



Lasqueti Island Local Trust Committee

Regular Meeting Revised Agenda

Date: February 7, 2022
Time: 10:00 am
Location: Electronic Meeting

	Pages
1. CALL TO ORDER	10:00 AM - 10:05 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	10:05 AM - 10:30 AM
3.1. Trustee Reports	
3.2. Chair's Report	
3.3. Electoral Area Director's Report	
4. TOWN HALL	10:30 AM - 10:40 AM
5. MINUTES	10:40 AM - 10:45 AM
5.1. Local Trust Committee Minutes dated October 4, 2021 - for adoption	4 - 13
5.2. Local Trust Committee Special Meeting Minutes dated January 20, 2022 - for adoption	14 - 18
5.3. Section 26 Resolutions-Without-Meeting Report dated January 31, 2022	19 - 19
5.4. Advisory Planning Commission Minutes dated July 27, 2021 - for receipt	20 - 24
6. BUSINESS ARISING FROM MINUTES	10:45 AM - 11:05 AM
6.1. Follow-up Action List dated January 31, 2022	25 - 30
6.2. Model Fees Bylaw Update - Staff Report	31 - 35
7. APPLICATIONS, REFERRALS AND BYLAWS	11:05 AM - 11:25 AM
7.1. Gambier Island Local Trust Committee Request for Referral Response - Bylaw Nos. 153 and 154 - for decision	36 - 38

7.2. LA-SUB-2020.1 (frontage waiver) - Staff Report 39 - 43

8. LOCAL TRUST COMMITTEE PROJECTS 11:25 AM - 12:00 PM

8.1. Lasqueti Island Official Community Plan (OCP) Comprehensive Review - Proposed Bylaw No. 98 - Memorandum 44 - 124

9. DELEGATIONS

10. CORRESPONDENCE

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

----- BREAK 12:00 PM to 12:30 PM -----

11. NEW BUSINESS 12:30 PM - 12:45 PM

11.1. Natural Area Protection Tax Exemption Program (NAPTEP) - Livingstone Forest NAPTEP Covenant - Information Item - Memorandum 125 - 127

11.2. Shoreline Protection Model Bylaw Report - Briefing - for information 128 - 180

11.3. *Safe Island Land Alliance*

11.4. *Meetings with First Nations*

11.5. *Electronic Meetings*

12. REPORTS 12:45 PM - 12:55 PM

12.1. Trust Conservancy Report dated November 23, 2021 181 - 183

12.2. Applications Report dated January 31, 2022 184 - 184

12.3. Trustee and Local Expense Report dated December, 2021 185 - 185

12.4. Adopted Policies and Standing Resolutions 186 - 188

12.5. Local Trust Committee Webpage

13. WORK PROGRAM 12:55 PM - 1:15 PM

13.1. Top Priorities Report dated January 31, 2022 189 - 190

13.2. Projects List Report dated January 31, 2022 191 - 191

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for Monday, April 11, 2022 via - to be decided

15. CLOSED MEETING

1:15 PM - 1:20 PM

15.1. Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (d) for the purpose of considering adoption of In-Camera Meeting Minutes dated April 26, 2021 and that the recorder and staff attend the meeting.

15.2. Recall to Order

16. ADJOURNMENT

1:20 PM - 1:20 PM



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

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

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

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

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

11.2 Meeting Procedures Bylaw

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

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

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

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

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

3.2 Chair's Report

Chair Luckham reported:

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

3.3 Electoral Area Director's Report

Director Fall reported:

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

4. TOWN HALL

Members of the public spoke and the following was noted:

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

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

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

5. MINUTES

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

The following amendments to the minutes were presented for consideration:

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

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

Top of page 8, change "Scotty Bay" to "Scottie Bay".

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

LA-2021-042

It was MOVED and SECONDED

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

CARRIED

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

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

Staff responded and the following was noted:

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

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

The Chair noted the following:

- That this request would make an exception for Lasqueti.

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

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

Received.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 27, 2021

Received.

7. APPLICATIONS AND REFERRALS

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

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

Trustees agreed that deferral is the best course of action.

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

8. LOCAL TRUST COMMITTEE PROJECTS

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

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

Staff noted the following:

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

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

The Chair noted:

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

Trustees noted:

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

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

LA-2021-043

It was MOVED and SECONDED

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

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

CARRIED

LA-2021-044

It was MOVED and SECONDED

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

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

Add PART 4 entitled “OBJECTIVES AND POLICIES”; and

Add PART 5 entitled “LAND USE”

CARRIED

LA-2021-045

It was MOVED and SECONDED

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

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

CARRIED

LA-2021-046

It was MOVED and SECONDED

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

CARRIED

LA-2021-047

It was MOVED and SECONDED

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

CARRIED

LA-2021-048

It was MOVED and SECONDED

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

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

CARRIED

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

Trustees noted:

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

LA-2021-049

It was MOVED and SECONDED

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

CARRIED

LA-2021-050

It was MOVED and SECONDED

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

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

CARRIED

LA-2021-051

It was MOVED and SECONDED

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

CARRIED

Trustees asked staff about the following:

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

9. DELEGATIONS - none

10. CORRESPONDENCE

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

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

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

11. NEW BUSINESS

11.1 Request for Decision regarding New Fees Bylaw

Staff offered to answer questions.

Trustee Peterson introduced the item and the following was noted:

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

Discussion ensued and the following was noted:

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

LA-2021-052

It was MOVED and SECONDED

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

CARRIED

11.2 Meeting Procedures Bylaw

Staff began the discussion and the following was noted:

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

The Chair advised:

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

Trustee Johnston noted:

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

12. REPORTS

12.1 Trust Conservancy Report - none

12.2 Applications Report dated September 27, 2021

Received.

12.3 Trustee and Local Expense Report dated July, 2021

Received.

Trustee Johnston noted the following:

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

12.4 Adopted Policies and Standing Resolutions

Received.

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

12.5 Local Trust Committee Webpage

Received.

13. WORK PROGRAM

13.1 Top Priorities Report dated September 27, 2021

Received.

13.2 Projects List Report dated September 27, 2021

Received.

Discussion ensued and the following was noted:

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

14. UPCOMING MEETINGS

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

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

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

15. ADJOURNMENT

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

Peter Luckham, Chair

Certified Correct:

Dave Olsen, Recorder



Lasqueti Island Local Trust Committee Minutes of Special Meeting

Date: January 20, 2022
Location: Electronic Meeting

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: None

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:16 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Meeting Procedure Bylaw No. 100 - for consideration and decision

Staff introduced the item and the following was noted:

- The Province has changed the legislation to allow regular meetings to be electronic, as well as special meetings.
- Our legal team has reviewed the draft language in the bylaw.
- The legislation allows for the Trustees to attend every meeting electronically.
- We have recommended that at least two meetings be held in person as a “best practice”.
- New sections have been added to the recommendations about decorum and public participation.
- Alternatives are provided as well.

The Chair advised that any changes need to be carefully worded.

Discussion ensued among the Trustees and the following was noted:

- Do not want to include the four new sections.
- Do not wish to discourage public participation.
- Have heard a lot of public feedback that is not in support of electronic meetings and the public would vastly prefer us to meet in person whenever possible.
- Important to have a bylaw in place for emergency situations.
- Hope that in practice that we do not use the bylaw.
- Absolutely want to meet in person as a priority and have a requirement to meet in person at a minimum of two times per year.

- Delegations are not the same as Town Hall presentations. Town Hall does not have any restrictions in terms of public participation.
- Decorum regulations are very important for the Chair to ensure that meetings are not disrupted in any manner. By putting them in print, it sets an expectation that the public can understand in advance.
- Do not want the public to comment on this administrative bylaw because we are responsible for the safety of all that attend.
- Want this bylaw to be adopted so that we can meet electronically.
- Only one instance where a meeting was disrupted. This wording gives the impression that this kind of behaviour is expected because it goes on at great length.
- The last time that a delegation presented, the meeting time was moved up to accommodate the speaker.
- It is a good idea to poll the Community.
- This change sets a tone that we want to limit public participation.
- Important that we meet on Lasqueti in person.
- Delegation presentations are asked for in advance because they could say very inappropriate things with disrespectful language. We have to print that information, which means we aid and abet slanderous or even incorrect information. It gives us time to correspond with the delegation to make suggestions on wording changes.
- Decorum rules give the Chair and Trustees something to point to, and that it suggests that we expect the best.
- The infrequency that we meet does not make the advance notice onerous.
- It is about making in person meetings a safe place. Some will be relieved to see this and may come because it is a safe place. We want to foster that.
- The part that offends most is the delegations. Until recently, the agenda noted that it was 'this person' on 'this topic' and they sent us their talk after the meeting. The procedures still do not recommend that.

LA-2022-001

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee remove paragraphs 18 to 28 in the Delegations Section of Draft Bylaw 100, 2022.

DEFEATED

Trustee Johnston began the ensuing discussion and the following was noted:

- Not happy that two meetings have to held in-person; ideally they would all be held on Lasqueti.
- Original version of bylaw says that there had to be a minimum of two meetings per year.

The Chair noted that the opportunity to hold all meetings electronically now exists and that we want to provide notice to the Trustees that not attending in-person meetings is not what we want to do.

Staff noted that this is a placeholder to require a minimum of two meetings to be held in-person per year.

Trustee Peterson noted the following:

- That given our circumstance over the past two years, this could be problematic.
- Instead, would like language that says in-person whenever feasible.
- He would not have wanted to have in-person meetings the past two years.

The Chair noted that we could strike it but then it implies that we do not want in-person meetings.

Staff advised that the existing version does not specify whether meetings need to be in-person or electronic.

The Chair noted that there is consensus on striking “held in-person” in bullet 3.

Trustee Peterson noted that he would like the bylaw to state that we will meet in person whenever practical rather than when convenient.

The Chair noted that bylaws are not advisory.

Staff advised that we do not typically put intent into bylaws and that later in the bylaw there are procedures in place for Trustees to attend electronic meetings with a mechanism that is built-in to make it harder to attend electronically.

Trustees asked why some decisions are by majority and others are by unanimous vote.

Staff advised that decisions by unanimous vote are more difficult to attain.

The Chair gave an example that if you want to change the requirement to waive written notice, you want it to be by unanimous decision.

Trustees noted that bullet 6 doesn't mention email when all of our communications are by email.

Staff advised that this could be amended.

The Chair noted consensus for adding “or email address” after “mailing address” in bullet 6.

Trustees noted that in the previous bylaw, if the Chair could not attend, a Trustee physically attending would then chair the meeting.

Staff advised that bullet 11 means that if neither the Chair nor the Alternate Chair is able to attend, the staff person will call the meeting to order and the Trustees present decide who will chair the meeting.

The Chair noted consensus to adding to bullet 11: “If the Chair is unable to attend in person, another Trustee be chosen to Chair the meeting at the physical location.”

The Chair noted consensus to delete from bullet 41: “beyond the minimum number of physical meetings identified in Section 3”.

Trustees asked why sections 43, 44 and 45 were included.

The Chair advised that it is to force Trustees to attend a physical meeting.

The Chair noted consensus to delete from the end of Section 45: “provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.”

Trustees advised that the time limit in Section 51.3 needed to be longer than 15 minutes.

The Chair noted consensus for 45 minutes.

LA-2022-002

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee amend the Lasqueti Island Local Trust Committee Bylaw No. 100, cited as “Lasqueti Island Local Trust Committee Meeting Procedures Bylaw, 2022”, as follows:

1. In Section 3, delete the words “held in-person”;
2. In Section 6, add “and email address” following the two occurrences of “mailing address”;
3. In Section 11, the words “alternate member” be replaced with “Alternate Chair” and the following sentence added at the end: “For an in person meeting, if the Chair is unable to attend in person, another Trustee shall be chosen to chair the meeting at the physical location.”
4. In Section 41, delete the words “beyond the minimum number of physical meetings identified in bullet 3”.
5. In Section 45, delete everything after “unanimous resolution” and replace it with a period.
6. In Section 51.3, change 15 minutes to 45 minutes.

CARRIED

LA-2022-003

It was MOVED and SECONDED,

that Lasqueti Island Local Trust Committee Bylaw No. 100, cited as “Lasqueti Island Local Trust Committee Meeting Procedures Bylaw, 2022”, as amended, be read a first time.

CARRIED

LA-2022-004

It was MOVED and SECONDED,

that Lasqueti Island Local Trust Committee Bylaw No. 100, cited as “Lasqueti Island Local Trust Committee Meeting Procedures Bylaw, 2022”, as amended, be read a second time.

CARRIED

LA-2022-005

It was MOVED and SECONDED,

that Lasqueti Island Local Trust Committee Bylaw No. 100, cited as “Lasqueti Island Local Trust Committee Meeting Procedures Bylaw, 2022”, as amended, be read a third time.

CARRIED

LA-2022-006

It was MOVED and SECONDED,

that Lasqueti Island Local Trust Committee Bylaw No. 100, cited as “Lasqueti Island Local Trust Committee Meeting Procedures Bylaw, 2022”, as amended, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Staff introduced the last recommendation and the following was noted:

- She advised that the way that electronic meetings are currently being conducted will continue if a new staff position is not hired, and would limit public participation.
- This would mean that we could stream but not have Town Halls.
- Now is the time to ask Trust Council (TC) for a new staff person since the budget will be approved in March.

Trustees asked if this new staff person would do other tasks.

Staff advised that the person would attend every meeting for its entirety but would exclude Advisory Planning Committee meetings.

Trustees noted that not having any possibility of public participation is a big concern, but were not convinced by the business case at TC.

The Chair noted that this is our opportunity for us to ask TC to reconsider that decision.

LA-2022-007

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request that Trust Council consider adding a full time staff position to the 2022/23 Fiscal year budget for electronic meeting support.

The Chair advised that this staff person would not be sitting idle but would relieve planning staff of some administrative tasks.

Trustee Johnston noted the following:

- That he is not convinced that this is the only way to do this.
- That it would be the most expensive way to do this.
- He would like to explore hiring a local contractor for each meeting.

The Chair responded and the following was noted:

- It is not possible to find minute-takers on some islands and it is not appropriate for the minute-taker to take on this role.
- Internet connectivity is not as reliable on the islands as it is at our offices.

CARRIED

4. ADJOURNMENT

By general consent the meeting was adjourned at 10:49 am.

Peter Luckham, Chair

Certified Correct:

Dave Olsen, Recorder



Islands Trust

Print Date: January 31, 2022

Resolutions Without Meetings Log

Lasqueti Island

Resolution Number	Action	Date
2022-001 "That the Lasqueti Island Local Trust Committee hold an electronic Special meeting for the consideration of a new Meeting Procedures bylaw".	Carried	13-Jan-2022



Minutes of the Lasqueti Island Advisory Planning Commission

Date of Meeting: Monday, July 27, 2020

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

APC Members Present: Susan Morrison, Member
Shelley Garside, Deputy Chair
Shoshanah Waxman, Chair
Colin Ewan, Secretary
Jordan Barton, Member

Trustees Present: Tim Peterson, Trustee

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

1. CALL TO ORDER

Regional Planning Manager, Kauer called the meeting to order at 2:10 pm. It was acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

The members present introduced themselves and described any previous involvement with the Advisory Planning Commission (APC).

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

3. ELECTION OF VICE-CHAIR

By general consent, the agenda was approved as amended.

3. ELECTION OF CHAIRPERSON, VICE-CHAIR AND SECRETARY

Colin Ewan was nominated for Secretary; he accepted the nomination and was elected **by general consent**.

Shelley Garside was nominated for Vice-Chair; she accepted the nomination and was elected **by general consent**.

Susan Morrison was nominated for Chair; she did not accept the nomination.

Jordan Barton was nominated; he did not accept the nomination.

Shoshanah Waxman was nominated for Chair; she accepted the nomination and was elected **by general consent**.

4. MINUTES

4.1 Lasqueti Island Advisory Planning Commission Draft Minutes dated February 21, 2019.

By general consent, the minutes were adopted as presented.

5. REFERRAL FROM THE LASQUETI LOCAL TRUST COMMITTEE REGARDING THE COMPREHENSIVE OFFICIAL COMMUNITY PLAN AMENDMENTS REVIEW

5.1 Regional Planning Manager, Heather Kauer – introduction to the referral package

Regional Planning Manager, Kauer described the referral process and history to date, specifically how the Project Charter evolved up to today's meeting.

She explained that the referral process allows the APC to make comments with respect to the draft Official Community Plan (OCP) documents and the Lasqueti Community Association's OCP Steering Committee (LCA OCP SC) documents.

The Chair agreed to hear comments by way of a round of the members present, and the following comments were noted:

- The LCA OCP SC document was amazing, very well done, such great intent. The amount of effort put into it was phenomenal.
- On page 9, "forestry" should be eliminated completely. No forestry should be considered on this island.
- "Crown" land should be removed as a term; replaced with "public".
- The term "industry" should be used with caution.
- Emphasis on electric foot ferry
- Feral sheep are controversial; use the bullfrog as the focus of any invasive species proposal.
- Disagree with using livestock to maintain our food source.
- "Regenerative agriculture" is a term that focusses on the health of the soil; this could be added.
- On page 47, under 3.1 Residential Land Use, Policy 6: staff suggests amending to include on-site water, but it should not be a requirement.
- Page 6: do not reformat entire document to be in line with other islands. There was a lot of deliberation and thought about how the LCA OCP SC formatted their document. It is different than other islands' documents intentionally. They are human-centred; we brought a focus on the environment, rather than having it as a separate category.
- Agree with policy layout. It will be more readable if the fonts are changed.
- On page 54, staff brought in their own definition of guest cabin, but it is not in alignment with how they are used on Lasqueti.
- All of the definitions that the LCA OCP SC suggested should be included.
- The guest cabin wording will not work.
- Page 56 population table incomplete. Not mandatory and not sure how to collect the rest of it.
- Concern about feral sheep and their impact on the environment, for example the lack of wild flowers. Don't believe it is necessary to eliminate the sheep.
- Our neighbours never have had a paying guest in their cabins.
- Regarding control of domestic animals; "should" is not good enough.

- Need an education component to what cats do on island. Cats are allowed to slaughter while dogs are shot after one kill.
- Encourage LTC to edit and clean up the language. OCP needs to be clear and simple to avoid legal problems. Over reliance on the word should. Some sections are very clear.
- “Should” is intentionally used because “must” would require a policy to enforce it which could create a situation that requires outside enforcement.
- Could use “need” instead of “should”.
- Rural legislation stipulates that RCMP required to deal with dangerous animals.
- Grateful to Staff for the referral package that showed a lot of respect for the LCA OCP SC’s work.

Staff responded to the above comments and the following was noted:

- Regarding the formatting comments; staff implemented the recommended reorganization of the sections of the document; technical review comments on reformatting refers to numbering, spacing and elements of that nature.
- A definition for guest cabins is needed. Guest cabin is used in four different places, with different connotations.

Discussion ensued and the following was noted:

- Could amend definition of guest cabins; good idea to have it but could incorporate both paying and non-paying definitions.
- Staff clarified that changing fonts will make the document more readable.
- Staff advised that some topics were not complete
- Need to put these topics “under review” so that it leaves it open. The LTC will have to decide what to do with that.
- Feral sheep will cause a real divide. Concentrate on a different invasive species like bullfrogs. Sheep just need to be contained. Some people take care of them now.
- Invasive species remediation needs to be a community driven process; LTC may not be the best body to do this.
- Staff’s concern as a Project Manager is whether this process would be held up by an issue like invasive species.
 - Recommendation from LCA OCP SC was to remove anything referring to sheep or other topics that they couldn’t come to agreement on in the OCP to allow the recommendations with consensus to come back to the community.

Timelines

Staff described the process for a bylaw amendment and noted that it is also referred out to other agencies. A Community Information Meeting (CIM) is also helpful to hear back from the public. There are other options available, too, but they are limited because of staffing and budget constraints. Staff described the three different options listed in the APC Referral on Page 86. She noted that they could also use Survey Monkey to survey the population.

Discussion ensued and the following was noted:

- Option 2 is problematic with only an online process; we would also need hard copies on island. An island mailer would inform everyone about what is happening.

- A CIM needs to happen in September so it can be outside; a CIM in December is problematic.
- Need to make sure everybody has an opportunity to comment.
- Option 1 is too long.
- Potentially there are people here that will claim they have not had a chance to comment.
- A virtual meeting will not work.
- The process is understandably correlated with LTC meetings.
- Important to have a CIM hosted by LTC. One more meeting is appropriate.
- Don't want people to feel excluded. Need an in-person meeting sooner than later. A community meeting could celebrate what we have accomplished to date.
- Suggest that there be printed copies made available, a mailer sent, and a CIM before the weather changes.
- Question for Staff: the next LTC meeting is August 10; is September a realistic timeline for a CIM?
 - Staff advised that is was.

Staff noted that the APC could make motions to be more formal. The LTC will not have your minutes at their next meeting, however staff has taken notes and the LTC could adjust the Project Charter at their next meeting and could include a CIM in September.

LA-APC-2020-001

It was MOVED and SECONDED

that the Lasqueti Island Advisory Planning Commission recommends to the Lasqueti Island Local Trust Committee that the Lasqueti Community Association's Official Community Plan Steering Committee report be posted on island by printed copy as well as to the Islands Trust website, that an on island community mailer be sent to inform residents regarding the options available to read and respond to the report, and that the Local Trust Committee hold a Community Information Meeting in September.

CARRIED

LA-APC-2020-002

It was MOVED and SECONDED

that the Lasqueti Island Advisory Planning Commission recommends to the Lasqueti Island Local Trust Committee that the nested layout of the Lasqueti Community Association's Official Community Plan Steering Committee report be retained and used for the draft Official Community Plan document.

CARRIED

Staff clarified that the definition of guest cabins includes non-paying guests.

LA-APC-2020-003

It was MOVED and SECONDED

that the Advisory Planning Commission recommends to the Lasqueti Island Local Trust Committee to direct Staff to edit their definition of guest cabin to include paying and non-paying guests.

Discussion ensued and the following was noted:

- If zoned commercial, then paying guests are legal.
- If guests are transient and are not paying, then no commercial zoning is required.
- There could be definitions for Short Term Vacation Rentals as well as for guest cabins.

DEFEATED

LA-APC-2020-004

It was MOVED and SECONDED

that the Advisory Planning Commission recommends to the Lasqueti Island Local Trust Committee to direct Staff to create two different definitions to differentiate between commercially-zoned cabins and non-commercial guest cabins.

CARRIED

On-Site Water

Trustee Peterson advised that the LTC is waiting for comment from the Island Trust’s Freshwater Specialist. He also noted that if our local bylaw requires more than the provincial standards, it would only affect future subdivisions.

Discussion ensued and the following was noted:

- If you cannot prove that you have access to water, it could also be a check on development.
- We have more autonomy if we have our own requirements. Otherwise it only falls to the province regarding development.
- Could help restrict unsustainable developments. It would not be retroactive but could be a stop mechanism.

Staff advised that they did not change the draft; currently the regulations state that residential lots should have a source of fresh water. This could be dealt with in Phase 2 or 3.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 3:27 pm.

Shoshanah Waxman, Chair

Certified Correct:

Dave Olsen, Recorder



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		Completed
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

04-Oct-2021

Activity	Responsibility	Dates	Status
1 the Lasqueti Island Local Trust Committee amend Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", as follows: PART 2 - ADMINISTRATION, 2.11 Definitions, add a definition for "Livestock" as follows: "Livestock: means cattle, goats, horses, sheep, swine and game and includes any other animal designated by regulation";	Becky McErlean Heather Kauer		In Progress

Follow Up Action Report

Lasqueti Island

04-Oct-2021

Activity	Responsibility	Dates	Status
<p>2 the Lasqueti Island Local Trust Committee amend Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", as follows: PART 3 - OFFICIAL COMMUNITY PLAN, delete "OFFICIAL COMMUNITY PLAN" and replace with "BACKGROUND"; Add PART 4 entitled "OBJECTIVES AND POLICIES"; Add PART 5 entitled "LAND USE"; That the Lasqueti Island Local Trust Committee amend Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020", by organizing and formatting the entire bylaw with the numbering system consistent with Attachment 1 of the staff report dated October 4, 2021.</p>	<p>Becky McErlean Heather Kauer</p>		<p>In Progress</p>
<p>3 Staff to review and report back on the public comments from Dave Olsen and Andrew Fall regarding the OCP bylaw 98.</p>	<p>Heather Kauer</p>		<p>In Progress</p>
<p>4 Staff to review FLNRORD's comments and get SIPAs comments on Crown Lands and reconciliation regarding the OCP bylaw No. 98.</p>	<p>Heather Kauer Lisa Wilcox</p>		<p>In Progress</p>
<p>5 That 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>In Progress</p>

Follow Up Action Report

Lasqueti Island

04-Oct-2021

Activity	Responsibility	Dates	Status
<p>6 the Lasqueti Island Local Trust Committee cancel their December 6, 2021 regular business meeting.</p>	<p>Becky McErlean Heather Kauer Wil Cottingham</p>		<p>Completed</p>
<p>7 the Lasqueti Island Local Trust Committee request staff to schedule one special electronic meeting on December 6, 2021 for up to four hours in length, to include three agenda items:</p> <ul style="list-style-type: none"> a. Consideration of Trustee motions for specific amendments to Lasqueti Island Local Trust Committee Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020"; b. The Lasqueti Island Local Trust Committee annual business meeting schedule for 2022; and c. The Lasqueti Island Meeting Procedures Bylaw 	<p>Becky McErlean Heather Kauer Wil Cottingham</p>		<p>Completed</p>
<p>8 the Lasqueti Island Local Trust Committee request that Lasqueti Island Trustees each provide staff a written list of motions they intend to present at the special meeting to consider minor amendments to Lasqueti Island Local Trust Committee Bylaw No. 98, cited as "Lasqueti Island Official Community Plan, 2020" no less than 10 days prior to the meeting to be included in the meeting agenda package.</p>	<p>Heather Kauer</p>		<p>In Progress</p>



Follow Up Action Report

Lasqueti Island

04-Oct-2021

Activity	Responsibility	Dates	Status
9 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."	Becky McErlean Heather Kauer		In Progress



DATE OF MEETING: February 18, 2022
 TO: Lasqueti Island Local Trust Committee
 FROM: Heather Kauer, Regional Planning Manager
 Northern Team
 SUBJECT: Proposed New Fee Bylaw

RECOMMENDATION

1. That the Lasqueti Island Local Trust Committee Bylaw No. 99, cited as “Lasqueti Island Local Trust Committee Fees Bylaw, 2022”, be given First, Second, and Third Reading.
2. That the Lasqueti Island Local Trust Committee Bylaw No. 99, cited as “Lasqueti Island Local Trust Committee Fees Bylaw, 2022”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The purpose of this report is for the Lasqueti Island Local Trust Committee (LTC) to consider three readings of Bylaw No. 99 which would replace Bylaw No. 85 (LTC Fees Bylaw) to include:

- An expanded Interpretation section.
- Fee increases for the various applications.
- Fees for applications received though work or activity is already undertaken or in operation.
- Clarification of collection of fees and refunds.
- A new section to address Extraordinary Service Costs (ESC)
- A new section to address Annual Fee Increases.

BACKGROUND

At the October 2021 regular business meeting, the LTC passed the following resolution:

LA-2021-052

It was MOVED and SECONDED

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

Comparison Tables

MODEL BYLAW APPLICATION DESCRIPTIONS		EXISTING BYLAW
TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)		
Type of Application	Fee : MODEL BYLAW	BYLAW NO. 85

1.	Major (e.g. change to density or OCP)	\$7,800	\$4,950 see 2.
2.	Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600	\$4,400 see 1
3.	Land Use Bylaw amendment	Not in Model	\$3,520 see 3.
4.	Land Use Contract amendment	See table 4, item 2	

TABLE 2 – Permits		
Development Permit in Respect of:	Fee : MODEL BYLAW	BYLAW NO. 85
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000	New
2. Protection of Development from Hazardous Conditions	\$1,000	New
3. Protection of Farming	\$1,000	New
4. Objectives for Form and Character	\$1,700	New
5. Objectives to Promote Energy Conservation	\$1,000	New
6. Objectives to Promote Water Conservation	\$1,000	New
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000	New
8. Development Permit Amendment	\$1,000	New
Development Variance Permit :	Fee : MODEL BYLAW	BYLAW NO. 85
9. Development variance permit (commercial, industrial or institutional development)	\$1900	\$715
10. Development variance permit (residential development)	\$1900	\$440

11.	Development variance permit for a setback or screening regulation specific to any freshwater feature (stream, lake, pond, brook, ditch, creek residential, commercial, industrial or wetland) in respect of a residential, commercial, industrial or institutional development	Not in Model	\$150
MODEL BYLAW APPLICATION DESCRIPTIONS			EXISTING BYLAW
TABLE 2 – Permits continued			
Type of Temporary Use Permit		Fee : MODEL BYLAW	BYLAW NO.85
12.	Temporary Use Permit (residential/commercial/industrial)	\$2150	\$770 – no residential
13.	Temporary Use Permit for residential uses or commercial uses under 95 square metres that provide community benefit.	\$1000	New
14.	Temporary Use Permit Renewal	\$700	\$165 – no residential
15.	Temporary Use Permit Renewal (Community Benefit)	\$350	New
Other Permits		Fee : MODEL BYLAW	BYLAW NO. 85
16.	Heritage Alteration Permit	\$1,700	New
Combination Applications		Fee : MODEL BYLAW	BYLAW NO. 85
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	New
18.	Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000	New

TABLE 3 – Subdivision Referrals		
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Type of Application	Fee : MODEL BYLAW	BYLAW NO.85
1. Application for Subdivision Review – base fee	\$1,000	\$825
2. Application for Subdivision Review – per additional lot created	\$100	\$110
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500	\$110

MODEL BYLAW APPLICATION DESCRIPTIONS		EXISTING BYLAW
TABLE 4 – Other Applications		
Type of Application	Fee : MODEL BYLAW	BYLAW NO.85
1. Board of Variance	\$2,200	\$440
2. Land Use Contract amendment	\$2,000	\$4,400 See table 1 item 4 BL 85
3. Liquor & Cannabis Regulation Branch – Liquor License	Not in Model – regulations now changed	\$825
4. Liquor & Cannabis Regulation Branch – Non-Medical Cannabis Retail License	Not in Model – regulations now changed	\$825
5. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500	\$825
6. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500	\$100
7. Strata Conversions	\$1,500	New

Rationale for Recommendation

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council recommended that local trust committees adopt new fees bylaws based on the model. In October, the LTC requested staff to draft a new Fee Bylaw based on the model fee bylaw.

Draft Bylaw No. 99 is attached. It is consistent with the model with the exception of the removal of the option for fees for Siting and Use Permits (Denman and Hornby only); and the removal of the option for TUPs for community benefit – this option was in the model to provide for flexibility to allow for reduced temporary use permits fees for community benefits as defined by a local trust committee in its official community plan. The OCP does not include policies for TUPs for community benefit; however, applicants can continue to seek sponsorship of applications from Executive Community for applications that provide a community benefit.

Submitted By:	Heather Kauer Regional Planning Manager	January 24, 2022
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ATTACHMENTS

1. Draft Bylaw No. 99



BYLAW REFERRAL FORM

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

Island: Gambier Island Local Trust Area – Keats Island **Bylaw Nos.:** 153 (OCP) & 154 (LUB) **Date:** July 27, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within approximately 60 days by **October 18, 2021**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Gambier Island Local Trust Committee

PURPOSE OF BYLAWS:

The purpose of the bylaws is to establish a new Development Permit Area (Shoreline) and to amend siting and size regulations in relation to the natural boundary of the sea and marine structures.

Proposed Bylaw No. 153 will, if adopted, amend the Keats Island Official Community Plan Bylaw No. 77, 2002 to establish Development Permit Area 3: Shoreline (DPA 3) for the purpose of protecting the natural environment, its ecosystems and biodiversity, and to protect development from hazardous conditions. The DPA 3 would be applicable to nearshore upland and marine areas, and includes objectives to:

- regulate new development to preserve, protect and restore foreshore and marine areas;
- balance development opportunities with the conservation and restoration of the shoreline and marine environment;
- minimize disruption of natural features and processes and retain natural vegetation;
- maintain safe public use and access to important recreation areas, while not compromising shoreline ecological integrity;
- adapt to anticipated effects of climate change;
- protect coastal properties and development from hazardous conditions.

Proposed Bylaw No. 154 will, if adopted, amend the Keats Island Land Use Bylaw No. 78, 2002 to:

- increase the setback from the natural boundary of the sea from 7.5 metres to 15 metres;
- limit the floor area, number and types of structures permitted within the setback from the natural boundary of the sea;
- increase setbacks between private floats and docks from side lot lines and from adjacent private floats and docks;
- reduce the permitted float area and dock ramp width.

Proposed Bylaw No. 154 would also include the DPA 3 guidelines, exemptions and applicability.

GENERAL LOCATION:

Keats Island

OTHER INFORMATION:

Please direct any communications regarding this referral to Jaime Dubyna, Island Planner, at (250) 247-2212 or by email to jdubyna@islandstrust.bc.ca.

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

Jaime Dubyna

Jaime Dubyna

Name: _____

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

- Skwxwú7mesh Úxwumixw (Squamish Nation)
- Tsleil-Waututh Nation
- Musqueam First Nation
- Sechelt First Nation
- Halalt First Nation
- Penelakut Tribe
- Lake Cowichan First Nation
- Cowichan Tribes
- Stz'uminus First Nation
- Lyackson First Nation
- Snaw'Naw'As Nation and Te'Mexw Treaty Association

Regional Agencies

- Sunshine Coast Regional District

Provincial Agencies

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Adjacent Local Trust Committees and Municipalities

- Lasqueti Local Trust Committee
- Gabriola Local Trust Committee
- Galiano Local Trust Committee

Non-Agency Referrals

Islands Trust Conservancy, Keats Conservation Group, Eastbourne Community Association, Keats Landing Leaseholders, Keats Camp, Barnabas Ministries and Keats Island Shoreline Protection Working Group

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

Gambier Island Local Trust Area – Keats Island

(Island)

(Signature)

(Date)

Bylaw No. 153 (OCP)

(Bylaw Number)

(Title)

(Agency)

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

Gambier Island Local Trust Area – Keats Island

(Island)

Bylaw No. 154 (LUB)

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



DATE OF MEETING: February 7, 2022

TO: Lasqueti Island Local Trust Committee

FROM: Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: **Proposed Subdivision – Highway Frontage Exemption**
Applicant: Fern Road Consulting Ltd. (Rachel Hamling)
Location: LOT 1, SECTION 26, LASQUETI ISLAND, NANAIMO DISTRICT, PLAN VIP 80945 (PID 026-666-464); *and*
FRACTIONAL SECTION 25, LASQUETI ISLAND, NANAIMO DISTRICT, EXCEPT PLAN 18000 (PID 000-232-335)

RECOMMENDATION

1. That the Lasqueti Island Local Trust Committee exempt Proposed Strata Lot B and Proposed Strata C of the proposed 5-lot strata subdivision of LOT 1, SECTION 26, LASQUETI ISLAND, NANAIMO DISTRICT, PLAN VIP 80945 (PID 026-666-464) and FRACTIONAL SECTION 25, LASQUETI ISLAND, NANAIMO DISTRICT, EXCEPT PLAN 18000 (PID 000-232-335).

REPORT SUMMARY

The applicant has applied for a 5-lot Bare Land Strata Subdivision through the Ministry of Transportation and Infrastructure (MOTI), and MOTI has referred the application to Islands Trust for review. In the Subdivision Referral Report dated October 22, 2020 (revised November 10, 2021), Islands Trust staff have included a condition that requires the applicant to obtain a 10% highway frontage waiver for Proposed Strata Lot B and Proposed Strata Lot C, and the applicant to obtain a waiver of the requirement of the highway frontage to be no less than 20 metres for Proposed Strata Lot C.

The Lasqueti Island Local Trust Committee (LTC) is asked to consider waiving the 10% highway frontage and 20 metre highway frontage requirement, in order that the proposed subdivision may receive final approval.

BACKGROUND

Under Section 512 of the *Local Government Act (LGA) – minimum parcel frontage on a highway*, each lot being created by subdivision must have a minimum highway (road) frontage of the greater of 10% of the perimeter of the lot that fronts on the highway *and* the minimum frontage required by a local government bylaw, unless exempted by a local government.

Based on staff's measurements, and not including the perimeter of the shoreline of both proposed lots (not provided), Proposed Strata Lot B would have an approximate highway frontage of 1.9% and 20 metres, and Proposed Strata Lot C would have an approximate highway frontage of 0.9% and 10 metres.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The Lasqueti Island Official Community Plan (OCP) Bylaw No. 77 contains the following objective under Section 3.1 – Residential Land Use:

- **Objective 6** *To ensure appropriate access to parcels is provided, taking into account topography, and existing trails and roads.*

Land Use Bylaw:

Section 3.11(5) of the Lasqueti Island Land Use Bylaw No. 78 (LUB) requires:

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

“Highway” is defined as follows in the LUB (underlined for emphasis):

- **"highway"** *means the surveyed right of way for a road, street, lane, bridge, access routes in bare land strata plans, and any other way open to public use, but does not include a private right-of-way on private property;*

The proposed subdivision plan (Attachment 1) indicates the frontage of Proposed Strata Lot B will be 20 metres, but is calculated to be less than 10% of the perimeter of the proposed lot (approx. 1.9%). Proposed Strata Lot C will have a frontage of 10 metres, and the frontage is calculated to be less than 10% of the perimeter of the proposed lot (approx. 0.9%).

Local Government Act:

The Proposed Strata Lots B and C do not meet the requirement of Section 512 of the LGA which states (underlined for emphasis):

Minimum parcel frontage on highway

512 (1) *If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of*

- (a) 10% of the perimeter of the lot that fronts on the highway, and*
- (b) the minimum frontage that the local government may, by bylaw, provide.*

(2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).

Staff conclude that Proposed Strata Lot B and Proposed Strata Lot C do not meet the requirement of Section 3.11(5) of the LUB and Section 512(1) – as the frontage of the proposed lots are less than 10% of the perimeter of the lots and Proposed Strata Lot C has a frontage that measures less than the 20 metre minimum required by the LUB; therefore necessitating the request that is the subject of this staff report. It is noted, under the above Section 512(2), a local government may exempt the statutory minimum with the understanding that the Provincial Approving Officer (PAO) would make a decision taking into account the public interest and suitability of the proposed frontage.

Issues and Opportunities

Where a local government opts out of the authority granted under Section 512 of the *LGA*, the authority then falls to the Provincial Approving Officer (PAO). Previously, staff have discussed with the PAO the general considerations that would go into granting an exemption, which include:

- Allowing for an appropriate amount of space for reasonable and safe access;
- Suitability of terrain where the frontage is provided;
- Adequacy of building envelope;
- Whether further subdivision potential is limited by the proposed frontage.

Staff note the Preliminary Layout Review (PLR) for the proposed subdivision, administered by the MOTI, requires the following: “Internal strata routes must be designed and capable of being constructed in accordance with standards generally accepted as good engineering practice.” The applicant notes that this condition ensures safe access and egress to each proposed bare land strata lot. It is noted that the proposed lots will not exceed the maximum parcel depth required in Section 3.11(6) of the LUB and provide an adequate site area for all permitted uses in the Land Based (LB) zone.

There is a proposed 10 metre access easement that will be shared between Proposed Strata Lot A and Proposed Strata Lot B that will continue access to both proposed lots, as shown on the plan in Attachment 1. Staff note that registration of the easement would occur at the Land Title Office concurrently with the subdivision plan. Staff have requested a copy of the easement.

Consultation

No public hearing or consultation is required or recommended for this application.

First Nations

Subdivision is considered “development” and has the potential to impact cultural heritage and archaeological sites that are protected by the *Heritage Conservation Act (HCA)*, whether on Crown Provincial or private land. They are non-renewable, very susceptible to disturbance and are finite in number. Archaeological sites are protected for the historical, cultural, scientific and educational value to First Nations, local communities and the general public. Impacts to archaeological sites must be avoided or managed by development proponents. It is recommended that the property owners discuss any development plans with the Archaeology Branch to ascertain the need for any additional permitting under the *Heritage Conservation Act*.

Rationale for Recommendation

The LUB requires that highway frontage of a parcel created by subdivision be at least 10 percent of the parcel’s perimeter and be no less than 20 meters in length. The proposed subdivision plan indicates the frontage of Proposed Strata Lot B is 20 metres, but is less than the 10% minimum, and Proposed Strata Lot C does not meet the minimum 20 metre frontage nor the 10% minimum frontage stipulated in Section 3.11(5) of the LUB and Section 512 of the *LGA*.

Staff are satisfied the proposed subdivision has taken into consideration ensuring appropriate access to the proposed lots, taken into account the contours and topography of the land and existing access, as described in OCP Objective 3.1(6). Therefore, staff are recommending in favour of the highway frontage waiver for this proposed subdivision.

The staff recommendation is noted on page 1 of this report.

ALTERNATIVES

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

1. 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 the following information prior to making a decision [information requested to be provided by LTC].

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Lasqueti Island Local Trust Committee not waive the 10% highway frontage requirement for Proposed Strata Lot B and Proposed Strata Lot C on LOT 1, SECTION 26, LASQUETI ISLAND, NANAIMO DISTRICT, PLAN VIP 80945 (PID 026-666-464) and FRACTIONAL SECTION 25, LASQUETI ISLAND, NANAIMO DISTRICT, EXCEPT PLAN 18000 (PID 000-232-335).

NEXT STEPS

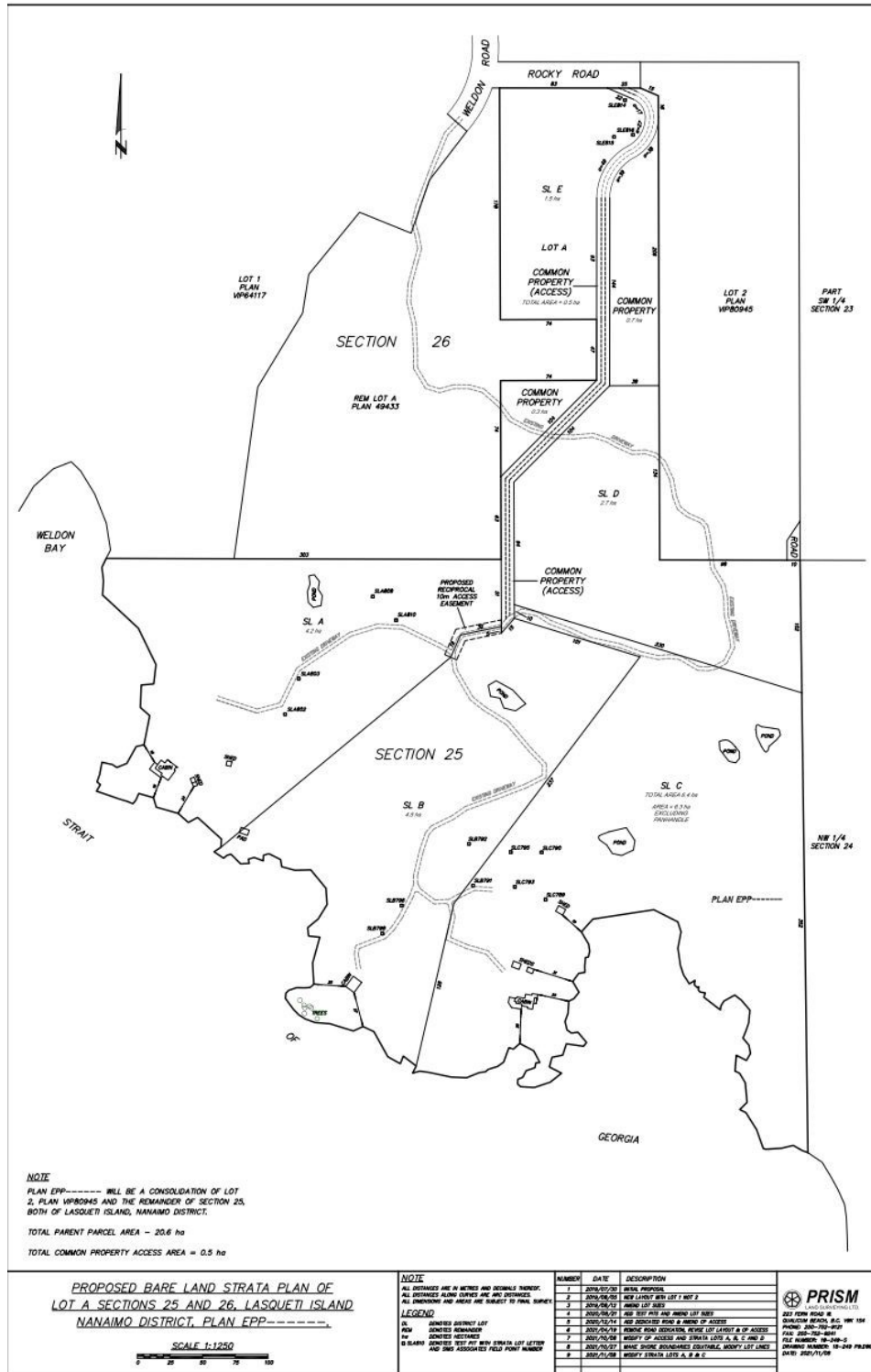
If the LTC concurs with staff’s recommendation and approves highway frontage waiver, Preliminary Layout Approval could be issued by the MOTI and the subdivision could proceed as per the proposed plan (see **Attachment 1**).

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	January 25, 2022
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ATTACHMENTS

- 1. Proposed Plan of Subdivision

ATTACHMENT 1 – PROPOSED SUBDIVISION PLAN





MEMORANDUM

File No.: Lasqueti OCP Project
6500 LTC Projects

DATE OF MEETING: February 7, 2022
 TO: Lasqueti Island Local Trust Committee
 FROM: Heather Kauer, Regional Planning Manager
 Northern Team
 SUBJECT: OCP Project Update

PURPOSE

The purpose of this memorandum is:

- To update the Local Trust Committee on the status and next steps of the Lasqueti OCP project.

First Nation Comments

On September 21, 2021, Snaw-na-as First Nation sent a letter to the LTC in response to the OCP referral requesting that the LTC hold off on advancing the OCP project and requesting a meeting. On December 17, 2021, a letter was sent to Snaw-na-as First Nation confirming Islands Trust interest in meeting with them. As of the drafting date of this staff report, no response from the Nation has been received. Staff are recommending that no amendments to the OCP be made until the matter with Snaw-na-as is resolved.

Other Comments

In the meantime, this memorandum lays out other comments received for the LTC’s consideration and discussion, including a response to the following resolution passed by the LTC on October 4, 2021:

LA-2021-046

It was MOVED and SECONDED

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

CARRIED

The following table summarizes the comments received by Andrew Fall and Dave Olsen and other comments staff have received since the LTC’s October 4, 2021 meeting as well as staff’s recommendation for a response to the comments. Please note that staff has indicated a neutral position where staff has no objection to revising the OCP consistent with the comment but will defer to Trustees as to whether they believe that the comment is important enough to take the time to amend the document accordingly.

Source	Comment	Staff Recommendation
FLNRORD	Staff have requested further information regarding the original comments received from FLNRORD. As of the drafting date of this report, no response from FLNRORD has been received. The original set of comments is attached to this report.	Delete referenced policies Rationale: Lasqueti's OCP cannot be adopted without approval by the Ministry of Municipal Affairs. The Ministry is unlikely to approve a document that actively opposes the concerns of another Provincial Ministry.
ITC	Add specified, additional parcels to Parks and Protected Areas land use designation to Schedule B: Land Use Designation Map related to Islands Trust Conservancy lands.	Amend map accordingly
qathet Regional District Board (LIPMAC)	Replace OCP policies 4.4.3 a) through e) with the following policies: a) Residents are encouraged to store vehicles on their property and remove their derelict vehicles promptly. b) In order to stem the growing population of vehicles on-island, residents are encouraged to arrange for the removal of a vehicle before barging a new or used vehicle onto the island. c) Long-term parking on public right of ways or Crown Land is discouraged. d) Abandonment of vehicles is an illegal and socially irresponsible action not endorsed by the community. e) The Local Trust Committee, Ministry of Transportation, Regional District, RCMP, businesses and residents are encouraged to coordinate the removal of unwanted and derelict vehicles.	Amend policy consistent with qRD recommendation
Dave Olsen 1	Page 8, last sentence of the last paragraph before the table: Currently: "The ferry does not provide vehicle service, which therefore requires barging over of vehicles and other large items." Change to "The ferry service is passenger-only." Rationale: Obviously, no one is required to barge a vehicle or other large items, and the ferry is exactly that, passenger-only.	Neutral

<p>Dave Olsen 2</p>	<p>Page 18, top of page, Objective 3 Currently: "Objective 3 To support the creation of a public trail network throughout the Island." Delete</p> <p>Rationale: Objective 2 embodies the sentiment of the Community; there has been strong opposition to the creation of a public trail network.</p>	<p>Keep current wording unless LTC has sufficient evidence that there is majority opposition to a public trail network.</p>
<p>Dave Olsen 3</p>	<p>Page 18, bottom of page continuing to page 19, Policy 5 Currently: "Policy 5 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." Suggested reworking: "Policy 5 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 are completed, relationship building and cooperation between the Local Trust Committee and other First Nations may will continue to be developed over time." (highlights added to make changes easier to notice). Rationale: the spirit of this policy is dramatically enhanced.</p>	<p>Defer to SIPA and First Nations on their preferred language.</p>
<p>Dave Olsen 4</p>	<p>Page 19, top of page, last bullet of Policy 6 Currently: "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" Change: Remove everything from and including "and/or , where damage is unavoidable, mitigate impacts by supporting the recovery of as much information as possible" Rationale: Common sense will suggest the removed portion when required; suggesting that in advance will encourage that outcome and undermine the intended outcome described by the first part of the policy.</p>	<p>Defer to SIPA and First Nations on their preferred language.</p>

Dave Olsen 5	<p>Page 20, near top, Advocacy Policy 1 and 2: Advocacy Policy 1 states "prohibit" regarding nuclear waste, however, Advocacy Policy 2 uses the word "oppose" regarding GMOs. We likely have zero jurisdiction over either, so I advocate for the use of "prohibit" for both instances.</p>	<p>None.</p> <p>Alternative: Amend Advocacy Policy 1 to replace "prohibit" with "oppose."</p> <p>As the LTC has no jurisdiction, they can't "prohibit."</p>
Dave Olsen 6	<p>Page 26, near bottom of page Garbage Disposal Advocacy Policies I suggest removing Advocacy Policy 1 as Advocacy Policy 3 includes all of it plus much more.</p>	Neutral
Dave Olsen 7	<p>Page 34 Crown Lands No mention of First Nation title or use exists which is an obvious need given the FNWL recently tenured to the Snaw-Naw-As.</p>	Defer to SIPA and First Nations
Andrew Fall 1	<p>(i) Typos, grammar and placement of objectives/policies</p> <ol style="list-style-type: none"> 1. Section 4.1.8 Climate Change Policies: move the descriptive text to following the main Climate Change heading, just before the section 4.1.7 heading. 2. Section 4.2.3 Natural Resources, General Advocacy Policy c: typos: (i) remove "a" after "identify", and (ii) there are two periods at the end of the sentence. 3. Section 4.2.12 Cultural Resources Policies, Policy a: typo: missing "of" after "significance". 4. Section 4.2.13 Cultural Resources Advocacy Policies, Advocacy Policy d: missing period at the end of the sentence. 5. Section 4.3.3 Community Stewardship, Advocacy Policy i: move to the Resilience section. 6. Section 4.4.4 General Transportation Objective a: Move to the Ferry Service section. 7. Section 4.4.5 General Transportation Policy b: Move to the Ferry Service section. 8. Section 4.4.5 General Transportation Objective b: Move to the Road System section. 9. Section 4.4.10 Communications Objective b: Move to Section 4.4.1 General Objectives since this is about the nature of services in general. 10. Section 5.1.4 Commercial and Industrial Objectives a-c: 	<p>Amend the document as noted where punctuation or grammar issues are identified.</p> <p>Consider moving policies to different sections where there was not a specific recommendation by the LCA to place the policy in a particular section.</p>

	punctuation typo: there is a semicolon at the end of each objective instead of a period.	
Andrew Fall 2	<p>ii) Minor content-related suggestions</p> <p>11. Define the following terms in the glossary (Section 2.11 Definitions). I have included some suggestions for definitions, but those are only meant to help initiate discussion.</p> <ul style="list-style-type: none"> • <i>Heritage sheep</i>: clarify that this refers to the settler heritage of Lasqueti, and not the natural/ecological heritage, indigenous heritage or heritage breeds. For example “<i>Local, free-roaming sheep that form part of the settler heritage of Lasqueti.</i>”. • <i>Exotic species</i>: “<i>A plant or animal species living outside its native distributional range, but which has arrived there by human activity, directly or indirectly, and either deliberately or accidentally. Exotic species are not always considered a nuisance or invasive.</i>” • <i>Feral</i>: “<i>An animal or plant that lives in the wild but is descended from domesticated specimens.</i>” 	<p>Do not amend.</p> <p>Rationale: the current language regarding feral sheep seems to be acceptable to majority of local reviewers. Amending it again, as suggested, would trigger the need for more public review regarding this topic which generally cannot be addressed by a land-use document.</p>
Andrew Fall 3	Add at the start of Section 2.11 (Definitions) a statement such as “ <i>The meaning of terms used in this document, but not defined in this section, will be based on the <name of dictionary></i> ”.	<p>Do not amend.</p> <p>While this would be helpful, there is no one document that guides definitions as often the definitions are guided by court cases or legal opinions.</p>
Andrew Fall 4	Section 4.1.8 Climate Change, Policy f: change “ <i>slash burning</i> ” to something more general, such as “ <i>outdoor debris burning</i> ”.	Neutral
Andrew Fall 5	Section 4.3.2 Community Stewardship, General Policies, Policy b: change the phrase “ <i>access to a development</i> ” to “ <i>access to the foreshore</i> ”	<p>Amend as suggested.</p> <p>Staff recognize that existing language may be problematic.</p>
Andrew Fall 6	Section 4.3.3 Community Stewardship, Advocacy Policies f and g: nearly identical; remove the former	Neutral
Andrew Fall 7	Section 4.3.3, Community Stewardship, Advocacy Policy h and Section 4.3.5 Human Resources Advocacy Policy a: nearly identical; move the former to the Human Resources section and remove the latter	Neutral
Andrew Fall 8	Section 4.3.3 Community Stewardship, Advocacy Policy j and Section 4.3.10 Food Advocacy Policy a: nearly identical; move the former to the	Neutral

	Food section and remove the latter	
Andrew Fall 9	Garbage Disposal section (4.4.13 and 4.4.14): Rename main heading and sub-section heading to “ <i>Waste Management</i> ”, since the policies and objectives are also about recycling and the Free Store.	Neutral
Andrew Fall 10	Section 4.4.13 Garbage Disposal Objectives c and d: Move to Section 4.4.1 General Objectives since these refer to services in general.	Neutral
Andrew Fall 11	Residential Land Use section (in section 5.1): Remove the sentence below the heading since it is the same as Objective 5.1.1(c).	Neutral
Andrew Fall 12	(iii) More significant content-related suggestions Section 4.4.3 Community Services, General Advocacy Policy f: Should be a Policy, as the qathet Regional District is guided by the OCP in the same way as the Islands Trust.	No amendment. This is currently a Policy.
Andrew Fall 13	Section 4.4.7 Boats and Maritime Vessel Policy a: This does not seem to be still relevant (and seems to be left over from previous OCP reviews), given that there is a public barge ramp. Replace with a Policy such as: <i>a. Because barge service is essential to the community for transferring goods and materials to and from Lasqueti Island, maintain the existing public barge ramp accessible to all barge operators.</i>	Do not delete policy “a” as it could be relevant in the future. The suggested policy could be added. Staff recommend that if it is, that it is modified such that it recognizes the body that has the authority to maintain the public barge ramp.
Andrew Fall 14	Section 4.4.14 Garbage Disposal Advocacy Policies b and c: Should be Policies, as the qathet Regional District is guided by the OCP in the same way as the Islands Trust.	No amendment. As written these are policies.

Andrew Fall 15	<p>Crown lands. In the Oct 4 LTC agenda, staff recommend deleting the following from the Aug 2021 draft of the OCP, based on feedback from the Province:</p> <p>a. Section 3.5, Crown Lands, Objective 4: <i>To take into account the conservation values on Crown Lands as the primary consideration in decision making.</i></p> <p>b. Section 3.2, Natural Resources, Advocacy Policy 8: <i>The Province is requested to designate all unencumbered Crown land on Lasqueti in a formal protected status.</i></p> <p>Although the Province may not respond to this Objective and Advocacy Policy, these were supported by the public during the LCA OCP Review Steering Committee process. As a reflection of community aspirations and wishes, the OCP objectives should not be filtered by current Provincial positions. Note that conservation could include status as a Conservancy, co-managed with First Nations, and so conservation is compatible with reconciliation.</p> <p>I suggest that both of the above be retained in the OCP under sections 5.4.1 Crown Lands Objectives and 5.4.3 Crown Lands General Advocacy Policies, respectively.</p>	Delete referenced policies. Rationale: Lasqueti’s OCP cannot be adopted without approval by the Ministry of Municipal Affairs. The Ministry is unlikely to approve a document that actively opposes the concerns of another Provincial Ministry.
Trustee Johnston	3 motions regarding typos; several suggestions / questions / proposed points of discussion	-Address identified typos

Trustee Johnston Comments / Questions

As noted in the Table above, On September 20, 2021, staff received, via email, a document with a list of comments and questions from Lasqueti LTC Trustee Johnston. A revised list was emailed to staff on December 9, 2021. That revised list is Attachment 2 of this report.

At their October 4, 2021 meeting, the LTC passed the following resolution:

LA-2021-051

It was MOVED and SECONDED

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

CARRIED

The attached document submitted by Trustee Johnston is presumably his response to this resolution. There are three motions listed in the document and staff would recommend amending the OCP based on these draft motions.

The rest of the document does not include draft motions but questions and comments. Staff recommend that the LTC accept these for information, but not take action on them for the following reasons:

1. The role of Trustees during an OCP amendment process is primarily as approvers and not editors;
2. 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;
3. 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 and would risk pushing the timeline for completion into the next Trustee term.

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.

Alternatively, the Trustees could conduct one special meeting to discuss motions that are brought by the Trustees for amendments and limit that discussion to the time allotted for that meeting.

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 indefinitely to allow discussion of Trustee Johnston's full list of comments and suggestions to be addressed over the course of as many meetings as needed to address the comments and questions.

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. Add One Special Meeting to Project Charter Timeline

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 indefinitely to allow discussion of Trustee Johnston's full list of comments and suggestions to be addressed over the course of as many meetings as needed to address the comments and questions.

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.

3. Request More Information

The LTC may request further information. 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

Meeting to be arranged with Snaw-na-as First Nation.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	January 21, 2022
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ATTACHMENTS

1. OCP Project Charter
2. 2nd Reading of OCP Bylaw
3. Trustee Johnston Comments
4. Other Comments

Purpose: To review and update the Lasqueti Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations in three phases which supports community participation, the Object of the Islands Trust, strengthens relations with First Nations and addresses community land use planning priorities.

Background: The LTC identified a “Comprehensive OCP/LUB Review” as a top priority project and held an early community information meeting in April 2018 to gather ideas on the scope of the project. Support for the Islands Trust’s “preserve and protect mandate”, including a focus on strengthening relations with Tla’amin Nation and other Nations, are overarching priorities for this review.

Objectives

- Conduct a technical analysis of the OCP and LUB;
- incorporate the results of 2018 engagement sessions held by the Lasqueti Community Association;
- determine where policy/regulatory changes may be required to be consistent with First Nations relations and perspectives; the Local Government Act, and Object of the Islands Trust and Islands Trust Policy Statement; Islands Trust Conservancy ‘Regional Conservation Plan 2018-2027’ goals and priorities, Protection of the Coastal Douglas-fir and Associated Ecosystems Toolkit (2018); and
- Develop an ‘OCP/LUB Engagement Strategy’ to prioritize engagement topics and methodology to be undertaken in Phase 2; and
- Update subdivision regulations related to proof of water and public access to the foreshore.

Phase 2, 3 and 4 Objectives

- Undertake community engagement on engagement topics determined in Phase 1.
- Develop, review, adopt draft amending bylaws to update the OCP and LUB based on Phase 1 analysis and Phase 2 community engagement.

In Scope

Phase 1 In-Scope

- Establish opportunities for inter-governmental collaboration for effective decision making respecting Treaty and First Nations rights throughout both phases of the OCP/LUB review.
- Planning staff to conduct a comprehensive technical analysis of the OCP and LUB and present findings for LTC consideration.
- Lasqueti Community Association OCP steering committee to prepare a summary document and presentation to the LTC on the results of the 2018/19 community engagement sessions.

Phase 2 In-Scope

- Update the Project Charter to reflect Phase 2 Scope of Project.
- Work with the Advisory Planning Commission to develop a ‘OCP/LUB Engagement Strategy’ to clarify Phase 2 engagement topics and methodology based on technical analysis and community input to date.
- Implement the ‘OCP/LUB Engagement Strategy’.
- Incorporate First Nation perspectives and recognition of Tla’amin Treaty rights into policy/regulatory options.
- Develop draft amending bylaws for the Official Community Plan incorporating the Lasqueti Community Association OCP steering committee recommendations.
- Legislative review, referrals and bylaw adoption of OCP updates
- Language to be added as recommended by the Senior Intergovernmental Policy Advisor regarding Reconciliation;
- Add Parks designations as recommended by the Islands Trust Conservancy;
- Review Policies 2 and 18 regarding Log Handling Facilities;

Phase 3 In-Scope

- Update subdivision regulations related to proof of water and public access to the foreshore
- Legislative review, referrals and bylaw adoption.

Out of Scope

- Cannabis regulations
- Review of consistency with Housing Needs Assessment
- Review of consistency with Agricultural Land Commission Act

Phase 4 In-Scope

- Update OCP in regards to Consistency with the Regional Conservation Plan, Coastal Douglas-Fir Toolkit, and explore remainder topics as recommended by the Lasqueti Community Association OCP Steering Committee

Workplan Overview

Deliverable/Milestone	Date
Phase 1: LTC endorses revised project charter	May 2019
Phase 1: Planning presentation on summary of technical analysis of OCP and LUB; LCA Presentation;	February, 2020
Phase 2: Referral to APC and community engagement related to LCA Steering Committee recommendations for OCP	Fall 2020
Phase 2: Legislative review, referrals and bylaw adoption of OCP amendments.	Spring 2021 through Winter, 2022
Phase 3: Development of draft bylaws, referrals and community engagement related to subdivision regulations	Spring, 2022
Phase 3: Subdivision Legislative review, referrals and bylaw adoption	Fall 2022 /Winter & Spring 2023
Phase 4: Review of specified topic areas previously not addressed	2023 - 2025

Project Team

Heather Kauer, RPM	Project Manager / Project Sponsor
Planner 2	Planner
Legislative Clerk	Legislative Process / Bylaw Review
Senior Policy Advisor	IT First Nations Liaison
Tla'amin First Nation	Intergovernmental Collaboration
Advisory Planning Commission/Community Groups	Community Representatives
RPM Approval: Heather Kauer, RPM Date: July 23, 2018; Dec 17, 2018; May 14, 2019; Oct 28, 2019; Feb 24, 2020; April 27, 2020; Sept 25, 2020; June 10, 2021	LTC Endorsement: Resolution #: 2018-037, 2018-066, 2019-003, 2019-033, 2019-034, 2020-002, 2020-007, 2020-030, 2021-

Budget

Budget Sources:		
Fiscal	Item	Cost
2019-2020	Technical analysis of OCP and LUB; development of OCP/LUB engagement strategy; MoA water analysis	\$1,000
2020-2021	Phase 2: Community consultation; legislative process (community information meetings; public hearing; advertising) related to OCP amendments	\$3,000
2021-2023	Phase 3: Community consultation; legislative process (community information meetings; public hearing; advertising) related to Subdivision regulations	\$3,000
2023 – 2024	Phase 4 - TBD	TBD
	Total	\$7,000

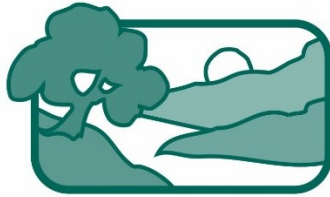
PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
N/A	Phase 1: Defining project scope; LCA review; MoA report; Staff technical Review	February 24, 2020	\$1,000
April 27, 2020	LTC Endorses Phase 2 Project Charter;	April 27, 2020	
June 22, 2020	Staff provide draft bylaws for 1 st Reading and referral, and draft consultation plan to be referred to APC	June 22, 2020	
August 10, 2020	APC referral response; Staff report on agency referral response	August 10, 2020	
August – September 2020	Public engagement	August – September	\$1,000
October 5, 2020	Staff provide report regarding results of consultation and make recommendation for draft bylaws	October 5, 2020	
1 st LTC meeting in 2021	Staff report to LTC with proposed track changes version of OCP for discussion	Winter or Spring, 2021	\$1,000
Spring, 2021	Protocol meeting with qathet RD		
2 nd LTC meeting in 2021	1 st Reading of bylaw and referral to FN, RD, agencies and APC		
3 rd LTC meeting in 2021	2 nd Reading of bylaw		
4 th LTC meeting in 2021	CIM/Public Hearing		
5 th LTC meeting in 2021	3 rd Reading and referral to EC and Ministry		
RWM or next LTC meeting	Adoption	Winter 2021/2022	
Phase 3	Same process as above without Ministry consideration	Fall / Winter 2022	\$3,000
Phase 4	TBD	TBD	TBD
TOTAL			\$ 7,000

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)
2.3	October 4, 2021	Second reading, as amended

PROPOSED



Islands Trust

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

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

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[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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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 4th DAY OF OCTOBER , 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 – 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

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

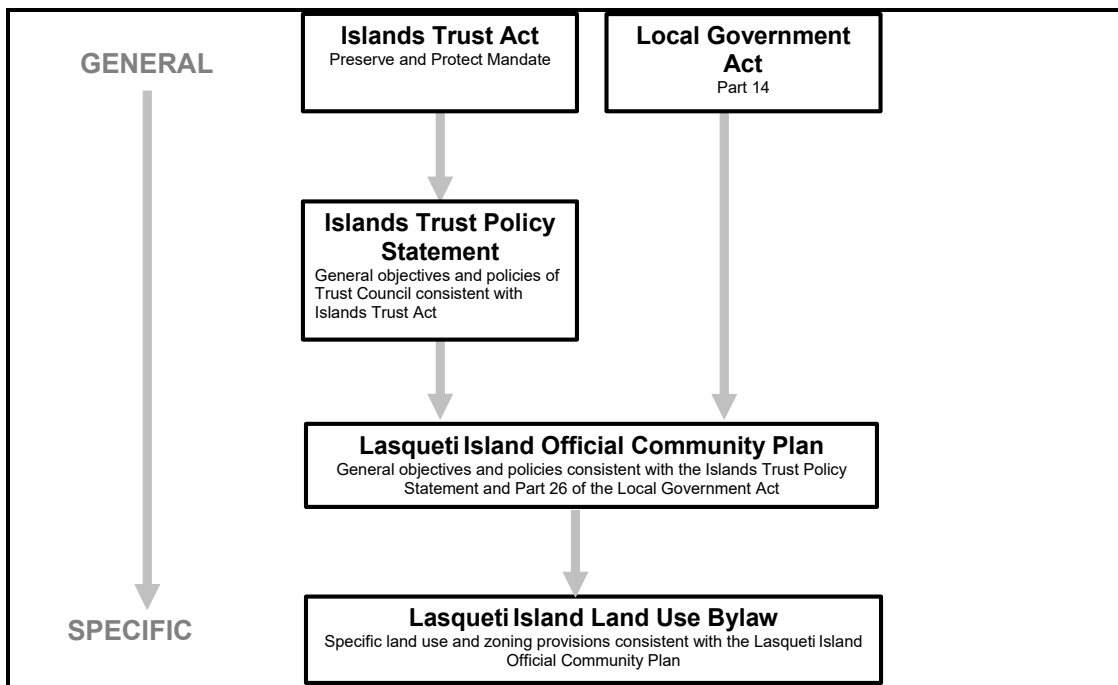
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Plan restricts the Lasqueti Island Local Trust Committee to only enact any other bylaw that is consistent with the Official Community Plan.

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.



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.

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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. A community-led process to identify a locally-meaningful definition and designation of agricultural land is encouraged.
- j. 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. Particular care should be taken to ensure that contamination of the fresh water supply does not occur.
- i. Access to or along significant sources of fresh water should be by trail only, except as may be required for purposes of firefighting.
- j. Land development adjacent to sources of fresh water should include an environmental impact assessment prepared by the proponent.
- k. 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.

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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.

PROPOSED

- 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.

PROPOSED

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;

PROPOSED

- 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.

PROPOSED

- 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. 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.
- c. The Local Trust Committee does not support the extraction of gravel for any use outside of the Lasqueti Island Local Trust Area.
- d. 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. 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.
- g. 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. 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.

PROPOSED

- i. 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. 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. 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.

PROPOSED

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.
- 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.

PROPOSED

- 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

- 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.

PROPOSED

- 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

Proposals and requests/suggestions for change to our proposed OCP Dec 8, 2021

I have separated my suggestions into several sections: typos; specific content-related suggestions; questions, general comments and items needing discussion; questions about meaning of or necessity for various sections; and issues without specific suggestions, only questions.

The following paragraph was correct when I wrote this document in mid November. Now the pages in the agenda package on the Trust web site have been shifted slightly. I've corrected the page numbers in the first two sections, but after that you will have to rely on the description of the specific item. It seems to be one or two pages after the page given in the last three sections of this document, which start on page 7. The October 4 agenda package is at <https://islandstrust.bc.ca/document/lasqueti-ltc-regular-meeting-agenda-6/>

Page and Section numbers refer to the OCP draft in the Oct 4 LTC meeting agenda. (For the page number of the draft proposed bylaw itself, subtract 34.)

Typos p2

Specific content-related suggestions p3

Questions, general comments and items needing discussion p7

Questions about meaning of or necessity for various sections p8

Issues without specific suggestions, only questions p9

In the first section I include wordings as motions, though my strong preference is to simply discuss the issues and find a better wording. In the other sections I raise only questions and issues, with no specific suggestions, and thus have no proposed motions to put forward.

Typos

P47 - Policy 4.1.2(j) – Change upper case “S” in “*Support*” to lower case.

P56 - Policy 4.3.9(a) Food Policies – Remove “*Policy 1*”.

P67 - Advocacy Policy 5.1.6(e) – Remove and renumber (It is blank).

Reformulated as motions:

P47 I move that in Policy 4.1.2(j) the upper case S in support be changed to a lower case s

P56 I move that in Policy 4.3.9(a) the words Policy 1 be deleted.

P 67 I move that Advocacy Policy 5.1.6(e) be deleted and the following advocacy policies be re-lettered.

Specific content-related suggestions

P 37 - 1.4.3 Island Concerns and Issues - Add “wetlands” after “forest lands”.

P42 - 3.1 Introduction, first bullet – Add “and the Lasqueti community” after “Local Trust Committee”.

P44 - 3.2 Community Context – Move the list of past Lasqueti trustees to an appendix.

P45 - 3.4 Goals – Replace the text in Section 3.4 with:

“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, wetlands, fresh water supplies, and foreshore areas are conserved and protected; and local employment, consistent with the protection of the community and natural environment, is provided.”

P46 - 4.1 Environmental Stewardship, second paragraph – Replace “three areas: Conservation, Consumption and Pollution, and Climate Change” with “four areas: General, Conservation, Consumption and Pollution, and Climate Change”.

P46 - Objective 4.1.1(b) – Add “land, and ” before “fresh and salt water”.

P46 - Objective 4.1.1(c) – Remove “human use and”.

P49 - Objective 4.2.1(b) – Change “are harvested sustainably” to “are not harvested unsustainably” because current version makes it seem resources must be harvested.

P51 - Policy 4.2.4(c) – Change “pollution from sewage or from commercial and industrial wastes” to “pollution, including from sewage, commercial and industrial wastes, and fuel spills”.

P51 - Policy 4.2.4(e) – Move this into the general text for the Marine Coastal Areas section as an information note.

P51-2 - Water Source Area – Add the following general text before policies “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.”

P53 - Objectives 4.2.8(b) and (c) – Combine into a single objective as: “To promote trail systems and support the creation of a public trail network throughout the Island.”.

P54 - Policy 4.2.12(d) – Change “sites of archaeological or heritage significance or value” to “archaeological or heritage sites”.

P54 - Policy 4.2.12(e) – Replace with two separate policies:

“The Local Trust Committee recognizes that treaty negotiations with First Nations continue to be unresolved.”

“The Local Trust Committee will build relations and develop cooperation with First Nations over time.”

P55 - Objective 4.3.1(a) – Add *“to preserve the dark night and the quiet for everyone's peace and enjoyment”* after *“pollution”*.

P55 - Advocacy Policies 4.3.3(f) and (g) – Combine as *“The community supports the exploration and establishment of a local land trust for multiple uses, including housing services, industry, recreation and conservation.”*. Possibly *“industry”* should be changed to *business*, or deleted.

P55 - Advocacy Policy 4.3.3(i) – Add *“and other disputes within the community.”* after *“noncompliance”*, and move to the Resilience Advocacy Policies Section. Is this an advocacy policy? It's directed at the community, not an outside agency.

P55 - Advocacy Policy 4.3.3(j) – Move to Food Advocacy Policies Section 4.3.10, and remove Advocacy Policy 4.3.10(a). Rephrase as *“The Lasqueti Trust Committee supports the establishment of a monthly food market / food swap.”*

P56 - Advocacy Policy 4.3.5(a) – Replace *“To foster”* with *“The Lasqueti Community Association is encouraged to foster”*. What does this policy want to encourage? Does it mean anything?

P56 - Objective 4.3.6(b) – Remove *“to handle concerns regarding bylaw noncompliance”*. This is a repeat of 4.3.3(i)

P57 - Section 4.4, Community Services Introduction – Add *“, generally upon request and with support from the community,”* after *“provision”*.

P58 - Objectives 4.4.4(j) and (k) – Combine as *“To support establishment and provision of appropriate public access to beaches and public water bodies, including marine foreshore and fresh water lakes.”*

P59 - Policy 4.4.5(c) – Replace with *“The Local Trust Committee encourages the use of car-pooling, communal, and other alternative forms of transportation on Lasqueti to reduce the overall number of vehicles and traffic on the island.”*

P59 - Docks, Boats, Wharves, and Boat Ramps Section – Add the following general text before 4.4.6 Objectives: *“New docks, wharves and boat ramps can contribute to the*

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

P59 - Remove header “*Boats and Maritime Vessels*” and rename 4.4.7 “*Docks, Boats, Wharves, and Boat Ramps Policies*”.

P60 - - Advocacy Policy 4.4.8(a) – Replace “*appropriate Ferry Corporation*” with “*BC Ferry Corporation*”.

P60 - Advocacy Policy 4.4.8(a)(iii) – Replace “*freight*” with “*baggage*”.

P60 - Advocacy Policy 4.4.9(a)(iv) – Add “*and the community*” after “*the Local Trust Committee*”.

P61 - Communications Objectives 4.4.10 – Add the following 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.*”.

P61 - Advocacy Policy 4.4.11(b) – Replace with “*Communication companies should continue the practice of placing telephone wires underground or at grade. The same practices should be followed for electrical wires in the event that electrical service is extended to Island properties.*”

P61 - Objective 4.4.13(c) – Move to Section 4.4.1, General Objectives for Community Services.

P62 - Advocacy Policy 4.4.16(a)(i) – Add “*and energy*” following “*fuels*”.

P62 - Objectives 5.1.1(b) and (c) – Combine as “*To minimize subdivision and to 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.*”.

P62 - Objective 5.1.1(d) – Remove “*prioritize having*” and replace with “*have*”. Remove “*shared infrastructure*”.

P63 - Objective 5.1.1(e) – Replace “*residential*” with “*all*”.

P62 Objective 5.1.1(g) – Remove.

P64 - Policy 5.1.2(k) – Remove “*highway*” and maybe “*is appropriately located to meet the objectives of the Lasqueti Island OCP*”.

P64 - Advocacy Policies 5.1.3(a) and (b) – Replace “*management*” with “*stewardship*”.

P64 - Commercial and Industrial, first paragraph – Replace “*such as exists at the hotel site located at False Bay*” with “*such as exists in the False Bay area*”.

P64 - Commercial and Industrial, second paragraph – Replace “*street*” with “*road*”.

P65 - Objectives 5.1.4 (a) and (b) – Combine as “*While recognizing the benefits of agriculture, forestry, mariculture, and industry, to encourage sustainable practices and to minimize negative environmental and social impacts.*”.

P65 - Policies 5.1.5 (h) and (j) – Replace “*street*” with “*road*”.

P66 - Policy 5.1.5 (o) – Replace “*Commercial and industrial activity should support forestry that utilizes*” with “*Commercial and industrial forestry activity should utilize*”.

P67 - Advocacy Policy 5.1.6 (b) – Change to a policy and move.

P67 - Advocacy Policy 5.1.6(d) – Remove “, *considering factors such as slope, aspect, drainage, and soil texture and depth*”.

P68 - Advocacy Policy 5.1.6 (j) – Change to a policy and move.

P69 - 5.4 Crown Lands – In the spirit of Reconciliation, change “*Crown Lands*” to “*Provincially administered lands*”.

P69 - Advocacy Policy 5.4.3(b) – Replace “*sold*” with “*transferred*”.

P69 - Advocacy Policies 5.4.3 (a) and (b) – Change “*Land and Water BC*” to “*The Province*”.

P69 - Advocacy Policy 5.4.3(c) – Remove (since it is a repeat – 4.3.2).

P70 - 5.4.5(a), (b) and (c) – Change “*Land and Water BC*” to “*The Province*”.

Questions, general comments and items needing discussion

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

The OCP begins to talk about what the community desires and wants in the future at Section 3.4 Goals. Nearly all the content before this is introductory or background material, which, though fairly important, does not reveal much about the goals and desires of the community. Examples of this are the community context, including the census data, the list of previous elected trustees from Lasqueti, and the section *What is an Official community Plan?*

All of this content that we want to keep with the OCP should probably go into an appendix or an additional schedule, or in some other way be removed from the main part of the OCP, to help make it simpler and easier for Lasqueti-related or Lasqueti-interested people to read and understand, because it would be shorter and simpler and better organized.

It would be far simpler to read and understand our OCP if the objectives were organized around the community's goals, and particularly if 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 more difficult than necessary to read and understand what the community wants, and how the LTC will work to achieve the goals - how the policies relate to objectives, and vice versa.

I suggest that a reorganization on this principle be undertaken before we proceed with further engagement with the public. Possibly this is part of the new Trust style guide or model for OCPs, which we haven't seen yet.

There are a considerable number of repetitions of policies and advocacy policies. An editing job should include finding and removing them, unless we want to emphasize by repetition.

Some sections of the OCP are written in a different voice or style than the rest of it, which seems odd and could be confusing or misleading. A good editing job needs to be done before we proceed further, I believe. I notice this beginning on P54, where many of the objectives and policies are written in point form (To support ...) and others are in sentences (The LTC supports...) Sometimes a whole section is written on one voice; sometimes it switches within the section.

Questions about meaning of or necessity for various sections:

P37 2.7 Amendment Procedure – This section states, 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? Can a major change be made, outside a comprehensive OCP review, and going through a lengthy process? How would a major change be distinguished from a minor one?

P38 2.9 Compliance – Compliance seems to me 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.

P39 2.10 Owners Costs The same is true for this section – 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. Is the Penalty clause even true? If we are to mention bylaw violations and penalties, we should be accurate, and say that investigations are mostly complaint based.

P32 3. Schedules, says that Schedule A is the Official Community Plan. Is Schedule A really the OCP? Can there be an appendix or schedule C or D to it where some of the less-relevant, or less-important stuff can go?

P36 1.5 Consultation, last paragraph – Is “*final*” needed or useful? Is “*decision*” not enough?

P39 2.10 Owners Costs – No reports, etc. are called for or required by the OCP. Can this section be omitted from the OCP?

2.11 Definitions – Many of the definitions are vague and not very useful. A few of them will come up in other comments. 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. The word “*vacation*” should be removed from the definition of short term rentals, as they are a commercial use, whatever the purpose of the stay and rental. Similarly, the words “*that is rented as a single unit for commercial purposes*” should be removed, because it shouldn’t matter whether they are rented as a single unit or not, and it’s the length of rental that makes it commercial. Definition of *Long-term rentals* should specify that they are ongoing, on a month-to-month basis. A six week rental is not long term. We should probably also consider dealing with leases of less than 12 months, as a possible way of limiting nine or ten month rentals.

Issues without specific suggestions, only questions

P41 3.1 Introduction, first paragraph, last sentence – Should “*with matters*” be changed to “*responsible for matters*”?

P41 3.2 Community Context, first paragraph – Should we include list of other Nations with connections to and interests in the Lasqueti Trust Area? It might be better to say that First Nations Peoples *lived*, instead of *have lived*... which might seem to imply that they still do or have until very recently. Not all are Coast Salish Peoples.

P41 3.2 Community Context, 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 of the Trust Islands) are almost totally unknown by current residents. As we make connections with First Nations Peoples and get to know them, we will learn more.

P43 3.3 What is an Official Community Plan? – This should be in the introduction, not within the Official Community Plan.

P44 3.5 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?

P45 Objective 4.1.1(h) – It would be useful to give some indication of what proportion of the land being protected will be sufficient? Possibly 30%, or some other number as a goal at least for now. Maybe it would be better to set it as a minimum goal to be achieved.

P48 Objective 4.2.1(c) – I don’t know what this is trying to say. Is it to encourage and protect public access to foreshores and provincial lands, etc?

P49 Advocacy policy 4.2.3(i) – As this is directed to the community, should it be a policy instead of an advocacy policy? I don’t really know what it is saying. Does planning protect water supplies and ecosystems? Wouldn’t education and awareness be more appropriate?

P49 Marine Coastal Areas – This section comes from decades ago, when mariculture and aquaculture were going to be a huge economic driver of coastal prosperity. I think 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 allowed only carefully and thoughtfully.

P51 Policy 4.2.6(f) – Salmonid enhancement measures mostly enhance fishery resources. Protection of them is important, too, but salmon enhancement might not be the most effective way to accomplish protection.

P51 Policy 4.2.6(h) – Are not these sorts of issues regulated by our Riparian Area Regulations in our LUB? Is this useful or needed?

P51 Policy 4.2.6(i) – 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, or define a fresh water source? Is the proponent the person to prepare an assessment, or should it specify pay the cost of a professional one?

P51 Policy 4.2.6(j) – 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? At least it should be an education and information topic.

P51 Water Resources Advocacy Policy 4.2.7 – Is this section compatible with the new Water Act? Should we refer this to William Shulba for his opinion?

P52 Objective 4.2.8(a) – Do we really want to encourage provision of recreational resources? Like camping? Should we not limit or define which sorts of recreation we want to encourage?

P52 Advocacy Policy 4.2.9(b) – The qRD includes Lasqueti in its parks function, including planning and parks studies.

P53 Policy 4.2.12(b) – Does the LTC or the Trust have any current role in protection of heritage and archaeological "resources"? Would we like one? Education, yes; regulation, maybe not.

P53 Policy 4.2.12(f) – Final bullet: damage is always avoidable. We shouldn't suggest it sometimes isn't.

P53 Section 4.3 Community Stewardship Introductory paragraph – It would probably be a good idea to list the recreational activities available on Lasqueti and surrounding waters.

P54 Policy 4.3.2(b) – Would a trail ever be sufficient access to a development? or to the foreshore? A trail on a larger public access makes sense, as there is no need to drive everywhere. Might this be an advocacy policy, directed to MOTI?

P54 Advocacy Policy 4.3.3(a) – Are residents or the community able to prohibit nuclear materials, etc, or should we ask that other levels of government do so, or just say that we don't want them here?

P54 Advocacy Policies 4.3.3 (c) and (d) – These are similar, and probably should be combined. What is Transport Canada's recognition of Lasqueti?

P55 Objective 4.3.4(c) – Does this mean a school, and specifically False Bay School? Why not say so?

P55 Objective 4.3.7(a) – How will housing be encouraged? Should there be a policy or some direction or specifics? Maybe it’s just a wish or hope.

P56 Objective 4.3.11(b) – It would be a good idea to outline the negative impacts of tourism. How would they be limited? By limiting short term rentals, for example? Do we want a policy on this?

P56 Policy 4.3.12(a) – 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. Should it remain in our OCP?

P56 Objectives 4.4.1(a) and (b) – These are pretty vague. Some details would be helpful

P56 Policy 4.4.2(f) – Has the LTC ever consulted with SD69? Is this needed or useful?

P56 Policy 4.4.2(g) – “*pad*” should be replaced by “*area*”.

P56-7 Advocacy Policies 4.4.3 (a) to (e) – These are all about derelict vehicles. Are they advocating to the community, or to qRD, or somewhere else? I understand that recommendations are coming from qRD on this issue.

P58-9 Policy 4.4.5(a) – Is this a policy? What does *access from the water* include? A dock? A ramp? What does “*and should be considered sufficient*” mean?

P58 Policy 4.4.5(d) – In what ways could the Trust, or the community or other parties, support a marine freight service?

p58 Boats and Maritime Vessels Section Introduction – What does “*and that environmental and social effects would be addressed*” mean? Should they, or some of them, be listed?

P58 Policy 4.4.7(a) – Do we need more than the one ramp? I think this is left over from before our current ramp was built. Are community discussions the way to proceed to answer this question? I think it should probably be removed from the OCP.

P58 Policy 4.4.7(b) – I have no idea what “*designation and regulation*” mean, or “*social effects should be addressed*”. This uncertainty of these phrases are repeated in many of the policies.

P58 Policy 4.4.7(c) – Should hours of operation not be included in the permits or Land Use Bylaw? Why in the Crown lease referral? Is this useful, given that tides are a big factor, along with time.

P59 Policy 4.4.7(f) – Policy 4.4.7(f) says structures may not extend beyond 21m from the shore, and Policy 4.4.7(e) says a dock may extend 37m. Why are these not consistent?

P59 Advocacy Policy 4.4.9(a).(v) – This is from a time, long gone, when they used local gravel on our roads. We didn't want our gravel exported from Lasqueti. Is it relevant or needed?

P61 Advocacy Policy 4.4.14(a).(i) – Not sure what this means. That we should follow the rules?

P61 Advocacy Policy 4.4.15(a) – What should they do? Educate land & home-owners about safe alternatives to septic systems? Are not sewage outfalls now prohibited?

P62 Residential Land Use Introduction – Not all of our existing land use patterns are low density. There are several clusters of small-lot parcels and a considerable number of individual quite and very small lots.

P62 Objective 5.1.1(f) – Not sure what this is asking for? Possibly for minimal disturbance to land and forest? shorter roads and driveways that follow land contours and topography?

P62 Policy 5.1.2(c) – We should define what we mean by *long term* and *short term*.

P62 Policy 5.1.2(d) – 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.

P62 Policy 5.1.2(e) – To make this effective, it should outline what makes a garden and woodlot possible and sustainable.

P63 Policy 5.1.2(g) – 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?

P63 Policy 5.1.2(h) – 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?

P63 Policy 5.1.2(h) – 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 accesses that do not provide physically convenient access to the foreshore.

P63 Policy 5.1.2(j) – In addition to having the land, should not a Strata group agreement on how to provide for the owners' needs be required?

P63 Commercial and Industrial, first paragraph – 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.

P63 Commercial and Industrial, second paragraph – Is off-road parking a sign of rural areas? I think that parking vehicles at the side of a road, but off the traveled portion of it, is more a sign of a rural area, and should be perfectly acceptable.

P64 Objective 5.1.4(a) – What sorts of negative impacts? Is it a matter of scale? Encourage subsistence and supplying community businesses, but discourage large, for-profit industrial-scale ones?

P64 Objective 5.1.4(e) – What about non-renewable resources, like in mining or gravel extraction, etc.?

P64 Policy 5.1.5(a) – 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?

P64 Policy 5.1.5(b) – Sewage is only one of the possible harmful effluents or products of economic activities. Noise, light, dust, smells, etc. should be considered, too

P64 Policy 5.1.5(e) – This is also in the residential land use section. Should these be combined and placed in a general land use policies section?.

P64 Policy 5.1.5(g) – Should not some of the limits and scale be at least outlined in the OCP? Minimal disturbance of neighbours and neighbourhood, especially outside normal working hours, should be considered.

P64 Policy 5.1.5(h) – 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.?

P64 Policy 5.1.5(i) – We need to define the limits of a home enterprise, or this is meaningless, or at least unenforceable.

P64-5 Policy 5.1.5(j) – Is this adequate, from a planner's perspective?

P65 Policy 5.1.5(j)(v), second to last bullet –Waste disposal? Don't we mean storage and handling facilities? Do we want to allow toxic wastes to be used, stored and handled?

P65 Policy 5.1.5(l) – 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 or maybe a pickup truck require at least a permit, like soil removal and deposition permit? The limit of 3823 cubic meters seems inappropriately huge.

P65 Policy 5.1.5(p) – 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.

P67 Hazardous Conditions Introduction – 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.

P67 5,2 Marine Introduction, second paragraph – What are the objectives and policies related to the Marine Coastal Areas?

P67 Parks and Protected Areas Introduction – 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 disturbed further only if absolutely necessary.

P67 Parks and Protected Areas Section – Are there any specific objectives and policies? Is the Parks designation for recreation, and the Protected designation for protected areas, with minimal recreational use?

P68 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?

P69 Policy 5.4.4(e) – Not sure at all what "*the need to maintain community values*" means.

P69 Advocacy Policy 5.4.5(c) – Isn't this already covered in policy 5.4.4(d)?

Heather Kauer

From: Paul, David FLNR:EX <David.Paul@gov.bc.ca>
Sent: Tuesday, September 21, 2021 2:21 PM
To: Heather Kauer
Cc: Hopps, Jesse FLNR:EX
Subject: Lasqueti Island Official plan - review comments FLNRORD - South Island

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Heather:

I tried to contact you a few times last week and then I spoke with David Marlor about our concerns with the current proposed Lasqueti Island Official Plan – version 2.0 dated: August 2021; specifically to discuss some of the advocacy policies that are referenced in this local plan.

I note that in this local plan, section 2.1 it is stated that:

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.

After discussion with David and further review of the Islands Trust’s Advocacy Policy, I have some concerns that these policies will not be supported by my Ministry.

While it is appreciated that these are objectives that require further discussion, I wanted to bring to your attention six policies that we would not support at this time. FLNRORD currently manages these areas with policy, regulations and laws and I do not believe they are within the role of Islands Trust.

While this is not an exhaustive list, the following advocacy policies would be of concern to the current provincial government.

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:

- 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 Policy: policy 3 and 4 specifically:

General Policies

Policy 1 Increasing net density of Subdivision District C lands should not be permitted.

Policy 2 Development on Crown lands including, but not limited to, gravel extraction, road construction or community facilities must be compatible with overall conservation values.

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

PROPOSED

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

Sincerely;

David Paul, RPF (he, him)

Licensed Authorizations Officer,
South Island Natural Resource District
David.Paul@gov.bc.ca 250-736-6836

I gratefully acknowledge that I live and work on the territory of the Saw'Naw'As, Hupacasath and Tseshah First Nations

Top work unit for 2016, 2018 and 2020



Heather Kauer

From: Dave Olsen <bike@lasqueti.ca>
Sent: Thursday, September 23, 2021 10:43 PM
To: Lasqueti Island Local Trust Committee
Subject: Suggested changes to the Lasqueti Draft OCP

Hi Heather and Trustees,

I have compiled a list of suggested changes for you to consider below. I look forward to your comments.

Dave Olsen

Page 8, last sentence of the last paragraph before the table:

Currently: "The ferry does not provide vehicle service, which therefore requires barging over of vehicles and other large items."

Change to "The ferry service is passenger-only."

Rationale: Obviously, no one is required to barge a vehicle or other large items, and the ferry is exactly that, passenger-only.

Page 18, top of page, Objective 3

Currently: "**Objective 3** To support the creation of a public trail network throughout the Island. "

Delete

Rationale: Objective 2 embodies the sentiment of the Community; there has been strong opposition to the creation of a public trail network.

Page 18, bottom of page continuing to page 19, Policy 5

Currently: "**Policy 5** 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."

Suggested reworking: "**Policy 5** 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 **are completed**, relationship building and cooperation between the Local Trust Committee and other First Nations ~~may~~ **will continue to** be developed over time." (highlights added to make changes easier to notice).

Rationale: the spirit of this policy is dramatically enhanced.

Page 19, top of page, last bullet of Policy 6

Currently: "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"

Change: Remove everything from and including "and/or , where damage is unavoidable, mitigate impacts by supporting the recovery of as much information as possible"

Rationale: Common sense will suggest the removed portion when required; suggesting that in advance will encourage that outcome and undermine the intended outcome described by the first part of the policy.

Page 20, near top, Advocacy Policy 1 and 2:

Advocacy Policy 1 states "prohibit" regarding nuclear waste, however,

Advocacy Policy 2 uses the word "oppose" regarding GMOs.

We likely have zero jurisdiction over either, so I advocate for the use of "prohibit" for both instances.

Page 22, bottom of page:

The first 5 Advocacy Policies all refer to derelict vehicles. I will coordinate with the qRD's Waste Management Advisory Committee to see if we can consolidate these and make a recommended change soon.

Page 26, near bottom of page Garbage Disposal Advocacy Policies

I suggest removing Advocacy Policy 1 as Advocacy Policy 3 includes all of it plus much more.

Page 34 Crown Lands

No mention of First Nation title or use exists which is an obvious need given the FNWL recently tenured to the Snaw-Naw-As.

Thank you for your consideration.

Dave Olsen

-

Dear Lasqueti LTC,

After reading the OCP in the Oct 4 agenda in detail, I offer the following suggestions to improve clarity and consistency. I realize that the timeframe is tight on the current schedule. To help, I have separated my suggestions into three parts (i) typos, grammar and placement of objectives/policies, (ii) minor content-related suggestions, and (iii) more significant content-related suggestions.

Section numbers refer to the OCP draft in the Oct 4 LTC meeting agenda.

(i) Typos, grammar and placement of objectives/policies

1. Section 4.1.8 Climate Change Policies: move the descriptive text to following the main Climate Change heading, just before the section 4.1.7 heading.
2. Section 4.2.3 Natural Resources, General Advocacy Policy c: typos: (i) remove “*a*” after “*identify*”, and (ii) there are two periods at the end of the sentence.
3. Section 4.2.12 Cultural Resources Policies, Policy a: typo: missing “*of*” after “*significance*”.
4. Section 4.2.13 Cultural Resources Advocacy Policies, Advocacy Policy d: missing period at the end of the sentence.
5. Section 4.3.3 Community Stewardship, Advocacy Policy i: move to the Resilience section.
6. Section 4.4.4 General Transportation Objective a: Move to the Ferry Service section.
7. Section 4.4.5 General Transportation Policy b: Move to the Ferry Service section.
8. Section 4.4.5 General Transportation Objective b: Move to the Road System section.
9. Section 4.4.10 Communications Objective b: Move to Section 4.4.1 General Objectives since this is about the nature of services in general.
10. Section 5.1.4 Commercial and Industrial Objectives a-c: punctuation typo: there is a semi-colon at the end of each objective instead of a period.

(ii) Minor content-related suggestions

11. Define the following terms in the glossary (Section 2.11 Definitions). I have included some suggestions for definitions, but those are only meant to help initiate discussion.
 - *Heritage sheep*: clarify that this refers to the settler heritage of Lasqueti, and not the natural/ecological heritage, indigenous heritage or heritage breeds. For example “*Local, free-roaming sheep that form part of the settler heritage of Lasqueti.*”.
 - *Exotic species*: “*A plant or animal species living outside its native distributional range, but which has arrived there by human activity, directly or indirectly, and either deliberately or accidentally. Exotic species are not always considered a nuisance or invasive.*”
 - *Feral*: “*An animal or plant that lives in the wild but is descended from domesticated specimens.*”
12. Add at the start of Section 2.11 (Definitions) a statement such as “*The meaning of terms used in this document, but not defined in this section, will be based on the <name of dictionary>*”.
13. Section 4.1.8 Climate Change, Policy f: change “*slash burning*” to something more general, such as “*outdoor debris burning*”.
14. Section 4.3.2 Community Stewardship, General Policies, Policy b: change the phrase “*access to a development*” to “*access to the foreshore*”.
15. Section 4.3.3 Community Stewardship, Advocacy Policies f and g: nearly identical; remove the former.
16. Section 4.3.3, Community Stewardship, Advocacy Policy h and Section 4.3.5 Human Resources Advocacy Policy a: nearly identical; move the former to the Human Resources section and remove the latter.
17. Section 4.3.3 Community Stewardship, Advocacy Policy j and Section 4.3.10 Food Advocacy Policy a: nearly identical; move the former to the Food section and remove the latter.
18. Garbage Disposal section (4.4.13 and 4.4.14): Rename main heading and sub-section heading to “*Waste Management*”, since the policies and objectives are also about recycling and the Free Store.
19. Section 4.4.13 Garbage Disposal Objectives c and d: Move to Section 4.4.1 General Objectives since these refer to services in general.
20. Residential Land Use section (in section 5.1): Remove the sentence below the heading since it is the same as Objective 5.1.1(c).

(iii) More significant content-related suggestions

21. Section 4.4.3 Community Services, General Advocacy Policy f: Should be a Policy, as the qathet Regional District is guided by the OCP in the same way as the Islands Trust.
22. Section 4.4.7 Boats and Maritime Vessel Policy a: This does not seem to be still relevant (and seems to be left over from previous OCP reviews), given that there is a public barge ramp. Replace with a Policy such as:
 - a. *Because barge service is essential to the community for transferring goods and materials to and from Lasqueti Island, maintain the existing public barge ramp accessible to all barge operators.*
23. Section 4.4.14 Garbage Disposal Advocacy Policies b and c: Should be Policies, as the qathet Regional District is guided by the OCP in the same way as the Islands Trust.
24. Crown lands. In the Oct 4 LTC agenda, staff recommend deleting the following from the Aug 2021 draft of the OCP, based on feedback from the Province:
 - a. Section 3.5, Crown Lands, Objective 4: *To take into account the conservation values on Crown Lands as the primary consideration in decision making.*
 - b. Section 3.2, Natural Resources, Advocacy Policy 8: *The Province is requested to designate all unencumbered Crown land on Lasqueti in a formal protected status.*

Although the Province may not respond to this Objective and Advocacy Policy, these were supported by the public during the LCA OCP Review Steering Committee process. As a reflection of community aspirations and wishes, the OCP objectives should not be filtered by current Provincial positions.

Note that conservation could include status as a Conservancy, co-managed with First Nations, and so conservation is compatible with reconciliation.

I suggest that both of the above be retained in the OCP under sections 5.4.1 Crown Lands Objectives and 5.4.3 Crown Lands General Advocacy Policies, respectively.

Sincerely,
Andrew Fall
Lasqueti



November 26, 2021

Heather Kauer
Regional Planning Manager
Islands Trust, Northern Office
700 North Road
Gabriola Island, BC V0R 1X3

Sent Via Email: hkauer@islandstrust.bc.ca

Dear Heather Kauer:

RE: Lasqueti Island Local Trust Committee Official Community Plan Policy Revision Requests

At the November 25, 2021 qathet Regional Board Meeting the Regional Board passed the following resolution:

THAT the Regional Board recommends to the Lasqueti Island Local Trust Committee to replace OCP policies 4.4.3 (a) to (e) with the following policies:

- a) Residents are encouraged to store vehicles on their property and remove their derelict vehicles promptly.*
- b) In order to stem the growing population of vehicles on-island, residents are encouraged to arrange for the removal of a vehicle before barging a new or used vehicle onto the island.*
- c) Long-term parking on public right of ways or Crown Land is discouraged.*
- d) Abandonment of vehicles is an illegal and socially irresponsible action not endorsed by the community.*
- e) The Local Trust Committee, Ministry of Transportation, Regional District, RCMP, businesses and residents are encouraged to coordinate the removal of unwanted and derelict vehicles.*

Derelict vehicles on remote islands become contentious problems for Regional Districts. With no vehicle ferries, the RCMP are very reluctant, due to budget constraints, to extract derelict vehicles from these islands. Regional Districts are very prescriptive in regards to services we can provide, creating a challenge to raise funds to deal with derelict vehicles. On Lasqueti Island, derelict vehicles have become a waste management issue. As such, our Lasqueti Island Solid Waste Plan Monitoring and Advisory Committee recommended these Official Community Plan amendments to mitigate foreseen problems with derelict vehicles.

The Regional Board hopes that the Islands Trust considers these revisions and incorporates them into the Lasqueti Island Official Community Plan Bylaw before third reading.

Should you have any questions regarding this request, please contact Patrick Devereaux, Manager of Operational Services at pdevereaux@gathet.ca or call 604-485-2260.

Sincerely,

Patrick Brabazon, Chair



MEMORANDUM

File No.: LA-NAP-2021.1

DATE OF MEETING: February 7, 2022
TO: Lasqueti Island Local Trust Committee
FROM: Kate Emmings, Islands Trust Conservancy Manager
SUBJECT: Livingstone Forest NAPTEP Covenant Information Item

PURPOSE

The Islands Trust Conservancy has received a Natural Area Protection Tax Exemption Program (NAPTEP) application from Doug Hopwood and Christine Ferris, to place a conservation covenant on Lasqueti Island. As per NAPTEP policy, the Lasqueti Island Local Trust Committee is being advised of this application as an information item.

BACKGROUND INFORMATION

Islands Trust Conservancy (ITC) received a [Natural Area Protection Tax Exemption Program \(NAPTEP\)](#) application from Douglas Hopwood and Christine Ferris, to place a conservation covenant on approximately 11.35 ha of land in north-central Lasqueti Island. The property is largely undeveloped and contains young and mature mixed second-growth forest, and wetlands of diverse sizes and types. A portion of the proposed covenant area is in the Agricultural Land Reserve and the applicant has applied to the Agricultural Land Commission (ALC) for a change of use. The ALC has indicated its willingness to approve the application and the applicant is awaiting further instructions. The ITC Board approved the final conservation covenant at their November 23, 2021 and covenant registration will proceed shortly after receiving approval from the ALC.

This will be the ITC's first NAPTEP covenant on Lasqueti Island. The ITC currently holds 27 NAPTEP covenants throughout the Islands Trust Area.

Property Information

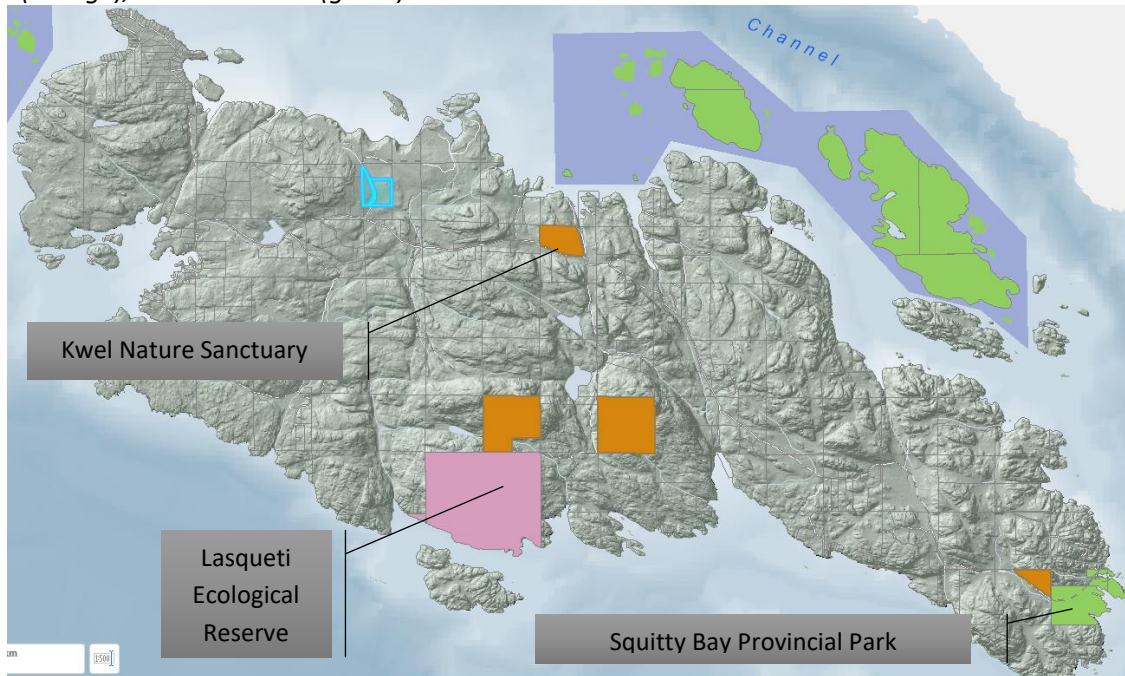
PID: 000-009-474

Legal description: West 1/2 of the south east 1/4 of section 21, Lasqueti Island, Nanaimo District, Except parts in Plans 17116 and 30313

Property size: 15.62 ha, proposed protected area: 11.35 ha

Location of subject property (blue outline) on Lasqueti Island, showing landscape context of nearby Protected Areas.

Shown are: Provincial Protected Area (pink), Provincial Marine Park (violet), Islands Trust Conservancy Nature Reserves (orange), Provincial Park (green).



NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation:**
 - *Mature-older forest ecosystem*
 - *Wetland ecosystem*
- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**
 - The property contains largely undisturbed mixed forest, with several “pocket wetlands” and wetland complexes. The variety of habitat types, including wetlands of diverse types, increases the conservation value of this property.
 - Almost the entire proposed covenant area consists of ecological communities that are considered at-risk in British Columbia:
 - a. Douglas-fir – Dull Oregon-grape (Red-listed)
 - b. Grand fir – Dull Oregon-grape (Red-listed)
 - c. Western redcedar / Vanilla-leaf (Red-listed)

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

- d. Grand fir / Three-leaved foamflower (Red-listed)
- e. Red Alder – Salmonberry / Common Horsetail (Blue-listed)
- f. Red Alder / Slough Sedge (Red-listed)
- g. Sitka Sedge – Pacific water-parsley (Blue-listed)

3 Areas that are critical habitat for native animals species in relation to breeding, rearing, feeding, or staging

- The proposed covenant area contains high quality habitat for birds, bats, and amphibians, including species considered at-risk in Canada:
 - a. Northern Red-legged Frog (Special Concern)
 - b. Western Toad (Special Concern)
 - c. Little Brown Myotis (bat) (Endangered)

Other

- The ITC received the NAPTEP application in October 2021, and the February 2022 Lasqueti Island LTC meeting was the first available meeting to provide this information item. To avoid delaying the application, ITC staff provided the application to Trust Council for approval of the tax exemption certificate at the November/December 2021 Trust Council meeting. Staff advised the Lasqueti trustees of the application by email prior to the Trust Council meeting. This memo is being provided to satisfy Trust Council policy and to formally advise the LTC of the application via a public meeting.
- In negotiating and drafting the conservation covenant, staff followed guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation (TRC) Calls to Action. Staff has done a desktop review of RAAD data as per guiding principles of the Archaeological Branch. The application has not been referred to First Nations.

NEXT STEPS

- Final registration of the conservation covenant and issuance of the tax exemption certificate.

Submitted By:	Kate Emmings, Manager, Islands Trust Conservancy	January 16, 2021
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BRIEFING

To: Local Trust Committees **For the Meeting of:** February 7, 2022
From: David Marlor, Director, Local Planning Services **Date Prepared:** December 15, 2021
SUBJECT: Shoreline Protection Model Bylaw Report

PURPOSE:

The purpose of this briefing is to provide the subject report to each local trust committee.

BACKGROUND:

Trust Council passed a resolution in September, 2021 requesting that Staff forward the Shoreline Protection Model Bylaw Report dated March 2021 to local trust committees and Bowen Island Municipality for information.

This report was undertaken by the Regional Planning Committee in accordance with Islands Trust Strategic Plan Item 2.3. “Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.”

This report undertakes a review of official community plan and land use bylaw provisions for shoreline protection in the Islands Trust Area as well as examples from outside the Islands Trust Area, and provides recommendations for local trust committees and Bowen Island Municipality to consider when developing new, or updating existing shoreline policies and regulations.

ATTACHMENT(S):

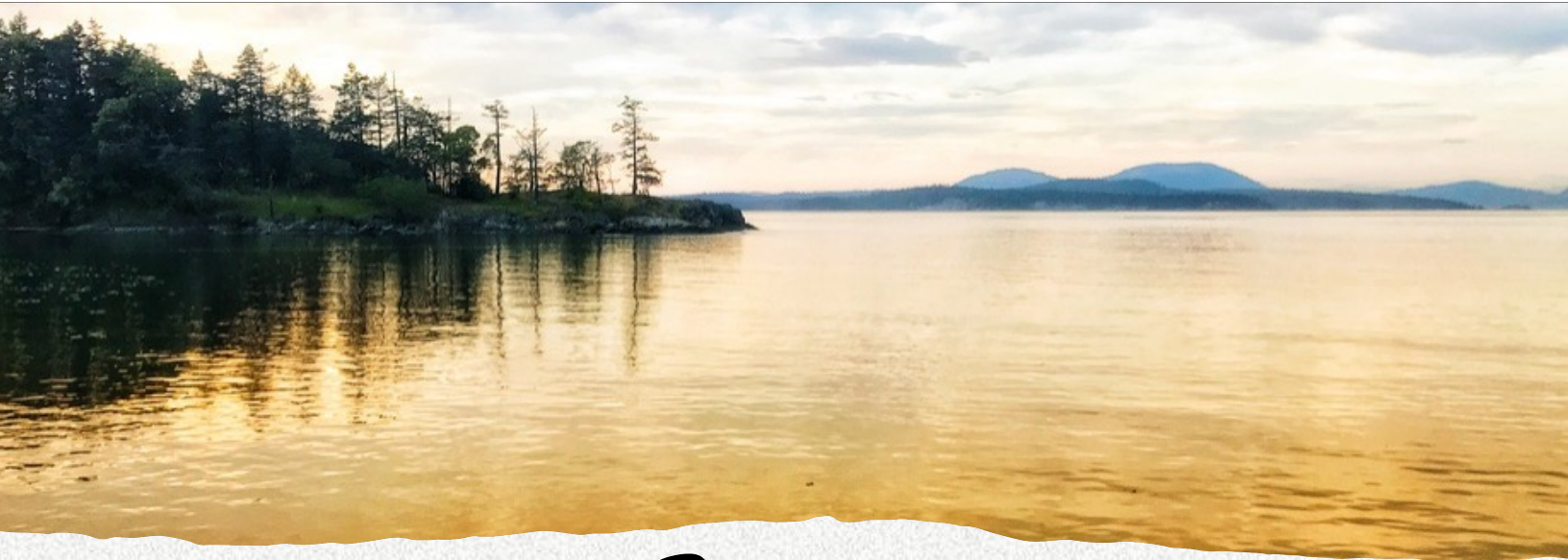
1. Shoreline Protection Model Bylaw Report

FOLLOW-UP:

A requested by the local trust committee. Note that any work on shoreline would be a project of the local trust committee with relevant consideration of staff and budget resources.

Prepared By: David Marlor, Director, Local Trust Committees

Reviewed By/Date:



Islands Trust

Shoreline Protection Model Bylaw Report
March 2021

ACKNOWLEDGEMENTS

This Report is possible through the financial support of the Islands Trust.

We would like to thank all those who participated in the Islands Trust Shoreline Review Model Bylaw Project.

Islands Trust

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It is a privilege to write this guide and we acknowledge the lands described in this report are within the ancestral territory of the Coast Salish people and as a reminder we are all connected.

We are in a sacred relationship with all things in the natural world – the land, waters, and air, and all of the plants and animals we live with. Respect for the spirit and life in each of these, and the intricate relationships and interconnectedness we are all in together is a key value and principle of our culture.



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OVERVIEW

Located in the islands and waters of the Salish Sea, between the British Columbia mainland and southern Vancouver Island, the Islands Trust encompasses 13 major and more than 450 smaller islands, covering 5,200 square kilometers. The area is home to the highest density of species at risk in Canada and some of the most diverse and sensitive marine ecosystems in the world. The region's rich forests, soils, wetlands, and ocean vegetation act as important carbon sinks, mitigating greenhouse gas emissions and buffering communities against the impacts of climate change. The ecological significance and sensitivity of the region, and the need for protective measures, were internationally recognized in 1973.

The Islands Trust Area is located within the Coast Salish territory and is the homeland to over 28,000 Coast Salish Peoples who have called this place home since time immemorial. In 2019, Islands Trust Council passed a Reconciliation Declaration and committed to a Reconciliation Action Plan as per the Truth and Reconciliation Commission (TRC) Calls to Action. Islands Trust is committed to building meaningful relationships with First Nations in the Trust Area, protecting cultural heritage, and upholding the principles embodied within the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the BC Declaration on the Rights of Indigenous Peoples Act (DRIPA); the Truth and Reconciliation Commission (TRC) Calls to Action; and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice. Islands Trust Council recognizes that the work of reconciliation is key to preserving and protecting this place for generations to come.

The Islands Trust Council adopted a Strategic Plan for the 2018-2022 term. Item six of the Strategic Plan is to: Undertake a review of Local Trust Committees and Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore. This is a community planning project that is being advanced by Islands Trust Council Regional Planning Committee. The work will be consolidated into a template of standard bylaws that will be available for local trust committees and Bowen Island Municipality to use when developing policy and regulation along the shoreline.

Project Deliverables:

- Review all 21 existing Official Community Plans and 21 Land Use Bylaws in the Islands Trust Area on foreshore and nearshore policies and regulations, and a selection of other BC coastal jurisdictions and San Juan County. Selection should have relevance to the Trust Area with similar shorelines and upland uses.
- Discussion with Islands Trust Senior Intergovernmental Policy Advisor on consideration of First Nations interests in the options and recommendations.
- Review Provincial guidelines on mitigation and adaptation to sea level rise.
- Review Islands Trust Policy Statement for compliance of any proposed policies and regulations.

- Develop options and make recommendations on model official community plan policy and land use bylaw regulations to protect foreshore and nearshore,

HERITAGE AND CULTURAL CONSIDERATIONS

Islands Trust Initiatives:

The Islands Trust acknowledges the value of Indigenous traditional knowledge and perspectives as part of its decision-making processes.

Some of the recent Official Community Plans (OCP) reviews included references to Heritage and Archaeological Resources. To guide development the Saturna, South Pender and Thetis Island OCPs include the following objectives:

1. To encourage the identification, protection, and conservation of archaeological sites, buildings and sites associated with early settlement, and natural heritage features.
2. To protect archaeological sites from damage due to development, land alteration or human use.
3. To increase public awareness of the Island's heritage resources.
4. To recognize first nations past and current presence on Thetis Island, its foreshore, and surrounding waters, and to protect archaeological and other cultural heritage resources in cooperation with First Nations.

The Saturna Island OCP also includes a Heritage designation which identifies known heritage sites and areas of historical or cultural significance. The objective is to preserve places of historical or cultural significance from destruction. These places are to be identified and means for their preservation should be sought. Furthermore, the Saturna Island Local Trust Committee

may create a Heritage Commission to study and recommend sites, areas, landmarks, buildings, roads, trails, and other features of historical or cultural significance for inclusion together with sites that are on a registry in a Heritage designation under the Local Government Act and archeological sites protected under section 13 of the Heritage Conservation Act.

The Heritage Commission may:

- a) develop a Community Heritage Registry to identify island heritage buildings or other heritage and archaeological sites and features;
- b) develop heritage conservation areas for inclusion in the plan;
- c) require heritage alteration permits for heritage features identified in the Community Heritage Registry and heritage conservation areas;
- d) require heritage impact assessments for designated heritage features and archaeological sites protected under section 13 of the Heritage Conservation Act.;
- e) encourage heritage conservation covenants to protect heritage features; and
- f) encourage dedication or donation of heritage features for long-term protection.

Furthermore, the Saturna Island Local Trust Committee shall encourage and support creation of a community heritage museum on Saturna Island to maintain and display heritage artifacts originally located within the Area.

South Pender Island heritage cultural resources include the archaeological evidence of First Nations use and buildings

associated with the island's more recent settlement. There are registered archaeological sites on South Pender Island, mostly midden deposits, and these are afforded protection from disturbance under the provisions of the Heritage Conservation Act.

South Pender Island OCP Heritage Cultural Resources Objectives include: a) To increase awareness and appreciation of the island's ancient and recent cultural heritage.

b) To encourage and support measures that identify, inventory, and protect heritage cultural resources.

c) To recognize First Nations presence on South Pender Island and to protect archaeological and other cultural heritage resources in cooperation with First Nations.

Heritage Cultural Resources Policies:

a) The Local Trust Committee is to encourage the formation of a Community Heritage Commission to provide it and the community with advice and assistance regarding:

i) criteria for determining community heritage values, e.g., archeological evidence, historical significance, socio-cultural context, and architectural relevance;

ii) identification, inventory, and information compilation regarding sites, artifacts, structures, buildings, and persons of interest;

iii) measures to increase general awareness and appreciation of the island's cultural heritage; and

iv) methods of securing protection for the island's cultural heritage resources.

b) Roads or portions thereof identified as Scenic/Heritage Road are not to be altered without consultation,

c) All development applications shall be reviewed for the presence of known and recorded archaeological sites. Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.

d) The Local Trust Committee should not approve applications that would result in disturbance to an archaeological site unless there are unavoidable conflicts with significant archaeological sites or other known First Nations cultural sites. If this is the case, the LTC should require measures to manage the impacts.

e) Recognizing the inter-relationship of community interests and services between North and South Pender Islands, the Local Trust Committee is to encourage opportunities for mutually beneficial co-operative efforts relating to heritage cultural resources.

f) The Local Trust Committee may consider designation of a Heritage Conservation Area or adoption of Heritage Bylaws to protect heritage cultural resources.

The Salt Spring Island Official Community Plan includes a General Community Objective designed to "identify and protect important components of our island's heritage, including archaeological and First Nations cultural sites, whether they are reminders of past or present lifestyles." (Source: SSI OCP Volume 1 Section A4 Objective 15)

Provincial Archaeological Requirements:

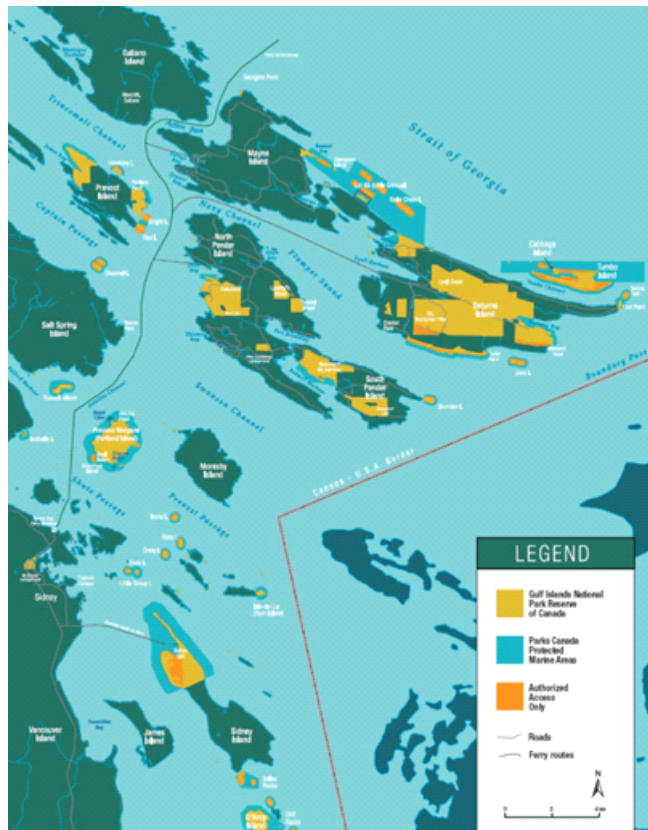
The protection of archaeological and heritage sites afforded under the Heritage Conservation Act is acknowledged by all the Local Trust Committees. The LTC recognizes that there are other buildings and landscapes of heritage value to Island residents and to the First Nations with a long and continuing history of life on the island. <http://www.islandstrust.bc.ca/trust-council/first-nations-reconciliation/>

This recognizes that marine shorelines were well used by First Nations people and as a result it is not uncommon for these areas to contain significant cultural sites and remnants. Any development activity along the marine shoreline must understand that there is a strong potential that these cultural remnants could exist on or below the surface. The BC Heritage Conservation Act governs the processes by which any development activity can occur in and around archeological sites and any indication of archeological artifacts requires adherence to this legislation.

It should be noted that information pertaining to archaeological sites is not available publicly, and Islands Trust planning staff are not authorized to share this information. Individual property owners can petition the BC Archaeology Branch for information regarding archaeological sites on their property, as the Archaeology Branch is responsible for maintaining and distributing archaeological information; however, the Archaeology Branch may not release data that could potentially damage archaeological sites. Property owners are encouraged to contact the Archaeology Branch for more information.

Federal Government Initiatives:

The Federal Government's Gulf Islands National Park Reserve (GINPR) comprises approximately 31 square kilometers of land and intertidal areas scattered over 15 of the southernmost Islands. The following map provides an overview of the national parks in the Gulf Islands.



(Source: [Camping - Gulf Islands National Park Reserve \(pc.gc.ca\)](http://Camping - Gulf Islands National Park Reserve (pc.gc.ca)))

Parks Canada is responsible for the management of about six square kilometers of marine area located offshore of waterfront portions and around islets of the national park reserve.

The southern Gulf Islands embody a rich human history stretching from thousands of years ago to the present. Coast Salish people have occupied the region since time immemorial and continue to live and use these islands.

These parklands help maintain a deep spiritual connection to the area and traditional use continues today. First Nations

archaeological sites as well as historical features from other groups provide tangible evidence of the history of the region’s inhabitants who lived out their lives in this ecologically diverse landscape.

GINPR lies within the Dry Coastal Douglas-fir ecosystem—one of Canada’s most at risk ecosystems. Although the national park reserve contains examples of many of the various components found within the Coastal Douglas-fir ecosystem, younger forest ecosystems make up the majority of the reserve, with significantly smaller amounts of mature forest and Garry Oak and associated ecosystems. To protect these ecosystems the Federal Government implemented the legislation to protect Species at Risk.

The Species at Risk Act (SARA) prohibits individuals and applies to species listed. All critical habitat in national parks and national historic sites must be legally protected within 180 days of being identified.

Recovery measures for species at risk will be integrated within the framework of Parks Canada’s ongoing ecological integrity and management programs. The species-directed measures outlined in this plan will contribute to maintaining and improving ecological integrity of GINPR by improving the conservation status of native species and their habitat and maintaining biodiversity.

Provincial Initiatives

There are a number of Provincial recovery strategies and plans that complement the GINPR and provide guidance for the recovery of individual species, including strategic directions, recovery objectives, critical habitat, and threats. Multi agency cooperation links strategies and plans for more successful outcomes.

The measures presented in the action plan for GINPR could result in positive impacts on biodiversity and the value individuals place on preserving biodiversity (Federal, Provincial, Territorial Governments of Canada, 2014).

Intergovernmental collaboration and support will benefit park reserve visitors, local residents and Coast Salish groups. Voluntary stewardship opportunities will help build community knowledge which is an important consideration for species at risk management in GINPR. Some activities may create opportunities for local residents to become involved in the recovery of species at risk and for community partnerships to enhance recovery for Species at Risk. Benefits should be relatively evenly distributed across individuals in local communities. These include opportunities to learn about and take part in the recovery of culturally important species at risk, opportunities for integration of Coast Salish traditional knowledge into conservation issues in GINPR, and greater awareness of Coast Salish values and culture among local residents and visitors to the park reserve. Clam food harvesting brings communities together. This activity crosses cultural boundaries and is vital to BC coastal communities to have access to healthy Shell-Fish harvests.

Clam Garden Restoration

First Nations governance and inter-generational knowledge sharing helps to deepen knowledge. The Clam Garden Network is a group of First Nations, academics, researchers, and resource managers from coastal British Columbia, Washington State, and Alaska. Through collaborations across communities and disciplines participants explore the cultural and ecological

importance of traditional clam management practices and features to enhance regeneration of clam gardens.

Eelgrass Restoration

The Sea Change Society based in Brentwood Bay, Victoria, BC initiated coast-wide eelgrass mapping, restoration, and monitoring. Sea Change Society works with First Nations communities on Southern Vancouver Island including the Gulf Islands. Their strategy is to locate and restore sites that historically supported eelgrass. Sea Change transplants between 500 and 1000 eelgrass shoots into a test plot. If restoration is successful, the transplant areas are expanded with additional eelgrass shoots.

Source: [Home - SeaChange Marine Conservation Society \(seachangesociety.com\)](http://seachangesociety.com)



Source: Mapping in the Salish Sea (islandstrustconservancy.ca)

Local organizations such as Green Shores use ecological methods to protect shorelines from erosion and to address the impacts of climate change. The use of Eelgrass mapping as a planning tool is proving to be an effective method to consider erosion control.

GREEN SHORES

Green Shores is a program of the Stewardship Centre for British Columbia that promotes sustainable shoreline ecosystems for commercial, residential, institutional and park properties. It supports a broader vision for Canada's waterfront communities to increase capacity to minimize impacts of shoreline development and climate change while preserving or enhancing shoreline ecology and ecosystem services. Climate change is expected to impact the rate and nature of change across Canada's shorelines and affect its ecosystems. Green Shores incentivizes and provides a guideline for climate change adaptation and incorporates the most recent estimates of sea level rise to increase shoreline resilience for both ecosystems and property developments. The Green Shores guiding principles are to:

1. Preserve the integrity and connectivity of shoreline processes;
2. Maintain and enhance shoreline habitat diversity and function;
3. Minimize and reduce pollutants to the shoreline environment;
4. Reduce and reverse cumulative impacts to shoreline systems.

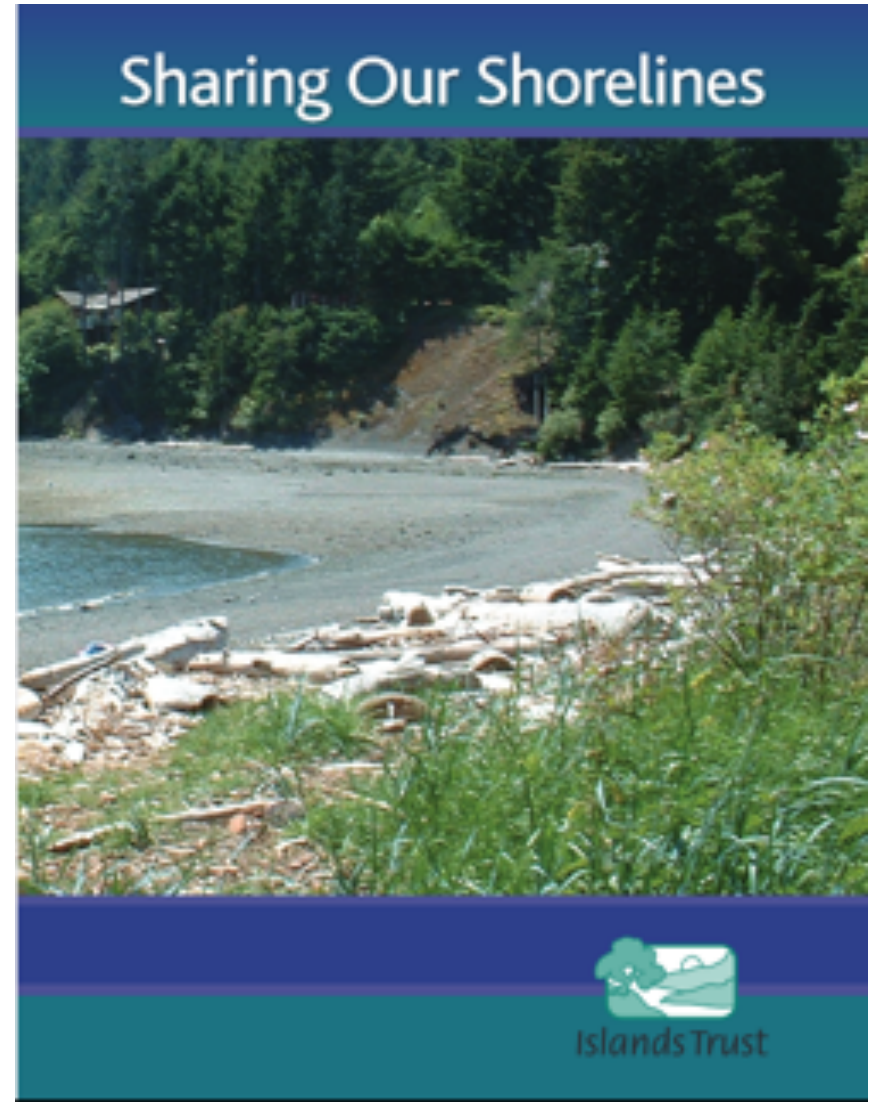
The Islands Trust promotes the Green Shores programs to the development community.

There are two programs –

Green Shores for Development provides a Credit and Ratings Guide for commercial, multi-family residential, subdivision, park, and institutional waterfront development.

Green Shores for Homes Program which is based on the four guiding principles:

1. Preserve or restore physical processes—the natural actions of water and sediment movement that maintain healthy shorelines.



2. Maintain or enhance habitat function and diversity along the shoreline.
3. Prevent or reduce pollutants entering the aquatic environment.
4. Avoid or reduce cumulative impacts—small individual effects that add up to large impacts on shoreline environments. (Source:

Green Shores for Homes - Stewardship Centre for BC (stewardshipcentrebc.ca) and Care for my Shoreline (islandstrust.bc.ca)

Examples of related policies include Salt Spring Island Official Community Plan B.9.2. shoreline conservation designation policy which states: shoreline conservation designation is encouraged to

help owners to implement best practices for shoreline development, such as green shores.

GUIDELINES ON MITIGATION AND ADAPTATION TO SEA LEVEL RISE

B.C.'s climate is changing, and climate scientists are projecting further changes over the next decades. Climate change mitigation and adaptation involves preparing for these changes and the impacts they will have on natural systems and communities. Communities are experiencing the impacts of climate change including more frequent and intense storms, increasing temperatures, drought, wildfire, sea level rise and flooding.

- Mitigations deal with how we can reduce the greenhouse gases that are the root cause of human caused climate changes.
- Adaptations are behavioral. Physical changes we make in our use of natural resources deal with the results of changing climate.

Mitigations

Mitigations in climate change can be undertaken by the Islands Trust by either reducing carbon dioxide emissions or increasing carbon sequestration (the amount of atmospheric carbon fixed into plants or other solid materials). Energy use is a key issue around reducing emissions. Maintaining forest cover is important for carbon sequestration. Several resources are available to help us with mitigation efforts such as:

- Plug in BC - <https://pluginbc.ca/>
- Climate Action to Go Kits -

<https://www.crd.bc.ca/education/climate-action/at-home/climate-action-to-go-kits>

- Efficiency BC - <https://betterhomesbc.ca/> to carbon sequestration by island, Here's a link <http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

The Islands Trust is committed to becoming a carbon neutral organization with no net increase in greenhouse gas emissions from its operations. Carbon neutrality has been achieved since 2012 through these steps:

- Performing an emissions inventory of our operations.
- Implementing an action plan to reduce emissions;
- Purchasing carbon offsets to counteract emissions that cannot be readily reduced.
- Improving transportation networks that are low carbon such as bike paths or other trail networks or installing EV stations.
- All Local Trust Committee Official Community Plans contain targets and policies related to Green House Gas (GHG) emission reduction.

Local Trust Committees have the following tools available for addressing climate change mitigation efforts:

- GHG Reduction Targets- Section 473 of the Local Government Act – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- Zoning Authority – Section 479 of the Local Government Act could cluster development, protect areas for conservation, limit extent of development, establish building size limits, and prohibit uses that contribute the most to GHG production.
- Development Permit Area to Promote Energy Conservation– Section 488(1)(h) of the Local Government Act can be used to reduce heating and cooling requirements through building siting, systems, and landscaping.
- Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions - Section 488(1)(j) of the Local Government Act.
- Off-street Parking and Loading Regulations - Section 525 of the Local Government Act – establish parking requirements, electric vehicle and active transportation parking, surfacing and landscaping of parking areas.
- Impacts of climate change include sea level rise, possible saltwater intrusion into groundwater aquifer, warmer winters and summers, dryer summers, more intense storm events, and wildfire potential. Adaptations to changes resulting from climate warming include a wide variety of options. Such adaptations could be behavioural (e.g., Educating people to reduce food waste and drive less) or structural measures (e.g., Requiring water storage for household and fire suppression use).

The Province of B.C. has developed a Climate Change Secretariat to address climate change adaptations and has begun to produce numerous resources for communities to deal with climate change adaptations. These include:

- The site of climate change resources - <https://www2.gov.bc.ca/gov/content/environment/climatechang>

e

- The climate action toolkit - <https://www.toolkit.bc.ca/taking-action/community-wide> Local Trust Committees are being supported in understanding potential adaptations through staff reports.

A review of Islands Trust policies revealed a commitment to addressing climate change demonstrated by the islands of North Pender, South Pender, Galiano, Mayne and Saturna that are collaborating on a project to assess groundwater and establish water budgets.

Tools to support Local Trust Committees in understanding possible adaptations include:

- Zoning Authority - Section 479 of the Local Government Act require setback from the sea and water bodies, building location and size, appropriate uses, and density.
- Runoff Control Bylaw - Section 523 of the Local Government Act Regulations to address increased rain events.
- Development Permit Area to Protect Development from Hazardous Conditions – Section 488(1)(b) of the Local Government Act. Flood plain regulations along foreshore, rivers, and lakes. Tree and vegetation retention in areas prone to land slip.
- Development Permit Area to Promote Energy Conservation- Section 488(1)(h) of the Local Government Act. Siting, landscaping, and flooding.

Shoreline Management Plans: Oak Harbour. WA. U.S. Oak Harbour SMP

Shoreline Environment Designations

The basic intent of a shoreline environment designation is to preserve and enhance shoreline ecological functions and to encourage development that will enhance the present or desired future character of the shoreline as described in the

Comprehensive Plan, other adopted plans and the Shoreline Management Plan. To accomplish this, shoreline segments are given an environmental designation based on existing development patterns, biological capabilities and limitations, and community objectives. This Master Program establishes seven shoreline environments for the City of Oak Harbor. These shoreline environments shall include the shorelines of the City of Oak Harbor, including shorelands, surface waters, and bed lands. These environments are derived from and based on policy direction contained in the Oak Harbor Shoreline Inventory and Characterization Report, the Oak Harbor Comprehensive Plan, the Shoreline Management Act, and the Shoreline Master Program Guidelines. The seven Oak Harbor shoreline environment designations are: Maritime, Urban Mixed Use, Residential, Residential - Bluff Conservancy, Urban Public Facility, Conservancy, and Aquatic.



Storm surge flooding, Victoria. Photo: B.C. Ministry of Environment

The Summary List of Recommended Actions [Appendix A: Summary List of Recommended Actions Page 1 \(washington-apa.org\)](#) includes a number of options that LTC could use to outline how protection of marine ecology will be managed.

BC MARINE COASTAL SHORELINES JURISDICTION

Jurisdiction over coastal areas in B.C. is split among federal, provincial, and local governments, depending on the location along the coast and the relationship to the shore.

Within the Islands Trust Communities there are six types of shorelines that are shaped by complex processes that connect the land to the sea.



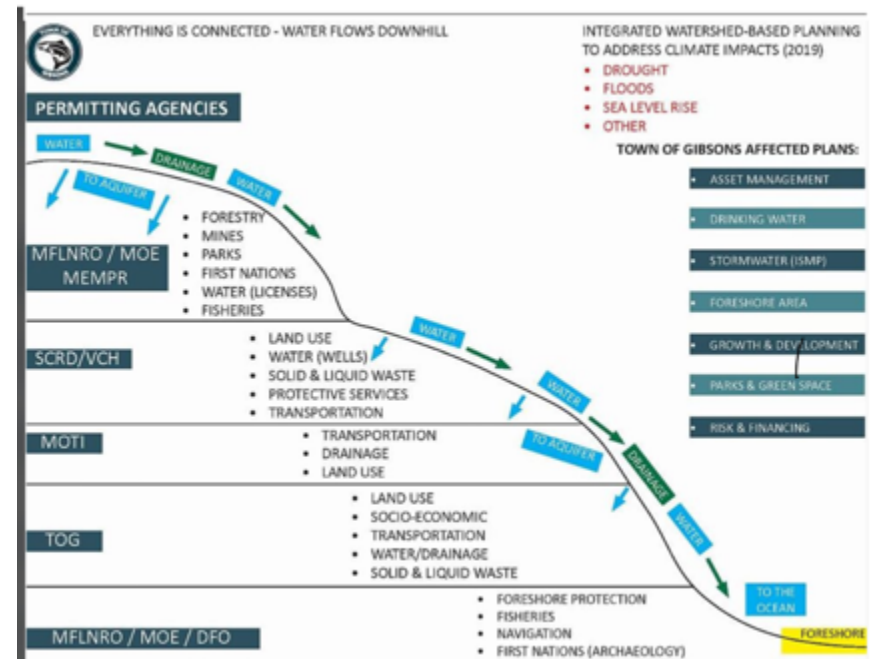
The land and surrounding environment protect the natural processes that form the shoreline. Marine and terrestrial habitat, as well as sensitive habitat and features exist, which are important to support a vibrant marine ecosystem.

The Islands Trust interactive mapping (MapIT) application is available online and provides more information about regulations. Although mapping is informative, it cannot replace observations made by walking the site and surrounding areas, particularly noticing seasonal and other changes over time.

It is important to note that while the following points refer to ownership and jurisdiction, all of B.C.'s coast is subject to aboriginal claims based on traditional use by First Nations and constitutional recognition of Aboriginal Title and Rights.

To highlight the multiple jurisdictions that regulate water the following water model in Figure 1 highlights how watershed planning can help to address climate impacts such as droughts, floods, and sea level rise.

Figure 1: Permitting Agencies | Integrated Watershed Model



Source: [2020-07-28 Gibson's Source to Sea Project.pdf \(civicweb.net\)](#)

The federal government has jurisdiction over offshore waters – from the low water mark out to 12 nautical miles along the outer coast. The Federal Department of Fisheries and Oceans (DFO) is responsible for fisheries protection provisions to prevent serious harm to commercial, recreational, and Aboriginal fisheries under the *Fisheries Act*, including shoreline “riparian” habitats, as well as for maintaining maritime safety through the Coast Guard. Transport Canada is responsible for preserving the public right of navigation under the *Navigation Protection Act* (2014) in waters listed in the schedule to that Act. The public right of navigation

will continue to be recognized in common law for navigable waters not listed in the Act. Port Authorities are also established under federal legislation to manage major harbours and facilities that are federal Crown lands, such as Victoria, Metro Vancouver, Port Alberni, Prince Rupert, and Nanaimo harbours.

On B.C.'s coast, the area between high tide and low tide (the foreshore area) is owned and controlled by the provincial government as well as the beds of inland seas such as the Strait of Georgia, Juan de Fuca Strait and Johnstone Strait. Foreshore area is never privately owned, though the Province may grant leases and licences for special uses of the foreshore – like gathering oysters or building docks and wharves. [Land Use - Private Moorage - Province of British Columbia \(gov.bc.ca\)](#)

The Land Tenure Branch (under the Ministry of Forests, Lands, Natural Resource Operations and Rural Development) administers lands in the foreshore area and issues permits, licences or leases for a wide range of uses – private and public moorage, wharves, marinas, aquaculture, and log storage to name a few. Consultation with First Nations is an important consideration with development around the coastal lands. It is part of land and resource decision-making. The following link outlines communications protocols with First Nations.

[Consulting with First Nations - Province of British Columbia \(gov.bc.ca\)](#)

The Province may also establish regional coastal zone or estuary management plans. Use of the foreshore is also subject to local

government land use regulations. *Source: Regulations Affecting BC Marine Coastal Shorelines Green Shores™ Background Report Shoreline Regulations and Permitting Processing BC 2014*

Professional Organizations Engineers have been involved in shoreline ecological restoration for some time. For example, in 2010 Jericho Beach enabled the opportunity to return the shoreline to its natural state and allowed for return of native plant habitat. Dangerous materials, such as creosote treated piles were removed.

The experience in undertaking flood plain restoration shows that a co-ordinated approach is essential and Community buy-in is required. An example of a multidisciplinary team has been the Shoreline Protection for the Town of Comox which commenced in 2011.

(Source: [Waters | Nanwakolas Council](#))

The Team included the K'omox First Nation, an archaeologist, a biologist/fisheries expert, a wave modelling/coastal engineering specialist, and a geotechnical engineer. The Foreshores dynamic nature made the Project extraordinarily complex. In addition, an archaeological site was located. *(Source: Innovation 2018 Engineers and Geoscientists BC). In 2016, the Association of Professional Engineers of BC (APEGBC) released a position paper entitled Human-Induced Climate Change which was followed in 2017 by professional practice guidelines, Flood Mapping in BC.*



1. Low Bank Beach of Jericho Beach, Vancouver, BC



Pictures 3 and 4 depict Low Bank Beaches in Comox, B.C. Rocks and logs are used as a natural approach to slow tidal flows and to prevent erosion.



2. Beach Images: Stanley Park, Vancouver, BC
Rocks placed to slow tidal action



LEGISLATIVE FRAMEWORK FOR SHORELINE PROTECTION STRATEGIES

An overarching goal of government regulation is to strengthen opportunities for protection of archaeological resources, sensitive ecosystems, shoreline integrity and function, and public access to marine ecosystems.

The Islands Trust has policies that give local island trust committees the ability to amend Official Community plans and Land Use bylaws. Policies to manage development on shorelines through its preserve and protect mandate, is expressed through

the Islands Trust Policy Statement that reflects the values expressed by Island Trust communities.

1. Islands Trust Policy Statement

The Islands Trust policy statement guides land use planning and development through the preserve and protect mandate of the islands trust. It includes goals and policies that reflect the values and concerns for the future of the trust area. Local trust committee official community plans and land use bylaws must comply with the policy statement. There are several policies which speak broadly for shoreline protection, and more specifically for the implementation, regulation and use of foreshore development for policies in the Islands Trust. These are listed in Appendix 1: Policies in the Islands Trust. Note that the Islands Trust Mandate in Section 3.4.4 requires that Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas protection of sensitive marine areas and in Section 3.4.5 requires that Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

2. Official Community Plans

Official Community Plans allow local governments to set objectives and policies to regulate future growth and development in communities. The OCP divides the communities into residential, commercial, agricultural, institutional, industrial, and other land uses. The OCP outlines when these uses are needed and provides policy direction on how, when and where each land use will be located. Designated uses can be outlined on OCP maps.

The Official Community Plans within the Islands Trust area have included the Objectives and Mandate in a variety of ways. The following communities demonstrate how they have amended their OCP's to address shoreline protection.

The Saturna Island Official Community Plan highlights the legality of the Islands Trust Object. Over the years the provincial legislature has reaffirmed the Islands Trust object.

“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 British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”
(Sec.3 Islands Trust Act).

This legislated objective defines the purpose of providing authority to the Islands Trust for land use regulation. The challenge is how to employ the available planning powers of the Local Government Act to preserve, protect, and effectively maintain the rural nature, health, natural environment, and vitality of the Saturna Island community.

The strength and obligation of the Trust mandate has been more clearly defined by the Court in the Galiano Island vs. McMillan Bloedel case. The BC Court of Appeal found that when a Local Trust Committee exercises its powers "to preserve and protect" an amenity, it is not acting in bad faith, but rather carrying out its assigned duty under the Islands Trust Act. Official Community Plans and Land Use Bylaws can be explicit and either more restrictive or permissive when furthering the objectives than would be acceptable in other local governments in British Columbia. The

Court's decision affirmed the powers and obligation of each Local Trust Committee to further the object of the Islands Trust Act.

The Galiano Island Official Community Plan elaborates on Principles.

- a. This Plan advances the Object of the Islands Trust to "preserve and protect the Trust area and its unique amenities and environment" and supports the limitations the Object presents for the type and scale of development in the Galiano Island Local Trust Area.
- b. Several First Nations have traditional ties and territories on Galiano. The community supports continued and strengthened collaboration and cooperation with First Nations in planning land and resource management and protection of cultural heritage and sites.

One method of regulation is via Development Permits as established in Section 919.1(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity. An example is Ballenas Winchelsea Official Community Plan, which elaborates on the justification of a Shoreline Development Permit area. The Plan notes that the Object of the Islands Trust to "Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia." Provincial legislation in Section 877(1)(d) of the Local Government Act says that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is subject to hazardous conditions, or that is environmentally sensitive to development. It is policy of the Islands Trust Council that protection must be given to the natural

processes, habitats, and species of the Trust Area, including those of open coastal grasslands, the vegetation of dry rocky areas, estuaries, tidal flats, saltwater marshes, drift sectors, lagoons, kelp and eel grass beds and that development activity, buildings, or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes. It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address: the protection of sensitive coastal areas; and the planning for and regulation of development in coastal regions to protect natural coastal processes.

Land Use Bylaws also regulate Shoreline uses. North Pender Island, for example has 1 Ecological Zone and 6 Water Zones.

Developments to ensure they meet the policies and objectives of the Official Community Plan (OCP) as well as the regulations of the Zoning Bylaw. The OCP specifies areas that fall under a Development Permit Area (DPA).

Local governments may designate areas of land as development permit areas to be used for one or more purposes. The eligible purposes of a development permit area are:

- Protection of:
 - The natural environment, its ecosystems and biological diversity
 - Development from hazardous conditions. Protection of development from wildfire, land slide, flooding, erosion, and other hazards
 - Farming
- Revitalization of an area in which a commercial use is permitted
- Establishment of objectives for the form and character of:

- Intensive residential development
- Commercial, industrial, or multi-family residential development
- Development in a resort region
- Promotion of:
 - Energy conservation
 - Water conservation
 - Reduction of greenhouse gas emissions

Designating a Development Permit Area

Local governments may designate a development permit area in an official community plan. The plan must describe the special conditions or objectives that justify the designation.

The local government must also specify guidelines for how proposed development in that area can address the special conditions or objectives. These guidelines may be specified by zoning bylaw.

In the Islands Trust many locations include Development Permit Areas within Official Community Plans to implement Islands Trust Policy Statements to Preserve and Protect mandate.

The promote high quality developments in terms of design, performance, and environmental protection. Most lands within jurisdictions are subject to the provisions of one or more development permit areas. Therefore, prior to commencing subdivision, construction, or the clearing or alteration of land, a development permit may be required for one or more of the following purposes:

The Island Trust Shoreline DPA (DP-3) is an example of a policy that has designated an area for which development approval

information may be required as authorized by Section 484 of the Local Government Act.

Examples of Coastal Development Permit Guidelines are included:

1. northcowichan.ca/assets/MarineWaterfront.pdf
(North Cowichan Development Permit)
2. foreshore-development-permit-area.pdf
(Campbell River)

Development Permit Areas can help local government achieve development objectives by providing guidelines on the design, appearance, and performance of a development. A development permit cannot vary the use or density of land, or a flood plain specification. The only exception is where the permit is essential to health, safety, and protection of development from hazardous conditions.

Keats Island community in conjunction with the Island Trust planners conducted a Shoreline Review Project. This action was taken in response to community concerns related to the general increase in development on Keats, and more specifically to the increase in dock development. The attached report outlines a strategy that encompasses the findings from the consultation and a review of Land Use Policies in the Islands Trust.
gm-ltc-2020-06-15_keats-shoreline_rpt-discussion-paper-working-group.pdf (islandstrust.bc.ca)

Zoning Bylaws and Setbacks

One area of inconsistency is between zoning Bylaws and specifically setback requirements. Zoning bylaws regulate Marine Riparian setbacks, and they may differ across local governments and regional districts.

Most jurisdictions now require setbacks on lands within 15 metres upland of the highest high tide mark of the ocean, or the top of bank, whichever is the larger. This is consistent with the Provincial Guidelines as part of its strategy to address climate change impacts. When development is proposed within a specified distance from the high tide mark of the ocean, a report is required from a qualified environmental professional, to eliminate or mitigate impacts of the development on all parcels with marine shorelines.

Often a measure that may stabilize one site can lead to instability on other sites in the area, as wave and tidal actions combined with longshore drift energy are redirected in response to human interventions. To minimize the degree to which this may happen it is preferred that natural measures are deployed to protect marine shores wherever possible. Section 524 of the Local Government Act enables local governments to develop flood hazard area bylaws. When adopting these bylaws, local governments are required to consider the Province's "Flood Hazard Area Land Use Management Guidelines" (the Provincial Guidelines).

Amended in 2018, the Provincial Guidelines incorporate sea level rise (SLR) into land use planning and future development and require that local governments adjust setbacks according to the Year 2100 Global SLR prediction of 1.0 metre, with adjustments made for regional uplift and subsidence. Using the Year 2100 SLR prediction of 1.0 metre as the minimum elevation, local governments can regulate flood construction levels (FCL) of buildings and structures, including docks.

The Provincial Guidelines requires a setback of 15 metres from the future estimated natural boundary (NB) of the sea at Year 2100, or landward of the location where the natural ground elevation contour is equivalent to the Year 2100. It is noted that where sea

frontage is protected from natural bedrock formation, setback requirements may be adjusted as recommended by a qualified Professional Engineer experienced in coastal engineering. Conversely, the recommended setback may be increased based on the site-specific conditions, for example in low-lying areas or areas of known erosion hazard. The Islands Trust is no exception as can be seen from the following table.

The Capital Region District (CRD) Flood Inundation Project 2020 provides detailed information for some of the more southern Islands within the Islands Trust regarding future hazards associated with coastal flooding

related to sea level rise and tsunamis. The following map shows information for Ganges and adjacent area on Salt Spring Island. (Source: Task 2 Sea Level Rise Modelling and Mapping Report Map 2)

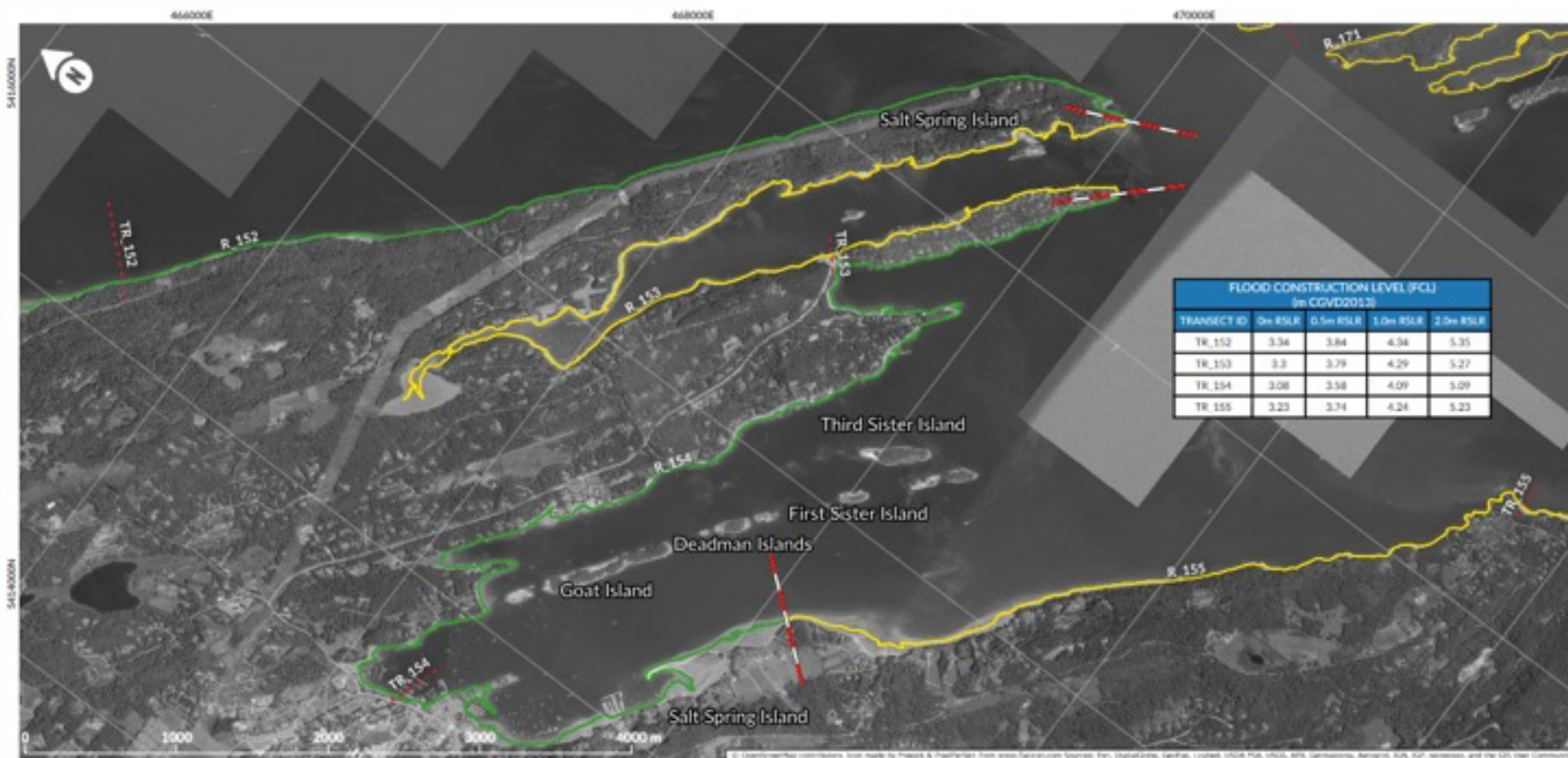


Table 1 Summary of Local Trust Committee (LTC) regulations.

Shoreline Regulation Overview Table	Private Docks permitted (zone specific)	Setback from Natural Boundary of the Sea	Permits Structures in Setback from NB	Exemptions to Setback from NB	Shoreline (or Marine) Development Permit Area
Ballenas-Winchelsea	✓	15 m	-	✓	✓
Bowyer and Passage Islands (Gambier LTA)	✓	7.6 m	Property specific min. setbacks based on historical buildings and structures	✓	-
Denman	✓	15 m	✓	-	-
Gabriola	✓	15 m**	✓	-	✓
Galiano	✓	7.5 m	✓	-	✓
Gambier	✓	15 m	✓	✓	✓
Gambier Associated Islands	✓	7.5 m	✓	-	-
Hornby	-	15 m	-	✓	-
Lasqueti	✓*	15 m**	✓	-	-
Mayne	✓	7.5 m	✓	✓	-
North Pender	✓	15 m	✓	✓	✓
North Pender Associated Islands	✓	15 m	-	-	✓
Salt Spring	✓	15 m**	✓	✓ (zone specific)	✓
Saturna	✓	7.6 m	✓	-	-
South Pender	✓	7.6 m	✓	✓	-
Thetis	✓	7.6 m	✓	✓	-
Thetis Associated Islands	✓	10 m	✓	-	-

*Docks permitted on specific lots only. Rezoning required for additional docks.

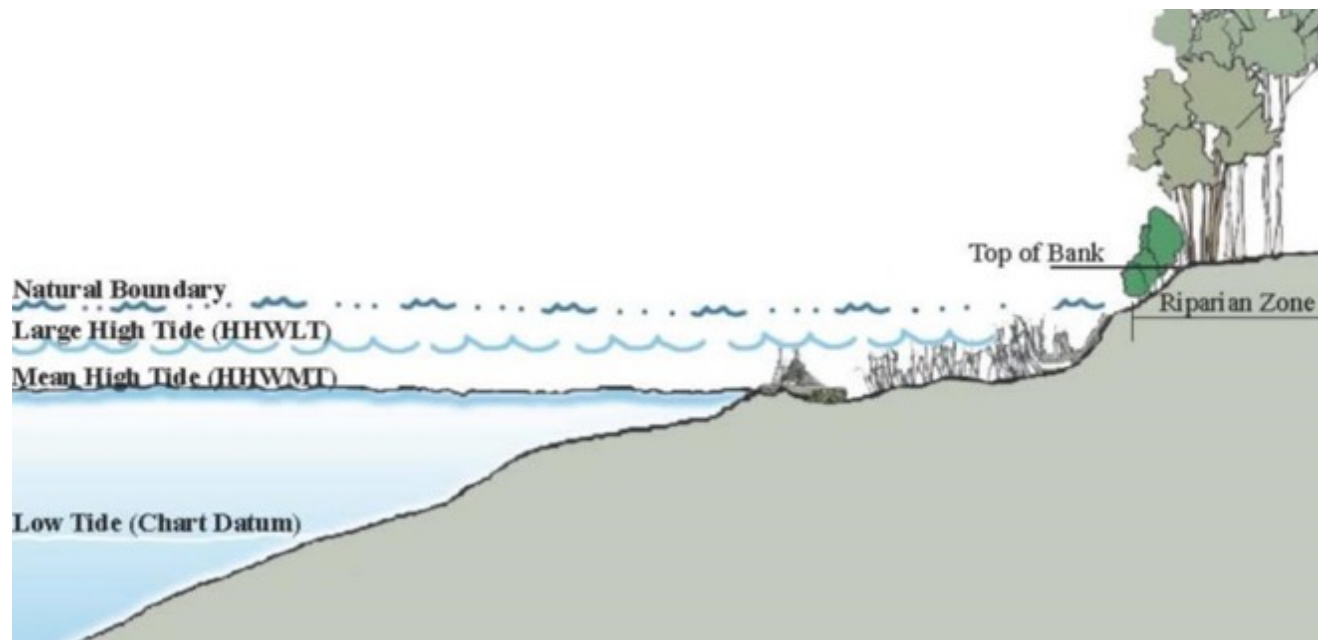
**May be reduced with engineer certification.

Natural Boundary Considerations

One of the key components of Development Permit requirements is establishing setback requirements. With regards to Shoreline protection, the establishment of the Natural Boundary is a key component as it impacts setback distances from hightide.

The 2010 BC Supreme Court case *Lawrence v. British Columbia* (Attorney General) 2010 accepted of the method of determining the natural boundary as shown in the figure below.

The Natural Boundary means the visible high-water mark of the sea, a lake, a stream, or other body of water, where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil or rock of the bed of the body of water a character distinct from that of the ban. (The definition is defined in the BC Land Act https://www.bclaws.gov.bc.ca/civix/document/id/91consol15/91c_onsol15/79214#section14.) and in the case of a lot having a surveyed high-water mark means the high-water mark. LUB should provide the following regulations for siting of buildings and structures in relation to the natural boundary of the sea:



Source: *Greenhores Credits and Ratings Guide*

The following features may project into a required setback area:

- o steps, eaves gutters, cornices, sills, chimneys, or similar features, provided they do not project more than 1.0 metre

(3 feet) into the required setback area or 0.5 metres (1.5 feet) in the case of a side yard setback area;

- o balconies, decks, and sunshades, provided that they do not project more than 1.0 metre (3 feet) into the required setback area;
- o retaining walls may be located in any required setback area except the setback from the natural boundary of the sea.

Marine/Coastal Policies

- a. Develop and implement a Marine Action Strategy to identify, prioritize and resource local actions for protecting and maximizing waterfront and marine resources as important assets providing valuable ecological services, and social, cultural, and economic benefits.
- b. Continue to build partnerships and collaborate to monitor and protect waterfront and marine areas. Establish a Marine Working Group to coordinate and align efforts of all coastal stakeholders and agencies with jurisdictional authority and interests in the local marine environment.

Objectives

- a. Recognize, value, and promote ecosystem services provided by coastal and marine environments.
- b. Protect, restore, and enhance the ecological features and functions of coastal and near shore areas.
- c. The Islands Trust should continue to work collectively across each of the Gulf Islands to help sustain a healthy marine environment.
- d. Play a proactive leadership role and work with First Nations and senior governments to monitor and address marine issues such as unauthorized mooring, derelict vessels, and ship and non-point source pollution of the coastal environment.
- e. Continue to participate in initiatives and forums to enhance dialogue and collective action among First Nations, local and regional governments, marine stakeholders, and community

organizations to support the health and sustainability of the Gulf Islands.

f. Support participation and benchmarking activities in the provincially led cumulative impacts project for the Gulf Islands. Work with other agencies and groups to inventory and more closely to define environmentally sensitive areas in the marine environment.

g. Plan and design waterfront sites to minimize impacts on the marine environment, in accordance with best management practices, all federal and provincial regulations. Refer to Province's Develop with Care resource, and Island Trust's development permit guidelines. The purpose of a Development Permit Area (DPA) guidelines is to designate for the protection of the natural environment, its ecosystems and biodiversity. DPA requires applicants to provide information on the anticipated impact of development activities on the natural environment, pursuant to the Development Approvals Information requirements outlined in sec 30 of the Local Government Act.

h. Infill of marine areas to create additional upland developable area beyond the natural boundary is strongly discouraged. Where required for contaminated sites remediation and coastal flood protection, the location and shoreline alignment of structures should wherever possible follow High Water to maintain marine channel area. Wherever possible, apply 'Green Shores' principles in their planning and design for shoreline restorations projects.

i. Ensure foreshore development is undertaken in a manner that secures and enhances public shoreline access without adversely affecting aquatic habitat. Access points should be practical and universally accessible for public use and enjoyment.

j. Support opportunities for coordinated project review with senior governments and First Nations for projects proposed within the marine environment. It is strongly encouraged to contact the Archaeological Branch to prior to development along shorelines

to determine if there could be the presence of culturally significant artifacts.

For Shore line development made to the BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development for private docks and floats, these applications will only be accepted by the Islands Trust if the following criteria are met: Adherence to the Integrated Land Management Bureau (ILMB) policies regarding public notification e.g. Local First Nations and is in keeping with best management practises, planning and design standards, e.g. shared access and dock usage whenever possible.

Environmentally Sensitive Areas

a. Marine Shoreline guidelines apply to environmentally sensitive areas. These areas are mapped and included in each of the Islands Trust OCPs, and accompanying Development Permit Applications. Shoreline developments within the Islands Trust may lie within multiple development permit areas. It is advised Property owners work with a Qualified Environment Professional to meet the requirements within each DPA. In the case of guidelines for areas designated for the protection of development from hazardous conditions, development proposals which include marine or riparian areas must also be submitted to Fisheries and Oceans (Canada) for authorization and should be subject to any conditions or limitations determined necessary or appropriate by Fisheries and Oceans (Canada).

Objectives and Justification

The objectives of Development Permit Areas are to:

- i. protect areas of highest biodiversity and ecological sensitivity within the Gulf Islands including ground and surface water, shorelines, forests, wildlife habitat features and rare and endangered ecosystems and species.

- ii. ensure that ecosystem protection and enhancement values are elevated and prioritized, and to specify where and how lands are developed in and around environmentally sensitive areas.
- iii. conserve and steward the natural environment, ecosystems, and biodiversity within the community.
- iv. support the movement of various species by connecting ecosystems through undisturbed open space corridors.
- vi. restore, enhance and protect marine ecosystems; Shoreline ecosystems such as stream corridors, slopes, and nearshore beaches to preserve fish habitat, improve water quality for shellfish harvests.
- vii. minimize and mitigate the environmental and visual impacts of development.
- viii. accommodate recreational and complementary land uses, where appropriate that contribute to the above objectives.
- ix. restore and enhance sites previously degraded or denuded of vegetation.
- x. Discourage any new development in within designated ecological reserves.

b. The Islands Trust has some mapping for designated Environmental Review Areas (ERAs) that are based on Sensitive Ecosystem Mapping completed to provincial standards that describe and classify the ecological diversity, type, and extent of vulnerable or rare ecosystem elements in a given area. [Islands Trust Conservancy - Sensitive Ecosystems and Land Use Planning](#). The terrestrial ecosystems can be viewed using the Islands Trust interact mapping application MapIT and PDF versions of the maps can be downloaded.

These areas have rare or restricted distribution, high biodiversity, and habitat values, and are sensitive to disturbance and human

impacts. Within the Gulf Islands, sensitive ecosystems are not limited to Shorelines but include old forest, mature forest, woodlands, riparian areas, wetlands, and sparsely vegetated, estuarine, intertidal, fresh water and ocean areas.

c. Areas of recent disturbance or modification are not considered sensitive, and include urban and rural residential areas, industrial sites, golf course (excluding natural areas within some courses), gravel pits, roads, hydro corridors, dikes, farmland, and recently logged areas. The Gulf Islands has designated some areas as environmentally sensitive and there are several Environmental Review Areas (ERAs) based on Sensitive Ecosystem Mapping completed to Provincial standards that describe and classify the ecological diversity, type, and extent of vulnerable or rare ecosystem elements in a given area.

The Islands Trust has Sensitive Ecosystem Mapping available on the Islands Trust Geographic Information System to identify Environmentally Sensitive Area (ESA) rankings (Medium or High) based on an ecosystem's sensitivity to disturbance, ecological importance, and provincial rarity according to its BC Conservation Data Centre status. Ecosystems with high percent of recent disturbance are ranked as Low (not highlighted on ESA mapping).

ERAs may not represent all sensitive ecosystems present within a given area or site. The Islands Trust relies on the most updated information, acquired through site-level bio-inventories and assessments as required for Development Permits. As new information becomes available, and buffer areas are determined by Qualified Environmental Professionals (QEPs) to maintain ESAs,

OCP's and Development Permit areas can be amended along with Geographic Information System ESA map layers, which should be referenced for detailed ESA information over time.

d. Development within and adjacent to these sensitive ecosystem areas will be reviewed against and subject to OCP environmental objectives and policies that seek to ensure ecologically sensitive development. Development should be carried out according to permits issued pursuant to these guidelines.

Conclusion:

This discussion paper is intended to identify and document existing policies and regulations related to updating LUB and policies for shoreline in LTC's and to make recommendations as to potential updates to these policies and regulations.

The options presented in this report outline initiatives underway in other communities and jurisdictions. One of the major issues impacting changes in regulations is the impacts of Climate Change on coastal communities specifically sea level rise. The goal of the Islands Trust is to support policies to improve Shoreline Protection and to include Indigenous perspectives in project planning. The report represents some potential regulations that could be enacted that response to specific concerns from the community. It is recommended that Climate Change and Indigenous reconciliation be used as the catalyst to review and update LUB's specifically to introduce Shoreline Development Permit Areas as this regulatory tool as this has the best potential for impacting the areas of concern.

RECOMMENDATIONS

First Nations

1. To recognize areas of cultural significance the Local Trust Committee could consider designation of a Heritage Conservation Areas or adopt Heritage Bylaws to protect heritage cultural resources similar the projects completed on South Pender and Saturna.
2. Through government-to-government meetings, Local Trust Committee may wish to commit to meeting regularly with Indigenous First Nations stakeholders on land use planning issues. Also, the internal referral/advisory role between Islands Trust planning staff and the Intergovernmental Liaison appears to still be in a growth phase as new processes work towards collaboration on meeting the mandate of the Islands Trust.
3. The LTC Policy Statement should be revised to incorporate UNDRIP and DRIPA & the Islands Trust Reconciliation Declaration. The goal is to support more thorough Islands Trust project work to improve Shoreline Protection from an Indigenous perspective.
4. Based on feedback from Islands Trust staff it was mentioned that the Islands Trust Staff Report template could be updated to support a requirement to consult based on the intent of UNDRIP and DRIPA and the Islands Trust Reconciliation Declaration. This would give clear direction for greater consistency in approaches toward reconciling Indigenous Rights. In addition, to the Provincial public notification process the Islands Trust could develop a referral letter and provided to property owners regarding shoreline development for docks.

5. Consider working with First Nations and the Department of Fisheries and Oceans (DFO) to establish conservation areas to protect shellfish aquaculture, traditional shellfish harvesting, water quality and the protection of the marine environment. Due to the depuration areas such as the Sooke Basin and the closures of fisheries and shellfish harvesting (mandated by the Department of Fisheries and Oceans, DFO). Applications are no longer accepted for private moorage structures. Private moorage structures are not compatible with Designated Use Areas.

Land Use Planning Documents

6. Consider the establishment of Development Permit Areas (DPA) in Official Community Plans pursuant to the Local Government Act Section 488(1)(a) for the protection of the natural environment, its ecosystems and shoreline biological diversity; and Section 488(1)(b) for the protection of development from hazardous conditions. Consider updating Land Use Bylaws to clarify under what circumstances a development permit is triggered. Also revise Zoning Bylaws in regard to regulations to setbacks on Uplands from Shorelines.
7. DP requirements need to be consistent with the intent of Shoreline/Floodplain and the Riparian areas policies. This is required to balance development with protection of the environment. Mayne Island Official Community Plan includes a section on coastal waters and foreshore in which it states the local trust committee may: a) amend its bylaws to allow erosion protection structures to be

- regulated through development permits; and b) consider on a case-by-case basis.
8. Shoreline Development Permit Area could be added to Land Use Bylaws. Islands Trust Staff have suggested that all surrounding islets also be included in the DP area.
 9. Consider Implementation of a Shoreline Bylaw to strengthen the Land Use Bylaws and Official Community Plans. Develop LUB using shoreline mapping for all islands and highlight unique characteristics of the shoreline within the six beach types. For example, many Islands have flat beaches, cliff bluffs, rock, clay or marsh till. This will help to focus on more site-specific regulations and better protect marine ecology and support salmon spawning grounds, eel grass, and shellfish fishery. Problem areas for habitat protection and erosion of cliffs affecting setbacks should be identified as this could be a precursor to development of bylaws. Exemptions may be necessary if a specific issue does not exist. Shoreline mapping is available on MapIT and can be leveraged for shoreline protective bylaws.

Definitions:

10. Have a consistent definition for “shoreline” and “development” on the shoreline in all Islands Trust documents in accordance with the BC Land Act definition.

Setbacks are the primary tool for regulating where buildings locate. Need to define consistent setbacks for marine shoreline s. Implement consistent requirements for measuring Natural Boundary and have surveyor confirm exact High-Water Mark. Need to define “natural boundary” and “natural grade” in relation to “shoreline” and Sea Level Rise (SLR). The table

highlights LUB setback requirements from the natural boundary of the sea for buildings and structures and requires amendments to be consistent with the Provincial Guideline of 15metres. Rather than amending the LUB to update the setback measurement, one option would be to amend the LUB to refer to the flood protection bylaw for setbacks from the natural boundary of the sea. This would align with the existing Provincial Guidelines, and with any future amendments to the setbacks to the sea as required by the Province.

Climate Change

11. Washington State requires all local governments to develop Shoreline Management Plans: Oak Harbour. WA. U.S. Appendix A: Summary List of Recommended Actions Page 1 (washington-apa.org) is an example we have included. This may be an option for LTC. to outline how protection of marine ecology will be managed and provide Climate Change Policy Recommendations: Undertake study of sea-level rise, and floodplain regulations. The Province of BC has provided Coastal floodplain maps to identify coastal flood hazards, such as sea level rise, and to provide guidance to coastal communities in land use planning, bylaw development and sea level rise adaptation strategies. [Microsoft Word - TEXT-20110627.doc \(gov.bc.ca\)](http://www.gov.bc.ca) These maps will help to shape future policies with regards Flood Construction Levels and Sea Level Rise.
12. The Islands Trust mapping for the 21 Islands, supplemented by BC and CRD Mapping continue to be used to provide an evidence-based approach for identification and appraisal of options for future bylaws

that deal with Sea Level Rise Management management for in the Islands Trust communities. In particular, the analysis provides the types of land use, key assets, services and indicative economic values that exist in areas at inundation risk and this evidence will help to develop the objectives for and assess the impacts of different management options.

13. The Islands Trust should continue to conduct assessments of areas where Sea Level Rise risks exist and communicate these risks to Island Trust Committees and the community. The methods and mapping data sets used should be standardized so it can be applied to all Trust Communities. It is essential to consider the value in assessing inundation risk that could occur from flooding of drainage and other water systems. Data generated from this project could be used to create maps to show where such non-connected low-lying areas are located.

Best Practices – Islands Trust

16. There has been considerable work undertaken by Island planners and with the knowledge, and thorough

research and policy analysis of work it makes the most sense to utilize this project work for proposed Development Permit Areas. There are valuable best practices and details included in the shoreline projects for Keats Island and Lasqueti which is applicable to other islands. While there are differences for each of the islands, therefore these differences such as size, transportation needs, the purpose and function of docks will vary. [gm-ltc_2020-06-15_keats-shoreline_rpt-discussion-paper-working-group.pdf](https://islandstrust.bc.ca/gm-ltc_2020-06-15_keats-shoreline_rpt-discussion-paper-working-group.pdf) (islandstrust.bc.ca)

17. Recognizing the organizational structure and directives guided by the LTCs, perhaps it is worthwhile conducting a feasibility study to determine which LTCs are interested in building off of the extensive work carried out over a 2+ year span of time for the Lasqueti Shoreline Protection project and again recently for the Keats Shoreline Protection project?

APPENDICES

REGULATIONS – ISLANDS TRUST AND OTHER EXAMPLES

Across the Islands Trust, each Local Trust Area has adopted individual Official Community Plans (OCP) and Land Use (Zoning) bylaws.

Bowen Island Municipality

Marine Resources/Foreshore: The sea provides visual, auditory, recreational, and other tangible and intangible values that can be experienced from island and off island locations, as well as providing habitat for marine life and birds. Pollution of the foreshore can preclude its use by people and by all or some forms of wildlife. Excessive building and tree clearing on the shoreline can destroy fragile plant communities and the views for residents and the boating public. Objectives are to protect the natural and scenic values of the coastline that provide the rural maritime atmosphere of the island; to protect coastline habitat areas for marine life and to identify, protect and preserve sensitive coastal vegetation. The Land Use Bylaw will set out detailed provisions related to siting, setbacks, size, configuration, width, materials, and projections for private moorage. The importance of the marine environment as a recreational resource for island residents and visitors will be affirmed through the continued maintenance of existing beach and shoreline access and establishment of new beach and shoreline access where such access does not detrimentally affect the marine environment and associated wildlife.

Denman Island Local Trust Area

A guiding objective is to protect the foreshore, coastal waters, and native marine life and to retain sufficient natural habitat to ensure the preservation of native species...The foreshore (or intertidal) area is defined as the land located between highest and lowest tides.

Gabriola Island Local Trust Area

The objectives include to manage coastal marine resources in keeping with the Islands Trust preserve and protect mandate; To preserve and protect unique, rare, or representative marine plant and animal communities in their natural habitats; To protect the natural and scenic values of the coastline; To provide opportunities for the commercial uses of the foreshore and coastal waters; To recognize the importance of the existing log storage areas in the; To promote the recreational and commercial use of the area's aquaculture resources; and To encourage the sharing of docks and wharves. Within Development Permit Areas there are policies regarding no alteration or disturbance causing a negative impact to the foreshore habitat or erosion in upland areas.

Mudge Island

Since there is no ferry service, large or bulky items such as vehicles and building materials are transported by boat or barge to and from the island. Barges use either Moonshine Cove's beach or the deeper foreshore nearby at a public access point. Davidson Bay is also used for launching and retrieving boats. Objectives are to minimize disturbance and pollution of the foreshore and the surrounding waters and conflicts between marine and foreshore users and uses.

DeCourcy Island

The Official Community Plan notes that the foreshore and the ocean are fragile and valuable components of human and marine life habitat. Interference with the natural systems and their appearance should therefore be kept to a minimum. 1) Moorage space for residents and owners should be centralized at one or more locations. 2) Private floats and docks serving only individual lots should be discouraged. 3) Houseboats should not be permitted. Water General (W-1) Zone (i) Boat and seaplane moorage associated with single family uses located on adjacent upland.

Gambier Island Local Trust Area

Marine and Foreshore Areas Policy states that zoning should allow: cooperatively owned or operated docks to provide marine access to residential areas as a means of minimizing the need for upland road links between residential communities and to limit the need for multiple dock development along the shoreline. Also, property owners are encouraged to retain natural vegetation on any land sloping towards the shoreline. The Local Trust Committee may issue development permits to protect the natural environment, its ecosystems and biological diversity for Marine and Foreshore designated areas considered to have potential fishery resource values.

Keats Island

The Official Community Plan states that the integrity of foreshore features, shoreline features, and intertidal processes should be maintained by: a) discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore; b) supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas; c) land use regulations should provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures; d) where land use regulations provide for private docks, the use of communal or shared docks is encouraged, where feasible, to limit the need for multiple dock development along the shoreline. The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.

Gambier Associated Islands

Policies in the Official Community Plan state that the LTC should identify and consider protecting ecologically sensitive marine areas. The

LTC should permit and encourage the construction and use of common, community, or communal docks where feasible but permit individual private docks accessory to residential uses where required for access. The LTC should use bylaw provisions to protect public access to, from, and along the marine shoreline. The LTC should, through zoning, the use of setbacks and, where there is supporting mapping, the use of development permit areas: (a) protect the integrity of the foreshore, shoreline, and natural coastal and intertidal processes; (b) discourage uses that disrupt natural features and processes; (c) allow for natural erosion and accretion processes, without endangering structures; (d) encourage owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas adjacent to the foreshore; and (e) discourage filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing facilities. Modification of the shoreline, such as seawalls, where it can be demonstrated to be necessary to support or protect a permitted or existing use or structure. Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, beach enhancement, anchor trees, and gravel placement. Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilise banks, reduce erosion and provide habitat should be retained or enhanced.

Galiano Island Local Trust Area

The Official Community Plan explains the complex geography and geology of Galiano 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 Shoreline and Marine designation incorporate as all waters beyond high tide line up to the full boundary of the Galiano Island Local Trust Area. The objectives are: 1) to protect shoreline and marine ecosystems in the local trust area, 2) to ensure public access to the foreshore, and 3) to encourage safe and considerate use of the marine environment. There is a Shoreline and Marine Development Permit Area. Shorelines within the Galiano Island Local Trust Area have high ecological function and values and may be subject to shoreline erosion in some locations. Due to their physical and biological characteristics and situation they need to be carefully managed to avoid potential negative impacts of development. Development and associated shoreline improvements or protection measures can threaten the ecological and physical integrity of the foreshore and upland. The Objectives of the development permit area are:

1. To plan and regulate new development in a manner that preserves and protects the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
2. To manage development to minimize disruption of natural features and processes and to retain, wherever possible, natural vegetation and natural features.
3. To balance development opportunities with the ecological conservation of the shoreline environment.
4. To maintain the public's use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline or put users at undue risk.

5. To adapt to the anticipated effects of climate change.
6. To protect development from hazardous conditions resulting from shoreline erosion.
7. To ensure the form and character of marina development is compatible with the rural environment and minimizes impact to the aquatic environment.

The DPA includes Guidelines and provides information on Shoreline Protection Measures, Guidelines for specific Shoreline Types, Guidelines for Subdivision, Guidelines for Shore Protection Measures Design, Guidelines for Beach Nourishment and Fill, and Guidelines for Shore Access and Parking. There is also a Sensitive Ecosystem Development Permit area with some policies for shorelines.

Hornby Island Local Trust Area

The objectives of the Official Community Plan include, to promote the conservation, preservation or restoration of shoreline, foreshore, and the Island's surrounding marine ecosystem. Policies include 6.7.2.1 All uses of the waters within 1000 metres of the shoreline should be regulated by zoning.

Lasqueti Island Local Trust Area

Objectives include the support conservation-based subdivision layout that protects sensitive ecosystems, heritage resources and reduces parcelization of the natural boundary of the sea and limitation of the density of waterfront parcels.

Mayne Island Local Trust Area

Official Community Plan Objectives include: to retain the public accesses to shoreline and beach areas. The coastal waters within the Mayne Island Trust Area include the surface of the water extending from the shoreline of Mayne Island out to the middle of the Georgia Strait, except where the jurisdictional boundary overlaps with another Local Trust Area when the boundary becomes a line mid-channel. The objectives of this section are to limit the impact of foreshore uses on adjacent uses and on the visual appearance of the shoreline. Private floats, docks or wharves shall be permitted by zoning only for owners of land adjacent to the shoreline of the water area subject to the zone.

North Pender Island Local Trust Area

Sensitive Ecosystem Development Permit Areas are included in the Official Community Plan. Stipulations include: Shoreline structural modifications should be limited in number and extent and should be necessary to support or protect a permitted or existing use or structure. Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, beach enhancement, anchor trees, gravel placement. Harder construction measures should be avoided where possible. Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land, except for agriculture. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.

Salt Spring Island

The Official Community Plan objectives include: To give particular attention to the streams, wetlands, and shorelines. The Ministry of Transportation and Infrastructure and other responsible agencies are encouraged to support efforts to create a harbour shoreline that offers access to the harbour and opportunities for walking and traditional recreational activities. Shoreline and Aquatic Use Objectives and Policies are: To protect our marine and freshwater shorelines. To protect the most significant ecological and physical processes of marine and freshwater shorelines; To identify those shoreline areas that are most uniquely suited to or traditionally used for specific purposes such as conservation, First Nations sites, public recreation, boat moorage, aquaculture, industry or transportation; To avoid conflicts between shoreline uses and uses allowed on the adjacent upland; To avoid shoreline uses that impede public access to and along the shoreline; Shoreline identified as uniquely suited to or traditionally used for a specific purpose is designated for that use. Other parts of the shoreline and areas of water are designated Marine; The Local Trust Committee could undertake an integrated coastal area management (ICAM) planning process to identify other appropriate areas where specific designations should be placed. Such planning should take place in consultation with the community, First Nations, and other levels of government; The Local Trust Committee may consider shoreline rezoning applications adjacent to marine dependent general employment zoning which may make upland uses economically viable without detriment to the shoreline/riparian habitat. Shoreline Conservation Designation Objectives are: To protect the island's most environmentally sensitive shoreline areas such as tidal flats, fish and wildlife habitat, sensitive lake ecosystems, estuaries and wetlands that is not suitable for intensive development. and Policies include: Zones created in this Designation should not result in negative impacts to sensitive natural habitat areas. The Local Trust Committee will not consider rezoning applications that would locate large new developments in or next to this Designation. Zoning should recognize the existing aquaculture operation in Walker Hook. However, zoning changes to allow expansion of the operation will not be made, unless it can be demonstrated that there will be no impacts on the area's sensitive environment or First Nation's interests. The Local Trust Committee should support the efforts of other agencies to maintain existing public accesses to the Shoreline Conservation Designation. However, if the adjacent upland is being subdivided, the Subdivision Approving Officer is encouraged to ensure that any new public accesses provide viewing areas rather than direct physical access to sensitive habitat areas. In providing referral responses to Integrated Land Management Bureau, Islands Trust staff will identify any known and identified environmentally sensitive areas or habitat that may be impacted by the proposed use.

Saturna Island Local Trust Area

The Harbours section within the Official Community Plan states that Permanent private moorage facilities, including docks, ramps, floats, and breakwaters, should be as small as practicable given the particular conditions, including shoreline topography, depth of navigable water, exposure to weather and other navigational considerations. These facilities shall be designed to facilitate public access along the foreshore.

The DPA for Lyall Creek states that i) In general, development of the foreshore should be limited, should minimize negative impacts on the ecological health of the immediate area, and should not impede public access. ii) Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection works have been demonstrated to have been exhausted should such works be considered.

South Pender Island Local Trust Area

Marine Use Objectives in the Official Community Plan are a) To allow dock and wharf development for access to and from the foreshore in locations appropriate for public transportation, commercial, park, and residential purposes. b) To allow for access to beaches suitable for recreation and maintain them free from development.

c) To retain areas of foreshore in an undeveloped state. d) To protect against impacts of mariculture operations, marine shipping, or marine based activities. e) To protect the marine areas subject to this OCP from use and development that would detract from present marine, and upland uses or conflict with existing marine life. f) To protect and maintain important foreshore and marine features and habitats. g) To provide for and support foreshore and marine waters use in a manner that does not significantly alter important natural features and habitat. Policies include: The Local Trust Committee may regulate the size and location of docks and other shoreline developments. Coastal Environment Objectives include: To preserve the aesthetic quality of the natural shoreline as viewed from the water and adjacent lands and related policies: Where development is allowed along shorelines, it shall be designed to conform to, rather than conceal, the natural contours of the land that borders the shoreline.

Thetis Island

Official Community Plan includes the entire Island and the seaward area from the shoreline of Thetis Island as identified by the natural boundary of the sea and encompasses all other islands, islets, reefs, the seabed, surface water, and air space. Policies include: Public access to the Crown land foreshore should remain unobstructed and the right to pass around shoreline structures. The integrity of foreshore features, shoreline features, and intertidal processes may be maintained by a) Discouraging uses that disrupt natural features and processes and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore. b) Supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas. c) Land use regulations should provide for upland waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures. d) Where land use regulations provide for private docks, the use of communal docks is to be encouraged where feasible and breakwaters are to be prohibited.

Thetis Associated Islands (Ruxton, Reid, Pylades, Hudson, Scott, Dayman, Tree, and Whaleboat)

Official Community Plan Policy: considers the location of future land uses so that their appearance and impact are compatible with and do not degrade or otherwise negatively impact the natural environment, community resources, and the character of existing land uses; the protection of sensitive ecosystems, ecological values and wildlife and fisheries habitats, especially in inter-tidal, estuarine, stream and riparian areas, in accordance with the current published guidelines as expressed in the Forest Practices Code, the Fish Protection Act and other guidelines published by the provincial and federal governments.

Ballenas and Winchelsea

Official Community Plan Policies include: LTC should identify and consider protecting ecologically sensitive marine areas; Zoning should permit shellfish aquaculture within existing tenures; LTC may consider rezoning applications for new leases for aquaculture, other than finfish farms; LTC should recognize and support the marine dependent nature of land uses; LTC should permit one dock adjacent to each private island in order to limit the need for multiple private dock development along the shoreline; LTC should only consider individual private docks accessory to residential uses where necessary for access. These docks should be regulated by zoning; LTC should not permit commercial marinas; LTC should use bylaw provisions to protect public access to, from and along the marine shoreline; use bylaw provisions

to limit structures within the setback from the sea to those related to permitted marine uses and those necessary for access to the foreshore; through zoning, the use of setbacks, and the use of development permit areas: (a) protect the integrity of the foreshore, shoreline, and natural coastal and intertidal processes; (b) discourage uses that disrupt natural features and processes; (c) allow for natural erosion and accretion processes; (d) encourage owners of shoreline properties to retain natural vegetation and natural features on areas adjacent to the foreshore; and (e) discourage filling, deposit, excavation, or removal of foreshore and seabed materials. The LTC should not permit the hardening of the shoreline. LTC should not support ocean disposal applications within the Plan area. LTC should not support the creation of artificial reefs within the Plan area.

Review other Examples

- Oak Harbour SMP
Shoreline Environment Designations
The basic intent of a shoreline environment designation is to preserve and enhance shoreline ecological functions and to encourage development that will enhance the present or desired future character of the shoreline as described in the Comprehensive Plan, other adopted plans and this SMP. To accomplish this, shoreline segments are given an environment designation based on existing development patterns, biological capabilities and limitations, and community objectives. This Master Program establishes seven shoreline environments for the City of Oak Harbor. These shoreline environments include shorelands, surface waters, and bed lands. These environments are derived from and build on policy direction contained in the Oak Harbor Shoreline Inventory and Characterization Report, the Oak Harbor Comprehensive Plan, the Shoreline Management Act, and the Shoreline Master Program Guidelines. The seven Oak Harbor shoreline environment designations are: Maritime, Urban Mixed Use, Residential, Residential - Bluff Conservancy, Urban Public Facility, Conservancy, and Aquatic.
- Natural Resources Canada, Land Use Planning Tools 2012
This publication describes a variety of planning tools being used across Canada to help communities prepare for climate change, increase adaptive capacity, and build resilience. It is directed to individuals and groups interested in climate change adaptation at the local level, including planners and other local government staff, elected officials, community organizations, local residents and business leaders.

Climate Change Land use planning tools for local adaptation to climate change describes seven of the most prominent land use planning tools in use across Canada and explains how communities can use them to more effectively adapt to climate change.

The land use planning processes and instruments employed to manage the use of land and the physical development of a community for the common interest includes a variety of statutory and other measures – bylaws, incentives, information and guidance, spending

programs – may be applied to control how land is used. [Land use planning tools for local adaptation to climate change \(publications.gc.ca\)](http://publications.gc.ca)

- Rural Comox Valley OCP 2014

Natural Environment: Objectives

(4) To protect, restore and enhance coastal shorelines, streams, wetlands, and the marine environment.

Climate change – policies (adaptation)

14. (1) Develop strategies to reduce the environmental, social, and economic impact of sea level rise and increasing extreme storm surge events in coastal areas through development permit area designations and conditions and submission of development approval information in accordance with policies included within this OCP.

14. (2) Work with stakeholders to complete an assessment of risk and susceptibility of the coastal areas to increasing sea level and extreme storm surge impacts.

Rural settlement areas – policies (industrial) (d) public access to the coastal waterfront, where applicable.

Coastal areas

68. Coastal areas are those lands that run parallel to the full waterfront of the CVRD, generally extending from the present natural boundary to the 30-metre bathymetric contour as illustrated on map 3. Activities are typically environmental protection, aquaculture, marine industry, and recreation. This plan seeks to protect such uses while discouraging activities both on the water and the abutting upland areas that could compromise the environmental integrity of the aquatic environment.

Coastal area - objectives

69. (1) To minimize any negative impacts of settlement on the coastal areas. (2) To steward these areas for their environmental and economic benefits. (3) To encourage appreciation of the marine environment, by providing for public access to, and enjoyment of, the shoreline and foreshore in ways that avoid negative impacts to natural systems and processes. (4) To ensure that coastal shoreline development does not alter sediment supply to the coastal environment or sediment transport within the coastal environment. (5) To reduce lighting impacts on species and ecosystems within the coastal area.

Coastal areas - policies

70. The following policies apply to the lands designated as “coastal areas” Rural Comox Valley Official Community Plan 2014 Bylaw No. 337 – Schedule ‘A’ (1) Permit industrial marine and aquaculture uses in the coastal area designation, except for areas within the K’ómoks Estuary where they are prohibited. (2) Notwithstanding above sub-section (1) sustainability and productivity of the K’ómoks Estuary is recognized as being critical for harvesting of aquaculture to K’ómoks First Nation, and it is recognized that the KFN may choose to proceed with aquaculture activities within the estuary at any time. (3) Protect coastal areas per the provisions stated in the natural environment sections of this OCP. (4) Respect the Islands Trust area of jurisdiction that includes the ocean area to the high-water mark of the eastern coast of Vancouver Island from Mud Bay to Comox Point and ensure development within the buffer

extending from the high-water mark to the 30-metre bathymetric contour considers the Islands Trust policy statement. (5) Support dock-side sales and limited on-site sales of aquaculture products that meet legislative requirements to promote economic activities. (6) Work with aquaculture industry stakeholders and small-scale aquaculture operations to support water flow into fish-bearing river systems of the Comox Valley. (7) Apply environmental best practices to all uses within the coastal designation (8) Recognize and support the need of the aquaculture industry to effectively grow seed to replenish existing oyster beds and support in principle the use of power supplies from wharfs for the growing of seed for the aquaculture industry, providing legislative requirements are met. (9) Generally, prohibit hardening of the coastal shoreline through the use of rip rap, concrete embankments and revetment walls, and other similar structural interventions that alter the ecological function and service of the coastal shoreline, disturb natural vegetation, disrupt natural coastal processes, redirect wave energy to adjacent properties, and/or destroy coastal shore habitat, including forage and spawning areas. If a qualified professional has submitted development approval information that concludes that shoreline hardening is required to protect life or a principal building on the property and that the impacts of the proposed hardening can be mitigated, the board may consider issuance of a shoreline protection device development permit. (10) Require preparation of a shore access plan by a qualified environmental professional for development proposals that include shore access and require rezoning or a development permit process to protect against sensitive environmental features and processes being disturbed. (11) Regulate by the development permit process to reduce light trespass (i.e., light that crosses property lines including the present natural boundary) and light glare (i.e., excessive illumination applied to a single area) within the coastal area to avoid disruption of natural activity patterns of coastal and marine species. (12) Assess proposed land uses or development within the K'ómoks Estuary in accordance with a completed and finalized K'ómoks Estuary management plan that has been endorsed by all affected jurisdictions.

Shoreline protection devices

Guidelines where an applicant proposes the installation, replacement, or repair of a shoreline protection device under these guidelines, the design of the device shall contribute to shoreline resiliency by following soft shore (e.g., “Green shore”) principles:

- Conserve or restore natural coastal or riparian processes (e.g., sediment transfer).
- Maintain habitat function and diversity.
- Prevent pollutants from entering the aquatic or riparian environment.
- Avoid or reduce cumulative impacts on the shoreline environment, including coastal or riparian processes. All proposals shall incorporate design elements that contribute to coastal resiliency by protecting or restoring natural coastal processes and habitat. Except when a hardened shoreline is proposed (i.e., based on the findings of a qualified professional that shoreline hardening is required to protect life and/or a principal building), shoreline protection device development permits can be approved under delegated authority. Proposals to harden a shoreline, including replacement and/or maintenance of an existing hard shoreline with similar hard design elements shall require board approval of the development permit.

- Campbell River Sustainable OCP n/a
- Sydney OCP – n/a
- Ucluelet OCP (2011)

3.4 Small Craft Harbour, Marine

The water areas of Ucluelet are generally designated as either: Small Craft Harbour (three water lots); Water Lot (majority of water lots); or Managed Water (remaining water areas not in registered water lots) In addition to these three designations, several water lots are designated in conjunction with the adjacent land-based designation (e.g. Village Square or Residential) Each registered water lot is inextricably linked to various adjacent land uses; hence the relationship between land and water requires careful consideration, which could include parking needs, water and sewer servicing and visual impacts. In conjunction with the sustainability objectives noted in the OCP, the District should consider protecting environmentally sensitive areas and shoreline habitat.

The District shall work with the Department of Fisheries and Oceans to: i. Identify environmentally sensitive areas; ii. Support marine ecology and marine education facilities within the Harbour; iii. Consider alternate long-term uses, such as residential, including a private marina, for the former BC Packers Plant; iv. Consider enhancing public access to the District owned water lot at the foot of Alder Street; v. Support transient boat moorage provided adequate sanitation facilities are located nearby; vi. Require all water lot uses to properly treat and dispose sanitary sewer waste and connect into the District’s sewer collection system and access District potable water; vii. Require all structures to apply for and obtain a Building Permit, which addresses health and safety regulations; and viii. Explore ways and means of generating revenue to fund Harbour infrastructure.

2. iii. Managed Water All water areas located between the shoreline and the District boundaries, excluding all registered water lots, are designated as “Managed Water”. Managed Water Policies: A comprehensive review of the area within the Managed Water designation will be carried out by the District. Until this time, no uses are permitted within the area, including boat or houseboat moorage.

+ Policies for Development Permit Areas

- Victoria OCP –

SHORELINE ECOSYSTEMS 10.9 Protect and enhance shoreline and marine habitat by: 10.9.1 Considering the establishment of Development Permit Area guidelines that consider best practices such as appropriate building setbacks, guidance for enhancing habitat values and the integration of climate change adaptation planning; 10.9.2 Establishing a Development Permit Area for the east side of the Upper Selkirk Waters to protect the unique natural features of this area; 10.9.3 Investigating the acquisition and designation of shoreline ecosystems through a Parks Acquisition Strategy; 10.9.4 Integrating restoration of natural shoreline features into the development of the Harbour Pathway, where appropriate; 10.9.5 Enhancing the Dallas Road Bluffs through the development of management zones and restoration targets; and, 10.9.6 Developing management strategies and initiatives for shoreline parklands that maintain and enhance coastal sediment processes. 10.10 Work in partnership with the Capital Regional District, the Township

of Esquimalt, the Town of View Royal, the District of Saanich, and other partners to increase coordination in the protection and restoration of Victoria Harbour and the Gorge Waterway. 10.11 Work with partners to assess the projected impacts of sea level rise on marine and shoreline ecosystems and respond to changing conditions through management strategies and development of a Climate and Energy Resiliency Plan [SEE ALSO SECTION 12 – CLIMATE CHANGE AND ENERGY].

- Powell River OCP 2014

5.5 Tidal / Saltwater Riparian Areas. The City is bounded on the west and south by Malaspina Strait. Due to exposure, topography, and historic private/industry ownership of much of the waterfront, direct community interaction, enjoyment, and exposure to the tidal water edge is limited. Increased public access to the waterfront and protection of the environmental quality of that waterfront is a priority for Powell River residents. Upland improvements to support expansion of harbour or any waterfront development must include environmentally sustainable measures.

5.5.1 Tidal/Saltwater Riparian Areas Objectives (a) Protect the shoreline along Malaspina Strait through the use of measures that take natural processes into consideration and do not detrimentally impact adjacent properties. (b) Plan for long-term climate change including sea level rise and associated storm impacts.

5.5.2 Tidal/Saltwater Riparian Areas Policies

(a) All development along the shoreline of Malaspina Strait must plan for a sea level rise of 1.0 metre and associated storm surge and coastal erosion.

(b) Except for shoreline protection measures and marine based structures such as ferry terminals, aquaculture facilities, breakwaters and moorage facilities, new buildings must be located a minimum of 15 metres from the natural boundary.

(c) Minimize the degradation of natural systems through steps such as protecting the foreshore from erosion, by retaining embankment vegetation and through construction that does not require vertical sea walls.

(d) All shoreline protection measures should include environmentally sustainable practices such as the retention and restoration of natural shoreline vegetation, and landscaping strategies that require little or no revetment and minimize erosion but augment bank stabilization, in conformance with the guidelines contained in the 2003 Federal/Provincial publication entitled Coastal Shore Stewardship: A Guide for Planners, Builders and Developers.

(e) Parking lots at or near the water's edge should consider permeable surfaces (e.g., grass, gravel, or open interlocking paving systems) to ensure bio-filtration of hydrocarbons and heavy metals from the undercarriage of vehicles from surface water drainage.

(f) It is recognized that the coastal shoreline undergoes a natural progression of accretion and erosion gradually over the long term or suddenly in severe storm events. The City shall endeavour to map and track this process as it relates to the shoreline for the purposes of land use planning.

(g) The City supports ensuring that storm water runoff from buildings and land is managed through a stormwater management system or other natural bio-filtration system where possible.

REFERENCES

General:

www.islandstrust.bc.ca/islands/island-ecosystems/caring-for-my-shoreline/greenshores-approach-your-marine-waterfront-canadian-edition-final-web-version.pdf (islandstrust.bc.ca)

[Islands Trust Conservancy](#)

[Microsoft Word - GS Jurisdiction Issue Sheet ver4 Oct09Final2.doc](#) (islandstrust.bc.ca)

[Greening Our Shores Workshop Presentations.pdf](#) (islandstrust.bc.ca)

[Critical Areas and Shoreline Monitoring & Adaptive Management Workshops](#) (washington-apa.org)

www.crd.ba.ca/docs/default-source/climate-action--pdf/sea-level-rise-planning-approaches-project-report.pdf?sfvtsn=d29757ca_0

Sea Level Rise:

[coastal-flood-inundation-mapping-project-summary.pdf](#) (crd.bc.ca)

<https://www2.gov.bc.ca/assets/gov/environment/climate-change/adaptation/resources/slr-primer.pdf>

[Coastal Floodplain Maps - Province of British Columbia](#) (gov.bc.ca)

City of Delta Sea Level Rise Strategy (2015): [119360](#) (civicweb.net)

[Sea Level - Environmental Reporting BC](#) (gov.bc.ca)

Island Ecosystems:

[Marsh Fine Sediment](#) (islandstrust.bc.ca)

Planning Tools | OCP + Development Permit Areas

District of Squamish OCP (2018): Development Permit Area guidelines: page 170

Specific Projects:

Bowen Island: [PowerPoint Presentation - Slide 1 \(civicweb.net\)](#)

] [June 2017 Attachment 2 Draft DPA Marine Shoreline Protection \[48138](#)

Lasqueti: [Shoreline Protection Project \(islandstrust.bc.ca\)June 2017 Attachment 1 Shoreline Protection OCP LUB.pdf](#)
[aug-2017-la-shoreline-mailout.pdf \(islandstrust.bc.ca\)](#)

[Sharing Our Shorelines Presentation.pdf \(islandstrust.bc.ca\)](#)

North Pender:

(brochure): [shorelinesmatterbrochure.pdf \(islandstrust.bc.ca\)](#)

Thetis:

[Thetis-Shoreline-Data-Compilation-for-workshop.pdf \(islandstrust.bc.ca\)](#)

[Summary-Report-Shoreline-Scenarios-workshop.pdf \(islandstrust.bc.ca\)](#)

[LPS Staff Report \(islandstrust.bc.ca\)](#)

[Microsoft Word - 1214420001-001-R-Rev0-Thetis Island Shoreline 24MAY 13.docx \(islandstrust.bc.ca\)](#)

Mapping:

Bowen Island: [Bowen Island Shoreline Maps - Briefing for BIM.pdf \(civicweb.net\)](#)

Lasqueti: [lasquetishorelinemapping.pdf \(islandstrust.bc.ca\)](#)

North Pender: [Map_NPShorelineFeatures1.pdf \(islandstrust.bc.ca\)](#)

Forage Fish: [foragefishreport.pdf \(islandstrust.bc.ca\)](#)

South Pender: [Map.ShorelineFeatures.pdf \(islandstrust.bc.ca\)](#)

Thetis: [Review of Thetis Island Shoreline Classification and Recommendations for Shoreline Development - March 31, 2010, Archipelago Marine Research Ltd. \(islandstrust.bc.ca\)](#)

Other:

[Landowners-Guide-September-draft-revised.pdf \(islandstrust.bc.ca\)](#)

[Local Updates \(caorda.com\)](http://caorda.com)

[Hul'qumi'num Heritage Law Case Study Report](#)

[KFN Marine Plan 2012.pdf \(komoks.ca\)](#)

squamish.ca/assets/OCP_Coastal_marine_planning

Policy Compliance Checklist

Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.
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PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.

4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
4.3	Wildlife and Vegetation
4.4	Freshwater Resources
4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated, and seasonal demands for water are considered and allowed for.
4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
4.5	Coastal Areas and Marine Shorelands
4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
4.6	Soils and Other Resources

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.

	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT		NO.	DIRECTIVE POLICY
	5.5	Recreation	
	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.	
	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.	
	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.	

	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY NOVEMBER 23, 2021 BOARD SPECIAL MEETING (OPEN PORTION)

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) Manager welcomed Carmen Smith as the new acting Communications Specialist, noting she was not able to make this meeting, but will be introduced at the January 25, 2022 meeting.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Ecosystem Protection Specialist presented the revised Climate Change project charter. Board members discussed contributions, mitigation and adaptation to climate change, criteria for projects, costs, and staff time. Purpose statement for the program was revised to: *'To conduct a pilot analysis of climate change impacts, including the opportunities for ITC properties to contribute to climate change mitigation and adaptation where possible, for 2—3 ITC Nature Reserves, as a first step in adapting ITC's work to best protect local species and ecosystems through climate futures.'*
- The Species at Risk Project Coordinator presented the Species at Risk project charter which was approved as is.
- The ITC Manager provided an overview to Board members of current staff workloads, and changes over the last three years, and commented that there have been several changes in Islands Trust and ITC administrative systems. ITC staff plan to bring suggestions to the Board in January on how to prioritize work items and manage staff workload, to prevent staff burnout and best meet the goals of the ITC Board.
- ITC Meeting Procedure and Bylaw Amendment decision request was deferred to the January 25, 2022 ITC Board Meeting.
- The Islands Trust Conservancy Board (ITCB) directed staff to schedule the 2022 ITCB meeting dates of March 15th, May 24th, October 4th, and November 22nd, 2022 as electronic meetings, and list the Victoria office boardroom as the public meeting location.
- The ITCB approved the attendance for Trustees Fast, Fenton, Stamford and Smith to attend the Salish Sea Ecosystem Conference, and allocated up to \$200 for registration.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

3. COVENANT AND PROPERTY ACQUISITIONS

- The Ecosystems Protection Specialist reported both the Moss Mountain (Salt Spring) Pare-Baile (North Pender) NAPTEP covenants were successfully signed and registered in October and the tax exemption certificates were issued.
- The Ecosystem Protection Specialist presented a conservation proposal to expand the Nighthawk Hill NAPTEP covenant (North Pender) to Board members; noted this was an extension of the current covenant.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Property Management Specialist presented the 2021 Nature Reserves monitoring report to the board. Report was accepted as is.
- The ITC Covenant Management and Outreach Specialist presented the 2021 Covenant monitoring report to the board. The report was accepted as is, and staff were directed to address issues identified in the report.
- The ITC Manager presented a development variance permit (DVP) referral for a Hornby DVP application adjacent to an ITC conservation covenant. The Board moved that ITC staff respond to the Hornby Island Local Trust Committee recommending that the development variance permit be declined because of insufficient setback distance from the ITC Covenant and the protected prairie oak (Garry oak) habitat and that the landowner be encouraged to cancel their plans for the construction of a pool in Garry oak habitat. The Board also recommended actions to protect the covenant should the Hornby Island Local Trust Committee approve the application.

5. COMMUNICATIONS AND OUTREACH

- The Ecosystem Protection Specialist briefed board members on bull kelp mapping for the Islands Trust area. Board members suggested making the mapping public and available to researchers, and keeping track of data requests.
- The ITCB accepted the Public Acquisitions Report and the Public Covenants Report (for information)
- Correspondence was received from Margaret Taylor, a Gabriola Island resident. Her letter raised concerns of development on Gabriola. The ITC Board directed staff to forward the letter to the Gabriola Island Local Trust Committee and requested that the Chair respond to Ms. Taylor.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Manager provided the 2022-23 budget request to the Board for information, including the updated business case for a Strategic Fundraising position. The budget request was approved at the October ITCB meeting.



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



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 December 2021

640 Lasqueti	Invoices posted to Month ending December 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	1,858.96	-774.96
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>1,858.96</u>	<u>139.04</u>
Projects				
73001-640-2015	Lasqueti OCP/LUB	<u>3,000.00</u>	<u>20.00</u>	<u>2,980.00</u>
		<u>3,000.00</u>	<u>20.00</u>	<u>2,980.00</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
<p>2013-020 (Standing)</p> <p>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.</p>	<p>Carried</p>	<p>11-Jul-2013</p>



Top Priorities Report

Lasqueti Island

1. <i>OCP/LUB Review</i>	Responsible	Dates
<p>A comprehensive review of the Lasqueti Island Official Community Plan and Land Use Bylaw.</p> <p>Implementation of Coastal Douglas-fir and Associated Ecosystems Toolkit added to Project Charter (Dec.22, 2018)</p> <p>LTC endorsed the OCP/LUB Review Project Charter v.2 (May 27, 2019).</p> <p>LTC endorsed revised OCP/LUB Review Project Charter v.4.4 (April, 2020).</p>	Heather Kauer	Rec'd: 08-Jan-2018

2. <i>Freshwater Project</i>	Responsible	Dates
<p>LTC endorsed the v.1 freshwater sustainability strategy project charter (May 27, 2019).</p>	William Shulba	Rec'd: 24-Sep-2018

3. <i>Model Cell Tower Strategy</i>	Responsible	Dates
<p>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.</p> <p>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.</p> <p>Update: The LTC adopted the Model Antenna Strategy on June 21, 2021.</p>	Heather Kauer	Rec'd: 28-Oct-2019



Islands Trust

Print Date: January 31, 2022

Top Priorities Report

Lasqueti Island



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