



Lasqueti Island Local Trust Committee Regular Meeting Revised Agenda

Date: February 19, 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.	TOWN HALL AND QUESTIONS	11:05 AM - 11:20 AM
4.	COMMUNITY INFORMATION MEETING - None	
5.	PUBLIC HEARING - None	
6.	MINUTES	11:20 AM - 11:30 AM
	6.1 Local Trust Committee Special Meeting Minutes dated January 8, 2018 for Adoption	4 - 12
	6.2 Section 26 Resolutions-Without-Meeting Report dated February 8, 2018	13 - 13
	6.3 Advisory Planning Commission Minutes dated December 5, 2017 for Receipt	14 - 21
7.	BUSINESS ARISING FROM MINUTES	11:30 AM - 11:40 AM
	7.1 Follow-up Action List dated February 8, 2018	22 - 23
8.	DELEGATIONS - None	
9.	CORRESPONDENCE - None	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10.	APPLICATIONS AND REFERRALS - None	

11.	LOCAL TRUST COMMITTEE PROJECTS	11:40 AM - 12:40 PM	
11.1	Subdivision Regulations - Staff Report		24 - 34
11.2	Official Community Plan Review		
11.2.1	Budget Discussion		
11.2.2	Facilitation of Community Information Meeting Discussion		
12.	REPORTS	12:40 PM - 1:10 PM	
12.1	Work Program Reports		
12.1.1	Top Priorities Report dated February 8, 2018		35 - 35
12.1.2	Projects List Report dated February 8, 2018		36 - 36
12.2	Applications Report dated February 8, 2018		37 - 38
12.3	Trustee and Local Expense Report dated December, 2017		39 - 39
12.4	Adopted Policies and Standing Resolutions		40 - 40
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Reports		
12.8	Electoral Area Director's Report - None		
12.9	Trust Fund Board Report - None		
	--BREAK-- 1:10 - 1:25		
13.	NEW BUSINESS	1:25 PM - 1:55 PM	
13.1	Advisory Planning Commission Appointments and Updated Bylaw - Staff Report		41 - 52
13.2	Housing Agreement Administration - Briefing		53 - 55
13.3	Farm Industry Review Board - Memorandum - For Information		56 - 57
13.4	<i>Proposed Agenda Items for the Powell River Regional District Meeting</i>		
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for Monday, April 23, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC		
15.	TOWN HALL	1:55 PM - 2:10 PM	

16. CLOSED MEETING

2:10 PM - 2:15 PM

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) for the purpose of adoption of In-Camera Meeting Minutes Dated September 18, 2017 and January 8, 2018 AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

2:15 PM - 2:15 PM



Lasqueti Island Local Trust Committee Special Meeting Minutes

Date: January 8, 2018
Location: Judith Fisher Centre
 #1 China Cloud Bay Road
 Lasqueti Island, BC

Members Present Laura Busheikin, Chair (by teleconference)
 Susan Morrison, Local Trustee
 Timothy Peterson, Local Trustee

Staff Present Ann Kjerulf, Regional Planning Manager (by teleconference)
 Dave Olsen, Recorder

Others Present There were thirty (30) 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."

Trustee Morrison called the meeting to order at 10:01 am. She acknowledged that the meeting was being held in the traditional territory of First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

11. CLOSED MEETING

By general consent the agenda was adopted as amended.

3. TOWN HALL & QUESTIONS

Karl Darwin, President of the Lasqueti Island Ratepayers Association (LIRA), read a presentation and then submitted it. He gave a brief history of the Lasqueti Island Local Trust Area and previous bylaw development and indicated that LIRA wishes to be involved with a review of the Official Community Plan (OCP)/Land Use Bylaw (LUB).

Public Address System

A public address system was requested so the public can hear the Trustees better.

Housekeeping Amendments

It was suggested that changing "may" to "must" and "should" to "shall" would impact the LUB.

Average Lot Size

A concern was raised regarding the wording of the minimum lot size for subdivision provision in the LUB.

Trustee Peterson noted that, at the October 23rd meeting, the LTC had requested that this issue be raised separately from the shoreline protection project.

OCP/LUB Review

Discussion arose regarding the potential to undertake a comprehensive OCP/LUB review.

- Trustee Morrison noted that work program budgets are determined by Trust Council and to date, while there have been annual requests to undertake a comprehensive review, to date money has been provided to address piecemeal bylaw issues.
- A member of the public asked whether or not there was a legal requirement to review an OCP every 5 years.
- Islands Trust staff noted that it is good practice to review the OCP every 5 years but it is not a legal requirement.
- A member of the public asked what costs are involved in undertaking an OCP review.

Staff noted that the cost of a review would depend on whether or not consultants would be used, costs of meetings and advertising, staff travel and minute taker, and document production.

Discussion continued and the following was noted:

- That an OCP is a plan by the community rather than for the community; no one has said that they want a plan imposed.
- Equipment to record meetings was offered, as well as making the recordings available to the public, for no cost.
- It was suggested that locals can volunteer to run the meetings until the bylaw drafting stage.
- A new LTC could decide we don't need a review, so it was suggested that the LTC move the review forward before the election.

Election Year

Trustees were asked if they were planning to run again:

- Trustee Morrison answered that she had planned to run again but could not confirm due to family health concerns
- Trustee Peterson answered that at this point he is planning to run again.

4. MINUTES

4.1 Local Trust Committee Minutes dated October 23, 2017 for adoption

The following amendments to the minutes were presented for consideration:

On Page 8, section 12.7 Trustee Reports, change:

“Trustee Peterson reported that he attended the UBCM and Trust Council meetings.” to
“Trustee Peterson reported that he attended the Trust Council meetings.”

On Page 10, change:

“People may or may not read the email list, but everyone reads the email list serve and it did not contain the First Nations information on it.”

to

“People may or may not read the email list, but everyone reads the island mailer and it did not contain the First Nations information on it.”

On Page 8, section 12.6 Chair’s report: remove last two sentences in the 3rd bullet.

By general consent the minutes were adopted as amended.

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List dated December 22, 2017

- Trustee Peterson asked if any new information been received from the Ministry of Transportation and Infrastructure (MOTI) regarding the M9 zone?
 - Staff answered “No.”
- Trustee Peterson asked if there was any news regarding the proposed Powell River Regional District meeting?
 - Staff answered that the respective CAOs had been in communication but no date had been identified; staff offered to continue to work on this, but asked if it is still desired since it is an election year.

Both Trustees indicated a strong interest in continuing to set up a meeting.

- Trustee Morrison noted that she made a resolution to remove Development Permits from the Marine Shoreline Protection Project, that it hasn’t shown up and that she is very concerned.
 - Staff responded that they would add the resolution for the February LTC meeting.

6. LOCAL TRUST COMMITTEE PROJECTS

6.1 Lasqueti Island Official Community Plan Review

Trustee Morrison asked staff what an OCP review would involve.

Staff responded that an OCP has two key elements – the community consultation process and the statutory bylaw amendment process. It is important that the community be involved throughout the process and understands how the OCP relates to the Islands Trust Policy Statement.

Trustee Peterson asked, in terms of public engagement, if the policy statements are easily understood or do they need interpretation?

Staff responded that the Islands Trust Policy Statement includes directive policies that must be included in the OCP and also serves a similar role as a Regional Growth Strategy. You will want your bylaws, when they reach the Islands Trust Executive Committee, to align with IT policy.

Chair Busheikin stated that she felt that the Islands Trust Policy Statement was easy to understand.

Trustees discussed the opportunity of postponing the Marine Shoreline Protection project, having a Community Information Meeting (CIM) to talk about a comprehensive OCP review process, and getting input from community members about what this process could look like.

Trustee Peterson noted that this would be different than the CIM noted in related to the Shoreline Protection project on the Follow Up Action List.

LA-2018-001

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request staff to organize a community meeting in February/March 2018 to look at an Official Community Plan (OCP)/Land Use Bylaw (LUB) review.

CARRIED

LA-2018-002

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request staff to put the Marine Shoreline Protection Project on hold.

Trustee Peterson further noted that minimum lot size for subdivision issue has been separated out and added to the Top Priorities List.

CARRIED

Discussion ensued and included:

- Staff need to ensure that the OCP process meets legal requirements.
- Staff offered a “Planning 101” document that would describe the purpose of an OCP, required and optional content, a general overview of the OCP process and relationship with the Islands Trust Policy Statement and Land Use Bylaw.
- Trustees want to disseminate this information in advance of the meeting so it doesn’t need to be discussed at the CIM.
- The upcoming CIM will give the community the chance to scope out the Review; the Community will do most of the talking and self-organize.
- Facilitation for the CIM will be on the next LTC Meeting agenda.

7. REPORTS

7.1 Work Program Reports

7.1.1 Top Priorities Report dated December 22, 2017

LA-2018-003

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee move the Marine Shoreline Protection Project from the Top Priorities List to the Projects List.

Chair Busheikin noted her desire to not forget about this Project as we move forward since we have a strong letter of support from First Nations and it really dovetails with our desire to protect the marine environment.

CARRIED

LA-2018-004

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee put the Official Community Plan (OCP)/Land Use Bylaw (LUB) Review on the Top Priorities List.

CARRIED

Discussion ensued regarding the upcoming budget deadline and the following was noted:

- There is a new Islands Trust programme with \$100,000 for new projects that can be applied for any time of the year.
- The next LTC meeting is February 18, before the March Budget deadline.

7.1.2 Projects List Report dated December 22, 2017

Received.

7.2 Applications Report dated December 22, 2017

Received.

A member of the public spoke regarding application LA-SUB-2014.1 and noted:

- He lives on Weldon Road, which will be affected by this application.
- He has a great concern for public safety and there is little mention of public safety in the application.
- He addressed his concerns in July to Planner Rittemann, and she forwarded his concerns to the Ministry of Transportation and Infrastructure (MOTI). He has received no reply from MOTI.
- In the summer, Weldon Road is maxed out with motorized vehicles. With 8 more parcels, this danger is increased significantly.
- There is a 30 metre stretch of Weldon Road by Johnson's Lagoon, where the down

side is ocean, and the up side is rock face; Mr. Norton expressed surprise that there was no provision for this stretch provided in the proposal.

Trustee Morrison reported the following:

- That she has made several comments about that road to MOTI, including to Assistant Deputy Minister Kevin Richter when he was on island.
- She believes that the road itself is not reasonable.
- That the Executive Council has had meetings with Minister Clare Trevena and that this is something we have to keep pushing.

A member of the public added that other applications have not received approval until the developer paid for a road upgrade.

LA-2018-005

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request the Chair to write a letter to the Ministry of Transportation and Infrastructure (MOTI) regarding road safety issues in relation to Application LA-SUB-2014.1.

CARRIED

7.3 Trustee and Local Expense Report dated November, 2017

Received.

7.4 Adopted Policies and Standing Resolutions

Received.

7.5 Local Trust Committee Webpage

Received

7.6 Chair's Report

Chair Busheikin had nothing to report other than Trust Council is next week.

7.7 Trustee Reports

Trustee Morrison reported that it has been quiet for the holidays, but next week she has a Financial Planning and Executive Council meeting in Victoria.

Trustee Peterson reported on the following:

- The LTC held a Resolution Without Meeting in order to schedule this meeting.
- He is having an open house at the Judith Fisher Centre on Saturday, January 13.
- Trust Council is busy and is proposing a 2% increase in taxes; he moved that it be reduced by half but that motion was defeated.

7.8 Trust Fund Board Report dated November, 2017

Received.

Trustee Morrison read from the report.

8. UPCOMING MEETINGS

8.1 Next Regular Meeting Scheduled for Monday, February 19, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

9. TOWN HALL

Public Address System

Trustee Morrison reported that at Trust Council they are moving towards a new system, that she likes the idea and she is doing some research on how to get the system for our meetings.

Fixed Time for Speakers

A member of the public requested that the Chair institute a fixed time for all speakers during Town Hall.

First Nations Territory

The last meeting minutes states that this is Tla'amin Territory, but other Nations have territorial claims here.

OCP/LUB Review

Discussion ensued and the following was noted:

- Everyone was encouraged to speak a little bit about what they want in the review.
- Almost everyone was under the impression that there was a 10-acre minimum; now that we know differently, some public discussion about the current situation may be advantageous.
- Want the review to be a Community-led process; email and small groups could work together.
- The Trust is constrained by its own process.
- E-DAC had a needs based approach.
- An email-based approach to interests was proposed.
- Both email and formal meetings were described to be not fully inclusive.
- The Planning 101 information from the staff would be useful to have more than a week in advance.
- To reach people without email, mail outs could be sent.
- Is it possible to remove the requirement to advertise in the Parksville/Qualicum newspaper?
 - Trustees suggested that the *Local Government Act* requires it, which is beyond the scope of the LTC.
- The Community Hall was identified as the main meeting location for the review.
- Open Houses are helpful to bring ideas to Trustees.
- Chair of the APC offered his experience as a municipal councillor that has done an OCP review.
- Important to allow the community to voice opinions.
- Potlucks were suggested as meeting venues, where one person takes notes over dinner, and the notes are brought to a bigger meeting so more people voices are heard.
- Regular meeting times were proposed so that newcomers and others could plan ahead and

would know how to get involved and be heard.

- The APC also has meeting constraints: 5 days notice, a minute taker, and only 3 members can talk in the same place before quorum is reached.
- The Review could be less of a formal process and more of a process of collecting public viewpoints.
- The last OCP review was referenced as a good process.
- Meetings were requested to be in the evenings or on the weekends.
- One of the criticisms from the Powell River Regional District (PRRD) of the E-DAC process was that just a few people were represented, not the whole community; it is important to show that people are represented in this process.
- Younger people in attendance were encouraged to reach out and be as engaged as possible.
- Signs on trees, mailers, Facebook postings were all suggested as ways to reach out to younger people.
- Any edition of our local paper has the LTC contact information.
- There are community members that are afraid to make their views known. It is important for people to feel safe.
- Trustees offered to have monthly open houses and/or office hours, for private discussions.
- Many people in the community are known as resources to help with writing to the LTC.
- A song was written in the past to help people with all the acronyms.
- More rentals need to be available so more younger people can work on island.

Trustees offered to receive the informal information gathering in writing as correspondence and noted the following:

- Email sent to the Lasqueti Island Local Trust Committee is automatically included as official correspondence for the public record.
- If only one Trustee is written to, that Trustee will ask if the writer wishes to have her or his submission to be received as official correspondence, which would may be posted online.

The Trustees thanked the public for the great meeting and for giving them the proof that they need to move forward with the OCP/LUB review.

10. CORRESPONDENCE – Letter received from Martha Wendt

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

11. CLOSED MEETING

11.1 Motion to Close the Meeting

LA-LTC-2018-006

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 considering Appointment to the Advisory Planning Commission, and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 12:13pm

11.2 Recall to Order

By general consent the meeting was recalled to order at 12:14pm.

11.3 Rise and Report

Trustee Morrison reported that Colin Ewan was appointed to the Advisory Planning Commission.

12. ADJOURNMENT

By general consent the meeting was adjourned at 12:15pm.

Susan Morrison, Chair

Certified Correct:

Dave Olsen, Recorder



Islands Trust

Print Date: February 8, 2018

Lasqueti Island

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2018-01	In Favour	"That the Lasqueti Island Local Trust Committee request staff to amend the start time of the regularly scheduled business meeting of January 8, 2018 to 10:00 a.m."	02-Jan-2018
2018-02	In Favour	"That the Local Trust Committee release \$200.00 from the special project budget to be used by the Trustees to hold information sessions to explain the process involved in the shoreline protection project and process involved in the Official Community Plan and Land Use Bylaw reviews."	09-Jan-2018



Minutes of the Lasqueti Island Advisory Planning Commission

Date of Meeting: Tuesday, December 5, 2017

Location: Judith Fisher Health Centre
#1 China Cloud Bay Road, Lasqueti Island, BC

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

APC Members Absent: Lisa Johnson, Member

Staff Present: Dave Olsen, Recorder

Others Present: There were nine (9) members of the public in attendance

1. CALL TO ORDER

Chair Fall called the meeting to order at 7:05 pm.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. MINUTES

3.1 Lasqueti Island Advisory Planning Commission Draft Minutes dated September 12, 2017

The following amendments were presented for consideration:

4. TOWN HALL Change Lindsey Seaman's name to Lindsay in two places.

By general consent, the minutes were adopted as amended.

4. TOWN HALL

Chair Fall introduced the Town Hall by providing a summary of the Advisory Planning Commission's (APC) motions at their last meeting and then provided an update of the process changes that were passed at the last Local Trust

Committee (LTC) meeting. He then read the LTC referral to the APC and opened up discussion to the public.

Discussion ensued and the following points were noted:

- The need for shoreline protection was not understood given that the majority of the shoreline is rock.
- Small lot owners will not be able to rebuild.
- It will cost a lot of money.

David Slik then spoke for the record:

"First Nations and Indigenous Peoples' rights pre-date colonization and confederation. In the Royal Proclamation of 1763, King George III decreed that Aboriginal people 'should not be molested or disturbed,' and explicitly states that Aboriginal title has existed and continues to exist, and that all land would be considered Aboriginal land until ceded by treaty. The Proclamation forbade settlers from claiming land from the Aboriginal occupants, unless it has been first bought by the Crown and then sold to the settlers. The Royal Proclamation further sets out that only the Crown can buy land from First Nations.

The Constitution of Canada explicitly states in section 35 that 'The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.' Section 25 states that our Charter rights and freedoms 'shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada.'

Most of British Columbia is not covered by treaties. Lasqueti is covered by a 'modern treaty,' signed between the Tla'amin Nation, the Government of British Columbia, and the Government of Canada.

What does this mean for people living on Lasqueti?

1. We are people of this treaty. 2. Our land titles are illegitimate. Any legitimacy of 'our' land titles can only come through treaties. 3. We have responsibilities and obligations arising from these treaties.

What are our thoughts?

First, we need to be respectful. We must accept, and not deny, the harm, the genocide, the occupation and theft, the residential schools, the abuse, the forced assimilation that we, as settlers, have caused, and that this harm is ongoing. We must have respect for a different way of living, a different relationship with the land. We must have respect for First Nations cultures, histories, and futures.

Second, we need to educate ourselves. As people of this treaty, and as settlers and colonizers, we need to learn our history, learn about our treaty, and learn ways that we can build healthy, healing, constructive, and collaborative relationships. And we need to do so in such a way that we are not demanding the Tla'amin people to do our work for us.

Third, we need to be genuine. This means honouring our obligations. This means coming forward with meaningful changes, such as using Tla'amin place names, and contributing to the well-being of the Tla'amin Nation.

This is our responsibility. After all, we have an obligation to learn the local language, local customs, and to follow local laws of the peoples whose land we are occupying. For too long, we, as settlers, have run rampant over the Nations we live in. Now, through this treaty, we have an opportunity to build a new relationship.

Sincerely, David & Laura Slik”

A member of the public asked what the concerns were that initiated this project?

Chair Fall answered that he asked the planner the same question and received the following in response:

- A general review of the OCP/LUB included the Aging at Home Project and Forage Fish mapping that had been recently done.
- The LTC included shoreline protection and added First Nations engagement as a pilot project.

Chair Fall continued by stating that at the September 12th Community Meeting, we expressed concerns about the process. We said it would be better if the APC were given a list of what the risks are and some tools to address them. We could then consult with the community. That didn't initially happen, so now we're at that place after a lot of missteps.

Discussion continued and the following points were noted:

- This came from Trust Council, they asked each LTC to address shoreline protection.
- About 6 months ago, the Provincial government stopped requiring permits for docks.
- Seems odd when they come up with a blanket policy. It would be better to see this more site specific.
- Why 90' setbacks?
- Septic placement is more important and more damaging than building.
- Even the stuff that was in there for 30' setbacks needed a variance. Even if it is all rock, still need a variance.
- Blanket policies don't usually work that well.
- Over the past 40 years, only 50 more people are living here; recreational building has increased but I'm not sure how that use could be damaging.
- Seems like an escape route for policy makers.
- Regarding the blanket policy: Trustees can argue that everyone is stuck with it. We can get out of that by narrowing down what the goals are. Just by changing the definition allows all "sensitive shoreline" to be equally restrictive.

A member of the APC asked, "Does anybody know why the TC chose us as a pet pilot project?" The following responses were noted:

- All islands were asked to do this.
- We are dealing with Shoreline Protection because we are not doing an OCP review.
- The Trustees are with Trust Council in moving these things to us in this fashion.
- When Trust Council sets a policy directive, the LTC must address these via the OCP/LUB by mentioning the directive somehow.

Discussion ensued and the following was noted:

- The OCP is meant to provide that; anyone should be able to pick it up and understand what we want.
- The Highlands OCP is a one-page description of what they want and value.
- At the Community Meeting, the Tla'amin Chief was bang on; she didn't lay claim to Lasqueti and was a good speaker; we should interact with them.
- Ecological and First Nation values for shoreline protection overlap. Let's start at the beginning and find out what the Nation wants rather than impose a blanket policy.
- An example was during the RAR process; letters went to 18 First Nations and one Nation asked that fences be biodegradable, and it was incorporated into the policy.
- The natives burnt these islands every 10-30 years. How are we protecting anything if we prevent this? What is protection? What is sustainable? Through schooling, we are taught that sensitive areas are important but what is sustainable? Beyond what an OCP can do, it is more complex.
- Executive Council gave a directive: each LTC shall address shoreline protection. We have to honour and respect and acknowledge First Nations, but we don't need to rewrite the bylaws to do this.
- We are a pilot project; by definition that makes us unique. If it is about protecting the beach, let's do just that.
- Staff may be leading the project but the minutes show that motions are made requesting their action.
- The APC told them not to go ahead.
- Islands Trust's role is governance; shoreline protection is an excuse to govern. If you have a 100m setback but not written in stone, then you can go to the Board of Variance, buy a permit, etc. This keeps them working.

5. MARINE SHORELINE PROTECTION PROJECT REFERRAL

Chair Fall re-read the referral.

A round of comments was initiated to focus on "do you see a possible pathway to proceed?" If yes, what are the next steps? If not, what are the next steps that the APC should recommend?

Tom Weinerth read the policy statement from Executive Council and made the following points:

- He suggested that it involves only the beach, not up even 10'.
- He has never seen any eelgrass above the high tide line.
- He believes that this was envisioned as a beauty strip, which then morphed into shoreline protection.
- Now we have 7.5m as the setback.
- We need to protect the beach.
- He went to see if Millicheap had destroyed the eelgrass in front of his new house, but he couldn't tell where the house was pulled up, it had no effect.
- He recommends that the LTC stop this project.
- He believes that it is a rerun of what came to us before.
- He totally rejects this project.

- Instead of Shoreline Protection, let's say we are protecting the beach and forage fish; then identify the areas where it needs protection, if it is needed at all.
- This is mostly already done; we don't need to protect at the top of the cliff.
- Everything from the high tide mark down.
- Many places are very stable.
- If there is only one house, not a big deal. But if there are many houses and septic areas, then we need to make rules for above the beach.
- This didn't involve the community. If there were suggestions and tools, we could have come up with something. Islands Trust sets the rules and we have to agree.
- Another recommendation is to finish this project in an expedited manner and get on with the guest cottage issue.

Peter Johnston believes that there is not a huge amount of community energy for doing a full OCP review ourselves, as it is a lot of work.

Doane Grinnell made the following comments:

- If the foreshore is erodible, make the setback 15m; otherwise the setback should stay at 7.5m.
- Septic fields have to be 100' from any water.
- Send this back.
- We should be looking for protection of sensitive foreshore only.
- This can be addressed on a site-by-site basis.
- Even the ecological reserve is just bluff.
- It's in our best interests to protect it for our grandchildren.
- It is reasonable to look at specific features.
- If a property does not have road access, a dock is allowed.
- We've done a good job in general of protecting this place.

LA-APC-2017-014

It was MOVED and SECONDED,

that the Advisory Planning Commission, in consultation with the Lasqueti Community, recommends that the Lasqueti Island Local Trust Committee stop the shoreline protection project and focus on sensitive and vulnerable shoreline areas on a site specific basis rather than try to adopt a blanket policy for the whole shoreline.

Discussion ensued and the following comments were noted:

- Reputable builders will keep owners informed.
- Builders may not know.
- Enforcement is complaint driven; the alternative is for the bylaw officer to come over.
- One of the other things that the Islands Trust pointed out is that our sheep is a huge problem for the foreshore, although they didn't come out and say to get rid of sheep.
- The Trust Fund Board (TFB) led the campaign to extirpate the sheep on other islands; those islands still have the same issues, so they can't blame the sheep.

- The herd on Lasqueti is special because it doesn't have falling down disease.
- If we don't tell them that we want the community involved, come up with a plan on their own.

CARRIED

It was MOVED and SECONDED,

that the Advisory Planning Commission advise the Lasqueti Island Local Trust Committee to deemphasize the Shoreline Protection Project, as amended by the previous motion, and emphasize the Aging at Home Project.

Discussion continued and the following points were noted:

- We're sending a mixed message; our first motion stopped the project now this motion deemphasizes the project.
- We didn't stop the project, we changed it to only focus on sensitive areas.
- We could amend the motion to clarify that the above motion amends the project.
- The LTC can only deal with 3 projects at a time. Aging at Home has been delayed until housing needs assessment is completed. It doesn't matter which project is prioritized.
- That housing needs assessment is not relevant for Lasqueti; it's just an excuse to put the Aging at Home project on the back burner.
- Staff came up with a survey, then a report, and the APC thought it was inappropriate.

DEFEATED

Discussion continued and the following was noted:

- We want the LTC to send this back to us; this is important because this is coming from the top down.
- We don't want them to rewrite the OCP; we want us to rewrite the OCP.
- We don't want them messing with our OCP.
- Changing the OCP is a big deal; it also has to go to the staff and then to the Provincial Minister. It is a yearlong process with even the slightest change.
- If they want to add language regarding First Nations, we want them to send it us first.
- We can engage the community in a public forum.
- They are not likely to do an OCP review because there is no budget for it.
- There's been a lot of talk about a complete review of the OCP; after a certain number of years we have to do a review.
- There is no requirement or time constraint to do an OCP review.
- Our OCP was modified as recently as 2011.
- Over the last few years, there has been no increase in taxes at the Islands Trust level. This year, there is only a 1% increase.
- We are not getting an OCP review because other islands need it more; they do 1 or 2 islands every year or is it 1 island every 2 years.
- Trustee Morrison is requesting in the next budget year to do a review of the OCP and LUB.
- Our OCP is only 27 pages long.
- The community wants to be involved before we become a project.

LA-APC-2017-015

It was MOVED and SECONDED,

that the Advisory Planning Commission (APC) recommend to the Lasqueti Island Local Trust Committee that, because the Community wants to be involved in the decision-making, any emerging issues, and in particular any issues related to the OCP or LUB, be referred first to the APC to consult with the Community and to recommend steps forward.

CARRIED

6. OTHER BUSINESS - none

7. TOWN HALL

Discussion was opened up to the public and the following points were noted:

- With respect to sensitive areas on Lasqueti, anything erodible was eroded centuries ago. Every bay had been pounded flat by log booms. Every place there is sand, there is eelgrass. It may not be thick but it's there.
- Eelgrass can be dry or submerged to 25'.
- Erosion is an ongoing process.
- At Boot Point there can be a beach, but after a storm, the beach is gone.
- Eelgrass is everywhere. Ramona de Graf was astonished that it is expanding here. At Tucker Bay, the eelgrass has expanded.
- The logging sludge eventually erodes and the eelgrass recovers.
- A lot of forage fish like open gravel to spawn. One of the places they spawn, is where the barge stirs up the beach.
- Your builders are not going to be the frontline protectors; the owner is; builders want to please the owners.
- Many places are summer use. Some don't even need a toilet.
- You can count the number of places on the foreshore that are lived in year round on your fingers and toes.
- We do want to protect things but we want to be careful about how it is done.
- It's always us protecting while the bigger governments don't do anything.
- It may look like they're doing something but they haven't protected a single stream or open pen.
- An owner of waterfront property has the right to protect their property from erosion. If it washes away, the crown claims it. If it gradually builds up, the owner can claim it.
- If we don't guide the process, they may come back with the same document. Are these sensitive areas at risk? We're only interested in sensitive areas that are at risk.
- We need to stay on top of this so they don't just go back and do the same things again.
- Our community has knowledge about what is sensitive and at risk.
- The role of staff at the beginning is to specify the risks and provide the tools, general tools. Then we cobble it together.
- If there's an emerging risk, don't pass it to staff, pass it to us.
- A lot of the protection work is education. For instance, if the island has decided that this is a sensitive area, by educating, we are letting you know that we'd like you to buy in.

- There already exists a Lasqueti Best Practices document.
- Everybody seems to be aware and are protecting.
- An expert came to the last LTC meeting. Where is our expert? I understand that we need to protect sensitive areas; but why can't we allow some development to affect a little bit of eelgrass?
- It makes more of an impact if you come to an LTC meeting; next one is in February.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 9:09 pm.

Andrew Fall, Chair

Certified Correct:

Dave Olsen, Recorder

Follow Up Action Report

Lasqueti Island

26-Jun-2017

Activity	Responsibility	Target Date	Status
Staff to follow up with MOTI and discuss feasibility of expanding the M9 zone upland to allow for the loading and unloading of commercial goods and report back to the LTC.	Miles Drew Sonja Zupanec	31-Jul-2017	On Going

18-Sep-2017

Activity	Responsibility	Target Date	Status
Staff be requested to re-schedule a meeting between the PRRD board and staff and the LA LTC trustees, staff and CAO. PRRD Board resolution Nov. 23/17 to schedule meeting with LTC.	Ann Kjerulf Wil Cottingham	31-Oct-2017	On Going

23-Oct-2017

Activity	Responsibility	Target Date	Status
Review LUB subdivision regulations: -LTC resolution to separate out the review/rewrite of the LUB subdivision regs from the marine shoreline protection project; -bring forward draft amending bylaws to LTC Feb 2018 to correct the minimum and minimum average parcel size requirements for subdivisions in all districts (A, B, C).	Sonja Zupanec	27-Oct-2017	Done

08-Jan-2018

Activity	Responsibility	Target Date	Status
Community information meeting to be held February/March 2018 to discuss a review of the Official Community Plan and Land Use Bylaw. Staff to prepare an OCP/LUB Backgrounder for distribution in advance of the meeting.	Sonja Zupanec Ann Kjerulf Ian Cox		On Going

Follow Up Action Report

Remove the Marine Shoreline Protection Project from the Top Priorities List and move it to the Projects List.	Ann Kjerulf	Done
Add OCP/LUB Review to the Top Priorities List.	Ann Kjerulf	Done
That the Chair write a letter to the Ministry of Transportation and Infrastructure regarding road safety concerns relating to LA-SUB-2014.1.	Ann Kjerulf	On Going



File No.: LA-6480-05
Draft Bylaw No. 95

DATE OF MEETING: February 19, 2018
TO: Lasqueti Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Local Planning Services
SUBJECT: Draft Bylaw 95 - Subdivision Regulations

RECOMMENDATION

1. 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 first time.
2. That the Lasqueti Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 95, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017” is not contrary to or at variance with the Islands Trust Policy Statement.
3. That Lasqueti Island Local Trust Committee Bylaw No. 95, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017”, be referred to the following for comment: Tla’amin Nation, Agricultural Land Commission, BC Assessment Authority, Ministry of Agriculture, Islands Trust Fund, School District 69, Ministry of Transportation and Infrastructure, Powell River Regional District and Lasqueti Advisory Planning Commission.

REPORT SUMMARY

The purpose of this report is to introduce draft Bylaw No. 95 (Attachment 1) for consideration of first reading. The bylaw would correct and update the subdivision regulations in the [Lasqueti Island Land Use Bylaw](#) (LUB) No. 78.

BACKGROUND

Through the Lasqueti Marine Shoreline Protection Project, staff identified a number of current subdivision regulations requiring review and updating. The Lasqueti Island Local Trust Committee (LTC) has postponed work on the Shoreline Protection Project but has requested that staff prepare a bylaw amendment to correct and update the subdivision regulations.

The following resolution was passed on October 23, 2017:

LA-2017-037

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to correct the minimum lot size requirements for each subdivision district in the Lasqueti Land Use Bylaw.

CARRIED

Draft Bylaw No. 95 addresses the minimum lot size requirements for each subdivision district and proposes additional updates for clarity and consistency with best management planning practices.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Draft Bylaw No. 95 is consistent with the Islands Trust Policy Statement (Attachment 2).

Official Community Plan:

Draft Bylaw No. 95 is consistent with the [Lasqueti Island Official Community Plan](#) (OCP) which supports low density, rural development and stipulates the following minimum subdivision parcel sizes in each of the three subdivision districts in Section 3.1 Residential Land Use Policies, Policy 1:

- Subdivision District A – 4 hectares (majority of Lasqueti Island)
- Subdivision District B – 8 hectares (privately owned islets and islands)
- Subdivision District C – 65 hectares (crown land)

Land Use Bylaw:

The LUB subdivision regulation Section 3.11 (1) currently regulates parcel yield (one lot *per* 4 hectares, for example) and does not stipulate a minimum parcel size, contrary to OCP Policy 3.1 (1). Schedule C 'Subdivision Districts' of the LUB also incorrectly references lot yield instead of minimum parcel size.

Issues and Opportunities

Draft Bylaw No. 95 would amend the LUB by stipulating minimum parcel sizes for each subdivision district (Attachment 1). A minimum parcel size is also proposed for land within the Agricultural Land Reserve (ALR) consistent with the Agricultural Land Commission's policy respecting subdivision in the ALR and Trust Area commitments to preserving large contiguous tracts of land in the ALR. The parcel depth/width ratio is proposed to be decreased from 1:5 to 1:3 to prevent the creation of long, skinny parcels along the waterfront. Road frontage requirements and exemptions are proposed to be updated based on best practices for LUB development and consistency with subdivision regulations used in other Local Trust Areas.

Consultation

Protocols

The LTC and Powell River Regional District (PRRD) have a [protocol agreement](#) and [letter of understanding](#) which identifies responsibilities for interagency cooperation with community planning. The PRRD is identified as a referral agency should Bylaw No. 95 be given first reading.

Referrals

Prior to a public hearing, Draft Bylaw No. 95 should be referred to the following for comment: Tla'amin Nation, Agricultural Land Commission, BC Assessment Authority, Ministry of Agriculture, Islands Trust Fund, School District 69, Ministry of Transportation and Infrastructure, PRRD and Lasqueti Advisory Planning Commission (APC).

Rationale for Recommendation

The current Lasqueti subdivision regulations do not stipulate minimum parcel sizes. Staff recommends Bylaw No. 95 be given first reading and be referred to First Nations, agencies, and the APC for comment as per the recommendation included on Page 1 of the report.

ALTERNATIVES

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

1. Amend draft Bylaw No. 95

The LTC may request changes to the draft bylaw prior to consideration of first reading. If selecting this alternative, the following resolution is recommended:

That Bylaw No. 95 cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017" be amended as follows: (insert specific amendments).

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Lasqueti Island Local Trust Committee request staff to prepare a supplemental report addressing (insert here) prior to further LTC consideration of draft Bylaw No. 95.

NEXT STEPS

Referral responses will be returned to the LTC for review at the next regularly scheduled meeting on April 23, 2018. The LTC can then consider any amendments necessary prior to second reading and scheduling of a public hearing.

Submitted By:	Sonja Zupanec, RPP, Island Planner	February 1, 2018
Concurrence:	Ann Kjerulf, MCIP, Regional Planning Manager	February 2, 2018

ATTACHMENTS

1. Draft Bylaw No. 95
2. Islands Trust Policy Statement Directive Policies

DRAFT

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 _____ DAY OF _____, 2018

READ A SECOND TIME THIS _____ DAY OF _____, 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

Parcel Area and Frontage

(1) The minimum area of a parcel that is created by subdivision wholly or partially within the Agricultural Land Reserve is 8 hectares.

(2) The minimum area of a parcel that is created by subdivision outside of the Agricultural Land Reserve 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.

(3) The minimum parcel areas specified in 3.11(2) 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.

(4) No *parcel* outside of the Agricultural Land Reserve 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 three 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

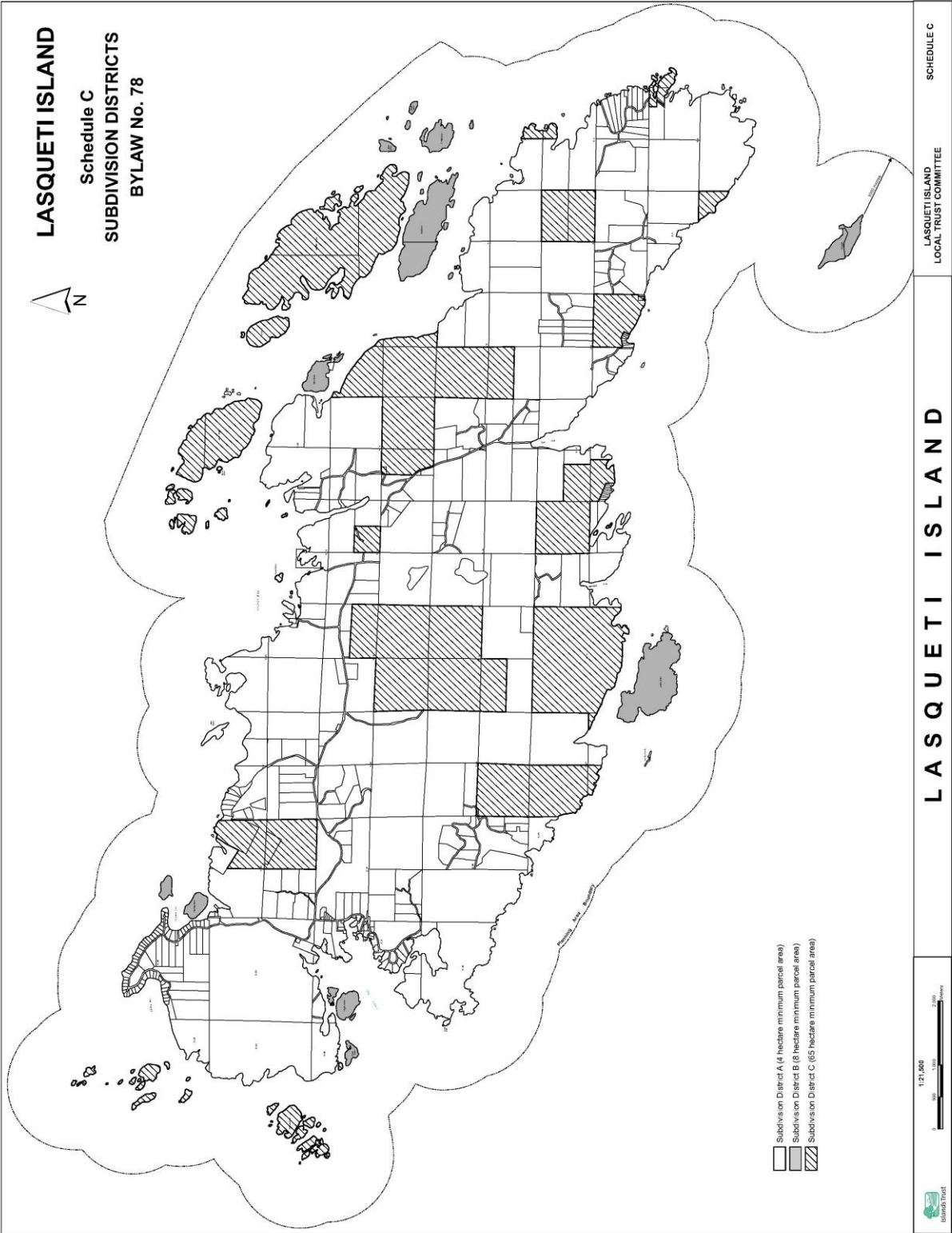
(7) A subdivision that adjusts the boundary between two parcels and thereby creates a *parcel* lying in two or more *zones* is prohibited.”

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



PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, 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.
n/a	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.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	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.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
✓	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	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
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
√	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
√	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
√	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
√	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	No.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



Islands Trust

Print Date: February 8, 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	
1	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



Islands Trust

Subdivision

Print Date: February 8, 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: 02-Feb-2018

No change in status.

Status Date: 09-Jan-2018

PLA received from MOTI.

Status Date: 21-Nov-2017

Amended subdivision plan received. Proposal shows dimensions and lot frontage and depth-width ratio requirements.

Revised referral report sent to 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
LA-SUB-2016.3	Norex Consultants Ltd.	09-Jun-2016	PID: 009-718-117 Windy Bay, Lasqueti Island. Subdivide into two parcels.

Planner: Teresa Ritemann

Applications

Planning Status

Status Date: 02-Feb-2018

No change in status.

Status Date: 05-Oct-2017

Planner confirmed that current plan meets 10 percent frontage requirement and no longer requires waiver from LTC. Planner waiting for final surveyed plan of subdivision and will then send final confirmation letter.

Status Date: 28-Aug-2017

Applicant requesting PLA extension from MOTI. Staff have no concerns with deadline extension. Planner emailed MOTI to say so.

File Number	Applicant Name	Date Received	Purpose
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: Ian Cox

Planning Status

Status Date:

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending December 2017

640 Lasqueti	Invoices posted to Month ending December 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-640	LTC "Trustee Expenses"	750.00	193.38	556.62
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	1,250.00	1,432.31	-182.31
65210-640	LTC - Local Exp - APC Meeting Expenses	500.00	384.57	115.43
65220-640	LTC - Local Exp - Communications	1,000.00	0.00	1,000.00
65230-640	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,250.00</u>	<u>1,816.88</u>	<u>1,433.12</u>
Projects				
73001-640-2015	Lasqueti OCP/LUB	7,000.00	4,181.21	2,818.79
73001-640-4085	Lasqueti First Nations Relations	1,000.00	0.00	1,000.00
		<u>8,000.00</u>	<u>4,181.21</u>	<u>3,818.79</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.

DATE OF MEETING: February 19, 2018
TO: Lasqueti Island Local Trust Committee
FROM: Sonja Zupanec, RPP, Island Planner
Northern Team
SUBJECT: Advisory Planning Commission Term and Bylaw

RECOMMENDATION

1. That the Lasqueti Island Local Trust Committee request that staff advertise for expressions of interest for the Lasqueti Island Advisory Planning Commission.
2. That the Lasqueti Island Local Trust Committee request that staff send letters to members of the Advisory Planning Commission whose terms will expire on April 9, 2018, inviting their expressions of interest for reappointment to the Advisory Planning Commission.
3. That Lasqueti Island Local Trust Committee Bylaw No. 96 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given first reading.
4. That Lasqueti Island Local Trust Committee Bylaw No. 96 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given second reading.
5. That Lasqueti Island Local Trust Committee Bylaw No. 96 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given third reading.
6. That Lasqueti Island Local Trust Committee Bylaw No. 96 cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The Lasqueti Island Local Trust Committee (LTC) is asked to consider recruitment for its Lasqueti Island Advisory Planning Commission. The Advisory Planning Commission (APC) currently has nine members appointed with terms expiring April 9, 2018. The LTC is also asked to consider updating the APC Bylaw to be consistent with the current *Local Government Act* [RSBC 2015] and the format of APC Bylaws recently adopted by other local trust committees, which more clearly articulate the roles and responsibilities of APC members and procedures for APC meetings.

BACKGROUND

The current APC Bylaw No. 88 (attached) was adopted in 2012 and provides for nine members appointed to serve concurrent, three-year terms to coincide with the previous three-year election cycle, and procedures for holding APC meetings.

ANALYSIS

Policy/Regulatory

Local Government Act

The authority to establish advisory planning commissions is granted to LTCs through the *Islands Trust Act* and section 461(2) of the *Local Government Act (LGA)*.

Advisory planning commission

461 (2) A board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a regional district director representing the electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under this Part.

Islands Trust Policy Statement

A guiding principle of the Islands Trust Policy Statement is that *“open, consultative public participation is vital to effective decision making for the Trust Area.”* Moreover, commitments of Trust Council include:

- *5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.*
- *5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.*
- *5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.*

Issues and Opportunities

LTCs have a responsibility to ensure that members of the public can participate in planning processes, yet they have the freedom to determine the framework best suited to a particular Local Trust Area. Through an APC Bylaw, LTCs can establish an APC to receive referrals on any of the matters specified in s. 461(2) of the LGA, the number of members, the duration of the terms served by individual members, and meeting procedures.

Islands Trust administration have encouraged standardized APC bylaws for consistency across the Islands Trust with respect to the roles and responsibilities of APC members (including the Chair, Vice-Chair and Secretary), and procedures for scheduling, advertising, and holding APC meetings, and responding to LTC referrals. It is recognized that individual islands may face unique situations and challenges with respect to holding APC meetings. However, the proposed Bylaw No. 96 (attached) should accommodate any unique cases.

CONSULTATION

Bylaw No. 96 can be given first, second and third readings consecutively, and does not require public consultation or a public hearing.

Openings for the APC membership should be advertised in the local paper, on the LTC website, and through trustee communication networks.

NEXT STEPS

Should the LTC pass the recommended resolutions (page 1), staff will proceed with advertising and bring forward expressions of interest to the April 23, 2018 LTC business meeting.

Submitted By:	Sonja Zupanec, RPP, Island Planner	February 1, 2018
Concurrence:	Ann Kjerulf, MCIP, Regional Planning Manager	February 2, 2018

ATTACHMENTS

1. Lasqueti APC Bylaw No. 88
2. Draft Lasqueti APC Bylaw No. 96



Islands Trust

LASQUETI ISLAND LOCAL TRUST COMMITTEE

Bylaw No. 88, 2012

As amended by the
Laqueti Island Local Trust Committee

Consolidated Version: November 29, 2016

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. 93	Amendment No. 1, 2016	November 21, 2016

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.

Provisions 2 – 7 apply to the Advisory Planning Commission

- 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 Local Trust Area, as defined in the *Local Government 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 elect a new Chairperson.
- (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 advisory planning commission 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

BL93/Nov 2016

- a) The Secretary must give 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.
- e) The Secretary must post a notice of the date, time, and place of any regular APC meeting at least five calendar days prior to the meeting on a bulletin board on Lasqueti Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee 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.

LASQUETI ISLAND TRUST COMMITTEE

BYLAW NO. 96

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. Establishment

- a) The Lasqueti Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an Official Community Plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to nine members to an Advisory Planning Commission (APC) to serve concurrent two year terms.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.
- c) The Deputy Chairperson will:
 - i) Undertake the duties listed in 3b) above, in the Chairperson's absence.

- d) The Secretary will:
 - i) Assist the Chairperson, as needed, to arrange meetings;
 - ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
 - iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;
 - iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has requested a response by an earlier specified date.
- c) 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) An employee of the Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- 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 (5) calendar days prior to the meeting.
- d) The Secretary must ensure the Local Trustees and the employee of the Islands Trust noted in 5a) are notified of each meeting at least five (5) calendar days prior to the day of the meeting.
- e) The Secretary must post the notice of meeting indicating the date, time, and place of any APC meeting at least five (5) calendar days prior to the meeting on a bulletin board on Lasqueti Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50% of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.

- e) If an applicant or agent fails to appear, despite being duly notified, deliberations and recommendations may be made in the applicant's absence.
- f) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff, or member of the public present at the meeting to comment on the matters before the Commission.
- g) The APC must not receive development proposals or other applications directly from applicants.
- h) The APC must not consult directly with other government agencies or organizations.
- i) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- a) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.
- b) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that where requested by any member, all dissenting opinions are also recorded.
- c) Where the Islands Trust has retained a professional minute taker to support the APC, the draft minutes will be forwarded directly to the Islands Trust office within seven (7) days of the an APC meeting. An Islands Trust staff member will then forward them to the Chair and Secretary for inclusion in the next APC agenda for review and adoption.
- d) Where a professional minute taker has not been retained, all APC recommendations must be forwarded by the Secretary to the Local Trust Committee and to the Islands Trust Office, within seven (7) days of an APC meeting.

8. Transition

- a) "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2012", is repealed.

9. Citation

- a) This Bylaw may be cited as "Lasqueti Island Local Trust Committee Advisory Planning Commission Bylaw, 2018".

READ A FIRST TIME THIS _____ DAY OF _____, 2018

READ A SECOND TIME THIS _____ DAY OF _____, 2018

READ A THIRD TIME THIS _____ DAY OF _____, 2018

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 201x

ADOPTED THIS _____ DAY OF _____, 201x

SECRETARY

CHAIRPERSON

To: Lasqueti Island Local Trust Committee **For the Meeting of:** February 19, 2018
From: David Marlor, DLPS **Date Prepared:** December 4, 2017
SUBJECT: Housing Agreement Administration

PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

2. Current Housing Agreements

There are currently seven housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (2) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/December 4, 2017



File No.: 3445-40
Farm Industry Review Board -
Aquaculture

DATE OF MEETING: February 19, 2018
TO: Lasqueti Island Local Trust Committee
FROM: David Marlor, Director of Local Planning Services
Local Planning Services
COPY:
SUBJECT: Farm Industry Review Board and Aquaculture

PURPOSE

At its business meeting on January 17, 2018, the Executive Committee passed the following resolution:

that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.

The attached news release advises under the *Fish and Seafood Act* that came into force on January 1, 2017 that the BC Farm Industry Review Board had jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the Farm Practices Protection (Right to Farm) Act.

NEXT STEPS

None

Submitted By:	David Marlor, Director of Local Planning Services	February 2, 2018
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ATTACHMENTS

1. Attachment 1 – March 2017 News Release – Aquaculture and the Farm Practices Protection (Right to Farm) Act.



AQUACULTURE AND THE *FARM PRACTICES PROTECTION (RIGHT TO FARM) ACT*

As of January 1, 2017 the BC Farm Industry Review Board (BCFIRB) has jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the *Farm Practices Protection (Right to Farm) Act (FPPA)*

Agriculture and aquaculture are important BC industries. Under the *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers using “normal farm practices” are protected from certain bylaw enforcement, court injunctions and lawsuits related to nuisance complaints. The *FPPA* balances community interests by both protecting farmers from disturbance complaints, and by giving neighbours of a specific farm the right to formal conflict resolution through BCFIRB. Both non-farming and farming neighbours have the right to file a complaint.

While normal farm practices are protected under legislation, BCFIRB encourages farmers and their neighbours to work together to resolve disputes in the first instance.

Although there are many options for resolving disputes between farmers and neighbours, in some situations, enforcement regarding use of a farm practice which is causing a disturbance may be called for.

Expanded Jurisdiction

The *Fish and Seafood Act* came into force by regulation on January 1, 2017. Concurrently consequential amendments to the *FPPA* came into force. These amendments bring fin and shellfish aquaculture back into the scope of nuisance complaints heard by BCFIRB under the *FPPA*. The types of aquaculture covered by the amendments are broad and include marine finfish, shellfish and freshwater (or land-based) operations as well as aquatic plants.

For more information contact

Case Manager
250-356-8945

British Columbia
Farm Industry Review Board

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

Location:
1st Floor, 780 Blanshard Street
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard