



File No.: GM-6500-20 (Gambier
Island OCP Review)

DATE OF MEETING: May 27, 2021
TO: Gambier Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
COPY: Heather Kauer, Regional Planning Manager
SUBJECT: Gambier Island Official Community Plan Review

RECOMMENDATION

1. That the Gambier Island Local Trust Committee endorse the Gambier Island Official Community Plan Review Project Charter, dated May 27, 2021.

REPORT SUMMARY

The purpose of this report is to provide the Gambier Local Trust Committee (LTC) a revised project charter (Attachment 1) for the Gambier Island Official Community Plan review. The previous project charter, dated December 13, 2018 is found in Attachment 2.

BACKGROUND

The LTC passed the following resolutions at their February 4, 2021 business meeting:

GM-2021-007

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to amend the Gambier Island Official Community Plan to reflect a semi-comprehensive OCP review that includes: forest protection and conservation of the Douglas Fir Zone and Associated Ecosystems; protection of archaeological and cultural sites; and shoreline protection and marine designations.

CARRIED

GM-2021-008

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee ask staff to bring a revised Project Charter with budgets and timelines to a future Local Trust Committee meeting.

CARRIED

The LTC considered an interim staff report at their April 1, 2021 business meeting regarding involvement of consultant in the project.

ANALYSIS

Issues and Opportunities

Proposed Project Charter

Objectives & Scope

The objectives and scope of the project charter are based on the LTC's direction regarding targeted topic areas. Given this project is aimed at reviewing the OCP, the proposed scope is limited to OCP amendments only. Staff are also proposing, as a part of the scope of the OCP review, to develop recommended LUB amendments that would implement the new OCP. This approach could change if LTC chooses to amend the project charter to include land use bylaw changes at some point during the course of the project.

The draft project charter does not presuppose the outcome of the review and how the LTC may want to advance protection of archaeological and cultural sites, shorelines, and forests. However, the proposed scope includes consideration of advancing development permit areas & heritage conservation areas as these are considered among the appropriate regulatory tools in the context of protection of the natural environment and archaeological and cultural sites, respectively. The future point in the OCP review process, at which the LTC would decide to utilize these tools would be the point at which the LTC would need consider amending the project charter to reflect any associated land use bylaw (LUB) changes.

General OCP technical amendments are included in the scope of the project and will draw upon the 2018 technical review completed by staff.

Also included in the scope is the development of a pilot model OCP bylaw in terms of style and structure. This is currently being developed by the Regional Planning Team in collaboration with Trust Area Services. A draft will be provided at a future LTC meeting for the LTC to consider.

The formal development of robust model OCP policies and a model OCP review process for the Islands Trust is not specifically within the scope of this project since the capacity of the Regional Planning Team to undertake those isn't anticipated until closer to the point at which the Local Planning Services Renewal Project is complete. However, staff would like to point out that the proposed OCP review process is developed based on the most recent project planning work within the Trust, and also draws from other relevant planning work outside the organisation. Additionally, it is the general aim of the project to contribute to and build upon our collective organizational expertise.

Workplan and Deliverables

The draft project charter (Attachment 1) is divided into three phases and anticipates a completion date by 2023. The three phases are as follows, with emphasis on Phase 1 deliverables:

Phase 1: Project Initiation - Spring 2021 – Winter 2021/22

- Early engagement with First Nations

Staff recommends that the overall First Nations engagement approach for this project incorporates relationship building elements as well as eventual formal referrals. During the first phase of this project, staff will make direct contact with staff from area First Nations to gauge their level of interest in this project and to explore opportunities for their involvement. Staff will ensure that concerns and interests raised during these initial discussions are reflected in the project's consultation plans. Staff will also ensure that

First Nations engagement in this project is harmonized with other Islands Trust body engagement initiatives.

- Formation of an Official Community Plan Working Group

Staff recommend forming a working group to assist in the official community plan review and to advise the Gambier Island LTC on matters related to the review. Staff recognise that although an advisory planning commission (APC) is often the type of appointed local body to assist in land use planning projects, the LTC has expressed interest in utilizing working groups instead, including for this OCP review. One of the main reasons for using a working group is that it provides for a wider range of membership than is otherwise prescribed by the *Local Government Act* for APCs (i.e. two thirds of the APC members must be residents of the electoral area). On Gambier Island, there are a limited number of title holders who meet the definition of “resident.”

Staff recommend soliciting broad community representation with specified terms and scope of work for the members for the duration of the project. Staff suggest a maximum of six members and that additional seats on the working group should be reserved for participation from local area First Nations.

Should the LTC endorse the draft project charter, staff will develop a draft Terms of Reference (TOR) for LTC consideration as a part of Phase 1 of the project. The main content of the draft TOR will include the purpose of the working group, work plan overview, membership and quorum.

- Development of Engagement and Communications Plan

Staff recognise that a key element of an OCP review project is clear communication and a transparent, incremental process. As such, staff recommend that an engagement and communications plan be developed during Phase 1 of the project that clearly sets out the communications techniques and engagement approaches to be used during Phase 2: Consultation and Bylaw Development and into Phase 3: Legislative Process and Implementation.

It is recommended that the engagement and communications plan be developed and prepared by a consultant with expertise in community planning and engagement, and that development of the plan include significant input from the OCP working group. Staff will provide technical and administrative support to the consultant and plan development process.

Staff recommend that the public participation level for this project should be “involve” on the International Association for Public Participation (IAP2) spectrum (Attachment 3). “Involve” in the IAP2 framework is implemented with the following intent:

Public Participation Goal:

“To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.”

Promise to the Public:

“We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.”

First Nations consultation will be undertaken in accordance with the Islands Trust Reconciliation Declaration, First Nations Engagement Principles, and [Reconciliation Action Plan](#). The Islands Trust Senior Intergovernmental Policy Advisor is providing advice on First Nations as it relates to this project.

As an alternative, the LTC may wish to move forward with a project that does not include a consultant and only includes public engagement activities that can be conducted by Islands Trust staff. This alternative would scale back the number and type of engagement activities that could reasonably be conducted, and reduce the overall anticipated project budget by approximately \$15,000. If the LTC chooses this option, it

is recommended that the alternative motion language on page five of this report be used to amend the project charter accordingly.

- Discussion papers

Staff will develop discussion papers on each of the topic areas identified in this project to provide context, background, and analysis to inform LTC decision making going forward. Discussion papers will include the following topics (but not limited to):

- Regulatory frameworks in BC;
- Islands Trust policy framework and limits of Islands Trust & LTC authorities;
- Preliminary assessment of current data/mapping and gaps;
- Preliminary analysis of data/mapping that could inform the setting of priority areas for protection of forest ecosystems, shorelines, archaeological & cultural sites;*
- Policy & regulatory options for amendments.

An outline of each of the discussion papers will be provided to the LTC for their consideration prior to the finalization of the discussion papers.

* The outcome of this is anticipated to help inform any further steps needed to develop criteria to target specific areas for LTC planning and protection efforts for this project. Gleaning from the progress of the Salt Spring LTC Coastal Douglas-fir Protection project this may include forming a scientific/mapping working group, contracting services, and/or collaborating with university labs, for example. The proposed work plan and budget provide some latitude to facilitate these potential eventualities should they be needed, however, the discussion papers will help better inform any necessary changes to the work plan and budget.

Staff are working on the assumption that analysis of existing data might lead to a conclusion that a technical professional may be needed to provide a report or study to collect and analyse new data not currently available to Islands Trust. As an alternative, the LTC may wish for staff to move forward with analysis of existing data only and not spend time or resources hiring a technical professional. The LTC can make that decision now by making a motion to amend the project charter to explicitly exclude resourcing technical expertise, or wait until staff provide a preliminary analysis through the discussion papers.

Phase 2: Consultation and Bylaw Development - early 2022 – Fall 2022

During this phase, communications and engagement will be executed in accordance with the Engagement and Communications Plan along with development of the draft bylaw. Staff recommend that a consultant is retained to provide limited support to the engagement plan implementation. Should the LTC endorse the project charter, further detail in this regard would be provided at a future LTC business meeting, allowing for LTC consideration of any additional budget requests to support consultation in the next fiscal cycle. See Development of Engagement and Communications Plan under Phase 1 above for an alternative to using a consultant.

As noted in the Discussion Papers section above, Phase 2 includes a placeholder for further development of criteria to target specific areas for LTC planning and protection efforts, should that be needed.

Phase 3: Legislative Process and Implementation – late 2022 - 2023

The third and last phase of the project will see the draft bylaw through readings, any further engagement, public hearing, approvals, adoption and final communications regarding the bylaw amendment.

Project Team

The staff anticipated to contribute to the project are listed in the project charter. Staff are advised that the capacity of some staff may be limited during the life of the project which may necessitate adjustments to the work plan and budget, including exploring outsourcing expertise. Any shortfalls will be anticipated as much as possible.

Budget

Proposed budget sources for Phase 1 are as follows:

- \$4,000.00 – LTC Gambier Island OCP project budget
- \$8,500.00 – Regional Planning Committee budget
- \$2,000.00 – First Nations reconciliation budget

Staff do not anticipate a need for further budget requests to cover the proposed costs for this fiscal year.

The proposed budget sources for Phase 2 and 3 are set to cover anticipated budget costs. The costs for all three phases are somewhat speculative owing to a number of variables, including:

- Whether and when in-person meetings will be possible (e.g. added travel, catering, communication, venue costs);
- Whether working group members will expect honoraria for their participation;
- Potential emerging reconciliation opportunities with First Nations as the project progresses;
- If further data/mapping/analysis are needed to develop criteria to target specific areas for LTC planning and protection efforts for this project and whether it can be completed in-house or pro-bono.

Staff are advised that since the proposed budget for the 2021-22 fiscal is over \$5,000.00, a budget request along with a business case is required to be submitted this fall to the Financial Planning Committee and Trust Council. Should the LTC endorse the proposed project charter, staff will advance the budget request by presenting a draft business case to the LTC for endorsement at a future meeting.

Rationale for Recommendation

Staff revised the project charter for the Gambier Island Official Community Plan Review Project following the LTC's direction of February 2, 2021 with respect to project scope. Staff recommend that the LTC endorse the revised project charter.

ALTERNATIVES

Amend the Project Charter

The LTC may want to amend the draft project charter. Implications of making changes to the project charter are the following:

- If the amendments are minor and can be made at the meeting, then the charter can be endorsed as amended.
- If the amendments are major, staff would have to return to a subsequent meeting with an amended charter for endorsement.

Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request staff to amend the Gambier Island Official Community Plan Review Project Charter by [insert requested changes].

NEXT STEPS

Should the LTC endorse the proposed project charter, staff will undertake the following next steps:

- Early engagement with First Nations, planning research and information gathering.
- Develop discussion papers with respect to:
 - the protection of:
 - First Nations archaeological and cultural sites,
 - forest ecosystems,
 - shorelines.
 - New Brighton dock.
- Develop Terms of Reference for the OCP Working Group.
- Commence process to retain consultant to develop engagement and communications plan.
- Prepare budget request for next fiscal.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	May 17, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	May 18, 2021

ATTACHMENTS

1. Draft Revised Project Charter, dated May 27, 2021
2. Project Charter, dated December 13, 2018
3. IAP2 Spectrum of Public Participation

Gambier Island OCP Review Project Charter

Gambier Island Local Trust Committee

Date: May 27, 2021

Purpose: To conduct a review of the Gambier Island Official Community Plan policies pertaining to forest protection, conservation of the Douglas-fir and associated ecosystems, protection of archaeological and cultural sites, shoreline protection and marine designations across the Plan area.

Background: The LTC identified this project as a Top Priority in February 2015. The project was put on hold in 2018 and recommenced in 2021.

Objectives

- Amend the Gambier OCP with regards to:
 - First Nations Perspectives;
 - Archaeological and cultural site protection;
 - Forest Ecosystem Protection;
 - Shoreline Protection;
 - New Brighton dock;
 - Technical amendments.
- Develop the style and structure of the OCP document as an Islands Trust model.

In Scope

- Amendments to the OCP that include consideration of:
 - Language and policies that reflect First Nations perspectives;
 - Policy and schedule updates regarding land and marine use designations, including new or amended use designations;
 - Development Permit Areas to protect forests and shorelines;
 - Heritage Conservation Areas to protect archaeological and cultural sites;
 - Advocacy policies;
 - Technical amendments;
 - Developing a pilot model OCP bylaw in terms of style and structure.
- Develop recommended LUB amendments to implement the OCP.

Out of Scope

- LUB amendments.
- OCP amendments regarding:
 - Economic development;
 - Services for island residents;
 - Private institutional policies;
 - Parks and trails.

Work Plan Overview

Phase 1: Project Initiation	Date
LTC endorses project charter	May 27 2021
Planning research & information gathering (early engagement with First Nations, discussion paper prep, community outreach)	Spring - Summer 2021
Formation of an OCP Working Group & development of Terms of Reference	June - July 2021
Retain a consultant to support engagement plan development	Spring – Summer 2021
Development of discussion papers	Summer - Fall 2021
Analysis of data/mapping for priority setting & develop criteria to identify target areas	July 2021 – Spring 2022
Development of Engagement and Communications Plan	Fall - Winter 2021/2022
Phase 2: Consultation and Bylaw Development	Date
Retain a consultant to provide limited support to the engagement plan implementation	Early 2022
Analysis of data/mapping for priority setting & develop criteria to identify target areas – cont.	July 2021 – Spring 2022
First Nation, stakeholder and public engagement as per Plan	Spring - Fall 2022
Develop draft bylaws	Summer - Fall 2022
Phase 3: Legislative Process and Implementation	Date
First Nation, stakeholder and public engagement as per Plan – cont.	2022 - 2023
Bylaw readings, public hearing, approvals, adoption	2022 - 2023
Bylaw consolidation, post bylaw adoption communications	2023

Project Team	
Island Planner	Project Manager
Regional Planning Manager	Project Sponsor
Island Planner/Planner 2	Planning & technical support (limited)
Senior Intergovernmental Policy Advisor	First Nation liaison support
GIS Technician	Mapping support
TAS Program Coordinator/Communications	TAS coordination/Communications support (limited availability)
ITC Ecosystem Specialist	Protection/conservation planning support (limited availability)
Senior Freshwater Specialist	Watershed ecology support (limited availability)
Consultant(s)	Public engagement support, potentially mapping/data development
OAA, PTA, LC	Admin support
RPM Approval: Heather Kauer Date: 2021-05-17	LTC Endorsement: Resolution #: Date: xxx

Budget		
Budget Sources:		
2021-22: GM LTC OCP: \$4,000.00; RPC OCP: \$8,500.00; First Nations: \$2000.00*		
2022-23: GM LTC OCP: \$15,000*; First Nations: \$2000.00*		
2023-24: GM LTC OCP: \$10,000*; First Nations: \$2000.00* *pending		
Fiscal	Item	Cost
2021-2022	Phase 1: Project Initiation	
	• First Nation engagement	2,000.00
	• Development of Engagement & Communications Plan	6,000.00
	• Analysis of data and mapping for priority setting & developing criteria to identify target areas	3,000.00
2021-2022	Phase 2: Consultation and Bylaw Development	
	• Undertake Engagement & Communications Plan	12,000.00
	• Analysis of data and mapping for priority setting & developing criteria to identify target areas	2,000.00
	• First Nation engagement	2,000.00
2022-2023	Phase 3: Legislative Process	
	• Engagement, referrals	5,000.00
	• Legal review	3,000.00
	• In-person public hearing	3,000.00
	• Bylaw amendment communications	2,000.00
	Total	40,000.00

Gambier OCP Review Project Charter

Gambier Island Local Trust Committee

Date: June 28, 2018
Revised December 13, 2018

Purpose To conduct a comprehensive review of the Gambier Island Official Community Plan in a two-phase project.

Background The LTC identified this project as a Top Priority in February 2015.

Objectives

- To review and update goals, objectives, and policies to guide development on Gambier
- To engage and collaborate with First Nations
- Ensure the OCP addresses the Islands Trust Policy Statement and Local Government Act requirements

In Scope

- Technical amendments to streamline the OCP goals, objectives and policies.
- Review options to enhance shoreline protection and marine designations.
- Implement coastal Douglas-fir and associated ecosystems toolkit.
- Review of forest conservation related policies.
- Review options to protect archaeological and cultural sites.
- Review of policies regarding: economic development; livability and services for island residents; private institutional policies; parks and trails
- Updating Schedule B to ensure designations reflect intended uses.

Out of Scope

- Review of Density/Build-Out
- Affordable Housing Strategy

Workplan Overview

Deliverable/Milestone	Date
First Nations engagement	
LTC consideration of OCP technical review	
Phase One (development of consultation/communication plan; analysis of environmental & archaeological protection topics; DAI bylaw drafting; policy drafting)	
Phase one: Development of consultation/ communication plan	
Phase one: Community information meeting	
Phase one: Community survey	
Phase one: Draft Development Approval Information bylaw	
Phase one: Community information meeting	
Phase Two (consultation and analysis regarding “livability” topics, private institutional policies, and interagency topics such as parks; policy drafting and Schedule B updates)	
Bylaw drafting and Legislative Review Process (readings, public hearing, EC and MMAH approval)	

Project Team		Budget		
Island Planner	Project Manager	Budget Source: Gambier OCP Project		
Planner 2	Project Sponsor	Fiscal	Item	Cost
Regional Planning Manager	Project Sponsor	2018-19	Two CIMs @ \$1000 each	\$2000
Planning Clerk	Admin Support	2018-19	Community Survey	\$1000
GIS Analyst	Mapping Support	2018-19	First Nations engagement	\$1500
Communications Coordinator	Communications Support	2019-20	Phase 2 and Leg Review (CIM & Public Hearing)	TBD
			Total	\$4500

RPM Approval: Ann Kjerulf

Date: Dec. 13, 2018

LTC Endorsement Date: GM-2018-082 (December 13, 2018)

IAP2 spectrum

developed by the international association for public participation

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.