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Enforcement Best Practices Manual is intended to be a public facing document that will describe enforcement policies and practices in plain language.

As directed, the Regional Planning Committee has been reviewing and updating both the policy and the Manual. At meetings in January, February, and May, Regional Planning Committee worked through revisions to Policy 5.5.1 and the draft Manual, with both referred to the Office of the Ombudsperson for comment following the May meeting..

At the July 18, 2025 meeting, RPC reviewed constructive feedback from the Office of Ombudsperson. Overall, comments from the Office of the Ombudsperson on Policy 5.5.1 included the following:

- The documents demonstrate a significant commitment by the Islands Trust to having and following processes and procedures in bylaw enforcement that are aligned with the principles of administrative fairness and follow the best practices as set out in our office's [Bylaw Enforcement guide](#).
- Islands Trust has utilized the suggestions and feedback that were provided in 2023 at the conclusion of our team's previous consultation to comprehensively review the Islands Trust's bylaw enforcement related policies and practices.
- [Section 3 Investigation and Progressive Enforcement] is clear, can see the fairness principles of: notice of bylaw contraventions provided, the opportunity to be heard for both Complainants and Respondents, as well as the process undertaken by the Officer to investigate and make a determination to then provide fulsome reasons to the Respondent as well as the opportunity to request a review.
- Section 4 (Investigative Approach and Conduct) is very thorough
- Support for inclusion of Section 9 [Reviewing the Conduct of Bylaw Compliance and Enforcement Officers].
- Involvement of local trust committees: there may be conflicting guidance about the involvement of trustees/local trust committees in bylaw compliance and enforcement:
  - the Policy states that a local trust committee may direct that an investigation be closed (section 6.1.3) and can direct the prioritization of investigations (section 7.1.1). The explanation of the roles and responsibilities of local trust committees and trustees indicate otherwise - that they are not directly involved in bylaw enforcement decisions.
  - Office of the Ombudsperson Bylaw Enforcement guide it states that "[d]efining and maintaining separation between council and front-line enforcement staff is essential to an administratively fair bylaw enforcement system".

RPC considered the comment regarding local trust committee involvement and while understanding the concern, felt that the current drafts of the Policy and the Manual provide a framework for local trustees to provide direction as an LTC on establishing enforcement priorities without direct involvement in investigation of potential bylaw violations.

Based on specific suggestions from the Office of the Ombudsperson, the following revisions to Policy 5.5.1 were made:

- Added a new principle 11 on Cultural Safety
- Throughout: changed 'unlawful activity' to 'bylaw contravention'
- 2.1.1: added a statement that officers can assist in writing complaints
- 2.1.2: added that anonymous complaints could be accepted when consistent with other policies
- 2.1.4: added specifics about how complaints are responded to

- 4.3.2: added a statement that officers should demonstrate cultural humility
- 5.1: added that timing for site inspections could be established in LTC policy, including exceptions
- 9.12: added a specific reference to Trust Council's Administrative Fairness Complaint Policy.

Draft Policy 5.5.1 (attachment 1) was endorsed by RPC at the July meeting and forwarded to Trust Council.

Comments on the Manual:

General comments from staff of the Office of the Ombudsperson were supportive of the Manual. Based on suggestions, the following changes were made to the draft Manual (attachment 2):

- Bylaw Enforcement Pathway visual (page 3): changed "90 days" to "reasonable time"
- Guiding Principles (page 5): added Cultural Safety as a principle
- Added reference to demonstrating cultural humility in box on Page 10
- Confidentiality (page 8): added reference to circumstances in which an anonymous complaint would be considered
- Site Inspections: added wording stating that investigations will only focus on alleged bylaw contraventions (page 11)
- Bias section: added 'take steps to address any bias' (page 13).

RPC made some further amendments to ensure consistency between the policy and manual and to permit evidence to be gathered for site inspections via a range of means to assist with investigations in remote locations. RPC endorsed the policy amendments and the manual and forwarded them to Trust Council.

Many Local Trust Committees (LTC) have also adopted specific policies by means of standing resolutions to provide specifics of how LTC bylaws are to be enforced, prioritized, and reviewed within respective local trust areas. An LTC Compliance and Bylaw Enforcement template has been created and attached as Appendix D to the Policy 5.5.1. The LTC Compliance and Bylaw Enforcement template has been used as the basis for several LTC enforcement policies.

There are numerous changes since Trust Council last reviewed the draft Policy and Best Practices Manual during the September 2024 Trust Council meeting. Staff have only attached a clean copy of the Policy and Manual endorsed by the RPC. The versions received at Trust Council in September 2024 and versions reviewed by RPC may be found on the project webpage at: <https://islandstrust.bc.ca/island-planning/general-resources/bylaw-compliance-and-enforcement/bylaw-enforcement-review-project/>.

### 3. NEXT STEPS

- September 2025: Trust Council consider draft policy amendments
- October 2025: RPC considers implementation plan
- December 2025: Trust Council approves policy amendment and implementation plan
- July 2026: RPC reviews monitoring metrics and evaluates impact of policy changes
- September 2026: Trust Council receive report on monitoring and evaluation
- Annual reporting on approved metrics

Note that staff are currently creating a new Bylaw Compliance and Enforcement portal based on the same software (Cityview) as the [Applications Portal](#). The potential roll out of the new portal may overlap with approval of the policy amendments. Staff will ensure that the Implementation Plan takes both projects into consideration.

Please also note that that all Bylaw Compliance and Enforcement staff have completed, Building a Respectful and Inclusive Workplace training program which includes developing self-awareness, promoting trust, developing inclusive language and creating an intentional culture.

**4. ATTACHMENT(S):**

- 1) Draft TC Policy 5.5.1 - Bylaw Compliance and Enforcement Policy – Blacklined Version**
- 2) Draft Bylaw Compliance and Enforcement Best Practices Manual**
- 3) Project Charter v.3**

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**Reviewed By/Date:** CAO / August 26, 2025