



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: October 21, 2024
Location: Judith Fisher Centre
#1 China Cloud Bay Road
Lasqueti Island, BC

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

Staff Present: Clare Frater, Director, Trust Area Services
Renée Jamurat, Regional Planning Manager
Stephen Baugh, Island Planner
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 10 members of the public in attendance.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 11:03 a.m. She acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Lironi reported the following:

- Annual beach clean up removed five tons of trash from local beaches;
- Judith Fisher Centre is hosting high school students; and
- Attended Trust Council.

Trustee Peterson reported the following:

- Attended Union of BC Municipalities conference;
- Attended Trust Council and highlighted work done on the draft Policy Statement and the request to the Province to review the *Islands Trust Act*;
- Attended talk on Gabriola Island given by Doug White III;
- Chief Administrative Officer Hiring Committee will be announcing new CAO; and
- Attended protocol meeting with qathet Regional District and discussed legalizing barge ramp uses.

3.2 Chair's Report

Chair Elliott reported the following:

- Attended Union of BC Municipalities conference;
- Chief Administrative Officer hiring announcement will be soon;
- Letter sent to Minister of Municipal Affairs requesting provincial review of *Islands Trust Act*;
- Attended Trust Council during which support for advocacy for legalizing tiny homes was endorsed; and
- Attended Salish Sea Conservancy forum on Galiano Island.

3.3 Electoral Area Director's Report

Electoral Area Director Fast reported the following:

- Attended Union of BC Municipalities conference and highlighted meetings with Ministry of Housing regarding inclusion in the secondary suite incentive program, Coastal Health regarding helicopter landing pad on Lasqueti Island, BC Ferries regarding Lasqueti ferry, and Ministry of Environment regarding industrial, commercial, and institutional recycling;
- Changes to *Fire Safety Act* require appointment of five fire inspectors and noted consideration of recommending Lasqueti Fire Chief to one of the positions;
- Regional District has approved funds for groups performing shoreline cleanup; and
- Discussions continue about conversion of landfill to a transfer station.

4. TOWN HALL

Member of the public made the following comments:

- Tiny homes on wheels are the same as recreational vehicles and mobile homes and they do not understand the need to advocate for tiny home laws;
- Questioned how the procedure requiring the Chair be notified if a member of the public is personally recording the meeting came about; and
- Asked for details regarding legalizing the barge ramp.
 - Trustee stated placing items on the roadway near the ramp is not technically legal and they are looking at options to allow permitted use.

Three members of the public requested additional printed copies of the agenda be provided at the meeting and also be available at public locations in advance of the meeting as per past practice.

- Planner will look into providing additional copies at the meeting and it was noted the printer a Trustee uses to print advance copies is currently not working.

Member of the public made the following comments:

- Requested the minutes of the May 6, 2024 meeting reflect that the Chair ejected the speaker from the meeting;
- Asked where one can find the bylaw or meeting procedure requiring a member of the public to notify the Chair that they are recording the meeting; and
- Inquired if microwave towers were associated with the fibre-optic cable application.

- Chair read the policy about personal recording of a meeting and noted it is published on Islands Trust website, and indicated they do not think that towers are part of the Connected Coast application.

Member of the public spoke to their support of the dock in Scotty Bay, stated the majority of correspondence and public comments made during Town Hall sessions support the dock, and asked if it is incumbent on Trustees to represent the wish of the majority of the community.

- Chair replied correspondence related to the application is reviewed by the Local Trust Committee and posted on the Islands Trust website and listed the factors that are taken into consideration when making a decision on an application including technical reports, planner expertise, public views, neighbours' comments, referral responses, Official Community Plan policy, and the relevant Land Use Bylaw.

Member of the public spoke to their previous request that Trustees change the bylaw to allow construction of private docks on properties that have access to a public road and inquired how to formalize said request.

- Chair noted that bylaws cannot be amended until the Official Community Plan project is complete as the Local Trust Committee cannot undertake two concurrent projects; however, if the scope of the current project is reviewed the Local Trust Committee could consider adding dock access as part of the overall review.
- Planner indicated that an individual could also apply for a bylaw amendment or rezoning for the waterfront portion of their property.

Member of the public asked why notice that the dock application was on the meeting agenda had not been provided in advance as the community has made it known that a public meeting should be held to discuss the issue.

- Trustee replied that they submitted their report to the local newspaper prior to the agenda being available and they will try to accommodate the request to publish agenda items on the local email group.

Member of the public made the following comments:

- Inquired why the recommendation in the staff report associated with the dock application is to proceed no further when Trustees have not yet received the minutes from two Advisory Planning Commission meetings during which the subject was discussed;
- Connected Coast application lists several Official Community Plan policies and notes the project meets said policy requirements; however, not all policies are listed therefore one cannot determine if the policies are met by this project;
- Policies relevant to the Connected Coast application including Section 3.2 Policy No. 6 Section 3.2 Policy No. 10, Section 3.3 Policy No. 5 and, Section 3.8 Policy No. 4 have not been addressed in the staff report;
- There are no zones that allow any type of public utility on the island and staff recommend that all zones allow all public utilities instead of just those associated with fibre-optic cable;
- Questioned why \$8,000 of a total budget of \$15,500 for the Local Trust Committee's major project is slated for First Nations consultation;
- Inquired if inclusion of the applications report in the agenda package is a new practice;
- Policy Statement report lists seven engagement options and they would like to see Trustee-led public information meetings and information booths available at event venues; and

- Noted that two of the three Advisory Planning Commission meeting minutes indicate there were no others present when there were.
 - Chair stated the Local Trust Committee reviews all of the information provided in a staff report prior to making a decision;
 - Planner indicated that the policies relevant to the Connected Coast application are those that are listed in the report;
 - Chair noted budget related to First Nations consultation provides capacity funding for First Nations to engage a qualified professional to review referral documents so that they can provide a meaningful response;
 - Planner stated the applications report had been missing from recent agendas due to transition to new software and will be included going forward; and
 - Chair was unsure of reason Advisory Planning Commission minutes did not indicate number of members of the public present.

Two members of the public spoke against the dock application stating it was developed contrary to the community plan and without prior permission.

Member of the public stated it was their understanding that rural land use bylaw would need to be significantly amended in order to allow the fibre-optic cable to be landed and distributed and ask if the Local Trust Committee would be amending said bylaws today.

- Chair replied that the application before the Local Trust Committee is to amend the land use bylaw which they may, or may not, choose to do today.

Member of the public stated that community opinion is divided regarding the dock application and there has not been a town hall meeting allowing public interaction, discussion, and opportunity to ask questions.

- Trustees indicated that members of the public have opportunity to speak at a Community Information Meeting or Public Hearing and that the community can also organize a public discussion.

5. MINUTES

5.1 Local Trust Committee Minutes dated July 15, 2024 - for adoption

By general consent, the minutes of the Lasqueti Local Trust Committee Meeting of July 15, 2024 were adopted.

5.2 Section 26 Resolutions-Without-Meeting Report - none

5.3 Advisory Planning Commission Minutes dated May 1, 2024 - for information Received.

5.4 Advisory Planning Commission Minutes dated July 10, 2024 - for information Received.

5.5 Advisory Planning Commission Minutes dated July 18, 2024 - for information Received.

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated October 11, 2024

Received for information.

7. DELEGATIONS – none

Regional Planning Manager Jamurat joined the meeting at 11:30 a.m.

8. APPLICATIONS AND REFERRALS

8.1 PLRZ20240104 (Connected Coast) - Staff Report

The Planner summarized the staff report and noted that the bylaw amendment is to permit a fibre-optic cable connection to Lasqueti Island that will land at the barge ramp and travel through three marine zones and one land zone.

Discussion ensued and the following comments and clarifications were noted:

- Application is to bring cable to the island, not to distribute it;
- Local Trust Committee can request staff to permit public utilities only in relation to this application instead of all zones; however, this would result in the last mile distribution requiring a separate rezoning application;
- Section 3.2 Policy No. 6 of Official Community Plan specifies proposals should be referred to the Advisory Planning Commission prior to final consideration; however, the Local Trust Committee is not at the final consideration stage yet;
- There is opportunity to allow public utilities on land zones which could include power, internet, and telephone connections;
- Proposed landing site is within 200 metres of an archeology site and, if archeology materials are found, the applicant is required to stop work and follow specific procedures;
- Bylaw will be referred to First Nations thereby providing an opportunity for First Nations to identify potentially sensitive sites;
- Funding for the Connected Coast project ends in 2025. If rezoning is not permitted at this time, it is unsure if another funding path would be available;
- Timelines to prepare draft bylaws, consider first reading, and hold a community information meeting and public hearing were considered in relation to the funding deadlines; and
- There is potential for a shorter referral period as the applicant has completed extensive engagement with First Nations and the Province.

The applicant was in attendance and clarified there would be a cabinet and solar panel mounted on a pole as part of the project but no towers;

LA-2024-009

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to amend the Lasqueti Island Land Use Bylaw No. 78 cited as “Lasqueti Island Land Use Bylaw No. 78, 2005” for a site specific zone to permit public utilities associated with the application PLRRZ20240104 (Connected Coast).

CARRIED

LA-2024-010

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff report back on December 16, 2024 to provide a revised timeline to expedite the process and include a Public Hearing for the application PLRRZ20240104 (Connected Coast).

CARRIED

LA-2024-011

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request the Lasqueti Advisory Planning Commission be included in referrals related to Bylaw 3.2 Policy 6.

CARRIED

The meeting recessed for a break at 1:00 p.m. and reconvened at 1:30 p.m.

Regional Planning Manager Jamurat left the meeting at 1:09 p.m.

Director of Trust Area Services Frater joined the meeting at 1:30 p.m.

8.2 LA-RZ-2023.1 (Carey) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Applicant has proposed the dock could be used for emergency services and legal access could be secured through a Statutory Right of Way over their property to the dock;
- Provincial guidelines allow the dock to be permitted for emergency purposes;
- Applicant has not been able to provide confirmation from emergency service providers that the dock would be sufficient for their needs;
- There is uncertainty if it is appropriate for Islands Trust to be the covenant holder because the organization is not an emergency service provider.

The applicant was in attendance and spoke to the application.

Discussion ensued and the following comments and clarifications were noted:

- Regional District might be better suited to hold the Statutory Right of Way and should be asked if they have interest to do so;
- It needs to be determined if emergency services agencies would use the dock;
- Official Community Plan contains several policies that the application does not comply with; however, the Local Trust Committee has the authority to approve the application;
- No dock would be compliant based on current Official Community Plan policies;
- Some community members are concerned that the dock was built prior to the applicant going through the appropriate channels and there is broader concern about potential precedent being set around privatization of public space;
- There are environmental and social impacts by both proceeding and not proceeding;
- There are a limited number of spots on the island that a dock could be constructed;
- There is need for further community discussion;
- The Lasqueti Community Forum might be an appropriate venue to discuss the issue; and

- Policy 15 of the Official Community Plan speaks to environmental affects of docks and boat ramps and should be discussed at a community meeting which could help inform an Official Community Plan review.

LA-2024-012

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to draft amendments to the Lasqueti Island Land Use Bylaw for consideration of First Reading to permit a private dock at the adjacent marine area of LOT 62, SECTION 29, LASQUETI ISLAND, NANAIMO DISTRICT, PLAN 25495.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS - none

10. CORRESPONDENCE

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

10.1 Email dated July 11, 2024 from F Wolfe regarding Lasqueti Advisory Planning Commission July 10th Meeting

Discussion ensued.

LA-2024-013

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee forward the letter from F Wolfe dated July 11, 2024 to the Chair of the Advisory Planning Commission and request staff support the Chair with information to confirm Advisory Planning Commission meeting procedure protocols.

CARRIED

11. NEW BUSINESS

11.1 Dark Sky Principles Adoption Advocacy – Briefing

Received for information.

12. STAFF REPORTS

12.1 Phase 4 Community Engagement Options - Policy Statement Amendment Project - Staff Report

The Director of Trust Area Services summarized the staff report and outlined options available to the Local Trust Committee regarding community engagement on the Islands Trust draft Policy Statement.

Discussion ensued and the following comments were noted:

- Provide information materials at Local Trust Committee meetings;
- Trustee-led engagement is preferred;
- Community Information Meeting could be held on a Sunday evening prior to a regular business meeting the next day; and

- Engagement plans could be highlighted during town hall segments of Local Trust Committee meetings.

LA-2024-014

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee select Engagement Options 2 and 3, for Phase 4 Community Engagement about the new draft Islands Trust Policy Statement.

CARRIED

Director of Trust Area Services Frater left the meeting at 2:55 p.m.

12.2 Lasqueti Advisory Planning Commission Appointments - Staff Report

The Planner noted that Advisory Planning Commission appointments expire on January 23, 2025.

LA-2024-015

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to:

- a. Send letters to members of the Advisory Planning Commission whose terms will expire on January 23, 2025, thanking them for their participation and inviting their expressions of interest for reappointment for another two-year term; and
- b. Advertise for public expressions of interest for new members.

CARRIED

12.3 Trust Conservancy Report - Highlights of October 1, 2024 Board Meeting

Received for information.

12.4 Trust Conservancy - The Heron - Fall Edition

Received for information.

12.5 Applications Report dated October 11, 2024

Received for information.

12.6 Trustee and Local Expense Report dated July, 2024

Received for information.

12.7 Adopted Policies and Standing Resolutions

Received for information.

12.8 First Nations Relationship Building Update - none

12.9 Local Trust Committee Webpage

No updates required.

13. WORK PROGRAM

13.1 Active Projects Report dated October 11, 2024

Received for information.

13.2 Future Projects Report dated October 11, 2024

Discussion ensued.

LA-2024-016

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff combine item numbers 2, 3, and 4 on the Future Projects list and move them to item number 1 on the list.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Monday, December 16, 2024 at 11:00 am at Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

15. ADJOURNMENT

By general consent, the meeting was adjourned at 3:10 p.m.

Tobi Elliott, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder