



# Executive Committee Agenda

**Date:** Tuesday, June 14, 2016  
**Time:** 12:00 pm  
**Location:** Pender Islands Community Hall  
4418 Bedwell Harbour Road, North Pender Island, BC

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	<b>Pages</b>
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
3. FOLLOW UP ACTION LIST AND UPDATES	
3.1 Follow Up Action List	2 - 5
4. BYLAWS FOR APPROVAL CONSIDERATION	
4.1 BIM OCP Bylaw No 403 - S.38(1) - LPS Staff Report	6 - 18
5. TRUST COUNCIL MEETING PREPARATION	
6. NEW BUSINESS	
7. CORRESPONDENCE (for information unless raised for action)	
7.1 MLA Sturdy re Sunshine Coast Fixed Link Study Meetings	19 - 20
7.2 Minister Garneau re Concerns Over Anchorages in Southern Gulf Islands	21 - 23
8. NEXT MEETING: July 6, 2016, 8:45 a.m. at the Victoria office	
9. ADJOURNMENT	

## Follow Up Action Report

### Executive Committee

#### 05-Aug-2015

Activity	Responsibility	Target Date	Status
7.4.3 Add wording about safety to LTC Chair Toolkit to include dealing with confrontational members of public and recognizing escalating behaviour	Russ Hotsenpiller		On Going

#### 06-Oct-2015

Activity	Responsibility	Target Date	Status
9.2.1 Develop draft flow chart illustrating Bylaw process decision-making for Chair toolkit	David Marlor Robert Kojima	30-Jun-2016	On Going
9.1.2 Seek advice from MCSCD and MARR staff re Aboriginal Aquaculture Assoc.	Lisa Gordon Peter Luckham	30-Dec-2016	On Going

#### 28-Oct-2015

Activity	Responsibility	Target Date	Status
8.1.2 Contact FN offices about appropriate gifts and populate database	Lisa Gordon	30-Dec-2016	On Going

#### 25-Nov-2015

Activity	Responsibility	Target Date	Status
9.2.4 Bring recommendations re Policy 4.1.ix to future EC meeting	David Marlor	30-Jun-2016	On Going
Follow up on Chair letter sent to Aboriginal Aquaculture Assoc.	Peter Luckham	31-Mar-2016	On Going



## Follow Up Action Report

### 10-Feb-2016

Activity	Responsibility	Target Date	Status
IC - forward to Province as per I.C. direction	Russ Hotsenpiller	31-Mar-2016	On Going

### 09-Mar-2016

Activity	Responsibility	Target Date	Status
8.1.5 Media training follow-up - review EC notes, draft regular FAQs and tips	Lisa Gordon	30-Dec-2016	On Going
6.4.7 Return to EC with advice on priorities chart	Russ Hotsenpiller		On Going

### 22-Mar-2016

Activity	Responsibility	Target Date	Status
5.1.1 Produce Annual report with same outline and format as last year	Lisa Gordon	30-Jun-2016	On Going

### 06-Apr-2016

Activity	Responsibility	Target Date	Status
8.4.2 Draft report on potential improvements to consultant evaluation procurement policy	Russ Hotsenpiller		On Going
4.3 Draft letter to MOTI requesting meeting to discuss deterioration of IT highways and roads	Russ Hotsenpiller	31-May-2016	On Going

### 27-Apr-2016

Activity	Responsibility	Target Date	Status
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## Follow Up Action Report

8.4.1 Review and report back how IT is responding to referrals about Species at Risk in IT areas	David Marlor Lisa Gordon Jennifer Eliason	30-Jun-2016	On Going
8.6 Follow up with ALC-VI panel on date for delegation presentation	Mandy Giesbrecht	05-Aug-2016	On Going
8.1.3 Plan, manage and implement the PR program. Deliver draft strategy	Lisa Gordon Pamela Hafey	06-Jul-2016	On Going
8.4.1 Develop info session on species at risk for a future TC meeting	Lisa Gordon David Marlor	30-Sep-2016	On Going
8.2.1 Prepare report with options to deal with the MOTI LOU	Russ Hotsenpiller David Marlor Clare Frater		On Going
5.2 In Camera resolutions (2)	Russ Hotsenpiller	31-May-2016	On Going
Add Species at Risk session to Continuous Learning Plan document	Mandy Giesbrecht	13-Jun-2016	Done

### 18-May-2016

Activity	Responsibility	Target Date	Status
Draft report on MOTI feedback re: road maintenance protocol agreement	David Marlor	01-Jun-2016	On Going
Research feasibility of creating a grants database for trustees information.	David Marlor	29-Jun-2016	On Going
Staff to add Salt Spring Island LTC Resolution re: Islands Trust Act to the work program report and the legislative monitoring chart under a new section heading.	Clare Frater David Marlor	13-Jul-2016	On Going

### 01-Jun-2016

Activity	Responsibility	Target Date	Status
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## Follow Up Action Report

Draft response letter in follow up to the Area Response Planning Session, providing feedback on the Area Risk Assessment Methodology for Ship-Source Oil Spills in Canada Waters, to be brought back to the July 6 Executive Committee meeting for review.	Clare Frater	29-Jun-2016	On Going
Items TA-11-01, LT-14-01 and EX-15-06 to be removed from the Work Program.	Mandy Giesbrecht	02-Jun-2016	Done
Approved Trust Council items to be consolidated into the Trust Council Agenda Package for release by June 3rd.	Mandy Giesbrecht	03-Jun-2016	Done



# REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: June 14, 2016

Date: June 8, 2016

**SUBJECT: BOWEN ISLAND – OCP AMENDMENT BYLAW 403 – S.38(1) ISLANDS TRUST ACT**

**RECOMMENDATION:**

**THAT the Islands Trust Executive Committee approve Bylaw 403, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 403, 2016”.**

**THAT the Islands Trust Executive Committee request Staff to advise Bowen Island Municipality of the decision before June 27, 2016.**

**DIRECTOR OF LPS COMMENTS:** Bowen Island Municipality has referred its Official Community Plan amendment to the Islands Trust Executive Committee for approval under Section 38.1 of the *Islands Trust Act*. The Executive Committee commented on a draft of this OCP in April 2016, noting that based on information received to date, the draft bylaw was not contrary or at variance with the Islands Trust Policy Statement. A review by Islands Trust staff indicates that the proposed OCP is fully compliant with the Islands Trust Policy Statement.

**IMPLICATIONS OF RECOMMENDATION**

**ORGANIZATIONAL:** None.

**FINANCIAL:** None.

**POLICY:** None.

**IMPLEMENTATION/COMMUNICATIONS:** Communication to Bowen Island Municipality before June 27, 2016 on the Executive Committee decision.

**OTHER:** None

**1.0 BACKGROUND:**

**1.1 Bowen Island Municipality OCP Amendment Bylaw 403 – Background**

The application is for amendments to the Bowen Island Official Community Plan (OCP) and Land Use Bylaw (LUB). The applicant (Snug Cove House Society) is proposing to subdivide and sell market housing units in order to raise funds to construct seniors’ supportive housing on a portion of the subject property. The proposed amendments to the LUB and OCP would create a mix of housing types (supportive, attached, and detached housing) and allow for more flexibility when subdividing the subject property.

The proposed OCP Amendment Bylaw No. 403 will amend Policy 162 to decrease the minimum lot size of 372m<sup>2</sup> to allow for a smaller lot size for this subject property in order to provide a mix of attached, detached and supportive housing. Proposed Bylaw No. 403 will also include amendments to OCP policies to remove reference to the former land owner, Abbeyfield House, of the subject property (Lot 1, DL 490, Plan BCP9282).

The Executive Committee first received a referral of Bylaw 403 under Section 14.3 of the Letters Patent in April 2016 after First Reading of the proposed bylaw. The purpose of the initial bylaw referral to the Executive Committee was to not approve the proposed OCP amendment bylaw, but to advise if the bylaw was or was not contrary to or at variance to the Islands Trust Policy Statement (ITPS).

The following is the resolution from the May 6, 2014 Executive Committee meeting:

*EC-2016-054*

*"THAT the Executive Committee advise Bowen Island Municipality that the Bylaw 403, cited as "Bowen Island Municipality Official Community Plan Bylaw No.282, 2010, Amendment Bylaw No. 403, 2016" is not contrary or at variance to the Islands Trust Policy Statement."*

Bowen Island Municipality held a Public Hearing for proposed Bylaw 403 on May 24, 2016 and then gave the bylaw Third Reading. Bowen Island staff commented that eight letters of support were received at the Public Hearing, and no one spoke in opposition to the proposed bylaws.

## **2.0 REPORT/DOCUMENT:**

### **2.1 Bylaw 403 – Analysis**

The Bowen Island OCP does not include a specific policy that addresses dwelling unit density in the Village Residential/Snug Cove Village area. However, Policy 162 allows for 1 lot per 500m<sup>2</sup>, with a minimum lot size of 372m<sup>2</sup>. The Bowen Island staff report dated January 19, 2016 states that proposed Bylaw No. 403 will amend this policy to allow for a smaller minimum lot size for the subject property to provide a mix of attached, detached, and supportive housing. Bowen Island staff are satisfied that amending OCP Policy 162 is to permit smaller lots sizes in order to achieve a mix of dwelling units to financially fund supportive housing and is not deemed to be an increase in density. The maximum density units in the Land Use Bylaw will be retained.

For clarify the intent of the bylaws, Islands Trust staff suggested removing the term "and a higher density" from proposed OCP Bylaw No. 403 as the proposed bylaw does not amend nor require a higher density:

*""2.2 That Section 3.4.7- Snug Cove Residential, Policy 162 be amended by to add a phrase to the first paragraph so that Policy 162 reads as follows:*

*"The Municipality will consider small lot residential development at eight lots per net developable acre with a minimum lot size of 372 m2 (4,000 sf), except that lands between Bowen Court and Miller Road may be developed with smaller lot sizes ~~and a higher density~~ as part of a comprehensive plan to provide for a mix of attached, detached and supportive housing. The Land Use Bylaw will contain regulations to ensure that the size of the houses on small lots is in keeping with the scale and character of a village ambiance.""*

The Bowen Island staff did not amend proposed Bylaw No. 403 as suggested by Islands Trust staff. Bowen Island staff commented that the overall density will not change as it will not be higher than what is currently permitted, but rather the bylaws would remove the regulation outlining the maximum number of detached dwelling units (therefore providing more flexibility for housing options).

The proposal appears to be consistent with all other OCP policies as the proposal will provide a variety of housing forms, and will provide supportive housing for seniors.

## 2.2 Policy Statement Directives Only Checklist

Attachment 2 is a copy of the “Policy Statement Directives Only Checklist” that is used to assess whether or not a bylaw is contrary to or at variance with the Islands Trust Policy Statement (ITPS).

- **Policies for Ecosystem Preservation and Protection.**

Directive policies under Part III of the ITPS deal with:

- preservation and protection of ecosystems (policies 3.1.3, 3.1.4 and 3.1.5);
- forest ecosystems (policy 3.2.2);
- freshwater and wetland ecosystems and riparian zones (policy 3.3.2);and
- coastal and marine ecosystems (policies 3.4.4 and 3.4.5).

The policies in this section of the ITPS are not applicable to proposed Bylaw 403.

- **Policies for Stewardship of Resources**

Directive policies under Part IV of the ITPS deal with:

- agricultural land (policies 4.1.4 to 4.1.9 inclusive)
- forests (policies 4.2.6, 4.2.7, and 4.2.8)
- freshwater Resources (policies 4.4.2 and 4.4.3)
- coastal areas and marine shorelands (4.5.8 to 4.5.11 inclusive)
- soils and other resources (policy 4.6.3)

The policies in this section of the ITPS are not applicable to proposed Bylaw 403.

- **Policies for Sustainable Communities**

Directive policies under Part V of the ITPS deal with:

- aesthetic qualities (policy 5.1.3)
- growth and development (policies 5.2.3 to 5.2.6 inclusive)
- transportation and utilities (policies 5.3.4 to 5.3.7 inclusive)
- disposal of waste (policy 5.4.4)
- recreation (policies 5.5.3 to 5.5.7)
- culture and natural heritage (policies 5.6.2 and 5.6.3)
- economic opportunities (policy 5.7.2)
- health and well-being (policy 5.8.6)

Proposed Bylaw 403 is consistent with the Growth and Development Policies 5.2.3, 5.2.4, and 5.2.5; Economic Opportunities Policy 5.7.2; and Health and Well-being Policy 5.8.6. All other policies in this section are deemed to be not applicable to the proposed bylaw by the Islands Trust staff.

## 2.3 Staff Comments

Based on a review of the proposed bylaw, staff reports and correspondence with Bowen Island staff, Islands Trust staff are of the opinion that proposed Bylaw No. 403 is not contrary to or at variance with the Islands Trust Policy Statement and recommends the Islands Trust Executive Committee approve proposed Bylaw No. 403.

## 2.4 Public Comments to Executive Committee

As of the date of this RFD, no public correspondence has been received at the Islands Trust Office.

**ATTACHMENTS:**

1. Bylaw Approval Process and Authority
2. Islands Trust Policy Statement - Directives Only Checklist
3. Bylaw 403 – OCP Amendment

**KEY ISSUE(S)/CONCEPT(S):**

- Referral of the Bylaw 403 under s.38 of the Islands Trust Act
- Referral is after Third Reading and before Adoption
- Written response to Bowen Island Municipality required by June 27, 2016 (one month after date of receipt of the referral on May 25, 2016)
- Comments from Executive Committee limited to whether or not Bylaw 403 is contrary to or at variance with the ITPS
- Staff considers that Bylaw 403 is not contrary to or at variance with the ITPS.

**RELEVANT POLICY:**

- Islands Trust Policy Statement Directive Policies
- 1.3.i Policy Statement Implementation Policy

**DESIRED OUTCOME:**

- Municipal bylaws that are not contrary to or at variance with the Islands Trust Policy Statement
- Timely and effective response to The Municipality.

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**RESPONSE OPTIONS**

**Recommended:**

THAT the Islands Trust Executive Committee approve Bylaw 403, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 403, 2016”.

THAT the Islands Trust Executive Committee request Staff to advise Bowen Island Municipality of the decision before June 27, 2016.

**Alternatives:**

- Advise The Municipality in writing that the Executive Committee considers that Bylaw 403 is contrary to or at variance with the Islands Trust Policy Statement for other specified reasons, triggering a range of options for Bowen Island Municipality, as outlined in the Protocol Agreement.

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**Prepared By:** Kim Stockdill, A/Planner 2

**Reviewed By/Date:** David Marlor, DLPS  
June 9, 2016

## **Attachment 1 – Bylaw Approval Process and Authority**

*Note 1 - the term “Bowen Municipality” or “Bowen Island Municipality” is used in the Islands Trust Act, regulations and Policy, and the term “The Municipality” is used in the Bowen Island Municipality Letters Patent. All are deemed to mean the same. For the purpose of this report, the term “the Municipality” shall be used, except where quoting from legislation.*

*Note 2 – the Bowen Letters Patent refer to “Islands Trust”, while the authority for bylaw approval is the “Executive Committee”. Both are deemed to mean the same thing. For the purpose of this report, the term “Executive Committee” shall be used, except where quoting from legislation.*

### **Islands Trust Act**

The relevant sections of *Island Trust Act* related to the Executive Committee’s responsibilities in consideration of municipal bylaws are summarized as follows:

- Section 38.1 of the *Islands Trust Act* requires an island municipality to submit bylaws for approval of the Executive Committee if they adopt Official Community Plans (or amendments to an OCP) for land in the trust area, or if they apply to land in the trust area for which there is no Official Community Plan.
- Section 39.1 of the *Islands Trust Act* requires that a municipality have regard for the Islands Trust object when it is adopting a bylaw, issuing a permit or a licence.

### **Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]**

Islands Trust Policy 1.3.i is the Policy Statement Implementation Policy. Relevant sections of the Policy in regard to a referral between first reading and a public hearing are included below:

1. Policy D1.4 of Policy Statement Implementation Policy states that:  
*The Islands Trust Policy Statement require local trust committees in the official community plan and regulatory bylaws, and island municipalities under Section 38 (1) of the Islands Trust Act to address certain matters from the Policy Statement, or explicit reasons and justifications for not doing so. A bylaw will not be contrary to or at variance with the Policy Statement if it fails to include a particular policy or regulation, so long as the bylaw contains sufficient reason or justification for not doing so.*
2. Policy D1.5 of Policy Statement Implementation Policy states that:  
*Where an updated bylaw does not include a particular policy or regulation required by the Policy Statement and the bylaw sets out reasons for that, the Executive Committee and Trust Council will assess the sufficiency of those reasons using such criteria as:*
  - a) *whether the reasons are explicitly set out such that it is clear that the local trust committee directed its attention to the matter in question and made a considered decision not to include the policy or regulation.*
  - b) *whether the reasons have to do with particular local circumstances that may not have been contemplated in the drafting of the Policy Statement.*
  - c) *whether the reasons arise from the necessity of balancing two or more components of the Policy Statement that cannot be achieved simultaneously.*
  - d) *whether existing planning studies or reports relied on by the local trust committee indicate that the Policy Statement is inapplicable in the circumstances.*

## **Bowen Island OCP Referral Process**

Referral of an Official Community Plan from the Municipality is a two-step process. This referral is a referral under the second step.

Step 1 – First step must be in accordance with Section 14.3 of the Bowen Island Municipality Letters Patent. At this step, which is after First Reading but before a Public Hearing, the Executive Committee has an opportunity to review the updated OCP and advise the Municipality in writing if it deems any provision in the updated OCP to be contrary to or at variance with the Islands Trust Policy Statement. In the event that the Executive Committee deems that there is a provision contrary to or at variance with the Islands Trust Policy Statement, under the provisions of the Letters Patent, then The Municipality must meet with the Islands Trust to review the updated OCP.

Step 2 - The second step must be in accordance with Section 38(1)(a) of the Islands Trust Act, and occurs after public hearing and before The Municipality considers adoption of the bylaw.

The referral and approval process is outlined in Schedule A of the Protocol Agreement between the Islands Trust Council and Bowen Island Municipality, available at <http://islandstrust.bc.ca/tc/pdf/orgagrsep142010oth.pdf>

## **Executive Committee Consideration**

The *Islands Trust Act* sets out the time limits on the process for a referral after third reading and before adoption. The Executive Committee has one month from the date of receipt of the OCP referral to provide written comments to The Municipality.

The Municipality referred the Bylaw for approval to the Islands Trust Executive Committee on May 25, 2016. A response is required to be received by the Municipality no later than the end of the day on Monday, June 27, 2016.

The *Islands Trust Act* requires that the Executive Committee, or the Trust Council, must not approve a bylaw if it is contrary to or at variance with the Islands Trust Policy Statement. The *Act* refers to the requirement for Executive Committee approval for municipal OCP bylaws only. The *Act* does not refer to other types of municipal bylaws (non-OCP bylaws) except for indicating that the municipality itself must have regard for the object in adopting such bylaws

The Executive Committee may:

1. approve the bylaw
2. return the bylaw with reasons and directions as to changes to the bylaw that would be required for approval
3. refuse the bylaw and give reasons for the refusal

## **The Municipality's Considerations**

If no comments are received from the Islands Trust within one month of the referral (by the end of the day on June 27, 2016), the Executive Committee is deemed to have approved the Bylaw.

Should the Executive Committee return the bylaw with reasons and directions as to changes that would be required for approval, the Municipality may resubmit the bylaw with the changes to the Executive Committee or refer the bylaw to Trust Council for approval.

If Trust Council returns or refuses to approve the bylaw, the Municipality may submit the bylaw to the Minister for approval.



# Islands Trust POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw: BIM 403**

## **PURPOSE**

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

## **POLICY STATEMENT**

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

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

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

## **DIRECTIVES ONLY CHECK LIST**

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

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

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

**Part III Policies for Ecosystem Preservation and Protection**

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

**PART IV: Policies for the Stewardship of Resources**

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

n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	<b>Forests</b>
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	<b>Wildlife and Vegetation</b>
	4.4	<b>Freshwater Resources</b>
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	<b>Coastal Areas and Marine Shorelands</b>
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	<b>Soils and Other Resources</b>
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

**PART V: Policies for Sustainable Communities**

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

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

**BOWEN ISLAND MUNICIPALITY  
BYLAW NO. 403, 2016**

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**A Bylaw to amend Bowen Island Municipality  
Official Community Plan Bylaw No. 282, 2010**

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The Council for Bowen Island Municipality in open meeting assembled enacts as follows:

**1.0 CITATION**

- 1.1 That this bylaw may be cited for all purposes as the “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010 Amendment Bylaw No. 403, 2016”.

**2.0 AMENDMENTS**

That “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” be amended as follows:

- 2.1 That Section 3.4.7 – Snug Cove Residential, Policy 161 be amended by replacing the term “the Abbeyfield Site” with “the land between Bowen Court and Miller Road”;
- 2.2 That Section 3.4.7 – Snug Cove Residential, Policy 162 be amended by to add a phrase to the first paragraph so that Policy 162 reads as follows:

*“The Municipality will consider small lot residential development at eight lots per net developable acre with a minimum lot size of 372 m<sup>2</sup> (4,000 sf), except that lands between Bowen Court and Miller Road may be developed with smaller lot sizes and a higher density as part of a comprehensive plan to provide for a mix of attached, detached and supportive housing. The Land Use Bylaw will contain regulations to ensure that the size of the houses on small lots is in keeping with the scale and character of a village ambiance.”*

- 2.3 That Section 11.2.6 – Initiatives from Section 7 – Housing, bullet 4 be amended to replace the words “Abbeyfield House” with “Snug Cove House Society”.

**READ A FIRST TIME** this 25<sup>th</sup> day of January, 2016.

**READ A SECOND TIME** this 25<sup>th</sup> day of April, 2016.

**PUBLIC HEARING** this 24<sup>th</sup> day of May, 2016.

**READ A THIRD TIME** this 24<sup>th</sup> day of May, 2016.

**APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST** this \_\_\_\_ day of \_\_\_\_\_ 2016

**FINALLY RECONSIDERED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2016

\_\_\_\_\_  
Murray Skeels  
Mayor

\_\_\_\_\_  
Kathy Lalonde  
Corporate Officer



SENT BY EMAIL

June 2, 2016

Susan Morrison, Chair  
Islands Trust  
1627 Fort Street, Suite 200  
Victoria BC V8R 1H8

Reference: 256750

Dear Chair Morrison:

**Re: Sunshine Coast Fixed Link Study Meetings**

Further to the February 2016 announcement made by the Honourable Todd G. Stone, Minister of Transportation and Infrastructure, about the Sunshine Coast Fixed Link Feasibility Study, I am writing to let you know I will be hosting meetings with First Nations, local governments, Chambers of Commerce and other community leaders to seek input on this study.

Representatives from all areas that have an interest in the feasibility of a Sunshine Coast fixed link, such as West Vancouver and the North Shore, the Sea to Sky area, Howe Sound, the Sunshine Coast and Vancouver Island, will be invited to attend a meeting.

From June 21-23, I will be hosting meetings in Duncan, Nanaimo, Powell River, Sechelt, and Gibsons. On July 7, I will be hosting meetings in Squamish and West Vancouver. I am pleased to invite you or your delegates to participate in one of these meetings and share your organization's interests and priorities on this important matter.

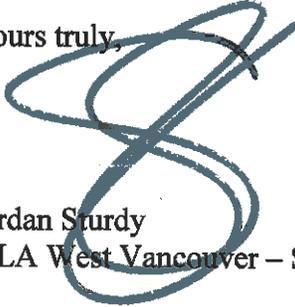
Pam Ryan, the project's public Engagement Director, will follow up with your office next week to provide further details on meeting locations, dates and times, as well as to request participation from your staff in upcoming technical discussions. Pam can be reached toll free at 1 844 301-6680 or by e-mail at [fixedlink@lucentquay.ca](mailto:fixedlink@lucentquay.ca).

If you would like to discuss the study further, or have any questions or concerns, I invite you to contact Ashok Bhatti, the Ministry of Transportation and Infrastructure's Deputy Regional Director for the South Coast Region, at 604 527-2167 or at [Ashok.Bhatti@gov.bc.ca](mailto:Ashok.Bhatti@gov.bc.ca).

.../2

I look forward to meeting with you and learning what is important to your community about the feasibility of a Sunshine Coast fixed link.

Yours truly,

A large, stylized handwritten signature in blue ink, appearing to be 'J. Sturdy', written over the text 'Yours truly,'.

Jordan Sturdy  
MLA West Vancouver – Sea to Sky

Copy: Honourable Todd G. Stone  
Minister of Transportation and Infrastructure  
MLA, Kamloops-South Thompson

Ashok Bhatti, Deputy Regional Director  
South Coast Region  
Ministry of Transportation and Infrastructure

Pam Ryan, Engagement Director  
Sunshine Coast Fixed Link Project

**From:** Clare Frater  
**Sent:** Thursday, June 09, 2016 11:37 AM  
**To:** Peter Luckham  
**Cc:** Jas Chonk; Mandy Giesbrecht; Lisa Gordon; Pamela Hafey  
**Subject:** FW: Concerns over commercial vessel anchorages in the Southern Gulf Islands

**From:** Minister of Transport / Ministre des Transports (TC) [<mailto:TC.MinisterofTransport-MinistredesTransports.TC@tc.gc.ca>]  
**Sent:** Thursday, June 09, 2016 7:43 AM  
**To:** Clare Frater  
**Subject:** Concerns over commercial vessel anchorages in the Southern Gulf Islands

Mr. Peter Luckham  
Chair  
Ms. Clare Frater  
Policy Advisor  
Islands Trust Council  
[pluckham@islandstrust.bc.ca](mailto:pluckham@islandstrust.bc.ca)  
[cfrater@islandstrust.bc.ca](mailto:cfrater@islandstrust.bc.ca)

Dear Mr. Luckham and Ms. Frater:

Thank you for your correspondence of December 18, 2015, and May 9, 2016, regarding your concerns over commercial vessel anchorages in the Southern Gulf Islands. Please accept my apology for the delay in replying.

As you noted in your letter, over the past five years there has been an increase in the number and size of commercial ships requiring local anchorage while awaiting berths at the ports of Nanaimo and Vancouver. Whenever possible, commercial ships are allocated anchorages within a Canada Port Authority's area of jurisdiction and management. There are occasions when the volume of shipping exceeds the capacity of anchorages under the control of port authorities, leading to reliance on nearby sheltered waters that are suitable for anchoring commercial shipping vessels.

The right to anchor a vessel is part of the common law right of navigation. Therefore, a vessel is generally free to anchor temporarily in any appropriate location, unless such anchoring is specifically prohibited by a law or regulation. Commercial shipping anchorages are selected based on the quality of their anchor-holding ground, shelter from high winds and proximity to shipping routes and port logistics. These criteria ensure the safety of vessels and their crew and the safety of other users of the water space and surrounding environment.

Transport Canada is well aware of the growing pressures being placed on anchorages in the Southern Gulf Islands and is engaged in an ongoing review. In 2015, the department convened a

working group to address anchorage issues in support of a safe, secure and efficient marine transportation system that contributes to Canada's economic growth and trade objectives, while remaining environmentally responsible and taking into account the negative effects on local communities. The Southern Gulf Islands Anchorages Working Group comprises the Pacific Pilotage Authority, the British Columbia Coast Pilots, the Chamber of Shipping of British Columbia, the Port of Vancouver, the Shipping Federation of Canada, the Nanaimo Port Authority and Transport Canada.

The Working Group began by carrying out an anchorage optimization exercise for Southern Gulf Island anchorages that took into account vessel requirements such as increased vessel size, shelter from high winds, proximity to shipping routes and port logistics. The Working Group also considered residential complaints, such as noise, lighting and safety, as part of its review. This led to a reduction in the number of Southern Gulf Island anchorages from 36 to 29, moving and/or adjusting anchorage sites and developing conditions of use for some anchorages. Of the 29 remaining anchorages, 18 have daylight restrictions for arrivals and departures. These changes were originally published in a Notice to Industry (#04/2015) on May 21, 2015.

The Working Group is also examining the feasibility of five new anchorages adjacent to Gabriola Island, which you referred to in your letter. To this end, the Pacific Pilotage Authority recently commissioned an environmental assessment of the proposed anchorages to evaluate potential anchorage interactions with the biophysical environment and to provide a framework for potential regulatory approvals that may be required in the future. The environmental assessment has been completed and the report has been shared with island residents and other interested parties, including Islands Trust. Follow-up consultations on the report with First Nations and the public are currently being planned.

With respect to your request to consider measures to minimize anchorage use in the Southern Gulf Islands and to reduce risks from vessels that continue to use anchorages in the Islands Trust area, I would like to express my appreciation for your comments and assure you that these are being shared with the Working Group as it continues to explore and consider a wide range of options for the Southern Gulf Islands.

As for your recommendations regarding marine safety, I would also like to assure you that I am working closely with officials within Transport Canada and other departments to meet my commitment to improve marine safety in the Pacific and in all Canadian waters, as instructed by the Prime Minister in his mandate letter to me. Your comments will be very helpful to this work and additional opportunities will be made available for you and all interested parties to submit your views directly.

One such opportunity involves community input into the Area Response Planning Initiative (ARPI). This initiative is a partnership between Transport Canada and the Canadian Coast Guard and seeks to identify where improvements can be made to further strengthen the current ship-source oil spill preparedness and response regime and to ensure that it remains responsive to changing demands and practices. These engagement sessions have been taking place on Vancouver Island and in the Lower Mainland since the end of May and will continue throughout

June. The department appreciates Islands Trusts' attendance at the May ARPI engagement sessions and values the organization's contribution to marine safety.

Thank you for sharing your views and recommendations regarding Salish Sea anchorages. Should you have any further questions or concerns regarding the work being done by the Southern Gulf Islands Anchorages Working Group, I would encourage you to contact Ms. Yvette Myers, Regional Director, Marine Safety and Security, Pacific Region, at [Yvette.Myers@tc.gc.ca](mailto:Yvette.Myers@tc.gc.ca).

Yours sincerely,

The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport