Lasqueti Island Local Trust Committee

Minutes of Regular Meeting

Date:	**May 8, 2023**
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:	**Stefan Cermak, Director, Planning Services** **Morgana van Niekirk, Communications Specialist** **Stephen Baugh, Planner 2** **Katherine Vogt, Recorder**
Others Present:	**There were approximately two (2) members of the public and no members of the media in attendance.**

1. CALL TO ORDER

The Chair called the meeting to order at 11:06 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations and that the Lasqueti Island Local Trust Committee was committed to Reconciliation and acknowledgement of Indigenous place in history. She introduced herself, Trustees, Staff, and Recorder; and welcomed members of the public.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Lironi reported on the following:

- Attendance at a recent Shellfish Aquaculture Management Advisory Committee meeting was important given that Lasqueti has a shellfish farm and numerous clam leases; and that many other islands in the Trust have shellfish operations. Trustee Lironi provided a voice for the Trust environment and for small business operations.

Trustee Peterson reported on the following:

- Attendance at a Trust Programs Committee meeting on April 3, 2023 at which the new Draft Trust Policy Statement was discussed for hopeful inclusion at the June Trust Council meeting.
- Participation on the Governance and Finance Committees working on the new corporate planning process; including how to align the budget and strategic planning processes which is a new, exciting concept for the Trust involving many months of discussion.
- Chairing the busy Galiano, Salt Spring, and Hornby Island Local Trust Committee (LTC) meetings.
- Attendance as the Trustee representative at the most recent Advisory Planning Commission (APC) meeting, at which the definition of 'community benefit' for Temporary Use Permits (TUP)s was discussed.

3.2 Chair's Report

The Chair reported on the following:

- Attendance at the Union of BC Municipalities hosted Housing Summit in early April 2023 was a wonderful opportunity to observe how the provincial and federal governments are supporting local governments to provide housing. The Province has a new 'Homes for People Plan' that is not yet legislated.
- Attendance at the Association of Vancouver Island Coastal Communities conference in mid-April 2023 which brings together Regional Districts and local governments. Highlights were the Reconciliation panel which included the Minister of Municipal Affairs, who will present at the next Trust Council meeting in June.
- Participation as a member of the steering committee of the Vancouver Island Climate Change Community Energy Association working on coastal flood mitigation, climate resiliency planning, and inter-agency collaborative work practices.
- Attendance at the Rural Island Economic Partnership Forum held on Gabriola on April 25, 26, and 27, 2023 which brings together Islands Trust, Regional Districts, and other islands outside of the Trust to discuss economic and development issues. Everything discussed at the forum circled back to housing issues, including that young people want to farm on Vancouver Island and the surrounding islands.
- Attendance at an in-person Executive Committee meeting in Victoria on May 3, 2023 to discuss the new corporate plan approach to strategic planning to increase efficiency.

4. PUBLIC COMMENTS

Members of the Public asked or noted the following:

- Public notices of Advisory Planning Commission (APC) meetings are supposed to go out 10 days before the meeting so that members of the public may attend; but there was no notice for the last APC meeting.
    - Trustee Peterson apologised for the lack of notice.

    - A Planner noted that the APC secretary is responsible for APC meeting notices; but that the new APC had just been elected at the last meeting so there had been no secretary available to provide notice.
- How much of the recently passed Islands Trust budget is allocated to staff salaries and benefits? This is relevant to the idea that increasing staff and salary levels correlates to increased development which contradicts the Trust preserve and protect mandate.
    - The Chair advised that the Director of Administrative Services could be emailed for information.
    - A Trustee noted that the idea was not to halt development but to manage it; and that there is a public expectation that applications be processed in a timely manner; and many applicants feel the process is currently too slow, especially for community housing projects.
- Trustees should bring up at Trust Council that planning staff is not prioritising community housing projects applications.
    - The Chair noted recent discussion by the Regional Planning Committee around balancing the needs of the environment with those of the community; also, the 'unique amenities' element of the Trust mandate is still being debated and clarified.
- Regarding the 10-acre minimum lot size proposal for subdivision, 10 acres converted to 4.04 hectares is not accurate since the more accurate 4.046856 hectares would traditionally be rounded up to 4.05 hectares. The lesser inaccurate number could allow an extra lot to be made from a large parcel subdivision, so the more accurate larger number or the actual correct number should be used.
    - The Chair noted that the 10-acre minimum issue would be discussed further in the meeting under Item 8.1.
- It used to be the practice that members of the public could raise their hands at a LTC meeting to comment on various proceedings and that this provided benefit to the Trustees.
- Can the Islands Trust promulgate and enforce policies that are contrary to the Criminal Code of Canada?
    - A Trustee responded that local laws that are contrary to federal ones seem to get struck down in court.
- Why has the agenda item of 'Town Hall' been recently changed to 'Public Comments?'
    - The Chair noted that there had been a recent staff change for the role of putting agendas together and that the new staff may be following a template rather than local protocol. It could be changed back to 'Town Hall.'
- Would a developer of a large lot subdivision have to comply with new rules about the 10-acre minimum? There is a rumor that there is a very large subdivision plan in the works that could get more lots out of a lot size minimum of 4 hectares rather than 4.05 hectares. The Trust is urged to accelerate the 10-acre minimum lot size issue.
    - The Chair advised that applications are processed based on current bylaws.
- It is disappointing when a Trustee is always attending meetings electronically. Are Trustees required to attend a minimum number of LTC meetings in person?
    - The Chair noted that two Trustees can hold a meeting in the absence of the third Trustee. Trustees sometimes travel for which electronic meetings are beneficial.

5. MINUTES

5.1 Local Trust Committee Minutes dated March 20, 2023 - for adoption

By general consent, the minutes of the Lasqueti Local Trust Committee Meeting of March 20, 2023 were adopted as presented.

5.2 Section 26 Resolutions-Without-Meeting Report - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated April 28, 2023

The Chair updated that a Trust Accessibility Committee should be in place by September 2023; and commented that the Lasqueti Local Trust Committee (LTC) is ahead of the curve with extra speakers and microphones at the LTC meeting space improving hearing accessibility.

A Planner noted that the Advisory Planning Commission (APC) referral of the Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (FLNRORD) objections to the draft OCP was deferred by the LTC pending further First Nations engagement on the OCP.

Regarding Follow Up Action Report activity 6: 'meeting procedures bylaw report,' the Planner updated that there is a tentative staff report that could be readied for next meeting.

By general consent Item 11.1: Advisory Planning Commission (APC) Meeting Notice was added to the agenda.

6.2 Draft Freedom of Information and Protection of Privacy Bylaw - Request for Decision

Trustees had reviewed, since last meeting, the staff report from the Director of Legislative Services, and had confirmed that the purpose of the bylaw is to update the existing bylaw with current legislation and Schedule of Fees.

LA-LTC-2023-014
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee Bylaw No. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.101, 2023" be given first reading.

CARRIED

LA-LTC-2023-015
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee Bylaw No. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.101, 2023" be given second reading.

CARRIED

LA-LTC-2023-016
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee Bylaw No. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.101, 2023" be given third reading.

CARRIED

LA-LTC-2023-017
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee Bylaw No. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.101, 2023" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

7. APPLICATIONS AND REFERRALS - none

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Official Community Plan / Land Use Bylaw Review Project - Staff Report

The Planner presented the staff report that asks Trustees to consider the newest version of the Project Charter for the Official Community Plan (OCP)/Land Use Bylaw (LUB) Review Project, version 5.0 with a new project work plan; and further engagement with Snaw-naw-as First Nation.

A Trustee clarified that the Ministry of Lands, Forests, Natural Resource Operations and Rural Development (FLNRORD) had objected to the proposed OCP advocacy policy that opined what should and should not happen on crown lands on Lasqueti Island because the language used in the proposed bylaw infringed on FLNRORD jurisdiction. An LTC request to FLNRORD for further response has not been answered. And some members of the community did not want to just remove the advocacy policy from the OCP/LUB Project without further information.

The Chair noted that it had been two years since Snaw-naw-as and other First Nations had received a referral from the LTC regarding the OCP/LUB Review Project; and that there may have been Band Council personnel changes.

- Director of Planning Services suggested that a letter from the LTC to reengage a First Nation be given a 60-day period for response; and that a First Nation Staff person be contacted directly regarding the letter after it has been sent.

The Planner offered to report back to Trustees regarding why the Tla'amin First Nation was on the Project Charter Project Team.

LA-LTC-2023-018
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee request staff to send an interim OCP referral status update to First Nations who either did not respond or responded with interest unaffected, given the time that has elapsed since the last referral.

CARRIED

By general consent, the meeting was recessed at 12:17 and reconvened at 12:22.

A Trustee noted that the community had always had the expectation of a 10-acre minimum lot size for subdivision; and, that the 4.04-hectare number had previously allowed an extra lot to be eked out of a large property parcel. Would it be better to use the extra decimal points as in 4.046, or round the number up to 4.05?

- The Planner responded that the standard practice was to use metric in the bylaw but that the exact 10 acres could be referenced in the project charter.

LA-LTC-2023-019
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee request staff to remove the reference to 4.04 hectares from Phase 3 of the Project Charter.

CARRIED

LA-LTC-2023-020
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee approve the Project Charter Version 5.0, including a new work plan, for the Lasqueti island OCP/LUB Review Project as amended.

CARRIED

LA-LTC-2023-021
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee direct staff to schedule a meeting between the Lasqueti Island Local Trust Committee and Snaw-naw-as First Nation to discuss the proposed OCP Bylaw No. 98.

CARRIED

A Trustee clarified that Snaw-naw-as First Nation had expressed some objection to the proposed OCP bylaw, but it was not known what they were specifically objecting to; and, that Snaw-naw-as concerns may be the same as those of FLNRORD; and, if this is the case, the community may be more accepting of the FLNRORD objections.

9. DELEGATIONS

A member of the public asked what were the current measurements used in the Land Use Bylaw (LUB) for subdivision?

- Planner responded that he believed the metric number was used, but could report back for certainty.

10. CORRESPONDENCE – none

11. NEW BUSINESS

11.1 Advisory Planning Commission (APC) Meeting Notice

The Planning Services Director noted that the APC Meeting Bylaw states that the Secretary is responsible for notifications.

- Planner added that a secretary had yet to be elected at the last APC meeting and that the previous secretary's term had expired.

LA-LTC-2023-022
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee request Staff to notify the Advisory Planning Commission about who is responsible to post public meeting notices of Advisory Planning Commission meetings.

CARRIED

12. REPORTS

12.1 Trust Conservancy Report – none

12.2 Applications Report dated April 28, 2023

The Planner clarified that the acronym 'PLR' stood for Preliminary Layout Review.

12.3 Trustee and Local Expense Report dated February, 2023

Received.

12.4 Adopted Policies and Standing Resolutions

12.5 Local Trust Committee Webpage

12.6 Approval of Lasqueti Island's LTC Section for 2022/23 Annual Report - request for decision

The Chair welcomed new fulltime Communications Specialist Morgana van Niekirk who presented the report from Trust Area Services that asks Trustees to consider the following draft section for inclusion in the Annual Report:

'The Lasqueti Island Local Trust Committee (LA LTC) held five regular business meetings in the 2022/23 fiscal year. The Lasqueti LTC worked on key projects including the continuation of a comprehensive Official Community Plan review, which was initiated in 2018, and amending the Meeting Procedures Bylaw. Work for this period also focused on advancing the Lasqueti LTC priorities, including building positive relationships with Snaw-naw-as First Nation. From April 1, 2022 to March 31, 2023, the Lasqueti LTC did not receive any applications.'

LA-LTC-2023-023
It was MOVED and SECONDED,
that the Lasqueti Island Local Trust Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs. **CARRIED**

12.7 Electoral Area Director's Report
The Chair wished to attempt to reach out to the qathet Regional District (qRD) Director in case he was having technical difficulties with joining the meeting electronically.

By general consent the meeting was recessed at 12:49 pm and reconvened at 1:00 pm.

The Chair announced that the LTC was unable to contact the qRD Director.

13. WORK PROGRAM

13.1 Active Projects Report dated April 28, 2023
Received

13.2 Future Projects Report dated April 28, 2023
Received.

14. UPCOMING MEETINGS
The Chair announced that the Planning Services Director had just advised the LTC that clause 44 of the Meeting Procedures Bylaw stipulates that 'an individual member of the Local Trust Committee may not participate by means of electronic or other communications facilities in 2 consecutive regular meetings of the Local Trust Committee that are held in person;' and that this information answers the question that was raised by the member of the public during Public Comments.

14.1 Next Regular Meeting Scheduled for Wednesday, July 26, 2023 at 11:00 am at Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

The LTC considered that the meeting could be held outside.

15. ADJOURNMENT
By general consent the meeting was adjourned at 1:04 pm.

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Tobi Elliott, Chair

Certified Correct:

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Kathryn Vogt, Recorder