activity up to February 12, 2013.

BACKGROUND: This briefing is prepared for Trust Council to highlight the current status of the bylaw enforcement program. A summary of litigation will be presented at the In Camera session.

Resources: Bylaw enforcement staff consists of the bylaw enforcement manager, one full time bylaw enforcement officer, one part time bylaw enforcement officer and one part time clerical assistant serving the Islands Trust Area as a whole. Peter Phillips concentrates on the Northern Region, and Geoff Kinnear deals with the Southern Region and Salt Spring Island. Miles Drew is the bylaw enforcement manager.

Reporting: The below tables show the current work loads by officer and regions.

Table of Active Files by Quarter by Office

Assigned To	Region	Feb 7 2012	May 7 2012	Aug 21 2012	Nov 6 2012	Feb 12 2013
Miles Drew	South	41	36	37	33	28
Geoff Kinnear	South	44	50	55	45	46
Peter Phillips	South	0	0	2	0	0
Sub Total	South	85	86	94	78	74
Miles Drew	Salt Spring	75	63	74	73	73
Geoff Kinnear	Salt Spring	19	22	35	32	29
Peter Phillips	Salt Spring	0	0	0	0	0
Sub Total	Salt Spring	94	85	109	105	102
Miles Drew	North	15	16	14	10	10
Peter Phillips	North	66	74	71	69	77
Geoff Kinnear	North	0	0	0	1	1
Sub Total	North	81	90	87	80	88
Total		259	261	290	263	264

Table of Active Files by Local Trust Area and Violation Type

Local Trust Area	Density	Dev. Permit	Home Occupation	Land Use	Siting	Soil	STVR	Unenclosed Vehicle	Unlawful Dwelling	Totals
Denman		6		3	1		3		3	16
Gabriola		2	2	10	4		4		9	31
Galiano			1	3	8		4	2	7	25
Gambier				7	6		1		1	15
Hornby		1	2	2	3		2		6	16
Lasqueti									1	1
Mayne				1	1		1	1	1	5
North Pender		1	2	9	7		14	2	2	37
Saturna					4		1		1	6
South Pender				1						1
Salt Spring		6	2	22	4		47	1	20	102
Thetis				4	3				2	9
Totals	0	16	9	62	41	0	77	6	53	264

Table of New and Closed Files by Officer and Trust Area

Assigned To	Region	New Files 2013	Closed Files 2013
Miles Drew	South	0	1
	Salt Spring	0	0
	North	0	0
Geoff Kinnear	South	1	5
	Salt Spring	1	4
	North	0	0
Peter Phillips	North	5	2
Total New and Closed		7	12

Projects:**Short Term Vacation Rentals**

Mayne Island, North Pender Island and Salt Spring Island local trust committees have each adopted policies that instruct staff to initiate enforcement action against all Short Term Vacation Rentals (STVR) operating in an overtly commercial manner.

Bylaw enforcement efforts on North Pender and Mayne have now become a routine part of the bylaw enforcement team's practices. On North Pender there are still a number of operators who do not accept that STVR operations are prohibited by the Land Use Bylaw. Therefore, recommendations for legal action against one or more STVR operators on North Pender will be made to the North Pender Island Local Trust Committee.

A legal action against a large STVR property manager on Salt Spring was not successful. The court's decision prevents the Islands Trust from acquiring an injunction against a third party who operates STVRs on behalf of property owners but does not prevent the acquisition of an injunction against property owners who operate an STVR.

Bylaw Enforcement Notice and Adjudication System

The attached chart shows that only Gambier, Hornby, Saturna, and Mayne LTCs have yet to reach a decision about the BEN. On January 31, 2013 Gambier gave their BEN bylaw third reading and forwarded it to Executive Committee.

To date 17 Bylaw Violation Warnings and one Bylaw Violation Notices have been issued. A screening officer is currently in the process of creating a compliance agreement with the violator. Please refer to the chart below for details.

Local Trust Area	Warnings	BENs	Paid	Compliance Agreement	Disputed – Successful	Disputed - Unsuccessful
Gabriola	8	0	0	0	0	0
Galiano	5	1	0	0	0	0
North Pender	1	0	0	0	0	0
Salt Spring	3	0	0	0	0	0
Thetis	0	0	0	0	0	0
TOTALS	17	1	0	0	0	0

Bylaw Enforcement Best Practices Guide for Bylaw Enforcement Officers

No change since last report.

In order to improve bylaw enforcement practices and ensure that Trust Council policies are effective, staff is developing a proposal to revise the existing Trust Council bylaw enforcement policy by removing from the policy document those aspects which are better suited to a best practices guide. A best practices guide is more flexible and more able to represent the goals of bylaw enforcement practices; therefore, it will be a better tool for officers and the public.

Propose Enforcement Policies and Strategies to Deal with Unlawful Dwellings and Unlawful Structures on the Foreshore

No change since last report.

The Executive Committee has directed the Bylaw Enforcement Manager to develop proposals for bylaw enforcement strategies and policies concerning unlawful dwellings and unlawful structures on the foreshore. Unfortunately, no progress has been made on these projects due Staff resources being used to complete the Bylaw Enforcement Notification system and STVR policy work. Work will begin on enforcement strategies for unlawful dwellings as soon as staff resources become available.

Attachment(s):

Attachment 1 – Bylaw Enforcement Notice Dispute Adjudication System Chart

Prepared By: David Marlor, DLPS

Reviewed By/Date: Local Planning Committee – February
Executive Committee – February 19, 2013

Linda Adams, Chief Administrative Officer

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Local Planning Committee

Date: February 21, 2013

**SUBJECT: LOCAL TRUST COMMITTEES - CONSIDERATION OF DEVELOPMENT
APPROVAL INFORMATION BYLAWS**

RECOMMENDATION:

1. That the Islands Trust Council forward the Request for Decision regarding Local Trust Committees Consideration of Development Approval Information Bylaws to all local trust committees that have not adopted a Development Approval Information bylaw for consideration.
2. That the Islands Trust Council encourage local trust committees to consider adoption of Development Approval Information bylaws.
3. That the Islands Trust Council direct Local Planning Committee to propose amendments to council policy 2.1viii on Development Approval Information Bylaws, specifically to attach a new model bylaw based on the Galiano and North Pender Development Approval Information Bylaws.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Adoption of a Development Approval Information (DAI) bylaw can ensure that a local trust committee has appropriate information on which to base an informed decision when considering development applications. DAI bylaws also provide certainty to applicants about information requirements when they seek local trust committee consideration of a development application.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Adoption of DAI Bylaws is expected to provide greater certainty for applicants, staff and the corresponding local trust committees with respect to impact information obtained for applications subject to the bylaw. Under such bylaws, staff are authorized to exercise a degree of discretion in establishing the level of impact information required for each application and the adequacy of submitted professional reports.

FINANCIAL: Staff time would be required to develop and implement DAI bylaws and may be requested to establish DAI checklists (optional). The cost for providing the Development Approval Information would be borne by applicants. Staff currently reviews reports as a routine part of processing applications.

POLICY: Trust Council Policy 2.1viii establishes procedures and a template for DAI bylaws. Generally, the specific Development Approval Information conditions/objectives for any local trust area are derived from its Official Community Plan.

IMPLEMENTATION/COMMUNICATIONS: The local trust committees and staff would work with applicants to explain the impact of adopting a DAI bylaw and the requirements associated with the bylaw.

BACKGROUND

In September 2012, Trust Council re-referred the issues of a development application fees to the Local Planning Committee and to the Financial Planning Committee.

On November 7, 2012, the Local Planning Committee passed the following resolutions:

Resolution LPC 29/2012

THAT the Local Planning Committee recommends to Financial Planning Committee an increase between 10-15 per cent to the current fees.

Resolution LPC 30/2012

THAT the Local Planning Committee direct staff to prepare a request for decision that all Local Trust Committees that have not done so be encouraged to adopt the Development Approval Information Bylaw.

A DAI (DAI) bylaw (See Attachment 1 for the Galiano DAI Bylaw) is an administrative bylaw and is the statutory mechanism through which local governments are able to require applicants to provide information on the anticipated impact of proposed development. Since the provision for the adoption of DAI bylaws was introduced into the *Local Government Act* (LGA) in 1997, advice has consistently been that the traditional mechanisms for obtaining information related to proposed development from applicants such as requirements in zoning amendment and temporary use permit applications, development permit guidelines, official community plan policies, or ad hoc requests, could be inconsistent with legislation. DAI bylaws have now been adopted by the following local trust committees: North Pender, Galiano and Denman. A DAI bylaw has been drafted for the Gabriola Island Local Trust Committee and is in the process of receiving first reading.

RELEVANT LEGISLATION:

Local Government Act:

The Local Government Act (LGA) refers to “development approval information” as information on the anticipated impact of the proposed activity or development (such as a Development Permit or Zoning Amendment application) on the community including, without limiting this, information regarding impact on the following matters:

- Transportation patterns including traffic flow;
- Local infrastructure;
- Public facilities including schools and parks;
- Community services; and
- The natural environment of the area affected.

Section 920.01 of *the Local Government Act* permits an Official Community Plan (OCP) to specify circumstances and/or designate areas in which development approval information can be required. In all cases, the OCP must also contain a description of the special conditions or objectives that justify the designation or specification. Once the OCP satisfies Section 920.01, the local government must adopt a bylaw to establish procedures and policies on the process for requiring development approval information and the substance of the information that may be required (as per Section 920.1). This bylaw authorizes the local government, an officer or employee to require development approval information at the applicant's expense for zoning amendment, development permit, or temporary use permit (TUP) applications. An applicant has the right for reconsideration, without charge, of a decision made by an officer or employee for the requested development approval information. The DAI bylaw must also establish procedures regarding apply for and dealing with a reconsideration.

Islands Trust Act:

Section 29(3.1) of the *Islands Trust Act* establishes that DAI bylaws in the Islands Trust Area must be adopted by Trust Council. This means that while a DAI bylaw is developed for an individual LTC, it must be read and adopted by Trust Council.

RELEVANT POLICY:

Trust Council adopted policy 2.1.viii in 1998 which describes the process for Trust Council to consider DAI bylaws proposed by local trust committees (See Attachment 2). A sample bylaw was also prepared at that time. The substantive elements of the Trust Council policy include the following:

- Each DAI bylaw may vary according to LTC needs;
- The criteria for Trust Council approval include financial, procedural and policy considerations;
- The LTC is responsible for initiating the creation of the bylaw;
- The purpose for the bylaw must be stated in the bylaw;
- The bylaw must be in the general form of the model bylaw;
- The assigned planner will prepare the substance of the bylaw;
- The LTC must give notice to Trust Council that it intends to forward a bylaw to it for adoption;
- Application for approval will be in the form of an RFD;
- Consideration by Trust Council will be at a regular quarterly meeting;
- The LTC may address Trust Council for a period not exceeding 5 minutes;
- If the bylaw is not approved it will be returned to the LTC with reasons;

REPORT/DOCUMENT:

1. Trust Council Bylaw No. 148
2. Trust Council Policy 2.1.viii (Development Approvals Information Bylaws)
3. Galiano Development Approval Information Checklist

KEY ISSUE(S)/CONCEPT(S):

In addition to the required content established through the LGA, the creation of a DAI bylaw would establish two approaches for the provision of development approval information:

1. Development Permit Applications: The bylaw would lay out the content requirements of the professional reports for each type of development permit area (sensitive ecosystems, steep slopes, etc.) and the requirements may be reduced by staff (or the LTC upon appeal by the applicant) based on the specifics of the application.
2. Zoning Amendment and Temporary Use Permit Applications: The DAI bylaw can establish a terms of reference procedure through which staff would provide a written terms of reference for the provision of specified development approval information to the applicant. Since most applicants are not professional developers and are not experienced in providing impact assessments or meaningful terms of reference, it is recommended that staff provides the draft terms of reference. This is the approach taken in the North Pender, Galiano, and Denman DAI bylaws.

Prior to receiving the application, it is recommended that the applicant consult with the planner to discuss the DAI requirements. If the reports are inadequate or the applicant has not consulted pre-application, a formal letter is sent to the applicant detailing the report requirements. Typically it is only complex zoning amendment applications where there is an extensive process of drafting and approving a terms of reference.

Information required in professional reports for each particular Development Permit Area can differ greatly. To ensure content certainty and consistency with particular Development Permit requirements, staff developed a DAI Checklist for Development Permit Area applications for North Pender and Galiano. (See Attachment 3 for Galiano checklist) intended to assist consulting professionals in submitting complete and relevant reports. The document has a separate checklist for each DPA indicating all the required information to be included in the report; for example: site plan, site inventory, development proposal, impact assessment, measures, monitoring, restoration, and certification. After the report is submitted, the planner uses the checklist to ensure the requirements have been addressed.

ISSUES/BENEFITS:

Although the adoption of DAI bylaws for all LTCs has been indicated as a priority for the LPC, it is important to understand the associated benefits and issues. The benefits of adoption of DAI bylaw include the following:

- A DAI bylaw is the legally authorized mechanism for the LTC to obtain information on the potential impacts of a proposal at the applicant's expense. This is particularly pertinent in the case of development permit applications, where the LTC has limited discretion in refusing an application and may otherwise be faced with approving an application with only a limited understanding of the impacts because the proposed use is permitted by zoning.
- It creates a transparent process and provides certainty for applicants in terms of the requirements that are expected with the application.
- It provides consistency for planning staff and the LTC in assessing different applications.
- It ensures that the reports are provided by a qualified consulting professional.
- It increases the application processing timeframe as applicants will be aware of the specific requirements and it will reduce staff time spent by liaising with applicants to request and receive information in an acceptable form.
- It gives the LTC comfort that reasonable precautions have been taken in identifying potential impacts before approving an application.

The issues with a DAI bylaw include the following:

- The bylaw would have to address a variety of applications and developments with various scopes of work and a range of potential impacts. This may result in applicants with minor applications having to provide unnecessarily detailed or costly reports.
- Impact assessments are generally provided for larger scale projects. A DAI bylaw could limit the ability of trustees and/or staff to use discretion to approve applications that are truly minor or even trivial without requiring detailed reports. This could be balanced, at least in part, by including some discretion into the DAI bylaw or even by the LTC revisiting the DPA exemptions in the OCP.

It should be noted that not all LTCs address Development Permit Areas in their OCP. A DAI bylaw would still prove to be a useful tool as it would address requirements for zoning amendment applications and temporary use permits. The following outlines the approval process for LTCs without DAI Bylaws:

1. The LTC gives formal notice to Trust Council by resolution that it intends to prepare a DAI bylaw to require information for zoning amendment, development permit, or TUP applications.
2. The LTC directs staff to prepare a draft bylaw, consistent with the model DAI (Trust Council Policy 2.1.viii).
3. Once the LTC has approved the draft DAI bylaw, Staff submits the draft DAI bylaw and RFD to Executive Committee.
4. Trust Council considers three readings of the DAI bylaw at a regularly scheduled meeting. Adoption may be considered by a RWM.

DESIRED OUTCOME: That all local trust committees consider the merits of adopting a DAI bylaw.

RESPONSE OPTIONS

Recommended:

1. That the Islands Trust Council forward a copy of this report to all local trust committees that have not adopted a Development Approval Information bylaw for consideration; and
2. That the Islands Trust Council encourage local trust committees to consider adoption of Development Approval Information bylaws.
3. That the Islands Trust Council direct Local Planning Committee to propose amendments to council policy 2.1viii on Development Approval Information Bylaws, specifically attach a new model bylaw based on the Galiano and North Pender Development Approval Information Bylaws

Alternative:

1. That the Islands Trust Council send the report to the Regional Planning Managers and Planners for information.
 2. That the Islands Trust Council take no action regarding DAI bylaws at this time.
-

Prepared By: Kim Farris, Planner 1
Kris Nichols, Island Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services - January 3, 2013
Local Planning Committee, February 7, 2013
Executive Committee – February 19, 2013

Linda Adams, Chief Administrative Officer

**ISLANDS TRUST COUNCIL
BYLAW NO. 148, 2012**

A bylaw to establish procedures and policies for requiring development approval information for
the Galiano Island Local Trust Area

WHEREAS the Galiano Island Local Trust Committee, pursuant to s.920.01 of the *Local Government Act*, has specified in an official community plan areas and circumstances for which development approval information may be required;

The Islands Trust Council, pursuant to s.920.1 of the *Local Government Act* and s.29(3.1) of the Islands Trust Act, enacts as follows:

PART I TITLE

1. This Bylaw may be cited for all purposes as "Galiano Island Local Trust Committee Development Approval Information Bylaw No. 148, 2012".

PART II PURPOSE

2. The purpose of this bylaw is to allow the Local Trust Committee to obtain information on the anticipated impact of proposed activities or development on the community.

PART III APPLICATION OF BYLAW

3. The requirements of this Bylaw apply to:
 - (a) applicants for amendments to a bylaw of the Galiano Island Local Trust Committee enacted under s.903 of the *Local Government Act*;
 - (b) applicants for a development permit; and
 - (c) applicants for a temporary use permit,if the activity or development that is the subject of the application is in an area specified for the provision of development approval information in Galiano Island Official Community Plan Bylaw No. 108 or is an activity or development for which development approval information is otherwise required by that Bylaw.
4. The requirements of this Bylaw do not apply to any application for an activity or development that is a reviewable project under the Environmental Assessment Act.
5. Where development approval information is to be provided, the information shall be provided by the applicant, at the applicant's cost, in the form of a report prepared by the appropriate professional as set out in this bylaw.

PART IV PROCEDURE

6. The official assigned from time to time to provide planning services to the Galiano Island Local Trust Committee is the official for the purposes of this Bylaw.

7. Within 30 days of receipt of an application an official shall determine whether and to what extent development approval information will be required in accordance with this bylaw and shall communicate the requirement to the applicant in writing.
8. An official may determine that all or part of the required development approval information must be provided for each application, either in a report described in Sections 15 through 20 in the case of development permit applications described in those sections, or pursuant to terms of reference that establish the scope of the required impact information for applications described in Section 23.
9. An applicant may request reconsideration by the Local Trust Committee of a decision of an official under this Bylaw within 30 days of the date on which the decision is mailed faxed or emailed to them.
10. A request for reconsideration must be delivered in writing to the Planning Clerk and must set out the grounds on which the applicant considers the requirement is inappropriate and what, if any, requirement the applicant considers the Local Trust Committee ought to substitute.
11. The Planning Clerk must place each request for reconsideration on the agenda of the next meeting of the Local Trust Committee following the date on which the request for reconsideration was delivered, provided the request is received at least 10 days prior to that meeting..
12. The Planning Clerk must notify the applicant and any other person who the Planning Clerk reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
13. At the meeting, the Local Trust Committee may either confirm the requirement or decision of the official or substitute its own requirement or decision.

PART V S. 920 (DEVELOPMENT PERMIT) APPLICATION REQUIREMENTS

14. For Development Permit applications specified in sections 15 through 20 of this bylaw, the applicant shall provide, as part of the development permit application, all or part of a report in the specified form as determined by the official.
15. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of **Riparian Areas**, the report shall contain the following information:
 - a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features, the locations of the top of bank, high water mark, SPEA widths, the width of any zones of sensitivity, and measures to maintain the integrity of the SPEAs. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A site inventory providing a description and evaluation of the riparian values, including species of fish that frequent the waterbody, and riparian features and habitat present.

- c. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the watercourse, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - d. An assessment of the nature and extent of the impact of the proposed development. For a stream: the results of the riparian assessment, using a detailed or simple assessment as indicated in the Riparian Areas Regulation, and establishing the Streamside Protection and Enhancement Area (SPEA) width for the subject parcel. For other watercourses: an assessment of anticipated impacts on riparian habitat and features, the watercourse, and site hydrology. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development.
 - e. For a stream: a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of danger trees, windthrow, slope stability, tree protection during construction, encroachment and sediment and erosion control. For other watercourses: recommended measures to limit, mitigate and manage the impacts of the proposed development on riparian habit and features, the watercourse, and site hydrology.
 - f. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - g. Recommended actions to restore or enhance riparian functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
 - h. For a stream, professional certification by the Qualified Environmental Professional(s) preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides his or her professional opinion that:
 - i. If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
 - ii. If the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.
16. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of **Shoreline and Marine areas**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, natural boundary of the sea, the landward development permit area boundary, existing buildings and structures, roads and driveways, topographic features, and significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions

post development shall be included where development would occur on slopes exceeding 20% grade.

- b. A site inventory, providing information on existing plant communities, marine and terrestrial habitats, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, topography and marine sediment transport. This baseline assessment may require the involvement of several suitably qualified professionals.
 - c. A description of the proposed development detailing construction (e.g. buildings, dock, ramp, road or driveway, etc), cut and fill, blasting, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - d. An assessment of the nature and extent of the impact of the proposed development, in particular anticipated impacts on identified site conditions, including but not limited to marine and terrestrial habitat, site hydrology, marine sediment transport, and public access to and along the foreshore. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area. The assessment should also include identification of potential impacts on adjacent sites and proximate sensitive areas.
 - e. Recommended measures to limit, mitigate and manage the impacts of the proposed development on terrestrial and marine habitats, as well as geomorphic, hydrological and coastal processes. The report should describe mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.
 - f. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - g. Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
17. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of the natural environment, its ecosystem and biological diversity for the purpose of requiring development permits for **Cutting and Removal of Trees**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the area of the proposed cutting or removal of trees, current buildings and structures, roads and driveways, topographic features, and significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A site inventory, providing information on existing, pre-development timber species and quantities, current on-site and adjacent land uses, slope stability, erosional processes, hydrology and topography.

- c. A description of the proposed work, detailing volume, rate, and species of timber to be harvested. An evaluation of the sustainability of the proposed rate of harvest, based on the principle that the cutting rate over any ten-year or greater period should not exceed 75% of the cumulative annual growth in the stand for that same period. The report should also identify alternative development options.
 - d. An unqualified statement by a professional hydrogeologist stating that the proposed timber harvesting will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity. Where such a statement cannot categorically be made, the report should include specific recommendations on well and aquifer protection measures which would result in the requirement being met.
 - e. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
18. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of the natural environment, its ecosystem and biological diversity for the purpose of requiring development permits for **Elevated Groundwater Catchment Areas**, the report shall consist of a hydrogeological assessment report containing the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features, and significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A map showing the ownership and locations of all currently used water wells, springs and surface water features within a minimum radius of 1 km from the development site.
 - c. A site inventory, providing information on existing pre-development conditions, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, surface water bodies, and topography.
 - d. A background analysis that includes the following known information on the site:
 - A description of the hydrogeological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, estimated recharge area and conditions and climate;
 - A conceptual model of groundwater occurrence and groundwater-surface interaction;
 - A description of existing users within 1.0 km of the development site;
 - A preliminary pre-development water budget;
 - Water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination;
 - Methodology and, if applicable, uncertainties and limitations of the report.

- e. A description of the proposed work, detailing construction, cut and fill, blasting, road, driveway or utility line construction, vegetation clearing, water supply requirements, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - f. An impact assessment consisting of:
 - Cumulative effects analysis;
 - Impact to existing groundwater users, identification of the potential groundwater protection issues in the area and risk of saline intrusion;
 - Impact to surface water where applicable;
 - Other potential impact implications.
 - g. Conclusions and recommendations consisting of:
 - A summary of results and impact assessment;
 - An unqualified statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity; or
 - where such a statement cannot categorically be made, specific recommendations on well and aquifer protection measures which would result in the requirement being met.
 - h. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
19. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of the natural environment, its ecosystem and biological diversity for the purpose of requiring development permits for **Sensitive Ecosystems**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features and significant features identified in the site inventory and conservation evaluation. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A site inventory, commenting on the ecosystem classification, and based on current best practices, such as the Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field, providing information on the existing plant communities, aquatic and terrestrial habitats, sensitive ecosystems, nesting trees, the presence of rare species and rare plant communities, current on-site and adjacent land uses, slope stability, erosional processes, hydrology and topography.
 - c. A site background analysis that includes the following known information on the site:
 - A check for observed species and ecosystems at risk;
 - A description of the context of the site including the use of adjacent lands and proximity to protected areas;

- A check for the presence of raptor and heron nests;
 - A check for the presence of fish-bearing water courses.
- d. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - e. An assessment of the nature and extent of the impact of the proposed development, in particular anticipated impacts on identified environmentally valuable features, including but not limited to sensitive ecosystems, rare plant communities, rare species habitat, and site hydrology. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area. The assessment should also include identification of potential impacts on adjacent sites and proximate sensitive areas.
 - f. Recommended measures to limit, mitigate and manage the impacts of the proposed development on environmentally valuable features. The report should describe mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.
 - g. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - h. Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
20. For an application for a permit within a development permit area designated under s. 919.1(1)(b) of the *Local Government Act* for protection of development from **Steep Slope Hazard Areas**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the topographic features and showing natural slope contours in 1 to 5 metre contour intervals, significant natural features, current and proposed buildings and structures, roads and driveways, proposed site grading and post development contours. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. An assessment of potential geotechnical hazards that may affect the subject site and neighbouring properties. This should include a summary of the method of hazard analysis and the level of field work.
 - c. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.

- d. An assessment of whether the proposed development would result in an acceptable probability of a geotechnical hazard, accompanied by supporting rationale.
 - e. Where an unacceptable level of hazard is identified, recommendations for measures to reduce hazards on the subject site and neighbouring properties.
 - f. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
21. Development Approval Information required in sections 15 through 20 must be prepared by a professional or professionals, with qualifications specified in the table below, and in good standing with his/her professional organization within British Columbia, acting within his/her area of expertise, and with demonstrated and pertinent experience and/or training; except that the official may approve the involvement of a person having different qualifications if demonstrated, relevant, experience and qualifications are in the official's opinion suitable for the preparation of the information being provided in relation to a particular development permit application:

TYPE OF INFORMATION	CONSULTING PROFESSIONAL
Riparian Areas	Qualified Environmental Professional
Shoreline and Marine	Geotechnical/hydrological and marine considerations: • Geotechnical Engineer (P. Eng.) or Professional Geoscientist (P. Geo.) Biological / environmental considerations: • Registered Professional Biologist (R.P. Bio.)
Tree Cutting and Removal	Registered Professional Forester (R.P.F.), Professional Hydrogeologist (P.Geo.)
Elevated Groundwater Catchment Areas	Professional Hydrogeologist (P.Geo)
Sensitive Ecosystem	Registered Professional Biologist (R.P. Bio.)
Geological Hazard	Geotechnical Engineer (P. Eng.) or Professional Geoscientist (P. Geo.)

22. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the requirements of the bylaw, either in scope, level of detail, accuracy or in any other respect, or does not address any particular information requirements that are identified in or arise from any applicable guidelines in an official community plan, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the bylaw, but a requirement for further information may be imposed once only.

PART VI TERMS OF REFERENCE

23. Within 30 days of the receipt of an application for the following:
- a. amendments to a bylaw of the Galiano Island Local Trust Committee enacted under s.903 of the *Local Government Act*,
 - b. a temporary use permit,

the official shall provide to the applicant written Terms of Reference for the preparation of information on the impact of the activity or development that is the subject of the application.

24. To the extent that the proposed activity or development can reasonably be expected to have an appreciable impact on any of the following matters, the Terms of Reference must include those matters in the scope of the information that is to be prepared:
 - a. the natural environment of the area affected, including sensitive ecosystems and the habitat of rare or threatened species, including surrounding habitats impacted by the development activity ;
 - b. hazards, including geological, flood, stormwater, and wildfire hazards;
 - c. greenhouse gas emissions, anticipated energy usage, and carbon emissions;
 - d. groundwater resources;
 - e. local infrastructure, including highways, ferry, water supply and sewage systems, fire protection systems, solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - f. local and off-island public or community facilities;
 - g. local and off-island commercial services and employment opportunities;
 - h. affordable and seniors housing needs;
 - i. agricultural reserve lands and agricultural and forestry uses in the vicinity of the development;
 - j. cultural heritage resources including resources of historical, cultural, archaeological, paleontological or architectural significance whether on land or underwater; and
 - k. aesthetic values including the visual appearance of the development from adjacent properties, public lands, or the sea, and the effect of any artificial lighting proposed.
25. In addition to any matter listed in s.22, the official may include in the Terms of Reference any other matter on which the official considers information ought to be provided to the Local Trust Committee to permit a full understanding of the impact of the proposed activity or development on the island community affected.
26. The Terms of Reference must address any particular information requirements that are identified in or arise from any applicable guidelines in an official community plan, and in all cases must address any particular information requirements specified for such an application in any development application procedures bylaw of the Local Trust Committee.
27. In addition to any other requirements the Terms of Reference may require the person preparing the impact information to provide information on the relationship between the proposed activity or development and

- a. the object of the Islands Trust set out in the Islands Trust Act;
 - b. the Islands Trust Policy Statement;
 - c. the Islands Trust Fund Plan; and
 - d. in the case of a proposed zoning amendment, the official community plan of the Local Trust Committee.
28. The Terms of Reference may specify that the impact information will be prepared by a person having professional expertise in the matters included in the Terms of Reference, and may include information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information.
29. The Terms of Reference must specify the date by which and the form and the number of copies in which the impact information will be provided.

PART VII PREPARATION OF DEVELOPMENT APPROVAL INFORMATION

30. The applicant must prepare the impact information in accordance with the accepted Terms of Reference and within the time specified in the Terms of Reference must provide it to the Local Trust Committee, at the applicant's expense.
31. For every matter within the scope of s.22 that is included in the Terms of Reference, the applicant must
- a. identify relevant baseline information and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
 - b. identify and describe the potential and likely impacts of the activity or development including any cumulative effects when combined with other projects proposed or under development;
 - c. evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated; and
 - d. make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimized or avoided,
- all in accordance with generally accepted impact assessment methodology.
32. If the Terms of Reference specify professional expertise in the preparation of impact information, prior to authorizing the preparation of the information by any person the applicant must deliver to the official information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information, unless that information was included in the approved Terms of Reference.
33. Within 10 business days of receipt of the information, the official must advise the applicant whether the proposed person is acceptable, and if the person is not acceptable the official must advise the applicant in writing of the reason and may propose one or more alternative acceptable persons. If such advice is not provided by the end of the tenth business day, the official is deemed to have accepted the proposed person.

34. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the Terms of Reference, either in scope, level of detail, accuracy or in any other respect, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the Terms of Reference, but a requirement for further information may be imposed once only.

PART VIII INDEPENDENT REVIEW

35. If the official considers that the impact information provided by the applicant, or any portion of it, requires an independent review prior to being considered by the Local Trust Committee, the official may require the applicant to provide such a review of the information including the methodology used in its preparation.
36. The official may specify that the independent review be conducted by a member of the relevant professional association, and may specify terms of reference for the review.
37. The applicant must arrange for the independent review to be conducted and submitted in writing to the local trust committee, at the applicant's expense and within the time specified by the official.

PART IX PROPRIETARY RIGHTS IN INFORMATION

38. The information that is provided to the Local Trust Committee pursuant to this Bylaw is required by the Local Trust Committee in the exercise of its powers under the Local Government Act and the Islands Trust Act. Every report or other document provided to the Local Trust Committee pursuant to this Bylaw must accordingly contain an express grant of permission to the Local Trust Committee to use and reproduce the information contained in the report or other document for non-commercial purposes.

PART XI TRANSITION

39. Islands Trust Council Bylaw No.58, 1998 cited as the "Galiano Island Local Trust Committee Impact Assessment Bylaw No. 58, 1998" is repealed.

READ A FIRST TIME THIS	11 TH	DAY OF	SEPTEMBER	, 2012.
READ A SECOND TIME THIS	11 TH	DAY OF	SEPTEMBER	, 2012.
READ A THIRD TIME THIS	11 TH	DAY OF	SEPTEMBER	, 2012.
ADOPTED THIS	1 ST	DAY OF	OCTOBER	, 2012.

CHAIR

SECRETARY

2.1.viii Procedure**DEVELOPMENT APPROVALS INFORMATION
BYLAWS**

Trust Council: September 18, 1998

A: PURPOSE:

To describe a process for Islands Trust Council to consider bylaws proposed by local trust committees for requiring Development Approvals Information in their local areas.

B: REFERENCES:

B.1. Sections 879.1 and 920.1 *Municipal Act*

B.2. Section 29(3.1) *Islands Trust Act*

B.3. Council Policy 2.2.i and 2.2.iii

C: BACKGROUND:

Under the provisions of the legislation, it is Islands Trust Council that must adopt a bylaw pertaining to a local area before a local trust committee can require development approval information. Each bylaw will vary depending on local circumstances and needs. This policy specifies the procedure for a local trust committee seeking Trust Council approval of a bylaw.

D: POLICY:**D.1. Legislative Requirements**

D.1.1. Prior to enactment of a local bylaw establishing development approvals information areas or circumstances, a local trust committee must have a bylaw establishing policies and procedures for development approvals information applicable to the local area adopted by Trust Council.

ISLANDS TRUST POLICY MANUAL

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- D.1.2. A local trust committee cannot enact development approvals information requirements in the absence of a Trust Council bylaw.

D.2. Criteria for Approval

- D.2.1. **Financial** Islands Trust Council will consider the impact of the proposed bylaw on:
- proven ability to accommodate the implementation of the bylaw in the regional planning team work program;
 - existing administrative capacity; and
 - anticipation of future budgetary needs.
- D.2.2. **Procedural Certainty** Trust Council will review the bylaw in terms of administrative processes. A proforma bylaw has been prepared to assist local trust committees.
- D.2.3. **Policy** Trust Council will ensure the proposed bylaw is consistent with:
- the local Official Community Plan; and
 - the Policy Statement.

E: PROCEDURE:

E.1. Requirements

- E.1.1. Local trust committees are responsible for the creation of development approvals information bylaws appropriate to their areas or circumstance for Islands Trust Council consideration.
- E.1.2. The purpose for requiring the development approvals information must be clearly stated in the proposed bylaw.
- E.1.3. The bylaw must be in the general form of the proforma attached to this policy.
- E.1.4. Omission of any conditions specified in the proforma must be identified and the reason for them not being applicable defined.

- E.1.5. The local area planner will prepare the substance of the bylaw and the appropriate planning secretary will assign the bylaw # and establish a Trust Council bylaw folder according to procedures established for trust council bylaws by the Secretary.

E.2 Notice

- E.2.1. Notice must be given to Trust Council by a resolution of the local trust committee that it intends to prepare a development approvals information bylaw for Trust Council's consideration at the next regularly scheduled meeting.
- E.2.2. The Executive Committee may waive the requirement for notice in E.2.1. where the bylaw does not have broad application and there is some urgency to its passage.
- E.2.3. Notice shall include the intent of the proposed regulation, the application of the bylaw in terms of area and/ or number of properties, and an assessment of its affect on the local trust committee and regional planning teams' work program.

E.3 Request for Decision

- E.3.1. Application to Trust Council for approval of a local development approvals information bylaw will be made on the "request for decision" form in accordance with Policy 2.2.i Requests for Decision.
- E.3.2. Any proposed development approvals information bylaw with the required background reports must be submitted to the Executive Committee for inclusion in the Trust Council binder package no later than 4 weeks prior to the date of the Trust Council quarterly meeting.
- E.3.3. The Executive Committee will ensure all materials specified in this policy are included and may return the request for further information.
- E.3.4. Trust Council will consider the bylaw in its regular quarterly business meeting.
- E.3.5. The local trust committee submitting the application may address Trust Council for a period not to exceed 5 minutes in support of the application.

ISLANDS TRUST POLICY MANUAL

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- E.3.6. Bylaws not approved will be returned to the local trust committee with an explanation of the reasons for the decision.
- E.3.7. A local trust committee may resubmit a request at a subsequent Trust Council meeting if it addresses the concerns that caused the application to be returned.
- E.3.8. Amendments proposed for returned bylaws, if they address the concerns raised by Trust Council, may be considered by Resolution Without Meeting of Trust Council if the Executive Committee deems it necessary to proceed before the next regularly scheduled quarterly meeting.

E.4. Background Materials

- E.4.1. A report identifying the number of properties and / or size of the area to be affected by this bylaw must be prepared by the local trust committee to be presented with the bylaw to Trust Council.
- E.4.2. An assessment of administrative workload, cost recovery and enforcement implications must be prepared by the local trust committee for the consideration of Trust Council using the following elements:
- **Volume** - the scope of applicability for potential applications.
 - **Administrative Staff** – extraordinary requirements for clerical processing.
 - **Planning Staff** – extraordinary requirements for staff to review development approval information report and/or for reconsideration at the applicant's request.
 - **Management** – extraordinary requirements for management to assess and prepare cost recovery arrangements for development approvals information requirements.
 - **Cost Recovery** – extraordinary requirements can be (enabling fees bylaw in place) and would be covered under lost recovery arrangements.

F: ATTACHMENTS:

- F.1. Proforma development approvals information bylaws.

ISLANDS TRUST COUNCIL

BYLAW NO.

A bylaw to establish procedures and policies for requiring development approval
information for the Sample Island Local Trust Area

WHEREAS the Sample Island Local Trust Committee, pursuant to s.879.1 of the *Municipal Act*, has specified in an official community plan, areas and circumstances for which development approval information may be required;

The Islands Trust Council, pursuant to s.920.1 of the *Municipal Act* and s.29(3.1) of the *Islands Trust Act*, enacts as follows:

PART I TITLE

1. This Bylaw may be cited for all purposes as "Sample Island Local Trust Committee Impact Assessment Bylaw No. 57, 1998".

PART II APPLICATION OF BYLAW

2. The requirements of this Bylaw apply to
 - (a) applicants for amendments to a bylaw of the Sample Island Local Trust Committee enacted under s.903 of the *Municipal Act*;
 - (b) applicants for a development permit; and
 - (c) applicants for a temporary industrial or commercial use permit,if the activity or development that is the subject of the application is in an area specified for the provision of development approval information in the Sample Island Official Community Plan Bylaw No. # or is an activity or development for which development approval information is otherwise required by that Bylaw.
3. The requirements of this Bylaw do not apply to any application for an activity or development that is a reviewable project under the Environmental Assessment Act.

PART III PROCEDURE

4. The official assigned from time to time to provide staff services to the Sample Island Local Trust Committee is the official for the purposes of this Bylaw.
5. An applicant may request reconsideration by the Local Trust Committee of a decision of an official under this Bylaw within 30 days of the date on which the decision is mailed or faxed to the applicant.
6. A request for reconsideration must be delivered in writing to the Secretary and must set out the grounds on which the applicant considers the requirement is inappropriate and

what, if any, requirement the applicant considers the Local Trust Committee ought to substitute.

7. The Secretary must place each request for reconsideration on the agenda of a meeting of the Local Trust Committee to be held not earlier than 2 weeks from the date on which the request for reconsideration was delivered.
8. The Secretary must notify the applicant and any other person who the Secretary reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
9. If the meeting specified in s.8 is a meeting under s.26 of the *Islands Trust Act*, the Secretary will provide notice specifying that any representations the applicant or other person wishes to make, must be in writing and received by the Secretary not less than one clear business day prior to the day on which the meeting is to be held.
10. At the meeting, the Local Trust Committee may either confirm the requirement or decision of the official or substitute its own requirement or decision.

PART IV TERMS OF REFERENCE

11. Upon the request of an official, an applicant described in s.2 must provide to the official, written Terms of Reference for the preparation of information on the impact of the activity or development that is the subject of the application.
12. To the extent that the proposed activity or development can reasonably be expected to have an appreciable impact on any of the following matters, the Terms of Reference must include those matters in the scope of the information that is to be prepared:
 - (a) the natural environment of the area affected including adjacent marine areas, surface drainage and groundwater, ecosystems and biological diversity, with particular emphasis on areas of unusual environmental sensitivity and any rare plant or animal species;
 - (b) local highways, ferry facilities including off-island parking areas, water supply and sewage disposal systems including wells and ground sewage absorption systems, fire protection systems, municipal solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - (c) local and off-island school facilities; local, regional and provincial parks; hospitals and other health care services; local transportation services including public transit and water taxis;
 - (d) local and off-island commercial services and employment opportunities, but the question of market demand for the activity or development need not be dealt with when the application is for a development permit;
 - (e) agricultural and forest reserve lands and agricultural and forestry uses in the vicinity of the development;
 - (f) cultural heritage resources including resources of historical, archaeological, paleontological or architectural significance whether on land or underwater; and

- (g) aesthetic values including the appearance of the development from vantage points on and off the island and the effect of any artificial lighting proposed.
13. In addition to any matter listed in s.12, the applicant may include in the Terms of Reference any matter on which the applicant considers information ought to be provided to the Local Trust Committee to permit a full understanding of the impact of the proposed activity or development on the island community affected.
14. In the case of an application for a development permit or temporary use permit, the Terms of Reference must address any particular information requirements that are identified in or arise from any applicable guidelines in an official community plan, and in all cases must address any particular information requirements specified for such an application in any development application procedures bylaw of the Local Trust Committee.
15. In addition to any other requirements the Terms of Reference may require the person preparing the impact information to provide information on the relationship between the proposed activity or development and
- (a) the object of the Islands Trust set out in the *Islands Trust Act*;
 - (b) the Islands Trust Policy Statement; and
 - (c) in the case of a proposed zoning amendment, the official community plan of the Local Trust Committee.
16. The Terms of Reference may specify that the impact information will be prepared by a person having professional expertise in the matters included in the Terms of Reference, and may include information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information.
17. The Terms of Reference must specify the form and the number of copies in which the impact information will be provided.
18. Within 10 business days of receipt of the Terms of Reference the official must indicate in writing to the applicant that
- (a) the Terms of Reference submitted by the applicant are acceptable;
 - (b) the Terms of Reference submitted by the applicant are acceptable if additional matters specified by the official and within the scope of s.12 of this Bylaw are included;
 - (c) the Terms of Reference submitted by the applicant are acceptable if a person other than one who has been proposed by the applicant in the Terms of Reference, whose selection has been approved in writing by the official, prepares the impact information; or
 - (d) the Terms of Reference are unacceptable and must be replaced by the applicant.
19. For the purposes of s.22(b), when accepting Terms of Reference the official may advise the applicant of other projects proposed or under development in the area that may be affected by the applicant's proposed activity or development.

20. If the official does not provide advice pursuant to s.18 by the end of the tenth business day the official is deemed to have accepted the proposed Terms of Reference.

PART V PREPARATION OF DEVELOPMENT APPROVAL INFORMATION

21. Upon receipt of notice accepting the Terms of Reference or where the Terms of Reference have been deemed to be accepted, the applicant must prepare the impact information in accordance with the accepted Terms of Reference and provide it to the Local Trust Committee, at the applicant's expense.
22. For every matter within the scope of s.12 that is included in the Terms of Reference, the applicant must
- (a) identify relevant baseline information and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
 - (b) identify and describe the potential and likely impacts of the activity or development including any cumulative effects when combined with other projects proposed or under development;
 - (c) evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated; and
 - (d) make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimised or avoided,

all in accordance with generally accepted impact assessment methodology.

23. If Terms of Reference approved under s.18 specify professional expertise in the preparation of impact information, prior to authorising the preparation of the information by any person the applicant must deliver to the official information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information, unless that information was included in the approved Terms of Reference.
24. Within 10 business days of receipt of the information, the official must advise the applicant whether the proposed person is acceptable, and if the person is not acceptable the official must advise the applicant in writing of the reason and may propose one or more alternative acceptable persons. If such advice is not provided by the end of the tenth business day, the official is deemed to have accepted the proposed person.
25. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the Terms of Reference, either in scope, level of detail, accuracy or in any other respect, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the Terms of Reference, but a requirement for further information may be imposed once only.

PART VI PROPRIETARY RIGHTS IN INFORMATION

26. The information that is provided to the Local Trust Committee pursuant to this Bylaw is required by the Local Trust Committee in the exercise of its powers under the *Municipal Act* and the *Islands Trust Act*. Every report or other document provided to the Local Trust Committee pursuant to this Bylaw must accordingly contain an express grant of permission to the Local Trust Committee to use and reproduce the information contained in the report or other document for non-commercial purposes.

READ A FIRST TIME this _____ day of _____, 199.

READ A SECOND TIME this _____ day of _____, 199.

READ A THIRD TIME this _____ day of _____, 199.

ADOPTED this _____ day of _____, 199.

Chair

Secretary

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Galiano Island Local Trust Committee

Development Approval Information Checklist

Development Permit Area Applications

The attached checklists are intended to assist consulting professionals in submitting complete and relevant reports. A completed checklist(s) for each relevant Development Permit Area should be submitted to the Islands Trust along with all professional reports. The checklist and professional reports should be submitted with or subsequent to submitting the application form and fee. Applicants and consultants are encouraged to contact the planner early in the process.

Instructions

Landowners/applicants should ensure that:

1. The relevant checklist(s) is provided to all their consulting professionals
2. A completed checklist is submitted with the professional reports
3. If not all information is provided in the report or with the application, that the professional has consulted with, and obtained prior approval, of the Islands Trust.

Consulting Professionals:

1. Complete and attach the relevant checklist(s) to your professional report indicating that the report has addressed all relevant development approval information requirements.
2. Where the professional is of the opinion that because of the nature of the site or the development proposal specific information is not relevant, the professional should:
 - a. Contact the planner as early as possible and consult on the need for the particular information;
 - b. Describe clearly in the report why the particular information is not relevant; and
 - c. Indicate on the checklist that the information is not applicable (N/A)
3. Where a site is designated within two or more DPAs, all relevant checklists should be completed.

Note: it is at the determination of the Islands Trust planner whether or not specific information is required. Failure to provide complete information without prior consultation with and the approval of the Islands Trust may result in delays in processing an application or requirements for additional information.

Pursuant to Galiano Island Local Trust Committee Development Approval Information Bylaw No 148, 2012, the applicant shall provide, as part of a development permit application, a report prepared by a qualified professional with relevant experience containing the following information. Where a professional is of the opinion that any of the following information requirements are not relevant for the proposal in question, the professional shall indicate the rationale for such an opinion, either in the body of the report or in a separate certification. The determination of whether and what extent that development approval information is required is at the discretion of the Islands Trust official.

OFFICE USE ONLY

File No: _____

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 1)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures, including septic systems		
	Roads and driveways		
	Topographic features		
	The locations of the top of bank		
	The high water mark		
	SPEA widths and the width of any zones of sensitivity		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing a description and evaluation of the riparian values, including species of fish that frequent the waterbody, and riparian features and habitat present		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the watercourse, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of the following:		
	For a stream: the results of the riparian assessment, using a detailed or simple assessment as indicated in the Riparian Areas Regulation, and establishing the Streamside Protection and Enhancement Area (SPEA) width for the subject parcel.		
	For other watercourses: an assessment of anticipated impacts on riparian habitat and features, the watercourse, and site hydrology.		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development		
Measures	For a stream: a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of danger trees, windthrow, slope stability, tree protection during construction, encroachment and sediment and erosion control.		
	For other watercourses: recommended measures to limit, mitigate and manage the impacts of the proposed development on riparian habit and features, the watercourse, and site hydrology.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 1)			Office Use only
	Information and Documentation Required	✓	
Restoration	Recommended actions to restore or enhance riparian functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		
Certification	For a stream, professional certification by the Qualified Environmental Professional(s) preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and providing his or her professional opinion that:		
	i. If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or		
	i. If the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.		

OFFICE USE ONLY

File No: _____

SHORELINE AND MARINES AREAS DEVELOPMENT PERMIT AREA (DPA 2)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	▪ The proposed development and associated features		
	▪ The natural boundary of the sea		
	▪ The development permit area boundary		
	▪ Existing buildings and structures		
	▪ Roads and driveways		
	▪ Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on existing plant communities, marine and terrestrial habitats, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, topography and marine sediment transport.		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of anticipated impacts on the following:		
	▪ Marine and terrestrial habitat		
	▪ Site hydrology		
	▪ Marine sediment transport		
	▪ Public access to and along the foreshore		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, including on adjacent and proximate sites		
Measures	A description of all measures to limit, mitigate and manage the impacts of the development on:		
	▪ terrestrial and marine habitat		
	▪ geomorphic, hydrological and coastal processes		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

SHORELINE AND MARINES AREAS DEVELOPMENT PERMIT AREA (DPA 2)			Office Use only
	Information and Documentation Required	✓	
Restoration	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		

DRAFT for review

OFFICE USE ONLY

File No: _____

TREE CUTTING AND REMOVAL DEVELOPMENT PERMIT AREA (DPA 3)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The area of proposed cutting or removal of trees		
	Existing buildings and structures		
	Topographic features		
	Roads and driveways		
	Significant features identified in the site inventory, including wildlife trees, provincially protected trees and culturally modified trees.		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on existing, pre-development timber species and quantities, current on-site and adjacent land uses, slope stability, erosional processes, hydrology and topography.		
Development Proposal	A description of the proposed work detailing volume, rate and species of timber to be harvested. Alternative options.		
Impact Assessment	An evaluation of the sustainability of the proposed rate of harvest, based on the principle that the cutting rate over any ten-year or greater period should not exceed 75% of the cumulative annual growth in the stand for that same period.		
	An unqualified statement by a professional hydrogeologist stating that the proposed timber harvesting will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity.		
	Where such a statement cannot categorically be made, the report should include specific recommendations on well and aquifer protection measures which would result in the requirement being met		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

OFFICE USE ONLY

File No: _____

ELEVATED GROUNDWATER CATCHMENT DEVELOPMENT PERMIT AREA (DPA 4)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Topographic features		
	Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
	A map of all currently used water wells, springs and surface water features within a radius of at least 1 km of the development site.		
Site Inventory	A site inventory providing information on: - pre-existing development conditions - current on-site and adjacent land uses - slope stability - erosional processes - hydrology - surface water bodies - topography		
	A background analysis including the following:		
	A description of the hydrogeological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, groundwater vulnerability, estimated recharge area and conditions and climate;		
	A conceptual model of groundwater occurrence and groundwater-surface interaction;		
	A description of existing users within 1.0 km of the development site;		
	A preliminary pre-development water budget;		
	Water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination;		
	Methodology and, if applicable, uncertainties and limitations of the report.		
Development Proposal	A description of the proposed development detailing: - Construction - cut and fill - blasting - road or driveway construction - vegetation clearing - alteration to hydrological systems - alterations affecting the marine foreshore - septic field installation - landscaping - other land alteration during or after the development		

ELEVATED GROUNDWATER CATCHMENT DEVELOPMENT PERMIT AREA (DPA 4)			Office Use only
	Information and Documentation Required	✓	
	phase.		
	Alternative development options.		
Impact Assessment	An assessment consisting of:		
	Cumulative effects analysis;		
	Impact to existing groundwater users, identification of the potential groundwater protection issues in the area and risk of saline intrusion;		
	Impact to surface water where applicable;		
	Other potential impact implications.		
Measures	Conclusions and recommendations consisting of:		
	A summary of the results and impact assessment		
	An unqualified statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity		
	where such a statement cannot categorically be made, specific recommendations on well and aquifer protection measures which would result in the requirement being met.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

OFFICE USE ONLY

File No: _____

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Topographic features		
	Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on: - existing plant communities - aquatic and terrestrial habitats - sensitive ecosystems - nesting trees - the presence of rare species and rare plant communities - current on-site and adjacent land uses - slope stability - erosional processes - hydrology - topography		
	Site background analysis that includes the following known information: - A check for observed species and ecosystems at risk - A description of the context of the site including the use of adjacent lands and proximity to protected areas - A check for the presence of raptor and heron nests - A check for the presence of fish-bearing water courses		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of anticipated impacts on the following:		
	Sensitive ecosystems		
	Rare plant communities		
	Rare species habitat		
	Site hydrology		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, including on adjacent and proximate sites		

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
Measures	A description of all measures to limit, mitigate and manage the impacts of the development on environmentally valuable features		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		
Restoration	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		

OFFICE USE ONLY

File No: _____

STEEP SLOPE HAZARD DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	Topographic features and showing 1 to 5 metre contour intervals		
	The development permit area boundary		
	Existing and proposed buildings and structures		
	Roads and driveways		
	Proposed site grading and post development contours		
	Significant natural features		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	An assessment of potential geotechnical hazards that may affect the subject site and neighbouring properties. This should include a summary of the method of hazard analysis and the level of field work.		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of whether the proposed development would result in an acceptable probability of a geotechnical hazard.		
Measures	Recommendations for measures to reduce hazards on the subject site and neighbouring properties.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

CHIEF ADMINISTRATIVE OFFICER 2012-2013 FOURTH QUARTER REPORT

Date: February 20, 2013

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. TRUST COUNCIL & TRUSTEES - Supervise all decisions and briefings to Trust Council - Supervise implementation of Trust Council decisions - Supervise quarterly meeting preparation - Council sessions – legal advice - Strategic planning – amendments to plan related to proposed budget - Planning and public consultation re budget - Advice to trustees re standards of conduct, fairness and legislative matters	- Supervise implementation of Council decisions - Supervise quarterly meeting preparation - RFDs and briefings - Council sessions – FOIPPA webinar - Strategic planning – monitor status - Develop recommendations re LTC Expense Fund
2. EXECUTIVE COMMITTEE - Supervise tri-weekly meeting preparation - Supervise implementation of EC decisions - Identify options for SSILTC re options for coordinated watershed management (re <i>Islands Trust Act</i>) - Staff liaison re SSI governance study - Litigation defence management (3 files completed) - Liaison with Ombudsperson office (no current complaints) - Administrative Fairness Complaints (two responses completed this quarter – one awaiting response from complainant) - Communications assistance re litigation	- Supervise tri-weekly meeting preparation - Supervise implementation of EC decisions - Improvements to EC work program management - Develop recommendations re delegation of Trust Council powers to SSILTC re watershed management - Staff liaison re SSI governance study - Briefing to Council - Litigation defence management (1 active file) - Recommendations re succession strategy - Initial steps in policy development and implementation improvement program - AVICC attendance
3. EXECUTIVE SERVICES UNIT - Unit budget request - Staff performance reviews	- Unit budget management - Staff performance planning
4. EXTERNAL LIAISON - Ministry of Community, Sport and Cultural Development re Islands Trust issues - Bowen Island Municipality – EC annual meeting follow up - National Marine Conservation Area liaison	- Ministry of Community, Sport and Cultural Development re Islands Trust issues - Update provincial protocol agreement re Crown lands - National Marine Conservation Area liaison
5. MANAGEMENT TEAM - Bi-weekly coordination meetings - Monthly meetings of leadership group - Organizational training re collaboration/leadership - Management of concerns re hiring freeze	- Bi-weekly management coordination meetings - Monthly meetings of leadership group - Training focus: collaboration/leadership





EXECUTIVE COMMITTEE WORK PROGRAM REPORT

To: Islands Trust Council

Updated: February 19, 2013

WORK PROGRAM (*Top Three Priorities*)

1. ADVOCACY INITIATIVES

Current

- Derelict vessel working group (LG/CF)
- National Marine Conservation Area (LG/CF)
- Trust Fund Board – legislative change request (LG/JE)
- BC Ferries (LG/CF)
- Oil Spill Response (LG/CF)

Planned

- Howe Sound Management Plan (LG/CF)

2. STRATEGIC PLANNING

Current

- Amendment to Strategic Plan re FPC final draft budget recommendations (LA)

Planned

- Monitoring of Strategic Plan status(LA)

3. ORGANIZATIONAL EFFECTIVENESS

Current

- Trust Council preparations (LA/MS)
- Options for delegation of Trust Council powers to SSILTC (LA)

Planned

- CAO – Emergency Succession Plan (LA)
- EC work program management improvements (LA)
- Bylaw re delegation of Trust Council powers to SSILTC (LA)
- Review and improvements to Islands Trust policy development and implementation process (LA/CT)
- Recommendations re amendments to policy re Local Expense Fund (LA/CS/DM)

TRUST COUNCIL MEETING – SESSIONS and REQUEST FOR DECISION/INFORMATION ITEM(S)

Sessions

- Trust Fund Board
- Incamera session

Decision Items

- Adopt amended Strategic Plan consistent with adopted budget (LA)

Information Items

- Executive Committee report
- Trust Council - Continuous Learning Plan (for discussion and suggestions)
- Organizational Priorities Chart
- CAO Quarterly Report

PROVINCIAL LIAISON UPDATE**Completed**

- Agricultural Land Commission Chair – Council session

Planned

- Introductory meeting with Minister of Community, Sport and Cultural Development
- Association of Vancouver Island and Coastal Communities Conference

Linda Adams
Chief Administrative Officer

Sheila Malcolmson
Chair

Islands Trust Council Plan for Continuous Learning 2011-2014

(What other topics would trustees like to propose?)

2013-02-14

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2013	Webinar Sessions	New Website Orientation		Northern and Southern Team Meetings	
	Mar (Thetis)	Annual Budget Session	Legal Session Conflict of Interest		Working with the Islands Trust Fund
	June	TBD e.g. Advocacy Policy	Freedom of Information and Protection of Privacy	Good Planning Practice	Working with San Juan County
	Sept		Refresher on administrative fairness in application processes	Good Planning Practice	
	Dec (Victoria)	Draft Budget Session		Good Planning Practice	Electoral Area Directors re Economic Development
2014	Mar	Annual Budget Session		Good Planning Practice	
	June				San Juan County
	Sept	Election period best practices			
	Nov (Victoria)	Orientation	Orientation	Orientation	Orientation

SESSIONS/ITEMS COMPLETED IN 2011-14 TERM

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2012	Dec (Salt Spring)	Draft Budget Session		Greenshores for Homes re Shoreline Mapping	Introduction to the Agricultural Land Commission
2012	Sept (Bowen)	Strategic Planning Oil Spill Response	Refresher on Standards of Conduct and Administrative Fairness	Good Planning Practice Best practices in public engagement	Bowen Island Municipality
2012	June (Penders)	Strategic Planning	Intro to Indemnification		First Nations San Juan County
	Mar (Gabriola)	Annual Budget Session Initial Strategic Planning Session	Standards of Conduct and Indemnification	Community Planning 101 (for new trustees)	
2011	Dec (Victoria)	Orientation to Trust Area Services Orientation to Administrative and Financial Services Orientation to budget and budget process	'Staying out of Trouble' Session	Orientation to Local Planning Services	Making Fair Decisions Islands Trust Human Resources

Potential topics/agency liaison for consideration in 2011-14 term:

- Coastal Douglas Fir Zone Conservation Action Plan (Trustee Pottle suggestion)
- Effective Advocacy (Trustee Steeves suggestion)
- Dealing with difficult people (Trustee Busheikin suggestion)
- Dispute Resolution for planners and trustees (Trustee Grove suggestion)
- Introduction to the Climate Action Charter
- Effective Conservation Covenants
- Private Managed Forests Council
- BC Assessment Authority
- Ministry of Transportation
- Local GHG Emissions Inventory (e.g. Lasqueti Island)
- Advocacy and Media Relations
- Succession Planning and Staff Retention
- Soil Removal
- Using Social Media

SESSIONS/ITEMS COMPLETED in 2008 – 2011 TERM					
Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2008	December (Victoria)	Intro to Budget Session Initial Strategic Discussion	General Orientation Governance (G. Cuff)	General Orientation	General Orientation
2009	Mar (Gabriola)	Annual Budget Session	Strategic Planning Legal Session	Intro to land use planning	
	June (North Pender)		Procedural Fairness	Introduction to land use planning – part 2	Farm Industry Review Bd San Juan County
	September (Mayne)	Climate Change – GHG Emission Reduction Targets		GHG Emission Reduction – planning policies actions	
	December (Salt Spring)	Intro Budget Session History of the Trust Strategic Plan Update	Litigation 101	Community Housing Task Force Update Bill 27 Update	Trust Fund Board
2010	March (Hornby)	Strategic Plan Review Annual Budget Session	Update regarding court case	Community Housing Task Force Report Bill 27 Update	San Juan County Parks Canada
	June (Saturna)	Marine Shipping Safety	Refresher on Orientation Topics	Refresher on Temporary Use Permits	
	Sept (Bowen)	Strategic Plan Update and Review		Food Security through Land Use Planning Riparian Area Regs - the Perspective of a QEP	Bowen Island Council
	Dec (Victoria)	Intro Budget Session Strategic Plan Update		Good Planning Practice (Randall Arendt)	Regional Conservation Plan (TFB) GINPR (southern trustees)
2011	March (Galiano)	Annual Budget Session		MAP IT demo Implementing the Regional Conservation Plan with LTCs	
	June (Denman)	Conservation Offsets	Operational Carbon Neutrality and Offsets	Rural By Design Practical examples	Liaison with Electoral Area Director – Cortes Strathcona RD
	Sept (Salt Spring)	Term & Strategic Plan Review Advice to Incoming Council	Elections Period Best Practice		San Juan County



REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Executive Committee

Date Prepared: February 19, 2013

SUBJECT: ISLANDS TRUST COUNCIL STRATEGIC PLAN – AMENDMENTS TO ALIGN WITH TRUST COUNCIL’S BUDGET FOR 2013-2014

RECOMMENDATION: That the Islands Trust Council endorse the activities, phases and success measures identified for 2011-2014 in the document entitled *“Islands Trust Council Strategic Plan 2011-2014 – Adopted September 2012, Updated March 2013.”*

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Trust Council adopted the goals, objectives and strategies for its Strategic Plan in September 2012 to focus its organizational resources on those areas that Trust Council members had identified as top priorities for the term, along with those required by provincial legislation. In September 2012, Trust Council also endorsed a set of *activities, phases* and *success measures* and asked the Financial Planning Committee and staff to use those as a basis for development of the 2013-2014 budget. Some of the *activities* proposed for future years were dependent upon new resources and future budget decisions. Following Trust Council's decision about a budget for the 2013-2014 fiscal year, it can then determine what *activities* on its adopted Strategic Plan it can afford to undertake in the upcoming fiscal year. A draft Strategic Plan has been developed, with amendments to *activities, phases* and *success measures* that reflect current progress and the 2013-2014 budget recommended by the Financial Planning Committee.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The Strategic Plan has organizational implications for all parts of the Islands Trust organization. Amendments to the strategic plan will assist Trust Council and Islands Trust staff in focusing resources and efforts to achieve priority goals and objectives within budget constraints. Staff expect that the activities proposed for 2013-2014 can be achieved with the Financial Planning Committee's proposed budget and staff levels, provided other priorities are not identified to displace those indicated in the Strategic Plan.

FINANCIAL: The attached draft version of the Strategic Plan indicates whether particular projects are funded by the Islands Trust's proposed budget, through either the base budget or the projects budget. Amendments have been made to reflect progress to date and the Financial Planning Committee's proposed budget for 2013-2014.

POLICY:

- o Islands Trust Council's Policy 2.4.i indicates that the Executive Committee is to 'coordinate the development, preparation and implementation of an organizational strategic plan'.
- o The goals indicated in the Strategic Plan are based on those identified in the Islands Trust Policy Statement.

IMPLEMENTATION/COMMUNICATIONS:

- o The adopted Strategic Plan, as amended, will be placed on the Islands Trust website, with an updated cover page.
- o Council Committees will be asked to ensure that their work programs are aligned with the Strategic Plan.
- o Where applicable, local trust committees will consider the Strategic Plan on a regular basis.
- o Where applicable, staff work programs will be aligned with the Strategic Plan.

OTHER: An adopted Strategic Plan can be used as a tool for communicating with the public and other levels of government regarding Trust Council's priorities during the current term.

BACKGROUND

- ◆ In September 2012, Trust Council approved a Strategic Plan and requested the Financial Planning Committee and staff to use it as a basis for development of the 2013-2014 annual budget.
- ◆ The Strategic Plan is an ambitious document, and its completion of the activities described depends upon maintenance of an organizational focus on Strategic Plan work.
- ◆ Staff have worked with Council Committees and Local Trust Committees to amend Committee Work Programs in a way that brings them into alignment with the Strategic Plan. Similarly, directors and senior staff have amended their individual work programs to reflect Strategic Plan priorities.
- ◆ The adopted Strategic Plan formed the basis for development of the first draft of the Islands Trust budget for 2013-2014, presented to Trust Council in December 2012.
- ◆ Following input from trustees, public consultation and further discussions, the Financial Planning Committee has recommended a budget to Trust Council. Many, but not all items in Trust Council's Strategic Plan will be funded if Trust Council adopts the budget recommended by the Financial Planning Committee.
- ◆ Adoption of an amended Strategic Plan will reflect activities that Council can expect to achieve with the budget it has adopted.

REPORT/DOCUMENT: Attached

1. Trust Council Strategic Plan – Adopted September 2012, updated March 2013.

KEY ISSUE(S)/CONCEPT(S):

Adoption of an amended Strategic Plan that reflects progress to date and Trust Council's adopted budget.

RELEVANT POLICY:

Islands Trust Council Policy 2.4.i – Executive Committee Terms of Reference

DESIRED OUTCOME:

Adoption of a Strategic Plan to guide operations for the coming fiscal year in alignment with Trust Council's adopted budget.

RESPONSE OPTIONS

Recommended: As above

Alternatives: To amend the Strategic Plan before adoption, particularly if Trust Council adopts a 2013-14 budget that is significantly different from that proposed by the Financial Planning Committee

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer



Islands Trust

Preserving Island
communities, culture
and environment

Our Provincial Mandate

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

– Islands Trust Act



Islands Trust Council — Strategic Plan 2011-2014

Adopted September 12, 2012 – amended February 19, 2013

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and sometimes fragile natural environment of the islands in the Strait of Georgia and Howe Sound, characterized by an exceptional variety of species, have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council has a unique mandate from the province to preserve and protect the amenities and environment of the Islands Trust Area, for the benefit of residents and all British Columbians. It meets quarterly to make decisions about the Islands Trust's overall policy, advocacy positions, staff resources and budget. Trust Council is made up of the 26 locally-elected trustees who also sit on 12 local trust committees and one island municipality. There they have responsibilities for land use planning and regulatory decisions that are separate from their role at the Islands Trust Council. The current Council was elected for a 3-year term during BC Local General Elections in November 2011. Trustee terms will end in November 2014.

A Strategic Plan for the 2011-2014 term

The Islands Trust Policy Statement is partially implemented through Council's strategic plan. By identifying goals and developing a plan to achieve them, Council focuses finite resources and measures progress. After extensive review and public input, Trust Council has confirmed the following focus areas for its 2011-2014 term:

Goal A - Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat under BC's Riparian Areas Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B – Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C – Sustain Island Character and Healthy Communities

The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D – In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness

Shaded text=activities primarily achieved in prior fiscal years or proposed for future fiscal years and subject to future budget decisions;

Italics=changes since last Trust Council meeting

Highlighted areas = activities that are subject to funding in the 2013/14 program budget

Policy Statement Goal A: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
1 PROTECT the natural environment of islands	1.1 Encourage voluntary stewardship of natural environment	<u>FY 2011/12- 2014/15</u> 1.1.1 Promote community participation in conservation through information sharing and education about private land stewardship options	TFB	Subject to funding in annual budgets or grant funding	By whether the Islands Trust Fund is actively promoting its conservation programs at community events, in publications and online	Ongoing
		<u>FY 2012/13 – 2013/14</u> 1.1.2 Share information about best practices for covenants and NAPTEP with all planning staff	TFB	Funded by base budget	By whether planners have been provided with covenant education opportunities and whether information is available through the Islands Trust Fund website	Website information in development, ITF staff planning to present information at an LPS Pro D day
		<u>FY 2012/13 – 2014/15</u> 1.1.3 Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.	TFB	Nearshore mapping subject to funding in program budgets 2013/14 Budget \$22K for eelgrass mapping; \$10K for forage fish mapping 2014/15 budget \$22K for eelgrass mapping; 10K for forage fish mapping	By whether maps of natural and modified environments are available to LTC's and BIM, RDs, local conservancies and other partners	Draft Protected Area Network mapping available, eelgrass and forage fish habitat mapping underway and other mapping in development stages Budget request made for 2013/14
		<u>FY 2013/14</u> 1.1.4 Research and develop a pilot landowner contact program in collaboration with a local conservancy	TFB	Subject to external funding	By whether a landowner contact pilot program is implemented	Not started
		<u>FY 2011/12 - 2014/15</u> 1.1.5 Support island-based land trusts with partnerships, funding and capacity building opportunities	TFB	Funded by base budget and donations	By whether the Opportunity Fund grows by at least 10% per year and by the amount of grants issued	<i>Grants totaling \$11,600 distributed in 2011/12, 2012/13</i>
		<u>FY 2013/14</u> 1.1.6 Council workshop regarding invasive species	TFB	Funded by base budget	By whether a Trust Council workshop has been held	Not started
		<u>FY 2013/14 – 2014/15</u> 1.1.7 Share information with the public about managing invasive species	TFB	Subject to funding in 2014/15 program budget	By whether information has been shared with the public	Not started

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	1.2 Expand Natural Areas Protection Tax Exemption Program (NAPTEP) program to entire Islands Trust Area	<u>FY 2012/13</u> 1.2.1 Present NAPTEP program to BIM Council for consideration	TFB	BIM***	Funded by base budget	By whether or not BIM has considered participating in the NAPTEP program	Complete. Tax impact model drafted and presented to BIM Sept/12. Pending BIM request to proceed
		<u>FY 2013/14</u> 1.2.2 Seek support from Metro Vancouver RD for NAPTEP. subject to BIM approval of program	TFB		Funded by base budget	By whether support from Metro Vancouver RD (MVRD) has been sought	Gambier LTC approval received. <i>BIM declined for current term.</i> Pending BIM approval of program. MVRD staff report prepared
		<u>FY 2014/15</u> 1.2.3 Launch NAPTEP on the islands in MVRDRD (subject to BIM and MVRD approval)	TFB		<i>Funded by base budget</i>	By whether NAPTEP has been launched on the islands within the MVRD	Gambier LTC approval received. <i>BIM declined for current term.</i>
	1.3 Protect fish habitat by implementing Riparian Areas Regulation	<u>FY 2013/14</u> 1.3.1 Identify undesignated RAR watersheds	LTCs**		Subject to funding in 2013/14 program budget (included in item 1.3.3 budget as noted below)	By whether all RAR watersheds have been identified	Complete for 10 LTAs. Gambier and Lasqueti in progress Budget request made for 2013/14
		<u>FY 2012/13 – 2013/14</u> 1.3.2 Improve mapping of some riparian areas on SSI	LTCs**		Funded by 2012/13 program budget	By whether new mapping of priority riparian areas is complete	New mapping of streams on SSI complete. Community review underway. <i>Contract let to undertake new stream mapping</i>
		<u>FY 2013/14 & 2014/15</u> 1.3.3 Improve mapping of additional riparian areas on SSI and some northern islands	LTCs**		Subject to funding in 2013/14 program budget Denman: \$42,000 Gambier: \$30,000 Hornby: \$22,000 Lasqueti: \$30,000 SSI: \$51,000	By whether new mapping of priority riparian areas is complete	Budget request made for 2013/14
		<u>FY 2012/13 – 2013/14</u> 1.3.4 Adopt new bylaws to implement RAR on selected islands	LTCs**		Funded by 2012/13 program budget	By whether selected islands are RAR compliant through bylaw development	Gabriola bylaws almost complete
		<u>FY 2013/14 – 2014/15</u> 1.3.5 Adopt new bylaws to implement RAR on all islands where still required	LTCs**		Subject to funding in 2013/14 program budget Mayne: \$4000	By whether all LTAs are compliant with RAR through bylaw development	20 of 43 bylaws are compliant. 21 bylaw amendments in process, including mapping improvements Budget requests made for 2013/14

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	1.4 Establish reliable, adequate and sustainable funding for the Islands Trust Fund	<u>FY 2012/13 – 2013/14</u> 1.4.1 Seek legislative change regarding TFB corporate structure and name	EC	Funded by base budget	By whether legislative change has been requested	Chair correspondence sent Nov/12. <i>Response received Feb/13. Meeting with ADM to be planned.</i>
		<u>FY 2011/12 – 2014/15</u> 1.4.2 Engage in outreach to expand donor base, develop legacy giving program and secure acquisition funds	TFB*	Partially funded through 2012/13 program budget	By whether the TFB has implemented outreach regarding funding needs and legacy gifts	<i>In progress</i>
		<u>FY 2014/15</u> 1.4.3 Develop and implement strategy re changes to corporate structure and name	TFB	Subject to 2014/15 program budget	By whether TFB corporate status and name change has been implemented	Pending legislative change
		<u>FY 2015/16</u> 1.4.4 Review and launch long-term funding strategy	TFB	Subject to 2015/16 program budget	By whether the long-term funding strategy has been reviewed and launched	Not started. Pending legislative change
	1.5 Establish core conservation areas to protect biodiversity priorities	<u>FY 2011/12- 2012/13</u> 1.5.1 Map and prioritize high biodiversity areas and develop a strategy for protection	TFB	Funded by base budget	By whether the TFB has a prioritized high biodiversity areas, and developed a strategy (including a funding needs assessment)	Mapping of high priority areas underway
		<u>FY 2011/12 – 2014/15</u> 1.5.2 Protect land with high biodiversity, through acquisition, donation, or conservation covenant	TFB*	Partial funding through base budget; acquisitions funded by donations and external grants	By whether the TFB has protected at least 500 hectares of high biodiversity land in the timeframe of the Regional Conservation Plan 2011-2015	85.9 hectares protected since 2011
	1.6 Use land use planning tools and decisions to increase protection of special areas	<u>FY 2012/13</u> 1.6.1 Explore model land use planning tools that protect species and ecosystems at risk	LPC	Funded by base budget	By whether a staff report on model land use planning tools has been completed	Not started. Pending provincial working group report. (not on LPC work program)
		1.6.2 Trustee workshop about protection of special areas	TFB	Funded by base budget	By whether a trustee workshop has been held	Planned for March 2013 Trust Council meeting
		<u>FY 2011/12 – 2014/15</u> 1.6.3 Develop policy, OCP and LUB amendments that include protective measures for biodiversity	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs and LUBs have been amended to address improved protection of biodiversity	Some reviews underway

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	1.7 Reduce greenhouse gas emissions	<u>FY 2012/13 – 2013/14</u> 1.7.1 Include GHG emission reduction targets, policies and actions in all OCPs, as required by LGA	LTCs	Funded by program budget	By whether all OCPs comply with LGA re GHG emissions	18 of 19 comply. Outstanding OCP (Piers Island) on work program for 2013
		<u>FY 2014/15</u> 1.7.2 Use new planning tools (Bill 27) to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term (e.g. as illustrated in Council toolkit Reducing Greenhouse Gases in the Islands Trust Area)	LTCs**/BIM***	Subject to funding in 2014/15 budget	By whether LTCs/BIM have used new planning tools to foster reduced GHG emissions from development	<i>Gabriola LTC working on possible regulations to implement OCP policies</i>
		<u>FY 2012/13 – 2013/14</u> 1.7.3 Develop policy regarding carbon-neutral operations and purchase of carbon credits to balance GHG emissions that cannot be eliminated	FPC	Funded by base budget	By whether Trust Council has adopted a policy	Emissions inventory complete (Jan/11 to June/12) Draft going to FPC in May/13
2. PROTECT coastal and marine ecosystems	2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	<u>FY 2012/13</u> 2.1.1 Develop integrated shoreline and watershed protection mapping for major islands	LPC	Funded by external grants	By whether integrated shoreline and watershed protection mapping has been developed for major islands	<i>Completed</i>
		<u>FY 2013/14</u> 2.1.2 Identify and post updated website links regarding existing shoreline stewardship information	TAS	Funded by base budget	By whether website links have been updated	<i>In progress</i>
		2.1.3. Pilot a Green Shores for Homes credit rating incentive system in one LTA	LTCs**	Subject to successful grant application	By whether an LTC has piloted a Green Shores for Homes credit rating incentive system	Not started. Funding not recommended by LPC. Dependent upon grant application
		2.1.4 Host a shoreline stewardship landowner workshop on one island	LPC	Subject to funding in 2013/14 program budget	By whether a workshop has been held	\$5000 request in (13/14 TFB request for eelgrass/forage fish mapping 2013/14 and 2014/15 subject to LPC joint sponsorship?) Not started (funding not recommended by LPC)
	2.2 Use land use planning tools and decisions to improve protection of coastal areas	<u>FY 2013/14 – 2014/15</u> 2.2.1 Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping	LTCs**	Subject to funding in future program budgets	By whether LTCs have adopted regulatory bylaws	Reviewed by Thetis LTC

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?			IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		2.2.2 Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore	LPC/LTCs**			Subject to funding in 2013/14 program budget (\$2000)	By whether mechanisms have been developed	Not started Budget request made for 2013/14
	2.3 Participate in planning for National Marine Conservation Area Reserve	<u>FY 2011/12 – 2014/15</u> 2.3.1 Advocate for implementation of the NMCA reserve	EC			Funded by base budget	By whether the EC has continued to actively advocate for implementation of the NMCA reserve	<i>Resolution supported by TC in Dec 2012 Feb 2013 Chair letter to Ministers Lake & Kent</i>
		2.3.2 Participate in NMCA workshops and consultation opportunities	LTCs**	TAS	EC	May require additional funds	By level of participation in NMCA workshops and consultation opportunities	Workshops attended in Aug and Oct No funding proposed in 2013/14 budget
		<u>Future fiscal years (TBD)</u> 2.3.3 Respond to NMCA implementation steps with complementary activities, as required	LTCs**			May require additional funds	TBD	Not started
	2.4 Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities	<u>FY 2011/12 – 2014/15</u> 2.4.1 Chair correspondence regarding oil spill prevention and response	EC			Funded by base budget	By whether the Chair has sent correspondence to advocate for oil spill prevention and response	2011:7 letters sent 2012:1 letter sent 2013: 1 letter sent Related resolution passed at UBCM convention 2012
		2.4.2 Chair participation in hearings related to tanker traffic increases	EC			Funded by base budget	By whether the Chair has participated in hearings related to tanker traffic increase	NEB hearing presentation August 2012
		2.4.3 Host local government workshops to raise awareness of gaps in oil spill prevention and response capacity	EC			Funded by base budget	By whether workshops have been held	One workshop held at AVICC. Chair presentation to Regional District Nanaimo Board Jan 2013
		2.4.4 Participate in mock oil spill exercises to understand gaps in oil spill response capacity	EC			Funded by base budget	By whether participation has taken place	Participation in two exercises in 2012
		<u>FY 2011/12 – 2014/15</u> 2.4.5 Continue to advocate for senior government solutions to derelict vessels	EC			Funded by base budget	By whether the Islands Trust has continued to advocate for derelict vessel solutions	Islands Trust participation on derelict vessel working group is on-going <i>Chair letter and media interviews re delayed Transport Canada report</i>

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>FY 2011/12 – 2013/14</u> 2.4.6 Advocate regarding potential impacts of the proposed Raven Coal Mine upon Baynes Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Raven Coal Mine	Two letters written
		<u>FY 2012/13 – 2014/15</u> 2.4.7 Advocate regarding potential impacts of the proposed Burnco Gravel Mine upon Howe Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Burnco Gravel Mine	<i>Staff exploring scope</i>
		<u>FY 2013/14 – 2014/15</u> 2.4.8 Clarify jurisdictional issues related to Islands Trust Area boundary	EC	Funded by base budget	By whether a formal report and request for provincial clarification has been completed	Not started
	2.5 Advocate for appropriate regulation of aquaculture	<u>FY 2013/14 – 2014/15</u> 2.5.1 Collaborate with Department of Fisheries and Oceans regarding shellfish regulations through local government advisory committee as a pilot project for one LTC (Denman)	LTCs**	Subject to funding in 2013/14 program budget (\$1000)	By whether the Denman Island LTC has collaborated with DFO on a pilot project	Shellfish Farming Community Bylaw Review process added to DILTC work program Budget request made for 2013/14 <i>Terms of reference drafted. Meeting planned before end of March 2013</i>
	2.6 Advocate for effective regulation of marine sewage	<u>FY 2011/12 – 2014/15</u> 2.6.1 Chair correspondence regarding marine sewage regulation	EC	Funded by base budget	By whether the Chair has written to advocate for regulation of marine sewage	Pending further advice in consultation with partners
		2.6.2 Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas (i.e. during rezoning applications)	LTCs**/BIM***	Funded by base budget	By whether OCP policies require sewage pump-outs as a condition of marina development/expansion	Required or recommended in 8 OCPs

Policy Statement Goal B: Stewardship of Island Resources...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
3. PROTECT quality and quantity of water resources	3.1 Encourage understanding and voluntary stewardship of water resources	<u>FY 2013/14</u> 3.1.1 Compile educational materials about water resources done by local groups and identify gaps	TPC	Funded by base budget	By whether the need for new educational materials had been defined.	<i>Underway</i>

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		3.1.2 Fill identified gaps with new educational materials about water resources	TPC	Funded by base budget	By whether community meetings have been held to encourage water stewardship	Not started
		<u>FY 2014/15</u> 3.1.3. Develop an on-going water stewardship program	TPC	Subject to 2014/15 program budget	By whether an on-going water stewardship program has been funded and launched	Not started
	3.2 Advocate for provincial Water Act reform	<u>FY 2011/12 – 2014/15</u> 3.2.1 Continue to participate in Water Act reform consultations	EC	Funded by base budget	By whether participation in Water Act reform has taken place	Pending provincial selection of pilot areas
	3.3 Use land use planning tools and decisions to protect water quality and quantity	<u>FY 2013/14</u> 3.3.1 Develop toolkit for use by LTCs/BIM that illustrates options for using planning tools to protect water quality and quantity	LPC	Subject to funding in 2013/14 program budget (\$2500)	By whether a toolkit has been developed	Not started Budget request made for 2013/14
		<u>FY 2013/14 – 2014/15</u> 3.3.2 Amend OCPs to include new policies for water resource protection	LTCs**/BIM***	Subject to funding in annual program budgets	By whether OCPs have been amended to include new policies about water resource protection	Some reviews underway
		3.3.3 Amend LUBs to include new regulations aimed at protection of water quality and quantity	LTCs**/BIM***	Subject to funding in annual program budgets	By whether LUBs have been amended to include new regulations aimed at protection of water quality and quantity	Not started
		<u>FY 2013/14</u> 3.3.4 Develop model Development Permit Areas that LTCs and BIM may consider in regards to water conservation	LPC	Subject to funding in 2013/14 program budget (\$2500)	By whether model Development Permit Areas have been developed	Not started Budget request made for 2013/14
		<u>FY 2014/15</u> 3.3.5 Adopt new Development Permit Areas to enhance water conservation	LTCs**/BIM***	Subject to funding in 2014/15 program budget	By whether LTCs/BIM have adopted new Development Permit Areas to enhance water conservation	Not started
	3.4 Explore alternative tools for improving watershed management	<u>FY 2012-13</u> 3.4.1. Identify options within the Islands Trust Act for coordination of watershed protection	EC	Funded by base budget	By whether options have been identified	<i>Complete</i>
		<u>FY 2013-14</u> 3.4.2 Consider pilot project for coordination of watershed protection within one LTA	LTCs**	Partially funded by base budget.	By whether a pilot project has been considered	St. Mary Lake Watershed Working Group formed on SSI. <i>RFD re delegation of Trust Council powers - Mar/13</i>

Policy Statement Goal C: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
4. ENHANCE community economic sustainability and security	4.1 Create linkages between islands and Regional Districts to share effective and appropriate economic development models	FY 2013/14 4.1.1 Half day session on Trust Area economic development at Dec 2013 Council in Victoria, inviting all EA reps	TPC	Funded by base budget	By whether a joint session has occurred	Initial discussion held at Islands Trust UBCM breakfast mtg for EADs/MLAs
	4.2 Advocate for sustainable, affordable and appropriate ferry service	FY 2013/14 4.2.1 Develop and implement research program in support of advocacy program	TPC	Subject to funding in 2013/14 program budget (\$20,000)	By whether a research program has been developed and implemented	Budget request made for 2013/14
		FY 2014/15 4.2.2 Commission economic impact study related to ferry fares and service	TPC	Subject to funding in 2014/15 budget	By whether a study is complete	Not started
		FY 2011/12 – 2014/15 4.2.3 Continue advocacy program regarding ferry fares and service.	EC	Funded by base budget	By whether advocacy actions have been taken in regards to ferry fares and service	Dec/12: Sent submission to Minister Polak
	4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing (as described in Trust Council's toolkit, Affordable Housing Guide)	FY 2011/12 – 2014/15 4.3.1 Amend OCPs to include affordable housing policies	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs have been amended to include new affordable housing policies	Some OCP reviews underway. Hornby considering allowing secondary suites
		4.3.2 Amend LUBs to improve availability of affordable housing	LTCs**/BIM***	Subject to annual program budgets	By whether LUBs have been amended to improve availability of affordable housing	SSI LUB amendments re secondary suites to public hearing in Feb/2013. Budget request made for 2013/14
	4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's 2010 report, Exploring Food Security in the Trust Area)	FY 2012/13 – 2014/15 4.4.1 Amend OCPs to include food security and farmland protection policies	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs have been amended to address food security and farmland protection	Reviews underway Budget request made for 2013/14
		4.4.2 Amend LUBs to improve food security	LTCs**/BIM***	Subject to annual program budgets	By whether LUBs have been amended to improve food security	Reviews underway Budget request made for 2013/14

Goal D: In cooperation with others...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
5. STRENGTHEN relations with First Nations	5.1 Improve consultation/engagement with First Nations during land use referrals	<u>FY 2012/13 – 2014/15</u> 5.1.1 Adopt First Nations Consultation Strategy	TAS	LPS	Funded by 2011/12 program budget	By whether Trust Council has adopted a First Nations Consultation Strategy	First draft to TC Jun/12. Final draft pending LPS capacity to consider financial and staffing implications.
		5.1.2 Trustee workshop on working with aboriginal peoples	EC		Funded by 2012/13 program budget	By whether a trustee workshop has been held	Complete
		<u>FY 2012/13 – 2014/15</u> 5.1.3 Implement 'essential and quick start' improvements to land use referral system that do not require additional resources, as identified in FN Consultation Strategy	LPS	TAS	Funded by base budget	By whether all 'essential and quick start' improvements that do not require additional resources have been implemented	Underway. <i>Delayed by other priorities</i>
		<u>FY 2013/14</u> 5.1.4 Identify resource needs for improved consultation and engagement	EC		Funded by base budget	By whether the resource needs for improved consultation and engagement has been identified	Not started. Pending completion of First Nations Consultation Strategy
		<u>FY 2014/15</u> 5.1.5 Implement improvements identified in the FN Consultation Strategy as longer term or requiring additional resources	LPS	TAS	Subject to increase in future base budget to support an additional LPS position	By whether all improvements identified in the FN Consultation Strategy as longer term or requiring additional resources have been implemented	Not started
	5.2 Improve consultation/engagement with First Nations during Trust Council's marine and terrestrial protection work	<u>FY 2014/15</u> 5.2.1 Improve consultation and engagement re free Crown grant program	TAS		Subject to increase in base budget	By whether consultation and engagement has been improved	Pending increased staff capacity No funding proposed in 2013/14 budget
		<u>FY 2012/13 – 2014/15</u> 5.2.2 Improve communication and coordination during marine protection advocacy	EC		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Pending staff capacity No additional budget proposed

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
6. IMPROVE organizational cost and operational effectiveness	6.1 Confirm a fair distribution of Islands Trust Services to Bowen Island Municipality	<u>FY 2012/13</u> 6.1.1 Review and amend Policy 7.2.vi (Municipal Requisition Cost Allocations)	FPC		Funded by base budget	By whether Policy 7.2.vi has been amended	<i>Complete</i>
		<u>FY 2012/13 – 2014/15</u> 6.1.2 Identify Bowen Island Municipality needs for services provided by Trust Area Services unit	TAS		Funded by base budget	By whether BIM needs for TAS services have been identified	Initial discussion held Sep/12. Chair follow up letters sent Oct/12 and Jan/13
		6.1.3 Identify improved opportunities for BIM to access services provided through Trust Area Services unit	TAS		Funded by base budget	By whether opportunities for BIM to access TAS services have been identified	Pending requests from BIM <i>Staff follow up e-mail to CAO Jan/13</i>
		6.1.4 Review budget lines to ensure accurate allocation of costs	FPC		Funded by base budget	By whether budget lines have been reviewed	<i>Staff review of line items underway. Initial discussion at FPC.</i>
		<u>FY 2013/14</u> 6.1.5 Provide additional TAS services to BIM	TAS		Funded by base budget	By whether BIM is accessing additional TAS services as identified	<i>Improved notice of IT items to BIM. Pending requests from BIM</i>
	6.2 Improve cost-recovery from development application fees	<u>FY 2013/14</u> 6.2.1 Develop model fees bylaw for consideration by LTCs	LPC	FPC	Subject to funding in 2013/14 budget	By whether a model bylaw has been developed	TC referred to LPC/FPC before bylaw drafting begins (project not recommended by LPC – no budget request made)
		<u>FY 2013/14</u> 6.2.2 Consider adoption of amended fees bylaws.	LPC/LTCs**		Subject to funding in 2013/14 program budget	By whether LTCs have adopted an amended fees bylaw that improves cost recovery	Not started (project not recommended by LPC – no budget request made)
	6.3 Prepare Island Trust organization for potential incorporation of Salt Spring Island (if province advances a provincial restructure study for SSI)	<u>FY 2013/14 – 2014/15</u> 6.3.1 Review terms of reference for a transition strategy	FPC	EC	Funded by province	By whether term of reference for a transition strategy have been reviewed	Pending provincial direction
		6.3.2 Identify and evaluate options and adopt a transition strategy	FPC	EC	Funded by province	By whether a transition strategy is complete	Not started.
		<u>FY 2014/15 - ?</u> 6.3.3 Implement adopted transition strategy	EC		Subject to future budgets	By whether the transition strategy has been implemented	Pending provincial direction and SSI decisions

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		FY 2012/13 to 2013/14 6.3.4 Review existing IT-MCSCD protocol agreement regarding incorporation of municipalities in the Islands Trust Area	EC	Funded by base budget	By whether the protocol agreement with the ministry has been reviewed and amended	Pending provincial direction
	6.4 Review service delivery regarding application processing	FY 2013/14 6.4.1 Consider development and use of a quality management system pilot on Salt Spring island for processing of development applications	LTC**	Subject to funding in 2013/14 program budget	By whether a quality management system has been considered by the SSILTC for one type of application process	Not started Budget request made

* subject to decisions of Trust Fund Board

Abbreviations:

AVICC – Assoc. of Vancouver Island Coastal Communities
 BIM – Bowen Island Municipality
 EC – Executive Committee
 FN – First Nations
 FPC – Financial Planning Committee
 FY – Fiscal Year
 IT – Islands Trust
 ITF – Islands Trust Fund
 ITPS – Islands Trust Policy Statement
 LGA – Local Government Act
 LPC – Local Planning Committee

**subject to decisions of local trust committees

LPS – Local Planning Services
 LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCSCD – Ministry of Community, Sport and Cultural Development
 MVRD – Metro Vancouver Regional District
 NA – Not Applicable
 NEB – National Energy Board
 NAPTEP – Natural Area Protection Tax Exemption Program
 NMCA – National Marine Conservation Area
 OCP – Official Community Plan
 ProD – Professional Development

***subject to decisions of Bowen Island Municipality

RAR – Riparian Areas Regulation
 RD – Regional District
 RFD – Request for Decision
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPC – Trust Programs Committee
 UBCM – Union of BC Municipalities

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Colour Key for middle column:

Colour	Potential committee / unit / body taking lead for a potential strategy
	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)
	Trust Programs Committee or Trust Area Services staff
	Executive Committee
	Trust Fund Board or Islands Trust Fund staff
	Financial Planning Committee



Islands Trust

Strategic Planning Process (2012-2013)



REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: March 5-7, 2013

From: Salt Spring Island Local Trust
Committee

Date Prepared: February 19, 2013

SUBJECT: PREPARATION OF A DRAFT BYLAW TO DELEGATE SPECIFIC TRUST COUNCIL POWERS TO THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE (Salt Spring Island Local Trust Committee Request)

RECOMMENDATION:

1. That the Islands Trust Council request the Executive Committee to develop a draft Trust Council bylaw that would delegate specific Trust Council powers to the Salt Spring Island Local Trust Committee (SSILTC) to assist it in collaborative watershed management activities.
2. That the Islands Trust Council request staff to identify grant opportunities related to collaborative watershed management
3. That the Islands Trust Council request the Executive Committee to identify and recommend policy amendments that may be required in regard to the delegation of powers to the SSILTC.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: If passed, this resolution would lead to the creation of a draft bylaw for Trust Council's future consideration, likely in June 2013. That bylaw would illustrate how Trust Council could delegate some of its powers to the Salt Spring Island Local Trust Committee to improve collaborative efforts in the protection of water resources. When such a bylaw was presented for Trust Council's consideration, further information about the implications of such delegation would also be provided. Some of Trust Council's policies may also require amendment to reflect the delegation of powers.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

The intention of the proposed bylaw would be to provide the SSILTC with broader powers to work collaboratively with other agencies in the protection of water resources in the Salt Spring Island Local Trust Area.

Initially, the SSILTC is seeking to work on a specific project – to collaborate with regional and provincial agencies and with improvement districts that provide drinking water on Salt Spring Island to preserve and protect St. Mary Lake and its watershed. As a number of the anticipated activities necessary to accomplish this initiative may be outside the local trust committee's current powers for land use planning and regulation, staff time and budget cannot be clearly expended on them. Eventually, the local trust committee may wish to undertake similar activities in regards to other watersheds or water resources in the Salt Spring Island Local Trust Area.

Appendix 1 is a sample of a delegation bylaw that illustrates how such a bylaw could appear, subject to further discussion and direction.

Should Trust Council delegate powers to the SSILTC, the SSILTC would be able to use powers such as those listed below in order to preserve and protect water resources in the Salt Spring Island Local Trust Area:

1. Acquire and dispose of land. This power would be subject to Trust Council's Policy 2.1.xiii, which is intended to ensure transparent, fair and equitable processes and to carefully consider implications of land ownership in advance. It would also be subject to sections in the *Local Government Act* that guide land disposal and could be made subject to other conditions in the delegation bylaw.
2. Coordinate and assist in the determination, implementation and carrying out of regional, improvement district and government of British Columbia policies. In combination with the power to enter into coordination agreements with other agencies, this would likely be the most useful power for the anticipated purposes. With these powers, the SSILTC could undertake some of the following activities, as examples:
 - a. Subject to coordination agreements with other agencies, coordinate the initiatives of many of the agencies that currently play a role in the management of water resources and watersheds in the Salt Spring Island Local Trust Area. This could include acting as a secretariat for the St. Mary Lake Watershed Working Group, or a more formal watershed management group.
 - b. Subject to coordination agreements with other agencies, developing a management plan and policies related to the preservation and protection of water resources.
 - c. Subject to coordination agreements with other agencies, carrying out some of the operations that would normally be undertaken by the regional district, improvement districts and provincial agencies, in order to preserve and protect water resources.
3. Make recommendations to the Lieutenant Governor in Council (the provincial cabinet) respecting the acquisition, use and disposition of government land. This would formally authorize the SSILTC to make recommendations to the province about Crown land, including the waterbed of water bodies.
4. Make recommendations to the Lieutenant Governor in Council (the provincial cabinet) respecting the determination, implementation and carrying out of policies. This would formally authorize the SSILTC to advocate to the provincial cabinet regarding policies that could assist in the preservation and protection of water resources in the Salt Spring Island Local Trust Area.
5. Enter into formal coordination agreements with a broad variety of agencies for the above purposes. This power would be particularly useful as it enables the SSILTC to enter into coordination agreements with regional districts, improvement districts, and provincial and federal agencies for a broad range of purposes. Without this delegated power, local trust committees may only enter into coordination agreements with a smaller list of agencies and only for purposes related to land use planning and regulation.

Ultimately, delegated powers could enable the SSILTC to enter into one or more multi-agency agreements with federal, provincial and regional governments, and waterworks districts, to coordinate the protection of water resources such as St. Mary Lake and its watershed. Such agreements could establish collaborative working relationships and identify multi-party funding contributions. If agreed by other agencies, and subject to the necessary resources and staff, the SSILTC could consider providing a secretariat service to a multi-party coordinating body, administering its operations. If agreed by other agencies, the SSILTC could potentially

undertake work to implement their policies. Islands Trust staff or contractors could then be legitimately engaged in these activities.

Delegation of powers would need to be followed by development of a work program to identify and implement the necessary agreements, funding arrangements, staffing and supervisory requirements. There are existing models in British Columbia that demonstrate that such collaborative arrangements can be successful, provided a coordinating body exists and sufficient staffing and other resources are provided.

FINANCIAL:

Development and adoption of a delegation bylaw would not, in itself, result in increased costs. However, to exercise broader powers, the SSILTC would have additional financial needs to undertake related operations. As these operations may be additional to the normal operations of a local trust committee, the Islands Trust Council has the discretion to fund them through a special requisition that would apply only to the Salt Spring Island Local Trust Area. Trust Council's policies indicate that such a requisition would only be made on the request of the SSILTC.

Should the SSILTC eventually enter into coordination agreements to carry out and implement the policies of other agencies, it is anticipated that there would be contribution agreements that would provide funding from those other agencies.

The Islands Trust grants administrator has identified a number of funding opportunities that could support a collaborative approach to the protection of water resources, including research into and establishment of a governance body.

POLICY:

Should Trust Council delegate powers to the SSILTC, the SSILTC would be subject to Trust Council's policies and procedures in the exercise of those powers. Some of the policies and procedures that would be most applicable are listed below. If a delegation bylaw was adopted, some of these policies would require amendment to recognize that the SSILTC would have powers in addition to its current powers related to land use planning and regulation.

- Policy 2.1.iv – Coordination Agreement Process. Guides the development of coordination agreements with other agencies.
- Policy 2.1.xiii – Acquisition and Disposal of Land Held by Trust Council.
- Policy 4.1.vi – LTC Guidelines for Authorizing Decisions
- Policy 4.1.viii Local Trust Committee Local Expense Account
- Policy 5.9.i Best Management Practices for Delivery of Local Planning Services to LTCs
- Policy 6.3.ii Special Property Tax Requisition
- Policies 6.5.i – 6.5.iv (Financial Management Policies)

IMPLEMENTATION/COMMUNICATIONS:

If Trust Council passes the recommended resolution, then staff would develop a draft bylaw for further discussion and eventual consideration by Trust Council. The draft bylaw would be accompanied by additional information about the implications of the delegation of powers.

Consequential amendments to some of Trust Council's policies would also be proposed for consideration.

Should powers be delegated, the SSILTC would then need to determine how best to exercise them. Staff assigned to support the SSILTC could be authorized to spend time and resources on developing coordination agreements and on undertaking activities related to the new powers, subject to normal budget authorizations. Additional staff or contractors would likely be necessary, with additional management requirements.

After a defined time period, Trust Council would be advised to review the efficacy of the delegation to determine if it should continue.

OTHER: Trust Council has not previously considered delegation of powers to a local trust committee. If such delegation was to result in unforeseen and unintended consequences, Trust Council could reverse the delegation by repealing the bylaw. Provided it is successful, other local trust committees may seek similar delegation of powers.

BACKGROUND

- St. Mary Lake on Salt Spring Island is a significant source of drinking water, supplying over half of the residents of the island. It has a history of serious water quality problems, related to a number of factors described in the St. Mary Lake Watershed Management Plan: <http://www.islandstrust.bc.ca/ltc/ss/pdf/ssstmarylkwtrshedmgntmplan.pdf>
- Implementation of the St. Mary Lake Watershed Management Plan requires the coordinated efforts of a number of agencies, including federal, provincial and regional government and improvement districts, as well as the SSILTC.
- To address management of the St. Mary Lake watershed, members of the SSILTC have taken a leadership role in creating and participating in a St. Mary Lake Watershed Working Group. It consists of representatives of government agencies such as the SSILTC, the Capital Regional District (CRD), provincial agencies and water providers that draw upon St. Mary Lake.
- The SSILTC has watershed management issues as a top priority work program item.
- To date, the lack of a coordinating body and sufficient funding has hampered implementation of many of the activities that would support watershed protection.
- The *Islands Trust Act* provides some unique tools that could enable the SSILTC to act as a coordinating body for watershed protection activities, subject to the agreement of other interested agencies.
- In August 2012, the SSILTC requested that the Executive Committee direct staff to investigate the option of Trust Council delegating some of its powers under the *Islands Trust Act* to the SSILTC, as described a briefing received by the SSILTC.
- In September 2012, the Executive Committee asked staff to provide further details regarding this option.
- In February 2013, the SSILTC passed a resolution asking that this Request for Decision be forwarded to Trust Council.
- Trust Council's Strategic Plan includes a strategy to: *consider a pilot project for coordination of watershed protection within one local trust area.*

REPORT/DOCUMENT: Attached

- Appendix 1: Sample Trust Council delegation bylaw - for illustration only
 - Appendix 2: Excerpts from *Islands Trust Act*
-

KEY ISSUE(S)/CONCEPT(S):

Development of a draft bylaw that would delegate specific Trust Council powers to the SSILTC, in order to assist in the preservation and protection of water resources in the Salt Spring Island Local Trust Area.

RELEVANT POLICY:

- *Islands Trust Act*, sections 8, 9, 10, 14 and 47 (see excerpts in Appendix 2)
- *Islands Trust Policy Statement* -- several statements and policies apply. Some of the more relevant are:

'The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors.'

'Government agencies and non-government organizations can contribute greatly to the preservation and protection of the environment and amenities of the Trust Area through cooperative actions based on the Policy Statement. Cooperative actions such as protocols and mutually supportive strategies and action plans are necessary for the sustainability of the Trust Area.'

3.3.1 Trust Council holds that:

• the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated.

3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

DESIRED OUTCOME:

Development of a new bylaw to provide broader powers to the SSILTC, enabling it to undertake a number of actions related to the protection of water resources in the Salt Spring Island Local Trust Area.

RESPONSE OPTIONS

Recommended: As above

Alternatives: Not to consider delegation of powers to the SSILTC at this time.

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By: Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer

**ISLANDS TRUST COUNCIL
DRAFT BYLAW NO. *****

**A BYLAW TO DELEGATE SOME POWERS OF THE ISLANDS TRUST COUNCIL TO
THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE**

WHEREAS section 10 of the *Islands Trust Act* provides that Trust Council may, by bylaw, delegate some of its powers under sections 8 and 9 of the *Islands Trust Act*,

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

Definitions

1. In this bylaw, unless the context otherwise requires:

“Salt Spring Island Local Trust Committee” means the local trust committee for the Salt Spring Island Local Trust Area, pursuant to the *Islands Trust Act*.

“Trust Council” has the meaning given in section 5 of the *Islands Trust Act*.

Delegation

2. Subject to the provisions of the *Islands Trust Act*, this bylaw, and the policies and procedures of Trust Council, Trust Council hereby delegates the following powers pursuant to sections 8 and 9 of the *Islands Trust Act* to the Salt Spring Island Local Trust Committee for the purpose of preserving and protecting the quality and quantity of water resources within the Salt Spring Island local trust area:
 - a. the power to acquire and dispose of land, subject to sections 186 and 187 of the *Local Government Act* and subject to the following conditions:

(conditions to be determined).
 - b. the power to coordinate and assist in the determination, implementation and carrying out of regional, improvement district and government of British Columbia policies,
 - c. the power to make recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the government of land located in the trust area.
 - d. the power to make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies,
 - e. the power to enter into, on its own behalf, and subject to approval of the minister pursuant to section 9(2) of the *Islands Trust Act*, agreements with one or more of the following respecting the coordination of activities:

- i. the government of British Columbia
- ii. the government of Canada
- iii. an agent of the government of British Columbia or Canada
- iv. a regional district or board of school trustees,
- v. a first nation

Funding of Operations Related to Delegated Powers

3. For the purposes of the annual budget adopted by Trust Council:
 - a. operations undertaken in relation to power delegated by section 2 of this bylaw may (or 'will') be considered additional operations of the Salt Spring Island Local Trust Committee pursuant to section 14 (3)(iii) of the *Islands Trust Act*.
 - b. if the annual budget sets out anticipated expenditures of the Salt Spring Island Local Trust Committee related to powers delegated by section 2 of this bylaw, a special tax requisition under section 47 (2)(a)(ii) of the *Islands Trust Act* may (or 'will') be made in respect of the Salt Spring Island Local Trust Area.

Limitation on Delegation

4. Unless a power, duty or function of the Trust Council has been expressly delegated by this bylaw or another bylaw, all the powers, duties and functions of the Trust Council remain with the Trust Council.

No Further Delegation

5. For certainty, the Salt Spring Island Local Trust Committee has no authority to further delegate any power that has been delegated by this bylaw.

Time Frame/Review/withdrawal

6. (Time frame for delegation/other conditions, etc. to be determined).

Citation

7. This bylaw may be cited as the "Islands Trust Council Delegation Bylaw, 201**".

READ A FIRST TIME THIS	day of	201*
READ A SECOND TIME THIS	day of	201*
READ A THIRD TIME THIS	day of	201*
ADOPTED THIS	day of	201*

SECRETARY

CHAIR

Appendix 2: Excerpts from the *Islands Trust Act* – relevant sections underlined

Responsibilities of trust council

8 (2) For the purpose of carrying out the object of the trust, the trust council may

(a) acquire and dispose of land,

(b) coordinate and assist in the determination, implementation and carrying out of municipal, regional and improvement district and government of British Columbia policies for the preservation and protection of the trust area and its unique amenities and environment,

(c) make recommendations to the trust fund board respecting priorities for the acquisition, use and disposition of property by the trust fund board,

(d) make recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the government of land located in the trust area,

(e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment,

(2.1) Sections 186 and 187 of the *Local Government Act* apply to a disposition of land under subsection (2) (a).

(3) The trust council must not, without the prior approval of the minister, incur liabilities or borrow money.

Coordination agreements with other government bodies

9 (1) For the purpose of carrying out the object of the trust, the trust council may enter into, on its own behalf or on behalf of one or more local trust committees, agreements with one or more of the following respecting the coordination of activities in the trust area:

(a) the government of British Columbia;

(b) the government of Canada;

(c) an agent of the government of British Columbia or Canada;

(d) a municipality, regional district, board of school trustees or francophone education authority;

(e) a first nation.

(2) An agreement under subsection (1) is subject to the approval of the minister.

(3) If there is a conflict between an agreement under subsection (1) and a bylaw or agreement of a local trust committee, the agreement under subsection (1) prevails.

Delegation of powers

10 The trust council may, by bylaw adopted by at least 2/3 of its members present at the meeting at which the vote on adoption takes place, delegate its powers under sections 8 (1) (d) and (f) and (2) (a) to (f) and 9 (1), subject to any restrictions or conditions specified in the bylaw.

Budget

14 (1) On or before March 31 in each year, the trust council must, by bylaw, adopt an annual budget for the trust for the next fiscal year.

(2) Subject to subsection (6), a bylaw under subsection (1) has no effect until it is approved by the minister.

(3) The budget must

(a) show separately revenues obtained from appropriations, including operating grants and anticipated recoveries from taxes levied under sections 48 and 49, and other sources,

(b) show appropriated surpluses of prior years, and

(c) set out separately the anticipated expenditure relating to

(i) operations of the trust council and of the executive committee, except the operations of the executive committee acting as a local trust committee under section 23 (5),

(ii) general operations of the local trust committees, including the operations of the executive committee acting as a local trust committee under section 23 (5) and excluding the operations referred to in subparagraph (iii),

(iii) operations of a local trust committee that are additional operations not included within the general operations of all the local trust committees under subparagraph (ii), and

(iv) administrative operations of the trust fund board.

Requisitions, apportionment and tax rates

47 (5) If the annual budget sets out anticipated expenditures under section 14 (3) (c) (iii) relating to additional operations of a local trust committee, a special requisition under subsection (2) (a) (ii) of this section may be made in respect of the local trust area.

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Executive Committee

Date: February 20, 2013

SUBJECT: ADVOCACY REGARDING HOUSING IN THE AGRICULTURAL LAND RESERVE

RECOMMENDATION: That the Islands Trust Council request the Executive Committee to:

- explore the implications for staff resources of adding advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan, and
- make recommendations to Trust Council in June 2013.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Trust Council's Strategic Plan and the Executive Committee's work program include multiple advocacy programs, currently exceeding staff's capacity to implement them. If Trust Council would like to add a new advocacy topic to its Strategic Plan, it would need to provide direction about relative priorities in regards to existing topics. The process of seeking changes to provincial legislation and regulation normally consumes considerable resources. In this case, it could be particularly challenging, considering recent positions taken by the Agricultural Land Commission. This resolution would direct the Executive Committee to consider the resource implications of such an advocacy program further and make recommendations to Trust Council in June.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: At the direction of the Executive Committee, staff would assess the workload implications of the proposed advocacy program, given existing advocacy priorities on the Strategic Plan or requested by Trust Council resolution.

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Staff would seek clarification from Executive Committee at its March 29th meeting about the extent of staff research required and will develop a briefing for review by the Executive Committee in May 2013. The Executive Committee would make recommendations to Trust Council in June 2013.

BACKGROUND

In December 2012, Provincial Agricultural Land Commission Chair Richard Bullock spoke to the Islands Trust Council about recent and planned changes to the Agricultural Land Commission and provided an opportunity for trustees to ask questions and discuss issues related to the Agricultural Land Reserve in island communities.

On February 19, 2013, the Executive Committee received the attached "Housing on land in the Agricultural Land Reserve in the Trust Area" paper by Trustee Tony Law and agreed to forward the document to Trust Council with the above recommendation. Trust Council's Strategic Plan currently contains the following strategies related to agriculture and housing in support of the objective "Enhance community economic sustainability and security".

4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing (as described in Trust Council's toolkit, Affordable Housing Guide). The Islands Trust Community Housing Tool Kit (31-Jan-2010) does not contain any recommendation about advocacy on farm worker housing.

4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's toolkit and BC's 2008 *A Seat at the Table*).

The above strategies are ones that could be implemented by local trust committees through their land use planning and regulatory powers. An advocacy program that seeks to have provincial regulations amended is not currently contemplated in the Strategic Plan. It would entail different approaches and staff resources.

REPORT/DOCUMENT:

- 1) "Housing on land in the Agricultural Land Reserve in the Trust Area" paper by Trustee Tony Law
- 2) Link to Islands Trust Exploring Food Security in the Islands Trust Area report, November 2010 <http://www.islandstrust.bc.ca/foodsecurity/pdf/foodsecurityreport.pdf>

KEY ISSUE(S)/CONCEPT(S): Community economic sustainability and security; agriculture

RELEVANT POLICY:

- Advocacy Policy 6.10 iii.
- Policy Statement policies:
 - 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
 - 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
 - 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

DESIRED OUTCOME: Effective advocacy program on issues identified in Trust Council's strategic plan.

RESPONSE OPTIONS

Recommended: As above

Alternative: Receive for information and take no action.

Prepared by: Clare Frater, Policy Analyst

Reviewed by: Lisa Gordon, Director, Trust Area Services February 19, 2013

Reviewed by/Date: Linda Adams, CAO – February 20, 2013


Linda Adams, Chief Administrative Officer

Housing on land in the Agricultural Land Reserve in the Trust Area

(A suggestion for follow-up to discussion between Trust Council and ALC in December 2012)

At the December 2012 Islands Trust Council meeting, there was extensive discussion between members of Council and members of the Agricultural Land Reserve with respect to addressing housing needs on land in the ALR within the Trust Area.

Members of Council articulated the perspective that increasing opportunities for providing housing on ALR land would support active farming of the land in the trust area. Firstly, much farming is labour intensive and it is hard to secure regular or seasonal works without offering housing, which is often not available affordably and securely in island communities. Secondly, many parcels are owned by non-residents and the opportunity for tenant farmers to live on the land may bring such properties into food production.

Members of the Commission articulated the perspective that allowing more housing on farm land could lead to abuses (such as it being used for non-farm purposes) and could alienate land from farming. They also indicated an intended shift in ALC resources from applications to planning and a desire to work more closely with local governments. It was suggested that ALC regulations could be reviewed.

Despite the differences in perspectives, further discussions between the Islands Trust and the ALC could open the door for a workable solution. The possible revision of the regulations could present a rare opportunity for changes to be made.

The current regulations provide the following accommodation opportunities (for agri-tourism and housing) on ALR land:

Permitted uses for land in an agricultural land reserve

3 (1) *The following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable first nation government:*

- (a) accommodation for agri-tourism on a farm if*
 - (i) all or part of the parcel on which the accommodation is located is classified as a farm under the Assessment Act,*
 - (ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and*
 - (iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;*
- (b) for each parcel,*

- (i) *one secondary suite within a single family dwelling, and*
- (ii) *one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;*

[The regulation defines "sleeping unit" as meaning:
"(a) a bedroom or other area used as a bedroom in a cabin, dwelling or accessory building, and (b) a tent or recreational vehicle on a campsite"]

[The *Manufactured Home Act* defines "manufactured home" as meaning *"any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried"*]

This provides for up to 5% of a lot being used for agri-tourism and an unspecified portion of a lot being used for housing – a dwelling of unlimited size plus a manufactured home up to 9m in width. This could total a significant amount of land alienated from farming. The regulation does not specify who could be accommodated in a secondary suite. The immediate family member housed in the manufactured home may or may not be engaged in farming.

It seems to me that the Islands Trust could suggest adding a revised "3b)" of the regulation that would address both the need for housing to support farming and the need to protect farmland and not enable non-farm uses.

Here is one suggestion:

- (b) for each parcel,
 - (i) one secondary suite within a single family dwelling, and
 - (ii) either:
 - one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family,
 - or
 - where a parcel is classified as a farm under the *Assessment Act*, up to ? manufactured homes or other readily removable dwelling units with a total footprint of no more than ? square metres , for use by either (1) a member of the owner's immediate family, or (2) workers employed on the farm and their families, or (3) an operator of the farm who has a lease registered on title, or (4) the owner when the principal dwelling is occupied by an operator of the farm who has a lease registered on title,
- and with the total developed area for buildings, landscaping and access for the accommodation covering less than ?% of the parcel;

Trustee Tony Law – 12 February 2012



DIRECTOR OF ADMINISTRATIVE SERVICES 2012-2013 FOURTH QUARTER REPORT

Date: February 20, 2013

COMPLETED SINCE LAST REPORT	PLANNED 1st QUARTER 2013/14 ACTIVITIES
Trust Council, Executive Committee, Financial Planning Committee - Completed RFD Third Quarter 2012/13 Results - Completed Briefing for Updated 2012/13 Forecast - Completed public consultation on Drafts 2013/14 Budget - As per Strategic Plan Item 6.1, reviewed Bowen Island (BI) contribution calculation with Management Team and with FPC on January 23. FPC referred item to Audit Committee meeting of February 13, 2013. Reviewed current year calculations with BI staff Feb 15, 2013. - January 23 and February 13, 2013 FPC Meeting - February 13, 2013 Audit Committee Meeting - Proposed Budget 2013/14 package prepared for March TC	Trust Council, Executive Committee, Financial Planning Committee - Forward 2013/14 Budget for Ministerial approval by March 31, 2013 - Presentation of draft Audited Financial Statements to FPC and Audit Committee Meetings May 27, 2013 - Complete review of BI calculation as per Strategic Plan Item 6.1 and in accordance with Policy 7.2.vi Municipal Tax Requisition Calculation - Review LTC Budget Process 6.3.i as requested by FPC in August 2012 - Review FPC role in Budget Process as requested by FPC in February 2013 - Review Purchasing Policy 6.5.iii as requested by FPC in August 2012 - Review Attorney General comments in December 2012 report with respect to Whistleblower policy and report to FPC
Administrative Unit Supervision - Held meetings with Finance Coordinator and HR Coordinator to review processes and team responsibilities - Held bi-weekly meetings with Admin Team - Attended meetings with staff at Northern and Salt Spring Island offices	Administrative Unit Supervision - Review Finance and HR Local Area Network (LAN) files - Continue with regular visits to Northern office and Salt Spring office
Human Resources and Payroll - All Staff Meeting December 12, 2012 - Completed several hiring processes related to Staff turnover - Continued work on Leadership Development Plan including a third session with Dr. Jennifer Walinga, Royal Roads on January 29, 2013 - Completed review of Performance Management and Development Process, created new guideline and forms and provided four training sessions to all staff - Completed implementation of new BCGEU contract provisions	Human Resources and Payroll - Review Job Descriptions and update to new Public Service Agency standards - Follow up with Public Service Agency on contract - Complete review of excluded staff salaries - Complete several hiring processes underway - Review leadership training for 2013/14 - All Staff meeting March 13, 2013

COMPLETED SINCE LAST REPORT	PLANNED 1st QUARTER 2013/14 ACTIVITIES
Information Systems - Assisted Salt Spring office with deployment of audio recording equipment including two trips to the office and development of user manual - Created a team to develop file naming conventions. Draft policy reviewed with Leadership Team. - Completed project to provide new internet connectivity to Northern and Salt Spring offices to optimize performance and cost effectiveness - Information Systems Advisory Group meeting January 22, 2013 - Signed new Telus contract for mobile device, developed Employee Agreement for PDA usage and deployed new devices - Worked with File Naming Convention team to draft policy and review with Leadership Team	Information Systems - Continue to monitor 2012/13 consulting and hardware budget and prepare for 2013/14 program - Support eSCRIBE and Sharepoint implementations as required - Begin work on Business Continuity Plan - Deploy All Staff Sharepoint site – including Employee Manual (to replace Orientation Manual) - Finalize File Naming Convention Policy
Financial Management - Completed Third Quarter 2012/13 Results - Updated 2012/13 Forecast - Several large RFP's completed (ie. SSI RAR mapping)	Financial Management - Continue to review and monitor 2012/13 spending and forecast results - Prepare 2012/13 draft financial statements and notes for auditors - Work with auditors to complete 2012/13 audit - Review capital asset management database - RFP for audit services
Risk/Safety/Contract Management - Reviewed new Safety Manual with Leadership Team. - Held monthly meetings of the OSH Committee - Emergency drills and inspections completed as required at all offices	Risk/Safety/Contract Management - Review new Safety Manual with Staff at March All Staff Meeting - Review template for Service Contracts and other procurement policy forms to ensure Conflict of Interest provisions are sufficient
Facilities Management - Salt Spring Island renovations completed - Minor renovations in Victoria office completed	Facilities Management Review signage at front of building – Victoria office
Carbon Neutral Operations - Completed input of 2012 data into SMARTtool - Held regular meetings of Sustainability Advisory Group - Attended two meetings with CRD Inter-municipal Climate Action Working Group - Reviewed several options for carbon offsets with Community Carbon Marketplace - Initiated two projects with the Ready, Set, Solve program	Carbon Neutral Operations - Complete purchase of carbon offsets for 2012 - Complete reporting on Climate Action Charter and file CARIP reports - Complete draft of Carbon Neutral Policy to June 2013 Trust Council. - Work with students to complete the Ready, Set, Solve projects



FINANCIAL PLANNING COMMITTEE WORK PROGRAM REPORT

To: Trust Council

Date: February 20, 2013

WORK PROGRAM

1. Finalize the 2013/14 Budget

Current

- Finalize budget recommendation for presentation to March 2013 Trust Council.

Planned

- Finalize Financial Plan Bylaw and Borrowing Anticipation Bylaw for approval by Trust Council.
- Prepare Islands Trust Financial Plan document for Minister.
- Submit bylaws and supporting documents to Minister and receive final approval by Trust Council.

2. Conduct the 2012/13 Year-End and Audit

Current

- Meet with auditors (KPMG) to discuss issues and develop the 2012/13 audit schedule.

Planned

- Finalize 2012/13 year-end accounting entries and report.
- Prepare draft financial statements and notes for auditors.

3. Develop a Policy on Carbon Neutrality in conjunction with Trust Programs Committee

Current

- Finalize Carbon Neutral policy and forward for approval to June 2013 Trust Council.

Planned

- Complete purchase of carbon offsets for 2012.

4. Complete Review of Purchasing Procedures Policy 6.5.iii and staff recommendations for any changes.

Planned

- First drafts of any proposed changes to Policy 7.2.v presented to FPC May 27, 2013 meeting for review.
- Request for Decision on revisions to the Policy to June 2013 Trust Council for approval.

5. Complete Review of Budget Process Policy 6.3.i. with respect to LTC budgets and staff recommendations for any changes.

Planned

- First drafts of any proposed changes to Policy 6.3.i presented to FPC May 27, 2013 meeting for review.

WORK PROGRAM STATUS *(Completed, Changed, and Future Priorities)*

The Financial Planning Committee has adopted the above noted priorities for the first quarter of fiscal 2013/2014. New work program items will be reviewed and assessed throughout the year.

UPDATE *(on Meetings, Agency Liaison, Resource Requirements, etc.)* The Financial Planning Committee met on January 23 and February 13, 2013. The Audit Committee met on February 13, 2013. The next meeting of both the Financial Planning Committee and the Audit Committee is proposed to be held May 27, 2013. The Committee's financial resources are sufficient at this time.

Cindy Shelest
Designate Staff

Gary Steeves
Chair



REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Financial Planning Committee

Date: February 20, 2013

SUBJECT: DECEMBER 31, 2012 QUARTERLY FINANCIAL REPORT

RECOMMENDATION: That Islands Trust Council approve the December 31, 2012 Quarterly Financial Report as presented.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The financial report indicates that Islands Trust is generally following the financial plan for 2012/13.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: None

OTHER: None

BACKGROUND

REPORT/DOCUMENT:

Islands Trust Statement of Net Financial Position (Balance Sheet) and Consolidated Statement of Revenue and Expenditures to December 31, 2012 attached.

KEY ISSUE(S)/CONCEPT(S):

Statement of Net Financial Position (December 31, 2012 compared to March 31, 2012)
Differences are due to timing of expenditures, receipt of revenues, and reversal of accruals following fiscal year end.

Consolidated Statement of Revenue and Expenditures

The benchmark for revenues and expenditures after nine months (third quarter) of operations is 75% of the annual budget. The revenue and expense areas that vary significantly from the 75% benchmark include:

REVENUE

- The general property tax requisition and the Bowen Island property tax requisition were received during the second quarter.
- Interest income is above budget expectations due to the large investments of grant and tax levy funds in the second quarter. They are also realizing a greater return than estimated at budget.

EXPENSES

Council Expenses

- Executive Committee expenditures are higher than budget due to Trustee attendance at various inter-governmental meetings (ie. National Marine Conservation Area consultation) that were not anticipated when budget was calculated.
- Council Committee expenses are higher than budget due to the location of committee members with increased travel expenditures compared to previous term members that 2012/13 budget was based upon.
- Trust Area Services expenses are lower than budget due to the timing of expenditures for communications and the allocation of a project budget that is related to amortization costs.

Local Planning Services

- Local Trust Committees expenditures are lower than budget due to timing of expenditures which are expected to occur in the fourth quarter.
- Planning Staff expenditures are lower than budget due to staff vacancies primarily in the Gabriola office which will be partially offset by costs for contractors to complete project work.
- LPS Facilities & Programs expenditures are lower than budget, partially due to the timing of expenditures for program items which are expected to occur in the fourth quarter and partially due to changing priorities of Local Trust Committees where program expenditures will not take place.
- Mapping Services expenditures are lower than budget due to timing of expenditures that will occur in the fourth quarter.

Administration

- Computer/Furniture and Equipment Purchases are lower than budget due to expenditures that are expected to occur in the fourth quarter.
- Amortization expenses are higher than budget due to the allocation of a project budget in Trust Area Service that is meant to cover amortization costs on the purchase of software for the EScribe project.

ATTACHMENT(S):

- Statement of Net Financial Position as of December 31, 2012
- Consolidated Statement of Revenue and Expenditures to December 31, 2012

RELEVANT POLICY: Bylaw No. 146, Islands Trust Financial Plan Bylaw 2012/13

DESIRED OUTCOME: Approval of the December 31, 2012 Quarterly Financial Report.

RESPONSE OPTIONS

Recommended: Approve the December 31, 2012 Quarterly Financial Report.

Prepared By: Cindy Shelest, Director of Administrative Services

Reviewed By/Date: Financial Planning Committee – February 13, 2013
Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer

Islands Trust
Statement of Net Financial Position

	December 2012	March 31 2012
Financial Assets		
Cash & Short-term Investments	5,143,548	3,494,644
Accounts Receivable	55,893	105,855
Due from TFB	<u>(3,877)</u>	<u>(397)</u>
	<u>5,195,564</u>	<u>3,600,103</u>
Liabilities		
Wages & benefits payable	1,021,994	943,605
Accounts payable & accrued liabilities	139,107	268,682
Development Application Deposits	38,353	67,966
Deferred Revenue	77,664	87,997
Employee Benefit Obligations	109,177	116,576
Capital Lease Obligations	37,613	50,714
Cost Recovery Deposits	<u>15,334</u>	<u>29,902</u>
	<u>1,439,242</u>	<u>1,565,441</u>
Net financial assets	<u>3,756,322</u>	<u>2,034,661</u>
Non-Financial Assets:		
Tangible Capital Assets	111,765	135,158
Prepaid Expenses	<u>44,807</u>	<u>30,835</u>
Total Non-Financial Assets	<u>156,572</u>	<u>165,993</u>
Accumulated Surplus	<u>3,912,894</u>	<u>2,200,654</u>

Islands Trust

Consolidated Statement of Revenue and Expenditure

For The 9 Months Ending December 31, 2012

Description	Prior YTD Actual	YTD Actual	Annual Budget	% of Budget
Revenue:				
Fees & Sales	99,654	82,190	110,000	75%
Provincial Grant	247,710	153,060	186,998	82%
Property Tax Levy General	5,870,356	5,929,199	5,929,198	100%
Property Tax Levy Bowen	220,880	165,374	165,374	100%
Appropriation from Surplus	0	0	276,202	0%
Interest Income	77,845	75,398	70,000	108%
Other Revenues	111,380	35,015	94,700	37%
Total Revenue	6,627,826	6,440,236	6,832,472	94%
Expenses:				
Council				
Trust Council	293,843	187,723	246,700	76%
Executive Committee	75,586	73,206	93,536	78%
Council Committees	12,283	11,064	13,500	82%
Trust Area Services	296,341	295,076	499,756	59%
General Admin Allocation - 16%	185,770	166,001	224,436	74%
Total Council Expenses	863,823	733,071	1,077,928	68%
Local Planning Services				
Local Trust Committees	530,587	600,669	891,568	67%
Planning Staff	1,441,211	1,488,807	2,116,812	70%
LPS Facilities & Programs	345,217	316,769	567,660	56%
Mapping Services	205,350	164,874	241,174	68%
Bylaw Enforcement	189,557	194,087	263,898	74%
General Admin Allocation - 74%	743,081	767,757	1,038,017	74%
Total Local Planning Services Expenses	3,455,002	3,532,963	5,119,129	69%

Trust Fund					
Board	13,309	13,447	22,000	61%	
Administration	290,331	296,696	401,141	74%	
Operations	34,812	48,068	72,000	67%	
General Admin Allocation - 10%	103,206	103,751	140,273	74%	
Total Trust Fund Expenses	441,657	461,962	635,414	73%	
General Admin					
CAO Office	259,657	254,880	337,159	76%	
Financial, HR and Admin Services	491,136	520,225	714,968	73%	
Personnel Recruiting	6,599	3,733	5,000	75%	
Office Operations	168,366	157,560	215,600	73%	
Computer/Furniture & Equipment Purchases	65,288	52,479	75,000	70%	
Amortization Expense	41,011	48,632	55,000	88%	
General Admin Recovery	(1,032,057)	(1,037,509)	(1,402,726)	74%	
Total General Admin Expenses	0	0	1	0%	
Total Expenses	4,760,483	4,727,995	6,832,472	69%	
Surplus (Deficit) to date	1,867,343	1,712,240	(0)		
General Revenue Fund Surplus, beginning of the period	1,903,985	2,200,656			
General Revenue Fund Surplus, end of the period	3,771,328	3,912,896			

BRIEFING

To: TRUST COUNCIL

For the Meeting of: March 5-7, 2013

From: FINANCIAL PLANNING COMMITTEE

Date: February 20, 2013

SUBJECT: FINANCIAL FORECAST FOR MARCH 31, 2013 YEAR-END

DESCRIPTION OF ISSUE:

The fiscal year ending March 31, 2013 was budgeted to be break-even which included an Appropriation from Surplus of \$276,202 to fund operations. The year-end financial results for March 31, 2013 have been forecasted based on actual activity to December 31, 2012 plus estimates to the end of the fiscal year.

Based on the forecast results to March 31, 2013 the Appropriation from Surplus is now forecasted to be \$71,609. The reasons for the \$204,593 in savings are outlined below.

BACKGROUND:

Revenue and expenditure items that contribute to a forecast Surplus include:

Revenue factors:

- Interest income is forecast to be \$15,000 over budget due to higher than expected returns from investments with the Municipal Finance Authority (MFA).
- Other income from general sources and grant funding are forecast to be under budget by \$35,000 due to delays in completing the Green Shores Project and fewer than anticipated new grant applications.
- Overall, the revenue forecast is approximately \$20,000 lower than budget.

Expenditure categories that are forecast to be under budget include:

- Salaries and benefits are forecast to be under budget by \$120,000 due to Vacancies in Local Planning Service (LPS) positions for planners and support staff due to timing in replacing staff in vacated positions. Also, staff hired into vacancies typically start at lower salary levels than budgeted for those positions.
- Local Planning Services projects for Official Community Plan and *Riparian Areas Regulation* projects are forecast to be underspent by \$58,000.
- Travel expenses across the organization are forecast to be under budget by \$11,000.
- Overall legal costs are forecast to be \$20,000 under budget, with savings produced by an unclaimed property settlement that was not anticipated at budget time.
- Expenditures for grant projects are forecast to be under budget by \$35,000 due to delays in completing the Green Shores Project.
- By-election budget of \$7,000 will not be required.

The above items are offset by expenditure categories that are forecast to be over budget, which include:

- Meeting Expenses are forecast to be \$11,000 over budget due to higher than anticipated costs for Trust Council meetings.
- Contract services are forecast to be \$27,000 over budget for consultants to complete LPS project work necessary due to vacancies in LPS.
- Statutory Notices are forecast to be \$9,500 over budget due to the unpredictability of when applications will advance and when public hearings are required.
- Green Shores Project spending is forecast to be \$12,000 over budget due to matching expenditures required under the grant and a costs for a presentation to Trust Council that were not included in the budget.

A number of other expense categories have variances +/- \$5,000.

The summary above is not meant to be a mathematical explanation of the increase in the General Revenue Surplus Fund. The forecast document attached has a detailed account of the variances.

Conclusions

Based on the forecast results, the March 31, 2013 Appropriation from Surplus is now forecasted to be \$71,609 instead of the \$276,202 that was budgeted to achieve a break-even result, an overall savings of \$204,593.

ATTACHMENT(S):

- Financial forecast detail for 2012/13 fiscal year

AVAILABLE OPTIONS: Receive for information

FOLLOW-UP: N/A

Prepared By: Nancy Roggers, Finance Officer

Reviewed By/Date: Financial Planning Committee – Feb 13/13
Executive Committee – Feb 19/13
Cindy Shelest, Director Administrative Services



Linda Adams, Chief Administrative Officer

Islands Trust					
Income Statement - By Location					
Forecast based on Actual Results to December 31, 2012					
					Forecast
		Annual	YTD	FORECAST TO	Higher (Lower)
Acct #	Description	Budget	Actual	31-Mar-13	Than Budget
Revenue:					
40000	Fees & Sales "Maps & Bylaws"	0	325		
40100	Fees & Sales "Copies & Research"	0	488		
40200	Fees & Sales "Bd of Variance"	0	990		
40300	Fees & Sales "Development Permits"	110,000	24,110		
40310	Fees & Sales "TUP SUP & Misc Permits"	0	9,427		
40400	Fees & Sales "Zoning Amend."	0	21,640		
40500	Fees & Sales "ALC Application"	0	1,200		
40600	Fees & Sales "Strata Covernion"	0	1,100		
40700	Fees & Sales "Subdivision"	0	22,910		
		110,000	82,190	110,000	0.00
45000	Provincial Grant	186,998	153,060	186,998	0.00
46000	Property Tax Levy General	5,929,198	5,929,199	5,929,198	0.00
46100	Property Tax Levy Bowen	165,374	165,374	165,374	0.00
47000	Appropriation from Surplus	276,202	0	71,609	-204,593.00
48000	Interest Income	70,000	75,398	85,000	15,000.00
49000	Other Income "General"	60,000	2,723	5,000	-55,000.00
49001	Grant income	34,700	32,117	55,000	20,299.97
49005	Other Income "NAPTEP ITF Cost Recovery"	0	175		0.00
Total Revenue		6,832,472	6,440,236	6,608,179	-224,293
Expenses					
50500	Admin Cost Recovery	-1,402,726	-1,037,048		1,402,726.00
50700	Admin Support Services	1,402,726	1,037,048		-1,402,726.00
50900	Amortization Expense	55,000	48,632	65,000	10,000.00
50950	Applications sponsored by Exec Committee	5,000	4,950	5,000	0.00
51000	Audit	35,000	-1,625	35,000	0.00
51500	Bank Charges & Interest	3,500	2,615	3,500	0.00
52500	Board of Variance	1,500	747	1,500	0.00
53500	Carbon Offset Purchases	3,000	0	3,000	0.00
54000	Committee Expense FPC	4,500	5,610	7,500	3,000.00
54100	Committee Expense LPC	4,500	2,558	4,500	0.00
54200	Committee Expense TPC	4,500	2,896	4,500	0.00
54500	Communications	33,000	20,495	33,000	0.00
55100	Non H/W & S/W OVER \$150	60,500	33,582	60,000	-500.00
55105	Computer H/W & S/W renewal of support & maintenance	0	12,826		0.00
55200	Computer "Internet Charges"	63,900	47,186	63,900	0.00
55300	Computer "Organizational Training"	3,000	1,145	3,000	0.00
55400	Computer "Non Capital H/W & S/W UNDER \$150"	12,000	6,339	12,000	0.00

Islands Trust					
Income Statement - By Location					
Forecast based on Actual Results to December 31, 2012					
					Forecast
		Annual	YTD	FORECAST TO	Higher (Lower)
Acct #	Description	Budget	Actual	31-Mar-13	Than Budget
55500	Computer "Technical Support"	45,000	44,556	45,000	-0.01
55600	Computer "Trustee Hardware & Internet"	3,500	3,498	3,500	0.00
56000	Contingency	25,000	4,418	25,000	-0.02
56500	Contract Services	80,000	61,301	106,900	26,899.98
57050	Elections "By Elections"	7,000	0		-7,000.00
58000	Equipment Leases Supplies & Maintenance	31,500	20,073	31,500	0.00
60000	Insurance	95,000	70,653	95,000	0.00
61100	ITF "Board Honoraria"	8,000	4,100	6,700	-1,300.00
61200	ITF "Board Meeting Expense"	11,000	7,848	11,500	500.00
61210	ITF "Board Training & Conferences"	3,000	1,499	1,499	-1,501.00
61300	ITF "Property Management"	54,000	35,011	54,000	0.00
61500	ITF "Covenants & Acquisitions"	18,000	13,058	18,000	0.00
62000	Land Title Registrations	3,000	1,886	3,000	0.00
63000	Legal "General"	41,000	44,884	53,250	12,250.00
63100	Legal "Bylaw Enforcement Litigation"	238,000	104,114	130,143	-107,857.50
63200	Legal "Litigation Defence"	27,000	76,406	103,128	76,127.69
64000	Legislative Updates	500	108	500	0.00
65000	LTC - Trustee Expenses	16,050	11,357	16,050	0.00
65050	LTC "Executive Expense on LTC's"	25,000	12,933	25,000	0.00
65200	LTC Local Exp LTC Meeting Expenses	41,700	27,379	41,700	0.00
65210	LTC Local Exp APC Meeting Expenses	8,440	4,198	8,440	0.00
65220	LTC Local Exp Communications	8,700	3,545	8,700	0.00
65230	LTC Local Exp Special Projects	24,450	16,056	24,450	0.00
65240	LTC Local Exp Miscellaneous	6,060	0	6,060	0.00
66100	Mapping " BCAA Updates"	1,000	1,175	1,293	293.00
66200	Mapping " GIS Software & Consulting"	70,000	32,608	70,000	0.00
66300	Mapping " Sales Inventory"	2,000	346	300	-1,700.00
67000	Meeting Expense	85,300	71,661	90,300	5,000.00
67500	Memberships	15,500	12,179	15,500	0.00
68100	Notices Statutory & Non Statutory	11,998	14,893	21,500	9,502.00
69000	Office Rent	360,900	267,666	360,900	0.00
69005	Office Services	39,200	28,385	39,200	0.00
69100	Office Non Capitial Furniture & Equipment OVER \$150	10,000	5,611	10,000	0.00
69250	Office Non Capital Furniture & Equipment UNDER \$150	1,500	1,262	1,500	0.00
69500	Office renovations	10,000	0	10,000	0.00
70000	Postage & Courier	20,300	12,007	20,000	-300.00
72001	Project Projects funded by grants	60,000	0	0	-60,000.00
73001-590-4010	Project Grant Project Green Shores for Homes-Phase II	30,700	19,734	43,000	12,300.00
73001-150-8004	TAS Ongoing Programs	10,000	0	5,000	-5,000.00
73001-150-8010	Senior Video	0	8,988	8,988	8,988.00

Islands Trust					
Income Statement - By Location					
Forecast based on Actual Results to December 31, 2012					
					Forecast
		Annual	YTD	FORECAST TO	Higher (Lower)
Acct #	Description	Budget	Actual	31-Mar-13	Than Budget
73001-150	ESCRIBE (8002) - budget moved to amtzn	10,000	0	0	-10,000.00
73001-210-6001	Bowen Island NAPTEP	3,000	0	0	-3,000.00
73001-210-6002	Planned Giving Outreach	2,000	0	2,000	0.00
73001-540-5001	TAPIS Improvements	15,000	7,631	15,000	0.00
73001-830-8006	Paperless Meetings- Trustee laptops	5,000	3,892	5,000	0.00
73001-820-8001	Records Management	19,000	21,657	21,657	2,657.00
73001 - VARIOUS	ALL LPS PROJECTS	210,500	35,197	152,127	-58,373.00
74000	Recruitment	5,000	3,733	5,000	0.00
74900	Safety	5,000	3,042	5,000	0.00
75100	Sal & Ben "Salaries Admin Staff"	1,498,878	1,112,438	1,491,495	-7,383.11
75101	CTO Taken	0	-10,983	-10,983	-10,983.45
75102	CTO Earned	0	17,752	17,752	17,752.35
75110	Sal & Ben "Benefits Admin Staff"	335,782	253,486	340,919	5,136.85
76100	Sal & Ben "Salaries Planners & RPM's"	1,134,723	793,164	1,058,246	-76,476.61
76101	CTO Taken	0	-32,727	-32,727	-32,726.88
76102	CTO Earned	0	39,803	39,803	39,802.71
76110	Sal & Ben "Benefits Planners & RPM's"	256,817	180,522	241,641	-15,175.72
77100	Sal & Ben "Salaries Planning Support Staff"	357,122	248,184	329,685	-27,437.35
77101	CTO Taken	0	-2,446	-2,446	-2,446.34
77102	CTO Earned	0	2,731	2,731	2,731.30
77110	Sal & Ben "Benefits Planning Support Staff"	82,138	56,876	75,621	-6,516.88
78100	Sal & Ben "Salaries Bylaw"	191,574	134,830	182,224	-9,350.47
78101	CTO Taken	0	-5,769	-5,769	-5,769.13
78102	CTO Earned	0	9,024	9,024	9,024.10
78110	Sal & Ben "Benefits Bylaw"	42,484	31,624	42,675	190.63
79000	Stationary & Supplies	25,000	12,668	20,000	-5,000.01
79500	Subscriptions	3,200	3,217	3,600	400.00
80100	Telephone "Lease"	45,500	29,546	45,500	0.00
80200	Telephone "Toll Charges"	3,500	2,059	3,500	0.00
80300	Mobile Devices	22,900	15,673	22,900	0.00
80400	Telephone "Web Conferencing"	1,500	1,438	1,500	0.00
81100	Training "Organization Wide"	8,000	2,651	3,000	-5,000.00
81200	Staff Meetings & Recognition	9,300	14,404	15,000	5,700.00
81210	Educational Re Imbursement	7,000	3,689	5,000	-2,000.00
81300	Training & Conferences	54,850	35,210	50,000	-4,850.00
81305	Travel for Training	34,400	25,362	34,000	-400.00
82300	Travel	85,500	51,018	75,000	-10,500.00
84100	Trustee Remuneration	362,469	271,854	362,469	0.00
84110	Trustee Remuneration "CPP Expense"	11,000	13,100	17,000	6,000.00
84120	Trustee Remuneration Health/Dental Benefits	80,001	36,070	80,000	-1.00

<i>Islands Trust</i>					
Income Statement - By Location					
Forecast based on Actual Results to December 31, 2012					
					Forecast
		Annual	YTD	FORECAST TO	Higher (Lower)
Acct #	Description	Budget	Actual	31-Mar-13	Than Budget
84130	Trustee Remuneration MSP Benefits	0	19,961		0.00
84140	Trustee Remuneration Pay In Lieu of Benefits	0	3,000		0.00
84500	Trustee Remuneration "Executive on LTC's"	66,136	49,602	66,136	0.00
		6,832,472	4,727,534	6,608,179	-224,293
Total Expenses					
Surplus (Deficit)		-0	1,712,701	-0	-0

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Financial Planning Committee

Date Prepared: February 20, 2013

SUBJECT: TRUSTEE REMUNERATION BYLAW 153

RECOMMENDATION:

1. That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a First Time.
2. That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a Second Time.
3. That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a Third Time.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This bylaw is consistent with the Trustee Remuneration Policy 7.2.i approved by Trust Council in December 2010. It provides a formula for calculation of trustee remuneration that would come into effect April 1, 2013.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Adjustments to the calculation of trustee payroll will be performed by Administrative Services.

FINANCIAL: The financial impact of implementing this policy is estimated to be a net increase in total trustee remuneration of \$5,092 for the year 2013/14 and on-going. In some cases, remuneration of individual trustees would decrease in response to decreases in population levels that factor into remuneration adjustments. Further adjustments to trustee remuneration could occur annually on the basis of the formula presented in the policy, based on changes in population, property folios and/or the Consumer Price Index.

POLICY: No change to existing Trustee Remuneration Policy 7.2.i.

IMPLEMENTATION/COMMUNICATIONS: Should Trust Council give three readings to this bylaw, trustees would be asked to consider adoption at a later date through Resolution without Meeting. Should Trust Council approve this bylaw, implementation would be effective April 1, 2013. Administrative Services would provide information to individual trustees as to the impact on their remuneration.

OTHER: n/a

BACKGROUND

In 2010 Trust Council directed the Financial Planning Committee to work with an independent consultant to report and make recommendations on the subject of trustee remuneration. In September 2010 Trust Council received the consultant's report and recommendations from the

Financial Planning Committee and endorsed the principles for increasing remuneration. Trust Council endorsed the recommended changes at its December 2010 Trust Council quarterly meeting as part of the budget proposal for 2011-2012. Trustee Remuneration Policy 7.2.i formalized the principles approved at that time.

REPORT/DOCUMENT:

- Draft Trustee Remuneration Bylaw, 2013-14
- Policy 7.2.i Trustee Remuneration
- Trustee Remuneration Bylaw, 2011-12
- Backgrounder January 2010 "Catching Up – Local Trustee Remunerations"

KEY ISSUE(S)/CONCEPT(S):

Trustee Remuneration Policy 7.2.i. section E.4. provides that "The Trustee Remuneration calculations will be reviewed when the results are available from the most recent census. Any adjustments based on changes in population or folios will be implemented on April 1st of the following year." Census information for 2011 has recently been made available. This information, along with the BC Assessment data released in December 2012, has been used to update the trustee remuneration calculation. The impact is an overall net increase in trustee remuneration of \$5,092 annually.

RELEVANT POLICY: Policy 7.2.i Trustee Remuneration

DESIRED OUTCOME: That Trust Council approve Trustee Remuneration Bylaw, 2013-14

RESPONSE OPTIONS

Recommended:

Approval of the Trustee Remuneration bylaw as presented.

Alternative:

- Amend the bylaw
- Not proceed with the bylaw, which would retain the current approach to Trustee remuneration. While Trust Council's Policy 7.2.i provides policy direction for adjusting trustee remuneration, actual changes are subject to Trust Council adopting a remuneration bylaw.

Prepared By: Cindy Shelest, Director of Administrative Services

Reviewed By/Date: Financial Planning Committee – February 13, 2013
Executive Committee – February 19, 2013

Linda Adams, Chief Administrative Officer

ISLANDS TRUST COUNCIL

BYLAW NO. 153

A Bylaw to Provide for Remuneration of Trustees

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. This Bylaw may be cited for all purposes as the "Islands Trust Council Trustee Remuneration 2013-14".
2. Effective April 1, 2013, trustees and appointed members of the Trust Fund Board will receive remuneration as described in Schedule "A" attached hereto and forming part of this Bylaw.
3. Remuneration will be paid to trustees on a monthly basis. In the case where a trustee is not duly appointed for an entire month, remuneration payment amounts will be adjusted on a pro rata basis.
4. The Islands Trust Council Bylaw No. 142, cited as "Islands Trust Council Trustee Remuneration 2011-12", is repealed upon adoption of this Bylaw.

READ A FIRST TIME THIS DAY OF , 2013

READ A SECOND TIME THIS DAY OF , 2013

READ A THIRD TIME THIS DAY OF , 2013

ADOPTED THIS DAY OF , 2013

SECRETARY

CHAIR

**ISLANDS TRUST COUNCIL
BYLAW NO. 153**

SCHEDULE "A"

Remuneration effective April 1, 2013

Local and Municipal Trustee Remuneration

Local Trustees	Remuneration \$ per Year	Remuneration \$ per Month
Denman	\$ 9,900.00	\$ 824.99
Gabriola	\$ 17,636.00	\$ 1,469.68
Galiano	\$ 10,780.00	\$ 898.33
Gambier	\$ 9,860.00	\$ 821.63
Hornby	\$ 10,074.00	\$ 839.51
Lasqueti	\$ 8,583.00	\$ 715.25
Mayne	\$ 10,943.00	\$ 911.88
North Pender	\$ 13,002.00	\$ 1,083.48
Salt Spring	\$ 29,145.00	\$ 2,428.76
Saturna	\$ 8,648.00	\$ 720.67
South Pender	\$ 8,097.00	\$ 674.73
Thetis	\$ 8,857.00	\$ 738.11
Municipal Trustees		
Bowen	\$ 3,200.00	\$ 266.67

Executive Committee Remuneration

Position	Remuneration \$ per Year	Remuneration \$ per Month
Chair	\$ 40,074.51	\$ 3,339.54
Vice-chairs	\$ 32,059.61	\$ 2,671.63

Payment to Local Trustees who do not register for health/dental benefits through Islands Trust

- Local Trustees who do not register for any health or dental benefits through Islands Trust shall be paid \$1,000.00 per annum, paid monthly at a rate of \$83.33 per month

Honoraria for Board Members Attending Trust Fund Board Meetings

- The Chair of the Trust Fund Board shall be paid an honorarium of \$250.00 per meeting (or less in accordance with Trust Fund Board policy)
- The remaining members of the Trust Fund Board shall be paid \$150.00 per meeting (or less in accordance with Trust Fund Board policy)

7.2.i Policy & Procedure

TRUSTEE REMUNERATION

Trust Council: December 8, 2010

Amended: June 15, 2011

A. PURPOSE:

To define the process for determining the remuneration and benefits received by trustees, Executive Committee members, and members of Trust Council Committees.

B. REFERENCES:

1. Annual Budget Document
2. *Islands Trust Act*
3. Report on Proposed Trustee Remuneration prepared by Paul McKivett of James R. Craven and Associates dated August 24, 2010
4. Trustee Remuneration Committee Report dated August 24, 2010
5. RFD on Trustee Remuneration approved by Trust Council September 15, 2010
6. Trust Council Policy 2.3.i – Council Committee System

C. DEFINITIONS:

1. Trustees

- a) Trustees are elected officials as defined in the *Islands Trust Act*, sections 6 (local trustees) and 7 (municipal trustees).

2. Population

- a) Population for Local Trust Areas is determined by the most recent census conducted by Statistics Canada.

3. Folios

- a) Folios are individual properties as defined by BC Assessment.
- b) The number of folios in each Local Trust Area is determined annually by BC Assessment and reported to the Islands Trust.

4. Trust Council Committees

Trust Council Committees are the standing committees of Council as defined in Trust Council Policy 2.3.i, exclusive of the Executive Committee.

5. Executive Committee

- a) Executive Committee means the committee referred to in section 20(1) of the *Islands Trust Act*, and is composed of the Chair and Vice-Chairs.

6. Benefits

- a) Benefits are defined as:
 - i. Premiums for Medical Services Plan (MSP).
 - ii. Premiums for dental plans available through the Union of BC Municipalities (UBCM).
 - iii. Premiums for extended health care available through the Union of BC Municipalities (UBCM).

D. POLICY:

1. The Islands Trust endeavors to provide trustee remuneration that reflects the relative workload of individual trustees due to their membership on Local Trust Committees (LTC), Trust Council and Trust Council Committees.
2. Trustee Remuneration will be calculated based on the sum of four factors:
 - a) An amount for membership on Trust Council. This amount will be equal to the remuneration paid to municipal trustees and will be referred to as the "Trust Council Base Amount".
 - b) An amount for participation in LTC business and LTC meetings. This amount shall be referred to as the "LTC Local Base Amount".
 - c) An amount for the population within a Local Trust Area. This amount shall be referred to as the "Population Amount".
 - d) An amount for the number of folios within a Local Trust Area. This amount shall be referred to as the "Folio Amount".
 - e) The amounts for each of the above factors are defined in Section E: Implementation.
3. Additional Remuneration for the Executive Committee
 - a) Members of the Executive Committee receive remuneration for carrying out their duties on the Executive Committee and their duties as Chairs of LTCs.
 - b) The Vice-Chairs' remuneration shall be defined as equal to the Salt Spring Trustee Remuneration amount, plus 10%.
 - c) The Chair's remuneration shall be defined as the Vice-Chair remuneration, plus 25%.
4. Payment of Benefit Premiums for Trustees
 - a) Trustees will be offered the opportunity to have benefit premiums paid by the Islands Trust. Payments for trustee benefit premiums may be subject to income tax as defined by the Canadian Revenue Agency.
 - b) Trustees who do not subscribe to benefit coverage through Islands Trust will receive an annual amount as defined in Section E: Implementation.

E. IMPLEMENTATION:

1. The implementation of this policy will commence with swearing in of trustees elected in November 2011.

2. The defined annual compensation amounts for the first implementation of this policy are the sum of:
 - a) Trust Council Base Amount = \$3,200.00
 - b) LTC Local Base Amount = \$4,200.00
 - c) Population Amount = \$1.30 per person
 - d) Folio Amount = \$1.30 per folio
3. The annual compensation amounts calculated for trustees will be subject to the adoption of an annual Trustee Remuneration Bylaw.
4. Overall Review of Trustee Remuneration
 - a) The Trustee Remuneration calculations will be reviewed when the results are available from the most recent census. Any adjustments based on changes in population or folios will be implemented on April 1st of the following year.
5. Annual Adjustments for Inflation
 - a) In fiscal years where census results are not available, the previous year's remuneration will be adjusted on an annual basis, coinciding with the fiscal year, based on the annual change in the Victoria Consumer Price Index as reported by BC Statistics in December. Adjustments to Trustee Remuneration that result from inflation will be implemented on April 1st of the following year.
6. Payments to Trustees Who Do Not Register for Benefits Through Islands Trust
 - a) Local Trustees who do not register for benefits through Islands Trust will receive an annual payment of \$1,000.00, paid evenly over the fiscal year (ie. \$83.33 per month).
 - b) If Local Trustees take office part way through the fiscal year, this payment will be applied proportionately based on how many months are remaining in the fiscal year.



Catching Up

Local Trustee Remuneration

January 2010

Introduction

Local government remuneration is intended to compensate locally elected officials for their time away from their business or employment and from their families to carry out their duties. Local trustee remuneration and the link to attracting a greater diversity of trustee candidates has been a long-standing topic of discussion at Trust Council for a decade, with the last review conducted in 2004. Since then, the complexity of trustees' work and the amount of time that trustees are expected to spend on behalf of their constituents has increased significantly.

The Islands Trust Council Strategic Plan for 2008 – 2011 includes the strategy "Enable greater diversity of trustee candidates." Trust Council members believe that the present levels of remuneration preclude the participation of significant sectors of the population, particularly the young and those who need to work to provide for themselves and their families. We have heard that our constituents believe it's important for trustees to come from many walks of life, so that their decisions accurately reflect their community's diversity.

In 2010 Trust Council directed the Financial Planning Committee to work with an independent consultant to report and make recommendations on the subject of trustee remuneration. While Trust Council recognizes that remuneration is intended to be an honorarium rather than a salary, it also recognizes the need for remuneration to keep up with the cost of living, be comparable to similar roles and work loads in other local and regional governments and to make it possible for all members of the community to serve as trustees.

In September 2010 Trust Council received the consultant's report and recommendations from the Financial Planning Committee and endorsed the principles for increasing remuneration. Trust Council endorsed the recommended changes at its December 2010 Trust Council quarterly meeting as part of the budget proposal for 2011-2012. Trust Council will be seeking public input starting in late January, for consideration prior to making a final decision in March 2011.

The changes, if approved, do not apply to the current trustees. The changes would only apply to those who are elected in November 2011.

To provide flexibility in the future, Trust Council will be required to approve a bylaw each year to confirm trustee remuneration.

Fair Compensation Review

In 2010 Trust Council approved a review of remuneration, which was conducted by the independent consultant, Paul McKivett of James R. Craven and Associates.

The review included:

- A trustee survey on time devoted to activities, including meetings, preparation, travel and general administration;
- A review of guidelines for setting compensation for locally elected officials;
- A review of comparable similar roles and work loads in other elected positions for jurisdictions overlapping the Islands Trust Area; and,
- Information on remuneration for members of the San Juan County Council, the local government of the San Juan Islands.

The consultant found that “The mandate, responsibilities, activities and taxing authority for Islands Trust trustees are more comparable to the position of regional directors than any other body.”

The consultant also found “that school trustees are generally compensated higher than Islands Trust Trustees, while not having the same level of responsibilities.”

Based on a survey of the average time trustees spend per month, the independent consultant found that trustees work half to full-time, depending on the area of the trust area they steward.

As a result of the review, the consultant's report recommended that trustees be remunerated at an annual minimum of \$8,000 for the smallest trust areas to a maximum of \$28,000 for the largest. This compares to regional district directors' remuneration in the Islands Trust Area ranging from \$8,120 to \$28,135 per annum. San Juan County Council members are paid \$33,718 (US\$) per year.

Improving representation from all segments of our communities

The Financial Planning Committee considered a number of factors in reviewing the consultant's report and developing recommendations for Trust Council including:

- The importance of recognizing the nature and commitment to the job of trustee
- The importance in a democratic government of providing opportunities for diverse elements of the populace to serve and participate in decision making, particularly young people and those with families
- The importance of providing adequate compensation so that candidates for trustee are not limited to those who have other sources of income to support their elected position
- The responsibility to steward the unique and special nature of the Trust area for residents and all British Columbians
- The challenges in recruiting trustees
- The value of retaining trustees who are prepared to serve for more than just one term
- The sacrifice that trustees' families make in support of trustees who face criticism that is sometimes hurtful and has an impact on the family
- That other jurisdictions are recognizing the importance of more adequately supporting locally elected officials
- That some local trust areas are close to adequate compensation but that others need considerable increases, given trustee workload and community need
- That population carries a particular significance in the dynamics of a community's workload that may not necessarily be reflected in the number of properties or land area
- The fact that there has not been a review of remuneration since 2004.

The Cost to Taxpayers

Subject to further public input on the proposed 2011-2012 budget, Trust Council approved a policy for setting and developing remuneration levels, including recommendations on how and when remuneration levels should be updated. The current cost to the average taxpayer for Trust Council remuneration is about \$15 per average property for all 26 trustees, or 58 cents per trustee annually. If the increase is approved by Trust Council, this would increase to about \$25 per average property for all 26 trustees, or 96 cents per trustee annually. The average property is \$450,000.

In the fiscal year ending March 31, 2011 the trustee remuneration budget was \$320,000 or about 5% of total expenditures. Under the new proposal, total trustee remuneration and benefits cost would increase to approximately \$527,000 per year for 26 trustees and the Executive Committee. If the proposed remuneration policy is implemented for a full fiscal year in 2012-13, trustee remuneration will be approximately 7% of total expenditures.

Proposed Remuneration

To ensure fairness, the proposed remuneration reflects the relative workload of individual local trust committees and is based on a formula which factors:

- Population
- Number of properties on the island represented
- Participation in Trust Council, Council Committee and Local Trust Committee meetings
- Optional health and dental benefits through the Medical Services Plan and Union of British Columbia Municipalities benefits programs.

Current and Proposed Remuneration for Local Trustees, with comparators for the relevant Regional District Local Area Directors:

Regional District *	Rural/Electoral Area Director Remuneration	Island	Current Trustee Remuneration	Proposed Trustee Remuneration
Powell River	\$10,542	Lasqueti	\$7,212	\$8,486
Capital Region	\$28,135	Saturna	\$7,212	\$8,671
Capital Region	\$28,135	South Pender	\$7,212	\$8,136
Cowichan Valley	\$22,370	Thetis	\$7,212	\$8,885
Comox	\$20,333	Denman	\$7,480	\$9,971
Sunshine Coast	\$8,120	Gambier	\$7,748	\$9,853
Comox	\$20,333	Hornby	\$7,748	\$10,207
Capital Region	\$28,135	Mayne	\$7,748	\$10,987
Capital Region	\$28,135	Galiano	\$7,996	\$10,917
Capital Region	\$28,135	North Pender	\$8,552	\$12,946
Nanaimo	\$15,500	Gabriola	\$10,200	\$17,615
Capital Region	\$28,135	Salt Spring	\$12,984	\$28,294

* Regional District remuneration amounts are drawn from the Consultant's report on Trustee Remuneration dated August 2010, and may have been revised by the Regional Districts since then. There are two Regional Area Directors for the Capital Region: one serves Salt Spring Island and one serves the five smaller southern gulf islands (which is why the Regional District remuneration is higher than the proposed trustee amounts for the related islands of Galiano, Mayne, North Pender, South Pender and Saturna).

Additional Notes:

1. Two Bowen Island Municipal Councilors are members of the Islands Trust Council. They have no Local Trust Committee activities, attending only Trust Council and Trust Council Committee meetings. Their current remuneration from Islands Trust is \$3,092 per annum, with a proposed remuneration amount of \$3,200. The small proposed increase compared to Local Trustees reflects the fact that Trust Council activities have not changed in nature over the years, while Local Trust Committee responsibilities have changed significantly.

In addition to remuneration from Islands Trust, the Bowen Municipal Councilors receive remuneration of \$9,852 per annum from Bowen Island Municipality.

2. Additional proposed remuneration for attending Trust Council Committee meetings:
 - \$250 be paid to chair of Trust Council Committees (i.e. Local Planning Committee, Trust Programs Committee, Financial Planning Committee) for attendance at meetings
 - \$150 be paid to members of Trust Council Committees (i.e. Local Planning Committee, Trust Programs Committee, Financial Planning Committee) for attendance at meetings

Note: Physical attendance at committee meetings requires extensive travel for some trustees. Electronic meetings are being used more often in order to reduce the cost of travel.

3. Health and Dental Benefits

The proposal includes paying health and dental benefit premiums for local trustees because of the significant financial impact that these uninsured costs can have for trustees and potential trustees, particularly for younger people, families and those with a low income. Some individuals choose to give up jobs that provide these benefits in order to become a trustee. If trustees choose not to enroll in the health and dental programs, they would receive an additional \$1,000 per annum in remuneration. The independent consultant found that "the majority of regional districts within the Islands Trust Area provide their directors with access to the District's benefit plans on the same basis as employees." The proposal does not apply to the Bowen Municipal trustees because they receive health and dental benefits through the municipality.

Trust Council's Process for Making Decisions on Trustee Remuneration

At its December 2010 meeting, Trust Council approved the new policy for trustee remuneration in order to include the specific amounts determined by the new policy in the proposed draft budget for 2011-2012. Trust Council will consider public input on the proposed 2011-2012 budget before finalizing the budget at its March 2011 meeting. At that time, Trust Council could revise the trustee remuneration policy and the 2011-2012 budget, and confirm the approach in the 2011-2012 trustee remuneration bylaw.

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Financial Planning Committee

Date Prepared: February 20, 2013

SUBJECT: FINANCIAL PLAN BYLAW, 2013/2014

RECOMMENDATION:

1. That Islands Trust Council Bylaw 151, cited as the "Financial Plan Bylaw, 2013/2014" be Read a First Time.
2. That Islands Trust Council Bylaw 151, cited as the "Financial Plan Bylaw, 2013/2014" be Read a Second Time.
3. That Islands Trust Council Bylaw 151, cited as the "Financial Plan Bylaw, 2013/2014" be Read a Third Time.
4. That Islands Trust Council Bylaw 151, cited as the "Financial Plan Bylaw, 2013/14" be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Islands Trust Financial Plan for 2013/14 must be adopted by bylaw prior to implementation.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Allows staff to implement the Islands Trust Council's approved budget.

FINANCIAL: As described in budget background documents

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will implement as described in budget background documents.

OTHER: None

BACKGROUND

REPORT/DOCUMENT: Draft Financial Plan Bylaw, 2013/2014.

KEY ISSUE(S)/CONCEPT(S): The Financial Plan Bylaw is the formal document approving the budget for the 2013/2014 fiscal year. After three readings, the bylaw is forwarded to the Minister of Community, Sport and Cultural Development for approval and the property tax levy request is forwarded to the Provincial Surveyor of Taxes. Bowen Island Municipality is notified of the tax collection required on behalf of Islands Trust.

The Financial Plan Bylaw focuses on the current fiscal year budget, but also includes projections for the following four fiscal years. The worksheet used to create the projections appears at the end of this Request for Decision. The assumptions and/or processes used for the line items in the four year projection are:

Consumer Price Index	1.5%
Fees & Sales	No increase in fees and sales is projected. Fees will however increase based on CPI.
Provincial Grant	2014/15 is based on the final term of the 3-year Strategic Community Investment Fund agreement. The following three fiscal years are anticipated to remain at the average level in previous years.
Non-market Growth	A 1% non-market growth rate is anticipated. Non-market growth is experienced when properties under development are completed and their assessed values are added to the assessment pool.
Increases to Property Taxes	It is anticipated that property tax increases will not exceed CPI of 1.5%.
Property Tax Levy – Bowen	The methodology for the Bowen Tax Levy calculation is described in the <i>Islands Trust Act</i> and depends on a number of factors that are difficult to predict. An increase of 1.5% has been included.
Expenditures (Trust Council, Local Planning, Trust Fund and Administration)	Service levels are expected to remain the same and a 1.5% CPI factor has been applied to the base year of 2013/14.
Expenditures – Programs	Program expenditures are based on historical spending and are adjusted to reflect lower spending on programs during election years.
General Revenue Fund Surplus	The target for this amount is defined in the General Revenue Fund Surplus Policy 6.5.i.

RELEVANT POLICY: Municipal Revenue Tax Calculation Policy 7.2.vi.
General Revenue Fund Surplus Policy 6.5.i.

DESIRED OUTCOME: That Trust Council approve the Financial Plan Bylaw, 2013/2014 in order for staff to implement the islands Trust Council's approved budget.

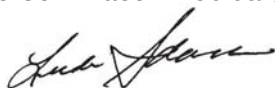
RESPONSE OPTIONS

Recommended: Three readings of the Financial Plan Bylaw and advance for approval by the Minister of Community, Sport, and Cultural Development.

Alternative: N/A

Prepared By: Cindy Shelest, Director of Administrative Services

Reviewed By/Date: Financial Planning Committee – February 13, 2013
Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer

ISLANDS TRUST - Proposed Budget - 5 Year Budget Projection						
	Trust Council March 2013		Annual			
Revenue	2013/14	Increase %	2014/15	2015/16	2016/17	2017/18
Fees & Sales - Maps & Bylaws	110,000	1.5%	111,650	113,325	115,025	116,750
Provincial Grant	85,184		119,122	180,000	180,000	180,000
Property Tax Levy prior year	5,929,060	0.0%	6,066,024	6,217,674	6,373,116	6,532,444
Non-market Growth Current Year	59,291	1.0%	60,660	62,177	63,731	65,324
Increased Taxes in Current Year	77,673		90,990	93,265	95,597	97,987
Total Tax Revenue	6,066,024		6,217,674	6,373,116	6,532,444	6,695,755
% tax increase	1.30%		1.5%	1.5%	1.5%	1.5%
Appropriation from Surplus - for future elections			byelection 7,000	election 100,000	byelection 7,000	byelection 7,000
Appropriation from Surplus - to adjust Surplus balance	310,814		167,153	3,323		-
Property Tax Levy - Bowen	225,170	1.5%	228,547	231,976	235,455	238,987
Special Levy - LTCs		manual input				
Interest Income	95,000	0.0%	95,000	95,000	95,000	95,000
Other Income	60,000	0.0%	60,000	60,000	60,000	60,000
Revenue Subtotal	6,952,192		7,006,147	7,156,739	7,224,924	7,393,492
Expenditures				election		
Trust Council - no Admin or Programs	812,437	1.5%	824,623	936,993	851,048	763,813
Local Planning - no Admin or Programs	3,918,211	1.5%	3,976,984	4,036,639	4,097,189	4,158,647
Trust Fund - no Admin or Programs	522,827	1.5%	530,669	538,630	546,709	554,910
Administration	1,353,566	1.5%	1,373,870	1,394,478	1,415,395	1,436,626
Programs - Trust Council	90,000		300,000	250,000	275,000	325,000
Programs & OCP - LPS	193,150					
Programs - ITF	32,000					
Programs - Admin	30,000					
Expenditure Subtotal	6,952,192		7,006,147	7,156,739	7,185,340	7,238,996
Surplus Contributions from Operations	-		(0)	0	39,583	154,497
Total Cash Requirement	6,952,192		7,006,147	7,156,739	7,224,924	7,393,492
Surplus Balance - adjust after most recent fore	1,818,233		1,644,080	1,540,757	1,573,340	1,720,837
Cash required for 4 months operation (ie April - July)						
(expenditure subtotal divided by 4 less 1/3 non-tax revenue)	\$ 1,671,798		\$ 1,684,874	\$ 1,722,104	\$ 1,728,829	\$ 1,741,811
Surplus Balance as % of Cash Required by Policy	109%		98%	89%	91%	99%

ISLANDS TRUST COUNCIL

BYLAW NO. 151

A Bylaw Respecting the Financial Plan of the Islands Trust for Fiscal Years 2013/14 through 2017/2018

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Schedule "A" attached hereto, and made part of this Bylaw is hereby adopted and is the Financial Plan of the Islands Trust for the fiscal year commencing April 1, 2013 and ending March 31, 2014, and for the subsequent four fiscal years, and further that;
2. This Bylaw may be cited for all purposes as the "Islands Trust Financial Plan Bylaw, 2013/2014".

READ A FIRST TIME THIS DAY OF , 2013

READ A SECOND TIME THIS DAY OF , 2013

READ A THIRD TIME THIS DAY OF , 2013

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT
THIS DAY OF , 2013

ADOPTED THIS DAY OF , 2013

SECRETARY

CHAIR

ISLANDS TRUST						
Bylaw 151						
Schedule A						
Revenue	2013/14	2014/15	2015/16	2016/17	2017/18	
Provincial Funding	85,184	119,000	180,000	180,000	180,000	
Property Taxes **	6,291,195	6,447,000	6,605,000	6,767,000	6,935,000	
Special Levy - Local Trust Committees	-	-	-	-	-	
Fees	110,000	112,000	113,000	115,000	117,000	
Surplus Appropriation	310,814	174,000	103,000	7,000	7,000	
Interest and Other	155,000	155,000	155,000	155,000	155,000	
Revenue Subtotal	6,952,193	7,007,000	7,156,000	7,224,000	7,394,000	
Expenditures						
Trust Council	1,123,808	1,092,000	1,200,000	1,122,000	1,046,000	
Local Planning	5,135,200	5,217,000	5,253,000	5,347,000	5,462,000	
Trust Fund	693,184	698,000	703,000	716,000	731,000	
Expenditure Subtotal	6,952,193	7,007,000	7,156,000	7,185,000	7,239,000	
Contribution to Surplus (Reserves)*	-	-	-	39,000	155,000	
** Estimated Property Taxes by Source:	2013/14	2014/15	2015/16	2016/17	2017/18	
Trust Area Property Tax Levy	6,066,025	6,218,000	6,373,000	6,532,000	6,696,000	
Bowen Island Municipality Property Tax Levy	225,170	229,000	232,000	235,000	239,000	
Total	6,291,195	6,447,000	6,605,000	6,767,000	6,935,000	
Balance in General Revenue Fund Surplus (Reserves) *	1,818,233	1,644,000	1,541,000	1,573,000	1,721,000	

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Financial Planning Committee

Date: February 20, 2013

SUBJECT: REVENUE ANTICIPATION BORROWING BYLAW (ANNUAL ITEM)

RECOMMENDATION:

1. That Islands Trust Council Bylaw 152, cited as the “Revenue Anticipation Borrowing Bylaw 2013/14” be Read a First Time.
2. That Islands Trust Council Bylaw 152, cited as the “Revenue Anticipation Borrowing Bylaw 2013/14” be Read a Second Time.
3. That Islands Trust Council Bylaw 152, cited as the “Revenue Anticipation Borrowing Bylaw 2013/14” be Read a Third Time.
4. That Islands Trust Council Bylaw 152, cited as the ‘Revenue Anticipation Borrowing Bylaw 2013/14’ be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The *Local Government Act* requires local governments to enact a “borrowing bylaw” before borrowing funds. The bylaw also requires Ministerial approval. Therefore all local governments adopt a borrowing bylaw to cover unexpected situations where they might have to borrow money at short notice. While the Islands Trust Council adopts a borrowing bylaw each year, no borrowing has been required for several years. Expenditures are carefully managed to ensure they do not exceed the budgeted revenues.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Ability to borrow enabled by adoption of the bylaw.

FINANCIAL: Interest expense, if incurred, would be charged against the appropriate budget account.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: None

OTHER: None

BACKGROUND

The Islands Trust is required under the *Islands Trust Act, S.8(3)* and *Islands Trust Act Regulation #12*, to adopt a bylaw authorizing the borrowing of money that may be required to meet current expenditures before revenue from all sources has been received. The bylaw also requires Ministerial approval. No borrowing has been required for several years.

REPORT/DOCUMENT:

- Draft Revenue Anticipation Borrowing Bylaw.

KEY ISSUE(S)/CONCEPT(S):

This requirement is particularly relevant between the beginning of the fiscal year (April 1) and the time of receipt of tax levy proceeds.

The bylaw specifies a limit of \$1,000,000 and an interest rate not to exceed 2% per annum over bank prime. The islands Trust currently is able to borrow at an interest rate equal to the bank prime rate.

RELEVANT POLICY:

Islands Trust Act, Section.8(3); Local Government Act, Sections 821 and 822

DESIRED OUTCOME:

That Trust Council approve the Revenue Anticipation Borrowing Bylaw.

RESPONSE OPTIONS**Recommended:**

Three readings of the Revenue Anticipation Borrowing Bylaw and advance for approval by the Minister of Community, Sport, and Cultural Development.

Alternative:

Prepared By: Cindy Shelest, Director of Administrative Services

Reviewed By/Date: Financial Planning Committee – February 13, 2013
Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer

ISLANDS TRUST COUNCIL

BYLAW NO. 152

A Bylaw to Provide for the Borrowing of Money During Fiscal Year 2013 - 2014 in Anticipation of Revenue

WHEREAS the Islands Trust may not have sufficient money on hand to meet the current lawful expenditures of the Islands Trust;

AND WHEREAS it is provided by Section 8.3 of the *Islands Trust Act*, Section 12 of B.C. Regulations 119/90 and Sections 821 and 822 of the *Local Government Act* that the Islands Trust may, with the approval of the Minister of Community, Sport and Cultural Development, borrow such sums of money as may be required to meet the current lawful expenditures of the Islands Trust before revenue, from all sources, to pay for those expenditures has been received, provided that money so borrowed is repaid when the anticipated revenue with respect to which the borrowing was authorized is received;

AND WHEREAS the Islands Trust Council anticipates receiving for the 2013 - 2014 budget a Provincial Contribution and a property tax levy, and these revenues have not been received at the time of adoption of this bylaw;

NOW THEREFORE the Islands Trust enacts as follows:

1. This bylaw may be cited as "Revenue Anticipation Borrowing Bylaw, 2013 - 2014".
2. The Islands Trust shall be and is hereby authorized to borrow upon the credit of the Islands Trust an amount or amounts not exceeding \$1,000,000 as the same may be required and to pay interest thereon at a rate not exceeding 2% over bank prime rate per annum.
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chairperson of the Islands Trust and the Treasurer of the Islands Trust.
4. The Provincial Contribution and property tax levy, or so much thereof as may be necessary, shall when received on account of the 2013 - 2014 budget, be used to repay the money so borrowed.

READ A FIRST TIME THIS DAY OF MARCH , 2013

READ A SECOND TIME THIS DAY OF MARCH , 2013

READ A THIRD TIME THIS DAY OF MARCH , 2013

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT
THIS DAY OF , 2013

ADOPTED THIS DAY OF , 2013

SECRETARY

CHAIR



DIRECTOR OF TRUST AREA SERVICES 2012-2013 FOURTH QUARTER REPORT

Date: February 19, 2013

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. <u>TRUST COUNCIL / TRUST PROGRAMS COMMITTEE</u> - Sent 3 letters to delegates and presenters at December Trust Council - Submitted successful proposal to Island Studies Conference for Island Governance panel - Completed Protected Area Indicator Report and posted to website - Ordered custom reports of Trust Area Census data - Launched and promoted 2013 Community Stewardship Awards program - See advocacy achievements below - See strategic plan achievements below	- Update bi-annual legislative monitoring chart - Prepare for Island Studies Conference - Plan for Census-based indicator reports - Deliver Community Stewardship Awards program to June Council - Collect water resource education materials from island groups - Draft proposal for economic development session with Electoral Area Directors
2. <u>AGENCY LIAISON and ADVOCACY</u> - Drafted Chair letters regarding Islands Trust services to BIM Council, mining in the Trust Area, provincial intentions paper on land based spill preparedness and response, Southern Strait of Georgia National Marine Conservation Area Reserve NMCA, request to advocate about costing of oil spills - Staff met with non-profit agencies interested in pleasure craft sewage issues - Staff researched options for seeking mining reserve status for Islands Trust Area - Drafted and delivered Islands Trust submission re BC Ferries to MOTI - Revise budget request (\$20,000) BC Ferries Advocacy for Feb. 13 FPC - Draft Briefing note on continuing BC Ferries advocacy for Feb. 19 EC	- Additional staff and trustee orientation on Advocacy Policy - Ongoing tracking of legislative and major policy / program changes in all levels of government - Finalize First Nations relations strategy - Continue implementing marine advocacy program (derelict vessels, pleasure craft sewage, NMCA) - Update memorandum of understanding with the BC agency responsible for Crown Lands
3. <u>ISLANDS TRUST FUND</u> - Delivered Trust Council session on "Working with the Islands Trust Fund" - Assisted Metro Vancouver Regional District staff in preparing a report requesting expansion of NAPTEP to remainder of Howe Sound	- Review Crown land acquisition program - Work with TFB and Executive Committee to advance TFB request for legislative change - Prepare session on island land trusts for Island Studies Conference - Follow up with Metro Vancouver Regional District to expand NAPTEP to remainder of Howe Sound - Participate in delivery of shoreline workshops on Galiano, Thetis, Gambier and Gabriola Islands

4. <u>COMMUNICATIONS</u> • Issued six news releases (Schlenker, Budget input, Salt Spring APC, Council Program, Community Stewardship Awards, Stoneman) • Drafted 2013-2014 Budget Package for public input • Green shores / Shoreline Mapping review public notice templates/FAQs • News Release distribution briefing note to EC Jan. 23 • Drafted News Release Development Guidelines and circulated to Regional Planning Managers • Launch Community Stewardship Awards Program (web form + news release) • Research/inventory water education materials (Island Water Stewardship Groups, Existing IT materials, Regional Districts) – TPC Strategic Plan	• Resolve issues with new website, create webposting guidelines, coordinate content migration, write new pages and launch. Continuous improvement after launch as time allows. • Oversee 2012-13 Annual Report process • Implement high priority items on EC's 2012-2013 communications work plan, including options for implementing TPC strategic plan components • Support Bylaw Enforcement communications and news releases • Track communications policies to be updated • Review film footage from Gulf Islands Film School • Present RFD to EC for guidance on film project next steps
5. <u>GRANTS ADMINISTRATION</u> <i>Grants in Progress:</i> • Completed final report to Pacific Climate Impacts Consortium for Greens Shores mapping funding. (\$40,000) • Coordinated delivery of Shoreline Mapping and Green Shores workshops with staff and consultants. <i>Identifying Opportunities:</i> • Distributed grant information to trustees and staff • Responded to 6 requests for detailed grant information and liaised with funders and community groups to determine viability. • Presented grants program to Northern Office staff. • Prepared RFD on Lasqueti Community Energy Project request for grant administration of provincial funds (\$250,000) • Analyzed food security funding opportunity with VIHA.	• Assist with the delivery of shoreline workshops on Denman, Gabriola, Galiano, Gambier, Hornby, Lasqueti and Thetis Islands • Prepare interim report for Stewardship Centre for BC for Green Shores project • Develop project analysis framework for consideration of funding for new projects • Continue to forward information to Bowen on funding opportunities • Ongoing assistance to Green Shores project to meet funder deliverables and/or negotiate changes. • Develop content for new website re: outside funding & community database • Work with Admin to develop improved grants database and user interface • Monitor Revenue Canada for new registration process for qualified donees
6. <u>HUMAN RESOURCES</u> • Work with management team on organizational improvements requested in staff survey • Oriented Salt Spring LPS staff on communications, advocacy and other TAS programs • Completing performance reviews for 4 TAS staff	• Provide additional staff training for new website • Revise 3 TAS job descriptions to reflect Legislative Services Manager role and increased emphasis on electronic communications



TRUST FUND BOARD REPORT TO TRUST COUNCIL 4th Quarter 2012-2013

5.2

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. STRATEGIC PLANNING/ ADMINISTRATION	
Completed eelgrass mapping in partnership with other agencies for Gambier, Thetis, Thetis associated island (except Valdes) Lasqueti, North Pender, South Pender and Mayne Completed forage fish spawning habitat assessments for beaches on North and South Pender islands Reviewed and revised NAPTEP administration policy for consideration by Trust Council Endorsed the Statement of Cooperation and Terms of Reference for the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership	Review land acquisition and property management policies and identify gaps and required revisions Subject to funding, initiate eelgrass and forage fish mapping for additional islands, prioritizing, Bowen, Galiano, Gabriola, Valdes and other islands in coordination with planning staff. Participate in the Steering Committee for the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership
2. COVENANT AND PROPERTY ACQUISITIONS	
Acquired 23rd nature reserve (Galiano), an extension to the existing Laughlin Lake Nature Reserve	Work with landowners of three properties to implement conservation proposals approved by TFB (Galiano , Gabriola, Denman) Negotiate covenant and easement for a proposed acquisition (Galiano) Draft four NAPTEP covenants (3 on Hornby, 1 on Salt Spring) and 1 regular covenant (North Pender) Finalize covenants for 3 Gambier Island nature reserves and the Mt. Trematon Nature Reserve (Lasqueti) with conservancy partners Work with partners to assess feasibility of land acquisitions through purchase (Lasqueti and Thetis)

3. PROPERTY AND COVENANT MANAGEMENT	
Partnered with Gabriola Land and Trails Trust to plant/stabilize an area adjacent to the road on the Bachmann Covenant (Gabriola) Contracted the Gambier Island Conservancy to remove invasive species at Long Bay Wetland Nature Reserve (Gambier) Contracted the Pender Island Conservancy to remove debris from Medicine Beach (Pender) Developed a restoration plan for Long Bay Wetland Nature Reserve and Brigade Bay Bluffs Nature Reserve (Gambier)	Develop a species at risk monitoring program for ITF properties Initiate an ecological monitoring plan for deer exclusion areas at Windthrow Covenant, Sidney Island (N. Pender) Implement restoration projects for Brigade Bay Bluffs and Long Bay Wetlands Nature Reserves (Gambier) Develop management plan for newly acquired properties
4. COMMUNICATIONS	
Advocated for Southern Strait of Georgia National Marine Conservation Area Winter edition of The Heron (newsletter of the ITF) released News Releases issued about new protected properties: • Valens Brook Nature Reserve (Denman) • Myra Powers NAPTEP Covenant (Hornby) • Nighthawk Hill NAPTEP Covenant (N. Pender)	Continue edits and drafting of new content for ITF website News Releases about new protected properties Prepare 2012-2013 Annual Report
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Sponsored island-based land trusts to attend Island Studies conference (Gabriola) in May Opportunity Fund grant to Thetis Island Nature Conservancy Society (Cowichan Land Trust) (\$2,100) Annual appeal for donations to Opportunity Fund issued (direct mail and advertising) generated 20% increase in funds Planned Giving Program: Action plan developed and initiated	Further develop Planned Giving program through development of brochures and tax-benefit information for donors Review of ITF's Client/Donor Management System (current system and growing needs) Review existing fundraising policies and identify gaps

As of March 2013 the Trust Fund Board owns 23 properties and holds 66 covenants (of which 23 have NAPTEP certificates).

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Trust Fund Board

Date Prepared: January 29, 2013

SUBJECT: NATURAL AREA PROTECTION TAX EXEMPTION PROGRAM (NAPTEP) PROCEDURE

RECOMMENDATION: That the Islands Trust Council amend Section 2.1.x, Administration of Natural Area Protection Tax Exemption Program, of the Islands Trust Policy Manual, as drafted.

CAO COMMENTS: The intent of this policy revision is to provide a mechanism for landowners to increase the conservation value of conservation covenants secured through the Natural Area Protection Tax Exemption Program (NAPTEP) and to make some housekeeping edits to the NAPTEP administration procedure.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The revision of this procedure will provide clarity to staff, the Trust Fund Board and Trust Council regarding the processing of requests to amend covenants related to Natural Area Exemption Certificates (tax exemption certificates).

FINANCIAL: None.

POLICY: Recommended changes to Islands Trust Policy 2.1 x are attached to this request for decision and have been reviewed by legal counsel..

IMPLEMENTATION/COMMUNICATIONS: Upon approval, staff will make changes to the Islands Trust Policy Manual and will distribute the revised policy as appropriate.

BACKGROUND

At its January 17, 2013 meeting, the Trust Fund Board passed the following resolution:

Resolution # TFB 13/1340

That the Trust Fund Board request that Trust Council amend Section 2.1.x, Administration of Natural Area Protection Tax Exemption Program, of the Islands Trust Policy Manual, as drafted.

In 2011, the Trust Fund Board and staff responded to two requests to alter covenants on properties subject to a Natural Area Exemption Certificate through the Natural Area Protection Tax Exemption Program (NAPTEP). One request was to expand the covenant's conservation area (King Lot 16 NAPTEP covenant) and the second was to add a co-covenant holder (Bachmann NAPTEP covenant). The experience of making changes to these covenants highlighted the need for more clarity in Policy 2.1.x to respond to future requests to modify NAPTEP covenants.

In the case of the King Lot 16 NAPTEP covenant, Mrs. King wanted to enlarge the covenant area to encompass the entire property. The cleanest way to make this change was to first register a new covenant against the land indicating the expanded area and updating the associated baseline report. Once that covenant was registered, the previous covenant needed to be discharged. However, staff were concerned that discharging the previous covenant would trigger tax recapture amounts under section 49.7 of the *Islands Trust Act*.

In general, discharges to covenants trigger public notice requirements under section 49.6 of the *Islands Trust Act* (ITA) and automatic cancellation of natural area exemption certificates under section 49.4 (1) (c) of the ITA. Cancellation of the natural area exemption certificate triggers tax recapture provisions under section 49.7 of the ITA.

In April 2011, staff sought legal advice to clarify the procedure to enlarge a conservation covenant subject to a natural area exemption certificate. There are no specific provisions in the ITA that guide amending or replacing covenants or exemption certificates under NAPTEP and neither Trust Council nor the Islands Trust Fund have any related policies. However, given that Trust Council has the power to issue and cancel an exemption certificate, Trust Council should have the power to amend an exemption certificate. Section 27 (4) of the *Interpretation Act* states:

27(4) If in an enactment¹ a power is conferred to make regulations, the power includes a power exercisable in the same manner, and subject to the same consent and conditions, if any, to repeal or amend the regulations and make others.

and it is likely that this also applies to the issuance of tax exemption certificates by Trust Council.

Given that Trust Council likely has the right to amend a natural area exemption certificate, it follows that the Trust Fund Board, in the case of enlarging a covenant area, should also be able to discharge a covenant that is no longer related to an existing natural area exemption certificate. The logic of this is as follows:

- 1) Trust Council may amend a natural area exemption certificate relating to a protection covenant held by the Trust Fund Board;
- 2) If a new protection covenant is registered on the land title and an exemption certificate is amended to reference the plan related to the new protection covenant, then the amended natural area exemption certificate is no longer related to any prior covenant.
- 3) An old covenant can be discharged because it is no longer connected to the natural area exemption certificate under section 49.6 (1) of the ITA.

REPORT/DOCUMENT:

Islands Trust Policy 2.1 x Administration of Natural Area Protection Tax Exemption Program, recommended changes highlighted

KEY ISSUE(S)/CONCEPT(S): Administration of NAPTEP applications and requests to alter NAPTEP covenants

RELEVANT POLICY:

Islands Trust Act – Part 7.1 Natural Area Protection Tax Exemptions

See background section above.

¹ Includes a "regulation" and a regulation is defined to include a "regulation, order, rule, form, tariff of costs or fees, proclamation, letters patent, commission, warrant, bylaw or other instrument enacted in execution of a power conferred under an Act".

Islands Trust Policy Manual: 2.1 x Administration of Natural Area Protection Tax Exemption Program

See attached.

Islands Trust Fund Plan

See plan section related to the Disposition of Property.

Trust Fund Board Policies

Trust Fund Board Natural Area Protection Policy (Ref No. TFB02008)

Trust Fund Board Disposition of Land Policy (Ref. No. TFB03001)

DESIRED OUTCOME: As recommended.

RESPONSE OPTIONS

Recommended: As above.

Alternative:

- 1) Make no changes to the policy and continue to operate on a case by case basis.
 - 2) Propose amendments to the proposed procedure revision.
-

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By: Jennifer Eliason, Islands Trust Fund Manager, February 4, 2013
Lisa Gordon, Director of Trust Area Services, February 6, 2013



Linda Adams, Chief Administrative Officer

2.1.x Procedure

**ADMINISTRATION OF NATURAL AREA PROTECTION TAX
EXEMPTION PROGRAM**

Trust Council: September 13, 2002

Amended: March 12, 2004, ~~December 8, 2006,~~ and June 15, 2007 and March XX, 2013

A: PURPOSE:

1. To define policies and procedures that will ensure a fair, effective and coordinated process to implement the *Islands Trust Natural Area Protection Tax Exemption Regulation* in accordance with related policies of Islands Trust Council.

B: REFERENCES:

1. *Islands Trust Act* (7.1)
Islands Trust Natural Area Protection Tax Exemption Regulation
2. Policy Manual:
 - 2.1. Protocol Agreement Process: Government (2.1.iv)
 - 2.2. Administrative Fairness Principles (7.1.i.)
 - 2.3. Trust Fund Board Natural Area Protection Policy (Ref No. TFB02008)
 - ~~2.3, 2.4. Trust Fund Board Disposition of Land Policy (Ref. No. TFB03001)~~
3. Protocol Agreements:
 - 3.1 SCRD Protocol Agreement and Memorandum of Understanding
 - ~~3.2 CRD agreement (in development)~~

C: DEFINITIONS:

(Note: The following definitions are based on the Islands Trust Natural Area Tax Exemption Regulation)

1. **eligible natural area property** means land that meets all the following requirements:
 - (a) it must be in an area designated under section 49.2 of the *Islands Trust Act*;
 - (b) it must be land in relation to which there is one or more natural area values or amenities prescribed under section 53(2)(k) of the *Islands Trust Act*;
 - (c) it must be subject to a covenant under section 219 of the *Land Title Act* that relates to the protection of values or amenities referred to in paragraph (b) of this definition;
 - (d) the Trust Fund Board must be a covenantee in whose favour the protection covenant is made; and
 - (e) any other requirements prescribed under section 53(2)(k) of the *Islands Trust Act*.

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2.1x Administration of Natural Area Protection Tax Exemption Program (changes tracked).doc

2. **natural area exemption certificate** means a certificate under section 49.3 of the *Islands Trust Act* that is in effect.
3. **protection covenant** means a covenant referred to in paragraph (c) of the definition of eligible natural area property.

D. POLICY and PROCEDURES

GENERAL

1. Trust Council will consider the issuance of natural area exemption certificates in parts of the Trust Area that have been designated pursuant to section 49.2 of the *Islands Trust Act*, following an application by a landowner, provided an assessment by Trust Fund Board staff confirms eligibility for NAPTEP and the Trust Fund Board is willing to hold the required protection covenant.

APPLICATION PROCESS

2. Staff will use the following process for applications for natural area exemption certificates:
 - a. A property owner or agent submits a complete application form, enclosing the Phase 1 application fee and all information required to assess eligibility for NAPTEP. In order for Trust Council to consider issuing a natural area exemption certificate by October 31st of any year, the applicant must apply by ~~April~~March 1 of that year.
 - b. Trust Fund Board staff will complete an initial assessment of the application to confirm eligibility according to the *Islands Trust Act*, the *Islands Trust Natural Area Protection Tax Exemption Regulation* and any written agreements with the relevant regional district or municipality.
 - c. If staff determines that the application **is not** eligible for NAPTEP, they will advise the applicant, and include reasons for the determination. The applicant will have the option of amending the application or providing additional information.
 - d. If staff determines that the application **is** eligible for NAPTEP, they will send it to the Local Trust Committee and the relevant regional district or municipality for comment, before making recommendations to the Trust Fund Board or Trust Council.
 - e. Trust Fund Board staff will confirm that the Trust Fund Board is willing to hold the required protection covenant, before making recommendations to Trust Council regarding issuance of a natural area exemption certificate.
 - f. Trust Fund Board staff will submit a Request for Decision to Trust Council, with recommendations regarding the issuance of a natural area exemption certificate. Responses from the Local Trust Committee and the relevant regional district or municipality will be included for consideration. If staff recommends in favour of an application, it will recommend that the certificate be issued if and when the applicant has provided an appropriate property baseline assessment (meeting

Comment [KE1]: This is our practice and the date in all our communications materials.

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guidelines approved by Islands Trust Council and the Trust Fund Board) and has registered the required protection covenant (meeting guidelines approved by Islands Trust Council and the Trust Fund Board) on the relevant property title.

- g. If Trust Council is in favour of the application, it will normally pass a standard resolution instructing the Secretary to issue a certificate upon receipt of an acceptable baseline assessment and proof of registration of the required protection covenant.
- h. Within two years of [Trust Council](#) resolution in favour of an application, the applicant must provide an acceptable baseline assessment and register the required conservation covenant against the title of the subject property in order to receive the natural area exemption certificate. If the applicant does not complete these steps within two years, the applicant must reapply for the natural area exemption certificate.
- i. Once the applicant has registered the required protection covenant, the Islands Trust Secretary will issue the natural area exemption certificate.
- j. Trust Fund Board staff will ~~notify~~ register the natural area exemption certificate in the Land Titles Office and notify the area assessor of ~~all the~~ natural area exemption certificates ~~issued~~ within 30 days of ~~their~~ its issuance.
- k. Once the exemption certificate is issued, the Trust Fund Board can issue a news release jointly with the Local Trust Committee announcing the certificate.

PROTECTION COVENANTS

3. All NAPTEP protection covenants must be in the Trust Fund Board's standard form, subject to changes approved by the Trust Fund Board.
4. Covenants will be monitored annually by the Trust Fund Board, following guidelines approved by Islands Trust Council and the Trust Fund Board at no cost to the land owner.
5. Where Trust Council issues a natural area exemption certificate in regards to public access features, the protection covenant will require that the property owner maintain public access.
6. Trust Council will consider developing a process whereby existing conservation covenants can be transferred into NAPTEP, provided the conservation covenant meets the required standards, or the coventor is willing to make the necessary amendments. Where an existing covenant is being transferred into NAPTEP, application fees may be reduced.

COVENANT HOLDERS

7. The Trust Fund Board is the only party authorized to hold covenants related to applications for natural area exemption certificates, until other Islands Trust bodies have a similar capacity to administer and enforce protection covenants.
(Note: The Trust Fund Board has adopted a policy indicating its willingness to hold covenants on lands that are qualified in categories 2(a) through 2(d) of the Natural Area Protection Tax Exemption Regulation, subject to the availability of resources and an acceptable covenant.)

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8. If the Trust Fund Board is unwilling to hold the required protection covenant, ~~Islands~~ Trust Fund staff will notify the ~~relevant appropriate local Trust Committee~~ to determine if it is willing and has the capacity to hold and monitor the required protection covenant. ~~If the local trust committee advises Trust Council that it would like to hold the required protection covenant and has the resources to administer and enforce the covenant, Trust Council will consider this information when deciding whether or not to issue the natural area exemption certificate. The final decision on the capacity lies with Trust Council.~~
9. If neither the Trust Fund Board nor the ~~relevant local Trust Committee~~ is willing or able to hold the required protection covenant, and if the applicant still wishes to proceed, Trust Fund Board staff will request a decision from the ~~Islands~~ Trust Council as to whether it is willing to hold the required protection covenant.
- 9-10. ~~If Trust Council or the local trust committee hold the required protection covenant, all responsibilities of the Trust Fund Board under this policy area assumed by Trust Council or the local trust committee.~~
- 10-11. Protection covenants may be held jointly with other eligible organizations.

PROGRAM COSTS AND FEES

- 11-12. Applicants will bear the costs of the required baseline, survey, ~~and~~ personal legal and financial advice.
- 12-13. ~~A~~The application fees are ~~governed by set out in~~ Bylaw 115.
- 13-14. Trust Council will direct staff to allocate all application fees received to the processing and assessment of applications, including the retention of contract staff, as necessary. The Chief Administrative Officer is to manage these funds.

CANCELLATION OF ~~TAX~~NATURAL AREA EXEMPTION CERTIFICATES

Note: Cancellation of ~~tax~~natural area exemption certificates is regulated by sections 49.4 through 49.5 of the Islands Trust Natural Area Tax Exemption Regulation

- 14-15. Trust Council intends that protection covenants related to NAPTEP are to be permanent.
- 15-16. Where a contravention of a protection covenant takes place, ~~the Trust Fund Board may give notice to the owner of the contravention and requiring that the contravention be rectified. Trust Council may consider cancellation of the tax exemption certificate until the contravention has been rectified.~~
- 16-17. Where a contravention of a protection covenant takes place ~~that is not rectified and/or~~ cannot be rectified, Trust Council will consider cancellation of the related ~~tax~~natural area exemption certificate, according to regulations in the *Islands Trust Natural Area Exemption Regulation*.
- 17-18. Trust Council will seek agreements with the Minister of Finance to distribute to Trust Council any recaptured taxes related to the cancellation of ~~tax~~natural area exemption certificates. Any such funds will be used for the conservation of natural areas in the trust area.

Comment [KE2]: Note that a natural area exemption certificate cannot be "temporarily" cancelled. In the event of a contravention of the covenant, Trust Council may elect to cancel the certificate. In most cases, this would trigger tax recapture amounts

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CHANGES TO EXISTING NATURAL AREA EXEMPTION CERTIFICATES

Comment [KE3]: Changes to certificates are only contemplated if the area being protected is enlarged.

19. Where a landowner wishes to enlarge an area protected through NAPTEP, they may apply to do so by following the application process set out above for new applications.
20. A modification to an existing NAPTEP covenant and natural area exemption certificate to enlarge the protected area will be approved only if it increases the conservation value of the covenant, as determined by the Trust Fund Board.
21. A modification will require both an approval from the Trust Fund Board to modify or replace the covenant, and an approval by Trust Council to direct the Secretary to re-issue the natural area exemption certificate to cover the enlarged protection area. In instances where NAPTEP covenants are co-held with other organizations, their approval will also be required prior to proceeding with modifications.
22. Where a modification to enlarge the area is approved, the Trust Fund Board will decide, in consultation with the applicant and any co-covenantor, whether to amend the existing covenant by registering a covenant amending agreement, or to discharge the existing covenant and register a replacement covenant. Staff will prepare the covenant amending agreement or new covenant, as the case may be. Where a new covenant will replace an existing covenant, staff will ensure that the existing covenant is not discharged until after the new covenant is registered.
23. On receipt of confirmation of the registration of the covenant amending agreement or the registration of a new covenant, the Islands Trust Secretary will re-issue the natural area exemption certificate referencing the new or amended covenant. Staff will register the new natural area exemption certificate and discharge the existing natural area exemption certificate.

CHANGES TO EXISTING PROTECTION COVENANTS

24. Where a landowner or the Trust Fund Board wishes to amend a NAPTEP covenant in a manner that would not alter the area protected by the covenant, the Trust Fund Board will determine whether the proposed amendment would diminish the conservation value of the covenant.
25. If the Trust Fund Board determines that the proposed covenant amendment would not diminish the conservation value of the covenant, the Trust Fund Board may approve the amendment without consulting Trust Council. An amendment to a protection covenant that does not alter the area protected and does not diminish the conservation values does not affect a natural area exemption certificate, which remains valid and effective.
26. If the Trust Fund Board determines that the proposed covenant amendment may reduce its conservation value, it will do so only after consulting Trust Council. If Trust Council determines that the proposed amendment would not result in a change to the natural area exemption certificate, Trust Council will advise the Trust Fund Board that it may approve the amendment.

RECORD KEEPING AND REPORTS**ISLANDS TRUST POLICY MANUAL**

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- ~~18.27.~~ Trust Fund Board staff will maintain a [digital](#) record of all natural area ~~tax~~ exemption certificates in the Trust Area Property Information System (TAPIS) [or equivalent application](#).
- ~~19.28.~~ Trust Fund Board staff will provide an annual report to Trust Council regarding natural area exemption certificates [as part of the Trust Fund Board's contribution to the Islands Trust's annual report to the minister](#).

PROGRAM MONITORING

- ~~20.29.~~ Trust Fund Board staff will notify holders of natural area exemption certificates of the timing of annual monitoring visits in relation to their protection covenant.
- ~~21.30.~~ Trust Fund Board staff will send copies of monitoring reports to land owners and co-covenant holders.
- ~~22.31.~~ Trust Fund Board staff will advise Trust Council of any irreparable contraventions of protection covenants, including failures to provide the required annual monitoring report.

AGREEMENTS WITH OTHER AGENCIES

- ~~23.32.~~ Trust Council will enter into agreements with the Trust Fund Board, [local trust committees](#), regional districts, and provincial and federal agencies as necessary to ensure the effective implementation of the NAPTEP.

PROGRAM ASSESSMENT

- ~~33.24.~~ Trust Council will monitor NAPTEP to ensure the fair and efficient administration of the program, and will assess staff and financial resources for possible expansion to additional ~~local~~ Trust ~~Areas~~.

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TRUST PROGRAMS COMMITTEE WORK PROGRAM

To: Islands Trust Council

Updated: February 4, 2013

WORK PROGRAM

COMMUNITY STEWARDSHIP AWARDS

- Deliver 2013 awards program (May 2013)

ENCOURAGE UNDERSTANDING AND VOLUNTARY STEWARDSHIP OF WATER RESOURCES

- Contact water conservation groups for existing materials and initiatives (May 2013)

CREATE LINKAGES TO SHARE ECONOMIC DEVELOPMENT MODELS

- Develop proposal for Trust Council session to share effective and appropriate economic development models with regional districts (May 2013)

CONTINUING ITEMS

LEGISLATIVE MONITORING

- Monitor changes and report to Trust Council (May 2013)

INDICATOR PROGRAM

- Finalize protected area indicator report and post to website
- Research further high-priority indicators, such as census and housing

VACANT CROWN LAND PROFILES

- Bowen Island, Gambier LTC, and Ballenas-Winchelsea Islands – on hold

Lisa Gordon
Designate Staff

Paul Brent
Chair



BRIEFING

To: TRUST COUNCIL

For the Meeting of: March 5-7, 2013

From: Trust Programs Committee

Date: February 20, 2013

SUBJECT: ISLANDS TRUST COMMUNITY STEWARDSHIP AWARDS

DESCRIPTION OF ISSUE:

This year will be the twelfth year of the Islands Trust's annual awards program designed to recognize individuals and organizations that are pursuing actions in the islands that have made a significant contribution towards the object of the Islands Trust. This briefing is to advise Trust Council of the tasks staff are now completing to deliver the 2013 awards program.

BACKGROUND:

- The purpose of the Community Stewardship Awards (CSA) program is to recognize and encourage the actions of individuals and organizations that support the mandate of the Islands Trust.
- Since its inception in 2002, 56 awards have been given to individuals and organizations across the entire Trust Area. Nominated and award-winning projects have addressed a wide range of issues including: land, water and marine conservation, agriculture, wildlife rescue and rehabilitation, community news publication, and the compilation and management of community records.
- Trust Programs Committee is responsible for reviewing CSA nominations in May and recommending award recipients to Trust Council in June.
- Administration of the CSA program is established in the Administration of the Community Stewardship Awards Program policy (2.1xi) which defines the CSA nomination and eligibility process as follows:

Awards Timeline and Process

February:	Announce award program (news release with broad distribution to media and potential nominators, posters on notice boards, web page information and on-line nomination form).
March:	Provide program materials to trustees for local promotion.
End April:	Close of nominations, followed by initial staff screening of nominations for eligibility.
Late April/Early May:	Staff seek input on nominations from local trustees
Mid-May:	Nominations forwarded to Trust Programs Committee members for consideration.
May:	Trust Programs Committee recommendations to Trust Council.
June:	Trust Council decision regarding awards and Award recipients notified.
June:	News release issued and names of recipients posted to website
Aug:	Trust Programs Committee review of the program and process, if needed.
Fall:	Awards presentation at Local Trust Committee or Island Municipality meetings.

Awards Process

Acknowledgement of nomination: Following the nomination deadline of April 26, all nominees will receive a certificate of nomination.

Recommendations to Trust Council: Trust Programs Committee will review nominations at its May meeting and make award recommendations to Trust Council's June meeting.

Awards Criteria: Nominees are assessed according to the following criteria: relationship of project or work to the Islands Trust Policy Statement, benefits to the community or Trust Area, collaboration with others, innovation, and the level of community support and involvement.

Awards Presentations: Awards may be presented at a Local Trust Committee or Island Municipality meeting. Each award recipient is presented with a plaque and a letter of congratulations from the Trust Council Chair. In previous years, several award recipients have been honoured at a special event arranged by local trustees, where family, friends, interested community members, local media and others are present. Guidelines for arranging a Community Stewardship Award event (either special or during a regularly scheduled meeting) will be provided to trustees and staff after Trust Council decides on the recipients.

Budget and Resources

- Community stewardship awards consist of an engraved plaque or other small memento. The total cost of all awards should not exceed \$600.00.
- Trust Area Services staff provide support to the Trust Programs Committee in implementing the awards program, which can amount to a week or two of full-time equivalent hours.

ATTACHMENT: Community Stewardship Award Program Overview - 2002-2012.

FOLLOW-UP: Staff will initiate the 2013 CSA program as directed by policy.

Prepared By: Clare Frater, Policy Analyst

Reviewed By/Date: Lisa Gordon, Director Trust Area Services
Trust Programs Committee – February 4, 2013
Executive Committee – February 19, 2013



Linda Adams, Chief Administrative Officer

Community Stewardship Award Program

Overview

2002-2012

Number of Nominations - Since 2002, there have been 139 nominations with an average of 13 nominations per year. The highest number of nominations (18) occurred in 2012 and the lowest number of nominations (6) occurred in 2011.

Nominations per Island since 2002

Pender Islands (North Pender and South Pender) have the most nominations: 39

Salt Spring Island: 24 nominations

Hornby Island: 18 nominations

Denman and Mayne Islands: 9 nominations each

Saturna Island: 8 nominations

Galiano Island: 7 nominations

Gabriola and Lasqueti Islands: 6 nominations each

Bowen Island + Bowyer/Passage: 5 nominations

Thetis Island: 4 nominations

Gambier and Trust Wide: 2 nominations each

Number of Recipients – Since 2002, there have been 55 Community Stewardship Awards recipients. There has been a range in the number of awards given each year from three awards in 2002 to six awards given in 2007 and 2008. In 2005, Trust Council awarded four awards and two honourable mentions.

Recipients per Island – Over the last eleven years, the 55 awards have been distributed as follows:

Salt Spring Island – 13 awards

Pender Islands – 11 awards

Hornby Island – 6 awards

Denman, Bowen and Saturna Islands – 4 awards each

Mayne Island – 3 awards

Gabriola, Galiano, Gambier, and Lasqueti Islands – 2 awards each

Thetis and Trust wide - 1 award each

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2002- 2012 LIST OF NOMINEES/ISLANDS

Note: Award recipients are bulleted in **bold font** at the top of the listings

Year	Individual Nominated & Island	Group Nominated & Island	Islands
2012	Stuart Watson, Gambier Island Margot Venton, North Pender Island Anne Macey, Salt Spring Island Dr. Donald Marshall, Bowen Island Peter Karsten, Denman Island Michael Dunn, Mayne Island Patricia Forbes, Lasqueti Island Lindsay Hamson, South/North Pender Islands Shirley LePers, South/North Pender Islands Ken Millard, Galiano Island Monica and Paul Petrie, South/North Pender Islands Dr. John Sprague, Salt Spring Island Bob Watson, Salt Spring Island John Wiznuk, Saturna Island	Gabriola Island Health Care Foundation, Society and Auxiliary Hornby Quilters Group Saturna Island Ecological Education Centre Denman Island Residents Association's Parks Committee	Bowen (1) Denman (2) Gabriola (1) Galiano (1) Gambier (1) Hornby (1) Lasqueti (1) Mayne (1) Penders (4) Salt Spring (3) Saturna (2) Total = 18
2011	Sue Ellen Fast, Bowen Island Barry Mathias, Pender Islands Sara Steil, Pender Islands Jane Wolverton, Galiano Island Henning Nielsen, Denman Island Gisele Rudischer, Gabriola Island Nadia Krebs, Galiano Island Wayne Hewitt, Salt Spring Island	Hornby New Clinic Committee, Hornby Island Pender Island Fire Rescue Department, Pender Islands	Bowen (1) Denman (1) Gabriola (1) Galiano (2) Hornby (1) Penders (3) Salt Spring (1) Total = 10
2010	Tekla Deverell, North Pender Patti Willis, Denman Jon Guy, Saturna Sylvia Pincott, North Pender Dorothy Cutting, Salt Spring Pat Ropars, Saturna		Denman (1) Pender (2) Salt Spring (1) Saturna (2) Total = 6
2009	Kelsey Mech, Salt Spring Patricia McLaughlin, Denman Jacqueline Booth, Salt Spring (Posthumous nomination) Andrew Carmichael, Hornby Linda and Peter George, Gabriola Janice Oakley and Martine Paulin, Galiano	Hornby Island Residents and Ratepayers' Association Salt Spring Island Conservancy Lasqueti Internet Access Society Mayne Island Early Childhood Society Mayne Island Agricultural Society and Fall Fair Pender Islands Community Service Society Pender Organic Community Garden Society	Denman (1) Galiano (2) Hornby (2) Mayne (2) Lasqueti (1) Pender (2) Salt Spring (3) Total = 13
2008	Mary Cooper, Mayne Maureen Moore, Salt Spring Geri Crooks, Saturna Alasdair and Nancy Gordon, Lasqueti Peter Askin, Mayne John Arthur Money, Saturna Patricia McLaughlin, Denman Lon Wood, Thetis Grant Gordon, Thetis Patti Willis, Denman Bowie Keefer, Galiano Tekla Deverell, Pender	Lasqueti Island Nature Conservancy Lyall Creek Salmon and Trout Enhancement Project, Saturna Island Saturna Scribbler Volunteers Land Trust Alliance of British Columbia Pender Islands Animal Welfare Society	Denman (2) Galiano (1) Lasqueti (2) Mayne (2) Pender (2) Saturna (4) Salt Spring (1) Thetis (2) All Islands (1) Total = 17
2007	Ursula Poepel - Pender Islands Karl Hamson - Pender Islands	The Pender Post - Pender Islands Gambier Island Conservancy	Pender (7)

Year	Individual Nominated & Island	Group Nominated & Island	Islands
	Jennifer Brown MacLeod - Gabriola Derek Hopzapfel - Pender Islands Sara Steil – Pender Islands David Rae – Pender Islands Beverly Vreeswijk - Thetis	SSI Alternative Gypsy Moth Control Program Pender Islands Conservancy Association	Salt Spring (2) Gambier(1) Gabriola (1) Thetis (1) Total = 12
2006	Bob Burgess, Thetis Anne Johnson, Mayne David Manning, Pender Glenna Borsuk, Gabriola Jan Kirby, Pender Michelle Marsden, Pender	Michelle Marsden and the B.C. Coastal Clean Up Campaign, Pender Islands Salt Spring Island Conservancy, Mount Erskine Campaign	Pender (4) Salt Spring I(1) Thetis (1) Mayne (1) Gabriola (1) Total = 8
2005	Hilary Brown, Hornby Katherine Dunster, Bowen Nicholas/Naomi Wilde, North Pender (honourable mention) Christa Grace-Warrick, North Pender Darlene Gage, Hornby Dave and Florence Davidson, North Pender Leigh-Ann Millman, Gabriola Maureen Moore, Salt Spring Newell Smith, North Pender Robert Weeden , Salt Spring Sylvia Pincott, North Pender	Hornby Water Stewardship Project Mayne Island Japanese Gardens Denman Conservancy Association (honourable mention) Hornby Island Community Economic Enhancement Corporation	North Pender (5) Hornby(4) Salt Spring (2) Bowen (1) Gabriola (1) Denman (1) Mayne (1) Total = 15

Year	Individual Nominated & Island	Group Nominated & Island	Islands
2004	Kenneth Millard, Galiano Tom Gossett, Salt Spring Susan Crowe Hornby Island Andrew Carmichael/Dale Chase, Hornby Darlene Gage, Hornby Don Herbert, Mayne David Work, Hornby	Island Stream and Salmon Enhancement Society, Salt Spring Island Salt Spring Island Residents for Responsible Land Use	Hornby (4) Salt Spring (3) Galiano (1) Mayne (1) Total = 9
2003	Jenny Balke, Denman Tony Quin, Hornby Margaret Taylor, Gabriola Giles Bassett, Hornby Chris Ferris, Lasqueti Pat Forbes, Lasqueti Donald Twohey, Passage Kathy Reimer, Salt Spring	Bowen Forest & Water Management Society Islands in the Salish Seas Mapping Project - All Islands Conservancy Hornby Island Hornby Residents & Ratepayers Assn Mayne Agricultural Society and Fall Fair The Pender Islands Museum Society The Pender Islands Parks Commission Whalewych Farm, Pender Island Salt Spring Island Monetary Foundation	Hornby (4) Penders (3) Lasqueti (2) Salt Spring (2) Bowen (1) Denman (1) Gabriola (1) Mayne (1) Passage (1) All Islands (1) Total = 17
2002	Maureen Milburn, Salt Spring Tony Quin, Hornby David Spalding, South Pender Bev Bullen, Hornby Earl Hastings, Pender Islands Helen Allison, North Pender Island The Late Allan Brooks, South Pender David and Mary Dennis, North Pender	Community of Trincomali – North Pender Island Island Wildlife Natural Care Centre - Salt Spring Island Pender Islands Recycling Society Salt Spring Island Monetary Foundation Salt Spring Women – Preserve /Protect Salt Spring Women - Fund raising	Penders (7) Salt Spring (5) Hornby (2) Total = 14

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Lisa Gordon, Trust Area Services

Date: February 19, 2013

**SUBJECT: DIRECTION RE: LETTER TO MINISTER OF TRANSPORTATION RE BC
FERRIES COMMISSIONERS REPORT**

RECOMMENDATION: That the Islands Trust Council remove from its Follow-Up Action List the task “Draft letter to Minister of Transportation.”

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The December 2012 submission to the BC Coastal Ferries Consultation and Engagement process has effectively conveyed many of points that might have been made in the letter currently assigned in Trust Council’s follow up action list.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Removing the letter from the follow-up action list will allow staff to focus on other advocacy priorities, including ongoing BC Ferries activities.

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Staff will amend the Follow-Up Action List as directed. There is no need for public communication on this administrative matter.

BACKGROUND

On January 24, 2013, the Executive Committee requested advice from the Trust Programs Committee on how to proceed with a March 2012 Islands Trust Council resolution to send the Minister of Transportation and Infrastructure a letter of support for implementing the BC Ferry Commission's January 2012 recommendations which are consistent with past positions of Trust Council. The minutes of the March 2012 Trust Council meeting indicate that approval of the letter was delegated to the Executive Committee and the letter was to be copied to the Premier and Trust Area MLAs. Since then, the Islands Trust made a formal submission with a cover letter to the Minister of Transportation and Infrastructure, raising the same issues that would have been in the letter.

On February 4, 2012, the Trust Programs Committee passed the following resolution:

That the Trust Programs Committee advise the Islands Trust Council to remove the letter to Minister of Transportation and Infrastructure supporting the implementation of the BC Ferry Commissioner's January 2012 recommendations from the Follow Up Action List .

REPORT/DOCUMENT:

- 1) The recommendations section of the BC Ferry Commission's Review of the *Coastal Ferry Act* report, January 2012. The full report is available at: <http://www.bcferrycommission.com/wp-content/uploads/2012/01/12-01-24-BCFC-CFA-Regulatory-Review-FINAL1.pdf>
- 2) Past positions of the Islands Trust Council re BC Ferries (2005-2011)
- 3) Link to Islands Trust Dec 21, 2012 submission to MOTI: <http://www.islandstrust.bc.ca/news/pdf/newsdec202012submission.pdf>

KEY ISSUE(S)/CONCEPT(S): Effective advocacy for sustainable, affordable and appropriate ferry service

RELEVANT POLICY:

Trust Council's Advocacy Policy (6.10.iii) states:

- E2: Islands Trust bodies will conduct their advocacy activities in a manner that enhances Islands Trust's reputation as an organization that works proactively, constructively and collaboratively to advance the Object in an informed, organized, respectful, and transparent way.
- E8: Islands Trust bodies will adapt their advocacy strategies in response to changing political and economic contexts and new information.

Trust Council Policy 6.7.i Work Program, Follow-up Action Lists and Priorities Chart Policy states:

- D. 1.6 " Follow-up Action List entries should not be deleted as complete or no longer required, and/or transferred to the work program unless so decided by the organizational unit (not an individual)."

DESIRED OUTCOME: Effective advocacy about BC Ferries

RESPONSE OPTIONS

Recommended: As above

Alternative: Confirm existing direction to send the letter

Prepared by: Clare Frater, Policy Analyst

Reviewed by: Lisa Gordon, Director, Trust Area Services February 14, 2013



Linda Adams, Chief Administrative Officer

12 Recommendations

The original vision for the current price cap model was a light handed approach to regulatory oversight. Having looked at other regulatory approaches, including more heavy handed versions, it is our view that the light handed approach is in the best interests of all three stakeholders and should be retained if any changes are going to be made to the Coastal Ferry Act. The light handed model is the most cost effective approach and is intended to give the company considerable latitude to manage the business as efficiently and effectively as possible. Price caps provide a considerable amount of freedom to adjust prices up or down within defined limits without prior regulator approval. The fact that ancillary revenue was not regulated was intentional, and permits freedom to be innovative and entrepreneurial. That responsibility resides with the management and board of directors. Collective agreements are not and should not be subject to oversight by the regulator. A more heavy handed approach would see the regulator involved in many of these matters, including for example, the setting of all individual fares, on all routes and for all segments or types of ferry users.

The regulators in “heavy handed” models tend to be relatively large, and resource heavy. Decisions can be slow coming, and the process of seeking approvals can restrict the ability of the company to be nimble, to seize opportunities or respond to challenges. The Commission is presently composed of two individuals, a Commissioner and a Deputy Commissioner, both appointed with an expectation of a 1/3 FTE time commitment and with an annual budget of \$0.5 million. There is provision in the Act for a second Deputy Commissioner which to date has never been filled. It is, by design, a very low cost regulatory model. If the result of this review is additional responsibilities for the Commission, it will likely necessitate some additional resources, but the goal of light handedness should not be lost.

As the authors of this review, the two Commissioners realize the possibility of a regulatory bias. Having a regulator conduct this kind of review creates a risk of “regulatory enthusiasm” where the solution to every problem could default to more regulation and more authority for the regulator. We felt it was necessary to be up front about this risk, and to be vigilant in the development of recommendations. We in fact make several recommendations which would give the regulator additional authority to hold the operator more accountable. These changes are intended to impose only the level of regulatory oversight necessary to protect the interests of the ferry users and the taxpayers, and preserve an appropriate balance with the need for a financially sustainable ferry operator.

This section summarizes the recommendations of the Commissioner's review. The recommendations are listed in the order in which they appear in Sections 8-11. In addition, a number of other recommendations are listed which are administrative in nature.

Recommendations from Sections 8-11:

Principles

1. The primary responsibility of the Commissioner should be to protect the interests of ferry users and the taxpayer. The term “ferry user” should be interpreted broadly, to include ferry customers, their families, ferry-dependent communities and businesses which depend on ferry services to be affordable and reliable.
2. The secondary responsibility of the Commissioner is to protect the ongoing financial sustainability of the ferry operator by encouraging the ferry operator to:
 - a) operate efficiently;
 - b) take a commercial approach;
 - c) be innovative; and
 - d) minimize its operating expenses.
3. The Commissioner should also have the authority to determine the respective interests of the ferry users, the taxpayers and the ferry operator and how best to balance those interests.

4. The principle of elimination of cross subsidization from the major routes to other routes should be removed from the Act. Future price caps should be set at one level for all routes or all route groups as may be established by the Commissioner.
5. The principle of a greater reliance on a user pay system should be removed from the Act.

Affordability

6. The Province should work collaboratively with BC Ferries to develop a long-term vision of coastal ferry services in BC. A draft discussion paper should go out for public consultation. The resulting vision should be formally adopted by the Province and provide the basis for the long-term capital plan of the ferry operator. Ideally the vision would be in place before major capital decisions are made regarding PT4.
7. The Act should explicitly require that the Commissioner must approve the long-term capital plan and any modifications thereto and that the Commissioner's approval be based on a determination that the capital plans are compliant with the long-term vision and its guiding principles.
8. The Act should require that all major capital investments (i.e. new vessels and mid-life upgrades, and terminal upgrades above a threshold determined by the Commission) should be approved by the Commissioner based on a determination that such investments are reasonable, prudent and consistent with the long-term capital plan.
9. The Province should make provision for some improvements to capacity utilization within defined parameters. Subject to those parameters, the Commissioner should be given authority to approve specific changes to service levels, based on a consideration of the interests of ferry users, the taxpayer and the financial sustainability of the ferry operator.
10. The Province should empower the Commissioner to approve additional services which have been approved by the BC Ferries board, if the Commissioner is satisfied that adding a new route is in the interests of ferry users, the taxpayers and the ferry operator and can be accomplished without creating an expectation for additional subsidies.
11. The Province should consider an increase in subsidies together with other initiatives to hold price cap increases to the rate of inflation for the balance of PT3.
12. The Act should explicitly authorize the Commissioner to establish fuel deferral accounts and to have discretion to set terms and conditions for their use.
13. The Province should consider extending its policy of absorbing at least a portion of both fuel surcharges and rebates on northern routes to all routes for the balance of PT3.
14. The Act should empower the Commissioner to authorize a municipal or regional government to "buy down" ferry fares on routes to and/or from their communities, to set whatever conditions are considered appropriate, to provide oversight on the arrangement, and to make orders as necessary to ensure that all funds contributed by a local government are used for the exclusive benefit of the intended routes.
15. A high priority should be placed on upgrading BC Ferries' traffic forecasting capabilities, including upgrades to the reservation and point of sale systems.
16. In determining the final price cap decision, the Commissioner should have the option to consider:
 - a) adjusting the price cap;
 - b) ordering a change to service levels on specified routes with whatever terms and conditions the Commissioner considers appropriate;
 - c) ordering a reconsideration of upcoming capital projects; or
 - d) any combination of a) through c).

17. The Commissioner should be provided with additional options for dealing with an extraordinary situation, including the ability to order a temporary reduction to service levels, or a temporary delay to capital projects, without compromising safety or operational reliability. As well, extraordinary decisions by the Commissioner should be able to be reversed or modified if the extraordinary circumstances change, or no longer exist.

Financial Sustainability

18. The section of the Act which prescribes a pre-tax return on equity as the basis for determining price caps should be amended to direct the Commissioner to set targets for equity levels and cash flows sufficient to meet debt requirements to allow the company to maintain its current rating for long-term bonds.
19. Municipal and regional governments should be empowered to pass resolutions requesting the Commissioner to establish a marketing surcharge on ferry routes which lie within their boundaries, for purposes of promoting destination marketing which is reasonably likely to increase ferry ridership. The surcharge would be collected by BC Ferries and remitted to a designated regional tourism entity. Surcharges would only apply to specified routes, and the proceeds would need to be used entirely for the benefit of the community which pays for them. The Commissioner should be authorized to set conditions on use of the surcharge, and to limit the time periods that a surcharge will remain in effect.
20. The Act should be explicit that the Commissioner be expected to encourage the ferry operator to generate new ancillary revenue, if doing so is considered to be in the interests of ferry users and taxpayers.

Accountability

21. The Act should be more explicit that the Commissioner may issue an order which requires the ferry operator to:
 - a) prepare a plan,
 - b) review a policy,
 - c) undertake a public consultation, or
 - d) cause information to be made public.
22. The Commissioner should be authorized to approve or reject a plan or a policy which has been submitted, but should not be authorized to impose an alternative plan or policy created by the Commissioner.
23. The Act should explicitly authorize the Commissioner to conduct routine performance audits on an on-going basis as deemed necessary and in the interests of ferry users and taxpayers.
24. Ferry Advisory Committees should be appointed by the Commissioner and remain advisory. The terms of reference, structure of and appointments to the Committees should be at the discretion of the Commissioner, with the intention of ensuring that each committee includes people with a range of perspectives on the various users of the system, including a resident, a commuter, a tourism operator, a commercial operator and a local government official.

Other Recommendations Related to Administrative Matters:

25. Section 26(1) of the Act should be repealed or amended to restrict its application to Part 2 of the Act.
26. Section 35 of the Act should be amended to create a public body known as the British Columbia Ferry Commission.
27. Section 38 should provide that the Commissioner may authorize the establishment of route groups for purposes of reviewing and monitoring performance of the ferry operator.

28. Section 41.3(c)(i) should be amended to add “and prudent” after “reasonable”.
29. Section 41.3(d) should be amended to give the Commissioner discretion to use replacement costs if the Commissioner considers it to be advisable.
30. Section 53(1) should be amended to require the Commissioner to make a report to the Lieutenant Governor within five months after the end of each fiscal year.
31. Section 59 should be amended to provide that the commissioner's budget for the fiscal year does not exceed for each quarter $\frac{1}{20}$ of 1% of the previous year's tariff revenue.

Trust Council Resolutions re BC Ferries (2005-2011)

Meeting Date	Resolution Name	Resolution Statement
June 2011	Letter to BC Transportation Minister re BC Ferries Fares	<i>That the Islands Trust Council request the Chair to send a letter to Transportation and Infrastructure Minister Lekstrom advocating for provincial support to stabilize BC Ferries fares on minor routes, incorporating the principles outlined below.</i>
2009 UBCM	Islands Trust sponsored resolution on A Minor Routes Strategy for Coastal Ferry Service	<i>WHEREAS the transportation services provided by BC Ferries on minor routes along the south coast are as essential for ferry dependent communities as the provincial road network is for other communities, and are an integral element of provincial tourism goals, yet have been subject to fare increases of as much as 120% over the last five years; AND WHEREAS the British Columbia Ferry Advisory Committee Chairs have, through extensive research and analysis, proposed a minor routes strategy that supports the sustainability of island economies and the coastal ferry service: THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the British Columbia Ministry of Transportation and Infrastructure work with coastal communities and BC Ferries to develop a strategy for the minor southern coastal ferry routes, as proposed by the Ferry Advisory Committee Chairs.</i>
Sept. 2007	BC Ferries	<i>That Islands Trust Council request the Chair to write to Transportation Minister Kevin Falcon expressing Trust Council's profound disappointment in the Minister's decision to not <u>adjust government funding to BC Ferries to keep ferry fare increases to tolerable levels, which will result in substantial socio-economic harm to our ferry-dependent communities, residents and local businesses.</u></i>
Sept. 2006	BC Ferries – Discussion Paper	<i>That the Islands Trust Council <u>endorse the general principles in Trustee Brian Hollingshead's Discussion Paper regarding BC Ferries dated August 20, 2006 and request the Executive Committee to use it as a basis for a formal position document and advocacy plan.</u></i>
June 2006	Community Awareness of BC Ferries Issues	<i>That the Islands Trust Council request the Executive Committee to write a letter of concern to the Minister of Transportation requesting that the <u>Province assume a reasonable share of the forthcoming ferry fuel surcharge.</u></i>
March 2006	Ferry Service Fee	<i>That Islands Trust Council request the Chair to send a letter to the Minister of Transportation, Kevin Falcon, advising him of Islands Trust Policy Statement 5.3.1 and that Trust Council <u>expects that the service fee paid by the Province for ferry service to the islands would be at least the same percentage operating costs as it is under the present base contract and that services level not be reduced and that copies of the letter be sent to the Premier, all Trust Area MLAs, Carol Taylor, Minister of Finance, Martin Crilly, BC Ferry Commissioner, David Hahn, President of BC Ferries, Trustees and posted on the Islands Trust website.</u></i>
Dec. 2005	Fuel Tax Surcharge	<i>That Islands Trust Council request the Executive Committee to approach the Ministry of Transportation to consider options <u>to partially offset any fuel surcharge approved for the BC Ferries minor routes, such as seeking an increase in the government-contributed 'service fee'.</u></i>
June 2005	BC Ferries Fee Surcharge	<i>That Islands Trust Council request the Executive Committee to write to the BC Ferry Commissioner with the following request:</i> <i>1. That the <u>Commissioner approve only enough to match proportion of fares versus service fee on minor routes; and</u></i> <i>2. That the <u>surcharge for overheight commercial vehicles be redistributed over the rest of fare-paying public and provincial service fee, as:</u></i> <i>➤ They pay disproportionate fees already</i> <i>➤ The extra costs load directly back on island residents – not visitors, weekenders, etc.</i> <i>➤ They are already being severely hit by fuel prices.</i> <i>That Islands Trust Council appoint Trustee Brian Hollingshead as its representative to present its position to the BC Ferry Commissioner re the proposed Fuel Tax Surcharge.</i>
March 2005	BC Ferries Communications Program	<i>That the Islands Trust Council request the Executive Committee to ensure that its <u>regular annual meetings with the British Columbia Ferry Services Inc. (BC Ferries) management and Board members, the Ministry of Transportation and the Ferry Commissioner is held in preparation for the next performance term of the Coastal Ferry Service Contract and are used to discuss the maintenance of adequate service fees and service levels for ferry routes serving the islands in the Trust Area and to address other issues related to ferry service in the Trust Area.</u></i>

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: March 5-7, 2013

From: Trust Area Services

Date Prepared: February 13, 2013

pc:

File No:

SUBJECT: ENDORSEMENT OF THE COASTAL DOUGLAS-FIR AND ASSOCIATE ECOSYSTEMS CONSERVATION PARTERSHIP (CDFCP)

RECOMMENDATION: That the Islands Trust Council endorse the Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) Terms of Reference and Statement of Cooperation and direct the Chair to sign the Statement of Cooperation on behalf of the Islands Trust.

CAO COMMENTS: The CDFCP objectives are consistent with the object of the Islands Trust and support the preservation of rare ecosystems in the Islands Trust Area.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Participants in the Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) are expected to support the work of the CDFCP. Support can include voluntary in-kind or financial support, although this is not required. CDFCP members are invited to participate on working groups. None have been established to date and participation in these groups is not mandatory. The CDFCP plans to have one meeting per year for the partners which could be attended by staff or trustees as time permits.

FINANCIAL: None.

POLICY: The recommendation is consistent with Islands Trust Policy 6.10.iii, "Advocacy Policy." As per the policy provisions that relate to partnerships with other groups, staff:

- a) do not anticipate conflicts with the *Community Charter*, the *Local Government Act* or other agencies;
 - b) do not anticipate the receipt of confidential information at this time; and
 - c) anticipate that participation in the partnership will last beyond the current term for trustees.
- The current Terms of Reference contains provisions for communications with outside agencies and details the roles and responsibilities of partners and the decision making process as required under the Islands Trust Advocacy Policy.

IMPLEMENTATION/COMMUNICATIONS: If approved, staff will write a letter for the Chair to endorse the CDFCP Terms of Reference and Statement of Cooperation and will provide the letter and the Chair's signature to the CDFCP Steering Committee.

BACKGROUND

Importance of the Coastal Douglas-fir biogeoclimatic zone:

From the CDFCP Terms of Reference:

The Coastal Douglas-fir biogeoclimatic zone (CDF zone) is the smallest and most at risk zone in BC and is of conservation concern (Biodiversity BC, 2008). The CDF zone is home to the highest number of species and ecosystems at risk in BC, many of which are ranked globally as imperiled or critically imperiled (BC CDC, 2012). The global range of the CDF lies almost entirely within BC, underscoring both its global uniqueness and BC's responsibility for its conservation. Of all the zones in BC, the CDF has been most altered by human activities. Less than 1% of the CDF remains in old growth forests (Madrone, 2008) and 49% of the land base has been permanently converted by human activities (Hectares BC, 2010). The trend of deforestation and urbanization continues and has resulted in a natural area that is now highly fragmented with continuing threats to remaining natural systems. Approximately 9% of the CDF zone is protected in conservation areas (MFLNRO, 2011). The extent of disturbance combined with the low level of protection places the ecological integrity of the CDF zone at high risk (Holt, 2007).

Background of the CDFCP:

In response to complaints to the Forest Practices Board regarding logging of endangered plant communities on Crown Land in the Coastal Douglas-fir (CDF) zone, the province of BC released its 2008 CDF Conservation Strategy. This Strategy called for the completion of terrestrial ecosystem mapping for all of the CDF except the Lower Mainland, the securement of 1600 ha of Crown land through a provincial Land Use Order and a commitment to raise awareness and promote CDF stewardship. As a part of the latter commitment, the province has hosted a series of workshops to both share information and solicit ideas on how to better address CDF conservation issues in an area that is approximately 80% privately owned. Some Islands Trust trustees have participated in these workshops.

One of the highest priority recommendations, from the feedback received at the workshops since 2010, related to the need for a more strategic and collaborative approach amongst those working on CDF conservation issues to identify shared priorities, reduce duplication of effort and share resources and information. This interest has resulted in the formation of the CDFCP, a coalition of government agencies, non-profits, stakeholder groups and individuals. To date, signatories include the Ministry of Forest, Land and Natural Resource Operations, the Ministry of Environment, the Nature Conservancy of Canada, the Nature Trust of BC and several island-based conservancies. The area of interest for the CDFCP includes the entire Islands Trust Area (see map in Appendix A of the Terms of Reference).

The CDFCP has requested that all local and regional governments operating within its area of interest endorse the CDFCP Terms of Reference and sign on to the Statement of Cooperation. To date, the Regional District of Nanaimo and the Sunshine Coast Regional District have signed on. The Trust Fund Board has also endorsed the Terms of Reference and the Statement of Cooperation and has volunteered the participation of Islands Trust Fund staff on the Steering Committee for the CDFCP.

REPORT/DOCUMENT:

Email from Darryn McConkey on behalf of the CDFCP, dated December 20, 2012.

CDFCP Terms of Reference

CDFCP Statement of Cooperation

Letter from Trust Fund Board endorsing its participation in the CDFCP

KEY ISSUE(S)/CONCEPT(S): Conservation of Coastal Douglas-fir and Associated Ecosystems

RELEVANT POLICY:

Policy Statement policies:

- 3.1.11 Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.
- 3.2.1 It is Trust Council's policy that:
- forest ecosystems in the Trust Area should be protected, and
 - the remaining stands relatively undisturbed Coastal Douglas fir, Coastal Western Hemlock, Garry Oak and Arbutus should be preserved.
- 3.2.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenants and careful management.

6.10 iii. Advocacy Policy

DESIRED OUTCOME: As recommended.

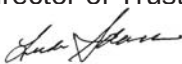
RESPONSE OPTIONS

Recommended: As above.

Alternative: Decline to approve the recommendation.

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By: Lisa Gordon, Director of Trust Area Services, February 13, 2012



Linda Adams, Chief Administrative Officer

Kate Emmings

From: Kate Emmings
Sent: Thursday, January 03, 2013 9:31 AM
To: Kate Emmings
Subject: FW: Introducing the CDFCP!
Attachments: CDFCP Statement of Cooperation.docx; CDFCP Terms Of Reference.docx

From: McConkey, Darryn J FLNR:EX [mailto:Darryn.McConkey@gov.bc.ca]
Sent: Thursday, December 20, 2012 4:11 PM
Subject: Introducing the CDFCP!

Greetings,

It is with pleasure that we announce the formation of the multi-agency ***Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP)***!

The CDFCP arose from the recognition of a need for a more strategic and collaborative approach among those involved and interested in conservation efforts in Coastal Douglas-fir ecosystems, and was developed through a series of discussions and workshops including different levels of governments, non-government conservation organizations, and community residents who believe that by working together, we can more effectively achieve our shared conservation goals. The CDFCP promotes shared stewardship and will identify conservation priorities, reduce duplication of effort, share resources and information, and provide support to its participants.

CDFCP Terms of Reference

A Terms of Reference (TOR) that describes the purpose, structure, operating procedures, geographic scope and short term goals of the CDFCP is attached for your review. The TOR represents a fairly broad mandate, and through collaborative strategic planning we will determine priorities and focus resources where they are most needed. This breadth is also reflected in the geographic scope of the CDFCP, which goes beyond the borders of the Coastal Douglas-fir biogeoclimatic zone to include portions of the Coastal Western Hemlock biogeoclimatic zone.

CDFCP Statement of Cooperation

Also attached is a Statement of Cooperation (SOC) which the CDFCP is asking your organization to sign. The SOC avoids making direct, enforceable commitments, but will provide strong evidence that many government and non-government organizations support working collaboratively to help conserve essential elements of Coastal Douglas-fir and associated ecosystems. The SOC can be signed both by *Participants*, who represent a government or organization, and *Supporters*, who have no such affiliation. To give the SOC weight, we hope the SOC will be signed at the Director-level (or equivalent) within organizations or governments. Signatures and, where applicable, position and affiliation can be sent via fax to (250) 751-3103 or email to Darryn.McConkey@gov.bc.ca with the heading/subject line "CDFCP SOC" **by January 25th, 2013**. At that point we will compile all *Participants* and *Supporters* signatures into one document.

Given the request for Director-level endorsement, some signatories will likely require more time for organizational review and may not be able to sign the SOC by January 25th. Take the time you need; January 25th is not a deadline and the CDFCP will certainly welcome additional Participants and Supporters in the future.

Our Expectations of Participants

We expect that participants will support the work of the CDFCP either through voluntary in-kind or financial support of CDFCP projects and initiatives.

In addition, the CDFCP is looking for volunteers to be members of the Steering Committee. If you are interested, please review the TOR for a description of the composition, role and responsibilities of the Steering Committee and let me know if you are interested.

The TOR also describes some potential working groups that may be formed in the future. Please review these and let me know if you would be interested in participating on one of these groups in the future.

Website

We are currently developing a website for the CDFCP. (A big thanks to Adam Taylor of the Habitat Acquisition Trust for spearheading this.) Our website will be up and running soon.

The CDFCP is also looking for Website Administrators to help populate and update the website. Please let me know if you are interested and available to help.

Logo

The CDFCP needs a logo and seeks submissions and ideas. Please email me your ideas and suggestions by January 25th, 2013.

Distribution

We recognize and apologize that our initial email distribution list is incomplete and does not cover all governments, organizations or individuals who may be interested in supporting the CDFCP. The CDFCP has an inclusive approach and our goal is to have this email distributed more widely. Please help us by distributing this email and the TOR and SOC to any organizations, governments and individuals who you think may be interested in supporting the CDFCP. Please cc myself on the email so I can track the recipients and follow up with a reminder/update in the New Year.

A big thanks to the many people who made this possible. The list is long and, without mentioning individuals, I would like to recognize their contributions that collectively made the CDFCP possible.

Thanks for your time and consideration of this new conservation partnership. We welcome any questions or suggestions you may have.

Happy Holidays!

Sincerely, on behalf of the CDFCP,

Darryn McConkey

Darryn McConkey, RPBio
Senior Ecosystem Biologist
Ministry of Forests, Lands and Natural Resource Operations
(250) 751-3104
Darryn.McConkey@gov.bc.ca

STATEMENT OF COOPERATION for the COASTAL DOUGLAS-FIR AND ASSOCIATED ECOSYSTEMS CONSERVATION PARTNERSHIP (CDFCP)

We believe that:

1) *biodiversity is a key component of Canada's national heritage.*

Both Canada and British Columbia have made international and national commitments to conserve biological diversity. Biodiversity includes all species and ecological communities and the interactions between them and has both inherent and economic values that justify its conservation. We are committed to preserving this rich component of our national heritage for future generations.

2) *the Coastal Douglas-fir Biogeoclimatic Zone is a unique and special place.*

The Coastal Douglas-fir biogeoclimatic zone (CDF zone) is unique and found almost exclusively in British Columbia. It is an area of extremely rich biological and ecological diversity and supports species and ecosystems that do not occur elsewhere in Canada. It has international significance because of its limited range in North America. This zone is also home to an increasing number of people drawn by the quality of life and the mildest climate in Canada. This area supports a wide range of agricultural, forestry, mining, recreation and tourism activities.

3) *the future integrity of the Coastal Douglas-fir and Associated Ecosystems is threatened.*

We will not take the future health of the Coastal Douglas-fir and Associated Ecosystems (CDFAE) for granted. Although the area's economic wealth has long been based on its abundant natural resources, population growth and associated human activities now threaten the natural environment which has made it so special and attractive. There are 43 Red and Blue-listed ecological communities in the CDF zone alone and 278 species at risk, of which 107 are listed by COSEWIC and 99 are listed under the federal Species At Risk Act (SARA) (BC CDC, 2012)

4) *it is not too late to secure the ecological integrity of the CDFAE for future generations.*

All the necessary elements of a Conservation Partnership are in place. Governments, non-government organizations, community groups and individuals are aware of the many conservation issues facing the CDFAE and recognize the need to preserve this special place. There is adequate scientific information to make informed decisions. We are strongly committed to cooperation and partnership for conservation of the CDFAE.

5) *protecting this special place is our shared responsibility.*

With this *Statement of Cooperation*, we are focusing the energies and efforts of an emerging Conservation Partnership so that we can make a coordinated contribution toward addressing the conservation issues facing the CDFAE. We wish to engage the considerable skills, energy and resources of our governments, ENGOs, community groups, educators, youth, workers, industry and business. We intend to work through cooperative mechanisms currently in place to inform and involve others. This will produce an open and transparent process of establishing priorities, identifying opportunities for effective cooperative action, and measuring progress. We will work with, and be guided by, existing conservation planning initiatives that affect conservation of the CDFAE.

6) *the Aboriginal peoples of the Coast play a special role in the future of the natural system.*

Through their long historical relationship with the lands and resources, the Aboriginal peoples of the CDFAE have acquired a special knowledge. To conserve and protect the area, we will work closely with the Aboriginal peoples of the CDFAE, so their unique perspective can contribute to our common efforts.

7) we will build on the progress made to date.

In our efforts to work closely together for the future of the CDFAE, we will build on the conservation activities and working relationships that have already been established in the area. Many programs and initiatives have protected portions of the landscape, implemented successful stewardship projects, created conservation plans, produced research results, and produced an array of informative publications.

We intend to work together to facilitate practical and effective conservation of the CDFAE

This *Statement of Cooperation* states our shared principles, goals and challenges. It provides a framework for collaboration on future initiatives through this Conservation Partnership, and will establish common priorities and a means to coordinate many of the initiatives already underway. We will be guided by our Terms of Reference, we will cooperate in an open and accountable manner, translate our commitments into actions, and monitor our progress. Research, monitoring and evaluation activities will provide new information and we are committed to considering and incorporating new information in our conservation approaches, priorities and management.

In working together towards the goals set out in this Statement of Cooperation, we welcome the ideas and efforts of all residents and organizations concerned about the future of the CDFAE. It is our intention to add new signatures to the Statement of Cooperation as new partners adopt the principles outlined in this document.

[Signature]

Name
Position
Affiliation

[Signature]

Name
Position
Affiliation

[Signature]

Name
Position
Affiliation



ISLANDS TRUST FUND

A Conservancy for Canada's Islands in the Salish Sea

January 23, 2013

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership
c/o Darryn McConkey
Senior Ecosystem Biologist
Ministry of Forests, Lands and Natural Resource Operations
Sent by email to: Darryn.McConkey@gov.bc.ca

Dear: Darryn

Re: Endorsement of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership

It is with pleasure that I convey to you our endorsement of the newly formed Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP). On January 17, 2013, the Islands Trust Fund Board considered your invitation to join the CDFCP and passed the following resolution:

Resolution # TFB 13/1338

That the Trust Fund Board endorse the Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) Terms of Reference and Statement of Cooperation and direct the Chair to sign the Statement of Cooperation on behalf of the Trust Fund Board and that the Trust Fund Board endorse the participation of staff on the CDFCP steering committee and/or working groups as authorized by the Islands Trust Fund Manager.

In addition to endorsing the partnership, we would like to volunteer our Ecosystem Protection Specialist for consideration as a potential candidate for the CDFCP steering committee.

We are very pleased to see the initiation of a partnership that will work to protect ecosystems in the Coastal Douglas-fir and Coastal Western Hemlock xm1 zones. The protection of these biogeoclimatic zones is a key focus of our work in the Islands Trust area, and we would very much like to ensure that the conservation work we do contributes towards a regional strategy for land protection and ecosystem health.

Yours truly,

Jennifer Eliason
Manager
jeliason@islandstrust.bc.ca

ec. Islands Trust Executive Committee

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) Terms of Reference

Background

The Coastal Douglas-fir biogeoclimatic zone (CDF zone) is the smallest and most at risk zone in BC and is of conservation concern (Biodiversity BC, 2008). The CDF zone is home to the highest number of species and ecosystems at risk in BC, many of which are ranked globally as imperiled or critically imperiled (BC CDC, 2012). The global range of the CDF lies almost entirely within BC, underscoring both its global uniqueness and BC's responsibility for its conservation. Of all the zones in BC, the CDF has been most altered by human activities. Less than 1% of the CDF remains in old growth forests (Madrone, 2008) and 49% of the land base has been permanently converted by human activities (Hectares BC, 2010). The trend of deforestation and urbanization continues and has resulted in a natural area that is now highly fragmented with continuing threats to remaining natural systems. Approximately 9% of the CDF zone is protected in conservation areas (MFLNRO, 2011). The extent of disturbance combined with the low level of protection places the ecological integrity of the CDF zone at high risk (Holt, 2007).

In response to complaints to the Forest Practices Board related to logging of endangered plant communities on Crown Land in the CDF zone, the province of BC released its CDF Conservation Strategy in 2008. Along with the protection of an additional 1600 ha of CDF under a Land Use Order and completion of terrestrial ecosystem mapping for 80% of the zone (excluding CDF in Lower Mainland), the strategy included a commitment to raise awareness and promote CDF stewardship to private land owners, local governments, and environmental non-government organizations (ENGOS). Since 2010 the province has hosted a series of workshops to both share information and solicit ideas on how to better address CDF conservation issues on a land base with a unique land ownership pattern where approximately 80% of the CDF zone is private land, 9% is provincial crown land and 11% is owned by other levels of government. A growing awareness of these issues has resulted in an increased interest in stewardship amongst the people, organizations and governments in the CDF zone.

One of the highest priority recommendations, from the feedback received at the workshops since 2010, relates to the need for a more strategic and collaborative approach amongst those working on CDF conservation issues to identify shared priorities, reduce duplication of effort and share resources and information. Another recommendation was to include the Coastal Western Hemlock Eastern Very Dry Maritime (CWHxm1) variant in the discussion because of the transitional area between the two biogeoclimatic units, the anticipated changes in boundaries due to the effects of climate change, and in many areas, similar levels of loss and fragmentation to that of the CDF. A key difference between the CWHxm1 and the CDF is that the CWHxm1 is much broader in range in BC and extends into the Pacific Northwest of the USA.

With these recommendations in mind, an ad hoc group of representatives from various levels of government, community residents, and ENGOS have met since the fall of 2011. At a workshop in March 2012 attended by a wide range of organizations, governments, resource professionals and private citizens, the concept of a partnership was widely endorsed. One of the action items from the workshop was to task a small group to develop a DRAFT Terms of Reference (TOR) to be presented back to the larger audience by June, 2012. The workshop participants requested that the TOR address options for the group's name, its mandate and its geographic scope. The

concept of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) had been launched.

Purpose

The CDFCP is intended to be a forum for communication and collaboration regarding the maintenance and restoration of healthy Coastal Douglas-fir and Associated Ecosystems (CDFAE) (see map in Appendix A). The CDFCP recognizes the need for shared stewardship of CDFAE and will strive to focus resources collaboratively, strategically and transparently so as not to duplicate existing conservation efforts and to maximize conservation gains.

The CDFCP will strive to strategically address ongoing threats to CDFAE conservation due to growing human populations, development, and resource use through collaborative engagement of parties with the goal of raising awareness of conservation issues and promoting conservation objectives in a respectful manner.

The CDFCP will endeavour to support and explore synergies with its partners and will recognize existing conservation planning and initiatives and will endeavor to build upon, promote and support those initiatives whenever possible and incorporate existing plans into CDFCP outcomes. The Partnership will strive to not negatively impact a partner's ability to carry out their mandate.

The CDFCP recognizes the importance of basing decisions on the best available science and will provide an information sharing forum to disseminate information such as mapping resources and provide advice to support conservation initiatives occurring throughout the CDF and CWHxm1.

Conservation Partnership Composition, Roles and Responsibilities

Participants and Supporters:

The CDFCP will be an affiliation of a broad range of stakeholders who share a common focus on CDFAE conservation. It includes agencies and individuals that are interested in promoting and protecting healthy CDFAE into the future. Land trusts, government (federal, provincial, regional, local), environmental stewardship groups, resource industry professionals, First Nations, private landowners and academic institutions are encouraged to become CDFCP Participants or Supporters and are invited to participate in related working groups. Participants are affiliated with a government or organization whereas Supporters have no such affiliation.

Steering Committee:

The Steering Committee will consist of a maximum of 12 people, preferably with at least one, or possibly two, member from the various sectors listed in Table 1 who will serve as a working executive for the Conservation Partnership. The Steering Committee will be responsible for developing the overall approach of the Conservation Partnership and provide a forum for decision making which reflects the direction the Conservation Partnership chooses. The Steering Committee will be responsible for the day to day management of the Conservation Partnership as well as establishing Working Groups and will provide direction to them. Ideally, the Steering Committee will in part consist of Chairs and/or Co-Chairs of the various Working Groups. The Steering committee and the Conservation Partnership will

have no regulatory authority but will provide leadership, strategic guidance and assistance to partners through potential activities such as:

- Guiding development and implementation of plans and/or strategies
- Recommending priorities
- Engaging and providing advice to governments and local stakeholders
- Securing funding where required
- Providing and accessing specialized expertise
- Facilitating the collection and dissemination of data and information
- Facilitating public outreach and education
- Supervising and directing the CDFCP Coordinator

Table 1. Potential Composition of CDFCP Steering Committee (may be more than one representative per sector)

Name	Organization	Role
All TBD	Ministry of Environment	
	Ministry of Natural Resource Operations	
	Federal Government	
	Local Government	
	First Nation	
	ENGO	
	Resource Sector	
	Academia	
	Private Land Owner (member at large)	

See **Appendix B** (to be developed later) for contact information for each Steering Committee member.

CDFCP Coordinator:

The Conservation Partnership Coordinator will be responsible for:

- Coordinating meetings for the:
 - o CDFCP Steering Committee
 - o CDFCP Working Groups
- Coordinating communications materials with direction and input from the Steering Committee
- Acting as a flow-through for information dissemination to CDFCP Participants and Supporters
- Other activities outlined in the CDFCP Coordinator job description

The Conservation Partnership Coordinator will report directly to the Chair(s) of the Steering Committee.

Working Groups:

Working Groups which report to the Steering Committee will be established to complete specific priority activities laid out in subsequent plans and/or strategies. Working groups will select Chairs or Co-chairs who will be responsible for guiding the group to carry out identified priority tasks and report back to the Steering committee.

A number of possible Working Groups have been discussed. These will need to be refined and approved by the stakeholders of the Conservation Partnership and Steering Committee. They include:

a) Restoration and Stewardship group

The Restoration and Stewardship Working Group will focus on active restoration of CDFAE as well as promoting stewardship of CDFAE through existing organizations and information sharing between organizations.

b) Science/Technical

The Science/Technical Working Group (STWG) will provide advice and data to the Conservation Partnership, the Steering Committee and Working Groups, based on the best available science and mapping. Where the STWG does not have the appropriate level of expertise in-house for a particular subject, it will consult with appropriate experts.

c) Local Government

Due to the overlap of objectives, the Local Government Working Group (LGWG) may consist of the same membership as and be associated with regional implementation of the Species and Ecosystems At Risk Local Government Working Group (link: http://www.env.gov.bc.ca/wld/searl_gwg/) and will respect the recommendations and TOR that guide that group, while also meeting the recommendations and TOR of the CDFCP.

d) Resource Sector

The Resource Sector Working Group (RSWG) will be associated with natural resource extraction industries active in CDFAE. The RSWG recognizes economic activities exist within CDFAE and are an important part of local economies. The RSWG will engage others in the resource sector to:

- raise awareness of CDFAE conservation issues
- increase awareness of the impacts of resource extraction activities on CDFAE
- develop and promote best management practices to reduce impacts on CDFAE
- seek ways to increase the compatibility of resource activity outcomes with CDFAE conservation objectives
- explore and promote alternate economic opportunities that are more consistent with the CDFAE conservation objectives

e) Outreach and Education

The Outreach and Education Working Group (OEWG) is responsible for increasing awareness of CDFAE and CDFAE conservation issues as well as promoting CDFAE conservation objectives amongst all parties including the general public, all levels of government, CDFAE private landowners, First Nations and the Resource Sector

f) Securement

The Securement Working Group (SWG) will consist of land trust organizations who will collaborate on land securement priorities for CDFAE and methods for land securement including conservation covenants, land donations, eco-gifts, land acquisition, Crown Land securement and other voluntary conservation methods. Representatives of this Group will liaise with the Land Securement Subcommittee of the Conservation Partners of BC.

Geographic Scope

The Geographic Scope of the CDFCP includes the CDF and CWHxm1 biogeoclimatic zone/subzones, featured on the map in Appendix A.

Operating Policies and Procedures

Meetings

- Regular meetings of the Steering Committee at a minimum of every 3 months
- Meetings of the Conservation Partnership (open to the public) once a year
- Meeting procedures by consensus of CDFCP members
- Regular meeting dates established at start of the year
- Other meeting dates at the call of the Co-Chairs
- Members who are unable to attend can be represented by an alternate or can provide their written input prior to a meeting or join via teleconference
- Resource people or community representatives may be invited to attend specific meetings where their input would be of benefit

Decision-making

- Consensus model as much as possible
- If decision-making by consensus cannot be achieved, quorum for the decisions of the steering committee will be 50%+1 of active members
- Steering Committee members will be mindful and make best efforts to act in accordance with the following “Ground Rules”

“Ground Rules”

- Steering Committee members will:
 - o come well prepared to discuss issues.
 - o recognize concerns & interests of others, whether or not they agree with them.
 - o share discussion time, encourage full participation and search for common understanding.
 - o state their own views clearly, listen carefully to others, and explore issues fully before forming conclusions.
 - o work in a spirit of collective problem solving.
 - o communicate with respect and courtesy – no interrupting or side conversations.
 - o strive to reach consensus.
 - o support a decision, strategy or plan once it is adopted.

Communications outside Partnership

A spokesperson or spokespersons chosen by the Steering Committee may communicate on behalf of the CDFCP for the purposes of advancing a plan or strategy endorsed by the Conservation Partnership. In the absence of a plan or strategy, the spokesperson(s) may communicate on behalf of the CDFCP to provide support for conservation initiatives occurring within the CDFAE.

Participants can promote the Conservation Partnership but may not communicate on behalf of the Conservation Partnership without the approval of the Steering Committee. CDFCP participants will not use their participation in the CDFAE Conservation Partnership to advance their own interests without first consulting and receiving approval of the Steering Committee.

Funding

Funding will initially be secured through CDFCP participants. As the CDFCP matures, other funding models may be considered.

The Conservation Partnership will exist independently of operating and project funding. Where funds are sought, they will support the interests outlined in this Terms of Reference or will advance the goals and objectives of a CDFCP conservation plan or strategy. Where synergies exist, the Conservation Partnership will endeavour to seek funds that will also support its partners and wherever possible, fundraising for the CDFCP will be done in novel ways and efforts will be made to seek funds from sources not available to partner groups. Members of the CDFCP participate on a voluntary basis and are not financially compensated for their time by the partnership. Steering Committee members may be reimbursed for travel costs in order to attend the face-to-face meetings or workshops if funds are available.

Short Term Outcomes

The Steering Committee, in collaboration with CDFCP Participants and Supporters and Working Groups will work to produce the following outcomes:

1. CDFCP Interim Budget:

Within three months, the Steering Committee will complete an interim budget to define the financial resources required to implement the interim work plan, establish and resource priority working groups and hire a Conservation Partnership Coordinator.

2. CDFCP Interim Work Plan:

Within three months, the Steering Committee will complete an interim work plan to guide its work prior to the adoption of a CDFCP Conservation Plan/Strategy. This interim plan will include:

- A communications statement indicating how the Conservation Partnership will communicate with funders, the public, Conservation Partners and other agencies in absence of a CDFCP Conservation Plan/Strategy. Communications may include website development, indications of support to partners requesting endorsement of CDFCP related projects and CDFAE information materials.
- Information on immediate action items and responsibilities of the CDFCP Working Groups

3. Establishment of CDFCP Working Groups:

Within 6 months, the Steering Committee will establish the membership of the CDFCP Working Groups. **Within one year**, the CDFCP Working Groups will create their own Terms of Reference which will include information about:

- Goals and objectives
- Member responsibilities
- Meeting frequency and attendance
- Decision making
- Communication within the working group, with other working groups, outside agencies and with the Steering Committee

4. CDFCP Coordinator:

Within 6 months, the Steering Committee will create a job description and funding plan for a CDFCP Coordinator. **Within one year**, a Coordinator position will be funded and filled.

5. CDFCP Conservation Plan/Strategy:

Within one year, the Steering Committee will complete a CDFCP Conservation Plan/Strategy that includes:

- A vision statement
- Conservation goals
- Measureable targets
- Assessment of threats
- Recommended actions and lead agencies for the actions
- Proposed budget and financing plan

The CDFCP Conservation Plan/Strategy will incorporate and recognize existing conservation plans and will not duplicate work that has already been done. CDFCP Participants and Supporters will be asked to provide input into the Plan/Strategy and endorse the CDFCP Conservation Plan/Strategy upon its completion.

6. Implementing the CDFCP Conservation Plan/Strategy:

By the spring of 2014, the Conservation Partnership will begin implementing the Conservation Plan/Strategy through the Steering Committee in collaboration with the Working Groups.

Appendix A

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership Boundary



Please note: Except for the Howe Sound area the CDFAECP boundary follows the CWHxm1 Biogeoclimatic boundary (FLNRO, 2012).

Steering Committee Contact Information

Dear Ms. Chonk, Good Morning,

Than you for sending me Ms. Malcolmson's "response" to Delegation I presented at the December 13, 2012 Council meeting.

Please convey this, my reply to Chair, Malcolmson's "response". Further, please ensure that it figures in the Minutes of that Council meeting.

Thanks in advance, Tom Varzeliotis



Dear Ms. Malcolmson,

Re: The Trust cernsors, again, a request to practice Open Government

Thanks for your January 23, 2013, "response" to delegation I brought to Council on December 13, 2012.. You went through the pain of composing that 21-word "response" only, I presume, because the Council has issued a standing order by a resolution, instructing you, the Chair, to respond to citizens who attempt to contribute to public affairs of the society.

In my considerable personal experience with bringing delegations to the Council, and the SSI LTC I should add, I have observed you paying lip service to that Council resolution. And that you do not bother responding similarly to delegations brought before the SSI LTC evidently because the SSI LTC, has not done a similar resolution, commanding you to respond – the Chair would sit idle unless made to move!

One can take a horse to the water but cannot make it drink, the Brits say. This explains, allegorically of course, the lack of enthusiasm with which you implement the Council's instructions. Each and every "response" to delegation I have received from you is, frankly, "cosmetic propriety", intended to complement the Council's fake process of public input. Each one of them is a thinly veiled edition of the old crypto-despots' message: "we are wastebasketing your delegation and what are you going to do about it, eh?"

It is imperative to understand and accept that a delegation is a formal communication to a government, one which is significant enough to warrant being delivered and received in front of the public eye. Moreover, like the cases the Supreme Court of Canada hears, the subject of Delegations should be of interest to the community, rather than of concern to an individual or a single entity. For example, One should not bring, and the Trust should refuse to receive, a delegation asking the Trust to arbitrate a disputed fence aligning on a property line; but one can, indeed one must, bring a delegation when Trust staff censors him or her – the latter affect the whole society, the former affects a fence.

This means that delegations brought to Council must be processed entirely in public – for there is no sense in presenting and receiving a delegation in public only to be “responded” to secretly, privately! Inviting the Question but hiding the Answer is as poor a vehicle to democracy as a Ferrari harnessed to a horse, or a mule would be for that dream sightseeing tour of Venice or the Sahara.

Were you required to respond in public to delegations, it is a certainty you would put the effort warranted by the seriousness of a delegation in composing your response, instead of disposing it with a platitude or two, which appears to be what you always do. It happens because of the smokescreen that emanates from the corporate culture of the Trust, built into it to facilitate secrecy and hide impropriety.. In simpler words, if one has to do something in front of the people, one is likely to do it the best way one can.

A delegation is brought to the Council, it is not brought to the Chair alone. It is for the Council to decide its fate. It is for the Council to decide whether to discuss it, ask for more information, decline it outright, direct staff to act on it, or take some other course of action. Indeed, if the Council remain silent after the presentation of a delegation, it is proper for the Chair to request whether any member of the Council would like to make a motion, or what is the pleasure of the Council – the Chair is there to lead. If the entire Council remains silent, it would be appropriate for the Chair to respond to the author(s) of the delegation with the information that the Council has nothing better than silence to offer (Socrates, the USA “Fifth”, etc). Anything short of that is undemocratic, disrespectful and conducive to converting concerned citizens into “apathetics”.

Answering delegations with platitudes demeans the Council! If the 26 members of the Council fall silent because they believe or pretend to believe that they are left unscathed by such

conduct, they are mistaken. Such a stance invokes unfaltering perceptions about their acumen and/or ethos.

In the case at hand, when I presented my delegation to Council the two SSI Trustees made inaccurate comments, which I promptly answered putting them to rest. No other challenged or commented were made, which leads, or ought to lead, to the conclusion that the Council would act on it, that there would be some follow-up. Something like sending the matter of the delegation for action to the Executive Committee, or scheduling it for discussion. After all, the subject of that delegation is important, urgent and pivotal to the future of the I Trust.

Now it is reasonable to expect my delegation to be recorded in the Minutes of the December 2012 Council meeting c/w the outcome of it. It should be along the following lines:

"Dr. Varzeliotis presented a written delegation suggesting measures for making the Trust an **open government** and a **credible contender** at the SSI governance study; they are: **The Ideas Bank**; **an end to the colonial governance**; and **videorecording the Council events**.

The Council fell silent. Chair Malcolmson "responded" to Verzeliotis, on January 22, thoroughly **secretly** by email as follows:

'Thank you for your presentation to the Islands Trust Council in December 2012. We appreciate and share your commitment to Democracy'."

Honest Minutes may restore the vocal cords of Council members which, in turn, would make them "parlare" in the parliament (which the Council is), for that is why the parliaments exists and why Trustees are sent there.

I shall copy this to my local Trustees because the matter is of particular interest to the future of the Trust in SaltSpring I.

Sincerely, Tom Varzeliotis

Feb 15/13

Islands Trust Council Goals	Executive Committee (LA)	Trust Fund Board (JE)
Ecosystem Preservation and Protection... Stewardship of Island Resources... Sustain Island Character and Healthy Communities	1. Advocacy Initiatives 2. Strategic Planning 3. Organizational Effectiveness	1. Strategic Planning/Administration 2. Covenant and Property Acquisitions 3. Property and Covenant Management 4. Communications 5. Fundraising and Conservancy Support
Financial Planning Committee (CS)	Local Planning Committee (DM)	Trust Programs Committee (LG)
1. Conduct the 2012/13 Year-End and Audit 2. Develop a Policy on Carbon Neutrality in conjunction with Trust Programs Committee 3. Complete Review of Purchasing Procedure Policy 6.5.iii and staff recommendations for any changes	1. Develop Mechanism for Proactive Bylaw Enforcement of Illegal structures on the foreshore. 2. Development of Water Quality and Quantity Took Kit 3. Renewable Energy Technologies in the Trust Area	1. Community Stewardship Awards 2. Encourage Understanding and Voluntary Stewardship of Water Resources 3. Create Linkages to Share Economic Development Models
Southern Team (RK) Galiano, Mayne, N. Pender, S Pender, Saturna	Northern Team (CS Acting RPM) Ballenas-Winchelsea, Denman, Gabriola, Gambier, Hornby, Lasqueti and Thetis	Salt Spring Team (LH) Salt Spring
LTC Planning Priorities Galiano - LUB update (KN); DPA Implementation (RK); and Ground Water protection DPA review. Mayne – Housing options (GR); Proof of potable water for Boundary adjustments (GR); and RAR Implementation (GR). North Pender – Associated Islands bylaw update (OCP and LUB) (AP); Shoreline Development Review (RK); Pedestrian and Bicycle Route OCP designation (AP) Saturna – Community Park Zoning (GR) - Completed; Provincial Riparian Areas Regulation (GR) - completed; and Ocean Loop Geo-exchange (GR). South Pender (AP)– LUB Update and Review (AP); Shoreline Protection (AP);	LTC Planning Priorities Ballenas-Winchelsea (EC as LTC)(ME): Devt of OCP and LUB Bylaws; Development of Administrative Bylaws Denman (AB): Review of policies and regulations re impacts of shellfish farming; RAR implementation; Secondary cottages and suites in residential designation. Gabriola (CF): Integrated Watershed and Shoreline Mapping Workshop; Gabriola OCP Review; DAI Bylaw; Snuneymuxw FN Protocol Agreement Implementation Gambier (SZ): LUB for SCRD Islands; RAR implementation; Foreshore protection & stewardship; Hornby (SZ): OCP and LUB Review; Vacation Home Rental Regulations; RAR implementation Lasqueti (LP): RAR implementation; False Bay Parking & Master Plan; Integrated Watershed and Shoreline Mapping Workshop Thetis (AB): Associated Islands OCP and LUB Creation; RAR implementation; Shoreline DPA	LTC Planning Priorities OCP Review - DPA4/RAR Mapping (SC) Land Use Bylaw - Secondary Suites (JS) OCP Review: Watershed Management (JS) Advisory Committees Terms of Reference and Bylaw Review (JS) Land Use Bylaw Update: Industrial (SC)

Planning Priorities – taken from top priorities established by each local trust committee. LA – Linda Adams; LG – Lisa Gordon; DM – David Marlor; CS –Cindy Shelest; JE – Jennifer Eliason

Southern Team: RK – Robert Kojima; GR – Gary Richardson; AP – Andrea Pickard; KN – Kris Nichols

Northern Team : CS – Courtney Simpson; CF – Chloe Fox; LP – Linda Prowse; ME – Marnie Eggen; SZ - Sonja Zupanec

Salt Spring Team: LH – Leah Hartley; SC – Stephan Cermak; JS – Justine Starke





draft

7.3

June 2013 Islands Trust Council Agenda Program

Location: Agricultural Hall, Miner's Bay – Mayne Island

Feb 15/13

	Tuesday, June 11	Wednesday, June 12	Thursday, June 13
A.M.	<i>Ferry times::</i> <i>Saturna – dep. 10:30; arv. 11:05</i> <i>Tsawwassen dep. 10:10; arv. 11:45</i> <i>Galiano dep. 11:15; arv. 11:45</i> <i>Swartz Bay dep. 9:10; arv. 11:05 or</i> <i>dep. 10:25; arv. 12:10</i>	8:30 – 9:30 Closed Session* • CAO Report • Litigation Update • Community Stewardship Awards 9:30 – 12:00 Decision & Information Items Break 10:30 – 11:00	8:30 – 9:30 Decision and Information Items – cont'd 9:30 – 10:00 Break 10:00 - 11:15 Trustee Roundtable 11:15 Meeting adjourned (approx.)
P.M.	1:00 Call to Order/Notice of New Items 1:05 – 2:30 Freedom of Information and Protection of Privacy 2:30 – 3:00 Break 3:00 – 4:00 Advocacy Session (tbd) 4:00 – 5:30 Decisions and Information Items	12:00 – 1:30 Lunch and Island Trip 1:30 – 2:30 Delegation and Town Hall (Sec. D) 2:30 – 3:00 Break 3:00 – 5:30 San Juan County Liaison	<i>Ferry departures to:</i> <i>Pender/SSI – 11:55 am</i> <i>Swartz Bay – 12:20 pm</i> <i>Tsawwassen – 4:55 pm</i> <i>Galiano/Pender – 5:30 pm</i>

** Members of the public are invited to attend all sessions except any closed meeting and meals.