



Lasqueti Island Local Trust Committee Minutes of Regular Meeting

Date: July 23, 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
 Dave Olsen, Recorder

Others Present: There were ten (10) 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 11:03 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations and introduced the staff and Trustees present.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Chair Busheikin introduced the session and took a speaker's list.

3.11(1) Subdivision Regulation Review

Members of the public made the following comments regarding the staff report for Bylaw 95:

- The proposal to re-add a 20-acre minimum for any parcel of land within the Agricultural Land Reserve (ALR) was previously considered by the Local Trust Committee (LTC) in the first iteration of Bylaw 95, and the LTC directed staff to remove this proposal from the Bylaw.
- The stated intent of Bylaw 95 was to revise the policy wording of the Land Use Bylaw (LUB) for a very specific concern regarding 10-acre minimum lot sizes to be consistent with the contextual text in the Official Community Plan (OCP). Given that an OCP review is just starting, additional changes within Bylaw 95 are inappropriate at this point.
- The Advisory Planning Commission (APC) recently reviewed the current draft of Bylaw 95. If there is a substantive change to the bylaw, the APC should be given the opportunity for another review. The APC recommended that section 3.11 of the LUB apply to all land, not just land outside the ALR.
- The rationale for the amendment proposed in the staff report is from the referral response from the Ministry of Agriculture, even though the Ministry did not mention anything about lot size. The Ministry only suggested clarity around zone boundaries in relation to ALR land,

- which is a suitable topic for the OCP review, as the staff report states. Further, the Ministry clarified that land use within the ALR is the jurisdiction of the Agricultural Land Commission (ALC). Since the mandate of the ALC is to protect agricultural land, there is no urgent need for the LTC to change the regulations regarding ALR land, and consideration of any additional protections of agricultural land should be done via the OCP review process.
- The LTC should continue with the direction set by the LTC at the start of this process, in which the LTC *"request staff to prepare a draft bylaw to correct the minimum lot size requirements for each subdivision district in the Lasqueti Land Use Bylaw."*

Correspondence Not Posted to Webpage.

A member of the public expressed concerns with correspondence that he believes should be posted to the website, including correspondence from Aileen Collins and correspondence regarding Bylaw No. 95.

Standing Resolution: APC as Transportation Advisory Committee

A member of the public asked why there was a Standing Resolution referring to the APC as a Transportation Advisory Committee.

The Trustees clarified that they have a Memo of Understanding (MOU) with the Ministry of Transportation and Infrastructure (MoTI), wherein MoTI wants to communicate with the LTC via a committee. The LTC made this Standing Resolution so that we don't have to scramble to create a committee when we need it.

OCP Review

A member of the public expressed concern that the staff report prioritizes the Tla'amin relationship during the upcoming review. He was also concerned that the proposed Project Charter doesn't mention the community.

Another member of the public noted that many people are already working very hard to have the community's voice heard and the process led by the community.

Cannabis Regulations

Members of the public made comments regarding the proposed Cannabis Regulations and the following was noted:

- Not sure why the Islands Trust wants to get involved.
- Not clear if people would apply to the LTC or the Liquor Control Branch.
- Since the staff report asks for a license fee, the LTC will have to get into approvals.

Chair Busheikin responded with the following:

- This has already gone to other islands.
- There could be an application on Lasqueti, and it could come to us as a referral.
- We need to figure out how to deal with it; it would not be fair to make it up as we go along.

Discussion ensued among the public and the following was noted:

- The Liquor Control Licensing Branch wants licensees to go to the Islands Trust first.
- If there is a fee, the bylaw will have to be amended.
- How does this fit as a home occupation?
- The \$825 licensing fee is a one-time fee and would go to the Islands Trust.

Chair Busheikin recessed the meeting at 11:29am due to improper conduct by meeting attendees.

Chair Busheikin called the meeting back to order at 11:38am.

The Trustees pointed out that it is imperative to respect the fact that this meeting is a workplace and LTC business is to be conducted in a safe, respectful manner.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Adopted Minutes dated June 4, 2018 for Adoption

The following amendments to the minutes were presented for consideration:

12.6: second bullet: change Baines to Baynes.

12.7: first bullet under Trustee Peterson's Report: remove "at Trust Council"

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated July 16, 2018

6.3 Advisory Planning Commission Minutes dated June 4, 2018 for Receipt

It was noted that Peter Johnston's name appeared twice under APC members present.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 16, 2018

Trustees inquired regarding the proposed freshwater specialist visiting Lasqueti.

Staff advised that this would need to be coordinated through the office.

8. DELEGATIONS - None

9. CORRESPONDENCE - None

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

10. APPLICATIONS AND REFERRALS - None

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Subdivision Regulation Review - Staff Report

Staff introduced an amended recommendation and noted that the referral responses were attached to the report. The following was noted:

- The Provincial Ministry of Agriculture has helped staff ensure that they are not misleading potential applicants.
- The ALC has absolute authority over subdivision of ALR land.
- By stipulating minimum lot sizes, it could mislead potential applicants that subdivision is possible.

- An example happened recently on Denman Island: their LUB states that for ALR land, the minimum parcel size is 15 hectares; this was denied by the ALC.
- The proposed amendment is to section 3.11(1)(a). The change would either remove all references to ALR land or provide only information notes.
- Provincially, the ALC wants to hold the line so there is little risk of any subdivision being approved.
- If the LTC is wanting more clarity, now is an opportunity to let people who own land in the ALR know that they are subject to a very different set of regulations.
- We are waiting for the ALC to provide more information before the next Community Information Meeting.

Trustees asked staff the following questions; staff responses follow each question:

- Without this amendment, would ALR land have no minimum parcel size or would it be four hectares?
 - It would be silent. The ALC look at that, but they set the minimum parcel size for land in the ALR.
- Does an eight hectare minimum for ALR land apply to any remaining land outside the ALR?
 - It is decided on a case-by-case basis. It is completely within the ALC's jurisdiction.

Staff advised that if the minimum parcel size for ALR land is removed from the LUB, it is important to make it clear that all proposed future subdivisions would be approved by the ALC and that they have their own minimums.

Trustees discussed food production in the Trust Area and how it differs from most of the rest of the Province. They agreed with the information note approach.

A member of the public asked for confirmation that the ALC has jurisdiction with ALR land even when ALR boundaries don't match lot lines; staff and trustees confirmed this.

Chair Busheikin recessed the meeting for lunch at 12:10pm.

Chair Busheikin recalled the meeting to order at 12:32pm.

Staff presented two amended recommendations for consideration.

LA-2018-032

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017", be amended by inserting the following information note at the beginning of Section 3.11:

"INFORMATION NOTE: Subdivision of land in the Agricultural Land Reserve (ALR) in any subdivision district is subject to approval by the Provincial Agricultural Land Commission."

CARRIED

LA-2018-033

It was MOVED and SECONDED

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017", be amended by removing the words "outside the Agricultural Land Reserve" from subsections 3.11(1) and 3.11(3).

CARRIED

LA-2018-034**It was MOVED and SECONDED**

that Lasqueti Island Local Trust Committee Bylaw No. 95, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017”, be read a second time as amended.

CARRIED**LA-2018-035****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to schedule a community information meeting and public hearing on separate dates for Bylaw No. 95, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 1, 2017”.

CARRIED

Trustees asked that the public hearing for this Bylaw be held at a different time than the OCP Review meeting.

11.2 Comprehensive Official Community Plan and Land Use Bylaw Review - Staff Report

Staff introduced the Project Charter and the following comments were noted:

- The APC can be instrumental in the process.
- Other community groups can also be referred to get the benefit of having those groups attend APC meetings and then they could break into smaller groups.
- Want community input but it must fit within the larger Islands Trust mandate.
- Need to consider Tla’amin input; we have an obligation to include their input due to their aboriginal rights and title and out of respect for their treaty.
- We are recommending the following process: prepare a workplan, which will allow us to apply for funding, then after funding is confirmed, we can do the referral to the APC. This is ambitious for the September meeting.

Trustees responded and the following comments were noted:

- Under “Objectives”, want more of a feeling of community involvement.
- Under “In Scope”, need to restate the Regional Conservation Plan goals and priorities.
- Under “Workplan Overview”, it could help to specify community engagement.
- We would rather finish early than be seen to be dragging on longer.

Staff advised that the LTC could direct staff to make revisions and then pass the revised recommendation/work plan by Resolution Without Meeting (RWM).

LA-2018-036**It was MOVED and SECONDED**

that that the Lasqueti Island Local Trust Committee request staff to revise the Official Community Plan/Land Use Bylaw Review Project Charter in the following manner:

- In the Purpose section, insert “Community Participation” after “in a manner which supports”;
- Under “Objectives”, in the first bullet, insert “Community” after “Develop an”.
- Under “In Scope”, append to the end of the second bullet “to address the Island Trust Conservancy Regional Conservation Plan.”

Under “Workplan”, in the second Deliverable, insert “Community” after “Develop.”

CARRIED

LA-2018-037**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee endorse the Official Community Plan/Land Use Bylaw Review Project Charter dated July 2018 as amended in Resolution LA-2018-036.

CARRIED**LA-2018-038****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to prepare a work plan and budget for the Official Community Plan/Land Use Bylaw Review Project and request funding confirmation from the Director of Administrative Services for the 2018/19 fiscal year.

CARRIED**LA-2018-039****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee refer the July 2018 Staff Report regarding the Official Community Plan/Land Use Bylaw Review Project to the Lasqueti Island Advisory Planning Commission (APC) for input regarding the development of a communications and engagement strategy to guide the project, invite the Lasqueti Community Association (LCA) to attend the APC meeting, and that staff and one trustee attend the APC meeting.

CARRIED

Members of the public reported the following:

- That the LCA OCP Steering Committee meetings have been developing a methodology to create a safe space to facilitate community input;
- That they have to work in parallel with the LTC and that their direction and lens is from a different perspective;
- The term “Village Planning” has not been seen on Lasqueti before;
- In the recent past, the planning for False Bay was rejected because no one wanted a special economic zone on Lasqueti.

12. REPORTS**12.1 Work Program Reports****12.1.1 Top Priorities Report dated July 16, 2018**

Received for Information

12.1.2 Projects List Report dated July 16, 2018

Received for Information

12.2 Applications Report dated July 16, 2018

A member of the public asked why approved subdivisions were still listed in the Report.

Staff advised that applicants have to meet a number of conditions and then they need to seek a final approval from the Islands Trust. Until a final letter is sent, the file remains listed.

12.3 Trustee and Local Expense Report - None**12.4 Adopted Policies and Standing Resolutions****12.5 Local Trust Committee Webpage**

Staff advised that if anything is missing, to send it in for posting.

The Trustees located the letter from Aileen Collins and requested that it be scanned and sent to staff via email.

12.6 Chair's Report

Chair Busheikin reported that at the last Trust Council, a motion was passed to write a letter to the Prime Minister's Office indicating that all Trustees are opposed to the pipeline.

Executive Committee met with the newly renamed Islands Trust Conservancy.

12.7 Trustee Reports

Trustee Peterson reported on the following:

- Trust Council had a lot on its plate and that he touched on those points in his *Isle&Times* submissions.

Trustee Morrison reported on the following:

- She has engaged in a lot of consultation about how to move the OCP Review forward.
- She was Acting Chair for Trust Council (TC) for two weeks. She went to Salt Spring Island and chaired a Public Hearing and LTC meeting.

A member of the public asked about the pending gathering with the Tla'amin.

Trustee Peterson reported that he has suggested some potential dates, and that it is still in the works. He noted that this is not a LTC event.

12.8 Electoral Area Director's Report

Staff advised of their name change to qathet Regional District (qRD).

12.9 Trust Conservancy Report dated May, 2018

Trustee Morrison highlighted the Salish View campaign and that the garden tour to raise funds was successful. She also noted that this is an older report.

13. NEW BUSINESS**13.1 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail Licensing Application Fees - Staff Report**

Staff noted that for most applications, there is a large cost in staff time but no cost recovery. The LTC Fees Bylaw is meant to provide cost recovery but is very out of date.

Trustees noted the following:

- Since licensing is through the Liquor Control and Licensing Branch, it will exclude most home enterprises.
- Lasqueti is smaller than other islands.

- Residents have expressed concerns with the \$825 fee.
- Although cost recovery is understandable, there is limited potential for people to live and work here.
- Is there a conflict of interest for a Trustee regarding this issue?

A member of the public noted that currently there is no fee for liquor license applications to the Islands Trust.

Trustees noted the following:

- We could lower the fee, but fees don't ever seem to go up. And since it is a one-time application fee, once it is received, the applicant has increased economic opportunity.
- One of the reasons for this report is that there are no fees to recover the cost of public consultation.

LA-2018-040

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:

- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.
- The public consultation process shall be determined by the local trust committee after initial review of the proposal.
- However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
 - Name of the applicant and a description of the proposal in general terms
 - The location of the proposed establishment and the subject site.
 - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered.
 - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application.
 - How public comments may be submitted to the local trust committee.

CARRIED

LA-2018-041

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to amend the fees bylaw to specify a fee of \$825 for Liquor Control and Licensing Branch non-medical cannabis retail applications and a fee of \$825 for Liquor Control and Licensing Branch liquor license applications.

CARRIED

13.2 Housing Needs Assessment - Staff Report

LA-2018-042**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee receive the “Housing Needs Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018.

CARRIED**LA-2018-043****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust request staff to publish the “Housing Needs Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018 on the Islands Trust website.

CARRIED**13.3 Service Integration Barriers – Briefing**

Trustees discussed this item and the following was noted:

- For the LTC to make any meaningful input we should ask the community for their input via newspaper or email list, asking if people see any shortcomings.
- One of the issues is that there is no aggressive dog bylaw.
- The deadline is August 20, which is prior to the next newspaper deadline.
- We could submit it by RWM in order to be on time.

14. UPCOMING MEETINGS**14.1 Next Regular Meeting Scheduled for Monday, September 24, 2018 at 11:00 am at the Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC****15. TOWN HALL**OCP/LUB Review Project Charter

A member of the public noted that Tourism and Tourist accommodation is a hot topic locally but it is not listed in the In Scope section of the Project Charter. By not naming a topic, it could look like avoidance.

Fees Structure

A member of the public noted that it is important that the fees structure be discussed in public. He did not believe that cost recovery is reasonable because people will not apply and just do it anyway.

By general consent a Closed Meeting was added to the Agenda.

16. CLOSED MEETING**16.1 Motion to Close the Meeting****LA-2018-044****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 discussion regarding personal information about an identifiable individual who holds a position appointed by the Local Trust Committee AND that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 1:35pm

16.2 Recall to Order

By general consent the meeting was recalled to order at 1:52pm.

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:52pm.

Laura Busheikin, Chair

Certified Correct:

Dave Olsen, Recorder