



Lasqueti Island Local Trust Committee Minutes of Special Meeting

Date: December 17, 2018
Location: Judith Fisher Centre
 #1 China Cloud Bay Road
 Lasqueti Island, BC

Members Present: Peter Luckham, Chair
 Peter Johnston, Local Trustee
 Timothy Peterson, Local Trustee
 Ann Kjerulf Regional Planning Manager by teleconference

Staff Present: Sonja Zupanec, Island Planner by teleconference
 Dave Olsen, Recorder

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

1. CALL TO ORDER

Chair Luckham called the meeting to order at 11:07 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. MINUTES

3.1 Local Trust Committee Adopted Minutes - None

3.2 Section 26 Resolutions-Without-Meeting Report dated December 4, 2018 – Received for information

3.3 Advisory Planning Commission Minutes - None

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated December 4, 2018

Received.

5. COMMUNITY INFORMATION MEETING

Regarding Subdivision Regulation Review - Bylaw No. 95 - Planner Zupanec

Chair Luckham opened the meeting and invited the public to ask questions to gain clarity on the Bylaw and related issues.

Staff provided a brief on Bylaw No. 95, including the purpose and rationale, summarizing the information in the agenda package. The Referral Response from the Agricultural Land Commission (ALC) was described in detail and the resulting changes identified.

The statutory process was also explained.

Discussion ensued and the following comments were noted:

- Why couldn't the loophole be plugged without removing cluster housing?
 - Staff responded that the Local Trust Committee (LTC) considered this but decided to limit the scope of this project and allow the Official Community Plan (OCP) review to deal with issues such as cluster housing.
 - A trustee stated that the Bylaw is specific to correct minimum lot sizes to 10 acres. The OCP review can come up with ideas to include smaller lot sizes. Staff advised that a site-specific rezoning application could facilitate smaller lot sizes.
- Part of the issue is that this Bylaw only addresses subdivision into fee simple properties. This is coming up in our review, so it would be helpful to have clarity.
- Would it still be permitted to have a single building strata development with each lot having a fee simple title and the bulk of land held in common?
 - Staff advised that this would still be permitted.

6. PUBLIC HEARING

6.1 Recess for Public Hearing - Proposed Bylaw No. 95 - Subdivision Regulation Review

By general consent the LTC meeting recessed at 11:45 am to conduct a Public Hearing on Bylaw No. 95.

6.2 Recall to Order

By general consent the meeting reconvened at 11:53 am.

7. DELEGATIONS - none

8. TOWN HALL

Chair Luckham reminded the public that after a Public Hearing, the LTC is not allowed to hear any further submissions regarding Bylaw 95.

Lasqueti Community Association's (LCA) Official Community Plan (OCP) Steering Committee

Members of the public made the following comments:

- A member of the Lasqueti Community Association's (LCA) Official Community Plan (OCP) Steering Committee noted that it is a huge endeavour and that they have no budget. She requested that the LTC release some funds since, to date, they are paying out of pocket.
- The LCA formed this Steering Committee and that it has met 12 times to date, and held a Community Forum that was attended by 60 people. He suggested that the community led process is much more cost effective than an Islands Trust-led process and that the LCA is providing the meeting space for free.
- The last OCP review had a very large budget; this review is proposed to be just as large. It would behoove the LTC to support this work.

The Chair responded and the following was noted:

- This process is unusual for the Islands Trust.
- Having a parallel process does not eliminate the LTC's responsibility for running our own review.
- We can find ways of supporting the work that you are doing.
- We cannot make any commitments for funding today as there will be some costs as well as a legal review.

Lasqueti Island Local Trust Committee and qathet Regional District Board Protocol Agreement

Andrew Fall, the new Regional Director for Lasqueti Island (Electoral Area E) introduced himself and noted:

- In both the Letter of Understanding and the Protocol Agreement under Section 1.3, the words “legislated 'preserve and protect’” are struck out.
- He suggested that it would be helpful if there were more words there, especially around the unique Preserve and Protect mandate of the Islands Trust, so that it could give guidance to the Directors who are not familiar with the Islands Trust.

9. APPLICATIONS AND REFERRALS - none

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Subdivision Regulation Review - Bylaw No. 95 - for consideration of third reading

The Chair invited staff to introduce this item.

Staff gave the LTC a list of options for next steps, including defeating the Bylaw.

LA-2018-058

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 third time.

CARRIED

LA-2018-059

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 forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Chair Luckham asked for any further business regarding Bylaw 95.

A trustee thanked Staff for all their hard work on this.

10.2 Freshwater Workshop - for discussion

A trustee introduced the item by highlighting the following points:

- William Shulba, Senior Freshwater Specialist, gave a presentation at the Community Hall with about 30 people in attendance.
- He also made suggestions for the issues regarding the Last Resort and Pete’s Lake Water Users.

The Chair advised that William Shulba has made a commitment to return to Lasqueti Island.

The Chair requested that the future Water Workshop be included in the next meeting’s agenda.

11. CORRESPONDENCE - none

12. NEW BUSINESS

12.1 Lasqueti Island Local Trust Committee and qathet Regional District Board Protocol Agreement

Chair Luckham praised and honoured the Regional District's work to change their name.

He noted that earlier in the Town Hall, the LTC heard that some information to be removed may not be favourable.

Staff added the following to the discussion:

- The proposed Protocol Agreement follows the recent meeting with the former Powell River Regional District Board and staff and would replace the existing agreement dating back to 1998.
- Proposed changes have been put forward by qathet staff.
- The Protocol is a higher level agreement between the LTC and the qathet Board.
- The Letter of Understanding is between staff; however, comments are welcome for both.
- Concerns have been raised regarding the timing and location of meetings.
- Staff are happy to take comments and continue to work with qathet staff on the agreement.

Discussion ensued and the follow resolutions were passed:

LA-2018-060

It was **MOVED** and **SECONDED**

that the Lasqueti Island Local Trust Committee request staff to include "Preserve and Protect" in Section 1.3 of the Lasqueti Island Local Trust Committee and qathet Regional District Board Protocol Agreement.

CARRIED

LA-2018-061

It was **MOVED** and **SECONDED**

that the Lasqueti Island Local Trust Committee endorse the draft Protocol Agreement between the Lasqueti Island Local Trust Committee and qathet Regional District Board, dated September 19, 2018, in principle, as amended.

CARRIED

12.2 Notification of Federal Cannabis License Applications - Staff Report

Staff introduced the report and the following was noted:

- The LTC is being asked to consider adopting a standing resolution with respect to Notices of Intention to Apply for a Cannabis License under the *Federal Cannabis Act and Cannabis Regulations*.
- The Islands Trust has been receiving Federal notices but does not have a formal process for dealing with these.
- The recommended resolution is intended to ensure that the LTC is informed of all proposed licensed cannabis activities within the Local Trust Area.
- The LTC is also asked to consider placing Land Use Regulations for Cannabis Production and Sales on its Top Priorities or Projects List or including this as part of the OCP review. This is intended to facilitate measures to ensure that potential land use conflicts are minimized through appropriate land use regulations.

LA-2018-062**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee adopt the following standing resolution:

that the Lasqueti Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.

CARRIED**LA-2018-063****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee place Land Use Regulations for Cannabis Production and Sales on the Projects List.

CARRIED**LA-2018-064****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to include Notices of Intention to Apply for a Cannabis License in Local Trust Committee regular meeting agenda packages under Correspondence.

CARRIED**12.3 Local Trust Committee (LTC) Meeting Schedule - 2019 – Memorandum****LA-2018-065****It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee schedule its regular business meetings on the following dates in 2019: February 25, April 8, May 27, July 22, September 30, and October 28.

CARRIED**12.4 Incorporating the Regional Conservation Plan into Land Use Planning – Briefing**

The Chair suggested that this item be put on the Projects List and clarified that the LTC only needs to receive it for information.

Staff offered to put forward Project Charters that incorporate this Plan and noted that this is already imbedded into the current OCP review.

Trustee Peterson offered to distribute the Plan to the LCA's OCP Steering Committee; staff offered to provide hard copies.

12.5 Coastal Douglas-fir & Associated Ecosystems Toolkit - Staff Report

<http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

Staff introduced this this item by noting that the online document contains various tools that the LTC could incorporate and embed into Current Projects.

LA-2018-066**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff to expand the OCP Project Charter to incorporate the toolkit.

CARRIED

12.6 Advisory Planning Commission (APC) Appointments

Staff noted that they have direction to proceed to post for the current vacancies and advised that the LTC could hold a special meeting during Trust Council in January if it wants to proceed before the next regularly scheduled LTC meeting.

The Chair asked if the LTC has referred anything lately to the APC.

Trustees responded and the following was noted:

- The communications plan for the OCP Review was referred to the APC.
- Since the referral, the APC has been reduced in size due to the Chair and the Secretary's resignations.
- Trustees are content to wait until the February meeting, on the assumption that there is not an election of officers for the APC beforehand.

Staff advised that a problem exists in that there is an active referral and that at the next APC meeting, they would need to appoint a chair, vice-chair and secretary, although they could defer the election until more members are appointed. Staff noted that there are applicants available for the LTC to consider today.

The Chair suggested that the LTC meet the Monday evening before Trust Council.

LA-2018-067**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee meet to conduct an *in camera* meeting late in the evening on Monday, January 14, 2019 to review Advisory Planning Commission appointments.

CARRIED**13. REPORTS****13.1 Trustee Reports**

Trustee Peterson reported the following:

- Expressed gratitude to the Executive Committee (EC) for scheduling an extra January meeting, especially since March is budget time.

Trustee Johnston reported the following:

- He put information on the email list as well as on the Lasqueti website regarding building regulations and water use.

13.2 Chair's Report

Chair Luckham reported the following:

- The EC met with San Juan County to review what each is doing. This would normally be done at Trust Council, but due to the elections, the EC went to San Juan County to meet with them. There was a lot of conversation about orcas, freighters and cannabis.
- He was happy to be back on Lasqueti.

13.3 Islands Trust Conservancy Report dated September, 2018

Received.

13.4 Electoral Area Director's Report

Director Fall noted that there are areas where both jurisdictions influence each other. He stated that he cannot promise to be at every LTC meeting, given his schedule, but he would attend as many as he could.

He noted that two issues are especially relevant now: the OCP review and the Recycling Centre upgrades.

He pointed out that the OCP is an Islands Trust document, but noted that the Regional District (RD) is also bound to follow the OCP. He suggested that this is not as well understood as it could be. He noted that just because the OCP is an Islands Trust document, does not mean that services should not be included under policies.

Regarding the Recycling Centre upgrades, he noted there is a new RD service to fund the operating costs of the Judith Fisher Health Centre (JFC). The Fire Department is another local service, while the Recycling Centre is a Region-wide service. The RD owns the Fire Department and the Recycling Centre, while the JFC is owned by The Last Resort Society. He noted that he is trying to facilitate the sharing of infrastructure between the three entities as much as possible in order to reduce the overall tax burden.

The Trustees and Chair responded and the following was noted:

- The Electoral Area Director's Report is a standing agenda item.
- If the Director is unable to attend, he can submit a report for inclusion in the agenda package.

13.5 Applications Report dated December 4, 2018

The Chair requested staff to provide any updates.

Staff advised that there were none beyond the report in the agenda package.

A trustee asked if the Mystic Ridge application will disappear after this report and whether the Fern Road application would continue.

Staff confirmed that the Mystic Ridge application will be taken off the Report and that they are waiting for information from the applicant regarding the Fern Road application.

13.6 Adopted Policies and Standing Resolutions

The Chair reminded the LTC that they added another Standing Resolution today, with respect to federal Cannabis license notifications.

Trustee Johnston asked why the third Standing Resolution was needed; he asked if the LTC would do this for liquor licenses? He also noted that when the Liquor Control Board asked for comment about liquor, there was no comment from the LTC.

Trustee Peterson responded that the third resolution was a stop gap/placeholder for us; it requires notice to all owners and residents of properties within a 500-metre radius of the subject property. This was crafted by the LTC, but we did not feel that it was onerous to local business. Until there is time to work on this, he is happy to have it here.

Staff advised that there might be some confusion around this. The LTC previously adopted a standing resolution to deal with referrals from the Province for non-medical cannabis and liquor retail licenses. The Province requires the LTC to indicate whether or

not they recommend approval of these types of licenses. If the LTC does not recommend approval, the Province will not issue a non-medical cannabis retail license. The previous standing resolution establishes a public consultation process so that the LTC can effectively gather input from Lasqueti residents.

The second standing resolution, adopted today, deals with notices for production or sale of medical cannabis. These will be provided to the LTC for information only. The LTC does not have a role in decisions on federal licenses although applicants are still required to comply with local bylaws.

13.7 Trustee and Local Expense Report dated September, 2018

The Chair noted that it looks like there is money in the bank and that it should carry us to the next budget cycle.

A trustee asked if this is the place to ask for funding for the LCA's OCP Steering Committee.

Staff advised that it is not impossible to disperse funds to local groups. There are mechanisms in place to spend money. However, this needs to be in line with the Project Charter. Staff could review the Project Charter to see if it is in line with the LTC's wishes.

LA-2018-068

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to report on options for financially assisting the Lasqueti Community Association's Official Community Plan Steering Committee.

CARRIED

A trustee noted that the LTC meeting expenses were over budget and asked if there was a problem.

Staff advised that the Public Hearing expenses were double the budgeted amount due to the weather delays and requirement to readvertise.

13.8 Local Trust Committee Webpage

The Chair explained the purpose of this item. He noted that funding has been requested to update the Islands Trust website.

14. WORK PROGRAM

14.1 List of Top Priorities

The Chair introduced this item by noting that the LTC has a new Chair and Trustee.

A trustee asked staff if it was premature to remove Bylaw 95 from the Top Priorities list.

Staff affirmed that it needs to continue to be on the list in order to complete the legal process.

A trustee asked staff if the Freshwater Project could be moved off this list and still have William Shulba return for a follow-up workshop.

Staff advised that it needs to stay on this list in order to give justification for William Shulba to work on this project for the LTC.

14.2 List of Projects

Trustees discussed which projects to advance to the Top Priority list and the following was noted:

- “Upland to barge ramp permitted uses” was identified as a pressing issue.
- It is reasonable to work with the Regional Director on this, but using the Bylaw Enforcement resources would get the traction needed.
- The “Community to Community Forum” was identified as another priority.
- The Tla’amin First Nation is looking forward to a spring gathering.

The Chair asked staff, in the event that EC approves Bylaw 95, is it possible to move an item from the Projects List?

Staff advised that the LTC could adopt the Bylaw by Resolution Without Meeting (RWM) and can identify the next Top Priority List item to be added today.

LA-2018-069**It was MOVED and SECONDED**

that the Lasqueti Island Local Trust Committee request staff, upon adoption of Bylaw 95, to remove “Review of Lasqueti subdivision regulations” from the Top Priority List and then add “Upland to barge ramp permitted uses” to the Top Priority List.

CARRIED

15. CLOSED MEETING – deferred to next meeting

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for 2019 – February 25, 2019

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:30pm.

Peter Luckham, Chair

Certified Correct:

Dave Olsen, Recorder