



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: September 17, 2014
Time: 9:15 am
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

	Pages
1. CALL TO ORDER	9:15 AM - 9:15 AM
2. APPROVAL OF AGENDA	
2.1 Additions and Deletions	
2.2 Questions from the Public on Agenda Items	
3. TOWN HALL SESSION	
4. MINUTES	
4.1 Local Trust Committee Meeting Minutes dated July 23, 2014 - for adoption	4 - 16
4.2 Local Trust Committee Special Meeting Minutes dated August 27, 2014 - for adoption	17 - 19
4.3 Local Trust Committee Public Hearing Record dated August 27, 2014 - for receipt	20 - 22
4.4 Section 26 Resolutions Without Meeting Log dated September 8, 2014 - for information	23 - 23
4.5 Advisory Planning Commission Meeting Minutes - none	
4.6 Ruxton Island Advisory Planning Commission Meeting Minutes - none	
5. BUSINESS ARISING FROM MINUTES	
5.1 Follow-up Action List dated September 8, 2014 - attached	24 - 24
5.2 Bute Island and Dunsmuir Island Consultation Process - verbal update	
5.3 Advisory Planning Commission Bylaw Amendment Update	
5.3.1 Staff Report dated August 26, 2014 - attached	25 - 29

6. DELEGATIONS

7. CORRESPONDENCE

Correspondence specific to an active development application and/or project will be received by the Thetis Island Local Trust Committee when that application and/or project is on the agenda for consideration.

8. APPLICATIONS AND PERMITS

8.1 TH-DVP-2014.1 (Inter-Varsity Ministries Foundation - Pioneer Pacific Camp)

8.1.1	Staff Report dated September 3, 2014 - attached	30 - 50
-------	---	---------

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Associated Islands Official Community Plan and Land Use Bylaw

9.1.1	Staff Report dated September 2, 2014 - attached	51 - 169
-------	---	----------

9.2 Shoreline Protection

9.2.1	Memorandum dated September 7, 2014 - attached	170 - 272
-------	---	-----------

10. REPORTS

10.1 Work Program Reports

10.1.1	Top Priorities Report and Projects List dated September 8, 2014 – attached	
--------	--	--

10.2 Applications Log

10.2.1	Report dated September 8, 2014 – attached	273 - 274
--------	---	-----------

10.3 Trustee and Local Expenses

10.3.1	Expenses posted to end of July, 2014 - attached	275 - 275
--------	---	-----------

10.3.2	Expenses posted to end of August, 2014 - attached	276 - 276
--------	---	-----------

10.4 Chair's Report

10.5 Trustees' Report

10.6 Advisory Planning Commission Report

11. NEW BUSINESS

11.1	Salt Spring Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw No. 480 - attached	277 - 279
------	--	-----------

11.2 2015-16 Budget Submissions

11.2.1 Memorandum dated August 18, 2014 -
attached

280 - 286

12. BYLAWS

- 12.1 Draft Bylaw No. 95 cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2012", Amendment No. 1, 2014" - for consideration of first, second and third readings and submission to Executive Committee for approval
- 12.2 Proposed Bylaw No. 93 cited as "Thetis Associated Islands Official Community Plan Bylaw, 2014" - for consideration of third reading and submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval
- 12.3 Proposed Bylaw No. 94 cited as "Thetis Associated Islands Land Use Bylaw, 2014" - for consideration of third reading and submission to Executive Committee for approval

13. ISLANDS TRUST WEBSITE

- 13.1 Thetis Pages - for discussion

14. CLOSED MEETING

The Thetis Island Local Trust Committee closes the next part of the September 17, 2014 business meeting to discuss matters pursuant to Section 90(1)(d) of the Community Charter to consider adoption of Closed Meeting Minutes and that Staff be invited to attend this meeting.

15. RECALL TO ORDER

Rise and Report from Closed Meeting

16. TOWN HALL SESSION

(10 Minutes - Time Permitting)

17. NEXT MEETING DATE

- 17.1 Wednesday, November 19, 2014 at 9:15 am at at Thetis Island Community Centre (Forbes Hall Library) North Cove Road, Thetis Island, BC

18. ADJOURNMENT



Thetis Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Wednesday, July 23, 2014
Location: Thetis Island Community Centre, Forbes Hall Hunter Room (Library)
292 North Cove Road, Thetis Island, BC

Members Present: Ken Hancock, Chair
Peter Luckham, Local Trustee
Sue French, Local Trustee

Staff Present: Aleksandra Brzozowski, Planner
Jessie Sherk, Recorder

Media and Others Present: Four (4) members of the public were in attendance

1. CALL TO ORDER

Chair Hancock called the meeting to order at 9:26 am. Staff and trustees were introduced and the public was welcomed. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

2.1 Additions and Deletions

The following additions to the agenda were presented for consideration:

- **Trustees received late correspondence in the form of emails from Barrie Bradshaw, Kim Madsen, Ian Berry, and Kevin Tisshaw with regard to Reid Island.**
- **New Business – 11.3 Thetis Island Music Festival**

By general consent the agenda was approved, as amended.

2.2 Questions from the Public on Agenda Items

No questions from the public.

3. TOWN HALL SESSION

Ernie updated the Local Trust Committee (LTC) on the results of the shoreline workshop from a community level. Planner Brzozowski and the trustees all agreed that it was successful. The feedback from residents was discussed. It was also noted that the Cowichan Valley Regional District has signed on to the BC Pilot project as a result of the connections made at the workshop.

Ernie then discussed the music festival / rave that was rumored to be happening on Thetis Island. He stated that he has heard that the organizers have bailed on the idea. It was noted that the Facebook page advertising the music festival is still online and no cancellation has been noted.

4. MINUTES

4.1 Local Trust Committee Meeting Minutes of June 4, 2014

The following corrections to the agenda were presented for consideration:

- Page 4 - change "Chemainus First Nations" to "Stz'uminus Nation"
- Page 8 - delete entire 3rd paragraph in 11.8 Dock
- Page 7 - delete second paragraph in 11.7 and replace with "Trustee Luckham spoke regarding his concerns of the impact of logging on Valdez and spoke to the need to engage all parties in dialogue regarding all parties interests."
- Page 8 – delete last sentence of 11.7.1
- Page 8 – In the first sentence of 11.8 delete the word "aerial" and replace with "shoreline".

By general consent the minutes were adopted, as amended.

4.2 Section 26 Resolutions Without Meeting - None

4.3 Advisory Planning Commission Meeting Minutes – None

4.4 Ruxton Island Advisory Planning Commission Minutes – None

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List dated July 14, 2014

The Follow-up Action List was reviewed and discussed. Planner Brzozowski gave an update on the Woodlot license plan. The Lyackson Nation has put the plan on hold, and will notify the LTC when the plan is ready to be advertised.

It was noted that there was some confusion regarding the Advisory Planning Commission members. Planner Brzozowski and Chair Hancock will follow up on Steve Frankel's email to Chair Hancock.

6. **DELEGATIONS - None**

7. **CORRESPONDENCE**

Emails received.

8. **APPLICATIONS AND PERMITS**

9. **LOCAL TRUST COMMITTEE PROJECTS**

9.1 **Associated Islands Official Community Plan and Land Use Bylaw**

9.1.1 Staff Report dated July 7, 2014

Planner Brzozowski summarized the staff report. Planner Brzozowski and Trustees discussed the staff report at great length. The Reid Islanders in attendance also commented on the suggestions and gave explanations to their proposals when necessary. Using the attached compilation of suggestions, the LTC reviewed each suggested bylaw change and passed the below resolutions.

TH-2014-051

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee remove Bute and Dunsmuir Islands from the areas of application in Proposed Bylaw Numbers 93 and 94.

CARRIED

TH-2014-052

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee change the W2 zoning around Hudson Island to W1 on Schedule C of Proposed Bylaw 94.

CARRIED

TH-2014-053

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw 94 to add at the end of 3.3 (4) "notwithstanding the use of a vessel as a residence during dwelling construction on an upland lot".

CARRIED

TH-2014-054

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaws Numbers 93 and 94 to add site specific zoning to R2 zoning on North Reid Island to allow 1 primary dwelling with a maximum of 2700 square feet and 2 cottages with a maximum of 900 square feet each.

CARRIED

Trustees thanked the Reid Islanders for their input.

BREAK – 11:30am – 11:40

Discussion resumed after the break.

TH-2014-055

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw No. 94 by changing Section 5.1 (3) to lower the maximum lot coverage from 25% to 15% and add a site-specific regulation R2(a), lowering the maximum lot coverage for the North Reid area from 25% to 12%.

CARRIED

TH-2014-056

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add a statement at the outset of the Official Community Plan regarding considerations made in the plan and planning process acknowledging First Nations interest for the area.

CARRIED

TH-2014-057

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw 94 in Section 5.2 to create a site-specific regulation for only the R2 lots on North Reid Island, setting the maximum number of dwelling units to 2 within 30 metres from the setback from the sea.

CARRIED

TH-2014-058

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add the suggested changes to Section 12 of Proposed Official Community Plan Bylaw No. 93 as presented in Attachment Number 2 of the Staff Report dated July 23, 2014.

CARRIED

TH-2014-059

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee insert an additional sentence to the information note in the W5 (Marine Aquaculture) Zoning in Section 5.13 of Proposed Bylaw No. 94 as follows: "The Department of Fisheries and Oceans manages aquaculture in British Columbia under the authority of the Fisheries Act and the regulations made there under, particularly the Pacific Aquaculture Regulations."

CARRIED

TH-2014-060

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add to Official Community Plan Bylaw No. 93 Section 5 Marine Policies, a new 5.3.3. "Property owners are encouraged to place mooring buoys such that they do not impede clear access to public landing areas."

CARRIED

TH-2014-061

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee insert definitions for "abandoned" and "derelict" to the Proposed Land Use Bylaw No. 94.

CARRIED

TH-2014-062

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee insert the additional wording to Section 6 of Bylaw No 93 as presented in Attachment No 2 of the staff report dated July 23, 2014.

CARRIED

TH-2014-063

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee insert the additional wording to section 5.7 of Proposed Bylaw No. 94 specifically 5.7 (1) by adding (c) Ecosystem restoration and enhancement and 5.7 (2) in (a) add the word "benches," following "fences," and in (c) adding the words "regulatory, and directional" following "informational".

CARRIED

TH-2014-064

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee increase the maximum floor area in the R4 Zoning article 5.4 (7) of Proposed Bylaw No. 94 to 140 square metres.

CARRIED

TH-2014-065

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee change the setback for R5 zoning in Proposed bylaw No 94 section 5.5 (4) to read: "The minimum setback for any building or structure in the R5 zone is 15.25 metres from side lines excluding those abutting lot 11".

CARRIED

TH-2014-066

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend section 5.8 (3) Private Conservation of Proposed Bylaw No. 94 to increase the setback from all lot lines to 5 metres.

CARRIED

Discussion regarding watercourses including streams on Ruxton Island ensued. Planner Brzozowski summarized the request from a Ruxton Island community member. It was decided that no changes were required.

TH-2014-067

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee adopt the amendments to Proposed Bylaw No. 94 in Sections 3.1, 3.3, 3.1 (11) and Section 7 as presented in Appendix 2 of the staff report dated July 23, 2014.

CARRIED

TH-2014-068

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee include an advocacy statement in Section 10 of Bylaw No. 93 that reads "10.4 Property owners are encourage to collect rainwater as an alternative to extracting groundwater" and 10.3.1 be deleted and replaced with "The BC Ministry of Forests, Lands and Natural Resource Operations and Island Health are encouraged to ensure that their policies, legislations and studies are designed to protect the quality and quantity of existing groundwater resources for current and future users."

CARRIED

TH-2014-069

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee change 10.3.3 in Proposed Bylaw No. 93 to reflect current procedures by adding under (a) the word "allow" in front of "waste water treatment" and under (d) the word "continue" before "to detect".

CARRIED

TH-2014-070

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee include in Policy Section 10 in Bylaw No. 93 a new item 10.5 "Well owners and operators are encourage to ensure their pumping does not cause or exacerbate saltwater intrusion in freshwater resources, particularly those in coastal bedrock aquifers" and in Section 1.3 of Bylaw No. 93 a statement recognizing the bedrock aquifer in a coastal environment as a particularly vulnerable environment to saltwater intrusion into the freshwater resources.

CARRIED

TH-2014-071

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add a policy to section 4.2 of Proposed Bylaw No. 93, 4.2.7 "The LTC should in its bylaw provisions and in conserving applications, consider the cumulative effects of existing and proposed development on sensitive ecosystems and groundwater supplies.

CARRIED

Break 12:48 – 1:05pm

TH-2014-072

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw No. 93 section 5.3.1 by adding the words "as managed through its Navigation Protection Program" and an information note be added that reads as follows: "The Navigation Protection Program (NPP) manages obstructions in navigable waters including Private Buoys on all navigable waters, as defined under the Canada Shipping Act, 2001 – Private Buoy Regulations."

CARRIED

Trustees discussed aquaculture structures, size of accessory docks and water access to properties on Ruxton Island. No changes were required.

TH-2014-073

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend 11.3.2 of Proposed Bylaw No. 93 to reflect current regulation by adding an information note that reads as follows: "The Open Burning Smoke Control Regulation prohibits the burning of refuse."

CARRIED

TH-2014-074

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw No. 94 Section 3.6 (5) by adding the words “on Sundays and between the hours of 18h00 and 8h00 on all other days.”

CARRIED

TH-2014-075

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee remove the “\$10,000” specifics from Section 2.5 (1) of Proposed Bylaw No. 94

CARRIED

Discussion regarding outhouses on Ruxton Island ensued. Planner Brzozowski explained that outhouses are already included in the bylaw as a sewage disposal facility, which is allowed in all zones.

TH-2014-076

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend proposed Bylaw 94 section 3.1 (11) by adding after facilities “ including outhouses”.

CARRIED

Discussion then ensued regarding further possible changes to the Official Community Plan.

TH-2014-077

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee make the following changes to page 3 of Proposed Bylaw No. 93:

- o In the second paragraph, the word “late” be added in front of “1920s”
- o In the second paragraph, the words “the notorious” be replaced by “Edward Arthur Wilson, also known as”
- o In the third paragraph, “Chinese” be replaced with “Japanese” in both places.

CARRIED

TH-2014-078

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Page 1 of Proposed Official Community Plan Bylaw No. 93 in section 1.2 by removing Bute and Dunsmuir Islands and on page 2, a new paragraph be entered explaining the rationale for Bute and Dunsmuir Island not being included in the Official Community Plan at this time.

CARRIED

TH-2014-079

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend section 6.2.1 of Proposed Bylaw No. 93 by adding after parkland dedication, "nature reserve".

CARRIED

TH-2014-080

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend section 7.3.2 of Proposed Bylaw No 93 by adding the words "and carbon sequestration" to the end of the section.

CARRIED

TH-2014-081

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend Proposed Bylaw No. 93, Schedule C: Land Use Designation Maps A & B by adding Whaleboat and Tree Islands to the title.

CARRIED

TH-2014-082

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee amend the title page of Proposed Land Use Bylaw No 94 by adding "Whaleboat" after the word "and".

CARRIED

TH-2014-083

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee give second reading to Proposed Bylaw No 93 cited as the "Thetis Associated Islands Official Community Plan Bylaw 2014, as amended.

CARRIED

TH-2014-084

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee give second reading to Proposed Bylaw No 94 cited as the Thetis Associated Islands Land Use Bylaw 2014, as amended.

CARRIED

Discussion ensued regarding possible dates and locations for a Community Information Meeting and Public Hearing regarding Bylaw Numbers 93 and 94.

TH-2014-085

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee direct staff to schedule a Community Information Meeting and Public Hearing on August 27, 2014 to be held in Chemainus.

CARRIED

TH-2014-086

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to post the new revised versions of the bylaws to the Thetis webpage of the Islands Trust website.

CARRIED

9.2 Shoreline Protection – for discussion

9.2.1 Memorandum dated July 14, 2014

Received. Planner Brzozowski updated the LTC on the work Kris Nichols completed prior to leaving on secondment, as well as an update on the Stewardship Centre for BC's Green Shores BC Pilot program.

Trustees noted how the Cowichan Valley Regional District's recent addition to participate in the BC Pilot Project was a direct result of the Green Shores Scenarios workshop held on Thetis Island. It was acknowledged that bringing the local and expert knowledge together was great incentive for the community. The trustees expressed their thanks to Ernie Hunter and Ian Ralston serving as local champions for the work of the Islands Trust. Trustees also thanked Planner Brzozowski for her hard work.

The invitation to the Green Shores Verifier Training in San Juan County in September was discussed. The Local Trust Committee decided not to send a Thetis participant at this time, and instead looks forward to hearing back from Staff who will attend the training.

10. REPORTS

10.1 Work Program Reports

10.1.1 Top Priorities and Projects Report dated July 14, 2014

The Top Priorities and Projects Report was reviewed and discussed.

TH-2014-087

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee add the following items to the project list:

- Memorandum of Understanding with the Stz'uminus Nation.
- Wharf related structures.

CARRIED

It was flagged that staff should allow time for a review of the Local Trust Committee Project list on the next meetings agenda.

10.2 Applications Log

10.2.1 Report dated July 14, 2014

The report was reviewed and discussed.

10.3 Trustee and Local Expenses

10.3.1 Expenses posted to end of June 2014

Received. A mistake was noted with the expenses. Planner Brzozowski stated that she would follow up with the Finance Officer.

10.4 Chair's Report

Chair Hancock reported that things are getting busy at the Executive Committee level and that they are sending bylaws for approval. He noted that they are already planning September Council as well as working on orientation for incoming trustees post election. In closing, he stated that he always looks forward to his time on Thetis Island.

10.5 Trustees' Report

Trustee French reported on the Green Shores Scenarios Workshop stating that it was a success and a pleasure to host on Thetis Island. She stated that a lot of good information and ideas were shared and put into practice.

Trustee Luckham reported that he is planning on attending the August 3, 2014 Ruxton Island Annual Summer Meeting as a guest. He also noted that he received correspondence from a contractor who is planning on clearing the lot next to the pub. He stated that he is open to suggestions on what to do to address this situation, as clearing the property is likely not the best option for the property's ecosystem. Planner Brzozowski stated she would identify the new owners and arrange to send them a copy of "A Place in the Islands" as well as the current brochures on stewardship.

10.6 Advisory Planning Commission Report – none

11. NEW BUSINESS

11.1 Gabriola Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw nos. 274 and 275

11.2 Gabriola Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw No. 276

TH-2014-088

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee finds its interest unaffected by Proposed Bylaws 274, 275 and 276

CARRIED

11.3 Thetis Island Rave – for discussion

It was noted that there is no indication online that the rave/music fest has been cancelled. Discussion ensued. Trustees spoke about community concerns around the rave.

12. BYLAWS

13. Islands Trust Website

13.1 Thetis Pages

No further updates.

14. Town Hall Discussion

15. NEXT MEETING:

The next meeting of the Thetis Island LTC will be held on Wednesday, September 17, 2014 at 9:15 am at Thetis Island Community Centre (Forbes Hall Library) North Cove Road, Thetis Island, BC.

16. ADJOURNMENT

TH-2014-036

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee adjourn the meeting.

CARRIED

The meeting was adjourned at 2:30 pm

Ken Hancock, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder



**Thetis Island Local Trust Committee
Minutes of a Special Business Meeting
Community Information Meeting
Regarding
Proposed Bylaw No. 93 and 94**

DATE OF MEETING:	August 27, 2014
LOCATION OF MEETING:	Cheamainus Legion 9775 Chemainus Rd, Chemainus, BC
MEMBERS PRESENT:	Ken Hancock, Chair Peter Luckham, Local Trustee Sue French, Local Trustee
STAFF PRESENT:	Aleksandra Brzozowski, Planner Lisa Webster-Gibson, Planning Clerk Jessie Sherk, Recorder
MEDIA AND OTHERS PRESENT:	Approximately (10) members of the public were in attendance

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:08pm. He introduced everyone and recognized that the meeting was being held in the traditional territory of the Coast Salish First Nations.

**2. PRESENTATION: PROPOSED BYLAWS 93 AND 94:
NEW OFFICIAL COMMUNITY PLAN AND NEW LAND USE BYLAW FOR THETIS
ASSOCIATED ISLANDS – DAYMAN, HUDSON, PYLADES, REID, RUXTON, SCOTT,
TREE AND WHALEBOAT ISLANDS**

Planner Brzozowski gave her presentation. She gave an overview of the planning process, legislative process and timeline. She explained that there has never been an Official Community Plan for these islands as well as how the Islands Trust Act and Islands Trust Policy Statement fit into everything.

Using visual aids, Planner Brzozowski explained all components in the Official Community Plan and then moved on to the Land Use Bylaw. She explained any notable Land Use Bylaw revisions since November of 2013 and any anticipate revisions. She informed those in attendance that the public hearing binder was available for viewing.

3. PUBLICS COMMENTS AND QUESTIONSS

THLTC MINUTES

Community Information Meeting
April 27, 2014

DRAFT

1

The following questions and answers were discussed:

- What is the difference between the W1 and W2 zoning?
 - o One allows docks and one does not.
- In regards to the advocacy statement in Bylaw 93 regarding Transport Canada monitoring buoys, why is this an advocacy statement? What is the intent?
 - o After some research it was found that Transport Canada has a program that would address the overcrowding problem. Transport Canada does have the jurisdiction already whether they choose to do anything or not. It is good to have a relationship with them. It is not the intention that any buoys will be managed or pulled.
- Do the proposed bylaws permit the maintenance and repair of non-conforming structures?
 - o Legal non-conforming structures can be maintained as long as they do not further contravene the new bylaw. The onus of proof is on the applicant to prove how old the structure is.
- Can two neighbors purchase the lot between them and split the lot?
 - o Planner Brzowski stated that that could be allowed as long as fewer lots were being created.
- Regarding mooring buoys on the adjacent upland lot it was asked where the positioning for that buoy would be?
 - o There is no direction or restriction about that.
- Does Islands Trust have a legislative obligation to consider public safety in its decisions? This question was asked in reference to access to properties.
 - o What is required is the ability to access a property from the water on foot. The shaping of what is safe and what is unsafe is not something that Islands Trust is required to make a decision on. Safety would be up to the property owner and community. Planner Brzowski noted that although there may no legal obligation, it does not mean that Islands Trust does not have an interest in safety.
- Why does Ruxton prohibit docks yet all the other associated islands permit docks of some type?
 - o Planner Brzowski stated that through this process she has done her best to meet the requirements of the policy statement while also taking into consideration the comments from the islander. The decision they came to, based on input from the community, was to not have docks in water zone 3. The opportunity still exists for Ruxton property owners to apply for rezoning to allow private docks or community docks.
- What is the cost of rezoning and what is involved?
 - o The cost is around \$4000 for the rezoning application and it would take a fair bit of time.
- Why does it have to be individual rezoning? Why can it not be a blanket rezone?
 - o There was a dock study completed to see if there were any clear spots that could accommodate a dock and the study came up inconclusive. Having site-specific rezoning allows everyone the chance to review that as an option.
- Regarding the setbacks from the sea, why does it not make sense to utilize the best part of the property on a small lot and allow a 5-meter setback?

- o The setback from the sea regulation stems from siting from the shoreline and does not take into account how big or small the property may be.

7. ADJOURNMENT

The Community Information Meeting was declared closed at 2:06pm



**Thetis and Associated Islands
Local Trust Committee
Public Hearing Record**

Date of Meeting: Wednesday, August 27, 2014

Location: Chemainus Legion
Chemainus 9775 Chemainus Rd, Chemainus, BC

Members Present: Ken Hancock, Chair
Peter Luckham, Local Trustee
Sue French, Local Trustee

Staff Present: Aleksandra Brzozowski, Island Planner
Lisa Webster-Gibson, Legislative Clerk
Jessie Sherk, Recorder

Media and Others Present: Ten (10) members of the public were in attendance.

1. CALL TO ORDER

Chair Hancock called the public hearing to order at 2:15pm

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Hancock read a formal opening statement. It explained that the public would be given a reasonable opportunity to be heard. He explained that this was the last opportunity for the Local Trust Committee to receive submissions.

3. REVIEW OF PUBLIC HEARING NOTICE

Planning Clerk Webster-Gibson reviewed the public hearing notice. She listed each of the proposed bylaws and explained their purpose. Planner Brzozowski then went over the agency referrals and stated that the Local Trust Committee had also considered those comments.

5.1 BYLAW NOS. 93 AND 94 – SUBMISSIONS

Olaf Knezevic, 2949 West 45th Ave, Vancouver

It was noted that Mr. Knezevic had already sent his submission to the Trustees. Mr. Knezevic summarized his submission stated that he believes that if this draft is implemented, it would demonstrate a failure of the Trust to adequately address safety. He stated that he feels that the draft does not reflect reality and it fails to resolve the continuing issues on Ruxton with the existing regulations. Instead, the bylaw threatens

the community with unwanted regulation addressing things that are not a problem and if islanders were to comply it would create an environmental nightmare on that island. The draft bylaws strip private property rights. He asked that the Trustees not pass these bylaws without major amendments including amendments to the setback from the sea.

Dennis Rutherford, 3623 Reynolds Rd, Nanaimo

Mr. Rutherford thanked the Trustees, Planners and staff and also noted that he had provided a written submission. Further to that he suggested that the advocacy statement that mentions Transport Canada in Bylaw 93, 5.3.1 be changed or words added so that it does not sound like a request for Transport Canada to come in and do something. He also noted that in Bylaw 93, Section 1.7 and 6.28, the wording "enhancement of the natural environment" is a concern to him as it implies that human interference will not allow nature to take its course. He encouraged the Trust Committee to remove that wording.

Larry Ross, Victoria

Mr. Ross stated that any way to limit the number of waterfront lots would be good for the island.

Chair Hancock called a second time for anyone that wanted to make a statement for the record.

Ab Barrie, #103 550 Blue Girl Way, Nanaimo

Mr. Barrie noted that he had concerns with regulations. He felt that in order to meet all BC Building Code regulations, they would in fact be clearing out lots to an excessive situation. He stated that the temperature is affected when trees are removed. He noted that people should be encouraged to collect rainwater as the island only has one good community well. He also stated that an issue that is not addressed at all is how community members could get some funds back from their taxes from a system of sustainability. He noted that the biggest concern in the summer is fire. The island needs equipment and training. He recognized that the government does provide courses but it is not cheap for people to go to Salt Spring Island to participate in them. In closing, he stated that if they start expanding roads and septic fields, they will do more harm to the island.

Chair Hancock called a third time for people making a statement for the record.

Olaf Knezevic, 2949 West 45th Ave, Vancouver

Mr. Knezevic stated that he does not agree that floats for swimming and dinghy's should not be permitted. He stated that the floats help with the loading and unloading of boats and are also very enjoyable for the children.

Chair Luckham gave a final call for people to make a statement.

Dan Geisbrecht, Suite 212, 3994 Shelbourne St, Victoria

Mr. Geisbrecht stated that he agrees with Mr. Knezevic regarding the floats. He also noted that he is concerned with the setbacks in relation to windmills. This may cause someone to have to top or remove trees in order to maximize winds. He suggested that they might want to consider allowing the placement of the windmills to be outside of the regular 10-meter setback. He also noted that windmills can be very noisy and higher quality windmills should be encouraged.

6. CLOSURE

Chair Hancock declared the Public Hearing closed at 2:42pm.

TH-2014-090

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee close the public hearing.

CARRIED

Ken Hancock, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder

RWM From: December 16, 2013 To: September 08, 2014

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2014-01	In Favour	"That the Thetis Island Local Trust committee write a letter of support for the Thetis Island Nature Conservancy to Mountain Equipment Co-op (MEC) as attached and signed by the chair for the Thetis Island Nature Conservancy to use in its funding proposal to MEC for September the 5th, 2014."	Sep 03, 2014



Follow Up Action Report w/ Target Date

Thetis Island Mar-19-2014

No.	Activity	Responsibility	Target Date	Status
1	Amend APC admin bylaw to eliminate 1-year terms to 2-year terms for all members.	Aleksandra Brzozowski Lisa Webster-Gibson	Jul-09-2014	Done

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

Jul-23-2014

No.	Activity	Responsibility	Target Date	Status
1	Assemble information materials on sensitive ecosystems, sustainable development, as well as the Place in the Islands book for new property owner on Thetis.	Aleksandra Brzozowski	Aug-20-2014	Done

STAFF REPORT

Date: August 26, 2014

File No.: 3050-20-05 (Thetis)

To: Thetis Island Local Trust Committee
For meeting of September 17, 2014

From: Lisa Webster-Gibson, Legislative Clerk

CC: Aleksandra Brzozowski, Island Planner
Becky McErlean, Planning Team Assistant

Re: Thetis Island Advisory Planning Commission Appointments and Terms

BACKGROUND:

During the March 19, 2014 Regular Business Meeting of the Local Trust Committee (LTC), staff informed the LTC that several members of Thetis Advisory Planning Commission (APC) were coming to the ends of their terms.

Further to discussion at that meeting, the following decision (TH-2014-26) was made:
"that the Thetis Island Local Trust Committee request staff to bring back the Thetis Island Advisory Planning Commission Bylaw for review."

In particular, the LTC expressed that they would like to increase all terms to a two year term and to move to a mix of two-year terms that straddle years (eg. 2014-2016, 2015-2017, etc).

Currently, membership requirements under Bylaw 91 are:

2. Appointment of Members

a) Advisory Planning Commission

- i) The Advisory Planning Commission consists of a minimum of five and a maximum of seven members.*
- ii) The Local Trust Committee may, by resolution, appoint up to two members for a two-year term, and appoint the remaining members for a one-year term.*

At the June 4, 2014 Regular Business Meeting, the LTC further made the following two decisions (TH-2014-040 and TH-2014-041):

"that the Thetis Island Local Trust Committee amend Bylaw No. 91, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw 2012" to change all terms of members to two years, and bring recommendation for a standing resolution directing staff when to advertise for upcoming appointments.", and,

"that the Thetis Island Local Trust Committee direct Staff not to proceed with filling Advisory Planning Commission vacancies at this time and request Staff to write a letter for the Chair's signature to current members of the Advisory Planning Commission, to thank them and solicit

feedback for their time on the Advisory Planning Commission, and ask if they wish to be considered for reappointment in the new term.”

At this time, all APC members have been contacted by letter thanking the volunteers for their time and inquiring about further interest in serving on the APC, see Attachment 1. The APC has been allowed to lapse pending the beginning of the new term for Trustees.

STAFF COMMENTS

An amendment to the Thetis Island Local Trust Committee Advisory Planning Commission Bylaw (Bylaw 91) could be made as follows:

“Sec 2, a) ii) Appointment of Members

The Local Trust Committee shall, by resolution, appoint members to serve up to a two-year term.

It is standard administrative practice to prepare a staff report regarding APC appointments in time for the first or second regular business meeting of a new trustee term. Standing resolutions are not intended to be used for directions to staff, as local trust committees cannot necessarily give directions to staff that would have to be upheld by a new LTC. In this case, staff recommends that the Follow Up Action List indicate that the LTC will consider advertising for a new APC in January, 2015. This item will serve as a quasi-recommendation to the incoming LTC from the outgoing LTC. In the long term, it is the Legislative Clerk's role to monitor APC terms of appointments and notify LTC's when terms are close to expiration so that the LTC can consider advertising for reappointment.

RECOMMENDATIONS:

THAT the Thetis Island Local Trust Committee

1. give first, second and third readings to draft Bylaw No. 95 cited as “Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2012, Amendment No. 1, 2014”; and
2. refer Bylaw No. 95 cited as “Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2012, Amendment No. 1, 2014” to the Islands Trust Executive Committee.

Prepared and Submitted by:

Lisa Webster-Gibson

September 8, 2014

Legislative Clerk

Date

Concurred in by:

Courtney Simpson

September 8, 2014

Courtney Simpson, RPP MCIP
Regional Planning Manager

Date

Attachments: 1. Example of Letter to APC
2. Draft Bylaw No. 95

Attachment 1: Example of Letter to APC

July 14, 2014

[REDACTED]
[REDACTED]
[REDACTED]
Thetis Island, BC [REDACTED]

Dear [REDACTED]:

Your term as an Advisory Planning Commission member for the Thetis Island Local Trust Committee expired on May 23, 2014, and the Advisory Planning Commission will lapse for the remainder of the term. A new Advisory Planning Commission will be appointed in the New Year, following the election and the beginning of the new term.

The Advisory Planning Commission bylaw terms are to be amended, and an excerpt from the Local Trust Committee DRAFT minutes of June 4, 2014 is attached for your reference. If you would like to comment or have questions about this, please contact the local Trustees.

The Local Trustees would also welcome any feedback you may have on your time as a member of the Advisory Planning Commission.

If you would like to be contacted about serving on the Advisory Planning Commission at the beginning of the new term or your personal information changes (such as your email address), please contact Becky McErlean, Planning Team Assistant at (250) 247-2063, or via email at bmcerlean@islandstrust.bc.ca

The Thetis Island Local Trust Committee would like to take this opportunity to thank you for the work that you have contributed to your community. We are grateful for your time commitment and very much appreciate your service as a valued Advisory Planning Commission member.

Sincerely,



Ken Hancock
Chair, Thetis Island Local Trust Committee

DRAFT

THETIS ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 95

**A BYLAW TO AMEND THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 91 CITED
AS “THETIS ISLAND LOCAL TRUST COMMITTEE ADVISORY PLANNING
COMMISSION BYLAW, 2012”**

The Thetis Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Thetis Island Local Trust Area under the Islands Trust Act, enacts as follows:

1. Section 2 [Appointment of Members] is amended as follows:

by deleting the text in subsection a) ii) and replacing it with the following text “*The Local Trust Committee shall, by resolution, appoint members to serve up to a two-year term.*”

This bylaw may be cited as “Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2012”, Amendment No. 1, 2014”.

READ A FIRST TIME THIS	DAY OF	, 201X
PUBLIC HEARING HELD THIS	DAY OF	, 201X
READ A SECOND TIME THIS	DAY OF	, 201X
READ A THIRD TIME THIS	DAY OF	, 201X
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 201X
ADOPTED THIS	DAY OF	, 201X

SECRETARY

CHAIRPERSON

STAFF REPORT

Date: September 3, 2014

File No.: TH-DVP-2014.1

To: Thetis Island Local Trust Committee
For meeting September 17, 2014

From: Teresa Ritemann, Planner 1

cc: Courtney Simpson, Regional Planning Manager
Aleksandra Brzozowski, Island Planner
Marnie Eggen, Planner 2

Re: Development Variance Permit – Lot 1, Section 21, 26, and 27, Thetis Island, Plan VIP62581; PID 023-370-467

Owner: Inter-Varsity Ministries Foundation
Applicant: Brian Burtchett
Location: 248 Pioneer Road, Thetis Island, BC V0R 2Y0

A. THE PROPOSAL

The applicant is seeking a Development Variance Permit to vary Subsection 2.2.6(b) of the Thetis Island Land Use Bylaw No. 89, which states that:

No *building* other than a boathouse or pumphouse may be constructed:

- a) Within 7.6 metres of the *natural boundary* of the sea; or
- b) Within 30.5 metres of the *natural boundary* of any other natural watercourse or source of water supply.**

The applicant is seeking a reduction to the setback of 30.5m to a **maximum of 21.1m** in order to permit an addition to modify the **existing, legally non-conforming office building** that is constructed in the setback, and will consist of a total increase in building footprint of **36m²**:

- 1) a **13 m²** (140 ft²) main electrical and communication room; and
- 2) a **23 m²** office addition.

In addition, the applicant proposes an increase in height to allow for an **87m²** second storey of “open space” for the office:

- 3) The existing building is 4m high and modified, would be a maximum of **8m** (maximum permitted height of principal and accessory buildings in the I-2 zone is 12.5m).

B. SITE CONTEXT

The subject property is a waterfront lot located on Pioneer Road on Thetis Island, as shown in Figure 1 below. The property is approximately 30.67 hectares (75.79 acres) in size. A stream runs south-north through the property, approximately 21.1 metres east of the existing office building and proposed electrical/communication room. The property is bordered by the natural boundary of the sea to the north, and by private properties to the east, south, and west. Access to the subject property is by a driveway located along Pioneer Road along an eastern lot line. Numerous buildings and structures currently exist on the property, as shown in the Site Plan in Figure 2. Figures 3 and 4 show the proposed drawings for the addition.

Photos from the Aug 27, 2014 site visit by Islands Trust Planners Marnie Eggen and Teresa Rittemann are shown in Figures 5 to 14.

Figure 1: Subject Property

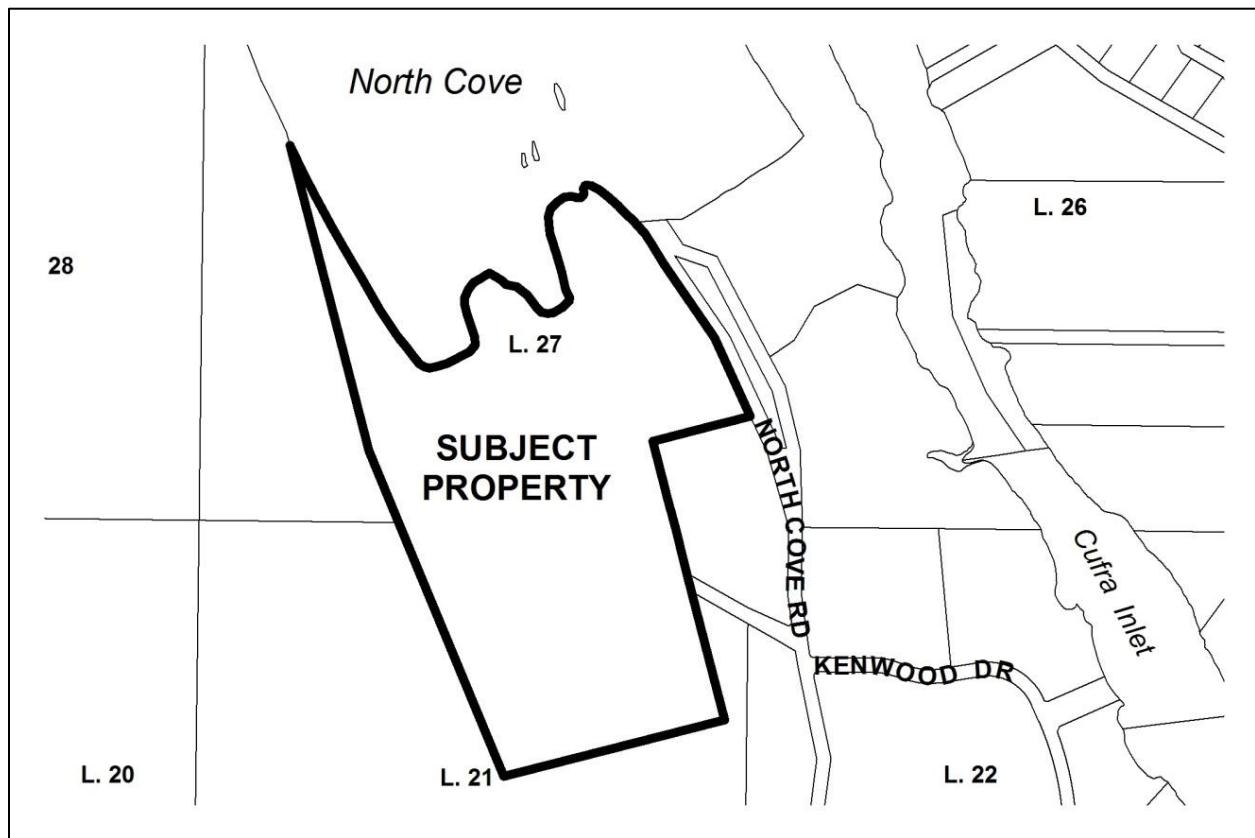
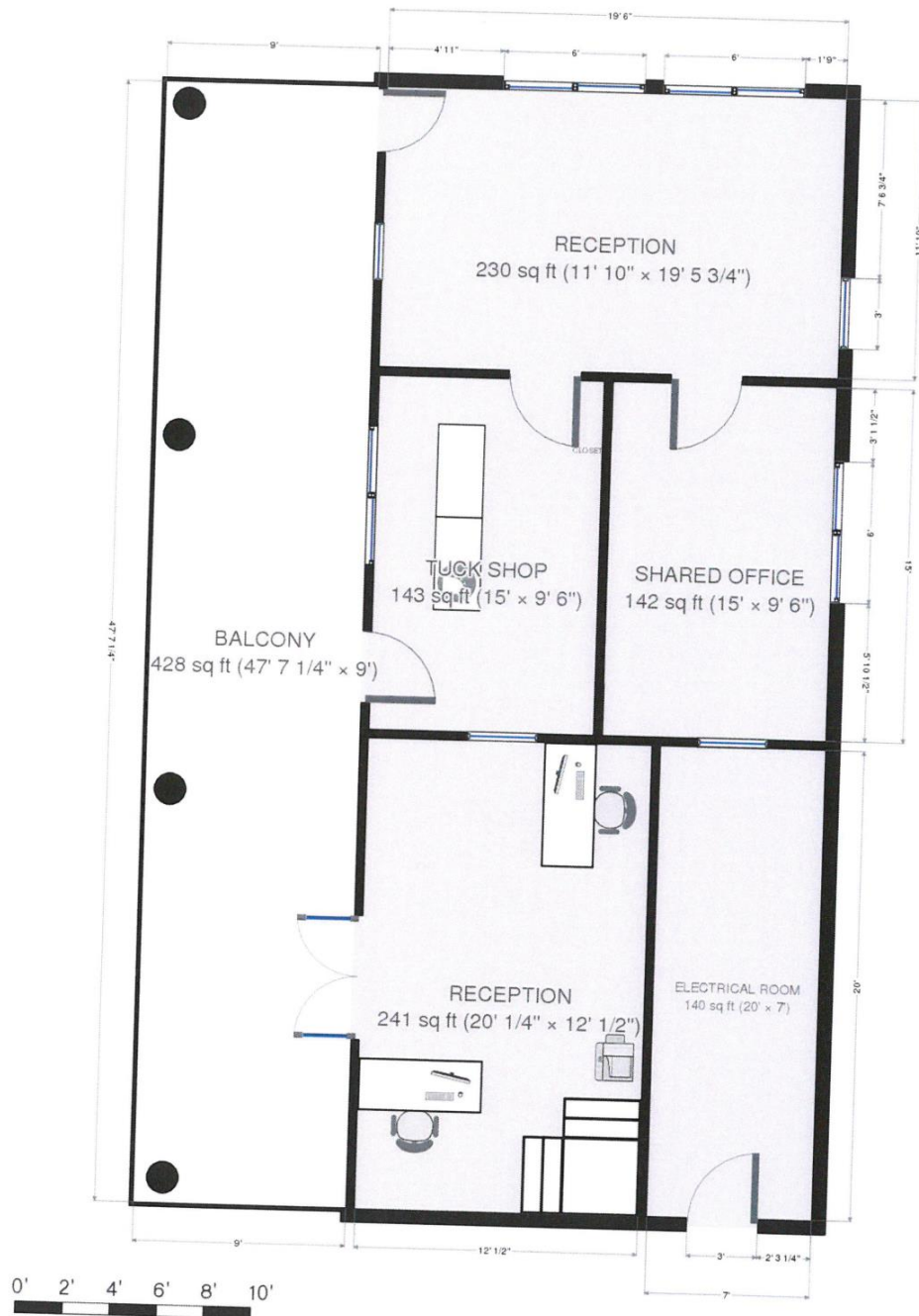


Figure 2: Site plan
Proposed addition to existing office building is circled



Figure 3: Drawing of proposed ground floor containing the main electrical/communication room and office expansion

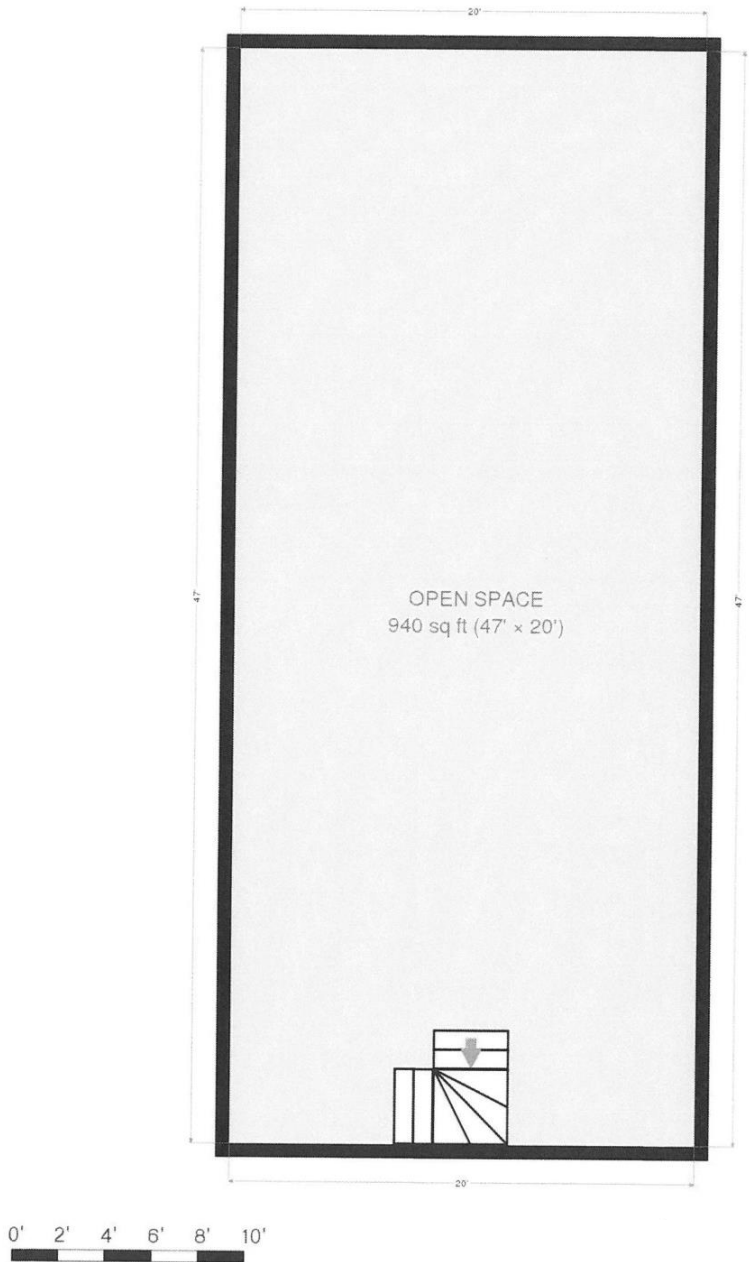
Ground Floor



THIS FLOOR PLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPAR DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

Figure 4: Drawing of proposed first floor containing the open space for the office

1st Floor



THIS FLOOR PLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSUGRA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

Figure 5: Area to the west of proposed building site



Figure 6: New addition and existing building to look similar in style to the Lodge



Figure 7: View of proposed site facing north



Figure 8: Facing north. Walkway down ridge to east



Figure 9: Existing Hydro pole to south of proposed building site (facing south)



Figure 10: Hydro Pole (facing west)

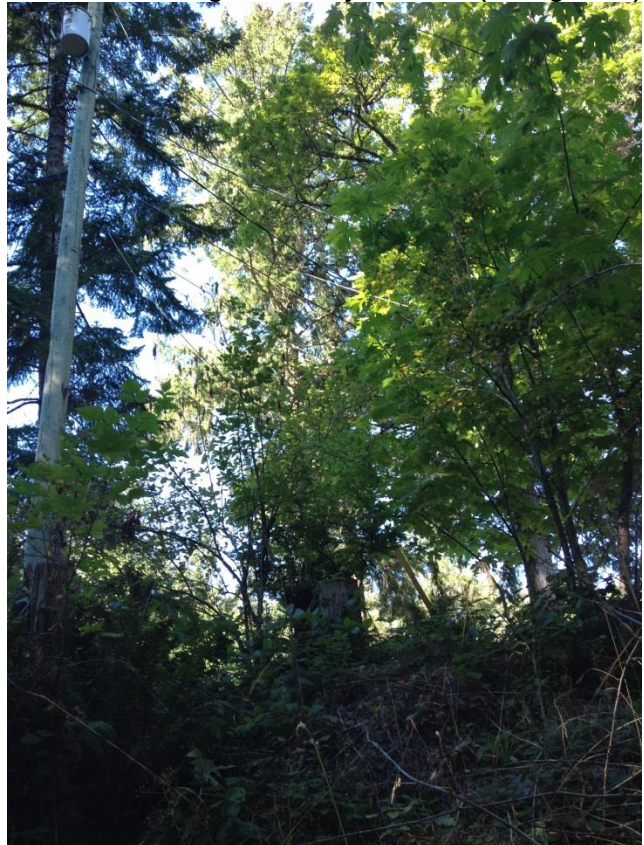


Figure 11: Existing office building (facing north) viewed from walkway below



Figure 12: Proposed building site (facing northeast) viewed from adjacent walkway



Figures 13 & 14: Show existing height of 4m. Proposed height to be 8m maximum



C. CURRENT PLANNING STATUS OF SUBJECT LANDS

Islands Trust Policy Statement

The following policies pertain to this application:

3.1 Ecosystems

Commitments of Trust Council

3.1.1 Trust Council holds that:

- proactive land use planning is essential for the protection of Trust Area ecosystems,
- protection must be given to the natural processes, habitats, and species of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, **streams**, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, and kelp and eel grass beds, and
- planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area **species and habitats**.

3.1.2 It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their **natural state and in sufficient size and distribution** to sustain their ecological integrity.

Directive Policies

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.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

3.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.

3.3 Freshwater and Wetland Ecosystems and Riparian Zones

Commitment of Trust Council

3.3.1 Trust Council holds that:

- the freshwater wetlands, bodies of surface water, natural drainage patterns, **water courses, fish-bearing streams**, watershed and groundwater recharge areas of the Trust Area should be identified, **protected** and, where possible, restored or rehabilitated, and

- the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, **should not be drained, filled or degraded.**

Directive Policy

3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

4.5 Coastal Areas and Marine Shorelands

Commitments of Trust Council

4.5.5 It is Trust Council's policy that **development should be directed to sites away from:**

- **areas of environmental sensitivity**, and
- areas of naturally occurring stocks of clams or oysters.

Official Community Plan

GENERAL

1.3.2. That development and growth is guided in a manner that protects sensitive ecosystems, encourages sustainability, and anticipates the potential effects of climate change.

1.3.3. Land use planning should build a sense of community by supporting and encouraging engagement, dialogue and communication between and among its residents.

1.4.3 – To foster stewardship of the environment and engage action for protection and preservation of ecological systems.

LAND USE AND DEVELOPMENT CRITERIA

F. The protection of reasonable privacy for residents and property owners.

H. The protection of sensitive ecosystems and the preservation of the landscape from visual degradation

NATURAL RESOURCE OBJECTIVES

1. To encourage the protection, conservation, and stewardship of natural resources.
2. To identify and protect environmentally sensitive areas or features.

NATURAL RESOURCE POLICIES

19. Residents and property owners are encouraged to retain areas of land and water in their natural state to ensure sufficient natural habitat is retained for maintenance of wildlife and bird populations or retention of rare or significant vegetation. Invasive plants should be controlled through ecologically sensitive techniques.

HERITAGE AND ARCHAEOLOGICAL RESOURCES POLICIES

1. Applicants for development proposals should be notified if the subject property overlaps with a recorded protected archaeological site.

4. The maintenance, repair, or restoration of sites with heritage values may be encouraged through land use regulation providing for special considerations for lands with restored sites or features.
5. The use of voluntary conservation covenants to protect heritage resources should be encouraged.

Schedule C – Land Use Designation: The property is designated for Institutional land (use as a camp) in the Thetis Island Official Community Plan Bylaw No. 88. The objective of this designation is to ensure that the institutional camps or centres are operated in a manner and to an extent that minimizes adverse effects on the rural nature of the Island, on groundwater resources, on road traffic, and on ferry usage.

Schedule D – Road Classifications: Access to property is off of a Rural Residential Road (Pioneer Road)

Schedule E - Heritage & Natural Resources: The property has no heritage or natural resources mapped

Schedule F – Sensitive Ecosystem Mapping: Indicates that parts of the property have a Primary Woodland Ecosystem and/or a Secondary Herbaceous Ecosystem.

Schedule G – Watersheds: The property has Basin, Nonbasin, and Conveyance Zones

Schedule H – Shoreline Classification: The property has 4 classes of shoreline: Altered, Sand/Cobble, Low Rock/Boulder, and Coastal Banks or Cliffs

Development Permit Areas: No DPAs are currently established on Thetis Island.

Land Use Bylaw

The property is zoned Institutional 2 (I-2) as per the Thetis Island Land Use Bylaw, No. 89. This zone permits only camp facilities as principal uses. Accessory uses include assemblies, agriculture, and campus housing. The subject property is 30.67 hectares (75.78 acres) in area, and subsection 2.2.6 of the general regulations state that: No *building* other than a boathouse or pumphouse may be constructed:

- a) Within 7.6 metres of the *natural boundary* of the sea; or
- b) Within 30.5 metres of the *natural boundary* of any other natural watercourse or source of water supply.**

The applicant is seeking a reduction to the setback of 30.5 metres to 21.1 metres in order to permit an addition to modify their existing office building, which will allow for the construction of a 36m² (387.5 ft²) main electrical and communication room and office upgrade attached to the existing building.

Islands Trust Fund

As per the Islands Trust Fund Policy Manual, this application does not directly affect Islands Trust Fund Board (TFB) interests as it does not directly affect TFB owned property or conservation covenants, and does not affect property directly adjacent to TFB owned property or conservation covenants.

Regional Conservation Plan

Map 16 of the Islands Trust Fund Regional Conservation Plan indicates that the estimated importance of habitat composition is low to medium for this property.

Sensitive Ecosystems and Hazard Areas

Islands Trust Sensitive Ecosystem Mapping indicates that the subject property consists of Primary Woodland and Secondary Herbaceous sensitive ecosystems. An informational package containing resources to learn about and protect the sensitive ecosystems on the property was provided to the applicant during the August 27, 2014 site visit.

Archaeological Sites

There are recorded archaeological sites located on the property, within 50 metres from the location of the proposed electrical/communication room and office expansion. The applicant has been made aware that it is their responsibility to consult with the Archaeological Branch with regards to any archaeological sites that may be of concern with respect to development.

Covenants

Covenants registered on this property:

- EJ140134: Restrictive Covenant (Dec. 1995). No building to be constructed within 15m of the natural boundary of the sea
- EJ140135: Restrictive Covenant (Dec. 1995). "Any building constructed or mobile home located must be located at least 5 metres back from the slope crest of the ridge...and no dwellings within 5 m of the covenant boundary in bold in Schedule B"
- ET7741: IT Development Variance Permit (2001). Allows increase in footprint for the Dining Hall.

These registered covenants do not affect this Development Variance Permit application.

Climate Change Mitigation and Adaptation

For waterfront properties, sea level rise is an important consideration to take into account when new development is proposed. In this case, the proposed electrical/communications room is set back more than 30 metres from the sea, and is farther set back than the existing office. The proposed variance would not place the electrical/communications room any closer to the sea than without it. The elevation of the proposed electrical/communications room is approximately 8 - 10 metres above sea level; based on the current sea level rise projection for the area, there is minimal risk of impact to the development due to sea level rise as a result of this variance. And there are no anticipated impacts on greenhouse gas emissions that would result varying this setback as proposed.

Riparian Areas Regulation

According Islands Trust mapping, the proposed property is not applicable to the Riparian Areas Regulations.

D. RESULTS OF CIRCULATION

Notification of this variance application will be distributed to neighbouring property owners on September 2, 2014 in accordance with statutory requirements. At the time of writing this report, staff had only received one submission from neighbouring property owners or tenants (see attached) regarding the application.

E. STAFF COMMENTS

Although some previous construction may have been granted variances in the past or others may apply in the future, each request for a variance is evaluated on its individual merits.

The impact on visual qualities and neighbouring properties of the proposed electrical and communications room and office expansion is expected to be minimal, even with an increase in the height to include a second storey. Views to the sea and to the adjacent property to the east should not be impacted. The most likely impact to views is between the existing buildings on the property. Notification as required by the *Local Government Act* will allow surrounding property owners to comment on any potential impacts.

The location of the proposed addition has vegetation that is more indicative of an upland ecosystem (e.g. salal bushes), instead of that of a riparian area. Vegetation has already been cleared for the use of the walking path to the east of the building, which acts as a sort of buffer between the building and the riparian area vegetation. The vegetation that does exist to the east of the walking path and closer to the watercourse is relatively intact and undisturbed. Siting the electrical/communication room and office expansion in this location rather than elsewhere on the property may also prevent additional vegetation clearing or structural disturbances that might be required in another location.

Staff recommends approving the variance because the impact on visual qualities and to ecological systems and processes appear to be minimal.

F. RECOMMENDATION

THAT the Thetis Island Local Trust Committee APPROVE issuance of Development Variance Permit TH-DVP-2014.1 to Inter-Varsity Ministries Foundation for Lot 1, District Lots 21, 26, and 27, Thetis Island, Cowichan District, Plan VIP62581, PID 023-370-467.

Prepared and Submitted by:



Teresa Ritemann, Planner 1

September 8, 2014

Date

Concurred in by:

Courtney Simpson

Courtney Simpson, RPP MCIP
Regional Planning Manager

September 8, 2014

Date

Attachments:

1. Public Notice
2. Draft permit (including site plan)
3. Public Comment – Garry and Adele Wickett

cc: Courtney Simpson, Regional Planning Manager
Aleksandra Brzozowski, Island Planner
Marnie Eggen, Planner 2

PROPOSED

	THETIS ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT TH-DVP-2014.1 (BURTCHETT - INTER-VARSITY MINISTRIES FOUNDATION)
---	---

TO: Inter-Varsity Ministries Foundation

1. This Development Variance Permit applies to the land described below:

Lot 1, District Lots 21, 26, and 27, Thetis Island, Cowichan District, Plan VIP62581 PID 023-370-467

2. Pursuant to Section 922 of the *Local Government Act*, the *Thetis Island Land Use Bylaw No. 89, 2011* is varied as follows:

From:

"Section 2.2.6.(b) No building other than a boathouse or pumphouse may be constructed within 30.5 metres of the natural boundary of any other natural watercourse or source of water supply."

To:

"Section 2.2.6 (b) No building other than a boathouse or pumphouse may be constructed within 21.1 metres of the natural boundary of any other natural watercourse or source of water supply."

The purpose of this permit is to locate an addition to an office building of a maximum height of 8.0 metres, 21.1 metres from the natural boundary of a natural watercourse, as Shown in Schedule "A", attached to and forming part of this permit.

3. All buildings and structures shall be consistent with Schedule "A" which is attached to and forms part of this permit. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Thetis Island Land Use Bylaw No. 89, 2011, including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE THETIS ISLAND LOCAL TRUST COMMITTEE THIS
___ DAY OF ____.**

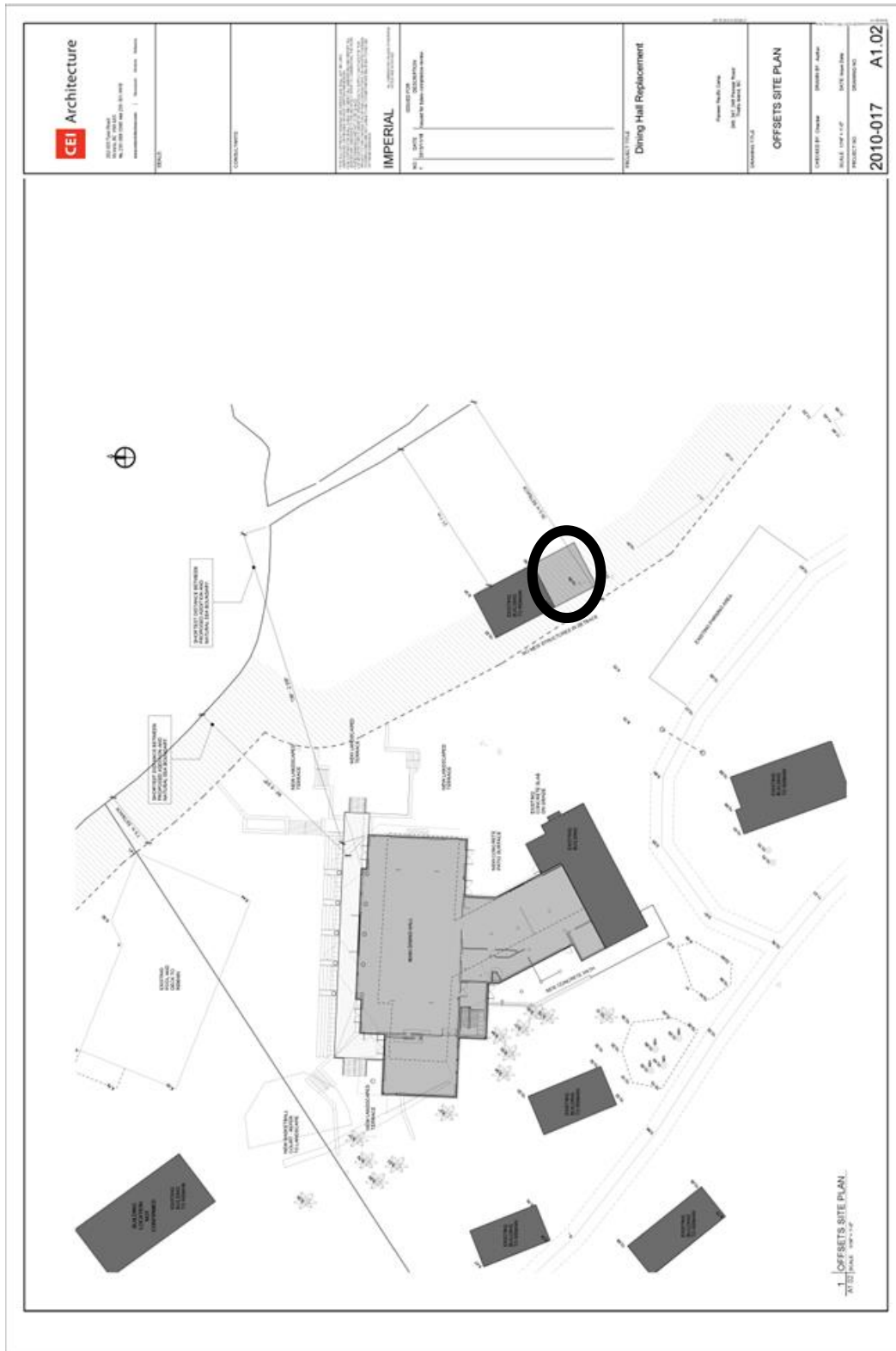
Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ___ DAY OF
_____, THIS PERMIT AUTOMATICALLY LAPSES.**

THETIS ISLAND LOCAL TRUST COMMITTEE
TH-DVP-2014.1

Schedule A – Site Plan (addition circled)





Islands Trust

**NOTICE
TH-DVP-2014.1
THETIS ISLAND LOCAL TRUST COMMITTEE**

NOTICE is hereby given that the Thetis Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*, varying Section 2.2.6 (b) of the Thetis Island Land Use Bylaw No. 89, 2011, as follows:

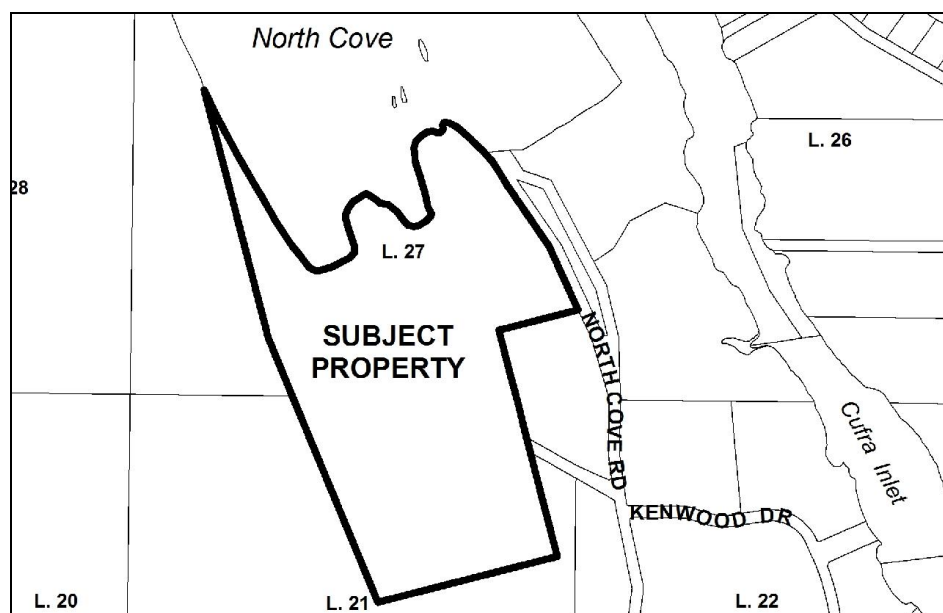
From: *"No building other than a boathouse or pumphouse may be constructed within 30.5 metres of the natural boundary of any other natural watercourse or source of water supply."*

To: *"No building other than a boathouse or pumphouse may be constructed within 21.1 metres of the natural boundary of any other natural watercourse or source of water supply."*

The purpose of this permit is to locate an addition to an office building 21.1 metres (69.2 feet) from the natural boundary of a natural watercourse

The property is legally described as: **Lot 1, District Lots 21, 26, and 27, Thetis Island, Cowichan District, Plan VIP62581 .**

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing September 5, 2014 and continuing up to and including September 16, 2014. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Teresa Rittemann, at (250) 247-2200; for Toll Free Access, request a transfer via Enquiry BC: in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867.

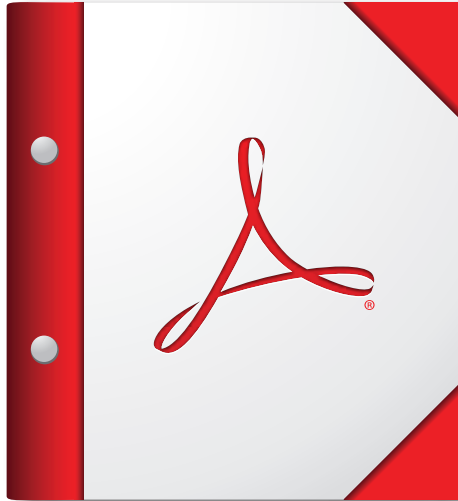
Written submissions should be sent to:

Mail: Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3
Fax: (250) 247-7514
Email: trittermann@islandstrust.bc.ca

Following the end of the notice period, the Thetis Island Local Trust Committee may consider issuance of the proposed Permit at its regular business meeting to be held at 9:15 am, September 17, 2014, Thetis Island Community Centre (Forbes Hall) North Cove Road, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Lisa Webster-Gibson
Deputy Secretary



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)

STAFF REPORT

Date: September 2, 2014

File No.: TH-6500-20

To: Thetis Island Local Trust Committee
For meeting of September 17, 2014

From: Aleksandra Brzozowski, Island Planner

CC: Courtney Simpson, Regional Planning Manager

Re: **Thetis Associated Islands Official Community Plan
and Land Use Bylaw**

THE PROPOSAL:

This project was initiated by the Thetis Island Local Trust Committee (LTC) to create an official community plan and land use bylaw for the Associated Islands in the Thetis Island Local Trust Area.

The purpose of this report is to:

- 1) present possible revisions to the current proposed bylaws for the Thetis Associated Islands Official Community Plan (OCP) and the Thetis Associated Islands Land Use Bylaw (LUB);
- 2) present Proposed Bylaws No. 93 and No. 94 for consideration of third reading pending any amendments; and,
- 3) present proposed details for remainder of Project Communications Plan.

BACKGROUND:

Both the draft OCP and draft LUB received First Reading on April 17, 2014. Referral responses were presented at the June 4, 2014 and July 23, 2014 LTC meetings.

The proposed bylaws were revised at the July 23, 2014 LTC meeting and given Second Reading. A Community Information Meeting and Public Hearing for the bylaws were held on August 27, 2014 in Chemainus, BC.

POST PUBLIC HEARING DETAILS:

A public hearing for both Proposed Bylaw 93 and Proposed Bylaw 94 was held on August 27, 2014. A public hearing is a quasi-judicial process with which specific procedures must be followed.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a

hearing it wishes to hear further from staff on issues raised at the hearing. A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density.

Following the hearing, the LTC may now choose to give further readings to the bylaw, defeat the bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading for the bylaws (this may include amendments to alter the bylaws).
2. Forwarding of the bylaws to Executive Committee for approval.
3. Forwarding of Bylaw 93 to the Minister of Community, Sport, and Cultural Development's office for approval.
4. Consideration of adoption, pending approval by the Executive Committee and the Minister.

Finally, section 879 of the *Local Government Act* requires that in considering an OCP the local government *"must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected."* This consultation must be in addition to the public hearing and specifically should include affected agencies, First Nations and other levels of government. As a practice, this consultation is built into the referral process for all LTC bylaws; in addition, a LTC will typically hold community information meetings or other means of community consultation prior to the formal hearing. In order to confirm that the LTC has addressed this legislative requirement, it is recommended that the LTC adopt a resolution to the effect that it has undertaken consultation that it considers appropriate.

RESULTS OF CIRCULATION AND PUBLIC HEARING:

Proposed Bylaws 93 and 94 were circulated for comment between April 18 and August 27, 2014. The Local Trust Committee considered comments received April 18 - July 22 at the June 4, 2014 and July 23, 2014 LTC meetings.

The public hearing for Proposed Bylaws 93 and 94 was held on Wednesday, August 27, 2014. There were 13 attendees in the audience. Five members of the audience spoke to the proposed bylaws. Seven public hearing submissions were received either before or during the public hearing. The majority of concerns were raised in conjunction with Ruxton Island.

REVISIONS TO CONSIDER PRIOR TO THIRD READING:

A number of suggested revisions and clarifications regarding the proposed bylaws have been received since Second Reading, up until the end of the Public Hearing on August 27, 2014 and are compiled as correspondence and the Public Hearing record (Attachments 1 & 2 respectively). These suggested revisions, as well as staff recommendations on the suggestions, are noted in the attached Summary Sheet of Suggested Revisions to Proposed Bylaws 93 and 94 (Attachment 3).

Comments have also been submitted that ask the LTC to re-consider matters already given earlier consideration. They are as follows:

1. Comments have been received requesting a reconsideration of the Ruxton marine zoning (W3) to allow private docks outright.
2. Comments have been received requesting a reconsideration of permitted uses on Ruxton Island to allow short term vacation rentals.
3. A comment has been received requesting reconsideration of the advocacy position in the Parks Land Use Policies state that the Ruxton wetland be a “hands-off” natural area.
4. A comment has been received requesting a reconsideration of the lot coverage on Ruxton Island, increasing it back to 20%, as per current Zoning Bylaw No. 13.
5. A comment has been received requesting a reconsideration of setbacks from the sea on Ruxton Island, decreasing it to 5 metres.

Should the LTC wish to revisit these topics, please advise Staff.

NEXT STEPS:

At the outset of the Associated Islands Community Plan Review, a Communications Plan was established in 2012 (Attachment 4).

To coincide with the final communication item, Newsletter #6, Staff proposes to create a fact sheet in conjunction with the Cowichan Valley Regional District Building Inspection department and Island Health to clarify procedures and permitting triggers for building and renovating on the Associated Islands post-adoption of Bylaw 94. This fact sheet will be similar to the informational brochures prepared for Thetis and Valdes Islands in 2012.

RECOMMENDATIONS:

THAT the Thetis Island Local Trust Committee:

1. provide staff with any revisions deemed appropriate to Proposed Bylaws 93 and 94;
2. give third reading to Proposed Bylaw No. 93, cited as the “Thetis Associated Islands Official Community Plan Bylaw 2014” as revised;
3. give third reading to Proposed Bylaw No. 94, cited as the “Thetis Associated Islands Land Use Bylaw 2014” as revised;
4. forward Proposed Bylaw No. 93, cited as the “Thetis Associated Islands Official Community Plan Bylaw 2014” to the Executive Committee for consideration;
5. forward Proposed Bylaw No. 94, cited as the “Thetis Associated Islands Land Use Bylaw 2014” to the Executive Committee for consideration;
6. forward Proposed Bylaw No. 93, cited as the “Thetis Associated Islands Official Community Plan Bylaw 2014” to the Minister of Community, Sport and Cultural Development for approval;

7. resolve that it has undertaken consultation that it considers appropriate with persons, organizations and authorities it considers will be affected by Proposed Bylaw No. 93;
8. post the new revised versions of the bylaws to the Thetis webpage of the Islands Trust website.

Prepared and Submitted by:

Aleksandra Brzozowski

Aleksandra Brzozowski
Island Planner

September 8, 2014

Date

Concurred in by:

Courtney Simpson

Courtney Simpson RPP, MCIP
Regional Planning Manager

September 8, 2014

Date

Attachments:

1. Compilation of responses to Proposed Bylaws 93 and 94, received July 14 – August 27, 2014
2. Record of Public Hearing for Proposed Bylaws 93 and 94, held on August 27, 2014
3. Summary Sheet of suggested changes to Thetis Associated Islands Proposed OCP and LUB – July 2014
4. Associated Islands Community Plan Project Communications Plan
5. Thetis Associated Islands Official Community Plan, Proposed Bylaw No. 93
6. Thetis Associated Islands Land Use Bylaw, Proposed Bylaw No. 94



Memorandum

700 North Road Gabriola BC V0R 1X3

Telephone **(250) 247-2204** FAX: (250) 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date August 26, 2014 File Number TH BL 93 and 94 (PH)
To Thetis Island Local Trust Committee
From Lisa Webster-Gibson, Legislative Clerk, Northern Office
Re Additional Information /Submissions for Public Hearing – TH BL 93 and 94

Please find enclosed additional material for your Reference Binder for the August 27, 2014 Public Hearing for Thetis Island Local Trust Committee Bylaw Nos. 93 and 94.

Please insert this material into your binder as follows:

-email referral response from BC Parks and letter from the Stz'uminus First Nation under TAB 4b Referral Responses

-and the remaining emails / letters under TAB 7 Public Hearing Submissions.

If you have any questions, please don't hesitate to contact me at (250) 247-2204.

Thank you

Lisa

pc A. Brzozowski, Island Planner

Lisa Webster-Gibson

From: Burfield, Peggy J ENV:EX <Peggy.Burfield@gov.bc.ca>
Sent: August-18-14 3:35 PM
To: Lisa Webster-Gibson
Subject: Thetis Island Local Trust Committee Bylaw Referral - Bylaw 93 Associated Islands OCP and Bylaw 94 Associated Islands Land Use Bylaw

Greetings Lisa

This referral slipped through out email string with Sharon and I both away in May. However, I have reviewed this now even though it is late. BC Parks has no concerns regarding Proposed Bylaws 93 and 94.

Thanks

Peggy Burfield, MA
Park Planner, BC Parks
Ministry of Environment
(250) 751-3206



BC Parks

From: Lisa Webster-Gibson [<mailto:lwebstergibson@islandstrust.bc.ca>]
Sent: Tuesday, April 29, 2014 10:06 AM
To: Cadden, Don ENV:EX
Subject: Thetis Island Local Trust Committee Bylaw Referral - Bylaw 93 Associated Islands OCP and Bylaw 94 Associated Islands Land Use Bylaw

(Resent with Bylaws attached.)

Attention: Don Cadden, Regional Director, BC Parks, Ministry of Environment – West Coast Regional, Vancouver Island

Attached is a bylaw referral package from the Thetis Island Local Trust Committee regarding Proposed Bylaws 93 and 94.

Proposed Bylaws No. 93 and 94, if adopted, would establish an Official Community Plan and Land Use Bylaw for ten small islands and water areas in the Thetis Local Trust Area within the Cowichan Valley Regional District, as shown on the attached map.

Please review the proposed regulations and indicate how your agency's interests in the proposed land and water use regulations are affected, as well as any suggestions regarding the proposed objectives or policies in the proposed bylaws.

Referral response forms are included for your convenience and we would appreciate your comments by **May 26, 2014**.

Planning staff is happy to discuss the proposed bylaws, either in person or over email or telephone. Contact information is included in the referral package.

Yours

Lisa

Lisa Webster-Gibson, BES, Hons.
Legislative Clerk

Islands Trust – Northern Office
700 North Road, Gabriola Island, B.C. V0R 1X3
Ph: 250.247.2204 or toll free 1.800.663.7867
Fx: 250.247.7514
www.islandstrust.bc.ca

Preserving Island communities, culture and environment



Please consider the environment before printing this email



COAST SALISH DEVELOPMENT CORPORATION

12605 TRANS CANADA HIGHWAY, LADYSMITH, BC V9G 1M5
250-924-2444 FAX 250-924-2445

Courtney Simpson
Aleksandra Brzozowski
Islands Trust Northern Office
700 North Road
Gabriola Island, BC
V0R 1X3

August 18, 2014

Dear Courtney & Aleksandra,

Re: Bute & Dunsmuir Islands Omission from Thetis Associated Islands OCP & Bylaws

Further to our meeting to discuss the proposed changes to the Associated Islands OCP & Land Use Bylaws, we would like to confirm that we are in favour of omitting Bute & Dunsmuir Islands so that a separate planning process can occur without impeding the policies proposed for the other islands.

While much of the territory that will be affected by the OCP & LUBs falls within Stz'uminus Traditional Territory, Stz'uminus First Nation has a specific claim action on Dunsmuir and Bute. The two islands are of significant historical and archaeological importance to Stz'uminus. We agree with your proposal to separate these islands out to allow the Islands Trust OCP & Bylaws to proceed in their current form, but this in no way diminishes our broader interests or potential future claim to any other location.

We look forward to working with you to develop policy that will reflect and protect the sensitive nature of these islands. It is our hope to move towards establishing a protocol agreement or Memorandum of Understanding with Islands Trust in the near future.

Respectfully,

Ray Gauthier
Coast Salish Development

Cc: Stz'uminus Chief & Council

Lisa Webster-Gibson

From: Paul Meijer <ptmeijer@shaw.ca>
Sent: August-26-14 2:33 PM
To: northphsub
Subject: Re: Proposed Bylaws (93/94) for Ruxton Island
Attachments: img001.pdf

Please refer to the attached document. I am sending it on behalf of fellow Ruxton property owners.

Thank you,
Paul Meijer

(northphsub C islandtrust. bc. ca)

(northphsub C islandtrust.
bc. ca)
(to be rec'd. prior
to 4:00 PM Tues Aug 26)

Islands Trust:

We are: DYANE + ARE GJESDAL —
owners of, and full-time residents of Property
on Ruxton Island.

Our Two areas of Main Concern,
re Proposed Bylaws (93/94) are:

Safe, Reasonable access to our W/F Property.
As we live here full time — this being our
only residence — since AUGUST, 2003 — our Needs,
of course, surpass those of part-time 'residents'
— but, all that to say: we feel that there
should be Safe access to properties, overall.

This island is Zoned as: Residential — it is
only reasonable to assume/determine that
under this umbrella would evolve: 'Safe/Reasonable'
access.

It be no 'safe' situation to be attempting
access (landing) to our property in the other than
benign seasonable times — we being on the Easterly
side (Facing Valdes Island) — the prevailing winter winds
side. 'Discomfort' re landing be secondary to 'unsafe' —
we have experienced various and sundry situations re
landing attempts ^{amid} ~~and~~ situations of weather and tides.

One December month, I found myself
in the winter waters upon attempting a slippery
Jump-landing. Another ^{winter} situation found Are, with
a broken arm, being stranded here 2 weeks due to
difficulty with access — and upon finally an

opportunity to attempt departure - his arm, then, surgically re-broken, to ensure proper healing, due to the 2 week delay. (Not to mention the pain, etc. with no proper attending - including medication. The eleven past years are comprised of a multi of situations - related to unsafe access.

It appears - has been suggested - that Ruxton Island has been given a 'Special' status - as to the one (only) island that Does Not Allow for Safe access to ones property. Why? In our opinion(s), this island should be treated as ALL other islands in this area of concern, status. Why the 'Special' distinction? We feel that Islands Trust should not be permitting a 'lobbying' as it were - to create this 'distinction/status' -

The simple, clean way of dealing with this issue would be to stand firm and declare this island (Ruxton) to be as others (islands) and leave it to the property owners of said island to decide their preferred method of access - within reason.

It seems to be a Normal, straightforward way of doing things - especially when other islands have such freedom of choice, direction.

.. 3

There has been reference to 'Public' versus 'Private' access / landing - a.k.a. - dock - overall, this does not solve the issue (problem). The logic / logistics of this escapes us. We can see where a 'minor' access area via water - for Emergency Landing / departure purposes - the like - be a good, reasonable thing - but, : A 'Community / Public' Dock, only, per se that has room for C 200 water-craft (the number of Lots on this island - + hence, the requirement - with motorized vehicles on land to carry one to and fro - ? - for sure, that is what a 'Community' Dock would entail - otherwise, to what purpose? One drops off ones supplies - 'motor's' same to ones residence - returns to ones watercraft to (unsafely) access ones property - once again ??...

It can be construed as a semblance of dealing with the issue - in order to make it 'go away' - ?... to say: Affirmative to a so-called 'Public' Dock but: Negative to a 'Private' residential access.

To reiterate: None of the other Gulf Islands have to deal with same. It is dealt with for them - Taken Care of - leaving no room for the situation that has come to the fore on this island. That is the Fair, Reasonable, Normal way of Doing Things - and, as a result - Preventing the current / ongoing Situation as experienced here.

One could say that herein lies a flaw in the process at hand - to the greater degree, it seems to be 'driven' by a 'Special Interest (Control...) Group' - lacking 'community / co-operative' 'thought' reasoning, logic.

It could be seen that Islands Trust, as well, are pandering to the Interests/Goals of some - should this go the way of 'special Island' (Ruxton) Status' - as it were.

It may well get in to areas of 'Human Rights' as well. Had Islands Trust gone the 'normal' route of status for this island: the same as for all others - then, the so-called problem would not have taken the life, direction it has.

Our other area of concern is the
 Protection of the area of Ruxton Island
 Known as the 'marsh' to some - 'pond' to
 others. This ecologically sensitive area
 with species-at-risk - The red-legged frog
 - *Rana aurora / rana . a . aurora* - must be
 (finally, ultimately) Protected from the whims,
 fancies, vested 'interests' and ultimate ~~the~~ tampering/
 destruction of some persons who think it
 be their 'right' to set the course for this
 Green space - habitat to the above-mentioned
 as well as multitude of life-forms. The lack
 of understanding of said area is abysmal. The 'actions'
 Undertaken to Push agendas: same. This should be
 a Most Definite: HANDS-OFF Area of the island -
 Protected finally, ultimately. How can it be any
 other way? Have we, as 'humans' not learned
 Anything from our tampering / off-out-of-control egos?...
 Will you as a Trust body, please, in the spirit of same,
 ensure the protection of this Ruxton Marsh area.
 We Sincerely, Respectfully, Humbly
 Submit these Main Areas of our
 Concerns to the Trust
 with hopeful hearts, spirits
 Thank You
 Nyane and Ane GJESDAL

Lisa Webster-Gibson

From: Judy Shaw <questshaw@hotmail.com>
Sent: August-26-14 12:51 PM
To: northphsub
Cc: Aleksandra Brzozowski; Rutherford, Dennis
Subject: Bylaws 93 and 94

Subject: Comments on Bylaws 93 and 94
Date: Wed, 20 Aug 2014 10:28:47 -0700
From: Dennis.Rutherford@dfo-mpo.gc.ca
To: northphsub@islandstrust.bc.ca
CC: abrzozowski@islandstrust.bc.ca; questshaw@hotmail.com; kdrutherford@telus.net

To: Islands Trust

RE: Proposed Bylaws 93 and 94

Thanks for the chance for final comment on the new land use bylaws and the Official Community Plan. The time and effort put into this exercise by all parties is greatly appreciated - Islands Trust, the ACP members, staff and islanders. We're a varied group the bylaws reflect a realistic compromise.

Just a couple of final concerns which were raised by Dennis and Kate Rutherford. I have just copied their points. Anything to simplify and reduce any confusion are important. I hope to be able to reduce the bylaws to a succinct 1 page summary someday.

Bylaw 93 Section 1.4 is a background paragraph which states there are no "... commercial visitor accommodation facilities..." "Perhaps this should be reworded to no "...**commercially zoned** visitor accommodation facilities...""; reason being is that Section 4.2.3 and Bylaw 94 Section 3.6 (1) (f) allow for restricted commercial accommodation. This is not a contentious point but rather a source of confusion that seems to imply this bylaw is a major change to the existing use and rules around visitor accommodation which we do not feel is the case here.

Bylaw 93 Section 5.3.1 is an advocacy statement for Transport Canada to monitor and enforce the regulation of mooring buoys in the plan area. Currently there are no issues with mooring buoys around Ruxton Island so enforcement of TC regulations (i.e., removal of some buoys) may in fact be doing a disservice to residents. We suggest that Bylaw 93 remain silent on this topic by removing Section 5.3.1.

Bylaw 93 Section 1.7 last paragraph and **Section 6.2.8** use the words "...enhancement of the natural environment.." We very strongly suggest that the word enhancement not be used. The term "enhancement of the natural environment" implies anthropogenic interference in allowing nature to take its true course and this is something we definitely do not want to endorse, particularly in park land. Enhancement can be a very dangerous tool when it comes to the environment. We suggest the wording in the last paragraph in Section 1.7 be edited to read "...protection, restoration and preservation of the natural environment..." Section 6.2.8 also needs the word enhancement removed and edited to be consistent with the suggested wording above for Section 1.7.

Bylaw 93 Section 11.3.2 (c) makes an advocacy statement to limit burning of refuse; however the associated note states burning of refuse is prohibited. This is another potential point of confusion. The statement should be clear that burning of refuse is prohibited and that the prohibition should remain. Or alternatively since it is an advocacy statement perhaps 11.3.2 (c) should be removed since as the way it currently reads it implies a little burning of refuse is okay.

Bylaw 93 Section 12.3.2 – In the absence of any formal protocol on how to contact First Nations we question whether or not Bylaw 93 is an appropriate place/forum to encourage landowners to contact First Nations; however, we feel it is appropriate for a bylaw to encourage landowners to contact the Archaeology Branch and work with First Nations.

Couple of typo's/edits we noted:

Please give careful and serious consideration to the comments and concerns we have expressed above.

If you require further clarification please contact us

Thank you

Kate and Dennis Rutherford, (Property owners, Ruxton Island)

Once again thanks,

Judy Shaw

Lisa Webster-Gibson

From: Sally Leigh-Spencer <sallyls@shaw.ca>
Sent: August-22-14 12:37 PM
To: northphsub
Subject: Fwd: Bylaw changes Reid Island

Sally Leigh-Spencer

Begin forwarded message:

From: Sally Leigh-Spencer <sallyls@shaw.ca>
Date: August 4, 2014 at 15:42:56 PDT
To: "abrozowski@islandtrust.bc.ca" <abrozowski@islandtrust.bc.ca>
Subject: Fwd: Bylaw changes Reid Island

Sally Leigh-Spencer

Begin forwarded message:

From: Sally Leigh-Spencer <sallyls@shaw.ca>
Date: August 4, 2014 at 15:40:00 PDT
To: "abrozowski@islandtrust.bc.ca" <abrozowski@islandtrust.bc.ca>
Cc: Brian <bet.pim@gmail.com>
Subject: Bylaw changes Reid Island

Dear Aleksandra,

We would like to thank you for your recommendation on limiting the number of cabins on Reid to one larger one and one smaller one. As a resident of the north section of Reid Island we agree with you completely that each property be limited to two cabins as to your recommendation. It appears that in the survey conducted on only the north island residents that others differed with this opinion. I would like to comment that some property owners possibly have surpassed the limit of 2 cabins per property. If that is the case perhaps they be grandfathered. We are also concerned that the residents within the co-op on the south end were not part of the survey. They also have a stake in the continued long term survival of the natural environment on Reid Island and the enjoyment that brings to all of us. Too many important issues are at stake to just randomly increase density. Water, sewage and health of the foreshore at the forefront.

We request that you please encourage other people in Islands Trust to consider not increasing the density of cabins to more than 2 on a small sensitive Gulf Island such as Reid.

Yours sincerely

Sally Leigh-Spencer and Brian Thacker

Lisa Webster-Gibson

From: Aleksandra Brzozowski
Sent: August-20-14 2:34 PM
To: northphsub
Subject: FW: August 17 2014 Comment on Proposed Ruxton Land Use By laws Read July 23 2014
Attachments: August 17 2014 Comment on Proposed Ruxton Land Use By laws Read July 23 2014.doc

From: Sue French
Sent: August-20-14 1:52 PM
To: Aleksandra Brzozowski
Cc: Ken Hancock; Peter Luckham; lknezevic@telus.net
Subject: FW: August 17 2014 Comment on Proposed Ruxton Land Use By laws Read July 23 2014

Hi Aleks,

Please add Mr. Knezevic's email below and comment, attached, to the public record.

Thank you,

Sue French
Thetis Local Trust Area Trustee
Islands Trust
250-416-0373
www.islandstrust.bc.ca
Preserving Island Communities, Culture and Environment

From: Olaf Knezevic [lknezevic@telus.net]
Sent: Monday, August 18, 2014 11:32 PM
To: Sue French; Peter Luckham
Subject: FW: August 17 2014 Comment on Proposed Ruxton Land Use By laws Read July 23 2014

Dear Peter and Sue

I was disappointed by what appears as a superficial consideration of my comments on the draft bylaw read April 2014. I state superficial, as when I reviewed the planner's summary table there was little of substance to support the planner's position for the recommendations of no change. A disappointment to be sure but no real surprise I suppose as most parents tend to be less than objective when there are negative comments about their child.

For the third time I have now reviewed the proposed Ruxton bylaws. Attached please find the submission of my substantiated comments on the Ruxton bylaws which were read a second time July 23 2014.

I hope the trustees give them serious consideration rather than simply request the planner (who is hard pressed to provide an unbiased opinion as she penned the bylaws) to review them and provide a recommendation which in turn is more or less gets a rubber stamp.

Olaf Knezevic
2949 W 44 Ave.
Vancouver V6N 3L6

August 17, 2014

Re: **Proposed Bylaws for Ruxton Island** LAND USE BYLAW for Thetis Associated Islands No. 94, 2014 Read July 23, 2014

Dear Trustees

Here are some of my comments based on my reading of the draft Bylaws read July 23, 2014.

These bylaws do not meet the needs of most property owners on Ruxton Island as they attempt to be all encompassing and as such lead to ridiculous and downright unfair and punitive requirements.

The following are examples to justify the above comments.

1.1 Definitions

Building -The definition too broad. As written it could be a tent, a doghouse, gazebo or even a bandstand. Add something like permanent structure with roof and walls.

Commercial-The definition is too broad. As written the definition seems to capture card games for money, renting your cottage, or providing water taxi service which are activities currently carried out on the Island and could be threatened by these bylaws. Reword to avoid destroying current low key acceptable activities. **Or better yet delete.**

Emergency services-Do police not provide emergency services as well? If they do why are they not also included here?

Floor area-The present definition counts a screened in porch as floor area. Which building code in BC is consistent with that interpretation? If there aren't any restrict floor area to the area enclosed by walls. Screening a porch with screen, canvas or plants (other materials) should not be classified by the trust as increasing floor area.

Ocean geothermal loop-here there is a requirement to meet a CSA Standard "as amended from time to time. **Delete the "as amended from time to time"** as it is the local trust committee after appropriate consideration and public input that determines bylaw changes not a CSA Committee somewhere in Toronto. What you propose here is illegal.

Residential-**delete "and does not include the commercial rental of a dwelling for a period of less than on month"** as adding that exception bans short term vacation rentals without upfront public consultation on the matter.

Structure- This definition is so all encompassing it can include a box, garbage can, row boat, water tank etc. The generality of this definition leads to ridiculous bylaw restrictions. If structure cannot be more reasonably defined than as written here, **delete the definition.**

Conformity

2.2(2)

States in part, no person may “construct, reconstruct, place, alter, extend or **maintain** any building or structure or sign except as permitted by this bylaw.” Since on Ruxton there are many non-conforming developments, this section will make it illegal to **reconstruct, maintain** or **alter** these structures. Conformity with this restriction will over time result in a lot of dilapidated and unsafe structures.

Delete **reconstruct, alter** and **maintain** to permit owners to maintain their property.

Enforcement of Siting Regulations

2.8(1)

This section will demand an official survey locating all the buildings and structures on the property when applying for a development variance or a development permit. Why should a landowner pay for such a survey if bylaws introduced by the Islands Trust after the structure was built, cause the property to become nonconforming and therefore require a variance for repair or improvements? Such surveys are an extremely costly proposition on a remote island like Ruxton.

Such a survey should be the responsibility of the Islands Trust not the landowner as the nonconformity was caused by the Islands Trust. The Trust, not the landowner, created the issue and should therefore accept the responsibility for it. Change this section to ensure the innocent land owner is not tagged for these Islands Trust created extra costs.

“Development Permit” is not defined in the Bylaw nor understood by most people. What does one need a development permit for on Ruxton? **Strike the reference to “development permit”.**

Prohibited in All Zones

3.2 (1)

This section as written appears to prohibit the disposal of excrement and urine in any outhouse without a permit. It also prohibits the urination (waste from pets or people) on land or in marine areas unless pursuant to a permit. I do not know of anyone on the island with an outhouse that complies with this. This seems to prohibit even urinating behind a tree on a remote gulf island in the Thetis Trust area.

On Ruxton, most people have outhouses. These outhouses do not have permits. One person on the island has a legal septic system. Others who are dumping into outhouses with no permits have harassed that person for having a septic system. Pets will pee where they must. Ever succeeded in picking up pet pee (waste) from porous ground? It does not work!

Please reword this section to reflect the reality of all life.

Siting and Setback Regulations

3.3(2)

This section prevents a structure that through bylaw change has become nonconforming from in case of damage, being reconstructed. That is an unjustified erosion of a grandfather protection. It is unfair to the landowner. **Delete the term reconstructed** from this section.

3.3(3)

Due to the topography and small lots on Ruxton, the setbacks from the sea in this section are excessive.

The current setback on Ruxton is 10 meters. Many existing structures encroach on the 10-meter setback confirming that the minimum setback from the sea should be REDUCED, not stay the same.

The bylaws should reflect reality, the wishes and actions of those who have invested their time sweat and savings.

Reduce the minimum setback from the sea to 5 meters here and in 5.1 Residential One- (R1) specifically for Ruxton Island Siting. That way most of the existing development on Ruxton will be compliant and the proposed bylaw will actually meet the needs of the property owners. Also **remove the term reconstructed** as this term prohibits the many owners of nonconforming structures from repairing porches, stairs, railings and other structures could become a hazard to themselves and others.

Accessory Uses, Buildings and Structures

3.5(2)

According to a Trust planner, an outhouse is a structure. The proposal prohibits an outhouse on your property before construction of a principle building or principle use. Should you not be permitted to have an outhouse when all you are doing is camping on your recreational property on Ruxton? Does the Trust still permit camping without having a building permit?

Include a provision for an outhouse or two without the requirement for a principal building permit or principle use.

3.5(3)

This restriction prohibits the building of an outhouse before the issuance of a principle building permit. Write the regulation to permit outhouses without the requirement for other building permits.

Home Occupation Regulations

3.6(1)

Permitted home occupations that are conducted on the Island that are left out of the list of permitted activities include sawmilling, planing of wood, home construction and repair, small motor repair, water taxi service etc preventing residents from providing a service and supplementing their living. That seems rather punitive. With some limitations, permit these and other such activities.

Residential One- (R1)

5.1(1)

This section excludes commercial visitor accommodation supposedly “as per community input.” I question the supposed facts of this matter and suggest the conclusion is invalid. I have owned my property on Ruxton for over 30 years. I am not aware of this purported “community” input. I believe I am part of the community. As such, I see no valid reason which justifies prohibiting commercial accommodation such as for example short term vacation rental or providing accommodation for kayakers etc when conducted as defined in 3.6(1)(f). Such rental was common use on many other islands before the trust got involved. Such accommodation would be great for some of the full time residents and would be an asset to the kayaking community. Do we, as stated in the Trust’s mandate, not wish our gulf island to benefit us and all of British Columbia? It is wrong to ignore that. What exactly is the claimed “community input” which supports this proposed restriction?

Do not prohibit short term vacation rentals which you have designated as commercial accommodation, it prevents people from supplementing their limited income.

5.1 Residential One-(R1) Residential area on Ruxton

Permitted Uses

5.1(1)(b)

Short term vacation rental is not mentioned as a permitted use. Under the all other uses are prohibited clause, short term vacation rentals are therefore proposed as banned from Ruxton. This deprives landowners who might not always be in residence from supplementing their income while sharing the beauty of the Island with folks who cannot afford to own land here. That seems to be inconsistent with the Trust’s own reason to exist which is to preserve and protect the islands for the enjoyment of all the people of BC.

Make provision in the regulation to permit short term vacation rentals and some of the more benign forms of visitor accommodation that can supplement a land owner’s income.

5.1(3) Lot Coverage

The lot coverage on Ruxton is in this draft reduced from 25% to 15%. Ruxton has much smaller lots than the other islands covered by this bylaw. To ensure equitability in the actual coverage permitted, Ruxton should be permitted to retain the 25% coverage it has had without any problems for the last 35 years.

Siting and Setback

5.1(4)

This restriction states the minimum setback for any building or structure is 5 meters from any lot line. This bylaw definition of structure includes gates (Gates are commonly found

along the property line.) Therefore this by law requires on Ruxton Island, gates to be set back 5 meters from any lot line. **Please fix this ridiculous restriction.**

5.1(4)

Since there is no setback from the sea specified here, the default is the 10 meter specified in 3.3(3)(a) which is not reasonable for Ruxton.

The setbacks from the sea of 3.3(3)(a) do not reflect the siting of buildings currently built on Ruxton. The small lots and difficult terrain on the island make it extremely onerous for the community to comply with the 10 meter setback.

Many of the existing waterfront development on the island are presently nonconforming. That confirms the present and Draft bylaw requirement of a 10 meter setback from the sea is excessive and does not reflect the wishes nor needs of the community.

For example, my property, a peninsula, is 110 feet at its widest. A 10-meter setback leaves me a maximum conforming development triangle from 0 to 50 feet wide. In order to squeeze something in there and comply with this restriction I would have had to remove Garry Oak, arbutus, incense cedar and end up with an ugly structure with proportions fit for a weasel.

Alternatively the proposed setbacks would require I apply for a variance (\$2,000?), have the place surveyed (\$2,000?) and maybe even have an environmental study to confirm for the trust my development will not adversely or minimally interfere with any of the trust's pet flora, fauna or aquatic life (\$5,000?). All this cost, perhaps \$9,000 plus a two to three year delay before all approvals are obtained.

Why such madness? This is a needless waste of resources in order to comply with an arbitrary setback from the sea to satisfy the ruling jurisdiction's concept of foreshore aesthetics. Where is the scientific proof provided by the trust to justify the proposed setbacks? Provide proof, applicable to the geography of Ruxton based facts rather than what is fashionable today. Proof based on cost effectiveness for lightly used recreational property. Provide proof that a 10-meter setback from the sea is justified for Ruxton Island. Please do not hide behind island trust policy, which is not law but rather a vision conceived by and agreed to by trustees from islands with much larger lots.

The proposed setback appears to be geared to create a visual space to please the passerby who has no interest in seeing interesting cottages and who has no commitment to Ruxton (i.e. taxes, developments). Ruxton is not a public park. It is a collection of privately owned and cared for properties where a 10 meter setback does not work.

We request the setback from the sea be reduced to 5 meters thereby reflecting the demonstrated needs of the community. In 5.1(4) add *The minimum setback for any building or structure except a fence, utility shed, boathouse, platform with maximum area of 5 square meters, stairs and boat ramps is 5 meters from the sea.*

Alternatively be creative and consider a variable setback from the sea tied to the size of the proposed structure i.e. have a base minimum setback of 5m for structures up to 700sqft, 10m setback for structures of 701-1000sqft and a 15m setback for structures greater than 1,000sqft.

Siting and Size

5.1(6)

What is the justification for requiring a height differentiation between an accessory and main building? Why on Ruxton must accessory building be lower than the main

building? This proposal defies logic. An accessory building may support a wind turbine or solar cells. Both of those should be as exposed as possible to optimize the harvest of renewable energy. To avoid shading or wind shadow they may need to be higher than the main building.

If a height limit is to be imposed, be reasonable; permit the accessory building to be at least the same height as the main building. That will help facilitate installation of effective renewable energy structures.

Community service

Permitted Uses

5.6(1)

This section identifies limited uses and states, “all other uses are prohibited.”

Interpreting this edict as written, dumping in outhouses without permits, sitting on benches, having meals while sitting on picnic tables in this zone, etc. will be prohibited. That for most people is unreasonable

Delete “all other uses are prohibited”.

Siting and Size

5.6(4)

The minimum setback from any lot line should be no less than that required for a residence which this proposal is setting as 5m. What justifies a lesser setback?

Park

Permitted Uses

5.7(1)(a)

Include “Community Park” as well.

Private Conservation

Permitted Uses

5.8(1)

Along with specific uses there is a statement “all other uses are prohibited”

This suggests that sitting on benches to rest, hiking for exercise, taking photos, walking and the viewing or monitoring of wildlife which are other uses, are prohibited. That is not nice of the trust. **The restriction of “all other uses are prohibited” is too restrictive**

and should be struck.

Permitted Structures

5.8(2)

This seems to prohibit benches, platforms and outhouses as these are structures and since they are not mentioned, they are prohibited in this bylaw here. Delete “**and all other structures are prohibited**”

Siting and Size

5.8(3)

The setbacks should be at least as restrictive as they are for residences. **Set at 5 not 4.5 meters.**

Marine General (W1)

5.9(1)

There is a list of permitted uses and a statement that “all other uses are prohibited”.

This restriction leads to the prohibition of uses for the following; water sports, mooring a float plane, fishing, wading, kayaking, gunk holing, crabbing, gathering clams or oysters etc. Since these are activities treasured by most who have property on these islands that controlling restriction is unreasonable and therefore **“all other activities are prohibited” should be struck.**

5.9(3)

There is no scientific reason provided to justify limiting docks to 37 square meters.

Many sailboats and powerboats require larger docks for proper moorage.

Strike this unjustified arbitrary size restriction.

Conditions of Use

5.9(6)

This prohibits the mooring, docking or other storage of derelict or abandoned floats, ramps, or walkways. Think about the issue a little more. If these items are not moored or stored somewhere, they can become navigational hazards and damage boats. If the Islands Trust refuses to remove them, permit us to at least confine these items the best we can to reduce the hazard they pose.

Remove this restriction as it promotes unrestrained navigational hazards.

Marine Service (W2)

5.10(1)

Again the term all other uses are prohibited should be struck as it prohibits other common uses such as salvage, beachcombing, swimming, fishing, rowing, kayaking etc.

Remove “all other uses are prohibited.”

Conditions of Use

5.10(5)

This prohibits the mooring, docking or other storage of derelict or abandoned floats, ramps, or walkways. If these items are not moored or stored somewhere, they can become navigational hazards and damage boats. If the Islands Trust refuses to remove them permit us to at least confine these items to reduce the hazard they pose.

Remove this restriction as it promotes unrestrained navigational hazards.

Marine Ruxton (W3)

5.11

There is absolutely nothing materially different about Ruxton from other small islands in the area to justify a different zone. Zone the marine zone around Ruxton W1 and W2 as is proposed for the rest of the small islands.

As written the bylaw prohibits docks on Ruxton.

This prohibition denies residents safe access to their waterfront property.. This denial of safe access places older folks and the handicapped in particular at avoidable risk. This denial may be deemed discriminatory. Does the trust still care about the people in the trust area? Does the trust not have a desire to be inclusive of all the population or only cater to the young and healthy?

On the August long weekend I became a casualty due to the lack of safe access when for the first time in 30 years I fell and smashed myself on the rocks getting from my boat to shore. I was lucky as I had my life jacket on and did not break any bones. I lost some blood and a rather expensive cell phone which went in the water with me. You are also lucky as my lawyer advises my case against you would be difficult to prove because there was no direct witness. You can be sure, should the continued dock prohibition get final reading, and this kind of event reoccurs with a witness at hand, the Trust will be held accountable for their negligence due to knowingly denying us safe access.

Furthermore prohibition of safe access will slow down and create additional hazards for emergency personnel such as fire crews, police and first aid responders placing people and property at avoidable risk.

The Islands Trust having addressed the issue of access and having passed legislation which it knowingly subjects people to avoidable risk will be liable for subsequent injury or loss. This is avoidable if Ruxton is treated like all the other islands where property owners are permitted to build docks and are permitted safe access to their property. If you insist on a W3 zone for Ruxton, include a statement to the effect **A dock may be constructed adjacent and accessory to any upland lot in the W3 zone.**

Conditions of Use

5.11(3)

This prohibits the mooring, docking or other storage of derelict or abandoned floats, ramps, or walkways. If these items are not moored or stored somewhere, they can become navigational hazards and damage boats. If the Islands Trust refuses to remove them, permit us to at least confine these items to reduce the hazard they pose.

Remove this restriction as it promotes unrestrained navigational hazards.

Signs

6.1 Have signs been a problem on the small islands? What are we fixing here? The requirement seems needlessly restrictive. This prohibits signs for private toilets, the

library, the Ruxton Island Assn Bulletin board, no trespassing, no hunting, or garage sale signs etc. Why?

Limit the size if you must control something. Leave the rest alone.

Summary

This Draft if implemented without major revision will result in significant restrictions on private property.

The Draft does not reflect the reality and limitations the small lots on Ruxton Island create for the owners.

The Draft Bylaw fails to resolve the two main issues with the existing regulations namely

1. The Trust's Prohibition of safe access to properties on the island.
2. The setbacks from the sea being too restrictive.

Instead the proposed Bylaw threatens the community with pages of unwanted regulation addressing many things that are not a problem.

The Draft bylaws strip private property rights, fix little and create problems where none existed.

The proposed Draft Bylaw erodes rather than improves the quality of life for most property owners on Ruxton.

It seems that the proposed bylaws are designed to further some Islands Trust agenda at the expense of the landowners.

Please protect me and my property from the Islands Trust by not passing these bylaws.

Olaf Knezevic
2949 W 45 Ave.
Vancouver, BC, V6N3L6

From: Rutherford, Dennis <Dennis.Rutherford@dfo-mpo.gc.ca>
Sent: August-20-14 10:29 AM
To: northphsub
Cc: Aleksandra Brzozowski; questshaw@hotmail.com; kdrutherford@telus.net
Subject: Comments on Bylaws 93 and 94

To: Islands Trust

From: Kate and Dennis Rutherford

RE: Proposed Bylaws 93 and 94

Thank you for the opportunity to comment on the Official Community Plan (Bylaw 93) and the Land Use Bylaw for Thetis Associated Islands (Bylaw 94). We would first like to commend the planners and elected trustees on developing a very comprehensive plan that will be of benefit to residents and also support the mandate of Islands Trust. It is obvious from these documents that staff and trustees have taken the time to try and understand the lifestyle and values of the property owners and how we can play a role in maintaining the environmental uniqueness of these islands.

We strongly support the vast majority of the sections in the two bylaws; however, we do have concerns and comments regarding some of them. The following comments are not in order of importance to us but rather in sequential order as they appear in the bylaws:

Bylaw 93 Section 1.4 is a background paragraph which states there are no "... commercial visitor accommodation facilities..." "Perhaps this should be reworded to no "...**commercially zoned** visitor accommodation facilities..."; reason being is that Section 4.2.3 and Bylaw 94 Section 3.6 (1) (f) allow for restricted commercial accommodation. This is not a contentious point but rather a source of confusion that seems to imply this bylaw is a major change to the existing use and rules around visitor accommodation which we do not feel is the case here.

Bylaw 93 Section 5.3.1 is an advocacy statement for Transport Canada to monitor and enforce the regulation of mooring buoys in the plan area. Currently there are no issues with mooring buoys around Ruxton Island so enforcement of TC regulations (i.e., removal of some buoys) may in fact be doing a disservice to residents. We suggest that Bylaw 93 remain silent on this topic by removing Section 5.3.1.

Bylaw 93 Section 1.7 last paragraph and **Section 6.2.8** use the words "...enhancement of the natural environment.." We very strongly suggest that the word enhancement not be used. The term "enhancement of the natural environment" implies anthropogenic interference in allowing nature to take its true course and this is something we definitely do not want to endorse, particularly in park land. Enhancement can be a very dangerous tool when it comes to the environment. We suggest the wording in the last paragraph in Section 1.7 be edited to read "...protection, restoration and preservation of the natural environment..." Section 6.2.8 also needs the word enhancement removed and edited to be consistent with the suggested wording above for Section 1.7.

Bylaw 93 Section 11.3.2 (c) makes an advocacy statement to limit burning of refuse; however the associated note states burning of refuse if prohibited. This is another potential point of confusion. The statement should be clear that burning of refuse is prohibited and that the prohibition should remain. Or alternatively since it is an advocacy statement perhaps 11.3.2 (c) should be removed since as the way it currently reads it implies a little burning of refuse is okay.

Bylaw 93 Section 12.3.2 – In the absence of any formal protocol on how to contact First Nations we question whether or not Bylaw 93 is an appropriate place/forum to encourage landowners to contact First Nations; however, we feel it is appropriate for a bylaw to encourage landowners to contact the Archaeology Branch and work with First Nations.

Couple of typo's/edits we noted:

Bylaw 93 Section 11.2.2 "LTC " should be expanded to Local Trust Committee to be consistent with the other sub-sections.

Bylaw 93 Section 1.5 do not think "Outstation " should be capitalized.

Please give careful and serious consideration to the comments and concerns we have expressed above.

If you require further clarification please contact us

Thank you

Kate and Dennis Rutherford, (Property owners, Ruxton Island)

Lisa Webster-Gibson

From: Tom and Cathy Williams <tomcathy@telus.net>
Sent: August-12-14 10:37 AM
To: northphsub
Subject: Fw: Proposed Bylaws for Ruxton Island

From: Tom and Cathy Williams
Sent: Tuesday, August 12, 2014 10:26 AM
To: Tom and Cathy Williams
Subject: Fw: Proposed Bylaws for Ruxton Island

Re: **Proposed Bylaws for Ruxton Island, especially** LAND USE BYLAW for Thetis Associated Islands No. 94, 2014

To whom it may concern,

I read through the proposed Land Use Bylaw for Thetis Associated Islands No. 94, 2014 with concern. My family has owned property on Ruxton Island since 1965. Since I was five years old I had the joy of working alongside my father and mother using beachcombed materials to adapt to island living. Our own children, in turn, have experienced the same pleasures and are now at the age when they are starting their own families. There came a time a number of years ago when my parents were unable to safely access the island. (After my mother broke her leg on the bank, the construction of some simple steps and ramps extended the time they could enjoy the property for a few years.) My wife and I received ownership of the property just before my mother died in 2010.

We are encouraged to see that the latest version of the bylaw exempts ramps and stairs from the proposed setback regulations. I also note that the proposed Community Plan, Bylaw 93) is encouraging the consideration of community docks. Nevertheless the new bylaw no. 94 still seems unnecessarily intrusive, exclusive, and restrictive.

We are particularly concerned about additional, unnecessary restrictions on private property rights, restrictions on safe access to property which discriminate against people with accessibility challenges, and hindrances to maintaining and updating existing structures.

For nearly fifty years our family has enjoyed, appreciated, and valued the human element of life in the Gulf Islands. In the words of an old adage, "no less than the trees and the stars, we have a right to be here." Please do not accept the intrusive interference that is reflected in this Land Use Bylaw document.

Here is something to consider. Paraphrasing from "Trauma Farm" by Saltspring Island writer Brian Brett, there are 66 words in The Lord's Prayer, 1337 words in the Declaration of Independence, and about 15, 000 words in the Land Use Bylaw no. 94 for Thetis Associated Islands.

Thank you for the work you do to preserve the simple pleasures of island living.

Sincerely,
Tom and Cathy Williams
1374 Lockyer Rd.

Roberts Creek, BC
V0N 2W1



Thetis and Associated Islands Local Trust Committee Public Hearing Record

Date of Meeting: Wednesday, August 27, 2014

Location: Chemainus Legion
Chemainus 9775 Chemainus Rd, Chemainus, BC

Members Present: Ken Hancock, Chair
Peter Luckham, Local Trustee
Sue French, Local Trustee

Staff Present: Aleksandra Brzozowski, Island Planner
Lisa Webster-Gibson, Legislative Clerk
Jessie Sherk, Recorder

Media and Others Present: Ten (10) members of the public were in attendance.

1. CALL TO ORDER

Chair Hancock called the public hearing to order at 2:15pm

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Hancock read a formal opening statement. It explained that the public would be given a reasonable opportunity to be heard. He explained that this was the last opportunity for the Local Trust Committee to receive submissions.

3. REVIEW OF PUBLIC HEARING NOTICE

Planning Clerk Webster-Gibson reviewed the public hearing notice. She listed each of the proposed bylaws and explained their purpose. Planner Brzozowski then went over the agency referrals and stated that the Local Trust Committee had also considered those comments.

5.1 BYLAW NOS. 93 AND 94 – SUBMISSIONS

Olaf Knezevic, 2949 West 45th Ave, Vancouver

It was noted that Mr. Knezevic had already sent his submission to the Trustees. Mr. Knezevic summarized his submission stated that he believes that if this draft is implemented, it would demonstrate a failure of the Trust to adequately address safety. He stated that he feels that the draft does not reflect reality and it fails to resolve the continuing issues on Ruxton with the existing regulations. Instead, the bylaw threatens

the community with unwanted regulation addressing things that are not a problem and if islanders were to comply it would create an environmental nightmare on that island. The draft bylaws strip private property rights. He asked that the Trustees not pass these bylaws without major amendments including amendments to the setback from the sea.

Dennis Rutherford, 3623 Reynolds Rd, Nanaimo

Mr. Rutherford thanked the Trustees, Planners and staff and also noted that he had provided a written submission. Further to that he suggested that the advocacy statement that mentions Transport Canada in Bylaw 93, 5.3.1 be changed or words added so that it does not sound like a request for Transport Canada to come in and do something. He also noted that in Bylaw 93, Section 1.7 and 6.28, the wording “enhancement of the natural environment” is a concern to him as it implies that human interference will not allow nature to take its course. He encouraged the Trust Committee to remove that wording.

Larry Ross, Victoria

Mr. Ross stated that any way to limit the number of waterfront lots would be good for the island.

Chair Hancock called a second time for anyone that wanted to make a statement for the record.

Ab Barrie, #103 550 Blue Girl Way, Nanaimo

Mr. Barrie noted that he had concerns with regulations. He felt that in order to meet all BC Building Code regulations, they would in fact be clearing out lots to an excessive situation. He stated that the temperature is affected when trees are removed. He noted that people should be encouraged to collect rainwater as the island only has one good community well. He also stated that an issue that is not addressed at all is how community members could get some funds back from their taxes from a system of sustainability. He noted that the biggest concern in the summer is fire. The island needs equipment and training. He recognized that the government does provide courses but it is not cheap for people to go to Salt Spring Island to participate in them. In closing, he stated that if they start expanding roads and septic fields, they will do more harm to the island.

Chair Hancock called a third time for people making a statement for the record.

Olaf Knezevic, 2949 West 45th Ave, Vancouver

Mr. Knezevic stated that he does not agree that floats for swimming and dinghy's should not be permitted. He stated that the floats help with the loading and unloading of boats and are also very enjoyable for the children.

Chair Luckham gave a final call for people to make a statement.

Dan Geisbrecht, Suite 212, 3994 Shelbourne St, Victoria

Mr. Geisbrecht stated that he agrees with Mr. Knezevic regarding the floats. He also noted that he is concerned with the setbacks in relation to windmills. This may cause someone to have to top or remove trees in order to maximize winds. He suggested that they might want to consider allowing the placement of the windmills to be outside of the regular 10-meter setback. He also noted that windmills can be very noisy and higher quality windmills should be encouraged.

6. CLOSURE

Chair Hancock declared the Public Hearing closed at 2:42pm.

TH-2014-090

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee close the public hearing.

CARRIED

Ken Hancock, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder

THETIS ASSOCIATED ISLANDS COMMUNITY PLAN

SUGGESTED CHANGES IN ADVANCE OF THIRD READING OF BYLAWS 93 & 94

Concern	Comment from:	Specifics	Require change to OCP?	Require change to LUB?	Staff Comments	Possible Options	Recommended Option
Definition of Ocean Geothermal Loop System	Ruxton community member	Consider deleting “as amended from time to time” from definition.	No	Yes [1.1]	The note in the definition was meant to explicitly acknowledge possible changes by the Canadian Standards Association, but removing this detail will not change the intent of the definition.	- Remove the words “as amended from time to time” from the definition of “Ocean Geothermal Loop” in Proposed Bylaw 94. - No change.	No specific recommendation .
Reference to commercial visitor accommodation in OCP Background	Ruxton community member	Suggested that the description “there are no commercial visitor accommodation facilities” be revised to avoid confusion or potential error in the statement taking into account the proposed definition of “commercial visitor accommodation” as a home occupation.	Yes [Section 1.4]	No	While a small change, doing so could improve clarity.	- Change the term “commercial visitor accommodation facilities” to “commercially zoned visitor accommodation facilities”. - No change.	Option 1.
Reference to Development Permit Areas	Ruxton community member	Consider deleting “development permit areas” from all sections of the bylaws, since there are no development permit areas proposed for the bylaws.	No	Yes [2.8 (1)]	As there are no development permit areas in the bylaw, it follows that the term is not referenced in the bylaw. If development permit areas are added to the bylaws, the words can be re-inserted at the same time as the bylaw amendment.	- Remove the words “development permit areas” from Section 2.8 (1) of Proposed Bylaw 94. - No change.	Option 1.
Consolidation of Lots	Trustee	The consolidation of lots on the Associated Islands should be encouraged regardless of size.	Yes [3.2.8]	No	This recommended change is in line with the Islands Trust Policy Statement.	- Remove the words “less than 0.5 hectares” in Proposed Bylaw 93, Section 3.2.8. - No change.	No specific recommendation .
Wind Turbines	Ruxton community member	Suggests replacing the current wind turbine setback of 1.25 times the height of the wind turbine with a general setback or a noise restriction.	No	Yes [3.3 (6)]	A wind turbine, as a structure, must be placed at a minimum of 10 metres from the natural boundary of the sea, and 5 metres from any lot line. Regulation 3.4 (2) also restricts wind turbines to a maximum height of 15 metres. Regulation 3.3 (6) increases the setback restriction to a potential 18.75 metres, depending on the height of the turbine. For many of the smaller lots on Ruxton, this setback requirement from the interior lot line could prove difficult to successfully place a wind turbine higher than 10 metres onto the property. The currently proposed calculation was generated from reviewing the regulations for many different municipalities allowing domestic wind turbines. Setback ratios for domestic turbines typically ran between 1.5x and 10x the height of the turbine. A ratio of 1x the height of the wind turbine typically was accompanied by a decibel restriction but such a regulation would be difficult for the Islands Trust to enforce.	- Replace the wording for 3.3 (6) with a more general setback requiring “a minimum distance of 15 metres”. - Replace the wording for 3.3 (6) with a more relaxed setback requiring “a minimum distance of 1 times the height of the wind turbine”. - No change.	No specific recommendation .
Rainwater Collection	Ruxton Community Member	Rainwater collection should be promoted.	Yes [Section 3 & Section 10]	No	Advocacy Policy 10.3.4 in the Official Community Plan already encourages property owners to collect rainwater as an alternative to extracting groundwater. An advocacy policy could be mirrored in Section 3 (Residential Policies) of Proposed Bylaw 93, but staff believes this is unnecessary.	- Copy Advocacy Policy 10.3.4 of Proposed Bylaw 93 and add it as Advocacy Policy 3.3.2 in Proposed Bylaw 93. - No change.	Option 2 (no change).



THETIS ASSOCIATED ISLANDS COMMUNITY PLAN
SUGGESTED CHANGES IN ADVANCE OF THIRD READING OF BYLAWS 93 & 94

Seasonal Cabin Policy	Trustee	Reference the Cowichan Valley Regional District's's Seasonal Cabin Policy that adjusts building permit criteria for certain seasonal cabins on remote access islands.	Yes [Section 3 – Residential Land Use Policies]	No	In 2009, the CVRD passed a policy to relax potable water supply and sewer system requirements for “seasonal cabins” on remote access islands. A “seasonal cabin” is a dwelling that has a self -contained sanitation facility, may contain cooking, eating, living and sleeping facilities, cannot exceed 74 sq. m. in floor area, and whose use is limited to 180 days per year. This policy belongs to and is administered by the CVRD; as such, it is up to their discretion to apply this policy to building permit applications. Still, the CVRD has requested direction as to which islands in the Thetis LTA the LTC considers applicable to this policy. Although their policy does not seem generally applicable to Thetis or Valdes Island, it could be applicable to the Associated Islands. That said, it is not be necessary for the LTC to refer to this policy in their land use bylaws. Furthermore, a key criterion of the policy is that the property is only to be used a maximum of 180 days a year. Due to low enforcement on these islands, this would be a difficult factor to monitor. If property owners shift towards more prolonged use of their properties on these islands, curtailing possible abuse of this policy would depend to a great extent on the involvement of the surrounding community, something which residents of very small island communities are often reticent to take on. Staff would not recommend encouraging the use of this policy due to the difficulty to monitor the concept of seasonality. If not encouraging the policy, Staff does not believe it is necessary for the LTC to refer to this policy in their land use bylaws.	1. Add Advocacy Policy 3.3.2 to Proposed Bylaw 93: “3.3.2 The Cowichan Valley Regional District may consider the islands in this Plan Area to be applicable for the CVRD Seasonal Cabin Policy, subject to the criteria laid out in said policy.” 2. No change.	Option 2 (No Change).
Home Occupation Regulations	Ruxton Community Member and Trustee	Consider adding to the list of permitted home occupations: saw milling, wood planing, home construction and repair, small motor repair, water taxi service.	No	Yes [3.6 (1)]	Water taxi and taxi service is captured under the “personal and instructional services” subset 3.6 (1)(d). “transportation” could be added to this subset of services to be more inclusive. Small motor repair is captured under the “repairing of goods” subset 3.6 (1)(b). Wood planing and home construction and repair could be included as an additional subset of permitted home occupation: “carpentry and home repair”. “Woodworking” could also be added to the artisan crafting subset in 3.6 (1)(a). Saw milling is not captured under the currently proposed permitted home occupations. Staff advises that due to the nature of saw milling, it may be a more appropriate option to require a Temporary Use Permit application for such a permission.	1. Add the additional permitted home occupations: (a) drawing, carving, painting, printmaking, photography, woodworking, and sculpture for commercial purposes. (b) repairing of goods. (c) professional practice. (d) Personal, transportation, and instructional services. (e) the production of craft articles for sale including without limitation ceramics, furniture, weaving, and musical instruments. (f) Carpentry and home repair. (g) commercial visitor accommodation, subject to the following additional regulations: (i) a commercial visitor accommodation must be conducted solely within a principal dwelling; (ii) not more than 2 bedrooms may be used to accommodate guests; and (iii) not more than 4 guests may be accommodated at any one time. 2. No change.	Option 1.



THETIS ASSOCIATED ISLANDS COMMUNITY PLAN
SUGGESTED CHANGES IN ADVANCE OF THIRD READING OF BYLAWS 93 & 94

Subdivision regulations for Ruxton Island	Ruxton Island community members	The current zoning regulation does not allow for subdivision of lots, which limits the ability to consolidate multiple lots.	No	Yes [5.1 (8)]	This was an oversight on the part of the planner, and should be changed to better allow lot consolidation.	1. Delete the wording for Bylaw 94, Section 5.1 (8) and add new regulations to read: (8) The minimum average lot area for any subdivision in the R1 zone is 4 hectares. (9) The minimum lot area in the R1 zone is 1 hectare.	Option 1.
Setbacks in Community Service Zones	Ruxton Community Member / Trustee	Increase the setback from 4.5 metres to 5 metres (same as residential setbacks)	No	Yes [CS 5.6 (4)]	There is no specific rationale to having a 4.5 metre setback as opposed to a 5 metre setback.	1. Increase the setback from lot lines to 5 metres for Section 5.6 (4). 2. No change.	Option 1 .
Parks Zoning	Trustee	Community Parks are not included as a permitted Park.	No	Yes [P 5.7 Parks]	The word “Community” could be inserted into Section 5.7 (1)(a) of Proposed Bylaw 94 as follows: 5.7 (1) The following uses are permitted in the P zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited: (a) Provincial, Regional, Community Parks and Ecological Reserves.	1. Insert the word “Community” to 5.7 (1)(a) of Proposed Bylaw 94. 2. No change.	No specific recommendation .
Use of the word “enhancement” regarding parks and conservation areas	Ruxton Community Member	There is concern that the term “enhancement” invites too much human interference in what are meant to be natural areas.	Yes [Section 6.2.8]	Yes [5.7(1)(c)]	The term “enhancement” was suggested by the CVRD Parks department; however, removing the term “enhancement” would not preclude the CVRD Parks department from undertaking what could be called ‘enhancement’ projects in its regional parks, as the CVRD is the authority for those parks. As such, should the LTC share concerns about the term “enhancement”, it could be removed. Removing the term from Proposed Bylaw 93 would read as follows: 6.2.8 The Local Trust Committee should support community-based initiatives that contribute to the protection and restoration and enhancement of the natural environment, ecosystems, and biodiversity. Removing the term from Proposed Bylaw 94 would read as follows: 5.7 (1) The following uses are permitted in the P zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited: (c) Ecosystem restoration. and enhancement .	1. Remove the word “enhancement” from Policy 6.2.8 of Proposed Bylaw 93, and from Policy 5.7(1)(c) of Proposed Bylaw 94. 2. No change.	No specific recommendation .
Marine Advocacy Policies	Ruxton community members	Consider re-wording the phrase “Transport Canada is encouraged to monitor and enforce the regulation of mooring buoys in the Plan Area” to read as something less severe.	Yes [5.3.1]	No	The intention of this advocacy policy is to promote better mooring spacing in crowded bays. Staff agrees this could more realistically be achieved through outreach than enforcement. The following uses more collaborative language: “Transport Canada is encouraged to educate and work with communities to promote appropriate regulation of mooring buoys in the Plan Area.”	1. Replace Advocacy Policy 5.3.1 of Proposed Bylaw 93 to read: “Transport Canada is encouraged to educate and work with communities to promote appropriate regulation of mooring buoys in the Plan Area.” 2. No change.	Option 1.



THETIS ASSOCIATED ISLANDS COMMUNITY PLAN SUGGESTED CHANGES IN ADVANCE OF THIRD READING OF BYLAWS 93 & 94

Swimfloats and floats as permitted structures	Ruxton community member	Floats for swimming and for loading/offloading of materials should be allowed as permitted structures.	No	Yes [Definitions, 5.9(1); 5.10(1); 5.11(2)]	The removal of the term “swimfloat” was an error on the part of the planner. It, as well as “float”, existed in all three draft versions of the land use bylaw. The December 12, 2013 minutes of the Ruxton APC note the discussion of “the definition of float and swim float, and if floats should be permitted. The general feel is that they should stay with the old bylaw where floats are not allowed but swim floats are.” Staff believed this a reasonable suggestion for the land use bylaw but it was not captured in the Draft bylaw presented for First Reading. Because “swimfloat” was not specifically referenced in any regulation, it was removed altogether from the definitions prior to First Reading. “Swimfloat” should be reinsterted as a definition and be added as a permitted structure in the Ruxton W3 zone. Furthermore, both “floats” and “swimfloats” should be added as permitted structures in the W1 and W2 zones. Staff advises not to permit “floats” as structures in the Ruxton Marine W3 zone since shoreline structures for loading/offloading are allowed and there is little in the definitions to distinguish a float from a floating dock.	1. Add “swimfloats” as a permitted structure in the Marine Ruxton (W3) zone in Proposed Bylaw 94. Add “swimfloats” and “floats” as permitted structures in the W1 and W2 zones. Add the following definition to Proposed Bylaw 94: “swimfloat” means a floating non-roofed structure that is used as a platform for diving or respite from swimming and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor and is not to be used as a landing or moorage place for marine transport. 2. No change.	Option 1.
Signs	Ruxton Community Member	Consider adding “signs for community information” to list of permitted signs.	No	Yes [6.1(2)]	The words “community information” could be inserted into Proposed Bylaw 94 as follows: 6.1 (2) Directional, traffic control, safety, community information, and navigational signs;	1. Insert the words “community information ” to 6.1 (2) of Proposed Bylaw 94. 2. No change.	No specific recommendation .
Burning of Refuse	Ruxton Community Member	Noted that if there is a separate regulation that prohibits the burning of refuse full stop, the OCP policy should be to not burn refuse rather than limit burning of refuse.	Yes [11.3.2 (c)]	No	This modification is more direct.	1. Change the wording in Advocacy policy 11.3.2 (c) in Proposed Bylaw 93 to read: not burn refuse”. 2. No change.	Option 1.
Archaeological Sites	Ruxton Community Member	Lacking a formal protocol on the general public contacting First Nations, consider amending the Advocacy Policy on contacting First nations about archeological sites.	Yes [12.3.2]	No	Staff acknowledges the potential complications in encouraging residents to contact First Nations directly about Removing the phrase “contact” retains the intent of the Advocacy Policy in Proposed Bylaw 93 and could be modified as follows: 12.3.2 Landowners are encouraged to contact and work with First Nations to protect archaeological and cultural sites.	1. Remove the words “contact and” in Advocacy Policy 12.3.2 of Proposed Bylaw 93. 2. No change.	Option 1.



Community Plan Review for Thetis Island Local Trust Area Associated Islands

Communications Plan

Creation Date: September 25, 2012

Last Updated: November 14, 2012

Version: 1.2

	Name	Endorsement Date
Project Sponsor	Courtney Simpson A/Regional Planning Manager	September 25, 2012
Project Manager	Aleksandra Brzozowski Island Planner	
Local Trust Committee	Thetis Island	October 3, 2012

Purpose

Taken from "Guidelines: A Strategic Approach to Local Trust Committee Communications" approved by Executive Committee, August 2011:

A Communication Strategy is an essential planning tool to help coordinate communication activities by:

- *Ensuring all communications focus proactively on Islands Trust's priorities, goals and objectives in a clear, timely and cost-effective way*
- *Ensuring roles & responsibilities are clear and consistent, ideally guided by policy*
- *Harnessing and focusing combined efforts to prevent duplication, avoid unintended conflicts and to make the most of existing opportunities (e.g. partnership with other agencies)*
- *Minimizing last-minute demands (crisis management)*
- *Anticipating public reaction before launching projects*

Goals of Project Communications

- *To ensure that asserted Aboriginal rights are not infringed upon and further, to assist First Nations in achieving their goals in the Community Plan area where opportunities exist*
- *To describe the process, timeline and opportunities for input to property owners*
- *To empower property owners to have their say and demonstrate that they are being heard and their comments are valued*
- *To make participation in this process accessible to all property owners, other stakeholders, and First Nations*
- *To explain and educate around the policy and legislated framework for creating an official community plan and land use bylaw in the Islands Trust Area, including the Policy Statement*
- *To engage the Cowichan Valley Regional District in discussion of shared interests including parks and building inspection*

Background

In July, 2012 a survey was distributed to property owners in the Community Plan Project area that asked questions on a few topics including preferred communication and engagement methods. Results of the survey showed the following:

- **Receiving information:** respondents overwhelmingly prefer to receive communication by email or mail over social networking, blog, or updates to the Islands Trust website. Staff recommends mailed newsletters are used throughout the project, and that the next one includes instructions on how to sign up for automatic email updates when new information is added to the website. It is important to continue to use the website as a place to store documents and up-to-date information, but the survey results showed that this shouldn't be relied on as they only method of communication.
- **Gathering input:** The most preferred method of providing input is a survey, which is only slightly more preferred than writing letters or emails with feedback, both of which respondents on average are "somewhat likely" or "very likely" to participate in. Whether a survey is online or on paper does not seem to affect the average response. In-person meetings was the third most preferred method with, on average, respondents being "somewhat likely" to participate or "unsure". Responses indicate that people are unlikely to participate in online social networking or comments on a blog post
- **Meeting on Vancouver Island:** The survey explained that over 80% of property owners live on Vancouver Island or the lower mainland and the LTC is considering holding one or more in-person meetings on Vancouver Island, most likely in Nanaimo to be convenient to those travelling by ferry or float plane from Vancouver and central on Vancouver Island. Respondents were asked to indicate how likely they are to attend an in-person meeting on Vancouver Island. Only 9 respondents, or 21%, indicated they were likely to attend, and 24, or 57% indicated they were unlikely to attend, while 9 or 21% indicated they were unsure. Responses from property owners Ruxton and on the other were similar. Given this relatively low interest, staff recommends a summer 2013 meeting is planned for Ruxton Island, but it is not practical to hold a meeting on each of the other islands with much fewer properties. Holding a meeting on Vancouver Island to inform the non-Ruxton property owners of the project maybe the most practical considering costs and benefits.

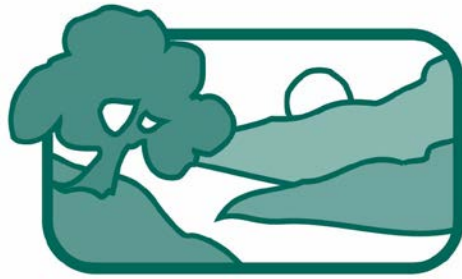
Action Plan

Method	Key content / message	Cost	Target Date
<i>Website updates</i>	All project documents and meeting notices	\$0	ongoing
<i>Newsletter #1</i>	Description of the timeline and process	\$200	July, 2012
<i>Survey #1 (online and mailed)</i>	Gather info on use of property, preferred communications, and goals for islands	\$0	July, 2012
<i>Article in Ruxton Review</i>	Description of the timeline and process	\$0	July, 2012
<i>Letter to First Nations</i>	Early consultation	\$0	July, 2012
<i>Meeting on Ruxton</i>	Description of process and timeline, opportunity to ask questions	\$750	September, 2012

Method	Key content / message	Cost	Target Date
<i>Meeting with CVRD</i>	Early discussion of shared interests (parks, building inspection)	\$0	October, 2012
<i>Newsletter #2</i>	Update on Ruxton APC work on project goals and goals on other islands	\$200	December, 2012
<i>Survey #2 (online)</i>	Request feedback on draft project goals	\$0	December, 2012
<i>Meetings with First Nations</i>	Discussion of their interests in the islands and Community Plan (extent of consultation dependent on what we hear back from initial letter)	\$0	ongoing
<i>Meeting on Vancouver Island</i>	Focus meeting on non-Ruxton property owners, discussion issues	\$200	May, 2013
<i>Newsletter #3</i>	Update on project including adopted project goals and any studies being undertaken	\$200	June, 2013
<i>Article in Ruxton Review</i>	As above and to advertise Summer, 2013 on-Ruxton meeting	\$0	July, 2013
<i>Meeting on Ruxton</i>	Discuss / consultation on draft OCP	\$750	August/Sept, 2013
<i>Survey #3 (online)</i>	Consultation on draft OCP	\$0	Summer, 2013
<i>Newsletter #4</i>	Update on draft OCP and draft LUB	\$200	November, 2013
<i>Survey #4 (online)</i>	Consultation on draft LUB	\$0	November, 2013
<i>Newsletter #5</i>	Update on changes to OCP and LUB from consultation, communicate legislated process to adopt bylaws	\$200	January, 2014
<i>Public Hearing Notice</i>		\$1,500	March, 2014
<i>Newsletter #6</i>	To announce adoption of OCP and LUB and provide information on implications	\$200	October, 2014

Resources

Staff is responsible for preparing and distributing communication materials. The LTC was asked to endorse the initial newsletter and survey, but will not necessarily be given the opportunity to endorse future written materials due to time constraints between LTC meetings. By endorsing this Communication Plan, the LTC is directing staff to prepare and distribute the listed materials.



Islands Trust

THETIS ASSOCIATED ISLANDS

OFFICIAL COMMUNITY PLAN

BYLAW NO. 93, 2014

[Back of Front Cover]

**THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 93**

**A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE THETIS LOCAL TRUST AREA
ASSOCIATED ISLANDS**

The Thetis Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area in the Province of British Columbia pursuant to the Islands Trust Act, enacts as follows:

AND WHEREAS the Thetis Island Local Trust Committee wishes to adopt an Official Community Plan;

AND WHEREAS the Thetis Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Thetis Island Local Trust Committee enacts as follows:

1. TITLE

Bylaw 93 may be cited for all purposes as the "Thetis Associated Islands Official Community Plan Bylaw, 2014".

2. APPLICATION

The Plan applies to the land, the water on the land, the bed of the sea, the water column, and the surface of the sea adjacent to Dayman, Hudson, Pylades, Reid, Ruxton, Scott, Tree, and Whaleboat Islands as shown on Schedule "B" of this Bylaw.

3. SCHEDULES

The following schedules attached to and forming part of this Bylaw, are adopted as "Thetis Associated Islands Official Community Plan Bylaw, 2014":

SCHEDULE "A" – Official Community Plan Policy Document
SCHEDULE "B" – Bylaw Area of Application
SCHEDULE "C" – Maps A through C: Land Use Designations

4. REPEAL

READ A FIRST TIME this	16th	day of	April	, 2014
READ A SECOND TIME this	23rd	day of	July	, 2014
PUBLIC HEARING HELD this	27th	day of	August	, 2014
READ A THIRD TIME this		day of		, 201X
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this		day of		, 201X
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this		day of		, 201x
ADOPTED this		day of		, 201x

SECRETARY

CHAIRPERSON

This page left intentionally blank.

TABLE OF CONTENTS

PART A: BACKGROUND AND GOALS	1
1.0 BACKGROUND	1
2.0 PLAN GOALS	5
PART B: LAND USE DESIGNATIONS	6
3.0 RESIDENTIAL LAND USES	6
4.0 COMMERCIAL AND INDUSTRIAL LAND USES	8
5.0 MARINE USES	9
6.0 PARK AND CONSERVATION USES	11
7.0 NATURAL RESOURCES USES (AGRICULTURAL, FOREST LAND USE, AND SOILS AND AGGREGATES)	12
8.0 COMMUNITY SERVICE AND INSTITUTIONAL USE POLICIES	13
PART C: NATURAL ENVIRONMENT	15
9.0 SENSITIVE ECOSYSTEM POLICIES	15
10.0 GROUNDWATER POLICIES	16
11.0 CLIMATE CHANGE POLICIES	17
PART D: COMMUNITY SERVICES.....	19
12.0 CULTURE AND HERITAGE POLICIES	19
13.0 SERVICES AND INFRASTRUCTURE POLICIES	21
14.0 TRANSPORTATION POLICIES	22
15.0 TEMPORARY USE PERMIT GUIDELINES	23
PART E: ADMINISTRATION AND INTERPRETATION	24
16.1 PURPOSE	24
16.2 ISLANDS TRUST AUTHORITY	24
16.3 AREA OF JURISDICTION	25
16.4 ADVOCACY POLICIES	25
16.5 PUBLIC FACILITIES	25
16.6 IMPLEMENTATION	25
16.7 INTERPRETATION	26
16.8 AMENDMENT PROCEDURE	26
16.9 SEVERABILITY	27
SCHEDULE B: AREA OF APPLICATION.....	28
SCHEDULE C: LAND USE DESIGNATION MAPS A & B	29
SCHEDULE C: LAND USE DESIGNATION MAP C.....	30

Schedule A

PART A: BACKGROUND AND GOALS

1.0 BACKGROUND

1.1 THE OBJECT OF THE ISLANDS TRUST

The Islands Trust has responsibility for conservation through land use planning and regulation and for leadership in stewardship – that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.

The Islands Trust Act provides the following definition of the purpose of the Islands Trust, which is referred to in legislation as its “object”:

“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia.”

1.2 THETIS ASSOCIATED ISLANDS

The Thetis Associated Islands are part of the Gulf Islands of British Columbia, in an area also known as the Salish Sea. They are smaller islands not served by public ferry, and are located east of the Vancouver Island communities of Ladysmith and Chemainus, north of Salt Spring and Galiano Islands, and south of Gabriola Island. Schedule B denotes the area of application for this plan.

The islands included in this Official Community Plan are as follows:

Dayman Island	Ruxton Island
Hudson Island	Scott Island
Pylades Island	Tree Island
Reid Island	Whaleboat Island

A community profile for the Plan Area was completed in September 2012 and serves as a thorough summary of the physical characteristics, history, and demographics of the islands.

While Valdes Island falls within the Thetis Local Trust area, it is not included as part of this Plan. Valdes Island currently has its own Rural Land Use Bylaw, adopted in 1998.

Bute and the two Dunsmuir Islands were originally to be included as part of the Plan Area, but have been removed at present to consider planning-related interests expressed by the Stz'uminus Nation. The aim is to re-insert these islands into the Plan Area upon completion of a stakeholder planning process with property owners and the Stz'uminus Nation.

Where the terms "Thetis Associated Islands Planning Area" or "planning area" or "Plan Area" are used in this Plan, these terms shall be interpreted to mean the area covered by this Plan. Where specific geographic references are made (e.g. Ruxton Island), that reference shall be interpreted to mean the specific geographic area.

1.3 NATURAL FEATURES

The islands are part of the coastal western hemlock biogeoclimatic or ecological zone which is characterized by coniferous temperate rainforests and associated ecosystems. Western red cedars, western hemlock, Douglas fir, big leaf maple and arbutus trees are common throughout this region. The climate of this area is considered temperate with mild wet winters and warm dry summers. The bedrock aquifers in this coastal environment are particularly vulnerable to saltwater intrusion into the freshwater resources.

Although small, many of the islands feature rare sensitive ecosystems, including the sensitive woodland, cliff, wetland, and herbaceous ecosystems. Mapping and detailed information of the sensitive ecosystems and rare natural features on these islands can be found in the 2012 Associated Islands Community Profile, as well as with the Islands Trust and the Islands Trust Fund.

1.4 ACCESS AND SERVICES

The majority of the islands are not served by power, water or telephone land-lines. There are no stores, commercial visitor accommodation facilities, garbage pickup, or publicly-funded fire protection services on these islands. Groundwater is severely limited in the area and most residents rely on rainwater collection or community wells.

Most landowners are required to provide water and sewage disposal on-site. Historically the islands have been largely seasonal and residential in their land use, however, year-round residences exist on some islands. There are no ferries, no paved roads, relatively few automobiles, and limited year-round moorage. Access to these islands is by private boat, water taxi or float plane. Access points typically correspond to the nearest community on Vancouver Island for islanders to access provisions and related services.

1.5 POPULATION AND SETTLEMENT PATTERNS

Coast Salish First Nations have inhabited the Gulf Islands since time immemorial and have constitutionally protected Aboriginal rights. Archaeological sites mark sites of historical villages, resources harvesting and cultural and spiritual activity.

In the late 1920s, Ruxton Island, along with DeCourcy Island, was purchased by Mary Connolly and donated to the Aquarian Foundation headed by Edward Arthur Wilson, also known as Brother XII. He built a house and farmed on DeCourcy Island, and errant members of the following were banished to Ruxton Island. Ruxton Island was later bought by the Nayler family, then sold to Frank Ney, long-time Nanaimo Mayor, notary and real-estate developer, under the name of Ruxton Island Resorts. Through a series of four subdivisions between 1965 and 1970, Frank Ney created the 195 lots that exist today.

Reid Island was home to Portuguese and Japanese pioneers. 'Portuguese' Joe Silvey, from Pico Island in the Azores, is said to be the first naturalized Luso-Canadian; he married twice, both to First Nations women, and raised his family on Reid Island. The Silvey family cemetery is on Reid Island, maintained by family descendants and Reid Island residents. The cemetery also contains the remains of Japanese pioneers and Kanaka natives.

Hudson Island's unique feature is a grass airstrip that was established in the 1940s by Hugh Thomas, a well-known name in BC aviation history. The airstrip has continually remained in operation as a necessity for the property owners.

Scott and Tree Islands are private islands, each with one dwelling and private boat access. Dayman Island is a private island with two dwellings on one co-owned lot.

In the past, Bute and Dunsmuir Islands have also been termed the Ladysmith Harbour Islands. The use of south Dunsmuir Island as a Seattle Yacht Club Outstation was developed in 1974.

Whaleboat Island was known as Eagle Island before becoming a provincial park in 1981. In the 1940s, there was logging activity in the area and Whaleboat Island was logged; as a result, the island is blanketed with second-growth forest. Inhospitable steep rocky banks has prevented any kind of development on Whaleboat Island, but it serves as an important wildlife habitat isolated from larger land predators.

Local knowledge indicates there are few current full-time residents on these islands, approximately 10 full time and another 15 full-time seasonally. The current seasonal population can be estimated by multiplying the total number of dwellings by the average British Columbia household size. Best available data shows a total of 239 lots on these islands, with 172 lots showing improvements and 9 with only accessory buildings. However, it is likely these properties are still used seasonally. Based on an average household size of 2.5 persons in a British Columbia household (2006 Census), a theoretical maximum summer population, with all lots containing a dwelling, could be 598 people.

1.6 DEVELOPMENT POTENTIAL

Ruxton Island was subdivided between 1965 and 1970 creating the 195 lots that exist today. There is no potential for any further subdivision.

Pylades Island was subdivided into four lots in 1964 and 1965. There is the potential for an additional nine lots of Pylades Island.

Reid Island has 24 lots that were created by subdivision between 1959 and 1972. There are two lots with subdivision potential on Reid Island; one lot can be subdivided into two, and another into seven. Therefore there is currently the potential for a maximum of 32 lots. On the southern-most 32 hectare lot, two resolutions of the Local Trust Committee from 1979 and 1984 gave permission for 26 cottages of a maximum floor area of 880 square feet.

Hudson Island was subdivided in 1972 and a statutory building scheme is registered on the title of all 11 lots. The statutory building scheme regulates land use and building siting in a way similar to a zoning bylaw. However, a statutory building scheme cannot be enforced by the local government; enforcement is a civil matter between property owners.

Dayman Island has the potential to be subdivided into two lots. Tree Island and Scott Island are one lot only islands, without the potential for subdivision.

1.7 OFFICIAL COMMUNITY PLAN

The purpose of the Thetis Associated Islands Official Community Plan (hereafter referred to as the “Plan”) is to provide direction for governmental and individual decisions, regarding management of the Plan Area. The Plan is a statement of objectives and policies to guide decisions on planning and land use management and should provide direction to resolve existing and possible future conflicts within the island communities.

The Plan is a document prepared and adopted, in accordance with the Local Government Act and the Islands Trust Act, by the Thetis Island Local Trust Committee (LTC), being the locally elected land use authority for these islands.

Once the Plan has been adopted, all bylaws enacted or works undertaken by the LTC must be consistent with it. The Plan can be amended on the initiative of the LTC or on application by an outside party subject to LTC approval. All amendments necessitate an amending bylaw process, requiring consultation with persons, organizations and authorities that the LTC considers will be affected.

The Plan must include statements and map designations related to the following topics:

- The location, type and density of residential development.
- Restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.
- Agricultural, recreational, commercial, industrial, institutional, and public utility uses;

- Affordable, special needs and rental housing.
- The location and phasing of roads, sewer and water systems.
- Targets for the reduction of greenhouse gas emissions and policies and actions of the local government proposed with respect to achieving those targets.
- The location of public facilities, including schools, parks and waste treatment sites.
- Sand and gravel deposits suitable for extraction.

The Plan may include policies related to social needs, social well-being and social development, and regulation of the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

2.0 PLAN GOALS

- 2.1 To preserve and protect the ecosystems, habitat, and natural resources of the Plan Area.
- 2.2 To ensure that human activities and the scale, rate and type of development contribute to the preservation of the community character of the Plan Area.
- 2.3 To work cooperatively and collaboratively with other local governments, First Nations, Federal and Provincial governments and their agencies, the Trust Fund Board, non-governmental organizations, communities, property owners, residents, and visitors to advance the mandate of the Islands Trust and the Goals and Objectives of this plan.

PART B: LAND USE DESIGNATIONS

The objectives and policies in Part B are to be interpreted together with the map designations indicated in Schedule C, which constitute the land use plan for the Plan Area.

The land use of these islands is primarily seasonal residential with few exceptions. Whaleboat Island is a Provincial Park, and a lot that runs the length of Hudson Island is a private airstrip with shared ownership between the ten lots surrounding it.

3.0 RESIDENTIAL LAND USES

The predominant land use on the private islands in the Plan Area is residential, either as undeveloped, seasonal or permanent. Private islands are included in this designation.

3.1 RESIDENTIAL LAND USE OBJECTIVES

- 3.1.1 To guide and regulate growth and change in a manner that protects sensitive ecosystems, encourages sustainability, and adapts to the potential effects of climate change.
- 3.1.2 To maintain the traditional development patterns of the Plan Area.
- 3.1.3 To manage development in a manner that minimizes hazards.

3.2 RESIDENTIAL LAND USE POLICIES

- 3.2.1 Local Trust Committee bylaw provisions should preserve the relatively low density residential character of the area, so as to remain compatible with the environmental carrying capacity and traditional land use in the plan area.
- 3.2.2 The Local Trust Committee should continue to permit single family residential uses as the principal use.
- 3.2.3 Local Trust Committee bylaw provisions should ensure that uses customarily considered accessory to residential uses are permitted and regulated.
- 3.2.4 Residential density should be limited to one single family dwelling unit and structures accessory to a dwelling unit for each lot.
- 3.2.5 Despite Policy 3.2.4, zoning should permit existing densities in established communities.
- 3.2.6 Despite Policy 3.2.4, Local Trust Committee bylaw provisions may permit an increased density on Reid Island.

- 3.2.7 Subdivision regulations should establish an average lot size of 4 hectares, consistent with the historic 4 hectare minimum lot size, while allowing for the clustering of lots in future subdivisions to protect rare, threatened, or sensitive ecosystems.
- 3.2.8 The Local Trust Committee should encourage the consolidation of lots less than 0.5 hectares.
- 3.2.9 Applications for additional higher density for new development may only be considered subject to the following:
- (a) the application would result in the preservation and protection of a sensitive ecosystem, significant natural feature, or a heritage resource;
 - (b) the additional density takes the form of residential lots or dwellings;
 - (c) the additional development would be sited away from sensitive ecosystems, would minimize visual impacts, would mitigate potential natural hazards, and would address the sustainability of new development;
 - (d) the additional development would not adversely impact groundwater resources; and,
 - (e) the additional development would not adversely impact adjacent properties.
- 3.2.10 The Local Trust Committee may require zoning amendment applicants to provide development approval information.
- 3.2.11 The Local Trust Committee may consider zoning for the provision of affordable, rental and special needs housing if a community need is demonstrated.
- 3.2.12 The Local Trust Committee should undertake initiatives to identify areas that are hazardous to development, including areas subject to flooding, erosion or slope instability.
- 3.2.13 The Local Trust Committee should, through zoning, the use of setbacks, and the use of development permit areas, restrict and manage development in areas known to be subject to hazardous conditions.

3.3 RESIDENTIAL LAND USE ADVOCACY POLICIES

- 3.3.1 The Cowichan Valley Regional District is encouraged to implement sustainable building standards initiatives.

4.0 COMMERCIAL AND INDUSTRIAL LAND USES

There are currently no commercial or industrial uses in the Plan Area, and there is no expectation that there will be any need to provide significant commercial or industrial services in the Plan Area.

Home occupations are small scale business enterprises that provide a service or produce a product and are conducted by residents from within a dwelling unit or accessory building. As land uses, they should be clearly secondary or subordinate to the residential use.

4.1 COMMERCIAL AND INDUSTRIAL OBJECTIVES

- 4.1.1 To ensure that commercial uses are compatible with the goals of this plan.
- 4.1.2 To ensure that industrial activity is compatible with the goals of this plan.

4.2 COMMERCIAL AND INDUSTRIAL POLICIES

- 4.2.1 Zoning for any future commercial uses should be limited to those necessary to provide for the daily needs of residents.
- 4.2.2 Home occupations should be permitted as a use accessory to residential use and should be regulated to minimize impacts.
- 4.2.3 Commercial visitor accommodation should be limited to temporary overnight accommodation that is accessory to residential use of a dwelling, and should be regulated to minimize impacts.
- 4.2.4 Industrial uses should be limited to accessory home occupations and those permitted through temporary use permits.
- 4.2.5 The Local Trust Committee may require zoning amendment applicants to provide development approval information.
- 4.2.6 The Local Trust Committee may consider temporary use permits for short-term commercial or industrial uses where appropriate. Applications may be considered for temporary industrial use where such uses are of a short-term and fixed duration, and would not negatively impact the environment and natural resources in the Plan Area.
- 4.2.7 The Local Trust Committee should, in its bylaw provisions and in considering applications, consider the cumulative effects of existing and proposed development on sensitive ecosystems and groundwater supplies.

5.0 MARINE USES

The islands in the Plan Area are predominantly accessible by private boat only. By necessity and choice, much of the activity of permanent and seasonal residents is focused on the water and the foreshore. This designation will apply to all the waters in the Plan Area.

5.1 MARINE USES OBJECTIVES

- 5.1.1 To maintain the integrity of the marine ecosystem and the coastal areas in the Plan Area.
- 5.1.2 To allow for traditional marine uses by residents and other users without unduly compromising the marine or foreshore ecosystems or the visual appearance of the islands in the Plan Area.

5.2 MARINE USES POLICIES

- 5.2.1 The Local Trust Committee should identify and protect ecologically sensitive marine areas.
- 5.2.2 The Local Trust Committee should recognize and support the marine dependent nature of land uses in the Plan Area.
- 5.2.3 The Local Trust Committee should use bylaw provisions to protect public access to, from, and along the marine shoreline.
- 5.2.4 The Local Trust Committee may permit individual private docks accessory to residential uses. These docks should be regulated by zoning.
- 5.2.5 Regarding Ruxton Island, the Local Trust Committee should support rezoning applications for community docks that are small-scale and not intended for overnight moorage, and which address the cumulative impacts of community docks on Ruxton Island.
- 5.2.6 In order to limit the need for private dock development along the shoreline, community or communal docks should be encouraged where feasible.
- 5.2.7 The Local Trust Committee should use bylaw provisions to locate docks in locations with minimum environmental impact, and should encourage dock design that is sensitive to marine ecosystems and habitat.
- 5.2.8 The Local Trust Committee should not permit commercial marinas intended for use by non-residents.
- 5.2.9 The Local Trust Committee may consider rezoning applications for leases for aquaculture, other than finfish farms.

- 5.2.10 The Local Trust Committee should, through zoning, the use of building setbacks, and the use of development permit area designations and guidelines:
- (a) protect the integrity of the foreshore, shoreline, and natural coastal and intertidal processes;
 - (b) discourage uses that disrupt natural features and processes;
 - (c) allow for natural erosion and accretion processes, without endangering structures;
 - (d) encourage owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas adjacent to the foreshore; and
 - (e) discourage filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing facilities.
- 5.2.11 The Local Trust Committee should only give consideration to permitting structural modification of the shoreline, such as seawalls, where it can be demonstrated to be necessary to support or protect an existing use or structure. Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, beach enhancement, anchor trees, and gravel placement. Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilize banks, reduce erosion and provide habitat should be retained or enhanced.
- 5.2.12 The Local Trust Committee may require zoning amendment applicants to provide development approval information.
- 5.2.13 The Local Trust Committee should encourage and facilitate education around shoreline stewardship.

5.3 MARINE USES ADVOCACY POLICIES

- 5.3.1 Transport Canada is encouraged to monitor and enforce the regulation of mooring buoys in the Plan Area.

Information Note: The Navigation Protection Program (NPP) manages obstructions in navigable waters including Private Buoys on all navigable waters, as defined under the Canada Shipping Act, 2001 – Private Buoy Regulations.

- 5.3.2 Property owner associations are encouraged to assist with coordination efforts to share docks and mooring buoys.
- 5.3.3 Property owners are encouraged to place mooring buoys such that they do not impede clear access to public landing areas.

6.0 PARK AND CONSERVATION USES

The primary intent of this designation is to recognize and further protect those lands that have been voluntarily protected by other means. These are lands that are considered to have special importance for ecosystem protection, wildlife protection, watershed protection, enjoyment of scenery, historic preservation, environmental management, and/or protection against development.

6.1 CONSERVATION USE OBJECTIVE

- 6.1.1 To preserve, protect, and restore special or significant areas and ecosystems in the Plan Area considered important for environmental, low impact recreational, or aesthetic reasons.

6.2 CONSERVATION USE POLICIES

- 6.2.1 The Local Trust Committee should support the preservation of ecologically sensitive areas through land use regulation, conservation covenants, park land dedication, nature reserve, conveyance to conservation agencies, or, where feasible, participation in the Natural Areas Protection Tax Exemption Program (NAPTEP).
- 6.2.2 The Local Trust Committee may undertake or support initiatives to identify locations that are a priority for the creation of safe public access to beaches, parks, areas of recreational significance, linear parks and trails, and public anchorages, in cooperation with other agencies and community groups.
- 6.2.3 The Local Trust Committee should identify potential networks of protected areas in the Plan Area.
- 6.2.4 Local Trust Committee bylaw provisions may include in this designation lands that are protected by conservation covenant, park dedication, heritage designation, by donation to a conservancy organization or have been protected by other means.
- 6.2.5 The Local Trust Committee is encouraged to require dedication of land, rather than cash-in-lieu, where parkland dedication is required at the time of subdivision, as authorized by the Local Government Act.
- 6.2.6 Land provided as a conservation amenity in exchange for an increase in density as part of an amenity rezoning application may be included in this designation.
- 6.2.7 The Local Trust Committee should support initiatives to prevent the spread of invasive species.

6.2.8 The Local Trust Committee should support community-based initiatives that contribute to the protection, restoration, and enhancement of the natural environment, ecosystems, and biodiversity.

6.3 CONSERVATION USE ADVOCACY POLICIES

6.3.1 The Cowichan Valley Regional District is encouraged to establish a management plan for the wetland park land on Ruxton Island.

6.3.2 The Cowichan Valley Regional District is encouraged to identify and designate areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities in the planning area.

7.0 NATURAL RESOURCES USES (AGRICULTURAL, FOREST LAND USE, AND SOILS AND AGGREGATES)

There are no current operations for agriculture, silviculture, or the extraction or processing of aggregate in the Plan Area. A need to designate land for such land uses is not anticipated.

7.1 NATURAL RESOURCES USE OBJECTIVE

7.1.1 To maintain current land use as it concerns natural resources in the Plan Area.

7.2 NATURAL RESOURCES USE POLICIES

7.2.1 The Local Trust Committee should ensure that its bylaw provisions:

- (a) minimize any adverse effects on potential agricultural land;
- (b) encourage the design of any road systems and servicing corridors to avoid identified agricultural lands;
- (c) support the economic viability of farming; and
- (d) permit the use of Crown lands for agricultural leases where there is agricultural potential.

7.2.2 The Local Trust Committee should consider favourably any applications to include land with farming potential into the Agricultural Land Reserve.

7.2.3 The Local Trust Committee should identify significant unfragmented forest ecosystems and consider establishing zoning to limit inappropriate development in these areas and to cluster development elsewhere.

7.2.4 The Local Trust Committee should, through zoning and other applicable planning tools, protect any areas identified as having productive soil.

- 7.2.5 The Local Trust Committee may require zoning amendment applicants to provide development approval information.

7.3 NATURAL RESOURCES USE ADVOCACY POLICIES

- 7.3.1 The Local Trust Committee encourages landowners to protect sensitive forest ecosystems through donation, conservation covenants, careful management, or, where feasible, participation in the Natural Areas Protection Tax Exemption Program (NAPTEP).
- 7.3.2 The Local Trust Committee encourages voluntary stewardship to ensure protection and maintenance of adequate forested areas for the sustenance of groundwater supplies, as well as retention of characteristic forested landscapes, habitat for wildlife, significant trees or stands, and carbon sequestration.

8.0 COMMUNITY SERVICE AND INSTITUTIONAL USE POLICIES

Lands with this designation accommodate the provision of various social, cultural, and essential services that can range from community events to fire protection. The extent and degree of specialization of these facilities is influenced by the community's size, needs, and desires. Given the seasonal residential nature of the islands in the plan area, there is currently minimal demand for school facilities.

8.1 COMMUNITY SERVICE USE OBJECTIVE

- 8.1.1 To maintain current land use as it concerns community service and institutional use in the Plan Area.

8.2 COMMUNITY SERVICE USE POLICIES

- 8.2.1 The Local Trust Committee may establish zoning within this designation, or within the residential designation, to permit and regulate local community services such as meeting halls, infrastructure, and emergency service facilities.
- 8.2.2 Local Trust Committee bylaw provisions should maintain the historical designation of the Hudson Island airstrip as a community service use.
- 8.2.3 A need to designate land for schools is not anticipated.
- 8.2.4 The Local Trust Committee may require zoning amendment applicants to provide development approval information.

8.3 COMMUNITY SERVICE USE ADVOCACY POLICIES

- 8.3.1 Regional districts are encouraged to provide facilities for disposal of waste in appropriate locations.
- 8.3.2 BC Emergency Health Services are encouraged to work with communities and the Coast Guard to identify suitable helicopter landing areas for use in cases of medical emergency.

PART C: NATURAL ENVIRONMENT

9.0 SENSITIVE ECOSYSTEM POLICIES

9.1 SENSITIVE ECOSYSTEM OBJECTIVES

9.1.1 To encourage the preservation and protection of rare and sensitive ecosystems in the Plan Area.

9.1.2 To maintain the natural beauty and biodiversity in the Plan Area.

9.2 SENSITIVE ECOSYSTEM POLICIES

9.2.1 The Local Trust Committee should support and undertake initiatives to protect environmentally sensitive areas and significant natural sites, features and landforms.

9.2.2 The Local Trust Committee should support and undertake initiatives to plan, establish, and maintain a network of protected areas that preserves the representative ecosystems of the area and maintains its ecological integrity.

9.2.3 The Local Trust Committee should protect environmentally sensitive areas, significant natural sites, features, views, scenic areas and landforms in the planning area through:

- (a) zoning regulations that encourage the siting of new development away from sensitive areas;
- (b) the implementation of development permit areas where mapping identifying sensitive ecosystems at an appropriate scale is available and where the administration of development permit areas is feasible;
- (c) acquisition of land by the Trust Fund Board, other conservancies, the Cowichan Valley Regional District, and government agencies;
- (d) encouragement of voluntary stewardship including the use of tools such as conservation covenants and where feasible, participation in the Natural Areas Protection Tax Exemption Program (NAPTEP);
- (e) park dedication at the time of subdivision; and,
- (f) the use of incentives such as lot clustering and amenity zoning.

9.2.4 The Local Trust Committee should, in its bylaw provisions and in considering applications, consider the cumulative effects of existing and proposed development on sensitive ecosystems and groundwater supplies.

- 9.2.5 The Local Trust Committee should, through bylaw provisions, implement provincial riparian area protection requirements should applicable watercourses be identified.
- 9.2.6 The Local Trust Committee may work with owners on Pylades, Ruxton, Dayman, Scott, and Hudson Islands to gather more refined mapping data of sensitive ecosystems and ecosystems at risk on those islands.

10.0 GROUNDWATER POLICIES

10.1 GROUNDWATER OBJECTIVE

- 10.1.1 To protect the quality and quantity of groundwater resources in the Plan Area.

10.2 GROUNDWATER POLICIES

- 10.2.1 Land use designations, zoning, subdivision regulations and other planning tools should be used to ensure that neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater.
- 10.2.2 The Local Trust Committee, in its bylaw provisions and in considering applications, should ensure that water quality is maintained, that existing, anticipated and seasonal demands for water are considered and addressed, and that new uses do not affect water availability to the detriment of existing uses.
- 10.2.3 The precautionary principle should be applied with respect to the planning, utilization and protection of potable water supplies, so that property owners, developers and government agencies act with a conservative approach regarding the impacts of land use on island water supplies.
- 10.2.4 The use of alternative technology to the traditional septic field, and the safe recycling of gray water, should be supported subject to compliance with other government regulations.

10.3 GROUNDWATER ADVOCACY POLICIES

- 10.3.1 The BC Ministry of Forests, Lands and Natural Resource Operations and Island Health are encouraged to ensure that their policies, legislations, and studies are designed to protect the quality and quantity of existing groundwater resources for current and future users.
- 10.3.2 Island Health is encouraged to ensure sewage disposal protects the quality of groundwater supply on islands in the Plan Area.
- 10.3.3 Island Health and the Cowichan Valley Regional District are encouraged to:

- (a) allow waste water treatment systems of demonstrated efficacy that are alternative to conventional septic disposal systems;
- (b) conduct studies on alternate systems for waste water treatment;
- (c) develop a regular septic system maintenance program requirement; and,
- (d) continue to detect and correct failing septic systems.

10.3.4 Property owners are encouraged to collect rainwater as an alternative to extracting groundwater.

10.3.5 Well owners and operators are encouraged to ensure their pumping does not cause or exacerbate saltwater intrusion in freshwater resources, particularly those in coastal bedrock aquifers.

11.0 CLIMATE CHANGE POLICIES

11.1 CLIMATE CHANGE OBJECTIVES

11.1.1 To understand the likely impacts of and vulnerabilities to regional climate change in the Plan Area.

11.1.2 To support actions to minimize greenhouse gas emissions.

11.1.3 To recognize the importance of forested lands and wetlands in removing carbon dioxide from the atmosphere.

11.2 CLIMATE CHANGE POLICIES

11.2.1 The Local Trust Committee should, in its bylaw provisions and review of development applications, consider the potential impacts on global climate change and greenhouse gas (GHG) emissions.

11.2.2 The LTC should investigate new methods of measuring GHG emissions that are relevant to the Plan Area.

11.2.3 The Local Trust Committee should work with other government agencies, stakeholders and residents to achieve energy conservation and emissions reduction goals.

11.2.4 The Local Trust Committee should identify significant unfragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.

11.2.5 The Local Trust Committee should encourage and support initiatives to upgrade woodburning appliances.

11.2.6 The Local Trust Committee should, through bylaw provisions, support residential renewable energy (e.g. microhydro, solar, wind, waste heat, etc.) use.

11.2.7 The Local Trust Committee should work with the Islands Trust Fund Board and other conservation organizations to promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

11.3 CLIMATE CHANGE ADVOCACY POLICIES

11.3.1 When considering transportation options by air, water or land, both residents and agencies with jurisdiction over services and infrastructure are encouraged to:

- (a) reduce fuel requirements;
- (b) reduce the extent of infrastructure; and,
- (c) limit the impact on the natural environment.

11.3.2 Residents are encouraged to:

- (a) incorporate high energy efficiency into building design and construction and use carbon-efficient materials in new construction;
- (b) use non-fossil fuel energy sources where possible; and,
- (c) limit the burning of refuse.

Information Note: The Open Burning Smoke Control Regulation prohibits the burning of refuse.

11.3.3 When considering changes to infrastructure, government agencies are strongly encouraged to mitigate impacts on the natural environment for any proposals for park, trail, road, ferry, dock, or infrastructure development.

PART D: COMMUNITY SERVICES

12.0 CULTURE AND HERITAGE POLICIES

12.1 CULTURE AND HERITAGE OBJECTIVES

12.1.1 To recognize the presence, practices, and interests of the First Nations people in the Plan Area, both historical and current.

12.1.2 To identify, protect, preserve and enhance important cultural and historical resources in the Plan Area.

12.2 CULTURE AND HERITAGE POLICIES

12.2.1 The Local Trust Committee should support initiatives to identify lands and structures of natural, historic, archaeological, cultural, aesthetic, educational or scientific heritage value or character.

12.2.2 The Local Trust Committee may amend this plan to designate any real property as a heritage conservation area under Part 27 of Local Government Act.

12.2.3 All archaeological sites (known or unknown) in British Columbia are protected under the Heritage Conservation Act. All development applications will be reviewed for the presence of known archaeological sites. Applicants will be notified if an archaeological site is present on the property. Notification may include a recommendation to engage a professional consulting archaeologist to determine whether proposed work could potentially impact archaeological deposits and whether avoidance will alleviate impact or if mitigative measures will be necessary.

12.2.4 Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Any alteration to an archaeological site (including covering or capping archaeological materials) requires a Provincial Heritage Alteration Permit prior to land altering activities.

12.2.5 The Local Trust Committee will cooperate with First Nations to identify and protect significant archaeological or cultural sites, and to preserve these areas in as an undisturbed context as is practicable.

12.2.6 Lands identified as containing heritage resources or archaeological sites may be provided as an amenity in exchange for an increase in density as part of an amenity rezoning.

12.3 CULTURE AND HERITAGE ADVOCACY POLICIES

- 12.3.1 The Local Trust Committee may advocate for the designation and protection of eligible heritage sites under the Heritage Conservation Act.
- 12.3.2 Landowners are encouraged to contact and work with First Nations to protect archaeological and cultural sites.
- 12.3.3 Specific archaeological site types, including some burial practices, are meant to remain undisturbed while natural processes gradually break down site components. In cases such as these, all site materials should be left in a natural and undisturbed state.
- 12.3.4 Land owners and visitors are encouraged to protect archaeological and cultural sites by avoiding site disturbance as much as possible. Any person noticing damage or impact to a site should report it to the Islands Trust and/or the Archaeology Branch.
- 12.3.5 If the disposition of a site is in question, or if a site is in danger of disturbance by non-development related factors (such as wave erosion, biological changes, or geological changes), land owners and visitors are encouraged to contact the Islands Trust and/or the Archaeology Branch.

13.0 SERVICES AND INFRASTRUCTURE POLICIES

13.1 SERVICES AND INFRASTRUCTURE OBJECTIVES

13.1.1 To support responsible servicing and waste management in the Plan Area.

13.1.2 To promote the development of effective community safety plans.

13.2 SERVICES AND INFRASTRUCTURE POLICIES

13.2.1 As islands in the Plan Area are mostly self-sufficient with respect to power, water and sewage disposal, the Local Trust Committee should recognize the challenges associated with providing these services in the Plan Area.

13.2.2 Local Trust Committee bylaw provisions should support the provision of power through small-scale, passive means such as solar collector, waste heat, and small scale wind generation.

13.2.3 Local Trust Committee bylaw provisions should permit small-scale geo-thermal heating for individual dwellings.

13.2.4 The use of alternative technology to the traditional septic field, and the safe recycling of grey water, is supported by the Local Trust Committee if methods can provide effective non polluting and energy efficient means to treat and dispose of effluent and are in compliance with all other government regulations.

13.2.5 The Local Trust Committee may require that new development or subdivision include provisions for fire fighting equipment, and for emergency water storage on the island in question.

13.2.6 Local Trust Committee bylaw provisions should permit structures for the storage of equipment for basic emergency service to the community.

13.2.7 The Local Trust Committee should support rezoning applications that enable the establishment of community service buildings.

13.3 SERVICES AND INFRASTRUCTURE ADVOCACY POLICIES

13.3.1 Landowners undertaking new construction are encouraged to install rainwater catchment systems.

13.3.2 The Royal Canadian Mounted Police, Canadian Coast Guard, fire protection, Cowichan Valley Regional District, as well as search and rescue organizations are requested to be responsive to planning area needs and to assist residents in establishing adequate safety, protection and communication mechanisms for the public.

14.0 TRANSPORTATION POLICIES

14.1 TRANSPORTATION OBJECTIVES

- 14.1 To allow appropriate transportation conveyances for residents.
- 14.2 To ensure that transportation facilities do not have an unduly negative impact upon the ecosystems of the Plan Area.

14.2 TRANSPORTATION POLICIES

- 14.2.1 In its bylaw provisions and decision-making, the Local Trust Committee should recognize the challenges associated with accessing, living on and constructing on the islands in the Plan Area.
- 14.2.2 The Local Trust Committee may, through bylaw provisions, allow for emergency helicopter facilities in appropriate locations.
- 14.2.3 No island or islet in the plan area should be connected to another island or islet by a bridge, causeway or tunnel.
- 14.2.4 The Local Trust Committee should encourage the maintenance of low level road classification and support pedestrian and/or bicycle paths as on-land transportation systems.

14.3 TRANSPORTATION ADVOCACY POLICIES

- 14.3.1 The Ministry of Transportation and Infrastructure is encouraged to maintain the low level of road classification on islands in the Plan Area.
- 14.3.2 The Ministry of Transportation and Infrastructure is requested to retain natural vegetation along road right-of-ways, and to carry out road ditching and maintenance with minimal impact to groundwater and surface water flow patterns.
- 14.3.3 Water taxi services are encouraged to provide access for residents and visitors travelling to and from islands in the Plan Area.

15.0 TEMPORARY USE PERMIT GUIDELINES

An Official Community Plan may designate areas where temporary uses may be allowed. A temporary use permit may, notwithstanding a zoning bylaw, allow a temporary use, permit the construction or use of buildings or structures to accommodate the temporary use, and specify conditions under which the temporary use may be permitted.

The issuance of a temporary use permit should be conditional on compliance with the following guidelines:

Temporary Use Permits may be issued for any area covered by this plan, except for areas designated Park and Conservation on Schedule C.

Temporary Use Permits should only be issued for activities that are of short and fixed duration.

An application for a Temporary Use Permit should only be considered if the proposal can be demonstrated to have minimal negative impact on the environment of the plan area.

In issuing a Temporary Use Permit, the Local Trust Committee should specify conditions under which the use may be carried out that would mitigate any impacts of the use, including restoration of land upon completion of the permit.

PART E: ADMINISTRATION AND INTERPRETATION

Section E is to contain the administrative and legal provisions of the Official Community Plan (OCP) or The Plan.

16.1 PURPOSE

The purpose of this official community plan bylaw is to further the object of the *Islands Trust Act* through long-range land use policy for the portion of the Thetis Island Local Trust Area subject to this bylaw. This bylaw provides a statement of local government goals, objectives and policies. It is intended to provide policy guidance for the Thetis Island Local Trust Committee, government agencies, organizations and the public regarding the existing and proposed land use and development in the portion of the Local Trust Area subject to this bylaw.

16.2 ISLANDS TRUST AUTHORITY

The *Islands Trust Act* gives the Islands Trust, through its local trust committees, the same land use planning authority as a regional district board under the Local Government Act. Bylaws must be approved by the Islands Trust Executive Committee and, in the case of Official Community Plans, also by the Minister of Community, Sport and Cultural Development before adoption by the Local Trust Committee.

The Thetis Island Local Trust Committee is the Local Trust Committee with responsibility for land use planning and regulations within the Thetis Island Local Trust Area. This committee has three members: two locally elected trustees and a member of the Executive Committee appointed by the chairperson of the Islands Trust Council.

The purpose of the Trust Council, Executive Committee, and Local Trust Committees is to carry out the object of the Islands Trust, which is:

“To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the province.”

The legislated object defines the purpose of providing authority to the Islands Trust for land use regulation. Local trust committees employ the available planning powers of the Local Government Act to preserve, protect, and effectively maintain the rural nature, health, natural environment and vitality of the Trust Area.

16.3 AREA OF JURISDICTION

The provisions of this Bylaw apply to that portion of the Thetis Island Local Trust Area shown on Schedule “B”, which forms part of this bylaw. The provisions of this bylaw are not applicable to other portions of the Thetis Island Local Trust Area.

16.4 ADVOCACY POLICIES

Community goals and objectives included in this bylaw that address matters that are outside the jurisdiction of the Thetis Island Local Trust Committee are considered “advocacy policies”. These advocacy policies encourage others to take actions that the Local Trust Committee believes would contribute to the goals and objectives of the plan. This bylaw cannot and does not represent a commitment from other agencies or persons to act according to community goals, objectives or policies.

16.5 PUBLIC FACILITIES

Any designation or policy for proposed public facilities on private lands including but not restricted to roads, parks, trails, parking facilities, and public and community facilities that are not available for acquisition through dedication, grants, or as an amenity through a zoning regulation and that are not subject to committed funds either through a capital expenditure plan or other budgeting process of the public agency responsible for the proposed facility, shall be deemed to be a community goal of this bylaw.

16.6 IMPLEMENTATION

Section 884 of the Local Government Act specifies that:

“An official community plan does not commit or authorize a municipality, regional district (includes a local trust committee pursuant to Section 27 of the Islands Trust Act) or improvement district to proceed with any project that is specified in the plan.”

and

“All bylaws enacted or works undertaken by a council, board or greater board (includes a local trust committee pursuant to Section 27 of the Islands Trust Act), or by the trustees of an improvement district, after the adoption of an official community plan must be consistent with the relevant plan.”

16.7 INTERPRETATION

16.7.1 In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the three digit numbers policies and the lower case letters articles:

Part: A

Section: 1.0

Policy: 1.1 1

Subsection: (a)

16.7.2 The final interpretation as to the precise location of boundaries on any map schedule shall be defined by:

- (a) Where boundaries coincide with lot lines, the boundaries are the lot lines.
- (b) Where a boundary is shown as following any highway, right-of-way or stream, the centreline of such highway, right-of-way, or stream the centreline of that feature is the boundary.
- (c) Where land based and water based boundaries coincide, the common boundary shall be the surveyed lot line as shown on a plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the common boundary.
- (d) Where a boundary does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from the map schedule and in that case the boundary is the midpoint of the line delineating the boundary on the schedule.
- (e) The outer boundaries of the Marine designation on Schedule C are located 150 metres seaward of the natural boundary.

16.7.3 In interpreting the objectives and policies of the Plan, the term “shall” or “will” denotes that the indicated measure must be taken or applied. The term “should” or “may” indicates that the suggestion is intended as a guideline.

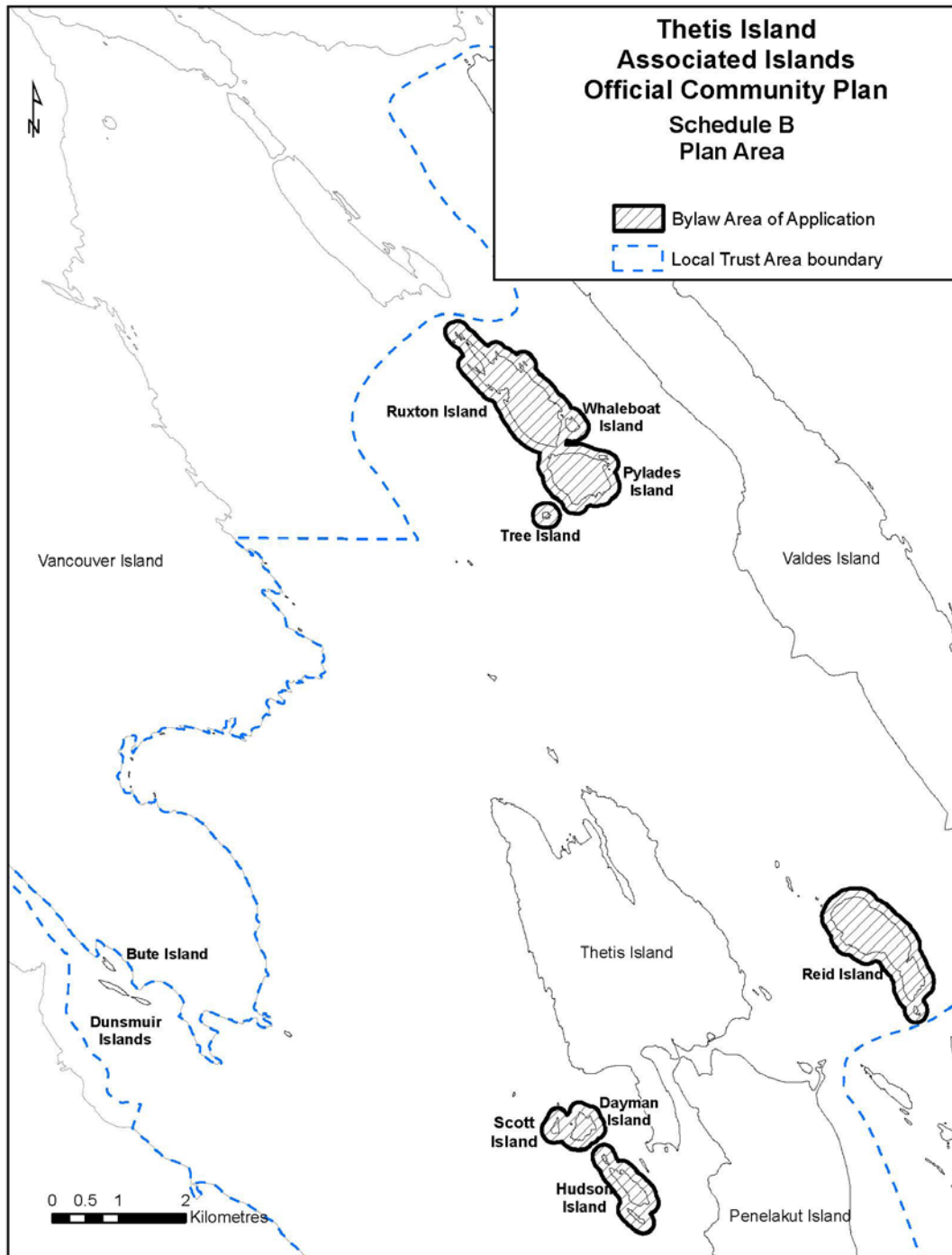
16.8 AMENDMENT PROCEDURE

This Bylaw may be amended by the Thetis Island Local Trust Committee, at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Local Trust Committee that address fees and procedures.

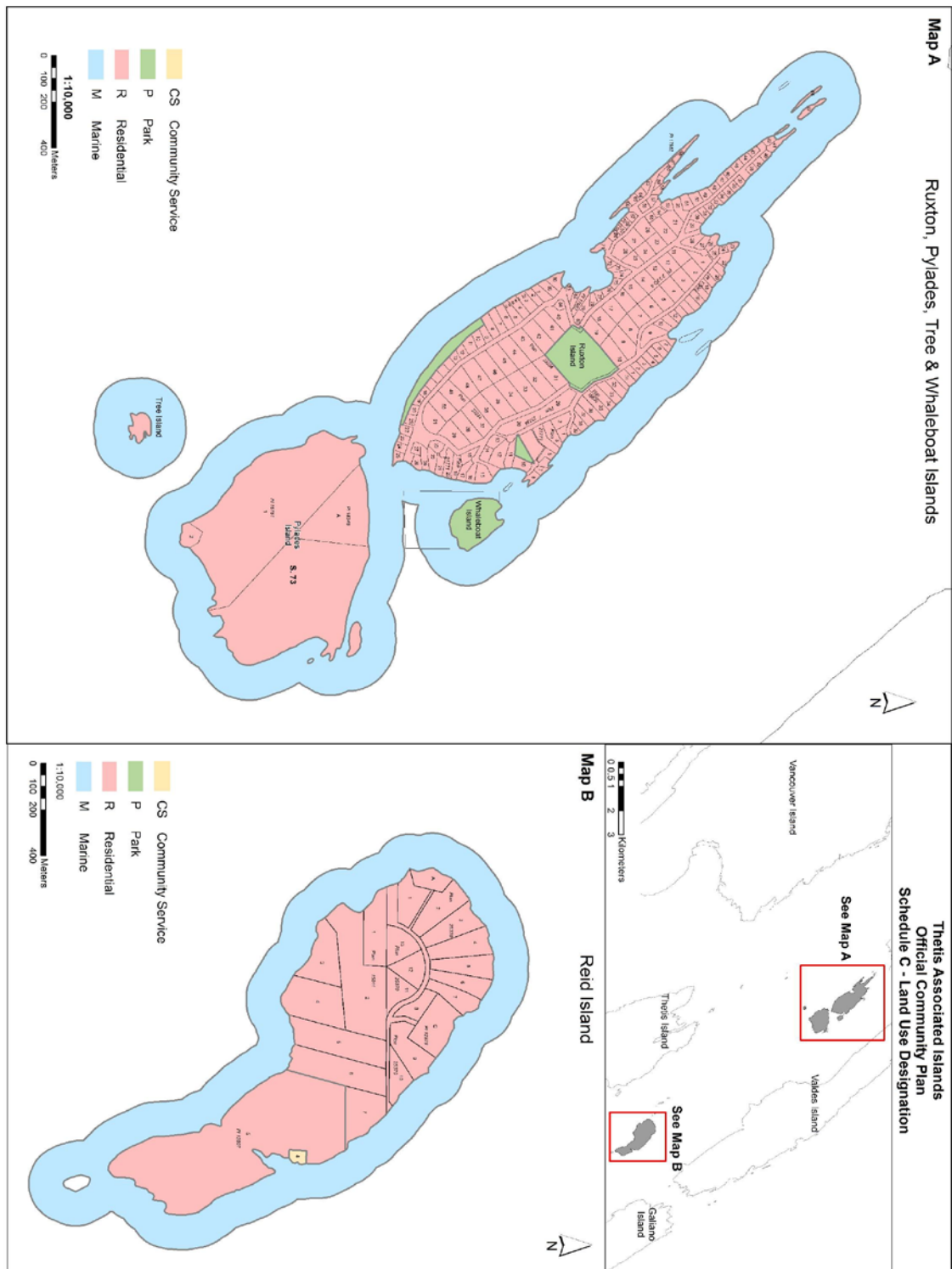
16.9 SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

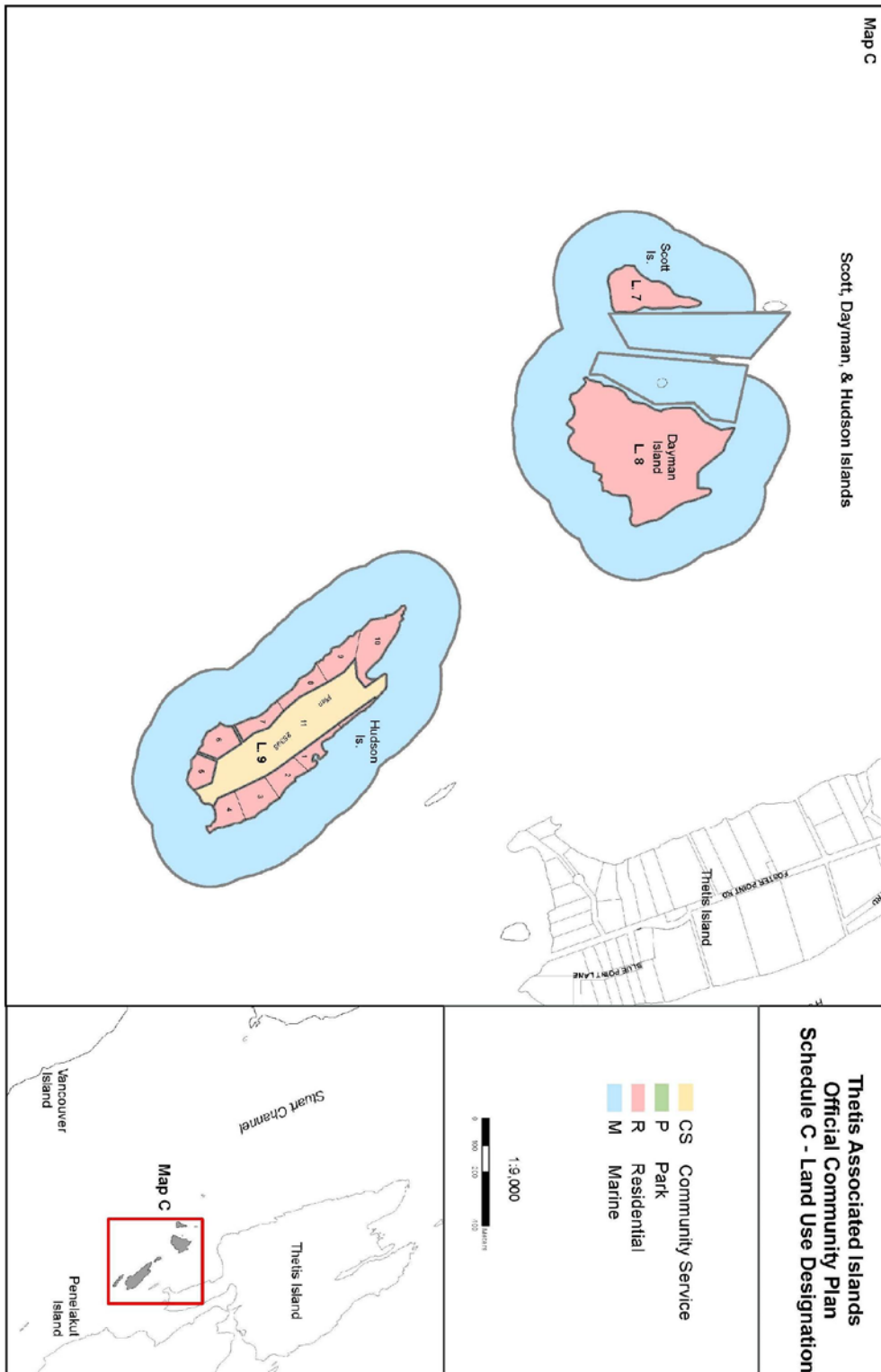
SCHEDULE B: AREA OF APPLICATION



SCHEDULE C: LAND USE DESIGNATION MAPS A & B



SCHEDULE C: LAND USE DESIGNATION MAP C





**LAND USE BYLAW
for
Thetis Associated Islands**

No. 94, 2014

*Serving Ruxton, Reid, Pylades, Hudson, Dayman, Scott,
Tree, and Whaleboat Islands*

[Back of front cover]

THETIS ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 94

A LAND USE BYLAW FOR PART OF THE THETIS ISLAND LOCAL TRUST AREA

The Thetis Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. The regulations contained in Parts 1 to 7 inclusive in Schedule A, Schedule B, and Schedule C Maps A through C attached to and forming part of this Bylaw, are adopted as a bylaw pursuant to Part 26 of the *Local Government Act* and the *Islands Trust Act*.
2. This bylaw applies to the portion of the Thetis Island Local Trust Area described in Section 2.1 of Schedule A.
3. This Bylaw may be cited as "Thetis Associated Islands Land Use Bylaw, 2014".
4. The following bylaws are repealed:
 - (a) Ruxton Island Zoning Bylaw, 1982.

READ A FIRST TIME this 16th day of April , 2014

READ A SECOND TIME this 23rd day of July , 2014

PUBLIC HEARING this 27th day of August , 2014

READ A THIRD TIME this day of , 2014

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 2014

ADOPTED this day of , 2014

Chairperson

Secretary

[this page is intentionally left blank]

[this page is intentionally left blank]

TABLE OF CONTENTS

PART 1 INTERPRETATION	1
1.1 Definitions	1
1.2 Referencing	6
1.3 Units of Measure	6
1.4 Information Notes	6
 PART 2 ADMINISTRATION.....	 7
2.1 Application	7
2.2 Conformity.....	7
2.3 Inspection.....	7
2.4 Violation.....	7
2.6 Covenants	8
2.7 Owner's Cost.....	8
2.8 Enforcement of Siting Regulations.....	8
 PART 3 GENERAL REGULATIONS	 9
3.1 Permitted in All Zones	9
3.2 Prohibited in All Zones	10
3.3 Siting and Setback Regulations.....	10
3.4 Height Regulations	11
3.5 Accessory Uses, Buildings and Structures	11
3.6 Home Occupation Regulations	12
3.7 Fences	12
3.8 Derelict Vehicles	13
3.9 Use of Common Property	13
3.10 Parking and Access Facilities.....	13
 PART 4 ESTABLISHMENT OF ZONES	 14
4.1 Division into Zones	14
4.2 Zone Boundaries.....	14

PART 5 ZONES	15
5.1 Residential One – (R1)	15
5.2 Residential Two – (R2)	16
5.3 Residential Three – (R3)	18
5.4 Residential Four – (R4)	19
5.5 Residential Five – (R5)	20
5.6 Community Services (CS)	21
5.7 Park (P)	22
5.8 Private Conservation (G)	23
5.9 Marine General (W1)	24
5.10 Marine Service (W2)	25
5.11 Marine Ruxton (W3)	26
5.12 Marine Protection (W4)	27
5.13 Marine Aquaculture (W5)	28
 PART 6 SIGN REGULATIONS	 29
6.1 Permitted Signs	29
6.2 Size and Height	29
6.3 Obsolete Signs	29
 PART 7 SUBDIVISION REGULATIONS	 30
7.1 Lot Area Calculations	30
7.2 Exemptions from Average and Minimum Lot Area Requirements	30
7.3 Covenants Prohibiting Further Subdivision and Development	30
7.4 Boundary Adjustment Subdivisions	31
7.5 Section 946 Subdivisions (Residence for a Relative)	31
7.6 Split Zoned Lots	31
7.7 Split or Hooked Lots	31
7.8 Water Supply	32
 SCHEDULE B – AREA OF APPLICATION	 33
SCHEDULE C – ZONING MAPS A & B	34
SCHEDULE C – ZONING MAP C	35

PART 1 INTERPRETATION

1.1 Definitions

"accessory" means in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot and within the same zone, or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan.

"accessory guest cottage" means a single family residential dwelling regulated as to use, size and other conditions so as to ensure its accessory status.

"aquaculture" means the growing and cultivation of aquatic plants or animals for commercial purposes, in any water environment, or in human-made containers of water, and includes the growing and cultivation of shellfish on the foreshore or in the water.

"boathouse" means a building or structure that is located on a waterfront residential lot, and that is used to house a boat and equipment or items associated with sports, moorage and boating activities.

"breakwater" means a protective structure, bottom-founded or floating, and extending beyond the foreshore, designed to provide protection for a harbour, anchorage, docks, a shoreline or the adjacent upland from wave action by influencing the movement of water and/or deposition of materials.

"building" means a roofed structure used or intended to be used for supporting or sheltering any use or occupancy, and includes a mobile home and a park model recreational vehicle.

"commercial" means occupied with or engaged in an activity or enterprise for the purposes of generating personal, professional, or business income for an individual, proprietorship, partnership, or corporation, and not including activities and enterprises engaged in by non-profit organizations, government agencies, public service utilities, or public services.

"commercial visitor accommodation" means a home occupation comprising the provision of temporary overnight sleeping accommodation and meals to paying guests for a period not to exceed fourteen days while the dwelling in which the accommodation is provided is occupied as a dwelling by the owner or a tenant who is conducting the home occupation.

"community dock" means non-commercial boat mooring facilities which are owned, operated, and administered cooperatively by individuals, a non-commercial organization, or by a strata corporation, for the provision of boat moorage spaces to residents of the island on which the dock is located, , and for which user fees may be charged.

"community hall" means a public assembly building used for recreational, social, charitable, educational, entertainment and cultural activities, open to the public and owned or operated by a non-profit group, Regional District, non-commercial organization, or a strata corporation for the benefit of the community generally.

"cottage" means a dwelling containing sleeping facilities, which may contain a kitchen and sanitary facilities, that is intended exclusively to accommodate persons who are non-paying guests of the owner of the principle dwelling unit on the lot.

“derelict” means left, stored or abandoned in a wrecked, junked, or substantially dismantled condition.

“dock” means a marine-based structure, or set of structures, generally consisting of a pier or wharf, and may include a ramp, float, and supporting structures, which is used for the non-commercial mooring of vessels in association with the permitted use of the adjacent upland.

“dwelling” means a building used for residential purposes by a single household, containing sleeping and living areas and a single set of cooking facilities, and includes a mobile home and a park model recreational vehicle.

“emergency services” means the provision of fire protection and medical services to the community.

“fence” means a structure used as a barrier to separate, prevent escape or intrusion or mark a boundary and may include a gate, screen or freestanding wall.

“float” means a floating non-roofed structure that is used as a landing or moorage place for marine transport and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor.

“floor area” means the sum of the horizontal areas of all storeys in a building, measured to the outer surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection, and exclusive of any space where a floor and a ceiling are less than 1.5 metres apart, and includes the floor area of balconies, decks, porches and similar projections fully enclosed by siding, glazing, screening or other materials. For certainty if a balcony, deck, porch or similar projection is not fully enclosed then the floor of such projections is excluded from any calculation of floor area.

“hazardous waste” means a solid or liquid material that presents an unusual disposal problem, requires special handling, or may contain pathogenic agents that may cause disease in persons exposed to the waste, or any substance identified under the Hazardous Waste Regulation under the *Environmental Management Act* that could be harmful to people, plants, animals, or the environment.

“height” means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls. In the case of structures on the surface of water, average natural grade shall be the natural boundary for a building or structure fixed to the bed of the water and the watermark of any floating building or structure.

“highway” includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property.

“home occupation” means a commercial use that is accessory to a permitted principal residential use on the same lot.

“horticulture” means the use of land for growing fruits, vegetables, plants or flowers. Commercial medical marihuana production is not included in this definition.

“island” means land surrounded by water, and includes islets and rocks exposed above the natural boundary of the sea.

"landscape screen" means a visual barrier consisting of natural vegetation, trees, shrubs, fencing or a combination of those elements, broken only by necessary access ways for pedestrians and vehicles and serving to screen land uses from abutting land and highways.

"lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.

"lot coverage" means the total horizontal area at grade of those portions of a lot that are covered by buildings and structures, exclusive of decks not exceeding 1.2 metres in height at any point, measured to the outermost perimeter of a building or structure, divided by the area of the lot, and expressed as a percentage. The area of a lot that is covered by a roofed building or structure is measured to the drip line of the roof.

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office or is the boundary of a lot as is otherwise described as authorized by the *Land Title Act*.

"moorage" means the tying or securing of a vessel to a fixed structure, float, dock, pier, or mooring buoy.

"natural boundary" means the visible high water mark of any ocean, lake, river, stream or other body of water where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil or rock of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

"Ocean geothermal loop" means a heat exchange system that uses the natural occurring temperature of the ocean for the purpose of heating and cooling and that:

- a. is a closed-loop system using only freshwater as the circulating heat transfer fluid,
- b. meets or exceeds the Canadian Standards Association (CSA) design standards CAN/CSA-448-02, as amended from time to time, and
- c. is designed and installed by a Registered System Designer accredited by the Canadian Geothermal Coalition, or the International Ground Source Heat Pump Association.

"park" means any land dedicated as park under the *Park Act*, the *Land Title Act* or the *Local Government Act*, which is open to the general population and reserved for outdoor recreational, scenic, or nature conservation purposes, and may include undesignated Crown islets.

"pier" means a fixed structure constructed over the foreshore and the water and that abuts the shoreline, is generally perpendicular to the shoreline, and is used to provide access to a float or as a landing or moorage place for marine transport or for recreational purposes.

"platform" means a flat surface raised from the ground, abutting the shoreline to serve for the loading and offloading of materials and supplies.

"principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

"residential" means the use of a dwelling for the domicile and home life of a person or persons, and does not include the commercial rental of a dwelling for a period of less than one

month.

"setback" means the minimum distance that a building or structure must be sited from a lot line, building or other feature.

"sign" means any device or medium, including its supporting structure, visible from the sea, any highway or lot other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes.

"sleeping cabin" means an accessory building, which is not a dwelling unit, does not contain facilities for food preparation or eating, and is used for the temporary sleeping accommodation of occupants of a dwelling on the same lot.

"solar collector" means a device used to collect solar energy as part of a system which converts the sun's radiant heat energy into thermal or electrical energy for use in space heating and cooling and domestic water heating.

"structure" means a construction or portion thereof of any kind that is fixed to, supported by or sunk into land or water, but excludes landscaping, septic fields, septic tanks, sewage absorption fields and related underground appurtenances and concrete and asphalt paving or similar surfacing of the land.

"upland lot" means any parcel, block or other land area adjacent to or inland of the natural boundary of the sea.

"use" means the purpose or activity for which land, buildings or structures are designed, arranged or intended, or for which land, buildings or structures are occupied or maintained.

"utility" means broadcast transmission, electrical, telecommunications, sewer or water services and facilities (excluding private radio or television towers) and includes navigation aids.

"utility shed" means an accessory building with a floor area of 10 square metres or less containing only equipment for pumping, processing, or storing of water or sewage, electrical generating equipment, or communication service equipment.

"watercourse" means any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water, whether or not it usually contains water.

"wetland" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports, vegetation typically adapted for life in saturated soil conditions, including marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a watercourse.

"wharf" means a structure, usually consisting of a pier, ramp, and float, which is connected to an upland lot by a ramp or walkway and used for the moorage of boats.

"wind turbine" means a wind energy conversion system consisting of a turbine, a turbine tower, and associated equipment, machinery, structures and buildings, which has a nameplate rated capacity of not more than 50kW, and which provides electricity for use on-site only.

“yacht club outstation” means the use of land and adjacent marine area for the temporary moorage of yacht club member vessels or guest vessels and for the private recreational use of marine and shore-based facilities by club members and guests.

"zone" means a zone established by Part 5 of this Bylaw.

1.2 Referencing

- (1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part:	1
Section:	1.1
Subsection:	1.1(1)
Article:	1.1(1)(a)
Clause	1.1(1)(a)(i)

1.3 Units of Measure

- (1) Metric dimensions are used in this Bylaw.

1.4 Information Notes

- (1) Where a paragraph or sentence or column in a table in this Bylaw is preceded or labelled by the words "Information Note", the contents of the paragraph or sentence or column are provided only to assist in understanding of the bylaw and do not form a part of it.

Information Note: The Interpretation Act, being a Provincial Statute defines a number of commonly used terms and is applicable in the interpretation of this bylaw.

PART 2 ADMINISTRATION

2.1 Application

- (1) This Bylaw shall apply to that part of the Thetis Island Local Trust Area as shown on Schedule B. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters.

2.2 Conformity

- (1) No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.

Information Note: Strata Bylaws or Building Schemes (eg. Hudson Island) may contain private land use restrictions in addition to those contained in this bylaw.

- (4) Any existing lot that has less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- (5) No lot or area may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure illegal or non-conforming.

2.3 Inspection

- (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.

2.4 Violation

- (1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty, pursuant to the *Offence Act*, not exceeding the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 Covenants

- (1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the Local Trust Committee pursuant to Section 219 of the *Land Title Act* and delivered in registrable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

2.7 Owner's Cost

- (1) If any provision of this Bylaw requires a report, study, covenant, plan or similar document to be prepared, unless otherwise stated, the owner shall pay all costs.

2.8 Enforcement of Siting Regulations

- (1) Every applicant for a development permit or a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings and structures in relation to lot and zone boundaries, watercourses, and the sea, and in relation to other buildings on the lot, unless the Local Trust Committee determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings and structures comply with the siting requirements of this or any other Bylaw.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

The following uses, buildings and structures are permitted in any zone, except where prohibited, and all buildings and structures permitted by this Section are subject to siting and size regulations established for the relevant zone:

- (1) Conservation areas, including ecological reserves, parks, and areas under conservation covenants.
- (2) Water supply facilities, for an individual dwelling or as a community service, in any land zone for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures.
- (3) Utilities for the distribution of service within the Bylaw Area in any zone and above-ground cables in any land zone.
- (4) Solar collectors and wind turbines in any land zone for the purposes of supplying electrical power to the lot on which the structure is located.
- (5) Ocean geothermal loop exchange systems for the purposes of supplying energy to the lot on which the system is located or, where the system is located on the foreshore of the sea, to a lot adjacent to the foreshore.

Information Note: Installation of marine geothermal loops also requires the necessary permits or approvals from provincial and federal agencies.

- (6) Air and marine navigational aids.
- (7) Fences in any land zone, subject to regulations established in Section 3.7 and Part 5.
- (8) Hiking and bicycle trails.
- (9) Signs, subject to regulations established in Part 6.
- (10) Utility sheds.
- (11) Sewage disposal facilities, including outhouses, for which all required filings have been made in accordance with the Sewerage System Regulation under the *Public Health Act*.
- (12) Horticulture.

Information Note: Water supply and sewage disposal facilities must comply with the following BC Acts and Regulations: Water Act, Groundwater Protection Regulation, Public Health Act, Drinking Water Protection Regulation, Water Sustainability Act, and Health Hazard Regulation.

Water sources for water supply facilities may include groundwater, surface water, and rain water.

3.2 Prohibited in All Zones

For certainty, the following uses, buildings and structures are prohibited in all zones, except where expressly permitted in Part 5:

- (1) The disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Municipal Wastewater Regulation of the *Environmental Management Act*.
- (2) The disposal or storage of hazardous or toxic waste.
- (3) Breakwaters.
- (4) The use as a permanent residence of a vessel anchored, moored, or otherwise secured on the water, notwithstanding the use of a vessel as a residence during dwelling construction on an upland lot.
- (5) Finfish aquaculture in any water zone.
- (6) Bridges, causeways, tunnels, and water utility pipes connecting any island to another island or to the mainland.
- (7) Wind turbines in any water zone, and wind turbines intended to provide power to an island other than the island on which the structures are located.

3.3 Siting and Setback Regulations

- (1) All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building or structure in question.
- (2) No building or structure except a fence, utility line, navigational aid, at-grade steps, driveway or path, or utility shed, may be constructed, reconstructed, moved, extended or located within the setback areas established in the regulations in Part 5 of this Bylaw.
- (3) No building or structure except a fence, utility shed, boathouse, platform with a maximum area of 5 square metres, stairs and boat ramps may be constructed, reconstructed, moved, extended or located:
 - (a) within a 10 metre horizontal setback, and within 1.5 metres vertically, from the *natural boundary* of the sea; or
 - (b) within 30 metres of the natural boundary of any natural watercourse or source of water supply.

Septic tanks, sewage absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection.

Ocean loop geoexchange systems are not considered a structure for the purposes of this subsection.

- (4) No building or structure may be constructed, reconstructed, moved, extended or located within within 30 metres of the natural boundary of a wetland.
- (5) Steps, eaves gutters, cornices, sills, chimneys, retaining walls, balconies, decks and sunshades or similar features may project into a required setback area, except a setback from the natural boundary of the sea, a natural watercourse or a wetland, provided they do not project more than 1.0 metre into the required setback area.
- (6) Wind turbines on land must be set back from all property lines, roads, and the natural boundary of the sea a minimum distance of 1.25 times the height of the wind turbine.

Information Note:

Water supply and sewage disposal facilities must comply with the following BC Acts and Regulations: Water Act, Groundwater Protection Regulation, Public Health Act, Drinking Water Protection Regulation, Water Sustainability Act, and Health Hazard Regulation.

Water sources for water supply facilities may include groundwater, surface water, and rain water.

3.4 Height Regulations

- (1) The height regulations for buildings and structures specified in Part 5 of this Bylaw do not apply to radio, telecommunications and television antennas and towers, chimneys, flag poles, lightning poles, fire and hose towers, utility poles, attic vents, and solar collectors.
- (2) Despite any height regulation in Part 5, the height of wind turbines shall not exceed 15 metres.

3.5 Accessory Uses, Buildings and Structures

- (1) A building or structure accessory to a dwelling may not be used as a residence but may be used as a sleeping cabin.
- (2) The following accessory buildings or structures may be constructed or placed on a lot prior to the construction of a principal building or the commencement of a principal use on the same lot:
 - (a) a boathouse.
 - (b) a utility shed.
 - (c) one accessory building for the storage of building materials and personal effects.
 - (d) steps and structures accessory to and supporting a permitted dock.
- (3) Any accessory building or structure, other than those specified in subsection 3.5(2), may only be constructed or placed on a lot prior to the construction of a principal

building, or the commencement of a principal use, on the same lot provided that a building permit has been issued for a principal building on the same lot.

- (4) Unless a building or structure is structurally attached to a principal building by a structure having walls, a roof, and a floor, it is for the purposes of this Bylaw, deemed not to be part of the principal building, but is deemed to be an accessory building or structure.

3.6 Home Occupation Regulations

- (1) Permitted accessory home occupations, unless otherwise prohibited in this bylaw, include any of the following:
 - (a) drawing, carving, painting, printmaking, photography and sculpture for commercial purposes.
 - (b) repairing of goods.
 - (c) professional practice.
 - (d) personal and instructional services.
 - (e) the production of craft articles for sale including without limitation ceramics, furniture, weaving, and musical instruments.
 - (f) commercial visitor accommodation, subject to the following additional regulations:
 - (i) a commercial visitor accommodation must be conducted solely within a principal dwelling;
 - (ii) not more than 2 bedrooms may be used to accommodate guests; and
 - (iii) not more than 4 guests may be accommodated at any one time.
- (2) Home occupations must be conducted entirely within a dwelling or a permitted accessory building on a lot on which a principal residential use is occurring.
- (3) The owner or at least one employee of a home occupation must reside in the dwelling.
- (4) No storage of materials, commodities or finished products is permitted in connection with the operation of a home occupation other than within a permitted building.
- (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.

3.7 Fences

- (1) The height of fences shall not exceed 2 metres within any required building setback, subject to regulations established in Part 5.

- (2) The provision of protective netting or wire to control animal nuisances, or a landscape screen, is exempt from Subsection 3.7(1).

3.8 Derelict Vehicles

- (1) No land shall be used for the storage of unusable, disassembled, detached, stripped, non-functional or abandoned vehicles or vessels, including but not limited to automobiles, all-terrain vehicles, golf carts, tractors, campers, trailers, or parts of such vehicles, which are not completely enclosed in a permitted permanent building.

3.9 Use of Common Property

- (1) Land comprising the common property in a strata plan is not a lot for the purposes of the density regulations in this bylaw but, where the strata lots and common property are in the same zone, the common property may be used for permitted uses accessory to principal uses located on strata lots in the same strata plan.

3.10 Parking and Access Facilities

- (1) The residential uses permitted by this bylaw are permitted on islands with dedicated road rights of way, regardless of the condition of the roadways, only if the owner provides adjacent to the dwelling an improved area of sufficient size to accommodate the off-road parking or storage of such vehicles as the owner or occupier intends to use to access the dwelling. For this purpose “vehicles” includes automobiles whether licensed or not, all-terrain vehicles, golf carts, boats, trailers, and similar machines.
- (2) The residential uses permitted by this bylaw are permitted in subdivisions of more than 2 lots approved after the date of adoption of this bylaw only if the subdivision provides a road right of way providing access from each lot to a location adjacent to the water that is suitable for the development of a community dock.

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The area subject to this Bylaw is divided into the following zones, the geographic boundaries of which are as shown on the Zoning Maps designated as Schedule C that forms part of this Bylaw and the regulations for which are set out in Part 5.

<u>Zone Classification</u>	<u>Zoning Designation</u>
Residential Zones	
Residential 1	R1
Residential 2	R2
Residential 3	R3
Residential 4	R4
Residential 5	R5
Institutional Zones	
Park	P
Private Conservation	G
Community Service Zones	
Community Services	CS
Water Zones	
Marine General	W1
Marine Service	W2
Marine Ruxton	W3
Marine Protection	W4
Marine Aquaculture	W5

4.2 Zone Boundaries

- (1) Where zone boundaries on Schedule C maps coincide with lot lines, the zone boundaries are the lot lines.
- (2) Where a zone boundary is shown on Schedule C maps as following any highway, right-of-way or watercourse, the centre line of such highway, right-of-way, or watercourse is the zone boundary.
- (3) Where land based and water based zone boundaries shown on Schedule C maps coincide, the zone boundary shall be the surveyed lot line as shown on the most recent plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the zone boundary.
- (4) Where a zone boundary shown on Schedule C maps does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from Schedule C maps and in that case the zone boundary is the midpoint of the line delineating the zone boundary.

PART 5 ZONES

5.1 Residential One – (R1)

*Information Note: The purpose of the Residential One Zone is to provide for the regulation of the development of residential areas on **Ruxton Island**.*

Permitted Uses

- (1) The following uses are permitted in the R1 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential;
 - (b) Accessory uses, buildings and structures, including home occupations other than commercial visitor accommodation;
 - (c) Structures for the storage of emergency services equipment.

Density

- (2) The maximum density in the R1 zone is 1 dwelling per lot.
- (3) The maximum lot coverage in the R1 zone is 15 percent.

Siting and Size

- (4) The minimum setback for any building or structure in the R1 zone is 5 metres from any lot line.
- (5) The maximum height for any dwelling in the R1 zone is 9 metres.
- (6) The maximum height for any accessory building or structure in the R1 zone is 6 metres.
- (7) The maximum size for a structure storing emergency service equipment is 20 square metres, with a maximum height of 6 metres.

Subdivision

- (8) No lot in the R1 zone may be subdivided.

5.2 Residential Two – (R2)

*Information Note: The purpose of the Residential Two Zone is to provide for the regulation of the development of residential areas on **Scott, Reid, and Tree Islands**.*

Permitted Uses

- (1) The following uses are permitted in the R2 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential;
 - (b) Accessory uses, buildings and structures, including home occupations.

Density

- (2) The maximum density in the R2 zone is 1 dwelling per lot.
- (3) The maximum lot coverage in the R2 zone is 15 percent.

Siting and Size

- (4) The minimum setback for any building or structure in the R2 zone is 5 metres from any lot line.
- (5) The maximum height for any dwelling in the R2 zone is 9 metres.
- (6) The maximum height for any accessory building or structure in the R2 zone is 6 metres.

Subdivision

- (7) The minimum average lot area for any subdivision in the R2 zone is 4 hectares.
- (8) The minimum lot area in the R2 zone is 1 hectare.

Site Specific Regulations

Table 5.2		
Site-Specific Zone	Location Description	Site Specific Regulations
R2(a)	Lots ____ on LOT 8, Thetis Island (known as Reid Island), Cowichan District	1. Despite Subsection 5.2 (2), a maximum of one primary dwelling with a maximum floor area of ____ square metres, and two cottages with a maximum of ____ square metres, are permitted. 2. Despite Subsection 5.2 (3), the maximum lot coverage is 12%. 3. In addition to Subsection 3.3 (3), the maximum number of dwelling units permitted within 30 metres from the setback from the sea is two.

5.3 Residential Three – (R3)

*Information Note: The purpose of the Residential Three Zone is to provide for the regulation of the development of residential areas on **Dayman and Pylades Islands**.*

Permitted Uses

- (1) The following uses are permitted in the R3 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) Residential;
 - (b) Accessory uses, buildings and structures, including home occupations.

Density

- (2) The maximum density in the R3 zone is 1 dwelling for lots less than 4.0 hectares in area and 2 dwellings for lots 4.0 hectares and more in area.
- (3) The maximum lot coverage in the R3 zone is 15 percent.

Siting and Size

- (4) The minimum setback for any building or structure in the R3 zone is 5 metres from any lot line.
- (5) The maximum height for any dwelling in the R2 zone is 9 metres.
- (6) The maximum height for any accessory building or structure in the R2 zone is 6 metres.

Subdivision

- (7) The minimum average lot area for any subdivision in the R3 zone is 4 hectares.
- (8) The minimum lot area in the R3 zone is 1 hectare.

Site Specific Regulations

Table 5.3		
Site-Specific Zone	Location Description	Site Specific Regulations
R3(a)	LOT 8, Thetis Island (known as Dayman Island), Cowichan District	1. Despite Subsections 5.3(1) and 5.3(2), a maximum of two accessory guest cottages are also permitted with an aggregate floor area of 198 square metres, exclusive of up to an aggregate area of 30.66 square metres of loft area not including stairs providing access to the loft.

5.4 Residential Four – (R4)

*Information Note: The purpose of the Residential Four Zone is to provide for the regulation of **South Reid Retreats on Reid Island**. (Lot 5, District Lots 35 and 36, Reid Island, Cowichan District, Plan 12807)*

Permitted Uses

- (1) The following uses are permitted in the R4 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential;
 - (b) Accessory uses, buildings and structures, including home occupations.

Density

- (2) The maximum density is 26 dwellings in the R4 zone, subject to the floor area limit in Subsection 5.4(7).
- (3) The maximum lot coverage in the R4 zone is 15 percent.

Siting and Size

- (4) The minimum setback for any building or structure in the R4 zone is 5 metres from any lot line.
- (5) The maximum height for any dwelling in the R4 zone is 9 metres.
- (6) The maximum height for any accessory building or structure in the R4 zone is 6 metres.
- (7) The maximum floor area of a dwelling in the R4 zone is 140 square metres.

Subdivision

- (8) Subdivision is not permitted in the R4 zone.

5.5 Residential Five – (R5)

*Information Note: The purpose of the Residential Five Zone is to provide for the regulation of the development of residential areas on **Hudson Island**.*

Permitted Uses

- (1) The following uses are permitted in the R5 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential.
 - (b) Accessory uses, not including home occupations or commercial visitor accommodation.
 - (c) One accessory building is permitted in the R5 zone, with a maximum floor area of 47 square metres.

Density

- (2) The maximum density in the R5 zone is 1 dwelling per lot.
- (3) The maximum lot coverage in the R5 zone is 15 percent.

Siting and Size

- (4) The minimum setback for any building or structure in the R5 zone is 15.25 metres from the side lot lines excluding those abutting Lot 11.
- (5) The maximum height for any dwelling in the R5 zone is 9 metres.
- (6) The maximum height for any accessory building or structure in the R5 zone is 6 metres.

Subdivision

- (7) No lot in the R5 zone may be subdivided.

5.6 Community Services (CS)

Permitted Uses

- (1) The following uses are permitted in the CS zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Community hall and shelter;
 - (b) Emergency services facilities;
 - (c) Equipment storage;
 - (d) Cemetery on Lot 4, District Lot 35, Reid Island, Cowichan District, Plan 12807;
 - (e) Airstrip and private road on Lot 11, Hudson Island, Cowichan District, Plan 25398.

Density

- (2) The maximum lot coverage in the CS zone is 25 percent.
- (3) The number of community halls in the CS zone shall not exceed one per lot.

Siting and Size

- (4) The minimum setback for any building or structure in the CS zone shall be 4.5 metres from any lot line.
- (5) The maximum height for any building or structure in the CS zone shall be 9 metres.

5.7 Park (P)

Permitted Uses

- (1) The following uses are permitted in the P zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Provincial and Regional Parks and Ecological Reserves;
 - (b) Passive outdoor recreation including walking, hiking, and nature interpretation;
 - (c) Ecosystem restoration and enhancement.

Permitted Buildings and Structures

- (2) The following structures are permitted in the P zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
 - (a) Structures such as stairs, boardwalks, fences, benches, and roofed signs accessory to a permitted natural area protection, conservation or interpretation use;
 - (b) Outhouses; and,
 - (c) Informational, regulatory, and directional signs, subject to Part 6.

Siting and Size

- (3) The minimum setback for any building in the P zone is 7.6 metres from any lot line.

5.8 Private Conservation (G)

Information Note: The purpose of the Private Conservation Zone is to provide for the regulation of lands reserved for privately managed conservation of local flora and fauna.

Permitted Uses

- (1) The following uses are permitted in the G zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Protection and maintenance of natural features and habitat; and
 - (b) Conservation.

Permitted Structures

- (2) The following structures are permitted in the G zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
 - (a) Fences;
 - (b) Stairs, boardwalks; and
 - (c) Informational signs, subject to Part 6.

Siting and Size

- (3) The minimum setback for any structure in the G zone is 5 metres from any lot line.

5.9 Marine General (W1)

Information Note: The purpose of the Marine General (W1) Zone is to provide for the regulation of development, including common dock facilities, in marine areas adjacent to residential islands.

Information Note: The W1 zone, and the other water-based zones, includes the surface of the water, up to the natural boundary of the sea.

Permitted Uses

- (1) The following uses and structures are permitted in the W1 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot;
 - (b) Docks accessory to the residential use of an adjacent upland lot;
 - (c) Community docks; and,
 - (d) Marine navigational aids.

Density

- (2) Not more than one dock may be constructed adjacent and accessory to any upland lot in the W1 zone.

Siting and Size

- (3) The maximum area of any accessory dock in the W1 zone, excluding ramps and walkways, is 37 m².

Conditions of Use

- (4) The use permitted in Subsection 5.9(1) does not include any dock constructed with foam flotation devices that are not completely encapsulated.
- (5) No building in the W1 zone, other than one storage building not exceeding 10 square metres in area and 4 metres in height, may be constructed or erected on any float or wharf.
- (6) The mooring, docking or other storage of derelict or abandoned floats, ramps or walkways is prohibited.

5.10 Marine Service (W2)

Information Note: The purpose of the Marine Service (W2) Zone is to provide for the regulation of common dock facilities in marine areas adjacent to residential islands.

Permitted Uses

- (1) The following uses are permitted in the W2 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot;
 - (b) Community docks and wharves; and,
 - (c) Marine navigational aids.

Density

- (2) One community dock or wharf may be constructed in each separate portion of the W2 zone.

Conditions of Use

- (3) The use permitted in Subsection 5.10(1) does not include a dock constructed with foam flotation devices that are not completely encapsulated.
- (4) No building in the W2 zone, other than one storage building not exceeding 10 square metres in area and 4 metres in height, may be constructed or erected on any dock.
- (5) The mooring, docking or other storage of derelict or abandoned floats, ramps or walkways is prohibited.

5.11 Marine Ruxton (W3)

Information Note: The purpose of the Marine Ruxton (W3) Zone is to provide for the regulation of development in marine areas around Ruxton Island.

Permitted Uses

- (1) The following uses are permitted in the W3 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot; and
 - (b) Marine navigational aids.

Permitted Structures

- (2) Permitted structures are limited to equipment installed on land to assist in the offloading and loading of people and materials from boats but not obstructing public access along the foreshore.

Conditions of Use

- (3) The mooring, docking or other storage of derelict or abandoned equipment or other debris is prohibited.

5.12 Marine Protection (W4)

Information Note: The purpose of the Marine Protection (W4) Zone is to provide for the regulation of development in marine areas intended to be environmentally protected.

Permitted Uses

- (1) The following uses are permitted in the W4 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Marine navigational aids;
 - (b) Mooring buoys for mooring a private vessel accessory to the residential use of an upland lot;
 - (c) Signs subject to Section 6;
 - (d) Ecological reserves; and
 - (e) Research and educational activities related to the marine environment, including nature interpretation.

Permitted Structures

- (2) No permanent building or structure of any kind, other than a navigational aid or mooring buoy, may be erected, constructed or placed.

5.13 Marine Aquaculture (W5)

Information Note: The purpose of the Marine Aquaculture Zone is to provide for the regulation of aquaculture activities.

Permitted Uses

- (1) The following uses are permitted in the W5 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Marine navigational aids;
 - (b) Sub-tidal and beach aquaculture.

Permitted Structures

- (2) Buoys delineating aquaculture tenure boundaries.

Information Note: Marine aquaculture tenures are under the jurisdiction of the Ministry of Forests, Lands and Natural Resources Operations and shellfish operations are under the jurisdiction of the Department of Fisheries and Oceans.

The Department of Fisheries and Oceans manages aquaculture in British Columbia under the authority of the Fisheries Act and the regulations made there under, particularly the Pacific Aquaculture Regulations.

6.1 Permitted Signs

- (1) All types of address and home occupation signs, excepting animated, illuminated or flashing signs;
- (2) Directional, traffic control, safety, and navigational signs;
- (3) Signs of candidates for public office, who are recognized as candidates by the public agency in which they seek office, provided they are removed within 14 days of the date of election;
- (4) Signs pertaining to the lease, sale, name of owner or property; and,
- (5) Signs erected and maintained by a public agency.

6.2 Size and Height

- (1) The maximum height for any sign is 6 metres.
- (2) The maximum size for any sign is 1 square metre.

6.3 Obsolete Signs

- (1) Any sign which has become obsolete because of the discontinuance of the business, service or activity which it advertises must be removed from the premises within thirty days after the sign becomes obsolete.

PART 7 SUBDIVISION REGULATIONS

7.1 Lot Area Calculations

- (1) Subdivisions shall comply with the minimum and average lot area regulations set out in Part 5. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots.
- (2) If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with minimum average lot area regulations set out in Part 5, be included in the total area of lots being created, and the park or parks are deemed not to be lots.

7.2 Exemptions from Average and Minimum Lot Area Requirements

The average and minimum lot areas specified in Part 5 – Zone Regulations do not apply to:

- (1) A lot being created to be used solely for the unattended equipment necessary for the operation of any of the following services and the owner grants a covenant restricting the use of the lot to that use:
 - (a) electrical and telecommunication utilities;
 - (b) community sewer or water system facilities;
 - (c) telephone receiving antenna;
 - (d) radio or television broadcasting antenna;
 - (e) telecommunication relay;
 - (f) air or marine navigation aid.
- (2) A lot being created to be used solely for natural open space or conservation purposes provided that a covenant is granted that restricts the use of the lot to that purpose.
- (3) A lot created by the consolidation of two or more lots.
- (4) The adjustment of boundaries between lots provided that the area of any lot would not be increased to an extent that it could be subdivided into more lots than would be permitted under this Bylaw without the boundary adjustment, and the total number of lots after the boundary adjustment is no more than the total number of lots before the boundary adjustment.

7.3 Covenants Prohibiting Further Subdivision and Development

- (1) Where a subdivision is proposed that yields the maximum number of lots permitted by the applicable average lot area specified by this Bylaw, and one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot area, the owner must grant a restrictive covenant in respect of every such lot prohibiting further subdivision of the lot and prohibiting construction, erection, or occupancy on the lot of more than the applicable zone's permitted number or size of dwellings and accessory buildings.

- (2) If a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable minimum and minimum average lot areas specified by this bylaw, and:
- (a) one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot area; and
 - (b) one or more of the lots being created has an area less than the applicable minimum average lot area, the applicant shall grant a restrictive covenant in respect of every lot prohibiting:
 - (i) the subdivision of the lot so as to create a greater total number of lots by subdivision and re-subdivision of the original lot than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and minimum average lot areas specified by this Bylaw; and
 - (ii) the construction, erection, or occupancy on the lot of dwellings and accessory buildings so as to create greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this Bylaw without subdivision.
- (3) If the approval of a bare land strata plan would create common property, the applicant must grant a restrictive covenant in respect of the common property prohibiting the further subdivision of the common property and the disposition of the common property separately from the strata lots.

7.4 Boundary Adjustment Subdivisions

- (1) A boundary adjustment subdivision that would result in the increase of the area of any lot to the point where the new lots created could be subdivided into more lots than would be permitted under this bylaw without the boundary adjustment is prohibited.
- (2) A boundary adjustment subdivision resulting in a lot lying in two or more zones is prohibited.

7.5 Section 946 Subdivisions (Residence for a Relative)

- (1) No lot having an area less than 8 hectares may be subdivided pursuant to the *Local Government Act* to provide a residence for a relative of the owner.

7.6 Split Zoned Lots

- (1) The creation of a lot lying within two or more zones is prohibited unless the subdivision consolidates lots or adjusts property lines.

7.7 Split or Hooked Lots

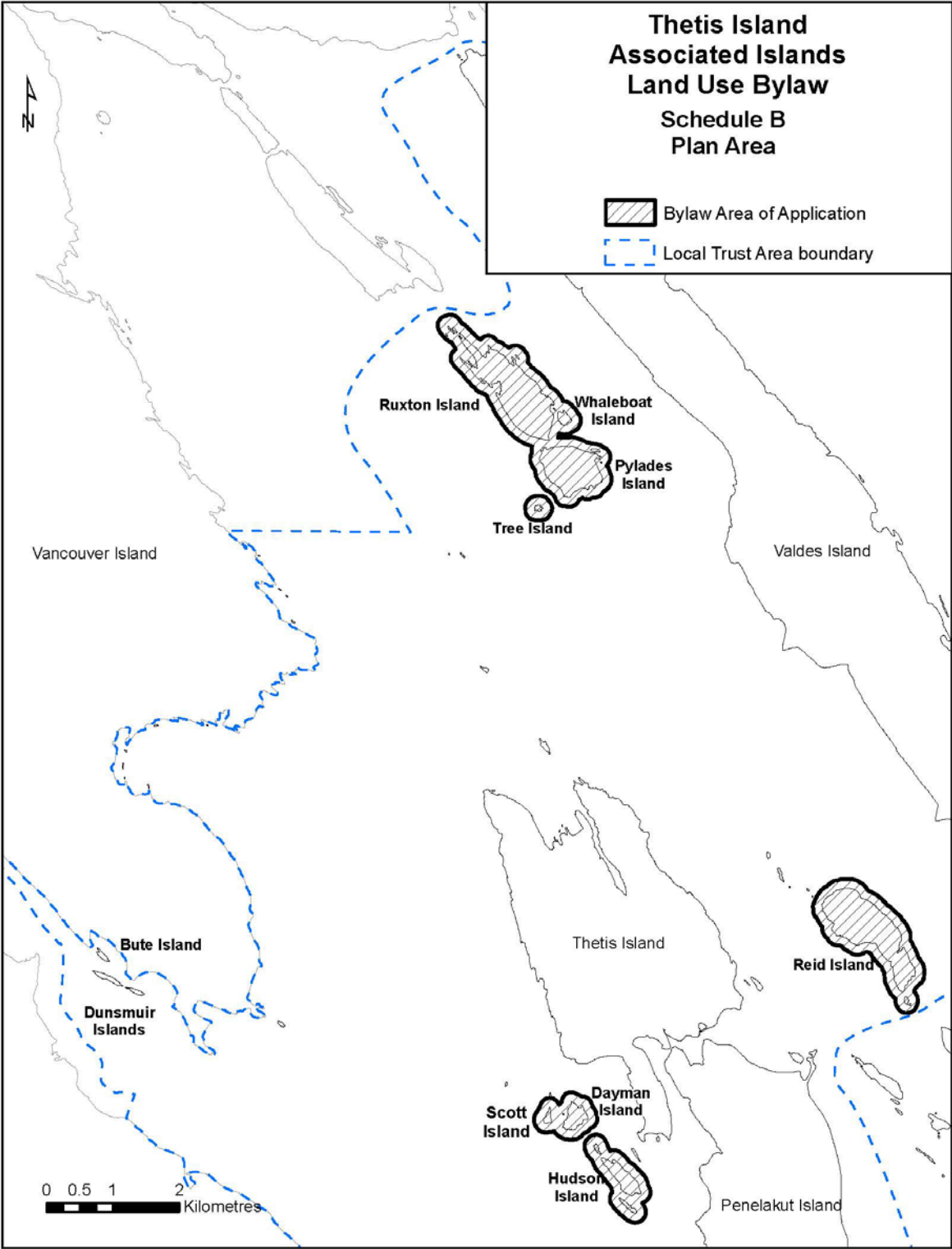
- (1) No lot which is divided into two or more portions by a highway or other lot may be created by subdivision, except where required to provide highway access within a water access subdivision.
- (2) Where a part of a parcel is separated from the main portion of the parcel by a road, watercourse, marine water or topographical feature, it may be consolidated with an adjacent parcel to which it may be more properly related without meeting other provisions of this Part, as long as the main portion of the parent parcel conforms to the provisions of this Part.

7.8 Water Supply

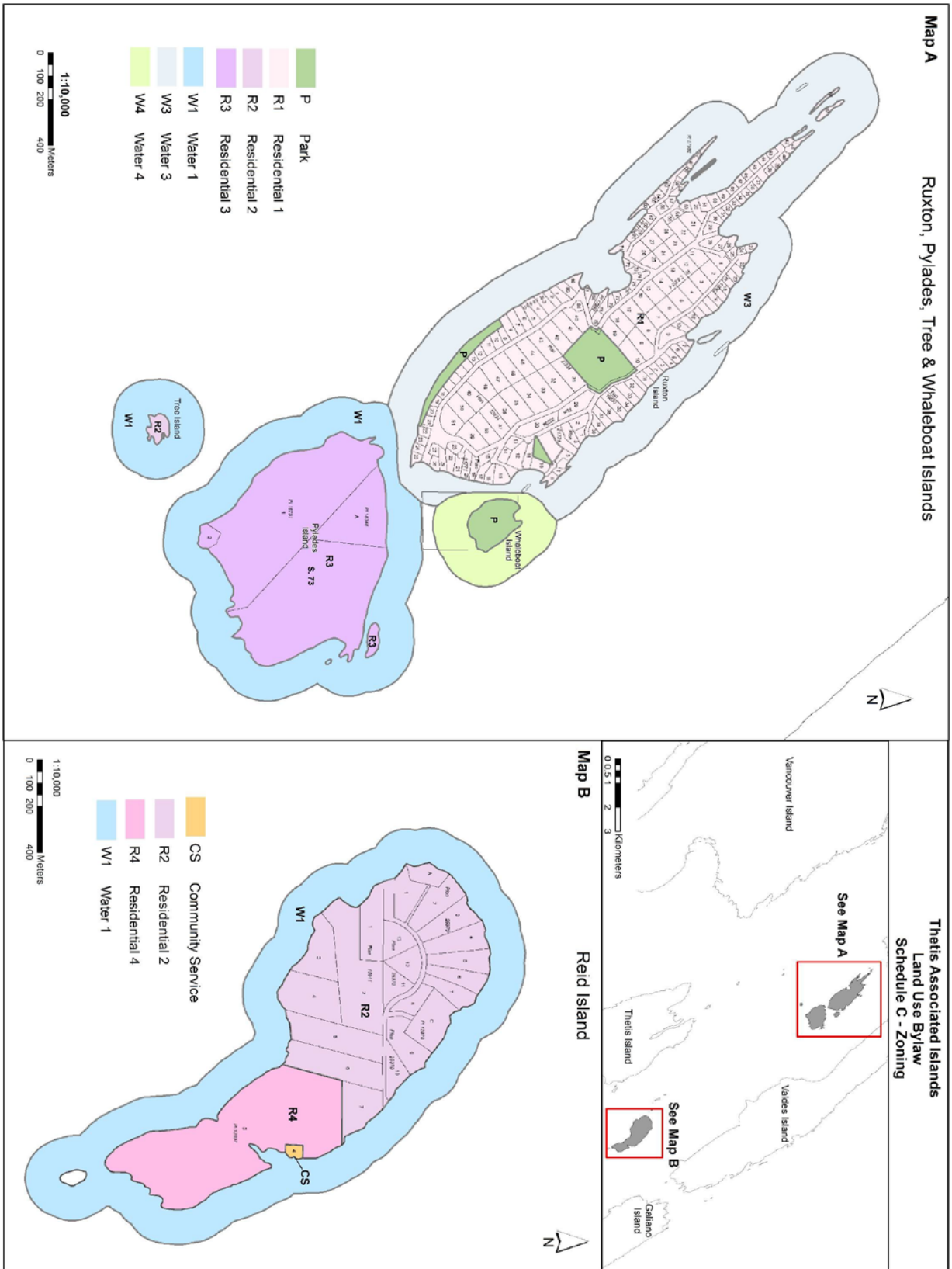
Information Note: For information on water quantity (volume) and quality (potability) requirements for proposed lots served by individual wells, contact the Provincial Approving Officer, Ministry of Transportation and Infrastructure, and for proposed lots served by a community water system contact the Island Health Authority. Drinking water systems that service more than one single family dwelling must comply with the Drinking Water Protection Act and Drinking Water Protection Regulation.

Information Note: Subdivision of residential lots must meet Island Health's Subdivision Standards.

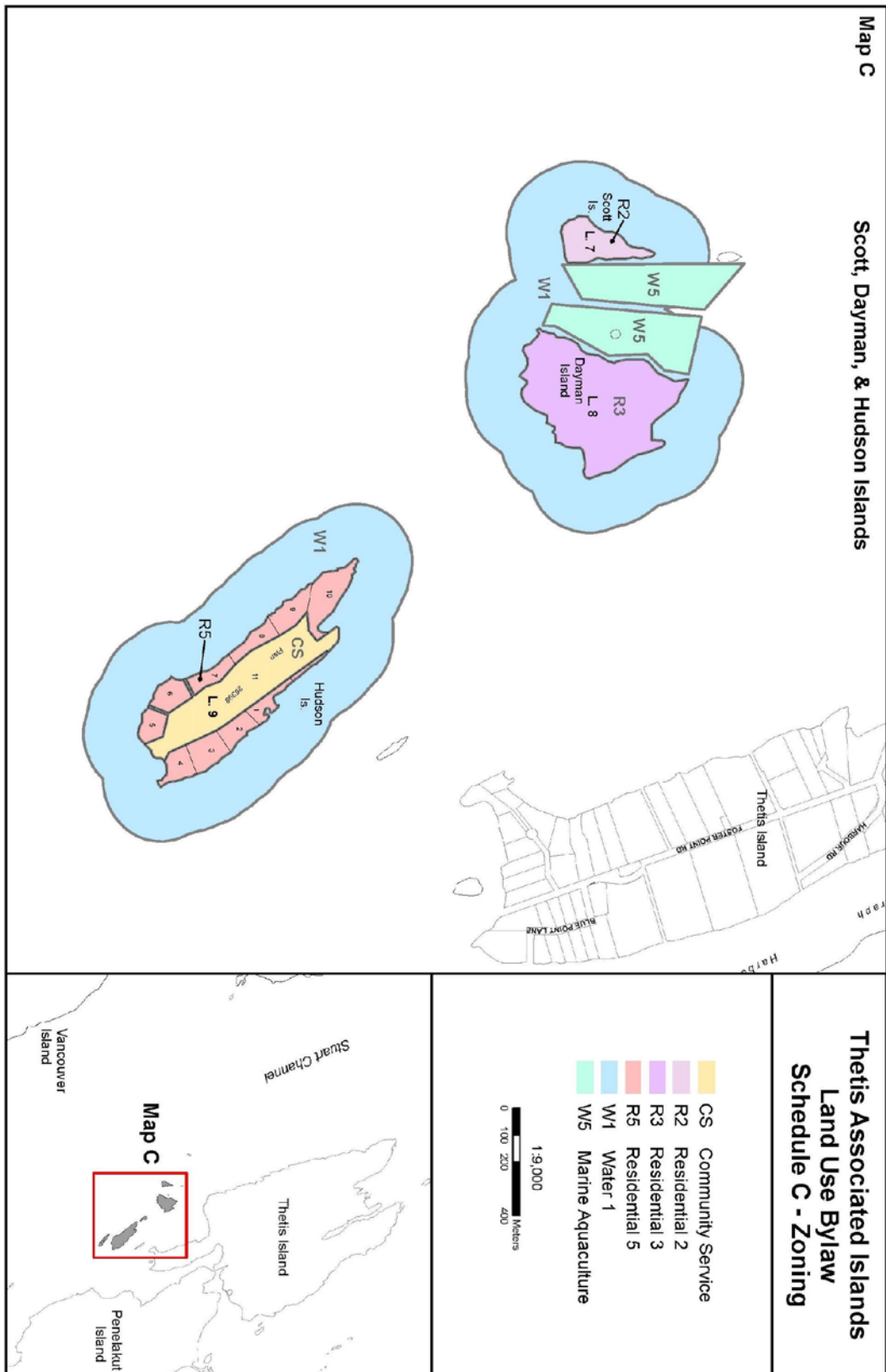
SCHEDULE B – AREA OF APPLICATION



SCHEDULE C – ZONING MAPS A & B



SCHEDULE C – ZONING MAP C





Memorandum

700 North Road Gabriola Island BC V0R 1X3

Telephone **250. 247-2063** FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date September 7, 2014 File Number TH-6500-20
Shoreline Protection

To Thetis Island Local Trust Committee

From Aleksandra Brzozowski
Island Planner, Northern Office

Re Shoreline Protection Project Update

This memorandum is to provide an update on the priority project of Shoreline Protection.

Green Shores Thetis Scenarios Workshop

Attached to this memo is the summary report of the workshop including “solutions” for the three sites, as well as an updated draft of the Islands Trust’s “Landowner’s Guide to Shoreline Protection”. A video for the workshop was also can be found at the Thetis Shoreline Protection project page as well as the Trust-wide Green Shores project webpage.

Green Shores – BC Pilot Project

On Friday September 5, 2014, the Stewardship Centre for BC (manager of the Green Shores – BC Pilot project) posted a Request for Proposals from consultation consultants for the opportunity to deliver the services related to the first phase of the GSH-BC Pilot project. The request is for proposals from qualified contractors to develop and deliver a Community Engagement process that will:

- Identify the barriers and motivators for private shoreline landowners in choosing to adopt the Green Shores for Homes- BC (GSH-BC) program in pilot communities
- Identify the most effective ways to provide outreach, technical assistance, incentives, and other strategies for GSH- BC implementation in pilot communities.

Proposals are due September 19, 2014. The Request for Proposals document is attached to this cover memo.

Thetis Island will not host a consultation event on Thetis Island in this early phase of the project. Such a consultation was deemed by the Advisory Committee to be unnecessary since the community on Thetis Island has already had multiple engagement events. A follow up activity (e.g. survey) will be developed for Thetis during this project phase. This level of involvement accurately reflects the lower amount Thetis LTC is contributing to the Pilot project in 2014/2015.

Attachments:

1. Thetis Scenarios Workshop Summary Report & Site Profiles and Solutions
2. Landowner’s Guide to Protecting Shoreline Ecosystems, September 2014 draft
3. Request for Proposals document, Green Shores for Homes – BC Pilot



Thetis Green Shores Scenarios Workshop

June 13, 2014

GREEN SHORES FOR HOMES SCENARIOS WORKSHOP ON THETIS ISLAND

WORKSHOP SUMMARY REPORT

Workshop generously funded by





Thetis Green Shores Scenarios Workshop

Held on June 13, 2014

GENERAL SUMMARY

In November 2013, the Local Planning Committee designated Thetis Local Trust Committee (LTC) as the focus area for Phase 4 of the Green Shores for Homes program, funded by the Real Estate Foundation. This final phase would be an activity to pilot the Green Shores for Homes approach on the ground, and discuss possible incentives to help introduce the Green Shores approach in the Islands Trust context.

Thetis LTC hosted a “Scenarios Workshop” on June 13, 2014 to explore three sites on Thetis Island dealing with different shoreline erosion situations. Each of the site groups were led by a technical professional with experience in Green Shores techniques.

Thirty five people attended the day-long session, including most local contractors, agency representatives from the Regional District and the Land Tenures Branch, local biologists and engineers, affected property owners, and real estate representation.

The day provided participants with a better understanding of the feasibility of pursuing softer shoreline approaches. Each site group designed pragmatic solutions that were ecologically sensitive and affordable.

When discussing incentives, many contractors and property owners said that individualized outreach and information particular to their site situation is a worthwhile incentive. A better understanding of “the right thing to do” and the process required to do it seemed to be a crucial obstacle to incentivize.

AGENDA FOR THE DAY

9:20 am – 9:50 am	• Introductions
9:50 am – 10:30 am	• Outline the basics of Green Shores approach • Update on Stewardship Centre for BC’s recent research on Green Shores approaches • Brief introduction to the scenarios
10:45 am – 1:00 pm	• Break into groups for site visits • 3 concurrent working groups going over possible Green Shores options for one scenario • Groups can choose to stay on site, visit a second site, or return to Forbes Hall
1:00 pm – 2:00 pm	• Each group presents possible solutions in plenary • Questions, input, and discussion from the plenary
2:00 pm – 2:30 pm	• Questions and discussion about incentives for the industry to take up soft shore development approaches.

WORKSHOP GROUP LEADERS

Each of the sites was led by a technical professional with experience in Green Shores approaches to shorelines.

Brian Emmett (R.P.Bio., MSc) has twenty-five years of experience in coastal habitat and fisheries biology. He has participated on a number of innovative and alternative approaches to shore design including the rehabilitation of the Ross Bay shore in Victoria and shore protection designs for the Cordova Bay shoreline in Saanich. He is the project manager for the Green Shores Technical Team and a co-author of “Coastal Shore Stewardship” a publication in the SCBC Stewardship Series. He is Vice-President of Archipelago Marine Research Ltd, based out of Victoria, BC.

Jim Mitchell (P.Eng., MSc) has over twenty-six years of experience as a Professional Engineer providing engineering management and design for a broad range of civil, coastal and geotechnical engineering projects with a specialty in waterfront projects. He is the Principal for Emerald Sea Engineering, based out of Courtenay, BC.

Jim Johannessen (Licensed Eng. Geologist, MS) specializes in beach and estuarine assessment, mapping, and restoration design. He has developed beach nourishment, soft shore protection, integrated site management approaches, and other designs from initial concept through to final construction drawings in all Puget Sound and Straits counties. Most recently, he contributed to the *Marine Shoreline Design Guidelines* for the Government of Washington, developed to provide a comprehensive framework for site assessment and alternatives analysis to determine the need for shore protection and identify the technique that best suits the conditions at a given site. He is the President of Coastal Geological Services, based out of Bellingham, WA.

WORKSHOP PARTICIPANTS

Ernie Hunter (Thetis contractor)
Ian Ralston (Thetis contractor)
Art Hunter (Thetis contractor)
Steve Howard (Thetis contractor)
Ron Bannister (Thetis contractor)
Stephanie Cottell (local landscape knowledge)
Gordon Carncross (property owner of 25 Bella Vista)
Patrick Mooney (neighbour of 25 Bella Vista)
Tim Ballantyne (property owner of 137 Sunrise Point)
Suzanne Sarioglu (St Margaret's Cemetery)
Simone Luckham (St Margaret's Cemetery)
The Durbans (neighbours to St Margaret's Cemetery)
Deb Wilson (Realtor)
Rachelle Rondeau (CVRD staff)
Ann Kjerelf (CVRD staff)
Mark Harvey (Lands Office)
Ramona de Graaf (biologist)

Sarah Bonar (biologist from Aquaparian)
Chris Zamora (biologist from Aquaparian)
Ian Niamath (architect)
DG Blair (Stewardship Centre for BC)
Harriet Rueggeberg (Green Shores for Homes)
Brian Emmett (Consultant lead for Site A)
Jim Mitchell (Consultant lead for Site B)
Jim Johannessen (Consultant lead for Site C)
Trustee Sue French
Trustee Ken Hancock
Mike Richards (facilitator)
Andrew Stone (videographer)
Aleksandra Brzozowski (staff)
Kris Nichols (staff)
Sonja Zupanec (staff)
Kerry Thomson (staff)
Courtney Simpson (staff)

WORKSHOP DAY – MORNING SESSION

The workshop day began with a round of introductions for all participants, and two presentations on the practicalities of the Green Shores approach.

Brian Emmett, biologist and project lead for the Green Shores Technical Team, presented an introduction to Green Shores practices.

DG Blair of the Stewardship Centre for BC presented findings from a recently completed study comparing status quo shoreline works and soft shoreline approaches for various waterfront properties.

The key findings relevant for the workshop were those for waterfront single family lots. Hearing that long-term costs of softshore approaches proved to be lower than status quo works set the stage for a day of serious contemplation of Green Shores approaches.

Green Shores for Homes

How do we get homeowners from this...



...to something more like this?



AN EVALUATION OF ALTERNATE APPROACHES FOR ADAPTATION TO SEA LEVEL RISE

Case Example		Existing	Hard Alternative	Soft Alternative	Comment
1	Qualicum Beach	-7	-10	+8	The existing shoreline treatment was constructed in the 1960s.
2	Marr Creek Inter-tidal	-5	+3	+9	The existing shoreline treatment was constructed in the 1960s. The ongoing SPP, which is underway on the existing shoreline shows a net benefit.
3	Private Residence	+5	-4	0	The existing shoreline treatment was a cedar pile seawall

Case Example		Hard Alternative	Soft Alternative	Comment
1	Qualicum Beach	\$33,000/m	\$10,000 - \$14,000/m	Depending on choice of sand or gravel/pebble/cobble.
2	Marr Creek Inter-tidal	\$35,000/m	\$25,000/m	Assumes cost basis presented above. Does not include cost of maintaining dry high tide access on existing walkway. Does not include the sunk costs of existing rock features already on site.
3	Private Property	\$8000/m	\$4000/m	Does not include sunk cost of existing headland beach system

WORKSHOP DAY ON SITE A

A group of nine led by Brian Emmett toured the St. Margaret's Cemetery to learn more about the slumping and toe erosion issues facing the bank.

The processes at work have been slowly eroding the bank over 30 years, but it was decided on the tour that this wasn't brought about by clearing the cemetery lot, but rather natural processes. The drainage issues on the site (mainly because of the shallow glacier till soil type) should improve over the long term, however, to make sure the drainage runoff doesn't exacerbate the slumping.

The group agreed that the pathway close to the edge of the bank should be moved further up the property. The bank is not under imminent threat, so the biologist suggested a monitoring program be started to learn more about the actions happening at the toe of the bank.



These solutions will require a fair amount of volunteer labour and long-term consistency for the monitoring project but the members of the St. Margaret's Cemetery Society were grateful for the results of the visit. Five years earlier, the solution recommended had been riprap, and they were not keen on that solution.

SITE A GROUP

Representatives from St. Margaret's Cemetery Society

Couple who owns undeveloped waterfront property on west side

Long-time resident

Local contractor experienced in drainage

Planner from Cowichan Valley Regional District

Trustee Ken Hancock

Islands Trust Co-op Planner Kerry Thompson

Biologist Brian Emmett (group leader)



WORKSHOP DAY ON SITE B

A group of eight led by Jim Mitchell visited the fairly exposed southern bay on Foster Point, where one property owner was wondering what to do with a rock wall with some large armour rocks in the wall beginning to fail.

The first major conversation was about the beach. Biologist Chris Zamora explained why the gravel beach was so suitable for forage fish spawning habitat, and all agreed to see if it was possible that the nearshore up to the toe of the rock be left alone.

The owner said he wanted a long term option that was safe for his grandchildren and still allowed a foot path to the beach. Since the house is close to the shore, there isn't much room to work; however, this owner is open to the idea of removing his lower rock terrace, which offers up more room for a softer shoreline work.

Very quickly, the team agreed to limit the scope of the project to the central area outside the house, and reslope the existing rock wall over a gentler slope and add in finer materials and vegetation close to the toe.



The group also spent some time looking at a neighbouring property with a low seawall sufficiently far upland to not disturb natural processes, and in fact seemed to promote vegetation providing shade on the gravel beach, a desirable feature for forage fish spawning habitat. It was a good takeaway to learn that in the right situation, walls are not always the wrong approach if done right.

SITE B GROUP

Property owner
Neighbour to the east
2 local contractors
Local Realtor
Biologist
Islands Trust
Planner Kris Nichols
Engineer Jim Mitchell
(group leader)



The owner was impressed, though, by the cost savings the resloping option would offer. The consultant estimated a resloping would only cost 2/3rd of what a small seawall would cost. The owner shared the following in the afternoon: *"I have to say that when I started this, I wasn't thinking about the ecosystem. But what I heard today blew me away. That I am able to do something better, more eco-friendly, and cheaper - I was not expecting that. I'm really glad we went through this process."*

WORKSHOP DAY ON SITE C

A group of fifteen led by Jim Johannessen visited Sunrise Point, a pocket beach with low elevation properties experiencing slight flooding during winter storm surges.

With the group, Jim assessed the beach, the upland, and water below the high water mark to better understand the processes at play. The group decided that erosion wasn't a problem, but rather the low elevation of the properties could be addressed to prevent winter flooding.

A double berming process was their top solution, enhancing the fairly natural berm, and adding another berm was placed more landward on the property, creating a longer, 7:1 slope. After lunch, the group sat down at a nearby picnic table to sketch out cross-sections.



Other options were to build up the beach up over the long term, though the consultant didn't see a true need for that. The consultant did suggest that the interior lots consider raising the homes in future.

The group worked with the decision tree that the consultant created for the *Marine Shoreline Design Guidelines*. Jim stressed how transferrable the decision tree is and encouraged the local contractors to use it on other shoreline sites.

SITE C GROUP

Property Owner
4 local contractors
Local resident experienced in landscape design
2 local biologists
Local Architect
Planner from Cowichan Valley Regional District
Lands Officer, Crown Lands & Resources
Trustee Sue French
Islands Trust Planner Sonja Zupanec
Engineer Jim Johannessen (group leader)

WORKSHOP DAY – INCENTIVES SESSION

Following a reporting back session and discussion on the site solutions, the group discussed the idea of incentives, hoping to answer the question, “how can we help make the Green Shores approach happen?”

Notably, the incentives raised in the conversation spoke to more than financial incentives. A better understanding of “the right thing to do” and the process required to do it seemed to be a crucial obstacle to incentivize.



BUREAUCRATIC INCENTIVES

- Make the outline of processes clearer (eg. who signs off on what)
- Agreements for joint management for shorelines across multiple properties
- Ease the process of provincial approvals
- Facilitate continuity over years for waterfront properties.

HUMAN RESOURCE INCENTIVES

- Have a local GSFH “ambassador” sponsored by the GSFH program.
- Hire an ecological education officer to do outreach and education for residents
- Hire a technical ecologist or something similar to provide technical advice to residents

OUTREACH INCENTIVES

- Signage at the site for properties – educate the community by example
- Targeted Outreach and public workshops
- Able to sign up for a FREE site visit / assessment
- Get the sustainability guide and other resources out there!

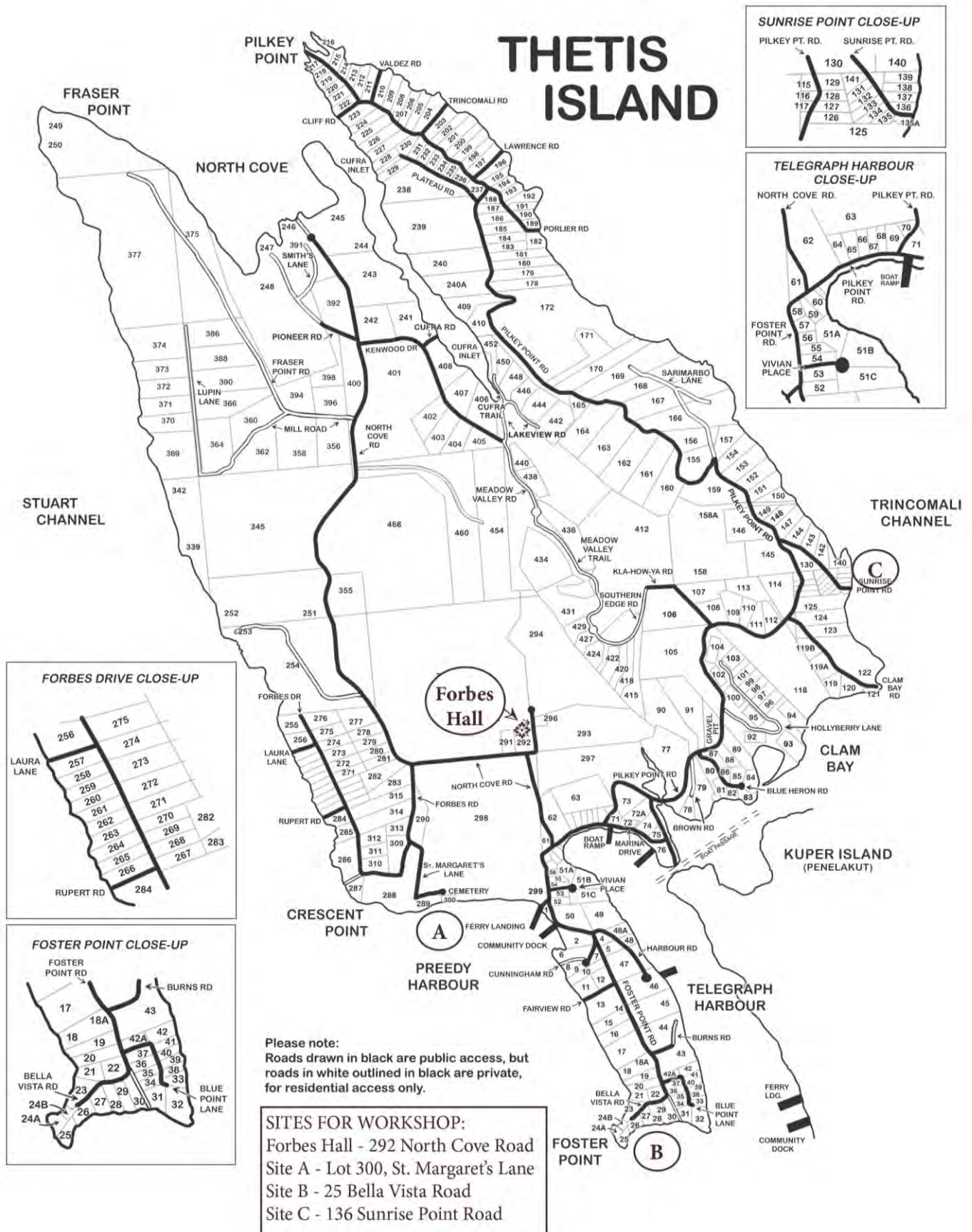
EDUCATION INCENTIVES

- Case Studies with lessons learned and contacts for more information
- Property specific information for new owners
- Put documents about design on the website
- Provide ecological landscape design resources, maintaining natural vegetation
- Practical workshops with site visits
- Green Shores information program for youth (Camp Capernwray program?)
- Train local folks on green shores approaches

FINANCIAL INCENTIVES

- Tax incentives for maintaining the Green Shores approach
- NAPTEP possible for shorelines?
- Grants for projects
- Make the sites with potential priorities
- Support a soft shore project, educate on the work and lessons learned

WORKSHOP SITES





SHORELINE DATA FOR THETIS ISLAND

To help prepare for shoreline works on Thetis Island, the following are useful information sources that have been prepared for the Islands Trust to better understand the shorelines on Thetis Island.

Data on Coastal Processes on Thetis Island

Understanding a beach's natural dynamic process is a key consideration for Green Shores practices. In 2011, Thetis received shoreline mapping for the entire island, showing shoreline type, energy and sediment movement, vulnerable shorelines, as well as watersheds draining to vulnerable shorelines.

The shoreline maps are included at the end of this package, along with their methodology report.

Data on Shoreline Habitats on Thetis Island

Shorelines are home to plenty of ecosystems that are integral to the larger marine food chain. These shoreline habitats have become more and more sensitive and endangered due much in part to human intervention on the foreshore.

Two key studies done over the last three years to map these habitats on Thetis Island are the Eelgrass Mapping project and the Forage Fish Habitat Assessment reporting. The final maps for these reports are included at the end of this information package.

A Final Note: Archaeological Considerations and Green Shores approaches

The Coast Salish Nations have been living on the shores of the Gulf Islands since time immemorial, so archaeological considerations are a key consideration for our shorelines as well. Because sea levels have been lower for the last 10 000 years, there is high potential for sites visible in the modern shore to extend into the beach and common for burials to be found in the exposure at shore and in the beach.

Archaeological advice notes that a hard surface may work from an archaeological perspective if the beach is hard bedrock but hard surfaces on a soft beach will tend to erode, even if one digs down 6 feet (which would potentially impact significant archaeological deposits, be costly, and time consuming). Vegetation seems to be key for dealing with erosion at noted archaeological sites. Woody debris and logs can provide a base for sediments to be captured and plants to grow, protecting sites of important cultural and historical significance.



Thetis Green Shores Scenarios Workshop

June 13, 2014

GREEN SHORES FOR HOMES SCENARIOS WORKSHOP ON THETIS ISLAND

SITE PROFILES AND POTENTIAL SOLUTIONS

Workshop generously funded by





SITE A – St Margaret's Cemetery (Lot 300)

Thetis Island's cemetery, St. Margaret's Cemetery, is set above a high bank that overlooks a long pebble sand beach in Preedy Harbour.

Erosion is happening on the bank from the shore. As recommended, the caretakers from the St Margaret's Cemetery (SMC) Society have taken measures to keep the bank stabilized by encouraging native plant growth and by keeping cleared away any debris that prevents that growth.

Areas in the cemetery and in the undeveloped area have water pooling especially during the winter months. The ditch at the back particularly needs help as the water does not move. The SMC Society is concerned that this pooling water is impacting the stability of the bank.

The SMC Society is currently planning the development of a green cemetery in the back of the cemetery site. They are using this opportunity to address their hydrology issues at the same time.

QUICK FACTS

The issues:

Drainage down the bank and undercutting erosion

Shoreline Type:

Pebble/Sand beach

Wave exposure: Low

General Sediment Direction:

Westward

Fetch: 0 - 5 km

Height of bank: ~15 feet

Vegetation at bank: Garry Oak, Arbutus, Nootka Rose, Salal

THE SITE

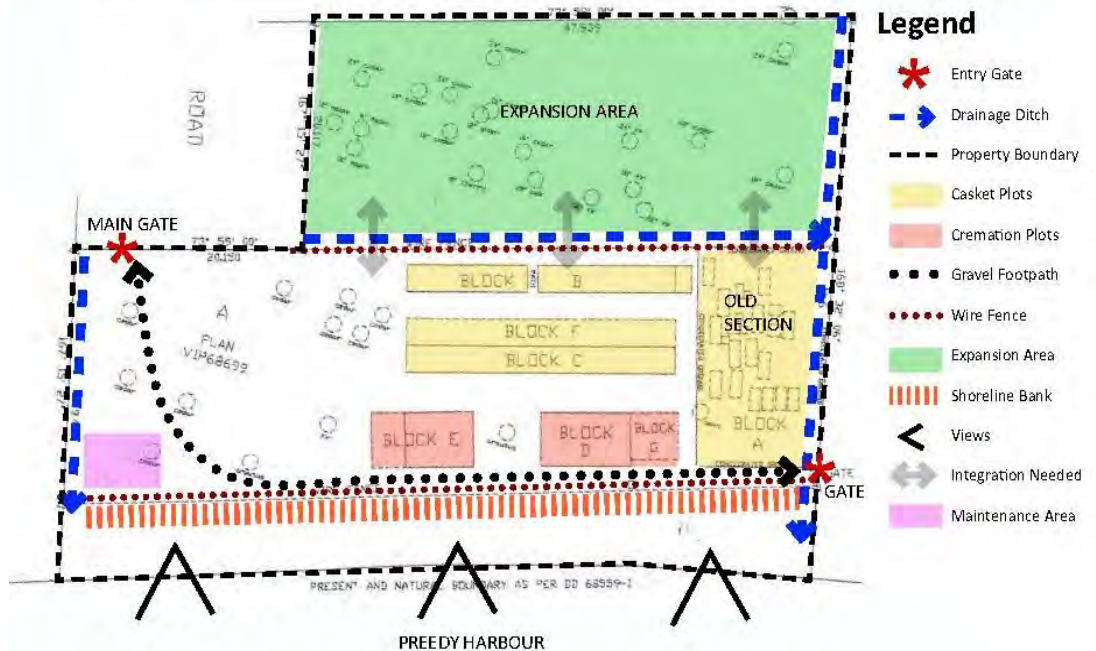
St. Margaret's Cemetery was established around 1919. The original cemetery is 0.5 acres in size and is laid out in conventional cemetery style. In 1999, the Torchbearers Capernwray Canada Society donated a parcel of land about 0.2 acres to St. Margaret's cemetery to be developed for future needs.

A site analysis (at right) was completed by Community Studio, a co-op design firm working with the SMC Society on a design concept for the cemetery expansion. Regarding bank erosion, the concept plan (at bottom right) features a plan to pull the existing path back from the top of bank and plant a row of low native shrubs to help stabilize the bank.

In terms of drainage, there are three ditches in place on the grounds: one down each side of the cemetery to the south and north, and the third running along the backside. As advised by geotechnical professionals, culverts have been installed and water flows pretty well off the two side ditches.

The drainage ditch running between the back of the original cemetery and the expansion area is a concern because water does not move well in it. The concept plan included installing a perforated pipe and filling the existing ditch with gravel but this is likely too expensive given material costs for construction (the SMC Society has limited funds).

Site Analysis



Concept Plan



SHORELINE DETAILS

The beach that lies below the bank of the cemetery is a gravel and sand beach. These beaches are sensitive to sediment supply; they are dynamic beaches and often exhibit long-term storm cycles.

Sediment accretes (accumulates) on the beach, moving along westward from the south. The beach faces low wave exposure. (see 2011 Shoreline mapping data produced by Murdoch de Greeff Inc).

Recent eelgrass mapping shows continuous eelgrass in Preedy Harbour parallel to the beach. The beach has been assessed and does not have suitable forage fish spawning habitat, though it is noted as good potential for other marine life such as clams.

The map on the next page shows a compilation of shoreline information available for the site.

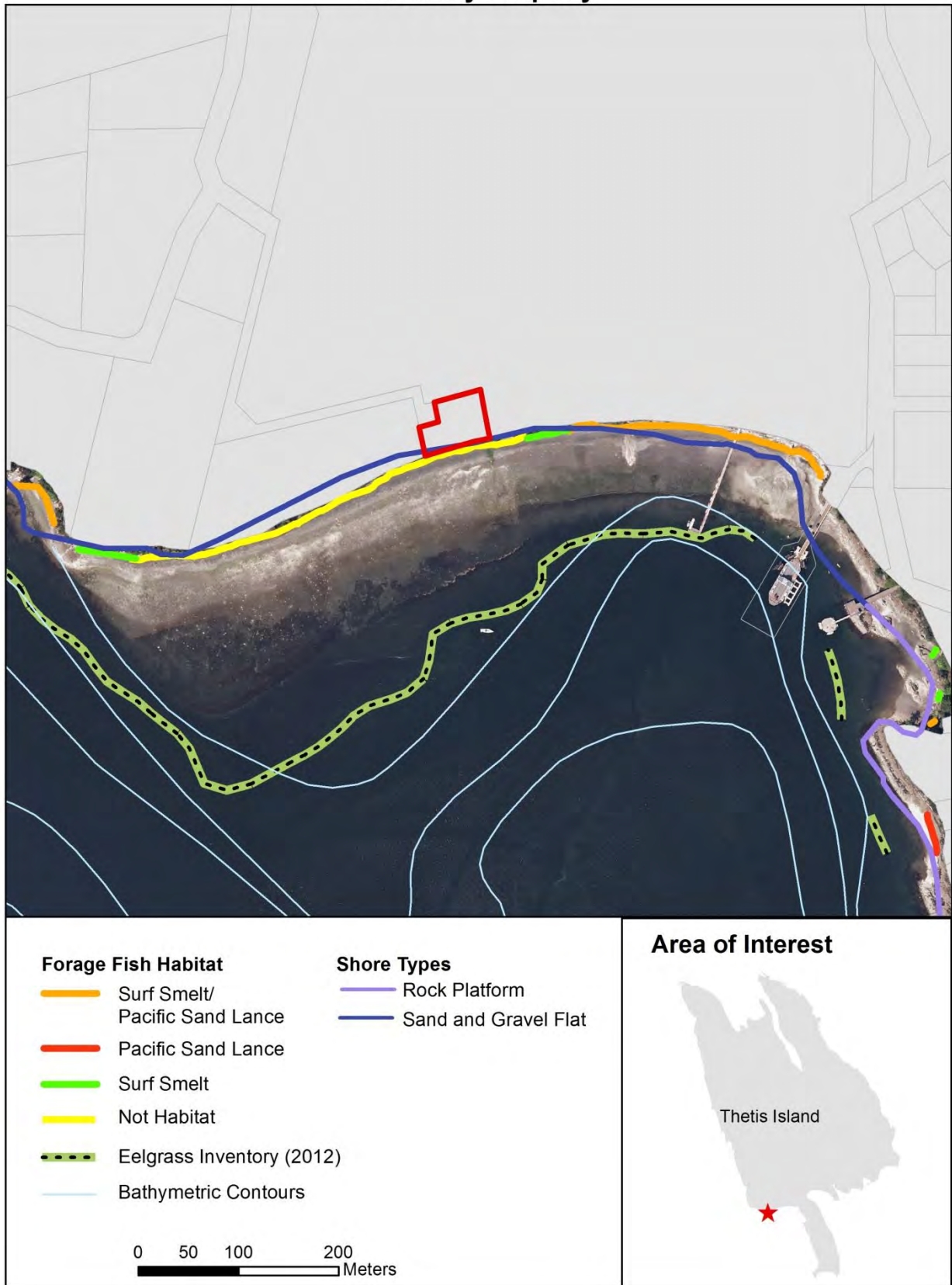
Wave Fetch & Energy:

Waves are generated by wind. Wave fetch is the distance over which wind can push water to generate waves - generally, the longer the fetch, the larger the waves. In the diagram below, the wave fetch for Thetis Island is shown in green.



The beach below the cemetery, facing west.

Cemetery Property





Currently, the main cemetery path runs along the top of the bank.



Drainage has been culverted on top of the bank to avoid further erosion to the bank.



Erosion is occurring at the toe of the bank, leaving vegetation roots exposed and an undercutting of the bank.



St Margaret's Cemetery WORKSHEET

Thetis Shoreline Scenarios Workshop – June 13, 2014

What is the challenge? What is the most critical issue?

Upland slumping (fence is moving, Garry Oak on north side of path is heaving)

Suspected that water drainage issues may be at least partially responsible.

Natural processes (winter storms)

Toe erosion

Upland Considerations (building siting, drainage)

The slumping is likely not due to the clearing on the site. Neighbours who are long-time residents estimate that 10-12 feet of bank has been lost since around 1980 along the shoreline.

The path does not help with the slumping issue.

Soil (glacial till) is shallow and bad for drainage which leads to pooling

- May be runoff concerns from beyond the property
- The ditches are not adequate for drainage

Shoreline Habitat Considerations:

Intertidal oyster lease

Eelgrass beds

Highly functional bank habitat, good vegetation. Microhabitats under the overhanging vegetation.

Wave energy considerations:

Southwest exposure, occasional bad storm from southwest in spring.

Protected from the West and North.

Ferry wake

POSSIBLE SOLUTION #1

- 1) Relocate path and naturalize area → plan for “buffer” for further erosion. Could relocate path to back of current site: bury and rebuild ditch to improve drainage, construct path on top
- 2) Address the drainage (interceptor drain at top of site, perhaps)
- 3) Monitor the toe erosion for seasonal dynamics and identifying active areas.
 - Intertidal beach survey
 - Photo documentation over seasons
 - Measurement of toe scour
 - Survey installed pins / pegs at the top of bank
 - Phasing (take care of the drainage first)
- 4) Establish a low-impact shore access OR prevent access up the bank.

Materials required:

- Drainage materials
- Vegetation
- Soils and fill
- “basic” surveying equipment

Relative Cost and Time to do this option:

- Lots of voluntary labour needed to put in pins, take photos, take measurements
- Consultants because we need more information (hydrology, landscaping)

Does this option require going below the high water mark? No.

What are the obstacles to success for this solution?

- Money
- Monitoring is only the first step
- A sustained effort is required

POSSIBLE SOLUTION #2

Giant beach nourishment?

Would need more information before considering this option.

Due to exposure, would need to bring in very large material or build a groyne to prevent the transport of stabilizing materials to adjacent properties or off the beach.

Materials Required:

- Large and heavy logs
- Lots of gravels
- Vegetation
- Rebar / structural materials

Relative Cost and Time to do this option:

Expensive.

Does this option require going below the high water mark?

Probably.

What are the obstacles to success for this solution?

- Need to incorporate entire beach, needs full neighbour cooperation
- Cost
- Oyster Lease

Consider more
"shore friendly"
beach access @
South end.

- Upland.
- Phase 1
 - Drainage Upgrade.
 - Set Path back from top of Bank
 - Decommission old bank & Revegetation
 - Phase 2
 - Fill & Regrade Site to avoid Pooling
 - Vegetation Planting with sites

- Beach monitoring
Bank monitoring
Beach Profiles 2-3
- Beach to mid tide
 - Photos & mapping of toe scum area.
 - Top of Bank by GPS or distance from bench mark.

- 2-4 m top of bank recession since 1980
- > 50% of toe of bank shows evidence of top erosion
- Bank fully vegetated, over steepened, evidence of tree slumping



SITE B - 25 Bella Vista (Lot 18, Plan 5327)

The situation at 25 Bella Vista Road is a rip rap wall that is beginning to erode, with rocks falling off the wall.

The property is on low lying land, showing particular vulnerability to sea level rise over the next 80 years. The property owner is concerned about protecting his property and worries that the current height of the wall will be insufficient in the future.

The property owner has plans to redevelop the house in the near future, but does not plan to change the house's siting in relation to the shore.

Three concrete walls have been installed on neighbouring properties to the east.

The owner anticipates that he will have to build a seawall similar to those of his neighbours. He hopes that whatever protection work he builds will do the following:

- Be strong enough to handle the increased tides and wave action
- Ensure that the property is safe from future sea level increases for the next XX years
- Compliment the neighboring walls
- Be aesthetically pleasing for an island home on the water.

QUICK FACTS

The issue:

Failing rip rap

Shoreline Type:

Pebble/Sand next to a rocky shore on the western point

Wave exposure: Medium

General Sediment

Direction: Northward from southeasterly storms

Fetch: approximately 20 km

Height of bank:

approximately 5 feet (1.5 metres)

Vegetation at bank:

None (Lawn)

HISTORY

Neighbours assume that the rip rap wall was put up in the early 1980s following a large storm that washed away a 40' long, 8' diameter log that had long served as a breakwater at the intersection of the beach and the sandstone cliffs on the west side.

The most recent large storm was in January 2012. The photo at right was taken by a neighbor to the east of 25 Bella Vista during this storm.



SHORELINE DETAILS

The beach at 25 Bella Vista is a pebble sand beach. Pebble sand beaches are sensitive to sediment supply; they are dynamic beaches and often exhibit long-term storm cycles.

Sediment accretes (accumulates) on the beach, moving from both the southeast as well as around from the southwest onto the shore. The beach faces medium wave exposure, the highest wave exposure on the southern part of Thetis Island (see 2011 Shoreline mapping data produced by Murdoch de Greeff Inc). This beach is the end of a drift cell.

Shoreline mapping identifies this area a low-lying area, with 0-4 metres in elevation above the existing Mean Sea Level. This means it is an area particularly vulnerable to Sea Level Rise. In addition to a rising high water mark, Sea Level Rise may also cause a softening of sediment shorelines over the upcoming decades.

Recent forage fish and eelgrass mapping shows this area as important shoreline habitat. Biologists have noted this beach as good spawning habitat for Pacific Sand Lance and Surf Smelt.

Wave Fetch & Energy:

Waves are generated by wind. Wave fetch is the distance over which wind can push water to generate waves - generally, the longer the fetch, the larger the waves. In the diagram below, the wave fetch for Thetis Island is shown in green.



Foster Point





Side profile of bank facing the rocky shoreline point to the west.



The rip rap wall facing east to the rest of the beach.



Current materials on the beach in front of the property.



Beach at low tide.



25 Bella Vista (Foster Point) WORKSHEET Thetis Shoreline Scenarios Workshop – June 13, 2014

What is the challenge? What is the most critical issue?

- Failing rock wall due to extreme weather events over the past 10 years no erosion of bank noticed
- Rock wall built in 1983
- Limited yard between natural boundary (high water mark) and the existing house
- Sand lance habitat
- Barging materials to site
- Adjacent properties with cement seawalls may have added to the way the beach is

Upland Considerations (building siting, drainage)

- Not much yard between house and rock wall.
- Residence to be rebuilt in same location
- Natural boundary is at the toe of the existing
- Minor drainage issue with existing garden.
- Roof drainage should be directed away from the shoreline side of house
- If possible limited activity (new septic tank system installation, etc.) away from shoreline side of house

Shoreline Habitat Considerations:

- Eelgrass beds further out
- Exposed bedrock/sandstone outcrops on the foreshore
- 10% gradient beach
- Good habitat up to natural boundary for sand lance (sensitive marine species)

Wave energy considerations:

- End of drift/littoral cell
- Fetch is way out about 15 km and might have a worst case scenario of a 3 m wave which would end up as spray in the house
- Wave could impact rock wall as is seen from present failing

POSSIBLE SOLUTION #1

Do maintenance on the existing rock (riprap) wall, replace the existing cement ramp and gradually tie into edges of property (natural grade and adjacent cement wall)

- Gradual slope should be created from existing toe of rock wall (high water mark) to toe of rock garden (terrace) above existing walkway in a gradual slope (3-1 or less)
- Should be angular rock replacing the existing sandstone circular rock
- Initiate at the toe by burying large rocks in the ground to begin wall and gradually slope to garden terrace.
- Combination of large and small rock depending on location in the wall
- Add in dune grass, sand and gravel in between rocks
- Access to beach remains important so to use large rock slabs where the existing cement boat ramp is.



Materials required:

- Mid-size excavator
- Possibly reusing rocks
- Graded rocks – pea gravel on up
- Import clean sand and gravel
- Filter fabric
- Dune grass and other plantings
- Consultant(s)

Relative Cost and Time to do this option:

- Estimated about \$30k with extra 10-15% for consultant.
- About one week of excavator use and under a week to do plantings, etc. for a total of about 1.5 weeks.

Does this option require going below the high water mark?

Only slightly if at all as the wall will be constructed at (or just above) the high-water mark.

What are the obstacles to success for this solution?

- Tides
- Getting specific materials (i.e. rocks)
- Authorizations for agencies (i.e. DFO, FLRNO, Islands Trust, CVRD, etc.) as required.
- Additional work required on either end to connect the wall to existing infrastructure/natural rock wall.

POSSIBLE SOLUTION #2

To create a concrete retaining seawall as is done with adjoining property and further along the bay.

- It would be approximately 1 metre closer to the house location and therefore further from the high water mark
- Ability to maintain (if not increase) marine species habitat in front of wall along shoreline
- Not aesthetically pleasing for owner
- Wall will be built away from high water mark and therefore the wall should not have much of an impact or any on the foreshore.
- Ramp/access of some sort will be required for owner and boats.
- It would require moving of existing rock wall and finding a location for them.

Materials required:

- Quick set concrete
- Excavator to move rocks and machinery for cement (i.e. pump truck, etc).
- Consultant(s)
- Filter cloth, forms, rebar, etc.

Relative Cost and Time to do this option:

- Approximately \$45k and 3 weeks.

Does this option require going below the high water mark?

Should not go below high water mark other than to remove rocks. Wall will be built 1 m from high water mark.

What are the obstacles to success for this solution?

- Transportation of materials, cement etc.
- Digging that can be intrusive to the site
- Authorizations from agencies (i.e. DFO, FLRNO, Islands Trust, CVRD, etc.)

POSSIBLE SOLUTION #3

To do nothing.

There was no clear evidence of erosion to the wall other than from some storm events that may have knocked some rocks down.

- Wall has lasted about 35 years and likely could remain for some time in its current form. However, it is likely that it will become less and less over time with storm events.



SITE C – 136 Sunrise Point

The situation at 136 Sunrise Point, as well as 137 and 138 Sunrise Point, is a gradual erosion of the shoreline following king tides and other larger storm activity.

The properties at Sunrise Point are on low lying land, showing particular vulnerability to sea level rise over the next 80 years.

The property owners have tried a few various methods to

curb the erosion of their property, including placing logs and boulders near the high water mark. They are considering plantings, but are not sure what would be the best design solution for shoreline protection along the beach.

As part of this scenario, neighbouring properties 137 and 138 are also a focus. 137 Sunrise Point is a bare land lot that is planning for development soon.

QUICK FACTS

The issue:

Gradual yard erosion

Shoreline Type:

Sand Beach

Wave exposure: Low

General Sediment

Direction: Northward from southeast

Fetch: 5-10 km

Height of bank: 0 – 0.5m

PROPERTY DETAILS AND PRESUMED HISTORY

The property at 136 Sunrise appears to have been developed in the 1970s. In the early 2000s, the property owners built a boathouse jutting out alongside the house, with a rampway for their boat. Lot 137 is a bare lot currently being developed. A topographical survey of Lot 137 is included in this site profile. Lot 138 was likely developed in the mid 1990s. On Lot 139, a 1975 orthographic photo shows what looks to be a cabin built pre-1975 including a stone seawall where the sea cliffs transition to sand beach. Lot 139 was further developed in the 1980s and the house and deck were built onto the seawall. The seawall was most recently inspected by a stonemason in 2012 and was deemed to be in good condition.

Sunrise Point 2007



Sunrise Point 2011



SHORELINE DETAILS

The beach at Sunrise Point is a sand beach. Sediment accretes (accumulates) on the beach, moving up from the southeast. Just north of the beach (starting at 139 Sunrise), the shoreline changes to Rock Cliff. The beach faces low wave exposure.

Sunrise Point is particularly low-lying, which means it is an area vulnerable to Sea Level Rise. In addition to a rising high water mark, Sea Level Rise may also cause a softening of sediment shorelines over the upcoming decades.

Recent forage fish mapping for Thetis Island identifies the beach at Sunrise Point as forage fish spawning habitat for Pacific Sand Lance and Surf Smelt. Eelgrass mapping shows areas of flat continuous eelgrass out in the Bay. The map on the next page shows a compilation of shoreline information available for the site.

Sunrise Point



Forage Fish Habitat

— Surf Smelt/
Pacific Sand Lance

--- Eelgrass Inventory (2012)

— Bathymetric Contours

← Predominant Wave Energy

Shore Types

— Rock Platform

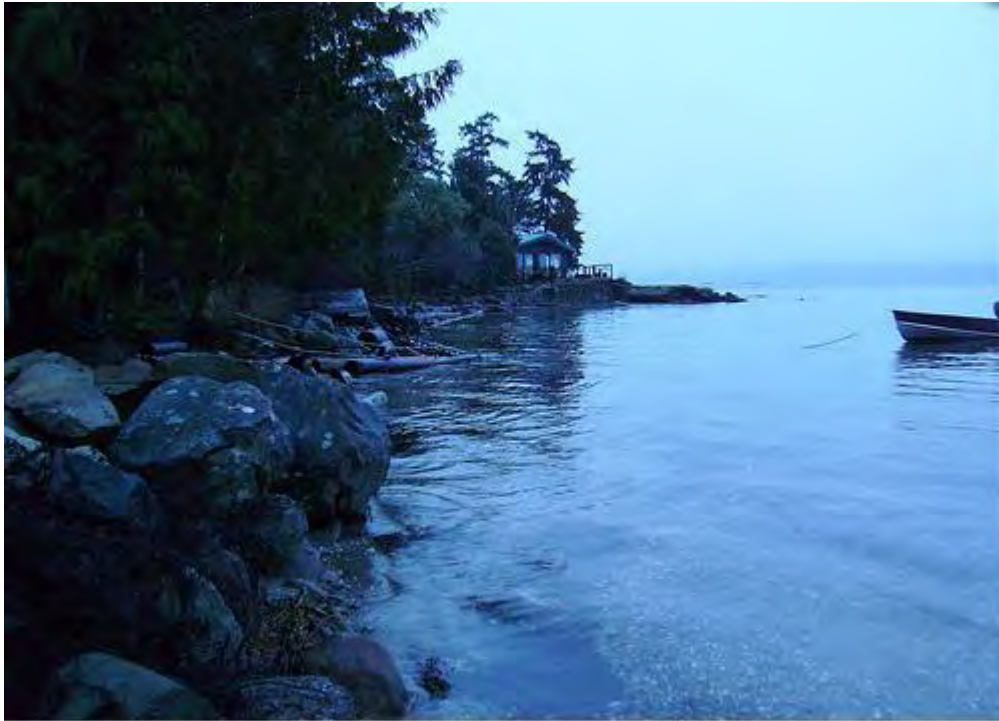
— Sand Beach

— Rock Cliff

0 50 100 200
Meters

Area of Interest





**Sunrise Point
during a king
tide.**



**Sunrise Point
during low tide.**



LOT 136 has stacked boulders protecting the yard. There are trees at the north end of the property in front of the boathouse.



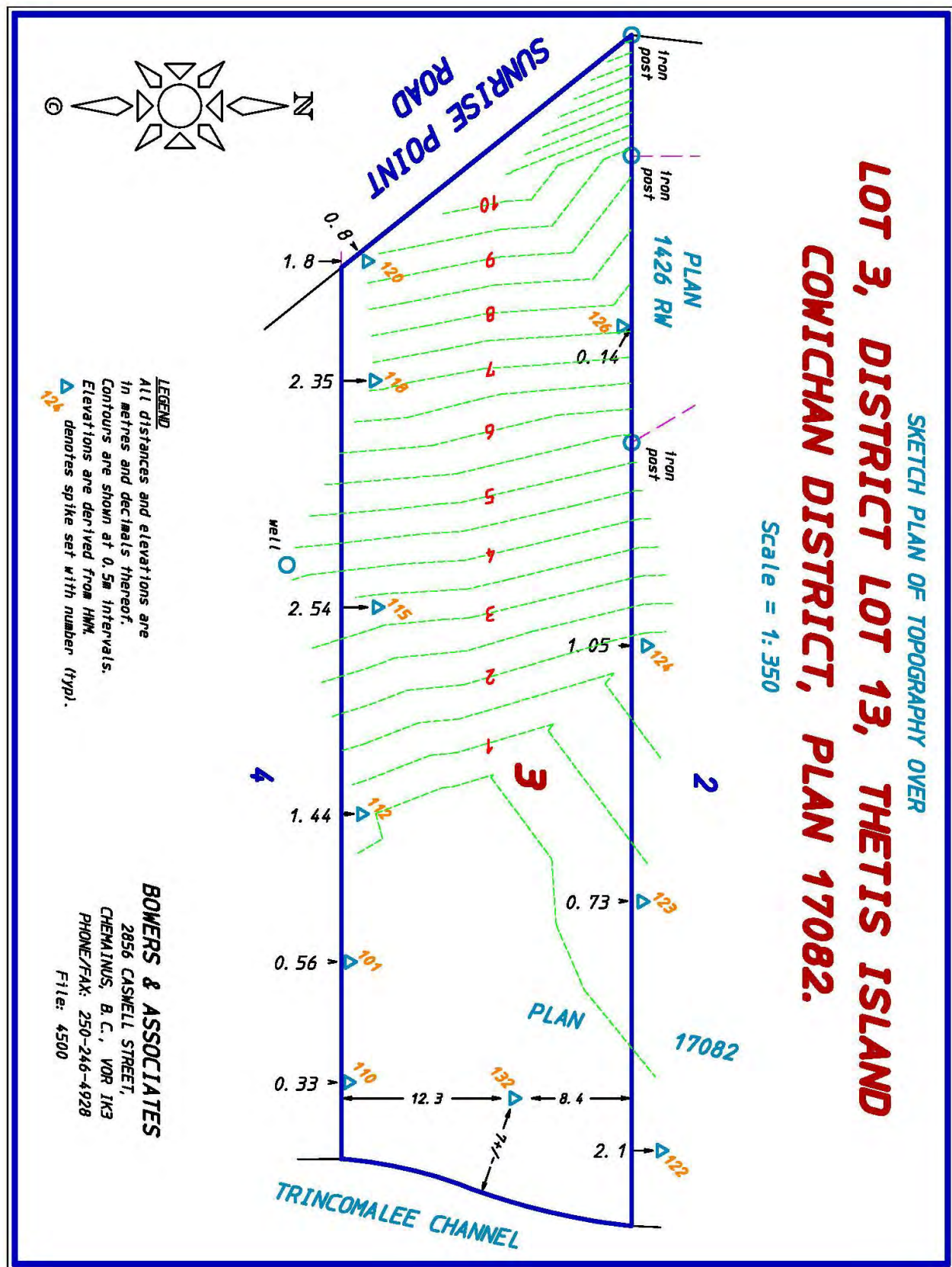
LOT 137 is being developed. Boulders and logs have been placed at the shoreline.



LOT 138 has a large lawn that runs up to the shore.
There looks to have been berming done at the shoreline.



LOT 139 only experiences erosion at the most southern part of the property.



A recent topographical sketch of LOT 137.



Sunrise Point WORKSHEET

Thetis Shoreline Scenarios Workshop – June 13, 2014

What is the challenge? What is the most critical issue?

Small properties and low elevation; concerned about projected Sea level Rise

Erosion on berm and loss of large woody debris

-intermittent flooding due to precipitation and storm surge

-coarsening sediment (cyclical in winter)

Upland Considerations (building siting, drainage)

Lots are fairly narrow and long, and all prefer to place homes, cottages, RVs, accessory buildings and septic fields down on the waterfront half of the lots, which are low in elevation.

Lower properties can be wet and are wetter in winter. Winter flooding upland due to poor drainage.

Many of the lots have been raised on the waterfront with fill.

Archaeological sites are noted around here, so that needs to be considered as well.

Shoreline Habitat Considerations:

This shore is spawning habitat for sand lance and surf smelt. Spawning is possible year round.

Lots of eelgrass just offshore.

Intermittent marine riparian vegetation – fir, cedar, other trees.

Wave energy considerations:

Exposed to SE winds for 3-5 km, but the wave energy is decreased by wave protection by sandstone islands and islets.

Intertidal rock ridges serve as natural “groynes”.

POSSIBLE SOLUTION #1

A double berm could be placed as noted on the sketch.

The berm at the high water mark could be enhanced, and to address high energy storms and sea level rise, another berm could be placed further up the properties, creating a slope that would keep the water from topping the berm and flooding the low elevation yard.

To accompany the berming, beach nourishment and also shoreline vegetation.

Materials required:

- Drainage rock
- Stumps
- Dune grass

Relative Cost and Time to do this option:

Does this option require going below the high water mark?

No.

What are the obstacles to success for this solution?

- Neighbourhood cooperation
- Access

POSSIBLE SOLUTION #2

Build up the mid-intertidal area with large anchored rocks to encourage sand and gravel deposits. This would be better than rocking up the entire shoreline.

Also, raising the houses on Lots 137 and 138 could be an option over the long term.

Materials Required:

Relative Cost and Time to do this option:

Does this option require going below the high water mark?

What are the obstacles to success for this solution?



A Landowner's Guide to Protecting Shoreline Ecosystems



Islands Trust

*A practical
guide for
updating
shorelines
like this...*



...to shorelines like this.

Prepared by Kris Nichols & Aleksandra Brzozowski, Island Planners

Draft Version: August 2014

Table of Contents	Page
Introduction	1
The Spectrum of Shoreline Protection	4
Where to Start?	8
Creating a Site Design Plan	9
Considering Shoreline Physical Processes	11
Moving Seawalls Back	14
Groin/Beach Structure Removal	15
Soft Shore Protection or Enhancement	18
Managed Structure Retreat	21
Considering Shoreline Habitats	23
Riparian Vegetation	23
Invasive Species	25
Wildlife Trees (Snags)	27
Large Woody Debris	28
Overwater Structures	29
Access Design	30
Water Quality	31
Conservation Covenants	33
Glossary of Terms	37
Resources	42

Front Cover Photo Credit - Photos: The Watershed Company

This document was developed using a number of resources, but primarily from information provided in the *Green Shores for Homes Credits and Ratings Guide* Pilot Project Version (July 2013) and the Washington State Aquatic Habitat Guidelines Program – *Marine Shoreline Design Guidelines* (2014).
<http://wdfw.wa.gov/publications/01583/wdfw01583.pdf>

Figures, Diagrams and Photos

Figure 1	Shoreline Design Techniques and their impacts	5
Figure 2	Typical Costs and Benefits of techniques	7
Diagram 1	Example of Site Design	8
Diagram 2	Typical Shoreline Sensitive Habitats	10
Diagram 3	Seawall Removal	14
Diagram 4	Drainage Impact	33
Diagram 5	Lake Shoreline Description	38
Diagram 6	Sea Shoreline Description	39
Diagram 7	Drift Cell	40
Diagram 8	Shoreline Processes	41
Photo 1	Seawall Removal – Before and After	13
Photo 2	Seawall Removal – Before, During and After	15
Photo 3	Example of Groins	16
Photo 4	Beach Nourishment	18
Photo 5	Structure (House) Relocation	21
Photo 6	Visual Hard to Soft Shoreline	24
Photo 7	Snag Tree	27
Photo 8	Overwater Structure	29
Photo 9	Overwater Structures (Docks)	29

Introduction – the reason we made this guide

The construction of seawalls is a significant environmental issue on many of the Gulf Islands. They have been continuously constructed for a variety of reasons but over the years, we have learned that they are often not the best options.

Coastal erosion is a natural process. Waves move and sort the beach sediment from one place to the next, causing a bluff to recede here and a beach to build up there. Coastal erosion processes can be unpredictable – a given shore may be stable for many decades and then erode significantly in one season and then remain stable in its new configuration for many decades.

The construction of seawalls influences the coastal processes and even ecology of an area. Halting the natural coastal process on one parcel can degrade processes both on and off site, the cumulative effect of which can be widespread damage to ecosystem functions. Maintaining the integrity and function of the natural shoreline is crucial to the survival of many marine and terrestrial species.

Building structures too close to the shore places them at risk and creates both the real and a perceived need for protection measures. But there are many options for shoreline development that manage risk to structures and infrastructure posed by coastal erosion. These are often called “soft shore” approaches.

Soft shore protection projects are different than hard armoring project like seawalls because they preserve the natural shoreline dynamics that our coastal ecosystems need. Instead of trying “one size fits all” hard armor designs that create a fixed barrier between the land and the water, successful soft shore designs work with current and historical coastal processes on the site.

The purpose of this information guide is to provide an introduction to techniques that landowners should consider when protecting and enhancing their waterfront properties. We hope it not only inspires you to be progressive about protecting your shoreline, but helps get you started in a real practical way.

Finding out more about your shoreline

There is a great deal of information that is valuable to anyone wanting to learn about the shoreline both from the land and water perspective. The best first place to start is at the Islands Trust webpage: www.islandstrust.bc.ca/how-do-i/care-for-my-shoreline

There you will find a range of general information about shoreline features and how they function, and what land owners can take into consideration to help protect them.

Shoreline Classification Information: www.islandstrust.bc.ca/islands/island-ecosystems/caring-for-my-shoreline

MapIT Shoreline Application: An interactive mapping resource intended to provide information about shoreline features and habitat.

Marine Conservation Tools: The Islands Trust and Islands Trust Fund were established by the same legislation; however, the Islands Trust is a regulatory body and the Islands Trust Fund is a conservation land trust that protects land through voluntary measures. At the Islands Trust Fund, they are working to find a way to protect the Salish Sea focusing on the interface between our terrestrial and marine worlds

www.islandstrustfund.bc.ca/initiatives/marineconservation

There are two general types of development that are addressed in this information guide:

Whole Site Development: The proposed development extends over the entire waterfront lot and includes activities such as site design, clearing, landscaping, building construction/deconstruction, stormwater and septic management, as well as any activities associated with riparian/shoreline development (see below).

Riparian/Shoreline Development: The proposed development occurs anywhere from the lower limit of the intertidal zone (in a marine environment) or from the littoral zone (in a freshwater environment) to the upper side of the riparian zone. (See “Terms” in Appendix A) Activities that apply include building and landscaping in the riparian zone, shore protection (e.g., seawalls and seawall removal, soft shore protection), shore access and overwater structures.

The Spectrum of Shoreline Protection

There are a number of ways to protect the shoreline ranging from passive techniques that require minimal or no engineering to engineered soft shore protection projects to hard shore armor (e.g. seawalls).

Some passive techniques are:

- **Managing surface and groundwater**; preventing the saturation of the soil in the bank or the surface erosion caused by direct runoff.
- **Vegetation management**; maintaining natural bluff or bank vegetation so that roots hold the soil together and foliage intercepts rainfall and breaks the impact of drops on the surface.
- **Relocation of infrastructure**; moving the house, building or road away from an eroding bank rather than trying to protect it in place.

These approaches are generally inexpensive in comparison with engineered solutions and are seen as being beneficial for erosion control with minimal impact on natural processes.

Some engineered shore protection techniques are:

- **Beach nourishment**; the addition of sand or gravel to a beach can be used as a protection or restoration technique where feasible. When designed to function with natural coastal processes this technique has low to moderate impacts and requires relatively little mitigation.
- **Large wood**; strategic placement of logs and root wads that maintains/enhances natural processes, such as recruitment of drift logs, in order to build up the backshore while maintaining dynamic near shore processes. If appropriately designed and installed there are few impacts from the technique.
- **Reslope/revegetation**; creating or maintaining a stable bank slope and using vegetation to stabilize it. Generally, there are few impacts from this technique.
- **Seawall removal and/or restoration of natural beach**. Of the formal techniques, this has the fewest impacts and will restore natural beach processes.
- **Hard armour; rock revetment** (placement of stationary sloping rock, rip rap) and vertical seawalls (constructed of concrete, sheet pile, rock, or wood). These techniques are used at high risk sites but will fundamentally alter natural beach processes and therefore require substantial mitigation.

The Impacts of Shoreline Protection

The impacts associated with a given design technique can be minimized or avoided if one can use an appropriate alternative. For example, if forage fish spawning is documented or is very likely to occur at the site, then a design alternative should be selected that does not impact upper intertidal spawning habitat. The table below can be referenced to identify the range of impacts associated with each design alternative.

Figure 1: Impacts and duration of impact associated with each design technique:

Design Technique	Impact	Range of Duration
Beach nourishment (BN)	Beach disturbance from equipment, materials staging and sediment placement	Temporary
	Burial of current substrate (smothers meiofauna (e.g. tiny mussels and worms) Commonly coarser substrate is applied Can steepen beach profile Drift sills can temporarily impair sediment transport	Intermediate
	Drift sills bury portion of intertidal beach Degraded salmonid migratory habitat	Permanent
Large wood (LW)	Beach disruption from equipment, materials staging and placement Subgrade excavation disturbance to beach substrate	Temporary
	Anchoring system commonly comprised of non-native materials Logs bury a portion of the intertidal beach	Permanent
Bank Re-slope/ and revegetation (RE)	Beach disruption from equipment access, materials staging and placement Disturbance and upland habitat loss associated with regrading bank Sedimentation associated with vegetation clearing Changes in upland surface water flow	Temporary
	Vegetation takes time to mature and effectively function as erosion control	Intermediate
Seawall removal (BR)	Beach disruption from equipment access, materials staging and placement Sedimentation/turbidity associated with removal Disturbance of beach substrate during subgrade excavation	Temporary
Hard Armor: Rock revetment (RV)	Beach disruption from equipment, materials staging and placement Increased turbidity	Temporary
	Precludes sediment input Buries portion of upper beach Degrades salmonid migratory habitat Coarsened sediment composition Can steepen beach profile Precludes LWD input and deposition Riparian vegetation alteration Altered wave action and littoral drift	Permanent

Hard Armor: Vertical bulkhead (VB)	Beach disruption from equipment, materials staging and placement Increased turbidity	Temporary
	Precludes sediment input Buries portion of upper beach Degrades salmonid migratory habitat Coarsened sediment composition Can steepen beach profile Precludes LWD input and deposition	Permanent
	Riparian vegetation alteration Altered wave energy and littoral drift	

(Source: Washington State Aquatic Habitat Guidelines Program – Marine Shorelines Design Guidelines)

Choosing the most appropriate course of action for a site from these various alternatives listed above begins with a careful assessment of the site and conditions and having an understanding of the supporting coastal ecosystem processes. As a landowner, it is important to use site characteristics and coastal processes to inform appropriate designs for your property.

Some approaches have greater natural adaptive capacity and are likely to sustain a moderate rise in sea level (~0.3 m) with little alteration. Whereas other approaches may be more likely to fail or further impact the beach as shorelines migrate inland (see Table below). An example of design technique with high natural adaptive capacity is beach nourishment along a barrier beach, in which the foreshore and backshore naturally migrate landward as sea levels rise. Natural beach profiles with intact sediment supply are assumed to be the most resilient.

Figure 2: Typical (installation) costs and benefits associated with different design techniques. L=Low, M=Moderate, H=High.

Design Technique	Cost	Slows Erosion	Benefits Processes	Adaptive Capacity	Maintenance Cost	Maintenance Interval
Beach nourishment (BN)	M	H	M-H	H	L-M	L-M
Large wood (LW)	L-M	M-H	M	L-M	L	M
Re-slope/ revegetation (RE)	M	M	M	M-H	L	H
Seawall removal (BR)	L-M	NA	H	H	None	None
Hard Armor: Rock revetment (RV)	M-H	H	None	None	M	L
Hard Armor: Vertical bulkhead (VB)	M-H	H	None	None	H	L

(Source: Washington State Aquatic Habitat Guidelines Program – Marine Shorelines Design Guidelines)

The need for professional assistance to develop or redevelop your property:

Many shoreline projects require assistance from one or more professionals. Professionals assist with site assessment and alternatives analysis to determine the need for shore protection, and they identify the technique that best suits a site's conditions. These trained, experienced consultants and contractors can help you with design, permitting, building, operating and maintaining a cost effective, durable, attractive and environmentally friendly project.

Depending on the specifics of your project and site, you may need a coastal/shoreline engineer or geologist, biologist, geotechnical expert, landscape architect, site designer, machine operator and/or permit specialist. Some companies do all of these things while others specialize in one or two. The best way to start is by identifying priorities for your project and its intent – is it erosion protection, landscape design, redevelopment, access or drainage improvement?

In addition to searching out the professional assistance required to do the work, it is important that you check with your Island Planner to determine what may be required from an Islands Trust perspective. In addition, they have likely come across similar projects in the past and can assist you in identifying the type of professional you require and answering questions. See the following for Islands Trust contacts: www.islandstrust.bc.ca/connect/contact-staff

Green Shores for Homes Program

The majority of the information provided in this document taken from the Green Shores for Homes program that focuses on positive steps to reduce the impact of new and existing residential development on shoreline ecosystems. The program is based on four guiding principles that make up the sections of this booklet:

- 1. Shoreline Physical Processes:** Actions aimed at protecting or restoring natural physical processes that are vital to the health of shoreline environments.
- 2. Shoreline Habitat:** Actions to protect, restore and enhance aquatic and riparian habitats.
- 3. Water Quality:** Actions to reduce or eliminate the amount of sediment, chemical and organic pollutants discharged to lakes and marine waters in rainwater runoff.
- 4. Shoreline Stewardship:** Actions that reflect general best management practices and that help to support public values of shorelines.

Green Shores for Homes is a collaborative initiative of the Islands Trust, San Juan County and the City of Seattle to explore ways to recognize land owners using Green Shores Design in the development, or redevelopment, of their property. www.greenshores.ca

CHAPTER 1 - WHERE TO START?

Creating a Site Design Plan

Goal: Develop a Site Design Plan that shows the proposed development project in the context of current site conditions and processes.

Homeowner Benefits: Developing a Site Design Plan will require a planning and design process to properly size and locate all design initiatives on the existing site. The planning and design process allows homeowners to fit their project to their existing site and to avoid costly alterations to existing site conditions. Completing a simple design plan early in the design process will help identify potential problems and design shortcomings before they become a real problem. Rather than react to a problem, homeowners can use this to design more efficient homes, multifunctional landscapes and greener shorelines.

Environmental Benefits: A Site Design Plan will ensure that all proposed design initiatives are properly sized and located in way that protects important site features, and preserves existing site processes and functions.

How to Accomplish: Develop a Site Design Plan, starting with the Pre-Design Site Assessment/Plan and incorporating proposed development and site changes, including: building areas and locations, patios, driveways, pedestrian circulation paths, access points, overwater structures, shore protection measures, vegetation planting, and soil amendment, etc. Fit these elements into the site while maintaining critical existing site features and processes identified in the pre-design site assessment. See Diagram 1 for an example of a site design plan.

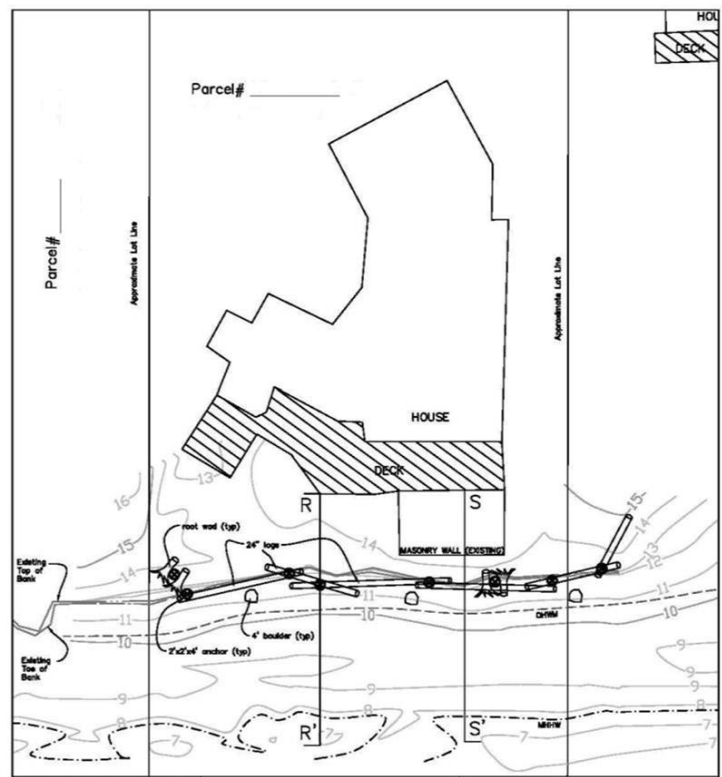


Diagram 1: Example of a site design plan. (Credit: Coastal Geologic)

Environmental Management Plan for Construction

Goal: Develop and implement a plan to limit disturbances and address erosion, sediment and pollutant control on-site during construction.

Sedimentation of adjacent water bodies is a concern when erodible materials are exposed. This occurs particularly during construction. In addition, materials such as paint, drywall compound, concrete wash and glues need to be managed to prevent pollution. All proposed activities need a construction management plan to show how sediment/runoff and pollutants are managed during the construction phase of the project.

Homeowner Benefits: Limiting disturbance of existing vegetation and compaction of soils is the best and least expensive form of stormwater management. Managing construction activities and related waste materials before and during construction is simpler and less costly than clean-up and restoration after-the-fact. A healthy nearshore marine ecosystem and clean fresh water streams contribute to the allure of living on the shoreline. All landowners have a role in preserving and improving shoreline ecosystems. All waterfront owners want clean water, healthy marine wildlife and clean beaches – these not only contribute to human health but can also increase property values.

Environmental Benefits: The main benefit is the prevention of runoff of construction-related sediment and pollutants into local ground and surface water. Groundwater is one of the most important resources on an island and needs to be protected. Numerous studies have shown that vegetation removal and run-off from upland development is a primary cause of degraded marine and nearshore water quality. Upland development can increase land-based erosion and land slumping, resulting in sedimentation and smothering of nearshore flora and fauna. Limiting disturbance combined with containing and treating sediment or pollutant-laden water, and containing, reusing, or recycling construction chemicals and materials will help to reverse this trend.

Critical or Sensitive Habitats

Goal: Avoid disturbing or destroying critical or sensitive habitats.

Local, provincial and federal laws identify and designate critical or sensitive habitats in an effort to ensure the conservation and protection of rare, endangered, threatened, or priority species. Some islands have specifically identified these areas through the establishment of development permit areas.

For British Columbia, this includes:

- Areas providing important feeding, resting, spawning, nesting, or rearing habitat for species designated under the federal *Species at Risk Act* or the BC *Wildlife Act*, or identified as “red” or “blue” listed species by the BC Conservation Data Centre;
- Environmentally Sensitive or Significant Areas identified by the federal, provincial, regional or municipal government in your area;
- Shore and marine areas identified as Important Bird Areas by Nature Canada and Bird Studies Canada;
- Other valued foreshore habitats including estuaries, fresh and saltwater marshes, wetlands, eelgrass beds, kelp beds, clam beds, spawning and rearing areas for fish, and feeding and resting areas for seabirds and marine mammals.

TYPICAL SHORELINE SENSITIVE HABITATS:

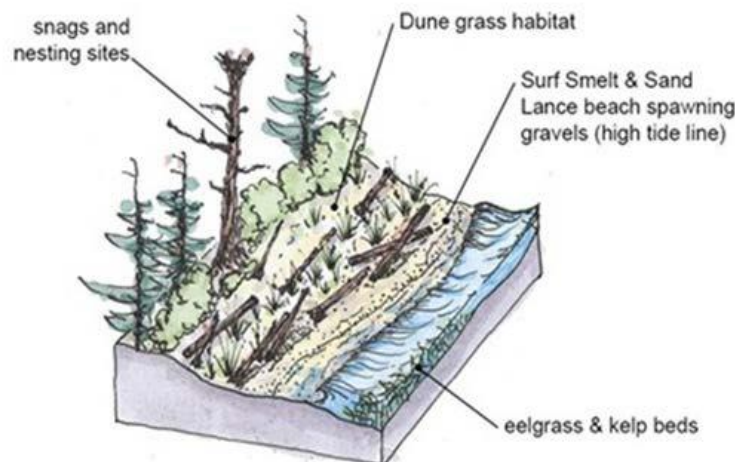


Diagram 2: From City of Campbell River Marine Foreshore Habitat Assessment and Restoration Plan 2011, p. 84

CONSIDERING SHORELINE PHYSICAL PROCESSES

Shoreline processes refer to the interaction of water, wind, waves and the shore that shape our diverse beach, bluff, cliff and estuarine areas. The ultimate goal is to preserve and, where needed, restore processes that benefit shoreline ecosystems and the many organisms that live in them.

Setback Considerations

Goal: Construct homes and other major improvements at distances far enough from the active beach or bluff crest to avoid the need for seawalls or other structural shore protection over the life of the improvements.

An adequate setback is the single most effective action to save money, avoid anxiety and protect shoreline habitat over the long run. Most islands have setbacks, established through bylaws, for buildings or structures from the water; however, these may not be sufficient to protect the building or structure from an active beach.

Homeowner Benefits: Choosing a substantial setback distance can save a lot of expense over the life of a house. These savings may not be reaped in the short term, as erosion and land slumping typically occur gradually and/or intermittently. However, the savings by avoiding the installation of a seawall, soft shore protection, or other actions to mitigate erosion and shoreline hazards can be quite large.

Environmental Benefits: Using a building setback sufficient to last for 75 or more years of safe use of a property without installing “hard” measures is among the most effective methods of maintaining natural processes and protecting ecological functions of shorelines. Setbacks address the root causes of habitat degradation, and not just the risk or consequences of having an insufficient setback from an eroding shore.

Seawall Removal

Goal: Reduce or remove any type of shore armor (collectively called seawalls).

Seawalls and shore armor include seawalls, revetments, riprap, gabions and similar along-shore structures designed to protect against wave attack or serve as a retaining wall at the shore. Seawalls have been constructed on all types of shorelines, but are most common along erodible beaches and non-bedrock bluff sites.

Seawall removal at feeder bluff sites restores the natural sediment supply, potentially providing the most benefit to shoreline processes and habitats. Seawall removal may not be feasible on small lots with limited space between a house and the shore and no room to move the house

back. A qualified professional (coastal geologist or engineer) can advise on the stability of a site and the effect of seawall removal prior to considering this action. It may be possible to move part of a seawall or move a seawall back to restore part of natural beach.

Homeowner Benefits: Benefits for shoreline owners and users of the beach include reduced maintenance of hard structures, improved shoreline access, increased aesthetic value, and improved wildlife viewing.

- Seawalls have a finite life expectancy and require maintenance or replacement over time. Seawalls can fail either incrementally or catastrophically for a number of reasons including undermining of the base, battering by drift logs, loss of integrity due to rot or other deterioration, or flanking erosion at the ends of structures. In addition, future sea level rise may accelerate damage to seawall structures.
- A seawall often creates a barrier to the shoreline for a property owner; replacing it with a soft shore eliminates that barrier.
- Sand and pebble beaches are highly valued, but seawalls often block the replenishment of finer beach materials, changing a sandy beach into a boulder, cobble one.
- Although aesthetic values are hard to quantify, the removal of non-natural materials such as concrete and other angular structures from an otherwise natural beach environment is generally viewed as an improvement.
- Wildlife tends to favour beaches with adjacent vegetated areas, which are almost always increased in quantity and quality following seawall removal. This leads to increased wildlife use and increased wildlife viewing opportunities.

Over the long run, it is often more cost effective to relocate structures landward than to build, mitigate, and maintain shore armoring.

Environmental Benefits: Seawall removal is one of most beneficial actions that can be performed on an armored waterfront property, in terms of improving natural processes and nearshore habitat conditions. These high impact structures have a broad suite of impacts on shorelines:

- Seawalls hinder shoreline processes such as sediment supply and the transport and recruitment of large woody debris (LWD) to varying degrees, but particularly at sites where interactions with wave and tidal forces are greatest.
- Seawalls impede the connectivity between terrestrial and marine ecosystems in which detritus such as beach wrack accumulates, large woody debris is recruited and deposited, forage fish spawning occurs, and several important nearshore habitats are found.

- Seawalls can indirectly impact down-drift shores by decreasing sediment supply and increasing erosion. The physical presence of a structure can reduce or block the movement of upland and bluff sediment from feeder bluffs, which provide sediment to the beach through erosion and landslides. Blocked sediment supply affects both on-site and down-drift beach profiles and substrate composition – often turning sand or pebble beaches into cobble and rock.
- Many nearshore fish and wildlife require functioning high intertidal habitats to provide sources of food, migration corridors, cover/micro-climate effects, and spawning habitat. Seawalls can bury or cause the loss of these important habitats. The removal of seawalls allows for the recovery of nearshore habitats previously buried beneath or behind armor.
- Additional adverse impacts depend on the level of impaired cross-shore connectivity (i.e., extending or running perpendicular to the shoreline) resulting from the structure. These cross-shore impacts can include loss of overhanging riparian vegetation, reduced large woody debris (LWD) recruitment and storage, altered groundwater regimes (Brennan 2007), reduced insect input, and loss of upper beach microhabitats. Each of these adverse impacts has direct and indirect effects on ecosystem components including marine riparian areas, forage fish spawning habitats, eelgrass beds, and shellfish areas.

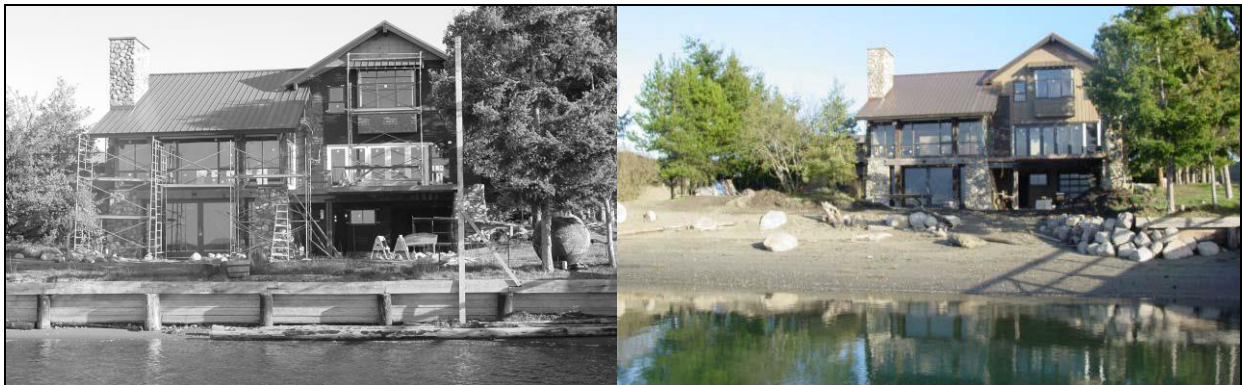


Photo 1: Seawall removal before and after – Lopez Island WA (credit Peter Kilpatrick, Ravenhill Construction Inc.)

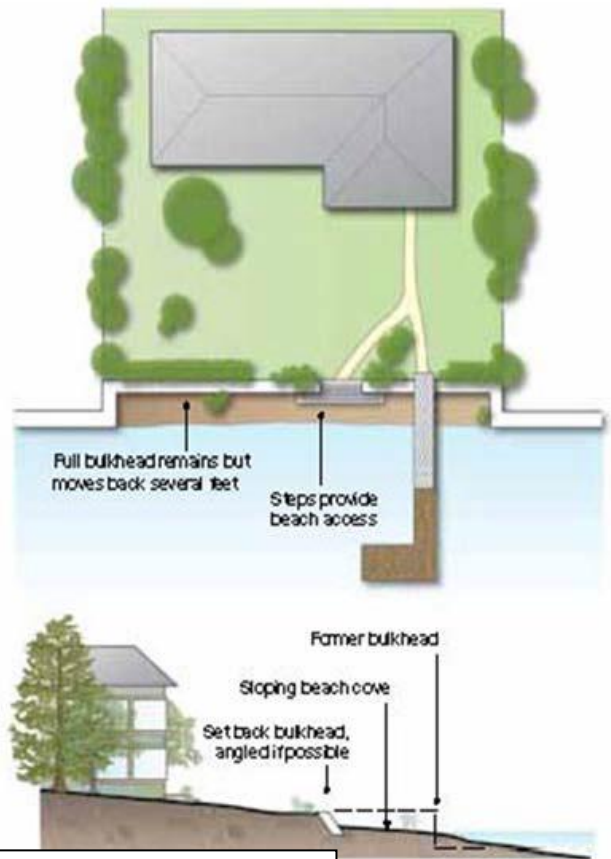
Moving Seawalls Back

In some cases, limited lot size may dictate the need for some sort of hard protective structure to protect a home. In these cases, however, it may be possible and advantageous to replace a deteriorating seawall with a new seawall further back from the natural boundary. This can allow room for restoring shoreline habitat AND put the seawall where it will require much less maintenance or be prone to damage. By moving a seawall back, a homeowner can gain a beach with its many amenities as well as re-establish habitat for shoreline flora and fauna.

How to Accomplish

Seawall removal projects can involve single or multiple properties and can take a variety of approaches:

- A seawall is completely removed and the beach profile is allowed to be restored naturally by waves rather than by re-grading. Outside assistance is often required for demolition and disposal.
- A seawall is partially removed and the shoreline modified. This typically requires engineering design of return walls to connect retained portion of seawall to the bluff or uplands, or similar protective structures (e.g. LWD placement) to maintain structural integrity onsite and avoid erosion hot spots on adjacent shores. This could reduce the length of shore armor to only what is required to protect infrastructure in close proximity to the shore, or it may entail moving armor inland substantially to a higher elevation well above maximum high water.
- If the armor currently infringes on intertidal habitats, removal often includes shore enhancement elements such as beach nourishment, re-vegetation and/or LWD placement (Clancy et al., 2009). At a minimum this involves filling all depressions with appropriate beach sediment and some amount of native vegetation planting.



Seawall removal projects should maximize the restoration of natural processes while balancing the need for human safety. A removal or modification design needs to balance risk to life and property with the enhancement of shoreline processes and habitat quality and quantity. Full

seawall removal and enhancement is the goal of these projects, unless geologic/engineering analyses recommend the use of lower impact shore protection at the site.

Finally, note that removing a seawall and replacing it with a soft shore (see above) is not a zero-maintenance solution. Any soft shore protection requires maintenance or replenishment in several years, depending on the level of activity of shoreline processes.



Photo 2: Seawall removal – before and after on Qualicum Beach (credit: Harriett Rueggenberg)

Groin/Beach Structure Removal

Goal: Remove groins and other types of structures that extend perpendicular to the shoreline (cross-shore) and impede sediment transport or tidal circulation, where removal is feasible and will restore physical processes.

These types of structures include groins, boat ramps, jetties, large stormwater outfall pipes, and other structures which extend across the shore and trap littoral sediment on one side or significantly alter tidal circulation. Groins that extend into the subtidal typically do not affect long-shore sediment transport, and in fact, may provide reef-type habitat. In most cases, subtidal groins or subtidal portions of groins should not be considered for removal.

Groin removal is also not feasible in locations where removal would cause significant up-drift or down-drift erosion in developed areas. For example, if a house is already located very close to a beach that is being held in place by a groin, it may not be feasible to remove the groin as part of renovations on the property. A qualified professional (coastal geologist or engineer) can advise on the stability of a shoreline and the effect of groin removal on that stability prior to considering this action.

Several beaches enhanced through beach nourishment have utilized “drift sills”, which are low-elevation groins with the up-drift beach filled to the top of the groin with nourishment sediment. These drift sills were used in areas with impeded natural processes and/or

improvements located very close to moderately energetic shores. Removal of drift sills is typically not advised as the beach nourishment sediment may become unstable.

Finally, be aware that since it involves working in the foreshore and fish habitat, groin removal will require permits or other approvals from regulatory agencies. Check your proposed project with local, provincial or federal authorities before getting started. Also be aware that removing a groin may affect your neighbor's property – positively or negatively. If you suspect that groin removal might lead to a negative impact next door, seek the advice of a qualified professional before getting started.



Photo 3: Examples of groins (Credit: H. Rueggeberg, M. Henigman)

Homeowner Benefits: Benefits for shoreline owners and beach users include reduced time and cost for maintenance, increased aesthetic value, and possibly improved wildlife viewing. Groins, like seawalls, have a finite life expectancy and require maintenance or replacement over time. Groins can fail either incrementally or suddenly for a number of reasons including undermining, battering by drift logs, and loss of integrity due to rot or other deterioration. If a groin is removed it will no longer require maintenance.

Environmental Benefits: The benefits of groin removal include restoring sediment transport processes and alongshore connectivity, as well as the recovery of intertidal and backshore habitats buried beneath the structure.

Groins and similar beach structures often result in a variety of negative impacts to nearshore areas, which are similar to those associated with seawalls. The magnitude of the impacts varies depending on the individual site and size and configuration of the structure and amount and size of sediment. Larger groins that extend below lower low water levels often result in littoral sediment being shunted offshore and lost from the beach system.

The impacts associated with groins include:

- Decreased sediment supply to down-drift shores,
- Localized erosion on the down-drift side of structures,

- Burial of habitat areas,
- Disruption of shoreline processes particularly when sited where interactions with wave and tidal forces are greatest, and
- Altered sediment composition surrounding structures.

Decreased sediment supply can affect on-site and down-drift beach profiles and substrate composition. Many nearshore fish and wildlife require functioning high intertidal habitats to provide sources of food, migration corridors, cover, and spawning habitat. Groins and other cross-shore structures can cause the burial of important habitats such as forage fish spawning areas (Rice 2006).

Additional adverse impacts depend on the level of impaired along-shore connectivity resulting from the structure, which can include loss or reduction in the transport of sediment and large woody debris (LWD). Each of these impacts has direct and indirect effects on marine riparian areas, forage fish spawning habitats, eelgrass beds, and shellfish areas (Clancy et al. 2009).

How to Accomplish

Groin removal typically involves pulling out a structure, filling all depressions with appropriate beach sediment, and planting native vegetation if appropriate. It is important to remove all portions of the structure, including materials buried below grade, such that buried material does not become exposed on the beach surface over time. This avoids armor material or debris from surfacing in the future following adjustments in beach elevation.

Removal of groins of moderate or larger size can change accretion and erosion patterns. Assess shoreline processes at and around your site and how they might be changed as part of design plans (see Prerequisite 1.1 and 1.2). For small removal projects, do a general assessment of the effects on local erosion and deposition on your shoreline and your immediate neighbors' shorelines; for larger removal projects, do a broader assessment of implications for the shoreline in your area – see Clancy et al. (2009) for details. Items to include in your assessment are:

- Identify the geologic setting of the site, sediment transport processes, general erosion/accretion trends for the project area and the role of the existing groin regarding sediment transport processes.
- Identify areas that are currently being influenced by the existing groin or beach structure.
- Quantify the amount of beach sediment and imported fill on the site.
- Consider the erosion potential associated with adjacent properties.

You can determine if sediment transport is blocked or impeded by observing the beach level on each side of the structure to see if one side is higher by 1.5 ft. (0.5 m) or more.

Soft Shore Protection or Enhancement

Goal: Where shoreline erosion control is needed, construct soft shore protection rather than hard engineered shore protection structures.

Soft shore **protection** refers to installing natural, flexible shoreline material where erosion control is needed. Soft shore protection approaches may use beach “nourishment”, logs and large natural woody debris, vegetation and re-sloping a bank or bluff. All these methods are described in more detail in the “How” section below. Often these soft shore protection approaches are used in combination to augment site stability or to address different issues in different parts of a site. Using soft shore protection to address shoreline erosion is an environmentally friendly alternative to hardened measures.

Beach **enhancement** refers to actions, other than seawall removal (credit 2.2) that augment natural features of shoreline systems that may be degraded. Typical beach enhancement projects include adding beach sediment to enlarge a beach, pocket beach or marsh area where these habitats are moderately impacted. Ideally, beach enhancement designs would replicate historic conditions or those from a nearby unaltered beach with similar dominant drivers (waves, geology, etc.).

Soft shore protection projects are most successful on more protected shorelines and typically not feasible where there are high wave energy and high erosion rates. In areas that are unsuitable for soft shore protection, moving structures further landward should be considered over hard engineered structures.

Any beach nourishment proposed to extend below the natural boundary must be reviewed by Fisheries and Oceans Canada (due to the potential impact on fish habitat) and provincial land authorities (the foreshore is owned and managed by the Provincial Crown), as well as be subject to local government regulation. Check your proposed plan with local authorities (DFO, Islands Trust) if you plan to work in the foreshore.



Photo 4: Beach nourishment before and after – Marchs Point, Skagit Co. WA (Credit: Coastal Geologic Services)

Homeowner Benefits: Soft shore methods can be effective in protecting structures that are threatened by erosion while avoiding the typically more expensive seawall and related types of engineering approaches. Additionally, the use of soft shore protection as compared to hard approaches often results in increased resilience and greater aesthetic appeal of the finished product, particularly after several years when vegetation has been established and the site has naturalized. Enhancement projects typically also increase the available beach or salt marsh area, which allows for additional recreational and wildlife observation opportunities. All of these effects improve property values.

Environmental Benefits: Soft shore methods can provide effective erosion control on suitable sites where protection is required, while not impacting geomorphic processes or substantially degrading nearshore habitats.

Properly designed soft shore projects work with natural conditions, and compared to hard shore protection, offer a suite of more desirable outcomes. For instance, beach nourishment may provide spawning habitat for forage fish species such as sandlance and surf smelt, food sources for salmon and other food fish species, birds, and marine mammals. Unlike seawalls, beach nourishment contributes to natural sediment transport and shoreline habitats.

Soft shore beach enhancement projects can restore or augment shoreline features to provide a net gain in shoreline habitats and ecological services. In some cases, enhancement actions can mitigate for the loss of habitat, such as creating a lagoon where an historic lagoon had been filled nearby and constraints on the original site prevent full restoration.

How to Accomplish

Soft shore projects should be designed and supervised by a qualified coastal engineer or geologist. The project must employ a design that allows for the continuation of natural processes such as littoral drift and riparian vegetation growth, and not completely alter beach or backshore areas.

If you have to work in the foreshore (below the Ordinary High Water Mark), approval from provincial and/or federal fisheries or environment agencies is required. Also, any work in shoreline and riparian areas will likely be regulated at the local level (e.g., as “development permit areas”). Always consult with your local government to find out what approvals are needed.

Beach “nourishment” or “replenishment” is a common means of soft shore protection in which sediment lost to erosion is replaced or augmented with imported sediment, typically from an upland source. Beach nourishment material should resemble native beach substrate in both size and composition, but may be slightly larger or coarser. No “fines” – grain size less than 0.5 mm – can be present in nourishment material. Gravel is used most commonly as it is less mobile than sand.

Beach nourishment can protect beach resources by creating a larger sand or gravel reservoir, moving the shoreline seaward. In areas where sediment supply has been substantially reduced due to armored bluffs, beach nourishment can mitigate the lost sediment supply and enable local beaches to more closely resemble their historic sediment composition.

If forage fish spawning has been documented on the subject beach, soft shore protection projects must not bury these habitats without designing in their replacement. Use an appropriate sediment composition (rich in 1-7 mm sized sediment) to assure that spawning habitat is enhanced rather than degraded. Up to 5 years is needed for this to come to fruition at more impacted sites. Monitor the project to assure that spawning habitat is preserved or enhanced.

Beach nourishment differs from fill because it is mobile and permeable, and as such, will likely need to be replenished from time to time.

Logs or other large woody debris (LWD) are placed to add complexity and elevation to a beach nourishment project, and to help to hold added beach material. In some cases, LWD pieces are anchored to buried boulders or concrete blocks. Do NOT use treated LWD in soft shore protection projects.

Logs and LWD are typically only used above the higher high tideline to protect the area landward of the beach during storms at low to moderate wave energy sites. Logs have only been used successfully at lower elevations on the beach in low wave energy sites (less than 3.2 km fetch, or open water distance).

Vegetation is often used for soft shore protection in conjunction with other approaches. Do not bury backshore vegetation without replanting. Planting with salt-tolerant species like native dune grass and native trees and shrubs is focused on the area immediately above the normally

inundated beach. On low energy shores with fine-grained sediment, salt marsh vegetation can be installed or enhanced to reduce intermittent erosion, although this would typically not be a site that would require soft shore protection and would instead be considered beach enhancement.

Bank re-sloping reduces the slope of an unstable bank and smoothens out landslide scarps or other features that are particularly steep and unstable. This may require installation of erosion control fabric on the slope in very unstable slope sites. To be successful over time, re-sloping is immediately followed by intensive planting of native vegetation selected for high root strength. Resloping may not be feasible on small waterfront lots where there is little room between the bank and major structures, or room to move the structures back.

Up to 20% hard elements where necessary: Soft shore protection projects may need to employ limited amounts of rock in sites with moderate to high wave energy, severely impacted shoreline processes and/or a minimal available setback (refer to Johannessen 2000 for more detail). However, do not include significant amounts of rock armor except in limited areas, and never use vertical elements such as cement walls, lock block, etc.

Rock drift sills (sometimes called “hard points”) are low elevation groins that are filled with beach nourishment sediment on the up-drift side. They may be used, but only where required to support beach nourishment, and must not exceed 20 % of the total project length.

Note that soft-shore protection measures are not zero-maintenance solutions to shore erosion. Any soft shore protection may require maintenance or replenishment every few years, depending on the level of activity of shoreline processes.

Managed Structure Retreat

Goal: Move an existing structure inland to avoid shoreline erosion and adapt to ongoing or predicted shoreline recession.

Moving structures inland will avoid the need for shore protection and other negative impacts associated with managing erosion in the future.

Photo 5



Relocation of house back from eroding coastline on New Zealand's west coast. Source: New Zealand Ministry of Environment, 2008

Homeowner Benefits: Moving a structure avoids substantial short or long-term expenses for shore protection and the loss of valuable assets. Moving a building within a lot can often cost less than building protective works.

Environmental Benefits: Movable houses and other structures allow the homeowner to avoid an array of negative impacts on shoreline processes and habitats that comes with construction and maintenance of shore protection and other erosion control measures. This single action, although not necessarily the easiest, would have a widespread and long-lasting benefit if needed in the future.

How to Accomplish

- A site plan that shows the original structure footprint and the site to which the structure has been or will be relocated. The relocation site must be landward of the area affected by projected erosion for 75 years or the life of the structure, whichever is greater. General rules of thumb for an adequate distance are 35 ft. (10 m) from the predicted receded natural boundary or receded bluff/bank edge for low to moderately eroding sites, and 70 ft. (20 m) for rapidly eroding sites;
- To include climate change-induced sea level rise, determine what the projected SLR is for your area. For example, SLR of 0.5 m by 2050, 1.0 m by 2100 and 2.0 m by 2200 is predicted for most of the BC coast (Ausenco Sandwell, 2011 – see “Resources” under credit 2.3). Determine how this will change the location of the natural boundary over 75 years or life of the structure (whichever is greater), and determine the relocation site accordingly.

Measurements of planned/existing building setbacks and the usable space available for moving the structures back would have to be assessed and quantified from project drawings and also in

the field. This involves simple linear measurements and does not require any special qualifications other than judging where suitable land is available.

CONSIDERING SHORELINE HABITATS

The Shoreline Habitat includes:

- the subtidal zone (in marine environments) or the littoral zone (in lake environments) to a depth of 35 feet (10 m) below datum;
- the foreshore or intertidal zone; and
- the riparian and backshore up to 60 m from the natural boundary.

Riparian Vegetation

Goal: Maintain or replant native riparian vegetation to conserve or enhance its value and the ecological functions it provides along the shoreline.

Riparian areas where land and water converge are among the most biodiverse of any habitats. Riparian vegetation is native vegetation that exists or is planted on the landward side of the natural boundary extending up to 200 feet (60 m) landward, and includes trees, shrubs, and ground cover.

Native vegetation is preferred for shorelines because native species:

- are better adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance;
- are resistant to most pests and diseases;
- require little or no irrigation or fertilizers, once established;
- are non-invasive (do not dominate to the extent of excluding all other species); and
- usually provide better food sources for native wildlife.

However, mature non-invasive or “native adapted” plant species may be maintained if they provide some ecological functions.

The goal is to have functioning riparian vegetation along the shoreline, consistent with the natural soil, climate, and flora and fauna characteristics of the site.

From this...



to this...



Photo 6 (credit: The Watershed Company)

Homeowner Benefits: Riparian vegetation provides natural shoreline stabilization and is less expensive than installing hard shoreline armor. Retaining existing native vegetation saves on landscaping costs; the maintenance of vegetation is also less expensive than the maintenance of hard shoreline armoring structures. Maintaining riparian vegetation may help avoid the need to install costly stormwater treatment facilities and home air quality systems. Riparian vegetation attracts bird life and other wildlife for wildlife viewing. A healthy riparian area offers better aesthetics, noise reduction and increased privacy, and higher property value.

Environmental Benefits: Protection or re-establishment of riparian vegetation provides key ecological features, functions, and values of shoreline habitats and maintains the high biodiversity of riparian areas. Riparian vegetation:

- provides water quality and quantity benefits by enhancing the infiltration and retention of rainwater;
- delivers large woody debris (LWD) and food sources such as insects and detritus for the aquatic food web;
- moderates temperature in the riparian area for climate-sensitive plant and wildlife species, as well as in the beach substrate where forage fish spawn;
- on shallow slopes, can help to dissipate wave energy, thus moderating erosion and supporting the accumulation of beach sediment; and
- the roots of riparian vegetation provide shoreline bank integrity. Complex networks of branches, trunks, stems, and roots along the shoreline provide habitat for birds and terrestrial animals, and cover for juvenile salmonids to avoid predation by birds.

How to Accomplish

Choose native species that are suitable to your site. As much as possible, planting should be comprised of multistoried vegetation that includes trees, shrubs and ground cover, but in some cases (e.g., south facing rocky bluffs with thin, dry soils on rock), only shrubs, grasses and other ground cover may be suitable. While mature non-invasive or “native adapted” plant species can be maintained as they provide some ecological functions, avoid planting new non-native species.

Planting may be ‘averaged’ in the 11 m riparian buffer to a limited extent – meaning that the riparian area may be thinner than 11 metres in some portions by +1.5 metres and wider in others as long as the overall average is 11 metres.

Space plants to achieve a minimum 65% native vegetation coverage within 10 years. Space trees at 2.4 – 4.3 metres on center and shrubs at 0.6 – 1.8 metres on center depending on the plant species. You may need some assistance from a landscape architect, restoration biologist or landscaper with riparian planting experience to determine the best species and spacing to achieve the desired effect.

Invasive Species

Goal: Remove, reduce and manage invasive vegetation and noxious weeds.

This recognizes efforts to remove invasive or noxious vegetation and re-plant with native vegetation. Check the “Resources Section (pg. 42) – Invasive Species” for more detailed inventories and information on invasive/noxious species and their management.

While it is possible to eradicate some invasive species, others can only be reduced and then managed to contain or curtail their spread. In most cases, management and eventual eradication is an ongoing and long-term effort.

Homeowner Benefits: Benefits are similar to those noted for Riparian Vegetation. In general, removing invasive vegetation and replacing with native plants:

- Provides better aesthetics, noise reduction, and increased privacy once the planted areas have matured – all of which increase property values;
- Prevents damage to other vegetation you wish to maintain;
- Results in lower maintenance landscapes; and
- Creates greater wildlife watching opportunities.

Environmental Benefits: In addition to those benefits associated with maintaining and restoring native vegetation described in the Riparian Vegetation credit above, this credit is intended to restore natural ecological functions. In general, removing invasive vegetation:

- Improves and restores habitat and species diversity. Invasive vegetation results in mono-cultures that out-compete native species.
- Improves food sources for native birds and animals. It has been shown that detritus feeding organisms may not be adapted to the leaf fall patterns or the chemical characteristics of leaves from non-native trees suggesting that riparian areas are most effective when comprised of native vegetation (Karr and Schlosser 1977).
- Restores more adaptable landscapes. Native plant species have adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Therefore, maintaining native plant species in riparian areas can help to maintain water quality and improves riparian vegetation functions such as stormwater retention, groundwater recharge, etc.
- Favors insect of local food value for species of concern (e.g., insects eaten by juvenile salmon).
- Prevents degradation of adjacent healthy riparian areas.

How to Accomplish

Many of the resources below provide information on identifying invasive plants, techniques for their removal and the native species to use as replacement vegetation. You might also enlist the help of a local ecologist, botanist, landscape architect, horticulturist or landscaper with experience in riparian planting for marine or freshwater shores, depending on where you are situated. Your municipal or county/regional district government may also be able to help with written information, expertise and even some funding for invasive removal. Similarly, many environmental organizations are involved with invasive management and native plant restoration; check with a local land trust or natural history society for ideas and help.

Include invasive species management as part of the regular landscape maintenance schedule or checklist (see Credit 4.6 and Appendix B). Monitor your property for several years for signs of returning invasive vegetation and/or noxious weeds, and plan to remove them as needed. Remember that it is much easier to remove these species as they emerge rather than once they are established. Again, a qualified professional, your local government or local environmental group can advise on effective but environmentally-friendly ways to manage particularly tenacious species. Suggest that your neighbors share in work parties to help each other, or suggest the same to your Homeowners or Neighborhood Association.

Wildlife Trees (Snags)

Goal: Retain existing dead trees on site as wildlife trees (snags). If the dead tree is a hazard to life or property, remove the hazard-causing portions rather than removing the trees completely.

Homeowner Benefits: Wildlife trees create interesting landscape features while providing increased wildlife viewing opportunities

Environmental Benefits: Dead trees (snags) provide valuable feeding, nesting and burrowing habitat for birds and small mammals.

How to Accomplish

Evaluate existing dead trees on the site for their potential as wildlife trees. Generally, the value of a snag tree increases as its size increases. Large snags (greater than 38 cm diameter at chest height and taller than 1.8 m) are required for larger species such as certain woodpeckers; smaller birds and animals may use snags or dead limbs from 10 cm in diameter.

Animals may have a preference for snags of certain tree species, and these tree species preferences may vary from region to region. Hence, the species of snags retained should reflect the native trees found in the area.

Landowners may need to consult a professional when determining if a snag presents a substantial hazard, particularly given the relative location of the snag to existing or proposed infrastructure/development. If removal must occur, remove only unwanted portions of the trees; this allows the remaining portions to provide valuable wildlife habitat. Trees and snags are part of functional riparian vegetation.



Photo 7: Credit: H. Rueggeberg

Large Woody Debris

Goal: Retain large woody debris (LWD) where it naturally occurs.

LWD includes trees and large branches that fall naturally along a shoreline across the beach or into the water, and logs and stumps that wash up onto a beach.

Homeowner Benefits: Stumps and logs anchor and stabilize beach sediments and beach grasses, providing natural shoreline protection.

Environmental Benefits: LWD is a vital component of healthy shoreline ecosystems. It creates habitat cover and complexity; helps to accrete and sort sediments, creating spawning habitat for forage fish; stabilizes banks and shorelines; supports the growth of native beach grass, which also helps to stabilize shorelines; protects dune communities, thereby supporting the next generation of forests; and is a source of organic matter and food for aquatic insects, invertebrates and the organisms that feed on them.

How to Accomplish

Identify and map existing LWD pieces as part of your pre-design site assessment in order to integrate them in the site design plan. Removal of a portion of the existing LWD is appropriate if needed to provide room for your project (such as for an over-water structure), or for hazard control (the LWD may ram an existing structure if floated by high water). Temporarily moving, saving and re-installing natural LWD as needed to facilitate the project should be considered; check with local authorities if there are any regulatory requirements to do this, particularly when large pieces are involved.

If required, consult with a qualified professional such as a coastal engineer or engineering geologist before re-introducing LWD to determine the most effective placement and to avoid creating hazards. Include locally recruited (downed trees) and driftwood in the overall plan for LWD. Try to match 'historic' conditions when adding LWD.

Avoid artificially anchoring LWD. It can be placed semi buried, particularly if it is placed as part of a "soft shore", beach nourishment project or loosely on the upper and back beach areas, in wetlands, and along the shoreline of lakes. Anchor LWD by mechanical means only when recommended by a qualified professional and with approval by local authorities.

Overwater Structures

Goal: Do not install new overwater structures at a project site; remove any existing overwater structures. If overwater structures are necessary, design them to be Green Shores friendly.

Overwater structures are piers, ramps, floats, buildings and associated pilings, covered moorage, boat work sheds, and mooring pilings. An overwater structure may include multiple elements such as a pier, ramp and float.

Homeowner Benefits: Having no overwater structures, or structures, can result in several benefits:

- Cost savings - no maintenance, or low maintenance of shore friendly structures; e.g., grated construction tends to be low maintenance and durable and provides ambient light beneath such structures.
- Green Shore designs and construction methods are usually consistent with local regulations, and therefore, the permitting process may be easier, shorter and less costly (e.g., detailed biological assessments and habitat mitigation may be avoided).
- Better natural aesthetics.

Environmental Benefits:

- prevents the loss of nearshore ecological functions such as underwater natural ambient light and habitat area.
- minimizes the effects of overwater structures on underwater plant communities;
- minimize disruption of fish movement and migration; and
- decreases potential predation on juvenile salmon by reducing habitat for predators.

How to Accomplish

Owners are encouraged to use mooring buoys, if local zoning permits, if boat moorage is needed



Photo 8: Overwater Structures (Dock) Credit: K. Nichols



Photo 9: Overwater Structures on Piers Island (Credit: K. Nichols)

provided that there is no impact on seafloor ecosystem/habitat, use a public dock if one is nearby, or share an existing dock with neighbours. To minimize impacts on shoreline habitat and processes, adhere to the following ‘best practices’ in the design, construction, maintenance and repair of overwater structures:

- Assess the nearshore and benthic habitat before starting to plan, so that the structure is located where no critical/sensitive habitat exists.
- Minimize size – e.g., minimize the width and length of piers and floats.
- Minimize disturbance of the bottom – e.g., minimize number and size of piles.
- Use nontoxic materials
- Minimize shading by orienting a structure in a north-south direction and positioning it a minimum of 7 ft. (2.3 m) above benthic vegetation.
- Maximize natural light penetration – use grating or gridding.
- Minimize overwater lighting.
- Design structures to be retractable when not in use (e.g., for the winter season).
- This should be achieved in conjunction with any local bylaws that require specific siting or size requirements of docks or floats.

Access Design

Goal: Design or re-design access to the shoreline from upland areas so that it avoids or minimizes environmental impacts on the shoreline area.

Shoreline owners typically want to get to the water’s edge, whether by a foot path, stairs, a driveway or a ramp for boat access. Accesses can have negative effects on shoreline environments by trampling and removing riparian vegetation (favoring the colonization by invasive species), “hardening” the upland-shoreline interface and damaging backshore, foreshore and intertidal habitats.

Homeowner Benefits: Controlled access usually means lower construction and maintenance costs, and enhances the aesthetics and value of the property.

Environmental Benefits: Avoiding or minimizing the extent of accesses reduces permanent loss of riparian and foreshore habitats. Smaller accesses also may translate to lower levels of human activity, thereby causing fewer disturbances to other wildlife using the shoreline.

How to Accomplish

First ask “do I really need my own access to the shore? Is there a public access nearby that I can use, or could I share an existing access with one or more neighbours?”

If the answer is “no, I don’t need my own access” – you have saved the shoreline environment one more impact, and saved construction, approval and maintenance costs and time.

If the answer is “yes”:

- Assess the shoreline and backshore to determine the best place for getting to the water based on steepness, ground stability, soil softness, vegetation, drainage, environmental sensitivity and habitat value. A rocky site is usually harder than sites with soft sediments. Choose sites that have been previously impacted since they have lower habitat value than an undisturbed site. Do your utmost to protect undisturbed areas.
- Provide for all needs in one access rather than multiple accesses.
- Size and align paths and stairways to address terrain (flat versus steep), to protect existing vegetation (particularly major trees, shrubs and rare plant groupings) and avoid hazardous areas such as ravines, bluffs, cliffs and embankments.
- Use permeable, non-toxic materials for the access surface. For lightly used paths, native soils may be adequate. For heavier use or where drainage is an issue, crushed aggregate (gravel) with a lightly compacted aggregate sub-base is preferred. Bark mulch or hog fuel are not recommended as trail surfaces because they produce leachates that can cause water quality problems. Asphalt and concrete are also not recommended as they leach contaminants in the short term, and are impermeable and accelerate run-off in the long run. If solid surfaces are necessary, install pervious pavers.
- Use raised permeable walkways whenever possible to avoid crushing ground cover.

Water Quality

Runoff & Pollutant Management

This encompasses actions that a shoreline landowner can take to reduce or eliminate the amount of sediment, chemical and organic pollutants that are discharged to lakes and marine waters as rainwater runoff. The runoff associated with rain events is typically referred to as “stormwater”, but it is important to recognize that the majority of surface runoff is from light, steady rainfall and not just occasional storms. Therefore, in this section, we use the term “rainfall runoff” in addition to “stormwater” to refer to the accumulated runoff from regular rainfalls as well as bigger storms.

Site Disturbance

Goal: Minimize the amount of clearing, grading and soil disturbance on the site.

It is particularly important for projects on sloping sites, sites with runoff from upland areas, sites with highly erodible materials, and bluff properties where slope failure risk is high.

Homeowner Benefits: Minimizing site disturbance benefits home owners by:

- reducing the risk of soil erosion and the cost of erosion control measures during and after construction.
- retaining valuable topsoil, which means less cost to buy and truck in expensive topsoil to rebuild landscapes.
- reducing future landscape installation costs.
- reducing irrigation costs; existing native vegetation is often better suited to site conditions and typically do not require additional irrigation.
- maintaining the intrinsic value of native trees and shrubs .
- maintaining shade and wind breaks that can save on cooling and heating costs.

Environmental Benefits: Studies have shown vegetation removal and run-off from upland areas to be the primary cause of degraded water quality, increased near-shore water temperatures and sedimentation and smothering of nearshore flora and fauna. Minimizing disturbance of soil and vegetation prevents construction-related pollutants, particularly sediment, from reaching local fresh and marine waters.

Minimizing soil disturbance and compaction also:

- helps to retain soil structure and pore space that allows movement of water and air; healthy native soils with good structure are more permeable than newly imported growing medium, and can help reduce surface water runoff.
- retains beneficial biological components - worms, micro-organisms, and roots in existing soils.
- avoids trucking of stripped material off site or bringing soil on-site, lowering costs and reducing greenhouse gas emissions.
- avoids the release of greenhouse gases from organic soils when they are disturbed.

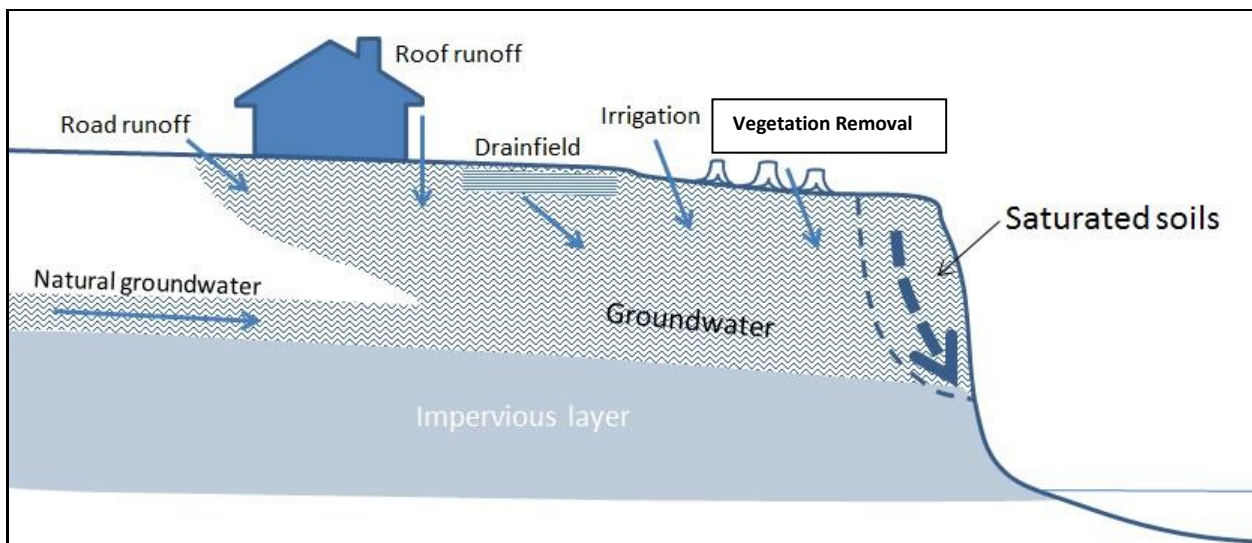
How to Accomplish

Minimize site disturbance during planning, design and construction phases of a project by doing the following:

- Locate buildings and hardscape surfaces on previously impacted areas of the site such as clearings, existing building footprints, or on areas that were going to be cleared anyway (i.e. to remove invasive species such as Himalayan blackberry).

- Minimize the amount of excavation and earthworks needed by fitting the building or landscape design to the site topography rather than flatten the site to fit the building or landscape.
- During construction, protect vegetation and native soil areas from soil disturbance and compaction by surrounding them with a secure 4' fence of high visibility material.
- Restrict construction vehicle traffic to designated driveways/accesses to reduce damage to soils and vegetation. On small sites, this may mean parking off-site on a nearby road edge. Encourage carpooling.
- Designate specific staging areas for materials (gravel, lumber, etc.) in previously disturbed areas.
- During construction, protect vegetation and native soil areas from soil disturbance and compaction by surrounding them with a secure 4' fence of high visibility material.
- To restore disturbed areas, you can enhance soils and replant vegetation using the following measures:
 - Cultivate compacted soils to a depth of 300 mm and till 15 cm of compost into the soil; and,
 - Plant green manures (e.g. clover, alfalfa, fall rye, etc.) to improve soil structure, porosity and fertility; till these crops into the soil 3-4 weeks before planting with desired vegetation.
- Plant native vegetation primarily in the fall to reduce watering requirements.
- Manage invasive species before they take hold.

Development practices can increase groundwater and saturate bluff soils, increasing the likelihood of slope failure.



Conservation Covenants

Goal: Establish a conservation covenant or easement on a shoreline property, or a portion thereof, that protects natural features of the shoreline.

A conservation covenant is a voluntary, legally binding agreement between a landowner and a covenant holder in which the landowner promises to steward the land in ways that are specified in the covenant. A covenant holder may be a government or a non-government organization that is recognized under applicable federal, provincial legislation as being able to hold covenants - such as a land trust or nature conservancy. The covenant holder enforces the provisions of the covenant/easement if the owner does not abide by its terms. A special attribute of a conservation covenant is that it is registered on the title of the property, ensuring that it binds all current and future owners of the land. In this way, the protection that the covenant bestows is permanent and “runs with the land”. A land owner may establish a conservation covenant on all or a portion of their property at any time if they and a covenant holder agree that the ecological values of that property should be preserved.

Homeowner Benefits: Conservation covenants may be of interest to landowners who wish to preserve the ecological values of their properties regardless of who may own it in the future. In some jurisdictions, a conservation covenant may make the property eligible for reduced property taxes; e.g., the Natural Area Protection Tax Exemption Program in the Islands Trust Area in BC. See the “Resources” section below for details.

Conservation covenants on ecologically sensitive lands may also qualify as “ecological gifts” under the federal *Income Tax Act*, and be eligible for income tax credits (deductions from taxable income). The value of the covenant, as determined by a qualified appraiser, equals the difference between the fair market value of the property before and after the covenant takes effect.

Environmental Benefits: The main benefit is permanent protection of key ecological features and functions of the shoreline and restrictions on activities that could harm them. Private lands often contain ecological, cultural, heritage, aesthetic and recreational values that are highly significant. Conservation covenants/easements offer a cost effective alternative to outright purchase of lands for the purposes of protecting these values. They allow landowners and conservation organizations to play an important role in the protection of ecologically significant lands that are important to us all.

How to Accomplish

If shoreline property has ecological values, decide whether you are willing to put restrictions on your property on a permanent basis in the interest of preserving natural shoreline features. For instance, a conservation covenant usually places restrictions on future development of a property, and thereby may reduce the property's market value or saleability. To fully understand the costs and implications, seek advice from an organization that holds conservation covenants, other landowners who already have covenants on their properties, and/or a lawyer who is experienced with conservation covenants.

If you want to go ahead with establishing a covenant on your property, identify an appropriate covenant holder (recipient) such as a local land trust organization or local government. Things to consider in finding an appropriate covenant holder include: whether the holder organization has conservation objectives that fit well with your objectives regarding the special features of your property; and whether the organization has a solid record and adequate human and financial resources to undertake covenant obligations, including long-term monitoring and enforcement.

Basic steps to take for you and your proposed covenant holder are:

- Contact the Islands Trust Fund (<http://www.islandstrustfund.bc.ca/>) to see if what you are proposing is applicable.
- Identify the land (the entire property or portion thereof) to be protected under the covenant.
- Identify the characteristics of the land that are to be permanently protected – special natural features, important habitats, etc.

Determine the stewardship practices that will best protect those characteristics – e.g., leaving it alone, fencing, etc.

- Obtain legal and tax advice.
- Conduct an environmental assessment of the property to ensure it fits within the conservation objectives of the conservation organization and to disclose any outstanding liabilities connected with the land (e.g., existing liens on the property, environmental contamination).
- Negotiate the terms and conditions of the conservation covenant/ easement. Examples of Green Shores-based provisions might include:
 - Permanently maintain a shoreline riparian buffer - width and length to be defined, as well as acceptable and unacceptable activities in the buffer.

- No shoreline structures (e.g., seawalls, piers, docks, etc.) to be constructed except in accordance with the covenant.
 - No subdivision of the property except in accordance with the covenant.
 - Preserve specific shoreline features present on the property – e.g., a bluff ecosystem, trees, etc.
 - Preserve rain gardens on the property that manage site drainage so as to minimize impacts on the shore.
 - No impervious surfaces to be constructed.
- Have a survey and/or appraisal completed, if necessary.
- Prepare a management plan and management agreement, where necessary.
- Prepare the conservation covenant document.
- Execute the covenant and register it on title.
- Over the long term, monitor the land as agreed in the conservation covenant.

GLOSSARY OF TERMS

Backshore – land above the natural boundary.

Drift cell – the nearshore area that includes a sediment source, a transport zone and a deposition zone. Drift cells repeat along the shore, sometimes with smaller cells nesting in larger cells.

Eroding or Feeder bluff – bluff usually composed of glacial sediment that serves as sediment source for beaches in a drift cell.

Foreshore – the area between high tide (or natural boundary) and low tide water levels in marine systems, or between seasonal high water and low water levels on lakes.

Intertidal zone – in marine systems, the area between high tide and low tide levels.

Littoral zone – a general term referring to the part of a sea or lake that is close to the shore.

Littoral, longshore or net shore drift are interchangeable terms that refer to the forces of erosion, transport and deposition that combine to create movement of sediment parallel to the shore. These forces include waves that approach the shore at an angle, and a longshore current of water moving along the shoreline in the direction of wave movement. In marine systems, tidal currents are also involved. Sediment moves in a series of angled ‘in and out’ directions that, overall, moves in a ‘net’ direction along the shore.

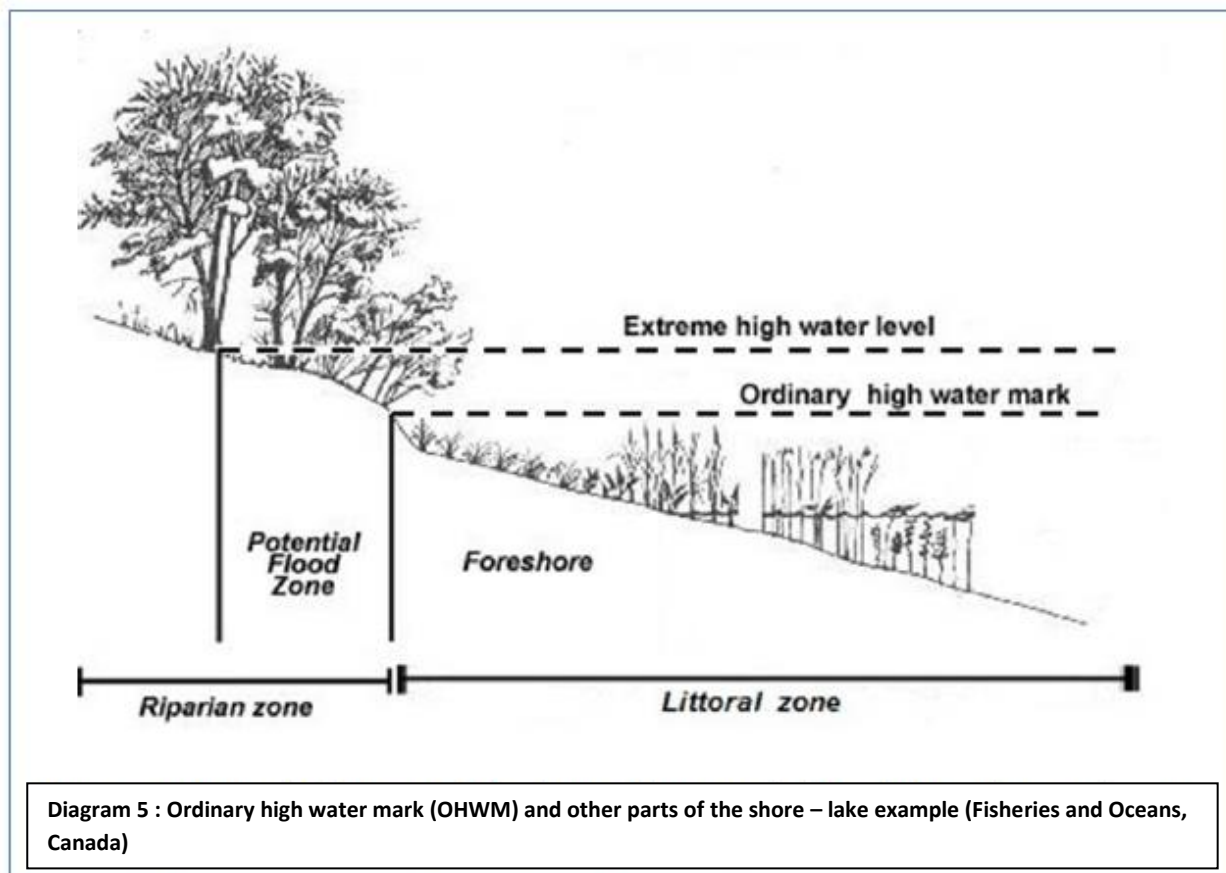
Natural boundary is defined as “the visible high water mark of any lake, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river stream, or other body of water a character distinct from that of the banks, both in vegetation and in the nature of the soil itself” (BC *Land Act*). This is also commonly referred to as the Ordinary High Water Mark (OHWM).

Nearshore – another general term that encompasses the riparian, intertidal (foreshore) and subtidal zones.

Riparian zone – the land immediately above the natural boundary that acts as an interface between water and land; usually described as a certain width (e.g. 10 m; 15 m; etc.) of land measured perpendicular to the shoreline.

Subtidal zone – in marine systems, the area below low tide level but still relatively shallow and close to shore, typically to a depth of about 10 m.

Diagram 4: Lake Shoreline Description



Ocean Shoreline Description:

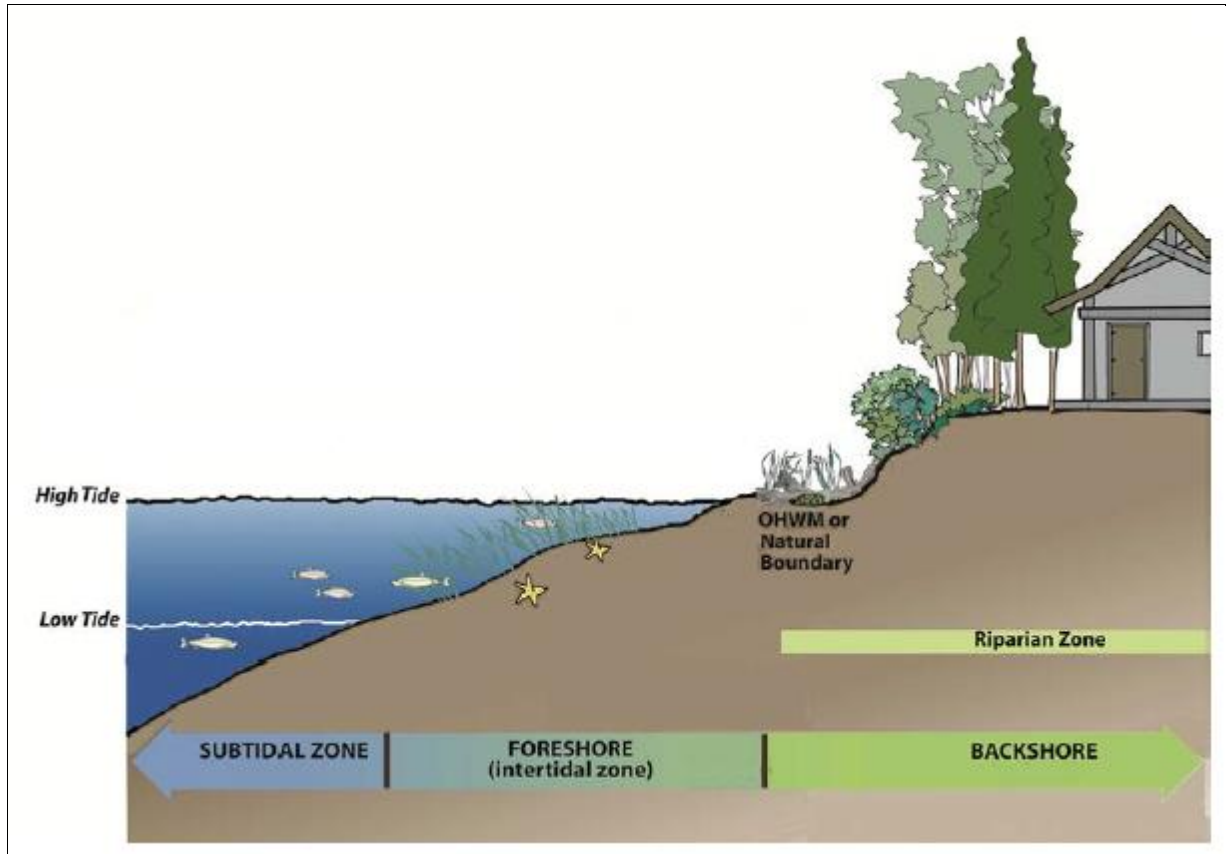


Diagram 6: Shoreline Description

Diagram 6: Example of Drift Cell – Goose Spit near Comox BC:

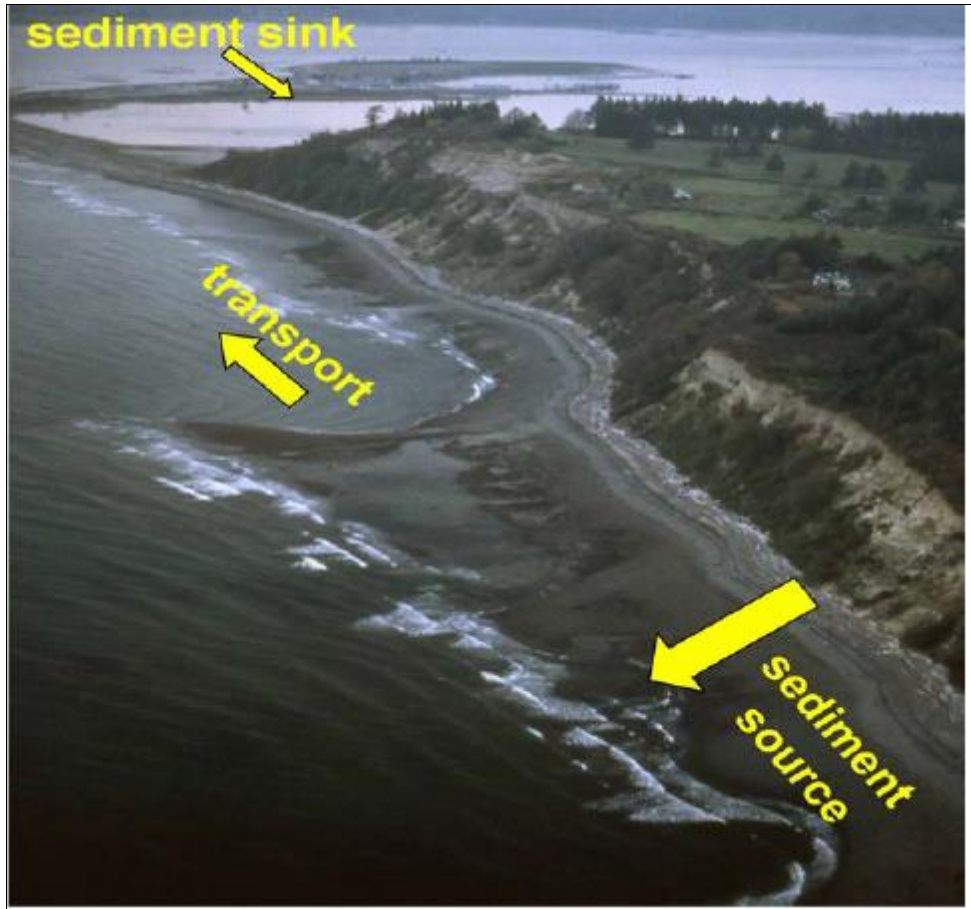
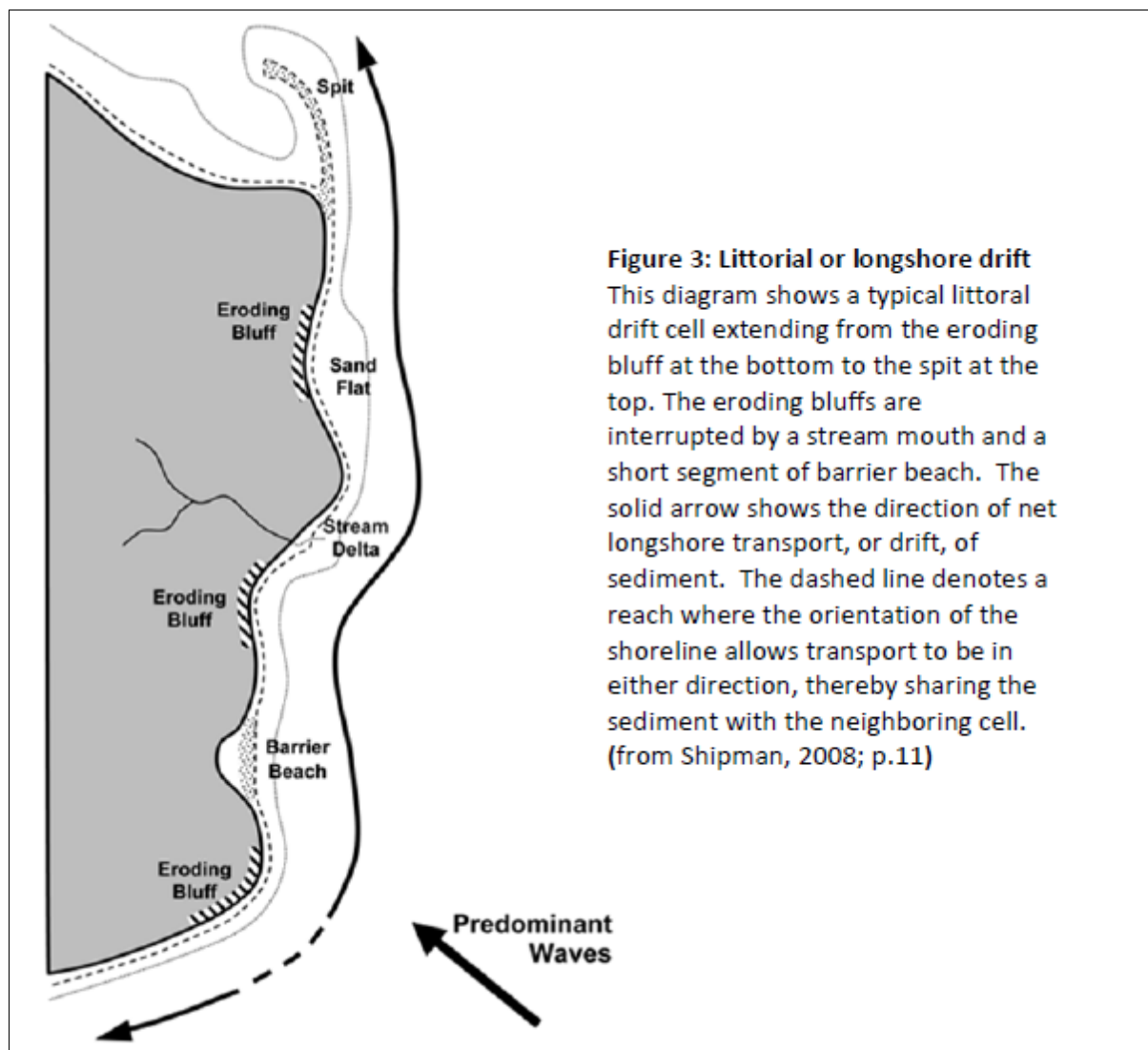


Diagram 7: Drift Cell

Diagram 8: Shoreline Processes



RESOURCES

Islands Trust Website: <http://www.islandstrust.bc.ca/>

Marine Shoreline Design Guidelines – Washington State Aquatic Habitat Guidelines Program - <http://wdfw.wa.gov/publications/01583/wdfw01583.pdf>

Environmental Management Plan

- Erosion Prevention & Sediment Control, Capital Regional District, Victoria, BC
- <http://www.crd.bc.ca/watersheds/lid/erosion.htm>
- Best Management Practices for Erosion and Sediment Control, City of Vancouver, BC
- <http://www.metrovancouver.org/about/publications/Publications/BMPVol2b.pdf>
- Erosion and Sediment Control Brochure, City of Nanaimo, BC
- <https://www.nanaimo.ca/assets/Departments/Building~Inspection/Publications~and~Forms/erosion.pdf>

Critical or Sensitive Habitats

- Species at Risk and Local Government: a primer for BC <http://www.speciesatrisk.bc.ca/>
- BC Conservation Data Centre: <http://www.env.gov.bc.ca/cdc/>
- BC Sensitive Ecosystems Inventory: <http://www.env.gov.bc.ca/sei/>
- Canadian Species at Risk Act (SARA): http://www.dfo-mpo.gc.ca/species-especies/home_e.asp
- Important Bird Areas in Canada/BC: <http://www.ibacanada.com/explore.jsp?lang=en>
- BC Community Mapping Network <http://www.cmNBC.ca/>

Setback/Impact Avoidance

- Arlington Group Planning and Architecture Inc. *et al.* 2013. *Sea Level Rise Primer: A Toolkit to build adaptive capacity on Canada's south coasts.* http://www.env.gov.bc.ca/cas/adaptation/sea_level.html
<http://www.env.gov.bc.ca/cas/adaptation/pdf/SLR-Primer.pdf>
- Ausenco Sandwell. January 2011. *Climate Change Adaptation Guidelines for Sea Dikes and Coastal Flood Hazard Land Use.* For BC Ministry of Environment. http://www.env.gov.bc.ca/cas/adaptation/sea_level.html
- Bornhold, B. 2008. *Projected Sea Level Changes for British Columbia in the 21st Century.* 12 pg. http://www.env.gov.bc.ca/cas/adaptation/sea_level.html
- BC Ministry of Environment. 2010. *Preparing for Climate Change; BC's Adaptation Strategy.* 7 pg. http://www.livesmartbc.ca/attachments/Adaptation_Strategy.pdf
- BC Ministry of Environment. *Sea level rise projections for tide gauge and GPS stations on the BC coast.* http://www.env.gov.bc.ca/cas/adaptation/sea_level.html

- Kerr Wood Leidal Associates Ltd., June 2011. *Coastal Floodplain Mapping Guidelines and Specifications*. For BC Ministry of Forests, Lands and Natural Resource Operations.
http://www.env.gov.bc.ca/cas/adaptation/sea_level.html

Shoreline Habitats

- Adams A.M. 2002. Shoreline structures environmental design: a guide for structures along estuaries and large rivers. Fisheries and Oceans Canada, Vancouver B.C. and Environment Canada, Delta B.C.
<http://files.greenshores.ca/Resources/ShorelineStructures.pdf>
- Naturescape British Columbia. www.naturescapebc.ca

Invasive Species

- BC Ministry of Environment, 2012. *Develop with Care: Section Three - Site Development and Management*. <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>
- <http://www.invasiveplants.net/> Cornell University Ecology and Management of Invasive Plants Program:
- E-Flora BC. 2012. Electronic Atlas of the Flora of British Columbia:
<http://www.geog.ubc.ca/biodiversity/eflora/index.shtml>
- Garry Oak Ecosystems Recovery Team - Invasive Species and Restoration.
http://www.goert.ca/publications_resources/invasive_species.php

Overwater Structures

- Adams A.M. 2002. Shoreline structures environmental design: a guide for structures along estuaries and large rivers. Fisheries and Oceans Canada, Vancouver B.C. and Environment Canada, Delta B.C.
<http://files.greenshores.ca/Resources/ShorelineStructures.pdf>
- B.C. Ministry of Environment Contacts and Fisheries and Oceans Canada. Year? Standards and Best Practices for Instream Works - Wharf, Pier, Dock, Boathouse & Mooring. Available at this website:
<http://www.env.gov.bc.ca/wld/instreamworks/downloads/Docks.pdf>
- B.C. Factsheet - Marine Guide to Small Boat Moorage <http://www.dfo-mpo.gc.ca/library/281614.pdf>

Access Design

- Canada and BC Government. 1996. *Access Near Aquatic Areas. A Guide to Sensitive, Planning, Design and Management*. 82 pg. <http://atfiles.org/files/pdf/aquatic-access-canada.pdf> or http://www.stewardshipcentre.bc.ca/cdirs/st_series/index.php/4

Water Quality

- BC Ministry of Environment, 2012. *Develop with Care: Section Three - Site Development and Management*. <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

Stormwater Runoff Control

- BC Ministry of Environment (2010). Stormwater Planning: A Guidebook for British Columbia. <http://www.env.gov.bc.ca/epd/mun-waste/waste-liquid/stormwater/>

- BC Ministry of Environment, 2012. *Develop with Care: Section Three - Site Development and Management*. <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>
- Capital Regional District, Victoria, BC - links to LID examples and stormwater management BMP examples in the Capital Region
<http://www.crd.bc.ca/watersheds/lid/index.htm>
- www.waterbalance.ca Water Balance Model for Canada.

Rainwater Management

- BC Ministry of Environment, 2012. *Develop with Care: Section Three - Site Development and Management*. <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>
- B.C. Factsheet - Marine Guide to Stormwater Runoff <http://www.dfo-mpo.gc.ca/Library/281621.pdf>
- Stormwater Planning: A Guidebook for British Columbia. 2002.
<http://www.env.gov.bc.ca/epd/epdpa/mpp/stormwater/guidebook/pdfs/stormwater.pdf>
- A Developers Guide: Watershed-Wise Development, Capital Regional District, Victoria, BC.
http://www.crd.bc.ca/watersheds/documents/CRD_DevelopersGuideToWatersheds.pdf

Environmentally Friendly Building

- BC Ministry of Environment, 2012. *Develop with Care: Section Three - Site Development and Management*. <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>
- Department of Fisheries and Oceans Canada. *Guidelines to Protect Fish and Fish Habitat From Treated Wood Used in Aquatic Environments in the Pacific Region*.
<http://www.dfo-mpo.gc.ca>
- The Dock Primer, Ontario edition: A Cottager's Guide to Waterfront Friendly Docks. 2008. http://www.dfo-mpo.gc.ca/regions/central/pub/dock-quais-on/pdf/dock-quais-on_e.pdf

Treated Wood

- Department of Fisheries and Oceans Canada. *Guidelines to Protect Fish and Fish Habitat From Treated Wood Used in Aquatic Environments in the Pacific Region*.
<http://www.dfo-mpo.gc.ca>

Integrated Pest Management

- Integrated Pest Management Manual for Landscape Pests in British Columbia. Chapter 3: Preferred Pest Controls. BC Ministry of Environment : Integrated Pest Management.
http://www.env.gov.bc.ca/epd/ipmp/publications/manuals/landscape_pests/chapter3.htm
- Integrated Pest Management Policy City of North Vancouver.
<http://www.cnv.org/c/data/3/195/Integrated%20Pest%20Management%20Policy.pdf>

On-site Sewage Treatment

- BC Health – Maintenance and Operation of Sewage Disposal Systems.
www.healthlinkbc.ca/healthfiles/hfile21.stm

- BC Sewerage System Standard Practice Manual
www.health.gov.bc.ca/protect/lup_standards.html
- Capital Regional District – septic systems guidance and bylaw
www.crd.bc.ca/wastewater/septic/index.htm
- Regional District of Nanaimo “SepticSmart” program -
www.rdn.bc.ca/cms.asp?wpID=1159
- The Living by Water Project – Septic Systems www.livingbywater.ca/septic.html

Conservation Covenants

- West Coast Environmental Law (A. Hillyer and J. Atkins) 2000. *Greening Your Title: a Guide to Best Practices for Conservation Covenants*. 122 p. (revised version in preparation)
- Land Trust Alliance of BC. *Conservation Options: How you can leave a legacy for the future*. www.ltabc.ca
- Islands Trust Fund, Natural Area Protection Tax Exemption Program -
<http://www.islandstrustfund.bc.ca/naptep.cfm>
- Federal Ecological Gifts Program – <http://www.ec.gc.ca/pde-egp/default.asp?lang=En&n=FCD2A728-1>



STEWARDSHIP CENTRE
FOR BRITISH COLUMBIA

Request for Proposals

Green Shores for Homes – BC Pilot 2014



Washington &
British Columbia



Issue Date: September 4, 2014

Submission Deadline: September 19, 2014

The RFP response should be sent to dg@stewardshipcentrebc.ca

SCBC invites **Responses to this Request for Proposals (RFP)** for the opportunity to deliver the services related to our Green Shores for Homes – BC Pilot project.

1.0 Introduction

The Stewardship Centre for BC (SCBC) is a registered not-for-profit organization dedicated to creating new knowledge and tools based on sound science and scientific research since 1994. SCBC provides technical guidance to audiences including consulting professionals, government planners and policy makers, land owners and land use managers involved in environmental decision making. Our resources cover management and stewardship techniques for some of BC's most endangered ecosystems, and ecosystems now under threat from climate change -- particularly coastal regimes, grasslands, wetlands and riparian systems. Our projects foster effective land use management and bylaw language that protects ecosystems and encourages ecosystem resilience.

The **Green Shores** program was initiated by the SCBC in 2005 with multiple funding partners¹ with the assistance of the Green Shores Technical Advisory Committee. Green Shores promotes healthy shore environments that provide significant environmental, economic and social value to shoreline communities. It encourages project design that recognizes the natural features and functions of shoreline ecosystems and connects people with the shore environment. Green Shores also aims to reduce risk to shoreline property and infrastructure by accounting for the dynamic nature of shoreline environments and projected changes to that environment.

Green Shores approaches may provide promising alternatives to achieving multiple goals such as climate resilience, shoreline stabilization, and habitat restoration as well as increased aesthetic and economic values. Green Shores is intended to be applicable to all shoreline systems and could be national or international in scope.

Further information about Green Shores is available at www.greenshores.ca and www.stewardshipcentrebc.ca.

1.1 Purpose

The SCBC is requesting proposals from qualified contractors to develop and deliver a **Community Engagement process** that will:

¹ We thank the following the following organizations for their contributions to the Green Shores program: Bridge Coastal Legacy Fund/BC Hydro; BC Ministry of Environment; Real Estate Foundation of BC; Comox/Strathcona Regional District; District of Squamish; Ducks Unlimited; Environment Canada, Eco Action; Canadian Wildlife Service, Environment Canada; Georgia Basin Ecosystem Initiative, Environment Canada; Fisheries and Oceans Canada; Habitat Conservation Trust Fund; Sunshine Coast Regional District; Natural Resources Canada

- Identify the barriers and motivators for private shoreline landowners in choosing to adopt the Green Shores for Homes- BC (GSH-BC) program in pilot communities
- Identify the most effective ways to provide outreach, technical assistance, incentives, and other strategies for GSH- BC implementation in pilot communities.

This project is part of a multi-pronged effort to implement Green Shores in communities across BC.

2.0 Project Background

The aim of the GSH-BC project is to create a way for communities and homeowners to address their most pressing shore issues such as climate change and ecological/water quality related impacts from homebuilding on or near the shore. To date, the BC Green Shores program has focused on development-scale projects. However, the enormous impact on shores from individual shoreline properties is a growing focus for Green Shores as it will drive significant ecological change. Shoreline residents implementing Green Shores approaches can help conserve and protect critical habitat while adapting to changing shoreline conditions.

The Green Shores for Homes – BC Pilot project was identified as a priority project as an outcome from our current Green Shores projects' Advisory Committees' work. These committees have representatives from local, regional, and provincial government, the private sector, private landowners, and stewardship and conservation organizations.

SCBC and pilot communities will provide publicity, venue, and staff resources to support the consultant in the delivery of each community engagement process. SCBC will provide GSH-BC outreach and education services and materials for the project to pilot communities. There is no expectation that the selected consultant will develop or deliver GSH-BC educational resources.

In addition to the work of the selected consultant, other GSH-BC project work that is occurring concurrently includes:

- GSH-BC education and outreach activities (SCBC)
- An inventory and summary of Green Shores/GSH-BC resources, documentation and links to assist pilot communities and the selected consultant. (SCBC)
- A webinar introduction to GSH-BC for local government staff for the 4 pilot communities. It will include "fact finding" on the identification of incentives and tools as well as potential challenges and barriers (BC Lake Stewardship Society - BCLSS).

3.0 RFP Scope of Work

The selected consultant will work in collaboration with the SCBC, BCLSS, the project Advisory Committee², and staff of the pilot communities to develop and deliver a community engagement process for each pilot community, noting that this process may slightly different for each community. The four pilot communities are: District of West Vancouver, Thetis Island (Islands Trust), Powell River Regional District (Electoral Area A), and Cowichan Valley Regional District (Cowichan Lake).

3.1 Project Tasks

All work will be conducted under the supervision and direction of the Executive Director of the Stewardship Centre for BC. The successful Proponent will assemble a team of qualified individuals to complete the identified tasks. RFP respondents should outline their approach to:

Task 1 – Start Up

- Consult with the SCBC and project Advisory Committee to obtain local knowledge, identify known issues, assess priorities, set objectives and provide understanding of various local challenges and opportunities from each pilot community
- Review issues and opportunities identified by each pilot community and identify key synergies to be pursued and potential challenges
- Develop, in conjunction with the SCBC and the project Advisory Committee, a detailed work plan and schedule. Note that it is expected community workshops will be completed in October/November 2014.

Outputs:

- Detailed work plan

Task 2 – Community Engagement

Working in collaboration with pilot community staff, the BCLSS, and SCBC, the selected contractor will design and deliver workshops, focus groups, surveys, and/or community consultations (or other) to identify the barriers and motivators for private shoreline landowners in choosing to adopt Green Shores for Homes.

² The GSH-BC Advisory Committee consists of: representatives from each pilot community; SCBC Board of Directors; BCLSS; Washington Sea Grant; GS Technical Advisory Committee; West Coast Environmental Law; and BC Ministry of Environment

SCBC will provide all GSH-BC education and outreach materials for the selected community engagement process.

Utilizing lessons learned from the Thetis Island Green Shores workshops³ and other GS workshops, it is expected that 3 workshops (Powell River, West Vancouver, and Cowichan Valley) will be held in the fall of 2014. The primary audience for these workshops is shoreline homeowners (secondary audience is building contractors, developers, real estate professionals).

In addition to the three workshops, other methods to engage community members and staff in all four pilot communities should be considered as part of the work plan. All community engagement activities will be determined in consultation with the project Advisory Committee and SCBC.

Outputs:

- A detailed plan aimed to identify barriers and motivators for GSH-BC adoption by pilot community homeowners. The plan should detail a process that will engage pilot communities in a dynamic way that will help them identify the next steps to implement GSH-BC in their community.
- Deliver four community engagement process that includes: three workshops (Powell River Regional District, District of West Vancouver, and Cowichan Valley Regional District) and follow-up engagement activities in all four pilot communities. Specifically, this may consist of:
 - o engagement strategy and process for the 4 pilot communities
 - o three workshops in three communities (PR/WV/CV)
 - o Follow-up engagement activities in 4 communities.

Task 3 – GSH-BC Strategy and Solutions

Building on Tasks 1 and 2, as well as lessons and successes of similar past efforts, create a strategy for implementation of Green Shores for Homes in pilot communities. Identify messages and education, possible incentives (monetary and non-monetary), resources, technical assistance, social marketing and/or other activities that will decrease barriers and increase motivation of landowners to utilize Green Shores for Homes in pilot communities. Identify

³ Thetis Island workshops were a series of workshops on ‘green shore’ shoreline techniques that could be used on Thetis Island. The workshops, for landowners, the building trades, government staff and NGO’s, included information about GS and included technical experts. They were designed to jumpstart collaboration with landowners, the local building industry, and other agencies about soft shoreline approaches on a practical level. Results will be made available to the selected contractor. <http://www.islandstrust.bc.ca/trust-council/projects/green-shores-for-homes.aspx>

opportunities and challenges for local governments regarding working with homeowners. Provide clear, innovative, and realistic approaches that entities - from non-profit organizations to local governments - could use to achieve GSH implementation when working with homeowners.

Outputs:

A table (or other suitable format) that:

- Identifies messages and education, possible incentives (monetary and non-monetary), resources, technical assistance, social marketing and/or other activities for pilot communities
- Opportunities and challenges for local governments when working with homeowners to implement GSH-BC
- Identifies scope and sequence of activities to implement GSH-BC in pilot communities

Task 4 – Final Report

Compile the information gathered and developed from Tasks 1 through 4 into a clear report that provides guidance to SCBC and pilot communities for the implementation of GSH- BC. In addition, note:

- Are there commonalities across pilot communities?
- Is there enthusiasm for implementing GSH?
- Do both waterfront homeowners and local/regional government staff find that GSH is useful and they want to move ahead with it in their community?

Outputs:

- Final report with recommendations

4.0 Format of Response

All responses will be held in confidence by the selection committee.

4.1 Statement of Understanding of Services Required

The proposal should explain the Proponent's understanding of the Services required by the SCBC with an emphasis upon the most important issues and how these issues will be addressed.

4.2 Executive Summary

Provide a summary, of not more than one to two pages, of the key points in your Proposal, which highlights the most significant aspects of your Proposal, and which would differentiate your Proposal and/or company from others.

4.3 Proponent's Team

This section is to include names, key experience record and curriculum vitae⁴ of all senior personnel who will be assigned directly to the project. Proponents shall identify the individual who shall be the primary contact person for all matters pertaining to this project, and shall be the person responsible for the delivery of service to SCBC.

The Consultant Team should include all necessary disciplines and specialists as needed to satisfactorily complete the project, including any sub-consultants that may be necessary. Information as to the experience, role and responsibilities of the individual members of the consultant team should be submitted.

Each Consultant Team should include:

- o Essential:
 - Community Engagement Specialist/Facilitator
- o Preferable:
 - Planner/Policy Specialist
 - Green Shores Technical Specialist(s)

A description of how your team's experience will enable you to be successful in the work required.

Two references: names and contact information.

4.4 Approach & Methodology

Provide a description of the general approach and specific methodology that the Proponent would take in undertaking the providing of the Services required. This should include a detailed proposed work program which identifies the approach and methodology to the tasks; beginning from date of issuance of a Contract by the SCBC.

4.5 Anticipated Fees and Work Schedule

It is anticipated that up to \$20,000 will be available for this project, depending on the project scope.

The SCBC reserves the right to negotiate final project elements with the successful contractor.

Provide in a table with the **total cost** for each task and the cost breakdown for the objects such as salaries, travel, etc. Indicate any costs of work performed by any sub-contractors/partners to the project sponsor.

Total project budget must be at or below \$20,000 inclusive of expenses and GST.

4.6 Value Added Services

The Proponent has the opportunity to offer and describe any value-added services, products or items not specifically asked for and details as to what the Proponent is prepared to supply as

4 C.V.s should be included in an Appendix

part of the Contract. Unless otherwise stated, it is understood that there will be no extra costs for these services, however if there are any additional costs pertaining hereto, the summary and explanation of those costs should be included in Section 4.5 (Fees and Schedule).

5.0 Evaluation of Responses

An Evaluation Committee will compare and evaluate each Proposal to determine the Proposal which is most advantageous and best overall value to the project, using the following criteria (not listed in any order of priority):

- Proponent's approach, methodology, experience and scheduling of the services required by this RFP;
- Experience and qualifications of the Proponent and its personnel to be assigned to the Project;
- Demonstrated ability to complete assignments on time and within budget;
- Proponent's references;
- Cost and value of services; and/or
- Provision of any value-added services.

6.0 Pricing Information

Total project budget must be at or below \$20,000 inclusive of expenses and GST.

7.0 Conflict of Interest

The Proponent should disclose conflicts of interest, in writing, to SCBC who will consider the nature of the Proponent's responsibilities and the degree of potential or apparent conflict in deciding the course of action that the Respondent needs to take to remedy the conflict of interest.

8.0. Responses to Questions (optional)

If desired, please provide an indication by Sept 12, 2014 to be put on a Proponent response list. Any questions and requests to be on the Proponent's response list should be sent to dq@stewardshipcentrebc.ca

9.0 Misc.

SCBC reserves the unfettered right to determine the next steps in the process. By participating in this RFP, each Proponent expressly agrees that no contract of any kind is formed under, nor any legal obligations whatsoever arise out of this RFP.

Important Dates

- 4 pm – September 19, 2014 – RFP submission deadline
- October 3, 2014– Start date
- October-December 2014 Community workshops and consultations
- January 30, 2014 – Draft report due

- February 28, 2015 – Final report and recommendations due

The RFP response should be sent to dq@stewardshipcentrebc.ca

Applications w/ Status - Thetis Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2014.1	Brian Burtchett	Aug-13-2014	Reduce setback from a nearby stream in order to permit an addition to modify their existing office building to allow for the construction of a main electrical and communication room / office upgrade. Also add height: a second storey

Planner: Teresa Ritemann

Planning Status

Status Date: Sep-05-2014

Staff Report completed by Teresa Ritemann and signed off by Courtney Simpson. Staff recommendation to approve the DVP.

Status Date: Aug-27-2014

Site visit by Marnie Eggen and Teresa Ritemann

Subdivision

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

Planner: Aleksandra Brzozowski

Planning Status

Status Date: Sep-05-2014

Report sent to LTC reviewing Assessment and recommending next steps

Status Date: Mar-31-2014

Detailed Assessment received

Status Date: Nov-20-2013

Applicant pursuing a detailed assessment to address RAR issues on site.

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

Planner: Marnie Eggen

Planning Status

Status Date: Aug-11-2014

Sub not permitted; applicant request put on hold

Islands Trust
 LTC EXP SUMMARY REPORT F2015
 Invoices posted to Month ending July 2014

670 Thetis	Invoices posted to Month ending July 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	700.00	0.00	700.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	718.98	281.02
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	0.00	750.00
TOTAL LTC Local Expense		<u>2,550.00</u>	<u>718.98</u>	<u>1,831.02</u>
Projects				
73001-670-2010	Thetis (Ruxton Island) Associated OCP/LUB	1,500.00	605.09	894.91
73001-670-4033	Thetis Foreshore Protection	3,000.00	17.02	2,982.98
TOTAL Project Expenses		<u>4,500.00</u>	<u>622.11</u>	<u>3,877.89</u>

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending August 2014

670 Thetis	Invoices posted to Month ending August 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	700.00	0.00	700.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	718.98	281.02
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	0.00	750.00
TOTAL LTC Local Expense		<u>2,550.00</u>	<u>718.98</u>	<u>1,831.02</u>
Projects				
73001-670-2010	Thetis (Ruxton Island) Associated OCP/LUB	1,500.00	705.09	794.91
73001-670-4033	Thetis Foreshore Protection	3,000.00	17.02	2,982.98
TOTAL Project Expenses		<u>4,500.00</u>	<u>722.11</u>	<u>3,777.89</u>



Islands Trust

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 Local Trust Area Bylaw No.: 480 Date: August 11, 2014

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 near future

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:

To implement the Riparian Areas Regulation on Salt Spring Island

The Salt Spring Island Local Trust Committee (LTC) has reviewed existing Riparian Area Regulation (RAR) Assessments done on Salt Spring Island, regulations protecting riparian areas on Salt Spring Island, and recommendations made by Qualified Environmental Professionals who recently completed stream mapping activities on Salt Spring Island. Based on the evidence, the LTC proposes a 30-15-5 approach to implementing the RAR on Salt Spring Island. A 30m width Development Permit Area is proposed to be applied to the riparian area bordering lakes, mapped wetlands, and large streams; a 15m width Development Permit Area is proposed to be applied to the riparian area bordering minor streams and tributaries; a 5m width Development Permit Area is proposed to be applied to mapped ditches.

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

This Bylaw applies to: Salt Spring Island, Channel Islands, Deadman, First Sister, Goat, Grace, Idol, Russell, Second Sister and Third Sister Islands, Isabella Islets and other named and un-named islands and islets, and the surface of water within Electoral Area "F".

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

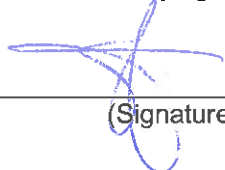
Bylaw No. 434

OTHER INFORMATION:

Attached is a copy of Proposed Bylaw No. 480 at First Reading.

For further information please visit: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/projects-initiatives/riparian-areas-regulation-implementation.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: Stefan Cermak

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

Capital Regional District – all referrals
Island Health (VIHA)
Cowichan Valley Regional District

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Forests, Lands and Natural Resource Operations
Ministry of Transportation & Infrastructure
Ministry of Community Sport and Cultural Development

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 for Kuper Island
Municipality of North Cowichan

PLEASE TURN OVER 

Non-Agency Referrals

North Salt Spring Waterworks District

First Nations

Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group (for information only)
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - Te'Mexw Treaty Association
Pauquachin First Nation
Penelakut Tribe
Stz'uminus First Nation
Te'Mexw Treaty Association
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum 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 Local Trust Area

(Island)

480

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



Memorandum

700 North Road Gabriola Island BC V0R 1X3

Telephone **250. 247-2063** FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date August 18, 2014 File Number 6500-01

To Denman Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Ballenas – Winchelsea Islands Local Trust Committee (Executive Committee)
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Thetis Island Local Trust Committee

From Courtney Simpson
Regional Planning Manager, Local Planning Services

Re **2015-16 Budget Submissions**

Local trust committees are asked to submit budget requests for the next fiscal year (2015-16).

Local Trust Committee Expense Budgets:

Local Trust Committee Expense budgets include the following:

- LTC meeting expenses
- APC meeting expenses
- Communications
- Special Projects
- Miscellaneous

A budget for Local Expense Account has been developed based on the historical spending, and is shown in Attachment 1. Local trust committees may make changes to this allocation; however, consideration should be given to the historical spending and a rationale provided for making the change.

LTC meeting expenses:

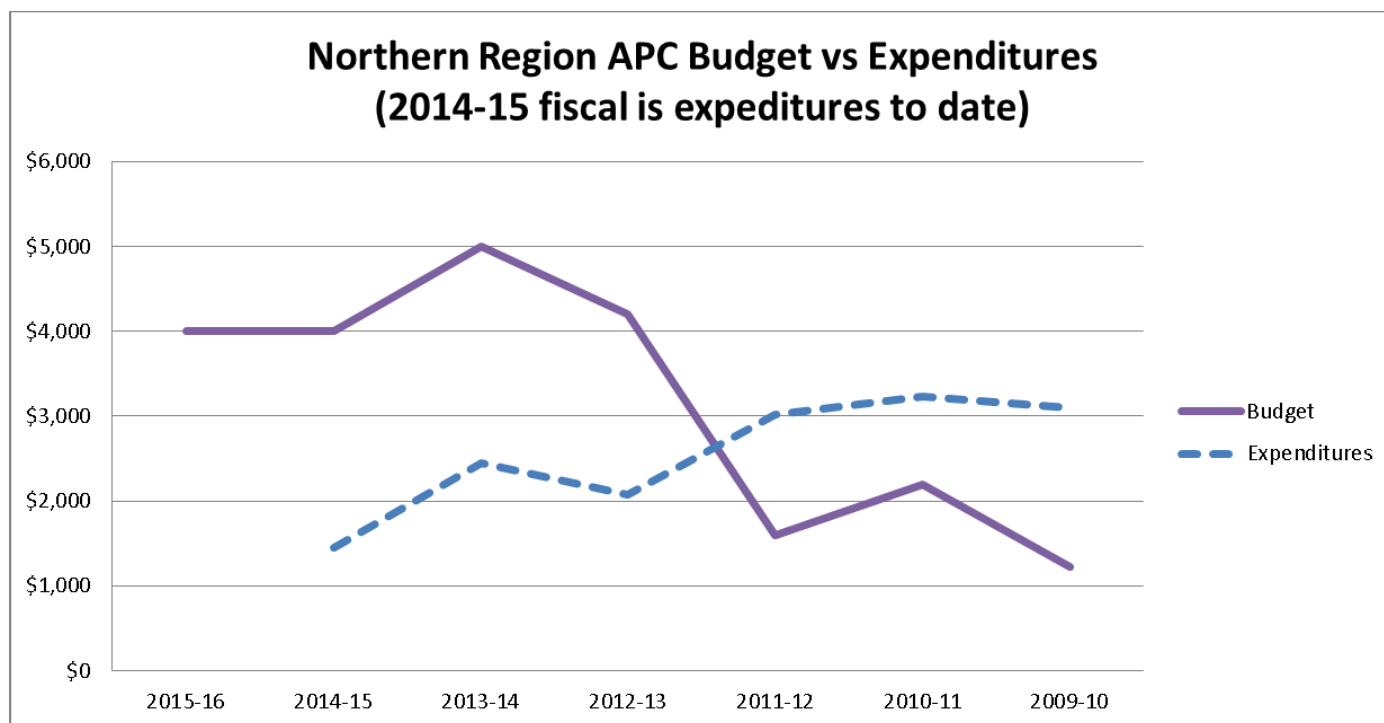
No changes are recommended for the LTC meeting expense account budgets as presented in Attachment 1.

Advisory Planning Commission Budgets:

Consideration was given to recommending increased budget requests for LTCs that staff is recommending take on a major project that is likely to have a higher than average number of APC referrals. Attachment 1 shows a proposed \$750 Advisory Planning Commission (APC) budget for all Northern LTCs excepting Thetis and Lasqueti with a \$500 budget.

In the Northern Region, contract minute takers are only hired for an APC meeting at the direction of the LTC on a case by case basis, at times upon recommendation of staff. In the Southern and Salt Spring regions all APC meeting minutes are taken by a contract minute taker. Staff has found that having a contract minute taker for APC meetings can be a resource for meeting procedures when no other staff is present, reduces staff time

after the meeting to reformat minutes, and typically results in a more useful record of the meeting and as such will be recommending to LTCs that all APC minutes are taken by a contract minute taker. Staff analyzed the APC budgets and expenditures over the past five fiscal years to determine if an increase to the APC budget would be recommended to allow all APC minutes to be taken by a contract minute-taker.



For the Northern Region overall, APC budgets have increased since the 2009-10 fiscal year in response to expenditures exceeding budget in the earlier years shown on the chart above. The number of APC meetings in the region peaked in the 2010-11 fiscal which coincides with the peak in expenses. Although LTC's that undertake major OCP/LUB review projects in the next fiscal are expected to exceed their \$750 budget for APC meetings, APC expenses for the Northern Region are not expected to exceed the budget. Staff considered recommending some LTC's reduce their APC meeting budget request and other LTC's increase theirs to keep the total for the region the same but bring the budgets more in line with expected expenses, but has decided not to make this recommendation. It is difficult to predict projects and APC referrals in an election year, and given historical records of expenditures in this category back to 2009-10, the overall APC budget for the region is not expected to be exceeded. Staff believes contract minute takers can be hired for all APC meetings and still stay within the budget for the region.

Communications Budgets:

No changes are recommended to the communications budgets as presented in Attachment 2. Communications for project work is included in the budget requests for those projects.

Special Projects Budgets:

A small amount of funding is included in the Special Projects line item in the Local Trust Committee Expense Account. This funding is intended to support local planning initiatives at the discretion of the local trust committee (a local trust committee resolution is required to use these funds).

LTC Projects Budgets:

Local trust committees should make a funding request to support project work, including OCP and LUB work that cannot be undertaken with the money available in the Expense Account Special Projects line. Given the upcoming election, consider what the current LTC would recommend as projects for the incoming LTC in 2015/16 fiscal year. The new LTC will have an opportunity to amend these requests after being sworn-in in December and prior to the Financial Planning Committee meeting in February 2015. Recommended projects budgets are presented in Attachment 2.

For the Northern Region, staff recommends that two new OCP/LUB reviews are undertaken; DeCourcy Island (Gabriola Local Trust Area) and Gambier Island. Based on staff resources and other ongoing and recommended projects, this is the maximum number of complete OCP/LUB review projects that can be undertaken. In order to decide which bylaws to recommend for review, the table in Attachment 3 was developed, that lists all Northern Region base bylaws and their adoption dates.

The projections for major OCP/LUB reviews in Attachment 3 has OCP/LUB's that are being adopted this term waiting in excess of 25 years before another review, if the schedule remains at two major reviews per term. The Northern Region has 13 sets of bylaws compared to 6 in the Southern Region and 4 in the Salt Spring Local Trust Area, and comparable staff resources between the three offices.

A need to address the number of OCP/LUB's in the Northern Region has been identified, with the goal of reducing the years between reviews. One option is to start a new OCP/LUB review in the third or fourth year of a term with the goal of completing it in the following term, thus condensing the review schedule. Another option is to join base bylaws as they are reviewed to reduce the number of base bylaws in a single local trust area. These options can be further explored in the future. Undertaking more major reviews concurrently is not a feasible option with current budget and staffing levels.

Riparian Areas Regulation:

Local trust committees should discuss their requirements for RAR funding next fiscal to assist the Regional Planning Manager and Director in developing a budget for RAR.

Special Consideration:

When considering new work items for the 2015/16 fiscal year, LTCs are asked to consider the following:

- A new local trust committee will be sworn-in in December 2014, therefore, priorities could potentially change after the new LTC sets its priorities. Current LTCs are responsible for ensuring that the incoming LTC has sufficient funds to undertake work program items.
- Projects planned for the current fiscal (2014/15) which are not completed should be considered as a new project for the 2015/16 fiscal year with resources allocated to support that work.

Budget Request Timeline:

August 2013 Regional Planning Managers develop budget estimates for consideration by LTCs

Aug to Sept LTCs review and approve budget requests at LTC meetings

Sept 23, 2014 All budget requests forwarded to Director of Local Planning Services

Sept 29, 2014 All budget requests forwarded to Director of Administrative Services

Oct 29, 2014 FPC reviews and discusses first draft of budget

Nov 12, 2014 FPC approves the draft budget

Dec 3, 2014 Trust Council reviews draft budget

LTC Budget Requests

Attachment 2 is a Table with all draft project submissions recommended to Northern LTCs. LTCs should review the attached worksheet of its specific requests. The preliminary project requests have been drafted based on all Top Priority work program items which are currently anticipated to commence in, or to carry, into the next fiscal year. Items from the Projects List which the planners anticipate commencing in the coming year are also included. The LTC should identify any other projects it is currently considering and add them to the

budget request (and the work program if necessary) and identify any additional expenses associated with the identified projects.

Resolution Wording

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2015-16 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2015-16 LTC Project Budget submission and forward to Financial Planning Committee as revised.

Attachments:

1. Table of Local Trust Committee Expense Budgets
2. Summary table of Northern LTC project budget requests
3. Northern Official Community Plan and Land Use Bylaws Review Schedule

pc Island Planners and Planner 2

Attachment 1: Local Trust Committee Expense Budgets

2015/16 LTC EXPENSE BUDGET															Total 2015/16
	615-Denman	620-Gabriola	625-Galiano	630-Gambier	635-Hornby	640-Lasqueti	645-Mayne	650-N.Pender	655-Salt Spring	660-Saturna	665-S.Pender	670-Thetis	EC as LTC	LPC	
population	1095	4050	1258	313	1074	359	1112	1996	9780	359	236	372			22004
	5%	18%	6%	1%	5%	2%	5%	9%	44%	2%	1%	2%			
LTC EXPENSES **															
LTC Meeting Expenses	2,500	4,250	2,500	2,500	2,500	500	1,500	2,750	8,000	1,000	1,000	1,000			30,000
APC Meeting Expenses	750	750	500	750	750	500	750	750	2,000	500	500	500			9,000
Communications	300	750	300	300	300	300	300	300	1,250	300	300	300			5,000
Special Projects	750	2,250	750	750	750	750	750	750	4,500	750	750	750	750		15,000
Miscellaneous															0
SUB-TOTAL EXPENSES	4,300	8,000	4,050	4,300	4,300	2,050	3,300	4,550	15,750	2,550	2,550	2,550	750		59,000
Program	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	4,300	8,000	4,050	4,300	4,300	2,050	3,300	4,550	15,750	2,550	2,550	2,550	750	0	59,000
	7%	14%	7%	7%	7%	3%	6%	8%	27%	4%	4%	4%			

Attachment 2:

Draft Northern LTC Program Budget Requests 2015/16 Fiscal				
LTC	Project Request	Cost (\$)	Description	Notes
Denman	RAR (completion)	\$ 2,500.00	Mapping completed in 2013-14, draft bylaws July 2014, consultation to begin in Sept 2014	1 public hearing (\$2000) stand-alone, communications material (\$500) Tentative. May be completed in current fiscal
	Protocol Agreement with K'omoks First Nation	\$ 2,000.00	K'omoks has invited discussion on a protocol agreement with a focus on aquaculture	Meetings and some consultant support
Hornby	RAR (completion)	\$ 2,500.00	Mapping completed in 2013-14, consultation summer 2014, draft bylaws Sept 2014	1 public hearing (\$2000) stand-alone, communications material (\$500) Tentative. May be completed in current fiscal
Lasqueti	Targeted OCP/LUB Review	\$ 2,000.00	Marine policies, food security	Consultation and communications
Gabriola	Gabriola OCP/LUB Targeted Review (continuation)	\$ 3,500.00	Village core, density transfer, and implementing First Nations archaeological protection policies	1 public hearing (\$2,500) combined, communications materials (\$500), FN meeting expenses (\$500)
	DeCourcy OCP/LUB Review	\$ 2,500.00	Launch of OCP/LUB review for this associated island	Communications, community profile
Gambier	RAR (continuation)	\$10,000.00	Developing RFP for 2014/15 fiscal, need QEP expertise to determine budget request for next fiscal	Contract with QEP and communications
	OCP/LUB Review Gambier Island	\$ 7,000.00	Launch of major OCP/LUB project. Includes continuation of shoreline protection project.	Communications, community profile, studies
Thetis	RAR (completion)	\$ 1,500.00	Mapping completed, project needs to come to top priority to be completed. Affects one strata property, working with owner-developer	1 public hearing (\$1500) stand-alone
	Shoreline protection (continuation)	\$ 5,000.00	Continuation of Greenhorns pilot. \$5,000 to match contributions of other municipalities for the 2015/16 continuation of the pilot with Stewardship Centre	
Ballenas-Winchelsea	None	\$ -		
TOTAL		\$38,500.00		

Attachment 3: Northern Official Community Plan and Land Use Bylaws Review Schedule Projection

						Projected terms for major review								
<u>LTA</u>	<u>Bylaw area</u>	<u>OCP adopt'n</u>	<u>LUB adopt'n</u>	<u>Years since OCP</u>	<u>Years since LUB</u>	<u>2014-18</u>	<u>2018-22</u>	<u>2022-26</u>	<u>2026-30</u>	<u>2030-34</u>	<u>2034-38</u>	<u>2038-2042</u>		
Gabriola	DeCourcy	1981	1987	34	28	☑								
Thetis	Valdes	1996		19			☑							
Gabriola	Gabriola	1997	1999	18	16		☑							
Gambier	Gambier	2001	2004	14	11	☑								
Gambier	Keats	2002	2002	13	13			☑						
Lasqueti	Lasqueti	2005	2005	10	10			☑						
Gabriola	Mudge	2007	2007	8	8				☑					
Denman	Denman	2008	2008	7	7				☑					
Gambier	Gambier Assoc Isl	2009	2013	6	2					☑				
Thetis	Thetis	2011	2011	4	4					☑				
Ballenas-Winchelsea	Ballenas-Winchelsea	2013	2013	2	2						☑			
Hornby	Hornby	2014	2014	1	1						☑			
Thetis	Thetis Assoc Isl	2014	2014	1	1							☑		