



Lasqueti Island Local Trust Committee

Regular Meeting Agenda

Date: September 24, 2018
Time: 11:00 am
Location: Judith Fisher Centre
#1 China Cloud Bay Road
Lasqueti Island, BC

	Pages
1. CALL TO ORDER 11:00 AM - 11:00 AM	
Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA 11:00 AM - 11:05 AM	
3. COMMUNITY INFORMATION MEETING 11:05 AM - 11:30 AM	
3.1 Proposed Bylaw No. 95 to amend the Lasqueti Island Land Use Bylaw subdivision requirements	3 - 6
4. MINUTES 11:30 AM - 11:40 AM	
4.1 Local Trust Committee Minutes dated July 23, 2018, for Adoption	7 - 16
4.2 Section 26 Resolutions-Without-Meeting Report dated September 14, 2018	17 - 17
4.3 Advisory Planning Commission Minutes - None	
5. BUSINESS ARISING FROM MINUTES 11:40 AM - 12:00 PM	
5.1 Follow-up Action List dated September 14, 2018	18 - 18
5.2 Lasqueti Island Local Trust Committee Fees Bylaw Amendment - Bylaw No. 97 - Staff Report	19 - 30
6. DELEGATIONS - 10 minutes 12:00 PM - 12:10 PM	
6.1 Lasqueti Community Association's Community Plan Engagement Strategy	
7. CORRESPONDENCE - None	
<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	

8. APPLICATIONS AND REFERRALS - None

BREAK -- 12:10 - 12:25 --

9. LOCAL TRUST COMMITTEE PROJECTS - None

10. REPORTS 12:25 PM - 12:45 PM

10.1 Work Program Reports

10.1.1 Top Priorities Report dated September 14, 2018 31 - 31

10.1.2 Projects List Report dated September 14, 2018 32 - 32

10.2 Applications Report dated September 14, 2018 33 - 34

10.3 Trustee and Local Expense Report dated July, 2018 35 - 35

10.4 Adopted Policies and Standing Resolutions 36 - 36

10.5 Local Trust Committee Webpage

10.6 Chair's Report

10.7 Trustee Reports

10.8 Electoral Area Director's Report

10.9 Trust Conservancy Report dated July, 2018 37 - 38

11. NEW BUSINESS 12:45 PM - 1:05 PM

11.1 Local Trust Committee 2014 - 2018 Term Summary Report 39 - 43

11.2 ALC Information Bulletin - Cannabis Production in the ALR

11.3 Islands Trust Conservancy - Regional Conservation Plan - Briefing 44 - 47

12. UPCOMING MEETINGS

12.1 Next Regular Meeting Scheduled for Monday, November 26, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

13. TOWN HALL 1:05 PM - 1:15 PM

14. CLOSED MEETING - None

15. ADJOURNMENT 1:15 PM - 1:15 PM

PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 95

A BYLAW TO AMEND LASQUETI ISLAND LAND USE BYLAW NO. 78, 2005

The Lasqueti Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Lasqueti Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017”.

2. Lasqueti Island Local Trust Committee Bylaw No. 78, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005” is amended as shown on Schedule 1, attached to and forming part of this bylaw:

READ A FIRST TIME THIS 10TH DAY OF MAY , 2018

READ A SECOND TIME THIS 23rd DAY OF JULY , 2018

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 2018

READ A THIRD TIME THIS _____ DAY OF _____ , 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 201X

ADOPTED THIS _____ DAY OF _____ , 201X

Chair

Secretary

Lasqueti Island Local Trust Committee

Bylaw No. 95

Schedule 1

1. Schedule "A" of Lasqueti Island Land Use Bylaw No. 78 cited as "Lasqueti Island Land Use Bylaw No. 78, 2005" is amended as follows:

- a. Part 3 – GENERAL PROVISIONS, Section 3.11 SUBDIVISION REGULATIONS, is deleted in its entirety and replaced with:

"3.11 Subdivision Regulations

INFORMATION NOTE: *Subdivision of land in the Agricultural Land Reserve (ALR) in any subdivision district is subject to approval by the provincial Agricultural Land Commission.*

Parcel Area and Frontage

- (1) The minimum area of a parcel that is created by subdivision is:

- (a) in Subdivision District A designated in Schedule C: 4 hectares.
 - (b) in Subdivision District B designated in Schedule C: 8 hectares.
 - (c) in Subdivision District C designated in Schedule C: 65 hectares.

- (2) The minimum parcel areas specified in 3.11(1) do not apply:

- (a) to the consolidation of two or more parcels into a single parcel;
 - (b) to a subdivision that adjusts the boundary between two parcels, and if a boundary adjustment subdivision would increase the area of any parcel to the point where the new parcels created could, taken together, be subdivided into more parcels than would be permitted under this Bylaw without the boundary adjustment, the applicant must grant a covenant complying with Section 2.6 in respect of every such parcel, prohibiting further subdivision of the parcel;
 - (c) if the parcel is being dedicated to the Crown or designated as an ecological reserve under the Ecological Reserve Act; or
 - (d) if the parcel being created is to be used as a park; for ambulance or fire protection facilities; or solely for the unattended equipment necessary for the operation of a community water system or a community sewer system, and the applicant grants a covenant complying with Section 2.6 limiting the use of the parcel to the specific use that makes it eligible for this exception.

- (3) No *parcel* having an area less than 4 hectares may be subdivided under Section 514 of the *Local Government Act* to provide a *residence* for a relative of the owner.

- (5) The frontage on a highway of any parcel created by subdivision must be at least 10 percent of its perimeter, and in no case may the frontage be less than 20 metres.

Information Note: *The Local Trust Committee has jurisdiction to exempt a lot or a subdivision from the minimum highway frontage requirement.*

Highway Standards

Information Note: For information on the standards for roads in new subdivisions, see the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways, dated October 20, 1992 and amended July 18, 1996.

Parcel Shape

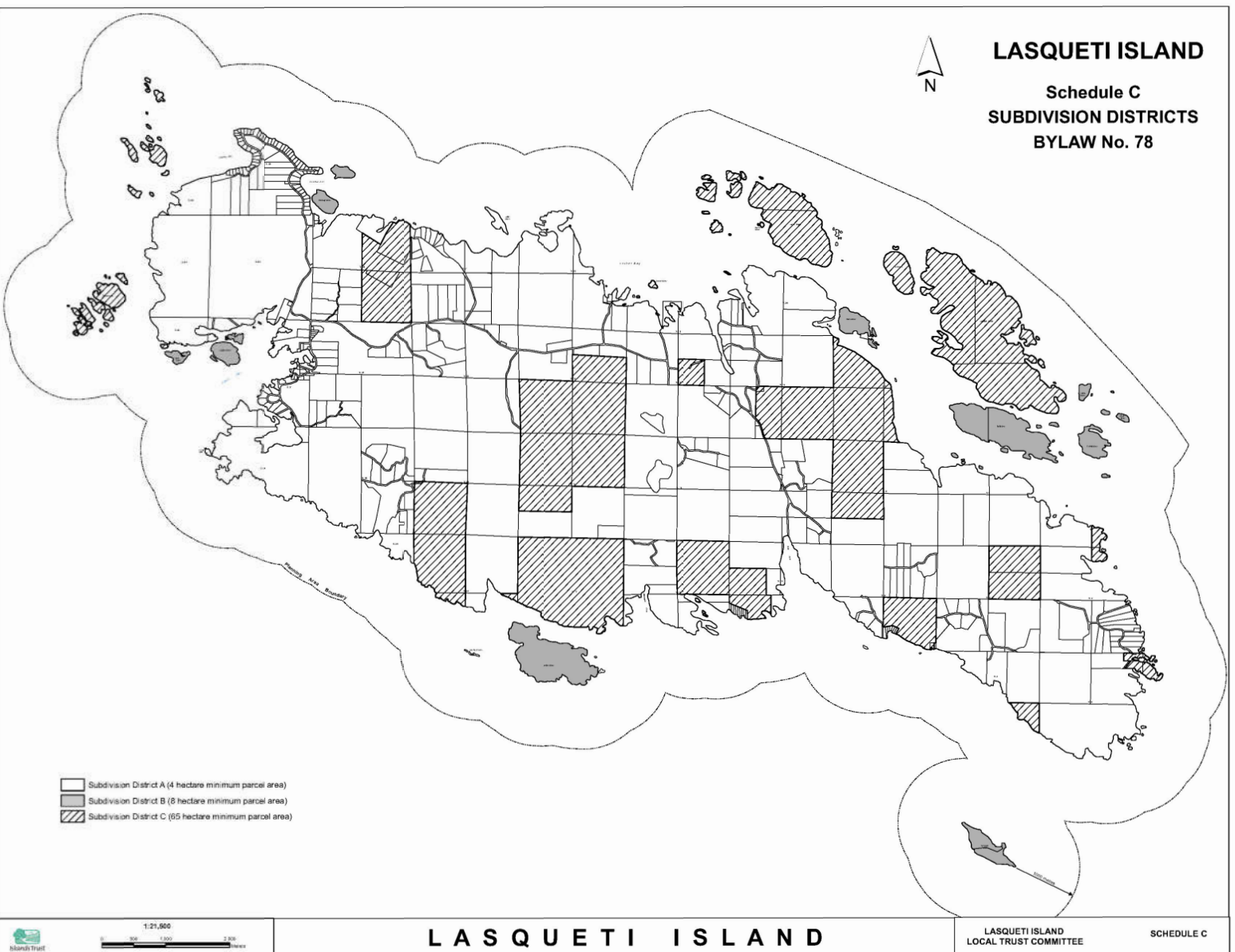
(6) No parcel having a depth greater than five times its width may be created by subdivision, and for this purpose the width of a panhandle parcel shall be measured at the point where the panhandle connects with the main portion of the parcel.

Boundary Adjustment Subdivisions

(7) A subdivision that adjusts the boundary between two parcels and thereby creates a *parcel* lying in two or more *zones* is prohibited.”

2. Schedule “C” of Lasqueti Island Land Use Bylaw No. 78 cited as “Lasqueti Island Land Use Bylaw No. 78, 2005” is deleted and replaced with Plan 1 attached to and forming part of this Bylaw.

Lasqueti Island Local Trust Committee
Bylaw No. 95
Plan 1





Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: July 23, 2018
Location: Judith Fisher Centre
 #1 China Cloud Bay Road
 Lasqueti Island, BC

Members Present: Laura Busheikin, Chair
 Susan Morrison, Local Trustee
 Timothy Peterson, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Dave Olsen, Recorder

Others Present: There were ten (10) members of the public in attendance

1. CALL TO ORDER

Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Busheikin called the meeting to order at 11:03 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations and introduced the staff and Trustees present.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Chair Busheikin introduced the session and took a speaker's list.

3.11(1) Subdivision Regulation Review

Members of the public made the following comments regarding the staff report for Bylaw 95:

- The proposal to re-add a 20-acre minimum for any parcel of land within the Agricultural Land Reserve (ALR) was previously considered by the Local Trust Committee (LTC) in the first iteration of Bylaw 95, and the LTC directed staff to remove this proposal from the Bylaw.
- The stated intent of Bylaw 95 was to revise the policy wording of the Land Use Bylaw (LUB) for a very specific concern regarding 10-acre minimum lot sizes to be consistent with the contextual text in the Official Community Plan (OCP). Given that an OCP review is just starting, additional changes within Bylaw 95 are inappropriate at this point.
- The Advisory Planning Commission (APC) recently reviewed the current draft of Bylaw 95. If there is a substantive change to the bylaw, the APC should be given the opportunity for another review. The APC recommended that section 3.11 of the LUB apply to all land, not just land outside the ALR.
- The rationale for the amendment proposed in the staff report is from the referral response from the Ministry of Agriculture, even though the Ministry did not mention anything about lot size. The Ministry only suggested clarity around zone boundaries in relation to ALR land,

- which is a suitable topic for the OCP review, as the staff report states. Further, the Ministry clarified that land use within the ALR is the jurisdiction of the Agricultural Land Commission (ALC). Since the mandate of the ALC is to protect agricultural land, there is no urgent need for the LTC to change the regulations regarding ALR land, and consideration of any additional protections of agricultural land should be done via the OCP review process.
- The LTC should continue with the direction set by the LTC at the start of this process, in which the LTC *"request staff to prepare a draft bylaw to correct the minimum lot size requirements for each subdivision district in the Lasqueti Land Use Bylaw."*

Correspondence Not Posted to Webpage.

A member of the public expressed concerns with correspondence that he believes should be posted to the website, including correspondence from Aileen Collins and correspondence regarding Bylaw No. 95.

Standing Resolution: APC as Transportation Advisory Committee

A member of the public asked why there was a Standing Resolution referring to the APC as a Transportation Advisory Committee.

The Trustees clarified that they have a Memo of Understanding (MOU) with the Ministry of Transportation and Infrastructure (MoTI), wherein MoTI wants to communicate with the LTC via a committee. The LTC made this Standing Resolution so that we don't have to scramble to create a committee when we need it.

OCP Review

A member of the public expressed concern that the staff report prioritizes the Tla'amin relationship during the upcoming review. He was also concerned that the proposed Project Charter doesn't mention the community.

Another member of the public noted that many people are already working very hard to have the community's voice heard and the process led by the community.

Cannabis Regulations

Members of the public made comments regarding the proposed Cannabis Regulations and the following was noted:

- Not sure why the Islands Trust wants to get involved.
- Not clear if people would apply to the LTC or the Liquor Control Branch.
- Since the staff report asks for a license fee, the LTC will have to get into approvals.

Chair Busheikin responded with the following:

- This has already gone to other islands.
- There could be an application on Lasqueti, and it could come to us as a referral.
- We need to figure out how to deal with it; it would not be fair to make it up as we go along.

Discussion ensued among the public and the following was noted:

- The Liquor Control Licensing Branch wants licensees to go to the Islands Trust first.
- If there is a fee, the bylaw will have to be amended.
- How does this fit as a home occupation?
- The \$825 licensing fee is a one-time fee and would go to the Islands Trust.

Chair Busheikin recessed the meeting at 11:29am due to improper conduct by meeting attendees.

Chair Busheikin called the meeting back to order at 11:38am.

The Trustees pointed out that it is imperative to respect the fact that this meeting is a workplace and LTC business is to be conducted in a safe, respectful manner.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Adopted Minutes dated June 4, 2018 for Adoption

The following amendments to the minutes were presented for consideration:

12.6: second bullet: change Baines to Baynes.

12.7: first bullet under Trustee Peterson's Report: remove "at Trust Council"

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated July 16, 2018

6.3 Advisory Planning Commission Minutes dated June 4, 2018 for Receipt

It was noted that Peter Johnston's name appeared twice under APC members present.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 16, 2018

Trustees inquired regarding the proposed freshwater specialist visiting Lasqueti.

Staff advised that this would need to be coordinated through the office.

8. DELEGATIONS - None

9. CORRESPONDENCE - None

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

10. APPLICATIONS AND REFERRALS - None

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Subdivision Regulation Review - Staff Report

Staff introduced an amended recommendation and noted that the referral responses were attached to the report. The following was noted:

- The Provincial Ministry of Agriculture has helped staff ensure that they are not misleading potential applicants.
- The ALC has absolute authority over subdivision of ALR land.
- By stipulating minimum lot sizes, it could mislead potential applicants that subdivision is possible.

- An example happened recently on Denman Island: their LUB states that for ALR land, the minimum parcel size is 15 hectares; this was denied by the ALC.
- The proposed amendment is to section 3.11(1)(a). The change would either remove all references to ALR land or provide only information notes.
- Provincially, the ALC wants to hold the line so there is little risk of any subdivision being approved.
- If the LTC is wanting more clarity, now is an opportunity to let people who own land in the ALR know that they are subject to a very different set of regulations.
- We are waiting for the ALC to provide more information before the next Community Information Meeting.

Trustees asked staff the following questions; staff responses follow each question:

- Without this amendment, would ALR land have no minimum parcel size or would it be four hectares?
 - It would be silent. The ALC look at that, but they set the minimum parcel size for land in the ALR.
- Does an eight hectare minimum for ALR land apply to any remaining land outside the ALR?
 - It is decided on a case-by-case basis. It is completely within the ALC's jurisdiction.

Staff advised that if the minimum parcel size for ALR land is removed from the LUB, it is important to make it clear that all proposed future subdivisions would be approved by the ALC and that they have their own minimums.

Trustees discussed food production in the Trust Area and how it differs from most of the rest of the Province. They agreed with the information note approach.

A member of the public asked for confirmation that the ALC has jurisdiction with ALR land even when ALR boundaries don't match lot lines; staff and trustees confirmed this.

Chair Busheikin recessed the meeting for lunch at 12:10pm.

Chair Busheikin recalled the meeting to order at 12:32pm.

Staff presented two amended recommendations for consideration.

LA-2018-032

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017", be amended by inserting the following information note at the beginning of Section 3.11:

"INFORMATION NOTE: Subdivision of land in the Agricultural Land Reserve (ALR) in any subdivision district is subject to approval by the Provincial Agricultural Land Commission."

CARRIED

LA-2018-033

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017", be amended by removing the words "outside the Agricultural Land Reserve" from subsections 3.11(1) and 3.11(3).

CARRIED

LA-2018-034**It was MOVED and SECONDED**

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017", be read a second time as amended.

CARRIED**LA-2018-035****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to schedule a community information meeting and public hearing on separate dates for Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017".

CARRIED

Trustees asked that the public hearing for this Bylaw be held at a different time than the OCP Review meeting.

11.2 Comprehensive Official Community Plan and Land Use Bylaw Review - Staff Report

Staff introduced the Project Charter and the following comments were noted:

- The APC can be instrumental in the process.
- Other community groups can also be referred to get the benefit of having those groups attend APC meetings and then they could break into smaller groups.
- Want community input but it must fit within the larger Islands Trust mandate.
- Need to consider Tla'amin input; we have an obligation to include their input due to their aboriginal rights and title and out of respect for their treaty.
- We are recommending the following process: prepare a workplan, which will allow us to apply for funding, then after funding is confirmed, we can do the referral to the APC. This is ambitious for the September meeting.

Trustees responded and the following comments were noted:

- Under "Objectives", want more of a feeling of community involvement.
- Under "In Scope", need to restate the Regional Conservation Plan goals and priorities.
- Under "Workplan Overview", it could help to specify community engagement.
- We would rather finish early than be seen to be dragging on longer.

Staff advised that the LTC could direct staff to make revisions and then pass the revised recommendation/work plan by Resolution Without Meeting (RWM).

LA-2018-036**It was MOVED and SECONDED**

that that the Lasqueti Island Local Trust Committee request staff to revise the Official Community Plan/Land Use Bylaw Review Project Charter in the following manner:

- In the Purpose section, insert "Community Participation" after "in a manner which supports";
- Under "Objectives", in the first bullet, insert "Community" after "Develop an".
- Under "In Scope", append to the end of the second bullet "to address the Island Trust Conservancy Regional Conservation Plan."

Under "Workplan", in the second Deliverable, insert "Community" after "Develop."

CARRIED

LA-2018-037**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee endorse the Official Community Plan/Land Use Bylaw Review Project Charter dated July 2018 as amended in Resolution LA-2018-036.

CARRIED**LA-2018-038****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to prepare a work plan and budget for the Official Community Plan/Land Use Bylaw Review Project and request funding confirmation from the Director of Administrative Services for the 2018/19 fiscal year.

CARRIED**LA-2018-039****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee refer the July 2018 Staff Report regarding the Official Community Plan/Land Use Bylaw Review Project to the Lasqueti Island Advisory Planning Commission (APC) for input regarding the development of a communications and engagement strategy to guide the project, invite the Lasqueti Community Association (LCA) to attend the APC meeting, and that staff and one trustee attend the APC meeting.

CARRIED

Members of the public reported the following:

- That the LCA OCP Steering Committee meetings have been developing a methodology to create a safe space to facilitate community input;
- That they have to work in parallel with the LTC and that their direction and lens is from a different perspective;
- The term "Village Planning" has not been seen on Lasqueti before;
- In the recent past, the planning for False Bay was rejected because no one wanted a special economic zone on Lasqueti.

12. REPORTS**12.1 Work Program Reports****12.1.1 Top Priorities Report dated July 16, 2018**

Received for Information

12.1.2 Projects List Report dated July 16, 2018

Received for Information

12.2 Applications Report dated July 16, 2018

A member of the public asked why approved subdivisions were still listed in the Report.

Staff advised that applicants have to meet a number of conditions and then they need to seek a final approval from the Islands Trust. Until a final letter is sent, the file remains listed.

12.3 Trustee and Local Expense Report - None**12.4 Adopted Policies and Standing Resolutions****12.5 Local Trust Committee Webpage**

Staff advised that if anything is missing, to send it in for posting.

The Trustees located the letter from Aileen Collins and requested that it be scanned and sent to staff via email.

12.6 Chair's Report

Chair Busheikin reported that at the last Trust Council, a motion was passed to write a letter to the Prime Minister's Office indicating that all Trustees are opposed to the pipeline.

Executive Committee met with the newly renamed Islands Trust Conservancy to request that they incorporate the Regional Conservation Plan into their Ten Year Plan.

12.7 Trustee Reports

Trustee Peterson reported on the following:

- Trust Council had a lot on its plate and that he touched on those points in his *Isle&Times* submissions.

Trustee Morrison reported on the following:

- She has engaged in a lot of consultation about how to move the OCP Review forward.
- She was Trust Council (TC) Chair for two weeks. As TC Chair, she went to Salt Spring Island for their Harbour House consultation, which is an affordable housing proposal with water being a big issue.
- She chaired the Salt Spring Island LTC meeting, which had several applications regarding ALR land and had several covenants challenged.

A member of the public asked about the pending gathering with the Tla'amin.

Trustee Peterson reported that he has suggested some potential dates, and that it is still in the works. He noted that this is not a LTC event.

12.8 Electoral Area Director's Report

Staff advised of their name change to qathet Regional District (qRD).

12.9 Trust Conservancy Report dated May, 2018

Trustee Morrison highlighted the Salish View campaign and that the garden tour to raise funds was successful. She also noted that this is an older report.

13. NEW BUSINESS**13.1 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail Licensing Application Fees - Staff Report**

Staff noted that for most applications, there is a large cost in staff time but no cost recovery. The LTC Fees Bylaw is meant to provide cost recovery but is very out of date.

Trustees noted the following:

- Since licensing is through the Liquor Control and Licensing Branch, it will exclude most home enterprises.
- Lasqueti is smaller than other islands.
- Residents have expressed concerns with the \$825 fee.
- Although cost recovery is understandable, there is limited potential for people to live and work here.
- Is there a conflict of interest for a Trustee regarding this issue?

A member of the public noted that currently there is no fee for liquor license applications to the Islands Trust.

Trustees noted the following:

- We could lower the fee, but fees don't ever seem to go up. And since it is a one-time application fee, once it is received, the applicant has increased economic opportunity.
- One of the reasons for this report is that there are no fees to recover the cost of public consultation.

LA-2018-040

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:

- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.
- The public consultation process shall be determined by the local trust committee after initial review of the proposal.
- However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
 - Name of the applicant and a description of the proposal in general terms
 - The location of the proposed establishment and the subject site.
 - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered.
 - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application.
 - How public comments may be submitted to the local trust committee.

CARRIED

LA-2018-041

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to amend the fees bylaw to specify a fee of \$825 for Liquor Control and Licensing Branch non-medical cannabis retail applications and a fee of \$825 for Liquor Control and Licensing Branch liquor license applications.

CARRIED

13.2 Housing Needs Assessment - Staff Report**LA-2018-042****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee receive the "Housing Needs Assessment, Northern Region of Islands Trust" report prepared by Dillon Consulting dated June 21, 2018.

CARRIED**LA-2018-043****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust request staff to publish the "Housing Needs Assessment, Northern Region of Islands Trust" report prepared by Dillon Consulting dated June 21, 2018 on the Islands Trust website.

CARRIED**13.3 Service Integration Barriers – Briefing**

Trustees discussed this item and the following was noted:

- For the LTC to make any meaningful input we should ask the community for their input via newspaper or email list, asking if people see any shortcomings.
- One of the issues is that there is no aggressive dog bylaw.
- The deadline is August 20, which is prior to the next newspaper deadline.
- We could submit it by RWM in order to be on time.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Monday, September 24, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

15. TOWN HALLOCP/LUB Review Project Charter

A member of the public noted that Tourism and Tourist accommodation is a hot topic locally but it is not listed in the In Scope section of the Project Charter. By not naming a topic, it could look like avoidance.

Fees Structure

A member of the public noted that it is important that the fees structure be discussed in public. He did not believe that cost recovery is reasonable because people will not apply and just do it anyway.

By general consent a Closed Meeting was added to the Agenda.

16. CLOSED MEETING**16.1 Motion to Close the Meeting**

LA-2018-044

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90 (1) (a) for the purpose of discussion regarding personal information about an identifiable individual who holds a position appointed by the Local Trust Committee AND that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 1:35pm

16.2 Recall to Order

By general consent the meeting was recalled to order at 1:52pm.

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:52pm.

Laura Busheikin, Chair

Certified Correct:

Dave Olsen, Recorder



Islands Trust

Lasqueti Island

Print Date: September 14, 2018

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2018-11	In Favour	That the Lasqueti Island Local Trust Committee advise the Trust Programs Committee that the local trust committee has experienced barriers to engaging service providers and agencies when addressing the following topics: road safety, nuisance and noise, and derelict vehicles on island roads.	14-Aug-2018

Follow Up Action Report

Lasqueti Island

28-Mar-2018

Activity	Responsibility	Target Date	Status
Subdivision Regulation Review: -staff to prepare a draft project charter for a subdivision review project that to review conservation based and cluster subdivision options.			On Going

04-Jun-2018

Activity	Responsibility	Target Date	Status
LTC resolution requesting Islands Trust freshwater specialist to return to Lasqueti Island this summer to conduct a well water workshop.	William Shulba		On Going

23-Jul-2018

Activity	Responsibility	Target Date	Status
Proposed Bylaw No. 95 (LUB) - given second reading as amended. Post to web. Schedule a CIM and PH late summer. PH may be tied to LTC meeting date.	Becky McErlean Sonja Zupanec		On Going
OCP/LUB Review Project: Charter endorsed as amended. Post to project website. Submit workplan for approval. Once budget approval confirmed, refer staff report and project charter to APC with aim to develop a communication and engagement strategy for LTC consideration in the new term.	Sonja Zupanec		On Going

STAFF REPORT

File No.: 3050-01 Bylaw No. 97
(Lasqueti Fees Bylaw)

DATE OF MEETING: September 24, 2018
TO: Lasqueti Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Lasqueti Island Local Trust Committee Fees Bylaw Amendment – Bylaw No. 97

RECOMMENDATION

1. That Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", be read a first time.
2. That Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", be read a second time.
3. That Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", be read a third time.
4. That Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

AND

5. That the Lasqueti Island Local Trust Committee request that the Executive Committee review the Trust Council Model Fees Schedule in relation to Islands Trust Council Policy 5.6.i and current average application processing costs, and make recommendations to the Islands Trust Council to update Policy 5.6.i and the Model Fees Schedule.

REPORT SUMMARY

The Lasqueti Island Local Trust Committee (LTC) is asked to consider giving three readings to Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", to include fees for Liquor and Cannabis Regulation Branch (LCRB) applications, and to then forward the bylaw to the Executive Committee for approval, prior to consideration of adoption. The LTC is also asked to consider a recommendation to the Executive Committee to review and consider changes to Islands Trust Council Policy 5.6.i and the Trust Council Model Fees Schedule.

BACKGROUND

At the July 23, 2018 meeting, the LTC adopted a standing resolution with respect to the processing of LCRB non-medical cannabis retail license applications. The resolution established a public consultation process to evaluate such applications. The LTC also passed the following resolution regarding LCRB application fees:

LA-2018-041

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to amend the fees bylaw to specify a fee of \$825 for Liquor Control and Licensing Branch non-medical cannabis retail applications and a fee of \$825 for Liquor Control and Licensing Branch liquor license applications.

CARRIED

The Liquor Control and Licensing Branch has been renamed as the Liquor and Cannabis Regulation Branch (LCRB) to represent its new responsibilities for licensing and monitoring non-medical cannabis retail sales in British Columbia. The LCRB regulates British Columbia's liquor industries and private retail non-medical cannabis establishments, including: restaurants, bars and pubs serving liquor; liquor manufacturers; liquor retail stores; special events involving liquor; and private cannabis retail stores.

The retail sale of non-medical cannabis is expected to become legal on October 17, 2018. The LCRB licensing regime will involve mandatory referrals to local governments and First Nations, and places an obligation on local governments and First Nations to provide the LCRB with recommendations for or against issuance of licenses for non-medical cannabis retail sales.

ANALYSIS

Local Government Act

Section 462 of the *Local Government Act* authorizes the LTC to impose application fees provided each fee “*must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.*”

Islands Trust Council Policy:

Policy 5.6.i (Application Processing Services)

Policy 5.6.i guides the establishment of application fees based on the average processing costs for various application types.

Trust Council endorsed a Model Application Fee Schedule in 2004. All fees in the Model Fee Schedule were increased by 10% in 2007.

Issues and Opportunities

Application Processing Costs & Taxpayer Subsidization

The actual costs of processing an application may be less than or greater than the established fee for that application. These costs are calculated as the product of staff labour costs multiplied by processing time, adding to this other direct costs such as mapping expenses, advertising costs, meeting and minute taker costs, and travel costs, and indirect costs such as general administration and overhead.

LTC fees generally follow the Trust Council Model Application Fee Schedule and most LTCs have not maintained their fee bylaws to keep pace with inflation. For reference, inflation was 27.12% from 2004 to 2018 and 19.39% from 2007 to 2018 (Bank of Canada).

While fees have remained suppressed, application processing costs (i.e. staff, facilities, materials) have increased. Furthermore, regulatory requirements and processes have become more complex thereby increasing the time spent to process individual applications. Continued suppression of fees will inevitably result in a continued shift of application processing costs from applicants to taxpayers.

Comparison of Trust Council Model Fees and Lasqueti Fees

The following table provides model fees endorsed by Trust Council in 2004 and 2007, subsequent fee amounts adopted by the Lasqueti Island Local Trust Committee in 2009 (with one amendment in 2016), and new LCRB application fees proposed in 2018.

Table 1. Trust Council Model Fees and Lasqueti Island Local Trust Committee Fee Bylaw Comparison

	2004	2007	2009	2016	2018
	Trust Council Model Fee	Trust Council Model Fee +10%	LA LTC (Fees) Bylaw 85	LA LTC (Fees) Bylaw 85 (amended)	LA LTC (Fees) Bylaw 85 (proposed)
Application Type					
Official Community Plan (OCP) Amendment	4000	4400	4400	4400	4400
Land Use Bylaw Amendment	4000	4400	3520	3520	3520
Land Use Contract Amendment	4000	4400	4400	4400	4400
OCP/LUB Amendment	4500	4950	4950	4950	4950
Development Variance Permit (DVP) - Residential	650	715	440	440	440
DVP - Industrial/Commercial	850	935	715	715	715
DVP - Freshwater Feature Setback/Screening				150	150
Temporary Use Permit (TUP)	1000	1100	770	770	770
TUP Renewal	150	165	165	165	165
Subdivision Review - first parcel	1000	1100	825	825	825
Subdivision Review - for each additional parcel	100	110	110	110	110
Subdivision Lot Line Change	300	330	110	110	110
Strata Conversion	1000	1100	825	825	825
Board of Variance	900	990	440	440	440
LCRB Liquor License	750	825	0	0	825
LCRB Non-medical Cannabis Retail License					825
LCRB Temporary License Change					100

Apart from LCRB applications, Lasqueti LTC fees for Land Use Bylaw (LUB) amendments, Development Variance Permits (DVPs), Temporary Use Permits (TUPs), Subdivision Review, Strata (Subdivision) Conversion, and the Board of Variance are all currently less than Trust Council Model Fees (2004 and 2007).

Bylaw No. 97, if adopted, would add fees in the amount of \$825 for both LCRB liquor license applications and non-medical cannabis retail license applications, as requested by the Lasqueti LTC. The bylaw would also introduce a minor fee for temporary license change applications (which require staff review and response to the LCRB) in the amount of \$100.

Notwithstanding, staff have recommended to LTCs that the fee for LCRB non-medical cannabis retail applications be set to \$2,000. This is based on a base application fee of \$1,000 (the \$825 model application fee adjusted for inflation and \$1,000 to partially offset the costs of holding a public meeting (i.e. costs for advertising, facility rental, staff time, minute taking, and trustee and staff travel). To date, five other local trust committees (Denman, Hornby, Gabriola, Salt Spring and Thetis) have initiated fee bylaw amendments to include a fee of \$2,000 for the processing of LCRB non-medical cannabis retail license applications.

The LTC may wish to amend the draft bylaw prior to consideration of readings or, alternatively, request that staff conduct further review and provide recommendations regarding fee adjustments at a subsequent Local Trust Committee meeting.

Staff is of the opinion that LTC fee bylaws should be reviewed with fees increased as needed to reflect inflation and reduce taxpayer subsidization of applications. The recommendation on page 1 of the report includes a resolution to request that the Executive Committee review the Trust Council Model Fees Schedule in relation to Islands Trust Council Policy 5.6.i and current average application processing costs, and make recommendations to the Islands Trust Council to update Policy 5.6.i and the Model Fees Schedule.

Consultation

No public consultation is required or recommended for this draft amendment bylaw.

Statutory Requirements

No public hearing is required and, as an administrative bylaw, the LTC may give Bylaw No. 97 three readings and forward the bylaw to the Secretary of the Islands Trust for approval of the Executive Committee. The LTC would be able to consider adoption of the bylaw should the Executive Committee first approve the bylaw.

Rationale for Recommendation

Adjustment of the Lasqueti Island Fees Bylaw will allow for costs to be partially offset should an application be received for a liquor license, non-medical cannabis retail license, or temporary license change. Further review of LTC fees is warranted given that many LTC fees are less than the Trust Council model fee schedule and none have been adjusted for inflation since the adoption of Lasqueti Fees Bylaw No. 85 in 2009. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Amend Lasqueti Island Fees Bylaw to specify different fee amounts

The LTC may wish to amend the fees bylaw to include different fees for LCRB or other applications. If so, draft Bylaw No. 97 would need to be amended prior to being given readings. The following resolution would precede the recommendations on page 1.

That Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", be amended by changing the fee for [application type] to [\$amount].

Further, when Bylaw No. 97 is given first reading, the resolution must include the words “as amended” at the end of this resolution only. Further readings (second and third) do not need to include the words “as amended”.

2. Receive the report for information

The LTC may receive the report for information.

NEXT STEPS

Describe the next steps in the process, if applicable.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 14, 2018
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ATTACHMENTS

1. Draft Lasqueti Fees Bylaw No. 97
2. Current Lasqueti Fees Bylaw No. 85, 2009

DRAFT

LASQUETI ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 97

A BYLAW TO AMEND THE LASQUETI ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2009

The Lasqueti Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Lasqueti Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018”.

2. Lasqueti Island Local Trust Committee Bylaw No. 85, cited as “Lasqueti Island Local Trust Committee Fees Bylaw, 2009” is amended as shown on Schedule No. 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS DAY OF , 201X

READ A SECOND TIME THIS DAY OF , 201X

READ A THIRD TIME THIS DAY OF , 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF , 201X

ADOPTED THIS DAY OF , 201X

Chair

Secretary

LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 97
Schedule No. 1

1. **Part 3, Application Fees, Section 3.1, TABLE 4 – Other Applications**, is deleted in its entirety and replaced with the following:

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$440
2. Strata Conversion	\$825
3. Liquor & Cannabis Regulation Branch – Liquor License	\$825
4. Liquor & Cannabis Regulation Branch – Non-Medical Cannabis Retail License	\$825
5. Liquor & Cannabis Regulation Branch – Temporary License Change	\$100



Islands Trust

LASQUETI ISLAND FEES BYLAW

Bylaw No. 85, 2009

As amended by the
Laqueti Island Local Trust Committee

Consolidated Version: April 1, 2017

This Bylaw is consolidated for convenience only and is not to be
construed as a legal document.

For reference to original bylaw and amendments,
please contact:
Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

Preserving Island communities, culture and environment

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 94	Amendment No. 1, 2016	November 21, 2016

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:

Citation

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

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. Development variance permit for a setback or screening regulation specific to any freshwater feature (stream, lake, pond, brook, ditch, creek or wetland) in respect of a residential, commercial, industrial or institutional development	\$150
4. Temporary commercial and industrial use permit	\$770
5. 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



Islands Trust

Print Date: September 14, 2018

Top Priorities

Lasqueti Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Review of Lasqueti subdivision regulations	-review minimum and minimum average parcel size regulations for each subdivision district	23-Oct-2017	Sonja Zupanec	
2	OCP/LUB Review	A comprehensive review of the Lasqueti Island Official Community Plan and Land Use Bylaw.	08-Jan-2018	Sonja Zupanec	
3	Community to Community Forum	Establish relationships with First Nations that have interests in the Lasqueti Local Trust Area.	09-Jun-2016	Sonja Zupanec	31-Mar-2017

**Lasqueti Island**

Description	Activity	R/Initiated
Lasqueti OCP Update	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 LTCs) 3. Update with Intertidal zone policies using specific recommendations from the Greenshores Project 4. Update with policies and applicable regulations to support Food Security (Trust Council 2010)	
Aging at home implementation project	-targeted OCP and LUB review -review options to implement Aging at Home on Lasqueti report recommendations #3, 4,5,6,7,9, and 11. -on projects list pending completion of Northern Housing Needs Assessment (spring 2018)	23-Oct-2017
Marine Shoreline Protection Project	Targeted OCP/LUB review and First Nations engagement; Review policies and regulations to support eelgrass and forage fish habitat protection; Work with Coastal Douglas-fir Conservation Partnership to draft recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems	08-Jan-2018
Upland to barge ramp permitted uses	Ã,Ã research and report back on options to make the current uses associated with the barge ramp legal.	04-Jun-2018



Islands Trust

Subdivision

Print Date: September 14, 2018

Applications

File Number	Applicant Name	Date Received	Purpose
LA-SUB-2014.1	Collings, Aileen	18-Mar-2014	Boundary Adjustment and then a 9 lot strata subdivision

Planner: Teresa Ritemann

Planning Status

Status Date: 11-Sep-2018

No change in status.

Status Date: 09-Aug-2018

Revised PLA received from MOTI

Status Date: 09-Jan-2018

PLA received from MOTI.

File Number	Applicant Name	Date Received	Purpose
LA-SUB-2016.1	Mystic Ridge Farm	29-Feb-2016	PID: 004-248-163 Create three residential lots

Planner: Sonja Zupanec

Planning Status

Status Date: 10-Jan-2017

Final approval letter sent on August 23, 2016.

Status Date: 09-May-2016

Email to MOTI to confirm that applicant has submitted confirmation that conditions re: ALC and sewage have been met and non-conformity siting demonstrated on sketched plan. Waiting for final plan of subdivision prior to letter from IT that application meets Lasqueti bylaws.

Status Date: 18-Mar-2016

Referral response sent to MOTI; copied to LTC and applicant/owner. Waiting for final plan of subdivision and confirmation of conditions met prior to final approval letter.

File Number	Applicant Name	Date Received	Purpose
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Islands Trust

Print Date: September 14, 2018

Applications

LA-SUB-2018.1 Fern Road Consulting 02-Jan-2018 PIDs: 017-115-736 (Cash)
Civic address 2 Grant Road, Lasqueti Island BC
017-312-183 (Ross)
Lot line adjustment

Planner: Sonja Zupanec

Planning Status

Status Date: 01-Aug-2018

File transferred to Planner Zupanec for processing.

Status Date: 18-Jun-2018

DVP approved by LA LTC June 4 - awaiting PLR (Preliminary Layout Review - formerly PLA)

Status Date: 04-Jun-2018

LTC must approve DVP for lot depth/width ratio before SUB can proceed.

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending July 2018

640 Lasqueti	Invoices posted to Month ending July 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-640	LTC "Trustee Expenses"	750.00	18.90	731.10
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	1,250.00	1,126.11	123.89
65210-640	LTC - Local Exp - APC Meeting Expenses	500.00	110.91	389.09
65220-640	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-640	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>2,500.00</u>	<u>1,237.02</u>	<u>1,262.98</u>
Projects				
73001-640-2015	Lasqueti OCP/LUB	2,500.00	766.77	1,733.23
73001-640-4095	Lasqueti Subdivision regulation review	1,500.00	0.00	1,500.00
		<u>4,000.00</u>	<u>766.77</u>	<u>3,233.23</u>

Lasqueti Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	July 11, 2013	LA-2013-020	APC member Agenda Package	It was MOVED and SECONDED , that on request by an Advisory Planning Commission member, that they receive a Lasqueti Island Local Trust Committee Agenda package at no charge.
2.	February 28, 2017	LA-2017-006	APC to also act as TAC	It was MOVED and SECONDED , that the Lasqueti Island Local Trust Committee make a Standing Resolution to request the APC to undertake the function of a Transportation Advisory Committee.



Islands Trust Conservancy Board Report to Local Trust Committees and Bowen Island Municipality July 2018

Islands Trust Conservancy Manager – Temporary Assignment with BC Parks

The Islands Trust Conservancy Manager, Jennifer Eliason, advised the board she is leaving for a temporary assignment with BC Parks for the next eight months. The board praised Jennifer for her hard work the last ten years and thanked her for her dedication. She will be missed.

Board Vacancy

The board of the Islands Trust Conservancy is thrilled to have received a list of candidates from the Crown Agency and Board Resourcing Office for a vacant board position for an appointed member. The vacancy is due to the completion of Ron Bertrand's appointed term with the board. The board sincerely thanks Ron for his commitment and valuable contributions to the Islands Trust Conservancy over his term.

Letter from Minister Robinson re: ITF Five-Year Plan 2018-2022

The board received and reviewed a response letter from Minister Robinson on the ITF Five-Year Plan that included congratulations on the recent name change.

Audited Financial Statements

The board received and approved the Audited Financial Statements for the 2017-2018 fiscal year. The KPMG auditor's opinion was consistent with previous years.

Local Trust Committee Briefing on Regional Conservation Plan

The board requested staff to circulate the Regional Conservation Plan briefing document to Local Trust Committees and Bowen Island Municipality, and to bring it back to the board's September meeting for further direction.

Summary of Current Island-by-Island Activities

Denman

The board approved the finalised management plan for the Morrison Marsh Nature Reserve, dated July 17, 2018. Board members discussed the report's findings, including intervening in naturally occurring events such as beaver dams, and discussed invasive species removal, First Nations relations, stewardship programs and information sharing.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). The campaign is over 40 per cent of the way to a \$250,000 goal.

Salt Spring Island

The board considered and approved a request from the Salt Spring Island Conservancy for a waiver to the Andreas Vogt Nature Reserve Covenant to girdle Douglas-fir trees that are encroaching on the Garry Oak meadows in the nature reserve to protect against future impacts of climate change on Garry oak meadows habitat. The board suggested public communication regarding management techniques to ease possible concerns from the public.

Thetis

Staff continue to negotiate a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Public consultation dates are in the process of being organized with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust to inform the management plan for the protected area.

*Please feel free to contact members of the board of the Trust Fund Conservancy or Islands Trust Conservancy staff for more details. Note: The Islands Trust Fund has changed its legal name to the **Islands Trust Conservancy**. We are in the process of switching over all references to the Islands Trust Fund/Trust Fund Board to the new name. Look for a public launch of our new website and social media in the fall.*

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca

DATE OF MEETING: September 24, 2018

TO: Lasqueti Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

SUBJECT: Local Trust Committee 2014-2018 Term Summary Report

RECOMMENDATION

1. That the Lasqueti Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as presented on September 24, 2018, for further consideration by the incoming Local Trust Committee.

REPORT SUMMARY

The purpose of this report is to summarize Local Trust Committee (LTC) activities during the 2014-2018 term, including projects related to the Official Community Plan (OCP) and Land Use Bylaw (LUB), administrative and advocacy activities, and applications. The LTC is being asked to consider its 'Top Priorities' and 'Projects' lists and provide any direction for amendments, prior to the end of the current term.

ANALYSIS

Table 1 summarizes LTC projects during the 2014-2018 term:

YEAR	PROJECT	STATUS
2015	<i>Riparian Areas Regulation</i> Implementation	Continued from 2014
2016	UBCM Age-friendly Community Development Grant	Awarded \$9,000
	Aging At Home Project	Completed / consultant hired to assess and report on recommended OCP and LUB amendments
	<i>Riparian Areas Regulation</i> Implementation	Completed / Bylaw 90 adopted – new LUB setbacks for streams
	UBCM Community to Community (C2C) Forum Grant	Grant awarded; no C2C forum held
2017	OCP/LUB Review: Shoreline Protection Project	LTC endorsed project charter and preparation of draft amending bylaws
	Aging At Home Implementation Project	LTC endorsed project charter and community survey / further work to follow completion of the Northern Region Housing Needs Assessment
2018	OCP/LUB Review: Shoreline Protection Project	Removed from Top Priorities List / moved to Projects List
	Comprehensive OCP and LUB Review Project	LTC endorsed new project charter
	Subdivision Regulation Review	Bylaw 95 drafted to correct subdivision minimum lot size requirements / statutory bylaw process initiated (pending public hearing)

Table 2 summarizes the applications processed during the 2014-2018 term:

	APPLICATION TYPE								
YEAR	SITING & USE PERMIT (SUP)	DEVELOPMENT PERMIT (DP)	DEVELOPMENT VARIANCE PERMIT (DVP)	TEMPORARY USE PERMIT (TUP)	BUILDING PERMIT (BP)	BYLAW AMENDMENT (OCP/LUB)	ALC	SUBDIVISION (SUB)	LIQUOR CANNABIS REGULATION BRANCH (LCRB)
2015	N/A	N/A	0	N/A	N/A	1	0	0	0
2016	N/A	N/A	0	N/A	N/A	0	0	3	0
2017	N/A	N/A	0	N/A	N/A	0	0	0	0
2018	N/A	N/A	1	N/A	N/A	0	1	0	1
TOTAL	N/A	N/A	1	N/A	N/A	1	1	3	1

Table 3 summarizes LTC administrative activities during the 2014-2018 term:

YEAR	ADMINISTRATIVE ACTIVITY	STATUS
2015	Meeting Procedure Bylaw Amendment	Completed / enabled electronic meetings
	Advisory Planning Commission (APC) Appointments	New APC members appointed for a 2 year term
	Fees Bylaw Amendment	Completed / reduced DVP fee for stream setbacks
2016	LTC becomes signatory to the 'Coastal Douglas-fir Partnership Statement of Collaboration'.	Signed / no projects commenced
	APC Bylaw Amendment	Completed / updated secretary responsibilities
2018	Protocol Meeting with qathet Regional District	Trustees and qathet (formerly Powell River) Regional District board members and respective staff met to share information, concerns and discuss possible protocol agreement revisions
	APC Bylaw Amendment	Completed / updated APC roles and responsibilities.
	New APC appointments	New APC members appointed for a 2 year term
	Standing Resolution on LCRB Non-medical Cannabis Retail License Applications	Established public consultation process for LCRB non-medical cannabis retail applications
	Fees Bylaw Amendment	Initiated fees bylaw amendment to include fees for LCRB applications

Table 4 summarizes LTC advocacy work during the 2014-2018 term:

YEAR	ADVOCACY ISSUE	STATUS
2014	Tucker Bay Road	Letter sent to Ministry of Transportation and Infrastructure expressing concerns for proposed closure of Tucker Bay Road
2015	False Bay Port	Letter sent to Transport Canada regarding the False Bay port facility and its importance as the island's only public transport access
2016	False Bay Port	Letter sent to the Ports Asset Transfer Program requesting more time in Phase 1 for examination of community options
	Beach Clean Up	LTC passed a resolution to express support for a proposed beach clean-up event
2017	Tucker Bay Road	LTC request to Executive Committee for advocacy to Ministry of Transportation that Tucker Bay Road remain a public highway under MOTI control / pending Ministry of Transportation and Infrastructure decision
2018	Weldon Road	Letter to Ministry of Transportation and Infrastructure expressing concerns with the safety of Weldon Road, particularly with respect to new subdivisions

Rationale for Recommendation

The 'Top Priorities List' and 'Project List' identify several potential projects for the incoming LTC to consider and prioritize through a strategic planning process. The OCP/LUB Review Project is currently identified as a top priority for the next term and budget approval is underway.

ALTERNATIVES

The LTC may consider the following alternative to the staff recommendation:

1. Amend the 'Top Priorities List' and/or the 'Projects List'

That the Lasqueti Island Local Trust Committee amend the [Top Priorities List/Projects List] as follows: (insert details).

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	September 12, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 14, 2018

ATTACHMENTS

1. Lasqueti Top Priorities List
2. Lasqueti Projects List



Top Priorities

Lasqueti Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Review of Lasqueti subdivision regulations	-review minimum and minimum average parcel size regulations for each subdivision district	23-Oct-2017	Sonja Zupanec	
2	OCP/LUB Review	A comprehensive review of the Lasqueti Island Official Community Plan and Land Use Bylaw.	08-Jan-2018	Sonja Zupanec	
3	Community to Community Forum	Establish relationships with First Nations that have interests in the Lasqueti Local Trust Area.	09-Jun-2016	Sonja Zupanec	31-Mar-2017

**Lasqueti Island**

Description	Activity	R/Initiated
Lasqueti OCP Update	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 LTCs) 3. Update with Intertidal zone policies using specific recommendations from the Greenshores Project 4. Update with policies and applicable regulations to support Food Security (Trust Council 2010)	
Aging at home implementation project	-targeted OCP and LUB review -review options to implement Aging at Home on Lasqueti report recommendations #3, 4,5,6,7,9, and 11. -on projects list pending completion of Northern Housing Needs Assessment (spring 2018)	23-Oct-2017
Marine Shoreline Protection Project	Targeted OCP/LUB review and First Nations engagement; Review policies and regulations to support eelgrass and forage fish habitat protection; Work with Coastal Douglas-fir Conservation Partnership to draft recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems	08-Jan-2018
Upland to barge ramp permitted uses	Ã,Ã research and report back on options to make the current uses associated with the barge ramp legal.	04-Jun-2018



BRIEFING

To: Local Trust Committees and Bowen Island Municipality **For the Meeting of:** August 28, 2018

From: Islands Trust Conservancy **Date Prepared:** July 17, 2018

SUBJECT: Incorporating the Regional Conservation Plan into Land Use Planning

PURPOSE: The Islands Trust Conservancy is providing all local trust committees and Bowen Island Municipality with a briefing to provide information on the ways the Islands Trust Conservancy's 2018-2027 Regional Conservation Plan and associated mapping and data can be incorporated into Official Community Plans, Land Use Bylaws and local planning initiatives and projects.

BACKGROUND:

In March, Trust Council endorsed the Islands Trust Fund's Regional Conservation Plan. At its April 2018 meeting, the Trust Fund Board (now Islands Trust Conservancy) passed the following resolution:

That the Trust Fund Board direct staff to provide a briefing to all local trust committees and Bowen Island Municipality requesting that consideration be given to incorporating elements of the 2018-2027 Regional Conservation Plan (including associated data and mapping) into Official Community Plans.

The Regional Conservation Plan contains significant information about regional conservation priorities that could be considered when making land use planning decisions. This information is informed by conservation area modelling, which uses multiple data sets regarding biodiversity priorities and threats to ecosystems. The information is available by local trust area/island municipality.

Why do we have a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive and rare ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Islands Trust Conservancy has been guided by regional conservation plans. These plans have also, in some cases, supported the planning work of the Islands Trust.

What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the Islands Trust Conservancy for the next ten years. The goals identified in the 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals
3. Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

There are island profiles in Appendix II of the RCP with information specific to each local trust committee area and Bowen Island.

How can the Regional Conservation Plan support land use planning?

The Regional Conservation Plan can help trustees and planners identify opportunities and inform priorities for land use planning activities across the Islands Trust. During the 2018-2022 local government term, each Islands Trust LTC/IM will identify top priorities for land use planning activities and should ensure that existing Official Community Plans and Land Use Bylaws meet the goals of the Islands Trust Policy Statement and support the goals of the Regional Conservation Plan.

LTCs and BIM can use the following table to identify land use planning projects to initiate during the 2018-2022 term to advance the Islands Trust Policy Statement Goal: *to Foster preservation and protection of the Trust Area's ecosystems* and the directive policies:

Directive Policy	Available resources (Regional Conservation Plan, mapping, etc.):	What can LTCs/IM do with this information?
3.1 Ecosystems		
3.1.3 LTCs/IMs shall, in their OCPs and regulatory bylaws <i>address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.</i>	The Regional Conservation Plan highlights the following as biodiversity priorities for the region: • Sensitive ecosystems • Healthy forests • Species and ecosystems at risk • Marine shorelines and nearshore areas • Islets and small islands • Size, corridors and connectivity to other protected areas Available information and data/mapping to support these directive policies: • updated Sensitive	Development of maps; Official Community Plan (OCP) policy language and Land Use Bylaw (LUB) regulations that: • Identify and protect environmentally sensitive areas • Identify and protect significant natural sites/features/landforms • Support the development of protected area networks (or "greenways") • Identify contiguous forest cover Designate Development Permit Areas (DPAs) to protect environmentally sensitive areas
3.1.4 LTCs/IMs shall, in their OCPs and regulatory bylaws <i>address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.</i>		

	Ecosystem Mapping • Species at Risk/Critical Habitat Mapping • Ecosystem Disturbance Mapping • Priority Lands for Conservation (regional scale)	and significant natural features Prioritize bylaw investigation and enforcement on matters negatively impacting ecosystem health
3.2 Forest Ecosystems		
3.2.2 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use.</i>	Available information and data/mapping to support this directive policy: • Mapping of Forested Ecosystems, including forest type and age • Regional Conservation Plan: Biodiversity Priorities; Forest Ecosystem descriptions and statistics • RCP Island Profiles: Sensitive Ecosystems, Forest Ecosystems and Ecosystem Disturbance for each LTA/BIM	Designate DPAs to protect unfragmented forest ecosystems Reduce site coverage density in land use bylaws Negotiate covenants to protect contiguous forest as conditions of rezoning Integrate conservation subdivision principles into land use bylaw requirements for subdivision (lot clustering, density transfer, conservation planning) Prioritize bylaw investigation and enforcement on matters negatively impacting forest ecosystems Adopt Tree Protection Bylaws (for municipalities)
3.3 Freshwater and Wetland Ecosystems and Riparian Zones		
3.3.2 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.</i>	Available information and data/mapping to support this directive policy: • Mapping of Sensitive Ecosystems, including wetlands, freshwater and riparian • RCP: Island Profiles - Sensitive Ecosystems • Watershed mapping • Water courses mapping (TRIM) • Riparian Areas Regulation data/mapping in select areas	Designate DPA's to protect sensitive freshwater, wetland and riparian areas Implement the <i>Riparian Areas Regulation (RAR)</i> including protection of non RAR watercourses Develop LUB setbacks from water bodies Develop LUB landscape buffers along water bodies Implement freshwater planning tools and regulations available in the <i>Water Sustainability Act</i> Develop aquifer mapping and water budgets

		Designate DPAs for water conservation for all new construction/development Prioritize bylaw investigation and enforcement on matters negatively impacting freshwater, wetland and riparian ecosystems
3.4 Coastal and Marine Ecosystems		
3.4.4 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the protection of sensitive coastal areas.</i>	Available information and data/mapping to support these directive policies: • Eelgrass mapping • Forage fish habitat mapping (for some islands) • Species at Risk Critical Habitat Mapping – Southern Resident Orca • Shorezone mapping • New Sand Ecosystems Mapping • Dock mapping (point data)	Include mapping of marine ecosystems in OCPs and policies for regulation of development in sensitive coastal areas Designate DPAs to protect sensitive coastal areas and the intertidal zone Include DPA guidelines that address fragmentation of the coastline by subdivision Amend LUBs to create landscape buffers along the shoreline Increase LUB setbacks from the natural boundary of the sea based on the provincial 2100 sea level rise predictions Amend LUBs to limit development of private docks/structures in the marine zones Prioritize bylaw investigation and enforcement on matters negatively impacting coastal and marine ecosystems
3.4.5 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the planning for and regulation of development in coastal regions to protect natural coastal processes.</i>		

ATTACHMENT(S):

No attachments. For reference, the 2018-2027 Regional Conservation Plan is available online [here](#).

FOLLOW-UP:

- Consider this briefing when establishing work program priorities
- Request planning advice on how to integrate conservation data and mapping resources when considering applications, projects, etc.
- Local trust committees/island municipalities wishing to create specific maps using conservation modeling (land prioritization based on multiple data sets) or ecosystem mapping should request assistance from ITC and GIS staff.

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Reviewed By/Date: Regional Planning Managers and Director of Local Planning Services/July 3, 2018

Clare Frater, Director of Trust Area Services/July 9, 2018

Islands Trust Conservancy Board/July 17, 2018