



Islands Trust

*Preserving **Island** communities, culture and environment*

EXECUTIVE COMMITTEE ACTING AS A LOCAL TRUST COMMITTEE AGENDA

Tuesday, May 11, 2010 at 10:00 a.m.
Islands Trust Office – Victoria, BC

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
 - 2.1 Approval of Agenda
3. **PREVIOUS MINUTES**
 - 3.1 Minutes of **October 27 2009** (attached) – Decision
4. **RESOLUTIONS WITHOUT MEETING REPORT** - none
5. **Follow Up Action List Report** (attached) – Information
6. **WORK PROGRAM**
 - 6.1 **Top Priorities** (attached) – Information
 - 6.2 **Projects**
 - 6.2.1 OCP/LUB Status and Administrative Bylaw Amendments (attached)
- Decision
 - 6.3 **Excerpt From the 2008 – 2011 Trust Council Strategic Plan** (attached) - Information
7. **NEW BUSINESS**
 - 7.1 **Next Business Meeting**
 - 10:00 a.m. October 19, 2010, Islands Trust Victoria Office
8. **ADJOURNMENT**

**MINUTES OF THE EXECUTIVE COMMITTEE ACTING AS A LOCAL TRUST
COMMITTEE MEETING HELD ON TUESDAY, OCTOBER 27, 2009 AT 11:30 AM
AT THE ISLANDS TRUST OFFICE, VICTORIA, B.C.**

<u>PRESENT:</u>	Sheila Malcolmson	Chair
	Louise Bell	LTC Member
	Peter Luckham	LTC Member
	Linda Adams	Chief Administrative Officer
	David Marlor	Regional Planning Manager
	Marie Smith	Recorder
<u>ABSENT</u>	Gary Steeves	LTC Member

There were no (0) members of the public present.

1. CALL TO ORDER

Chair Malcolmson called the meeting to order at 11:40 a.m.

2. APPROVAL OF AGENDA

2.1 Approval of Agenda

By general consent, the agenda as presented was approved.

3. PREVIOUS MINUTES

3.1 Minutes of July 28, 2009

Resolution EX-LTC 05-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee Minutes of July 28, 2009 Meeting as presented be Adopted.

CARRIED

4. RESOLUTIONS WITHOUT MEETING REPORT

There were no Resolutions without Meeting since the last meeting:

5. FOLLOWUP ACTION LIST

Provided as information.

6. WORK PROGRAM

6.1 Top Priorities

Staff noted that an OCP review for the Executive Islands would include climate change but does not need to be done by the May 2010 deadline.

6.2 Projects

6.2.1 OCP/LUB Development Staff Report

David Marlor presented a report outlining a detailed review of the planning status of the Executive Islands. In general there is no Official Community Plan and no zoning regulations in place for these islands.

Resolution EX-LTC 06-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee::

1. *supports the funding request for \$4,000 for the 2010/11 fiscal year;*
2. *instructs Staff to begin work on the Executive Islands Official Community Plan and Land Use Bylaw in April 2010, subject to approval of funding by Trust Council:*
 - a. *by sending a letter outlining the process, timeline and contacts to landowners, adjacent jurisdictions, First Nations with interest in the area, Islands Trust Fund, Ministry of Transportation and Infrastructure, Ministry of Environment, Nanaimo Regional District, Transport Canada, Fisheries and Oceans Canada, the Department of National Defense, ILMB, Ag and Lands, Area A RDN director and other covenant and shellfish tenure holders; and*
 - b. *by developing a staff report with recommended Official Community Plan policies and Land Use Bylaw regulations for consideration of the Executive Committee in May 2010;*
3. *establishes a meeting in May 2010 to consider the draft official community plan and land use bylaw amendments and provide further direction to Staff;*
4. *establishes a meeting in October 2010 to consider 1st reading for the draft bylaws and sending them to Public Hearing; and*
5. *instructs Staff to amend and update the administrative bylaw to reflect current legislation and the new official community plan and land use bylaw.*

CARRIED

Resolution EX-LTC 07-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee request staff that when letters are sent out regarding the OCP with the Executive Islands that the letters to landowners also include information about the NAPTEP program.

CARRIED

Resolution EX-LTC 08-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee request staff to coordinate board of variance bylaw development with the Northern Office staff.

CARRIED

6.3 Excerpt From the 2008 – 2011 Trust Council Strategic Plan

Provided as information.

7. **NEW BUSINESS**

7.1 **Proposed 2010 Meeting Schedule**

7.2

- 10:00 a.m. May 11, 2010, Islands Trust Victoria Office
- 10:00 a.m. October 19, 2010, Islands Trust Victoria Office

By general consent the meeting schedule for 2010 as presented was adopted.

8. **ADJOURNMENT**

The meeting adjourned at 12:15 p.m.

RECORDER

CHAIR



Follow Up Action Report w/ Target Date

"Executive Area" Islands

Oct-27-2009

No.	Activity	Responsibility	Target Date	Status
1	EC as an LTC supports funding request of \$4,000 for Executive Islands OCP/LUB - advise DLPS	David Marlor	Oct-28-2009	Done
2	<p>Begin work on the OCP/LUB in April 2010 if funding approved.</p> <p>April 2010 - send out letter outlining process, time line, contacts to landowners, adjacent jurisdictions, First Nations with interest in the area, Islands Trust Fund, Ministry of Transportation and Infrastructure, Ministry of Environment, Nanaimo Regional District, Transport Canada, Fisheries and Oceans Canada, Department of National Defense, Integrated Land Management Bureau, Ministry of Agriculture and Lands, shellfish tenure holders and covenant holders.</p> <p>Ensure that OCP/LUB correspondence going out to landowners includes NAPTEP information</p> <p>April 2010 - develop a staff report with recommended draft OCP policies and LUB regulations for EC as an LTC consideration at the May 11, 2010 meeting.</p>	David Marlor	Apr-01-2010	On Going
3	<p>In April 2010 - update admin bylaws to reflect current legislation and the new Official Community Plan and Land Use Bylaw for the Executive Islands.</p> <p>Prepare draft bylaws for May 11, 2010 meeting.</p>	Kathy Jones David Marlor	Apr-01-2010	On Going
4	Board of Variance for the Executive Islands - coordinate development of bylaw with the Northern Office staff (share BOV with another LTC)	David Marlor	Apr-01-2010	On Going
5	Next Meeting: May 11, 2010 at 10:00 am	Kathy Jones	May-04-2010	Done

6	Second meeting in 2010 is October 19, 2010 at 10:00 am	Kathy Jones	Oct-12-2010	On Going
7	Post the October 13, 2009 Staff Report on the "Official Community Plan and Land Use Bylaw" to the "EC as an LTC" webpage.	David Marlor	Oct-29-2009	Done



Islands Trust

Print Date: Apr-30-2010

6.1

Top Priorities

"Executive Area" Islands

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Development of an Official Community Plan and Land Use Bylaw		Oct-23-2007			On Going



STAFF REPORT

Date: April 30, 2010

File No: EX/04

To: Executive Committee Acting as a Local Trust Committee
For the meeting of May 11, 2010

From: David Marlor, MCIP

CC:

Re: OCP/LUB Status and Administrative Bylaw Amendments

THE PROPOSAL:

At the October 27, 2009 meeting, the Executive Committee acting as a Local Trust Committee passed the following resolution:

Resolution EX-LTC 06-09

It was Moved and Seconded that the Executive Committee:

1. *supports the funding request for \$4,000 for the 2010/11 fiscal year;*
2. *instructs Staff to begin work on the Executive Islands Official Community Plan and Land Use Bylaw in April 2010, subject to approval of funding by Trust Council:*
 - a. *by sending a letter outlining the process, timeline and contacts to landowners, adjacent jurisdictions, First Nations with interest in the area, Islands Trust Fund, Ministry of Transportation and Infrastructure, Ministry of Environment, Nanaimo Regional District, Transport Canada, Fisheries and Oceans Canada, the Department of National Defense, ILMB, Ag and Lands, Area A RDN director and other covenant and shellfish tenure holders;*
 - b. *by developing a staff report with recommended Official Community Plan policies and Land Use Bylaw regulations for consideration of the Executive Committee in May 2010;*
3. *establishes a meeting in May 2010 to consider the draft official community plan and land use bylaw amendments and provide further direction to Staff;*
4. *establishes a meeting in October 2010 to consider 1st reading for the draft bylaws and sending them to Public Hearing; and*
5. *instructs Staff to amend and update the administrative bylaw to reflect current legislation and the new official community plan and land use bylaw.*

CARRIED

Resolution EX-LTC 07-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee request staff that when letters are sent out regarding the OCP with the Executive Islands that the letters to landowners also include information about the NAPTEP program.

CARRIED

Resolution EX-LTC 08-09

It was Moved and Seconded that the Executive Committee Acting as a Local Trust Committee request staff to coordinate board of variance bylaw development with the Northern Office staff.

CARRIED

CURRENT PLANNING STATUS OF SUBJECT LANDS:

A detailed review of the planning status of the Executive Islands was included in the October 9, 2009 Staff Report. Generally, there is no Official Community Plan and no zoning regulations in place for these islands. There are several sensitive ecosystems identified on the island; however, there are no policies or regulations in place to protect those ecosystems. All of the islands, except four, are Federal Crown used mainly for military exercises.

STAFF COMMENTS:

Funding:

The 2010/11 budget approved by Trust Council did not include any funding for the development of new Official Community Plan and Land Use Bylaw in the Executive Islands. The direction of the Executive Committee Acting as a Local Trust Committee was subject to funding approval by Trust Council. As this funding approval was not granted, Staff requires further direction from the Executive Committee Acting as a Local Trust Committee.

The Executive Committee Acting as a Local Trust Committee has the following options.

1. Request that the Director of Local Planning Services allocate \$4,000 from other budgets to fund the required public process to adopt an OCP and LUB for the Executive Islands Area.
2. Request \$4,000 funding for the 2011/12 fiscal year for this project.

3. Request partial funding (\$2,000) for 2011/12 fiscal year and begin the project in January 2012. Additional funding would be required in the 2012/13 budget for completion.
4. Not adopt a OCP or LUB for the Executive Islands Area.

The Director of Local Planning Services advises that funding this fiscal year is limited for additional work program items over those approved for funding by Trust Council. Reallocation could cause hardship or delays to one or more local trust committees committed work programs. Given this, Staff does not recommend asking the DLPS to allocate \$4,000 from other budgets.

If funding was approved for the next fiscal year, work would not begin until April 2011 and would most likely not be finished before 2011 local trust committee elections in November. Beginning work on one term and completing in another term is neither desirable nor recommended. If funding for 2011/12 fiscal year is approved, the earliest work should begin is after the election (in January or February of 2012) so the entire project can be completed in one term. Funding would be required to begin community advertising and notification and potentially early consultation with some stakeholders.

The Executive Committee Acting as a Local Trust Committee has the option of not adopting an OCP or LUB for the Executive Islands. Given that only four of the islands are privately owned and the remainders are Federal and thus exempt from local bylaws, there is not a lot of incentive to spend the time or money to adopt new bylaws. However, the Islands currently have no protection for any environmental features and as such, not protected to the extent of being consistent with the Islands Trust Policy Statement. For this reason, doing nothing is not recommended.

Given the above, Option 3 is recommended.

Timeline:

Assuming Executive Committee Acting as a Local Trust Committee resolution to proceed as recommended, the timeline for reviewing the OCP and LUB would be as follows:

The following revised timeline is recommended:

- | | |
|-----------|--|
| Jan 2012 | Initial letter to landowners and tenure holders advising of the project, including contact information, process and timeline information; development of mapping and collection of data on the existing situation. |
| Mar 2012 | Initial staff report with recommended draft Official Community Plan policies and Land Use Bylaw regulations for consideration of the Executive Committee Acting as a Local Trust Committee. |
| June 2012 | Referral to landowners, tenure holders, adjacent jurisdictions, First Nations, Provincial and Federal agencies and Trust Fund Board for comment. Allow 60-90 days for feedback and potential discussion of issues. |
| Sep 2012 | Draft final OCP and LUB for consideration of the Executive Committee Acting as a Local Trust Committee; consideration of 1 st Reading by the |

Executive Committee Acting as a Local Trust Committee. Schedule a Public Hearing.

Nov 2012 Public Hearing and forward to the Executive Committee and to the Minister (OCP only) for approval.

Jan 2013 Consideration of adoption.

Administrative Amendments

Regardless of the decision on how to proceed with the OCP and LUB amendments, Staff recommends that the Executive Committee Acting as a Local Trust Committee instructs Staff to amend and update the various administrative bylaws as follows:

Administrative Bylaw	Purpose	Recommendations if OCP/LUB Adopted	Recommendations if OCP/LUB not adopted
(Bylaw 2	Board of Variance	Required – adopt new BOV bylaw and repeal Bylaw 2	Not required (no bylaws to be varied) – repeal existing BOV bylaw
Bylaw 4	Notice of Public Hearings	Not required (superceded by new legislation) Repeal Bylaw 4	
Bylaw 8		Not required (superceded) Repeal Bylaw 8	
Bylaw 11	Development Application Procedures – portion still in force	Required – adopt new development application procedures bylaw and repeal Bylaw 11	Not required (application requirements in unzoned areas in BC Reg 119/90) – repeal Bylaw 11
Bylaw 15	Inspection Bylaw	Would be included in new bylaws – repeal Bylaw 15	Refer to Bylaw Enforcement Coordinator, consider amending.
Bylaw 17	Development Application Procedures	Required – adopt new development procedures bylaw and repeal Bylaw 17	Not required (application requirements in unzoned areas in BC Reg 119/90) – repeal Bylaw 17
Bylaw 19	Freedom of information	Adopted at the same time as other LTCs. No changes required.	
Bylaw 24	Meeting Procedures Bylaw	Adopted at the same time as other LTCs. No changes required.	

Administrative Bylaw	Purpose	Recommendations if OCP/LUB Adopted	Recommendations if OCP/LUB not adopted
Bylaw 25	Fees Bylaw	Amend to reflect new types of possible applications.	No changes required.

RECOMMENDATIONS:

Staff recommends that the Executive Committee Acting as a Local Trust Committee:

1. submit a budget request for the 2011/12 fiscal year for \$2,500 to begin the OCP/LUB review process in January 2012 and an additional budget request for the 2012/13 fiscal year of \$2,000 to complete the process in the 2012/13 fiscal year, including amendments to appropriate administrative bylaw to establish a Board of Variance and update development application procedures and fees bylaws.
2. instruct Staff to:
 - a. draft a bylaw to repeal Bylaw 2, and if OCP and LUB adopted, draft a new Board of Variance Bylaw;
 - b. draft a bylaw to repeal Bylaw 4;
 - c. draft a bylaw to repeal Bylaw 8;
 - d. draft a bylaw to repeal Bylaw 11 and Bylaw 17, and if OCP and LUB adopted, draft a new Development Application Procedures Bylaw;
 - e. refer Inspection Bylaw 15 to the Bylaw Enforcement Coordinator for further advice; and
 - f. if OCP and LUB adopted, draft a bylaw to amend Bylaw 25 to include new types of applications now possible with an OCP and LUB in place.

Prepared and Submitted by:

David Marlor, MCIP

April 30, 2010

Regional Planning Manger

Date

Excerpt from the Islands Trust 2008-2011 Strategic Plan

This excerpt contains only those strategic plan items specific to local trust committees.

Goal 1: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate changes since last TC meeting</i>
To identify and protect riparian areas	Implement Riparian Area Regulations throughout the Trust Area	Develop bylaws re RAR requirements, subject to RAR mapping completion	LTCs/BIM*	Funding in place (09/10 budget)	By whether all islands are RAR compliant	Two islands are RAR compliant
To improve the identification and protection of biodiversity, environmentally sensitive areas and significant natural sites, features and landforms	Protect sensitive and significant land through land use planning decisions	<u>2008-2011 term</u> Optimize opportunities to protect land	LTCs/BIM*	No new funding required	By the hectares of land that have been protected	TBD
To reduce greenhouse gas emissions	Amend OCPs to include emission reduction targets, policies and actions (TPAs) Foster energy-efficient communities through land use planning decisions	<u>Jan to May 2010</u> Establish targets, policies, and actions in OCPs by legislated deadline (May 31/09)	LTCs/BIM*	Funding in place (09/10 budget) Additional funding may be available through application	By whether all OCPs have been amended to include GHG emission reduction targets, policies and actions by May 31/10	Policies and action included in two OCPs (SSI, DE)
		<u>FY 2010/11</u> Consider the inclusion of the information provided by the LPC into appropriate bylaws and processes	LTCs/BIM*	Subject to funding (10/11 budget)	By whether GHG emission reduction is achieved in LTC land use decisions	TBD

* Depends upon decisions of the Bowen Island Municipal Council

** Depends upon decisions of the Trust Fund Board

Goal 2: Stewardship of Island Resources...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To increase the sustainability and quality of freshwater resources	Include new policies and regulations as OCPs and LUBs are amended	<u>FY 2009/10</u> OCP/LUB reviews underway on selected islands	LTCs	Funding in place (09/10 budget)	By the number of LTCs/IM with new policies and regulations for protection of freshwater resources	Reviews beginning in 09/10
		<u>FY 2010/11 & 2011/12</u> OCP/LUB reviews underway on selected islands	LTCs	Subject to funding (10/11 budget)		Reviews planned to begin in 10/11
To advance the stewardship of coastal areas and marine shore lands	Develop and implement new land use planning tools for shoreline and marine protection	<u>FY 2009/10</u> Thetis Island LTC – consider the use of integrated shoreline & watershed protection into OCP review process	LTC	Funding in place (09/10 budget)	By whether OCP has been amended to include new forms of protection	OCP review underway

Goal 3: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To support socio-economic diversity of island communities	Support/restore socio-economic diversity through land use planning strategies about affordable/accessibile/appropriate housing	<u>FY 2010/11</u> Consider implementing land use planning decisions to advance affordable housing	LTCs	Subject to funding (10/11 budget)	By the number of LTCs have implemented land use planning decisions regarding affordable housing.	Not started
	Support local food security	Support completion of a second area farm plan (Denman)	LTC	No new funding required	By whether a second area farm plan is complete	Started
	Include new policies and regulations about food security in OCPs and LUBs as they are reviewed	<u>FY 2009/2010</u> OCP/LUB reviews underway on selected islands	LTC	Funding in place (09/10 budget)	By the number of LTCs/IMs with new policies and regulations related to food security	OCP/LUB reviews started
To minimize the impact of climate change	Integrate climate change adaptation into land use	<u>FY 2012/2013</u> Continue implementation of adaptation planning framework	LTCs/BIM*	Subject to funding	TBD	Not started

* Depends upon decisions of the Bowen Island Municipal Council

** Depends upon decisions of the Trust Fund Board

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
upon islands and communities	planning and regulatory decisions					
To cultivate community engagement and participation in land use planning	Develop new tools and strategies to encourage community engagement in land use planning processes	<u>FY 2010/2011</u> Consider new tools and strategies to encourage community engagement in land use planning processes	LTCs	TBD	TBD	Not started

Goal 4: Organizational Effectiveness...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To provide services on an increasingly effective basis	Develop cost effective bylaw enforcement tools	<u>FY 2009/10 & 2010/2011</u> Consider bylaw amendments to allow Bylaw Dispute Adjudication System	LTCs	No new funding required	By the number of islands where a Bylaw Dispute Adjudication System is in place	<i>Initial discussions started</i>
	Develop model LTC meeting procedure bylaw regarding electronic meetings	<u>FY 2009/2010</u> LTCs to consider adoption	LTCs	No new funding required	By the number of LTCs that have adopted amendments	Not started

Abbreviations:

ADMIN – Administrative Services
 BIM – Bowen Island Municipality
 DEM – Digital Ecosystem Mapping
 EC – Executive Committee
 FN – First Nations
 FY – Fiscal Year
 GHG – Green House Gases
 IM – Island Municipality
 IT – Islands Trust
 LPC – Local Planning Committee
 LPS – Local Planning Services

LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCRD – Ministry of Community & Rural Development
 MGMT – Management Team
 NA – Not Applicable
 NAPTEP – Natural Area Protection Tax Exemption Program
 OCP – Official Community Plan
 PMFL – Private Managed Forest Land
 RAR – Riparian Area Regulations
 RCP – Regional Conservation Plan
 RD – Regional District

RFD – Request for Decision document
 RM – Records Management
 SEM – Sensitive Ecosystem Mapping
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPA – Targets, Policies and Actions (re GHG emission reduction)
 TPC – Trust Programs Committee
 UBC – University of British Columbia
 UBCM – Union of BC Municipalities

For more information, contact

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