



## Lasqueti Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** December 11, 2023

**Location:** Electronic Meeting

**Members Present:** Tobi Elliott, Chair  
Timothy Peterson, Local Trustee  
Mikaila Lironi, Local Trustee

**Staff Present:** Wil Cottingham, Administrator and Meeting Host  
Stephen Baugh, Island Planner  
Katherine Vogt, Recorder

**Others Present:** Andrew Fall, Electoral Area Director, qathet Regional District  
There were approximately twelve (12) members of the public in attendance.

#### 1. CALL TO ORDER

Chair Elliott called the meeting to order at 11:01 a.m. She acknowledged that the meeting was held in the territory of the Coast Salish First Nations. She introduced Trustees, Staff, and Recorder, and welcomed members of the public.

#### 2. APPROVAL OF AGENDA

**By general consent** the agenda was adopted as presented.

Chair Elliott noted that Director Fall might be delayed in joining the meeting.

#### 3. REPORTS

##### 3.1 Trustee Reports

Trustee Peterson reported on the following:

- Condolences to Trustees who came down with COVID-19 after the last Trust Council meeting.
- Upcoming meetings this week on Galiano, Hornby, and Salt Spring Islands.

Trustee Lironi reported on the following:

- Attending the last Trust Council meeting electronically.
- Currently, road conditions on Lasqueti are more difficult for driving than usual.

**3.2 Chair's Report**

Chair Elliott reported on the following:

- The recent Trust Council meeting included such highlights as productive work on the Islands Trust vision statement; initial discussion of the draft budget; and consensus building.
  - Trustee Peterson added that a motion was passed regarding updating the procedure for the Chief Administrative Officer (CAO) Performance Review; and the Trust Programs Committee new draft of the updated Islands Trust Policy Statement should be available early in the new year.
- Electronic presentation at the recent Trust Council meeting by councillors of San Juan County, which the Trust has a transport agreement with. Marine advocacy and oil spill protection and prevention was discussed; their marine resources committee could be a good model for managing local foreshore issues; and their approach to housing through urban growth areas to support conservation was interesting.

**3.3 Electoral Area Director's Report**

Director Fall reported on the following:

- The qathet Regional District's (qRD) is updating its Regional Community Wildfire Resiliency Plan which will involve future public engagement hopefully before next summer, and maps showing areas of risk on Lasqueti. Half of Lasqueti Island is considered high-risk wildland urban interface.
- Recent significant sweeping, complicated provincial housing bills, especially bills 44 and 45, include new requirements for removing housing encampments; and alter traditional local government authority over housing. These bills may have implications related to secondary cabins on Lasqueti; and Housing Needs Assessments are now a requirement. Concerns have been expressed that the Province did not consult with local governments before passing the bills.

**3.4 First Nations Engagement**

Chair Elliott updated that the Islands Trust Snaw-naw-as First Nation Protocol Agreement was recently approved by the Minister of Municipal Affairs. The current Trust working group on First Nations' issues consists of Chair Luckham, Chair Elliott, Trustee Peterson, Trustee Lironi, and, possibly, another Trustee.

Trustee Peterson expressed positive regard that the protocol agreement had been finalized, and anticipated that there would be an opportunity soon for the working group to discuss with Snaw-nas-as First Nations their concerns with the proposed draft of the Official Community Plan (OCP).

**4. TOWN HALL**

Members of the public asked or noted the following:

- Appreciation that Trustee Peterson is arranging for a refrigeration unit so that locals may be buried on the island.
- Two Freedom of Information requests regarding a Trustee.
  - Chair Elliott advised that this was a private matter not for discussion at a Local Trust Committee (LTC) meeting.
  - The member of the public expressed that they would like to formally object to the Chair's ruling that the matter not be discussed and that this objection be recorded in the minutes.
  - The Planner read out a section from the Meeting Procedures Bylaw that relates to individual delegations at LTC meetings regarding points of order and items that should be excluded from discussion.
  - The member of the public noted that he had received an email from Deputy Secretary Nadine Mourao that included comments that anything they received from the Trust was considered public, which contradicts the Chair's assertion that such matters are private.
  - The Chair reiterated that private complaints are a matter for the Chief Administrative Officer (CAO) and not the LTC.
- We used to have a local minute taker, but we have had an off-island one for the past two years. Would Trustees please request that a search be conducted for a local minute taker that lives on Lasqueti Island so that some of the Trust money could benefit Lasqueti?
- A private dock privatizes a considerable area of public shorefront resource and is not a public amenity. Its possible use in an emergency brings up many questions. The Official Community Plan (OCP) does not support a proliferation of private docks. There are very few places on Lasqueti where docks can survive the winter. There will probably be an application coming soon for another private dock adjacent to the recently built private dock; and further applications could be expected in the future. If the LTC approves this recent private dock, what criteria will they use for future private dock applications? A public dock in Maple Bay is very feasible with cooperation.
- There are numerous anomalies regarding identifying members of the media in attendance at LTC meetings at various places in the agenda package.
- The latest LTC expense report shows no money spent in the budget recently.
- The Protocol Agreement between Islands Trust Council and Snaw-naw-as Nation, as explained in the letter document on page 45 of the agenda package, does not seem to include Lasqueti Island or any other local LTCs; will this further delay the OCP review?
  - Trustee Peterson responded that Local Governments are not able to enter into Protocol Agreements. It is Trust Council's authority to appoint local members of the Working Group, which for Lasqueti includes all current members of the LTC and Chair Luckham.
- Regarding the proposed LTC meeting schedule, the Islands Trust has omitted that July 1, 2024 falls on a Monday and is a statutory holiday.
- In the Meeting Procedures Bylaw up for adoption today, it states that the public participation period be limited to fifteen minutes, which may be extended by majority

vote; and that a member of the public may have three minutes to address the LTC, which may be extended by a unanimous vote, such that a single Trustee can shut down a speaker after three minutes; and, that delegations be limited to five minutes. I suggest that each speaker be given three minutes per topic, and note that the delegations and public participation periods are too restrictive.

- Trustee Peterson acknowledged previous concerns expressed regarding the three-minute individual time limit; and noted that, in practice, public comment periods often went well beyond the designated fifteen minutes.
- Chair Elliott advised that going back into the Meeting Procedures Bylaw would involve substantial time and energy for negligible benefit.
- The member of the public appreciated the extra time that the LTC has traditionally allowed for public comments.
- On page 35 of the agenda package, within the Islands Trust Policy Statement Directives Only Checklist, it states that the OCP must have greenhouse gas emission reduction targets, policies, and actions to achieve them. What are these greenhouse gases? This is a significant ask of the Trustees. What evidence-based science supports this directive? 95% of all greenhouse gasses are water vapor. How will the LTC reduce water vapor in the atmosphere?

## 5. MINUTES

### 5.1 Local Trust Committee Minutes dated October 23, 2023 - for adoption

Chair Elliott, in response to a member of the public's concern raised in Town Hall, did not find a discrepancy between the reference to media in attendance in the October 23, 2023 minutes and the new update directive from David Marlor Director Legislative Services, that Identifying media representatives is not necessary in the LTC meeting minutes; and it will be removed from the 'Others Present' section of the minutes template going forward.

The Planner noted that the traditional business meeting template for Lasqueti had included a statement to identify members of the media, but that other Trust areas have not been doing this. The Lasqueti template will be updated to remove reference to media presence.

**By general consent** the minutes of the Lasqueti Local Trust Committee Meeting of October 23, 2023 were adopted as presented.

**By general consent** the Lasqueti Local Trust Committee agreed to hear Item 9.1, the delegation of Karl Darwin, immediately.

### 5.2 Section 26 Resolutions-Without-Meeting Report dated November 30, 2023 Received.

### 5.3 Advisory Planning Commission Minutes - none

**6. BUSINESS ARISING FROM MINUTES**

- 6.1 Follow-up Action List dated November 30, 2023**  
Received.

**7. APPLICATIONS AND REFERRALS**

Director Fall joined the meeting at 12:07 pm and left the meeting at 12:17 pm.

**8. LOCAL TRUST COMMITTEE PROJECTS**

- 8.1 Minor Project: Lasqueti Meeting Procedures Bylaw No. 102 - for Consideration of Adoption**

The Planner noted that the bylaw to update the previous Meeting Procedures Bylaw had received first, second, and third readings and been recently approved by Islands Trust Executive Committee.

**LA-LTC-2023-046**

**It was MOVED and SECONDED,**

that Lasqueti Island Local Trust Committee Bylaw No. 102 cited as "Lasqueti Island Local Trust Committee Meeting Procedure Bylaw, 2022, Amendment No. 1, 2023," be adopted.

**CARRIED**

Trustee Peterson noted that the Chair has been generous with granting members of the public time for speaking at local meetings; that time restrictions would be relevant for when there was a long queue of speakers; and that there may be upcoming consideration at Trust Council for a Trust-wide meeting procedures policy.

**By general consent** the meeting was recessed at 12:24 pm and reconvened at 12:28 pm.

- 8.2 Minor Project: Official Community Plan / Land Use Bylaw Review - Staff Report**

The Planner presented the staff report, contained on pages 18 to 40 of the agenda package, which provides a technical analysis of the status of the Lasqueti OCP/LUB Review Project for consistency with the Project Charter, the Islands Trust Policy Statement, and the Local Government Act.

Trustees discussed the staff report.

**By general consent** the meeting was recessed at 1:15pm and reconvened at 1:45pm.

**LA-LTC-2023-047**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee amend the proposed Project Charter version 6.0, for the Lasqueti Island OCP Review Project to include adjustment of the lot size number to 4.046 hectares.

**CARRIED**

**LA-LTC-2023-048**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee approve the Project Charter version 6.0, for the Lasqueti Island Official Community Plan OCP Review Project, as amended.

**CARRIED**

**LA-LTC-2023-049**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee request staff to prepare amendments to proposed Bylaw No. 98 cited as "Lasqueti Island Official Community Plan, 2020" so that the bylaw meets Islands Trust Policy Statement directive policies and to satisfy Local Government Act requirements.

**CARRIED**

**LA-LTC-2023-050**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee request staff to add the following to the future projects list:

- a. Land Use Bylaw review including subdivision regulations related to lot size; proof of water; public access to the foreshore; consideration of expanding the marine conservation zone; and housing, and
- b. Official Community Plan update in regard to consistency with the Regional Conservation Plan, Coastal Douglas-Fir Toolkit, housing, and subdivision regulations related to proof of water; and additional topics recommended by the Lasqueti Community Association Official Community Plan Steering Committee.

**CARRIED**

Trustee Peterson anticipated that the Official Community Plan (OCP) update could be rolled into a major project with a business case for the 2025/2026 fiscal year; and could be discussed at the regular Local Trust Committee business meeting in May 2024 at the latest; and that priority Land Use bylaw review items could be moved forward through minor projects.

**9. DELEGATIONS**

**9.1 Karl Darwin from Lasqueti Island Ratepayer's Association regarding Docks**

Karl Darwin, who has lived on the island for over 70 years and is a mariner, read out and spoke on the three-page letter, contained on pages 41 to 43 of the agenda package, recently submitted to the LTC from the Lasqueti Island Ratepayers Association (LIRA) regarding docks. He noted the following:

- LIRA recommends that the Land Use Bylaws 4.13 b and 4.15 be changed to allow private docks on properties that are accessible by public road. Currently, private docks are only permitted where there is no public road access.
- It is very difficult to find suitable sites for docks on Lasqueti due to weather and terrain. There are only nine suitable locations spread along 50 kilometers of shoreline.
- The public dock in False Bay cannot accommodate the growing number of residential boats due to fierce southwest gales; and the bay is too deep for a breakwater.
- The ferry may be inadequate in the future, if the local population continues to increase. Most islanders do not have boats and are completely dependent on the ferry.
- Evacuation routes for wildfire and other calamities need to be considered. Private boats would become the prime providers in such a situation.
- Private docks confer conveniences and benefits to the community and no serious risks to the environment, so they should be permitted.

Trustee Peterson asked or noted the following:

- The Lasqueti Community Association (LCA), in their many public engagement sessions and reports throughout the OCP review process, had not addressed changing current docks policies.
  - Karl Darwin responded that he had wanted to push for a dock overhaul of the OCP while he was on the committee, but that he was away working while the committee was conducting their review, and none of the other people on the committee had boats or marine experience.
- Regarding the nine locations identified as suitable for docks, it would be helpful to know how many lots are next to these bays, and what public access to the foreshore may be available.
- Regarding establishing a public dock at one or more of these nine suitable areas, how much support would there be for such a project?
  - Karl Darwin responded that most of the suitable multipurpose dock locations with public foreshore access are untenable, which is why LIRA has the court case in Tucker Bay. The Tucker Bay dock was the first government dock on Lasqueti; but the dock was taken out in the forties and the float in the fifties.
  - Karl Darwin described various bays and their unsuitability for a public dock due to wind, siltation, steep terrain, or being surrounded by private property.
- Thank you to Karl Darwin for raising the docks issue and a suggestion that maps would be helpful for further review.

Trustee Lironi thanked Karl Darwin for his very thorough assessment.

## **10. CORRESPONDENCE**

**10.1 Email dated October 14, 2023 from M. Laviolette regarding Private Dock at Scotty Bay**

Trustee Lironi reminded that a second item of correspondence from Susan Morrison, dated November 30, 2023, regarding the private dock at Scotty Bay, had not been included as late correspondence in the current agenda.

- The Planner added that the item of correspondence would be included in the applications section of the Islands Trust website.

**LA-LTC-2023-051**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee request that staff add the letter from Susan Morrison to correspondence for the next regular Local Trust Committee meeting.

**CARRIED**

**10.2 Letter dated November 2, 2023 from Ministry of Municipal Affairs regarding Protocol Agreement between Islands Trust Council and Snaw-naw-as Nation**  
Received.

**11. NEW BUSINESS - none**

**12. REPORTS**

**12.1 Trust Conservancy Report - none**

**12.2 Applications Report dated November 30, 2023**  
Received.

**12.3 Trustee and Local Expense Report dated October, 2023**  
Chair Elliott clarified that there can be a delay of two months in updating the LTC expense reports, because they are updated on a quarterly basis.

**12.4 Adopted Policies and Standing Resolutions**

**12.5 Local Trust Committee Webpage**

**12.6 2024 LTC Meeting Schedule - Staff Report**

**LA-LTC-2023-052**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee schedule its regular business meetings on the following dates in 2024: March 4, May 6, July 15, October 21, and December 16.

**CARRIED**

Trustees expressed support for in-person meetings as being best for community engagement, while acknowledging that a meeting may need to be converted to electronic due to unforeseen circumstances.

**13. WORK PROGRAM**

**13.1 Active Projects Report dated November 30, 2023**  
Received.

**13.2 Future Projects Report dated November 30, 2023**  
Received.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled To Be Decided**

**15. CLOSED MEETING**

**15.1 Motion to Close the Meeting**

**LA-LTC-2023-053**

**It was MOVED and SECONDED,**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(f) for the purpose of considering: (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and that the Recorder and Staff attend the meeting.

**CARRIED**

The meeting was closed at 2:32 pm.

**15.2 Recall to Order**

Chair Elliott recalled the meeting to order at 2:52 pm. She reported that the In-Camera minutes of January 23, 2023 were adopted.

**16. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:53 p.m.

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Tobi Elliott, Chair

Certified Correct:

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Katherine Vogt, Recorder