



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: October 4, 2021
Location: Judith Fisher Centre
 #1 China Cloud Bay Road
 Lasqueti Island, BC

Members Present: Peter Luckham, Chair
 Peter Johnston, Local Trustee
 Timothy Peterson, Local Trustee

Staff Present: Heather Kauer, Regional Planning Manager
 Dave Olsen, Recorder

Others Present: Andrew Fall, qRD Regional Director
 There were 4 members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 11:05 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations and introduced the Trustees and staff. He noted that Trustee Johnston was attending the meeting electronically from home and that the meeting was being recorded and live streamed.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

11.2 Meeting Procedures Bylaw

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Johnston reported that the Lasqueti Archaeology Project was active on island last week and included many members of the public as well as members of the Tla'amin and K'omoks First Nations; the project's next scheduled on-island activity is July 2022.

Trustee Peterson reported that he met with a BC Assessment team in mid September and was asked the following questions from his constituents:

- Could there be forewarning before a site visit?
 - The Victoria Office will give general notice to the island in the future.
- Will the fact that many people are unable to buy home insurance, which is widespread on the Gulf Islands, be reflected in future tax assessments.
 - Yes, it will be factored in, but it is not a line item and will instead be factored into the overall assessment.

- He recommended that home owners that have recently had their insurance denied, contact BC Assessment to inform them so they can factor that into their assessment.
- He is willing to share the names and contact information for BC Assessment.

3.2 Chair's Report

Chair Luckham reported:

- That there is a lot of preparation for meetings now that they are legally required to be held in public.
- Met electronically last month to advance the Policy Statement and started the tendering process to find a contractor to consult with the public.
- The next Trust Council meeting is scheduled for December.

3.3 Electoral Area Director's Report

Director Fall reported:

- The qathet Regional District (qRD) has moved back to hybrid meetings and invested in equipment for the Board Room to allow staff and the public to attend in person or electronically, which now allows Lasqueti residents to more easily address the Board.
- That a Firesmart workshop was held at the Community Hall on August 31, 2021
- The Vancouver Island Public Library has hired Ben Hyman as their new Executive Director.
- He attended the Union of BC Municipalities virtual meeting where the qRD won a Community Excellence Award for the clean up of an old landfill near Powell River; he also attended plenaries on Truth and Reconciliation and Global Warming, the latter of which discussed the heat wave this summer that took more than 570 lives.

4. TOWN HALL

Members of the public spoke and the following was noted:

- That the value of a signature on a form letter may not be valued as much as other signatures; he would like each signature to be valued equally.
- Trustees were lauded for reading the OCP; but agreed with staff in that it was too late in the process for the extensive changes proposed.
- It is not appropriate to have a discussion about changes to the OCP during zoom meetings as the attendance is so low due to the difficulty of attending for many local residents.
- Feral sheep have many differences when compared to domestic sheep; they are properly scientifically defined as semi-wild domestic sheep but could be described as “feral/heritage sheep”, which would be consistent with the OCP.
- Agree with staff recommendation to define livestock; should also define “pets”.
- The definition of affordable in the OCP is too vague and could easily include someone with the means of a Bill Gates and undermines the Housing Objective found on page 21.
- Strongly support keeping all of our Community aspirations in the OCP, as long as they are not illegal.
- Strong concerns that decisions are being made, especially about the OCP, during COVID times. We will have to live with this for many years, but it is very difficult to understand

what is going on. Recommend that all decisions be put off until after COVID, so we can meet at the Community Hall.

- An email was sent to both Trustees at the start of COVID, to be part of the public record, to ask that no decisions be made by the LTC during COVID; not just decisions relating to the OCP, but any decision, including those concerning other islands.

5. MINUTES

5.1. Local Trust Committee Minutes dated August 13, 2021 - for adoption

The following amendments to the minutes were presented for consideration:

At the top of Page 4 under **7.1**, to the first bullet that states “It is a subdivision application”, add “for a lot line adjustment.”

At the top of Page 5 under **8. LOCAL TRUST COMMITTEE PROJECTS** after “The Chair discussed the process” add “and had some doubt about amendments being brought forward but after discussion it was agreed to proceed.”

Top of page 8, change “Scotty Bay” to “Scottie Bay”.

Near the bottom of page 7, add “The Chair opened the CIM for comments by the public and” before “The following points were made by the public:”

LA-2021-042

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee adopt the minutes of August 13, 2021 as amended.

CARRIED

Discussion ensued regarding the Minutes preparation process. Trustee Johnston asked to receive a draft of the minutes within two weeks, and proposed that Trustees send any amendments to staff, who could then prepare the final draft, which could be adopted by Resolution Without Meeting (RWM).

The Chair invited staff to respond and asked what a reasonable timeframe would be.

Staff responded and the following was noted:

- That the contract minute taker sends the draft minutes to an Islands Trust staff member who does the initial review and then sends it to the attending staff to review their part.
- This process is in place for all seven LTCs.
- Staff send LTCs a copy of the draft minutes as soon as their workloads permit.
- If this requested process is implemented for the Lasqueti LTC, then staff would have to consider doing this for all other LTCs.
- It is a workload issue; it is not usually feasible to circulate minutes within 2 weeks.
- The LTCs receive the draft minutes with the agenda package; circulating the minutes earlier would change our process and add more work.

Trustees noted that the recording is available a week after the meeting.

The Chair noted the following:

- That this request would make an exception for Lasqueti.

- Circulating draft minutes directly from the minute taker would not be advisable.
- He noted that they were stymied by the infrequent nature of the meetings and staff resources.
- With the recordings, the minute taker can now review the recordings.
- The best way to verify accuracy is to watch the recordings.

5.2 Section 26 Resolutions-Without-Meeting Report dated September 27, 2021

Received.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 27, 2021

Received.

7. APPLICATIONS AND REFERRALS

7.1 Islands Trust Area Bylaw No. TC183 (2020 Policy Statement Amendment Project) - Referral Request for Response

The Chair noted that this is from the Executive Committee to the LTC and that many LTCs have decided to defer comment until further public engagement and amendments have been completed; staff concurred.

Trustees agreed that deferral is the best course of action.

The Chair recessed the meeting at 12:15pm and reconvened the meeting at 12:46pm.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Lasqueti Island Official Community Plan (OCP) Comprehensive Review - Proposed Bylaw No. 98 - Staff Report

The Chair noted that setting the Public Hearing date has been delayed and invited staff to introduce the item.

Staff noted the following:

- She received comments back from Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) and recommends eliminating the policies that FLNRORD identified.
- K'omoks First Nation has asked for a meeting; she has responded but has not heard back.
- Of the public comments received, the Livestock definition is recommended to be added.
- Public comment received after the staff deadline could still be addressed in a future staff report if the LTC would like staff to do that.
- Trustee Johnston's comments and questions are about eight pages long; the scope of the project does not include going line-by-line since it is not a wordsmithing project. If the LTC chooses to do this, it will increase the time required.

ADOPTED

- It would be most effective if the Trustees write their proposed changes and motions prior to a special meeting so they could be included in the agenda package.
- Since the last meeting, she has learned that rescinding Second Reading before making amendments is not required.
- FLNRORD did not provide a rationale for the changes proposed; it is inferred that the policies proposed to be changed are issues that FLNRORD would feel uncomfortable dealing with.
- The OCP will need to go to the Provincial Ministry of Municipal Affairs & Housing for approval and if another Provincial Ministry's concerns are not addressed, it may cause them problems.
- The recommended definition is the same as found in the Provincial *Livestock Act*.

The Chair noted:

- That the concern with FLNRORD could be broader, in that the Minister that approves the OCP has to listen to that other Ministry.
- Normally when we see referrals back, there is more information given.
- The LTC cannot tell them what to do, but if the Province does something that is not in concert with the OCP, which is approved by that government, it could be questioned.
- That the Public Hearing is the end point for allowing more public comments.

Trustees noted:

- That the OCP is a reflection of what the Community wants, not what FLNRORD wants.
- An external agency recommending to delete Community policies, especially without rationale, raises some concerns.
- Would like to ask the Senior Intergovernmental Policy Advisor to advise before the LTC deals with any Crown Land recommendations.
- Readability of the new document is difficult and cumbersome. Recommendations point to new numbering system; which may be difficult for members of public.
- There is an advantage to leaving the document as is and dealing with all amendments at the next meeting.

Staff noted that we are changing an existing document in multiple ways and suggested changing only the numbering system to allow future changes to be understood more easily.

LA-2021-043

It was **MOVED** and **SECONDED**

that Lasqueti Island Local Trust Committee Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", be amended as follows:

PART 2 – ADMINISTRATION, 2.11 Definitions, add a definition for "Livestock" as follows:
Livestock: means cattle, goats, horses, sheep, swine and game and includes any other animal designated by regulation"

CARRIED

LA-2021-044

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”, be amended as follows:

PART 3 – OFFICIAL COMMUNITY PLAN, delete “OFFICIAL COMMUNITY PLAN” and replace with “BACKGROUND”;

Add PART 4 entitled “OBJECTIVES AND POLICIES”; and

Add PART 5 entitled “LAND USE”

CARRIED

LA-2021-045

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”, be amended as follows:

Organize and format the entire bylaw with the numbering system consistent with Attachment 1 of the staff report dated October 4, 2021.

CARRIED

LA-2021-046

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to review the recommendations from Andrew Fall in the email of October 3, 2021 and from Dave Olsen in the email of September 23, 2021 and report back on those recommendations.

CARRIED

LA-2021-047

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to re-examine the recommendations regarding Crown Lands policies, including comment from the Senior Intergovernmental Policy Advisor, to see where community aspirations around Crown Lands can align with respectful engagement with First Nations and our commitment to Reconciliation.

CARRIED

LA-2021-048

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”, be read a second time, as amended.

Staff advised that Second Reading does not need to be rescinded, but after further amendment, Second Reading needs to be made again.

CARRIED

ADOPTED

Staff advised that a special meeting would allow the LTC to focus in on this agenda item and would legally allow an electronic meeting since the current meeting procedures bylaw does not allow for regular business meetings to be electronic.

Trustees noted:

- That there would not be a Town Hall at a Special Meeting; only items on the agenda may be dealt with.
- The public comments earlier today regarding the difficulty to attend electronic meetings.
- Others may have some hesitancy in attending in-person meetings.
- That public comment can be received right up to the next meeting.

LA-2021-049

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee cancel their December 6, 2021 regular business meeting.

CARRIED

LA-2021-050

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to schedule a special electronic meeting on December 6, 2021 for up to four hours in length, to include the following three agenda items:

1. Consideration of Trustee motions for specific amendments to Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”;
2. The Lasqueti Island Local Trust Committee annual business meeting schedule for 2022; and
3. The Meeting Procedures Bylaw.

CARRIED

LA-2021-051

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request that Lasqueti Island Trustees each provide staff a written list of motions they intend to present at the special meeting to consider amendments to Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”, no less than 10 days prior to the meeting so they can be included in the meeting agenda package.

CARRIED

Trustees asked staff about the following:

- Is it possible to meet before December 6, 2021;
 - Staff advised that it was not.
- Whether the K’omoks meeting request was just for staff or would it include Trustees;
 - Staff will advise once informed.

9. DELEGATIONS - none

10. CORRESPONDENCE

Late Correspondence was received via email from Kathy Rodgers and it was read out and included the following points:

- She expressed frustration and disappointment about having Islands Trust (IT) meetings electronically during COVID;
- If IT has meetings to pass bylaws, how is this fair or could be in our community's best interest? This does not cut it when it is one sided.

The Chair asked that the writer be thanked for her input.

11. NEW BUSINESS

11.1 Request for Decision regarding New Fees Bylaw

Staff offered to answer questions.

Trustee Peterson introduced the item and the following was noted:

- He is a member of the Local Planning Committee (LPC) that helped to formulate this bylaw.
- It came to the LPC's attention pre-COVID that of the total cost of processing applications in the Trust Area, the fees covered only about 17%.
- The LPC determined that it was not reasonable for taxpayers to subsidize the cost of applications that often provide economic benefit to the applicant.
- The general decision was to capture about 80% of the actual cost; the LTCs could adjust by up to 20% in cases where there is community benefit.
- Report reflects two and a half years of work.
- The LTC is asked to draft the bylaw, which is not the same as adopting the bylaw.

Discussion ensued and the following was noted:

- This proposed bylaw is understandable but not sure that it is reasonable to ask Lasqueti Islanders to pay more.
- There may be fewer applications in the future because it will be too expensive to apply.
- This will bring a suggested new fee schedule that could be discussed and have public input.
- When fees are not increased incrementally over long periods of time, they can jump by a larger amount.
- Elsewhere it is a bigger issue, but still appropriate to have a draft bylaw prepared to have public discussion here.
- It is questionable to ask staff to do work on something that may not be proceeded with.
- This is happening Trust-wide; the LTC is not committing to anything at this point.

LA-2021-052

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request Staff to draft a new Fee Bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services."

CARRIED

11.2 Meeting Procedures Bylaw

Staff began the discussion and the following was noted:

- A draft version has been circulated at today's meeting.
- It is not possible to do readings on it today.
- It is an administrative bylaw that does not require Public Hearing unless the LTC would like one.
- There is no regulatory requirement for the public to speak at a meeting, only to see and hear the proceedings.
- There must be a staff person present at meetings.

The Chair advised:

- That the legislation did not allow much time for changes.
- Today's meeting is the beta test of the new technology to record and stream meetings and because a staff person was not hired, it falls to the Chairs to setup and facilitate the new technology.
- That the LTC can waive the requirement but not waive sections of the bylaw.

Trustee Johnston noted:

- That the current meetings procedure bylaw restricts Trustees from attending two regular meetings in a row electronically.
- He would like to waive sections 19 and 20 of the current bylaw.

12. REPORTS

12.1 Trust Conservancy Report - none

12.2 Applications Report dated September 27, 2021

Received.

12.3 Trustee and Local Expense Report dated July, 2021

Received.

Trustee Johnston noted the following:

- He wondered why the report for August is not out.
- The LTC has spent half their budget in one third of the year.
- What are the Trustee expenses for?

12.4 Adopted Policies and Standing Resolutions

Received.

Staff advised that the annual letters to First Nations reintroducing trustees and staff and that provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities, were sent a few of months ago.

12.5 Local Trust Committee Webpage

Received.

13. WORK PROGRAM

13.1 Top Priorities Report dated September 27, 2021

Received.

13.2 Projects List Report dated September 27, 2021

Received.

Discussion ensued and the following was noted:

- Item 3 remains because the daily use is deemed illegal.
- A License of Occupation could solve this; in the previous staff meeting with the qRD, the Islands Trust CAO had taken on this responsibility.
- There is a meeting scheduled for October 15, 2021 with the qRD and both CAOs are expected to attend.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Monday, December 6, 2021 at 11:00 am at Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

Resolution made earlier has cancelled this regular meeting and has been replaced with a Special electronic meeting; details to follow.

It was noted that an extra staff member is required to facilitate public participation electronically at regular business meetings.

15. ADJOURNMENT

By general consent the meeting was adjourned at 2:25 pm.

Peter Luckham, Chair

Certified Correct:

Dave Olsen, Recorder