



Policy:	5.9.1
Approved By:	Trust Council
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Policy Holder:	Director of Local Planning Services

BEST MANAGEMENT PRACTICES FOR DELIVERY OF LOCAL PLANNING SERVICES TO LOCAL TRUST COMMITTEES

Purpose

1. To ensure that Local Trust Committees (LTCs) use the Local Planning Services (LPS) staff resources provided to them in accordance with their legislated responsibilities under s. 24 of the *Islands Trust Act* or in accordance with any powers that may be delegated to them under s.10 of the *Islands Trust Act*.
2. To identify the core services provided to LTCs, and to outline the best management practices for delivering those services to LTCs in a fair and equitable manner.

A. Definitions

n/a

B. Policy

1. Official Community Plan Reviews and Amendments

- 1.1 LPS staff will develop and deliver comprehensive Official Community Plan (OCP) documents to assist LTCs in identifying and establishing policy preferences for managing growth development and conservation in island communities.
- 1.2 Management will ensure appropriate staffing and financial resources to complete policy review/updates of major island OCPs every five years, subject to budget approval by Trust Council. LTCs may initiate more frequent OCP reviews and extraordinary or extended OCP review processes on specific policy issues subject to Trust Council approval of a special tax levy for the relevant Local Trust Area to fund the necessary costs. OCP reviews may also be undertaken as part of a LTCs normal work program.
- 1.3 LPS staff will strive for simplicity and certainty when drafting amendments and will engage stakeholders early in the review process. LTC chairs will ensure timely review and completion of documents.

- 1.4 LPS staff will provide LTCs with early advice about any proposed OCP amendment that may be inconsistent with the Islands Trust Policy Statement and will seek clarification from Trust Area Services staff if necessary. LPS staff will not spend time on OCP amendments that are inconsistent with the Islands Trust Policy Statement without the prior approval of Trust Council.
- 1.5 LPS staff will provide LTCs and the Executive Committee with early advice regarding any proposed OCP amendment that may require additional staff resources for administration or enforcement and will confirm the availability of those resources before bylaw adoption. LPS staff will ensure that Bylaw Enforcement staff confirm the enforceability of new OCP provisions that may require enforcement (such as Development Permit Areas) before they submit bylaws to an LTC for first reading.

2. Land Use Regulation Reviews and Amendments

- 2.1 LPS staff will develop comprehensive Land Use Bylaw (LUB) documentation to assist LTCs in developing regulatory tools that implement OCP policies.
- 2.2 Management will ensure appropriate staffing and financial resources to complete comprehensive reviews of LUBs and other regulatory tools following comprehensive reviews of the relevant OCP, subject to budget approval by Trust Council. LTCs may initiate more frequent LUB reviews and amendments on specific regulatory issues subject to Trust Council approval of a special tax levy of the relevant Local Trust Area to fund the necessary costs. LUBs may also be undertaken as part of an LTCs normal work program.
- 2.3 LTC chairs will ensure timeliness of the review process and completion of documents. LPS staff will strive for simplicity and certainty when drafting documents and will engage stakeholders early in the review process.
- 2.4 LPS staff will provide LTCs with early advice about any proposed regulatory amendment that may be inconsistent with the *Islands Trust Policy Statement* or the relevant OCP and will seek clarification from Trust Area Services staff as necessary. LPS staff will not spend time on regulatory amendments that are inconsistent with the *Islands Trust Policy Statement* without the prior approval of Trust Council.
- 2.5 LPS staff will provide the LTC and the Executive Committee with early advice regarding any proposed LUB, or other regulatory amendment, that may require additional staff resources for administration or enforcement and will confirm the availability of those resources before bylaw adoption. Planning staff will ensure that Bylaw Enforcement staff confirms the enforceability of new LUB or other regulatory provisions before they submit bylaws to an LTC for first reading.

3. Local Trust Committee Meeting and Agenda Preparation

- 3.1 LPS staff will administer planning services through established agendas and a meeting schedule that the LTC pre-determines annually.
- 3.2 Legislative clerks and planners will prepare LTC business meeting agendas. LPS staff will release LTC business meeting agendas to trustees and post them on the Islands Trust website at least one week in advance of the meeting day.
- 3.3 LPS staff will provide applicants who have agenda items with a copy of the agenda and copies of any related reports at least one week prior to the meeting day.
- 3.4 LPS staff will not add late items to agendas except with the approval of the LTC. LTC members and staff should not add or suggest new decision items for the meeting agenda after staff has released it, unless the topic has arisen since the agenda release and must be resolved before the next LTC meeting. LTC members and staff who intend to suggest new decision items of this nature should ensure that all LTC members and LPS staff have at least two day's notice of any proposed resolutions.
- 3.5 LTC chairs will keep item debates focused and avoid public debate during the business session of the LTC.
- 3.6 LPS staff and LTC Chairs will ensure that all decisions on the LTC business agenda that require LPS staff resources are relevant to the responsibilities of LTCs to regulate the development and use of land, pursuant to s. 24 of the *Islands Trust Act*, or relevant to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*. LTCs should not instruct LPS staff to undertake work that is unrelated to these responsibilities.
- 3.7 Trustees are to avoid individual directions or requests for significant staff work.

4. Special Projects

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

5. Review of Development Applications

- 5.1 Planners will evaluate and provide reports to LTCs regarding all development applications that require an LTC decision.
- 5.2 LPS staff will provide updates at LTC meetings regarding the status of applications and referrals that do not require an LTC decision.
- 5.3 LTCs are encouraged to make decisions when staff has provided all requested information and avoid unnecessary extensions to the application review period.
- 5.4 At the discretion of an LTC, application referrals to Advisory Planning Commissions (APCs) or other advisory bodies may be limited to those applications requiring an LTC decision. Commissions and advisory bodies are required to reply within given timelines.
- 5.5 LPS staff and LTC chairs will ensure that staff recommendations and LTC resolutions that require the use of LPS staff resources do not exceed LTC decision-making responsibilities as indicated in s.24 of the *Islands Trust Act*, or responsibilities related to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*.
- 5.6 LPS staff will not undertake a comprehensive review of a development application that is inconsistent with the relevant OCP or the Islands Trust Policy Statement. If planning staff receive a development application that is inconsistent with the relevant OCP, the application will be returned to the applicant advising that the proposed application is contrary to the policies of the OCP. If the applicant wants to proceed the application must be amended to include a request to amend the OCP.
- 5.7 Community information meetings are encouraged in conjunction with the review of development applications. These meetings may be hosted by the LTC or the applicant and are desirable before first reading of the bylaw. The purpose of these meetings is to identify the scope of a project, identify issues that need to be reviewed in the planning analysis and to allow the public to ask questions of the applicant, trustees and staff. Community information meetings are also desirable as a separate session immediately prior to a Public Hearing when a proposed bylaw is available and has received at least first reading by the LTC. Meetings at this point allow members of the public to engage in dialogue with the applicant, or ask questions of trustees and staff about the planning report or the bylaw prior to the Public Hearing.

6. Bylaw Enforcement

- 6.1 LPS staff will carry out bylaw enforcement activities in accordance with Trust Council Policy 5.5.1.

7. Management of Local Planning Services Staff Time

- 7.1 LTCs will endeavor to schedule most regular LTC business meetings during normal week day business hours of the Islands Trust. LTCs may schedule meetings to address comprehensive OCP and LUB reviews on weekend days to ensure participation by non-resident owners. LTCs will be mindful of the impact of staff overtime on their respective LTC work programs and will schedule staff participation accordingly.

C. Legislated References

Sections 10 and 24, *Islands Trust Act*

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

n/a