



## **Lasqueti Island Local Trust Committee Minutes of Regular Meeting**

**Date:** February 7, 2022  
**Location:** Electronic Meeting

**Members Present:** Peter Luckham, Chair  
Peter Johnston, Local Trustee  
Timothy Peterson, Local Trustee

**Staff Present:** Heather Kauer, Regional Planning Manager  
Dave Olsen, Recorder

**Others Present:** Regional Director Andrew Fall  
There were three (3) members of the public in attendance

### **1. CALL TO ORDER**

Chair Luckham called the meeting to order at 10:03 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations and introduced the Trustees and staff.

### **2. APPROVAL OF AGENDA**

The following additions to the agenda were presented for consideration:

- 11.3 Safe Island Land Alliance
- 11.4 Meetings with First Nations
- 11.5 Electronic Meetings

**By general consent** the agenda was adopted as amended.

### **3. REPORTS**

#### **3.1 Trustee Reports**

Trustee Johnston reported:

- The Lasqueti Archaeology Project is planning on some spring events and will focus on low tides to map existing sites and noted that more culturally modified trees have been found on island.
- He attended last month's Special Meeting from the Health Centre, which no longer has a functional projection screen.
- He would like to request that a large monitor be purchased so that people without telephone or Internet access could attend.
  - Staff advised that the LTC could request a monitor, but then the Islands Trust would have to offer them to every LTC and storage would have to be considered.

- The Chair advised that the situation is in flux and speculated that the use of a screen could be added to the rental fee of the Health Centre.
- Staff noted that if two or more Trustees are attending remotely, then a staff person has to be present for the public to attend the meeting.
- Trustees added:
  - That the Health Centre would not be the official location of the meeting; the official location would be Gabriola Island.
  - They are concerned about dropping a borrowed monitor.
  - They will advise the JFC to increase their rent in order to provide a screen, since Audio Visual equipment has not been officially part of the rental.

Trustee Peterson reported:

- That he is continuing to hear from the public that they would like us to get back to in-person meetings as soon as possible.
- He is also getting a lot of questions about Provincial water licensing requirements.
- He is registered for the Salish Sea Ecosystem Conference in April.
- He has many Islands Trust Committee meetings coming up.

### **3.2 Chair's Report**

The Chair reported:

- The Islands Trust budget for the next fiscal year is in the public consultation phase and will advance to Trust Council on March 8, 9 and 10 in Nanaimo.
- Expecting the governance review report soon to advise on how to improve on the Islands Trust Preserve and Protect mandate.
- The Guiding Principles document of Islands Trust is going out for extensive public consultation.

### **3.3 Electoral Area Director's Report**

Director Fall reported:

- Local postal service has been disrupted since the end of November; a temporary service is to begin today in the Health Centre with a temporary Postmaster.
- He acknowledged that over 10,000 kg of beach debris was cleaned up this past summer on Lasqueti and the surrounding islands.
- qathet Regional District (qRD) put forth a resolution to the province to ban the use of polystyrene in the Salish Sea.
- In November, the Vancouver Island Regional Library decided to eliminate all late fees, since the recovery of fines was found to be negligible.
- In January, he attended a Lasqueti ferry committee meeting and noted that ferry capacity is reduced when crewing levels are reduced.
- Regarding the Shoreline protection bylaw item in today's agenda package, he hopes that the qRD mapping results will be available soon.

## **4. TOWN HALL**

A member of the public spoke as a representative of the Lasqueti Cannabis Corporation, which is now at the point of building on island. She was informed this week that they did not have an electrical permit, which was quickly rectified. In the course of that discussion, an Islands Trust

(IT) Bylaw Officer, Warren Dingman, informed her that the language she used, “grandfathered in,” is racist.

She asked for two things from LTC:

1. We all have grandfathers and our fight against colonialism is largely that they took away what our grandfathers did. She wants to know if that term is appropriate so that people do not go away feeling like they are being called a racist.
2. She also wants IT to restate that they are aware of this facility; her corporation has spent about a million dollars and it is disconcerting to be told that the IT will decide if it is legal.

The Chair advised that legal, non-conforming is a better term to use than grandfathering and thanked the speaker for bringing the racist aspects of that term to our attention. If an activity was legal at one time and the bylaw changes, the activity remains legal.

Staff advised that they could ask them to demonstrate activity before the bylaw change.

Trustees added the following:

- Bylaw enforcement does decide whether to send the enforcement to the LTC, which then decides whether or not to send it to the Executive Committee, which ultimately makes the decision to take court action or not.
- Previous Trustees wrote a letter of support for this project.

A member of the public addressed the LTC and the following was noted:

- Regarding the grandfather definition, the definition used in Louisiana in the 1800s is not relevant to Lasqueti.
- By averaging the cost for processing fees in the fee bylaw does not seem fair if our costs go up and Salt Spring’s go down; our fees should reflect our lower cost.
- Strong objection to this move to electronic meetings; it is isolating the LTC from the public and there is a near unanimous outcry against this. Even people that do not attend meetings are against it.
- The requirement to have information preapproved is a tool of dictatorships; the Chair can always cut people off if something inappropriate is said.
- Ministry of Agriculture (MoA) held an inter-departmental meeting; according to that meeting, the sheep on Lasqueti are considered “escaped domestic sheep”, they must be specifically designated as feral and that has not been done.
- “Exotic” is another term that the MoA has defined and which is not appropriate for the sheep on Lasqueti. They are neither feral nor exotic and these terms should not be used in our OCP.
- Staff announced that this meeting had been changed, from an in-person meeting to an electronic meeting and that the time was changed from 11am to 10am, three working days before the meeting; the LTC voted to authorize these changes two working days before this meeting.
- He questioned whether this meeting was lawfully convened.

The Chair acknowledged the question and asked staff to respond.

Staff advised that the Meeting Procedures Bylaw had to be adopted prior to the meeting and that there is no requirement for posting meeting information in advance of meetings.

The Chair stated that the meeting is in process and will continue.

Trustees noted that anyone who goes to the Health Centre has reason to complain and that some folks may have missed the first part of the meeting.

**5. MINUTES**

**5.1 Local Trust Committee Minutes dated October 4, 2021 - for adoption**

By **general consent**, the minutes of the Lasqueti Local Trust Committee Meeting of October 4, 2021 were adopted.

**5.2 Local Trust Committee Special Meeting Minutes dated January 20, 2022 - for adoption**

By **general consent**, the minutes of the Lasqueti Local Trust Committee Meeting of January 20, 2022 were adopted.

**5.3 Section 26 Resolutions-Without-Meeting Report dated January 31, 2022**

Received.

**5.4 Advisory Planning Commission Minutes dated July 27, 2021 - for receipt**

Received.

The Chair thanked Susan Morrison for her work on the APC.

**6. BUSINESS ARISING FROM MINUTES**

**6.1 Follow-up Action List dated January 31, 2022**

Trustees queried staff and the following was noted:

- Is there any update regarding “4. Staff to review FLNRORD's comments and get SIPAs comments on Crown Lands and reconciliation regarding the OCP bylaw No. 98”?
- Trustees have not received anything from FLNRORD.
- The public wishes to keep these policies in the Official Community Plan.
- Can we ask Director Marlor to attend the next meeting and explain FLNRORD’s position?

Staff can make this request without a motion.

**6.2 Model Fees Bylaw Update - Staff Report**

Staff introduced the item and noted that they were asked to draft this model fees bylaw.

The Chair noted that one of the speakers during Town Hall rejected the Development Permit Area (DPA) idea.

Staff noted that this would be a placeholder; a future LTC could create them at a later date.

Trustees responded and the following was noted:

- To have a fee for something suggests that it will be created.

- There have been two attempts in the past to create DPAs.
- There was a huge swell of opposition from the public.
- What is the difference between Development Variance Permits (DVP) and DPAs?
- Regarding Permit #13, related to applications with community benefit, a fee of \$1,000 seems high, because the fee can only be adjusted by 20%.
- Are there any actuals that we can access to make available to the public?
  - Staff: yes

Staff responded and the following was noted:

- A copy of the bylaw is not included in the agenda package because only the fees were being brought forward for adjustment.
- DPAs and DVPs are different; DVPs do not have anything to do with DPAs. DVPs are related to zoning.
- It does make sense to remove #17 and #18 because without DPAs they are not relevant.
- Other LTCs have removed #13 and staff recommends removing it.

Trustees noted the following:

- If #13 was removed, then all projects would fall into #12, which has even higher fees instead of making the fee lower.
- This needs to be deferred to another meeting.
- We want to see the actual costs of processing applications for Lasqueti before making any changes.

Staff advised:

- That there is not good data for the actual cost of processing applications.
- Staff collected that data for three months last year but that is the only data available.
- That the word “average” reflects the actual cost of processing applications.
- This is an attempt to move more of the cost from the general taxpayer to the applicant.

**LA-2022-008**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee request staff to remove from Table 2 of Bylaw 99, Items 1-8 and items 17 and 18 and to bring a report back to our next meeting.

**CARRIED**

**7. APPLICATIONS, REFERRALS AND BYLAWS**

**7.1 Gambier Island Local Trust Committee Request for Referral Response - Bylaw Nos. 153 and 154 - for decision**

Staff explained that the Gabriola LTC is proposing to adopt a Shoreline Development Permit Area.

**LA-2022-009**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee advised that their interests are not affected by this bylaw.

**The Chair recessed the meeting at 11:54am and reconvened the meeting at 12:32pm.**

Staff introduced the item and the following was noted:

- The application does not meet the minimum requirements as outlined in the *Local Government Act* and the Lasqueti Island Land Use Bylaw.
- Staff recommends waiving this minimum requirement.

Trustees suggested that they expand the 10m access to the 20m minimum.

Rachel Hamling, speaking on behalf of the applicant, advised that they could flare out the frontage to accommodate the minimum.

The Chair noted that the LTC would still be required to waive the minimum requirement of 10%.

Staff advised that they could work with the applicant to revise the application and suggested that the LTC make a motion to waive this requirement today.

**LA-2022-010**

**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee waive the 10% highway frontage requirement, but retain the minimum 20 metre highway frontage requirement.

**CARRIED**

## **8. LOCAL TRUST COMMITTEE PROJECTS**

### **8.1 Lasqueti Island Official Community Plan (OCP) Comprehensive Review - Proposed Bylaw No. 98 – Memorandum**

Staff introduced the item and the following was noted:

- Snaw-na-as First Nation requested that the LTC not move forward with the OCP until a meeting was held with them.
- There has been no response to our letter asking for a date to meet.
- The staff report memo outlines the comments that we have received with recommendations from staff.
- “Neutral” means that staff has no objection to the recommendation.
- Some recommendations are considered problematic if the document is updated in the recommended way.
- Staff does not expect the LTC to make any motions today.

The Chair advised that he is content to receive the report and wait for a meeting.

Trustees continued the discussion and the following was noted:

- How important is it to finish the OCP Review before the end of this term?
- Would like to spend time to get this as good as it can be before the next term.
- Would like to move forward but there are new factors that we had not expected.
- Important to get it right rather than to get it done by a specific date.
- Noted that the numbering system has change and that it would be better if we all have the same numbering system.

Staff advised that second reading was given to a previous version and that the current version will be made more available.

**9. DELEGATIONS - none**

**10. CORRESPONDENCE**

The Chair recognized that there was late correspondence received after the deadline.

Trustees noted the following:

- That the agenda package directs the reader to the webpage for correspondence but it does not seem to appear there.
- All correspondence is not easily available.
- Much of the correspondence is not related to applications and projects.
- A chronological ordering of correspondence would be appropriate.
- Would like to ask staff to set up a correspondence page so that it is available to everyone.

Staff advised that correspondence related to applications and projects is posted, but correspondence beyond that is not done due to staffing and website capacity limits. Correspondence is included in agenda packages so in that way it is posted to the website.

The Chair noted that there is room for improvement but it would need to go all the way up the chain and may be in progress. He also noted that the complexity is significant.

**11. NEW BUSINESS**

**11.1 Natural Area Protection Tax Exemption Program (NAPTEP) - Livingstone Forest  
NAPTEP Covenant - Information Item – Memorandum**

Received.

**11.2 Shoreline Protection Model Bylaw Report - Briefing - for information**

The Chair advised that this came from Trust Council and is received for information.

**11.3 Safe Island Land Alliance**

Trustee Johnston introduced the item and the following was noted:

- He has a concern that the land was listed as 160.8 acres and that the minimum land requirement per residence is 10 acres, but he has since learned that the developer now wishes to put 17 dwellings on the property.
- The conversion to metric changed the minimum to 4 hectares, which is less than 10 acres.
- He would like to revert the bylaw back to a full 10 acres.

Staff responded and the following was noted:

- Advised that the number of residences allowed for that parcel is 17.
- She believes there is a misunderstanding about the amount of land available there, but does not have the information regarding how much land is involved.

Trustees noted that it is the conversion to hectares, which allows this development to have 17 dwellings and that they would like to amend the LUB to accurately reflect what all discussions in the community are based on, which is 10 acres or 4.2 ha.

**11.4 Meeting with First Nations**

Trustee Johnston introduced this item and the following was noted:

- A Tla’amin Hegus requested a meeting with us over a year ago.
- The K’omoks First Nation has asked to meet with us.
- The Snaw-na-as First Nation sent us a letter in September but our first reply was not sent until December.
- He is worried that our responses are not timely.

Staff responded and the following was noted:

- The K’omoks request was responded to quickly, but she understands that the K’omoks First Nation’s capacity is limited.
- A recent email exchange indicated that their request for a meeting has been withdrawn.
- Noted that Lisa Wilcox, Senior Intergovernmental Policy Advisor, has more work than she has capacity.
- We do not know when the Snaw-na-as First Nation will be able to respond.
- Lisa Wilcox is also dealing with the Tla’amin request.

The Chair noted that we are making good progress.

**11.5 Electronic Meeting Equipment**

The Chair advised that the IT does not want to move to all electronic meetings. Health measures prevent us from doing this. We need to deliver service homogenously across the Trust area.

**12. REPORTS**

**12.1 Trust Conservancy Report dated November 23, 2021**

Received.

**12.2 Applications Report dated January 31, 2022**

Received.

**12.3 Trustee and Local Expense Report dated December, 2021**

Received.

**12.4 Adopted Policies and Standing Resolutions**

Received.

**12.5 Local Trust Committee Webpage**

Received.

**13. WORK PROGRAM**

**13.1 Top Priorities Report dated January 31, 2022**

Received.

**13.2 Projects List Report dated January 31, 2022**

Received.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Monday, April 11, 2022**

**15. CLOSED MEETING**

**15.1 Motion to Close the Meeting**

**LA-2022-011**

**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) (d) for the purpose of considering adoption of In-Camera Meeting Minutes dated April 26, 2021 and that the recorder and staff attend the meeting.

**CARRIED**

**15.2 Recall to Order - none**

**16. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:45 pm.

---

Peter Luckham, Chair

Certified Correct:

---

Dave Olsen, Recorder