

REGULAR BUSINESS MEETING OF
THE ISLANDS TRUST EXECUTIVE COMMITTEE ACTING AS A LOCAL TRUST COMMITTEE
FRIDAY, MAY 3, 2013 AT 10:00 AM
AT THE ISLANDS TRUST NORTHERN OFFICE,
700 NORTH ROAD, GABRIOLA ISLAND, BC

MEMBERS PRESENT:

Sheila Malcolmson	Chair
Ken Hancock	LTC Member
David Graham	LTC Member
Peter Luckham	LTC Member

STAFF PRESENT:

Courtney Simpson	Regional Planning Manager
Marnie Eggen	Acting Planner 2
Theresa Warren	Recorder

1. **CALL TO ORDER**

Chair Malcolmson called the meeting of the Ballenas - Winchelsea Local Trust Committee to order at 10:05 am. She acknowledged that the meeting is being held in the traditional territory of the Coast Salish First Nations.

2. **APPROVAL OF AGENDA**

Chair Malcolmson asked if there were any additions or changes to the agenda. The agenda was approved by consent with the following amendments:

Add Late Items: 7.1.5 Letter from Pat McLaughlin, ADIMS Chair, dated April 28, 2013
7.1.6 Email from David Steen, dated May 1, 2013

Add New Business Item

8.1 Grant Opportunity: Community to Community Forum email from Lisa Gordon, dated April 25, 2013

3. **MINUTES**

3.1 *Local Trust Committee Draft Meeting Minutes of February 25, 2013 – attached for adoption*

Chair Malcolmson asked for any amendments to the minutes. The minutes were adopted by consent with the following amendments:

- Strike "Trustee Luckham spoke to concern regarding resistance"
- Page 3 - Strike "unanimously"

- Page 3, second sentence strike “Planner Eggen spoke to the Regional District’s current intentions in regards to seaweed harvesting”
- Check with numbering of amended resolutions for clarity.
- Page 4, 6.1 Strike “Regional Planning Manager Simpson suggested moving to number 2 in the priorities list.”

3.2 Section 26 Resolutions Without Meeting – none

Received for information.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated April 25, 2013 – attached for information

Received.

4.2 Consistency in Referencing the Local Trust Area and the Local Trust Staff Report dated April 18, 2013 – attached

Planner Eggen summarized the report. Discussion followed regarding any legal impacts regarding use of the title Ballenas - Winchelsea Islands instead Executive Committee as a Local Trust Committee.

Chair Malcolmson asked Regional Planning Manager Simpson for her advice.

Regional Planning Manager Simpson spoke to the advice given by Legislative Services Manager Carmen Thiele and suggested bringing new information from the Executive Committee Acting as a Local Trust Committee back to her for discussion as they would need to adhere to the Islands Trust Act.

Legislative Services Manager Carmen Thiele was called for advice regarding a change to referencing the Executive Committee Acting as a Local Trust Committee to the Ballenas - Winchelsea Islands Local Trust Committee. Carmen noted that she had sent a letter requesting advice from the Ministry of Community, Sport and Cultural Development and was waiting to hear back prior to making decisions.

EXLTC-015-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee request staff advice on renaming using the names “Ballenas - Winchelsea Islands Local Trust Committee” and Local Trust Area.

CARRIED

5. CORRESPONDENCE – None.

6. **REPORTS**

6.1 *Work Program*

Received.

6.1.1 *Top Priorities Report dated April 25, 2013*

Received. Discussion ensued. Staff indicated that a Development Approval Information Bylaw would be included as an administrative bylaw in Top Priority number 2.

6.1.2 *Projects List – None.*

Received.

6.2 *Trustee and Local Expenses*

6.2.1 *Expenses posted to February 28, 2013- attached*

6.2.2 *Expenses posted to March 31, 2013- attached*

Received.

Chair Malcolmson called a recess at 11:05 am.

Chair Malcolmson reconvened the meeting at 11:14 am.

7. **LOCAL TRUST COMMITTEE PROJECTS**

7.1 *Executive Islands Area (Ballenas-Winchelsea Group) Draft Official Community Plan and Land Use Bylaw*

7.1.1 *Staff Report dated April 17, 2013 – attached*

Planner Eggen summarized the Staff Report.

Discussion followed regarding First Nation interests policy 3.10.1. and geoexchange installation guidelines, section 5.1.1 24. Chair Malcolmson requested staff advice.

EXLTC-016-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee request staff to amend the Draft Official Community Plan, page 26, Section 24 by deleting “fresh”.

CARRIED

Discussion followed regarding the definition of “short-term vacation accommodation.”

Chair Malcolmson requested staff advice. Discussion followed.

EXLTC-017-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee request staff advice on the proposed Ballenas - Winchelsea Land Use Bylaw definition for short-term vacation accommodation as to whether changes are necessary.

CARRIED

Discussion ensued regarding Section 1.3 of the Official Community Plan first paragraph, last sentence.

EXLTC-018-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee ask staff to amend the Draft Official Community Plan in Section 1.3, first paragraph, final line by replacing “to resolve existing and future possible conflicts” with the words “for development and consideration”.

CARRIED

By consensus, the Executive Committee Acting as a Local Trust Committee moved to section 7.1.5 for discussion

7.1.5 Letter from Pat McLaughlin, ADIMS Chair, dated April 28, 2013

7.1.6 Email from David Steen, dated May 1, 2013

Received. Chair Malcolmson asked staff for advice. Discussion followed.

EXLTC-019-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee ask staff to draft a letter in response to David Steen and Pat McLaughlin’s letters.

CARRIED

Chair Malcolmson returned the discussion to 7.1.2 Draft Official Community Plan Bylaw No. 27

7.1.2 Draft Official Community Plan Bylaw No. 27 – attached

7.1.3 Draft Land Use Bylaw No. 28 – attached

In reference to page 24 of the agenda, Chair Malcolmson requested advice from staff regarding removal of the wording Executive Islands Area and

ADOPTED

Executive Islands Planning Area from the Official Community Plan and using the Ballenas - Winchelsea Islands Planning Area instead.

EXLTC-020-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee ask staff to amend the Draft Official Community Plan by replacing the words "Executive Islands" with the words "Ballenas - Winchelsea Islands" throughout.

CARRIED

EXLTC-021-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee give first reading to Bylaw 27, cited as "Executive Islands Area Official Community Plan Bylaw No. 27, 2011" as amended.

CARRIED

EXLTC-022-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee give First Reading to Draft Bylaw No. 28, cited as "Executive Islands Area Land Use Bylaw No. 28, 2011."

CARRIED

EXLTC-023-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee rescind First Reading of Bylaw No. 28, cited as Executive Islands Area Land Use Bylaw No. 28, 2011".

CARRIED

EXLTC-024-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee re-name the Draft Land Use Bylaw No. 28 to "Ballenas-Winchelsea Islands Land Use Bylaw No. 28".

CARRIED

EXLTC-025-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee give First Reading to Draft Land Use Bylaw No. 28, cited as “Executive Islands Area Land Use Bylaw No. 28, 2011”, as amended”.

CARRIED

EXLTC-026-2013

It was MOVED and SECONDED,

that the Executive Committee acting as a Local Trust Committee refer Bylaw 27, cited as “Executive Islands Area Official Community Plan Bylaw No. 27, 2011”; and refer Bylaw 28, cited as “Executive Islands Area Land Use Bylaw No. 28, 2011”, to the following agencies and First Nations:

- City of Parksville
- District of Lantzville
- Town of Qualicum Beach
- Regional District of Nanaimo
- School District #68 (Nanaimo-Ladysmith)
- School District #69 (Qualicum)
- Provincial Ministry of Community, Sport and Cultural Development
- Provincial Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Branch
- Ministry of Agriculture
- Ministry of Environment – BC Parks
- Ministry of Forest, Lands & Natural Resources – Aquaculture
- Ministry of Forest, Lands & Natural Resources - Ecosystems Protection
- Ministry of Forests, Lands & Natural Resource Operations - Archaeology Site Inventory
- Ministry of Forests, Lands and Natural Resource Operations - Crown Lands & Resource
- Ministry of Natural Resource Operations - Water Stewardship Division
- Ministry of Tourism, Recreation Site and Trails Branch
- Ministry of Transportation and Infrastructure
- Vancouver Island Health Authority
- Fisheries and Oceans Canada
- Department of National Defence
- Transport Canada
- Te'Mexw Treaty Association
- Cowichan Tribes
- Halalt First Nation
- Stz'uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snaw'Naw'As Nation
- Qualicum First Nation
- Hul'qumi'num Treaty Group
- *K'omoks First Nation*

- *Laich-Kwil-Tach Treaty Society*
- *Nanoose First Nation*
- *We Wai Kai First Nation*
- Islands Trust Fund
- Gabriola Island Local Trust Committee
- Denman Island Local Trust Committee
- Hornby Island Local Trust Committee
- Lasqueti Island Local Trust Committee
- Islands Trust, Bylaw Enforcement
- The Land Conservancy

CARRIED

The Executive Committee Acting as a Local Trust Committee will consider adding a special meeting by Resolution Without Meeting.

7.1.4 Regional District of Nanaimo Marine Zoning Information

Chair Malcolmson requested an update from Planner Eggen. Discussion followed.

8. NEW BUSINESS

8.1 Local Trust Committee 2012/13 – Annual Report Memorandum dated March 4, 2013 – attached

Discussion followed.

EXLTC-027-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee add to the end of the annual report submission that “The Executive Committee Acting as a Local Trust Committee has faced challenges regarding capacity for First Nations consultation, and aquaculture leases including seaweed harvesting”

CARRIED

EXLTC-028-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee approve for publication the 2012-2013 Annual Report submission.

CARRIED

8.2 Grant Opportunity: Community to Community Forum email from Lisa Gordon, dated April 25, 2013.

Regional Planning Manager Simpson spoke to the email from Lisa Gordon and the possibility of applying for the Grant and adding an event to the Community to Community (C2C) Forum as well as a lack of staff time. Discussion followed.

Chair Malcolmson asked for advice from Regional Planning Manager Simpson regarding long-term planning for future grant opportunities.

EXLTC-029-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee ask staff to convey to the Grants Administrator that the Local Trust Committee has been informed the Northern Office doesn't have the capacity to apply for Community to Community funding at this time, but would like support to develop a grant application for future deadlines.

CARRIED

EXLTC-030-2013

It was MOVED and SECONDED,

that the Executive Committee Acting as a Local Trust Committee ask staff to recommend to Financial Planning Committee that it consider funding First Nations liaison in the 2014/2015 budget.

CARRIED

9. **BYLAWS** – None.

10. **ISLANDS TRUST WEBSITE**

10.1 *Executive Islands Area (Ballenas-Winchelsea Group) Page - attached*

Received.

11. **NEXT MEETING DATE**

The next regular business meeting of the Executive Committee acting as a Local Trust Committee will be held on Wednesday, October 9, 2013 at 10:00 am in the Northern Islands Trust Office boardroom, 700 North Road, Gabriola Island, BC.

12. **ADJOURNMENT**

Chair Malcolmson adjourned the meeting of the Executive Committee as a Local Trust Committee at 12:43 pm.

Chair

Recorder