



A NOTICE OF A BUSINESS MEETING OF **THE LASQUETI LOCAL TRUST COMMITTEE**
to be held at 11:00 AM on Thursday, May 3, 2012 at the Lasqueti Arts Centre,
Main Road, Lasqueti Island, BC

Revised – May 1, 2012

AGENDA

		<i>Page No.</i>	<i>*Approx. Time*</i>
1.	CALL TO ORDER		11:00 am
2.	APPROVAL OF AGENDA		
3.	TOWNHALL SESSION		
4.	MINUTES		11:05 am
4.1	Local Trust Committee Meeting Adopted Minutes of March 15, 2012 – <i>attached for information</i>	1-7	
4.2	Section 26 Resolutions Without Meeting Log dated April 25, 2012 – <i>attached for information</i>	8	
5.	BUSINESS ARISING FROM MINUTES		11:10 am
5.1	Follow-up Action List dated March 1, 2012 - <i>attached</i>	9-10	
6.	DELEGATIONS - <i>none declared</i>		
7.	CORRESPONDENCE <i>Correspondence specific to an active development application and/or project will be received by the Lasqueti Island Local Trust Committee when that application and/or project is on the agenda for consideration.</i>		
8.	APPLICATIONS AND PERMITS		11:15 am
8.1	LA-TUP-2012.1 (The Anglican Synod of the Diocese of BC – Conn Road – Post Office) Staff Report – <i>attached</i>		
	BREAK FOR LUNCH – <i>Sometime During the Following Segment</i>		
9.	LOCAL TRUST COMMITTEE PROJECTS		11:40 am
9.1	False Bay Parking Master Plan Response from Advisory Planning Commission – <i>to be distributed</i>		
9.2	Riparian Areas Regulation Compliance Staff Report dated April 5, 2012 – <i>attached for information</i>	11-29	
9.3	Workshops – Oil and Effluent Spills – <i>update</i>		

10.	REPORTS	12:30 pm
10.1	Work Program	
	Top Priorities Report and Projects List dated April 24, 2012 - <i>attached</i>	30-31
10.2	Applications Log	
	Report dated April 24, 2012 - <i>attached</i>	32
10.3	Trustee and Local Expenses	
	10.3.1 Expenses posted to March 31, 2012 - <i>attached</i>	33
	10.3.2 Expenses for Fiscal Yearend – March 31, 2012	
11.	NEW BUSINESS	
11.1	Detailed Local Trust Committee budget for 2012-2013	34
	Memorandum dated April 20, 2012 – <i>attached</i>	
11.2	Draft Letter of Support for the Lasqueti Fishery/Forestry Renewal Society – <i>attached</i>	35
11.3	Local Trust Committee Holding Electronic Meetings – <i>attached</i>	
11.4	Local Trust Committee Fees –	36-38
	Lasqueti Island Fees Bylaw No. 85 - <i>attached</i>	
12.	BYLAWS	1:45 pm
12.1	Bylaw Enforcement Notification System	39-41
	Staff Report dated March 15, 2012- <i>attached</i>	
12.2	Bylaw Enforcement Notice and Dispute Adjudication System Brochure - <i>attached</i>	42-43
12.3	Bylaw Violation Notice Sample - <i>attached</i>	44-45
12.4	Draft Bylaw No.87 cited as "Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No.87, 2011".- <i>for consideration of first, second and third readings and submission to the Executive Committee for approval</i>	46-55
12.5	Draft Bylaw No. 88 cited as the "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012". - <i>for consideration of first, second and third readings and submission to the Executive Committee for approval</i>	56-62
	Staff report dated April 13, 2012 - <i>attached</i>	
13.	ISLANDS TRUST WEBSITE	
13.1	Lasqueti Page – <i>attached</i>	63-64
14.	TOWN HALL SESSION	2:15 pm
15.	CLOSED MEETING: The Lasqueti Island Local Trust Committee closes the next part of the May 3, 2012 business meeting to discuss matters pursuant to Section 90(1)(f) Bylaw Enforcement and that Staff be invited to attend this meeting.	2:25 pm
16.	RECALL TO ORDER	
	Rise and Report from Closed Meeting	
17.	NEXT MEETING DATE	
	Thursday, July 12, 2012 at 11:00 am at The Lasqueti Arts Centre, Main Road, Lasqueti Island, BC	
18.	ADJOURNMENT	3:15 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice.

ADOPTED

**MINUTES OF THE LASQUETI ISLAND LOCAL TRUST COMMITTEE MEETING
HELD AT 11:00 AM ON THURSDAY, MARCH 15, 2012
AT THE ARTS CENTRE, LASQUETI ISLAND, BC**

<u>PRESENT:</u>	David Graham	Chair
	Peter Johnston	Local Trustee
	Susan Morrison	Local Trustee
	Linda Prowse	Planner
	Melinda Auerbach	Recorder

There were three (3) members of the public present. Chair Graham introduced Peter Luckham, past chair of the Lasqueti Local Trust Committee, to the audience.

1. CALL TO ORDER

The meeting was called to order at 11:00 am.

2. APPROVAL OF AGENDA

The agenda was approved by consensus with the following amendments:

- Add 4.4 Islands Trust Minutes Program
- Add 11.6 Electronic Meetings
- Add 11.7 Lasqueti Annual Report contribution

3. TOWN HALL SESSION

There were no speakers for the Town Hall session.

4. MINUTES

4.1 *Lasqueti Island Local Trust Committee Meeting Adopted Minutes dated January 12, 2012 – for information*

Planner Prowse advised that the January 12, 2012 Local Trust Committee Meeting minutes were adopted before this meeting by Resolution Without Meeting.

4.2 *Resolutions Without Meeting*

The log of Resolutions Without Meeting dated March 1, 2012 was received for information. It was noted that Resolutions Without Meeting take place between scheduled Local Trust Committee meetings to ensure that Local Trust Committee business is carried out in a timely manner and that Resolutions Without Meeting are reported on at Local Trust Committee business meetings.

ADOPTED

4.3 Advisory Planning Committee Draft Minutes

The draft minutes of the Advisory Planning Commission dated November 7, 2011 were presented for information.

4.4 Islands Trust Minutes Program

Trustee Morrison reviewed the information presented at Trust Council regarding the recording of minutes and she requested that the Lasqueti Island Local Trust Committee use the Trust Council policy on minute taking at its business meetings.

LA-06-2012

It was **MOVED** and **SECONDED** that the Lasqueti Island Local Trust Committee adopt the Islands Trust Policy Manual section 2.2.v. (Islands Trust Council Minutes Guidelines) for recording Lasqueti Local Trust Committee meeting minutes.

CARRIED

5. BUSINESS ARISING FROM MINUTES

5.1 *Follow up Action List dated March 1, 2012*

Planner Prowse reviewed the Follow Up Action List with the Local Trust Committee.

6. DELEGATIONS

There were no delegations.

7. CORRESPONDENCE

The Lasqueti Island Local Trust Committee will receive correspondence specific to an active development application and/or project when that application and/or project is on the agenda for consideration.

There was no correspondence.

8. APPLICATIONS AND PERMITS

8.1 LA-TUP-2012.1 (The Anglican Synod of the Diocese of BC – Conn Road – Post Office) - Staff Report dated February 21, 2012.

Planner Prowse presented the staff report to the Local Trust Committee on the subject application.

The applicant attended the meeting and answered questions from the Local Trust Committee about this Temporary Use Permit application.

LA-07-2012

It was **MOVED** and **SECONDED** that the Lasqueti Island Local Trust Committee refer LA-TUP-2012.1 to the Advisory Planning Commission for comment, request

ADOPTED

the Advisory Planning Commission to hold a public meeting, and that the Advisory Planning Commission meeting be advertised in the *Our Isle and Times* newspaper and posted on Lasqueti Island public notification boards.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Public Parking at Lasqueti Arts Centre –Discussion with Regional Director

Powell River Regional Director Merrick Anderson attended the meeting and described his discussion with Ministry of Transportation and Infrastructure contractor, Emcon, to provide a parking lot (of no more than 12 spaces) at the Arts Centre which would not interfere with further plans of the Arts Council for expansion of building space. The parking would be for patrons of the Arts Centre only during the hours of events held at the Arts Centre, and not for long-term public parking.

9.2 False Bay Parking and Master Plan

Planner Prowse reviewed the report titled False Bay Parking and Master Plan with the Local Trust Committee.

LA-08-2012

It was **MOVED** and **SECONDED** that the Lasqueti Island Local Trust Committee refer the False Bay Parking and Master Plan report dated July 21, 2011 to the the Advisory Planning Commission for comment.

CARRIED

9.3 Lasqueti GHG Baseline Report– verbal update

Planner Prowse presented the report, which was written by Joseph Fall titled “Lasqueti GHG Baseline Report”, to the Local Trust Committee for information, and suggested that the report go onto the Lasqueti Island Local Trust Committee webpage.

9.4 Workshops – Oil and Effluent Spills - update

Trustee Morrison explained that she had hoped to organize a workshop on the oil and effluent spills topic for March, however, that was not likely to occur this month.

10. REPORTS

10.1 Work Program Reports

The Top Priorities Report and Projects Report dated March 1, 2012 was presented for review.

ADOPTED

10.2 *Applications Log dated March 1, 2012 – attached for review*

Planner Prowse presented the Applications Log for review.

10.3 *Trustee and Local Expenses*

The Trustee and Local Expenses budget was presented for information.

11. NEW BUSINESS

11.1 *Lasqueti Island Advisory Planning Commission Bylaw Review of Section Relating to Term of Office- attached*

Planner Prowse presented a staff report on this matter and presented it to the Local Trust Committee for their consideration.

LA-09-2012

It was **MOVED** and **SECONDED** that Planner Prowse prepare a draft Lasqueti Island Advisory Planning Commission bylaw for review by the Local Trust Committee.

CARRIED

11.2 *Advisory Planning Commission referral response to September 30, 2011 letter from Grietje Van Kijk of BC Hydro regarding the Remote Communities Electrification Program - attached*

Planner Prowse explained the background of this matter. Trustee Johnston presented the Advisory Planning Commission response and noted that the Advisory Planning Commission wanted their response forwarded to BC Hydro.

LA-10-2012

It was **MOVED** and **SECONDED** that staff forward the Advisory Planning Commission response of November 10, 2011 to BC Hydro.

CARRIED

11.3 *Planner availability to the Public after Local Trust Committee Meetings.*

Trustee Johnston explained that there was often ample time after the conclusion of Local Trust Committee meetings to meet with residents if they required. Planner Prowse declared that she would be willing to do this, and that a note would be put onto Lasqueti Island Local Trust Committee meeting notices that the planner would be available once the meeting has adjourned.

11.4 *Memorandum dated February 21, 2012 to Local Trustees from David Marlor, Director of Planning Services, regarding A Strategic Approach to Islands Trust Communications*

Planner Prowse presented the subject memorandum for information.

ADOPTED

11.5 Request for Letter of Support for Lasqueti Fisheries Forestry Society

Planner Prowse advised that a letter for the Forage Fish group had been drafted and sent. The Forage Fish group is working through the Lasqueti Fisheries Forestry Society, and is applying for a grant through the society.

The Lasqueti Fisheries Forestry Society will be applying for a different grant, not related to the forage Fish group or project, and have asked for a letter of recommendation from the Local Trust Committee. It was noted that Trustee Johnston would be providing staff with this letter of support, and staff will send the letter for mailing.

11.6 Electronic Meetings

Planner Prowse provided a verbal update on the request from Trustee Johnston about the feasibility of Local Trust Committees to hold meetings via telephone or other telecommunication means. Planner Prowse advised that the Local Trust Committees are not able to vote electronically and they would still have to vote via Resolution Without Meeting. It was noted that Planner Prowse would bring a report on this matter to the next Local Trust Committee meeting.

11.7 Annual report contribution

Planner Prowse provided a request from the Islands Trust Office that the Local Trust Committee provide a short description of the Local Trust Committee work that has been done in the past fiscal year to be included in the Islands Trust Annual Report.

LA-11-2012

It was **MOVED** and **SECONDED** that subject to any further applications being received and meetings being conducted prior to March 31, 2012, the Local Trust Committee approve the work report dated March 7, 2012, as amended, and that this be included in the Islands Trust Annual Report for April 1, 2011 – March 31, 2012.

CARRIED

12. BYLAWS

12.1 Bylaw Enforcement Notification System –Staff Report dated March 15, 2012

A staff report from Miles Drew, Bylaw Enforcement Coordinator, was presented to the Local Trust Committee by Planner Prowse.

ADOPTED

12.2 *Bylaw Enforcement Notice and Dispute Adjudication System Brochure*

12.3 *Bylaw Violation Notice Sample*

12.4 *Draft Bylaw No. 87 cited as "Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 87, 2011" – for consideration of first, second and third readings and submission to the Executive Committee for approval.*

The Local Trust Committee deferred decision by consensus on this matter, and requested that the Bylaw Enforcement Coordinator attend the next Local Trust Committee meeting to speak to this matter.

13. ISLANDS TRUST WEBSITE – LASQUETI PAGE

A copy of the Lasqueti Page of the Islands Trust Website was presented for review. The Trustees presented amendments to the Lasqueti Page.

14. TOWN HALL SESSION

John O'Halloran stated that he had spoken at a public hearing and that his comments were not noted in those minutes.

15. CLOSED MEETING

LA-12-2012

It was **MOVED** and **SECONDED** that the Lasqueti Island Local Trust Committee close the next part of the March 15, 2012 business meeting to discuss matters pursuant to Section 90(1)(a) and 90(1)(f) of the Community Charter to consider Advisory Planning Commission Appointments and Bylaw Enforcement and that staff be invited to attend this meeting.

CARRIED

The recorder left the meeting.

The Local Trust Committee meeting went in-camera at 1:10 pm.

Chair Graham adjourned the in-camera meeting at 1:20 pm.

ADOPTED

16. RECALL TO ORDER AND REPORT OF CLOSED MEETING

Chair Graham read out the names of the individuals appointed to the Advisory Planning Commission:

Tom Weinerth; Gail Fleming; Ezra Auerbach; Nadine Simpson; Tim Peterson; Joseph Fall; Susan Kristinsson; Elliot Neck; and Wayne Bright.

17. NEXT BUSINESS MEETING

It was noted that the next Local Trust Committee business meeting would be held at the Lasqueti Arts Centre on Thursday, May 3, 2012 at 11:00 am.

18. ADJOURNMENT

The meeting was adjourned at 1:27 pm by consensus.

Recorder

Chair



Islands Trust

RWM From: March 02, 2012 To: April 25, 2012

Lasqueti Island

Resolution #	Action	Resolution Description	Resolution Date
2012-03	In Favour	"That the Lasqueti Island Local Trust Committee adopt the minutes of its regular business meeting of March 15, 2012."	Apr 25, 2012



Islands Trust

Follow Up Action Report w/ Target Date

Lasqueti Island Jan-12-2012

No.	Activity	Responsibility	Target Date	Status
1	Local Trustees to arrange a community information workshop about oil and effluent spills and to ask the French Creek Harbour Master if she would conduct this information meeting	Peter Johnston Susan Morrison	Jan-31-2012	On Going
1	Up to \$250 from Local Trust Committee expense account be used to conduct a community information workshop on oil and effluent spills.	Nancy Roggers	Feb-28-2012	On Going

Mar-15-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff to forward Lasqueti annual report summary to Trust Area Services staff for inclusion in Islands Trust annual report	Linda Prowse	Mar-20-2012	Done
1	Staff to refer LA-TUP-2012.1 (post office move to Church property) to the Advisory Planning Commission for comment.	Linda Prowse	Mar-21-2012	Done
1	Bylaw Enforcement Coordinator be invited to attend the May 3, 2012 Lasqueti Island Local Trust Committee Meeting to speak to the draft Bylaw Enforcement Notification Bylaw.	Miles Drew	Mar-21-2012	Done
1	Staff to update Lasqueti webpage as noted in minutes.	Linda Prowse	Mar-21-2012	Done
1	Local Trust Committee receives the Greenhouse Gas Emissions report by Joseph Fall dated October 20, 2011 and that the report be posted to the Lasqueti webpage.	Linda Prowse	Mar-21-2012	Done

1	Forward the Advisory Planning Commission referral response in regards to BC Hydro's Remote Electrification Program to BC Hydro.	Linda Prowse	Mar-21-2012	Done
1	Always place reference in Lasqueti LTC Meeting Notices the fact that the Lasqueti Island Planner is available to take appointments from the public after the Local Trust Committee meeting until 3:45pm.	Theresa Vieau	Mar-21-2012	Done
1	Staff to advise the new APC members of their appointments, arrange to have orientation binders and 'welcome letters' sent to the members.	Linda Prowse Theresa Vieau	Mar-28-2012	Done
1	Staff to arrange the next Lasqueti Island Local Trust Committee meeting to be held on Thursday, May 3, 2012.	Theresa Vieau	Apr-04-2012	Done
1	Provide the Local Trust Committee with a memo clarifying the purpose of the "e-mail submissions paragraph" in Legal Notices, and also with guidelines for holding LTC electronic meetings.	Jacquie Hill Linda Prowse	Apr-11-2012	On Going
1	Refer the False Bay Parking and Master Plan report dated July 21, 2011 to the Advisory Planning Commission for comment	Linda Prowse	Apr-11-2012	Done
1	Letter to be drafted supporting Lasqueti Fisheries Forestry Society to obtain a grant, and that staff send this letter on behalf of the Local Trust Committee under the Chair's signature.	Linda Prowse	Apr-12-2012	On Going
1	LA-TUP-2012.1 - Staff have final report done for the May 3, 2012 LTC meeting.		Apr-17-2012	On Going
1	In all Lasqueti meeting notices, please put in a line that states that the Lasqueti Planner is available to speak with the public on planning issues after the Lasqueti Island LTC meeting is adjourned.	Becky McErlean Linda Prowse Theresa Vieau	Apr-18-2012	Done
1	Staff prepare a report and draft Advisory Planning Commission bylaw to allow for 3 year APC terms to coincide with Local Trust Committee elections, to allow for more than 1 APC to be established, and to allow the APC to appoint an APC Secretary	Linda Prowse	Apr-18-2012	Done

STAFF REPORT

Date: April 24, 2012

File No.: LA-TUP-2012.1
(Lasqueti Island
Church – Tony
Seaman applicant)

To: Lasqueti Island Local Trust Committee
For the meeting of May 3, 2012

From: Linda Prowse
Planner

CC: Chris Jackson
Regional Planning Manager

Re: Temporary Use Permit Application (Community Post Office)

**LOT 3, SECTION 31, LASQUETI ISLAND, NANAIMO DISTRICT, PLAN
8885
PID 005-477-441**

Owner: Anglican Synod of the Diocese

Applicant: Tony Seaman

Location: Conn Road, Lasqueti Island, BC

BACKGROUND

This is the second staff report for the above proposal. The purpose of this staff report is to provide an update on the site visit with applicant, Tony Seaman, and to provide the referral response from the Advisory Planning Commission.

The first report, dated February 21, 2012, was presented to the Lasqueti Island Local Trust Committee (LTC) at the business meeting of March 15, 2012. At that meeting the LTC passed the following resolution:

“THAT the Lasqueti Island Local Trust Committee refer application LA-TUP-2012.1 (Tony Seaman) to the Advisory Planning Commission for comment, request the Advisory Planning Commission to hold a public meeting, and that the Advisory Planning Commission meeting be advertised in the Our Isle and Times newspaper and posted on Lasqueti Island public notification boards.

CARRIED”

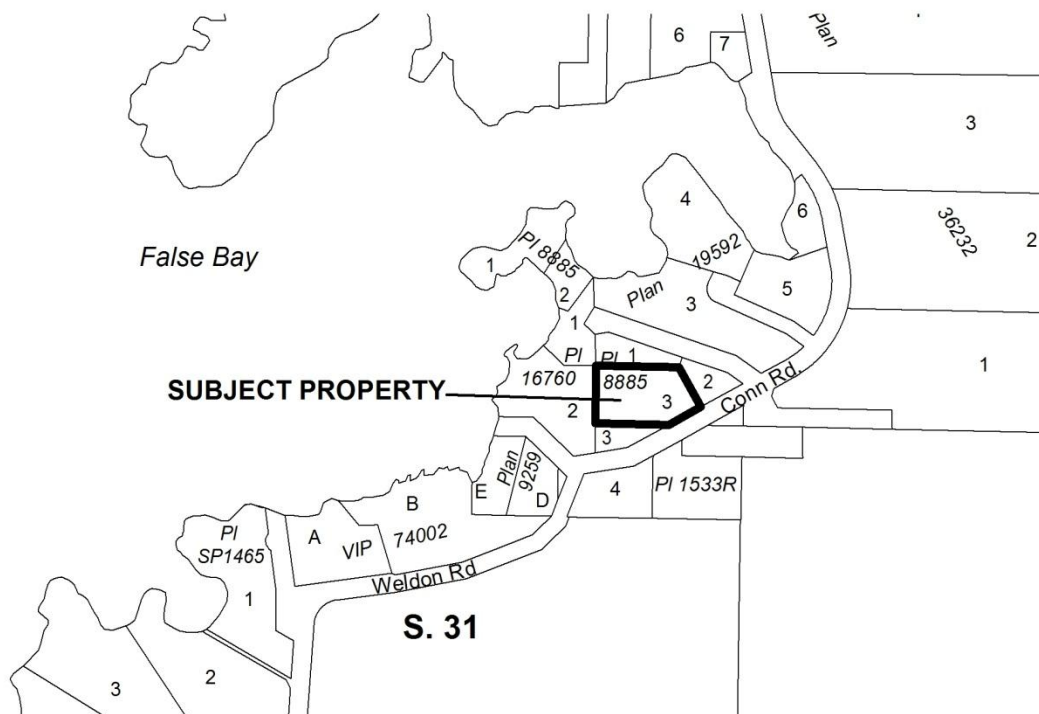
SITE VISIT:

A site visit of the property was conducted on March 15, 2012.

Map 1 shows the location of the subject property. The property is approximately 1.5 acres in area and is zoned Land Based (LB), as are adjacent properties to the north and south. The property on the west is zoned Commercial 2 (C2). Conn Road borders the south east part of the subject property.

The subject property is the existing home of the Lasqueti Community Church. There is also a private parking area on the subject lot. The remainder of this flat lot consists of trees and bushes.

Map 1: Location of Subject Property



Pictures 1 and 2 – These are pictures of the current post office (front and side views), and are included in this staff report to show the approximate size and look of the new post office.



Picture 3 – Site of new post office facing north-east. This is the driveway entrance to the new post office. You can also see the Arts Centre across Conn Road.



Picture 4 – New Post office site facing east towards Conn Road



Picture 5 – New post office site facing west towards the forest on the Church property



ADVISORY PLANNING COMMISSION (APC) RECOMMENDATIONS

The APC held a public meeting to discuss this application on April 23, 2012. Members of the public were in attendance, as well as the Regional Director, and the public was given the opportunity to make comments, express concerns and ask questions. The applicants were in attendance to assist in answering questions. The meeting was moved to the site of proposed application, and the APC meeting notes (See Attachment 3) express that most of the public indicated that any concerns voiced earlier in the meeting were allayed after seeing the site. The APC deliberated, and then passed the following resolution:

THAT the Advisory Planning Committee recommends the Temporary Use Permit to the Lasqueti Island Local Trust Committee.

RESULTS OF CIRCULATION:

As per the *Local Government Act* and the *Lasqueti Island Local Trust Committee Development Procedure Bylaw No 35*, notification is required to be sent to owners and occupying tenants of all properties within 100 metres of the subject property.

The Notice (attachment No. 1) was sent to property owners and residents in accordance with the development procedures bylaw. In accordance with the *Local Government Act*, the Notice was published in one issue of the Parksville News. As the notice was not advertised in Our Isle and Times newspaper (the publication deadline was missed), the notice was also included in an island-wide mailout to properties on Lasqueti Island. As of the date of this staff report, no public submissions have been received.

STAFF COMMENTS:

The proposed plan for the post office building shows it to be 16 ft by 16 ft (256 ft²) with two 4 ft X 4 ft roofed decks (one at the front entrance and one at the side entrance). The building will be 12 ft high, and will consist of one room with a sorting area for the mail and a counter and a desk. There will be no electrical services to the building.

The post office will be built from wood with a metal roof and the building will be in keeping with the scale and rural nature of other island development. There will be no landscaping necessary except for the removal of six small to medium sized trees to make room for the building and to allow natural light to enter the building. The low building impact on the site should help to retain the natural flora and fauna. Contrary to the Islands Trust Sensitive Ecosystem mapping, there were no giant chain ferns found on the on the subject property.

The building will be setback 4 feet from Conn Road, and the applicant has obtained an Encroachment Permit from the Ministry of Highways and Infrastructure (Attachment 4).

Water services to the proposed building will be from the existing Pete's Lake water main that runs through the subject property. The public outhouse situated on the adjacent Arts Centre lot will be available to the Post Office staff.

There will be two parking spaces provided per Schedule B in the attached permit, and the proposed parking spaces meet the Land Use Bylaw parking requirements.

RECOMMENDATION:

Staff recommends that the Lasqueti Island Local Trust Committee issue LA-TUP-2012.1 (Tony Seaman).

List of Attachments:

- Attachment 1:** Notice of Permit
- Attachment 2:** Proposed Temporary Use Permit
- Attachment 3:** Advisory Planning Commission Meeting notes
- Attachment 4:** Encroachment Permit

Prepared and Submitted by:



Linda Prowse
Planner

April 24, 2012

Date

Concurred in by:

Chris Jackson

M.C.I.P., Regional Planning Manager

April 25, 2012

Date

ATTACHMENT 1: Permit Notice

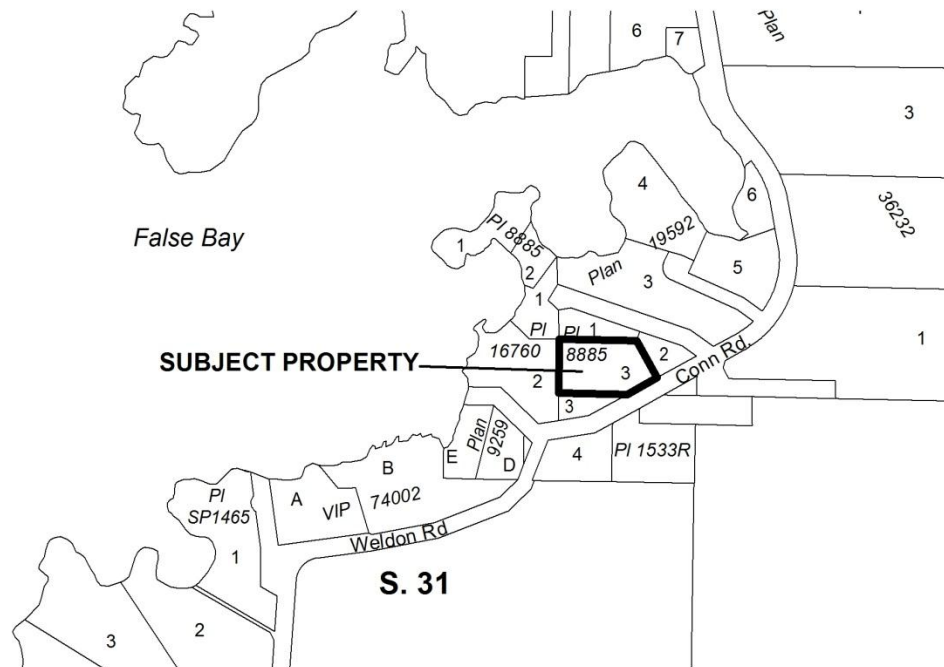


NOTICE LA-TUP-2012.1 LASQUETI ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Lasqueti Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit, pursuant to Section 921 of the *Local Government Act*. The purpose of this Permit is to allow for the operation of a community post office outlet subject to the following conditions:

- a) The post office outlet shall be limited to a 16 foot by 16 foot (256 square feet) building being 12 feet high with ramp accessible covered decks (each deck will be 4 feet by 4 feet) to the front and side doors as shown on Schedule A, B and C which are attached to and form part of this permit and are signed and dated by the Deputy Secretary, Islands Trust.
- b) The post office outlet shall be built from wood with a metal roof and be in keeping with the rural nature of island development.
- c) Native flora and fauna should be retained on the subject property to protect the natural habitats of local significance.
- d) A total of 2 vehicle parking spaces shall be provided on site designed to the standards of Section 3.3 of Lasqueti Land Use Bylaw No. 78, 2005.
- e) Water shall be provided by the existing water main from Pete's Lake.

The subject property is described as: Lot 3, Section 31, Lasqueti Island, Nanaimo District, Plan 8885 (Lasqueti Community Church property), and the general location of the property is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3 between the hours of 8:30 am to 4:00 pm, Monday to Friday inclusive, excluding statutory holidays, commencing April 20, 2012 and continuing up to and including May 2, 2012. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments, please submit them to Linda Prowse, Island Planner, at Islands Trust, 700 North Road, Gabriola Island, BC, V0R 1X3 or telephone 250-247-2200 or fax 250-247-7514 (Toll-free via Enquiry BC in Vancouver: 604-660-2421; elsewhere in BC: 1-800-663-7867) or e-mail lprowse@islandstrust.bc.ca before 4:00 pm, May 2, 2012.

Following the end of the notice period, the Lasqueti Island Local Trust Committee will consider issuance of the proposed Permit at its meeting to be held at 11:00 am on May 3, 2012, at the Lasqueti Islands Arts Centre, Main Road, Lasqueti Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Jacquie Hill
Deputy Secretary

PROPOSED

ATTACHMENT 2: Proposed Temporary Use Permit



Islands Trust

LASQUETI ISLAND LOCAL TRUST COMMITTEE

TEMPORARY USE PERMIT

LA-TUP-2012.1

To: The Anglican Synod of the Diocese of British Columbia (c/o Tony Seaman)

1. This Permit applies to the land described below:
Lot 3, Section 31, Lasqueti Island, Nanaimo District, Plan 8885
(PID 005-477-441)
2. Pursuant to Section 921 of the *Local Government Act* and the Lasqueti Island Land Use Bylaw No. 78, 2005 and the Lasqueti Island Official Community Plan No. 77, 2005, a temporary post office outlet use is allowed at the above-noted location subject to the following conditions:
 - d) The post office outlet shall have a floor area of less than 500 square feet and a height of no more than 12 feet as shown on the schedules which are attached to and form part of this permit and are signed and dated by the Deputy Secretary, Islands Trust.
 - e) The post office outlet shall be built from wood with a metal roof and be in keeping with the rural nature of island development.
 - f) Native flora and fauna should be retained on the subject property to protect the natural habitats of local significance.
 - d) A total of 2 vehicle parking spaces shall be provided on site designed to the standards of Section 3.3 of Lasqueti Land Use Bylaw No. 78, 2005.
 - e) Water shall be provided by the existing water main from Pete's Lake.

3. This Permit is valid for a two year period from _____, 2012 to ____ 2015, and upon expiry of the Permit the owner shall discontinue the temporary use and the land shall be restored to its original state.
4. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed land use.

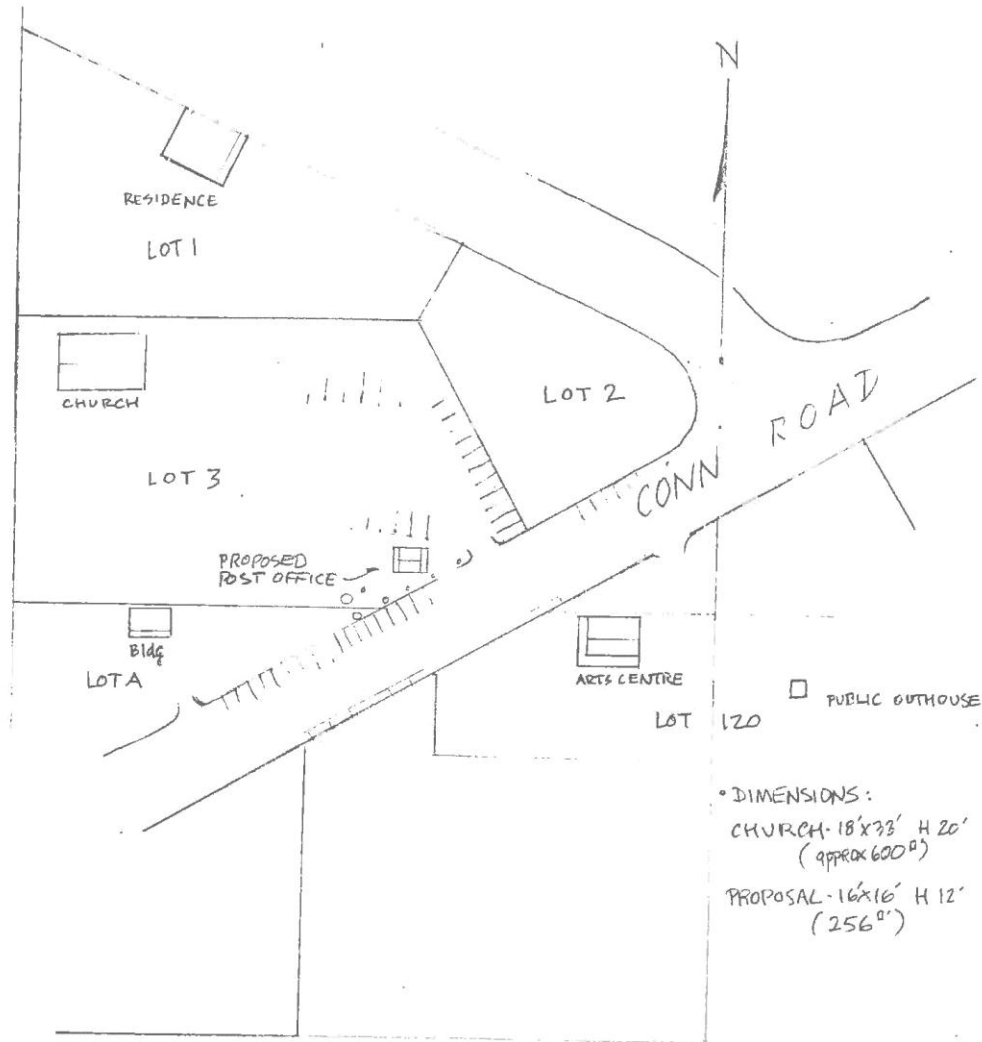
AUTHORIZING RESOLUTION PASSED BY THE LASQUETI ISLAND LOCAL TRUST COMMITTEE THIS --- DAY OF ---- 2012.

Deputy Secretary, Islands Trust

Date of Issuance

**LASQUETI ISLAND LOCAL TRUST COMMITTEE
LA-TUP-2012.1**

**Site Plan
SCHEDULE 'A'**



- SITE PLAN 1
- PROPOSED 16' x 16' BUILDING ON LOT 3
LASQUETI ISLAND B.C.
- PLAN #1
- SCALE 1" = 100'

①

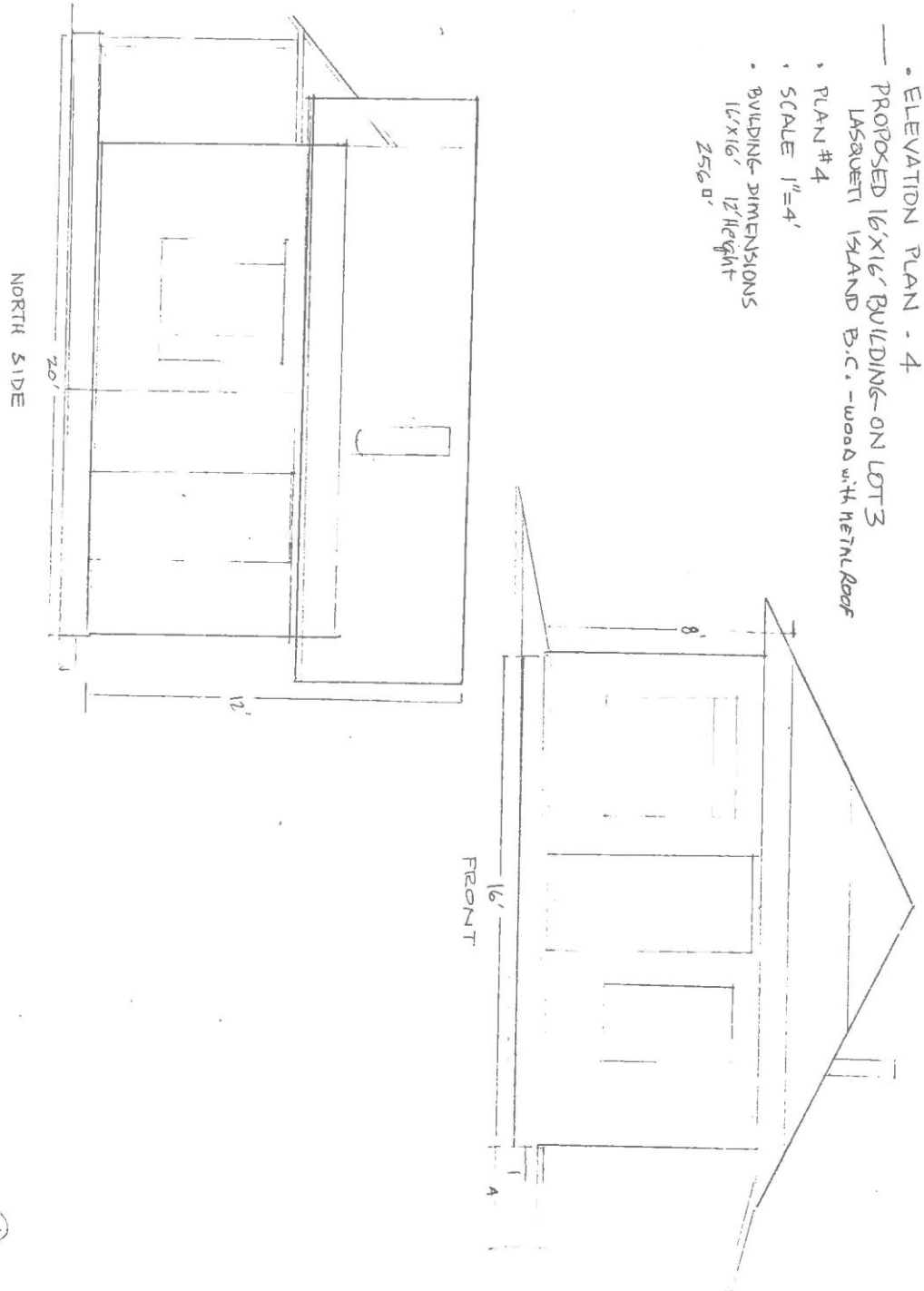
LASQUETI ISLAND LOCAL TRUST COMMITTEE

Setback and Parking SCHEDULE 'B'



LA-TUP-2012.1

Building dimensions and Elevation
SCHEDULE 'C'



4

ATTACHMENT 3: Advisory Planning Commission Draft Meeting Notes

APRIL 23, 2012 Lasqueti Advisory Planning Commission Meeting Notes

- > > Meeting began at 7:05 with Chairperson Kristinsson explaining purpose of meeting and what would occur
 - > > Pat F asked where is boundary to Lawrence Fisher property?
 - > >
 - > > Melinda Auerbach said that the application seems like reasonable approach no objection supports TUP (temporary use permit)
 - > >
 - > > Marti Wendt agreed and wanted to know more about the pending master plan
 - > >
 - > > Dede Seaman noted that the post offices serves as a de facto visitor center, mini gallery, misc info center. Said that the proposed location was good for arts support and that is good to have interaction with new people walking about more than just mail. People stop in for info.
 - > >
 - > > Tony Seaman said part of the site selection was based on looking for safe road access. He indicated that the site is flagged for building best road access for parking and visibility
 - > >
 - > > Anne Caruthers said safety issue primary importance
 - > >
 - > > Ross Thompson asked about fall trees, big blind spot exiting new location
 - > >
 - > > Gwen Bigsby suggested limited parking to Pemberton Rd on the church lot side of Main road
 - > >
 - > > Merrick Anderson said more parking possible at the church lot as the owners amenable for clearing more land for more parking
 - > >
 - > > Tony S said that there was potential for 8 more spots
 - > >
 - > > Gail Fleming raised concerns about the distance of the post office from road 4'. She wanted to know where will patrons will park and who will maintain the parking area.
 - > >
 - > > Tony Seaman indicated he expects that he will maintain the lot
 - > >
 - > > Turning around the existing fir tree was discussed by most attendees and identified as potential issue
 - > >
 - > > No info about removal of tree available from Tony Seaman
 - > >
 - > > Space for parking in front of PO as well around tree.
 - > >
 - > > No loss of church parking spots Tony

- > >
- > > Ezra Auerbach asked Tony Seaman if concerns were raised by the neighbours or parking lot users. Tony Seaman replied that one individual concerned about his truck in lot. No other complaints from parking lot users or neighbors.
- >
- > > The meeting was moved to the site of the proposed post office to view parking, access and turning around the aforementioned fir tree. Most people indicated that their concerns voiced earlier were allayed
- >
- > > Gwen Bigsby said that she didn't see problem and had no objection as the nearest neighbor, concern that left out of lot not be blind turn change parking towards Pemberton.
- > >
- > > Carl Darwin sent a letter that was read, it was not clear if he was in favour or the proposal or not.
- > >
- > > Ross Thompson indicated that he thought it was good temporary use and noted that there a time frame for change as plan evolves.
- > >
- > > Ton Weinerth inquired about the process and asked if the use required a rezoning?
- > >
- > > Nadine Simpson read from by-laws to clarify the reason for the TUP application.
- > >
- > > Tony Seaman indicated that rezoning would raise taxes for business only not the entire lot. He also indicated that the church supports cultural activities.
- >
- > The public portion of the meeting ended and the APC began it's deliberations
- > >
- > Motion to recommend the TUP to the LTC
- > > Ezra Auerbach- moves
- >
- > > Tom Weinerth seconds
- > >
- > > Carried, all
- > >
- > Election was held for vice chairperson
- > > EA moved TW seconded Tim P vice chair
- > >
- > > Secretary will rotate among members
- > >
- > > Secretary rotates. TW moves rotating secretary if secretary absent.v
- > >
- > > EA seconds.
- > >
- > > Adjourn EA /TW second.
- > >

> > ATTACHMENT 4: Ministry of Transportation and Infrastructure Encroachment Permit



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2012-00747

Office: Vancouver Island District

PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Vancouver Island District
Third Flr
2100 Labieux Road
Nanaimo, BC V9T 6E9
Canada

("The Minister")

AND:

Tony Seaman
General Delivery
Lasqueti Island, British Columbia V0R 2J0
Canada

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a 256 sq ft (16' x 16') wooden building (post office) to be situated 4 ft (1.2m) from West side of Conn Road allowance as per design drawings received Feb 21, 2012. Parking is in compliance with local by-laws.

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
3. Applicant to apply for and obtain a valid Variance Permit from the Islands Trust. Please provide a copy of this permit to our office for our records, quoting file #2012-00747.
4. The Ministry of Transportation and Infrastructure and/or the Maintenance Contractor shall not be held accountable for any damage(s) to the said structure, however caused.
5. No additions or improvements shall be made to the said structure without prior consent of the Ministry of Transportation and Infrastructure.

Page 1 of 2



6. No portion of the structure shall encroach upon the Highway right-of-way.
7. Should the said structure be destroyed, removed or dismantled, this permit is automatically cancelled and another permit will not necessarily be granted for a new similar structure.
8. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Ministry Representative. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
9. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
10. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and Infrastructure, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
11. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.
12. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
13. Any damage to the Ministry of Transportation and Infrastructure's right-of-way as a direct result of the permitted works, shall be repaired and maintained by the permittee in perpetuity.
14. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
15. Permittee shall be responsible for locating, and for any damage to, other works within highway right-of-way.
16. The Permittee shall determine the location of highway right-of-way to ensure their permitted work is within Ministry jurisdiction. The Permittee is responsible for all trespass issues.
17. The Permittee may not assign any part of this Agreement without the consent, in writing, of the Minister.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Nanaimo, British Columbia, this 6 day of March, 2012

On Behalf of the Minister

STAFF REPORT

Date: April 5, 2012

File No.:

To: Denman Island Local Trust Committee
 Gabriola Island Local Trust Committee
 Gambier Island Local Trust Committee
 Hornby Island Local Trust Committee
 Lasqueti Island Local Trust Committee
 Thetis Island Local Trust Committee

From: Chris Jackson, MCIP

CC: Northern Region Planners

Re: Compliance with Provincial Riparian Areas Regulation

PURPOSE

This comprehensive report provides Northern Region Local Trust Committees with:

1. background on the Provincial *Fish Protection Act* and the *Riparian Areas Regulation*;
2. a summary of related Legislation and Policy;
3. a summary of Islands Trust RAR Implementation Progress to Date;
4. a briefing on community consultation and budget considerations;
5. options for compliance with these Provincial Laws; and
6. recommended next steps for each Local Trust Committee.

Note: this report contains information previously provided to some LTCs; for others, this is the first report on this topic. All Northern Region LTCs are receiving this report in order to provide consistent communication. As individual LTCs move forward, future reports will be tailored to each LTC.

Table of Contents:

Topic	Page
Fish Habitat Protection in BC	2
Current Legislation and Policy	3
Status of Islands Trust RAR Implementation	4
Community Consultation and Education	5
Budget Allocation	6
RAR Implementation Options	6
Staff Comments and Recommendations	8
Attachment 1 – Fish Protection in BC	12
Attachment 2 – March, 2010 Trust Council Briefing	15

Acronyms used in this report:

- DPA - Development Permit Area
- FA - Fisheries Act
- FPA - Fish Protection Act
- LUB - Land Use Bylaw
- LTC - Local Trust Committee
- LTA - Local Trust Area
- MOE - Ministry of Environment
- OCP - Official Community Plan
- QEP - Qualified Environmental Professional
- RAA - Riparian Assessment Area
- RAR - Riparian Areas Regulation
- SPEA - Streamside Protection and Enhancement Area

FISH HABITAT PROTECTION IN BRITISH COLUMBIA

Please refer to the Attachment 1, which contains a detailed summary of the legal framework of fish habitat protection in British Columbia and the role of local governments. Below is a summary of that attachment.

The federal *Fisheries Act* (FA), the provincial *Fish Protection Act* (FPA) and *Riparian Areas Regulation* (RAR) are used to protect fish habitat in BC. The *Riparian Areas Regulation* (RAR) was enacted under Section 12 of the *Fish Protection Act* (FPA) in July 2004 (amended by Order-in-Council in 2006) and took effect on March 31, 2006.

The Province considers local government land use controls as an effective means to protect fish habitat and fish processes. The *Fish Protection Act* (from which RAR stems) states that a local government must provide a level of protection that is comparable to or exceeds the RAR.

The Riparian Areas Regulation:

- covers any area within 30 metres of a “stream”, referred to as the “Riparian Assessment Area” (RAA).
- defines a “stream” to include a watercourse, whether it usually contains water or not, that provides fish habitat, including ponds, lakes, rivers, creeks and brooks as well as ditches, springs, and wetlands that are connected by surface flow to such watercourses.
- includes “streams” where fish could potentially be present in the event that the introduced obstructions were made passable, even if no fish are currently present.
- defines “fish” to include salmonids, game fish and regionally significant fish (these include all salmon species and trout).
- methodology is meant to provide objective Qualified Environmental Professional (QEP) assessments; as a science based approach, assessments are intended to be measureable and repeatable independent of the observer.

Provincial Expectations of Local Government

The Riparian Areas Regulation:

- requires local governments to amend bylaws to ensure that riparian areas are protected.
- requires local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that proposed activities are subject to a science-based assessment conducted by a QEP.
- prohibits a local government from approving or allowing a development to proceed within a Riparian Assessment Area without the provision of a QEP report; such applications that trigger RAR include: rezoning, development variance permit, development permit, temporary use permit and subdivision.

Development within the Riparian Assessment Area (RAA)

The Province allows local governments to approve/permit development within 30 metres of the high water mark of a stream or top of a ravine bank (referred to as the Riparian Assessment Area), provided that a QEP:

- completes an Assessment Report;
- submits the Report to the Province;
- concludes that development will not result in a harmful alteration of riparian fish habitat;
- establishes, on a site-specific basis, a Streamside Protection and Enhancement Area (SPEA).

The Assessment Report may also include QEP recommendations on mitigation or enhancement measures specific to the development proposal, and identify measures to maintain the integrity of the riparian area during the development process.

CURRENT LEGISLATION AND POLICY

Islands Trust Act

Section 3. Object of trust

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia. [Note: Underlining added for emphasis]

Trust Policy Statement:

Policies for Ecosystem Preservation and Protection

- 3.1.5 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.*
- 3.3.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.*

Policies for Stewardship of Resources

- 4.4.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses.[Note: Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and the maintenance of water quality in lakes and streams and wetlands.]*

Trust Council Strategic Plan:

The current Trust Council Strategic Plan includes “Implementation of Riparian Area Regulations” as the first focus area.

Northern Region Local Trust Committee Work Programs

All northern Local Trust Committees (LTC) have RAR compliance among their three top priorities.

Official Community Plans and Land Use Bylaws

This report is directed at all Northern Region Local Trust Committees, and as such will not list the various Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations relevant to this project.

STATUS OF ISLANDS TRUST RIPARIAN AREAS REGULATION IMPLEMENTATION

In 2006 Trust Council adopted a resolution directing staff to prepare development permit area provisions to implement the RAR. Local Trust Committees were also requested to consider amending setback provisions to correspond with RAR in their Land Use Bylaws as a first step prior to implementing development permit areas.

The implementation of RAR in the Trust Area has been delayed since 2006. Principally, the delay was attributable to issues with identifying watercourses that are subject to the RAR and in accurately mapping those watercourses.

In 2008/9, staff undertook a watershed mapping exercise, derived from 2-metre contour Digital Elevation Mapping, with the Ministry of Environment and the School of Architecture and Landscape Architecture at UBC. The UBC work identified watershed boundaries on most of the 450 islands within the Islands Trust. This mapping provided the platform for MOE staff to indicate which watersheds they believe to be applicable under RAR.

In a letter dated July 20, 2011, Ministry of Forests, Lands and Natural Resource Operations (formerly Ministry of Environment) staff confirmed those watersheds where RAR applies [Note: Hornby, Gambier, and Lasqueti lacked conclusive information]. Since receipt of this letter, mapping of Northern RAR applicable watershed streams have been completed for: Gabriola and Thetis, and partly for Hornby (two of five) and Denman (one of five) Local Trust Areas (LTA).

Two LTAs within the Islands Trust have RAR compliant bylaws: North Pender and Galiano. In 2011, Islands Trust Council endorsed the North Pender Island RAR bylaw as a reference for all Local Trust Committees. However, given that every island is unique it is imperative that each Local Trust Committee decide how best to proceed with implementing the RAR on their respective Islands.

Status of the Northern Region Local Trust Committees:

Denman: there are five MOE verified RAR watersheds; one of these watersheds is mapped. Next steps include further mapping work, LTC determination of public process and bylaw development.

Gabriola: initial review from MOE indicated one watershed was RAR applicable. Further investigation found that three watersheds are RAR applicable. These watersheds are now mapped. Next steps include LTC determination of public process and bylaw development.

Gambier: the MOE, Vancouver Island Region, does not cover those islands in the Gambier LTA, and as such were unable to provide RAR verification. Next steps include further mapping work, LTC determination of public process and bylaw development.

Hornby: the MOE determined two watersheds were RAR applicable, three lacked information to verify, and the remainder were not RAR applicable. The two verified watersheds were mapped. Next steps include further mapping work, LTC determination of public process and bylaw development.

Lasqueti: the MOE does not have the knowledge base required to determine which watersheds on Lasqueti are RAR applicable. Next steps include further mapping work, LTC determination of public process and bylaw development.

Thetis: the MOE determined that one watershed on Thetis is RAR applicable. That watershed is now mapped. Next steps include LTC determination of public process and bylaw development.

COMMUNITY CONSULTATION and EDUCATION

Typically LTCs go into community consultation processes with a mind to create bylaw provisions that match the expectations and vision of the community. A possible outcome could be that the community does not support a proposal; the LTC could then resolve to not proceed any further given the limited appeal of moving forward. This is not an option with regard to the Riparian Areas Regulation project. Provincial Law requires that local governments must determine which streams the RAR applies to, and then take measures that protect fish habitat.

With this requirement in mind, staff recommends that community consultation focus on appropriate ways to implement RAR and become compliant with Provincial Law, rather than considering whether it should be undertaken.

Community consultation is fundamental to any proposed changes to LTC policies and regulations. Here are several approaches LTCs may consider, alone or in combination:

- Establish a Northern working group made up of trustees and staff for the purposes of information sharing, developing consultation options and educational materials.
- Direct contact with land owners/residents may be a feasible option depending on the number of properties affected, for example, letters providing opportunities to individually contact trustees and staff to have questions answered.
- Information materials and links to on-line information can be provided in letters.
- An open house, where affected and interested persons can drop-in and ask questions specific to their property and their concerns.
- Town hall, where all affected and interested persons can attend and hear others questions and comments, and the answers and responses.
- Use of the new Islands Trust website where a separate RAR page can be developed and maintained, with links connected from each individual LTC.
- Advisory Planning Commission referrals.
- Trustee newsletters and other articles in local papers and community on-line webpages.
- Development of a brochure explaining RAR and DPAs.
- Retain qualified environmental professionals for on-island presentations that focus the technical aspects of RAR and protection of fish and fish habitat.
- Invite Provincial Ministry staff to assist with the process and participate with on-island presentations.

BUDGET ALLOCATION

The recently approved 2012/13 Trust Council budget allocated \$71,000 for LTC work related to RAR. Of this, \$40,000 will be used for stream mapping on Salt Spring Island, and the remaining \$31,000 is divided amongst LTCs for 'public process'.

As noted in the briefing to Trust Council "Riparian Areas Regulation – Funding to Map All Riparian Areas Regulation Streams in the Trust Area to a Consistent Standard" dated February 23, 2012: "With this funding, local trust committees should have the resources to have a discussion with the community on the Riparian Areas Regulation, options to be compliant and development of amendment bylaws to become compliant using existing mapping products available for the local trust area."

Mapping Budget

Over the last several fiscal years, mapping has started on Salt Spring Island and all RAR mapping is now complete for Southern Region LTAs. Northern mapping started last fiscal and is now complete for Gabriola and Thetis. Hornby and Denman are partially complete. Lasqueti and Gambier have not started any mapping work at this time. There is no funding this fiscal for RAR mapping of northern LTAs.

Public Process Budget

During the last previous fiscal years, Salt Spring Island has undertaken public processes related to RAR, and will continue to do so [note: there are 24 RAR applicable watersheds on Salt Spring Island]. There is \$5000 allocated this fiscal for public process on Salt Spring Island.

Mayne and Saturna Islands will undertake public processes this fiscal to become RAR compliant. Each LTA received \$4000 for public process.

Denman, Gabriola, Gambier and Lasqueti were each allocated \$4,000 for public process for RAR this fiscal. Thetis received \$2,000, and Hornby did not have funds allocated for public process.

Public process funds are intended to cover costs associated with: hiring consultants, meeting venues, advertising, mail-outs, printing of informational material, and minute takers.

RIPARIAN AREAS REGULATIONS IMPLEMENTATION OPTIONS

At March, 2010 Trust Council, the following four options on how to comply with RAR were provided in a briefing dated February 10, 2010 (provided as Attachment 2 in this report).

1. Amend the LUB to establish both a 30 metre setback and a landscape strip for all watercourses within the RAR-identified watersheds. This approach is possible but not recommended as it does not establish any certainty with respect to the actual location of streams, any development within 30 metres of a watercourse would require a variance (which could only be approved once a QEP assessment is provided), and conditions cannot be incorporated in the variance.
2. Amend the OCP to designate all RAR-identified watersheds as a Development Permit Area (DPA). This approach may be optimal where there are a limited number of larger properties in the watershed, where subdivision is anticipated, or where it is not anticipated that the watercourse(s) will be mapped. The advantages of this approach is that the flexibility of DPA provisions can be used to establish exemptions for work that is found to be further than 30 metres from a watercourse and a Development Permit (DP)

can incorporate any conditions recommended by the QEP's assessment report. The disadvantage of this approach is that all land within the watershed would be designated as a DPA, regardless of where the actual watercourse is, imposing requirements on landowners to determine if development activity actually requires an assessment and DP. However, as noted previously in this report, the RAR was established to allow the cost of this assessment to be the responsibility of the land developer, allowing governments to focus on monitoring and enforcement within their respective jurisdictions. This approach is recommended for consideration by all LTCs at this time in consideration of the necessity to comply with the RAR, internal budget constraints and land developer responsibilities.

3. Amend the OCP to designate all land within 30 metres of watercourses in RAR-identified watersheds as a Development Permit Area (DPA). This approach requires the Islands Trust to map watercourses in RAR-identified watersheds and is currently being undertaken for the Southern Region islands through the use of existing and new watercourse mapping. The advantage of this approach is that it provides greater certainty with respect to actual watercourse locations and limits reviews and applications to work within 30 metres of fish-bearing or potential fish-bearing streams. The disadvantage is that a DPA would not be applied to areas more than 30 metres from a watercourse but still within a RAR-identified watershed. In addition, the quality of existing mapping may vary greatly between Local Trust Areas and contractors will need to be hired to map the watercourses within the identified RAR watersheds to an acceptable standard and confirm that the watershed is fish bearing or potentially fish bearing.
4. Exceed RAR by:
 - a. Designating a DPA within 30 metres of all watercourses, regardless of fish habitat status: this would require mapping of the location of all watercourses with an acceptable degree of certainty, but would not require any confirmation of fish habitat. The advantage of this approach is that all values associated with watercourse protection are addressed, not just fish habitat.
 - b. Designating one DPA within 30 metres of RAR watercourses and a second DPA, with different requirements, over the remainder of the land within the RAR-identified watershed. This would require mapping of watercourses, but may be preferred if there is evidence that activities permitted more than 30 metres from a watercourse could affect fish habitat and thus require regulation.
 - c. Designating all watershed areas a DPA, regardless of RAR designation. This would result in comprehensive regulation of all watershed areas and not require further mapping of watercourses, but would present a significant impact on landowners and on planning staff to administer such a DPA.

STAFF COMMENTS AND RECOMMENDATIONS

Community consultation and education are areas all LTCs need to address, as noted earlier in this report. An LTC could provide specific direction to staff on proceeding immediately to organize consultation, or direct staff to prepare options for consideration at a later meeting. Given that this project is being undertaken by all northern region LTCs, a working group (made up of trustees and staff) could be established that would assist with developing options and educational materials.

The provincial RAR requires local governments to use their existing land use planning authority to protect fish habitat. Of the four options noted previously, staff seeks direction from each LTC on how they wish to proceed.

Each LTC requires a unique approach to bringing bylaws into compliance with provincial RAR. Below is a preliminary discussion of each LTCs status and recommended next steps.

Denman

The MOE identified five RAR applicable watersheds on Denman Island. The community of Denman Island has had development permit areas in place for many years, so the concept of DPAs as a land use tool is not new. Specifically, DPA-4: streams, lakes and wetlands, in the Denman Island Official Community Plan states the following:

Riparian areas are important because they include ecosystems that support a disproportionately high number of vascular plant, moss, amphibian and small mammal species for the area they occupy.

This development permit area includes streams, lakes, and wetlands that have been identified as important fish, wildlife, and plant habitats and as water supplies for rural and residential use. Trees and shrubs shade streams, preventing high water temperatures that can be harmful to fish and other aquatic animals and providing cover that enables fish to avoid predators. Mature trees along streams provide a source of large organic debris that maintains pools and cascades used by fish. Plant roots and ground-covering vegetation stabilize stream banks and help to maintain high water quality by filtering sediments and pollutants throughout a drainage system. Riparian and aquatic habitats are unique and necessary to many species of plants and animals. Land use practices including land clearing, logging, road building, and location of septic systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Denman Island.

The current DPA extends out from the natural boundary of a watercourse to 10 or 30 m, depending on how the stream was categorized (i.e. major or minor). The LTC should consider establishing the DPA consistently at 30 m, within those watersheds verified as RAR applicable.

Stream mapping was recently completed for the Morrison Marsh watershed. This mapping can be used to refine the DPA boundaries. Additional mapping should be completed for the four remaining verified RAR applicable watersheds. Funding is required to complete this mapping work, which is not allocated for this fiscal year.

Staff recommends that the Denman Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation; and***
- ***reviewing Development Permit Area 4 and prepare draft wording and mapping for compliance with RAR.***

Gabriola

The MOE identified one RAR applicable watershed on Gabriola Island. Upon further review, this was expanded to two verified watersheds and two unverified watersheds. Watercourses within the verified watersheds have now been mapped and the unverified watersheds have been assessed and, where applicable, mapped.

The community of Gabriola Island has had development permit areas in place for many years, so the concept of DPAs as a land use tool is not new. Current DPAs include DP-3 Hoggan Lake Area, which serves to protect the riparian habitat within 15m of the natural boundary of the lake. Staff recommends that the LTC consider using DPAs as the land use tool to comply with RAR. The DPA could be based on establishing a 30 m riparian assessment area extending from the recently mapped streams natural boundary.

Staff recommends that the Gabriola Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation; and***
- ***preparing draft development permit area maps and provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation.***

Gambier

The MOE, Vancouver Island Region, was not able to verify which watersheds on Gambier Island are RAR applicable. Without that information or a QEP assessment report, all streams on Gambier Island are considered RAR applicable until proven otherwise.

The Gambier Island Official Community Plan, Schedule F contains a map of watersheds and watercourses (Schedule I illustrates development permit area designations). The text of the OCP states that streamside protection and enhancement areas should be established by DPA. This provides a basis from which to consider implementing RAR.

It may be that some of these streams are not RAR applicable. This can be determined by a QEP. However, funding was not allocated for such work this fiscal year. As an interim measure, implementing DPA guidelines for the watershed and watercourse mapping already within the OCP would bring LTC bylaws into compliance with RAR.

Staff recommends that the Gambier Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation;***
- ***reviewing the current Gambier Island Official Community Plan, Schedules F and I, and drafting development permit area provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation; and,***
- ***exploring other methods that could be used to determine RAR applicability to Gambier Island Local Trust Area watersheds and watercourses.***

Hornby

The MOE confirmed that two watersheds are RAR applicable on Hornby Island, with three other watersheds lacking information needed to confirm or reject RAR applicability. Streams within the two verified watersheds were recently mapped by a QEP.

The Hornby Island OCP has development permit areas in place. Staff recommends the LTC use DPAs as a land use tool to become RAR compliant.

In terms of establishing DPA boundaries, those streams recently mapped can be incorporated into a DPA with a 30 m riparian assessment area extending out from the natural boundary of the stream. The three watersheds that have not been mapped require a different approach.

To be RAR compliant, either a setback regulation needs to be created, or a DPA boundary established that includes all properties within the entire watershed. Staff recommends that the LTC consider using DPAs for all five watersheds. Two watersheds would have 30 m DPAs extending from the natural boundary of the stream, while the other three would establish the DPA boundary along the watershed boundary. Exemptions from the DPA requirement could be further reviewed for those developments more than 30 m from the stream, but still within the watershed. A watershed level DPA could be an interim measure until mapping is conducted, and then a more refined DPA boundary can be established. Funding was not allocated for mapping work this fiscal year.

Staff recommends that the Hornby Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation; and***
- ***preparing draft development permit area maps and provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation.***

Lasqueti

The MOE was unable to verify which watersheds are subject to RAR and which are not on Lasqueti Island, due to a lack of information. The Lasqueti OCP does not have any DPAs. However, the Lasqueti LUB has 30 m setback requirements for buildings and structures from the natural boundary of a watercourse. As an interim measure, expanding on zoning setback provisions would meet RAR requirements, and provide time for QEP assessment reports to be undertaken to determine and map those streams that are RAR applicable.

The zoning provisions in the LUB should be expanded to include landscape strips and drainage requirements.

Staff recommends that the Lasqueti Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation;***
- ***preparing draft Land Use Bylaw provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation.***

Thetis

The MOE identified one RAR applicable watershed on Thetis Island. Currently, Thetis Island bylaws do not include DPAs, however Thetis Island OCP policy introduces DPAs as appropriate land use planning tools.

Staff recommends that the LTC consider using DPAs as the land use tool to comply with RAR. Recent stream mapping can be used to accurately define a DPA. As well, staff is aware that the small number of affected landowners have developed long term plans for their property, with

stewardship and conservation in mind. Staff could work with these land owners during the development of DPA guidelines.

It is understood that a QEP report was recently completed that comments on a lack of fish presence within the stream identified by MOE as RAR applicable. The argument is that this disqualifies the stream from being RAR applicable. It is important to note that RAR applies in order to protect fish habitat for watercourses that have the potential for fish presence. The RAR does not require that fish be present year round in order to apply.

Staff recommends that the Thetis Island LTC direct staff to proceed with:

- ***establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation; and***
- ***working with the landowners of the RAR affected properties; and***
- ***preparing a draft development permit area map and provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation.***

Prepared and Submitted by:

Chris Jackson

MCIP, Regional Planning Manager

April 5, 2012

Date

Fish Protection in British Columbia:

The federal *Fisheries Act* (FA), the provincial *Fish Protection Act* (FPA) and *Riparian Areas Regulation* (RAR) are used to protect fish habitat in BC. The federal FA protects fish habitat through provisions that prohibit activities that cause damage to fish habitat. It governs the management of fisheries and the protection of fish habitat (including both physical habitat and water quality) throughout Canada. The Ministry of Environment (MOE) considers the *Riparian Areas Regulation* (RAR) as an alternate model for urban riparian management that has been developed under the provincial legislation that satisfies the statutory obligations of the federal FA.

The Department of Fisheries and Oceans (DFO) has an agreement with MOE where it accepts the RAR as legislation that protects fresh water fish habitat. If a local government complies with the RAR through its planning policies and regulations it, as a result, complies with both DFO and MOE requirements. If the RAR is not implemented then the local government and landowners may be out of compliance with both federal and provincial requirements.

What is the Riparian Areas Regulation (RAR)?

RAR Website: http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/riparian_areas.html

Riparian areas are the areas bordering on streams, lakes, and wetlands that link water to land. The blend of streambed, water, trees, shrubs and grasses directly influences and provides fish habitat. The *Riparian Areas Regulation* (RAR) was enacted under Section 12 of the *Fish Protection Act* (FPA) in July 2004 (amended by Order-in-Council in 2006) and took effect on March 31, 2006. The RAR is to be applied by local governments listed in the 2006 amendments using their Part 26 powers under the *Local Government Act*. The objectives of the FPA are to:

- (1) ensure sufficient water for fish;
- (2) protect and restore fish habitat;
- (3) improve riparian protection and enhancement; and
- (4) provide stronger local government powers in environmental planning.

The RAR requires local governments, including local trust committees, to protect riparian areas during residential, commercial, and industrial development by ensuring that proposed activities are subject to a science-based assessment conducted by a Qualified Environmental Professional (QEP). According to MOE, a QEP includes agrologists, biologists, foresters, geoscientists, and technologists who are in good standing with their respective professional organizations and are working in their area of expertise (i.e. fish habitat).

The Purpose of RAR:

The Ministry of the Environment's website states that the purpose of the Regulation is to protect the features, functions and conditions that are vital in the natural maintenance of stream health and productivity. These vital features, functions and conditions are numerous and varied and include such things as:

- Sources of large organic debris, such as fallen trees and tree roots;
- Areas for stream channel migration;
- Vegetative cover to help moderate water temperature;
- Provision of food, nutrients and organic matter to the stream;
- Stream bank stabilization; and

- Buffers for streams from excessive silt and surface runoff pollution.

Section 4 of the RAR prohibits a local government from approving or allowing a development to proceed in a riparian assessment area (RAA) unless the local government is notified by the Ministry of Environment that the developer has provided an assessment report by a qualified environmental professional (QEP) which certifies that the development can be carried out without damaging fish habitat.

Where Does the RAR Apply?

The RAR applies to an area, “Riparian Assessment Area” (RAA), which is defined in the RAR to mean any area within 30 metres of a “stream”.

A “stream” is defined in RAR to include a watercourse, whether it usually contains water or not, that provides fish habitat, including ponds, lakes, rivers, creeks and brooks as well as ditches, springs, and wetlands that are connected by surface flow to such watercourses.

Even if the watercourse may not currently have fish present, they are still considered a “stream” for the purposes of the RAR if fish could potentially be present in the event that the introduced obstructions were made passable.

“Fish” is defined for the purposes of the RAR to include salmonids, game fish and regionally significant fish (these include all salmon species and trout). According the Ministry of Environment, while there are no regionally significant fish on Northern Local Trust Area islands, there are still RAR designated watersheds supporting salmonids or game fish.

Under the Regulation there is no authority provided to the Ministry of Environment or a QEP to regulate development. The RAR establishes that it is the local government that must amend its bylaws to ensure that riparian areas are protected and that development does not proceed within a Riparian Assessment Area (RAA) without the provision of a QEP report.

However, local governments may allow development within 30 metres of the high water mark of a stream or top of a ravine bank provided the prescribed riparian assessment methods have been followed. The riparian assessment method requires a Qualified Environmental Professional (QEP) to provide an opinion – in an Assessment Report – that the development will not result in a harmful alteration of riparian fish habitat. In the assessment, the QEP will establish, on a site-specific basis, an area within the 30 metre RAA that cannot be developed - termed a Streamside Protection and Enhancement Area (SPEA) and those portions of the site where development may occur within the 30 metre RAA. The QEP may also provide recommendations on mitigation or enhancement measures specific to the development proposal. The Assessment Report can also identify measures to maintain the integrity of the riparian area during the development process. These conditions can become part of a development permit should Development Permit Areas be established to implement RAR.

Role of the Local Government:

Local governments have land use decision making authority under Part 26 of the *Local Government Act* (LGA). The implementation of the RAR through land use control has been seen by MOE as an effective means to protect fish habitat and fish processes. The *Fish Protection Act* (from which RAR stems) states that a local government must provide a level of protection that is comparable to or exceeds RAR.

If a development is residential, commercial or industrial in nature, local governments must either include riparian area protection in its zoning and rural land use bylaws in accordance with the RAR or ensure that its Part 26 bylaws afford protection that compares to or exceeds the RAR. Although agricultural, mining and forestry uses are not regulated by the local government act non-agricultural uses locating in the ALR are subject to the RAR. The regulation encourages

environmentally responsible development. The intent is so that activities are conducted responsibly to avoid degrading valuable riparian fish habitat.

Any application to a local government for a rezoning, development variance permit, development permit, temporary use permit or subdivision can trigger the requirement for an assessment by a qualified environmental professional (QEP).

It applies to local government regulation or approval of residential, commercial and industrial activities, or ancillary activities, as regulated by Part 26 of the LGA being:

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of nonstructural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in section 872 of the Local Government Act;

It does not apply to a development permit (DP) or development variance permit (DVP) issued for -reconstruction of a legal non-conforming use (*Local Government Act* Section 911 (8)) nor does it apply to a land use or development activity under the RAR that is sited beyond the 30m setback requirement. It also does not apply to agricultural or institutional development. Nor does it apply to mining activities or First Nations reserve lands. However, other provincial or federal legislation may still apply in these instances.

In summary, the *Riparian Areas Regulation* specifies that:

- local governments must protect riparian areas in accordance with the regulations when exercising their powers with respect to commercial, residential and industrial development; and,
- local governments must meet or better the regulations, but cannot reduce them without specific authorization from Fisheries and Oceans Canada. For example, a local government could not issue a development variance permit for a new residential, commercial or industrial building within a RAA except in accordance with the riparian area regulations.

As the RAR has been in effect for over 4 years, any Part 26 application can trigger the requirements for an assessment. For example, an unrelated variance for work that happens to be within 30 metres of a watercourse within a RAR designated watershed would trigger the requirement for a QEP assessment.

ATTACHMENT 2

ISLANDS TRUST
BRIEFING

DATE: 10 February 2010

TOPIC: RIPARIAN AREA REGULATION IMPLEMENTATION IN THE ISLANDS TRUST AREA

DIRECTED TO: Trust Council

CONFIDENTIAL: No

DESCRIPTION OF ISSUE: To inform the Islands Trust Council (through the Local Planning Committee) of the status of implementation of the provincial Riparian Area Regulation in the Islands Trust Area.

BACKGROUND: The provincial Ministry of Environment website (www.env.gov.bc.ca/habitat/fish_protection_act/riparian/riparian_areas) provides the following overview of the Riparian Area Regulation.

The Riparian Area Regulation (RAR), enacted under section 12 of the Fish protection Act in July 2004, calls on local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that proposed activities are subject to a science based assessment conducted by a Qualified Environmental Professional (QEP).

The purpose of the Regulation is to protect the features, functions and conditions that are vital in the natural maintenance of stream health and productivity. These vital features, functions and conditions are numerous and varied and include such things as:

- *Sources of large organic debris, such as fallen trees and tree roots;*
- *Areas for stream channel migration;*
- *Vegetative cover to help moderate water temperature;*
- *Provision of food, nutrients and organic matter to the stream;*
- *Stream bank stabilization; and*
- *Buffers for streams from excessive silt and surface runoff pollution.*

The RAR implementation model detailed in the Regulation uses QEPs, hired by land developers, to:

- *Assess habitat and the potential impacts to the habitat;*
- *Develop mitigation measures; and*
- *Avoid impacts from development to fish and fish habitat, particularly riparian habitat.*

The cost of this assessment is the responsibility of the land developer, allowing governments to focus on monitoring and enforcement within their respective jurisdictions. By conscientiously following the assessment procedure set out in the Regulation, the QEP and the land developer will have applied due diligence in avoiding a harmful alteration, disruption or destruction (HADD) of riparian fish habitat. If a HADD cannot be avoided, an application for an authorization must be submitted to Fisheries and Oceans Canada.

The assessment methods are attached to the Regulation as a schedule and are a key component of the regulatory regime for riparian protection that is clear and measurable, but does not rely exclusively on default setbacks. The assessment is based on the best available science with respect to riparian habitats.

The assessment methodology provides clear direction to QEPs on:

- How to assess impacts;*
- How to determine setbacks based on site conditions; and*
- The measures that need to be employed to maintain the integrity of the setbacks.*

QEPs submitting RAR assessments must certify that they have the qualifications, experience and skills necessary to conduct the assessment. The assessment will form the content of notifications by development proponents to regulatory agencies. The Ministry of Environment provides local governments with confirmation that an assessment report has been received, enabling local governments to move forward in approving development without taking on the liability for reviewing and approving riparian setbacks.

To increase the accountability of the QEP and to permit compliance monitoring, the assessment methodology will yield outcomes that are measurable, repeatable, and independent of observer. The assessment methodology will also enable effectiveness monitoring to be undertaken to determine whether impacts from development on riparian habitats are being fully avoided when the assessment methodology is used correctly.

The Islands Trust and Islands Trust Fund staff identified a program in 2006 to proactively undertake watercourse mapping. Review of the potential scope of work for this mapping identified a workload that exceeded the requirements of the RAR and would provide an information base appropriate for the unique responsibilities and challenges of the Islands Trust.

To achieve this higher standard of information procurement, it was proposed to ground truth every aquatic watercourse in the Islands Trust Area through a multi-year program with a cost of \$30,000/year for an undefined number of years.

In 2007, a review of this program identified an opportunity to expedite compliance with the RAR by determining which of the approximately 450 watersheds in the Islands Trust Area fall under the RAR requirements through an interpretative watershed mapping project in conjunction with the University of British Columbia and the provincial Ministry of Environment. Watercourse mapping has been completed in some watersheds through independent work initiated by Islands Trust and other groups. The interpretative watershed mapping project has now been completed for the Islands Trust Area except for the Hornby, Lasqueti and Gambier Local Trust Areas, Mudge/Link and De Courcy Islands in the Gabriola Local Trust Area, and Valdes and Ruxton Islands within the Thetis Local Trust Area. Mapping of these remaining LTAs required the completion of the Digital Elevation Mapping acquisition program which was completed in late 2009. The work to complete the interpretative watershed mapping set for the remaining LTAs will start shortly and should be done before the March Islands Trust Council meeting.

The interpretative watershed mapping project for the entire Islands Trust Area will cost \$42,000 in total (\$37,000 in Fiscal Year 2008/2009 and \$5,000 in Fiscal Year 2009/2010) and has to date identified 48 of the 385 watersheds (or 12.5%) as falling under the requirements of the RAR. The corollary to this is that, for the areas mapped to date, 87.5% of the watersheds do not benefit from the regulatory protection of the RAR. There are, to-date, two Official Community Plans covering areas with no identified RAR watersheds: the North Pender Associated Islands OCP and Piers Island OCP. Despite the focus on RAR compliance, it is submitted that the Islands Trust (and Local Trust Committees) must seriously consider if, and how, to further preserve and protect watersheds not falling under the RAR requirements.

A meeting on January 22nd between Islands Trust planning managers and Ministry of Environment staff responsible for the RAR in their Vancouver Island Region re-confirmed the methodology and validity of this interpretative watershed mapping approach. The Ministry of Environment will provide a letter confirming that the Islands Trust will be fully compliant with the RAR following the completion of the interpretative watershed mapping and Local Trust Committee amendments to their bylaws to protect Riparian Areas. It may be of interest to know that of the 28 local governments in the Ministry of Environment Vancouver Island Region, only the Islands Trust and the newly formed Strathcona Regional District are currently non-compliant with the RAR.

In the interim, until the Ministry of Environment confirms full compliance with the RAR, the, on those islands where watershed mapping has been completed, the watershed mapping is being used by planning staff to ensure that any application made to an LTC that affects lands within an RAR-identified watershed is reviewed for the presence of a watercourse within 30 metres of any residential, commercial or industrial development activity. Until the watershed mapping is completed on the remaining islands, Staff will review all applications to the LTC for the presence of a watercourse within 30 metres of any residential, commercial or industrial development activity. The presence of a watercourse within 30 metres would trigger the requirement for a report from a qualified environmental professional (QEP) and the LTC cannot approve an application in the absence of such an assessment.

As noted above, compliance with the RAR is contingent upon LTCs amending their bylaws to include riparian area protection provisions. An LTC has options with respect to meeting this legislative requirement as follows:

1. Amend the LUB to establish both a 30 metre setback and a landscape strip for all watercourses within the RAR-identified watersheds. This approach is possible but not recommended as it does not establish any certainty with respect to the actual location of streams, any development within 30 metres of a watercourse would require a variance (which could only be approved once a QEP assessment is provided), and conditions cannot be incorporated in the variance.
2. Amend the OCP to designate all RAR-identified watersheds as a Development Permit Area (DPA). This approach may be optimal where there is a limited number of larger properties in the watershed, where subdivision is anticipated, or where it is not anticipated that the watercourse(s) will be mapped. The advantages of this approach is that the flexibility of DPA provisions can be used to establish exemptions for work that is found to be further than 30 metres from a watercourse and a Development Permit (DP) can incorporate any conditions recommended by the QEP's assessment report. The disadvantage of this approach is that all land within the watershed would be designated as a DPA, regardless of where the actual watercourse is, imposing requirements on landowners to determine if development activity actually requires an assessment and DP. However, as noted previously in this report, the RAR was established to allow the cost of this assessment to be the responsibility of the land developer, allowing governments to focus on monitoring and enforcement within their respective jurisdictions. This approach is recommended for consideration by all LTCs at this time in consideration of the necessity to comply with the RAR, internal budget constraints and land developer responsibilities.
3. Amend the OCP to designate all land within 30 metres of watercourses in RAR-identified watersheds as a Development Permit Area (DPA). This approach requires the Islands Trust to map watercourses in RAR-identified watersheds and is currently being undertaken for the Southern Region islands through the use of existing and new watercourse mapping. The advantage of this approach is that it provides greater certainty with respect to actual watercourse locations and limits reviews and applications to work within 30 metres of fish-bearing or potential fish-bearing streams. The disadvantage is that a DPA would not be applied to areas more than 30 metres from a watercourse but still within a RAR-identified watershed. In addition, the quality of existing mapping may vary greatly between Local Trust Areas and contractors will need to be hired to map the watercourses within the identified RAR watersheds to an acceptable standard and confirm that the watershed is fish bearing or potentially fish bearing.
4. Exceed RAR by:

- a. Designating a DPA within 30 metres of all watercourses, regardless of fish habitat status: this would require mapping of the location of all watercourses with an acceptable degree of certainty, but would not require any confirmation of fish habitat. The advantage of this approach is that all values associated with watercourse protection are addressed, not just fish habitat.
- b. Designating one DPA within 30 metres of RAR watercourses and a second DPA, with different requirements, over the remainder of the land within the RAR-identified watershed. This would require mapping of watercourses, but may be preferred if there is evidence that activities permitted more than 30 metres from a watercourse could affect fish habitat and thus require regulation.
- c. Designating all watershed areas a DPA, regardless of RAR designation. This would result in comprehensive regulation of all watershed areas and not require further mapping of watercourses, but would present a significant impact on landowners and on planning staff to administer such a DPA.

Planners will be reviewing these options with local trust committees during the course of developing bylaws for compliance with the Riparian Area Regulation. Planning staff recognizes that, with respect to each watershed, unique situations exist, data may not be readily available or suitable, and funding may not be available to complete required mapping; therefore, planning staff will assess each watershed and for each, outline the advantages and disadvantages of each options listed above and make a recommendation on which option the local trust committee should consider.

ATTACHMENT: No

FOLLOW-UP: DLPS will ensure the completion of the Islands Trust interpretative watershed mapping project and that all Local Trust Committees receive staff reports for amending LTC bylaws to become compliant with the Riparian Area Regulation as soon as possible.

PREPARED BY: Mac Fraser, DLPS, David
Marlor, RPM and Robert
Kojima, Island Planner

REVIEWD BY: Local Planning Committee, Feb
10, 2010
Executive Committee Feb 24,
2010

SUBMITTED BY: Mac Fraser, DLPS



Islands Trust

10.1

Print Date: Apr-24-2012

Top Priorities

Lasqueti Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Riparian Areas Regulation Compliance · Mapping and Bylaw Enactment		Aug-17-2011	Linda Prowse		On Going
2	False Bay Parking and Master Plan		Jun-30-2011	Linda Prowse		On Going
3	Update the Lasqueti Official Communtiy Plan with intertidal zone policies using specific recommendations from the Forage Fish workshops.		Jan-12-2012	Linda Prowse	Dec-13-2012	On Going



Projects

Lasqueti Island

No.	Description	Activity	Received/Initiated	Status
1	Draft a protocol agreement with Sliammon First Nation. Work with RPM and TAS.		Jun-20-2008	On Going
1	Lasqueti Crown Lands - TAS informed LTC this is currently on hold until Protocol Agreement is finalized.		Feb-16-2007	On Going
1	Update the Lasqueti Official Community Plan by: 1. adding policy requiring all marinas applying for rezoning or a development permit to provide pump out facilities; and 2. adding advocacy policy encouraging neighbouring local governments to require that marinas servicing vessels traveling within the Trust Area install pump-out facilities when applying for rezoning or a development permit (Recommendations from Trust Council to all LTC's)			On Going
1	Update Official Community Plan and Land Use Bylaw to include provisions for food security. (Direction from Trust Council - December, 2010)		Mar-03-2011	On Going
1	Enter into an informal discussion and take part in a cultural exchange with the Sliammon First Nation		Sep-02-2010	On Going

Applications w/ Status - Lasqueti Island Status: Open

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
LA-SUB-2012.1	Peter Mason	Mar-16-2012	Main Road, Lasqueti (Santor & Ogden Lake Holdings Ltd.) 2 lot subdivision (lot line adjustment)

Planner: Linda Prowse

Planning Status

Status Date: Apr-20-2012

This subdivision is the subject of an Agricultural Land Commission approval to consolidate Lot 2 with a portion of ALR Lot 3. The Local Trust Committee had considered this subdivision in the ALR at the meeting on March 3, 2011. Staff will be conducting a technical review of the proposal to ensure that it meets all Lasqueti Bylaw requirements, and will send a referral response to the Ministry of Transportation and Infrastructure prior to the end of May, 2012

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
LA-TUP-2012.1	The Anglican Synod of the Diocese of BC Planner: Linda Prowse	Jan-11-2012	to construct small building for Post Office at Conn road entrance to Lot 3 parking area

Planning Status

Status Date: Apr-20-2012

APC to hold public meeting regarding application in late April, 2012, and staff will await referral response before providing a second report to the Local Trust Committee. Staff will endeavor to have this staff report ready for the May 3, 2012 LTC meeting so that the LTC may consider approval of the proposed permit.

Status Date: Mar-15-2012

Staff conducted site visit and LTC forwarded application to APC

Status Date: Feb-15-2012

Preliminary Staff report recommending application be forwarded to APC to be on March 15, 2012 LTC agenda

From: Linda McClung
Sent: March-29-12 9:46 AM
To: David Graham; Linda Prowse; Peter Johnston; Susan Morrison; Becky McErlean
Cc: Nancy Roggers; Cindy Shelest
Subject: Lasqueti LTC March/12 Expense Report

Please direct all questions relating to the attached detailed expenditure reports to Nancy by email.

Thanks.

640 Lasqueti	Invoices posted to March 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,000.00	15.08	984.92
65200	LTC Local Exp LTC Meeting Expenses	1,000.00	494.15	505.85
65210	LTC Local Exp APC Meeting Expenses	200.00	224.40	(24.40)
65220	LTC Local Exp Communications	200.00	245.00	(45.00)
65230	LTC Local Exp Special Projects	1,000.00	1,344.15	(344.15)
65240	LTC Local Exp Miscellaneous	600.00	-	600.00
TOTAL LTC Local Expense		3,000.00	2,307.70	692.30
72300	Project OCP update	-	-	-

From: Nancy Roggers
Sent: April-26-12 1:31 PM
To: David Graham; Linda Prowse; Peter Johnston; Susan Morrison; Becky McErlean
Cc: Cindy Shelest
Subject: Lasqueti Expense report - final year end to March 31/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
 Invoices posted to March 31, 2012

640 Lasqueti	Invoices posted to March 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,000.00	54.70	945.30
65200	LTC Local Exp LTC Meeting Expenses	1,000.00	494.15	505.85
65210	LTC Local Exp APC Meeting Expenses	200.00	224.40	(24.40)
65220	LTC Local Exp Communications	200.00	245.00	(45.00)
65230	LTC Local Exp Special Projects	1,000.00	1,344.15	(344.15)
65240	LTC Local Exp Miscellaneous	600.00	-	600.00
TOTAL LTC Local Expense		3,000.00	2,307.70	692.30
72300	Project OCP update	-	-	-

Thanks!

Nancy Roggers
 Finance Officer

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5154
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.



Memorandum

11.1

700 North Road Gabriola Island, BC BC V0R 1X3

Telephone (250) 247-2063 FAX: (250) 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date April 20, 2012

File Number LA-Budget for fiscal
2012-2013

For meeting of May 3, 2012

To Lasqueti Island Local Trust Committee

From Linda Prowse
Planner 2
Local Planning Services

Re Detailed Lasqueti Island Local Trust Committee Budget - 2012 - 2013

The Lasqueti Island Local Trust Committee expense budget was allocated \$3000 for the fiscal year of April 1, 2012 – March 31, 2013. As required by the Local Trust Committee Local Expense Account Policy Section 1(3), the Local Trust Committee is requested to break down this budget into the following categories: LTC Meetings; APC Meetings; Communications; Special Projects' Miscellaneous.

Staff suggests that the Local Trust Committee simply allocate this year's funds as they did for the past fiscal year, and this is reflected in the table below. Please note that allocations may be changed throughout the fiscal year if required.

RECOMMENDATION:

THAT the Lasqueti Island Local Trust Committee allocate its \$3000 fiscal year budget as presented in the following table:

Budget Information for Fiscal 2012/13		Budget
640 Lasqueti	65000 Trustee Expense	1,500.00
640 Lasqueti	65200 LTC Meetings	1,000.00
	65210 APC Meetings	200.00
	65220 Communications	200.00
	65230 Special Projects	1,000.00
	65240 Miscellaneous	600.00
	TOTAL LTC Local Expense	3,000.00
640 Lasqueti	72300 OCP/LUB Expense	0.00

pc Nancy Rogers, Finance Officer



700 North Road, Gabriola Island, BC V0R 1X3
 Telephone **250. 247.2063** Fax 250. 247.7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

May 3, 2012

File No: LA 4990-30

Wayne Bright
 Lasqueti Fishery/Forestry Renewal Society
 Lasqueti Island, BC VOR 2J0

Dear Wayne,

Re: Support for Lasqueti Fishery/Forestry Renewal Society

At the March 15, 2012 Lasqueti Island Local Trust Committee meeting, the Local Trust Committee asked that a letter be drafted supporting the Lasqueti Fishery/Forestry Renewal Society in its habitat restoration projects on Ogden, Jenkins and Wamer creeks on Lasqueti Island. The Local Trust Committee understands that you are applying for a grant from the Pacific Salmon Foundation to support habitat rehabilitation in these areas.

We wish your society success in any grants that you are applying for, and in the completion of these important projects you are undertaking on Lasqueti Island.

Sincerely,

David Graham
 Chair
 Lasqueti Island Local Trust Committee



Memorandum

700 North Road Gabriola Island, BC BC V0R 1X3

Telephone (250) 247-2063 FAX: (250) 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date April 25, 2012 File Number LA 3040-01

To Lasqueti Island Local Trust Committee
For May 3, 2012 Local Trust Committee Meeting

From Linda Prowse
Planner 2
Local Planning Services

Re Lasqueti Island Local Trust Committee holding Special Electronic Meetings

At the March 15, 2012 Lasqueti Island Local Trust Committee meeting, planning staff was requested to draft a report on the feasibility of holding electronic local trust committee meetings.

Attached is the Islands Trust Electronic Meetings Regulation, which gives authority to "Trust Bodies" (including local trust committees) to hold special electronic meetings, provided that the meeting procedures bylaw authorizes the meeting and that the meeting is conducted in accordance with legislative requirements.

Currently, the Islands Trust Council Committees, the Executive Committee and the Trust Fund Board (all "Trust Bodies" under the regulation) have the authority to conduct electronic meetings under the Islands Trust Council Meeting Procedures Bylaw. No local trust committees have amended their meeting procedures bylaws to enable them to conduct electronic meetings.

If the Lasqueti Island Local Trust Committee would like to explore the matter of amending its meeting procedure bylaw to allow holding special electronic meetings, some matters to be taken into consideration include:

1. A meeting location would still need to be secured, as usual, for the public to attend and listen and or see the proceedings via speaker phone or web conferencing.
2. A special electronic meeting notice would have to be used.
3. A staff person (planner or perhaps minute taker) would have to physically manage the electronic equipment used during the meeting to ensure connectivity, and what if connectivity was lost?
4. The practice of holding special electronic meetings should not be considered as a substitute for holding regular meetings with all committee members and staff in attendance.
5. What should determine when a special electronic meeting could be held? It could be more appropriate for a special meeting to be held when only a few agenda items will be considered and not for a meeting with a full business agenda.
6. The Local Trust Committee Chair should consider how to conduct the meeting from a remote location.
7. Whether this type of participation will be acceptable to the public as it changes the dynamics of a meeting.

8. The budget implications (purchasing and maintaining equipment and who bears the cost of electronic meeting participation?).
9. What is the minimum level of electronic facilities required to conduct a special electronic meeting?
10. What about using a land line vs. a cell phone, and how would this correspond with public meetings and in-camera meetings?

All of these questions and more need to be explored further in a more comprehensive report.

RECOMMENDATION

THAT the Lasqueti Island Local Trust Committee requests staff to research holding special electronic meetings further, and to draft a report making recommendations on the holding of special electronic meetings, and include possible amendments to the Lasqueti Island Meeting Procedures Bylaw.

pc Jacquie Hill, Deputy Secretary, Northern Office



Copyright (c) Queen's Printer,
Victoria, British Columbia, Canada

IMPORTANT INFORMATION

B.C. Reg. 283/2009

Deposited November 27, 2009

O.C. 620/2009

Islands Trust Act

ISLANDS TRUST ELECTRONIC MEETINGS REGULATION

Definitions

1 In this regulation:

"special meeting" means a meeting other than a regular meeting or an adjourned meeting;

"trust body" means the trust council, the executive committee, a local trust committee and the trust fund board.

Electronic meetings authorized

2 (1) If the requirements in subsection (2) are met,

(a) a special meeting of a trust body may be conducted by means of electronic or other communication facilities, or

(b) a member of a trust body who is unable to attend at a meeting of the trust body may participate in the meeting by means of electronic or other communication facilities.

(2) The following apply in relation to a meeting of a trust body referred to in subsection (1):

(a) a procedure bylaw under section 794 (1) (a) and (b) [procedure bylaws] of the Local Government Act, as that section applies to the trust body, must authorize the matters set out in subsection (1) (a) or (b) of this section;

(b) the meeting must be conducted in accordance with the applicable procedure bylaw;

(c) the facilities must enable the meeting's participants to hear, or watch and hear, each other;

- (d) for a special meeting referred to in subsection (1) (a),
 - (i) the notice under section 127 (2) [*notice of council meetings*] of the *Community Charter*, as that section applies to the trust body, must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and an officer or employee designated by the trust body must be in attendance at the specified place;
- (e) for a meeting referred to in subsection (1) (b), except for any part of the meeting closed to the public, the facilities must enable the public to hear, or watch and hear, the member participating by means of electronic or other communications facilities.

(3) Section 128 (3) [*participants deemed present*] of the *Community Charter* applies in relation to a trust body.

[Provisions of the *Islands Trust Act*, R.S.B.C. 1996, c. 239, relevant to the enactment of this regulation: sections 53 and 54]

Copyright (c) Queen's Printer, Victoria, British Columbia, Canada

LASQUETI ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 85

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 931 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Lasqueti Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Lasqueti Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2009".

2. Interpretation

- 2.1 In this bylaw:

"Applicant" means the person authorized under the Lasqueti Island Trust Committee Procedures Bylaw No. 35, 1992 to make the application;

"Islands Trust" means the Director of Local Planning or his/her authorized representative;

"Application Fee" means the monetary amount payable to the "Islands Trust".

3. Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application fee in the amount shown in Column 2 of Table 1, Table 2, Table 3 or Table 4.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,400
2. Official Community Plan amendment in combination with an application for amendment to a Land Use Bylaw	\$4,950
3. Land Use Bylaw amendment	\$3,520
4. Land Use Contract amendment	\$4,400

TABLE 2 – Permits	
Column 1	Column 2
1. Development variance permit in respect of a residential development	\$440
2. Development variance permit in respect of a commercial, industrial or institutional development	\$715
3. Temporary commercial and industrial use permit	\$770
4. Temporary commercial and industrial use permit renewal	\$165

TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for subdivision review – first parcel	\$825
2. Application for subdivision review - every additional parcel that would be created by the proposed subdivision	\$110
3. Application for subdivision review - parcel line adjustments only, creating no additional parcels	\$110

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$440
2. Strata Conversion	\$825

- 3.2 An application administration fee in the amount of \$110.00 being a portion of the fee referred to in Table 1 is not refundable in any event.
- 3.3 An application administration fee in the amount of \$55.00 being a portion of the fee referred to in Table 2, Table 3 and Table 4 is not refundable in any event.
- 3.4 Subject to Section 3.2 and Section 3.3, if an application is not processed for any reason, the Islands Trust must refund to the applicant the application fee.
- 3.5 In the event a public hearing is not held in respect of an application referred to in Table 1, the applicant shall be entitled to a refund in the amount of \$1650.00.

4. Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.

4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5. Severability

5.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

6. Repeal

6.1 Lasqueti Island Local Trust Committee Fees Bylaw, 2007, is repealed upon adoption of this bylaw.

READ A FIRST TIME this 23rd day of April , 2009.

READ A SECOND TIME this 23rd day of April , 2009.

READ A THIRD TIME this 23rd day of April , 2009.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 12th day of May , 2009.

ADOPTED this 25th day of June , 2009.

Chairperson

Secretary



STAFF REPORT

File No.: Bylaw Enforcement Notification
Bylaw No.87, 2011

To: Lasqueti Island Local Trust Committee

Meeting of March 15, 2012

From: Miles Drew
Bylaw Enforcement Coordinator

Re: Adoption of Bylaw Enforcement Notification Bylaw

THE PROPOSAL:

This report will recommend to the Lasqueti Island Local Trust Committee that it:

1. give three reading to the attached Bylaw Enforcement Notification Bylaw and;
2. refer the bylaw to the Executive Committee for approval.

STAFF COMMENTS:

The Lasqueti Island Local Trust Committee previously requested that it be appointed by the Province as a local government for the purpose of adopting a Bylaw Enforcement Notification Bylaw. The Province has issued an Order In Council authorizing this step. Therefore, the Local Trust Committee can now adopt a bylaw and implement the system.

An Important Point

This bylaw does not create any new offences. It only lists those offences already present in the Land Use Bylaw.

Purpose of Bylaw

The attached bylaw has several purposes. Primarily it establishes schedules listing penalties for various offences of the Land Use Bylaw. It also establishes discounts for completion of compliance agreements negotiated with a screening officer and early payment discounts. These schedules have been designed to penalize persons who violate the bylaws and also to encourage them to make good on the situation by

reducing the penalty for correcting the violation. Additionally, it creates methods for payment, dispute, and service of the bylaw violation notices.

Methodology for setting fine and fine discount amounts.

The recommended fine amounts and associated discounts for early payment or compliance were established by considering several factors which recognized the severity of the offence and the ease of compliance. The factors considered in setting fine amounts were:

1. environmental damage generally given the highest fines of \$500 to \$200;
2. cost of doing business or revenue associated activities generally given fine amounts of \$300 to \$150;
3. avoidance of permit application costs generally given fines of \$300 to \$150;
4. nuisance or easily resolved violations were generally given fines of \$250 to \$75.

Discounts for early payments were set at 25% and compliance agreements discounted at either 75% or 50% depending on the costs and ease of complying. Lower discounts are not recommended as in most cases the violator will have had the opportunity to comply after receiving a warning from the bylaw enforcement officer.

Establishment of Registry and Screening Officer

The bylaw establishes the location in North Vancouver of the Registry where disputed bylaw violation notices are adjudicated. The Islands Trust has an agreement with North Shore Municipalities to provide adjudication services.

The bylaw also establishes the position of Screening Officer and its duties, and authorizes bylaw enforcement officers to issue bylaw violation notices. The bylaw provides the ability for the Local Trust Committee to appoint persons holding certain positions to the duty of Screening Officer. This means that it is not necessary to name a specific person to carry out the duty. Therefore, staff changes will not require new appointments. Although the bylaw provides for several positions to be appointed as screening officers, staff believes that only one person should operate as a screening officer at this time. The most appropriate position to carry out screening officer duties is the bylaw enforcement administrative assistant.

Attached is a copy of a pamphlet which is intended to explain the Bylaw Enforcement Notification Bylaw. This pamphlet will be issued with each notice and will be available to the general public at Islands Trust offices and on the web site.

Next Steps

The last steps to be taken before bylaw violation notices can finally be issued are:

- get Executive Committee approval and final adoption by the Local Trust Committee by Spring 2012
- appointment of Screening Officer and adoption of associated policies
- Conduct necessary staff training. Other than occasionally filling out a receipt for payment of a fine or referring persons to the screening officer there will be no impact on regional office resources. A staff familiarization session will be held in each region.
- print required bylaw violation notices and the Q & A brochure for recipients of bylaw violation notices and other interested persons.

This bylaw does not require Ministerial approval from the Province. Staff training will be done by the City of North Vancouver.

Attached is a proposed sample of the bylaw violation notice.

RECOMMENDATION:

- 1) That the Lasqueti Island Local Trust Committee gives the First Reading to Draft Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 2) That the Lasqueti Island Local Trust Committee gives the Second Reading to Proposed Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 3) That the Lasqueti Island Local Trust Committee gives the Third Reading to Proposed Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 4) That the Lasqueti Island Local Trust Committee refers the Proposed Bylaw No. 87, 2011 to Executive Committee.

Prepared and Submitted by:

Date

Frequently Asked Questions

What triggers bylaw enforcement?

Normally, enforcement is only undertaken when a written complaint is received. However, if an environmental concern, permitting issue or advertising of an illegal land use is discovered, enforcement may be started without a complaint.

What is a Compliance Agreement?

A person who enters into a Compliance Agreement accepts liability for the alleged contravention detailed in the BVN. The agreement sets out remedies or conditions for future behaviour to be performed within a designated period of time. If the agreement is kept and the bylaw violation is resolved within an agreed time, the amount of the penalty is reduced.

How much can a penalty be reduced with a Compliance Agreement?

With a few exceptions, the discounts for entering into and completing a Compliance Agreement are 50% or 75%.

Can I pay the reduced penalty within 14 days and still proceed to adjudication?

No. Once a penalty is paid the BVN cannot be disputed.

Why are disputes adjudicated in North Vancouver?

It is not practical or cost effective for the Islands Trust to set up its own registry. There are no registries on Vancouver Island. The Islands Trust has therefore joined the closest existing registry, North Shore Bylaw Dispute Registry, which offers partnerships to other governments.

Do I need to appear in person for the Adjudication Hearing?

No. You can submit your evidence and arguments in writing or arrange for a telephone conference call.

Can I pay the penalty before the hearing date if I change my mind?

Yes. However, payments received after 14 days from when the BVN was issued must be paid in full.

Can I appeal the adjudicator's decision to a higher authority?

No. An adjudicator's decision is final.

What if I pay the penalty but still do not comply?

You will be subject to further enforcement and possible legal actions.

How can I contact the Bylaw Enforcement team?

You can contact the Bylaw Enforcement team by

Email at bylawenforcement@islandstrust.bc.ca

Phone at 250.405.5175. If you are calling long distance, call toll free to **Enquiry BC**

In Victoria call **250.387.6121**
In Vancouver call **604.660.2421**
Elsewhere in BC call **1.800.663.7867**

Send **mail** or **visit** any of our offices.

Victoria—200-1627 Fort St, V8R 1H8
Salt Spring—1-500 Lower Ganges Rd, V8K 2N8
Gabriola—700 North Road, V0R 1X3

Visit us online at: www.islandstrust.bc.ca

Bylaw Enforcement Notice & Dispute Adjudication System



Islands Trust

Bylaw Enforcement Notice & Dispute Adjudication — Making the System Simpler

The Bylaw Enforcement Notice and Dispute Adjudication system provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations. It is much less costly, complex and time-consuming than a system in which tickets can be disputed only by going to court.

Bylaw Violation Notices (BVN) are only issued after an investigation confirms that a bylaw contravention exists. Before penalties are imposed, offenders are usually offered an opportunity to comply. The main goal of bylaw enforcement in the Trust area is not to collect penalties; it is to encourage compliance with the community's bylaws.

The Islands Trust manages BVNs through its Bylaw Enforcement Notice and Dispute Adjudication System, under the province's *Local Government Bylaw Notice Enforcement Act*.

The Bylaw Enforcement Notice and Dispute Adjudication system replaces provincial court with an adjudicator. People disputing a BVN can present their objections to the notice by phone, by mail,

in person or online. The BVN includes information on how to do this. Disputes for the Islands Trust are adjudicated by the North Shore Bylaw Dispute Registry.

Under the Bylaw Enforcement Notice and Dispute Adjudication system an Islands Trust screening officer hears initial objections to BVNs. If the objection is found to be valid, the screening officer can cancel the BVN. The screening officer can also authorize a reduction in the penalty amount in return for compliance with the bylaw. This step is carried out through a Compliance Agreement and may include remedial actions.

The Bylaw Enforcement Notice & Dispute Adjudication System provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations.

For more information about bylaw enforcement in the IslandsTrust area, please see our Bylaw Enforcement—Frequently Asked Questions pamphlet or go to www.islandstrust.bc.ca.

How the system works once a Bylaw Violation Notice is issued

Option 1: Pay the BVN

- For penalties paid within 14 days of receiving notice, payment is reduced.
- Penalties paid after 14 days must be paid in full.
- For penalties paid more than 28 days after receiving notice a surcharge is added.

Option 2: Dispute the BVN

Step One

Complete and submit the Adjudication Request Form which is on the back of the BVN. Forms can be delivered, mailed or faxed to the Islands Trust Office on Salt Spring or Gabriola or in Victoria. The request can also be completed online at www.islandstrust.bc.ca.

Step Two

An Islands Trust screening officer will review the adjudication request and will:

- cancel the BVN; or
- work out a Compliance Agreement and reduce the penalty when the agreement is completed; or
- uphold the BVN.

Step Three

If the screening officer upholds the BVN:

- A date and time is set for the Adjudication Hearing.
- At the hearing, evidence is presented and the adjudicator decides if an offence did or did not occur.

Step Four

- If an offence did occur, the BVN must be paid in full, plus an additional \$25 administrative fee.
- If an offence did not occur, the BVN is cancelled and no penalties are imposed.



No.

BYLAW VIOLATION NOTICE

THE ISSUING OFFICER SAYS YOU ARE IN BREACH OF A LOCAL TRUST AREA BYLAW AS FOLLOWS:

ISSUED TO:

NAME OF PERSON OR COMPANY		
ADDRESS		
LEGAL DESCRIPTION		
DATE YYYY MM DD	TIME HH:MM AM/PM	LOCATION ISSUED
BYLAW NAME		
BYLAW NUMBER		SECTION
DESCRIPTION OF CONTRAVENTION		
ISSUING OFFICER NAME:		SIGNATURE

THE PENALTY FOR A CONTRAVENTION REFERRED TO ABOVE IS:

Discounted rate If paid within 14 days \$ _____

If paid within 15-28 days \$ _____

If paid after 28 days* \$ _____

*See reverse for additional information on late payments.

METHOD OF DELIVERY:

- ☐ In Person
☐ By Mail

**ADJUDICATION REQUEST**

To dispute this Bylaw Violation Notice please complete the form below and deliver, mail, or fax to any Islands Trust office within 14 days of receipt of this notice. The request can also be made online at www.islandstrust.bc.ca. See the reverse side of this ticket for addresses and additional information.

Bylaw Notice #:	Date of Issue:
Name:	
Postal Address:	
City/Island:	Province: Postal Code:
Daytime Phone #	Email Address:
Signature:	

ALLEGED OFFENDER'S COPY

COMPLIANCE

- ▶ Failure to comply with the bylaw may result in additional penalties.
- ▶ To arrange a compliance agreement and to receive a discount on the penalty indicated on this notice, contact us.

PAYMENT INFORMATION

PAY BY MAIL OR IN PERSON BY CASH OR CHEQUE
PRESENT THIS NOTICE AT THE TIME OF PAYMENT

- ▶ Please make your cheque or money order payable to Islands Trust.
- ▶ Do not send cash in the mail.
- ▶ Payment must be received within the noted time limits to receive the discounted amounts.
- ▶ A dishonoured cheque will not be considered payment of the penalty within the prescribed time. NSF fees will be applied.
- ▶ Failure to pay promptly will result in additional penalties being added.
- ▶ Overdue fines may be subject to collection process.

DISPUTE ADJUDICATION

- ▶ Adjudication requests must be filed within 14 days of violation notice receipt to be eligible for an adjudication hearing.
- ▶ Deliver, mail, or fax the request form on reverse to any Islands Trust office or complete a request form online at www.islandstrust.bc.ca.
- ▶ Unsuccessful adjudicated disputes will be charged an additional \$25 administration fee.

CONTACT US

Phone: 250-405-5175
Fax: 250-405-5155

Email: bylawenforcement@islandstrust.bc.ca
Web: www.islandstrust.bc.ca

ISLANDS TRUST OFFICES

Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

DRAFT**LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 87**

**A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE LASQUETI
ISLAND LOCAL TRUST AREA**

WHEREAS the Lasqueti Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Lasqueti Island Local Trust Area, pursuant to the *Islands Trust Act*; and

WHEREAS the Lasqueti Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Lasqueti Island Local Trust Area;

NOW THEREFORE the Lasqueti Island Local Trust Committee enacts, in open meeting assembled, as follows:

Citation

1. This Bylaw may be cited as “Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 87, 2011”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the North Shore Bylaw Notice Adjudication Registry established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the Lasqueti Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedule “A” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Surcharge set out in column A3 of Schedule “A” as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule “A” as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

- 5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

- 5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.
- 5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

- 6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.
- 6.2 The civic address of the Registry is 141 West 14th Street, North Vancouver, BC, V7M 1H9.
- 6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

- 7.1 The position of screening officer is established.
- 7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

- 7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:
 - (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
 - (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 **BYLAW ENFORCEMENT OFFICERS**

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Enforcement Coordinator;
- (b) Bylaw Enforcement Officer.

9.0 **FORM OF BYLAW VIOLATION NOTICE**

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 **SCHEDULES**

The following schedules are attached to and form part of this bylaw:

- (a) Schedule A – Lasqueti Island Land Use Bylaw No. 78, 2005 Contraventions and Penalties.

READ A FIRST TIME THIS DAY OF ,20__

READ A SECOND TIME THIS DAY OF ,20__

READ A THIRD TIME THIS DAY OF ,20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF ,20__

ADOPTED THIS DAY OF ,20__

SECRETARY

CHAIR

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.1.1	Non Permitted Use Of Accessory Building/Structure As Dwelling	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1	Inadequate Landscape Screening	\$100.00	\$75.00	\$50.00	Yes	75%
3.3.1(a)	Off-Road Parking Spaces Not At Permitted Location	\$250.00	\$187.50	\$125.00	Yes	75%
3.3.1(b)	Inadequate Location/Signage For Parking For Disabled Persons	\$250.00	\$187.50	\$125.00	Yes	75%
3.3.2(a)	Parking Space Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
3.3.2(b)	Parking Space For Disabled Persons Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
3.3.2(c)	Inadequate Length Of Parallel Parking Space	\$250.00	\$187.50	\$125.00	Yes	75%
3.3.4	Fail To Provide Minimum Number Of Parking Spaces	\$250.00	\$187.50	\$125.00	Yes	75%
3.5.2(a)	Encroachment Into Setback From Natural Boundary Of Fish Bearing Stream/Lake/Wetland/Other Watercourse	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.2(b)	Encroachment Into Setback From Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.2(c)	Exceed Minimum Allowable Difference In Elevation Between Underside Of Lowest Floor In Building/Structure And Elevation Of The Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.3(a)	Fail To Maintain Adequate Vegetative Screen Within Setback From Nesting Trees	\$100.00	\$75.00	\$50.00	Yes	75%
3.6(a)(i)	Home Enterprise Not Accessory To Principal Residential Use Of Property	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(a)(ii)	Home Enterprise Not Conducted By A Minimum Of One Resident	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(a)(iii)	Home Enterprise Produces Consistent Noise/Vibration/Smoke/Dust/Odour/Litter/ Electrical Interference/Fire Hazard/Glare Detectable Off Property	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(a)(iv)	Exceed Maximum Number Of Motor Vehicles Stored External To Building In Which Home Enterprise Is Operated	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(a)(v)	Home Enterprise Does Not Maintain Residential Appearance	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(a)(vi)	Inadequate Landscape Screen/Fence For Outdoor Storage For Home Occupation	\$100.00	\$75.00	\$50.00	Yes	75%
3.6(b)(i)	Bed And Breakfast Provides Service Other Than Visitor Overnight Accommodation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(b)(ii)	Bed And Breakfast Accommodation Exceeds Three (3) Bedrooms	\$250.00	\$187.50	\$125.00	Yes	50%
3.6(b)(iii)	Bed And Breakfast Not Accommodated Within Owners/Occupiers Permanent Residence	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6(b)(iv)	Exceed More Than One Bed And Breakfast Per Dwelling	\$250.00	\$187.50	\$125.00	Yes	50%
3.8.2	Non Permitted Use Of Travel Trailer/Mobile Home/Bus/Vessel/Other Recreational Vehicle Used As Dwelling Unit Or Permitted Use Does Not Comply With Residential Density Calculations	\$300.00	\$225.00	\$150.00	Yes	50%
3.8.3	Non Permitted Use Of Travel Trailer/Mobile Home/Bus/Vessel/Other Recreational Vehicle In Place Of Guest Cabin Or Permitted Use Exceeds Area Restriction	\$300.00	\$225.00	\$150.00	Yes	50%
3.8.4	Guest Cabin Exceeds Maximum Floor Area Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.8.5	Guest Cabin Actively Used For Long Term Rental Accommodation Purposes	\$300.00	\$225.00	\$150.00	Yes	50%
3.8.6	Guest Cabin In Non-Permitted Area Or Guest Cabin In Permitted Area Used As Commercial Rental For More Than 29 Days	\$300.00	\$225.00	\$150.00	Yes	50%
3.9.1	More Than One Dwelling In Upland Lot	\$300.00	\$225.00	\$150.00	Yes	75%
3.9.2	Exceed Maximum Number Of Dwellings Permitted In Subdivision District A/B/C	\$300.00	\$225.00	\$150.00	Yes	75%
3.9.3	Number Of Guest Cabins Exceeds Number Of Permitted Dwellings On Lot	\$300.00	\$225.00	\$150.00	Yes	75%
3.9.4	Exceed Maximum Density Of Tenting Sites	\$300.00	\$225.00	\$150.00	Yes	75%
3.10.1	Exceed Dwelling Density On Lots Located Within More Than One Boundary	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.1	Non Permitted Use In Land Based Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.2	Exceed Maximum Number/Size Of Buildings And Structures In Land Based Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.3	Non Permitted Disposal Of Sewage In Land Based Zone	\$500.00	\$375.00	\$250.00	Yes	50%
4.3.1	Non Permitted Use In Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.2	Exceed Maximum Number/Size Of Buildings/Structures In Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.3	Encroachment Of Building/Structure Into Setback In Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4(b)	More Than 5 Bedrooms Occupied By Health Centre And Assisted Living Staff In Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4(c)	Exceed Maximum Combined Floor Area For All Buildings In Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4(d)	Home Enterprise Uses Not Fully Conducted Indoors	\$250.00	\$187.50	\$125.00	Yes	50%
4.4(e)	Non Permitted Bed & Breakfast Home Enterprise	\$250.00	\$187.50	\$125.00	Yes	50%
4.4.1	Non Permitted Use In Commercial 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.4.2	Exceed Maximum Number/Size Of Buildings/Structures In Commercial 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.5.1	Non Permitted Use In Commercial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.5.2	Exceed Maximum Number/Size Of Buildings/Structures In Commercial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.3	Encroachment Of Building/Structure Into Setback In Commercial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.1	Non Permitted Use In Commercial 3 – Tourist Accommodation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.6.2	Exceed Maximum Number/Size Of Buildings/Structures In Commercial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.1	Non Permitted Use In Industrial 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.7.2	Exceed Maximum Number/Size Of Buildings/Structures In Industrial 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.1	Non Permitted Use In Industrial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.8.2	Exceed Maximum Number/Size Of Buildings/Structures In Industrial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.3	Encroachment Of Building/Structure Into Setback In Industrial 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.4	Fail To Provide Adequate Screening Of Industrial Building/Structure In Industrial 2 Zone	\$100.00	\$75.00	\$50.00	Yes	75%
4.9.1	Non Permitted Use In Industrial 3 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.9.2	Exceed Maximum Number/Size Of Buildings/Structures In Industrial 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.3(a)	Encroachment Of Building/Structure Into Setback In Industrial 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.3(b)	Fail To Provide Adequate Screening Of Industrial Building/Structure In Industrial 3 Zone	\$100.00	\$75.00	\$50.00	Yes	75%
4.10.1	Non Permitted Use In Industrial 4 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.10.2	Exceed Maximum Number/Size Of Buildings/Structures In Industrial 4 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.3	Encroachment Of Building/Structure Into Setback In Industrial 4 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.4(a)	Fail To Provide Adequate Screening Of Industrial Building/Structure In Industrial 4 Zone	\$100.00	\$75.00	\$50.00	Yes	75%
4.10.4(b)	Fail To Provide Adequate Screening Of All Vehicles Being Serviced/Stored In Industrial 3 Zone	\$100.00	\$75.00	\$50.00	Yes	75%
4.10.4(c)	Storage Area For Unlicensed/Licensed Vehicles Exceeds Area Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.1	Non Permitted Use In Industrial 5 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.11.2	Exceed Maximum Number/Size Of Buildings/Structures In Industrial 5 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.1	Non Permitted Use In Watershed Protection 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.2	Exceed Maximum Number/Size Of	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Buildings/Structures In Watershed Protection 1 Zone					
4.13.1(a)	Permitted Structure Blocking Access To Water By An Owner Of Adjacent Upland Or Structure Impedes Foot Passage Along The Foreshore In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1(b)	Exceed More Than One Dock Per Contiguous Upland Parcel That Abuts The Foreshore On Lasqueti Island Or Dock Not Located In Manner That Minimizes Visual And Environmental Affects Or Dock Restricts Access To Shellfish Sites Or Structure Sited/Extended Towards Sea Beyond Restriction In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1(c)	Exceed More Than One Dock Per Island/Inlet Where Dock Is Providing Access to Island/Inlet Where No Valid Tenure For Dock Exists Or Dock Not Located In Manner That Minimizes Visual And Environmental Affects Or Dock Restricts Access To Shellfish Sites Or Structure Sited/Extended Towards Sea Beyond Restriction In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1(d)	Exceed More Than One Slipway Per Contiguous Upland Parcel That Abuts The Foreshore Or For Every 16 Hectares Contained In A Contiguous Upland Parcel That Abuts The Foreshore Or Slipway Constructed In Manner That Alters The Natural Elevation Of The Foreshore Or Impedes Foot Passage In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1(e)	Mooring Buoy Interferes With Public Navigation/Commercial/Mariculture/Industrial Activity In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1(h)	Non Permitted Fish Farm In Marine Zones	\$300.00	\$225.00	\$150.00	Yes	50%
4.14.1	Non Permitted Use In Marine Conservation (M1) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.14.2	Non Permitted Structure In Marine Conservation (M1) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.1	Non Permitted Use In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.15.2	Non Permitted Building/Structure In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(a)	Structure Below The High Water Mark Impedes Foot Passage Along Foreshore In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(b)	Mooring Buoy/Private Dock/Slipway Used For Commercial/Utility/Industrial Purposes In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(c)	Private Dock/Slipway Not Located Within	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Boundaries Of Water Lease/License Of Occupation In Marine General (M2) Zone					
4.15.3(d)	Slipway Exceeds Maximum Height/Width Restrictions Or Concrete/Cement Surface Exceeds Combined Width Restriction Or Dredging/Filling In Construction Of Slipway In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(e)	Structure Other Than Moveable Cradle Constructed To Travel On Slipway In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(f)	Fail To Store Slipway Cradle Above The High Tide Or Fail To Remove When Not In Use In Marine General (M2) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.3(g)	Sign/Marker Exceeds Height/Width Restrictions In Marine General (M2) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.16.1	Non Permitted Use In Marine Commercial (M3) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.16.2	Non Permitted Building/Structure In Marine Commercial (M3) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.16.3(a)	Dock/Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Commercial (M3) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.16.3(b)	Sign/Marker Exceeds Height/Width Restrictions In Marine Commercial (M3) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.16.3(c)	Storage Shed Exceeds Height/Total Floor Area Restrictions In Marine Commercial (M3) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.17.1	Non Permitted Use In Marine Mariculture (M4) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.17.2	Non Permitted Building/Structure In Marine Mariculture (M4) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.17.3(a)	Dock/Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Mariculture (M4) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.17.3(b)	Private Float/Mooring Buoy/Dock/Wharf Used For Commercial/Utility/Industrial Purposes Other Than Mariculture In Marine Mariculture (M4) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.17.3(e)	Sign/Marker Exceeds Width/Height Restrictions In Marine Mariculture (M4) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.18.1	Non Permitted Use In Marine Industrial (M5) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.18.2	Non Permitted Building/Structure In Marine Industrial (M5) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.18.3(a)	Dock/Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Industrial (M5) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.18.3(b)	Sign/Marker Exceeds Width/Height Restrictions In Marine Industrial (M5) Zone	\$150.00	\$112.50	\$75.00	Yes	75%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.18.3(c)	Dock Sited/Extended Towards Sea Beyond Restriction Or Float Exceeds Area Restriction In Marine Industrial (M5) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.18.3(d)	Storage Shed Exceeds Height/Area Restrictions In Marine Industrial (M5) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.19.1	Non Permitted Use In Marine Transportation (M6) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.19.2	Non Permitted Building/Structure In Marine Transportation (M6) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.19.3(a)	Dock/Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Transportation (M6) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.19.3(b)	Sign/Marker Exceeds Width/Height Restrictions In Marine Transportation (M6) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.20.1	Non Permitted Use In Marine Boat Ramp (M7) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.20.2	Non Permitted Building/Structure In Marine Boat Ramp (M7) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.20.3(a)	Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Boat Ramp (M7) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.20.3(b)	Ramp Exceeds Maximum Total Width/Height Restrictions In Marine Boat Ramp (M7) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.20.3(c)	Ramp Sited/Extended Towards Sea Beyond Restriction In Marine Boat Ramp (M7) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.20.3(d)	Sign/Marker Exceeds Width/Height Restrictions In Marine Boat Ramp (M7) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.21.1	Non Permitted Use In Marine Barge Ramp (M8) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.21.2	Non Permitted Building/Structure In Marine Barge Ramp (M8) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.21.3(a)	Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Marine Barge Ramp (M8) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.21.3(b)	Ramp Exceeds Maximum Total Width/Height Restrictions In Marine Barge Ramp (M8) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.21.3(c)	Ramp Sited/Extends Towards Sea Beyond Restriction In Marine Barge Ramp (M8) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.21.3(d)	Sign/Marker Exceeds Width/Height Restrictions In Marine Barge Ramp (M8) Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.22.1	Non Permitted Use In Multi Use Ramp (M9) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.22.2	Non Permitted Building/Structure In Multi Use Ramp (M9) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.22.3(a)	Structure Below High Water Mark Impedes Foot Passage Along Foreshore In Multi Use	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
LASQUETI ISLAND LAND USE BYLAW NO. 78
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Ramp (M9) Zone					
4.22.3(b)	Ramp Exceeds Maximum Total Width/Height Restrictions In Multi Use Ramp (M9) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.22.3(c)	Sign/Marker Exceeds Width/Height Restrictions In Multi Use Ramp (M9) Zone	\$150.00	\$112.50	\$75.00	Yes	75%



STAFF REPORT

Date: April 13, 2012 **File No.:** LA/3050

To: Lasqueti Island Local Trust Committee
For meeting of May 3, 2012

From: Linda Prowse, Planner

CC: Chris Jackson, Regional Planning Manager

Re: **Advisory Planning Commission (APC) Bylaw for Consideration –
Draft Lasqueti Island Local Trust Committee Bylaw No. 88**

1. BACKGROUND:

At the March 15, 2012 meeting, the Lasqueti Island Local Trust Committee (LTC) passed the following resolution:

It was **MOVED** and **SECONDED** that the Planner prepare a draft of the Lasqueti Island Advisory Planning Commission bylaw for review by the Local Trust Committee.

CARRIED

The purpose of this review and attached new base APC bylaw is to allow:

1. the LTC to appoint special projects APC's as needed;
2. the APC terms of office to run concurrently with Local Trustee terms of office;
3. the APC appoint the APC Secretary rather than the LTC appointing the APC Secretary; and
4. the APC to appoint the APC Chairperson for the whole term rather than for a calendar year.

2. RELEVANT LEGISLATION

Local Government Act

The authority to establish an APC is found in section 898 of the *Local Government Act*. This section of the *Act* states that the bylaw must provide for the “composition of and the manner of appointing members to” the APC. The *Act* requires that at least 2/3 of the members are residents of the electoral area, and states that trustees, and employees or officers of the local government cannot be appointed to the APC.

The types of procedures that can be directed in the APC bylaw are such things as the length of term, how quorum is defined, the roles of Chairperson and Secretary, how matters will be referred to the APC, how the APC must keep records, how meetings will be advertised, and other similar matters.

Many local governments have ad hoc committees from time to time that may operate similarly to an APC but are not technically designated under the APC bylaw. While not contrary to any legislation, it is advised that any type of committee appointed by the LTC is officially appointed under the APC bylaw in order to reduce the personal liability risk of members. Section 287 of the *Local Government Act* includes members of an APC in the list of those protected from most kinds of liability that might arise in the conduct of their duties. This protection provides a basis for an APC and its members to have a lawsuit against them dismissed at an early stage.

3. STAFF COMMENTS:

If adopted, the attached draft APC base bylaw would:

- allow the LTC to create special projects APC’s as required. To establish a special project APC, the LTC will need to pass a resolution approving a terms of reference that will outline the number of members, the terms of the appointments and the scope and role of that special projects APC;
- allow the LTC to appoint APC members to mirror the same term as elected Local Trustees. For flexibility, the new bylaw states that APC members will be appointed, “to three-year terms to closely coincide with Islands Trust Local Trustee triennial elections”;
- allow the APC to appoint its own Secretary from within the APC. The current APC bylaw states that the LTC appoints the Secretary when in practice, the APC has been appointing a Secretary from within its membership;
- allow the APC to appoint the Chair for the entire term. The current APC bylaw states that the APC must appoint the Chair each calendar year, and the general practice has been for the Chair to be appointed for the whole term; and
- update wording and references to legislation for clarity (e.g. refers to “*Local Government Act*” rather than “*Municipal Act*”)

Due to the number of changes from APC base Bylaw No. 66, staff recommends a new base APC Bylaw No. 88 be considered rather than simply amending the current Bylaw No. 66.

4. RESULTS OF CIRCULATION:

No circulation or referral is required in order to amend or create a new administrative bylaw such as the APC bylaw. None was done.

RECOMMENDATIONS:

That the Lasqueti Island Local Trust Committee:

1. give first reading to draft Bylaw No. 88 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012";
2. give second reading to proposed Bylaw No. 88 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012";
3. give third reading to proposed Bylaw No. 88 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012"; and
4. refer proposed Bylaw No. 88 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012" to the Executive Committee.

Prepared and Submitted by:



Linda Prowse

April 13, 2012

Date

Concurred in by:

Chris Jackson

Chris Jackson, MCIP

April 23, 2012

Date

Attachments:

1. Draft Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw No. 88

DRAFT
LASQUETI ISLAND TRUST COMMITTEE
BYLAW NO. 88

**A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE LASQUETI
ISLAND LOCAL TRUST AREA PURSUANT TO THE LOCAL GOVERNMENT ACT AND THE
ISLANDS TRUST ACT**

The Lasqueti Island Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Lasqueti Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, enacts as follows:

1. Continuation and Establishment

- a) The Lasqueti Island Advisory Planning Commission (APC), an advisory planning commission established to advise the Local Trust Committee on all matters respecting land use, community planning, or proposed bylaws and permits that are referred to it by the Local Trust Committee, is continued.
- b) The Local Trust Committee may, from time to time, establish advisory planning commissions to provide advice to the Local Trust Committee on specific topics or for special projects.

Special Projects Advisory Planning Commissions(SPAPC) will be appointed based on a terms of reference endorsed by the Local Trust Committee which will outline the number of members, the terms of the appointments, and the scope and role of that Special Projects Advisory Planning Commission.

Provisions 2(c)- (h), and 3 – 7, apply to the special projects advisory planning commissions established and continued by this bylaw.

2. Appointment of Members

- (a) The Advisory Planning Commission (APC) consists of up to a maximum of nine members. Every member must be an elector of the Trust Committee, as defined in the *Municipal Act*, and at least two thirds (2/3) of the members must be residents of the Local Trust Area.
- (b) The Local Trust Committee may, by resolution, appoint the members to three-year terms to closely coincide with Islands Trust Local Trustee tri-annual elections.
- (c) The Local Trust Committee may, by resolution, remove a member at any time.
- (d) Where a member resigns or an appointment is otherwise terminated, the Local Trust Committee may appoint a member to serve the balance of the term of the appointment.
- (e) The members must, during the first meeting of their new term, from among the members, elect a Chairperson, a Secretary, and a Deputy Chairperson to act in the place of the Chairperson in the absence of the Chairperson.
- (f) The Deputy Chairperson shall, in the absence of the Chairperson, serve as described in Section 3(b).

- (g) In the event that the Chairperson resigns or the Chairperson position is otherwise terminated, the Advisory Planning Commission shall write the Lasqueti Island Trust Committee to advise them and the Islands Trust shall appoint an interim Chairperson who shall serve until a Chairperson is elected in accordance with Section 2(e).
- h) An individual may serve concurrently on the Advisory Planning Commission or on a Special Projects Advisory Planning Commission.

3. Roles

a) Secretary

- i) The Secretary is to:
 - 1. assist the Chairperson, as required, in arranging meetings;
 - 2. ensure that proper notification of meetings is given in compliance with this bylaw;
 - 3. keep legible minutes of all meetings; and
 - 4. provide copies of all minutes and recommendations to the Secretary of the Islands Trust.

b) Chairperson

- i) The Chairperson is to:
 - 1. receive referrals from the Local Trust Committee and, in response, decide when and where meetings shall be held;
 - 2. ensure proper conduct of all meetings in accordance with the requirements of this Bylaw and the principles of procedural fairness; and
 - 3. sign the minutes certifying that they are true and correct after the members have approved them.

4. Referrals

- a) The Local Trust Committee may by resolution:
 - i) refer an application for an amendment to a bylaw, or a permit, pursuant to the *Local Government Act*, or may refer a proposed bylaw or permit to an advisory planning commission with a request for a recommendation; or
 - ii) refer a project in support of the Local Trust Committee's work program, an agency referral or other item of Local Trust Committee business to an advisory planning commission with a request for a recommendation; or
 - iii) refer a plan or bylaw amendment or permit that has been partially processed and seen at the application stage by an advisory planning commission for additional recommendations if it feels changes to the application warrant the review, and in these cases an advisory planning commission may be asked to respond in a briefer than normal time period.
- b) An advisory planning commission must meet when there is a need to consider a referral, at a duly constituted meeting as defined under this Bylaw and as called by the Chairperson.
- c) The Chairperson shall select a regular monthly meeting day to consider referrals at its first meeting.
- d) In the event that no referral is received by the Chairperson at least 7 calendar days prior to the date of the next regular meeting, then no meeting need be held.

- e) A meeting on any particular referral must be held not more than 30 days after the date of receipt of that referral unless the Local Trust Committee has requested a response by an earlier specified date.
- f) The Chairperson may call an extraordinary meeting after consultation with the Secretary and all other members to deal with any matter for which a quick response is requested from the Local Trust Committee.
- g) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- a) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five calendar days prior to the meeting.
- b) The Secretary must confirm by telephone, email or note, the date and time of any extraordinary meetings with each member.
- c) The Secretary must ensure an applicant is notified of the date, time and place of the meeting at which his or her application or proposal will be discussed at least five calendar days prior to the meeting.
- d) The Secretary must ensure the Local Trustees and the Islands Trust planner are notified of each meeting at least five days prior to the day of the meeting.

6. Conduct of Meeting

- a) All deliberations must take place in a meeting, and all meetings must be open to the public.
- b) A quorum is the lesser of five members, or 50 per cent of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn it from time to time.
- d) An applicant must be afforded opportunity to present his or her proposal and to answer any questions asked by members.
- e) If the applicant or agent fails to appear and was duly notified as required by this Bylaw, deliberations and recommendations may be made in the applicant's absence.
- f) At the request of any member, the Chairperson must invite any elected official, staff or resource person present at the meeting to comment on the matters before the Commission.
- g) Development proposals and other applications must not be received directly from applicants.
- h) An advisory planning commission must not consult directly with other government agencies.

7. Notice of Recommendation

- a) If the Local Trustees did not attend an advisory planning commission meeting, they may require a verbal report from the Chairperson.
- b) The Secretary must ensure minutes of each meeting are recorded and approved by the members at a subsequent meeting.
- c) The Secretary must ensure that a copy of the draft minutes is submitted to the Secretary of the Islands Trust office within seven calendar days of the meeting.
- d) A recommendation may be in the form of recorded commentary, in the form of minutes or in the form of a resolution, provided that all dissenting opinions are also recorded.

8. Transition

- a) "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2000", as amended, is repealed.

9. Citation

- a) This Bylaw may be cited as the "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012".

READ A FIRST TIME THIS DAY OF , 20

READ A SECOND TIME THIS DAY OF , 20

READ A THIRD TIME THIS DAY OF , 20

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 20

ADOPTED THIS DAY OF , 20

SECRETARY

CHAIRPERSON



Population (2011):
Approximately 426

Size:
6,645 hectares (16,420 acres)

Location:
20 kilometres north of French Creek located on Vancouver Island.

- [Land Use Planning](#)
- [Related Planning Services](#)
- [Related Resources](#)
- [Trust Area Mapping](#)
- [Related Links](#)

Lasqueti Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Lasqueti Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

January 2012

- [Lasqueti Island Local Trust Committee Meeting Schedule for 2012](#)

January 2011

- [Tax Incentive to Conserve Land Arrives on Lasqueti](#)

October 2008

- [Living on Lasqueti Brochure](#)

[^ top](#)

Lasqueti Island Local Trust Committee Projects

False Bay Parking and Master Plan

- [APC Report on Parking in False Bay- June 13, 2011](#)
- [Staff Report on False Bay Parking and Master Plan - July 21, 2011](#)

Climate Change Actions

- [2007 Community Energy and Emission Inventory Reports \(CEEIs\) now available](#)
- [Climate Wise Islands](#)
- [Fact Sheets](#)
- [Community Information Meeting Minutes - December 3, 2009](#)
- [Adopted Bylaw No. 86](#)
- [Lasqueti Island Woodburning Workshop Report](#)
- [Lasqueti Greenhouse Gas Baseline Report by Joseph Fall - October, 2011](#)

General

- [Best Practices for Building and Living on Lasqueti Island](#)
- [Understanding "Guest Cabin" Definition in Lasqueti Land Use Bylaw No. 78 - September 2, 2010](#)
- [Lasqueti Island Draft Build Out Map - October 2008](#)
- [Powell River Regional District Parks and Greenspace Plan](#)

Ecosystem Mapping

- [Draft Lasqueti Island Local Trust Area ecosystem maps and feedback form](#)

[^ top](#)

Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
- [Meeting Agendas](#)
- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

