



Lasqueti Island Local Trust Committee Regular Meeting Agenda

Date: October 16, 2014
Time: 11:00 am
Location: Lasqueti Island Arts Centre
Main Road, Lasqueti Island, BC

	Pages
1. CALL TO ORDER	11:00 AM - 11:00 AM
2. APPROVAL OF AGENDA	
3. PARKING LOT HOME ENTERPRISE - LAND USE BYLAW AMENDMENT UPDATE	
3.1 Presentation by Planner	
3.1.1 Staff Report dated October 3, 2014 regarding Referral Responses	4 - 20
3.2 Question and Answer Session	
4. TOWN HALL SESSION	
5. RECESS FOR PUBLIC HEARING	
Proposed Bylaw 89, if adopted, will amend the Lasqueti Island Land Use Bylaw to allow vehicle parking as a home enterprise.	
6. RECALL TO ORDER	
7. MINUTES	
7.1 Local Trust Committee Special Meeting Minutes of September 13, 2014 - for adoption	21 - 24
7.2 Local Trust Committee Meeting Minutes dated August 28, 2014 – for adoption	25 - 29
7.3 Section 26 Resolutions Without Meeting - none	
8. BUSINESS ARISING FROM MINUTES	
8.1 Follow-up Action List dated October 7, 2014 - attached	30 - 31
9. DELEGATIONS - none	

10. CORRESPONDENCE

(Correspondence received concerning current applications is considered with the application)

- | | | |
|------|---|---------|
| 10.1 | Email dated September 30, 2014 from Randy Taylor regarding Riparian Areas Regulation Zoning | 32 - 32 |
|------|---|---------|

11. APPLICATIONS AND PERMITS - none

12. LOCAL TRUST COMMITTEE PROJECTS

- | | | |
|--------|--|---------|
| 12.1 | Riparian Areas Regulation (RAR) | |
| 12.1.1 | Proposed Land Use Bylaw Amendment - Staff Report dated October 3, 2014 | 33 - 47 |
| 12.1.2 | Madrone Environment Services Ltd. Report dated September 12, 2014 | 48 - 73 |
| 12.1.3 | Project Charter - updated August 11, 2014 | 74 - 74 |
| 12.1.4 | Community Consultation Plan - updated August 11, 2014 | 75 - 76 |

13. REPORTS

- | | | |
|--------|---|---------|
| 13.1 | Work Program Reports | |
| 13.1.1 | Top Priorities Report and Projects List dated October 7, 2014 | 77 - 78 |
| 13.2 | Applications Log | |
| 13.2.1 | Applications Log dated October 7, 2014 | 79 - 79 |
| 13.3 | Trustee and Local Expenses | |
| 13.3.1 | Expenses posted to end of August, 2014 | 80 - 80 |
| 13.3.2 | Expenses posted to end of September, 2014 | 81 - 81 |
| 13.4 | Adopted Policies and Standing Resolutions | 82 - 82 |

14. CHAIR'S REPORT

15. TRUSTEES' REPORT

16. TRUST FUND BOARD REPORT

17. CLOSED MEETING:

The Lasqueti Island Local Trust Committee closes the next part of the October 16, 2014 business meeting to discuss matters pursuant to Section 90(1)(d) of the Community Charter to consider adoption of Closed Meeting Minutes and that Staff be invited to attend this meeting.

18. RECALL TO ORDER

18.1 Rise and Report from Closed Meeting

19. NEW BUSINESS

20. BYLAWS

20.1 Proposed Bylaw No. 89 cited as "Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 1, 2014" - for consideration of second and third readings and submission to Executive Committee for approval 83 - 84

20.2 Proposed Bylaw No. 90 cited as "Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 2, 2014" for consideration of second reading 85 - 90

21. ISLANDS TRUST WEBSITE

21.1 Lasqueti Pages - for discussion

The Lasqueti Island Local Trust Committee
Website can be found at:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/lasqueti.aspx>

22. NEXT MEETING DATE

To be announced.

23. ADJOURNMENT

STAFF REPORT

Date: October 3, 2014

File No.: 6500-20
LUB Amendment –
Parking Lot Home
Enterprise

To: Lasqueti Local Trust Committee
For LTC meeting October 16, 2014

From: Marnie Eggen, Planner 2

CC: Courtney Simson, Regional Planning Manager

**Re: Parking Lot Home Enterprise – Proposed Land Use Bylaw
Amendment No. 89**

SUPPLEMENTAL REPORT

The purpose of this report is the following:

- to provide a summary of the agency and First Nation referrals received to date;
- request that the LTC considers the Policy Statement Directives Only Checklist for the bylaw amendment; and
- to outline the next steps in the bylaw amendment process.

BACKGROUND:

At the August 28, 2014 meeting, the LTC made the following resolutions as recorded in the draft minutes:

LA-2014-021

It was MOVED and SECONDED, that Bylaw No. 89, cited as "Lasqueti Land Use Bylaw 78, 2005, Amendment No. 1, 2014" be given first reading as revised.

CARRIED

LA-2014-022

It was MOVED and SECONDED, that Bylaw No. 89 be referred to First Nations, the Ministry of Transportation and Infrastructure, Ministry of Environment, BC Ferries, and the Powell River Regional District and that staff arrange for a special meeting and public hearing to be held on October 16, 2014.

CARRIED

REFERRAL RESPONSES:

Referrals were sent on September 2, 2014 with a 30 day response time. The following are the First Nations and Agencies who responded to the referral (See attachments for referral form sent out and copies of the referral responses):

First Nations

Sliammon First Nation indicated that their interests were unaffected. Cowichan First Nation provided a verbal response to inform staff that their territory extended into the marine area around Lasqueti, but this bylaw amendment was low on their priority, and that they won't be providing a formal response.

Ministry of Transportation and Infrastructure

The Ministry provided their approval and indicated support for the bylaw amendment.

Ministry of Environment

The Ministry indicated that their interests were unaffected.

Powell River Regional District

Regional District staff provided an email to request an extension to the referral response period to accommodate their Regional Board/Committee of the Whole meeting schedules. In a telephone conversation with staff, Regional District staff indicated that they are supportive of the bylaw amendment, and do not expect that the Regional Board or the Committee of the Whole to have a dissimilar response, but that the response would be received after October 16th. In consideration of this at its meeting September 13, 2014, the Local Trust Committee did not change the date of the public hearing of October 16th; Trustee Johnston would contact the Regional Director in the meantime.

No other First Nation or Agency responses were received and are assumed unaffected.

Staff does not recommend any amendments to the bylaw based on these referral responses. Any further First Nation, Agency or public response received up until the close of the public hearing will be considered by the LTC prior to consideration of third reading.

POLICY STATEMENT CHECKLIST:

Section 1.6 of the Policy Statement Implementation Policy holds the primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement with each local trust committee.

Staff has assessed the bylaw amendment against the Policy Statement Directives Only checklist (see Attachments) and the LTC is requested to pass a formal resolution to indicate agreement with this assessment.

NEXT STEPS:

As outlined in the Project Charter (see attached), the following schedule is proposed to further the proposed bylaw amendment:

October 16, 2014 – Public hearing, consideration of 2nd and 3rd reading and referral to the Executive Committee.

October/November 2014 – Consideration of adoption by resolution without meeting.

RECOMMENDATIONS:

1. **THAT** the Lasqueti Island Local Trust Committee advise the Executive Committee that it has reviewed the Directives Only Policies and determined that proposed Amendment Bylaw No. 89 is not contrary to or at variance with the Islands Trust Policy Statement.
2. **THAT** no amendments to proposed Bylaw No. 89 be made as a result of First Nation and Agency referral responses.

Prepared and Submitted by:

Marnie Eggen

October 3, 2014

Marnie Eggen, MCIP RPP
Planner 2

Date

Concurred in by:

Courtney Simpson

October 6, 2014

Courtney Simpson, MCIP RPP
Regional Planning Manager

Date

Attachments:

1. Bylaw Amendment No. 89 referral form
2. Referral responses
3. Project Charter
4. Policy Statement Directives Only Checklist for Bylaw No. 89

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below



Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Lasqueti Island Local Trust Area

(Island)

Craig Halligan

(Signature)

Sept 10, 2014

(Date)

Bylaw No. 89

(Bylaw Number)

Crown Land Referrals Manager

(Title)

Shammon Nation

(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

☒

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

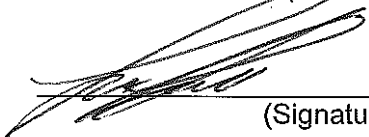
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Approval Not Recommended Due to Reason Outlined Below

The Ministry of Transportation and Infrastructure supports the zoning bylaw.

Lasqueti Island Local Trust Area

(Island)



TIM SILBERNAGEL

(Signature)

SEPT. 23, 2014

(Date)

Bylaw No. 89

(Bylaw Number)

DEVELOPMENT TECHNICIAN

(Title)

MINISTRY of TRANSPORTATION AND
(Agency) INFRASTRUCTURE

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Lasqueti Island Local Trust Area

(Island)

Bylaw No. 89

(Bylaw Number)

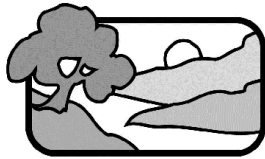
(Signature)

(Title)

(Date)

(Agency)

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Islands Trust

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Lasqueti Island Local Trust Area **Bylaw No.:** 89 **Date:** September 2, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw is scheduled for October 16, 2014.

APPLICANTS NAME / ADDRESS:

n/a

PURPOSE OF BYLAWS:

To amend the Lasqueti Island Land Use Bylaw to allow vehicle parking as a home enterprise. The amendment is intended to assist with alleviating traffic/parking congestion along road right-of-ways, particularly on False Bay hill. No OCP amendments are required. For background information please see webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/lasqueti/projects-initiatives.aspx>

GENERAL LOCATION:

Lasqueti Island, BC

OTHER INFORMATION:

Please fill out the Response Summary on the back of this form for each bylaw. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Marnie Eggen

Title: Planner 2

This referral has been sent to the following agencies:

Federal Agencies

None

Provincial Agencies

Ministry of Environment
Ministry of Transportation and Infrastructure
BC Ferries

Non-Agency Referrals

Islands Trust Bylaw Enforcement

Regional Agencies

Powell River Regional District

Adjacent Local Trust Committees and Municipalities

none

First Nations

Sliammon First Nation
Qualicum First Nation
Hul'iqumi'num First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Snaw'Naw'As Nation

PLEASE TURN OVER

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

Lasqueti Island Local Trust Area

(Island)

Bylaw No. 89

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 6500-20 Lasqueti Island Land Use Bylaw Amendment No. 89 – Parking Lot Home Enterprise

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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.
✓	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
✓	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
N/A	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.
N/A	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.
	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

N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	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.
N/A	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.
N/A	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
✓	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

Lasqueti Parking as a Home Enterprise– BL No. 89 Project Charter

Date: August 11, 2014

Purpose This project will enact new Land Use Bylaw (LUB) regulations to allow parking as a home enterprise, thereby potentially improving the safety and aesthetic appearance of False Bay Hill by having less, or ideally no cars parked illegally.

Background This project was previously named "False Bay Master Plan", but the project changed and is now strictly to be for a regulation change to allow parking as a home enterprise. The False Bay Parking review was initiated because the Powell River Regional District requested assistance on improving the parking issues on the road right of way in the False Bay Area.

Objectives

- Develop an amendment to the land use bylaw to allow parking as a home enterprise
- Adoption of LUB parking amendment bylaw in late 2014 that is consistent with the Islands Trust Policy Statement.
- Consultation with property owners and residents

Scope & Deliverables

- Parking becoming a permitted use (home enterprise) Regulation (LUB) Review
- Inform/notify community via newsletter(s), neighbourhood meetings; and community information meeting(s) and public hearing

Workplan Overview

Deliverable/Milestone	Date
Report with Draft Bylaw No. 89 to Local Trust Committee. Direction to give bylaw First Reading and refer bylaw to First Nations, APC and agencies and set public hearing date.	July 3, 2014
Hold public hearing in October, 2014	October 16, 2014
Consider 2nd, and 3rd readings and referral to the Executive Committee	October 16 2014
Consideration of Adoption by Resolution without meeting	October, 2014
Consolidate amendment into Land Use Bylaw	November, 2014

RPM Approval:

Courtney Simpson

Date: June 4, 2014

LTC Endorsement:

Resolution #:

Date received: July 3, 2014

Project Team

Lasqueti Island LTC	
Marnie Eggen, Planner	Project Manager

Budget

Budget Source: Parking as Home Enterprise

Item	Cost
Public Consultation (2 meetings and 3 mailouts)	1800
Public Hearing Legislative Process	1550
Printing	
Total	3350

Lasqueti Island Local Trust Committee Minutes of Special Meeting

Date:	September 13, 2014
Location:	Lasqueti Island Community Hall Main Road, Lasqueti Island, BC
Members Present	Peter Johnston, Local Trustee Susan Morrison, Local Trustee David Graham, Chair
Staff Present	Marnie Eggen, Island Planner Melinda Auerbach, Recorder Sonja Zupanec
Others Present	Approximately four (4) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 11:30 am. He welcomed the public.

2. APPROVAL OF AGENDA AND INTRODUCTIONS

The following additions were presented for consideration:

3.1 Verbal update on Madrone Environmental Services Ltd. Report

4. REPORTS

4.1 Work Program Reports

4.1.1 Changes to the Top Priorities Report and Projects List

5. NEW BUSINESS

5.1 Letter to Telus

6. LOCAL TRUST COMMITTEE PROJECTS

6.1 Parking Lot Home Enterprise Bylaw Verbal Update - Referrals

By general consent the agenda was approved as amended.

Chair Graham introduced himself, Local Trustees and staff members.

3. COMMUNITY INFORMATION SESSION

Chair Graham explained that the purpose of this special meeting was to solicit comments and to answer questions on the proposed Riparian Areas Regulation (RAR) Implementation bylaw. He introduced Planner Eggen and Trustees Morrison and Johnston.

3.1. Verbal update on Madrone Environmental Services Inc. Report

Planner Eggen explained that Madrone Environmental Services Ltd.. was requested by the LTC to reassess three watersheds to determine whether they are RAR applicable. The report was submitted very recently and is an addendum to the March 2014 Madrone report. The report states that Hadley Creek is RAR applicable, and that Stonehouse Creek and Cocktail Cove are not RAR applicable. Planner Eggen explained that for the purposes of the Community Information Meeting today, staff have prepared a map of RAR applicable watersheds that include the recent reassessment of these watersheds.

3.2. Presentation by Planner Eggen

Planner Eggen explained that printed information was available for participants, if they wished to have it. She explained that the communication materials on hand had been sent to residents by a mail drop and mailed to off island residents. She also outlined the purpose of the meeting and that this is just one opportunity for community input; the public is also encouraged to provide comments by way of response sheets, letters, and/or emails and questions were encouraged before the Public Hearing for the amendment bylaw.

She provided information with respect to Riparian Areas generally, the RAR, the proposed bylaw amendment that implements RAR, and the bylaw amendment process. She also explained what will change with the proposed bylaw amendment.

Trustees Johnston and Morrison also provided background on the process that the Local Trust Committee has followed for the past number of years regarding RAR.

3.3. Questions and Answers Session

The following is a summary of the questions and comments made during the meeting:

- In answer to a question about how the watersheds were assessed, Planner Eggen explained that the Qualified Environmental Professional assessed upper and lower portions of the watersheds through field work.
- In answer to a question about how “fish” is defined, Planner Eggen responded that “fish” under RAR is defined as salmonids, game fish, and regionally significant fish (species at risk)
- In answer to a question about how the bylaw will be enforced, Planner Eggen responded that it will be enforced in the same way as the current bylaw, through bylaw complaints.

- In answer to a question about how normal farming practices are defined, Planner Zupanec, and Chair Graham explained that farming practices are defined under the Farm Practices Protection (Right to Farm) Act or other provincial legislation or guidelines, such as the Agricultural Land Commission Act.
- In answer to a question about whether more watershed mapping is planned, Planner Eggen and Chair Graham explained that no further mapping assessments are expected; this is the final.
- Concerns were expressed that other areas of the province are not subject to RAR, such as larger developments; Planner Eggen explained that larger developments are subject to other provincial and federal legislation with regard to riparian area protection.
- Concerns were expressed that farming activities are not subject to RAR; Planner Zupanec explained that they are and have been expected to follow Best Management Practices for farming near riparian areas.

4. REPORTS

4.1. Work Program Reports

Trustee Morrison stated that it was necessary to have a Land Use Bylaw review on the Local Trust Committee's Top Priorities List, in order to request money from Financial Planning Committee for the same.

LA-2014-025

It was MOVED and SECONDED

that Item 3 on the Top Priorities List "Update Official Community Plan with intertidal zone policies using specific recommendations from the Forage Fish team and the Greenshores and Eelgrass Project" be moved to the projects list; and that "Lasqueti Official Community Plan and Land Use Bylaw review" be added as Item 3 on the Top Priorities List.

CARRIED

5. NEW BUSINESS

5.1. Letter to Telus Communications Company

LA-2014-026

It was MOVED and SECONDED

that staff be directed to draft a letter to Telus Communications Company on behalf of the Chair of the Local Trust Committee explaining the Lasqueti Island Official Community Plan policy set out in Section 3.7, Advocacy Policy 11 regarding encouraging communication companies to continue the practice of placing telephone wires underground.

CARRIED

6. LOCAL TRUST COMMITTEE PROJECTS

6.1. Parking Lot Home Enterprise Bylaw Verbal Update – Referrals

Planner Eggen advised that she received verbal communication from the Powell River Regional District staff regarding the agency referral for proposed Amendment Bylaw No. 89 that their referral response will likely be received after the Public Hearing date of October 16, 2014, due to the rescheduling of the Regional Board and the Committee of the Whole's meetings for September. Regional District staff explained that their referral response will be supportive and are expecting that the Regional District will have no issues with the proposed bylaw. Discussion ensued about changing the date of the Public Hearing to accommodate the Regional District's submission. Trustee Johnston suggested that he will make contact with the Regional District Area Director.

7. NEXT MEETING

Regular Business Meeting and Public Hearing: Thursday, October 16, 2014 at 11:00 am at the Lasqueti Island Arts Centre, Main Road, Lasqueti Island, BC.

8. ADJOURNMENT

Chair Graham adjourned the meeting at 12:25 pm.

David Graham, Chair

Certified Correct, Minute Taker

Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: August 28, 2014
Location: Lasqueti Anglican Church
Main Road, Lasqueti Island, BC

Members Present David Graham
Susan Morrison
Peter Johnston

Staff Present Marnie Eggen
Melinda Aeurbach - Recorder

1. CALL TO ORDER

Chair Graham called the meeting to order at 11:15 am. He welcomed the public and introduced himself, Local Trustees and staff members. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

7.2 Email from Linda Strong-Watson;

7.3 Email from Robert Exell;

By consensus the agenda was approved with amendments

3. TOWN HALL SESSION

Two (2) members of the public spoke and the following summary was recorded: Richard Chesam asked why a 1-acre minimum size restriction still appears in Draft Bylaw No. 89;

Tom Weinerth noted that the Advisory Planning Commission had frequently looked into the solution that Ken Picard had suggested in his email regarding parking on False Bay Hill and found it to be unworkable.

4. MINUTES

4.1. Local Trust Committee Adopted Meeting Minutes dated July 3, 2014 - for information

The minutes of the Lasqueti Local Trust Committee (LTC) of July 3, 2014 were received for information.

4.2. Section 26 Resolutions Without Meeting Log dated August 19, 2014 - attached

Received.

5. BUSINESS ARISING FROM MINUTES

5.1. Follow-up Action List dated August 19, 2014- attached

The Follow-up Action List was reviewed and updates were provided.

6. DELEGATIONS

None.

7. CORRESPONDENCE

7.1. Email dated July 17 from Ken Picard regarding False Bay Hill Parking - attached

Received.

7.2. Email dated August 28, 2014 from Linda Strong-Watson regarding the Parking Lot Home Enterprise Draft Bylaw No. 89 - attached

Received.

7.3. Email dated August 27, 2014 from Robert Exell regarding the Parking Lot Home Enterprise Draft Bylaw No. 89 - attached

Received.

8. APPLICATIONS AND PERMITS

None.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1. Parking Lot Home Enterprise - Land Use Bylaw Amendment

9.1.1. Parking Lot Home Enterprise – Draft Land Use Bylaw Amendment Staff Report dated August 11, 2014 – attached

Planner Eggen presented the Staff Report. The Local Trust Committee recommended that the wording in "Section 3.6(c)(i) be removed.

LA-2014-021

It was MOVED and SECONDED,

that Bylaw No. 89, cited as "Lasqueti Land Use Bylaw 78, 2005, Amendment No. 1, 2014" be given first reading as revised.

CARRIED

LA-2014-022

It was MOVED and SECONDED,

that Bylaw No. 89 be referred to First Nations, the Ministry of Transportation and Infrastructure, Ministry of Environment, BC Ferries, and the Powell River Regional District and that staff arrange for a special meeting and public hearing to be held on October 16, 2014.

CARRIED

9.1.2. Project Charter - August 11, 2014 update - attached
Received.

9.1.3. Community Consultation Plan - August 11, 2014 update - attached
Received.

9.2. Riparian Areas Regulation (RAR)

9.2.1. Riparian Areas Regulation - Proposed Land Use Bylaw Amendment
Staff Report dated August 19, 2014 - verbal update

Planner Eggen presented to the LTC an amended proposed bylaw and gave a verbal update on the changes made to the proposed bylaw.

9.2.2. Project Charter - update dated August 11, 2014 - attached
Received.

9.2.3. Community Consultation Plan - updated August 11, 2014 - attached
Received.

9.2.4. Draft Communication Materials updated August 19, 2014 - attached
Received.

10. REPORTS

10.1. Work Program Reports

10.1.1. Top Priorities Report and Projects List dated August 19, 2014 - attached
Received.

10.2. Applications Log

10.2.1. Applications Log dated August 19, 2014 - attached
Received.

10.3. Trustee and Local Expenses

10.3.1. Expenses for Month Ending June, 2014 - attached
Received.

10.3.2. Expenses for Month Ending July, 2014 - attached
Received.

10.4. Adopted Policies and Standing Resolutions - attached

Planner Eggen provided the Policies and Standing Resolutions report dated April 30, 2014 for information.

11. CHAIR'S REPORT

Chair Graham gave his report.

12. TRUSTEES' REPORT

The trustees gave their reports. In addition, Trustee Morrison gave a report on the Trust Fund Board and asked that it be added as an item on future agendas.

13. CLOSED MEETING:

The Lasqueti Local Trust Committee closes the next part of the August 28, 2014 business meeting to discuss matters pursuant to Section 90(1)(b) of the *Community Charter* to consider Nominations for Community Stewardship and that Staff be invited to attend this meeting.

LA-2014-023

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Section 90(1)(b) to consider Nominations for the Lasqueti Environmental and Community Stewardship Award and that Staff be invited to attend this meeting.

CARRIED

14. RECALL TO ORDER

14.1. Rise and Report from Closed Meeting

Chair Graham reported on the following:

Nominations for a the Lasqueti Environmental &Community Stewardship Award were received and the LTC resolved to award one to the Lasqueti Last Resort Society and one to Dianne McLure.

15. NEW BUSINESS

15.1. 2015-2016 Budget Submissions

Memorandum dated August 18, 2014 - attached

Planner Eggen presented a Memorandum dated August 18, 2014 regarding the 2015-2016 Budget Submissions.

LA-2014-024

It was MOVED and SECONDED

that the Draft Northern LTC Program Requests 2015/16 Fiscal be revised for Lasqueti Island from\$2,000 to \$5000 for OCP/LUB review in the draft 2015-16 LTC Project budget submission to Financial Planning Committee.

CARRIED

16. BYLAWS

16.1. (Parking Lot Home Enterprise) Bylaw No. 89, cited as "Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 1, 2014" – for consideration of first reading

The motion giving first reading to Draft Bylaw No. 89 is recorded under item 9 in the minutes.

17. ISLANDS TRUST WEBSITE

Lasqueti Island Pages - *for discussion*

The LTC reviewed the content on the Lasqueti pages.

18. TOWN HALL SESSION

Tom Weinerth thanked the LTC for the way they conduct their meetings.

19. NEXT MEETING DATES

Special Meeting to hold a Community Information Meeting on Saturday, September 13, 2014 at 11:30 am at the Lasqueti Community Hall, Main Road, Lasqueti Island, BC

Regular Business Meeting on Thursday, October 16, 2014 at 11:00 am at the Lasqueti Arts Centre, Main Road, Lasqueti Island, BC

20. ADJOURNMENT

Chair Graham adjourned the meeting at 1:45 pm.

David Graham, Chair

Certified Correct:

Jaylene Scheible, Recorder



Follow Up Action Report w/ Target Date

Lasqueti Island Feb-27-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to arrange a future orientation session with the new APC members. This will take place at the first APC meeting when the new members are present.	Marnie Eggen	Apr-17-2014	On Going

Jul-03-2014

No.	Activity	Responsibility	Target Date	Status
1	Trustee Johnston will contact surviving Lasqueti local trustees to ensure they agree to having their names on the Islands Trust website. Trustee Johnston will forward the list of names to staff once this is done.	Marnie Eggen Peter Johnston Theresa Warren	Jul-31-2014	On Going

Aug-28-2014

No.	Activity	Responsibility	Target Date	Status
1	LTC gives 1st reading to draft parking lot home enterprise bylaw No. 89 as revised, and staff to refer proposed bylaw to First Nations, Ministry of Environment, Ministry of Transportation and Infrastructure, BC Ferries, and Powell River Regional District.	Marnie Eggen Lisa Webster-Gibson	Sep-02-2014	Done
1	Staff to update the communication materials and the Project Charter for the Riparian Areas Regulation project and send out communication materials with CIM notification and change start time to 11:15am.	Marnie Eggen Theresa Warren	Sep-03-2014	Done
1	Staff make meeting arrangements for a public hearing October 16, 2014 to be held at the Lasqueti Arts Centre. Require a minute taker.	Marnie Eggen Theresa Warren Lisa Webster-Gibson	Sep-05-2014	Done

1	Staff to forward the revised draft 2015-2016 Project Budget submission to the Financial Planning Commission, requesting \$5000.00 for a OCP/LUB review.	Marnie Eggen Courtney Simpson	Sep-12-2014	On Going
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Sep-13-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to write a letter to Telus on behalf of the Chair regarding the Lasqueti Island policies regarding underground wires.	Marnie Eggen	Oct-10-2014	On Going

From: lasquetirandy@aol.com [lasquetirandy@aol.com]

Sent: Tuesday, September 30, 2014 5:09 PM

To: Susan Morrison

Subject: RAR zoning

Hi Susan ,

I have been looking at the new RAR zoning & the latest designation map, and am somewhat astonished, by what is included as fish habitat ,and equally by what is not. Our property here at the Teapot & my Sisters behind us apparently qualifies, im guessing due to a small seasonal creek which is fed by ditches that drain their homestead thru Susan & my property and separated from the historically fishless Hadley Creek, as is all our properties, by the oil & potassium chloride soaked main road where it runs along in the ditch for a considerable distance. before crossing a culvert and delivering what someone must consider precious fish nourishing nutrients to something that has never been there in recorded history but may appear in a future perfect world ?,. The Teapot House property and the parcel behind are also designated for reasons I am unable to even guess at. The most recent report also depicts an area of interest to me, the end of Elderberry Lane Sec 26, this includes Mike Gentrys & Justin Meloch and Lisas Mackays property, in a section of RAR that runs all the way down into Johnsons lagoon high tidal flat , no fish ever recorded here either, I realize I am just a Layman but cannot fathom how anyone in their wildest dreams could consider the high rocky bluffs of Elderberry lane ,potential fish habitat ,. What is the Criteria you might wonder , any sort of seasonal water run off perhaps , no matter how minimal or remote from the ocean ? Very confusing, If I understand the Madronne Report, little or no testing has been done to establish fish habitat in the designated areas, the financial burden for that will be on Landowners that may want to develop , sort of a blanket Guilty till you prove yourself innocent approach , by these standards, it seems to me almost everywhere has potential fish habitat ,why not zone the entire island RAR, this would cover every possibility and is sure to generate even more future wages & fees for biologists ,I would like to suggest an admittedly more difficult option ; to evaluate & designate only "proven viable" fish habitat ,I would expect this much less expansive approach to have enthusiastic support of all Lasqueti residents. It would be nice if that matters.

Regards Randy Taylor

STAFF REPORT

Date: October 3, 2014

File No.: 6500-02 – RAR
Compliance

To: Lasqueti Island Local Trust Committee
For meeting of October 16, 2014

From: Marnie Eggen, Planner 2

CC: Courtney Simpson, Regional Planning Manager

Re: Riparian Areas Regulation Implementation – Proposed Bylaw No. 90

SUPPLEMENTAL REPORT:

Riparian Areas Regulation (RAR) compliance is the top priority on the Lasqueti Island Local Trust Committee work program. The purpose of this report is the following:

1. Summarize the community information meeting (CIM) held on September 13, 2014 and the latest watershed assessment report by Madrone Environmental Services Ltd. on Lasqueti Island, and provide recommended changes to Proposed Bylaw No. 90;
2. Request direction with regard to the Community Consultation Plan;
3. Request that the LTC considers the Policy Statement Directives Only Checklist for the proposed bylaw amendment; and
4. Request that the LTC consider rescinding 1st reading, give a 1st reading as amended, and referrals to First Nations and Agencies.

BACKGROUND:

The staff report dated April 23, 2014 and presented at the May 1, 2014 Local Trust Committee meeting gives substantial background information on this project.

At the May 1, 2014 regular business meeting, the Local Trust Committee made the following resolutions:

LA-2014-010

It was MOVED and SECONDED, that staff enter into a contract with Madrone Environmental to have a summer assessment done on Stonehouse Creek and Cocktail Cove, to determine if these two watersheds provide fish habitat making them Riparian Areas Regulation applicable; and to see if Hadley Lake could also be assessed during the 2014-2015 Riparian Areas Regulation budget.

CARRIED

LA-2014-0011

It was MOVED and SECONDED, that staff draft a land use bylaw amendment using the setback and screening option to become compliant with the Riparian Areas Regulation excluding Stonehouse Creek, Cocktail Cove and Hadley Lake at this time.

CARRIED

At the July 3, 2014 regular business meeting, the Local Trust Committee gave 1st reading to Bylaw No. 90, and requested staff to organize a CIM.

SUMMARY OF THE COMMUNITY INFORMATION MEETING:

On September 13, 2014, a community information meeting was held at the Lasqueti Community Hall. The notice for the CIM and communication materials for the RAR project were provided via mail drop to residents and mailed out to off island property owners prior to the meeting. Communication materials endorsed by the Local Trust Committee at their July 3rd meeting were comprised of the following:

- Developing Near Riparian Areas Information sheet
- Riparian Areas Regulation – Fact Sheet
- Development Exemptions Information sheet

The communication materials were also made available on the Lasqueti RAR Project webpages and at the CIM.

At the CIM, staff presented information with respect to riparian areas generally, the Riparian Areas Regulation, the proposed bylaw amendment that implements RAR, and the bylaw amendment process. An explanation was given about what would change with the Land Use Bylaw, should the proposed bylaw amendment be adopted. RAR applicable watershed mapping that reflected Madrone watershed assessments to date was also provided. The mapping included the most recently assessed watersheds by Madrone Environmental Services Ltd.: Cocktail Cove, Hadley Lake, and Stonehouse Creek. The report was received September 12, 2014.

Four members of the public attended the CIM. Several questions were asked and responded to by staff and the LTC. Topics included the following (see September 13th meeting minutes for further detail):

- Watershed assessment methods and further mapping;
- Definition of “fish” under RAR;
- Bylaw enforcement;
- The regulation/legislation of farming activities and larger developments on crown land with regard to riparian areas.

WATERSHED ASSESSMENT UPDATE:

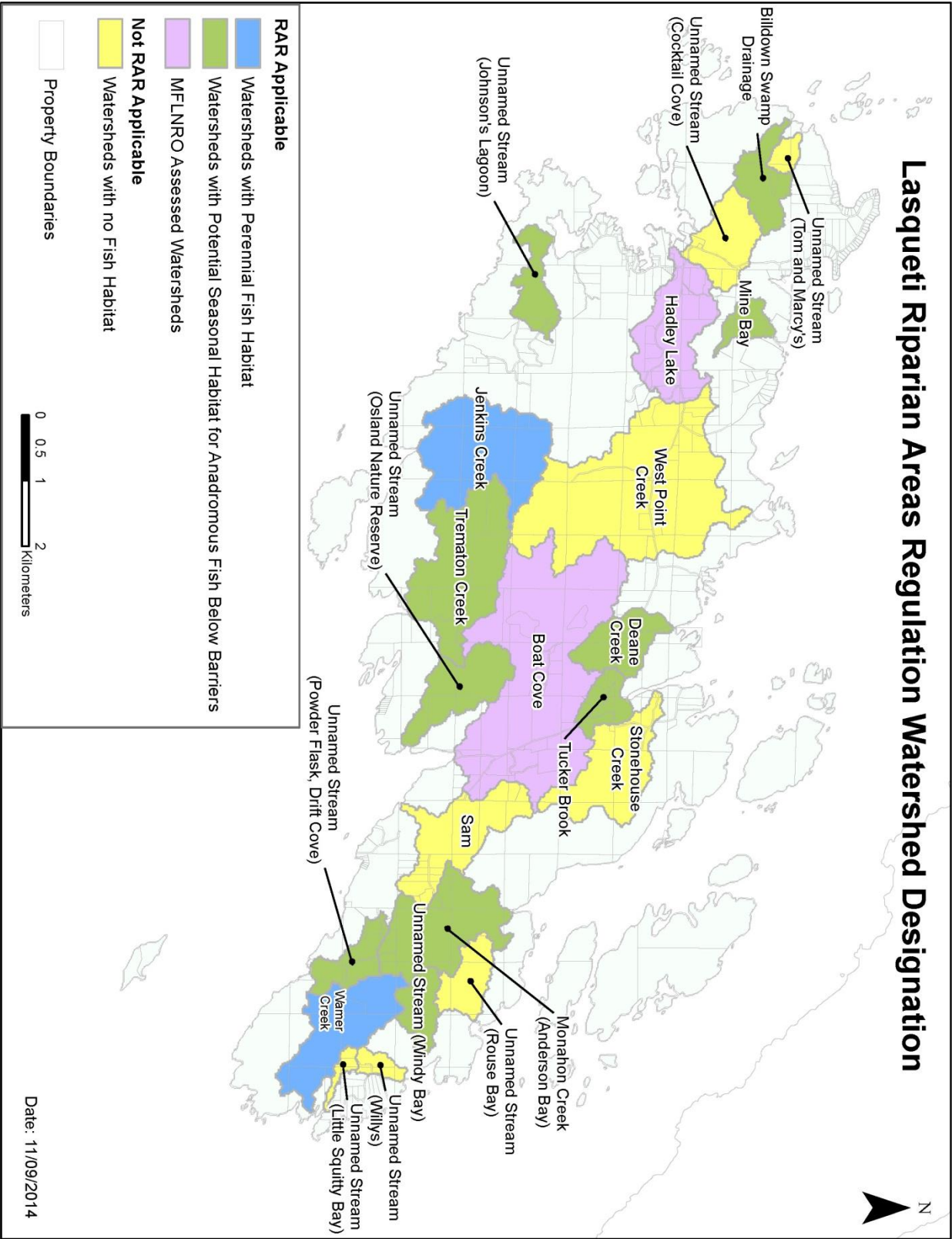
Madrone Environmental Services Ltd. completed their watershed reassessments of Stonehouse Creek, Cocktail Cove, and Hadley Lake as requested by the LTC (see Attachments). Based on Madrone's previous recommendations, Stonehouse Creek and Cocktail Cove watersheds were requested by the LTC to be reassessed during the summer months to confirm main-stem flow regime and potential to support resident fish populations. Hadley Lake watershed was requested to be reassessed as local knowledge suggested that it was inaccurately determined as RAR applicable by Ministry of Forests Lands and Natural Resources Operations (MFLNRO) because of an impassible barrier currently existing at tidewater.

The assessment determined that Stonehouse Creek and Cocktail Cove were each designated as a "Watershed with No Fish Habitat" due to the lack of perennial habitat for resident fish and lack of access to any parts of the watersheds to anadromous fish that could use seasonal streams. Hadley Lake was determined to remain RAR applicable as previously determined by MFLNRO as the tidewater culvert does not represent a permanent barrier, and if removed anadromous fish could migrate into Hadley Creek. Also, there is potential (albeit very unlikely) that the lake contains resident salmonids.

No further assessments are recommended by Madrone Environmental Services Ltd.

Below, see Figure 1: Watershed Assessment for Riparian Areas Designation map with updates as outlined above. This map is intended to form part of the amendment bylaw.

Figure 1: Lasqueti Riparian Areas Regulation Watershed Designation(updated Sept. 11, 2014)



POLICY STATEMENT CHECKLIST:

Section 1.6 of the Policy Statement Implementation Policy holds the primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement with each local trust committee.

Staff has assessed the bylaw amendment against the Policy Statement Directives Only Checklist (see Attachments) and the LTC is requested to pass a formal resolution to indicate agreement with this assessment.

STAFF COMMENTS:

Community Consultation Plan

In review of the Community Consultation Plan for this project (see Attachments), staff recognize that creating further opportunities to engage property owners during the bylaw amendment process would be beneficial for the following reasons:

- Neighborhood meetings planned for the 2013/14 winter were not held;
- The CIM was attended by only a few people, and staff have received very few enquiries, yet Trustees indicate that there is considerable discussion within the community;
- Experience on other islands with implementing RAR indicates that creating several opportunities to engage property owners to discuss RAR assists with increasing property owners' understanding of RAR and how it is being implemented, providing for more informed discussion about the bylaw amendment.

Staff suggests that the Local Trust Committee consider amending the Plan to include more opportunities to engage with property owners before moving much further in the bylaw amendment process.

There is approximately \$1300 remaining in the RAR budget for the 2014/15 after expenditures for the September 2014 Madrone report, approximately \$1200 to be used for Public Hearing purposes. As a result, resources for further consultation are limited. However, staff suggests that two Open Houses on Lasqueti early in the new year could be held with minimal cost, in addition to a CIM and Public Hearing both held on the same day.

An Open House format is suggested as it is proven to be a useful way, supplemental to CIMs, to engage property owners about RAR implementation. This is an opportunity for staff and property owners to talk in a smaller more open dialogue setting. Open Houses could be held in the False Bay area, such as the Arts Centre or the Anglican Church for a few hours during the day each time. Staff suggests that the Open Houses are informal and trustee attendance would not be formally required. This would keep the cost of the Open Houses at a minimum as formal LTC meetings wouldn't be necessary, and wouldn't require a formal notice, or a minute taker. The only cost to the project budget would be the venue. Advertisements for the Open Houses could be added to the Lasqueti Webpages and the Lasqueti Email List for which there is no cost.

In addition, staff suggests that reference to neighborhood meetings undertaken by Trustees that were to take place in the winter 2013/14 it is noted that these meetings did not occur as no meetings were requested by the community or held by Trustees.

Should the Local Trust Committee proceed with staff's recommended changes to the Community Consultation Plan, the Project Charter (see Attachments) should also be amended and endorsed by the Local Trust Committee.

Bylaw Amendments

Staff recommends that the proposed Bylaw No. 90 Schedule 'A,' Lasqueti Riparian Areas Regulation Watershed Designation map is removed and replaced with the updated version, dated September 11, 2014.

Staff recommends no amendments to the proposed Bylaw No. 90 as a result of the CIM, September 13, 2014.

NEXT STEPS:

The following next steps are recommended in order that further community consultation is addressed, and to advance the proposed bylaw amendment within the 2014 – 15 fiscal year as per the Project Charter.

October 16, 2014	Rescind 1 st reading, give 1 st reading with amendments, and refer to First Nations and Agencies.
January, 2015	Hold two Open Houses; LTC meeting scheduled to consider referrals.
February, 2015	Hold a CIM and Public Hearing on same day.
Spring, 2015	Give 2 nd and 3 rd readings, and final adoption.

REFERRALS:

Staff recommends that the bylaws be referred to the following agencies and First Nations:

Non-Agency Referrals:

- Lasqueti Island Advisory Planning Commission

Regional Agencies:

- Powell River Regional District

Provincial Agencies:

- Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Branch
- Ministry of Agriculture
- Ministry of Forests, Lands and Natural Resource Operations - Crown Lands & Resource
- Ministry of Transportation and Infrastructure

Federal Agencies:

- Fisheries and Oceans Canada

First Nations :

- Sliammon First Nation
- Qualicum First Nation
- Hul'iqumi'num First Nation
- Lyackson First Nation
- Penelakut Tribe
- Stz'uminus First Nation
- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Snaw'Naw'As Nation

Agencies are typically given 30 days to review the referral and submit comments. Staff suggest that a LTC meeting be scheduled in January to review comments prior to holding the public hearing in February.

SUMMARY OF OPTIONS:

1. Amend Bylaw No. 90, give 2nd reading as revised, direct staff to refer Bylaw No. 90 to First Nations and Agencies, and direct staff to arrange for a Community Information Meeting and Public Hearing for February 2015; or
2. Rescind 1st reading of proposed Bylaw No. 90, give 1st reading as revised, direct staff to send out First Nations and Agency referrals, direct staff to amend the Community Consultation Plan and Project Charter to include two Open Houses held in January, and arrange a CIM and Public Hearing in February 2015.

RECOMMENDATIONS:

1. **THAT** the Lasqueti Island Local Trust Committee advise the Executive Committee that it has reviewed the Directives Only Policies and determined that proposed Bylaw No. 90 is not contrary to or at variance with the Islands Trust Policy Statement.
2. **THAT** the Lasqueti Island Local Trust Committee rescinds 1st reading of proposed Bylaw No. 90 cited as “Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 2, 2014”.
3. **THAT** the Lasqueti Island Local Trust Committee direct staff to replace Schedule ‘A’ of draft Bylaw No. 90 with the updated version, dated September 11, 2014.
4. **THAT** the Lasqueti Island Local Trust Committee give 1st reading of draft Bylaw No. 90 cited as “Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 2, 2014” as revised.
5. **THAT** the Lasqueti Island Local Trust Committee refer Bylaw No. 90 cited as “Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 2, 2014” to the following agencies and First Nations:
 - Lasqueti Island Advisory Planning Commission
 - Powell River Regional District
 - Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Branch
 - Ministry of Agriculture
 - Ministry of Forests, Lands and Natural Resource Operations - Crown Lands & Resource
 - Ministry of Transportation and Infrastructure
 - Sliammon First Nation
 - Qualicum First Nation
 - Hul’iqumi’num First Nation
 - Lyackson First Nation
 - Penelakut Tribe
 - Stz’uminus First Nation
 - Cowichan Tribes
 - Halalt First Nation
 - Lake Cowichan First Nation
 - Snaw’Naw’As Nation

6. **THAT** the Lasqueti Island Local Trust Committee direct staff to amend the Community Consultation Plan and Project Charter for the Lasqueti Island Riparian Areas Regulation Compliance project to include two Open Houses held early in the new year, along with a CIM on the same day as the Public Hearing.
7. **THAT** the Lasqueti Island Local Trust Committee endorse the Project Charter for the Lasqueti Island Riparian Areas Regulation Compliance as amended.

Prepared and Submitted by:

Marnie Eggen

October 6, 2014

Marnie Eggen, MCIP RPP
Planner 2

Date

Concurred in by:

Courtney Simpson

October 7, 2014

Courtney Simpson, MCIP RPP
Regional Planning Manager

Date

Attachments:

1. Lasqueti Watershed Assessment – Determination of the Applicability of the Riparian Areas Regulation; Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds Addendum, Madrone Environmental Services Ltd., September 12, 2014
2. Policy Statement Directives Only Checklist
3. Community Consultation Plan, updated August 11, 2014
4. Project Charter, updated August 30, 2014



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 6500-20 Lasqueti Island Land Use Bylaw Amendment No. 90 – Riparian Areas Regulation Implementation

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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 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
✓	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.
✓	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
✓	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
N/A	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.
N/A	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.
	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

N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.
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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
N/A	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.
N/A	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.
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



LASQUETI ISLAND WATERSHED ASSESSMENT – DETERMINATION OF THE APPLICABILITY OF THE RIPARIAN AREA REGULATION

STONEHOUSE CREEK, COCKTAIL COVE AND HADLEY LAKE WATERSHEDS ADDENDUM

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September 12, 2014

Dossier 14.0153

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Lasqueti Island – Watershed Assessment to determine applicability of the RAR – Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds

1.0 INTRODUCTION

The Riparian Areas Regulation (RAR) forms the basis of streamside protection in British Columbia (BC). The RAR was implemented in 2006 and enacted under Section 12 of the Fish Protection Act (FPA). The RAR process is a joint initiative with the Department of Fisheries and Oceans (DFO), the Ministry of Forests Lands and Natural Resource Operations (MFLNRO) and local governments. The RAR uses a science-based approach to ensure land development activities do not result in “serious harm” to fish through destruction of habitat.

Throughout BC, the definition of fish habitat includes all aquatic and terrestrial areas that play a role in the various life processes of fish. Therefore, the area immediately adjacent to a stream (*i.e.* the riparian area), which provides food, nutrients and other functions vital to the survival of fish is considered fish habitat.

In July of 2014, Madrone Environmental Services Ltd. (Madrone) was retained by Islands Trust (IT) to assess three watersheds (Stonehouse Creek, Cocktail Cove and Hadley Lake) on Lasqueti Island. In the case of Stonehouse Creek and Cocktail Cove, assessments had previously been conducted to determine RAR applicability. Based on recommendations made by Madrone during the March 2013 site visit, IT requested these two watersheds be reassessed during the summer months to confirm main-stem flow regime and potential to support resident fish populations.

Previously, the MFLNRO had classified the Hadley Lake Watershed as being applicable to the RAR process. Local knowledge of the Hadley Lake Watershed suggested that this watershed was inaccurately determined as RAR applicable by MFLNRO due to the fact an impassable barrier currently exists at tidewater. IT

recommended that Madrone conduct an assessment to determine whether this designation was incorrect. As such, the Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds were field assessed in August, 2014.

This report is meant as an addendum to the document submitted to IT in March of 2014, which details the methodology, results and recommendations for the previously assessed watersheds (Mine Bay and Sam Creek). The methodology for the assessments conducted in the Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds is the same as described in the report: *Lasqueti Island Watershed Assessment for Presence of Fish Habitat: Mine Bay and Sam Creek Watersheds*, by Justin Lange, B.Sc. R.P.Bio., March 27th, 2014.

2.0 METHODOLOGY

2.1 Background Research

Background research was carried out using the Fisheries Information Summary System (FISS) (<http://www.env.gov.bc.ca/fish/fiss/index.html>) and Habitat Wizard (http://webmaps.gov.bc.ca/imf5/imf.jsp?site=moe_habwizdatabases) to determine whether any documented stream information existed for the Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds. In addition, base maps that were previously provided by IT were also reviewed prior to initiating the field assessment.

Local stream names were adopted from the *Lasqueti Island Water Allocation Plan* (Bryden and Barnett, 1992) and assigned to the assessed streams. If a stream was not listed in the 1992 report, stream names were developed based on local knowledge, or other identifiers such as the bay into which the stream drains. It should also be noted that the *Lasqueti Island Water Allocation Plan* was reviewed as a fisheries information resource, as known fish bearing watersheds are listed in the report. The Allocation Plan was also used as a resource in determining stream magnitude and flow regime in the target watersheds.

2.2 Assessment Area

Stonehouse Creek, Cocktail Cove and Hadley Lake Watersheds defined the study area (Figure 1). For the purposes of this assessment, the main focus was applied to the outlet of the main-stem drainage within each watershed. The presence of permanent, insurmountable barriers at tidewater and potential for resident fish presence above barriers were factors that were considered when determining the applicability of RAR. For example, portions of Stonehouse Creek and Cocktail Cove

that are not affected by tidal influence (*i.e.* middle and upper reaches) were assessed to determine whether these streams contain a perennial source of water to support resident fish populations.

2.3 Definition of a “Stream” under the RAR

In order to identify the applicability of RAR to the focus watersheds, the definition of a “stream” as listed under the provincial RAR, was used as a standard. As per Section 1.4.2 of the RAR Assessment Methodology;

(http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/documents/assessment_methods.pdf), a “stream” is defined as follows:

“...any watercourse – natural or human made – that provides fish habitat that contains water on a perennial or seasonal basis, is scoured by water or contains observable deposits of mineral alluvium, or has a continuous channel bed including a watercourse that is obscured by overhanging or bridging vegetation or soil mats. A watercourse may not itself be inhabited by fish, but may provide water, food and nutrients to streams that do support fish.”

The RAR further identifies a stream as:

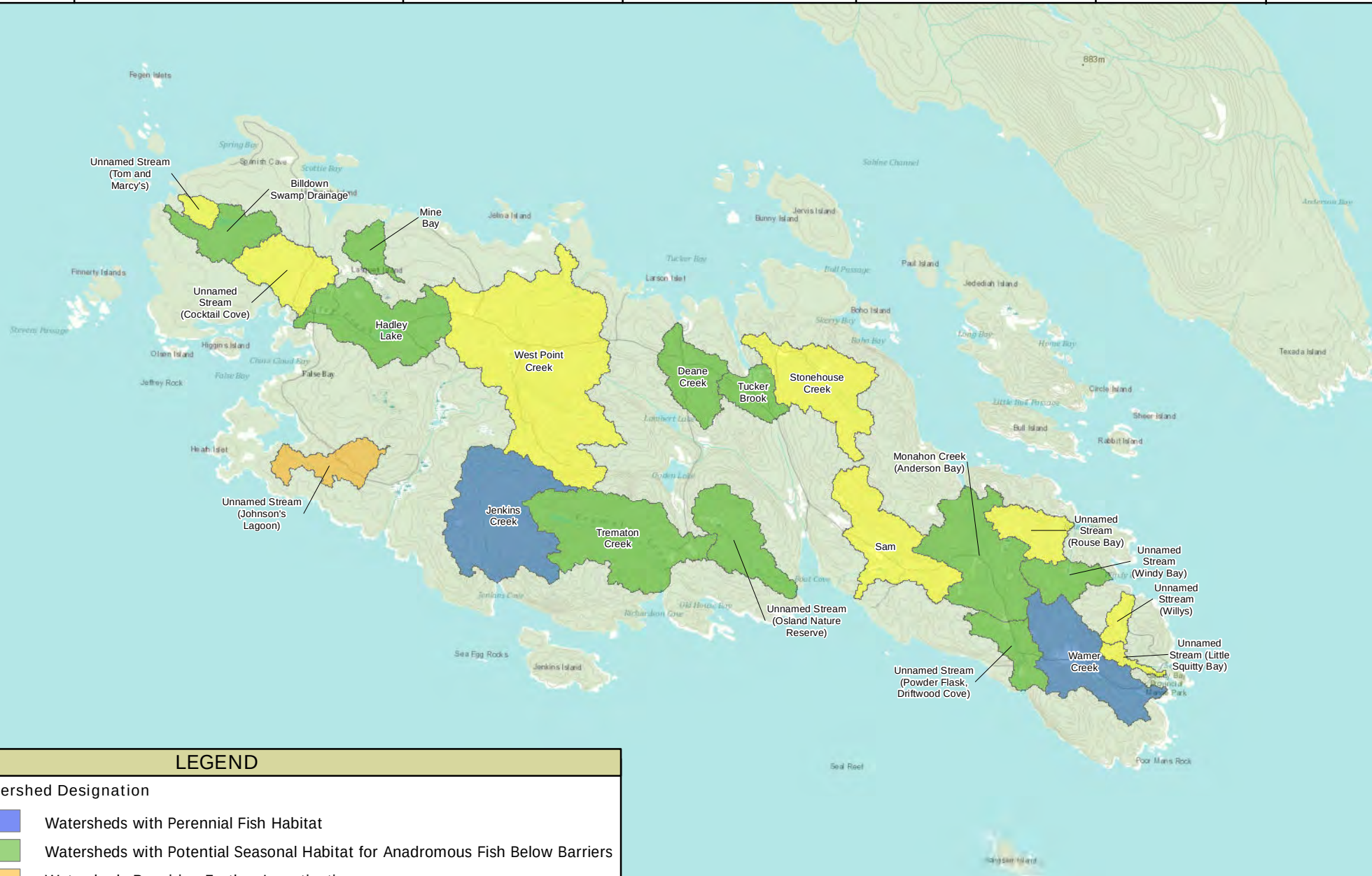
“...any of the following that provides fish habitat:

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek, brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

If a definitive barrier to the migration of fish is identified at tidewater, a watercourse is classified as a stream above the barrier if there is potential fish habitat (*i.e.* a perennial source of water for resident fish populations). Also, any part of a watercourse above a barrier that is not inhabited by fish, but connects by surface flow to fish habitat below the barrier, is considered a stream under the RAR process. A watercourse would not be classified as a “stream” if it contained a definitive barrier at tidewater and also lacked potential perennial habitat for resident fish above the barrier. In this case, there would be no potential fish habitat (even on a seasonal basis for anadromous fish).

Watercourses that may not be applicable to the RAR based on lack of potential fish habitat still provide benefits to a range of species. Riparian areas and associated watercourses represent important habitat for amphibians (especially if fish are not present), travel corridors for wildlife and provide a niche for unique vegetation assemblages. Isolated wetlands that do not provide habitat for fish, or connect by surface flow to fish habitat offer similar benefits, and can also provide important functions in terms of stormwater retention and maintenance of water quality.

PROJECT: Watershed Assessment for Riparian Area Designation		LOCATION: Lasqueti Island, B.C.	CLIENT: Islands Trust	DOSSIER NO: 14.0153	
ASSESSED BY: Justin Lange B.Sc., R.P.Bio.	FIELD VISIT: March 15, 2014	MAP SCALE: 1:80,000	MAPPING DATE: September 11, 2014	DRAWN BY: Anna Jeffries	



LEGEND

Watershed Designation

- Watersheds with Perennial Fish Habitat
- Watersheds with Potential Seasonal Habitat for Anadromous Fish Below Barriers
- Watersheds Requiring Further Investigation
- Watersheds with no Fish Habitat

0 500 1,000 2,000 3,000
m.

Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community

2.4 Landowner Contact

Each of the main-stem drainage outlets of the watersheds intersect with private properties. Prior to initiating the field based portion of the assessment, the landowners were contacted by telephone. Due to the fact Doug Hopwood, R.P.F. (local resident) was involved as a field assistant, he assumed the lead role of contacting the property owners. Each landowner was advised of the objectives of the project and asked for access permission.

During the landowner contact phase, the individual who owns property adjacent to the lowermost portion of Hadley Creek expressed concerns related to the assessment. As a result, permission was not granted to access this portion of the stream. It should be noted that the assessment was still completed, as the outlet at tidewater was accessed via public beach. The uppermost section of Hadley Creek was accessed off Main Road. Permission to access the required areas within Stonehouse Creek and Cocktail Cove was granted by all of the property owners.

2.5 Field Assessment

Assessment of the three watersheds was completed on August 7th 2014, by Justin Lange, B.Sc., R.P.Bio., (Madrone) with assistance from Doug Hopwood. During the field assessment, focus was given to the outlet of each watershed (*i.e.*, area where the stream flows into the marine environment). It should be noted that upper portions (*i.e.* areas not influenced by tidal fluctuations) of each stream were also assessed. Information was collected with respect to stream gradient, flow regime, channel morphology (*i.e.*, riffle-pool/cascade-pool or step-pool) and potential for fish to enter and inhabit the stream. As flow regime is an important aspect of the assessment (*i.e.* determining potential for resident fish populations), timing of the site visit (mid-summer) was such that allowed the proper determination of available perennial habitat.

2.6 Assessing for Potential Fish Presence

While background research using databases is useful in determining the general distribution of fish, it cannot be relied upon as a complete inventory. For example, a lack of data for any given stream or watershed cannot be interpreted as indicating that no fish are present. Proving non fish presence generally requires rigorous sampling procedures at various times throughout the year. Given the fact this project was focused on determining RAR applicable watersheds and identifying potential resident fish bearing watersheds, fish sampling was beyond the scope of the assessment.

Identifying **permanent** barriers or high gradient reaches at tidewater that could prevent the upstream movement of anadromous fish was a focus of the assessment. Watersheds with outlet streams with barriers at tidewater, which also lacked perennial habitat for resident fish, were not considered “streams” under the scope of this assessment and therefore are not applicable to the RAR process. Flow regime and the identification of potential fish “sources” (*i.e.* lakes or permanently wetted open water wetlands) were factors that were considered when assessing the potential for resident fish to occur.

3.0 RESULTS

3.1 Documented Fish Distribution Data

Fish Distribution data for Lasqueti Island is limited. Of the three assessed watersheds, only Hadley Lake (Watershed Code 905-119500-40900) has documented fish observations. Hadley Lake, which represents the primary water supply for residents of the island, was noted as containing two endemic populations (limnetic and benthic) of threespine stickleback (*Gasterosteus aculeatus*). By 1999, the two populations were considered to be eradicated as a result of brown bullhead “catfish” (*Ameiurus nebulosus*) being introduced to the lake. The two species of stickleback were listed as being extinct in May 2000 by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) (COSEWIC, 2014). It should be noted that there are no records of salmonid (*i.e.* rainbow trout – *Oncorhynchus mykiss* or coastal cutthroat trout - *Oncorhynchus clarkii clarkii* - in Hadley Lake, including both wild and hatchery origin fish.

As per Bryden and Barnett (1992), anadromous and “sport fish” (salmonids) were listed as occurring on Lasqueti Island, in the Ogden Lake and Lambert Lake watersheds, as a result of fisheries enhancement in the Boat Cove area. Bryden and Barnett (1992) also stated that fish migrated up the creeks from Boat Cove. Bryden and Burnett (1992) further stated that the creeks on Lasqueti Island do not flow in the summer months and do not support fish naturally during the summer. This does not necessarily indicate that there is no seasonal habitat for fish, or that pockets of perennial habitat are not present elsewhere (*i.e.* in other lakes with no documented fish habitat).

3.2 Stonehouse Creek Watershed

Stonehouse Creek is located in the north-central portion of Lasqueti Island and drains into Long Bay. At tidewater, the stream flows over a bedrock ledge, which has

a gradient of approximately 45-55%. At the base of the ledge, there is no plunge pool and water flows over bedrock outcrops. It should be noted that during the highest tides of the year, the sea level extends up to the base of the ledge. At the time of the assessment, the bedrock ledge was concealed by dense Himalayan blackberry (*Rubus discolor*) growth.

Upstream of the estuarine environment, the stream channel is well defined and remains relatively undisturbed. The morphology of the stream is most consistent with that of a riffle-pool system. The average bankfull width of the channel is between 1.50 m and 2.50 m. Throughout the assessed area, the gradient of the stream channel is 2-3% and substrate composed mainly of bedrock; however, pockets of alluvium (*i.e.* cobbles and gravel) were also observed. Portions of the bank on both sides of the stream contain extensive undercutting and erosion, an indication that high volumes of water flow through the channel on a seasonal basis.

At the time of the assessment, the stream bed was dry, and only one small pool of standing water was observed. Based on the field observations, Stonehouse Creek possesses a seasonal flow regime and contains water through the winter and early spring. According to the Water Allocation Plan (Bryden & Barnett, 1992), Oasis Swamp represents the headwaters of Stonehouse Creek. During the summer months anecdotal evidence suggests that water levels recede and the swamp does not contribute water to the stream. This was verified during the field assessment, as the stream was not flowing.

Riparian vegetation consists mainly of mature forest, with Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and bigleaf maple (*Acer macrophyllum*) dominating. Red alder (*Alnus rubra*) was also documented as being a component of the tree layer, albeit minimal. Dominant shrub and herb species within the riparian zone of the stream include oceanspray (*Holodiscus discolor*), salmonberry (*Rubus spectabilis*), salal (*Gaultheria shallon*) and sword fern (*Polystichum munitum*).

Some streams with a seasonal flow regime can support fish, but the most important factor is that sufficient wetted habitat must remain during the summer months to provide fish with summer refugia habitat. Seasonal streams with pools that have a significant residual pool depth, or consist of segments of perennially-flowing water can support fish year round above a barrier to fish movement.

As Stonehouse Creek contains seasonal flow, and also has a definitive barrier at tidewater preventing seasonal use by anadromous fish, it was important to determine

whether perennially-available habitat was sufficient to support resident fish. During the assessment, the stream bed was dry, and no continuous segments of flowing water were noted. The stream is also not of a sufficient magnitude to allow the retention of wetted pools that would provide suitable summer refugia for fish.

Based on a lack of perennial habitat for resident fish, and lack of access to any parts of the watershed to anadromous fish that could potentially use seasonal streams (e.g. chum – *O.keta* and pink - *O.gorbuscha* – salmon), this watershed has been designated a “Watershed with No Fish Habitat”. In addition, this watershed is not subject to the RAR process.

3.3 Cocktail Cove Watershed

The outlet of the Cocktail Cove Watershed enters the ocean at the northwest end of Lasqueti Island, at the head of Cocktail Cove. At tidewater, the stream flows over a vertical bedrock ledge, approximately 2-3 m high and onto a gravel/sand beach. Immediately upstream of the bedrock cascade, the stream is well defined and the bankfull width of the stream is between 2.0 m and 2.5 m. The gradient of the stream bed is 1-2% and the composition of the substrate is dominated by organics (*i.e.* decomposing leaf litter and woody debris); however, pockets of small gravel alluvium were observed. Isolated pockets of standing water, approximately 0.2 m deep, were noted within the channel at the time of the assessment.

Approximately 75 m upstream of tidewater, the stream is fed by a wetland that has been created as a result of beaver activity (*i.e.* dam construction). The wetland is at least 50 m wide and 200 m long. Substrate within the wetland is composed entirely of organic material.

Riparian vegetation adjacent to the stream and wetland consists mainly of mature forest. The tree layer is dominated by arbutus (*Arbutus menziesii*), Douglas-fir and western redcedar. Red alder was also documented as being a minor component of the tree layer. The shrub layer is dominated by oceanspray, salmonberry and salal. Dominant herb species noted adjacent to the stream and wetland include common horsetail (*Equisetum arvense*), common rush (*Juncus effuses*), sedges (*Carex spp.*) and swordfern.

Aquatic plant growth was noted as being abundant within the wetland. Cattails (*Typha latifolia*) and yellow pond lily (*Nuphar polysepalum*) were noted as being the dominant species.



The wetland and portions of the stream contain water on a perennial basis due to the fact that recent beaver activity has altered the hydrology of the wetland and stream. A dam has been constructed at the outlet of the wetland, which supports retention of water in the wetland for longer periods of time and prevents the entire stream bed from drying. Prior to the dam being constructed, evidence suggests the wetland and stream were void of standing water during the summer months annually (as reported in Bryden and Barnett 1992, where streams were shown to be dry during the summer months). Although water currently exists on a perennial basis due to the recent activity of beavers, the magnitude of the stream is not sufficient to have provided suitable perennial habitat for resident salmonids prior to the beaver activity. The bedrock ledge at tidewater represents a definitive barrier, which prevents the potential use of the lower reaches by anadromous fish that do not necessarily rely on permanent freshwater habitat for rearing (*i.e.* chum and pink salmon). As a result this watershed has been designated a “Watershed with No Fish Habitat” and is not subject to the RAR process.

3.4 Hadley Lake Watershed

Hadley Creek, which represents the outlet drainage of Hadley Lake, flows in a westerly direction and enters the ocean on the northwest shore of Lasqueti Island. At tidewater, the stream flows through a 30 m long cement culvert that is approximately 400 m in diameter. Water flows from the outlet of the culvert and spreads out over a bedrock outcrop, which contains numerous steps that range between 0.5 m and 1.0 m high. When the culvert was installed, it was positioned at a slope of 15-20% and gravel fill was imported and landscaped around the culvert to provide stability.

Upstream of the estuarine environment (lower-most reach), the stream channel could not be accessed as the land owner did not grant permission to traverse the property. However, anecdotal evidence suggests that modifications have been made to the stream channel through the creation of ponds.

The upper reaches of the creek are well defined. The morphology of the stream is consistent with that of a riffle-pool system. The average bankfull width of the channel is approximately 2.0 m. The gradient of the stream channel is 2-3% and substrate composed mainly of cobbles and gravel. At the time of the assessment, the stream bed was dry. Hadley Creek possesses a seasonal flow regime and only contains water through the winter and early spring. There will also be seasonal variation based on weather patterns. At the lake outlet, water flows into the creek via two 1000 mm corrugated metal pipes (CMPs). At the outlet of the culverts, the stream channel is



not defined and water flows over a steep bank that has a slope of greater than 30%. The bank is composed of rip-rap boulders. It should also be noted that once the lake level drops below its two outlet culverts the only source of water input to the creek is through rain fall. The stream channel becomes defined approximately 30 m downstream of the lake outlet.

Riparian vegetation consists mainly of mature forest, with Douglas-fir, western redcedar and bigleaf maple dominating. Red alder was also documented within the riparian zone of Hadley Creek. Dominant shrub and herb species within the riparian zone of the stream include salmonberry, salal and sword fern.

Hadley Creek contains seasonal flow, and currently possess an outflow culvert that currently represents a barrier at tidewater. During the assessment, the stream bed was dry, and no continuous segments of flowing water or standing pools were noted. The magnitude of the stream is such that it does not allow for the retention of wetted pools along its length, and there is no summer refugia habitat for fish in the stream itself. Based on a lack of perennial habitat for resident fish in the stream, and current lack of access to any parts of the watershed to anadromous fish that could potentially use seasonal streams (due to the culvert barrier at tidewater), it is unlikely that this watershed currently provides habitat for fish. Despite there being no documentation of fish presence for Hadley Lake through either Bryden or Barnett (1992) or Habitat Wizard, there is the potential (albeit low) that Hadley Lake could support resident salmonids.

In spite of the fact there is no known fish presence in the Hadley Lake Watershed, Hadley Creek meets the definition of a “stream” under the RAR and is subject to RAR regulations as per the MFLNRO original classification. This is due, in part, to the fact that the tidewater culvert does not represent a permanent barrier, and if removed anadromous fish capable of completing their life cycles in seasonal streams (e.g. chum and pink salmon) could migrate into Hadley Creek. In addition, despite there being no documented salmonid resource in Hadley Lake, there is the potential (albeit very unlikely) that the lake contains resident salmonids.

4.0 DISCUSSION

Upon completion of the field assessment, it was determined that Stonehouse Creek and Cocktail Cove do not contain habitat suitable to support resident species of salmonids. As resident fish populations inhabit a stream year round, it is necessary for adequate perennially-available habitat to be present on a long-term basis, to provide



summer refuge habitat. It has been documented that there is no flow in any of the Lasqueti Island streams during August and September. In addition, during years of extreme low flow, streams have been recorded as having no flow from June to October (Bryden and Barnett, 1992). The field assessments supported the conclusions made in Bryden and Barnett. In the case of Cocktail Cove, the watershed is not documented in Bryden and Barnett (1992). The fact that the watershed was not included provides further evidence to support the low magnitude of the stream and lack of potential fish habitat. Both Cocktail Cove and Stonehouse Creek exhibited natural barriers at tidewater preventing the potential for seasonal use of the streams by anadromous fish (*i.e.* chum and pink salmon).

In the case of Hadley Creek, the MFLNRO had previously designated the watershed as being applicable to the RAR. Observations at the time of the assessment supported the premise that anadromous salmonids cannot currently enter the stream, as the existing culvert currently represents a barrier to upstream migration. However, in this particular case, the culvert does not represent a permanent barrier. If the culvert were removed, anadromous salmonids such as pink salmon or chum salmon would be capable of migrating into the lower reaches of the stream. These two species can use seasonal drainages, as newly hatched juveniles migrate quickly to the ocean and do not rear for an extended period in freshwater.

Based on the fact the stream was void of water at the time of the assessment, Hadley Creek in itself cannot support a resident population of fish. The survival and sustainment of any resident salmonid fish dropping down from the lake into the creek to spawn on a seasonal basis is unlikely, due to the fact that the outlet from the lake represents a significant obstacle for fish (especially juveniles) moving back upstream into the perennial habitat of the lake. The occurrence of resident salmonids in the lake cannot be completely discounted, however, as there may be potential seasonal spawning habitat in lake inlet drainages, that allow for both adult and juvenile fish to re-enter the lake prior to the streams drying up.

As the tidewater culvert does not represent a permanent barrier to fish, and no other natural barriers to the upstream movement of anadromous fish were observed and due the potential for resident fish to occur in Hadley Lake, Hadley Creek represents a “stream” under the RAR. As a result, the Hadley Lake watershed is subject to the RAR process.

If you have any questions or comments about the stream mapping process, please do not hesitate in contacting the undersigned.

Prepared by:

A handwritten signature in blue ink, "Justin Lange", is written over a circular blue ink stamp. The stamp contains the text "COLLEGE OF APPLIED BIOLOGICAL SCIENCES" around the top edge, "Justin Lange" in the center, "R.P. Bio" below the name, "2406" below that, and "CAB" at the bottom.

Justin Lange, B. Sc., R.P.Bio.

Madrone Environmental Services Ltd.

5.0 REFERENCES

Bryden, G. and Barnett, L. 1992. Lasqueti Island Water Allocation Plan. Ministry of Environment, Lands and Parks, Vancouver Island Region. Nanaimo, BC.

BC Ministry of Forests Lands and Natural Resource Operations (MFLNRO). 2014. Habitat Wizard. Victoria, BC. <http://www.env.gov.bc.ca/habwiz/>

Committee on the Status of Endangered Wildlife in Canada (COSEWIC). 2014. Hadley Lake Threespine Stickleback Status Report. Gatineau, QC <http://www.cosewic.gc.ca>



APPENDIX I – PHOTOS

Stonehouse Creek



Photo 1. Looking west at the area where Stonehouse Creek flows into the marine environment.



Photo 2. The outlet of Stonehouse Creek. Note the vertical bedrock ledge and lack of a plunge pool. Also, vegetation growth conceals the area where water flows over the ledge (marked with red arrow).



Photo 3. A photo representing the area where Stonehouse Creek flows over the bedrock ledge.



Photo 4. A portion of Stonehouse Creek, approximately 35 m upstream of the bedrock ledge. It should be noted this pool of water was isolated at the time of the assessment, and there was no water flowing in or out of the pool. This pool does not represent adequate habitat for resident fish.



Photo 5. A photo representing the lack of perennial water flow within Stonehouse Creek. Based on the channel characteristics (*i.e.* bedrock substrate and bank erosion), it appears as though Stonehouse Creek is a flashy drainage.

Cocktail Cove



Photo 6. Looking east towards the head of Cocktail Cove. The red arrow marks the approximate location where the main outlet drainage for the watershed flows into the marine environment.



Photo 7. A photo of the ledge that the Cocktail Cove outflow creek flows over at tidewater. Note the dense shrub growth that conceals the ledge.



Photo 8. The shallow plunge pool located at the base of the bedrock ledge. It should be noted that this pool does not provide sufficient depth for anadromous salmonids to jump the ledge, even during a high tide.



Photo 9. The morphology of the Cocktail Cove outlet drainage approximately 30-40 m upstream of tidewater. It should be noted that sections of the channel contain water due to the recent construction of beaver dams immediately upstream.



Photo 10. The beaver dam, which was constructed approximately 70 m upstream of tidewater. Construction of the dam has altered hydrology throughout the area and created a wetland that currently contains water on a perennial basis.



Photo 11. The wetland as seen from the beaver dam. Note the abundance of aquatic vegetation throughout the wetland.

Hadley Lake



Photo 12. Looking northwest at the estuary of Hadley Creek.



Photo 13. The cement culvert at the outlet of Hadley Creek, near tidewater. It should be noted that this culvert currently represents a barrier (albeit not permanent) to upstream migration by anadromous salmonids.



Photo 14. Looking east from the outlet of Hadley Lake. This lake provides potable water to residents of Lasqueti Island. The lake provides at least potential habitat for resident salmonid fish to occur.



Photo 15. The inlets of the two outlet culverts that drain Hadley Lake. Note the summer-time water level of the lake is approximately 1.0 m below the bottom of the culverts.





Photo 16. Looking downstream (west) from the outlets of the two culverts that drain Hadley Lake. During periods of high flow, water flows over the rip-rap boulders and into the defined channel at the base of the slope (marked with red arrow).

Lasqueti Island Riparian Areas Regulation Compliance Project Charter

Date: August 30, 2014

Purpose To amend the Lasqueti Island Land Use Bylaw with setback and screening regulations to implement the provincial *Riparian Areas Regulation*.

Background In 2013, Madrone Environmental Services Ltd. was contracted to assess Lasqueti watersheds to determine which watersheds are subject to the provincial *Riparian Areas Regulation*. The March 31, 2013 report broke down the watersheds into the following categories: (1) Watersheds with perennial Fish habitat; (2) Watersheds with Potential Seasonal Habitat for Anadromous Fish below barriers; (3) Watersheds Requiring Further Investigation; (4) Watersheds with no Fish Habitat. Further assessment of three watersheds is required in the 2013-14 fiscal year, and an additional assessment of THREE watersheds in the 2014-15 fiscal year. In addition, at the October 17, 2013 LTC meeting, the LTC decided to endorse the setback/screening method of coming into RAR compliance rather than going the Development Permit Area route.

Objectives

- Have all Lasqueti watersheds assessed to determine RAR applicability
- Ongoing notification and effective engagement with property owners and residents

Scope & Deliverables

- Review all Lasqueti watersheds to determine RAR applicability
- Review setback and screening option and draft bylaw amendment implementing this option to become RAR compliant
- Inform/notify community via newsletters, neighbourhood meetings; and community information meetings and public hearing

Workplan Overview

Deliverable/Milestone	Date
General education with community via neighbourhood meetings	Winter/13-14
LTC directs staff to draft an LUB amendment	May 1, 2014
Staff report presented with draft LUB amendment. Firm up CIM date and time and place	July 3, 2014
CIM takes place at special meeting to be held September 13th.	Sept 13, 2014
Madrone completes assessment of remaining 3 watersheds.	Sept 15, 2014
Staff presents report summarizing CIM and presenting draft bylaw for possible changes, LTC considers 2nd reading and referrals	Oct 16, 2014
Public Hearing and consideration of 3rd reading, EC referral, adoption and amendment consolidation	Spring 2015

RPM Approval:
Courtney Simpson
Date:

LTC Endorsement:
Resolution #:
Date Received: February 24, 2014

Project Team

Lasqueti Island LTC	
Marnie Eggen, Planner	Project Manager

Budget

Budget Source: RAR Project

Item	Cost
Assessment-2 watersheds	2000 (done 13/14)
Assessment-remaining 3 watersheds	5000 (14-15 fiscal)
Legislative process	1200 (14-15 fiscal)
Total	10,000

RIPARIAN AREAS REGULATION COMPLIANCE – Bylaw No. 90
(Setback and Screening Land Use Bylaw Amendment)
COMMUNITY CONSULTATION PLAN

GOALS of Project COMMUNITY Communication

- *To describe the process, timeline and opportunities for input to property owners*
- *To empower property owners to have their say and demonstrate that they are being heard and their comments are valued*
- *To provide accurate, balanced and objective information*
- *To obtain feedback and ideas and incorporate this in the decision making process as much as possible*

Communication Action Plan – Updated August 11, 2014

Method	Key content / purpose	Cost	Target Date
<i>Website updates</i>	All project documents and meeting notices to website for community information	\$0	ongoing
<i>Local Trustees Conduct Neighbourhood meetings</i>	Educational outreach to the community and obtaining preliminary comments	\$0	Winter 2013/2014
<i>Ongoing articles in the Our Isle and Times from Local Trustees</i>	Use monthly trustee reports giving description of the timeline and process and providing updates. Solicit further comments and ideas from community.	\$300	Winter 2013-2014
<i>Staff presents project charter, communications plan, and draft CIM flier and CIM handouts</i>	Project Charter and communications plan keep everyone on track, and information flier informs the community about the project and upcoming CIM.	\$0	February 27, 2014
<i>Madrone conducts further assessments of watersheds to establish RAR applicability</i>	The March 31/13 Madrone report notes some watersheds require further investigation to establish RAR applicability. Madrone provides a second report giving further information about RAR applicability to two other watersheds.	\$2000	March 25, 2014
<i>Staff presents staff report and recommends that a CIM be prepared for Summer, 2014 and that staff draft an LUB amendment</i>	Staff to present the March 25, 2014 Madrone report and a summary staff report recommending staff prepare for a summer CIM.	\$0	May 1, 2014
<i>Staff presents staff report along with draft LUB amendment</i>	Draft bylaw can be taken to the CIM (along with other explanatory documents) for community comments. LTC gives first	\$0	July 3, 2014

Method	Key content / purpose	Cost	Target Date
	reading of bylaw.		
<i>Hold CIM via a Special LTC meeting</i>	Consultation with community to obtain input to be considered and potential changes to draft bylaw.	\$25	August/ September, 2014
<i>Madrone conduct field assessment of Cocktail Cove and Stonehouse Creek and Hadley Lake watersheds</i>	This will determine if these three watersheds are RAR applicable. Madrone contracted to provide this report by September 15, 2014.	\$5000	September 15, 2014
<i>Amend Bylaw No. 90 map per Madrone report if needed, then consider giving bylaw Second Reading, referral to First Nations and agencies</i>	The bylaw map showing RAR applicable watersheds can be amended to reflect Madrone report findings regarding watershed applicability to RAR.	\$0	October 16, 2014
<i>Public hearing and consideration of third reading</i>	It is recommended that any further work on this project be conducted after the 2014 Local Trustee election.	\$1200	March, 2015



Islands Trust

Print Date: Oct-07-2014

Top Priorities

Lasqueti Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Riparian Areas Regulation Compliance . Watershed Assessment and Bylaw Enactment		Aug-17-2011	Marnie Eggen		On Going
1	Lasqueti Official Community Plan and Land Use Bylaw review		Sep-13-2014	Marnie Eggen		On Going
2	Land Use Bylaw Parking as a Home Enterprise Amendment		Jun-30-2011	Marnie Eggen		On Going



Projects

Lasqueti Island

No.	Description	Activity	Received/Initiated	Status
1	Update the Lasqueti Official Community Plan by: 1. adding policy requiring all marinas applying for rezoning or a development permit to provide pump out facilities; and 2. adding advocacy policy encouraging neighbouring local governments to require that marinas servicing vessels traveling within the Trust Area install pump-out facilities when applying for rezoning or a development permit (Recommendations from Trust Council to all LTC's) 3.Update with Intertidal zone policies using specific recommendations from the Forage Fish team and the Greenshores and Eelgrass Project			On Going
1	Update Official Community Plan and Land Use Bylaw to include provisions for food security. (Direction from Trust Council - December, 2010)		Mar-03-2011	On Going
1	Consider Procedures Bylaw amendment to allow the Local Trust Committee to hold electronic meetings when needed.		Feb-28-2013	On Going

Applications w/ Status - Lasqueti Island Status: Open

Applications

Subdivision

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

Planning Status

Status Date: Sep-02-2014

MOTI has issued a Proposed Subdivision Review Status (PSRS) letter, stating that they have concerns about septic disposal on proposed Strata Lot F and require confirmation from the applicant before moving forward with the formal Preliminary Layout Approval (PLA). We have received a copy of this letter with attachment regarding Road Construction Standards

Status Date: Apr-23-2014

Applicant advised that her application was going to be changed "substantially". Staff advised Ministry of Transportation and Infrastructure to please re-refer the revised application so that staff can do another referral report on the revised application.

Status Date: Apr-11-2014

Subdivision referral response sent to the Ministry of Transportation and Infrastructure

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending August 2014

640 Lasqueti	Invoices posted to Month ending August 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-640	LTC "Trustee Expenses"	700.00	44.96	655.04
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	500.00	149.59	350.41
65210-640	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-640	LTC - Local Exp - Communications	300.00	93.00	207.00
65230-640	LTC - Local Exp - Special Projects	750.00	0.00	750.00
TOTAL LTC Local Expense		<u>2,050.00</u>	<u>242.59</u>	<u>1,807.41</u>
Projects				
73001-640-2014	Lasqueti False Bay OCP/LUB	2,500.00	270.96	2,229.04
73001-640-3004	Lasqueti RAR	6,500.00	0.00	6,500.00
TOTAL Project Expenses		<u>9,000.00</u>	<u>270.96</u>	<u>8,729.04</u>

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending September 2014

640 Lasqueti	Invoices posted to Month ending September 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-640	LTC "Trustee Expenses"	700.00	44.96	655.04
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	500.00	406.03	93.97
65210-640	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-640	LTC - Local Exp - Communications	300.00	107.00	193.00
65230-640	LTC - Local Exp - Special Projects	750.00	0.00	750.00
TOTAL LTC Local Expense		<u>2,050.00</u>	<u>513.03</u>	<u>1,536.97</u>
Projects				
73001-640-2014	Lasqueti False Bay OCP/LUB	2,500.00	270.96	2,229.04
73001-640-3004	Lasqueti RAR	6,500.00	0.00	6,500.00
TOTAL Project Expenses		<u>9,000.00</u>	<u>270.96</u>	<u>8,729.04</u>

Lasqueti Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	July 11, 2013	LA-020-2013	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 27, 2014	LA-2014-004	Annual Lasqueti Stewardship Award	It was MOVED and SECONDED That the Lasqueti Local Trust Committee establishes a standing resolution for an “Annual Lasqueti Environmental and Community Stewardship Award” to be presented annually by way of voluntary nominations up to a maximum of two (2) awards to show public recognition.

PROPOSED

Lasqueti Island Local Trust Committee

BYLAW NO. 89

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

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. 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.
2. This bylaw may be cited as “Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 1, 2014”

READ A FIRST TIME THIS	28 th	DAY OF	AUGUST	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A SECOND TIME THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

SECRETARY

CHAIRPERSON

Lasqueti Island Local Trust Committee

Bylaw No. 89

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) To Part 3, Section 3.6 Home Enterprise Provisions insert a new article 3.6(c) as follows:

"3.6 Home Enterprise Provisions

- c) In addition to subsection 3.6 (a), the following regulations apply to Parking Lot home enterprise:

- (i) no part of the parking lot area may be a paved surface;
- (ii) the maximum combined lot coverage of the parking lot home enterprise is 5 percent of the lot area;
- (iii) the entirety of the parking area must be setback as follows:
 - 3 metres from interior side and rear lot lines;
 - 3 metres from front and exterior lot lines;
 - 30 metres from a watercourse;
 - 30 metres from the natural boundary of the sea."

- b) To part 1.1 Definitions:

- i. add a new definition "parking lot home enterprise" in alphabetical order as follows:

"parking lot home enterprise" means a parking lot containing an open area for two or more motor vehicles to accommodate clients, customers or residents of the private lot, which has adjacent access to permit ingress or egress of motor vehicles to a street by means of driveways, aisles or maneuvering areas where no parking or storage of motor vehicles is permitted;"

- ii. add a new definition of "lot line" in alphabetical order as follows:

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office or the boundary of a lot as otherwise described under the *Land Title Act*."

PROPOSED

Lasqueti Island Local Trust Committee

BYLAW NO. 90

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

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. 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.
2. This bylaw may be cited as “Lasqueti Island Land Use Bylaw 78, 2005, Amendment No. 2, 2014”

READ A FIRST TIME THIS	3 rd	DAY OF	JULY	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A SECOND TIME THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

SECRETARY

CHAIRPERSON

Lasqueti Island Local Trust Committee

Bylaw No. 90

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. Delete Section 3.5 in its entirety and replace it with the following:

"3.5 Siting and Setback Provisions

(1) General

- (a) All building and structure setbacks and spatial separation requirements must be measured on the horizontal plane from the exterior finished façade of the building or structure to the natural boundary, parcel line or other point specified in this Bylaw.

**(2) Setbacks and Screening for Streams as Defined in the British Columbia
*Riparian Areas Regulation***

- (a) Terms used in Section 3.5(2) that are defined in the provincial *Riparian Areas Regulation* have the same meaning as the definition given in the Regulation, as it may be amended from time to time;

- (b) The following freshwater features, located on properties designated as 'RAR Applicable' as noted on Schedule A, being:

- (i) a watercourse, whether it usually contains water or not;
- (ii) a pond, lake, river, creek or brook;
- (iii) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (i) or (ii),

must be screened from development as defined in the British Columbia *Riparian Areas Regulation*, through the retention of all existing vegetation ONLY, in the form of:

- a 30 metre strip on both sides of the stream, measured from the high water mark;
- for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 meters beyond the top of the ravine bank; and
- for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 meters beyond the top of the ravine bank;

- (c) Applications to vary 3.5(2)(b) above will require a report from a qualified environmental professional conducted according to the *Riparian Areas Regulation* methodology.

- (d) Notwithstanding 3.5(2)(b) above, the following land use activities are permitted in the stream screening area:

- (i) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- (ii) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- (iii) repair or replacement of a septic field on the same spot;
- (iv) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- (v) With the exception of nesting trees protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration;
- (vi) gardening and yard maintenance activities within a pre-existing *landscaped area*, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- (vii) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- (viii) pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- (ix) ecological restoration or enhancement projects undertaken or authorized by a public body;
- (xj) work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*;
- (xi) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - emergency actions for flood-protection and erosion protection;
 - clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- (xii) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*;
- (xiii) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;

- (xiv) The construction of a private trail if all of the following apply;
 - The trail is one meter wide or less;
 - No native trees are removed;
 - The surface of the trail is pervious (for example, soil, gravel or wood chips);
 - The trail is designed to prevent soil erosion where slopes occur; and
 - Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream.
- (xv) Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared;
- (xvi) The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 meters squared;
- (xvii) Structures used to provide micro-hydro-electricity for residential use.

(3) Setbacks for Other Streams, Creeks, Lakes, Wetlands, and Watercourses

(a) The minimum setback for buildings and structures for any other streams, creeks, lakes, wetlands, and watercourses is 30 metres, except for the following:

- (i) fence or access stairway;
- (ii) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- (iii) repair or replacement of a septic field on the same spot;
- (iv) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - emergency actions for flood-protection and erosion protection;
 - clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- (v) The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 meters squared
- (vi) Structures used to provide micro-hydro-electricity for residential use.

(4) Minimum Setback for Buildings and Structures from the Natural Boundary of the Sea

- (a) The minimum setback from the natural boundary of the sea for buildings and structures, except for a boathouse, fence, or access stairway is:
 - (i) 5.0 metres (16.4 feet) for a boathouse;
 - (ii) 15 metres (49.2 feet) for all other buildings and structures;
 - (iii) despite Clause 3.5(6)(a), where the frontage on the sea is adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures may be sited as close as 7.5 metres (24.6 feet) from the natural boundary of the sea.
- (b) The minimum allowable difference in elevation between the underside of the lowest floor in the building or structure and the elevation of the natural boundary of the sea must be 1.5 metres, except for a boathouse.
- (c) Where fill is used to attain the elevation required in this section:
 - (i) the minimum setback distance required shall be measured from the toe of the fill slope to the natural boundary of the sea; and
 - (ii) the face of the fill slope must be protected against wave action from floodwaters.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

(5) Setbacks and Screening from Nesting Trees

- (a) A protective screen of natural vegetation must be retained within a 30 metres (98.4 feet) radius of the trunk of a tree bearing nests of herons, eagles, ospreys, vultures, falcons, hawks and owls."

B. To current "Part 1.1 – Definitions" insert the following new definition in alphabetical order:

"landscaped area" means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete;"

Lasqueti Island Local Trust Committee
Bylaw No. 90
Schedule A

