



Lasqueti Island Local Trust Committee

Regular Meeting Revised Agenda

Date: October 4, 2021
Time: 11:00 am
Location: Judith Fisher Centre
#1 China Cloud Bay Road
Lasqueti Island, BC

	Pages
1. CALL TO ORDER	11:00 AM - 11:35 AM
Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA	
3. REPORTS	11:05 AM - 11:30 AM
3.1. Trustee Reports	
3.2. Chair's Report	
3.3. Electoral Area Director's Report	
4. TOWN HALL	11:30 AM - 11:40 AM
5. MINUTES	11:40 AM - 11:45 AM
5.1. Local Trust Committee Minutes dated August 13, 2021 - for adoption	4 - 12
5.2. Section 26 Resolutions-Without-Meeting Report dated September 27, 2021	13 - 13
5.3. Advisory Planning Commission Minutes - none	
6. BUSINESS ARISING FROM MINUTES	11:45 AM - 11:55 AM
6.1. Follow-up Action List dated September 27, 2021	14 - 16
7. APPLICATIONS AND REFERRALS	11:55 AM - 12:05 PM

7.1.	Islands Trust Area Bylaw No. TC183 (2020 Policy Statement Amendment Project) - Referral Request for Response	17 - 20
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----- **BREAK 12:05 PM to 12:30 PM** -----

8.	LOCAL TRUST COMMITTEE PROJECTS	12:30 PM - 1:30 PM
8.1.	Lasqueti Island Official Community Plan (OCP) Comprehensive Review - Proposed Bylaw No. 98 - Staff Report	21 - 124
9.	DELEGATIONS - none	
10.	CORRESPONDENCE	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10.1.	<i>Email dated October 4, 2021 from K. Rogers regarding Live Streaming and Public Participation</i>	125 - 125
11.	NEW BUSINESS	1:30 PM - 1:50 PM
11.1.	Request for Decision regarding New Fees Bylaw	126 - 142
11.2.	<i>Meeting Procedures Bylaw - for discussion</i>	143 - 146
12.	REPORTS	1:50 PM - 2:00 PM
12.1.	Trust Conservancy Report - none	
12.2.	Applications Report dated September 27, 2021	147 - 147
12.3.	Trustee and Local Expense Report dated July, 2021	148 - 148
12.4.	Adopted Policies and Standing Resolutions	149 - 151
12.5.	Local Trust Committee Webpage	
13.	WORK PROGRAM	2:00 PM - 2:20 PM
13.1.	Top Priorities Report dated September 27, 2021	152 - 153
13.2.	Projects List Report dated September 27, 2021	154 - 154
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	

15. ADJOURNMENT

2:20 PM - 2:20 PM



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: August 13, 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 19 members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 11:02 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

14.1 Timing of Public Hearing

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Peterson reported that he had nothing new to report.

Trustee Johnston reported:

- That he attended a gathering organized by Ocean Legacy to celebrate the completion of the beach clean up project for Lasqueti and surrounding islands.
- The gathering was held on Texada Island at an archaeological site that was recently uncovered.

3.2 Chair's Report

Chair Luckham reported:

- That there was a special Trust Council meeting to discuss the Policy Statement; they heard from a lot of people and will not do First Reading until at least December, 2021 or possibly March, 2022. In the meantime, a consultant has been hired to look at the outreach plan.

- Trust Council will be held in September in electronic format.
- This is the first public meeting for him since the last time he was on Lasqueti.
- Islands Trust is trying to create a mechanism to allow for hybrid meetings (that is, allowing for attendance in person or virtually).
- Transport Canada announced that the Port of Vancouver must set up a new vessel traffic management system, which is expected to reduce the number of anchorages in the Salish Sea.

3.3 Electoral Area Director's Report

Regional Director Fall reported:

- Island Health held a third clinic on Lasqueti.
- Vancouver Island Regional Library found a new Executive Director.
- The qRD Board recently received a report on high speed Internet connectivity; the Strathcona Regional District uses a fibre optic cable to connect rural communities.
- qRD has allocated \$10,000 for its Wood Stove Exchange Program.
- qRD renewed a Fire Department Mutual Aid Agreement which will now include the Lasqueti Island Volunteer Fire Department for the next five years.

4. TOWN HALL

The Chair introduced the Town Hall session by explaining the difference between the Town Hall session and the Community Information Meeting later in the agenda.

The Chair noted that the Islands Trust is legislated to have all meetings in public at a time and place that is advertised in advance.

Members of the public spoke and the following was noted:

- That the Official Community Plan (OCP) Review Process be slowed down with more public meetings held on weekends so that more working people can attend.
- The letter that Andrew Fall wrote to the Lasqueti Island Local Trust Committee (LTC), which suggested that the term “invasive species” be changed to “important exotic species”, was opposed by 36 signed form letters, which did not want the feral sheep identified in these ways. He suggested that the letter from Andrew Fall overruled the 36 other letters because, even though Andrew Fall wrote as an individual, he is the Regional Director.
- That the Trustees agreed with him that there were 37 signed form letters recently submitted to Islands Trust in support of heritage feral sheep and only 6 that wanted them identified as exotic or invasive species.
- In favour of the recommendation to waive the 10% highway frontage requirement in the application before the LTC today.
- In the overhaul of the OCP, none of the people who worked on the Marine zoning aspect have boats or work on boats.
- Yacht clubs are not allowed to have mooring buoys and there is a yacht club on Lasqueti with approximately 80 members.
- Lasqueti has very few harbours, all the public accesses are on cliffs or flat beaches, other than Tucker Bay which is still being litigated.
- Marine zoning needs to be looked at again; this island is totally dependant on marine transportation.
- LTC is talking about food security and at the same time talking about removing the sheep.

- The Chair responded that any advice would be considered.
- On two recent ferries coming to Lasqueti there were 7 and 10 dogs, respectively, and when they get loose, they could massacre the sheep.
 - The LTC is not talking about the dogs.
- That removing the sheep will make the island look more attractive to the rich people.
 - The Chair advised that the LTC is not responsible for animal control.
- Is the Islands Trust (IT) trying to control more of what we can use our land for?
 - The Chair responded and the following was noted:
 - That the IT Policy Statement will not change the autonomy of individual islands and LTCs;
 - It is strongly worded advice, which ensures that each LTC has considered these points;
 - Climate change and First Nations reconciliation are aspects that are not in the current IT policy statement; and
 - There will be a future meeting on Lasqueti regarding the Policy Statement.
 - Staff added that the OCP Review would be discussed at the Community Information Meeting later.
- Is there clarification about the 2050 aspect of the Islands Trust Policy Statement?
 - The Chair explained that it is a branding to inspire discussion and visioning for the year 2050.
 - He also noted that there are 20,000 residents and 30,000 properties in the Gulf Islands, while 30,000 First Nations people also consider the Gulf Islands to be their home but are not currently living here.
- Will the Executive Committee accept decisions if they are not in line with their Policy Statement?
 - The Chair advised that it depends on the language.

5. MINUTES

5.1 Local Trust Committee Minutes dated June 21, 2021 - for adoption

The following amendments to the minutes were presented for consideration:

Under "Others Present" change the number of people attending from 1 to 2.

By general consent the minutes of June 21, 2021 were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting Report dated July 26, 2021

Received.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated August 5, 2021

Received.

6.2 Electronic Meetings – Memorandum

Staff reiterated the current regulations and noted that they will end at the end of September. There may be a gap, when all meetings must be in person. Currently, Islands Trust is not set up to allow for hybrid meetings.

The Chair added that other staff are investigating more options.

Trustees asked whether they could discuss and make ready a new bylaw in advance.

Staff confirmed that discussion could take place.

A member of the public asked that the LTC engage with the public before making any changes to this administrative bylaw.

7. APPLICATIONS AND REFERRALS

7.1 LA-SUB-2021.1 (Johnson - JE Anderson and Associates) - 10% Lot Frontage Waiver - Staff Report

Staff introduced the application and the following was noted:

- It is a subdivision application;
- The Ministry of Transportation and Infrastructure (MoTI) has sent it to us to determine whether it meets the requirements of the Land Use Bylaw (LUB);
- In this case, the application does not meet the requirement of 10% highway frontage and staff recommend that it be waived.

The applicant noted that he supported the recommendation.

The Chair noted that MoTI would still be the agency approving the subdivision and advised that the bylaw exists to ensure that when people subdivide, there is enough room to safely build access to the new lots.

Trustees noted that the lots are large and that there is adequate access.

LA-2021-035

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

that the Lasqueti Island Local Trust Committee exempt Proposed Lot A of the proposed 2-lot subdivision (lot line adjustment) of THE WEST 1/2 OF SECTION 26, LASQUETI ISLAND, NANAIMO DISTRICT (PID 010-016-988) and SECTION 32, LASQUETI ISLAND, NANAIMO DISTRICT, EXCEPT THAT PART DESCRIBED AS COMMENCING AT THE NORTH EAST CORNER OF THE NORTH EAST 1/4 OF SAID SECTION; THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID NORTH EAST 1/4 A DISTANCE OF 792 FEET; THENCE WESTERLY AND PARALLEL TO THE NORTHERLY BOUNDARY OF SAID NORTH EAST 1/4 TO AN INTERSECTION WITH HIGH WATER MARK; THENCE NORTHERLY ALONG SAID HIGH WATER MARK TO AN INTERSECTION WITH THE SAID NORTHERLY BOUNDARY; THENCE EASTERLY ALONG THE SAID NORTHERLY BOUNDARY TO THE POINT OF COMMENCEMENT (PID 009-723-609) from Section 512(1)(a) of the *Local Government Act* which requires that each parcel has a highway frontage that is greater than 10% of the perimeter of the lot.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

Trustee Peterson began the discussion and the following was noted:

- He had two motions to present regarding the OCP Review Project;
- One proposed change would revert the current draft document to the current existing document and that a secondary motion would follow if the first one passed;

- It makes more sense to present a document at Public Hearing that has more support than waiting until after the Public Hearing to make changes.

The Chair discussed the process.

Staff advised that amendments could be made after a Public Hearing to reflect any public comment and that a revised document with any changes made today could be circulated soon.

Trustee Johnston did not support making the changes today and suggested that people on the other side of the issue would have come to this meeting if they had known.

The Chair noted:

- We want to be clear with what we present to the public and that it does make sense for the LTC to be comfortable with the document;
- Because it is not a land use issue, it is possible to amend the bylaw after Public Hearing.

Staff noted that the motion could be written down and circulated at the Community Information Meeting (CIM) later today.

LA-2021-036

It was MOVED and SECONDED

that Second Reading of Lasqueti Island Local Trust Committee Bylaw No. 98 be rescinded.

CARRIED

LA-2021-037

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to amend Lasqueti Island Local Trust Committee Bylaw No. 98 to include the following from the existing Official Community Plan:

Under Section 3.4. Community Stewardship, Objective 2: “To preserve and support balanced control of the local feral/heritage sheep which are a valued part of the community and its history.”

And that the numbering system be amended to reflect this change.

CARRIED

LA-2021-038

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to amend Lasqueti Island Local Trust Committee Bylaw No. 98 under Section 3.2 Resource Stewardship, Natural Resources, General Advocacy Policies, Advocacy Policy 2, by deleting “in particular feral sheep” and “(e.g. by the Lasqueti Island Nature Conservancy)”.

Discussion ensued and the following was noted:

- Several members of the community have noted that there are other important exotic species and by singling out feral sheep, it sends a message.
- It is not appropriate to try to direct another organization.

LA-2021-039

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee amend motion LA-2021-038 by removing “in particular feral sheep” and’.

Discussion ensued and the following was noted:

- Trustee Peterson stated that he is disappointed but in support of the motion.
- The Chair noted that he is not completely comfortable but will support the amendment.

CARRIED

LA-2021-038

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to amend Lasqueti Island Local Trust Committee Bylaw No. 98 under Section 3.2 Resource Stewardship, Natural Resources, General Advocacy Policies, Advocacy Policy 2, by deleting “(e.g. by the Lasqueti Island Nature Conservancy)”.

CARRIED

LA-2021-040

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.

CARRIED

9. DELEGATIONS - none

10. CORRESPONDENCE

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

11. NEW BUSINESS - none

12. REPORTS

12.1 Trust Conservancy Reports - March 25, 2021 and July 13, 2021

12.1.1 The Heron - Spring 2021

Received.

12.1.2 The Heron - Summer 2021

Received.

12.2 Applications Report dated August 5, 2021

Received.

12.3 Trustee and Local Expense Report dated May 2021

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

No changes.

13. WORK PROGRAM

13.1 Top Priorities Report dated August 5, 2021

Received.

13.2 Projects List Report dated August 5, 2021

Received.

The Chair recessed the meeting at 12:55pm and reconvened the meeting at 1:30pm.

14. COMMUNITY INFORMATION MEETING

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

The Chair introduced the Community Information Meeting (CIM) portion of the meeting by explaining its purpose.

Regional Planning Manager, Kauer, introduced herself and described the process to date of the OCP Review Process.

She noted that Advocacy Policy 2 on Page 15 was amended earlier in the meeting and that Objective 6 on Page 30 was discussed but not changed.

Regional Director Fall advised that the qRD Board and staff have reviewed the draft Bylaw and had no further changes to recommend.

He also advised that the Lasqueti Community Association (LCA) intended to draft a Vision Statement by way of a subcommittee.

Staff described the next phases of the process.

The Chair advised that opening up the OCP Review Process to include a Vision Statement is not trivial.

Staff advised that procedurally, the LTC cannot receive more public input after a Public Hearing (PH), so the Vision Statement would either need to be included before the PH, be part of the LUB update process, or be a separate process of its own.

The following points were made by the public:

- Suggestion that Objective 6 on Page 30 be moved to a different section.
- Suggestion made that the Glossary is deficient and asked what the process would be to add to it.
 - Staff advised that she could receive those additions and present them to the LTC for inclusion.

- The Chair advised that MoTI would revert to their own policies where there is an absence of policy in an OCP. The LTC must be careful to speak generally, rather than specifically about policies.
- Scotty Bay needs work.
- Trustee Johnston was asked why he wanted feral sheep to be singularly identified as exotic species in Advocacy Policy 2 in the motion passed earlier today.
 - The Trustee described the two enclosures that are being built on Mt. Trematon, one to exclude feral sheep and one to exclude both deer and sheep.
- Why is “to retain the undeveloped character of the marine coastal area” in the current draft?
- He also noted that only about four places are suitable to host docks.
 - Staff advised that it was likely a carryover from the current OCP.
- The document refers to “off-street” parking multiple times and could be changed to “off-road”.
- She also questioned why the Crown Lands introduction has the phrase “potential to develop into old growth” and that it may not make sense.
 - The Chair suggested that the sentence could be reworked.
 - Regional Director Fall reviewed the process that the LCA’s Official Community Plan Review Steering Committee used and noted that each objective was discussed publicly, but the policies were not.
- 36 signed form letters were recently submitted in support of the sheep .
 - The Chair advised the public at this stage of the process to suggest amendments to make the document better, rather than organizing public support for potential changes.
 - Staff advised that specific wording would be preferable and to send the correspondence either directly to her (hkauer@islandstrust.bc.ca) or to the general LTC email address (lasquetiislandlocaltrustcommittee@islandstrust.bc.ca), which also includes her.
- Could the undeveloped character of the marine coastal area be retained?
 - Staff advised that the new draft would include the new numbering system.
 - The Chair acknowledged the LCA for the phenomenal amount of work they did to start the process and that he hopes that the other LTCs can learn from this.
 - A Trustee noted that there was a list of changes compiled from the letters received and that the LTC went through those changes.
- A member of the public advised that she sent two letters to Trustee Johnston and noted that he said that he did not receive them.
 - Trustee Peterson advised that the form letters did count but noted that the form letter format does not inspire him to reflect on each copy of it.
- A suggestion was made that the form letters could be tallied, much like a vote.
- A member of the public asked what the purpose of a community plan is and noted that the first line of the existing OCP states that it is to further the interests of the Islands Trust.
 - The Chair acknowledged this deficiency and welcomed a new Vision Statement.
 - Regional Director Fall described “The Highlands” introduction to their OCP, noting that it begins with a physical description and then the Community Vision.
 - The Chair advised that the OCP is intended to document what the public wants the Trustees to uphold and noted that nothing can be embedded in the LUB that will conflict with the OCP.

Staff advised that the deadline for the agenda package for the next business meeting is September 21, 2021.

14.1 Timing of Public Hearing

Staff advised that holding a Public Hearing in conjunction with either of the next two business meetings are options and that responses from the referral are expected for the next business meeting.

The Chair advised that the information regarding marine zoning would be needed before the next business meeting.

Trustees noted that they expect to make more amendments, which rules out having the Public Hearing in October.

LA-2021-041

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee request staff to schedule a Public Hearing for Lasqueti Island Local Trust Committee Bylaw No. 98 for a date after the October business meeting.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Monday, October 4, 2021 at 11:00 am at Judith Fischer Centre, #1 Cloud Bay Road, Lasqueti Island, BC

16. ADJOURNMENT

By general consent the meeting was adjourned at 2:41pm.

Peter Luckham, Chair

Certified Correct:

Dave Olsen, Recorder



Islands Trust

Resolutions Without Meetings Log

Lasqueti Island

Resolution Number	Action	Date
2021-006 "That the Lasqueti Island Local Trust Committee request staff to defer scheduling a Public Hearing for Lasqueti Island Local Trust Committee Bylaw No. 98 cited as "Lasqueti Island Official Community Plan, 2020", until after the October 4, 2021 regular business meeting."	Carried	16-Sep-2021



Follow Up Action Report

Lasqueti Island

28-Oct-2019

Activity	Responsibility	Dates	Status
<p>1 Staff to update the Project Charter (PJ) for the Freshwater Sustainability Project with LTC endorsement Oct. 28, 2019 and bring back revisions to the PJ to include Ag Water Demand Model and groundwater recharge and availability assessment.</p> <p>UPDATE: the LTC rescinded this motion on April 26, 2021 and asked staff to draft a new project charter to reflect a new project.</p>	William Shulba		In Progress

26-Apr-2021

Activity	Responsibility	Dates	Status
1 The LTC requested staff to apply a numbering system and the Islands Trust Style Guide to a future reading of OCP bylaw No. 98.	Heather Kauer		In Progress
2 Staff to coordinate with Hegus John Hackett to set up a meeting with Tla'amin.	Lisa Wilcox		In Progress

21-Jun-2021

Activity	Responsibility	Dates	Status
1 The Lasqueti Island Local Trust Committee amend Bylaw No. 98, cited as 'Lasqueti Island Official Community Plan, 2020', consistent with recommendation #2 of the June 21, 2021 staff report.	Becky McErlean Heather Kauer		Completed



Follow Up Action Report

Lasqueti Island

21-Jun-2021

Activity	Responsibility	Dates	Status
<p>2 Amend Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", as follows: PART 3 - OFFICIAL COMMUNITY PLAN, Section Approach, add the following text at the end of the first paragraph: "The LTC will use the precautionary principle when making land use decisions."</p>	<p>Becky McErlean Heather Kauer</p>		<p>Completed</p>
<p>3 Lasqueti Island Local Trust Committee Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", be read a second time, as amended.</p>	<p>Becky McErlean Heather Kauer</p>		<p>Completed</p>
<p>4 the Lasqueti Island Local Trust Committee endorse the revised Project Charter for Official Community Plan/Land Use Bylaw Review Project, dated June, 2021, as amended.</p>	<p>Heather Kauer</p>		<p>Completed</p>
<p>5 Staff to schedule a CIM and Public Hearing for the OCP and schedule a special business meeting for the same day. <i>Scheduled Business meeting & CIM only - Friday, August 13, 2021 @ Judith Fisher Centre. Business mtg 11:00am, CIM 1:30pm.</i></p>	<p>Becky McErlean Heather Kauer Wil Cottingham</p>		<p>Completed</p>
<p>6 Staff to prepare a report on electronic meetings addressing the LTCs meeting procedures bylaw and related Provincial regulations.</p>	<p>Heather Kauer</p>		<p>Completed</p>



Follow Up Action Report

Lasqueti Island

21-Jun-2021

Activity	Responsibility	Dates	Status
7 Staff to refer proposed Bylaw No. 98 to the First Nations and FLNRORD as listed in the OCP staff report of June 21, 2021 as well as the Agricultural Land Commission.	Becky McErlean Heather Kauer		Completed
8 Staff to amend Top Priority "3: Model Cell Tower Strategy" by adding after the words "electrical supply," and "First Nation Cultural Sites."	Heather Kauer		Completed
9 Staff to change Project "4: Community Shoreline Values Mapping" to "Trustee to lead community mapping of values along the shorelines of Lasqueti Island."	Heather Kauer		Completed



Islands Trust

ISLANDS 2050 BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: July 22, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 90 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 25 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island Municipality. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement furthers the mandate of the Islands Trust, in cooperation with the Province and other agencies. Please note that the Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs before Trust Council can adopt this bylaw.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the [Project Overview Briefing](#) along with other resources available on the [Islands 2050 webpage](#).

On Wednesday, July 28, 2021, from 1:00 p.m. to 3:00 p.m., Islands Trust will be hosting a Zoom webinar to provide information to referral agencies on the draft Policy Statement Bylaw and an opportunity for questions and answers.

Please register in advance for this Zoom webinar: https://islandstrust.zoom.us/webinar/register/WN_nyXptbv6RWugCwftiQyJmA

After registering, you will receive a confirmation email containing information about joining the webinar.

If you are unable to attend on this day, the session will be recorded and posted to the [Islands 2050 webpage](#) on the Islands Trust website.

Please return the response form by **Tuesday, October 22, 2021** to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the Draft New Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

Please fill out the Response Summary on the back of this form. 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: David Marlor

Title: Director, Local Planning Services

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

First Nations

Cowichan Tribes
SXIMELEŁ (Esquimalt) Nation
Halalt First Nation
Homalco First Nation
K'ómoks (Comox) First Nation
Klahoose First Nation
Lake Cowichan First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
x^wməθk^wəyəm Musqueam Indian Band
BOKÉĆEN (Pauquachin) First Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
Semiahmoo First Nation
Shíshálh (Sechelt) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw (Nanaimo) First Nation
Lekwungen (Songhees) Nation
Sḵw̓xw̓7mesh (Squamish) Nation
Stz'uminus First Nation
Tla'amin (Sliammon) First Nation
T'Sou-ke (Sooke) Nation
WJOLEŁP (Tsartlip) First Nation
SḶÁUTW (Tsawout) First Nation
Tsawwassen First Nation
Tsleil-Waututh/ Sə́ílwətaʔ/Selilwitulh (Burrard Inlet) Nation
W̓SIKEM (Tseycum) First Nation
We Wai Kai (Cape Mudge) First Nation
Wei Wai Kum (Campbell River) First Nation

Treaty Groups

Nanwakolas Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Naut'sa mawt Tribal Council
Te'Mexw Treaty Association

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture
Ministry of Energy, Mines and Petroleum Resources
Ministry of Environment and Climate Change Strategy
Ministry of Environment and Climate Change Strategy (BC Parks and Conservation Officer Service Division)
Ministry of Environment and Climate Change Strategy (Climate Action Secretariat)
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
Ministry of Transportation and Infrastructure on Vancouver Island and South Coast

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

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

Islands Trust Area (Islands 2050)
(Island)

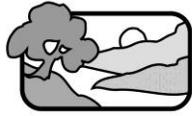
(Signature)

(Date)

TC 183
(Bylaw Number)

(Title)

(Agency)



DATE OF MEETING: October 4, 2021
TO: Lasqueti Island Local Trust Committee
FROM: Heather Kauer, Regional Planning Manager
Northern Team
SUBJECT: **Lasqueti OCP Referral Responses and numbering amendments**

RECOMMENDATION

1. That Lasqueti Island Local Trust Committee Bylaw No. 98, cited as “Lasqueti Island Official Community Plan, 2020”, be amended as follows:
 - a. **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”;
 - b. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.2 Resource Stewardship, General Advocacy Policies, Advocacy Policy 8, delete in its entirety;**
 - c. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.2 Resource Stewardship, Water Source Area, Water Source Policies, Policy 7, delete in its entirety;**
 - d. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.4 Community Services, Transportation, Road System, Road System Advocacy Policy, Advocacy Policy 1, bullets 7 and 8, delete in their entirety;**
 - e. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.5 Land Use, Crown Lands (CL), Objectives, Objective 4, delete in its entirety;**
 - f. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.5 Land Use, Crown Lands (CL), General, General Policies, Policies 3 and 4, delete in their entirety;**
 - g. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.5 Land Use, Commercial and Industrial, Objectives, Objectives 6 and 7, move to 3.2 Resource Stewardship and add as Objective 4 and 5;**
 - h. **PART 3 – OFFICIAL COMMUNITY PLAN, 3.5 Land Use, Commercial and Industrial, Advocacy Policies, Advocacy Policy 1, delete in its entirety;**
 - i. **PART 3 – OFFICIAL COMMUNITY PLAN, delete “OFFICIAL COMMUNITY PLAN” and replace with “BACKGROUND”;**
 - j. **Add PART 4 entitled “OBJECTIVES AND POLICIES”;**

July 8, 2021: The LTC, via RWM, rescinded the resolution to hold the Public Hearing on August 13th.

August 13, 2021: Community Information Meeting; The LTC rescinded 2nd reading, amended the bylaw, and gave it 2nd reading as amended.

August 23, 2021: Email request from K'omoks First Nations Director of Intergovernmental Relations for a meeting to discuss the OCP;

September 15, 2021: The LTC, via RWM, postponed the scheduling of the public hearing;

September 21, 2021: the date given agencies and First Nations to respond to the 2nd referral; comments received by FLNRORD.

ANALYSIS

Staff have identified the following for LTC consideration:

- Summary of bylaw referral responses;
- Staff responses to Trustee Johnston comments and questions;
- Staff response to public comments received since August 13, 2021;
- Recommended amendments.

Agency and First Nations Referral and Comments

K'omoks First Nation

On August 23, 2021, the Northern Office received an email from Todd Boychuk, Director of Intergovernmental Relations of K'omoks First Nation, requesting a meeting to discuss the OCP. Staff responded to Mr. Boychuk agreeing to a meeting and providing suggestions for dates to meet. As of the writing of this staff report, staff have not received a response. Staff recommend that a public hearing not be scheduled until this request is resolved or the LTCs first regular meeting of 2022, whichever is earlier.

FLNRORD

On September 21, 2021 staff received an emailed set of comments from the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD). The Ministry indicated that a number of policies in the OCP were of concern as follows. Staff has responded to these comments by suggesting that these policies be deleted from the draft. The recommendations on page one of this report reflect those deletions. Of note: FLNRORD did not request that the proposed new Parks & Protected Areas land use designation of Crown Lands be removed.

1. Page 15: Resource Stewardship

Advocacy Policy 8 The Province is requested to designate all unencumbered Crown land on Lasqueti in a formal protected status.

2. Page 17: Water

Policy 7 When applications to log Crown Land are referred to the Lasqueti Island Local Trust Committee, the Local Trust Committee should consider examination of the impact of the proposal on water supplies.

3. Page 25: Road System Policy 1, bullets 7 and 8

- ensuring that any applications for new roads across Crown lands be referred to the community through the Local Trust Committee;
- ensuring all road maintenance contract crews consist of local residents.

4. Page 32: Commercial activity

Advocacy Policy 1 The Lasqueti Island Local Trust Committee encourages Islands Trust Council to develop a protocol agreement with the Ministry of Energy and Mines such that the Ministry does not grant permits for the manufacture of gravel without community input.

5. Page 34 and 35: General Policies, Policies 3 and 4

Policy 3 Crown land parcels should remain largely undeveloped to ensure maintenance of a greenbelt.

Policy 4 Upon receipt of Crown land referrals, the Local Trust Committee should hold community discussions to allow for comment on the referral.

Trustee Johnston Comments / Questions

On September 20, 2021, staff received via email the comments and questions listed in Attachment 3 of this report from Lasqueti LTC Trustee Johnston. No amendments have been made to the draft OCP based on these comments, nor do staff's recommendations on page one of this report recommend any amendments to the draft OCP for the following reasons:

1. The Comments were received one day before the staff report agenda deadline which did not provide staff enough time to thoroughly review the comments or respond to questions in the staff report;
2. A cursory glance of the comments led staff to conclude that many of the comments are not actionable by staff at this time as there is no specific recommendation of words to be added, deleted, or modified in the draft OCP;
3. Pursuant to the Lasqueti Meeting Procedures Bylaw, Section 13, the LTC is bound by Robert's Rules of Order. Robert's Rules contemplate individual elected officials making motions which should then be voted on by all of the Trustees for amendments. Thus far no motion has been made with regards to these comments;
4. The current scope and timeline of the Lasqueti OCP project does not contemplate a process that includes line-by-line review of the OCP by the Trustees and the review and discussion that would necessarily follow;
5. The bylaw has been given second reading. If the document were to be amended consistent with Trustee Johnston's suggestions, the amendments could be substantial enough that staff would recommend

rescinding both first and second reading and referring the document again, i.e. start over, which is not consistent with the current timeline endorsed by the LTC through the project charter.

The current scope and timeline of the Lasqueti OCP project assumes four different inputs:

1. The Lasqueti Community Association's recommendations;
2. Staff's recommended technical amendments;
3. Referral comments from agencies and First Nations;
4. Public recommendations for specific wording changes that are legally defensible and consistent with best planning practice.

The recommendations on page one of this report do not include an expansion of the timeline of the project to include a line-by-line, multi-meeting review of the document by the Trustees with ensuing discussion as staff estimates that a process of this type would expand the timeline of the project into the next Trustee term. If the LTC wishes to continue with analysis at the level suggested by Trustee Johnston's comments and questions, staff recommend that the Project Charter be amended to expand the scope of the project and the timeline for completion, and that first and second readings be rescinded.

Alternatively, staff are recommending that the Trustees conduct one special meeting to discuss motions that are brought by the Trustees for minor amendments. Staff recommend that Trustees provide a list of proposed motions to staff at least one week prior to the meeting to include in the agenda package so that the other Trustees can contemplate the proposed motions. Staff further recommend discussion at that meeting only occur after the initiation of a specific motion to amend specific wording in the OCP to make the most of the time allotted.

Public Comments

Staff have received five sets of public comments regarding the OCP project since the LTCs last business meeting on August 13, 2021. Two of those sets of comments included specific suggestions for edits to wording in the document. Of these two sets of comments, one was received prior to the staff report agenda deadline so staff was able to review and assess the suggested edits. As a result, staff are recommending an amendment to the definitions section to include a definition of "livestock." The drafter of these comments also suggested adding a policy that encouraged owners of livestock to comply with the B.C. Livestock Act. Staff have not included a recommendation to add this policy for two reasons:

1. Compliance with the Livestock Act is required whether a policy is included to encourage compliance in the OCP or not; and
2. Listing a current version of a Provincial Act is not advised as it is administratively cumbersome. The OCP bylaw becomes outdated if the name or version of an Act is changed at the Provincial level.

The second set of suggested edits were received after the staff report deadline, so staff have not had time to review or provide a recommendation for bylaw amendments related to these comments.

All of the public comments submitted related to the OCP project can be found on the Lasqueti project webpage [here](#).

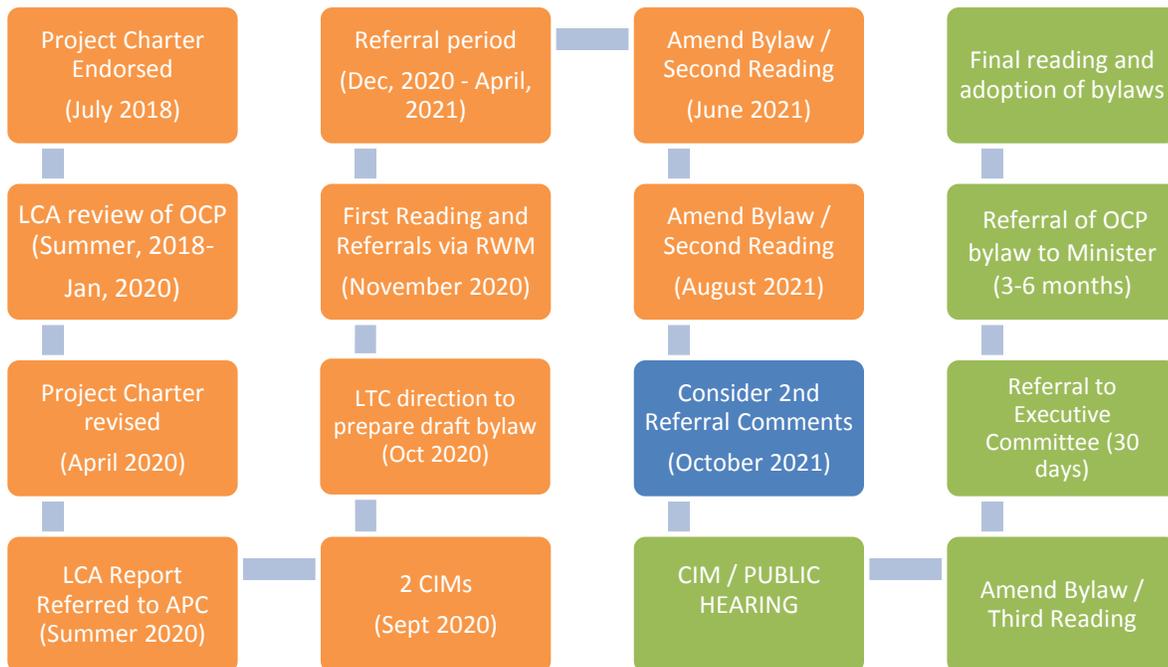
If the Trustees wish to make amendments to the OCP based on any of these comments, staff recommends that motions to this effect are made at the recommended special meeting to address minor amendments.

Recommended Amendments

The recommendations on page one of this report reflect amendments to the OCP bylaw staff are recommending based on referral comments received prior to the staff report agenda deadline as well as formatting and numbering amendments requested by the LTC through resolution. The LTC will note that staff are not recommending rescinding second reading to make amendments as was recommended at the last regular meeting. A review of bylaw review procedures indicates that bylaw readings are not required to be rescinded prior to amendment.

Process Steps and Timing

The following timeline outlines the OCP process milestones to date along with recommended next steps and the approximate timing which may assist in managing community expectations in how an OCP amendment project such as this is processed:



Rationale for Recommendation

Staff are recommending that the LTC amend bylaw No. 98 consistent with Attachment 1 of this report and give second reading to the proposed bylaw as amended. These amendments are in response to an LTC resolution to renumber and reformat the document as well as referral comments received from FLNRORD. Staff further recommend that one special meeting be conducted to consider any further minor amendments Trustees wish to initiate prior to public hearing and to give staff time to respond to the K’omoks First Nation staff request for a meeting. This recommendation is based on the LTCs endorsement of the Project Charter which contemplates substantial completion of the project prior to the end of the LTC term in combination with comments received from a Trustee and members of the public since the last regular business meeting.

The staff recommendations are found on page one of this report.

ALTERNATIVES

- 1. Amend the Project Charter to consider multiple more LTC meetings to discuss amendments to the OCP**

The LTC may request that staff amend the project charter and bring it back for endorsement by the LTC if they wish to expand the project timeline to allow for more discussion of amendments.

That the Lasqueti Island Local Trust Committee request that staff amend the project charter of the Lasqueti Official Community Plan project to expand the timeline of the project beyond the current term in order to allow for multiple discussions regarding amendments.

2. Request further information

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

That the Lasqueti Island Local Trust Committee request that staff provide the following [LTC to specify requested information].

NEXT STEPS

If the LTC adopts staff's recommendations, staff will cancel the December 6, 2021 regular business meeting and schedule a special meeting.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	September 21, 2021
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ATTACHMENTS

1. Draft of Bylaw 98 for consideration of amending 2nd Reading;
2. Track changes version of proposed amended 2nd Reading draft;
3. Trustee Johnston comments.

PROPOSED

Version Control Table

Version	Date	Description
1.0	Nov. 30, 2020	First Reading
1.1	April 26, 2021	Proposed amendments based on Comments received during referral period after 1 st reading
1.2	June 21, 2021	Version 1.1 plus: the addition of a Parks and Protected Areas land use designation with accompanying policy changes, FN Acknowledgement, log handling, and ALR recommendations according to LTC resolution.
2.0	June 21, 2021	Second Reading (rescinded August 13, 2021)
2.1	August 13, 2021	Second Reading, as amended (clean)
2.2	October 4, 2021	Version 2.1 + proposed numbering format + renaming part 3 from “Official Community Plan” to “Background” + removing Crown Lands Objective 4 + FLNRORD policy removal + “livestock” definition (track changes)

PROPOSED



Islands Trust

**Lasqueti Island
Local Trust Committee
Official Community Plan
Bylaw No. 98, 2020**

*Preserving **Island** communities, culture and environment*

PROPOSED

[Back of front cover]

PROPOSED

CONSOLIDATED BYLAW TEXT AND MAP AMENDMENTS

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

Table of Amendments			
Bylaw No.	Amendment Number	Date of Adoption	Date of Bylaw Consolidation

PROPOSED

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PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 98

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE LASQUETI ISLAND LOCAL TRUST AREA

WHEREAS Section 29 of the *Islands Trust Act* gives the Lasqueti Local Trust Committee the same power and authority as a Regional District under Section 298(l)(j) and 327 of the *Local Government Act* and Part 14 of that *Act*, except Divisions 19 and 20 of that Part and except Section 507; and

WHEREAS Section 471 of Division (4) of Part 14 of the *Local Government Act* applies to the Committee and authorises it to adopt an Official Community Plan and outlines procedures for developing and adopting such plans including a public hearing and Ministerial approval; and

WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption; and

WHEREAS Section 473 of the *Local Government Act* lists the subjects that must be addressed in a Plan; and

WHEREAS Section 478(2) requires that all bylaws enacted, permits issued, and works undertaken by the Lasqueti Local Trust Committee be consistent with the Official Community Plan;

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

1. CITATION

This Bylaw may be cited for all purposes as “Lasqueti Island Official Community Plan, 2020”.

2. BYLAW REPEAL

1. Bylaw No. 77 cited as “Lasqueti Island Official Community Plan, 1986” and all of its amendments are repealed.

3. SCHEDULES

The following Schedules, attached to and forming part of this Bylaw, are adopted as “Lasqueti Island Official Community Plan Bylaw, 2020”:

- Schedule A – Official Community Plan
- Schedule B – Land Use Designation Map

PROPOSED

READ A FIRST TIME THIS 30TH DAY OF NOVEMBER , 2020

READ A SECOND TIME THIS 13th DAY OF AUGUST , 2021

PUBLIC HEARING HELD THIS DAY OF , 202X

READ A THIRD TIME THIS DAY OF , 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS
DAY OF , 20XX

ADOPTED THIS DAY OF , 20XX

SECRETARY

CHAIRPERSON

PROPOSED

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SCHEDULE A – OFFICIAL COMMUNITY PLAN

PART 1 - PREAMBLE

1.1 Official Community Plan

The purpose of this official community plan bylaw is to further the object of the Islands Trust Act through long-range land use policy for the Lasqueti Island Trust Committee Area. This Bylaw contains the statements of community goals, objectives and policies for present and future land use and development. These policies are designed to direct and guide future actions of the Lasqueti Island Local Trust Committee and inform other levels of government and the general public of the community's expectations for the use and development of the Area.

1.2 Local Government

As a designated island within the Islands Trust, Lasqueti has two locally elected Trustees who along with a chairperson (an Islands Trust Executive Committee Member) constitute the three member Lasqueti Island Local Trust Committee, which is responsible for land use planning within the Lasqueti Island Local Trust Area.

The responsibility of local planning is vested in this Local Trust Committee. The Local Trust Committee may appoint an Advisory Planning Commission for the purpose of providing advice on local planning matters.

The Island is also represented on the qathet Regional Board by a locally elected Electoral Area Director. The Regional Board is responsible for provision and administration of services authorized in the *Local Government Act* and opted for by voters in the Lasqueti Electoral Area.

1.3 Intergovernmental and Corporate Matters

Attainment of certain land use and development objectives set forth in this bylaw and the balance among them is influenced by the manner, in which the natural resources of Lasqueti Island and its surrounding islets and waters are managed, and the type and level of services provided by other government agencies and corporations.

Jurisdictional responsibility for resource management lies with agencies of the Provincial Government and certain Federal Ministries, not with the Lasqueti Island Local Trust Committee. Similarly, the regulation of matters such as sewage and garbage disposal, protection of water supplies, control of pollution, provision of highways, ferry service, and public utilities is not within the jurisdiction of the Local Trust Committee. However, their regulation or management can significantly influence achievement of this bylaw's land use and development objectives.

Recognizing and accepting such circumstances, the Local Trust Committee presents objectives on these matters as expressions of its concerns and interests. The Committee will cooperate with and seek the assistance of the agencies with jurisdictional responsibilities in order to effect management and regulation

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which brings benefits to the Lasqueti Island community and the Province generally, while retaining the inherent capacity of the Island's resources.

Where agencies of other levels of government are themselves developing or regulating aspects of development in the Local Trust Area, it is the objective of the Local Trust Committee to liaise and cooperate with such agencies to encourage development or implementation of development regulations which assist in the realization of the Local Trust Committee's objectives.

1.4 Island Concerns and Issues

Lasqueti Island is a rural island community whose philosophy towards its future is keyed to minimizing adverse environmental and social impacts of increased population and development upon the Island and its surrounding waters. There are concerns regarding the:

- 1 Preservation and maintenance of a rural island community;
- 2 Maintenance of privacy and freedom of the Island's people;
- 3 Conservation of agricultural lands, forest lands, fresh water supplies, and foreshore areas;
- 4 Encouragement of local employment consistent with protection of the community and natural environment.

Relevant land use and development issues centre on the type of land uses, compatibility of land uses, density of development, management of natural resources, maintenance of fresh and marine water quality, transportation, and levels of community services.

1.5 Consultation

The Lasqueti community has a long tradition of addressing difficult and complex issues through a process of community dialogue. Such a process allows all views to be heard and respected, common ground identified, and agreement built out of a shared vision, despite divergent views. To these ends, promotion of a healthy, democratic political atmosphere can be accomplished through the use of a broad range of consensus building tools including but not limited to meetings, questionnaires, task groups and formal advisory polls by secret ballot.

Due to fair, equitable, and good governance practices, it needs to be noted, that the Lasqueti Island Local Trust Committee must keep an open mind and refrain from making a final decision until the adoption or the enactment of any bylaw is considered.

1.6 Legal Basis

The *Islands Trust Act* gives the Islands Trust (including the Lasqueti Island Local Trust Committee) the power and authority of a Regional District under Part 14 except sections 558 to 581 and 507 and 508 of the *Local Government Act*.

Section 478(2) of Part 14 of the *Local Government Act* requires that all bylaws enacted or works undertaken by the Islands Trust or a Regional District must be consistent with this Official Community Plan.

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PART 2 – ADMINISTRATION

2.1 Advocacy Policies and Information Notes

Where a paragraph or sentence in this Bylaw is written in *italics* and is preceded by the words “Information Note”, the contents of the paragraph or sentence are provided as reference information only to assist in understanding the Bylaw.

Where matters are outside the jurisdiction of the Local Trust Committee, this Plan contains broad community objectives in the form of Advocacy Policies. These policies show where the Local Trust Committee encourages others to take actions to further the objectives of the Plan. This Plan cannot and does not represent a commitment from other agencies to act according to community objectives.

2.2 Area of Jurisdiction

This bylaw is applicable to the Lasqueti Island Local Trust Area as described in Schedule B, attached to and forming part of this bylaw.

2.3 Severability

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision should not affect the validity of the remaining portions of this bylaw.

2.4 Units of Measurement

Metric dimensions are used in this Bylaw. Imperial equivalents, shown in parentheses (), are approximate, and provided for convenience only.

2.5 Numbering

The reference system used in this Bylaw is:

Part: 1
Section: 1.1
Subsection 1.1.1
Article: a
Clause: (i)

2.6 Covenants

Where under this Bylaw an owner of land is required or authorized to grant any covenant, the covenant shall be granted to the Lasqueti Island Local Trust Committee (Local Trust Committee) in priority to all financial charges and all other covenants and easements (whether registered or not) and delivered in registerable form, satisfactory to the Local Trust Committee, prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant shall indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

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2.7 Amendment Procedure

This Bylaw may be amended by the Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Trust Committee that addresses fees and procedures. All amendments to this Plan shall be in keeping with the goals and objectives of this Plan.

2.8 Interpretation

The final interpretation as to the precise location of boundaries of any designation or symbol contained in the map schedules, shall be legally defined by the appropriate land use bylaws enacted over time by the Trust Committee or by site survey, as required. The precise boundaries of the land use designations are shown on Schedule B. In interpreting the objectives and policies of the Plan, the term “shall” is used to denote that the indicated measure “must” be taken or applied. The term “should” or “may” indicates that the suggestion is intended as a guideline to apply or implement by the authority having jurisdiction.

The Islands Trust Conservancy, the conservation branch of the Islands Trust, has the authority to acquire land donations, financial donations, as well as holding covenants for the purposes of preserving and protecting the environment; the **Kwel Nature Sanctuary on Lasqueti Island, shown right**, is an example of a property donated to the Islands Trust Conservancy.

Covenants provide protection of the environment, while allowing the land owner to maintain ownership of the property.



2.9 Compliance

2.9.1 Conformity

- a. No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- b. No person may construct, reconstruct, place, alter, extend or maintain any building, structure and sign except as permitted by this Bylaw.

PROPOSED

- c. Nothing contained in the bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- d. The use of land, buildings or structures that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of this Bylaw, shall be considered as “legal non-conforming”, and continued subject to the provisions of Sections 528 through 534 of the *Local Government Act*.

2.9.2 Inspection

- a. Islands Trust staff, including the Bylaw Investigations Officer and any other officer who may be appointed in that capacity, is authorized, after making efforts to make contact with the property owners or occupant or in response to any second or additional complaint, to enter upon any property subject to the provisions of this Bylaw, to ascertain whether the regulations of the Bylaw are being or have been complied with; for clarity elected trustees do not conduct investigations or have the authority provided to act as the Bylaw Investigations Officer.

2.9.3 Enforcement

- a. Violation
 - (i) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have violated the provisions of this Bylaw.
- b. Penalty
 - (i) Any person who violates any of the provisions of this Bylaw is, upon summary conviction by a court of competent jurisdiction, liable to a penalty of not more than five thousand dollars (\$5000) and the cost of prosecution. Each day that such violation continues, or is allowed to continue, constitutes a separate offence.

2.10 Owners Costs

If any provision of this Bylaw requires a report, study or plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs; the community rate payer will not cover costs associated with a private initiative.

2.11 Definitions

- **Adequate:** as much or as good as necessary for some requirement or purpose; fully sufficient, suitable, or fit.
- **Affordable:** within reasonable financial means of a person or group to access a service or good.
- **Appropriate access:** adequate and sensible.
- **Cultural resources:** physical evidence or place of past human activity: site, object, landscape, structure; or a site, structure, landscape, object or natural feature of significance to a group of people traditionally associated with it.
- **Density:** the number of dwelling units allowed on a lot based on the zoning and the lot size.
- **Encourage:** to promote, advance, foster and inspire with confidence.

PROPOSED

- **Ensure:** to make something certain to be or come to be.
- **Foster:** to promote the growth and development of.
- **Guest Cabin:** means a stand-alone, detached building used for the accommodation of non-paying guests of the occupants of a dwelling on the same parcel.
- **Health:** having, showing or encouraging good positive health, integrity of balance
- **Livestock:** means cattle, goats, horses, sheep, swine and game and includes any other animal designated by regulation.
- **Long- term rentals:** dwellings designated for rental arrangements longer than 1 month.
- **Low risk:** unlikely to result in loss, failure or harm.
- **Natural:** existing in or formed by nature.
- **Positive:** giving or being of hope, confidence, a sense of alignment.
- **Promote:** to encourage, further or advance in rank, dignity or position.
- **Renewable resource:** a natural resource that can regenerate after use.
- **Resource:** a stock or supply of natural or human assets that can be drawn on by, and to benefit, a person or organization.
- **Rural:** of, relating to, or characteristic of the country, country life, or country people.
- **Rural values:** values and interests pertaining to a lifestyle connected to a predominately natural environment.
- **Short-term vacation rentals:** means a cabin or residence that is rented as a single unit for commercial purposes for periods of less than 30 days to accommodate tourists, visitors and the travelling public.
- **Stewardship:** the careful and responsible management of something entrusted to one's care.
- **Support:** to sustain, endure or hold up.
- **Sustainable:** pertaining to a system that maintains its own viability by using techniques that allow for continual reuse. Includes practices that do not deplete the resource base and requires an attitude of stewardship and balance.
- **Watershed:** The area or region of land that collects and stores precipitation eventually overflowing through streams, creeks, rivers, and lakes eventually to the sea.

PROPOSED

PART 3 – BACKGROUND

3.1 Introduction

The Lasqueti Island Local Trust Committee has authority through its plans and regulations to address use and the servicing requirements of land and surface waters within its Trust Area. The purpose of this Plan is to outline the goals of the community, the objectives relating to matters of Local Trust Committee authority and policies that provide guidance as to how to implement those objectives. Advocacy policies are included to encourage and guide decision makers with matters outside of the authority of the Local Trust Committee.

Responsibility for certain matters lies outside the authority of the Lasqueti Island Local Trust committee and is instead the responsibility of individual property owners, residents, the Provincial Government, the Federal Government, Coast Salish First Nations or the qathet Regional District. In some instances there may be overlapping authority of more than one person or agency. In particular the objectives and policies set forth in the Bylaw and the balance among them is influenced by the manner in which the natural resources of Lasqueti Island and its surrounding islets and waters are managed, and the type and level of services provided by other government agencies and corporations.

The Local Trust Committee seeks to work cooperatively with and seek the assistance of the public and government agencies to ensure orderly and effective management and regulation of the Lasqueti Trust Area and its resources to the mutual benefit of all.

In the case of objectives that are within the authority of other agencies or persons, such agencies or persons are requested to:

- regard such objectives as stated desires of the Lasqueti Island Local Trust Committee; and
- to take such objectives into consideration in making decisions concerning their own land use decision making with respect to the Lasqueti island Local Trust Committee area.

Schedule B designates three areas of the Lasqueti Island Planning Area. All land areas above the high water mark that are not Crown Land or Parks and Protected Areas are within the Land Based (LB) designation. All the marine areas up to the high water line, including the intertidal zone are within the Marine (M) designation. All Crown lands are within the Crown Land (CL) designation, and all Islands Trust Conservancy protected lands are within the Parks and Protected Areas (PP) designation. The objectives and policies below apply to any or all of these four designations.

3.2 Community Context

Coast Salish Peoples, including the Tla'amin, have lived and resided on or near Lasqueti Island since time immemorial.

The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area. Coast Salish Peoples have seen and lived the transformation of their lands and waters since contact. This tide of change has greatly impacted the eco-system that sustained them, and the cultural heritage of the first peoples of the Salish Sea. Coast Salish Peoples have and will continue to be a thriving people, government, and community, connected to the lands and waters through spiritual, cultural, and traditional knowledge for generations to come.

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The Tla’amin Peoples speak a language called Sliammon, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the Tla’amin Peoples is enriched with history, place names, village sites, cultural sites, and sacred sites and the islands and waters form the basis of their language, culture, and spiritual life within the Salish Sea.

The importance and inherent rights and jurisdiction that this area holds to the Tla’amin Peoples continues now and into the future and the stewardship of these lands and waters for their children’s children endures.

The Tla’amin (Sliammon) people referred to Lasqueti island as Kweh et ey (means Yew Tree). In 1791 the Island became known as Lasqueti, named after Juan Maria Lasqueti, a prominent Spanish naval officer.

Lasqueti is 68 square kilometers in area, 5 km wide and 21 km long. The ferry does not provide vehicle service, which therefore requires barging over of vehicles and other large items.

	1991	1996	2001	2006	2011	2016
Population	326	374	367	359	425	399
Number of Dwellings		180	185	298	290	407

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Since 1974, the inception of the Islands Trust, the community of Lasqueti Island has been empowered to elect their own representatives to make independent and local decisions, while remaining within a federation of other island communities. The following individuals have served as Local Trustees for Lasqueti Island:

1977 - 1978	Kevin Monahan, Mike Humphries
1978 - 1980	Laurence Fisher, Mike Humphries
1980 - 1982	Laurence Fisher, Mike Humphries
1982 - 1984	Jack Barrett, Mike Humphries
1984 – 1986	Jack Barrett, Mike Humphries
1986 - 1988	Melinda Auerbach, Barry Kurland
1988 - 1990	Melinda Auerbach, Barry Kurland
1990 - 1993	Janice McMillan, Barry Kurland/Chris Ferris
1993 - 1996	Melinda Auerbach, Chris Ferris
1996 - 1999	Melinda Auerbach, Eric O'Higgins
1999 - 2002	Eric O'Higgins, Tom Weinerth
2002 - 2005	Bronwyn Preece, Rose Willow
2005 – 2008	Bronwyn Preece, Rose Willow
2008 – 2011	Jen Gobby, Susan Morrison
2011 – 2014	Susan Morrison, Peter Johnston
2014 – 2018	Tim Peterson, Susan Morrison
2018 – 2022	Tim Peterson, Peter Johnston

3.3 What is an Official Community Plan?

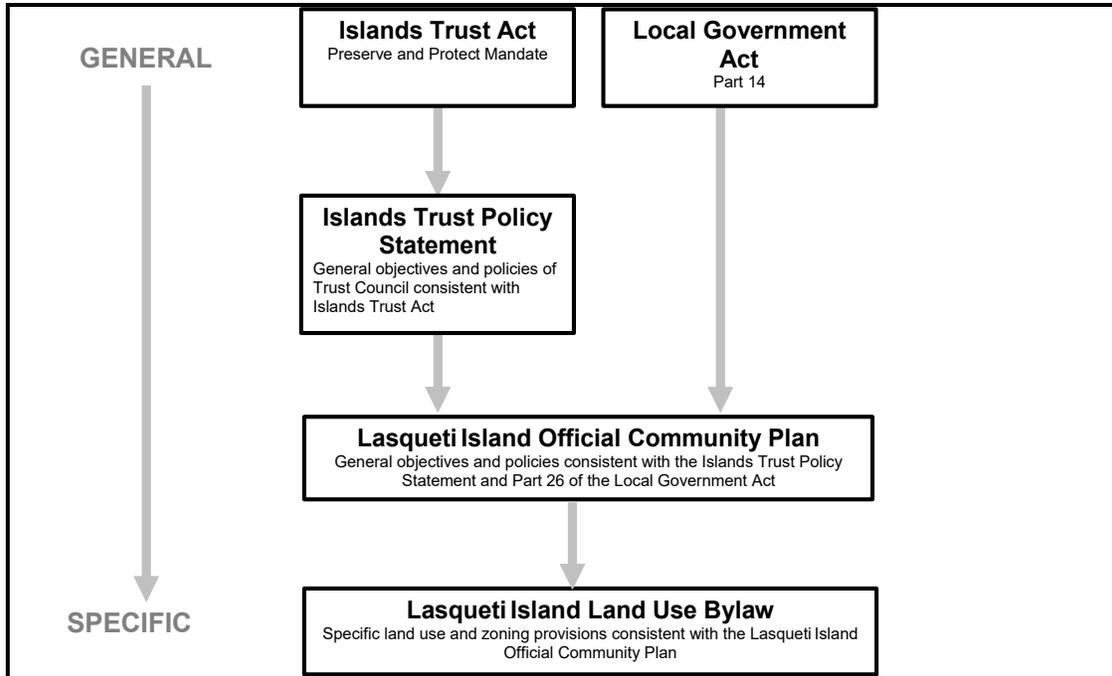
An Official Community Plan is a general statement outlining the planning goals of a community and the policies that will help the community to reach those goals. The intent of an Official Community Plan is to provide a framework that will guide the elected officials and members of the community in future development and conservation initiatives. Once adopted by Bylaw, the Lasqueti Island Official Community Plan restricts the Lasqueti Island Local Trust Committee to only enact any other bylaw that is consistent with the Official Community Plan.

A Local Trust Committee is authorized to adopt an Official Community Plan by the *Islands Trust Act* and the *Local Government Act*. In the Islands Trust Area, an Official Community Plan must be consistent with the Islands Trust Policy Statement, which furthers the Object of the Islands Trust, as stated in Section 3 of the *Islands Trust Act*:

The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organisations and the government of the Province.

An Official Community Plan must also address the Provincial Interest as defined in the *Local Government Act*. The graphic below shows how an Official Community Plan fits into the overall planning framework of the Islands Trust.

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As a true representative document, a community plan states the values of the community that participates in its creation. As a community changes, so too can a community plan. As unforeseen issues arise, a community plan can be amended to keep pace with these issues. Amendments can occur from time to time, based upon community process and input, with final decisions made by the officials elected from the Lasqueti Island community itself.

3.4 Goals

To maintain a rural island community where the Island people’s privacy and freedom are preserved; the integrity of the island ecosystem is maintained; conservation of agricultural lands, forest land, fresh water supplies, and foreshore areas are protected; local employment, consistent with the protection of the community and natural environment, is provided.

3.5 Approach

The Bylaw’s approach to land use and development growth is one of consideration and caution. It is hoped that by laying out a pattern of low density land use, adopting a cautious approach to development, and fostering a cooperative relationship among the local community, Islands Trust and other governmental agencies, needed and reasonable land use and development will take place without requiring complex and expensive facilities and services, thereby maintaining the Island’s unique character as a place where the human community lives in and with nature. The LTC will use the precautionary principle when making land use decisions.

PROPOSED

PART 4 OBJECTIVES AND POLICIES

4.1 Environmental Stewardship

Where agencies of other levels of government are themselves managing natural resources or regulating the management practices of other agencies or the private sector, it is the Local Trust Committees objective to liaise and cooperate with such agencies to encourage management practices and regulatory provisions which help to preserve and protect the natural environment.

The following section is divided into three areas: Conservation, Consumption and Pollution, and Climate Change.

General

4.1.1 General Objectives

- a. To support and assist with the establishment and maintenance of protected areas, including (and not limited to) ecological reserves, parks, nature reserves, conservation covenants and marine protected areas.
- b. To avoid contamination of fresh and salt water.
- c. To support human use and management of land that retains native flora and fauna and conserves natural ecosystems.
- d. To protect and restore a diverse, productive, native forest understory with abundant natural regeneration of trees and other native species.
- e. To support the protection and restoration of abundant and productive native ecological communities in the terrestrial, freshwater, and marine ecosystems on and adjacent to Lasqueti.
- f. To promote a safe and healthy environment for all residents.
- ~~g.~~ To achieve low risk of loss to ecological integrity and biodiversity, supported by the best scientific understanding of ecosystems in the Lasqueti Local Trust area.
- h. To formally protect a sufficient proportion of the land and marine base of the Lasqueti Local Trust Area to help achieve low risk to ecological values, and that includes representation of all ecosystems and over-representation of rare or special areas.

4.1.2 General Policies

The natural environment of Lasqueti is being altered and under constant pressure to be developed further. The community of Lasqueti resides on a finite island where resources must be used in a sustainable manner.

- a. The Lasqueti Island Local Trust Committee should undertake initiatives to identify environmentally sensitive and important ecosystems and flora and fauna to assist in future decision making.
- b. The Local Trust Committee will assist with any efforts to protect sites of ecological significance or value, prioritizing conservation of the full range of terrestrial and aquatic/marine ecosystems in the local trust area.

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- c. Lasqueti Island's rural marine landscape and scenic views should be maintained and protected.
- d. The inherent resiliency of the Island's eco-systems should be maintained in conjunction with resource stewardship.
- e. Native flora and fauna should be retained to protect natural habitats of local significance.
- f. Measures to avoid and minimize the use of herbicides and other biocides should be undertaken.
- g. Domestic pets and livestock should be kept under control.
- h. When fill or debris is placed on land in such a way that it could lead to discharge of deleterious material into a water course, adequate mitigative design and construction measures are required in order to be acceptable to Fisheries and Oceans Canada and appropriate Provincial Ministries.
- i. The Lasqueti Local Trust Committee should support community-based environmental clean-up initiatives.
- j. The Lasqueti Local Trust Committee should Support initiatives to reduce pollution from vehicles, wood burning, power generation, waste, and any other sources.
- k. The Lasqueti Local Trust Committee should Support efforts that minimize consumption and maximize local self sufficiency.
- l. The Lasqueti Local Trust Committee should support maintaining a high level of forest connectivity on Lasqueti.
- m. The Lasqueti Local Trust Committee should support the preservation of quiet and darkness.

4.1.3 General Advocacy Policies

- a. Residents, businesses and other agencies are encouraged to become informed and educated about appropriate human waste disposal methods.
- b. Community groups and other agencies are encouraged to develop educational material on environmentally sensitive living.

Conservation

4.1.4 Conservation Objectives

- a. To prioritize conservation of the full range of terrestrial and aquatic/marine ecosystems in the local trust area.
- b. To minimize deforestation (permanent removal of forest) and encourage forest management that optimizes the carbon sequestration and storageeco value of forests.
- c. To maintain a high level of ecosystem connectivity, including forest connectivity.

Consumption and Pollution

4.1.5 Consumption and Pollution Objectives

- a. To support initiatives to reduce pollution from vehicles, wood burning, power generation, waste, and any other sources

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- b. To encourage site planning and building design that minimize energy consumption and negative impacts on natural ecosystem.
- c. To encourage local self-sufficiency and low levels of consumption.

4.1.6 Consumption and Pollution Policies

- a. To support initiatives to clean up public areas, such as shorelines.

Climate Change

4.1.7 Climate Change Objectives

- a. To consider both climate change adaptation and mitigation in all land use decisions.
- b. To support individual and community-based initiatives that reduce greenhouse gas emissions.
- c. To reduce reliance on fossil fuels and move towards eliminating fossil fuel use.
- d. To encourage residents to minimize energy use, incorporate high energy efficiency into building design and construction and to use local, non-toxic, carbon efficient materials.

4.1.8 Climate Change Policies

Climate change refers to the increasing concentration of heat-trapping greenhouse gases (GHGs) in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change reveals that between 1970 and 2004, GHG emissions have increased by 70%. This dramatic rise in atmospheric GHG concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impact on ecological systems around the globe.

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amended the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 required that all local governments include GHG emission reduction targets—and policies and actions to achieve those targets— in their Official Community Plans.

The Islands Trust Council identified Climate Change and the implementation of Bill 27 as the top strategic plan priority in 2009 and early 2010. The Lasqueti Island Local Trust Committee supported this direction, as did community members who attended a special community meeting on reducing GHG emissions in November 2009.

The following targets, policies and actions are proposed to ensure that the reduction of GHG emissions specifically and the impact of climate change in general become part of the planning process for Lasqueti Island.

- a. The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation. These criteria will address issues such as the impact of the density proposed on reducing GHG emissions, land use and the form of the development, use of building materials and construction methods, energy efficiency and sources, and the long

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term potential for the development to result in a decreased carbon footprint on the landscape.

- b. The Local Trust Committee should support community efforts to record and measure the use of fossil fuels and GHG emissions through an annual inventory.
- c. The development of cycling and walking trails to facilitate non-automobile based forms of travel is strongly encouraged, separated from the road grade where possible.
- d. The community is encouraged to consider options to purchase lands to protect ecosystems and the character of Lasqueti Island.
- e. The implementation of energy conserving buildings is strongly encouraged including the use of local materials and “small footprints”.
- f. The Local Trust Committee, government agencies, and Island residents are strongly encouraged to consider alternatives to slash burning.

4.1.9 Climate Change Advocacy Policies

- a. Provincial agencies, when considering changes to infrastructure on the Islands, are strongly encouraged to take a “small footprint” approach to any proposals for public infrastructure development. The investigation of opportunities to share resources or develop common facilities is strongly encouraged.
- b. The Province is strongly encouraged to support water conservation, rainwater catchment, and a wider range of options for sewage treatment for dwelling units.
- c. The community is encouraged to build on the community inventory completed in 2009 by developing a method (provided at no charge to each household) for continuing the collection of data on an ongoing basis. The inventory could collect data both on fuel use and estimated GHG emissions, and also record actions that are being taken to reduce GHG emissions, such as the installation of energy efficient stoves, windows, or improved insulation.
- d. The implementation of fuel saving measures at public and community buildings should be investigated by a team of island residents, and new methods proposed to reduce GHG emissions through the use of alternative energy sources.
- e. Education is recognized as the most powerful tool in reducing energy use, and Islanders are strongly encouraged to share their knowledge and assist other levels of government, agencies and Lasqueti Islanders in meeting the goals of this Plan.

4.2 Resource Stewardship

Natural Resources

4.2.1 General Objectives

- a. To conserve forest lands, fresh water supplies, wetlands, foreshore areas, historic and archaeological cultural heritage, and existing agricultural lands.
- b. To ensure wild food resources are harvested sustainably.
- c. To protect access to wild food and other resources of the land and marine environments.

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- d. While recognizing that some exotic species may have value to the community as a source of local food, to minimize the impacts of invasive exotic species on native fauna and flora.
- e. To preserve and support balanced control of the local feral/heritage sheep which are a valued part of the community and its history.

4.2.2 General Policies

- a. Assess and report at least every 5 years the amount of land and marine area in the Lasqueti Trust Area that is in protected status, including a breakdown of the types of protected status, a map of protected areas, and the distribution of ecosystem types under protection relative to their overall abundance in the Lasqueti Trust Area.
- b. Assess and report at least every 10 years the status of land outside of formal protected status in relation to its potential for contributing to conservation objectives outside of protected areas.
- c. Conservation strategies between land, foreshore and sea shall be integrated where feasible.
- d. Initiatives to improve mapping of sensitive, rare and threatened ecosystems, arable land, hazardous land, etc. are supported.

4.2.3 General Advocacy Policies

- a. The Lasqueti Community Association is encouraged to develop a guide for residents on best local practices for stewardship of environmental, historic, archaeological and heritage values.
- b. Scientifically rigorous surveys of important exotic species, in particular feral sheep, are encouraged to estimate population size and to assess local ecological impacts.
- c. Encourage a community-led process to identify a scientifically-based land and marine conservation targets that meet habitat needs for all species..
- d. Ongoing community monitoring of the status of invasive species and of native species potentially at risk is supported.
- e. Private landowners are encouraged to undertake stewardship of their land to maintain natural and semi-natural ecosystems and restore any areas of degraded habitat.
- f. Private landowners are encouraged to take stewardship actions on their land to reduce populations of undesirable invasive species and enhance native species.
- g. Private landowners are encouraged to place conservation covenants on areas with high conservation values.
- h. A community-led process to identify a locally-meaningful definition and designation of agricultural land is encouraged.
- i. Hydrological watershed planning to protect water supplies and ecosystems is encouraged.

Marine Coastal Areas

The intertidal area is that area from the high water mark to the lowest extremes of low tide. The water area is that area from the lowest extremes of low tide to a point 1,000 metres off-shore. Both of these marine coastal areas could be vulnerable to pollution from sewage and industrial wastes. Being highly valued for water-based mariculture, marinas, and other marine commercial enterprises, marine coastal

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areas are or will be subject to demands which, without compatible land use and sensitive development, could impair the visual and environmental qualities which provide the rural marine atmosphere of the Island. With these factors in mind, policies applicable are:

4.2.4 Marine Coastal Policies

- a. Native flora and fauna should be retained to protect natural habitats of local significance along the foreshore and in the intertidal areas.
- b. The marine environment, including associated riparian areas, should be adequately protected from unreasonable adverse effects or inadequate mitigation measures resulting from development.
- c. Special consideration should be taken to eliminate the possibility of pollution from sewage or from commercial and industrial wastes.
- d. Designation and regulation of the foreshore and marine coastal areas should be designed to preserve and protect the natural environment and character and should recognize the need to dedicate areas of the foreshore for the following purposes:
 - (i) to provide for access;
 - (ii) to protect existing mariculture uses;
 - (iii) to encourage low impact public uses on and along the foreshore;
 - (iv) to provide for public transportation services;
 - (v) to maintain public access to shellfish;
 - (vi) to retain the undeveloped character of the marine coastal area;
 - (vii) to protect marine coastal habitats for conservation purposes with priority given to protection of threatened, rare and high value habitats such as eelgrass beds and other areas that support forage fish ;
 - (viii) to provide for appropriate commercial and industrial uses; and
 - (ix) to retain representative areas of natural foreshore.
- e. The type and use-level of foreshore and coastal water areas can significantly influence the rural/marine character of Lasqueti Island. Uses of Crown foreshore and water areas must be authorized by the appropriate Provincial Ministry, comply with the provisions of the *Navigable Waters Protection Act* administered by the Coast Guard, and also comply with the bylaws of the Local Trust Committee.

4.2.5 Marine Coastal Advocacy Policies

- a. The Coast Guard and other relevant government ministries are encouraged to regulate uses such that:
 - (i) marinas relate to the rural environment and are of small scale, providing appropriate sanitary facilities (and sewage pump-out facilities for boats) for shore and water-based patrons;
 - (ii) marinas are situated away from existing mariculture areas,
 - (iii) mariculture does not take precedence over those areas traditionally used as year round moorage for local vessels; and,
 - (iv) site-specific non-discharge zones are located in the waters surrounding Lasqueti.

Water Source Area

4.2.6 Water Source Policies

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Water source areas are those areas drained by lakes and streams, which provide or potentially could provide fresh water for human consumption and use.

Although no adequate studies have been made of the capacity of the Island to store fresh water, it is apparent that in the natural state the potential is limited; most streams and many wells dry up in the summer. It is doubtful that the existing lakes could supply much more than they do now without impairing the present ecological balance. Until the necessary studies have been completed the following policies should apply:

- a. Watersheds and catchment areas should be protected from contamination and degradation.
- b. Fresh and salt water purity and quality should be protected from contamination and degradation.
- c. The Lasqueti Island Local Trust Committee supports initiatives to monitor groundwater and surface water resources and the related watersheds and catchment areas to assist in future decision making.
- d. Suitable surface water creeks should be identified with the intention of establishing salmon enhancement programs on Lasqueti Island.
- e. Provision of water should be done in ways that minimize environmental degradation. Development of water sources should evaluate all options - dug ponds, rainwater catchment, shallow or deep wells and choose the option involving the least long-term environmental degradation.
- f. Where possible, the Local Trust Committee encourages salmonid enhancement programs to identify and develop measures to protect fishery resources and to assist in restoration efforts.
- g. Particular care should be taken to ensure that contamination of the fresh water supply does not occur.
- h. Access to or along significant sources of fresh water should be by trail only, except as may be required for purposes of firefighting.
- i. Land development adjacent to sources of fresh water should include an environmental impact assessment prepared by the proponent.
- j. When fill or debris is placed on land in such a way that it could lead to discharge of deleterious material into a water course, adequate mitigative design and construction measures should be required acceptable to the appropriate Federal and Provincial Ministries.

Water Resources

Both ground and surface freshwater supplies are limited and subject to fluctuation.

4.2.7 Water Resources Advocacy Policy

- a. The Local Trust Committee encourages the appropriate Provincial Ministry to:
 - (i) evaluate and monitor the Island's water resources prior to issuing surface water rights;
 - (ii) establish ground and surface water monitoring programs;
 - (iii) re-evaluate the requirement for drilled well regulations;
 - (iv) encourage surface water and catchments systems as an alternative to drilled wells provided such systems do not degrade the environment;

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- (v) encourage the Ministry to support microhydro electrical systems, including run-of-stream systems, recognizing that such systems are a viable and sustainable source of domestic electric power.
- b. The Local Trust Committee supports watershed planning to protect water supplies and ecosystems.

Recreational Resources

4.2.8 Recreational Resources Objectives

- a. To encourage the creation of parks and recreation areas that are designed and located to provide recreational opportunities in addition to meeting conservation protection objectives.
- b. To promote trail systems throughout the island.
- c. To support the creation of a public trail network throughout the Island.

4.2.9 Recreational Resources Policies

- a. Provision of varied recreation use areas throughout the island that focus on the natural aspects of Lasqueti.
- b. The development of a comprehensive recreation plan should be undertaken that indicates provincial, regional, and community parks as well as trails, public shellfish reserves, and marine and land-based recreation areas.
- c. The Local Trust Committee supports the use of tax incentives that encourage landowners to dedicate trails, parks, and other types of protected areas.

4.2.10 Recreational Resources Advocacy Policies

- a. The appropriate Provincial Ministries with responsibilities and programs for recreation should regulate and maintain recreational activities that are compatible with the Island's rural nature, and provide facilities and supervision where needed to protect from adverse effects.
- b. The Local Trust Committee should request that the Regional District consider conducting regional park studies.
- c. The Local Trust Committee should request the Ministry of Transportation and the qathet Regional District to support the establishment of public outhouses and picnic tables on a site specific basis on public accesses to the foreshore.
- d. The Lasqueti Community Association is encouraged to establish a trails committee to explore options for trail development and maintenance that respects concerns regarding trails on or near private property, and to assemble information on options, risks, and mitigative actions regarding trails on private land.

Cultural Resources

4.2.11 Cultural Resources Objectives

- a. To ensure respectful treatment, fairness, and equity to past, present and future generations that have and will share and contribute to the environmental and cultural fabric of the Lasqueti Local Trust Area.

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4.2.12 Cultural Resources Policies

- a. To recognize the cultural and historical significance the Coast Salish First Nations in the Lasqueti Island Local Trust Area.
- b. To support mutual respect for interests by proactively consulting with local First Nations regarding changes to land-use, zoning designations, and protection of heritage and archaeological resources.
- c. To foster protection and stewardship of archaeological, historic and heritage sites.
- d. The Local Trust Committee will assist, when possible, the responsible Ministry in their efforts to establish and protect sites of archaeological or heritage significance or value.
- e. The Local Trust Committee recognizes that treaty negotiations with First Nations continue to be unresolved and until the resolution of First Nation interests within the Lasqueti Planning Area relationship building and cooperation between the Local Trust Committee and other First Nations may be developed over time.
- f. Avoid or minimize destruction of archaeological sites on Lasqueti Island by:
 - (i) educating the community about Lasqueti’s archaeological heritage and making information available about best practices for heritage stewardship;
 - (ii) ensuring property sales inform new owners of all existing information about archaeological heritage on their property; and
 - (iii) encouraging landowners and builders to assess the presence and extent of archaeological heritage prior to establishing building plans or other developments, and modify development plans accordingly and/or, where damage is unavoidable, mitigate impacts by supporting the recovery of as much information as possible.

4.2.13 Cultural Resources Advocacy Policies

- a. The Local Trust Committee encourages and will assist the Coast Salish First Nations, the responsible Provincial and Federal agencies and the public generally, in their efforts to establish and protect sites designated or valued for heritage and historical significance.
- b. The Lasqueti Island Local Trust Committee encourages both the Federal and Provincial Governments to assist the local community and the Coast Salish First Nations with accurate and comprehensive First Nation assessments within the Lasqueti Island Local Trust Area.
- c. The Local Trust Committee encourages learning about and respecting Indigenous rights to, and uses and management of, land, sea, and resources (past and present).
- d. Community groups and other agencies are encouraged to develop educational material on First Nations rights to, and uses and management of, land, sea, and resources (past and present)

4.3 **Community Stewardship**

The small size of resident and visitor populations, significant areas of vacant Crown land, and the generally undeveloped nature of the Island provide for a variety of land and water-based recreation opportunities. Most recreational activities compatible with the Island's rural nature are not yet at levels of use where formal facilities are required or planning and regulatory management is needed to ensure retention of recreational quality that avoids user conflicts.

General

PROPOSED

4.3.1 General Objectives

- a. To discourage pervasive and excessive light, noise and air pollution created by residential, commercial or industrial uses, both on land and waters surrounding Lasqueti.
- b. To foster an environment that encourages owners to keep their dogs, domestic pets and livestock under direct control.
- c. To encourage a supportive, healing place to live.
- d. To support sustainable, independent, alternative and affordable lifestyles.

4.3.2 General Policies

- a. The Local Trust Committee should support initiatives that benefit the community wellbeing, its safety, security and comfort.
- b. Public accesses, required as dedication at time of subdivision, may be consolidated to make larger more usable areas and in some cases a trail may be sufficient access to a development. Public access to the foreshore is encouraged to be identified by signs located on the public roads.

4.3.3 Advocacy Policies

- a. The residents of the Lasqueti Island Planning Area prohibit the storage or generation of nuclear materials, nuclear weapons or nuclear energy in the Planning Area.
- b. The residents of the Lasqueti Island Planning Area oppose Genetically Modified Organisms in the Planning Area, including propagation, cultivation, and raising of genetically engineered plants and animals by persons, firms, or corporations.
- c. Further to Transport Canada's recognition that Lasqueti Island and its surrounding area have sensitive habitats for birds and other animals; the community asks that aircraft do not fly low over the Lasqueti Planning Area and the islands within it.
- d. Low Flying aircraft over residential areas of the island are considered intrusive and generate excessive noise that affect residents, the traveling public, and the environmentally sensitive areas of the island; air traffic should be kept at a reasonable height of no less than 610 metres (2000 feet).
- e. To foster an environment that encourages owners to keep their dogs, domestic pets and livestock under direct control.
- f. To explore the establishment of a local land trust for multiple uses, including housing services, industry, recreation and conservation.
- g. The community supports the exploration of a local land trust for multiple uses, including housing services, industry, recreation and conservation.
- h. The Lasqueti Community Association, in cooperation with other agencies as appropriate, is encouraged to develop local, public education about community vision & objectives, emergency preparedness, including forest fire preparedness, regulations, etc.
- i. The Lasqueti Community Association is encouraged to develop methods for a community-driven dispute resolution process to handle concerns regarding bylaw noncompliance.
- j. The establishment of a monthly food market / food swap is encouraged.

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Human Resources

4.3.4 Human Resources Objectives

- a. To foster sharing of community wisdom and locally-applied solutions.
- b. To ensure a positive environment for children.
- c. To ensure that both a physical building dedicated to education and educational opportunities remain on-island.
- d. To encourage and foster volunteerism.
- e. To encourage education and skills development of residents.

4.3.5 Human Resources Advocacy Policies

- a. To foster education about community vision & objectives, personal safety, agreements, regulations, etc.

Resilience

4.3.6 Resilience Objectives

- a. To support cooperative ventures for community services.
- b. To support community-driven dispute resolution to handle concerns regarding bylaw non-compliance.

Housing

4.3.7 Housing Objectives

- a. To encourage the establishment of long-term rental housing, affordable housing, special needs housing and opportunities for Island seniors to age-in-place.
- b. To support affordability and availability of long-term rental accommodations.
- c. To foster the ability of younger people, and people with low and modest incomes, to live on the island.
- d. To encourage resource efficiency of homes (e.g. heating, energy use, water use).

Food

4.3.8 Food Objectives

- a. To encourage local food production, including shared use of arable land, organic methods, and seed saving and sharing.
- b. To support community gardens and local markets.
- c. To support food sharing and food banks.
- d. To encourage opportunities for collaborative food processing and preserving (e.g. dehydrating, canning, smoking, cold cellar).

4.3.9 Food Policies

- a. Policy 1 The Local Trust Committee should encourage local food production as a significant step to reducing food transportation costs and reducing GHG emissions created by food transport.

4.3.10 Food Advocacy Policies

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- a. To support establishment of a monthly winter food market / food swap.

Economy

4.3.11 Economy Objectives

- a. To foster a sustainable local economy that allows people to make a living on the island.
- b. To limit the negative impacts of tourism.

4.3.12 Economy Policies

- a. In recognition of the importance of mariculture to the economy of Lasqueti Island, existing mariculture tenure areas may be designated as a permitted use. No new areas may be designated for long-line mariculture. New mariculture tenure areas will be subject to designation and regulation, based upon the following criteria: the proposed tenure must not have the effect of closing off access to the affected bay; the proposed tenure would not affect shellfish sites, as shown on Schedule B, public shellfish reserves, or access to such sites or reserves; and the tenure application addresses environmental and social effects.

4.4 Community Services

Lasqueti has developed the level of services required to support its small resident and visitor population. Regional service provision, including Waste Management, is subject to the qathet Regional District Purchasing Bylaw and purchasing requirements.

General

4.4.1 General Objectives

- a. To encourage the provision of adequate and appropriate services and amenities on the island.
- b. To maintain infrastructure at a reasonable level consistent with a rural community.
- c. To create new and maintain existing walkable public access to foreshore.

4.4.2 General Policies

- a. The road system of Lasqueti Island should be safe and in keeping with the rural nature of the community.
- b. Community services should provide a level and be conducted in a manner appropriate to the Island's needs.
- c. Minimum parcel size regulations should not apply to community service lands.
- d. A precautionary approach should be used when considering additional and more sophisticated service facilities as they typically have significant associated costs.
- e. Public outhouses and picnic tables should be established on a site specific basis.
- f. The Trust Committee shall consult on an annual basis with School District #69.
- g. Sites on Lasqueti Island should be identified and established as emergency helicopter landing pads.

4.4.3 General Advocacy Policies

- a. Residents are encouraged to remove their own derelict vehicles.
- b. The abandonment of vehicles on public right of ways or Crown Land is acknowledged as a socially irresponsible action and not endorsed by the community.

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- c. The Local Trust Committee, Ministry of Transportation, Regional District, RCMP, businesses and residents should combine efforts to coordinate the removal of unwanted and derelict vehicles on a regular basis.
- d. The Ministry of Transportation is requested to assist with temporarily moving and storing of vehicles prior to transportation off island.
- e. Residents are requested to keep their derelict vehicles on their property until an opportunity to remove them from the island occurs.
- f. The qathet Regional District will adopt, amend, or repeal regional service establishment bylaws, or initiate withdrawal of a service, only with full consultation and support of the Community.
- g. The Lasqueti Internet Access Society should engage with the public on a site-specific basis around the erection of new local communication towers.
- h. The qathet Regional District Electoral Area Director representing Lasqueti Island should only consent on behalf of the electors to approval of a new regional service, or to significant modification or amendment of a regional service, if there is evidence of a clear majority of community support to justify not seeking approval via a referendum or an alternative approval process.
- i. The qathet Regional District Electoral Area Director representing Lasqueti Island should only initiate withdrawal of a regional service if there is evidence of a clear majority of community support for such withdrawal.

Transportation

4.4.4 General Transportation Objectives

- a. To maintain a foot passenger only ferry system.
- b. To ensure that the road system is designed, built and maintained in keeping with the rural character of the island.
- c. To reduce dangerous driving and speeding.
- d. To reduce dust created by vehicle traffic.
- e. To increase human powered transport including bicycling and walking.
- f. To support electric vehicle charging stations.
- g. To support a plan for short- and long-term parking in False Bay.
- h. To support local public and shared transportation options.
- i. To support the public ownership and maintenance of roads and trails.
- j. To provide appropriate public access to beaches and public water bodies.
- k. To support establishment of public access to marine foreshore and fresh water lakes.

4.4.5 General Transportation Policies

- a. It is recognized that islands and islets within the Lasqueti Island Local Trust Area, excepting Lasqueti Island, do not have direct access to public roads or ferry service and that some

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waterfront parcels on Lasqueti Island were created without access to public roads. In these situations access from the water is needed and should be considered sufficient.

- b. The community recognizes that the existing foot passenger type of ferry system has partly contributed to the rural character of the community and should remain as foot passenger only in the future.
- c. Car-pooling, communal, and other alternative forms of transportation should be used by the community and visitors to reduce the overall number of vehicles and traffic on the island.
- d. Business should be supported to provide and maintain an adequate and appropriate regular marine freight service.

Docks, Boats, Wharves, and Boat Ramps

4.4.6 Objectives

- a. To ensure continued government ownership and environmentally-sound upkeep of public docks.
- b. To encourage the communal use of docks and boat ramps and to limit the number of private docks and boat ramps located along the foreshore in order to alleviate cumulative ecological damage.

Boats and Maritime Vessels

4.4.7 Boats and Maritime Vessel Policies

In order to reduce the overall number of private docks and boat ramps located along the foreshore and alleviate the ecological damage that can be caused by the proliferation of private docks and boat ramps, communal private docks and boat ramps are encouraged and may be considered on a site specific basis. The development of regulations to permit such joint co-operative facilities should ensure that the communal facilities would not have the effect of closing off access to any one bay and that environmental and social effects would be addressed.

- a. In order to ensure that supplies reach Lasqueti Island, the development of barge, boat, and multi-use ramps accessible to all barge operators may be considered on a site specific basis. Because barge service is essential to the community, the Local Trust Committee should hold community discussions to explore possible locations and means to establish a public barge ramp.
- b. Development of additional barge ramps accessible to all barge, boat, and multi-use operators should be subject to designation and regulation. In considering an application for a barge ramp, environmental and social effects should be addressed.
- c. Hours of operations should be included in barge ramp Crown lease referrals.
- d. In recognition of the importance of providing suitable boat access for all residents, public boat ramps may be considered on a site specific basis through zoning. Development of public boat ramps should be subject to designation and regulation. In considering an application for a public boat ramp, environmental and social effects should be addressed.
- e. Private docks may be considered on a site specific basis in the Marine General (M-2) zone. In considering an application for a dock, environmental and social effects must be addressed.

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Structures should not be sited or extended towards the sea beyond 37 metres (120 feet) from the surveyed high water mark or where no plan exists, from the natural boundary of the sea.

- f. In order to reduce the overall number of docks located along the foreshore, and thereby alleviate the ecological damage that can be caused by the proliferation of docks, private boat ramps may be considered on a site specific basis in the Marine General (M2) zone. In considering an application for a boat ramp environmental and social effects must be addressed and the environmental effects of both private docks and boat ramps should be considered and the alternative with the least environmental impact chosen. Structures should not be sited or extended toward the sea more than 21 metres (70 feet) from the surveyed high water mark or where no plan exists, from the natural boundary of the sea. Applicants must submit proposals for construction of docks and boat ramps to the Department of Fisheries and Oceans Canada, as per the federal *Fisheries Act*, for review.
- g. Installation of a breakwater should be subject to designation and regulation to allow the community an opportunity to consider all effects. In considering an application for a breakwater, the following criteria must be satisfied: the breakwater must not reduce the area available to the public for mooring buoys and/or anchorage; the breakwater must not close off public access to the affected bay; the applicant addresses environmental and social effects; an environmental impact assessment is completed for the proposed breakwater; and a qualified registered engineer attests to the design of the breakwater.

Ferry Service

4.4.8 Ferry Service Advocacy Policy

- a. The Local Trust Committee encourages that the appropriate Ferry Corporation, its agents, and private operators:
 - (i) maintain foot passenger service on a five/six days per week schedule;
 - (ii) expand the freight capacity;
 - (iii) continue to work with the locally established ferry committee;
 - (iv) Hold public meetings on Lasqueti to discuss any major proposed changes in ferry service.

Road System

4.4.9 Road System Advocacy Policy

The road system and the standards to which it is constructed and maintained are key elements in preserving the rural character of Lasqueti Island.

- a. The Local Trust Committee encourages the appropriate Provincial Ministry to utilize road standards which reinforce the rural character of the Island, by:
 - (i) following the Letter of Agreement for Road Standards between the Islands Trust and the Ministry of Transportation;
 - (ii) employing road designs conforming with topography in order to minimize cutting and filling;
 - (iii) protecting or maintaining natural vegetation alongside roads, excepting that which directly obstructs user visibility;
 - (iv) consulting with the Local Trust Committee before commencing any major road construction or improvements;
 - (v) encouraging the Ministry of Transportation to ensure that gravel extracted from Crown lands is used for local roads;

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(vi) identifying foreshore accesses by locating signs on the public roads;

Communications

4.4.10 Communications Objectives

- a. To ensure that all commercial broadcast towers are built only with community consultation and approval.
- b. To support basic local infrastructure and services such as fire department and local communication systems.
- c. To ensure community control over the management of local services and communication system.

4.4.11 Communications Advocacy Policies

- a. The establishment of broadcast and transmission towers and facilities within the Lasqueti Island Planning Area is not supported without consultation and accommodation of community interests by the appropriate government, through a rezoning process of lands in question.
- b. Communication companies should continue the practice of placing telephone wires underground or at grade and should follow the same practice for electrical wires in the event that electrical service is extended to Island properties.

Health Care

4.4.12 Health Care Objectives

- a. To support provision of appropriate health care services only with full consultation of the community.

Garbage Disposal

4.4.13 Garbage Disposal Objectives

- a. To ensure waste disposal meets or exceeds ministry requirements.
- b. To manage services locally as much as possible with service provision by, and employment of, local residents.
- c. To establish, modify, provide, and withdraw services, including regional services, only with full consultation of the community.
- d. To ensure services have high value relative to cost.
- e. To emphasize educational efforts that support Lasqueti moving towards zero-waste.
- f. To support initiatives that help people take responsibility for removing large waste items such as derelict cars and boats, appliances, etc.

4.4.14 Garbage Disposal Advocacy Policies

- a. The Local Trust Committee encourages the appropriate Provincial Ministry and the qathet Regional District to:

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- (i) ensure regulatory compliance occurs; and
 - (ii) promote recycling.
- b. The Freestore should be kept open and maintained as part of the qathet Regional District Waste Management service consistent with the qathet Regional District Solid Waste Management Plan.
- c. The qathet Regional District, in cooperation with the community, should create a comprehensive educational plan that encourages reduced consumption and net solid waste, maximizes reuse, repurposing and recycling and ensures waste and recycling reach appropriate destinations consistent with the qathet Regional District Solid Waste Management Plan.

Sewage Disposal

4.4.15 Sewage Disposal Advocacy Policies

- a. The Local Trust Committee encourages the appropriate Provincial Ministries to:
- (i) prohibit outfalls of untreated sewage;
 - (ii) consider the cumulative effects of many septic tanks in one area;
 - (iii) examine and encourage alternate approaches to sewage treatment and disposal;
 - (iv) develop and implement monitoring and testing programs for all existing septic systems; and
 - (v) encourage improved information and education about appropriate human waste disposal methods.

Utilities

4.4.16 Utilities Advocacy Policies

- a. The Local Trust Committee encourages:
- (i) the appropriate Provincial Ministry and any company to avoid routings on Lasqueti for high tension electrical transmission lines and pipelines intended for large scale movement of fuels.

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PART 5 LAND USE

5.1 Land Base (LB)

Lands within the Land Based designation can include agricultural, residential, commercial, or industrial uses.

Residential Land Use

The Lasqueti community wants to ensure that the existing patterns of low density land use and sustainable self-sufficient lifestyle continues.

5.1.1 Objectives

- a. To ensure that subdivided parcels provide adequate resources (firewood, freshwater, soil, etc.), waste assimilation capacity (e.g. greywater), and are capable of supporting a variety of possible sustainable lifestyles.
- b. To maintain existing low-density subdivision and land use rules in order to protect and preserve our natural environment.
- c. To maintain and encourage a pattern of low-density, low-impact land-use that supports sustainable, self-sufficient lifestyles.
- d. To encourage the establishment of owner-operated, small-scale, low intensity home based enterprises that prioritize having minimal impacts on neighbours, shared infrastructure, and environment.
- e. To ensure residential development is self-sufficient in terms of freshwater and self-contained sewage disposal.
- f. To ensure appropriate access to parcels is provided, taking into account special features such as water courses, old-growth trees, wildlife and topography, and existing trails and roads.
- g. To ensure home enterprises are in harmony with the rural residential neighbourhoods.

5.1.2 Policies

- a. A pattern of low density residential land use should apply. Parcels should be at least 4 hectares (9.88 acres) in Subdivision District A, at least 8 hectares in Subdivision District B (19.77 acres), and at least 65 hectares (160.61 acres) in Subdivision District C as indicated on Schedule C of the Lasqueti Land Use Bylaw.
- b. Dwellings are meant for long term residential use occupied by the owner or a renter on a long term basis.
- c. Guest cabins and short-term vacation rentals are not intended to be used for long term residential purposes.
- d. Home enterprise may be conducted on any parcel but should not cause pervasive intrusions on the peaceful enjoyment of nearby properties that exceed or differ from what would otherwise be experienced if the property was used for rural residential purposes.
- e. Subdivided parcels of land should be able to have a garden area and woodlot.

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- f. Residential lots should have a source of fresh water and sufficient capacity for appropriate sewage disposal.
- g. Surface water and catchments are encouraged as an alternative to drilled wells, provided that such systems do not degrade the environment.
- h. Where access to the sea or a strip of Crown land contiguous to the sea is required at time of subdivision, such access should be located to provide physically convenient access to and from coastal areas for public uses such as barge ramps, boat ramps, recreation or slipways. Where roads are either not feasible or desirable, public walking trails should be required as an acceptable substitute.
- i. For each dwelling permitted, normally associated accessory buildings and structures plus a guest cabin should be permitted.
- j. Strata title subdivisions should provide sufficient individually or commonly owned land such that each owner has a sustainable living unit.
- k. The Lasqueti Island Local Trust Committee will seek to ensure that the subdivision of properties that border public water bodies requires provision of public highway access that is appropriately located to meet the objectives of the Lasqueti Island OCP.

5.1.3 Advocacy Policies

- a. All levels of government are encouraged to assist interested land owners and residents with enhancing resource management practices and conserving natural areas on their holdings.
- b. Other government agencies with responsibilities and expertise in the resource management disciplines and in the taxation or economic regulatory sections are encouraged to assist private land owners interested in implementing environmentally sensitive, long term economic resource management practices; all levels of government are encouraged to implement tax incentives for voluntary conservation on private lands.

Commercial and Industrial

It is unlikely that major commercial development on Lasqueti and its surrounding islands and waters will occur due to the limited local market. Nevertheless, some local commercial development exists and there could be additional development to serve the day-to-day needs of residents and visitors. Existing commercial enterprises vary in their use on a parcel of land from a low density to high density, such as exists at the hotel site located at False Bay. With regard to the existing hotel site density, only new land use proposals of a reduced density will be considered. Furthermore, one existing retail commercial enterprise has two residences located on the same parcel of land. In this case the residential density is considered an exception; new commercial enterprises should not be given that same zone.

Rural character and scale, low site coverage, adequate setbacks and the provision of off-street parking are important considerations in maintaining an acceptable scale and rural nature of development.

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5.1.4 Objectives

- a. While recognizing the benefits, to minimize the negative environmental and social impacts of agriculture, forestry, mariculture, and other industry;
- b. To encourage agriculture, forestry, mariculture, and industry are practised in a sustainable manner;
- c. To promote use and development of the land that is in sympathy with the landscape and that makes the most of each site's natural characteristics;
- d. To ensure appropriate industrial and commercial ventures are permitted that are respectful of the residents of Lasqueti Island (e.g. noise, light, air quality, traffic).
- e. To encourage ecologically based stewardship and sustainable use of renewable resources.

5.1.5 Policies

- a. Economic and industrial undertakings should have limitations and development control on the Island in such a way that existing ecosystems are maintained for the benefit of future generations.
- b. Economic activities should provide adequate sewage disposal systems that prevent contamination or degradation the environment.
- c. Hazardous industries including the transportation, handling, storage and use of radioactive materials or other dangerous or toxic materials in bulk are prohibited in the Lasqueti Island Local Trust Area; bulk storage of gasoline, kerosene, diesel fuel, propane, and similar fuels intended for utilization by the residents and visitors are accepted.
- d. The siting of commercial and industrial buildings should be at reasonable distances from lot lines to ensure a degree of privacy and the quiet tranquillity consistent with a rural environment.
- e. Alternatives to drilled wells are encouraged to provide freshwater.
- f. Rezoning procedures for commercial and industrial application proposals are contained in the development procedure bylaw of the Lasqueti Island Local Trust Committee; such proposals should be referred to the Advisory Planning Commission for review prior to final consideration by the Lasqueti Island Local Trust Committee.
- g. A range of commercial and industrial activities are permitted as home enterprise. The scale of home enterprises should be regulated to control impact.
- h. Existing established businesses which do not have adequate off-street parking at the adoption date of this Bylaw may continue to operate without the provision of such parking facilities; any expansion of such a business must conform to the parking standards of this Bylaw.
- i. The owner or operator of an existing home enterprise who proposes to expand a business beyond the scale of a home enterprise should apply for a rezoning or a Temporary Use Permit.
- j. In the review of commercial and industrial zoning applications the applicant should provide:
 - (i) adequate off-street vehicle, motorcycle and bicycle parking;
 - (ii) adequate fire protection measures;
 - (iii) adequate proof of sewage disposal capability;
 - (iv) adequate potable water supply and water conservation measures;
 - (v) a plan showing:
 - o location and size of all buildings;

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- the extent of the clearing of the area proposed to be zoned;
 - that rural character is retained: setbacks of buildings, structures, parking, septic fields, sewage, sink waste or any other waste disposal system from lot lines;
 - road rights of way;
 - proposed and existing screening;
 - location of outhouse/toilet facilities for public use, if appropriate;
 - locations planned for sources of power generation;
 - location of waste disposal specifying provisions for organic, inorganic and toxic wastes;
 - high tide marks, lakes, watercourses, springs, swamps or sources of potable water;
- (vi) A narrative document describing:
- how the rural character, scale, and density of development is in keeping with the character of the surrounding properties;
 - measures to reduce noise levels;
 - planned hours and days of operation (in particular any noise-making sources, e.g. cars, generators, machinery);
 - consideration of effect on island and neighbourhood services, ferry, phone, water sources, roads and traffic noise, and visual impact; and
 - how the proposal is compatible with objectives of this Bylaw.
- k. In recognition of the need for a place to store derelict vehicles that accumulate in the Local Trust Area, a vehicle holding compound may be considered on a site specific basis and will be subject to designation and regulation to allow the community an opportunity to consider all effects. When considering an application the following criteria must be satisfied: a screened buffer, appropriate setbacks from all property lines; protection from runoff of vehicle fluids; cost/benefit considerations; and environmental and social effects.
- l. In recognition of the need for gravel for residence, gravel extraction is allowed. Extraction beyond 3823 cubic metres (5,000 cubic yards) within a three-year period should be discouraged unless permitted in a commercial or industrial zone; gravel extraction activities and applications should be consistent with Policy 10 of this Section.
- m. The Local Trust Committee supports small-scale, organic and natural or low-input farming agriculture that contributes to the Island by developing local sources of farm products, maintaining the rural landscape and providing opportunity for development of individual initiative and self-reliance for the betterment of the community as a whole.
- n. In recognition of the need for a place to park vehicles, a commercial parking lot may be considered on a site specific basis and should be subject to designation and regulation after a community process has considered implications; when considering an application for a commercial parking lot the following criteria should be considered: setbacks from all property lines; protection from runoff of vehicle fluids, and environmental and social effects.
- o. Commercial and industrial activity should support forestry that utilizes practices sensitive to aesthetic, environmental, and social values, can contribute a modest source of revenue to private land owners while retaining land values, enhancing forest productivity, and supplying on-site fuel wood and other forest-related benefits.
- p. The Local Trust Committee should support proper utilization of marine resources in the Lasqueti Trust Area for mariculture that provides employment and other economic benefits to the community while retaining traditional resident and visitor access to marine resources and year round moorage.

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- q. Commercial and industrial undertakings often may not require or need long term zoning provisions; as such Temporary Use Permits may be considered in the Land Use Bylaw.
- r. This plan does not support the establishment of destination gaming facilities such as casinos and commercial bingo halls.
- s. The zoning bylaw may provide a zone in which short-term vacation rentals may be used for short-term visitor and tourist accommodation on a commercial basis.
- t. When rezoning to allow for short-term vacation rentals the Trust Committee should consider at a minimum matters of density on individual lots, water and sewage capacity available for tourist accommodation and the affect such a rezoning may have on the adjacent neighbourhood and the Island overall.

5.1.6 Advocacy Policies

- a. The Lasqueti Island Local Trust Committee encourages the Ministry of Energy and Mines to require any applicant requesting a permit for extraction or processing of 3,823 cubic metres (5,000 cubic yards) or more gravel to have commercial or industrial zoning at the site of the proposed gravel operation, and that an adequate monitoring program be in place to ensure that extraction or processing permits are diligently adhered to; processing includes the manufacturing of gravel by means of rock crushing, blasting and sorting.
- b. The Local Trust Committee does not support the extraction of gravel for any use outside of the Lasqueti Island Local Trust Area.
- c. The Local Trust Committee supports the promotion and maintenance of appropriate preservation and protection of agricultural programs, as well as the Province's creation and administration of the Agricultural Land Reserve mandated to protect and preserve agricultural land.
- d. The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to revise existing Agricultural Land Reserve (ALR) boundaries to reflect actual agricultural capability, considering factors such as slope, aspect, drainage, and soil texture and depth.
- e.
- f. The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to recognize conservation of ecosystems as an important and valid use of Agricultural Land Reserve lands on Lasqueti Island and to support the establishment of nature reserves and the registration of conservation covenants on ALR lands with high conservation value
- g. The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to recognise that large-scale commercial agriculture is not necessarily the most productive use of ALR land on Lasqueti Island, and that successful food-production on Lasqueti Island is labour-intensive and often involves areas of 0.5 to 5 ha under cultivation. Restrictions on parcel sizes and residential density within ALR land on Lasqueti Island should be based on consideration of the benefits of small-scale farming and homesteading.
- h. The Local Trust Committee encourages the appropriate Ministry to promote the implementation of forestry practices which preserves land quality and the forest base for future generations.

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- i. The Local Trust Committee encourages the appropriate Ministries to only support mariculture that:
 - (i) avoids displacement of local vessels from traditional year round moorage areas;
 - (ii) retains public access to beaches and natural marine resources;
 - (iii) establishes public shellfish reserve areas;
 - (iv) minimizes conflict with other land uses;
 - (v) allows for the monitoring of impacts on other marine resources.
- j. To consider short-term vacation rentals as commercial activities, and as distinct from long-term rentals.

Hazardous Conditions

The low density of development should help avoid the necessity for developing in hazardous areas by creating parcels of sufficient size to afford alternate building sites within the parcel.

5.1.7 Objectives

- a. To limit development in areas subject to hazardous conditions.

5.1.8 Policies

- a. Development on lands known or suspected to be subject to flooding, landslide, avalanche or other hazardous conditions should be limited, unless protective measures are taken to prevent any detrimental consequences such as damage to property or risks to inhabitants.
- b. If the need arises for further identification or more precise delineation of hazardous areas, studies will be requested from the appropriate agencies or initiated by the Lasqueti Island Local Trust Committee.

5.2 Marine (M)

The complex geography and geology of Lasqueti Island and surrounding islands and waters have produced a tremendous diversity of coastal and marine habitats. Unique relationships exist between terrestrial, fresh water and marine areas; as a result, coastal ecosystems are the most diverse and productive of all ecosystems. Significant recreational, commercial, industrial and residential activities occur within the shoreline area and this sensitive area is under intense pressure from development and human activity.

The Marine land use designation is intended to implement the Objectives and Policies related to Marine Coastal Areas.

5.3 Parks and Protected Areas (PPA)

Scenic qualities provide a rural setting and pleasant pastoral views throughout Lasqueti Island. Voluntary stewardship of land is the primary means by which this feature of island living is maintained. Protection of environmentally sensitive areas and at-risk species and their habitats and significant natural sites is a fundamental Islands Trust policy.

The Protected Areas land use designation is intended to implement the Objectives and Policies related to Conservation and Recreation.

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5.4 Crown Lands (CL)

The Lasqueti Island Local Trust Area lies within the Coastal Douglas-fir (CDF) biogeoclimatic zone, one of the most heavily modified of the 14 biogeoclimatic zones in British Columbia. Approximately half of the CDF zone has been converted to uses such as agriculture and residential development that permanently remove the natural ecosystems. Less than two percent of the CDF zone is in a protected area and only about one percent of the original extent of the old growth forest.

The Lasqueti Island Local Trust Area has significant areas of Crown land, including some of the largest undeveloped and unroaded blocks of land remaining in the CDF. Some areas have never been logged and others, with mature second growth, have good potential to develop into old growth. The Crown lands on Lasqueti Island have very high conservation value because they can contribute to conservation of provincially significant rare and uncommon ecosystems including Douglas-fir old growth forests; Douglas-fir/Arbutus forests and other ecosystems that are under-represented in the British Columbia's protected area system.

The Lasqueti community believes that the public of British Columbia realizes the greatest benefit from these Crown lands is as large parcels with low density and minimal development.

Among other strongly expressed reports and forums, the Crown Land Task Force presented a report in 1991 to the Lasqueti Island Local Trust Committee containing recommendations for the use of Crown lands in the Lasqueti Local Trust Area. The Local Trust Committee refers to this report as an indication of the community's desires concerning the use of Crown land before making any recommendations to the Ministry responsible for Crown lands.

The following section is divided into two areas: General and Access On and Across Crown Land.

5.4.1 Objectives

- a. To preserve Crown lands for public enjoyment and community use.
- b. To take into account the conservation values on Crown Lands as the primary consideration in decision making.
- c. To retain Crown Lands as intact large parcels with limited, low impact, and low risk development.

General

5.4.2 General Policies

- a. Increasing net density of Subdivision District C lands should not be permitted.
- b. Development on Crown lands including, but not limited to, gravel extraction, road construction or community facilities must be compatible with overall conservation values.

5.4.3 General Advocacy Policies

- a. Land and Water BC is requested to add provisions in any approved license of occupation for boat, barge and multi-purpose ramps that certain hours of operation be specifically mentioned and adhered to.
- b. Land and Water BC is requested to offer the community first opportunity to acquire Crown land parcels prior to them being sold to private interests.
- c. Public access to the foreshore should be identified by signs located on the public roads.

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Access On and Across Crown Land

Applications for permission to construct a road across Crown land where no road currently exists, or to upgrade an existing road not currently in regular vehicle use, must be made to the appropriate Provincial Ministry prior to any construction.

Several types of roads occur on Crown land. Some roads are currently in regular use for vehicle access to private lands or as access to timber. While some unused roads are noted on official Crown land maps, many old logging roads, skid trails, and footpaths are not noted on the same maps.

5.4.4 Access On and Across Crown Land Policies

- a. Where an existing road on Crown land is currently in regular use for vehicle access to private lands and where no other legal land access exists, the community supports the granting of secure, long-term permission for landowners to continue such use and to maintain the road in drivable condition. Landowners should continue to maintain such roads in a condition that is compatible with conservation and community values.
- b. It is recognized that in some instances the only road access to private lands is across Crown land. Access to the private land is important for fire prevention, personal safety, as well as enjoyment of the private property by the resident; however, where these accesses are used they should be compatible with conservation and community values.
- c. Where permission for road access across Crown land is granted, such roads should generally follow the routes of any existing roads, except as necessary to avoid sensitive terrain and ecosystems, in order to prevent the environmental impact of creating new routes.
- d. Trails and unused roads on Crown land should remain as foot trails where they are compatible with conservation and community values.
- e. The Local Trust Committee shall consider the need to maintain community values, including conservation values and the interests of the land locked landowners, when providing input to the appropriate jurisdiction on applications for access across Crown land.

5.4.5 Access On and Across Crown Land Advocacy Policies

- a. The Local Trust Committee encourages Land and Water BC to maintain the current greenbelt function that exists on Crown Lands by accommodating a variety of land uses and ensuring their regulations are adhered to.
- b. The Local Trust Committee requests that Land and Water BC seek input from the community prior to changing uses on Crown Land.
- c. Land and Water BC and other appropriate Provincial Ministries should keep trails and disused roads located on Crown land to remain as foot trails.

PROPOSED

SCHEDULE B LAND USE DESIGNATION MAP

PROPOSED

Version Control Table

Version	Date	Description
1.0	Nov. 30, 2020	First Reading
1.1	April 26, 2021	Proposed amendments based on Comments received during referral period after 1 st reading
1.2	June 21, 2021	Version 1.1 plus: the addition of a Parks and Protected Areas land use designation with accompanying policy changes, FN Acknowledgement, log handling, and ALR recommendations according to LTC resolution.
2.0	June 21, 2021	Second Reading (rescinded August 13, 2021)
2.1	August 13, 2021	Second Reading, as amended (clean)
2.2	October 4, 2021	Version 2.1 + proposed numbering format + renaming part 3 from “Official Community Plan” to “Background” + removing Crown Lands Objective 4 + FLNRORD policy removal + “livestock” definition (track changes)

PROPOSED



Islands Trust

**Lasqueti Island
Local Trust Committee
Official Community Plan
Bylaw No. 98, 2020**

*Preserving **Island** communities, culture and environment*

PROPOSED

[Back of front cover]

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CONSOLIDATED BYLAW TEXT AND MAP AMENDMENTS

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

Table of Amendments			
Bylaw No.	Amendment Number	Date of Adoption	Date of Bylaw Consolidation

PROPOSED

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PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 98

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE LASQUETI ISLAND LOCAL TRUST AREA

WHEREAS Section 29 of the *Islands Trust Act* gives the Lasqueti Local Trust Committee the same power and authority as a Regional District under Section 298(l)(j) and 327 of the *Local Government Act* and Part 14 of that *Act*, except Divisions 19 and 20 of that Part and except Section 507; and

WHEREAS Section 471 of Division (4) of Part 14 of the *Local Government Act* applies to the Committee and authorises it to adopt an Official Community Plan and outlines procedures for developing and adopting such plans including a public hearing and Ministerial approval; and

WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption; and

WHEREAS Section 473 of the *Local Government Act* lists the subjects that must be addressed in a Plan; and

WHEREAS Section 478(2) requires that all bylaws enacted, permits issued, and works undertaken by the Lasqueti Local Trust Committee be consistent with the Official Community Plan;

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

1. CITATION

This Bylaw may be cited for all purposes as “Lasqueti Island Official Community Plan, 2020”.

2. BYLAW REPEAL

1. Bylaw No. 77 cited as “Lasqueti Island Official Community Plan, 1986” and all of its amendments are repealed.

3. SCHEDULES

The following Schedules, attached to and forming part of this Bylaw, are adopted as “Lasqueti Island Official Community Plan Bylaw, 2020”:

- Schedule A – Official Community Plan
- Schedule B – Land Use Designation Map

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READ A FIRST TIME THIS 30TH DAY OF NOVEMBER , 2020

READ A SECOND TIME THIS 13th DAY OF AUGUST , 2021

PUBLIC HEARING HELD THIS DAY OF , 202X

READ A THIRD TIME THIS DAY OF , 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS
DAY OF , 20XX

ADOPTED THIS DAY OF , 20XX

SECRETARY

CHAIRPERSON

PROPOSED

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SCHEDULE A – OFFICIAL COMMUNITY PLAN

PART 1 - PREAMBLE

1.1 Official Community Plan

The purpose of this official community plan bylaw is to further the object of the Islands Trust Act through long-range land use policy for the Lasqueti Island Trust Committee Area. This Bylaw contains the statements of community goals, objectives and policies for present and future land use and development. These policies are designed to direct and guide future actions of the Lasqueti Island Local Trust Committee and inform other levels of government and the general public of the community's expectations for the use and development of the Area.

1.2 Local Government

As a designated island within the Islands Trust, Lasqueti has two locally elected Trustees who along with a chairperson (an Islands Trust Executive Committee Member) constitute the three member Lasqueti Island Local Trust Committee, which is responsible for land use planning within the Lasqueti Island Local Trust Area.

The responsibility of local planning is vested in this Local Trust Committee. The Local Trust Committee may appoint an Advisory Planning Commission for the purpose of providing advice on local planning matters.

The Island is also represented on the qathet Regional Board by a locally elected Electoral Area Director. The Regional Board is responsible for provision and administration of services authorized in the *Local Government Act* and opted for by voters in the Lasqueti Electoral Area.

1.3 Intergovernmental and Corporate Matters

Attainment of certain land use and development objectives set forth in this bylaw and the balance among them is influenced by the manner, in which the natural resources of Lasqueti Island and its surrounding islets and waters are managed, and the type and level of services provided by other government agencies and corporations.

Jurisdictional responsibility for resource management lies with agencies of the Provincial Government and certain Federal Ministries, not with the Lasqueti Island Local Trust Committee. Similarly, the regulation of matters such as sewage and garbage disposal, protection of water supplies, control of pollution, provision of highways, ferry service, and public utilities is not within the jurisdiction of the Local Trust Committee. However, their regulation or management can significantly influence achievement of this bylaw's land use and development objectives.

Recognizing and accepting such circumstances, the Local Trust Committee presents objectives on these matters as expressions of its concerns and interests. The Committee will cooperate with and seek the assistance of the agencies with jurisdictional responsibilities in order to effect management and regulation

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which brings benefits to the Lasqueti Island community and the Province generally, while retaining the inherent capacity of the Island's resources.

Where agencies of other levels of government are themselves developing or regulating aspects of development in the Local Trust Area, it is the objective of the Local Trust Committee to liaise and cooperate with such agencies to encourage development or implementation of development regulations which assist in the realization of the Local Trust Committee's objectives.

1.4 Island Concerns and Issues

Lasqueti Island is a rural island community whose philosophy towards its future is keyed to minimizing adverse environmental and social impacts of increased population and development upon the Island and its surrounding waters. There are concerns regarding the:

- 1 Preservation and maintenance of a rural island community;
- 2 Maintenance of privacy and freedom of the Island's people;
- 3 Conservation of agricultural lands, forest lands, fresh water supplies, and foreshore areas;
- 4 Encouragement of local employment consistent with protection of the community and natural environment.

Relevant land use and development issues centre on the type of land uses, compatibility of land uses, density of development, management of natural resources, maintenance of fresh and marine water quality, transportation, and levels of community services.

1.5 Consultation

The Lasqueti community has a long tradition of addressing difficult and complex issues through a process of community dialogue. Such a process allows all views to be heard and respected, common ground identified, and agreement built out of a shared vision, despite divergent views. To these ends, promotion of a healthy, democratic political atmosphere can be accomplished through the use of a broad range of consensus building tools including but not limited to meetings, questionnaires, task groups and formal advisory polls by secret ballot.

Due to fair, equitable, and good governance practices, it needs to be noted, that the Lasqueti Island Local Trust Committee must keep an open mind and refrain from making a final decision until the adoption or the enactment of any bylaw is considered.

1.6 Legal Basis

The *Islands Trust Act* gives the Islands Trust (including the Lasqueti Island Local Trust Committee) the power and authority of a Regional District under Part 14 except sections 558 to 581 and 507 and 508 of the *Local Government Act*.

Section 478(2) of Part 14 of the *Local Government Act* requires that all bylaws enacted or works undertaken by the Islands Trust or a Regional District must be consistent with this Official Community Plan.

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PART 2 – ADMINISTRATION

2.1 Advocacy Policies and Information Notes

Where a paragraph or sentence in this Bylaw is written in *italics* and is preceded by the words “Information Note”, the contents of the paragraph or sentence are provided as reference information only to assist in understanding the Bylaw.

Where matters are outside the jurisdiction of the Local Trust Committee, this Plan contains broad community objectives in the form of Advocacy Policies. These policies show where the Local Trust Committee encourages others to take actions to further the objectives of the Plan. This Plan cannot and does not represent a commitment from other agencies to act according to community objectives.

2.2 Area of Jurisdiction

This bylaw is applicable to the Lasqueti Island Local Trust Area as described in Schedule B, attached to and forming part of this bylaw.

2.3 Severability

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision should not affect the validity of the remaining portions of this bylaw.

2.4 Units of Measurement

Metric dimensions are used in this Bylaw. Imperial equivalents, shown in parentheses (), are approximate, and provided for convenience only.

2.5 Numbering

The reference system used in this Bylaw is:

Part: 1
Section: 1.1
Subsection 1.1.1
Article: a
Clause: (i)

2.6 Covenants

Where under this Bylaw an owner of land is required or authorized to grant any covenant, the covenant shall be granted to the Lasqueti Island Local Trust Committee (Local Trust Committee) in priority to all financial charges and all other covenants and easements (whether registered or not) and delivered in registerable form, satisfactory to the Local Trust Committee, prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant shall indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

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2.7 Amendment Procedure

This Bylaw may be amended by the Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Trust Committee that addresses fees and procedures. All amendments to this Plan shall be in keeping with the goals and objectives of this Plan.

2.8 Interpretation

The final interpretation as to the precise location of boundaries of any designation or symbol contained in the map schedules, shall be legally defined by the appropriate land use bylaws enacted over time by the Trust Committee or by site survey, as required. The precise boundaries of the land use designations are shown on Schedule B. In interpreting the objectives and policies of the Plan, the term “shall” is used to denote that the indicated measure “must” be taken or applied. The term “should” or “may” indicates that the suggestion is intended as a guideline to apply or implement by the authority having jurisdiction.

The Islands Trust Conservancy, the conservation branch of the Islands Trust, has the authority to acquire land donations, financial donations, as well as holding covenants for the purposes of preserving and protecting the environment; the **Kwel Nature Sanctuary on Lasqueti Island, shown right**, is an example of a property donated to the Islands Trust Conservancy.

Covenants provide protection of the environment, while allowing the land owner to maintain ownership of the property.



2.9 Compliance

2.9.1 Conformity

- a. No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- b. No person may construct, reconstruct, place, alter, extend or maintain any building, structure and sign except as permitted by this Bylaw.

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- c. Nothing contained in the bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- d. The use of land, buildings or structures that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of this Bylaw, shall be considered as “legal non-conforming”, and continued subject to the provisions of Sections 528 through 534 of the *Local Government Act*.

2.9.2 Inspection

- a. Islands Trust staff, including the Bylaw Investigations Officer and any other officer who may be appointed in that capacity, is authorized, after making efforts to make contact with the property owners or occupant or in response to any second or additional complaint, to enter upon any property subject to the provisions of this Bylaw, to ascertain whether the regulations of the Bylaw are being or have been complied with; for clarity elected trustees do not conduct investigations or have the authority provided to act as the Bylaw Investigations Officer.

2.9.3 Enforcement

- a. Violation
 - (i) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have violated the provisions of this Bylaw.
- b. Penalty
 - (i) Any person who violates any of the provisions of this Bylaw is, upon summary conviction by a court of competent jurisdiction, liable to a penalty of not more than five thousand dollars (\$5000) and the cost of prosecution. Each day that such violation continues, or is allowed to continue, constitutes a separate offence.

2.10 Owners Costs

If any provision of this Bylaw requires a report, study or plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs; the community rate payer will not cover costs associated with a private initiative.

2.11 Definitions

- **Adequate:** as much or as good as necessary for some requirement or purpose; fully sufficient, suitable, or fit.
- **Affordable:** within reasonable financial means of a person or group to access a service or good.
- **Appropriate access:** adequate and sensible.
- **Cultural resources:** physical evidence or place of past human activity: site, object, landscape, structure; or a site, structure, landscape, object or natural feature of significance to a group of people traditionally associated with it.
- **Density:** the number of dwelling units allowed on a lot based on the zoning and the lot size.
- **Encourage:** to promote, advance, foster and inspire with confidence.

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- **Ensure:** to make something certain to be or come to be.
- **Foster:** to promote the growth and development of.
- **Guest Cabin:** means a stand-alone, detached building used for the accommodation of non-paying guests of the occupants of a dwelling on the same parcel.
- **Health:** having, showing or encouraging good positive health, integrity of balance
- **Livestock: means cattle, goats, horses, sheep, swine and game and includes any other animal designated by regulation.**
- **Long- term rentals:** dwellings designated for rental arrangements longer than 1 month.
- **Low risk:** unlikely to result in loss, failure or harm.
- **Natural:** existing in or formed by nature.
- **Positive:** giving or being of hope, confidence, a sense of alignment.
- **Promote:** to encourage, further or advance in rank, dignity or position.
- **Renewable resource:** a natural resource that can regenerate after use.
- **Resource:** a stock or supply of natural or human assets that can be drawn on by, and to benefit, a person or organization.
- **Rural:** of, relating to, or characteristic of the country, country life, or country people.
- **Rural values:** values and interests pertaining to a lifestyle connected to a predominately natural environment.
- **Short-term vacation rentals:** means a cabin or residence that is rented as a single unit for commercial purposes for periods of less than 30 days to accommodate tourists, visitors and the travelling public.
- **Stewardship:** the careful and responsible management of something entrusted to one's care.
- **Support:** to sustain, endure or hold up.
- **Sustainable:** pertaining to a system that maintains its own viability by using techniques that allow for continual reuse. Includes practices that do not deplete the resource base and requires an attitude of stewardship and balance.
- **Watershed:** The area or region of land that collects and stores precipitation eventually overflowing through streams, creeks, rivers, and lakes eventually to the sea.

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PART 3 – ~~OFFICIAL COMMUNITY PLAN~~ BACKGROUND

3.1 Introduction

The Lasqueti Island Local Trust Committee has authority through its plans and regulations to address use and the servicing requirements of land and surface waters within its Trust Area. The purpose of this Plan is to outline the goals of the community, the objectives relating to matters of Local Trust Committee authority and policies that provide guidance as to how to implement those objectives. Advocacy policies are included to encourage and guide decision makers with matters outside of the authority of the Local Trust Committee.

Responsibility for certain matters lies outside the authority of the Lasqueti Island Local Trust committee and is instead the responsibility of individual property owners, residents, the Provincial Government, the Federal Government, Coast Salish First Nations or the qathet Regional District. In some instances there may be overlapping authority of more than one person or agency. In particular the objectives and policies set forth in the Bylaw and the balance among them is influenced by the manner in which the natural resources of Lasqueti Island and its surrounding islets and waters are managed, and the type and level of services provided by other government agencies and corporations.

The Local Trust Committee seeks to work cooperatively with and seek the assistance of the public and government agencies to ensure orderly and effective management and regulation of the Lasqueti Trust Area and its resources to the mutual benefit of all.

In the case of objectives that are within the authority of other agencies or persons, such agencies or persons are requested to:

- regard such objectives as stated desires of the Lasqueti Island Local Trust Committee; and
- to take such objectives into consideration in making decisions concerning their own land use decision making with respect to the Lasqueti island Local Trust Committee area.

Schedule B designates three areas of the Lasqueti Island Planning Area. All land areas above the high water mark that are not Crown Land or Parks and Protected Areas are within the Land Based (LB) designation. All the marine areas up to the high water line, including the intertidal zone are within the Marine (M) designation. All Crown lands are within the Crown Land (CL) designation, and all Islands Trust Conservancy protected lands are within the Parks and Protected Areas (PP) designation. The objectives and policies below apply to any or all of these four designations.

3.2 Community Context

Coast Salish Peoples, including the Tla'amin, have lived and resided on or near Lasqueti Island since time immemorial.

The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area. Coast Salish Peoples have seen and lived the transformation of their lands and waters since contact. This tide of change has greatly impacted the eco-system that sustained them, and the cultural heritage of the first peoples of the Salish Sea. Coast Salish Peoples have and will continue to be a thriving people, government, and community, connected to the lands and waters through spiritual, cultural, and traditional knowledge for generations to come.

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The Tla’amin Peoples speak a language called Sliammon, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the Tla’amin Peoples is enriched with history, place names, village sites, cultural sites, and sacred sites and the islands and waters form the basis of their language, culture, and spiritual life within the Salish Sea.

The importance and inherent rights and jurisdiction that this area holds to the Tla’amin Peoples continues now and into the future and the stewardship of these lands and waters for their children’s children endures.

The Tla’amin (Sliammon) people referred to Lasqueti island as Kweh et ey (means Yew Tree). In 1791 the Island became known as Lasqueti, named after Juan Maria Lasqueti, a prominent Spanish naval officer.

Lasqueti is 68 square kilometers in area, 5 km wide and 21 km long. The ferry does not provide vehicle service, which therefore requires barging over of vehicles and other large items.

	1991	1996	2001	2006	2011	2016
Population	326	374	367	359	425	399
Number of Dwellings		180	185	298	290	407

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Since 1974, the inception of the Islands Trust, the community of Lasqueti Island has been empowered to elect their own representatives to make independent and local decisions, while remaining within a federation of other island communities. The following individuals have served as Local Trustees for Lasqueti Island:

1977 - 1978	Kevin Monahan, Mike Humphries
1978 - 1980	Laurence Fisher, Mike Humphries
1980 - 1982	Laurence Fisher, Mike Humphries
1982 - 1984	Jack Barrett, Mike Humphries
1984 – 1986	Jack Barrett, Mike Humphries
1986 - 1988	Melinda Auerbach, Barry Kurland
1988 - 1990	Melinda Auerbach, Barry Kurland
1990 - 1993	Janice McMillan, Barry Kurland/Chris Ferris
1993 - 1996	Melinda Auerbach, Chris Ferris
1996 - 1999	Melinda Auerbach, Eric O'Higgins
1999 - 2002	Eric O'Higgins, Tom Weinerth
2002 - 2005	Bronwyn Preece, Rose Willow
2005 – 2008	Bronwyn Preece, Rose Willow
2008 – 2011	Jen Gobby, Susan Morrison
2011 – 2014	Susan Morrison, Peter Johnston
2014 – 2018	Tim Peterson, Susan Morrison
2018 – 2022	Tim Peterson, Peter Johnston

3.3 What is an Official Community Plan?

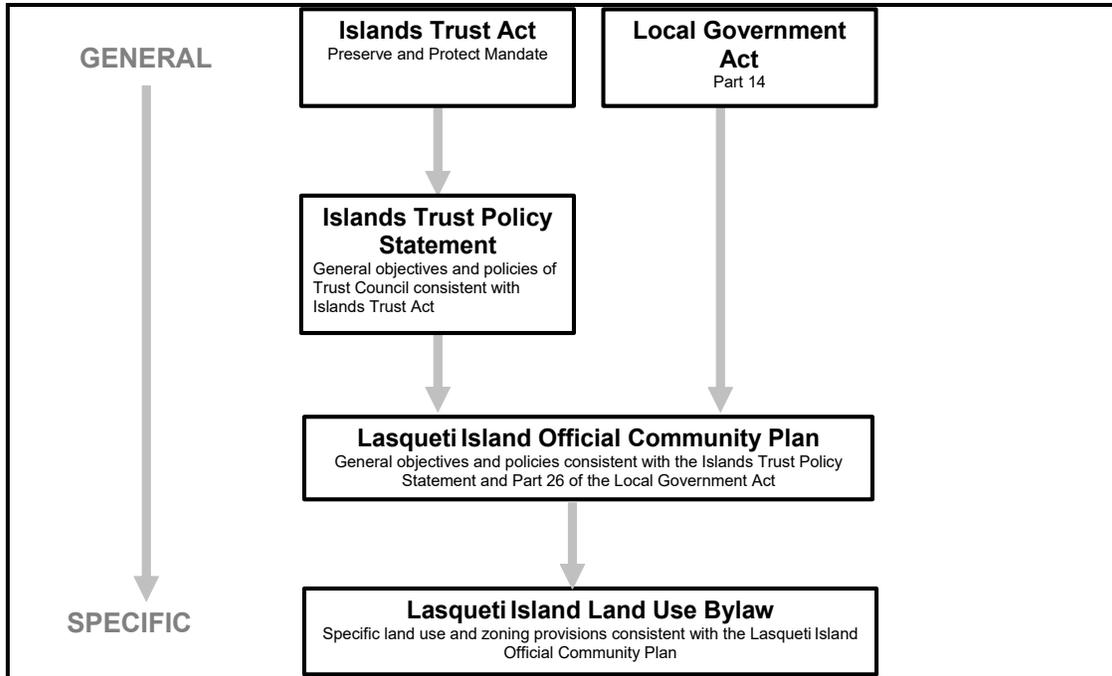
An Official Community Plan is a general statement outlining the planning goals of a community and the policies that will help the community to reach those goals. The intent of an Official Community Plan is to provide a framework that will guide the elected officials and members of the community in future development and conservation initiatives. Once adopted by Bylaw, the Lasqueti Island Official Community Plan restricts the Lasqueti Island Local Trust Committee to only enact any other bylaw that is consistent with the Official Community Plan.

A Local Trust Committee is authorized to adopt an Official Community Plan by the *Islands Trust Act* and the *Local Government Act*. In the Islands Trust Area, an Official Community Plan must be consistent with the Islands Trust Policy Statement, which furthers the Object of the Islands Trust, as stated in Section 3 of the *Islands Trust Act*:

The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organisations and the government of the Province.

An Official Community Plan must also address the Provincial Interest as defined in the *Local Government Act*. The graphic below shows how an Official Community Plan fits into the overall planning framework of the Islands Trust.

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As a true representative document, a community plan states the values of the community that participates in its creation. As a community changes, so too can a community plan. As unforeseen issues arise, a community plan can be amended to keep pace with these issues. Amendments can occur from time to time, based upon community process and input, with final decisions made by the officials elected from the Lasqueti Island community itself.

3.4 Goals

To maintain a rural island community where the Island people’s privacy and freedom are preserved; the integrity of the island ecosystem is maintained; conservation of agricultural lands, forest land, fresh water supplies, and foreshore areas are protected; local employment, consistent with the protection of the community and natural environment, is provided.

3.5 Approach

The Bylaw’s approach to land use and development growth is one of consideration and caution. It is hoped that by laying out a pattern of low density land use, adopting a cautious approach to development, and fostering a cooperative relationship among the local community, Islands Trust and other governmental agencies, needed and reasonable land use and development will take place without requiring complex and expensive facilities and services, thereby maintaining the Island’s unique character as a place where the human community lives in and with nature. The LTC will use the precautionary principle when making land use decisions.

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PART 4 OBJECTIVES AND POLICIES

4.1 Environmental Stewardship

Where agencies of other levels of government are themselves managing natural resources or regulating the management practices of other agencies or the private sector, it is the Local Trust Committees objective to liaise and cooperate with such agencies to encourage management practices and regulatory provisions which help to preserve and protect the natural environment.

The following section is divided into three areas: Conservation, Consumption and Pollution, and Climate Change.

General

4.1.1 General Objectives

- a. To support and assist with the establishment and maintenance of protected areas, including (and not limited to) ecological reserves, parks, nature reserves, conservation covenants and marine protected areas.
- b. To avoid contamination of fresh and salt water.
- c. To support human use and management of land that retains native flora and fauna and conserves natural ecosystems.
- d. To protect and restore a diverse, productive, native forest understory with abundant natural regeneration of trees and other native species.
- e. To support the protection and restoration of abundant and productive native ecological communities in the terrestrial, freshwater, and marine ecosystems on and adjacent to Lasqueti.
- f. To promote a safe and healthy environment for all residents.
- ~~g.~~ To achieve low risk of loss to ecological integrity and biodiversity, supported by the best scientific understanding of ecosystems in the Lasqueti Local Trust area.
- h. To formally protect a sufficient proportion of the land and marine base of the Lasqueti Local Trust Area to help achieve low risk to ecological values, and that includes representation of all ecosystems and over-representation of rare or special areas.

4.1.2 General Policies

The natural environment of Lasqueti is being altered and under constant pressure to be developed further. The community of Lasqueti resides on a finite island where resources must be used in a sustainable manner.

- a. The Lasqueti Island Local Trust Committee should undertake initiatives to identify environmentally sensitive and important ecosystems and flora and fauna to assist in future decision making.
- b. The Local Trust Committee will assist with any efforts to protect sites of ecological significance or value, prioritizing conservation of the full range of terrestrial and aquatic/marine ecosystems in the local trust area.

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- c. Lasqueti Island's rural marine landscape and scenic views should be maintained and protected.
- d. The inherent resiliency of the Island's eco-systems should be maintained in conjunction with resource stewardship.
- e. Native flora and fauna should be retained to protect natural habitats of local significance.
- f. Measures to avoid and minimize the use of herbicides and other biocides should be undertaken.
- g. Domestic pets and livestock should be kept under control.
- h. When fill or debris is placed on land in such a way that it could lead to discharge of deleterious material into a water course, adequate mitigative design and construction measures are required in order to be acceptable to Fisheries and Oceans Canada and appropriate Provincial Ministries.
- i. The Lasqueti Local Trust Committee should support community-based environmental clean-up initiatives.
- j. The Lasqueti Local Trust Committee should Support initiatives to reduce pollution from vehicles, wood burning, power generation, waste, and any other sources.
- k. The Lasqueti Local Trust Committee should Support efforts that minimize consumption and maximize local self sufficiency.
- l. The Lasqueti Local Trust Committee should support maintaining a high level of forest connectivity on Lasqueti.
- m. The Lasqueti Local Trust Committee should support the preservation of quiet and darkness.

4.1.3 General Advocacy Policies

- a. Residents, businesses and other agencies are encouraged to become informed and educated about appropriate human waste disposal methods.
- b. Community groups and other agencies are encouraged to develop educational material on environmentally sensitive living.

Conservation

4.1.4 Conservation Objectives

- a. To prioritize conservation of the full range of terrestrial and aquatic/marine ecosystems in the local trust area.
- b. To minimize deforestation (permanent removal of forest) and encourage forest management that optimizes the carbon sequestration and storageeco value of forests.
- c. To maintain a high level of ecosystem connectivity, including forest connectivity.

Consumption and Pollution

4.1.5 Consumption and Pollution Objectives

- a. To support initiatives to reduce pollution from vehicles, wood burning, power generation, waste, and any other sources

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- b. To encourage site planning and building design that minimize energy consumption and negative impacts on natural ecosystem.
- c. To encourage local self-sufficiency and low levels of consumption.

4.1.6 Consumption and Pollution Policies

- a. To support initiatives to clean up public areas, such as shorelines.

Climate Change

4.1.7 Climate Change Objectives

- a. To consider both climate change adaptation and mitigation in all land use decisions.
- b. To support individual and community-based initiatives that reduce greenhouse gas emissions.
- c. To reduce reliance on fossil fuels and move towards eliminating fossil fuel use.
- d. To encourage residents to minimize energy use, incorporate high energy efficiency into building design and construction and to use local, non-toxic, carbon efficient materials.

4.1.8 Climate Change Policies

Climate change refers to the increasing concentration of heat-trapping greenhouse gases (GHGs) in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change reveals that between 1970 and 2004, GHG emissions have increased by 70%. This dramatic rise in atmospheric GHG concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impact on ecological systems around the globe.

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amended the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 required that all local governments include GHG emission reduction targets—and policies and actions to achieve those targets— in their Official Community Plans.

The Islands Trust Council identified Climate Change and the implementation of Bill 27 as the top strategic plan priority in 2009 and early 2010. The Lasqueti Island Local Trust Committee supported this direction, as did community members who attended a special community meeting on reducing GHG emissions in November 2009.

The following targets, policies and actions are proposed to ensure that the reduction of GHG emissions specifically and the impact of climate change in general become part of the planning process for Lasqueti Island.

- a. The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation. These criteria will address issues such as the impact of the density proposed on reducing GHG emissions, land use and the form of the development, use of building materials and construction methods, energy efficiency and sources, and the long

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term potential for the development to result in a decreased carbon footprint on the landscape.

- b. The Local Trust Committee should support community efforts to record and measure the use of fossil fuels and GHG emissions through an annual inventory.
- c. The development of cycling and walking trails to facilitate non-automobile based forms of travel is strongly encouraged, separated from the road grade where possible.
- d. The community is encouraged to consider options to purchase lands to protect ecosystems and the character of Lasqueti Island.
- e. The implementation of energy conserving buildings is strongly encouraged including the use of local materials and “small footprints”.
- f. The Local Trust Committee, government agencies, and Island residents are strongly encouraged to consider alternatives to slash burning.

4.1.9 Climate Change Advocacy Policies

- a. Provincial agencies, when considering changes to infrastructure on the Islands, are strongly encouraged to take a “small footprint” approach to any proposals for public infrastructure development. The investigation of opportunities to share resources or develop common facilities is strongly encouraged.
- b. The Province is strongly encouraged to support water conservation, rainwater catchment, and a wider range of options for sewage treatment for dwelling units.
- c. The community is encouraged to build on the community inventory completed in 2009 by developing a method (provided at no charge to each household) for continuing the collection of data on an ongoing basis. The inventory could collect data both on fuel use and estimated GHG emissions, and also record actions that are being taken to reduce GHG emissions, such as the installation of energy efficient stoves, windows, or improved insulation.
- d. The implementation of fuel saving measures at public and community buildings should be investigated by a team of island residents, and new methods proposed to reduce GHG emissions through the use of alternative energy sources.
- e. Education is recognized as the most powerful tool in reducing energy use, and Islanders are strongly encouraged to share their knowledge and assist other levels of government, agencies and Lasqueti Islanders in meeting the goals of this Plan.

4.2 Resource Stewardship

Natural Resources

4.2.1 General Objectives

- a. To conserve forest lands, fresh water supplies, wetlands, foreshore areas, historic and archaeological cultural heritage, and existing agricultural lands.
- b. To ensure wild food resources are harvested sustainably.
- c. To protect access to wild food and other resources of the land and marine environments.

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- d. While recognizing that some exotic species may have value to the community as a source of local food, to minimize the impacts of invasive exotic species on native fauna and flora.
- e. To preserve and support balanced control of the local feral/heritage sheep which are a valued part of the community and its history.

4.2.2 General Policies

- a. Assess and report at least every 5 years the amount of land and marine area in the Lasqueti Trust Area that is in protected status, including a breakdown of the types of protected status, a map of protected areas, and the distribution of ecosystem types under protection relative to their overall abundance in the Lasqueti Trust Area.
- b. Assess and report at least every 10 years the status of land outside of formal protected status in relation to its potential for contributing to conservation objectives outside of protected areas.
- c. Conservation strategies between land, foreshore and sea shall be integrated where feasible.
- d. Initiatives to improve mapping of sensitive, rare and threatened ecosystems, arable land, hazardous land, etc. are supported.

4.2.3 General Advocacy Policies

- a. The Lasqueti Community Association is encouraged to develop a guide for residents on best local practices for stewardship of environmental, historic, archaeological and heritage values.
- b. Scientifically rigorous surveys of important exotic species, in particular feral sheep, are encouraged to estimate population size and to assess local ecological impacts.
- c. Encourage a community-led process to identify a scientifically-based land and marine conservation targets that meet habitat needs for all species..
- d. Ongoing community monitoring of the status of invasive species and of native species potentially at risk is supported.
- e. Private landowners are encouraged to undertake stewardship of their land to maintain natural and semi-natural ecosystems and restore any areas of degraded habitat.
- f. Private landowners are encouraged to take stewardship actions on their land to reduce populations of undesirable invasive species and enhance native species.
- g. Private landowners are encouraged to place conservation covenants on areas with high conservation values.

~~h. The Province is requested to designate all unencumbered Crown land on Lasqueti in a formal protected status.~~

i.h. A community-led process to identify a locally-meaningful definition and designation of agricultural land is encouraged.

j.i. Hydrological watershed planning to protect water supplies and ecosystems is encouraged.

Marine Coastal Areas

The intertidal area is that area from the high water mark to the lowest extremes of low tide. The water area is that area from the lowest extremes of low tide to a point 1,000 metres off-shore. Both of these

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marine coastal areas could be vulnerable to pollution from sewage and industrial wastes. Being highly valued for water-based mariculture, marinas, and other marine commercial enterprises, marine coastal areas are or will be subject to demands which, without compatible land use and sensitive development, could impair the visual and environmental qualities which provide the rural marine atmosphere of the Island. With these factors in mind, policies applicable are:

4.2.4 Marine Coastal Policies

- a. Native flora and fauna should be retained to protect natural habitats of local significance along the foreshore and in the intertidal areas.
- b. The marine environment, including associated riparian areas, should be adequately protected from unreasonable adverse effects or inadequate mitigation measures resulting from development.
- c. Special consideration should be taken to eliminate the possibility of pollution from sewage or from commercial and industrial wastes.
- d. Designation and regulation of the foreshore and marine coastal areas should be designed to preserve and protect the natural environment and character and should recognize the need to dedicate areas of the foreshore for the following purposes:
 - (i) to provide for access;
 - (ii) to protect existing mariculture uses;
 - (iii) to encourage low impact public uses on and along the foreshore;
 - (iv) to provide for public transportation services;
 - (v) to maintain public access to shellfish;
 - (vi) to retain the undeveloped character of the marine coastal area;
 - (vii) to protect marine coastal habitats for conservation purposes with priority given to protection of threatened, rare and high value habitats such as eelgrass beds and other areas that support forage fish ;
 - (viii) to provide for appropriate commercial and industrial uses; and
 - (ix) to retain representative areas of natural foreshore.
- e. The type and use-level of foreshore and coastal water areas can significantly influence the rural/marine character of Lasqueti Island. Uses of Crown foreshore and water areas must be authorized by the appropriate Provincial Ministry, comply with the provisions of the *Navigable Waters Protection Act* administered by the Coast Guard, and also comply with the bylaws of the Local Trust Committee.

4.2.5 Marine Coastal Advocacy Policies

- a. The Coast Guard and other relevant government ministries are encouraged to regulate uses such that:
 - (i) marinas relate to the rural environment and are of small scale, providing appropriate sanitary facilities (and sewage pump-out facilities for boats) for shore and water-based patrons;
 - (ii) marinas are situated away from existing mariculture areas,
 - (iii) mariculture does not take precedence over those areas traditionally used as year round moorage for local vessels; and,
 - (iv) site-specific non-discharge zones are located in the waters surrounding Lasqueti.

Water Source Area

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4.2.6 Water Source Policies

Water source areas are those areas drained by lakes and streams, which provide or potentially could provide fresh water for human consumption and use.

Although no adequate studies have been made of the capacity of the Island to store fresh water, it is apparent that in the natural state the potential is limited; most streams and many wells dry up in the summer. It is doubtful that the existing lakes could supply much more than they do now without impairing the present ecological balance. Until the necessary studies have been completed the following policies should apply:

- a. Watersheds and catchment areas should be protected from contamination and degradation.
- b. Fresh and salt water purity and quality should be protected from contamination and degradation.
- c. The Lasqueti Island Local Trust Committee supports initiatives to monitor groundwater and surface water resources and the related watersheds and catchment areas to assist in future decision making.
- d. Suitable surface water creeks should be identified with the intention of establishing salmon enhancement programs on Lasqueti Island.
- e. Provision of water should be done in ways that minimize environmental degradation. Development of water sources should evaluate all options - dug ponds, rainwater catchment, shallow or deep wells and choose the option involving the least long-term environmental degradation.
- f. Where possible, the Local Trust Committee encourages salmonid enhancement programs to identify and develop measures to protect fishery resources and to assist in restoration efforts.
- ~~g. When applications to log Crown land are referred to the Lasqueti Island Local Trust Committee, the Local Trust Committee should consider examination of the impact of the proposal on water supplies.~~
- ~~h.g.~~ Particular care should be taken to ensure that contamination of the fresh water supply does not occur.
- ~~i.h.~~ Access to or along significant sources of fresh water should be by trail only, except as may be required for purposes of firefighting.
- ~~j.i.~~ Land development adjacent to sources of fresh water should include an environmental impact assessment prepared by the proponent.
- ~~k.j.~~ When fill or debris is placed on land in such a way that it could lead to discharge of deleterious material into a water course, adequate mitigative design and construction measures should be required acceptable to the appropriate Federal and Provincial Ministries.

Water Resources

Both ground and surface freshwater supplies are limited and subject to fluctuation.

4.2.7 Water Resources Advocacy Policy

- a. The Local Trust Committee encourages the appropriate Provincial Ministry to:
 - (i) evaluate and monitor the Island's water resources prior to issuing surface water rights;
 - (ii) establish ground and surface water monitoring programs;

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- (iii) re-evaluate the requirement for drilled well regulations;
 - (iv) encourage surface water and catchments systems as an alternative to drilled wells provided such systems do not degrade the environment;
 - (v) encourage the Ministry to support microhydro electrical systems, including run-of-stream systems, recognizing that such systems are a viable and sustainable source of domestic electric power.
- b. The Local Trust Committee supports watershed planning to protect water supplies and ecosystems.

Recreational Resources

4.2.8 Recreational Resources Objectives

- a. To encourage the creation of parks and recreation areas that are designed and located to provide recreational opportunities in addition to meeting conservation protection objectives.
- b. To promote trail systems throughout the island.
- c. To support the creation of a public trail network throughout the Island.

4.2.9 Recreational Resources Policies

- a. Provision of varied recreation use areas throughout the island that focus on the natural aspects of Lasqueti.
- b. The development of a comprehensive recreation plan should be undertaken that indicates provincial, regional, and community parks as well as trails, public shellfish reserves, and marine and land-based recreation areas.
- c. The Local Trust Committee supports the use of tax incentives that encourage landowners to dedicate trails, parks, and other types of protected areas.

4.2.10 Recreational Resources Advocacy Policies

- a. The appropriate Provincial Ministries with responsibilities and programs for recreation should regulate and maintain recreational activities that are compatible with the Island's rural nature, and provide facilities and supervision where needed to protect from adverse effects.
- b. The Local Trust Committee should request that the Regional District consider conducting regional park studies.
- c. The Local Trust Committee should request the Ministry of Transportation and the qathet Regional District to support the establishment of public outhouses and picnic tables on a site specific basis on public accesses to the foreshore.
- d. The Lasqueti Community Association is encouraged to establish a trails committee to explore options for trail development and maintenance that respects concerns regarding trails on or near private property, and to assemble information on options, risks, and mitigative actions regarding trails on private land.

Cultural Resources

4.2.11 Cultural Resources Objectives

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- a. To ensure respectful treatment, fairness, and equity to past, present and future generations that have and will share and contribute to the environmental and cultural fabric of the Lasqueti Local Trust Area.

4.2.12 Cultural Resources Policies

- a. To recognize the cultural and historical significance the Coast Salish First Nations in the Lasqueti Island Local Trust Area.
- b. To support mutual respect for interests by proactively consulting with local First Nations regarding changes to land-use, zoning designations, and protection of heritage and archaeological resources.
- c. To foster protection and stewardship of archaeological, historic and heritage sites.
- d. The Local Trust Committee will assist, when possible, the responsible Ministry in their efforts to establish and protect sites of archaeological or heritage significance or value.
- e. The Local Trust Committee recognizes that treaty negotiations with First Nations continue to be unresolved and until the resolution of First Nation interests within the Lasqueti Planning Area relationship building and cooperation between the Local Trust Committee and other First Nations may be developed over time.
- f. Avoid or minimize destruction of archaeological sites on Lasqueti Island by:
 - (i) educating the community about Lasqueti’s archaeological heritage and making information available about best practices for heritage stewardship;
 - (ii) ensuring property sales inform new owners of all existing information about archaeological heritage on their property; and
 - (iii) encouraging landowners and builders to assess the presence and extent of archaeological heritage prior to establishing building plans or other developments, and modify development plans accordingly and/or, where damage is unavoidable, mitigate impacts by supporting the recovery of as much information as possible.

4.2.13 Cultural Resources Advocacy Policies

- a. The Local Trust Committee encourages and will assist the Coast Salish First Nations, the responsible Provincial and Federal agencies and the public generally, in their efforts to establish and protect sites designated or valued for heritage and historical significance.
- b. The Lasqueti Island Local Trust Committee encourages both the Federal and Provincial Governments to assist the local community and the Coast Salish First Nations with accurate and comprehensive First Nation assessments within the Lasqueti Island Local Trust Area.
- c. The Local Trust Committee encourages learning about and respecting Indigenous rights to, and uses and management of, land, sea, and resources (past and present).
- d. Community groups and other agencies are encouraged to develop educational material on First Nations rights to, and uses and management of, land, sea, and resources (past and present)

4.3 **Community Stewardship**

The small size of resident and visitor populations, significant areas of vacant Crown land, and the generally undeveloped nature of the Island provide for a variety of land and water-based recreation opportunities.

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Most recreational activities compatible with the Island's rural nature are not yet at levels of use where formal facilities are required or planning and regulatory management is needed to ensure retention of recreational quality that avoids user conflicts.

General

4.3.1 General Objectives

- a. To discourage pervasive and excessive light, noise and air pollution created by residential, commercial or industrial uses, both on land and waters surrounding Lasqueti.
- b. To foster an environment that encourages owners to keep their dogs, domestic pets and livestock under direct control.
- c. To encourage a supportive, healing place to live.
- d. To support sustainable, independent, alternative and affordable lifestyles.

4.3.2 General Policies

- a. The Local Trust Committee should support initiatives that benefit the community wellbeing, its safety, security and comfort.
- b. Public accesses, required as dedication at time of subdivision, may be consolidated to make larger more usable areas and in some cases a trail may be sufficient access to a development. Public access to the foreshore is encouraged to be identified by signs located on the public roads.

4.3.3 Advocacy Policies

- a. The residents of the Lasqueti Island Planning Area prohibit the storage or generation of nuclear materials, nuclear weapons or nuclear energy in the Planning Area.
- b. The residents of the Lasqueti Island Planning Area oppose Genetically Modified Organisms in the Planning Area, including propagation, cultivation, and raising of genetically engineered plants and animals by persons, firms, or corporations.
- c. Further to Transport Canada's recognition that Lasqueti Island and its surrounding area have sensitive habitats for birds and other animals; the community asks that aircraft do not fly low over the Lasqueti Planning Area and the islands within it.
- d. Low Flying aircraft over residential areas of the island are considered intrusive and generate excessive noise that affect residents, the traveling public, and the environmentally sensitive areas of the island; air traffic should be kept at a reasonable height of no less than 610 metres (2000 feet).
- e. To foster an environment that encourages owners to keep their dogs, domestic pets and livestock under direct control.
- f. To explore the establishment of a local land trust for multiple uses, including housing services, industry, recreation and conservation.
- g. The community supports the exploration of a local land trust for multiple uses, including housing services, industry, recreation and conservation.
- h. The Lasqueti Community Association, in cooperation with other agencies as appropriate, is encouraged to develop local, public education about community vision & objectives, emergency preparedness, including forest fire preparedness, regulations, etc.

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- i. The Lasqueti Community Association is encouraged to develop methods for a community-driven dispute resolution process to handle concerns regarding bylaw noncompliance.
- j. The establishment of a monthly food market / food swap is encouraged.

Human Resources

4.3.4 Human Resources Objectives

- a. To foster sharing of community wisdom and locally-applied solutions.
- b. To ensure a positive environment for children.
- c. To ensure that both a physical building dedicated to education and educational opportunities remain on-island.
- d. To encourage and foster volunteerism.
- e. To encourage education and skills development of residents.

4.3.5 Human Resources Advocacy Policies

- a. To foster education about community vision & objectives, personal safety, agreements, regulations, etc.

Resilience

4.3.6 Resilience Objectives

- a. To support cooperative ventures for community services.
- b. To support community-driven dispute resolution to handle concerns regarding bylaw non-compliance.

Housing

4.3.7 Housing Objectives

- a. To encourage the establishment of long-term rental housing, affordable housing, special needs housing and opportunities for Island seniors to age-in-place.
- b. To support affordability and availability of long-term rental accommodations.
- c. To foster the ability of younger people, and people with low and modest incomes, to live on the island.
- d. To encourage resource efficiency of homes (e.g. heating, energy use, water use).

Food

4.3.8 Food Objectives

- a. To encourage local food production, including shared use of arable land, organic methods, and seed saving and sharing.
- b. To support community gardens and local markets.
- c. To support food sharing and food banks.
- d. To encourage opportunities for collaborative food processing and preserving (e.g. dehydrating, canning, smoking, cold cellar).

4.3.9 Food Policies

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- a. Policy 1 The Local Trust Committee should encourage local food production as a significant step to reducing food transportation costs and reducing GHG emissions created by food transport.

4.3.10 Food Advocacy Policies

- a. To support establishment of a monthly winter food market / food swap.

Economy

4.3.11 Economy Objectives

- a. To foster a sustainable local economy that allows people to make a living on the island.
- b. To limit the negative impacts of tourism.

4.3.12 Economy Policies

- a. In recognition of the importance of mariculture to the economy of Lasqueti Island, existing mariculture tenure areas may be designated as a permitted use. No new areas may be designated for long-line mariculture. New mariculture tenure areas will be subject to designation and regulation, based upon the following criteria: the proposed tenure must not have the effect of closing off access to the affected bay; the proposed tenure would not affect shellfish sites, as shown on Schedule B, public shellfish reserves, or access to such sites or reserves; and the tenure application addresses environmental and social effects.

4.4 Community Services

Lasqueti has developed the level of services required to support its small resident and visitor population. Regional service provision, including Waste Management, is subject to the qathet Regional District Purchasing Bylaw and purchasing requirements.

General

4.4.1 General Objectives

- a. To encourage the provision of adequate and appropriate services and amenities on the island.
- b. To maintain infrastructure at a reasonable level consistent with a rural community.
- c. To create new and maintain existing walkable public access to foreshore.

4.4.2 General Policies

- a. The road system of Lasqueti Island should be safe and in keeping with the rural nature of the community.
- b. Community services should provide a level and be conducted in a manner appropriate to the Island's needs.
- c. Minimum parcel size regulations should not apply to community service lands.
- d. A precautionary approach should be used when considering additional and more sophisticated service facilities as they typically have significant associated costs.
- e. Public outhouses and picnic tables should be established on a site specific basis.
- f. The Trust Committee shall consult on an annual basis with School District #69.
- g. Sites on Lasqueti Island should be identified and established as emergency helicopter landing pads.

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4.4.3 General Advocacy Policies

- a. Residents are encouraged to remove their own derelict vehicles.
- b. The abandonment of vehicles on public right of ways or Crown Land is acknowledged as a socially irresponsible action and not endorsed by the community.
- c. The Local Trust Committee, Ministry of Transportation, Regional District, RCMP, businesses and residents should combine efforts to coordinate the removal of unwanted and derelict vehicles on a regular basis.
- d. The Ministry of Transportation is requested to assist with temporarily moving and storing of vehicles prior to transportation off island.
- e. Residents are requested to keep their derelict vehicles on their property until an opportunity to remove them from the island occurs.
- f. The qathet Regional District will adopt, amend, or repeal regional service establishment bylaws, or initiate withdrawal of a service, only with full consultation and support of the Community.
- g. The Lasqueti Internet Access Society should engage with the public on a site-specific basis around the erection of new local communication towers.
- h. The qathet Regional District Electoral Area Director representing Lasqueti Island should only consent on behalf of the electors to approval of a new regional service, or to significant modification or amendment of a regional service, if there is evidence of a clear majority of community support to justify not seeking approval via a referendum or an alternative approval process.
- i. The qathet Regional District Electoral Area Director representing Lasqueti Island should only initiate withdrawal of a regional service if there is evidence of a clear majority of community support for such withdrawal.

Transportation

4.4.4 General Transportation Objectives

- a. To maintain a foot passenger only ferry system.
- b. To ensure that the road system is designed, built and maintained in keeping with the rural character of the island.
- c. To reduce dangerous driving and speeding.
- d. To reduce dust created by vehicle traffic.
- e. To increase human powered transport including bicycling and walking.
- f. To support electric vehicle charging stations.
- g. To support a plan for short- and long-term parking in False Bay.
- h. To support local public and shared transportation options.
- i. To support the public ownership and maintenance of roads and trails.
- j. To provide appropriate public access to beaches and public water bodies.
- k. To support establishment of public access to marine foreshore and fresh water lakes.

PROPOSED

4.4.5 General Transportation Policies

- a. It is recognized that islands and islets within the Lasqueti Island Local Trust Area, excepting Lasqueti Island, do not have direct access to public roads or ferry service and that some waterfront parcels on Lasqueti Island were created without access to public roads. In these situations access from the water is needed and should be considered sufficient.
- b. The community recognizes that the existing foot passenger type of ferry system has partly contributed to the rural character of the community and should remain as foot passenger only in the future.
- c. Car-pooling, communal, and other alternative forms of transportation should be used by the community and visitors to reduce the overall number of vehicles and traffic on the island.
- d. Business should be supported to provide and maintain an adequate and appropriate regular marine freight service.

Docks, Boats, Wharves, and Boat Ramps

4.4.6 Objectives

- a. To ensure continued government ownership and environmentally-sound upkeep of public docks.
- b. To encourage the communal use of docks and boat ramps and to limit the number of private docks and boat ramps located along the foreshore in order to alleviate cumulative ecological damage.

Boats and Maritime Vessels

4.4.7 Boats and Maritime Vessel Policies

In order to reduce the overall number of private docks and boat ramps located along the foreshore and alleviate the ecological damage that can be caused by the proliferation of private docks and boat ramps, communal private docks and boat ramps are encouraged and may be considered on a site specific basis. The development of regulations to permit such joint co-operative facilities should ensure that the communal facilities would not have the effect of closing off access to any one bay and that environmental and social effects would be addressed.

- a. In order to ensure that supplies reach Lasqueti Island, the development of barge, boat, and multi-use ramps accessible to all barge operators may be considered on a site specific basis. Because barge service is essential to the community, the Local Trust Committee should hold community discussions to explore possible locations and means to establish a public barge ramp.
- b. Development of additional barge ramps accessible to all barge, boat, and multi-use operators should be subject to designation and regulation. In considering an application for a barge ramp, environmental and social effects should be addressed.
- c. Hours of operations should be included in barge ramp Crown lease referrals.
- d. In recognition of the importance of providing suitable boat access for all residents, public boat ramps may be considered on a site specific basis through zoning. Development of public boat ramps should be subject to designation and regulation. In considering an application for a public boat ramp, environmental and social effects should be addressed.

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- e. Private docks may be considered on a site specific basis in the Marine General (M-2) zone. In considering an application for a dock, environmental and social effects must be addressed. Structures should not be sited or extended towards the sea beyond 37 metres (120 feet) from the surveyed high water mark or where no plan exists, from the natural boundary of the sea.
- f. In order to reduce the overall number of docks located along the foreshore, and thereby alleviate the ecological damage that can be caused by the proliferation of docks, private boat ramps may be considered on a site specific basis in the Marine General (M2) zone. In considering an application for a boat ramp environmental and social effects must be addressed and the environmental effects of both private docks and boat ramps should be considered and the alternative with the least environmental impact chosen. Structures should not be sited or extended toward the sea more than 21 metres (70 feet) from the surveyed high water mark or where no plan exists, from the natural boundary of the sea. Applicants must submit proposals for construction of docks and boat ramps to the Department of Fisheries and Oceans Canada, as per the federal *Fisheries Act*, for review.
- g. Installation of a breakwater should be subject to designation and regulation to allow the community an opportunity to consider all effects. In considering an application for a breakwater, the following criteria must be satisfied: the breakwater must not reduce the area available to the public for mooring buoys and/or anchorage; the breakwater must not close off public access to the affected bay; the applicant addresses environmental and social effects; an environmental impact assessment is completed for the proposed breakwater; and a qualified registered engineer attests to the design of the breakwater.

Ferry Service

4.4.8 Ferry Service Advocacy Policy

- a. The Local Trust Committee encourages that the appropriate Ferry Corporation, its agents, and private operators:
 - (i) maintain foot passenger service on a five/six days per week schedule;
 - (ii) expand the freight capacity;
 - (iii) continue to work with the locally established ferry committee;
 - (iv) Hold public meetings on Lasqueti to discuss any major proposed changes in ferry service.

Road System

4.4.9 Road System Advocacy Policy

The road system and the standards to which it is constructed and maintained are key elements in preserving the rural character of Lasqueti Island.

- a. The Local Trust Committee encourages the appropriate Provincial Ministry to utilize road standards which reinforce the rural character of the Island, by:
 - (i) following the Letter of Agreement for Road Standards between the Islands Trust and the Ministry of Transportation;
 - (ii) employing road designs conforming with topography in order to minimize cutting and filling;
 - (iii) protecting or maintaining natural vegetation alongside roads, excepting that which directly obstructs user visibility;
 - (iv) consulting with the Local Trust Committee before commencing any major road construction or improvements;

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- (v) encouraging the Ministry of Transportation to ensure that gravel extracted from Crown lands is used for local roads;
- (vi) identifying foreshore accesses by locating signs on the public roads;
- ~~(vii) ensuring that any applications for new roads across Crown lands be referred to the community through the Local Trust Committee;~~
- ~~(viii) ensuring all road maintenance contract crews consist of local residents.~~

Communications

4.4.10 Communications Objectives

- a. To ensure that all commercial broadcast towers are built only with community consultation and approval.
- b. To support basic local infrastructure and services such as fire department and local communication systems.
- c. To ensure community control over the management of local services and communication system.

4.4.11 Communications Advocacy Policies

- a. The establishment of broadcast and transmission towers and facilities within the Lasqueti Island Planning Area is not supported without consultation and accommodation of community interests by the appropriate government, through a rezoning process of lands in question.
- b. Communication companies should continue the practice of placing telephone wires underground or at grade and should follow the same practice for electrical wires in the event that electrical service is extended to Island properties.

Health Care

4.4.12 Health Care Objectives

- a. To support provision of appropriate health care services only with full consultation of the community.

Garbage Disposal

4.4.13 Garbage Disposal Objectives

- a. To ensure waste disposal meets or exceeds ministry requirements.
- b. To manage services locally as much as possible with service provision by, and employment of, local residents.
- c. To establish, modify, provide, and withdraw services, including regional services, only with full consultation of the community.
- d. To ensure services have high value relative to cost.
- e. To emphasize educational efforts that support Lasqueti moving towards zero-waste.
- f. To support initiatives that help people take responsibility for removing large waste items such as derelict cars and boats, appliances, etc.

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4.4.14 Garbage Disposal Advocacy Policies

- a. The Local Trust Committee encourages the appropriate Provincial Ministry and the qathet Regional District to:
 - (i) ensure regulatory compliance occurs; and
 - (ii) promote recycling.
- b. The Freestore should be kept open and maintained as part of the qathet Regional District Waste Management service consistent with the qathet Regional District Solid Waste Management Plan.
- c. The qathet Regional District, in cooperation with the community, should create a comprehensive educational plan that encourages reduced consumption and net solid waste, maximizes reuse, repurposing and recycling and ensures waste and recycling reach appropriate destinations consistent with the qathet Regional District Solid Waste Management Plan.

Sewage Disposal

4.4.15 Sewage Disposal Advocacy Policies

- a. The Local Trust Committee encourages the appropriate Provincial Ministries to:
 - (i) prohibit outfalls of untreated sewage;
 - (ii) consider the cumulative effects of many septic tanks in one area;
 - (iii) examine and encourage alternate approaches to sewage treatment and disposal;
 - (iv) develop and implement monitoring and testing programs for all existing septic systems; and
 - (v) encourage improved information and education about appropriate human waste disposal methods.

Utilities

4.4.16 Utilities Advocacy Policies

- a. The Local Trust Committee encourages:
 - (i) the appropriate Provincial Ministry and any company to avoid routings on Lasqueti for high tension electrical transmission lines and pipelines intended for large scale movement of fuels.

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PART 5 LAND USE

5.1 Land Base (LB)

Lands within the Land Based designation can include agricultural, residential, commercial, or industrial uses.

Residential Land Use

The Lasqueti community wants to ensure that the existing patterns of low density land use and sustainable self-sufficient lifestyle continues.

5.1.1 Objectives

- a. To ensure that subdivided parcels provide adequate resources (firewood, freshwater, soil, etc.), waste assimilation capacity (e.g. greywater), and are capable of supporting a variety of possible sustainable lifestyles.
- b. To maintain existing low-density subdivision and land use rules in order to protect and preserve our natural environment.
- c. To maintain and encourage a pattern of low-density, low-impact land-use that supports sustainable, self-sufficient lifestyles.
- d. To encourage the establishment of owner-operated, small-scale, low intensity home based enterprises that prioritize having minimal impacts on neighbours, shared infrastructure, and environment.
- e. To ensure residential development is self-sufficient in terms of freshwater and self-contained sewage disposal.
- f. To ensure appropriate access to parcels is provided, taking into account special features such as water courses, old-growth trees, wildlife and topography, and existing trails and roads.
- g. To ensure home enterprises are in harmony with the rural residential neighbourhoods.

5.1.2 Policies

- a. A pattern of low density residential land use should apply. Parcels should be at least 4 hectares (9.88 acres) in Subdivision District A, at least 8 hectares in Subdivision District B (19.77 acres), and at least 65 hectares (160.61 acres) in Subdivision District C as indicated on Schedule C of the Lasqueti Land Use Bylaw.
- b. Dwellings are meant for long term residential use occupied by the owner or a renter on a long term basis.
- c. Guest cabins and short-term vacation rentals are not intended to be used for long term residential purposes.
- d. Home enterprise may be conducted on any parcel but should not cause pervasive intrusions on the peaceful enjoyment of nearby properties that exceed or differ from what would otherwise be experienced if the property was used for rural residential purposes.
- e. Subdivided parcels of land should be able to have a garden area and woodlot.

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- f. Residential lots should have a source of fresh water and sufficient capacity for appropriate sewage disposal.
- g. Surface water and catchments are encouraged as an alternative to drilled wells, provided that such systems do not degrade the environment.
- h. Where access to the sea or a strip of Crown land contiguous to the sea is required at time of subdivision, such access should be located to provide physically convenient access to and from coastal areas for public uses such as barge ramps, boat ramps, recreation or slipways. Where roads are either not feasible or desirable, public walking trails should be required as an acceptable substitute.
- i. For each dwelling permitted, normally associated accessory buildings and structures plus a guest cabin should be permitted.
- j. Strata title subdivisions should provide sufficient individually or commonly owned land such that each owner has a sustainable living unit.
- k. The Lasqueti Island Local Trust Committee will seek to ensure that the subdivision of properties that border public water bodies requires provision of public highway access that is appropriately located to meet the objectives of the Lasqueti Island OCP.

5.1.3 Advocacy Policies

- a. All levels of government are encouraged to assist interested land owners and residents with enhancing resource management practices and conserving natural areas on their holdings.
- b. Other government agencies with responsibilities and expertise in the resource management disciplines and in the taxation or economic regulatory sections are encouraged to assist private land owners interested in implementing environmentally sensitive, long term economic resource management practices; all levels of government are encouraged to implement tax incentives for voluntary conservation on private lands.

Commercial and Industrial

It is unlikely that major commercial development on Lasqueti and its surrounding islands and waters will occur due to the limited local market. Nevertheless, some local commercial development exists and there could be additional development to serve the day-to-day needs of residents and visitors. Existing commercial enterprises vary in their use on a parcel of land from a low density to high density, such as exists at the hotel site located at False Bay. With regard to the existing hotel site density, only new land use proposals of a reduced density will be considered. Furthermore, one existing retail commercial enterprise has two residences located on the same parcel of land. In this case the residential density is considered an exception; new commercial enterprises should not be given that same zone.

Rural character and scale, low site coverage, adequate setbacks and the provision of off-street parking are important considerations in maintaining an acceptable scale and rural nature of development.

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5.1.4 Objectives

- a. While recognizing the benefits, to minimize the negative environmental and social impacts of agriculture, forestry, mariculture, and other industry;
- b. To encourage agriculture, forestry, mariculture, and industry are practised in a sustainable manner;
- c. To promote use and development of the land that is in sympathy with the landscape and that makes the most of each site's natural characteristics;
- d. To ensure appropriate industrial and commercial ventures are permitted that are respectful of the residents of Lasqueti Island (e.g. noise, light, air quality, traffic).
- e. To encourage ecologically based stewardship and sustainable use of renewable resources.
- ~~f. a. While recognizing that some exotic species may have value to the community as a source of local food, to minimize the impacts of invasive exotic species on native fauna and flora.~~
- ~~g. a. To preserve and support balanced control of the local feral/heritage sheep which are a valued part of the community and its history.~~

5.1.5 Policies

- a. Economic and industrial undertakings should have limitations and development control on the Island in such a way that existing ecosystems are maintained for the benefit of future generations.
- b. Economic activities should provide adequate sewage disposal systems that prevent contamination or degradation the environment.
- c. Hazardous industries including the transportation, handling, storage and use of radioactive materials or other dangerous or toxic materials in bulk are prohibited in the Lasqueti Island Local Trust Area; bulk storage of gasoline, kerosene, diesel fuel, propane, and similar fuels intended for utilization by the residents and visitors are accepted.
- d. The siting of commercial and industrial buildings should be at reasonable distances from lot lines to ensure a degree of privacy and the quiet tranquillity consistent with a rural environment.
- e. Alternatives to drilled wells are encouraged to provide freshwater.
- f. Rezoning procedures for commercial and industrial application proposals are contained in the development procedure bylaw of the Lasqueti Island Local Trust Committee; such proposals should be referred to the Advisory Planning Commission for review prior to final consideration by the Lasqueti Island Local Trust Committee.
- g. A range of commercial and industrial activities are permitted as home enterprise. The scale of home enterprises should be regulated to control impact.
- h. Existing established businesses which do not have adequate off-street parking at the adoption date of this Bylaw may continue to operate without the provision of such parking facilities; any expansion of such a business must conform to the parking standards of this Bylaw.
- i. The owner or operator of an existing home enterprise who proposes to expand a business beyond the scale of a home enterprise should apply for a rezoning or a Temporary Use Permit.
- j. In the review of commercial and industrial zoning applications the applicant should provide:
 - (i) adequate off-street vehicle, motorcycle and bicycle parking;

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- (ii) adequate fire protection measures;
- (iii) adequate proof of sewage disposal capability;
- (iv) adequate potable water supply and water conservation measures;
- (v) a plan showing:
 - o location and size of all buildings;
 - o the extent of the clearing of the area proposed to be zoned;
 - o that rural character is retained: setbacks of buildings, structures, parking, septic fields, sewage, sink waste or any other waste disposal system from lot lines;
 - o road rights of way;
 - o proposed and existing screening;
 - o location of outhouse/toilet facilities for public use, if appropriate;
 - o locations planned for sources of power generation;
 - o location of waste disposal specifying provisions for organic, inorganic and toxic wastes;
 - o high tide marks, lakes, watercourses, springs, swamps or sources of potable water;
- (vi) A narrative document describing:
 - o how the rural character, scale, and density of development is in keeping with the character of the surrounding properties;
 - o measures to reduce noise levels;
 - o planned hours and days of operation (in particular any noise-making sources, e.g. cars, generators, machinery);
 - o consideration of effect on island and neighbourhood services, ferry, phone, water sources, roads and traffic noise, and visual impact; and
 - o how the proposal is compatible with objectives of this Bylaw.
- k. In recognition of the need for a place to store derelict vehicles that accumulate in the Local Trust Area, a vehicle holding compound may be considered on a site specific basis and will be subject to designation and regulation to allow the community an opportunity to consider all effects. When considering an application the following criteria must be satisfied: a screened buffer, appropriate setbacks from all property lines; protection from runoff of vehicle fluids; cost/benefit considerations; and environmental and social effects.
- l. In recognition of the need for gravel for residence, gravel extraction is allowed. Extraction beyond 3823 cubic metres (5,000 cubic yards) within a three-year period should be discouraged unless permitted in a commercial or industrial zone; gravel extraction activities and applications should be consistent with Policy 10 of this Section.
- m. The Local Trust Committee supports small-scale, organic and natural or low-input farming agriculture that contributes to the Island by developing local sources of farm products, maintaining the rural landscape and providing opportunity for development of individual initiative and self-reliance for the betterment of the community as a whole.
- n. In recognition of the need for a place to park vehicles, a commercial parking lot may be considered on a site specific basis and should be subject to designation and regulation after a community process has considered implications; when considering an application for a commercial parking lot the following criteria should be considered: setbacks from all property lines; protection from runoff of vehicle fluids, and environmental and social effects.
- o. Commercial and industrial activity should support forestry that utilizes practices sensitive to aesthetic, environmental, and social values, can contribute a modest source of revenue to private land owners while retaining land values, enhancing forest productivity, and supplying on-site fuel wood and other forest-related benefits.

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- p. The Local Trust Committee should support proper utilization of marine resources in the Lasqueti Trust Area for mariculture that provides employment and other economic benefits to the community while retaining traditional resident and visitor access to marine resources and year round moorage.
- q. Commercial and industrial undertakings often may not require or need long term zoning provisions; as such Temporary Use Permits may be considered in the Land Use Bylaw.
- r. This plan does not support the establishment of destination gaming facilities such as casinos and commercial bingo halls.
- s. The zoning bylaw may provide a zone in which short-term vacation rentals may be used for short-term visitor and tourist accommodation on a commercial basis.
- t. When rezoning to allow for short-term vacation rentals the Trust Committee should consider at a minimum matters of density on individual lots, water and sewage capacity available for tourist accommodation and the affect such a rezoning may have on the adjacent neighbourhood and the Island overall.

5.1.6 Advocacy Policies

~~a. The Lasqueti Island Local Trust Committee encourages Islands Trust Council to develop a protocol agreement with the Ministry of Energy and Mines such that the Ministry does not grant permits for the manufacture of gravel without community input.~~

b.a. The Lasqueti Island Local Trust Committee encourages the Ministry of Energy and Mines to require any applicant requesting a permit for extraction or processing of 3,823 cubic metres (5,000 cubic yards) or more gravel to have commercial or industrial zoning at the site of the proposed gravel operation, and that an adequate monitoring program be in place to ensure that extraction or processing permits are diligently adhered to; processing includes the manufacturing of gravel by means of rock crushing, blasting and sorting.

~~e.b.~~ The Local Trust Committee does not support the extraction of gravel for any use outside of the Lasqueti Island Local Trust Area.

~~d.c.~~ The Local Trust Committee supports the promotion and maintenance of appropriate preservation and protection of agricultural programs, as well as the Province's creation and administration of the Agricultural Land Reserve mandated to protect and preserve agricultural land.

~~e.d.~~ The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to revise existing Agricultural Land Reserve (ALR) boundaries to reflect actual agricultural capability, considering factors such as slope, aspect, drainage, and soil texture and depth.

f.e.

~~g.f.~~ The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to recognize conservation of ecosystems as an important and valid use of Agricultural Land Reserve lands on Lasqueti Island and to support the establishment of nature reserves and the registration of conservation covenants on ALR lands with high conservation value

~~h.g.~~ The Lasqueti Local Trust Committee encourages the Agricultural Land Commission and Ministry of Agriculture to recognise that large-scale commercial agriculture is not necessarily the most productive use of ALR land on Lasqueti Island, and that successful food-production

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on Lasqueti Island is labour-intensive and often involves areas of 0.5 to 5 ha under cultivation. Restrictions on parcel sizes and residential density within ALR land on Lasqueti Island should be based on consideration of the benefits of small-scale farming and homesteading.

i.h. The Local Trust Committee encourages the appropriate Ministry to promote the implementation of forestry practices which preserves land quality and the forest base for future generations.

j.i. The Local Trust Committee encourages the appropriate Ministries to only support mariculture that:

- (i) avoids displacement of local vessels from traditional year round moorage areas;
- (ii) retains public access to beaches and natural marine resources;
- (iii) establishes public shellfish reserve areas;
- (iv) minimizes conflict with other land uses;
- (v) allows for the monitoring of impacts on other marine resources.

k.j. To consider short-term vacation rentals as commercial activities, and as distinct from long-term rentals.

Hazardous Conditions

The low density of development should help avoid the necessity for developing in hazardous areas by creating parcels of sufficient size to afford alternate building sites within the parcel.

5.1.7 Objectives

- a. To limit development in areas subject to hazardous conditions.

5.1.8 Policies

- a. Development on lands known or suspected to be subject to flooding, landslide, avalanche or other hazardous conditions should be limited, unless protective measures are taken to prevent any detrimental consequences such as damage to property or risks to inhabitants.
- b. If the need arises for further identification or more precise delineation of hazardous areas, studies will be requested from the appropriate agencies or initiated by the Lasqueti Island Local Trust Committee.

5.2 Marine (M)

The complex geography and geology of Lasqueti Island and surrounding islands and waters have produced a tremendous diversity of coastal and marine habitats. Unique relationships exist between terrestrial, fresh water and marine areas; as a result, coastal ecosystems are the most diverse and productive of all ecosystems. Significant recreational, commercial, industrial and residential activities occur within the shoreline area and this sensitive area is under intense pressure from development and human activity.

The Marine land use designation is intended to implement the Objectives and Policies related to Marine Coastal Areas.

5.3 Parks and Protected Areas (PPA)

Scenic qualities provide a rural setting and pleasant pastoral views throughout Lasqueti Island. Voluntary stewardship of land is the primary means by which this feature of island living is maintained. Protection

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of environmentally sensitive areas and at-risk species and their habitats and significant natural sites is a fundamental Islands Trust policy.

The Protected Areas land use designation is intended to implement the Objectives and Policies related to Conservation and Recreation.

5.4 Crown Lands (CL)

The Lasqueti Island Local Trust Area lies within the Coastal Douglas-fir (CDF) biogeoclimatic zone, one of the most heavily modified of the 14 biogeoclimatic zones in British Columbia. Approximately half of the CDF zone has been converted to uses such as agriculture and residential development that permanently remove the natural ecosystems. Less than two percent of the CDF zone is in a protected area and only about one percent of the original extent of the old growth forest.

The Lasqueti Island Local Trust Area has significant areas of Crown land, including some of the largest undeveloped and unroaded blocks of land remaining in the CDF. Some areas have never been logged and others, with mature second growth, have good potential to develop into old growth. The Crown lands on Lasqueti Island have very high conservation value because they can contribute to conservation of provincially significant rare and uncommon ecosystems including Douglas-fir old growth forests; Douglas-fir/Arbutus forests and other ecosystems that are under-represented in the British Columbia's protected area system.

The Lasqueti community believes that the public of British Columbia realizes the greatest benefit from these Crown lands is as large parcels with low density and minimal development.

Among other strongly expressed reports and forums, the Crown Land Task Force presented a report in 1991 to the Lasqueti Island Local Trust Committee containing recommendations for the use of Crown lands in the Lasqueti Local Trust Area. The Local Trust Committee refers to this report as an indication of the community's desires concerning the use of Crown land before making any recommendations to the Ministry responsible for Crown lands.

The following section is divided into two areas: General and Access On and Across Crown Land.

5.4.1 Objectives

- a. To preserve Crown lands for public enjoyment and community use.
- b. To take into account the conservation values on Crown Lands as the primary consideration in decision making.
- c. To retain Crown Lands as intact large parcels with limited, low impact, and low risk development.
- ~~d. To take into account the conservation values on Crown Lands as the primary consideration in decision making.~~

General

5.4.2 General Policies

- a. Increasing net density of Subdivision District C lands should not be permitted.

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b. Development on Crown lands including, but not limited to, gravel extraction, road construction or community facilities must be compatible with overall conservation values.

~~c. Crown land parcels should remain largely undeveloped to ensure maintenance of a greenbelt.~~

~~d. Upon receipt of Crown land referrals, the Local Trust Committee should hold community discussions to allow for comment on the referral.~~

5.4.3 General Advocacy Policies

a. Land and Water BC is requested to add provisions in any approved license of occupation for boat, barge and multi-purpose ramps that certain hours of operation be specifically mentioned and adhered to.

b. Land and Water BC is requested to offer the community first opportunity to acquire Crown land parcels prior to them being sold to private interests.

c. Public access to the foreshore should be identified by signs located on the public roads.

Access On and Across Crown Land

Applications for permission to construct a road across Crown land where no road currently exists, or to upgrade an existing road not currently in regular vehicle use, must be made to the appropriate Provincial Ministry prior to any construction.

Several types of roads occur on Crown land. Some roads are currently in regular use for vehicle access to private lands or as access to timber. While some unused roads are noted on official Crown land maps, many old logging roads, skid trails, and footpaths are not noted on the same maps.

5.4.4 Access On and Across Crown Land Policies

a. Where an existing road on Crown land is currently in regular use for vehicle access to private lands and where no other legal land access exists, the community supports the granting of secure, long-term permission for landowners to continue such use and to maintain the road in drivable condition. Landowners should continue to maintain such roads in a condition that is compatible with conservation and community values.

b. It is recognized that in some instances the only road access to private lands is across Crown land. Access to the private land is important for fire prevention, personal safety, as well as enjoyment of the private property by the resident; however, where these accesses are used they should be compatible with conservation and community values.

c. Where permission for road access across Crown land is granted, such roads should generally follow the routes of any existing roads, except as necessary to avoid sensitive terrain and ecosystems, in order to prevent the environmental impact of creating new routes.

d. Trails and unused roads on Crown land should remain as foot trails where they are compatible with conservation and community values.

e. The Local Trust Committee shall consider the need to maintain community values, including conservation values and the interests of the land locked landowners, when providing input to the appropriate jurisdiction on applications for access across Crown land.

5.4.5 Access On and Across Crown Land Advocacy Policies

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- a. The Local Trust Committee encourages Land and Water BC to maintain the current greenbelt function that exists on Crown Lands by accommodating a variety of land uses and ensuring their regulations are adhered to.
- b. The Local Trust Committee requests that Land and Water BC seek input from the community prior to changing uses on Crown Land.
- c. Land and Water BC and other appropriate Provincial Ministries should keep trails and disused roads located on Crown land to remain as foot trails.

PROPOSED

SCHEDULE B LAND USE DESIGNATION MAP

Heather Kauer

From: Peter Johnston
Sent: Monday, September 20, 2021 10:08 AM
To: Heather Kauer
Subject: input on OcP draft

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Heather,

Here is my input on the current draft of our Lasqueti OcP. I apologize that it's long and detailed. I'm starting with the important issues, and will carry on to the minor ones. I thank you for your consideration and look forward to your knowledge and advice on these issues.

Organization of the OcP: I find it very difficult to read and understand the OcP for several reasons:

1. The OcP seems to begin at Goals on page 75 of the August 13 LTc agenda package. That's where the draft begins to talk about what the community desires and wants in the future. Nearly all the content before this is introductory or background material, which, though important, does not reveal much about the goals and desires of the community.
2. #3 Schedules on p 62 of the package says that Schedule A is the Official community Plan. The table of contents says that the OcP begins in Part 3, on page 72 of the package. The first part of this section contains many things that I do not consider to be part of the OcP, because they are also introductory and explanatory, but not at all about what the community wants. Examples of this are the community context, including the census data, the list of previous elected trustees from Lasqueti, and the section on What is an Official community Plan?
3. It would be far simpler to read and understand our OCP if the objectives were organized around the community's goals, and under each objective the relevant policies and advocacy policies were listed. Listing all the objectives and then all the goals (and then all the advocacy policies) makes it much more difficult than necessary to read and understand what the community wants, and how the policies relate to objectives, and vice versa. I request that a reorganization on this principle be undertaken before we proceed with further work and engagement with the public. Possibly this is part of the new Trust style guide or model for OCPs, which we haven't seen yet.
4. There are a considerable number of repetitions of policies and advocacy policies. Some sections of the OCP are written in a different voice or style than the rest of it, which seems a bit odd and could be confusing or misleading. A good editing job needs to be done before we proceed further, I believe.

Other fairly major questions and issues:

2.7 Amendment Procedure says, in its final sentence, "All amendments to this Plan shall be in keeping with the goals and objectives of this Plan." Does this mean that only minor changes can be made? What if a major change in an objective or a new objective is desired? An a major change be made, outside a comprehensive OCP review, and going through a lengthy process?

2.9 Compliance seems to be an issue for and about our Land Use Bylaw. I don't know what it's doing in our OCP, and I think it should be removed. The same is true for section 2.10 Owners Costs – there are no reports, etc. required under the OCP, so it's irrelevant. Possibly section 2.9.2 Inspection is relevant and should be left in.

Opinions and questions about a lot of points (mostly objectives or policies) of the OCP, starting at the beginning and working to the end:

P62

3. Schedules Schedule A – Official Community Plan Is Schedule A really the OCP?

P2/67

1.4 Island Concerns and Issues 3. Conservation of agricultural lands, forest lands, fresh water supplies, and foreshore areas; I think that the list should also include wetlands, in addition to or possibly instead of fresh water supplies.

1.5 Consultation last paragraph Is “final” needed or useful?

2.10 Owners Costs No reports, etc. are called for or required by the OCP. This section should be omitted from the OCP

2.11 Many of the “definitions” are vague and not very useful. A few of them will come up in comments below. All should be reviewed, I believe. e.g. long term rentals should specify that these are long term rental agreements, with the rent paid monthly and rental to be ongoing until one of the parties gives notice to end the rental agreement.

P7/72

Part 3 Official Community Plan Introduction first paragraph, last sentence “responsible for” should replace “with” so that it reads “Advocacy policies are included to encourage and guide decision makers responsible for matters outside of the authority of the Local Trust Committee.”

First bullet in Introduction include “and the Lasqueti community” at the end, or possibly substitute the community for the LILTC.

Community Context first paragraph Include list of other Nations with connections to and interests in the Lasqueti Trust Area, on land or the surrounding waters. Saying that Coast Salish people have lived on Lasqueti seems to imply that they still live here, or have been here in recent times.

Second paragraph It is true that “The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area.” However, the language, place names, village sites, cultural and sacred sites on Lasqueti (like most or all of the Trust Islands) are almost totally unknown by current residents. As we make connections with First Nations Peoples (some of whom are not Coast Salish) and get to know them, we will learn more.

P9/74 The list of past Lasqueti trustees should be in the introduction or an appendix, not in the OCP section.

What is an Official Community Plan? This should clearly be in the introduction.

P10/75 Goals This is pretty clearly the beginning of the OCP The goals are not very clearly stated. I suggest:

Goals

The Lasqueti community wishes to maintain a rural island community where the Island people’s privacy and freedom are preserved;

The integrity of the island ecosystem is maintained;

Agricultural lands, forest land, fresh water supplies (wetlands?), and foreshore areas are conserved and protected; and Local employment, consistent with the protection of the community and natural environment, is provided.

I'm not sure who would be responsible for providing local employment. Surely not the LTC or the Trust. Perhaps this needs further thought.

Approach The approach is said to be that of the Bylaw. Should it not be of the community, or the Lasqueti Trust committee, or both?

P11/76 3.1 Environmental Stewardship second paragraph. In fact, the section is divided into four areas: General, Conservation, Consumption and Pollution, and Climate Change objectives.

General Objectives

Objective 2 – should avoiding contamination of land be added, too?

Objective 3 – I suggest deleting words “human use and”

Objective 8 – what proportion of the land being protected will be sufficient?

Minor editing and proof-reading comments:

Policy 11, p12/77, upper case S in not needed in Support

P14/79 3.2 Resource Stewardship Natural Resources General

Objective 2 rephrase as “are not harvested unsustainably”, or it sounds like we require them to be harvested.

Objective 3 What does this mean?

General Advocacy Policies

Advocacy policy 2 – remove the parenthetical phrase. It's not appropriate to recommend LINC.

Advocacy policy 9 – this isn't an advocacy policy, as it is directed to the community. It should be a policy.

P15/80 Marine Coastal Areas

This section comes from decades ago, when mariculture and aquaculture were going to be a huge economic driver of coastal prosperity. It is more or less irrelevant now in this formulation. There are many values that should be preserved: habitat, ecological processes, erosion & sedimentation, etc.

Any right to private use of the foreshore alienates the common area from public use and enjoyment, and should be done only carefully and thoughtfully.

Policy 3 – should also mention other sources of pollution, such as oil and fuels and other spills on or into the ocean.

Policy 4 – why is part of this emphasized by underlining?

Policy 5 – this reads like an information note. It doesn't seem like a policy to me. What does the LTC and the community want, or not want?

P16/81 Water Source Area Water Source Policies

Policy 5 - Deep/drilled wells have the highest probability of seriously affecting or degrading the water availability, as the volumes available are hard to monitor and adjust to. They are also a conduit for surface waters and contaminants to enter the groundwater rapidly and uncontrolled.

Policy 6 – Salmonid enhancement measures mostly enhance fishery resources, though protection of them is important, too

Policy 7 - Are applications to log crown land referred to LTC? If they are, how are the responses formulated? From staff? From LTC?

Policy 9 – Are not these sorts of issues regulated by our Riparian Area Regulations? Is this policy needed?

Policy 10 – Does this mean upon subdivision application? Is it possible to require an EIA? Should it specify the type of fresh water source this policy applies to?

Policy 11 – Is fill or debris allowed to be deposited anywhere on a person's property? Is this something we should consider regulating? If not, this should be an advocacy policy, shouldn't it?

Water resources Advocacy Policy – Is this section compatible with the recently new B water act? Should we refer this to William Shulba?

Recreational Resources

Objective 1 – do we really want to encourage provision of recreational resources? Like camping? Should we not limit or define which sorts we want?

Objectives 2 & 3 are repetitive and should be combined.

Advocacy Policy 2 – I believe that the qRD does include Lasqueti in its parks function, including planning and parks studies.

P18/83

Cultural Resources

Policy 2 – Does the LTC or the Trust have any current role in protection of heritage and recreational “resources”?

Policy 4 - Should not this simply say protect archaeological and heritage sites, without qualifying it to include only significant or valued ones?

Policy 5 - Relationship building and cooperation, both by LTC and the community, should not be linked to treaty negotiations. We should show respect and build relations.

Policy 6 – final bullet: damage is always avoidable

3.3 Community Stewardship

Introductory paragraph – it would probably be a good idea to list the recreational activities available on Lasqueti land and surrounding waters.

Objective 1 – add “to preserve the dark night and the quiet for everyone's peace and enjoyment.”

Policy 2 – Would a trail ever be sufficient access to a development? or to the foreshore? Might this be an advocacy policy, directed to MOTI?

Advocacy Policy 1 – Are residents or the community able to prohibit this, or should we ask that other levels of government do so?

AP3&4 are similar, and probably should be combined. What is Transport Canada's recognition of Lasqueti?

AP6&7 should be combined

AP9 – suggest adding “and other disputes within the community.”

Human Resources

Objective 3 – does this mean a school, and specifically False Bay School? Why not say so?

AP1 - Is this an advocacy policy? Advocate to whom? Who should do this?

Resilience

Objective 2 – this is a repeat of AP9 under General

Housing

Objective 1 – How will this be done? Should there be a policy or some direction or specifics?

Food Policies

AP1 is a repeat

Economy

Objective 2 – how would negative impacts of tourism be limited? By limiting short term rentals?

Policy 1 – This is from an era, decades ago, when it was thought that mariculture would be an important economic activity in the Trust Area. It isn't particularly important now, I think.

3.4 Community Services

Introduction – Waste management service is provided by qRD, upon request and with support of the community.

Objectives 1&2 are pretty vague

Policy 6 – has LTC ever consulted with SD69? Is this needed or useful?

AP1-5 are all about derelict vehicles. Are they advocating to the community, or to qRD, or somewhere else?

Transportation

Objective 10&11 should be combined

Policy 1 – Is this a policy? What does "and should be considered sufficient" mean?

Policy 3 – I suggest saying that the Trust should encourage the public to use car-pooling ... etc.

Policy 4 - In what ways can the Trust, or the community, support this?

Docks, Boats, Wharves, and Boat Ramps

Objective 2 - In addition to ecological damage, docks infringe on the public foreshore, and privatize the public space, for an individual or family, rather than for cooperative and community use.

Boats and Maritime Vessels

Introduction - What does "and social effects would be addressed" mean?

Policy 1 - Do we need more than the one ramp at False Bay? Are community discussions the way to proceed to answer this question?

Policy 2 - I have no idea what "designation and regulation" mean, or "social effects should be addressed". This uncertainty and these phrases are repeated in many of the policies.

Policy 3 - Should they not be included in the permits or Land Use Bylaw? Why in the Crown lease referral?

Policy 6 - Policy 6 says structures may not extend beyond 21m from the shore, and Policy 4 says a dock may extend 37m. Why are these not consistent?

Ferry Service

AP1 - Why not name BC Ferry Corporation? second I suggest requesting baggage capacity, rather than freight, as BCF does carry passenger baggage, but not freight.

Road System

AP1 –

First bullet - Why not name BC Ferry Corporation? I suggest requesting baggage capacity, rather than freight, as BCF does carry passenger baggage, but not freight.

Fourth bullet – add "or the community" after LTC, or instead of the LTC

Fifth bullet - This is from a time, long gone, when they used local gravel. We didn't want our gravel exported from Lasqueti. Is it relevant or needed?

Last bullet - Would it be better to say "reside on Lasqueti", which gives the option of them sending a worker here?

Communications

Suggested additional objective: To require that any new radio towers are powered by solar, wind or other alternative power systems, and not by fossil fuel-using generators.

AP2 - Re-phrase the second part of this policy, as it is currently addressed to Communication companies. Period after "grade" then "The same practices should be followed for electrical wires ..."

Waste Management

Garbage Disposal

Objective 3 - Should this be a more general policy than just for Garbage Disposal? I think it should.

AP1 – first bullet - Not sure what this means. That we should follow the rules?

AP2 - Is this needed? What if qRD changes it's RD Solid Waste Management Plan - should our Freestore/Recycling Centre be kept open and maintained ...?

Sewage Disposal

AP1 - What should they do? Educate land & home-owners about safe alternatives to septic systems?

Utilities

AP1 – add “and energy”

P23/98

3.5 Land Use

Residential Land Use

Introduction - All of our existing land use patterns are not low density. There are several clusters of small-lot parcels and a considerable number of individual small lots.

Objectives 2&3 - I'd combine 2 and 3 to say "To minimize subdivision and structure land use rules in order to protect and preserve our natural environment and to encourage a pattern of low-density, low-impact land-use that supports sustainable, self-sufficient lifestyles." or something similar.

Objective 4 - Not sure what "shared infrastructure" is doing/meaning here.

Objective 5 - Why specify residential development only? Should it not say all Objective 6 - Not sure what this is asking for? Minimal disturbance to land and forest? Shorter roads and driveways that follow land contours and topography? development, and especially in the case of multi-lot subdivision?

Objective 7 - Isn't this included in Home Enterprise regulations? Need it be repeated?

Policy 3 – We should define what we mean by “long term”.

Policy 4 - Perhaps we should consider limits to home enterprise options, especially on lots smaller than 4ha, to be sure that neighbours are not disturbed, and maintain a residential atmosphere/ambiance.

Policy 5 - To make this effective, it should more clearly define what makes a garden and woodlot possible and sustainable.

Policy 7 - How do surface water and catchments degrade the environment, especially as alternatives to drilled wells? Is the surface/subsurface distinction relevant at all these days?

Policy 8 - Not sure what "or a strip of Crown land contiguous to the sea" is in here for, except that we should require public access to crown land that abuts the sea. Should we not require public access to all crown lands? Probably "physically convenient" should be outlined a bit better, to make sure that public accesses are physically possible for the public to use. There are far too many public access that are not usable because of (I assume) land surveyors who trained in the prairies.

Policy 10 - In addition to having the land, should not a Strata group agreement on how to provide for the owners' needs be required?

Policy 11 - I'd like to remove the word "highway" from this policy. I'd have it close to policy 8, which is also about public access at time of subdivision.

AP1 - I'd remove the word "management" which too often is synonymous with development and exploitation. Similar comment on phrase "long term economic resource management practices" in AP2

Commercial and Industrial

First paragraph: Not sure it's good to center out the Hotel. Provisions also has relatively high density and use. Suggest just saying in the False Bay area.

The commercial enterprise with two residences is Provisions, and this use is grandfathered because it was in existence before any LUB was implemented. There is at least one LB/residential parcel with two residences, for the same reason, in the Lennie Road area.

Second paragraph: Road, not street. Is off-road parking a sign of rural areas? I think that parking vehicles beside a road, but off the traveled portion of it, is more a sign of a rural area, and should be perfectly acceptable.

Objective 1 - What sorts of negative impacts? Is it a matter of scale? Encourage subsistence and supplying community, but discourage large, for-profit industrial-scale industries? Suggest combining 1 and 2.

Objective 5 - What about non-renewable resources, like in mining or gravel extraction, etc.?

Objective 6 - This isn't a commercial/industrial objective. It's social and/or environmental.

Policy 1 - Don't know what "limitations and development control" means. Does it mean that owner and/or managers live on Lasqueti, or that the community or someone else has authority to limit and control?

Policy 2 - Sewage is only one of the possible harmful effluents or products of economic activities.

Policy 5 - This doesn't seem to be a commercial/industrial policy. It's also a repeat.

Policy 6 - Does "development procedure bylaw" mean our LUB

Policy 7 - Should not some of the limits be at least outlined in the OCP? Minimal disturbance of neighbours and neighbourhood, especially outside working hours, should be considered.

Policy 8 - Would any expansion trigger a requirement to meet all parking requirements of our LUB? How would this be determined, as we don't have building permits, inspections, etc.?

Policy 9 - We need to define the limits of a home enterprise, or this is meaningless..

Policy 10 - Is this adequate, from a planner's perspective?

Second last bullet of "a plan showing" bullet - Waste disposal? Don't we mean storage and handling facilities? Do we want to allow toxic wastes to be used, stored and handled?

Policy 12 - Do we need or want to permit gravel extraction on any parcel, up to 3823 cubic meters each 3-year period? Should not gravel extraction or moving beyond that done with a shovel and wheelbarrow require at least a permit, like soil removal and deposition permit?

Policy 15 - I'd rephrase the beginning of this policy by saying "Commercial and industrial forestry activity should utilize practices sensitive to ..."

Policy 16 - We should define "proper" to give this policy meaning. We should also remember and acknowledge that First Nations have long-standing history and practice of using marine resources, and enhancing and expanding them.

AP1 - manufacture? Ministry name - now Energy, Mines and Low Carbon Innovation

AP3 - This doesn't read like an advocacy policy, as it isn't asking anyone to do anything, just informing of the community's, or the LTC's, views

AP5 - It's not necessary to list factors to consider. They're experts in doing it.

AP10 - Which commercial/industrial objective does this belong to? I don't think that this is an advocacy policy, as it is up to us, in our LUB, to regulate and classify short-term rentals. It makes total sense to consider them as commercial, as they are commercial transactions.

Hazardous Conditions

Probably worth including that it is up to the landowner and developer to make sure that they assess the risks or hire expert help, and are responsible for avoiding hazardous sites, or mitigating their risks.

Marine

Second paragraph - What are the objectives and policies related to the Marine Coastal Areas?

Parks and Protected Areas

Scenic qualities and pleasant pastoral views are not in themselves most in need of preservation. There is a need to preserve and protect large areas of Lasqueti from development, as it has the most area of least-disturbed and fairly intact Coastal Douglas-fir biogeoclimatic zone, the smallest and most disturbed/destroyed zone in BC, and it should be valued and minimally disturbed further only if absolutely necessary.

Are there any specific objectives and policies?

Is the Parks designation not for recreation, and the Protected designation for protected areas, with minimal recreational use?

Crown Lands

In the spirit of Reconciliation, it might be best to refer to Crown lands as provincially administered lands.

AP2 - No longer Land and Water BC. Also in other policies, like AP1, 2, & 3.

Suggest that the word "transferred" be used instead of sold, as they could be leased or given, not only sold.

AP3 - This is included elsewhere, and isn't particularly relevant to crown lands.

Access On and Across Crown Lands

Is there any objective for this section? Like to provide access to lands beyond, or to the parcel itself?

Policy 5 - Not sure at all what "the need to maintain community values" means.

AP3 - This is already covered in policy 4.

Subject:Island trust meeting

Date:Mon, 4 Oct 2021 09:50:11 -0700

From:Kathy Rogers [REDACTED]

To:Peter Johnston <pjohnston@lasqueti.ca>

Hi Peter I feel I need to express frustration and disappointment about Island Trust meetings doing live streaming with no input from our public. I know COVID has messed up a lot of what we know to be normal, but if Islands Trust or any other organization for that matter, has meetings to pass bylaws and put forward voting on matters that concern us , as a community, how is this fair and in our community's best interest? This to me and David that Islands Trust is not acting in our good faith if they are voting and putting forward agendas that may be contrary to the wishes of the community, without the community's input. Would you please express to Islands Trust this concept of open communication doesn't cut it when the communication is one sided.

1. has updated fees that better reflect the actual average cost of processing the various types of applications, designed to include the staff costs and the fixed costs, such as meeting expenses and advertising;
2. adds consideration for recovery of costs associated with First Nation site visits if required;
3. adds more robust fee refund policy to improve fairness;
4. adds an annual automatic increase of fees of two percent to reflect the estimated actual cost increases due to inflation and collective agreement increases for staff;
5. retains ability of local trust committees to reduce fees by up to 20 percent, intended to allow flexibility recognizing local factors affecting cost of application processing;
6. adds flexibility to allow for reduced temporary use permits fees for community benefits as defined by the local trust committee in its official community plan; and
7. adds a 20 per cent higher fee for applications where development began without a permit or permission to reflect the higher cost of processing such an application.

Each local trust committee has been asked by Trust Council to update its fee bylaw to be consistent with the model fee bylaw approved by Trust Council. If a local trust committee wishes to adjust fees in accordance with items 5 and 6 above, the local trust committee should include this request in the resolution to develop a draft fee bylaw. While a local trust committee is under no legislative obligation to amend its fees bylaw, Trust Council has developed the model fee bylaw to assist in assuring the fees charged better reflect the cost of processing applications using shared resources throughout the Islands Trust Area.

Please note that fees charged are to recover the average cost of processing that type of application. Fees cannot be used to be punitive, or to raise funds above the average cost of processing an application. Local trust committees cannot charge fees for building permit referrals or Crown land referrals as there is no authority provided to do so.

Local trust committees are authorized to charge fees for different types of applications as follows:

- **Section 462 of the *Local Government Act*** provides that a local government may, by bylaw, impose fees related to applications and inspections to recover the average costs of processing official community plan amendments, land use bylaw amendments, subdivisions bylaw amendments, heritage conservation bylaw amendments, issuance of a development permit, development variance permit, temporary use permit, heritage alteration permit, land use contract amendments, heritage revitalisation agreement amendments, board of variance orders, and inspection of works and services related to applications and permits, and subdivision applications;
- **Section 31(2)(b) of the *Islands Trust Act*** provides that a local trust committee may impose fees to recover the cost of processing siting and use permits;
- **Section 41 of the *Liquor Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing liquor and liquor licensing referrals; and
- **Section 35 of the *Cannabis Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing a referral for a license under that Act.

Section 462 of the *Local Government Act* also states that local governments must not impose a fee, charge a tax or require works or services to be provided unless authorized by this Act or any other Act. For this reason, fees are not charged for processing of building permit and Crown land referrals, as there is no authorization in any Act for local trust committees to recover these costs.

Fee bylaws are administrative bylaws. There is no requirement for public input. The local trust committee may consider first, second and third readings all at one meeting. The Executive Committee must approve the bylaw before the local trust committee can consider adoption.

Ideally, all local trust committees will have considered updating their bylaws by March 2022 so that the assumptions on revenue can be included in the next fiscal year budget process.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff will draft a fee bylaw based on the model fee bylaw and bring back to a future local trust committee meeting for consideration.

FINANCIAL:

No financial implication from the recommendation.

POLICY:

Updating the Fee bylaw will be consistent with Trust Council Policy 5.6.1 Application Processing Services.

IMPLEMENTATION/COMMUNICATIONS:

Local planning staff assigned to the local trust committee will draft fee bylaw for local trust committee consideration.

FIRST NATIONS:

No First Nations implications from the recommendations.

OTHER:

No other implications from the recommendations.

4 RELEVANT POLICY(S):

Trust Council Policy 5.6.1 Application Servicing Process

5 ATTACHMENT(S):

Trust Council Policy 5.6.1 Application Processing Services

RESPONSE OPTIONS

Recommendation:

That the Lasqueti 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.”

Alternative:

That the Lasqueti 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” with the following modifications: [list modifications].

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Julia Mobbs, Director, Administrative Services/Aug, 2021



Policy:	5.6.1
Approved By:	Trust Council
Approval Date:	June 9, 2021 Repeals policies 5.6.1, 5.6.2 and 5.6.3
Amendment Dates:	
Policy Holder:	Director of Local Planning Services

APPLICATION PROCESSING SERVICES POLICY

Purpose

This policy is intended:

- to identify the services provided by Islands Trust and the different levels of costs associated with these services;
- to provide direction for the preparation of Fees Bylaws and Schedules by Local Trust Committees (LTCs);
- to provide the principles by which cost recovery for extraordinary services beyond the standard fee can be negotiated and agreed to by an applicant and a LTC;
- to recover from applicants 100 per cent of the average cost of processing the development applications, while permitting consideration of lower cost recovery for environmental protection and community benefit.

A. Definitions

1. Application Processing Services include:

- 1.1 Bylaw Amendments to an official community plan, zoning bylaw, subdivision bylaw or other land use bylaws;
- 1.2 Development Application Requests for:
 - 1.2.1 Development Permits,
 - 1.2.2 Development Variance Permits,
 - 1.2.3 Temporary Use Permits,
 - 1.2.4 Soil Removal and Deposit Permits,
 - 1.2.5 Heritage Alteration Permits,
 - 1.2.6 Board of Variance Orders,
 - 1.2.7 Liquor Licensing Permits,
 - 1.2.8 Cannabis Licensing Permits,
 - 1.2.9 Siting & Use Permits,
 - 1.2.10 Land Use Contracts;
- 1.3 Agency Referral Responses and Comments on applications referred from other agencies.

2. Service Levels include:

- 2.1 Information Service that involves providing information to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
- 2.2 Standard Application Processing Service that involves providing a specific service to applicants as a direct response to an application, whether directly to Islands Trust or through a referral from another agency, and primarily funded by established fees paid by an applicant.
- 2.3 Extraordinary Processing Service is a service provided to the applicant that is beyond the standard processing service, with funding provided by the applicant as a deposit with the application fee or through a cost recovery agreement.

3. Costs:

- 3.1 General Service Costs includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.
- 3.2 Estimated Direct Costs include advertisements, delivery of notices, hall rentals, minute taking at public hearings and community information meetings, and staff travel to attend public hearings and community information meetings.
- 3.3 Extraordinary Processing Costs include costs beyond the standard processing service such as additional community information meetings, review of technical reports provided by specialists hired by the applicant, and specific legal services such as the preparation and registration of legal documents and the acquisition of legal advice.

4. Community Benefit:

- 4.1 Community benefit is the provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

B. Policy

1. Standard Application Processing Services

Applicants are responsible for paying different rates based on the level of service. The details involved in each level of a standard application processing service are identified below.

1.1 Information Service – No Fee Required

Information services are considered a public service and include:

- 1.1.1 ***providing information*** on application process requirements including a meeting with staff;
- 1.1.2 ***providing assistance*** to complete an application;
- 1.1.3 ***determination*** of applicable fees;

1.1.4 **identification** of readily identifiable issues to be addressed.

1.2 Application and Processing Service – Included in Application Fee

For rezoning applications, temporary use permit applications, development variances, development permits, liquor and cannabis retail license applications, and strata conversion applications, the application fee covers the following services:

- 1.2.1 comprehensive staff assessment including site visit where required;
- 1.2.2 staff reports;
- 1.2.3 discussion between planners and applicant throughout process;
- 1.2.4 review of archaeological data;
- 1.2.5 staff referral to other agencies, advisory planning commissions, and analysis of their comments;
- 1.2.6 bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan;
- 1.2.7 staff report with recommendation for Local Trust Committee (LTC) approval consideration;
- 1.2.8 processing bylaws through Executive Committee for approval consideration, if necessary;
- 1.2.9 forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary;
- 1.2.10 adoption of all bylaws or issuing of permits as required.

1.3 Public Hearing – Included in Application Fee

Services related to a Public Hearing that will be provided to an applicant who has paid an application fee include:

- 1.3.1 conducting one public hearing with staff present (includes staff time, staff travel costs and estimated direct costs such as meeting place rental, newspaper notice of public hearing, minute taker fee, and delivery of notices when needed).

1.4 Community Information Meeting – Included in Application Fee

Services related to a Community Information Meeting that will be provided to an applicant who has paid an application fee include:

- 1.4.1 conducting one community information meeting with staff present (includes staff time, staff travel costs, and estimated direct costs such as meeting place rental and delivery of notices when needed).

2. Extraordinary Processing Services – additional fees required

Extraordinary Processing Services are services provided to the applicant that are beyond the standard processing services identified in 1.1- 1.4. Applicants are responsible for paying additional fees for extraordinary processing services.

2.1 Role of LTC in Determining Necessity for Extraordinary Services

2.1.1 Local trust committees (LTCs) can determine the necessary requirements for processing applications. These requirements may necessitate extraordinary processing services, where the actual or estimated processing service level costs are in excess of the costs of a standard application fee for a similar process because:

2.1.1.1 of additional requirements such as additional public consultation, complex covenant requirements or extensive staff time; or,

2.1.1.2 the processing requirements include services obtained from professions outside Islands Trust such as special technical assistance and/or specific legal services; or,

2.1.1.3 the processing requirements include First Nations site visit(s).

2.1.2 The Regional Planning Manager is responsible for assisting LTCs in identifying and costing extraordinary processing service requirements and advising the LTCs of the options available to handle these requirements.

2.1.3 The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for the extraordinary services that are required.

2.2 Provision of Extraordinary Processing Services

2.2.1 Extraordinary processing services can be provided by Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.

2.2.2 A resolution of the LTC following the recommendation of the Regional Planning Manager is required to proceed.

2.2.3 When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application cannot be processed until additional funds are provided by the applicant and a cost recovery agreement with the Islands Trust is signed and a security deposit has been received.

3. Extraordinary Services Cost Recovery Agreements

3.1 Extraordinary Services Cost Recovery – Principles

- 3.1.1 Cost Recovery Agreements reflect a service level which includes the extraordinary services needed to undertake the approval process for a complex application.
- 3.1.2 Cost Recovery Agreements will endeavour to recover all costs of processing that exceed the standard costs of processing services.
- 3.1.3 The existence of a Cost Recovery Agreement will not fetter a LTC's discretion with respect to an application before the committee.
- 3.1.4 Authority for negotiating Cost Recovery Agreements is provided within the respective LTC Fees Bylaws.
- 3.1.5 Cost Recovery Agreements will proceed only by resolution of the LTC after consultation with the Regional Planning Manager, except in situations where an applicant is seeking to discuss an issue directly with Islands Trust legal advisors, in which case the Director of Local Planning Services may approve the Cost Recovery Agreement.
- 3.1.6 The Cost Recovery Agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the LTC resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.

3.2 Services Requiring Extraordinary Services Cost Recovery Agreement

The services identified below are considered to be beyond the scope of standard processing services. These services require payment, in addition to standard application fees established in the Fees Bylaw, of additional fees based on a cost recovery agreement between the Islands Trust and an applicant:

- 3.2.1 staff time required for covenant development;
- 3.2.2 staff time to attend more public consultation meetings than that already covered by the standard application fee, including community information meetings, advisory planning commission meetings, and public hearings;
- 3.2.3 technical assessments or studies as required by the local trust committee;
- 3.2.4 retaining special technical assistance required by the local trust committee;
- 3.2.5 additional legal counsel services required for the application not covered under the estimated direct costs of the Fees Bylaw;
- 3.2.6 process agreement negotiation;
- 3.2.7 First Nations site visits;
- 3.2.8 other resources and/or services required by the local trust committee to process the application not covered by the Fees Bylaw.

4. Funding Basis and Fee Adjustments

- 4.1 Application processing services are funded primarily through fees, as per a LTC's Fees Bylaw. Local trust committees should adopt a Fees Bylaw consistent with the model Fees Bylaw in Attachment 1.
- 4.2 Standard fees in Fees Bylaws are to be based on average processing costs, as per Section 462 of the *Local Government Act*, Section 31(2)(b) of the *Islands Trust Act*, Section 41 of the *Liquor Control and Licensing Act*, and Section 35 of the *Cannabis Control and Licensing Act*. Standard fees are calculated as the product of staff labour costs multiplied by processing time (including Planner and administrative support). Standard application fees include estimated direct costs.
- 4.3 A local trust committee may enact variances of up to 20% below what is indicated in the Trust Council's Model Fees Bylaw when adopting a LTC Fees Bylaw. The following criteria must be considered when evaluating a fee variance:
 - 4.3.1 the level of community/environmental benefit offered by the type of application;
 - 4.3.2 variances in direct costs (e.g. hall rental); and,
 - 4.3.3 an amendment to an approved application occurring within 6 months of the approval date.
- 4.4 Variance to a Fees Bylaw must be adopted by bylaw amendment. All LTC Fees Bylaws and Fees Bylaw amendments must be approved by the Executive Committee before adoption by a LTC.
- 4.5 Where the model fees bylaw permits reduced fees for temporary use permits that have a community benefit and are small scale, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community.
- 4.6 Applications for development that begin without a permit or bylaw authorisation are subject to a 20 per cent surcharge to recover the additional cost in processing these types of applications.

5. Application Fee Sponsorship

- 5.1 If eligible, as identified in [Trust Council Policy 4.1.13 Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications](#), the applicant may apply for development application fee sponsorship.

6. Development Approval Information

- 6.1 The Development Approval Information (DAI) Bylaw provides a mechanism to ensure that the LTC receives appropriate reports and documentation (such as reports from engineers, biologists, hydrogeologists, and geotechnical specialists) from applicants to support rezoning, temporary use permit, and development permit applications.
- 6.2 DAI bylaws reduce operational costs by ensuring that applications are complete and the information provided is appropriate.
- 6.3 Local trust committees should adopt a development approval information bylaw.
- 6.4 The Regional Planning Committee should develop a model Development Approval Information bylaw for addition as Attachment 2 to this policy.

C. Legislated References

Local Government Act, S.462

Local Government Act, S.486

Liquor Control and Licensing Act, S.41

Cannabis Control and Licensing Act, S.35

D. Attachments/Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

1. Model Fees Bylaw

[INSERT LTC NAME] LOCAL TRUST COMMITTEE

BYLAW NO. [XX]

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications. Model fees reflect the cost recovery for application processing.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act, **[DENMAN AND HORNBYS ONLY and Section 31(2)(b) of the Islands Trust Act provides that a local trust committee may impose a fees to recover the cost of processing siting and use permits]** ;

NOW THEREFORE the **[Insert LTC Name]** Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the **[Insert LTC Name]** Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "[Insert LTC Name] Local Trust Committee Fees Bylaw, No. [XX]".

Interpretation

2.1 In this bylaw:

"Applicant" means:

2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. ____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;

2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit.

[NOTE: This is in relation to temporary use permits for a use under a specified size that provides a community benefit. The local trust committee would define community benefit here based on its official community plan definition of community benefit]

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2: Fee
1. Major (e.g. change to density or land use designation)	\$7,800
2. Minor (e.g. policy change without changing density or land use designation not requiring an OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000

Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses and commercial uses under 95 square metres that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$700
14. Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits	
15. Siting and Use Permit	\$250
16. Heritage Alteration Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
18. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – per additional lot created	\$100
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rated in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

5.1 The total application processing fee must be received before the processing of the application can begin.

5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.

5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.

5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.

5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC.

6. Extraordinary Service Costs (ESC)

6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.

READ A THIRD TIME this st day of , 20

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

this th day of , 20

ADOPTED this th day of , 20

Chair

Deputy Secretary

**LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 74, 2004**

A bylaw to establish procedures for meetings of the Local Trust Committee

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

SHORT TITLE

1. This bylaw may be cited as “Lasqueti Island Local Trust Committee Meeting Procedure Bylaw No. 74, 2004”.

MEETINGS AND NOTICE OF MEETINGS

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Local Trust Committee by Resolution Without Meeting following a general local election.
3. At the first regular meeting and at the last regular meeting of the first, ~~second~~, and third year following a general election, or by Resolution Without Meeting, the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two and the schedule shall be posted on a notice board on island that is accessible to the public and in the ~~Northern~~ Northern Office of the Islands Trust.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.
5. ~~Advance public notice of a regular or special meeting that is to be conducted electronically shall include the way in which the meeting is to be conducted by means of electronic or other communication facilities, the place where the public may attend to hear the proceedings that are open to the public and be posted at the places specified in Section 3 and in accordance with Section 6. Notice of a special meeting which is to be conducted electronically must be delivered to the trustee in accordance with Section 7;~~
6. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee’s mailing address or given to the trustee in person.
7. Any two members of the Local Trust Committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the place specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
8. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson’s representations, if any, regarding the calling of the meeting.

Deleted: and

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9. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.

10. A quorum of the Local Trust Committee is two members.

BL91 (10/15) 11. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.

MINUTES

12. The Director of Local Planning Services or his or her designate shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.

13. The minutes shall record every resolution of the Committee, and the mover, including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

14. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.

15. Resolutions may be in writing, and may be moved by any member of the Local Trust Committee.

16. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by resolution without meeting.

BL91 (10/15) 17. The Chairperson of the Local Trust Committee or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

ELECTRONIC MEETINGS

18. Regular or special meetings of the Local Trust Committee beyond the minimum number of physical meetings identified in Section 3 may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.

19. With the exception of the Chairperson, an individual Local Trust Committee member who is not at the physical location of a regular or special Local Trust Committee meeting may choose to participate by

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means of audio or audio and visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.

- 20. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
- 21. Members of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
- 22. Where members of the Local Trust Committee are participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
- 23. Where members of the Local Trust Committee are participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
- 24. For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.
- 25. If communication is lost to one or more electronic participants during a meeting:
 - 25.1 the participant affected will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
 - 25.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 25.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next agenda.

Deleted: <#>At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.¶
<#>An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee.¶
<#>The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.¶

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Deleted: <#>Cell phone or satellite connections may be used for open Local Trust Committee meetings. ¶

EXECUTION OF DOCUMENTS

- 26. The Chairperson and one other member of the Local Trust Committee may execute any document on behalf of the Local Trust Committee once the Committee has authorized the execution of the document.
- 27. "Lasqueti Local Trust Committee Meeting Procedures Bylaw No. 58, 1997" is repealed.

Deleted: <#>The costs of electronic participation in a Local Trust Committee meeting will be borne by the Lasqueti Island Local Trust Committee if the Local Trust Committee member is participating from a location within Canada or has received the approval of the majority of Local Trust Committee members.¶

READ A FIRST TIME THIS DAY OF , 20__

READ A SECOND TIME THIS DAY OF , 20__

READ A THIRD TIME THIS DAY OF , 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

ADOPTED THIS

DAY OF _____, 20__

DAY OF _____, 20__

CHAIRPERSON

SECRETARY



Subdivision

File Number	Applicant Name	Date Received	Purpose
LA-SUB-2019.1	KGL Freight Services Ltd. (T.G. Hoyt) Planner: Sonja Zupanec	25-Jun-2019	PIDs: 025-448-811 and 005-600-081. Parcel line adjustment. Lasqueti Island Hotel, Weldon Road, Lasqueti Island, BC.
Planning Status			
Status Date: 23-Jul-2019 Referral response sent to MOTI			

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
LA-TUP-2020.1	KGL Freight Services Ltd. Planner: Sonja Zupanec	17-Jul-2020	PID: 005-600-081 Fuel station/hardware store combination/fuel storage & residence. Civic address: 1 Weldon Road, Lasqueti island, BC
Planning Status			
Status Date: 23-Jul-2020 File opened & assigned.			

Islands Trust
 LTC EXP SUMMARY REPORT F2022
 Invoices posted to Month ending July 2021

640 Lasqueti	Invoices posted to Month ending July 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-640	LTC "Trustee Expenses"	71.00	99.31	-28.31
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	1,084.00	998.71	85.29
65210-640	LTC - Local Exp - APC Meeting Expenses	370.00	0.00	370.00
65220-640	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-640	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,998.00</u>	<u>998.71</u>	<u>999.29</u>
Projects				
73001-640-2015	Lasqueti OCP/LUB	3,000.00	20.00	2,980.00
73001-640-4121	Lasqueti Healthy Watersheds Initiative	20,000.00	0.00	20,000.00
		<u>23,000.00</u>	<u>20.00</u>	<u>22,980.00</u>



Lasqueti Island

Resolution Number	Action	Date
<p>2020-003 (Standing)</p> <p>Standing Resolution regarding First Nations Reconciliation</p> <p>that the Lasqueti Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing trustees and staff and 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; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government -to -government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights and First Nations' traditional territories within the Islands Trust Area. 	Carried	24-Feb-2020
<p>2019-003 (Standing)</p> <p>Staff & Trustee at APC Meetings (from <i>In-Camera</i> meeting)</p> <p>that the Lasqueti Island Local Trust Committee adopt the following standing resolution: that all Advisory Planning Committee meetings will include a staff member and a Trustee.</p>	Carried	25-Feb-2019

Standing Resolutions Log

Lasqueti Island

Resolution Number	Action	Date
<p>2018-062 (Standing)</p> <p>Notification of Federal Cannabis License Applications</p> <p>that the Lasqueti Island Local Trust Committee adopt the following standing resolution: that the Lasqueti Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.</p>	Carried	17-Dec-2018
<p>2018-040 (Standing)</p> <p>Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail Licensing Application Fees</p> <p>that the Lasqueti Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:</p> <ul style="list-style-type: none"> ·Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. ·The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. ·The public consultation process shall be determined by the local trust committee after initial review of the proposal. ·However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> · Name of the applicant and a description of the proposal in general terms · The location of the proposed establishment and the subject site. · The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. · The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application. · How public comments may be submitted to the local trust committee. 	Carried	23-Jul-2018
<p>2017-006 (Standing)</p> <p>Establishment of a Lasqueti Island Transportation Advisory Committee</p> <p>that the Lasqueti Island Local Trust Committee make a Standing Resolution to request the APC to undertake the function of a Transportation Advisory Committee.</p>	Carried	20-Feb-2017



Standing Resolutions Log

Lasqueti Island

Resolution Number	Action	Date
2013-020 (Standing) APC member Agenda Package that on request by an Advisory Planning Commission member, that they receive a Lasqueti Island Local Trust Committee Agenda package at no charge.	Carried	11-Jul-2013

Top Priorities Report

Lasqueti Island

1. OCP/LUB Review

Responsible

Dates

A comprehensive review of the Lasqueti Island Official Community Plan and Land Use Bylaw.

Heather Kauer

Rec'd: 08-Jan-2018

Implementation of Coastal Douglas-fir and Associated Ecosystems Toolkit added to Project Charter (Dec.22, 2018)

LTC endorsed the OCP/LUB Review Project Charter v.2 (May 27, 2019).

LTC endorsed revised OCP/LUB Review Project Charter v.4.4 (April, 2020).

2. Freshwater Project

Responsible

Dates

LTC endorsed the v.1 freshwater sustainability strategy project charter (May 27, 2019).

William Shulba

Rec'd: 24-Sep-2018

3. Model Cell Tower Strategy

Responsible

Dates

that the Lasqueti Island Local Trust Committee request staff to draft amendments to the Model Cell Tower Strategy incorporating concerns regarding electrical supply and First Nation Cultural Sites.

Heather Kauer

Rec'd: 28-Oct-2019

that the Lasqueti Island Local Trust Committee request staff to investigate options for a more fulsome communication consultation process regarding the Model Cell Tower Strategy.

Update: The LTC adopted the Model Antenna Strategy on June 21, 2021.



Islands Trust

Lasqueti Island

Print Date: September 27, 2021

Top Priorities Report



Projects Report

Lasqueti Island

1. <i>Community to Community Forum</i>	Responsible	Date Received
Establish relationships with First Nations with interests in the Lasqueti Local Trust Area.		24-Sep-2018
2. <i>Subdivision Review Project</i>	Responsible	Date Received
Staff to prepare a draft project charter for a subdivision review project to review conservation based and cluster subdivision options.		
3. <i>Review permitted uses upland to barge ramp</i>	Responsible	Date Received
Staff to research and report back on options to make the current uses associated with the barge ramp legal.		
4. <i>Community Shoreline Values Mapping</i>	Responsible	Date Received
Trustee to lead community mapping of values along the shorelines of Lasqueti Island.		26-Apr-2021
5. <i>Scottie Bay Shoreline Management Plan</i>	Responsible	Date Received
Develop a plan for managing mooring buoys and road access to the shoreline in Scottie Bay.		26-Apr-2021