



ADOPTED

Local Planning Committee Minutes of a Regular Meeting

Date: July 29, 2020
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
David Maude, Vice Chair (July 29 only)
Timothy Peterson, Local Trustee
Laura Patrick, Executive Committee Representative
Jeanine Dodds, Local Trustee
Kees Langereis, Local Trustee
Kate-Louise Stamford, Local Trustee (July 29 only)
Jane Wolverton, Local Trustee
Peter Luckham, Ex Officio Member

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (August 4 only)
David Marlor, Director, Local Planning Services
Lisa Wilcox, Senior Intergovernmental Policy Advisor (July 29 only)
William Shulba, Senior Freshwater Specialist (July 29 only)
Sheree Rialp, Recorder

1. CALL TO ORDER

The meeting was called to order at 10:01 a.m. Chair Busheikin acknowledged the meeting was being held on Coast Salish traditional and treaty territory.

2. APPROVAL OF AGENDA

The following addition and reordering of items were presented for consideration:

- Item 2.2 – a motion to appoint an Acting Vice Chair;
- Item 8.1 – Local Planning Committee (LPC) Meeting Schedule was moved to follow after item 2.2; and
- Item 5.2 - Islands Trust Area Groundwater Recharge Mapping Project was moved to follow after item 4.3 - Trust Council Freshwater Sustainability Strategy.

By general consent the Committee approved the agenda as amended.

2.1 Agenda Context Notes

Received for information.

2.2 Appointment of Acting Vice Chair

As Vice Chair Maude was not present when the meeting was called to order, Chair Busheikin proposed to appoint Trustee Peterson as Acting Vice Chair.

ADOPTED

LPC-2020-029

It was **MOVED** and **SECONDED**,
that Local Planning Committee appoint Timothy Peterson as Acting Vice Chair
for the July 29, 2020 meeting.

CARRIED

8. NEXT MEETING

8.1 LPC Meeting Schedule – Discussion

There was a discussion in regards to more frequently held meetings of shorter duration
as a more suitable option for electronic meetings.

LPC-2020-030

It was **MOVED** and **SECONDED**,
that the Local Planning Committee direct staff to revise the Committee meeting
schedule to a frequency of a meeting every four to six weeks.

CARRIED

By general consent the next meeting will be scheduled by Resolution Without
Meeting.

3. ADOPTION OF MINUTES/COORDINATION

3.1 Minutes of Meetings

3.1.1 Local Planning Committee Minutes of May 20, 2020

Note that this meeting recessed on May 20 and resumed on June 11.

By general consent the Local Planning Committee Minutes of May 20,
2020 were approved as presented.

3.2 Resolutions Without Meeting

None

3.3 Follow-Up Action List (FUAL)

Director Marlor reviewed the FUAL. He noted item 6 on the FUAL, Change of Name of
the Local Planning Committee, was on the meeting agenda. The rest of the items on the
FUAL have been completed.

4. WORK PROGRAM ITEMS

ADOPTED

4.1 Draft Application Processing Services Policy, Model Fee Bylaw and Development Approval Information (DAI) Bylaw – RFD

Director Marlor gave a summary discussion on the revised draft of the request for decision (RFD). He noted that staff have been tracking the time on different applications, as Trust Council requested, so they can have useful data to work with by Council's next meeting in December.

Trustees discussed the following:

- the goal of cost recovery for regular applications;
- the goal or ideology regarding fees relating to environmental protection in Development Permit Areas; and
- defining fees for residential development involving a social component.
- cost recovery in urban settings;
- support for applications with a community benefit and amenity contributions;
- full costs impacting/hindering small residential construction projects as compared to large-scale property development;
- scope of control by local trust committees, Trust Council and Executive Council over model fee bylaws and variances; and
- accountability of land developers regarding environmental concerns and fair fee payments.

Trustee Maude joined the meeting at 10:42 a.m.

LPC-2020-031

It was MOVED and SECONDED,

that Local Planning Committee amend the original motion on the revised draft of the Model Fee Bylaw to change bullets 1 and 2 from 80% to 100%.

DEFEATED

LPC-2020-032

It was MOVED and SECONDED,

that Local Planning Committee support the revised draft of the Model Fee Bylaw which reflects the following:

- Fees proposed in the Model Fee Bylaw represent 80% of the average cost of processing for most applications.
- Fees related to Development Permit Areas (DPAs) for environmental protection be lower than 80% of the average cost of processing to reflect interest in supporting compliance.
- The Executive Committee Fee Sponsorship Policy be used to address interests in reduced fees for projects with community/social benefit.
- Reduced fees for Temporary Use Permits for residential uses that increase the availability of affordable housing.

CARRIED

Opposed – Trustee Langereis

LPC-2020-033

It was MOVED and SECONDED,

ADOPTED

that Local Planning Committee request staff to report back with options for changing bullet 2 of Recommendation in the Staff Report dated July 13, 2020, to reflect higher fees for applications where the development has already taken place or has been triggered by bylaw enforcement.

CARRIED

LPC-2020-034

It was MOVED and SECONDED,

that Local Planning Committee amend bullet 4 of the Request for Decision regarding the Model Fee Bylaw to read: "Fees may be reduced for Temporary Use Permits for residential uses that increase the availability of affordable housing, and for small-scale commercial uses that support or create employment or increase food security."

CARRIED

The meeting recessed at 11:27 a.m. and resumed at 11:37 a.m.

Director Marlor noted an omission in the Model Fee Bylaw under number 3 - Application Fees, in Table 3 - Subdivision Referrals, which should have the line "subdivision per lot fee... and then for every additional lot", and stated that this will be edited into the draft.

Further discussions around the Application Processing Services and DAI Policy and the Model Fee Bylaw included the following:

- subdivision fee rates and application procedures;
- application processing fees and refunds, specifically application costs for First Nations site visits, community information meetings or public hearings and staff reports; and
- inquiries on technical aspects of the Policy.

LPC-2020-035

It was MOVED and SECONDED,

that Local Planning Committee request staff to revise the Model DAI bylaw to ensure consistency, and with input from all three planning offices.

CARRIED

LPC-2020-036

It was MOVED and SECONDED,

that Local Planning Committee request staff to report back to the Local Planning Committee at the meeting of November 9, 2020, with a finalized Application Processing Services, Cost Recovery Agreements and Extraordinary Processing Services Policy incorporating the Model Fee Bylaw and Model DAI bylaw.

CARRIED

LPC-2020-037

It was MOVED and SECONDED,

that Local Planning Committee request the Executive Committee to allow time at Trust Council for discussion of general principles regarding the fees review project.

4.2 Interim Process for Archeological and Cultural Sites – Briefing

Senior Intergovernmental Policy Advisor (SIPA) Wilcox introduced the briefing. She outlined the interim processes that she and Director Marlor are working on, as well as interim measures to help educate island homeowners on potential and registered archeological sites that may impact their planning applications. She also touched on the intergovernmental process with other agencies, implementation of guidelines by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that makes the application reviews much more complex and measured, and the important role of Islands Trust in this process.

Trustees and staff discussed print communication to aid in informing island residents and planning applicants. Advisor Wilcox stated that information and education to constituents are already part of their communication plan, and suggested simple talking points for both staff and constituents.

LPC-2020-038

It was MOVED and SECONDED,

that Local Planning Committee request staff to prepare talking points on archeological and cultural sites for island trustees.

CARRIED

4.3 Trust Council Freshwater Sustainability Strategy – Verbal Update

Senior Freshwater Specialist (SFS) Shulba gave an update on the Trust Council Freshwater Sustainability Strategy, noting the Request for Proposal (RFP) for the Consultant position has been posted and will be evaluated after the August 17th closing date.

Trustee Patrick commented on the need for the inclusion of Legal Jurisdictions and Responsibilities in the RFP Terms of Reference. SFS Shulba clarified it will be part of the project scope and Director Marlor advised that it could also be included as an addendum in BC Bid.

Trustee Patrick also inquired regarding policy formulation on rainwater harvesting, to which SFS Shulba affirmed that he expects it be a considerable part of the program.

5. BUSINESS

5.2 Islands Trust Area Groundwater Recharge Mapping Project – RFD

SFS Shulba gave an overview of the RFD on the Groundwater Recharge Mapping Project, noting that changing rain patterns and climate change require determining new allocations and protecting existing groundwater resources. He also touched on sections of the Project Charter, and explained the phases in the Groundwater Sustainability Strategy.

ADOPTED

SFS Shulba also gave a summary on the saltwater intrusion project (see item 5.6 - Saltwater Vulnerability following this item).

Discussion among staff and trustees included the following:

- project outcomes directly related to land use planning that benefit the local trust areas on a shorter term;
- updates to bylaw, OCP and policy statement;
- budget for groundwater strategy;
- rewording the Project Charter regarding prioritizing Denman, Hornby and Gabriola islands for the Provincial Water Allocation;
- ownership of the modelling data;
- focus on certain islands due to the anticipated economic recession; and
- the BC Water Science Series.

LPC-2020-039

It was MOVED and SECONDED,

that Local Planning Committee amend the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020, to remove bullet 6 under Objectives and bullet 6 under In Scope concerning the Water Science Series.

CARRIED

LPC-2020-40

It was MOVED and SECONDED,

that Local Planning Committee endorse the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020, as amended.

CARRIED

5.6 Saltwater Vulnerability – Verbal Update

SFS Shulba included this update in item 5.2 - Islands Trust Area Groundwater Recharge Mapping Project. He stated that he is in the project team headed by the Ministry of Environment & Climate Change Strategy, and several concerns he presented to the team have been addressed.

Chair Busheikin noted the meeting was running late. Discussion followed on recessing the meeting and resuming the following week.

LPC-2020-041

It was MOVED and SECONDED,

that Local Planning Committee recess the meeting and reconvene on Tuesday, August 4 at 10:00 a.m.

CARRIED

The meeting was recessed at 1:14 p.m. and resumed on August 4, 2020 at 10:01 a.m.

ADOPTED

Chair Busheikin acknowledged the meeting was being held on Coast Salish traditional and treaty territory.

By general consent item 5.4 was moved to be the first agenda item of the day.

5. BUSINESS

5.4 Local Planning Service Delivery – Briefing

Director Marlor introduced the briefing, noting his addition of Trust Council Policy 2.3.2 (Local Planning Committee Terms of Reference) under the heading Purpose. He also suggested keeping the Local Planning Service Delivery agenda item as a standing item at every Local Planning Committee meeting.

Chief Administrative Officer (CAO) Hotsenpiller enumerated the challenges that need to be addressed by Islands Trust management:

- reallocation of resources for work planning projects that are too large or numerous;
- consistency in service delivery to the different regions, along with encouraging staff retention by widening their experience in different types of work within the trust areas;
- increased scrutiny regarding cost efficiency and allocation following a budget increase; and
- a more organized approach in responding to inquiries regarding planning and applications that come up during business meetings.

CAO Hotsenpiller also indicated that management team then drew up the following solutions:

- the LPS Review;
- formulating a uniform service delivery for all Islands Trust offices; and
- providing information/communication to Trust Council and trustees regarding the planning aspect of Islands Trust.

Feedback from Trustees has been mainly supportive, especially in the actions taken by Islands Trust management to address service delivery consistency and communication to Trustees. Trustees also mentioned the need for more transparency from Islands Trust staff and management, while reminding trustees of their responsibility in keeping themselves updated by asking the pertinent questions and listening in on Local Planning Committee meetings.

Trustee Wolverton and Trustee Luckham joined the meeting at 10:22 a.m.

Director Marlor explained the Planners Allocation pie graph, pointing out the dilemma of trying to prioritize the workload and manage expectations in one aspect of the planning work without compromising other aspects of the work.

CAO Hotsenpiller noted that the whole review is concentrated on project planning work, adding that the way the work is conducted is just as important as how much work is

ADOPTED

accomplished or successfully allocated. He suggested concentrating project planning work to a few planners instead of distributing projects to numerous planners, as well as a reduction of the current planning work to 57% and reallocate the difference to project planning.

Trustees and staff also discussed possible ways to streamline application procedures, such as:

- restricting large application submissions;
- loosening bylaws;
- making use of the Advisory Planning Commission;
- reducing errors in major project applications;
- changing or cutting application procedures that will save time; and,
- considering First Nations timelines on projects.

LPC-2020-042

It was MOVED and SECONDED,

that Local Planning Committee include the agenda item “Local Planning Service Delivery – Briefing and Discussion” as a standing item at every meeting.

CARRIED

Director Marlor noted that communication to the public and processing rezoning applications are apparently common themes during the discussions, and suggested working with the Chair to determine themes to guide the discussions for next meeting.

CAO Hotsenpiller left the meeting at 11:00 a.m.

4. WORK PROGRAM ITEMS

4.4 Project Charters

4.4.1 Eelgrass Mapping – RFD

Director Marlor summarized the background in the Eelgrass Mapping Project Charter RFD, noting the current lack of funds for this fiscal year and the plan to submit a Request for Proposal when the Project Charter is approved. He also noted the risk that the project may not be accomplished by this year due to a shortened timeline.

The Committee discussed In Scope bullets on interpretation of air photos, ground truthing, and removing mention of kelp beds in the Charter.

LPC-2020-043

It was MOVED and SECONDED,

that Local Planning Committee endorse the Eelgrass Mapping Project Charter dated July 29, 2020 as amended.

CARRIED

ADOPTED

LPC-2020-044

It was MOVED and SECONDED,

that Local Planning Committee invite Islands Trust Conservancy Acting Manager Kate Emmings to a future Local Planning Committee meeting to discuss opportunities for eelgrass and kelp bed restoration and conservation.

CARRIED

4.4.2 Affordable Housing Floor Area Ratio – RFD

Director Marlor provided an overview of the Housing Floor Area Ratio Model Bylaw Project Charter RFD, stating the plan to hire a consultant to fulfill the In Scope objectives of the Charter.

Trustees inquired on minimizing potential upzoning of rental housing using the area floor ratio model, housing flexibility versus impact on land, and density in relation to development variance permits.

Trustee Luckham suggested the consultant review OCP material that was presented at a South Pender meeting on this issue.

Chair Busheikin requested to be included in meetings between Director Marlor and Planner Narissa Chadwick.

LPC-2020-045

It was MOVED and SECONDED,

that Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to change the last bullet under Objectives to: “Protect natural values and provide more flexibility for different forms of housing on residential properties”.

CARRIED

LPC-2020-046

It was MOVED and SECONDED,

that Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to include in the 3rd item of the Workplan Overview: “participation of LPC Chair”.

CARRIED

LPC-2020-047

It was MOVED and SECONDED,

that Local Planning Committee endorse the Housing Floor Area Ratio model Bylaw Project Charter dated July 29, 2020 as amended.

CARRIED

The meeting was recessed at 11:28 a.m. and resumed at 11:40 a.m.

5. BUSINESS

ADOPTED

5.1 Local Planning Committee Budget and Work Program for FY 2021/22 – RFD

Director Marlor gave an overview of the Budget and Work Program, stating that if Local Planning Committee authorizes the recommendations, staff could then prepare the business cases for review at the next meeting, where the final dollar amounts can then be adjusted. He also noted that fiscal year 2023 will have an election midway through the year.

The Committee discussed budget items for SP8 (groundwater aquifers) and SP9 (freshwater sustainability), and using the aquifer mapping to help develop and model land use regulations.

Chair Busheikin reminded Trustees that the meeting is not the venue for making major decisions on the RFD and Strategic Plan regarding content; the item is presented to the Local Planning Committee for approval to submit to the Financial Planning Committee to provide an idea of the projects that the LPC wish to pursue.

LPC-2020-048

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 2 - to create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area.

CARRIED

LPC-2020-049

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 5 - to continue to map the extent of eelgrass and kelp beds throughout the Trust Area.

CARRIED

LPC-2020-050

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 8 - to finish mapping and develop water budgets for groundwater aquifers in the Trust Area.

CARRIED

LPC-2020-051

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 9 -

ADOPTED

to develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.

CARRIED

LPC-2020-052

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$10,000 for Strategic Plan Item No. 16 - to implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council: Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.

CARRIED

LPC-2020-053

It was MOVED and SECONDED,

that Local Planning Committee request staff to prepare business cases for undertaking 2018-2022 Strategic Plan items 2, 5, 8, 9 and 16 to refine the scope and budgets.

CARRIED

Trustee Dodds joined the meeting at 11:57 a.m.

5.3 Shoreline Review – RFD

Director Marlor gave a brief outline of the Shoreline Review and Model Bylaw, noting the intent to hire a consultant. He also clarified the Project Charter's In Scope items that indicate, among other things, that 42 Official Community Plans and Land Use Bylaws will need to be reviewed, as well as consideration of First Nations interests. When the Local Planning Committee approves the consultant's final product, it becomes incorporated into the standard Official Community Plan and Land Use Bylaw templates.

Prominent among the feedback from Trustees are the budget implications from decisions made by the Senior Intergovernmental Policy Advisor regarding the level of consultation with First Nations, and suggestions to study shoreline bylaws in different jurisdictions, including Lasqueti Island and San Juan County in the U.S.

LPC-2020-054

It was MOVED and SECONDED,

that Local Planning Committee amend the Shoreline Review and Model Bylaw Project Charter to add under In Scope: "Review other jurisdictions, including San Juan County."

CARRIED

Opposed – Trustee Dodds

LPC-2020-055

It was MOVED and SECONDED,

ADOPTED

that Local Planning Committee endorse the Shoreline Review and Model Bylaw Project Charter dated July 29, 2020, as amended.

CARRIED

5.5 Change of Name of Local Planning Committee – Discussion/Decision

LPC-2020-056

It was MOVED and SECONDED,

that Local Planning Committee ask staff to draft a Request for Decision to Trust Council from the Local Planning Committee requesting that the name be changed from “Local Planning Committee” to “Regional Planning Committee”, and policies be updated accordingly; and that Local Planning Committee authorise the Chair to approve the Request for Decision on behalf of the Local Planning Committee.

CARRIED

6. NEW BUSINESS

None

7. LOCAL PLANNING COMMITTEE – WORK PROGRAM

LPC-2020-057

It was MOVED and SECONDED,

that Local Planning Committee amend the Local Planning Committee Work Program Top Priorities Report to change priority 2 to “Manage Trust Council Strategic Plan Items”, and change priority 3 to “Develop Business Cases for 2021/22 Strategic Plan Items”.

CARRIED

LPC-2020-058

it was MOVED and SECONDED,

that Local Planning Committee remove priority 4 from the Local Planning Committee Work Program Top Priorities Report.

CARRIED

9. ADJOURNMENT

By general consent the meeting was adjourned at 12:28 p.m.

Laura Busheikin, Chair

Certified Correct:

Sheree Rialp, Recorder