

Lasqueti Island Advisory Planning Committee Minutes of Regular Meeting

Date of Meeting: March 21, 2016

Location: Lasqueti Island Arts Centre
Main Road, Lasqueti Island, BC

APC Members Present: Andrew Fall, Chair
Peter Johnston, Secretary
Lisa Johnson
Tom Weinerth
Sue Kristinsson
Nadine Simpson
Doane Grinnell

Recorder: Dave Olsen, Recorder

Others Present There were three (3) members of the public in attendance.
Marti Wendt
Ross Thompson
Kristos Seiler

1. CALL TO ORDER

Chair Fall called the meeting to order at 7:02 pm.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. MINUTES

3.1 Advisory Planning Commission Adopted Minutes dated March 15, 2016 for receipt

LA-APC-2017-001

It was **MOVED** and **SECONDED**,
that the Lasqueti Island Advisory Planning Commission Minutes dated March 15,
2016 be adopted.

CARRIED

There was discussion about what is to be included in the minutes. It was generally agreed to use the standard Islands Trust minute taking format.

4. **Ageing at Home Referral**

Initial discussion focussed on process for the meeting.

LA-APC-2017-002

It was **MOVED** and **SECONDED**,

that the Advisory Planning Commission (APC) inform the Lasqueti Island Local Trust Committee (LTC) that the APC appreciates the quality of the staff's work in the package received by its members.

Discussion ensued and the following points were raised:

- In regards to these major changes to the OCB/LUB, only the aging portion of the population is being considered.
- These recommendations are coming from a consultant who does not live on Lasqueti Island.
- Nadine Simpson stated for the record: "I wasn't so quick to praise because this is coming through the backdoor under the umbrella of the Aging at Home camouflaging it. I don't think many will pay attention to an Aging at Home initiative but many would to a density change initiative."
- Lisa Johnson asked for the record: "Where did this start and why?"
- The response to Ms. Johnson's question was that Trustee Peterson found funding for this through the Union of British Columbia Municipalities (UBCM). A survey was conducted and a report was written with these recommendations.
- The LTC will bring this to the community and ask what we want done.

CARRIED

A member of the public offered a recommendation: when somebody suddenly has a change in need for homecare, any bylaws that have restrictions on density are waived. When the need for the care ends, the waiver is rescinded, regardless of the time involved.

The public was reminded that they are allowed to speak at the end of the meetings.

Discussion then went around the circle of APC members, and the following points are summarized:

- these are recommendations by the consultant, who doesn't know Lasqueti. All his suggestions could work well elsewhere. It was suggested that the APC state that these recommendations are not appropriate at this time.
- The recommendations focus on use. Use has not been regulated because it is more difficult to count the number of people coming and going. Counting houses is easier.
- A lot of us don't have a guesthouse for someone to move into.
- If someone wants cohousing, then they can apply for a zoning change.
- Density transfers/density bank are not desired.
- Cluster building is permitted on ALR land.
- If someone wants to build a big house and bring their whole family in, fine.
- We need young people here.
- Strong support for the 10 acre minimum.
- There should be restrictions; take out the restrictions on kitchens; this is preferable to making a bunch of rules.
- Don't feel comfortable with unlimited guest cabins and use. Need to make some changes but don't accept these recommendations.

- Agree with consultant, done well, but lacks an understanding of Lasqueti.
- We don't like, and I haven't heard support for, spot zoning. Lasqueti is happier with changes that affect everyone rather than specific places like False Bay.
- OCB and LUB can be an active or passive document; on Lasqueti, it is passive. Complaint based. Some communities want to use it to concentrate density in specific areas.
- If someone in the south end wants cohousing, let them propose it and we'll consider it as a community, rather than trying to encourage it in a specific place.
- Lisa Johnson stated for the record that she is against these recommendations.

Chair Fall suggested going through the recommendations individually to consider whether we support each one or whether we have a suggestion.

Recommendation #6: Consider amending the LUB with an amendment to Section 4.2 Land Based (LB)

Chair Fall read from the current LUB. He noted that the staff report identifies some Aging at Home provisions already in place.

Discussion ensued, and the following comments were noted:

- Current zoning allows a specific use in each zone.
- Remove the restriction of only 1 kitchen from LUB.
- If you have 2 kitchens you have 2 dwellings; if you don't have a kitchen, you don't have a dwelling.

Chair Fall read the definition of dwelling from the LUB.

Chair Fall suggested that the recommendations sent to the APC be focussed on first and that further suggestions for the LTC and/or staff be gathered after this.

LA-APC-2017-003

It was **MOVED** and **SECONDED**, that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee (LTC) not to proceed with recommendation #6.

CARRIED

Recommendation #7: Consider amending Section 3.9 Dwellings and Guest Cabins Per Lot

Chair Fall introduced the discussion by reading the current regulations.

Discussion ensued and the following points were noted:

- Only part of the recommendation that is agreeable is A.
- A second kitchen for a caretaker or extended family is also acceptable, if needed.
- Clarification about dwelling definition needed.
- Agreement with suggestion that we put on blinders instead of requiring a permit that is expensive.
- If somebody needs care that fast, a mobile building is the quickest, cheapest way to get accommodation in place that can also be removed afterwards.

- If we can accept that this is going to happen, then when the need ends, we need to ensure that that “residence” is not grandfathered.

A question was raised regarding a moveable licensed trailer.

Chair Fall read from the LUB to clarify that if the trailer is being used long term, it is considered a dwelling.

The following questions were raised for the LTC and/or staff to answer:

- **What exactly is the definition of “dwelling”?**
- **Does a vehicle having a license make a difference in terms of use as a cabin/dwelling/etc.?**
- **Does it need to have a motor?**
- **What are the rules around mobile dwellings?**

LA-APC-2017-004

It was **MOVED** and **SECONDED**, that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee (LTC) not to proceed with recommendation #7.

CARRIED

LA-APC-2017-005

It was **MOVED** and **SECONDED**, that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee (LTC) not to proceed with recommendation #9.

CARRIED

LA-APC-2017-006

It was **MOVED** and **SECONDED**, that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee (LTC) not to proceed with recommendation #11.

CARRIED

Discussion then focussed on suggestions for the LTC to consider, and the following points were noted:

- A Temporary Use Permit (TUP) could be the first item to consider. Two ways were identified to get a structure; rezone or get a TUP. It’s expensive to apply for, there are no guarantees to receive it and there is no refund available. It can be renewed once, after 3 years, for another 3 years.
- Applying for rezoning is less desirable because it lasts forever.
- We can recommend that the fee for a TUP be very low.

A further clarification was offered from a member of the Public: After the TUP has expired (i.e., 6 years), you have to rezone, you can no longer do anything related to the use that was permitted after the first and only renewal of the Permit has expired.

Discussion continued and the following points were raised:

- There has to be some mechanism in our bylaws that allow for the use of a caretaker. Recommendation 7 states under section (5): “Subject to a Temporary

Use Permit or by way of exception”. Can an exception for caretaker use be made? It was suggested that this type of exception be the only type allowed.

- After the 6 years of a TUP, another person may not apply for the same use on the same property.
- If there is some mechanism, use the term TUP but not the Islands Trust (IT) version. The IT version is too costly and slow. Something that is cheap and easy to get and expires as soon as it is not needed. No renewal needed.
- “By way of exception” may be that mechanism.
- Don’t want to have to get a TUP. Didn’t move here to fill in forms.
- Opposed to a TUP. Our LUB doesn’t allow for TUPs.
- TUP is in the Local Government Act.
- Need to go through a major change to allow TUP.
- A large percentage of people have guest cottages. Remove the prohibition on using guest cottages.
- Many young people need a place to live. Guest cottages could fill that need.
- Need to define what a caregiver is.
- Change the recommendations to allow only for a caregiver.
- Want staff to define what a caregiver is.
- Do we want to use the term caretaker or caregiver?
- Caregivers could use whatever they need to do their job.
- Could define caregiver as someone who does not pay rent.
- One of the exceptions on Lasqueti is where Provisions is located; it allows two houses.
- Families that leave for school come back for holidays and live in their guest cabin.
- An exception to s.3.8 or 3.9, is that caregivers can occupy secondary dwellings.
- There is support for family members to live in secondary dwellings.
- The APC was asked to respond to these recommendations, which include the term, “extended family members.”
- Want to be careful of the language. It says an additional separate dwelling. Want to be clear that it refers to guest cabin, not a third dwelling.
- Could proceed by removing the word kitchen.

Chair Fall read out the wording of the LUB definition of a dwelling.

Question: is a house with two kitchens considered two dwellings?

Chair Fall suggested two options:

1. Easy road: Need caregiver role to be defined clearly. Open to the concept that caregivers occupy with the understanding that density is not increased. It seems that we like this concept but we want more clarification.
2. Hard road: open up and redefine many aspects of the LUB or make regulations.

We are not going to get consensus here or on the island generally. Some things are worth pursuing. We are intrigued by a few things and want to make it easy for people to have caregivers.

LA-APC-2017-007

It was MOVED and SECONDED,

that the Advisory Planning Commission (APC) supports in principle caregivers being able to occupy a living space when needed, as needed, and direct the Local Trust Committee (LTC) staff to define precisely the role of caregivers.

It was MOVED and SECONDED,

that the above motion be amended to add “extended family” after the term caregivers.

Discussion ensued and the following was noted:

- Clarification was sought about this amendment.
- Concern was raised about the extension of the extended family.
- A separate cabin/dwelling for each member of the family is not desired.
- The wording is problematic.
- We are talking about caregivers only.
- We need to be more specific.
- Extended family has nothing to do with Aging at Home.
- If someone brings their parents or siblings in to be cared for, we want to support that.
- The intension is that caregivers include family members but do not go beyond the existing bylaw.
- Previously, additional use of guest cottages was the issue. Now they are trying to slip it in under Aging at Home.

Chair Fall called the question on the amendment,

DEFEATED

The question on the motion was then called,

CARRIED

LA-APC-2017-008

It was MOVED and SECONDED,

that the Advisory Planning Commission (APC) does not intend that the provision for caregivers extend the current density provisions in the Land Use Bylaw (LUB).

CARRIED

LA-APC-2017-009

It was MOVED and SECONDED,

that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee (LTC) that our discussion specifically refers to caregivers and not caretakers.

CARRIED

18. ADJOURNMENT

By general consent the meeting was adjourned at 9:13pm.

A member of the Public suggested that in future meetings, the public be given an opportunity to speak at the beginning as well as the end of meetings, and that all the members of the APC stick around at the end of the meeting to listen.

The following points were summarized:

- If someone needs homecare now, there is nothing stopping him or her.
- We don't have the infrastructure on the island.
- Increasing the value of property chases the young people out of here. Increasing density chases those people away. This is the thin edge of the wedge. This isn't about Aging at Home, it's about increasing density. Increase taxes by increasing land value by increasing density.
- By including extended family in the definition, all of a sudden, I can rent to my cousin or someone even more distant.
- I don't get the sentiment that people want more density.
- It was suggested that two Town Halls be put on the agenda.

Andrew Fall, Chair

Certified Correct:

Dave Olsen, Recorder