Thetis Island Local Trust Committee
Regular Meeting Agenda

Date:	September 29, 2015
Time:	9:30 am
Location:	Thetis Island Community Centre (Forbes Hall) North Cove Road, Thetis Island, BC

Thetis Island Local Trust Committee
Minutes of Regular Meeting

Date: August 11, 2015
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

Members Present Susan Morrison, Chair
Peter Luckham, Local Trustee
Ken Hunter, Local Trustee

Staff Present Marnie Eggen, Acting Island Planner (via teleconference)
Teresa Rittemann, Planner 1 (via teleconference)
Janice Young, Recorder

Media and Others 3 (three) members of the public were in attendance.

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:28 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She then introduced the staff and trustees and welcomed the members of the public.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS - None

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes dated June 12, 2015 for adoption

The following amendments to the minutes were presented for consideration:

- page 1, item 1, add “She then introduced the staff and trustees and welcomed the members of the public.”
- page 1, item 2, second line, change “Dale Blikholder” to “Dale Burkholder”.
- page 1, item 3, first line, change “Dale Blikholder” to “Dale Burkholder”.

- page 2, item 6.1, fourth bullet, second line, change “Council” to “Committee”.
- page 4, item 9.2, heading, change “Dale Blikholder” to “Dale Burkholder”.
- page 4, item 9.2, line one, change “Dale Blikholder” to “Dale Burkholder”.

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report dated July 30, 2015

Received.

6.3 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 31, 2015

The Follow-up Action List was reviewed and discussed.

7.2 Phase 2 Local Trust Committee Input into Development of the Islands Trust Strategic Plan for 2014-2018

7.2.1 Memorandum dated June 30, 2015

Acting Island Planner Eggen summarized the memorandum and discussion ensued. The Thetis Island Local Trust Committee indicated interest in addressing the topics identified as possible strategies in the draft Strategic Plan to implement this term.

TH-2015-023

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

that item 8.3 “Explore opportunities and benefits of working with UNESCO and the TFB and others in seeking nomination of the Trust Area as a UN Biosphere,” of the draft Strategic Plan for 2014-2018 be moved to Goal A, Objective 1**.**

CARRIED

7.3 Email dated July 6, 2015 from Neil & Lillian Varcoe regarding Stone Quarry on Valdes Island forwarded from Gabriola Island LTC

7.3.1 Memorandum dated July 28, 2015

Email received. Acting Island Planner Eggen summarized the memorandum and discussion ensued. Trustee Luckham has been in email correspondence with concerned members of the public.

Mike Higgins, from Ruxton Island, spoke to the Valdes Island Quarry and blasting issue and how this operation could impact Ruxton Island in the form of tidal changes and agitation.

7.4 Advisory Planning Commission - verbal update

Acting Island Planner Eggen reported that there have been no expressions of interest to date. Trustee Luckham spoke to increased focus on this item in the fall.

8. DELEGATIONS - None

9. CORRESPONDENCE - None

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

10. APPLICATIONS AND REFERRALS

Teresa Rittemann, Planner 1, joined the teleconference at 10:00 am.

10.1 TH-DVP-2015.1 (Giesbrecht - Ruxton Island)

10.1.1 Staff Report dated July 22, 2015

Staff report summarized and presented by Planner Rittemann, followed by comments, concerns and questions put forward by trustees, staff, applicant and members of the public. Trustee Luckham emphasized the important of applying for permits before building begins.

TH-2015-024

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

that the Thetis Island Local Trust Committee **APPROVE** the issuance of Development Variance Permit TH-DVP-2015.1 to Daniel Giesbrecht, Renee Giesbrecht, Heidi Giesbrecht and Alexander Mendelev, for Lot 7, Section 31, Nanaimo District Plan 17982; PID 003-689-964.

CARRIED

Teresa Rittemann, Planner 1, left the teleconference at 10:10 am.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation Implementation - verbal update

Acting Island Planner Eggen reported that there has been contact with Ian Rolston and this issue is moving forward.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated July 30, 2015

Report received; no updates or changes.

12.1.2 Projects List Report dated July 30, 2015

Report received; no updates or changes.

12.2 Applications Report dated July 30, 2015

Reviewed.

12.3 Trustee and Local Expense Report dated June, 2015

Received.

12.4 Adopted Policies and Standing Resolutions - None

12.5 Local Trust Committee Webpage - None

12.6 Chair's Report

Chair Morrison reported that she is very busy and looking forward to the upcoming Strategic Planning Session for Bowen Island and the Union of British Columbia Municipalities (UBCM) Conference in September to be held in Vancouver.

12.7 Trustee Reports

Trustee Hunter reported that concern has been expressed regarding gas pipes under the roadway by Telegraph Harbour Marina. Acting Island Planner Eggen will look into the jurisdiction and other information for this issue.

Trustee Luckham reported on a very successful trip to Moore Hill with representatives from Penelakut, neighbouring properties, Thetis Island Nature Conservancy (ThINC), Trust Fund Board (TFB), along with other ecologists and government officials. There was an expedition deep into the caves where no desecration was noted. There is a vision of creating expanded protection for this area.

An interesting note shared by Trustee Luckham is that in 1954, Anthropologist Wilson Duff did excavate cedar burial boxes, human and other remains from these caves that are still kept in the BC Museum archives in Victoria.

Trustee Luckham also reported that the concerns over the mosquito issue turned out to be a non-issue this year.

12.8 Electoral Area Director's Report - None

12.9 Trust Fund Board Report

Chair Morrison highlighted the Trust Fund Board support of the Thetis Island Nature Conservancy's (ThINC) Fairyslipper Forest land acquisition project, along with the re-appointment of Ron Bertrand.

13. NEW BUSINESS

13.1 LTC Budget Request for 2016-2017

13.1.1 Memorandum dated June 30, 2015

Acting Island Planner Eggen summarized the memorandum and the preliminary LTC budget request for 2016-2017 fiscal was reviewed; discussion ensued Trustee Luckham requested to increase the amount of their project budget to develop a Memorandum of Understanding with Stz'uminus First Nation from $1500 to $3000 and include Penelakut First Nation in the project.

TH-2015-025
It was **MOVED** and **SECONDED**
that the Thetis Island Local Trust Committee revise the draft 2016-17 Local Trust Committee Project Budget submission and forward it to the Financial Planning Committee as revised.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting is scheduled for Tuesday, September 29, 2015 at

9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC

15. TOWN HALL

Jane Herbert asked when the new bylaws drawn up in the Associated Islands Official Community Plan will be enacted. Chair Morrison responded that the document was presently with the Ministry for review.

Jane Herbert then asked about the bylaw enforcement process. Acting Island Planner Eggen responded by recommending a referral to the Bylaw Enforcement Division for information. Chair Morrison provided some information in response to this question, as did Trustee Luckham, advising that bylaw enforcement is complaint driven and the follow-up action includes negotiations, ticketing and sometimes court proceedings.

16. CLOSED MEETING - None

17. ADJOURNMENT

By general consent the meeting was adjourned at 10:35 am.

_____
Susan Morrison, Chair

Certified Correct:

_____
Janice Young, Recorder

RWM From: June 01, 2015 To: September 18, 2015

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2015-05	In Favour	"That the Thetis Island Local Trust Committee request staff to draft a letter of support, to be signed by the Chair on behalf of the Local Trust Committee, for the Stewardship Centre's proposal for Green Shores education and training for shoreline decision-makers program in their pursuit of funding from Natural Resources Canada."	Jun 01, 2015

Print Date: Sep-18-2015

Follow Up Action Report w/ Target Date

Thetis Island
Jun-04-2014

No.	Activity	Responsibility	Target Date	Status
1	To prepare a referral response to the Woodlot License Plan for W2043, to be reviewed by the LTC. Update (July 23): Woodlot License Management Plan release has been delayed.	Aleksandra Brzozowski	Jul-23-2014	On Going
1	Post a link to the Coastal Douglas Fir Report to the website and a link be provided to the Woodlot Licence Plan, Woodlot 2043, referral, when it is available. Update (July 23): Woodlot License Management Plan release has been delayed.	Aleksandra Brzozowski	Jul-23-2014	On Going

Feb-03-2015

No.	Activity	Responsibility	Target Date	Status
1	Staff to look into creating a Correspondence section for the LTC webpage. Update: Correspondence from last two years to be included on the 'News' page.	Emily Kozak Mike Richards	Apr-14-2015	On Going

Apr-14-2015

No.	Activity	Responsibility	Target Date	Status
1	Staff prepare letter for review and signature to be sent to AANDC regarding the noise impact associated with the quarry operation on IR3.	Karin Kronstal	May-04-2015	On Going
1	Work with Penekalut Seafoods and Ministry to update map for the crown lease application so that the same boundaries apply to the license of occupation application area as those being applied for under the upcoming rezoning application.	Marnie Eggen	May-12-2015	Done

1	Staff to contact the 3 pilot project properties owners and provide a memo summarizing their impressions of the property owners with their ability to move forward with their projects.	Aleksandra Brzozowski	May-12-2015	On Going
1	Staff to contact Regional District about possible dates for annual meeting and circulate options to Trustees.	Marnie Eggen Emily Kozak Mike Richards	Aug-31-2015	Done

Aug-11-2015

No.	Activity	Responsibility	Target Date	Status
1	Issue Development Variance Permit TH-DVP-2015.1 (Giesbrecht) as recommended.	Penny Hawley Teresa Rittemann	Aug-31-2015	Done

From: **Gillian Gwyer** [redacted]
Subject: **Attention, Ken Hunter (Pollution in clam bay.)**
Date: **August 14, 2015 at 3:38 PM**
To: islandstrust.bc.ca/contact-trustee

Hi Ken I finally had a bit of time to through this together, Hope it is not too late. Thanks

Gillian Gwyer [redacted] Thetis Island BC V0R 2Y0

Attention Ken Hunter:

Dear Mr. Hunter.

I am writing to ask you in your position as Islands Trust trustee for Thetis Island see if a way could be found to clean up Clam Bay waters.

I want to be able to swim in the Bay and enjoy the full wonderful experience of living on this wonderful Island.

It saddens me that Clam Bay has been polluted for years, and I would like to see this problem attended to.

I am of course personally most concerned about this problem.

Key contributors of these contaminants include storm-water runoff, untreated or partially treated discharges from sewage treatment systems, discharges from sanitary sewers and septic systems, Wildlife and Boats with out holding tanks Sewage overflows from aging sanitary and combined sewer systems, leaking sewage pipes, and malfunctioning sewage treatment plants and pump stations are a major cause of pollution in the ocean, bays and beaches.

These sewer systems can discharge untreated sewage when the treatment plants malfunction or are overwhelmed or when sewer lines break, posing a threat to bathing beach safely.

Marinas are generally located in areas that are naturally sheltered or where a breakwater has been constructed. This shelter results in reduced circulation of clean water around the docks, which allows boating waste to accumulate and pose a serious health threat. Waste may also be discharged improperly from boats, posing a health and aesthetic threat to bathing beaches. Visiting people are at risk since harvested sea food is also contaminated and the very few signs that are warning of pollution are not necessarily seen by visiting boaters.

Stretches of beach along the coasts of Thetis Island provide numerous recreational opportunities for many people. Boating, fishing, swimming, walking, beach combing bird watching, and sunbathing are among the numerous activities enjoyed by beachgoers. The aesthetic aspects of a beach system provide additional benefits, even inspiring works of art and literature.

Fixing these aging and malfunctioning sewage systems is problematic but I hope some attempt can be made to find a solution.

I thank you in advance for your help in this matter.

Respectfully, Gillian

Ruxton Island Property Owners Association (RIPOA)
c/o Secretary Bruce Batchelor
[redacted]
email: bruce.batchelor@gmail.com
email RIPOA President Judy Shaw: questshaw@hotmail.com

To:
Ministry of Forests, Lands and Natural Resource Operations
142 - 2080 Labieux Road, Nanaimo BC V9T 6J9
Attn: Section Head
Email: AuthorizingAgency.nanaimo@gov.bc.ca

✓ CC: Islands Trust

Re: Hardy Island Granite Quarries Ltd. being granted a licence for Industrial Use on Valdes Island (file reference #1414327)

To the Section Head, Ministry of Forests, Lands and Natural Resource Operations:

With respect to reference #1414327, at our association's AGM, it was noted that there was no environmental impact assessment, nor consultation with local residents, before blasting and quarry work started this spring. We understand there is an application now being considered under the *Land Act* by BC Ministry of Forests, Lands and Natural Resource Operations, by "Hardy Island Granite Quarries Ltd. for industrial use on Provincial Crown property." Comments could be submitted until July 22. Ruxton Island owner David Scott sent in a letter with his own comments, noting that RIPOA would be commenting after its Annual General Meeting on August 2nd.

RIPOA members noted a "Letter to the Editor" of the *Gabriola Sounder* (July 14, 2015, page 4) by Neil & Lillian Varcoe: "The adverse effects have been significant enough to shut down the quarry during the eagle-nesting season... There is blasting – booming, percussive explosions... continuous high-pitched whine of rock drilling...."

Also RIPOA member John Couchman believes the recent collapse of a portion of the spectacular cliff along Valdes Island's western shoreline was caused by the blast vibrations.

.../ *page 2*

Please be hereby informed that the Ruxton Island Property Owners Association (RIPOA) at its Annual General Meeting on August 2, 2015 adopted the following motion unanimously:

> *MOTION: "That RIPOA is NOT in favour of Hardy Island Granite Quarries Ltd. being granted a licence for Industrial Use on Valdes Island (file reference #1414327)." The Secretary is to send this resolution to the Ministry, noting RIPOA could not object until after its AGM, and referring to David Scott's letter. A copy is to be sent to Islands Trust.*

Please confirm on behalf of the Ministry that you have received this submission, and ensure that RIPOA's email addresses are included for all public notices related to this matter:

RIPOA President Judy Shaw: questshaw@hotmail.com
RIPOA Secretary: bruce.batchelor@gmail.com

On behalf of RIPOA,

Bruce Batchelor, Secretary

26 August 2015

Susan Morrison, Ken Hunter, Peter Luckham September 17, 2015

Thetis Trustees

Subject**: Hardy Island Granite Rezoning Application for Valdez Island**

Dear Trustees

We have become aware of work to establish an industrial site consisting of a sandstone quarry, barging facilities and infrastructure in a Marine Conservation area on Valdez Island.

We own property on the north east end of Ruxton Island across the water from the proposed rezoning site. The tugs and log boom activity on Valdez close to the proposed rezoning site can today be heard across the water on our property. It along with the flash of spotlights at night is disruptive as we try to sleep when we retire. In case the trust is not aware, sound travels surprisingly well over water. It travels so well that on a still evening we can hear dogs barking on Gabriola Island several miles away.

Needless to say we are most alarmed!

We do not object to the extraction of minerals on Valdez Island even though that appears to violate Islands Trust Policy.

We do not object to the building of industrial dock facilities for barges on Valdez even though on our Island (Ruxton) which is residential and accessible only by water, the Thetis Islands Trust denies islanders safe access by prohibits docks and wharves thereby subjecting owners to senseless hardship and risk.

We are however most alarmed and concerned the noise pollution attendant to this industrial activity in a residential/recreational area will further adversely effect the character and enjoyment of our property as well as interfere with our ability to sleep.

We realize this rezoning to facilitate “Industrial Use” is significantly more intense use than home occupation use for which the Thetis Trust Committee has crafted noise regulation on our Island, Ruxton. We therefore insist the Thetis Islands Trust

in their rezoning deliberations be consistent in their requirements and application of the Islands Trust Policy and as a condition of the rezoning, apply the same or more stringent noise limitations as they have given third reading to in Land Use Bylaw for Thetis Associated Islands No.94, 2014. Item 3.6(5)

"No noise resulting from any home occupation may be audible at a lot line or the natural boundary of the sea on Sundays and between the hours of 18h00 and 8h00 on all other days."

For work week noise we suggest the condition should include guarantees that noise levels from this activity be limited to a maximum of 55bB measured at any of the adjacent Islands such as Ruxton, De Courcy, Link, Mudge and Gabriola.

We are also concerned with the adverse impact an oil spill would have on our island's shores. Simply having "a spill kit" available is insufficient. The protection should consist of not less than a disaster management plan including an oil spill kit of **sufficient capacity for a worst case scenario spill and trained workers on site** at all times when an oil or fuel spill could occur. The "kit" and workers must be capable to effectively recapture or stop spilled material from spreading immediately beyond the area subject of the rezoning.

This proposed rezoning will benefit certain parties. We are wondering what public amenity is being offered in return?

Olaf Knezevic (Ruxton Lot 23)

Lynda Knezevic (Ruxton Lot 23)

Kristine Knezevic (Ruxton Lot 23)

[redacted]

Cc Marnie Eggen -Planner

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area **Bylaw No.:** 253 **Date:** Sept 1, 2015

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS: LTC - initiated

PURPOSE OF BYLAW:

The proposed bylaw would amend the Galiano Official Community Plan (OCP) to permit home-based contractor yards by issuance of a Temporary Use Permit (TUP). The intent is to amend the TUP section of the Galiano OCP in order to include specific TUP guidelines and conditions for home-based contractor yards.

Staff reports and background information are available on the Galiano island webpage:
http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/contractor-home-base.aspx

GENERAL LOCATION:

Galiano Island Local Trust Area

LEGAL DESCRIPTION:

n/a

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
n/a	n/a	n/a

OTHER INFORMATION:

Additional information, including the bylaws, is available at: http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/contractor-home-base.aspx

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Kim Farris

Title: A/Planner 2

Contact Info Tel: 250-405-5194
Email: kfarris@islandstrust.bc.ca

PLEASE TURN OVER →

This referral has been sent to the following agencies:

Federal Agencies
n/a

Regional Agencies
Capital Regional District – Electoral Area Director
Capital Regional District – Building Inspection
South Galiano Fire Department
North Galiano Fire Protection Society

Provincial Agencies
Ministry of Community, Sport and Cultural Development
Ministry of Transportation & Infrastructure
Ministry of Environment
Ministry of Forest, Lands & Natural Resource Operations
- Water Protection
Island Health Authority

Adjacent Local Trust Committees and Municipalities
Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

Non-Agency Referrals
Islands Trust – Bylaw Enforcement

First Nations
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsawwassen First Nation

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Galiano Island Local Trust Area	253
(Island)	(Bylaw Number)
(Signature)	(Name and Title)
(Date)	(Agency)

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 483 **Date:** September 16, 2015

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the fall of 2015.

APPLICANTS NAME / ADDRESS:

1449 Fulford-Ganges Road, Salt Spring Island, BC

PURPOSE OF BYLAW:

To amend Salt Spring Island Land Use Bylaw No. 355 cited as "Salt Spring Island Land Use Bylaw, 1999" by adding a new Industrial 2 zone Variation (b) – In2(b) and a definition for an "Abattoir".

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

PID 001-383-001 - Lot 2, Section 78, South Salt Spring Island, Cowichan District, Plan 29468

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
3.32 Hectares	Adjacent to ALR Land	Rural Neighbourhood

OTHER INFORMATION:

This proposed bylaw amendment will change the zoning classification of a portion of the above noted parcel from Industrial 2 Zone to the proposed Industrial 2 Zone Variation (b) – In2(b), which will permit an abattoir on the site. Please see Staff Report dated August 20, 2015 and Proposed Bylaw No. 483 at 2nd Reading for further details.

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

_____ Name: _____
(Signature)

Title: _____

This referral has been sent to the following agencies:	
Provincial Agencies Agricultural Land Commission Ministry of Agriculture BC Assessment Authority Ministry of Environment Office of the Provincial Health Officer	**Regional Agencies** Vancouver Island Health Authority
First Nations Te'Mexw Treaty Association Hul'qumi'num Treaty Group (for information only) Pauquachin First Nation Malahat First Nation Tsartlip First Nation Tsawout First Nation Tsawwassen First Nation Tseycum First Nation Chemainus First Nation Cowichan Tribes Halalt First Nation Lake Cowichan First Nation Lyackson First Nation Penelakut First Nation Semiahmoo First Nation	**Adjacent Local Trust Committees and Municipalities** Galiano Island Local Trust Committee Mayne Island Local Trust Committee North Pender Island Local Trust Committee Thetis Island Local Trust Committee

PLEASE TURN OVER

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	483
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

Date: September 17, 2015

File No.: TH-RZ-2015.1 (Penelakut Seafoods Ltd.)

To: Thetis Island Local Trust Committee
For the meeting of September 29, 2015

From: Marnie Eggen, A/ Island Planner
CC: Ann Kjerulf, Regional Planning Manager

Re: Application to Rezone Lands to Permit Aquaculture

Owners: Provincial Crown Land
Applicant: Penelakut Seafoods Ltd.
Location: Clam Bay (waters adjacent to southern Thetis Island shoreline)

THE PROPOSAL

The purpose of the application is to rezone approximately 8.2 ha (20.3 ac) of marine waters directly south of Thetis Island in the area commonly known as 'the Cut' (see Figure 1) from Water 4 (W-4) to a water zone that allows for the proposed mariculture operation. The applicant proposes to harvest and cultivate clams and oysters, including using netting and oysters themselves to protect the cultivated areas (see Attachments for bylaw amendment application). An Official Community Plan amendment is also required as the subject area is not located within the OCP Mariculture designation.

The purpose of this report is to: 1) provide the Local Trust Committee (LTC) with a preliminary overview of the proposal; 2) identify any land use planning issues associated with the application and 3) seek direction from the LTC on whether or not to proceed with the application.

BACKGROUND:

License of Occupation Application

Penelakut Seafoods Ltd. made application to Front Counter BC to expand their existing crown land license of occupation to harvest and cultivate clams and oysters. They propose to expand their existing tenure (approximately 12.4 ha (30.64 ac)), located off the north side of Penelakut Island, to include an area of marine waters directly to the north of their existing licence and south of Thetis Island. The applicant indicates that they have harvested in the local area for years under a Department of Fisheries and Oceans license. However, in order to place seed in the subject area, a Crown land license is required. A referral from Front Counter BC for the current Crown land license of occupation application was responded to by the Northern Office last year, which indicated that the proposal required a rezoning.

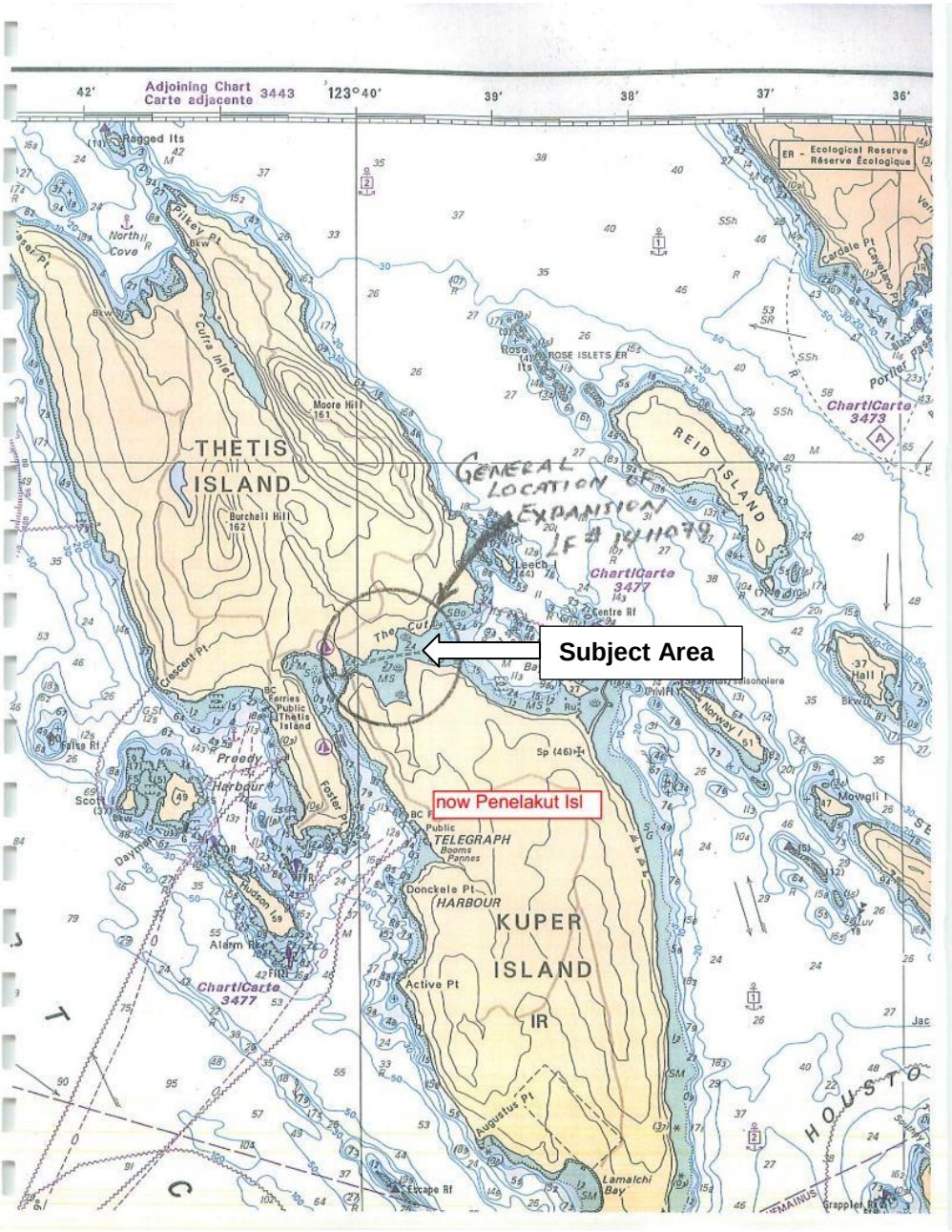
Pre-application Public Meeting

The applicant held a public meeting in February prior to applying for a rezoning in order to gather public comments on the proposal before moving forward with their application (see Community Information Meeting section below).

SITE CONTEXT

The subject area is located between Thetis Island and Penelakut Island, in an area commonly known as the "The Cut" (see figure below).

Figure 1: General Location Map



The subject area to be rezoned is adjacent to the Penelakut Seafoods Ltd. license of occupation that currently exists along the northern shore of Penelakut Island (see figure below). The subject area boundary along Thetis Island is located 10 metres seaward from the natural boundary of the sea, and excludes a tidal lagoon at the Northern boundary.

Figure 2: Existing License of Occupation and Proposed Expansion Area

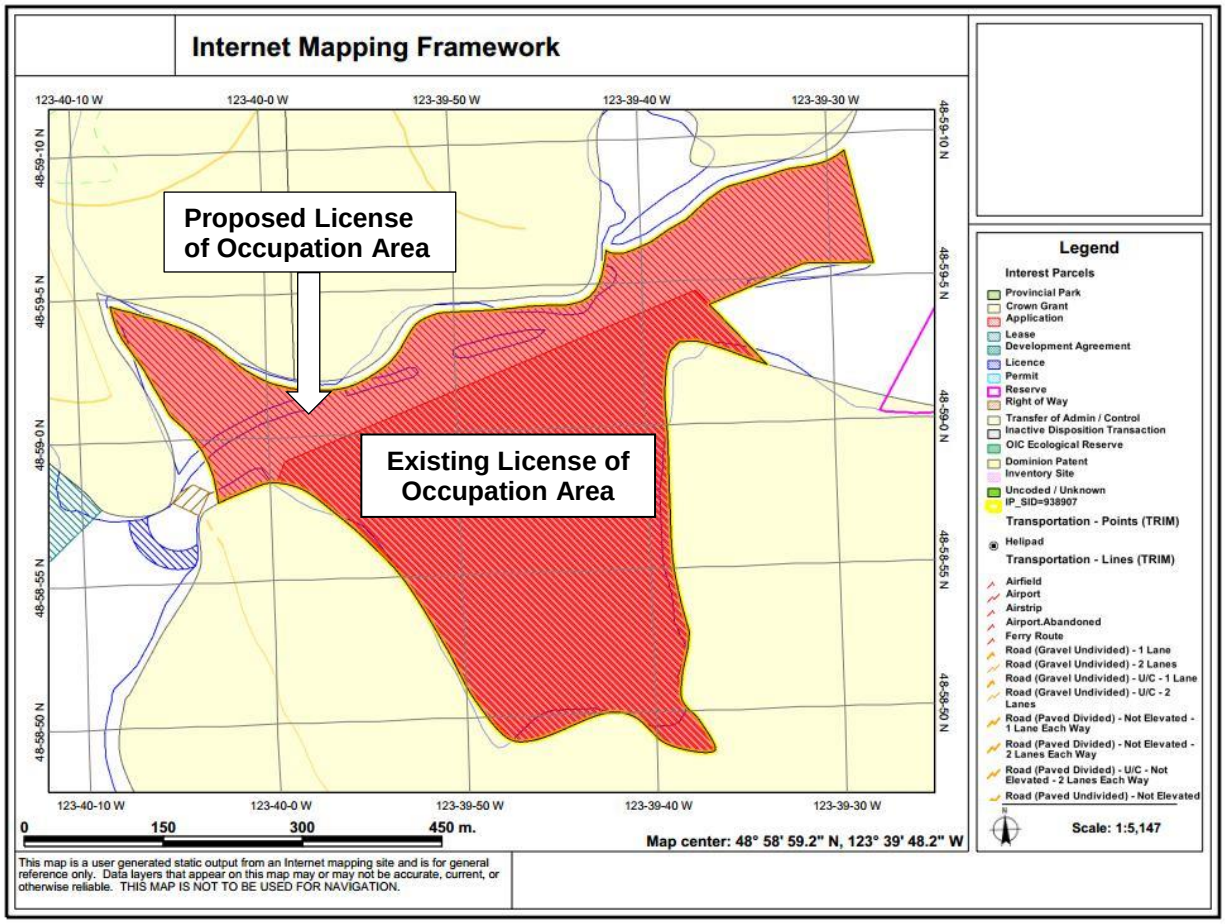
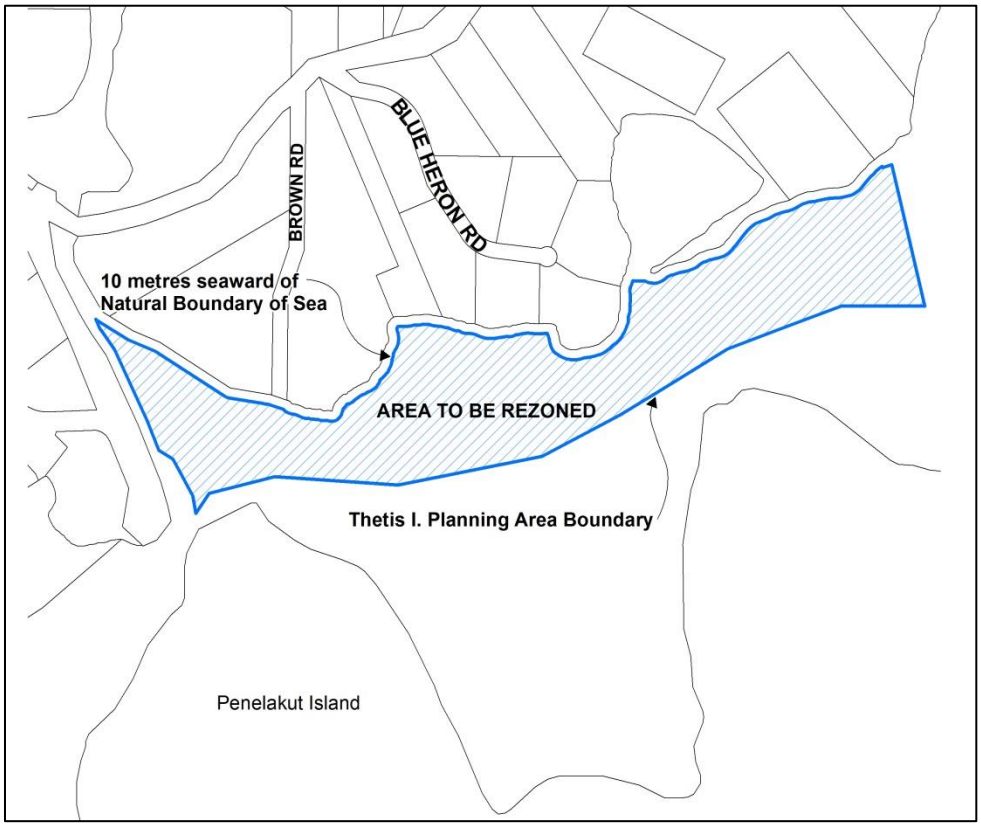


Figure 3: Subject Area to be Rezoned



CURRENT PLANNING STATUS OF SUBJECT AREA:

Islands Trust Policy Statement:

The Islands Trust Policy Statement contains the following relevant Directive Policy:

3..1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

Thetis Island Official Community Plan (OCP), Bylaw No. 88

Below is a listing of OCP objectives and policies relevant to this application:

"2.7 MARICULTURE LAND USE – Background

Mariculture, the marine based form of aquaculture, has had long established shellfish tenures (bottom culture of oysters and clams) over certain portions of Thetis Island foreshore. Recently, changing shellfish culture technology has allowed tenure holders to employ equipment or structures in bottom culture and to also consider off-bottom culture. However, the associated mechanization of equipment, structures and floats can bring conflicts with adjacent upland residential use due to visual disturbance; with recreational use due to restricted access to the foreshore or water column; and may result in environmental damage to the tenure site and

surrounding waters. There are currently five shellfish tenures on Thetis Island, three being located in Cufra Inlet and one each at the northerly and southerly extremities of Preedy Harbour.

MARICULTURE OBJECTIVES

1. To ensure mariculture activities are compatible with adjacent land and recreational uses and do not cause damage to sensitive ecosystems.

2. To ensure continuing public access to sustainably harvesting natural or wild marine resources in the water and intertidal areas of the Thetis Local Trust Area subject to Fisheries and Oceans Canada regulations.

MARICULTURE POLICIES

1. Existing mariculture bottom culture operations are recognized and should be provided for by land use regulation.

2. New mariculture proposals, including shellfish bottom culture and fish farms, are not encouraged and shall be subject to the public process of rezoning.

3. Rezoning proposals to establish new mariculture areas should not be supported in locations where there would be conflicts with recreational uses or with adjacent upland or marine uses.

4. Establishment and enhancement of public recreational shellfish reserves is supported.

Advocacy Policies

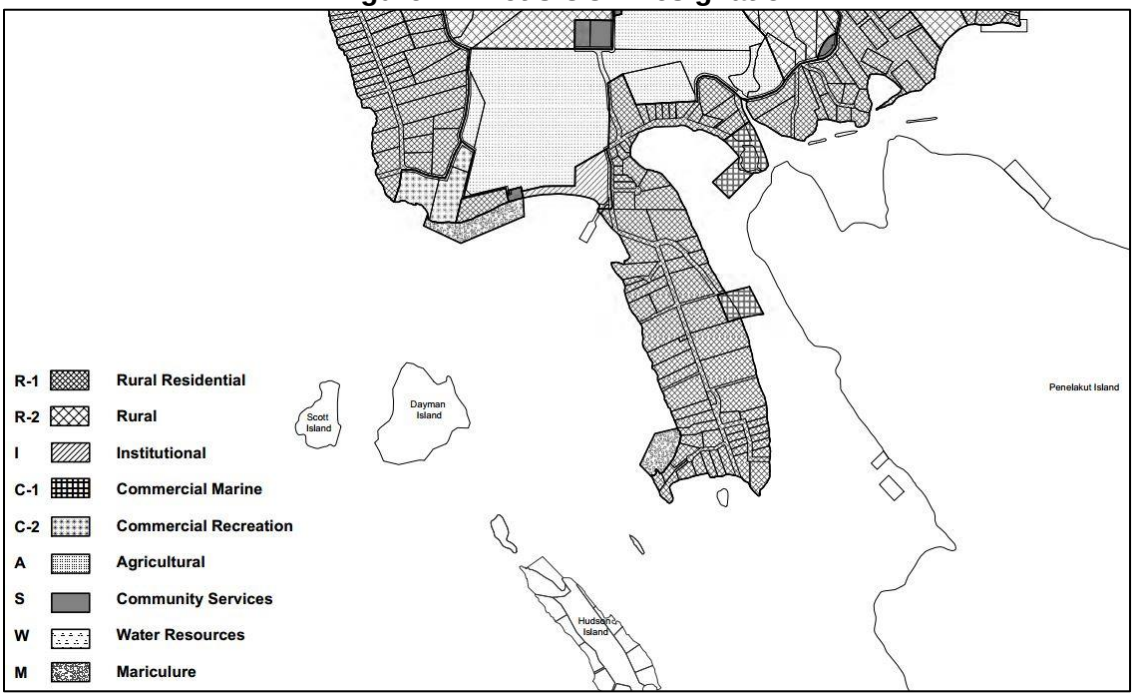
5. Governments with jurisdictional responsibilities for or related to mariculture - Fisheries and Oceans Canada and the provincial Ministry of Agriculture, and Ministry of Environment, are requested to cooperate to ensure that:

a) there is continuing public access to natural or wild marine resources adjacent to the island for recreational harvesting.

b) harvesting of these resources, both commercial and recreational, is monitored and regulated to ensure sustainable stocks and preservation of foreshore quality."

The following figure shows the OCP designations, and that the subject area is not designated Mariculture.

Figure 4: Thetis OCP Designation



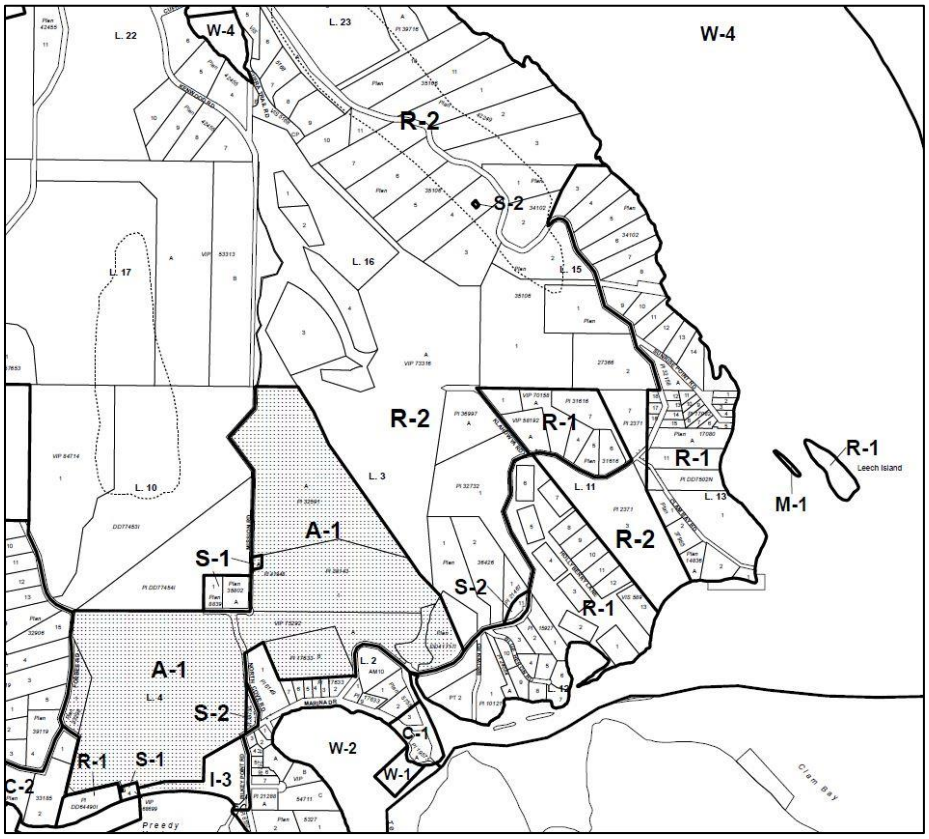
Thetis Island Land Use Bylaw (LUB) No. 89, 2011

The proposed activities would be in contravention of the Thetis Island Land Use Bylaw No. 89, 2011. As per Section 10.1 of the LUB, the subject area is zoned W-4 (see figure below), and mariculture is not a permitted use in the zone. "Bottom culture mariculture" is only permitted in the W-5 zone and not in any other marine zone and is defined as the following:

"means the cultivation, rearing and harvesting of molluscs on the bed of the sea without the installation of devices to protect or enclose the organisms being cultivated or reared, and excludes cultivation or rearing in the water column above the bed of the sea and also excludes commercial processing of marine mammals or a transfer station for the cleaning of marine mammals."

As the proposed mariculture use includes the use of netting, the proposal would not be consistent with current definition of "bottom culture mariculture," as permitted only in the W-5 zone.

Figure 5: Thetis Island Zoning



Islands Trust Fund:

There are no identified interests in the immediate area pertaining to the Islands Trust Fund.

Regional Conservation Plan:

The interests of the regional conservation plan are not affected by the rezoning application.

Sensitive Ecosystems and Hazard Areas:

Islands Trust Sensitive Ecosystem mapping is provided for upland areas only; it does not include marine areas. According to the Sensitive Ecosystem mapping, there is a sensitive ecosystem located upland of the marine subject area, on Thetis Island. Proposed marine activities are not expected to impact adjacent upland sensitive ecosystems. No hazardous areas are mapped for the subject area.

Archaeological Sites:

According to the provincial Remote Access to Archaeology Data (RAAD), there are archaeological sites on or within 50 metres of the subject area.[1] Staff are in contact with the provincial Archaeological Branch and Front Counter BC land officers with regard to how archaeological sites are addressed within Crown land referrals, and are awaiting a response.

Climate Change Mitigation and Adaptation

The proposed rezoning for mariculture is not anticipated to affect greenhouse gas emissions in any way. Staff note that the proposed activities may be impacted by possible climate change induced hazards (e.g. increases in ocean temperature) in the future which may require adaptation to proposed activities.

Shoreline:

According to Islands Trust shoreline mapping, the Thetis shoreline along the northern boundary of the subject area is categorized “Boulder/cobble,” and “Pebble/sand.” Forage fish mapping indicates two small areas located just outside of the boundaries of the area to be rezoned.

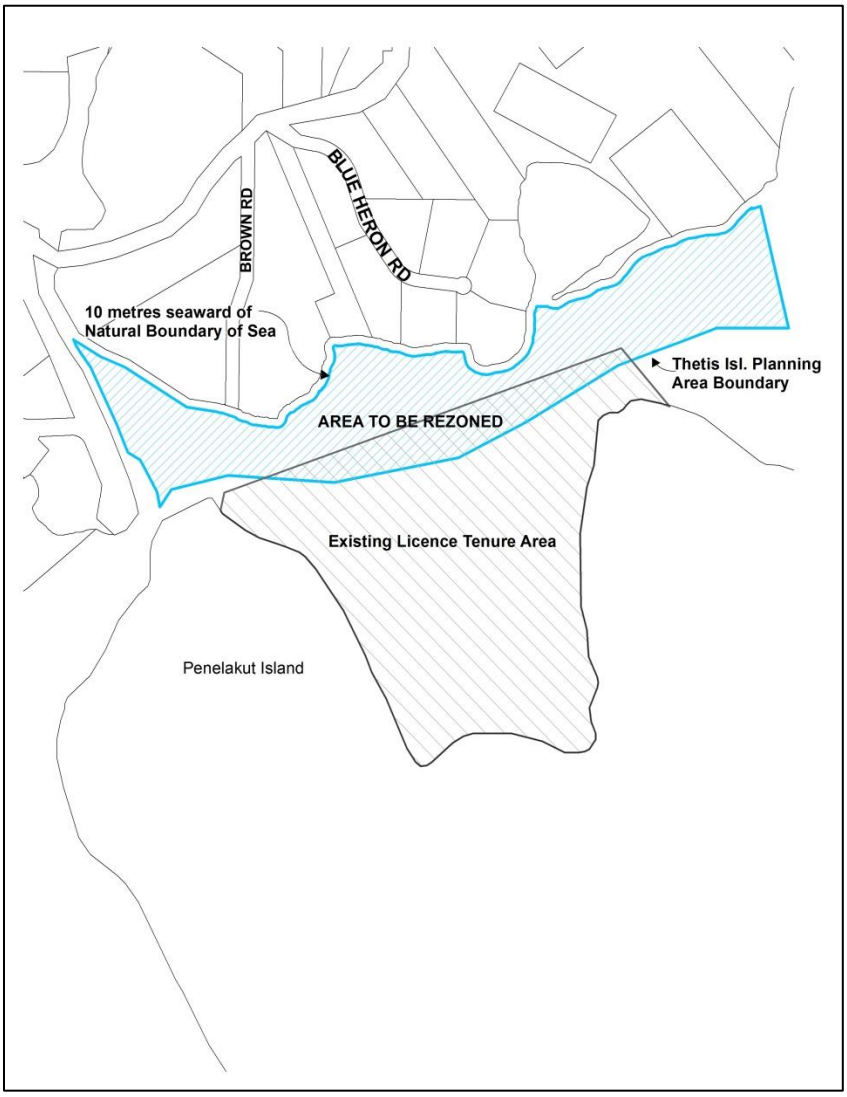
Other:

Existing License of Occupation along Penelakut Island

The majority of Penelakut Seafood Ltd.’s existing license of occupation for mariculture is located within the Thetis Local Trust Area, but outside of the Thetis Island planning area, and is therefore not subject to the Thetis Official Community Plan or the Land Use Bylaw. However, during staff’s review of this rezoning application, staff note that a small portion of the existing license is within the Thetis Island planning area (see figure below). Staff conclude that this small area wasn’t originally identified as being located within the Thetis Island planning area at the time (in the year 2002) that original Crown land referral was reviewed by staff, likely due to the fact that mapping at the time wasn’t as sophisticated as it is now. Staff suggest adding the small portion of the existing license of occupation to the subject area to be rezoned.

[1] Fifty metres is the recommended buffer from the BC Archaeology Branch to determine if there is a conflict with an identified archaeological site.

Figure 6: Existing Tenure within Thetis Planning Area



COMMUNITY INFORMATION MEETING:

Penelakut Seafoods Ltd. held a pre-application public meeting at Forbes Hall on February 16th. Twenty-three community members attended. The Regional Planning Manager for the Northern Office and the Island Planner for Thetis Local Trust Area also attended. Lorne James of Penelakut First Nation spoke on behalf of Penelakut Seafoods Ltd. He explained the proposal after which there was time for questions and answers. The table below summarizes the feedback provided and the applicant's response.

Table 1: Pre-rezoning Public Meeting Feedback and Applicant's Response

Community Feedback	Penelakut Response
Regarding use of beach/shoreline: Concerned about losing the ability to use their docks and floats. Concern community members won't be able to walk on or swim at the beach anymore, or that their dogs will get cut paws walking on the oyster shells.	Penelakut Seafoods will limit the extent of the tenure boundary to just the area that will be used for clam and oyster culture, rather than all the way to the high tide line (the high tide line was used as a boundary just for simplicity and they hadn't anticipated these concerns). The clams and oysters aren't actually grown right up to the high tide line, where the extent of the tenure is, so people will still be able to walk the higher part of the beach and nothing will change there. However, walking on lower part of the beach where the clams and oysters are cultivated <u>will</u> be limited, and it's true that people and dogs won't be able to walk on the clams or oysters.
Concerned that the "spit" of the Hollyberry strata property is shown as being part of the tenure but it's actually dry land and legally part of their strata.	They will look at their mapping to make sure the Hollyberry "spit" isn't part of the tenure.
Concern that Penelakut will switch the area to a geoduck lease.	Penelakut doesn't have any plans to switch to geoduck culture and doesn't think it's viable in this area.
Some concerns about an application for tenure in Clam Bay (Location: Unsurveyed Crown foreshore or land covered by water being part of the bed of Clam Bay, Cowichan District. Area is within the Thetis Island Local Trust Area, but currently unzoned so not subject to rezoning process)	This is a separate issue and not part of the upcoming rezoning.
Concern harvesters will be going to the bathroom on the beach.	Harvesters have a strict protocol they have to adhere to when on the beach and aren't allowed to go to the bathroom on the beach.

Following the public meeting, at the request of staff and the Thetis Local Trust Committee, Penelakut Seafoods Ltd. agreed to adjust the northern boundary of the license of occupation application, moving it 10 metres seaward to accommodate the community concern about access along the shoreline. Also, they adjusted the boundaries to ensure that the Hollyberry strata lands (i.e. a land spit separating the ocean from a tidal lagoon) are not included in the area of application. After staff consultation with the applicant and Front Counter BC land officers, the area of the proposed license of occupation is now consistent with the area to be rezoned.

Staff understands that the use of netting may have been mentioned at the public meeting as a part of the discussion around the use of the shoreline by residents, but the use of it generally speaking was not commented on. The bylaw amendment application did not include it as a part of the proposed activities. In recent discussions with the applicant, the applicant confirmed that indeed their proposal does include the use of netting to provide protection to the clam and oyster seeds from predation. While they will consider using oysters as another method of providing protection, they want to be able to use netting to protect their investment should the need arise.

STAFF COMMENTS:

The rezoning proposal is consistent with the Thetis OCP in the following ways:

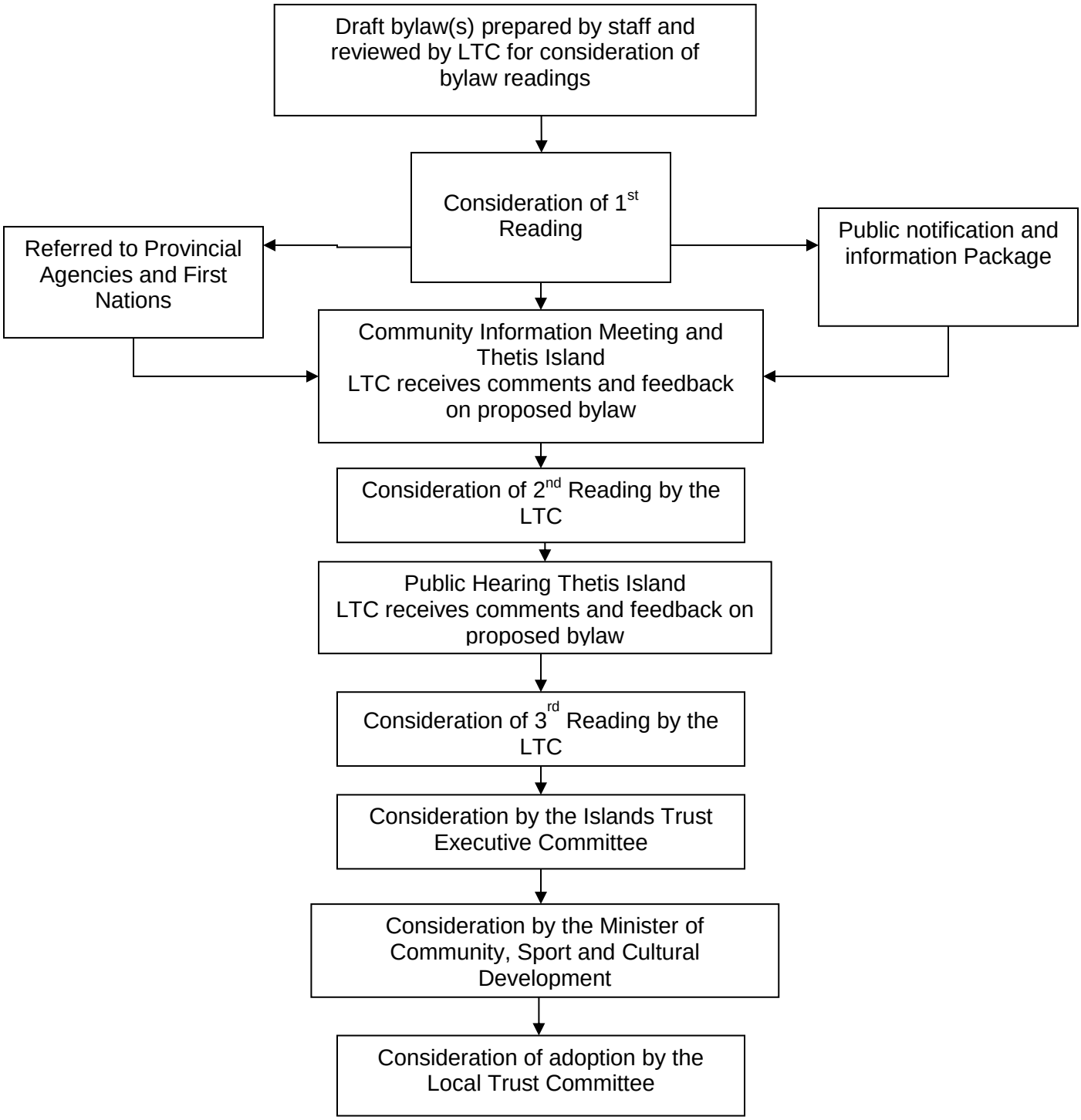
- *New Mariculture Proposals*
  Staff is bringing this application forward for LTC consideration, as the Thetis Island Official Community Plan indicates that new mariculture proposals will be considered through the rezoning process. In light of the concerns raised at the pre-application public meeting, no general concerns about the subject area being used for mariculture purposes were heard, only those related to recreational uses of the shoreline.
- *Adjacent Land and Recreational Uses/Public Access*
  In an effort to address residents' concerns about using the shoreline for recreational purposes that were raised at the pre-application public meeting held in February, the applicant has adjusted their license of occupation boundaries 10 metres seaward, which is reflected in their rezoning application.

The applicant proposes to use netting to protect portions of the area that will be seeded with clams/oysters, which is currently not allowed under the one zone that allows mariculture in the LUB, the W-5 zone, as per the definition of "bottom culture mariculture." Therefore, directly rezoning the subject area from W-4 to W-5 is not an option. Staff note that maricutlure netting can be a controversial issue, generating concerns with regard to potential environmental and visual impacts. As such, staff suggests that the Local Trust Committee consider the following options:

1. Should the Thetis Local Trust Committee consider the use of netting for the purposes of this application an insurmountable matter, that the application proceed no further.

2. Should the Thetis Local Trust Committee consider the use of netting for the purposes of this application a matter to be explored and considered, staff suggest that the subject area could be designated "Mariculture" under the OCP and rezoned from W-4 to a W-5 site specific zoning to allow netting as proposed. Staff consider this a reasonable approach in that it will provide another opportunity to bring forward information about the mariculture proposal generally and the use of netting, and to receive and discuss comments before moving further with the application.

The following is a breakdown of possible next steps and the required legislated process should the rezoning application proceed:



RECOMMENDATIONS:

That the Thetis Island Local Trust Committee:

1. Request staff to prepare amending bylaws to change the OCP designation to "Mariculture" and to rezone the unsurveyed foreshore being part of the bed of Clam Bay, commonly known as "the Cut", Penelakut Island as shown on "Figure 4: Subject Area to be Rezoned" of this staff report dated September 17, 2015 from 'W-4 Zone' to a 'W-5' site specific zone to "allow bottom culture mariculture," but with the addition of the use of netting as proposed.

Prepared and Submitted by:

Marnie Eggen	September 17, 2015
Marnie Eggen, A/Island Planner	Date

Concurred in by:

Ann Kjerulf	September 17, 2015
Ann Kjerulf, Regional Planning Manager	Date

Attachments:

1 Rezoning Application (Bylaw Amendment Application)

Islands Trust
www.islandstrust.bc.ca
Toll Free: 1-800-663-7867

Victoria Office
200 - 1627 Fort Street
Victoria, BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
North Pender, South Pender, Galiano, Mayne, Saturna, Executive

Salt Spring Office
1 – 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
Salt Spring

Northern Office
700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
Gambier, Lasqueti, Hornby, Denman, Gabriola, Thetis

Bylaw Amendment Application Form

For Official Community Plan, Land Use Bylaw, Zoning Bylaw, Subdivision Bylaw.
Rural Land Use Bylaw and Land Use Contract Amendments.

OFFICE USE ONLY

Application Fee: 4,400.00 Receipt No: 2820 File No: TH-RZ-2015.1

SECTION 1: DESCRIPTION OF PROPERTY
(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel _____ Plan _____ Block _____ District Lot/Section _____

Range _____ Other Description Clam Bay the cut

Street Address or General Location see Attached map

Jurisdiction and Folio Number ___ ___ _____ (From Property Assessment/Tax Notice)

Parcel Identifier (PID) ___ - ___ - ___ (From State of Title Certificate)

SECTION 2: OWNER INFORMATION
(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

(1)	(2)
Name: Penela Kut Seafoods (Loren Jones)	Name:
Street Address: Po Box 360	Street Address:
Town/Prov.: Chemainus, B.C.	Town/Prov.:
Postal Code: V0R 1K0	Postal Code:
Telephone: 250-246-2321	Telephone:
Fax: 250-246-2725	Fax:
Email: loren@penelakut.ca	Email:

SECTION 3: APPLICANT INFORMATION
(IF DIFFERENT FROM OWNER)

Name _____ Street Address _____ Town/Prov. _____

Postal Code _____ Telephone _____ Fax _____ Email _____

RECEIVED
MAR 11 2015
ISLAND TRUST
NORTHERN OFFICE

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

SECTION 4: Plan Designation or Zone changes:

Official Community Plan amendment requested (if applicable and be specific):

Change land use plan to Mariculture

Land Use Bylaw, Zoning, Subdivision or Rural Land Use Bylaw amendments requested (if applicable and be specific):

W4 to W5

Land Use Contract amendments requested (if applicable and be specific):

N/A

SECTION 5: Site Plans (if applicable):
Submit one (1) full-size copy and three (3) reduced (11X 17) copies of a detailed Site Plan that shows all the natural and developed features of the property, and the distances between these features and the lot lines. Show the location of any proposed buildings, structures and land clearing showing accurate dimensions of their size and the distances between the proposed developments and existing features, including lot lines. You may be required to submit an elevation showing the side views of the proposed development.

SECTION 6: Describe the current uses of the land and buildings on the property.

The current use of the land is used for harvesting manila clams through a depuration license on crown land issued by DFO. Penelakut Sea Foods is the current depuration license holder.

SECTION 7: Describe the proposed uses of the land and buildings and the proposed timing of the development or commencement of use.

Penelakut Sea Foods will continue to use the land for harvesting Manila clams. However, we need to make the land a tenure in order to farm the product. (place seed on Beach)

SECTION 8: Describe the current uses of land and buildings on adjacent properties. You may be required to submit a site plan showing existing features of adjacent properties.

The land adjacent to the property to the south is currently leased by Penelakut Sea Foods for shellfish aquaculture. The land adjacent to the north are individually owned by House owners above the high tide line.

SECTION 9: Describe the reasons in support of the bylaw amendment. Attach additional comments on a separate page. Submit any technical reports, studies or appraisals of the property and report on any community consultation you have undertaken.

The tenure in question is in our traditional territories & we have harvested in the area for years with a DFO issued licence.

SECTION 10: APPLICATION COMPLETION CHECKLIST:

- ☑ I have completed all sections of this application form
- ☑ I have included detailed site plans and elevation drawings as required in Section 5 of this application form
- ☐ I have included a recent State of Title Certificate (not more than 30 days old)
- ☐ I have included copies of all covenants registered against the title
- ☐ All owners listed on the title have signed the application
- ☐ I have included the correct fee (contact Staff for current fees)

IMPORTANT: Your application will not be considered complete unless it contains all of the information above.

A Note about Obtaining State of Title Certificate and Covenants: State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

SECTION 11: OWNER'S CONSENT AND AUTHORIZATION

(Signature of all registered owners is required.
For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

(1) _____ **Consent and Authorization Signature**

(2) _____ **Consent and Authorization Signature**

(1) 5-MAR-2015 **Date**

(2) March 5, 2015 **Date**

Contaminated Sites Regulation

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, **a site profile is not required and will not be accepted by the Islands Trust.** If you have any questions, please contact this office.

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 484 **Date:** August 4, 2015

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the early winter of 2015.

APPLICANTS NAME / ADDRESS:
Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:
To amend Salt Spring Island Land Use Bylaw No. 355 to introduce a 30.5 metre setback between septic fields and drinking water wells.

GENERAL LOCATION:
Salt Spring Island

LEGAL DESCRIPTION:
N/A

SIZE OF PROPERTY AFFECTED: N/A

ALR STATUS: N/A

OFFICIAL COMMUNITY PLAN DESIGNATION: Official Community Plan Bylaw No. 434

OTHER INFORMATION:
Bylaw No. 484 will apply to Salt Spring Island and Islands within the Salt Spring Island Local Trust Area covered under Land Use Bylaw No. 355. See attached staff report and bylaw for further information.

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Jason Youmans

Title: Planner II

This referral has been sent to the following agencies:

Federal Agencies

N/A

Regional Agencies
Capital Regional District
CRD Building Inspection
CRD Engineering Services
CVRD Building Inspection
Vancouver Island Health Authority

Provincial Agencies
Ministry of Community, Sport & Cultural Development
Ministry of Environment
Ministry of Health

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

PLEASE TURN OVER

Non-Agency Referrals

N/A

First Nations

Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	484
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

Islands Trust

Top Priorities

Thetis Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Associated Islands OCP and LUB Creation	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982, CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stz'uminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.	Sep-07-2011	Aleksandra Brzozowski	Nov-15-2014	On Going
2	Shoreline Protection	Serving as the Pilot Local Trust Area for the Green Shores for homes draft credit rating system.	Sep-07-2011	Aleksandra Brzozowski	Sep-01-2014	On Going
3	Riparian Areas Regulation Implementation	Ensure protection of freshwater ecosystems in the Ralston Creek watershed through review of current regulation and covenants, and possible bylaw amendment.	Sep-07-2011	Marnie Eggen	Nov-15-2014	On Going

Islands Trust

Projects

Thetis Island

No.	Description	Activity	Received/Initiated	Status
1	Protocol Agreement or Memorandum of Understanding with Penelakut First Nation	Sent letter to newly elected Chief and Council to see if they are interested in continuing the work on a protocol that was started with former Chief Lisa Shaver.	Feb-06-2009	On Going
1	Revise Protocol Agreement with Lyackson First Nation	As of August, 2010 draft with Lyackson for review by their community.	Feb-06-2009	On Going
1	Potential LUB amendments:	- short-term vacation rentals of principle dwellings in the R-2 zone - rainwater storage requirements	Sep-07-2011	On Going
1	Housekeeping Amendmends to LUB	4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)...	May-24-2012	On Going
1	Housekeeping amendments to the OCP	- objectives and policies re sea level rise (was resolution to include in draft but did not make it in to adopted OCP)	Oct-03-2012	On Going
1	Island-wide watershed protection	TBD	Nov-21-2012	On Going
1	OCP/LUB amendments to consider ocean loop geothermal exchange systems.		Apr-17-2013	On Going
1	Pilkey Point / Marina Drive Slough: Support for habitat restoration.		Nov-20-2013	On Going
1	Education and engagement re: sensitive ecosystems.	Environmental education and engagement efforts, in particular with owners on the Associated Islands, to explore ways to protect sensitive ecosystems in the Area.	Mar-19-2014	On Going
1	Explore regulatory measures to address impacts of wharf related structures.		Jul-23-2014	On Going

Applications w/ Status - Thetis Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2015.1	DANIEL GIESBRECHT	Feb-19-2015	Lot 7, Otter Bay Trail, Ruxton Island variance to allow for the side patio/deck structure to encroach up to 3.75 meters into the south side property line setback

Planner: Teresa Rittemann

Planning Status

Status Date: Aug-12-2015

Planner TR working with Legislative Services team to redact information in public correspondence so we have an appropriate version as public record. Complete. Gave to Planning Team Assistant to issue permit and close file.

Status Date: Aug-11-2015

Various public correspondence received between Aug 6 and 10. Some information required redaction. Thetis Island LTC resolved to issue the DVP at the Aug 11 LTC meeting.

Status Date: Mar-31-2015

Continue to await revised, detailed Site Plan from applicant/surveyor

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2015.2	Trincomali Holdings Ltd.	Sep-03-2015	204 PILKEY POINT RD Obtain approval to construct a retaining wall.

Planner: Gary Richardson

Planning Status

Status Date: Sep-15-2015

opened file, gave to planner, notified LTC, processed fees

Rezoning

File Number	Applicant Name	Date Received	Purpose

TH-RZ-2015.1	PENELAKUT SEAFOODS INC **Planner:** Marnie Eggen	Mar-11-2015	Rezoning to allow for mariculture in the marine area, south of Thetis Island.

Planning Status

Status Date: Jul-16-2015

Working with applicant towards amending LOC boundaries to be consistent with area to be rezoned.

Subdivision

File Number	Applicant Name	Date Received	Purpose
TH-SUB-1998.1	TRAX DEVELOPMENT LTD C/O WRIGHT FOCUS ENGINEERING LTD **Planner:** Marnie Eggen	Sep-25-1998	Phased Strata Subdivision 'Meadow Valley Propreties' phased strata to create 21 strata lots from 4 parent parcels

Planning Status

Status Date: Jul-15-2015

MOTI issued 1 yr. extension.

Status Date: Jan-29-2015

Response provided to MOTI regarding application to phase subdivision (no concerns from Islands Trust on issue of timing)

Status Date: Sep-05-2014

Report sent to LTC reviewing Assessment and recommending next steps

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2014.1	J.E. Anderson & Associates **Planner:** Marnie Eggen	Jun-23-2014	Ruxton Island to create 2 parcels from 3 existing lots

Planning Status

Status Date: Aug-11-2014

Sub not permitted; applicant request put on hold

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2014.2	GW Lindberg Land Surveying **Planner:** Marnie Eggen	Nov-25-2014	To established strata lots

Planning Status

Status Date: Jan-29-2015

Sent referral to MOTI

Status Date: Nov-28-2014

Reviewed File

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2015.1	Polaris Land Surveying Inc. **Planner:** Marnie Eggen	Aug-19-2015	PID:007-818-459 The proposed subdivision will create 2 parcels (including remainders) and the intended use of the land and/or buildings and structure is residential.

Planning Status

Status Date: Sep-03-2015

Planner reviewing. In unzoned area, Local Services Act (4.047 ha min lot size) prevents proposed Strata subdivision. Awaiting direction from applicant.

Islands Trust

LTC EXP SUMMARY REPORT F2016

Invoices posted to Month ending August 2015

670 Thetis	Invoices posted to Month ending August 2015	Budget	Spent	Balance
65000-670	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	292.39	707.61
65210-670	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-670	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-670	LTC - Local Exp - Special Projects	750.00	656.25	93.75
TOTAL LTC Local Expense		2,550.00	948.64	1,601.36
Projects				
73001-670-3008	Thetis RAR	1,500.00	0.00	1,500.00
73001-670-4033	Thetis Foreshore Protection	5,000.00	5,000.00	0.00
TOTAL Project Expenses		6,500.00	5,000.00	1,500.00

Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality
August 2015

Wallace Point Covenant signed – North Pender Island
A covenant has been signed to protect over 50% of a property at Wallace Point, the southernmost point of North Pender Island at the mouth of Bedwell Harbour. The 1.63 hectare covenanted area encompasses several distinct ecosystems and includes two wildlife trees, one of which has an active Bald Eagle nest. Dense bull kelp beds grow near the shoreline and there is a Rockfish Conservation Area offshore north and east of this property.

Meeting with Qualicum First Nation - Lasqueti Crown Land acquisition
Trust Fund Board representatives enjoyed a cordial lunch with the chief and councillors of the Qualicum First Nation followed by initial discussions about the possible acquisition of Crown land on Lasqueti for protection. The Trust Fund Board plans to host Qualicum representatives in the fall for a visit to Lasqueti to look at the land and other areas of significance to the Qualicum people.

Fairyslipper Forest Nature Reserve – Thetis Island land acquisition project
Islands Trust Fund is continuing to support its partners, Thetis Island Nature Conservancy and Cowichan Community Land Trust, as the project to protect Fairyslipper Forest moves into a new phase. So far, $180K has been raised – over one third of the $560k required to acquire a property on Lower Burchell Hill as Thetis Island's first nature reserve. Visit the Islands Trust Fund website to watch the video that has been created to encourage donations. www.IslandsTrustFund.bc.ca/Fairyslipper

Realtor Outreach – Pender Islands
Islands Trust Fund staff, in collaboration with the Pender Islands Conservancy Association (PICA), organized a land conservation outreach event for real estate and other professionals involved with selling properties on North and South Pender Islands. The event was well received by participants who commented that they felt much more knowledgeable about conservation covenants. Similar events will be considered for other islands. Local trustees will be contacted early in the planning process.

Grace Islet – Salt Spring Island
Islands Trust Fund is in touch with the Nature Conservancy of Canada with respect to a possible role in the ongoing protection and stewardship of Grace Islet.

Trespass at Mount Trematon Nature Reserve– Lasqueti Island
Islands Trust Fund has acted quickly to address a trespass at Mount Trematon Nature Reserve on Lasqueti Island. We are fortunate that such incidents are a rare occurrence but we are prepared to take appropriate action when they do happen.

Coastal Douglas-fir Conservation Strategy – Islands Trust Fund as an example
The Islands Trust Fund is providing a local government scenario for pursuing the Conservation Strategy of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP). Islands Trust Fund is an active member of this partnership which includes provincial agencies, NGOs, academics, and local governments. More information about the CDFCP Conservation Strategy will be included in September's Trust Council package.