



**The Islands Trust Executive Committee Acting
as a Local Trust Committee
Minutes of a Regular Meeting**

Date of Meeting: Wednesday, October 9, 2013, 10:00am
Location: Islands Trust Northern Office
700 North Road, Gabriola Island, BC

Members Present: Sheila Malcolmson, Chair
Ken Hancock, LTC Member
David Graham, LTC Member
Peter Luckham, LTC Member

Staff Present: Marnie Eggen, Planner
Penny Hawley, Recorder

Media and Others Present: There were zero (0) members of the public in attendance

1. CALL TO ORDER

Chair Malcolmson called the meeting of the Islands Trust Executive Committee Acting as a Local Trust Committee to order at 10:05am. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

Chair Malcolmson asked if there were any additions or changes to the agenda. The agenda was approved by consent with the following amendments:

Add Late Item under New Business: *11.3 Briefing regarding Strategic Plan from Linda Adams, Chief Administrative Officer, dated October 3, 2013*

3. CLOSED MEETING: The Islands Trust Executive Committee Acting as a Local Trust Committee closes the next part of the October 9, 2013 business meeting to discuss matters pursuant to Section 90(1)(i) of the *Community Charter* to consider advise subject to Solicitor-client privilege and that Staff be invited to attend this meeting

EXLTC-031-2013

It was MOVED and SECONDED,

that the Islands Trust Executive Committee Acting as a Local Trust Committee closes the next part of the October 9, 2013 business meeting to discuss matters pursuant to Section 90(1)(i) of the *Community Charter* to consider advice subject to Solicitor-client privilege and that Staff be invited to attend this meeting.

CARRIED

Chair Malcolmson closed the meeting at 10:10am.

By general consent the Committee reconvened in open meeting at 10:19am.

4. RECALL TO ORDER

Chair Malcolmson stated that the discussion regarding renaming the committee, from the *Closed Meeting* will continue in the open meeting. She asked for further questions or political opinions regarding the Staff Report dated September 23, 2013.

Discussion ensued regarding naming the Local Trust Committee and the Local Trust Area with respect to where legal reference is needed and operational names could be used.

EXLTC-032-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee advise staff to use the Ballenas – Winchelsea Islands Local Trust Area (Executive Committee)” and “Ballenas – Winchelsea Island Local Trust Committee (Executive Committee)” as the LTC name and LTA name respectively for operational purposes.

CARRIED

EXLTC-033-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee advise staff that in all occurrences of the legal reference of the LTA and LTC name that the words Ballenas-Winchelsea islands be included in brackets and in bold print.

CARRIED

EXLTC-034-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee advise the Executive Committee that when there is an opportunity to request legislative change of the *Islands Trust Act*, that the name for the Executive Islands be changed to Ballenas – Winchelsea Islands Local Trust Area and Local Trust Committee, at that time.

CARRIED

EXLTC-035-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee direct staff to make the necessary arrangement to ensure names of the Local Trust Committee and Local Trust Area are consistently applied.

CARRIED

5. MINUTES

5.1 Local Trust Committee Draft Meeting Minutes of May 3, 2013

Chair Malcolmson asked for any amendments to the minutes. The minutes were adopted by consent.

5.2 Section 26 Resolutions Without Meeting – None

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 30, 2013

Received for information.

7. CORRESPONDENCE

7.1 Letter dated July 12, 2013 from Association for Denman Island Marine Stewards regarding Geoduck Aquaculture – *attached*

Received for information.

7.2 Letter dated May 31, 2013 from I.K. Birtwell, R.C. de Graaf, D.E. Hay and G.R. Peterson regarding Seaweed Harvesting on the East Coast of Vancouver Island – *attached*

Received for information.

8. REPORTS

8.1 Work Program

8.1.1 Top Priorities Report dated September 30, 2013

Received. Discussion ensued. Include at the end of Item 2, “electronic meeting participation”.

8.1.2 Projects List – None

LTC Member Luckham wanted to add the first entry on the Projects List:

To explore developing a relationship with the Nanoose First Nations.

EXLTC-036-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee add as the number one item on the Projects List, to explore developing a relationship with the Nanoose First Nations.

CARRIED

8.2 Trustee and Local Expenses

8.2.1 Expenses posted to March 31, 2013 – Fiscal Yearend - None

8.2.2 Expenses posted to May 31, 2013 - None

8.2.3 Expenses posted to June 30, 2013 - None

8.2.4 Expenses posted to July 31, 2013 - None

8.2.5 Expenses posted to August 31, 2013 - None

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Ballenas-Winchelsea Islands Proposed Official Community Plan Bylaw No. 27 and Proposed Land Use Bylaw No. 28

9.1.1 Staff Report dated September 30, 2013

Discussion ensued regarding definition and wording of short term vacation rental vs. short term vacation accommodation and home occupation.

Planner Eggen reviewed the staff report.

Planner Eggen and Regional Planning Manager Courtney Simpson met with the operational manager/member of council of Nanoose First Nations on September 13, 2013.

There was discussion regarding the archeological maps included in the referral response from the Archeological Branch.

ADOPTED

EXLTC-037-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee move that the Local Trust Committee request staff advice before consideration of third reading on:

1. Adding a Land Use Bylaw information note and amending the proposed Official Community Plan (maybe 1.2, 3.1 or 3.10) to caution landowners that there are recorded archaeological sites and a high potential for unrecorded sites; and
2. Amending the proposed Land Use Bylaw in the information note at 3.1 to specify that these are provincial regulations.

CARRIED

Discussion ensued regarding requests from the Nanoose First Nations resulting from their referral response and meeting with Islands Trust staff.

Chair Malcolmson recessed the meeting at 11:45am.

Chair Malcolmson reconvened the meeting at 11:49am.

EXLTC-038-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee request that staff bring back advice on an alternative definition for short term vacation rental/accommodation by using a definition that relies solely on use.

CARRIED

10. BYLAWS

- 10.1 **Proposed Bylaw No. 27 may be cited for all purposes as the “Ballenas-Winchelsea Islands Official Community Plan Bylaw, 2013” – *for consideration of second reading***

EXLTC-039-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee give second reading to the proposed Bylaw No. 27 cited as the “Ballenas-Winchelsea Islands Official Community Plan Bylaw, 2013” as amended.

CARRIED

ADOPTED

- 10.2 Proposed Bylaw No. 28 may be cited for all purposes as the “Ballenas-Winchelsea Islands Land Use Bylaw No. 28, 2013” – *for consideration of second reading***

EXLTC-040-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee give second reading to the proposed Bylaw No. 28 cited as the “Ballenas-Winchelsea Islands Land Use Bylaw, 2013” as amended.

CARRIED

EXLTC-041-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee considers the consultation for the Ballenas-Winchelsea Official Community Plan and Land Use Bylaw project pursuant to s.879 of the *Local Government Act* to be sufficient and that staff be requested to schedule a community information meeting and public hearing for November 21, 2013, publish notification in the appropriate newspaper, and notify property owners within the plan area by mail out.

CARRIED

EXLTC-042-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee direct staff to explore ways in which the Local Trust Committee could work with the Nanoose First Nations regarding the trust area.

CARRIED

11. NEW BUSINESS

11.1 Local Trust Committee Proposed Meeting Schedule 2014

Planner Eggen suggested having a special meeting subsequent to the public hearing for bylaws No. 27 and No. 28.

EXLTC-043-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee approves the 2014 business meeting schedule as presented in the meeting of October 9, 2013.

CARRIED

11.2 2014-2015 Budget Submissions

11.2.1 Memorandum dated August 1, 2013

It was noted that no money has been allocated for travel or projects. Planner Eggen noted that expenses for attending meetings come from a different budget.

EXLTC-044-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee request that \$1,000 be allocated to Local Trust Committee meeting expenses.

CARRIED

Discussion ensued regarding additional resources for projects to work with the First Nations.

EXLTC-045-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee revise the draft 2014-15 LTC Project Budget submission to reflect Resolution EXLTC-030-2013 by including \$2,000.00 for First Nations liaison and forward to Financial Planning Committee, as revised.

CARRIED

11.3 Briefing regarding the Strategic Plan from Linda Adams, Chief Administrative Officer, dated October 3, 2013

Received. Chair Malcolmson suggested that this item be put over to December after Trust Council meeting to enable the trustees to spend more time on it.

EXLTC-046-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee request that its First Nations liaison initiative for 2014-15 be reflected in the strategic plan.

CARRIED

12. ISLANDS TRUST WEBSITE

12.1 Ballenas-Winchelsea Islands Pages

Item deferred.

13. NEXT MEETING DATE

The next regular business meeting of the Executive Committee acting as a Local Trust Committee will be held on Monday, February 24, 2014 at 10:00am in the Northern Islands Trust Office boardroom, 700 North Road, Gabriola Island, BC.

14. ADJOURNMENT

Chair Malcolmson adjourned the meeting of the Executive Committee Acting as a Local Trust Committee by consensus at 12:22pm.

Sheila Malcolmson, Chair

CERTIFIED CORRECT:

Penny Hawley, Recorder