



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: June 4, 2018
Location: Judith Fisher Centre
 #1 China Cloud Bay Road
 Lasqueti Island, BC

Members Present: Laura Busheikin, Chair
 Susan Morrison, Local Trustee
 Timothy Peterson, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Ann Kjerulf, Regional Planning Manager
 Dave Olsen, Recorder

Others Present: There were six (6) members of the public in attendance.

1. CALL TO ORDER

Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Busheikin 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 introduced the Staff and Trustees.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.1 New Business: Water Specialist Visit

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Chair Busheikin introduced the Town Hall by encouraging everyone to speak to issues and inspire the Trustees to make the changes that are advocated.

Public Correspondence and the Local Trust Committee (LTC) Website

Members of the public noted the following:

- That many emails to the Trustees have been written without any response being received.
- This meeting has a letter in the agenda package regarding correspondence.
- It was requested that everything be available through the LTC's website.
- The letter from subdivision applicant Aileen Collins does not appear under their application.
- Freedom of Information Requests to see correspondence seems overkill.
- Staff's objectivity is being questioned because information is not showing up on the LTC website.

- Chair Busheikin agreed that the website was intended to host all publicly available information and asked that phone calls be made to staff before FOI requests are made.
- Staff responded that a piece of correspondence that is sent to all the Trustees is considered public unless there is a reason for it not to be made public. If staff receive correspondence related to a project or an application, it appears on the website under that project or application, otherwise it only appears in the agenda package.
- Staff answered a query from Trustees about correspondence received, noting that it is scanned and sent to Islands Trust office staff and the originals are kept on file.

Photos of Community Information Meeting Posters

- A member of the public noted that in the minutes of the CIM, someone made a request for photos of the comments recorded on the various Station Posters to be posted online. It has been 5 weeks and 2 days since the meeting and they still are not available.
 - Chair Busheikin noted that she also took photos and contacted the planner about them.
 - Staff responded that they have the photos but don't have a Project Charter to create a place to post them.

APC Binders

- A member of the public stated that for a whole term, he asked for an APC binder but never received it.
 - Trustees offered to make a motion to provide the binder; staff indicated that the binders are here and offered to provide a binder.

Political Process

- A member of the public asked who is in charge, staff or trustees?
 - Chair Busheikin responded that the LTC is politically in charge. We ask staff to support us in making decisions. Staff are in charge of their workload; they may have three or more islands to work on. Overall, the process flows from the trustees to the staff.

April LTC Minutes

- A member of the public requested that the minutes of April be amended on page 1, under Town Hall, 3rd bullet under OCP Review: remove "By request of Camino Cochrane," and begin the bullet with "David Slik".

Lasqueti Community Association (LCA) Annual General Meeting

- The Chair and President of the LCA (Andrew Fall) reported on the LCA AGM meeting that was recently held. The membership voted to create an OCP Advisory Steering Committee. There is a desire to have Town Hall Meetings on hot topics; people will also form research groups and come back with options after reading other OCPs. The third piece is coordination with the LTC; the LCA can get at the issues and interests, but we need the LTC to help fit this information into the OCP.

- The Trustees responded that the LCA can refer back to LTC as things go along, to help with wording. Issues that are not clear could be referred back to the LTC or staff. We would want the Islands Trust Policy Statements to be known.
- Chair Busheikin stated that the *Islands Trust Act* and *Local Government Act* limit what could be done.

Discussion ensued and the following was noted:

- The LCA can do community planning; it can be broad, but at some point, there will be a filtering, because only certain items can be put into the Official Community Plan.
- Photos of Community Information Meeting posters have been posted to the Lasqueti Hotwire page on Facebook.
- At the LCA meeting, it was pointed out that only seven people were at the last LTC meeting; LTC meetings are only held during staff hours. In 2018, all meetings are scheduled to be held on Mondays, which may restrict others from attending.
 - The Trustees responded that two of us are members of the Executive Council and that Thursday is the day the nurse works in the health centre where we hold our meetings.
 - Chair Busheikin added that we are both ethically and legally required to encourage the public to attend.

Medical Marijuana

- A member of the public asked where the zoning regulations for medical marijuana are to be found?
 - The Trustees responded that there are none; any one with a license is grandfathered in. There is no zoning specific to marijuana production on Lasqueti.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes dated April 23, 2018 for Adoption

The following amendments to the minutes were presented for consideration:

- On Page 1, **3. Town Hall and Questions**, the 3rd bullet under OCP Review: remove “By request of Camino Cochrane,” and begin the bullet with “David Slik”.
- On Page 6, **12.9 Trust Fund Board Report dated January, 2018**, change second line from “agreement to frame the campaign” to “agreement to work together to fundraise for the campaign”.
- On Page 7, **13.4 Connectivity**, in the second bullet change “There is \$17 million” to “There is possibly \$17 million”.

By general consent the minutes were adopted as amended.

6.2 Local Trust Committee Special Meeting Minutes dated April 28, 2018

By general consent the minutes were adopted.

6.3 Section 26 Resolutions-Without-Meeting Report dated May 24, 2018

Received for information.

6.4 Advisory Planning Commission Minutes - None**7. BUSINESS ARISING FROM MINUTES****7.1 Follow-up Action List dated May 24, 2018**

Trustees asked staff for an update regarding the public barge ramp.

Staff advised that the Ministry of Transportation and Infrastructure (MOTI) is aware of the situation and that zoning does not supersede Provincial regulations.

Trustees responded by asking staff if they could look into how the LTC could support the current use of the public barge ramp.

Staff advised that they could provide a comprehensive analysis with options if the LTC makes this a project and then a top priority.

8. DELEGATIONS - None**9. CORRESPONDENCE**

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

9.1 Correspondence Received from C.Hunt dated April 28, 2018

Received for information

10. APPLICATIONS AND REFERRALS – None**10.1 LA-DVP-2018.1 (Fern Road Consulting (Cash & Ross))**

Staff introduced the item by noting that Planner Cox was not available for this meeting. Currently, the Land Use Bylaw (LUB) requires a 5:1 lot width-to-depth ratio and this development would result in a 6.3:1 ratio, which is why this has been brought to this meeting. Staff read the report and noted that a copy of the Development Variance Permit (DVP) report was distributed to neighbouring properties.

Trustees noted that on page 3 of the Report, in the second paragraph, there is a typo referring to Gambier Island.

Staff advised that the typo was not an issue with respect to being able to move forward with this today.

Trustees expressed concern regarding the map that was included in the report, since it looked like a property line was drawn through an existing structure.

Staff advised that there can be some variation in the aerial photo overlay compared to what is on the ground.

Chair Busheikin invited comments and questions from the public.

Members of the public noted the following:

- This issue is set up as if the house is over the property line; the relevant issue is that the septic tank is over the property line.
- Mr. Cash does not need an adjustment that gives him more waterfront property.
- May 23 notification was not very long ago; it would be wise to wait longer.
- This could be referred to the APC so an evening meeting would allow more people to attend.

Trustees responded that almost two weeks have passed since the notification.

Chair Busheikin noted that she assumed that the Block B neighbour is in agreement with this application and questioned the need to refer it to the APC.

Members of the public further noted that:

- This seems to be fixing one non-compliance with another non-compliance.
- It has only recently been made public.
- One variation was to have the variance around just the septic field; with this, there is more property being transferred.

Trustees asked staff if both parties are in agreement and whether an application needs both parties to sign?

Staff affirmed that both parties signed and are in agreement.

Trustees added that this is not an island issue; local residents are aware and we have assurance from staff that all parties are in agreement.

Staff added that no new lots are being created and this application is not incentivizing more development. Staff advised that the subdivision could not be approved by MOTI unless the LTC approves it first.

LA-2018-026

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee approve issuance of Development Variance Permit LA- DVP-2018.1 to vary the required subdivision lot depth to width ratio, as per Section 3.11(5) of the Lasqueti Island Land Use Bylaw No. 78, 2005, from 5:1 to 6.3:1 for BLOCK B, OF THE FRACTIONAL SOUTH EAST 1/4 SECTION 9, LASQUETI ISLAND, NANAIMO DISTRICT PID: 017-312-183.

CARRIED

Staff noted that the application could expire; the applicant works with MOTI to meet their requirements. The contact in MOTI is the District Development Approving Officer in Nanaimo.

Chair Busheikin also advised that the public could always call staff with further questions.

11. LOCAL TRUST COMMITTEE PROJECTS**11.1 Lasqueti OCP Review Project - for Discussion**

Staff began the discussion by advising that they were in a holding pattern and were not doing post Community Information Meeting analysis until a Project Charter was endorsed for this project.

LA-2018-027**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee ask staff to prepare a Project Charter to look at a comprehensive OCP/LUB review for a future meeting.

CARRIED

Chair Busheikin asked staff if they had any more questions.

Staff responded that they could now prepare a workplan for submission for budget approval for this project.

LA-2018-028**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to post photos from the CIM of April 28, 2018 to the Lasqueti webpage.

CARRIED**12. REPORTS****12.1 Work Program Reports**

12.1.1 Top Priorities Report dated May 24, 2018 – Received for information

12.1.2 Projects List Report dated May 24, 2018

LA-2018-029**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to research and report on options to make current barge ramp usages legally conforming, and add this to the LTC Projects List

CARRIED

A member of the public noted that he believes it is legal to move goods from a barge to another truck, but not to the ground.

Trustees responded that the law is currently being broken and we want to change that; we are not interested in the sales aspect.

12.2 Applications Report dated May 24, 2018 – Received for information

12.3 Trustee and Local Expense Report dated March, 2018 – Received for information

12.4 Adopted Policies and Standing Resolutions – Received for information

12.5 Local Trust Committee Webpage

Trustees asked if the photos from the CIM are on our webpage; staff confirmed that they are.

12.6 Chair's Report

Chair Busheikin reported on the following:

- The Provincial Government is now making it mandatory that housing needs assessments be done in each jurisdiction; this will help solutions to be put into place more easily.
- She attended the Baynes Sound Ecosystem Forum, which focused on how to work together to support the sustainability of the marine environment there. It was held over two days with members of three different First Nations attending as well. Three working groups all came up with similar ideas for next steps; there is a resolution coming to Trust Council regarding sponsorship; resources are needed to make the next steps possible.

12.7 Trustee Reports

Trustee Peterson reported on the following:

- He and Trustee Morrison went to the Local Planning Committee Meeting and received the Housing Assessment Report; a few points require more investigation.
- The use of housing agreements may create a way forward for more affordable housing.
- The issue of rainwater collection, which is currently not considered potable, needs to change, but there is no way to do that legally.
- He also attended the Lasqueti Community Association meeting; there was lots of discussion and he was happy to see a Steering Committee struck for the OCP Review.
- Unfortunately the timing of the friendship gathering fell through on the Tla'amin side; many weekends are busy so we are considering a Wednesday this summer.

Trustee Morrison reported on the following:

- She is teleconferencing in to some meetings now that she is living full-time on Lasqueti again.
- The new chair of the Agricultural Land Reserve lives on Quadra Island.
- She attended the Islands Trust Act Amendments Session and the Strategic Plan Session of Trust Council.
- Several issues were brought up by trustees, including anchorage and pipelines to the coast.

12.8 Electoral Area Director's Report – None

12.9 Trust Fund Board Report – None

Trustee Morrison reported on the following:

- The Board met last week and is looking at implementing its 10-year plan.
- The name has just been changed to Islands Trust Conservancy Board by the BC Legislature; the original request for this change was made in 1996.

13. NEW BUSINESS – Water Specialist

Trustee Morrison introduced this item by reporting that 50 people came to the January meeting with the IT Freshwater Specialist who was very helpful regarding wells and made suggestions for the Pete’s Lake system.

LA-2018-030**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to schedule another session on Lasqueti with the Freshwater Specialist.

CARRIED**14. UPCOMING MEETINGS**

14.1 Next Regular Meeting Scheduled for Monday, July 23, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

15. TOWN HALLOCP/LUB Expenses

- A member of the public asked what the \$4,000 was spent on for the Lasqueti OCP/LUB line item in the Trustee expense report.
 - Staff responded that it was spent on draft reports that were made for the Shoreline Protection Project.

First Nations Referral

- A member of the public pointed out that in the Resolutions Without Meeting Report on page 18, the third resolution only has the Tla’amin Nation listed in the referral. He understood that they have a treaty with the BC and Federal Governments, but noted that other First Nations also express an interest in Lasqueti even if they don’t have a treaty.
 - Staff responded that they asked the LTC to only refer to the Tla’amin Nation because this bylaw change is a minor revision and other First Nations agreed to defer to the Tla’amin Nation for comment.

Trustees attending non-LTC Community Meetings

- A member of the public noted that on page 5 of the minutes of the recent Special Meeting, it reported that “[t]he Trustees responded that ... they could not comment unless it is an official IT meeting with the proper notice given.”

Discussion ensued and the following was noted:

- If two trustees are there, they cannot talk with each other.
- If only one Trustee is there, s/he can participate fully.
- There are limitations; giving opinions can give the impression that their minds are not open.
- The minutes are a summary; they are not the place for someone to point to for Trustees to take direction from.
- The response was made in the context of Lisa Johnson’s preceding question; it is not reflective of how we must act at meetings.

Obligations of Staff

- A member of the public asked that if the LTC passes a motion to oblige the staff to do something; can the staff not do it?
 - Chair Busheikin responded that staff have an obligation unless it violates a law or is unethical. Every now and then, staff will research the request and it may not be directed to the appropriate ministry, etc.; common sense also comes into it.
 - Staff gave an example regarding the Denman LTC's request to change a covenant; it turned out that the change would have no material affect but would have cost the applicant \$2,000.00. It was brought back to the LTC and they rescinded the motion to save the applicant the cost.

Lasqueti's Potential Build Out Number

- A member of the public reported that 1,236 is the potential build out number for Lasqueti.

In Camera Meetings

- A member of the public asked why portions of some meetings are *in camera*.
 - Chair Busheikin responded that the Community Charter spells out when and why meetings go *in camera*.
 - Trustees added that it is a law designed to protect the privacy of individuals.

16. CLOSED MEETING**16.1 Motion to Close the Meeting****LA-2018-031****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)(a) for the purpose of considering appointments to the Advisory Planning Commission, s.90(1)(d) for adoption of in-camera minutes dated April 23, 2018 AND that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 12:35pm

16.2 Recall to Order

By general consent the LTC reconvened in open meeting at 12:46pm to Rise and Report.

16.3 Rise and Report

Chair Busheikin reported that Sue Kristinsson and Tom Weinerth have been appointed to the Advisory Planning Commission (APC) and that Jessica Dawe's resignation from the APC has been accepted.

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:48 pm.

Laura Busheikin, Chair

Certified Correct:

Dave Olsen, Recorder