

**DIRECTOR, LOCAL PLANNING SERVICES
2011/2012 SECOND QUARTER REPORT**

Date: November 25, 2011

ACTIVITIES COMPLETED SINCE LAST REPORT	CURRENT ACTIVITIES	NEXT QUARTER ACTIVITIES
<p><u>TRUST COUNCIL / LPC</u></p> <ul style="list-style-type: none"> • Developed draft of information on RAR for planners and public • Completed RAR watershed mapping and sign off for Vancouver Island region • Attended Green Shores for Homes steering committee meetings • Completed maps for the integrated shoreline mapping • Completed communication for bylaw adjudication system and implementation of system in all LTAs • Recommended process for review of LPC terms of reference • Participated in the Joint Application Fee Task Force • LPC meeting October 2011 cancelled • Followed up on Administrative fairness and procedural certainty initiative 	<ul style="list-style-type: none"> • RAR – develop approach to bring Gambier into RAR compliance • Working with RPMs to bring OCPs and LUBs into compliance with RAR • Green Shores for homes – continuation on steering committee • Integrated shoreline mapping - public process to begin • bylaw adjudication system – obtain 3rd reading by all LTCs • Orientation for LPC and Trust Council • Confirm work program with LPC (Feb 2012) • Development of three-year term plan for LPC (to be introduced Feb 2012 TC) • Monitoring OCP and LUB projects • Establish work objectives for LPC (Feb 2012) • LPC meeting – Feb 2012 • Attend and report to Executive Committee • Completion of Bylaw Adjudication system • Begin work on Bylaw enforcement policy on unlawful structures on the shoreline 	<ul style="list-style-type: none"> • Completion of RAR information for planners and public • Continue to work with RPMs to bring OCPs and LUBs into compliance with RAR • Green Shores for homes steering committee – continuation • Integrated shoreline mapping – public process continues • Continue orientation for new council • LPC meeting May 2012 • Attend and report to Executive Committee • Begin work on bylaw enforcement policy on unlawful dwellings
<p><u>LOCAL PLANNING SERVICES UNIT</u></p> <ul style="list-style-type: none"> • Began preparations for fiscal year 2012/13 • Began preparation for new term of trustees • Completed various managerial projects • Worked with regions to complete work programs • Completed recruitment to fill vacancies • Supported Salt Spring RPM and staff on 	<ul style="list-style-type: none"> • With RPMs continue review of LPS corporate services • Work with staff on orientation for new and returning trustees • With RPMs - develop three-year work plan for LPC and LTCs for revised format reporting to TC. 	<ul style="list-style-type: none"> • Begin review of LPS terms of reference with new LPC (May 2012) • On-going orientation program for new trustees • Work with RPMs to continue to review and improve service delivery and resource allocation

ACTIVITIES COMPLETED SINCE LAST REPORT	CURRENT ACTIVITIES	NEXT QUARTER ACTIVITIES
<ul style="list-style-type: none"> contentious issues • Worked with RPMs on contentious issues • Continue preparation for 2012/13 fiscal year Developed LPS work program for next term • Developed budget and resource allocation for next term • Worked with RPMs to complete LTC bylaws by end of term • Worked with RPMs to continue to review and improve service delivery and resource allocation • Developed budget process for 2011/12 submissions • Organised monthly meetings with regional planning managers and coordinators 	<ul style="list-style-type: none"> • Continue preparation for 2012/13 fiscal year • Development of LPS work program for next term • Work with RPMs to continue to review and improve service delivery and resource allocation • Complete budget process for 2011/12 • Continue to work with RPMs and coordinators to support day-to-day and long term operations of LPS • Support Salt Spring RPM and staff on contentious issues • Work with RPMs on contentious issues • Work with RPMs to continue to review and improve service delivery and resource allocation • Continue monthly meetings with regional planning managers and coordinators 	<ul style="list-style-type: none"> • Budget process for 2011/12 submissions • Implementation of three-year work program • Worked with RPMs on contentious issues • Work with RPMs to continue to review and improve service delivery and resource allocation • Revise budget process to improve system for LTC submissions • Continue monthly meetings with regional planning managers and coordinators
<p><u>AGENCY LIAISON</u></p> <ul style="list-style-type: none"> • Worked with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project • Coordinated with regional districts on building inspection issues • Worked with regional district on bylaw enforcement matters and building permit referrals • Worked with Bowen Municipality on bylaw referrals to staff and to Executive Committee • Worked with Ministry of Forest, Land and Natural Resource Operations on RAR watershed mapping • Worked with TAS on improving communications and public engagement 	<ul style="list-style-type: none"> • Continue to work with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project • Coordination with regional districts on specific issues • Work with Islands Trust Fund staff on incorporation of implementation of RCP into LPS three-year work plan • Continue to work with regional district on bylaw enforcement matters and building permit referrals • Work with Ministry of Transportation to begin process on review of letter of agreement and reinstate annual staff-to-staff meetings • Continue to work with Ministry of Forest, Land and Natural Resource Operations 	<ul style="list-style-type: none"> • Continue to work with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project • Continue to work with Ministry of Transportation to review letter of agreement • Continue to work with Ministry of Forest, Land and Natural Resource Operations on fine-tuning RAR watershed mapping • Continue to worked with TAS on improving communications and public engagement • Continue to work on First Nations liaison and improved methods of consultation for LTC bylaw referrals

ACTIVITIES COMPLETED SINCE LAST REPORT	CURRENT ACTIVITIES	NEXT QUARTER ACTIVITIES
	<p>on fine-tuning RAR watershed mapping</p> <ul style="list-style-type: none"> • Continue to worked with TAS on improving communications and public engagement • Begin work on First Nations liaison and improved methods of consultation for LTC bylaw referrals 	
<p><u>LPS SERVICE DELIVERY</u></p> <ul style="list-style-type: none"> • Worked with bylaw enforcement coordinator to develop operating procedures • Worked with RPMs to develop consistent approaches in regional offices • Worked with TAS to develop standards for cooperative tasks • Worked with Legislative Services Manager to develop consistent approaches in regional offices • Designed and implemented one day workshop for staff on communications (September 2011) • Established regular quarterly legal session updates for staff (next in Sept 2011) • Worked with TAS on guidelines for communications • Began work on improving minute taking and agenda preparation system 	<ul style="list-style-type: none"> • Continue to work with RPMs and Legislative Services Manager to develop consistent approaches in regional offices • Continue working with TAS to develop standards for cooperative tasks • Establish regular quarterly legal session updates for staff (next January 2012) • Work with TAS on guidelines for communications • Begin work on improving minute taking and agenda preparation system • Develop schedule of workshops and pro-development days for staff on relevant topics for 2012 • Design and implement one day workshop for LPS staff on First Nations communications (February 2012) • Continue work on improving minute taking and agenda preparation system 	<ul style="list-style-type: none"> • Follow-up workshop on communications (May 2012) focussing on targeted issues • Hold monthly LPS management meetings • Continue to work with RPMs and Legislative Services Manager to develop consistent approaches in regional offices • Continue working with TAS to develop standards for cooperative tasks • Continue to develop quarterly legal session updates for staff (next in March/April 2012) • Continue work on improving minute taking and agenda preparation system

ISLANDS TRUST BRIEFING

DATE: November 25, 2011

TOPIC: OCP / LUB STATUS REPORT

DIRECTED TO: Islands Trust Council

CONFIDENTIAL: No

DESCRIPTION OF ISSUE: To provide a status report regarding the scheduled review of Official Community Plans (OCPs) and Land Use Bylaws (LUBs) by Local Trust Committees.

BACKGROUND: A quarterly status report on OCP and LUB projects covering current and future budget years is provided to the Trust Council for information. The Trust Council frames the schedule of review through associated funding decisions within the annual Islands Trust budget. Local Trust Committees influence the review schedule through decisions at the local level on the conducting of an OCP / LUB review process.

This is the last report in this format; beginning in February 2012 a new report will be provided that includes all Local Planning Services OCP/LUBs and programs for the 2011-2014 term.

ATTACHMENT: Yes

FOLLOW-UP: The Director of Local Planning Services will continue to provide quarterly OCP / LUB review schedule and program status reports to Trust Council meetings.

PREPARED BY: David Marlor, DLPS

REVIEWED BY EXECUTIVE COMMITTEE:

SUBMITTED BY: David Marlor, DLPS

November 18, 2011

REVIEWED BY: _____
(Chief Administrative Officer)

OTHER REVIEW:

OCP/LUB REVIEW SCHEDULE*

Effective: Aug 2011

*subject to budget approval

LOCAL TRUST AREA	APR 2008 TO MAR 2009	APR 2009 TO MAR 2010	APR 2010 TO MAR 2011	APR 2011 TO MAR 2012 (term ends Nov 2011)
NORTHERN REGION				
Denman	OCP/LUB Assessment and Mapping Identify Issues: Done	OCP and LUB Targeted Review Project initiated and on track.	OCP and LUB Targeted Review Project continues; draft bylaws in development; anticipate public hearing in Spring 2011	OCP and LUB Review Completed
Gabriola	Gabriola OCP and LUB Review Project identified as LTC priority	Gabriola OCP and LUB Review Project initiated and on track.	OCP and LUB Review Project continues; Project scope completed; draft bylaws for Phase 1 in development; anticipate public hearing in Spring 2011.	OCP and LUB Review Phase 1 completed
Gambier	Gambier DP and Comprehensive Planning Project identified. Gambier LUB Follow-up Project identified Associated Islands OCP Project continues Associated Islands LUB Project identified	Gambier DP and Comprehensive Planning Not started at this time. Not anticipated to start during this term. Gambier LUB Follow-up Not started at this time. Not anticipated to start during this term. Associated Islands OCP Project continues Associated Islands LUBs Preliminary work on 2 LUBs should commence in this fiscal year.	Associated Islands OCP and LUB OCP adopted Preliminary work started on Bowyer and Passage Island LUB; SCRDLUB on hold for next term.	OCP and LUBs Review Passage and Bowyer LUB completed. Preliminary work on SCRDLUB initiated – budget request in for next fiscal year.
Hornby	Hornby OCP and LUB Review Project identified as LTC priority	Hornby OCP and LUB. Project third after the Climate Wise Island Project and STVR work; some preliminary work started.	Hornby OCP and LUB Review – OCP and LUB process started; project scoping is complete and review is underway. STVR issue needs to be resolved before OCP/LUB work continues.	Hornby OCP and LUB Review Preliminary work on OCP and LUB initiated – subject to funding in new term. Vacation Home Rental bylaw - waiting for Ministerial approval
Lasqueti	Density and Build Out Review Project identified as LTC priority; Project Done	<i>August 26, Note: The LTC have identified “Lasqueti Climate Change Mitigation Project” as Top Priority #1. This project may lead to possible OCP amendments.</i>		
Thetis	Thetis OCP and LUB Review Project initiated	Thetis OCP and LUB Review Project continues and is <i>on track</i> .	Thetis OCP and LUB Review - Project continues; draft bylaws in development; anticipate public hearing in Spring 2011	Thetis OCP and LUB Review - Waiting for Ministerial approval

LOCAL TRUST AREA	APR 2008 TO MAR 2009	APR 2009 TO MAR 2010	APR 2010 TO MAR 2011	APR 2011 TO MAR 2012 (Council term ends Nov 2011)
SOUTHERN REGION				
Executive			OCP/LUB – in progress 2010 - development of policies and regulations –	OCP/LUB – continuation, completion by spring 2012
Galiano	OCP - Env, Hazard & RAR Maps & DP & Technical Review - PD	OCP Review public consultation – March Start policy drafting phase LUB – targeted bylaw amendments to start when draft OCP available (combined with OCP Review) LUB – routine updates to the LUB	OCP Bylaw drafting and bylaw consideration LUB – targeted bylaw amendments to start when draft OCP available (combined with OCP Review)	OCP – completed. LUB – further amendments – subject to funding in new fiscal
Mayne	OCP Env, Hazard & RAR Maps & DP – start LUB – technical review – complete	OCP GHG reduction targets, SEM implementation, RAR implementation, LUB amendments (follow-up amendments), climate change (potentially)	OCP GHG Emission reduction – completed Non-regulatory use of SEM mapping - completed SEM – implementation (DPAs, amendments to OCP policies and map schedules – LTC resolution proceed no further) RAR – DPAs – on hold pending MOE decision	OCP – continued: Housing options task force implementation, commercial land use review implementation, riparian area regulations implementation – subject to funding in new fiscal.
North Pender	OCP Env, Hazard & RAR Maps & DP – start OCP implementation – start LUB targeted review & other initiatives. PD for 09/10	GHG reduction targets, OCP implementation: geological hazards, RAR LUB Amendments	OCP GHG emission reduction – completed OCP implementation: Geological hazard mapping – deferred RAR - completed LUB LUB amendments - completed	Associated Islands OCP/LUB amendments (Sidney Island) – Summer/Fall 2011 – completion spring 2012 OCP and LUB amendments – subject to funding in new fiscal year

LOCAL TRUST AREA	APR 2008 TO MAR 2009	APR 2009 TO MAR 2010	APR 2010 TO MAR 2011	APR 2011 TO MAR 2012 (Council term ends Nov 2011)
Saturna	<i>Hazard & RAR Maps & DP - PD</i>	<i>Eastpoint Water conservation,</i> <i>Accessory building review</i> <i>GHG reduction targets</i> <i>OCP</i> <i>Affordable housing, RAR,</i> <i>Quarry trail dedication,</i> <i>Climate change</i>	LUB East Point Water Conservation – public process to ID issues and solutions OCP and LUB national park zoning - GHG reduction/climate change policy work - completed	East Point Water Conservation – continuation of process, water catchment requirement for storage buildings Park zoning – Land use designations and zoning for community parks and GINPR OCP continued –RAR implementation
South Pender		GHG reduction targets OCP RAR OCP and LUB – national park zoning	OCP and LUB Targeted review of the OCP underway Zoning and Density Review Raptor Nest Protection Fact Sheets	OCP – continuation of targeted review process – completion Fall 2011 – completed. Land Use Information Package - completed LUB – amend RR zone regulations – completed. Targeted LUB amendments – subject to funding in the new fiscal year.

LOCAL TRUST AREA	APR 2008 TO MAR 2009	APR 2009 TO MAR 2010	APR 2010 TO MAR 2011	APR 2011 TO MAR 2012 (Council term ends Nov 2011)
SALT SPRING REGION				
Salt Spring	<p>OCP Phase 1 Policies and Objectives complete</p>	<p>OCP SEM, Hazard Land & RAR Maps– complete</p> <p>Bill 27 (GHG emission reductions) - complete</p> <p>Ganges Harbour Risk Assessment - start</p> <p>Industrial Task Force- complete</p> <p>Housing Needs Assessment phase 2- complete</p> <p>LUB Housekeeping – complete</p>	<p>OCP Environmental DPAs review to implement RAR, incorporate hazard lands mapping, Watershed Planning, overlap with Climate Change mitigation. Start</p> <p>LUB Review incl. affordable housing, housing for farm workers, Industrial Task Force recommendations: mapping and format updates. Start</p>	<p>Bylaw Adjudication – Complete</p> <p>LUB Update – Industrial/Agricultural Bylaw – Complete</p> <p>OCP review: DP Area 4 / RAR underway</p> <p>LUB Update: Secondary Suites underway</p> <p>OCP: Ganges Harbour Management Plan underway</p> <p>Program: New Term of Office: Set goals and priorities for remainder of year. Update work program based on budget for 2012/13 fiscal year – Underway.</p> <p>Program: Community Engagement Pilot – Underway.</p>

CODES

PD = Project Design;– Assessment, project design, timeline, scope, budget estimate, mapping requirements, strategic plan consideration and budget request

Start – Projected start up of project(s)

Complete – Projected completion of project(s)

ISLANDS TRUST BRIEFING

Date: November 25, 2011

TOPIC: BYLAW ENFORCEMENT INVESTIGATIONS REPORT

DIRECTED TO: Islands Trust Council
Meeting of December 2011

CONFIDENTIAL: No

DESCRIPTION OF ISSUE: A report to summarize 2011 bylaw enforcement investigations activity up to November 9, 2011.

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

Resources: Bylaw enforcement staff consists of the Bylaw Enforcement Coordinator, one full time bylaw enforcement officer, one temporary part time bylaw enforcement officer and one part time clerical assistant serving the Islands Trust Area as a whole. Peter Phillips concentrates on the Northern Region, and Geoff Kinnear deals with the Southern Region and Salt Spring Island. Miles Drew is the Bylaw Enforcement Coordinator. The temporary bylaw enforcement officer position has been extended to March 31, 2012.

Reporting: The below tables show the current work loads by officer and regions. Short-term Vacation Rental (STVR) files still account for the high numbers in the Southern and Salt Spring regions.

Table of Active Files by Quarter by Office

Assigned To	Region	Nov 17 2010	Feb, 15 2011	May 9 2011	Sept 7 2011	Nov 9 2011
Miles Drew	South	97	97	93	87	71
Geoff Kinnear	South				22	26
Peter Phillips	South			1		0
Sub Total	South	97	97	94	109	97
Miles Drew	Salt Spring	98	93	97	66	73
Geoff Kinnear	Salt Spring				36	22
Peter Phillips	Salt Spring	1	1	1	1	
Sub Total	Salt Spring	99	94	98	103	95
Miles Drew	North	8	8	10	15	15
Peter Phillips	North	56	65	52	61	69
Sub Total	North	64	73	62	76	84
Total		260	264	244	288	276

Table of New and Closed Files by Officer and Trust Area

Assigned To	Region	New Files 2011	Closed Files 2011
Miles Drew	South	13	16
	Salt Spring	5	3
	North	8	1
Geoff Kinnear	South	15	14
	Salt Spring	23	25
Peter Phillips	North	31	23
Total New and Closed		95	82

Projects:

Bylaw Enforcement Notification and Adjudication System

The Bylaw Enforcement and Notification Adjudication System is a new ticketing system designed to make the process more efficient and less costly to the landowner when appealing a bylaw violation. Without a Bylaw Enforcement and Notification Adjudication System the only option for a landowner to appeal an alleged bylaw violation is to the BC Supreme Court. Once a Bylaw Enforcement and Notification Adjudication System is in place, disputes to the tickets are resolved by an adjudicator in a non-court environment and are heard in person, by mail or by phone. The bylaw officer may also issue tickets in person or by mail.

Progress is being made towards completing this project. North Pender Island Local Trust Committee, Salt Spring Island Local Trust Committee and Thetis Island Local Trust Committee have each adopted a Bylaw Enforcement and Notification Adjudication System bylaw.

Attached to this report is a list of the schedule for local trust committees' consideration of a Bylaw Enforcement and Notification Adjudication System bylaw. Saturna Island Local Trust Committee and Lasqueti Island Local Trust Committee will receive draft bylaws for consideration early in 2012. Staff will bring the Bylaw Enforcement and Notification Adjudication System bylaw to a meeting of the Mayne Island Local Trust Committee, Galiano Island Local Trust Committee and South Pender Island Local Trust Committee in 2012 for further consideration. Each local trust committee must still appoint a screening officer and adopt Notice Cancellation policies to give direction to the screening officer.

Short Term Vacation Rental

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

Follow-up work on the STVR enforcement work on Mayne, North Pender and Salt Spring islands reveals that the number of STVRs still operating in an overtly commercial manner has dropped considerably. On North Pender Island two of the strongest advocates for STVR use have sold or listed their properties for sale. On Salt Spring Island new letters and brochures will be sent out to clarify how Bed and Breakfast operators can use seasonal use cottages in their operations; however, there are still a few STVRs in each local trust area that

continue to violate local land use bylaws. Enforcement efforts are continuing to achieve compliance. Reports will be made to the relevant local trust committee on necessary next steps.

PREPARED BY: Miles Drew, Bylaw
Enforcement Coordinator

**REVIEWED BY
EXECUTIVE COMMITTEE:**
November 22, 2011

SUBMITTED BY: Miles Drew, Bylaw
Enforcement Coordinator

REVIEWED BY:
(Chief Administrative Officer)

OTHER REVIEW:
Director, Local Planning Services
Nov 18, 2011

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Attachment: Bylaw Enforcement Notification Bylaw Status Report

Local Trust Area	LTC Meeting for readings	LTC decision	APC result?	EC Meeting	EC result?	LTC Meeting to Adopt	Adopted	Adopt Screening Officer & Policy
Denman	12-Sep-11	approved	n/a	13-Sep-11	approved	25-Oct-11	no	
Gabriola	20-Oct-11	1 st reading						
Galiano	17-Oct-11	defer to Jan 2012						
Gambier	26-Oct-11	rescind readings and include Keats schedule						
Hornby	19-Oct-11	defer to APC						
Lasqueti	Spring 2012							
Mayne	19-Sep-11	defer to 2012. Sept Mtg cancelled						
North Pender	22-Sep-11	approved	n/a	11-Oct-11	approved	27-Oct-11	yes	
Salt Spring	01-Mar-11	approved	n/a	19-Apr-11	approved	06-Oct-11	yes	
Saturna	Spring 2012							
South Pender	04-Oct-11	defer to APC	did not recommend					
Thetis	07-Sep-11	approved	n/a	13-Sep-11	approved	RWM	Yes	