



Islands Trust

A NOTICE OF A BUSINESS MEETING OF **THE THETIS ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:45 AM on Wednesday, February 6, 2013 at Thetis Island Community Centre
(Forbes Hall) North Cove Road, Thetis Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:45 am
2.	APPROVAL OF AGENDA		
3.	TOWN HALL SESSION (10 MINUTES)		
4.	MINUTES		10:55 am
4.1	Local Trust Committee Meeting Minutes of November 21, 2012- <i>for adoption</i>	1-8	
4.2	Section 26 Resolutions Without Meeting Log dated January 29, 2013 – <i>attached for information</i>	9	
4.3	Advisory Planning Commission Meeting Minutes - <i>none</i>		
4.4	Ruxton Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
5.	BUSINESS ARISING FROM MINUTES		11:00 am
5.1	Follow-up Action List dated January 29, 2013 - <i>attached</i>	10-11	
5.2	Net Zero Emissions Vehicles Memorandum dated January 23, 2013 - <i>attached</i>	12-13	
5.3	Protocol Agreement with Cowichan Valley Regional District Memorandum dated January 23, 2013 - <i>attached</i>	14-15	
6.	DELEGATIONS – <i>none declared</i>		
7.	CORRESPONDENCE <i>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.</i>		11:20 am
7.1	Email dated November 20, 2012 from Denis Gagnon regarding Riparian Areas Regulation - <i>attached</i>	16-18	
7.2	Email dated November 20, 2012 from Dan Giesbrecht regarding Ruxton Advisory Planning Commission Meeting October 29, 2012 and Additional Comments - <i>attached</i>	19-20	
7.3	Email dated November 20, 2012 from Ian Ralston regarding Freshwater Habitat on Thetis - <i>attached</i>	21	
7.4	Email dated November 26, 2012 from Wiliam Pearce regarding Woodlot License 2043 - <i>attached</i>	22	
7.5	Letter dated November 19, 2012 from Ramsay, Lampman, Rhodes regarding Trax Developments Ltd. – Riparian Areas Regulation for Ralston Watershed - <i>attached</i>	23-26	
7.6	Email dated November 23, 2013 from Judy Shaw regarding Ruxton Island Input on Associated Islands Official Community Plan - <i>attached</i>	27-28	

- 8. APPLICATIONS AND PERMITS - none**
- 9. LOCAL TRUST COMMITTEE PROEJCTS** 11:30 am
- 9.1 Associated Islands Community Plan – *verbal update*
- 9.2 Marine Shorelines Development Permit Area 29-37
Memorandum dated January 23, 2013 - *attached*
- BREAK**
- RECONVENE – MOVE TO MAIN HALL** 1:00 pm
- 10. REPORTS**
- 10.1 **Work Program Reports**
- Top Priorities and Projects Report dated January 29 , 2013- *attached* 38-39
- 10.2 **Applications Log**
- Report dated January 29, 2013 - *attached* 40-41
- 10.3 **Trustee and Local Expenses**
- 10.3.1 Expenses posted to November 30, 2012 –*attached* 42
- 10.3.2 Expenses posted to December 31, 2012 –*attached* 43
- 10.3.3 Expenses posted to January 44
- 10.4 **Chair’s Report**
- 10.5 **Trustees’ Report**
- 10.6 **Advisory Planning Commission Report**
- 11. NEW BUSINESS** 1:20 pm
- 11.1 Communication Protocol with Lyackson First Nation – *for discussion*
- 11.2 Local Trust Committee Meeting Schedule – Change in date for September, 2013 – *for discussion*
- 11.3 On Island Planner Hours for 2013 45
Memorandum dated January 24, 2013 - *attached*
- 11.4 Galiano Island Local Trust Committee Bylaw Referral 46-48
Bylaw Referral for Bylaws 238 and 239 – *attached*
- 11.5 Salt Spring Island Local Trust Committee Bylaw Referrals
- 11.5.1 Bylaw Referral for Bylaw No. 461 - *attached* 49-50
- 11.5.2 Bylaw Referral for Bylaw No. 464 - *attached* 51-52
- 11.5.3 Bylaw Referral for Bylaw No. 465 and 466 - *attached* 53-56
- 11.6 Proposed National Marine Conservation Area 57-58
Memorandum dated January 24, 2013 - *attached*
- 12. BYLAWS**
- 13. CLOSED MEETING:** The Thetis Island Local Trust Committee closes the next part of the February 6, 2013 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 2:00 pm
- 14. RECALL TO ORDER**
- Rise and Report from Closed Meeting

- 15. ISLANDS TRUST WEBSITE**
15.1 Thetis Page - *attached* 59-61
- 16. TOWN HALL DISCUSSION (10 MINUTES – TIME PERMITTING)**
- 17. NEXT MEETING DATE**
Wednesday, April 17, 2013 at 10:45 am at Thetis Island Community Centre
(Forbes Hall) North Cove Road, Thetis Island, BC
- 18. ADJOURNMENT** 2:30 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice.

DRAFT

**MINUTES OF THE THETIS ISLAND LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD AT 10:45AM ON WEDNESDAY, NOVEMBER 21, 2012
AT THE THETIS ISLAND COMMUNITY CENTRE
FORBES HALL-HUNTER ROOM, NORTH COVE ROAD
THETIS ISLAND, BC**

PRESENT

Ken Hancock	Chair
Peter Luckham	Local Trustee
Sue French	Local Trustee
Courtney Simpson	Acting Regional Planning Manager
Aleksandra Brzozowski	Island Planner
Stephanie Cottell	Recorder

There were seven (7) members of the public in attendance.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 10:50 am. He opened with remarks of acknowledgement and appreciation for Thetis Island's place within the traditional territory of the Coast Salish First Nation. The community was welcomed and Chair Hancock introduced himself, the Local Trustees, Island Trust Planners, and the Recorder.

2. APPROVAL OF AGNEDA**2.1 *Late items***

Although recent electronic submissions had been made, none had been printed in time, and therefore could not be received and added to the agenda. No late items were added to the agenda.

2.2 *Approval*

The agenda was adopted by consensus with the following amendments:

- Item 9. Local Trustee Committee Projects becomes agenda item 4 (in part)
- Item 9.3 becomes item 4.1;
- Item 9.1 becomes item 4.2.
- Remaining Local Trust Committee projects become Item 10.
- The second Town Hall session becomes item 15.

3. TOWN HALL

Ian Ralston, Thetis Island: discussed his legal submission regarding Riparian Areas Regulation applicability and compliance issues. He spoke to fresh water protection on Thetis Island generally as a potential participatory community initiative.

Planner Simpson: clarified that Mimulus Biological Consultants had only focused on that watershed (Ralston Creek) in their study.

Denis Gagnon, Thetis Island: expressed his general appreciation for the Riparian Areas Regulation. He sees the issue requiring island wide discussion with the Department of Fisheries and Oceans involvement.

Ernie Hunter, Thetis Island: spoke to interconnectedness of waterways into the ocean. He expressed concern about the implications of zeroing in on one water body.

Matt Hess, Thetis Island: spoke to the value of Ian Ralston's legal submission. He appealed to the Trustees to please read and consider, and thanked Ian for his efforts.

Trustee Luckham: spoke to the protocol of receiving late submissions, and that he is eager to move forward together as a community on these issues.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1 *Riparian Areas Regulation Compliance*

Planner Simpson presented her report and recommendations.
Discussion followed. Discussion points included:

TH-064-2012

It was **MOVED** and **SECONDED** that the Local Trust Committee request staff to provide a report on existing levels of protection of Ralston Creek, options for enhanced levels of protection, and future plans for the development.

CARRIED

The Local Trust Committee deferred consideration of current staff report recommendations until the next Local Trust Committee business meeting.

4.2 *Associated Island Community Plan* (originally item 9.1)

Judy Shaw, Ruxton Island: spoke to the Associated Islands Advisory Planning Commission minutes, and expressed her concerns about excessive studies (such as specific technical studies). She feels these choices should be made after Advisory Planning Commission process, not during. She will send detailed notes as an email for the Local Trust Committee to review.

Planner Simpson: spoke to the scope of studies. There is \$8000 budgeted for external studies.

Chair Hancock recessed the meeting for lunch at 12:25 pm.

The meeting was reconvened 1:12 pm.

4.2 *Associated Island Community Plan (continued)*

Planner Simpson presented her report and associated recommendations. Discussion followed. .

TH-064-2012 It was **MOVED** and **SECONDED** to endorse the Table of Project Goals dated November 13, 2012.

CARRIED

TH-065-2012 It was **MOVED** and **SECONDED** to refer the table of project goals and results of the online survey to the Ruxton Island Advisory Planning Commission for the purpose of soliciting recommendations for refining the projects goals and creating Official Community Plan policies.

CARRIED

TH-066-2012 It was **MOVED** and **SECONDED** to endorse revised Project Terms of Reference dated November 13, 2012.

CARRIED

Planner Simpson brought to attention the question of goals related to but beyond the scope of this project, as outlined on page 2 of her report.

5. MINUTES

5.1 *Local Trust Committee Meeting Minutes of October 3, 2012*

The minutes of the October 3, 2012 Local Trust Committee meeting were adopted by consensus with the following amendments:

- Page 2, paragraph 4, remove the words 'and see where we are at following'.
- Page 3, paragraph 2, remove 'Trustee Luckham asked to vote on this to move the issue forward';
- Page 5, motion TH-055-2012, insert the words 'that the Local Trust committee direct staff' before the words 'to contact'.
- Page 6, section 10.5, paragraph 2, sentence 2, remove hyphen after the word 'convention' and add the words 'where he participated in discussion regarding' between the words 'convention' and 'rural';
- Page 6, section 10.5, paragraph 3, remove paragraph and replace with: 'At Trust Council joint session with Bowen Island Municipality, the Executive Committee met with Bowen Island Mayor and Council. Trust Council approved the strategic plan to guide our work over the next five years';
- Page 7, section 11.2, paragraph 1, insert a space between the words 'regarding' and 'the'.

It was noted to amend the year's projected meeting schedule during agenda item 18.

- 5.2 Section 26 resolutions without a meeting ~ none
- 5.3 Thetis Island Advisory Planning Commission ~ none
- 5.4 Ruxton Island Advisory Planning Commission October 18, 2012 ~ received for information

6. **BUSINESS ARISING FROM MINUTES**

- 6.1 Follow up action list dated November 14, 2012

Received for discussion.

- 6.2 Valdes Island Woodlot License Plan WL2043

Trustee Luckham reported on this issue. There has been ongoing discussion with the Valdes Conservancy group, who are opposed to logging on Crown land. Outstanding questions and unresolved factors include:

Planner Simpson confirmed that the Ministry of Forests, Lands and Natural Resource Operations will refer the proposed cutting license and plan to the Thetis Island Local Trust Committee. .

7. **DELEGATIONS**

There were no delegations.

8. **CORRESPONDENCE**

There was no correspondence to be received.

9. **APPLICATIONS**

- 9.1 TH-DVP-2010.1 Trincomali Holdings Ltd- 204 Pilkey Point road
Staff report dated November 14, 2012

Planner Simpson presented her report. Discussion followed.

Trustee French noted a correction on page 2 of the staff report, in the section titled Staff Comments, paragraph one, line 3. The Trustees did not visit site at same time; Trustee French visited the site at a later date.

TH-067-2012

It was **MOVED** and **SECONDED** not to issue a Development Variance Permit for application TH-DVP-2010.1.

CARRIED

Trustee Luckham requested that the following comments be included for the record:

“Let the Minutes show that the lack of information and science regarding the site has made this a difficult decision for the Local Trust Committee and we are hopeful that the applicant returns with more information.”

10. LOCAL TRUST COMMITTEE PROJECTS (continued)

10.1 Associated Islands Community Plan (discussed as Item 4.2, page 3)

9.1.1 Staff report dated Nov.14, 2012

10.2 Thetis Island Sustainability Guide

Memo dated Nov. 14, 2012

Discussion followed regarding distribution of the Sustainability Guide. Trustee French suggested 10 copies in library to be taken by residents, one in library to remain as a reference, one to the Cowichan Valley Regional District. It was decided that the Trustees will take the copies and distribute as they see fit.

10.3 Riparian Areas Regulation Compliance

Staff report dated Nov14, 2012

This item was discussed previously as Item 4.1, page 2 of the minutes.

11. REPORTS

11.1 Strategic Plan for Local Trust Committees

Received for information.

11.2 Work program reports

Top priorities and Projects report dated November 14, 2012

Planner Simpson presented the report. A consultant has been hired to assist with community consultation on the draft Marine Shorelands Development Permit Area.
\\

TH-068-2012

It was **MOVED** and **SECONDED** to direct staff to add “Island wide Watershed Protection” onto the projects list with associated activities “To Be Determined”.

CARRIED

11.3 Applications Log

Received for information.

11.4 *Trustees and Local expenses*

Received for information.

11.5 *Chair's Report*

Chair Hancock reported on his involvement in an Oil-spill Response workshop in Port Townsend with the Environmental Protection Agency and other groups. Topics included the use of dispersants/surfactants, and the dynamics involved Diluted Bitumen clean up.

11.6 *Trustees' report*

Trustee French is currently writing a community report for the Thetis Island Quarterly. She highlighted preparations for hosting the quarterly IslandsTrust Council meeting on Thetis Island in March, 2013.

Trustee Luckham reported on Executive Committee items; they are well on their way to a draft budget for 2013-14 which minimizes tax increases. The Executive Committee is also sending a strong message to BC Ferries regarding the current consultation process.

11.7 *Advisory Planning Commission report*

There was no report.

12. **NEW BUSINESS**

12.1 *Public education/consultation workshop event on Green Shores/Integrated Watershed and Shoreline Mapping*

Planner Simpson provided a verbal report. Discussion followed regarding timing of a workshop on Thetis Island. It was noted that March or April is ideal, not before. For advertising a mail out to shoreline property owners, and mail drop to local residents was suggested

TH-069-2012

It was **MOVED** and **SECONDED** to advise staff to schedule a Public education/consultation workshop event on Green Shores/Integrated Watershed and Shoreline Mapping on Thetis Island.

CARRIED

Trustee French agreed to be the contact for logistics for this workshop. It was agreed that it needs to be cohesive to hold attention of community, and the potential to engage the involvement of John Readshaw, P Engineer from SNC Lavalin.

13. **BYLAWS**

There were no Bylaws to be discussed.

14. **ISLAND TRUST WEBSITE**

14.1 *Thetis Island webpage*

Trustee French asked: under 'Thetis Island General, Development potential build out map' if this takes into account covenants that would limit build out (i.e. Lot 20).

Planner Simpson will put on the follow-up action list to amend the map accordingly.

It was decided to include the Local Trust Committee Work Program under the 'General' section of the webpage.

15. **TOWN HALL DISCUSSION**

Ernie Hunter, Thetis Island: spoke to woodlot license referral on Valdes Island and inquired if that was a normal process.

Trustee Luckham addressed his question, that the woodlot license and plan is a two part process.

Ernie Hunter, Thetis Island: spoke to Islands Trust approved sea walls built on other local properties; and asked if sea walls in general were a bad thing to build.

Trustee Luckham spoke to different factors affecting shoreline areas.

Chair Hancock spoke to First Nations archeological aspects of shoreline sea wall development.

16. **CLOSED MEETING**

TH-070-2012

It was **MOVED** and **SECONDED** to close the next part of the November 21, 2012 business meeting to discuss matters pursuant to Section 90 (1)(i) of the *Community Charter* to consider advice that is subject to solicitor-client privilege and that Planner Simpson and Planner Brzozowski be invited to attend this meeting.

CARRIED

The meeting was recalled to order of the regular business meeting at 3:55 pm.

18. **NEXT MEETING DATE**

The next Local Trust Committee business meeting will be held on February 6, 2013 at 10:45 am at Forbes Community Hall, Thetis Island.

18. ADJOURNMENT

The Local Trust Committee business meeting was adjourned by consensus at 4:03 pm.

Recorder

Chair



RWM From: November 21, 2012 To: January 29, 2013

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2012-04	In Favour	"That the Thetis Island Local Trust Committee proceed no further with Draft Bylaw No. 92 cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2012".	Dec 03, 2012



Islands Trust

Follow Up Action Report w/ Target Date

Thetis Island Feb-09-2011

No.	Activity	Responsibility	Target Date	Status
1	Draft sign for Ragged Islet and possibly Esmeralda Islet, get approval from TAS for use of logo, and install signs. Trustee Luckham to arrange with staff.	Peter Luckham	Mar-23-2011	On Going

Feb-08-2012

No.	Activity	Responsibility	Target Date	Status
1	Develop recommendations for a joint proactive enforcement strategy with the CVRD.	Miles Drew	Aug-01-2012	On Going

May-23-2012

No.	Activity	Responsibility	Target Date	Status
1	Report to LTC on use of neighbourhood mediation on Thetis.	Miles Drew	Aug-01-2012	On Going
1	Create a web presence on the Thetis webpage for the Bylaw Enforcement Notification System	Aleksandra Brzozowski	Aug-01-2012	Done

Nov-21-2012

No.	Activity	Responsibility	Target Date	Status
1	Revise 2013 meeting schedule to remove the May 22 meeting date and add a June 5 meeting date.	Theresa Warren	Nov-30-2012	Done
1	Refer table of Project Goals and results of the online survey for the Thetis Associated Islands Community Plan Project to the Ruxton APC for recommendations on refining the Project Goals and recommendations on creating OCP policies.	Aleksandra Brzozowski	Jan-07-2013	Done

1	Email the link to the Thetis Island Sustainability Guide to applicants for building permits on Thetis. (Update planning staff on new procedure.)	Courtney Simpson	Feb-06-2013	On Going
1	Update for Development Potential Map: Lot 20 has a covenant against subdivision. Note: Rather than single out Lot 20, the disclaimer has been highlighted under the link.	Aleksandra Brzozowski	Feb-06-2013	Done
1	Add list of work program top priorities to website.	Aleksandra Brzozowski	Feb-06-2013	Done
1	Provide report on existing level of protection on Ralston Creek including future plans and options for enhanced level of protection. Update: Working with Ian Ralston to explore options and possible further stream assessment. Report expected April 17, 2013.	Courtney Simpson	Feb-06-2013	On Going



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 January 23, 2013 File Number 6930-20

To Thetis Island Local Trust Committee
For meeting of February 6, 2013

From Courtney Simpson
Acting Regional Planning Manager
Northern Office

Re **Neighbourhood Zero Emissions Vehicles on Thetis Island**

At the October 3, 2012 regular business meeting the Thetis Island Local Trust Committee (LTC) passed the following resolution:

TH-058-2012 *It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee request staff to contact the Ministry of Transport and Infrastructure and request a roads assessment for neighbourhood zero emissions vehicles on Thetis Island.*

CARRIED

Staff sent a letter to the Ministry of Transportation and Infrastructure (MoTI) making this request, and received a response requesting more information. The email from MoTI to planning staff is attached.

In summary, the MoTI is seeking more rationale for the request to permit Neighbourhood Zero Emission Vehicles (NZEV's) on Thetis Island such as the level of community interest, if residents already own NZEV's, and what benefits to the community they would provide.

The LTC should provide this information to staff who will respond to the MoTI, and the LTC may wish to refer it to the Advisory Planning Commission. Alternatively, given the considerations in the attached email from the MoTI, the LTC may decide to proceed no further with this request.

pc Aleksandra Brzozowski, Island Planner

From: Erwin, Janelle A TRAN:EX [<mailto:Janelle.Erwin@gov.bc.ca>]
Sent: November-21-12 12:29 PM
To: Courtney Simpson
Cc: Pearson, Michael TRAN:EX; Edgar, David D TRAN:EX
Subject: NZEV Assessment for Thetis Island

Good Morning Courtney:

Thank you for your letter from October 17 2012, requesting an assessment of roads on Thetis Island for their suitability to accommodate Neighbourhood Zero Emission Vehicles (NZEV's)

Further to our discussion last week, there are a number of factors considered when evaluating the appropriateness of NZEV's.

The first and foremost consideration to allowing NZEV's relates to speed limits. This is outlined in the BC Motor Vehicle Act Regulations Division 24, Sections 24.06/24.07 (http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/26_58_07)

To summarize, in unorganized areas of BC (such as Thetis Island), the Act allows a person to drive/operate NZEV's on any highway that has a speed limit of 40 km/h or less. The Ministry of Transportation and Infrastructure has the authority to grant permission to drive/operate NZEV's on highways that have a speed limit over 40 km/h but no more than 50 km/h.

The rationale for maximum speed limits where NZEV's can operate is to ensure the safety of all road users. Large speed differentials between vehicles has the potential to cause safety and operational concerns. When considering NZEV's, the Ministry will not make changes to the speed limits on roadways, unless the road genuinely merits a reduced speed limit, based on such factors as: 85th percentile travel speeds (85% of drivers travel at or below this speed and 15% exceed this speed), road geometrics, roadside development, frequency of accesses and crash history. The Ministry will not consider reducing speed limits just to allow for the operation of NZEV's.

Traffic volumes, as well as types of traffic, is another significant consideration when evaluating the appropriateness of NZEV's on a corridor. Arterial roads carry higher volumes and more diverse types of traffic (such as Foster Point, North Cove and Pilkey Point Roads) therefore careful consideration must be given to determining the impacts of introducing yet another type of vehicle into those networks.

The Ministry has recently been approached by many of the Islands requesting the permitted use of NZEV vehicles. While we are not opposed to undertaking the evaluation, we have been asking that the Islands to consider the rationale for wanting these permits in place (i.e. do residents already own and operate NZEV's, or has an interest been expressed). On some islands (Cortes, for example), we learned that of greater importance to residents than NZEV's is to establish a means for locals to get around the Island beyond personal cars (i.e. a form of transit). I would ask that the Thetis Island Local Trust Committee give some consideration to this as it would greatly help me in determining how best to move forward to serve the needs of the community.

I hope you'll have an opportunity to bring this up at the local meeting this evening to seek some feedback. I look forward to discussing the feedback from the Trustees, at your convenience.

If you have any questions, please give me a shout.

Sincerely,

Janelle



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 January 23, 2013 File Number 3070-01

To Thetis Island Local Trust Committee

From Courtney Simpson
Acting Regional Planning Manager
Northern Office

Re Protocol Agreement with the Cowichan Valley Regional District

Adoption of a protocol agreement with the Cowichan Valley Regional District (CVRD) has been on the Thetis Island Local Trust Committee (LTC) work program for several years. The LTC meets annually with the CVRD to discuss topics of mutual interest, and at the annual meeting in 2011, staff and trustees met with the CVRD and went through a draft protocol agreement that Islands Trust staff had prepared. At that meeting there was interest from the Regional Director and Chair of the Board in adopting a protocol agreement after staff of both organizations had worked through numerous sections of the draft identified as needing amendment.

Following that meeting in 2011, the Regional Planning Manager at the time pursued amendments with the CVRD staff but was unable to get a response. At the same time the Regional Planning Manager identified impediments to adoption of protocol agreements due to conflicts in Islands Trust Policy. At the October 3, 2012 LTC meeting the LTC received a staff report from the Regional Planning Manager outlining these impediments to adopting a protocol agreement, and the LTC passed the following resolution:

TH-053-2012 *It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee request the Executive Committee to discuss how to appropriately resource work associated with developing, amending and implementing of protocol agreements and letters of understanding.*

CARRIED

At the same meeting the LTC advised they did not wish to meet with the CVRD until work on the draft protocol agreement had been furthered.

Staff of the Islands Trust and the CVRD met on November 22, 2012 to discuss several issues of mutual interest, one of which was this protocol agreement. CVRD staff explained that they had no political direction to work on a protocol agreement with the Thetis Island LTC and could not spend time on it without that political direction. They also expressed they did not see an operational need for a protocol agreement, that any concerns could be resolved through less formal means.

The LTC has a couple of options:

1. **Remove this item from the project list and continue to rely on communication with the CVRD on a case-by-case basis.**
2. **Contact the CVRD Board at a political level to seek support for furthering work on a protocol agreement.** If this option is preferred, staff recommends including a comprehensive list of reasons for establishing a protocol agreement.

Regarding the October 3, 2012 resolution to request Executive Committee to discuss how to appropriately resource work associated with developing, amending and implementing of protocol agreements and letters of understanding, before the former Regional Planning Manager left the organization he began work on a briefing to Executive Committee that was not completed. More staff work would be needed to complete this briefing. Although there are inconsistencies and weaknesses in Islands Trust policy on resourcing protocol agreements, current staff does not see a strong need to seek this clarity from Executive Committee. **Staff recommends the LTC rescind resolution TH-053-2012.**

pc David Marlor, Director of Local Planning Services

From: Denis Gagnon [<mailto:domainejasmin@gmail.com>]

Sent: November-20-12 10:43 AM

To: Ken Hancock; Peter Luckham; Sue French

Cc: Courtney Simpson; Jnshill2; lenka Pelikan; Chris Slater; Lynn DeCaire; J. Denis Gagnon; Matt Hess; Arno H. K. Schmidt; Jean Ensminger; Bruce Brophy; Stephanie Cattel; Coleen Gagnon; Sherri Pepin; Ian Ralston

Subject:

Hi Ken, Peter and Sue,

Please find attached my report and legal advice to you in preparation for the LTC meeting this Wednesday.

Respectfully submitted,

Denis Gagnon
444 Lakeview Road

20 November 2012

Dear Thetis Island LTC,

I'm very disappointed with the latest staff report with respect to RAR. There are many disappointments: 1. Discounting of \$10's of thousands of dollars that were spent on two environmental reports; 2. Discounting the views of two professionals; 3. Fabricating yet another "for their eyes only" legal advice; 4. Foregoing implementation of RAR in lieu of freshwater ecosystem protection using the same rigour and tools used in RAR is essentially throwing out the baby with the bath water; 5. Changing the scope of this initiative from protecting fish habitat to protecting freshwater ecosystems is just another way for Islands Trust staff to discard the absence/presence of fish study and to impose their views on the potential for fish; 6. By doing so, the level of freshwater ecosystem protection will far exceed the expectations established by the RAR; and, 7. Islands Trust staff is once again imposing its will – imposing your will on anybody is not a recipe for success.

Therefore, I feel compelled to provide you with my own report and legal advice. It's free, so take it for what it's worth. The legal advice you're getting with respect to the MoE is hard to believe it exists, for the current legal advice you should be receiving is that the LTC is breaking the law by not being in compliance with the RAR. The LTC has knowledge through two QEP reports that Ralston Creek flows directly to the ocean and that there are no fish present in the watercourses. As per the RAR, you're 'Get Out of Jail' card is to contact the DFO.

The RAR themselves are only two pages; however, there is also a 73 pages Assessment Methods document. The Assessment Methods document has specific language to indicate where RAR does not apply and what defines a stream. Here are the only three real facts you need to know.

- 1) Page 14, Assessment Methods: "The Riparian Areas Regulation does not apply to marine or estuarine shorelines; these waters are still considered fish habitat under the Fisheries Act and DFO should be contacted regarding appropriate setback widths to ensure that development activities do not result in a harmful alteration, disruption or destruction of fish habitat. Streams that do not contain fish and that flow directly to the ocean may have high fish utilization of their estuary; contact DFO staff regarding the level of riparian protection required on these watercourses."
- 2) There are two methods described in the Assessment Methods document. The Islands Trust contracted Mimulus to conduct the Simple Assessment Method, which assumes the presence of fish. It is therefore not surprising the conclusion be that Ralston Creek is RAR applicable and SPEA were defined. TRAX/Ian Ralston contracted Aquaparian to conduct a fish presence/absence survey, the first step undertaken in a Detailed Assessment Method. They observed the absence of fish and concluded that Ralston Creek does not support fish and is not RAR applicable. The Aquaparian report opens the door for discussions between the LTC and the DFO and will set forth the path for determining an appropriate level of protection for freshwater ecosystems.
- 3) Page 13, Assessment Methods: "The RAR defines a stream as any watercourse – natural or human-made – that provides fish habitat that contains water on a perennial or seasonal basis, is scoured by water or contains observable deposits of mineral alluvium, or has a continuous channel bed including a watercourse that is obscured by overhanging or bridging vegetation or soil mats. A watercourse may not itself be inhabited by fish, but may provide water, food and nutrients to streams that do support fish. This definition of stream is broad but is consistent with the definition of fish habitat under the federal *Fisheries Act*. As such, this definition provides the basis for harmonizing municipal, provincial and federal statutory requirements. When is a watercourse not a stream under the RAR? When it does not support fish or drain

into a watercourse that support fish; e.g., an isolated wetland that is not connected to a stream system; or a roadside ditch that is not directly connected to a fish-bearing stream.”

Conclusions

RAR is applicable to Ralston Creek in that the RAR clearly indicates it does not apply in at least two situations. It indicates that Ralston Creek is not RAR applicable because it does not support fish and that Ralston Creek may require riparian protection, the level of which is to be provided by the DFO. There is no need for more review of current regulations. For the LTC to move forward and adequately protect itself, it is imperative that it leave the determination of RAR applicability to the QEP undertaking the fish presence/absence survey.

Recommendations

The LTC adopt RAR as the regulation, which provides the appropriate level of protection for freshwater ecosystems on Thetis Island. This is particularly important for freshwater watercourses that flow directly to the ocean because as per the RAR, in the absence of fish, these watercourses fall under the jurisdiction of the DFO.

The LTC take the opportunity to get Aquaparian to prepare a follow up memo to their December 2011 report on Ralston Creek, clarifying any questions asked or raised by the Ministry of Environment regarding their methodology and conclusions that the watershed is not applicable to the RAR.

If satisfied with the follow up memo, the LTC adopt the Aquaparian report as the report of factual choice and use the report to promote further discussion and dialogue on the matter of riparian protection in the Meadow Valley watershed and in particular, Ralston Creek with the DFO.

The LTC direct Islands Trust staff to place the legal advice they’ve received regarding the powers of the provincial Ministry of Environment to override the RAR on the public record.

The LTC set up an information and engagement session with all Thetis Island residents and the DFO regarding their expectations and measures in respect of riparian protection for marine and estuarine shorelines.

Based on these expectations and measures, assess and determine the current health of the Thetis Island freshwater ecosystems. A communicated and updated shoreline health index, as a measure of healthy freshwater ecosystems, would be beneficial in getting Thetis Island residents to participate and share in protecting their island. If you follow the ways of the Haida Gwaii, you’re likely to succeed. In their eyes and mind, the land is just an extension of the sea.

Respectfully submitted,

J. Denis Gagnon
444 Lakeview Rd

From: Dan Giesbrecht [<mailto:dan@dan-cga.com>]

Sent: November-20-12 4:16 PM

To: Courtney Simpson

Cc: Thetis Island Local Trust Committee

Subject: Islands Trust Committee Meeting for November 21, 2012 - Additional comments related to Ruxton APC meeting held on October 29, 2012

Hi Courtney,

I have some additional comments to pass on to the Local Trust Committee related our APC meeting held on October 29th. I would have liked to attend the Trust Committee meeting tomorrow however I have other commitments that are preventing me from attending. If you would be so kind as to pass my comments on to the Trustees I would be most grateful.

Sorry for the late hour in getting this out to you.

Dan

Dan W. Giesbrecht, B.A., C.G.A

Principal | GIESBRECHT & ASSOCIATES

3994 Shelbourne Street, Suite 203, Victoria BC, V8N 3E2

t: 250.472.3111 ext. 1 | f: 250.472.3911

dan@dan-cga.com

IMPORTANT NOTICE:

This e-mail and any attachments are confidential and are intended solely for the use of the named addressee.

Additional comments related to Ruxton Island APC meeting held October 29, 2012

Submitted by: Dan Giesbrecht

Docks:

- Point was made in the APC minutes regarding “prohibition” of docks.
 - More than 25% of respondents to the survey mentioned the need for better access to the island stating a desire for either private/public or shared access docks.
 - Reasons for Docks ranged from safety and emergency response concerns to accommodating an aging population and/or people with disabilities.
- The dock issue does not have to be an all or nothing choice. Rather than an outright prohibition of docks, consideration should be given to coming up with a zoning plan that allows for a reasonable number of private (shared) and/or public docks. Design and size restrictions could also be put in place to minimize both the environmental and “pincushion” impact on the foreshore.

Having strategically located, regulated, insured and design controlled docks is preferable to the current practice of residents dragging up and permanently fastening logs (parallel poles) to the foreshore. These “slip way” structures are damaging to the foreshore, create a hazard to pedestrian access along the foreshore and have a permanent negative impact on “preserving the natural beauty of Ruxton Island’s Coastline.” Slipways (“parallel poles to the water”) are not an acceptable alternative.

Side Lot Setbacks:

- Point of clarification on the side lot setbacks:
 - The issue was not if the current setbacks are too small. The consensus of the APC was that the current setbacks are fine. The concern is if the setbacks were increased then many of the smaller lots would have their building envelope too severely limited. In addition, many of the existing buildings would likely become legal non-conforming if the setbacks from the sea and the side lot lines were increased from the current 10 metre and 5 metre limits. It was the consensus of the Ruxton Island APC that the existing setbacks be maintained and not increased.

Mooring Buoys

- Mooring buoys are regulated by Transport Canada. The regulation of mooring buoys can be found at the following website link:
<http://www.tc.gc.ca/eng/marinesafety/tp-tp13585-mooringbuoys-3006.htm>
- No application for approval of a mooring buoy is required if it meets the requirements as outlined in “Annex A” of Transport Canada’s Marine Safety Management System.
- If bylaw regulations are to be considered for mooring buoys, does Islands Trust have the authority to regulate them? My understanding is that this is a Federal jurisdiction. I checked on the ILMB website and their operational policy specifically states that their policy does not apply to mooring buoys used for private moorage.

From: Ian Ralston [<mailto:ipr@traxdev.com>]

Sent: November-20-12 8:10 AM

To: Ken Hancock; Peter Luckham; Sue French

Cc: Courtney Simpson; Inshill2; Ienka Pelikan; Chris Slater; Lynn DeCaire; J. Denis Gagnon; Matt Hess; Arno H. K. Schmidt; Jean Ensminger; Bruce Brophy; Stephanie Cattel; Coleen Gagnon; Sherri Pepin

Subject: Freshwater habitat on Thetis

Hi,

As a separate issue from the RAR question the staff report has raised the idea of protection for all freshwater habitat on Thetis.

I would think that all Thetis Islanders would likely agree that freshwater is an important amenity and resource on Thetis. I imagine most would likely consider it important to protect and enhance freshwater habitat. I know I do.

The Federal Fisheries Act provides for riparian area protection on streams flowing to the ocean, where the ocean waters are fish bearing. This presumably applies to all streams on Thetis that meet the ocean. DFO may be useful resource in guiding riparian management for landowners on Thetis.

In terms of freshwater protection and enhancement, it is my opinion that this would be best achieved through cooperative management by the community and landowners rather than by top down use of DPAs etc by the LTC and staff to "enforce" some kind of vision of protection.

I believe that protection that arises from the people and from affected landowners will be more effective and long lasting, and that this type of process will build community.

In my opinion the best way to start a program of cooperative management is through assessment of freshwater resources and habitat in a participatory process--with landowners and community members participating in assessment and mapping.

This could then move to participatory decision making on how best to protect and enhance freshwater on Thetis. There are lots of tools to use, including Conservation Covenants, management agreements, sourcing of grants and government support to assist with rehabilitation or enhancement, ongoing ecosystem inventories to track and recognize enhancement efforts etc. A streamkeepers group could be developed for Thetis--sure there are no fish to protect but there is a lot of other relevant work that could be done.

Perhaps this approach could be referenced in the OCP and this might go some way to demonstrating the commitment of the LTC and Thetis Island to environmental protection and enhancement.

I would be happy to put my efforts toward assisting with this, and certainly wish I could have spent the time and money I have used for the RAR situation on something positive of this sort. The thing that makes me happiest about the Meadow Valley development is the enhancement of habitat through building our two large ponds, even though it has led to this sad RAR issue.

I know it may be hard for some to understand, but there is a big difference between prescriptive forced "protection" and actual stewardship.

Best regards,

Ian <mailto:ipr@traxdev.com>

Ian Ralston Eng.L.

TRAX Developments Ltd., Box 9-6, Thetis Island, BC V0R 2Y0 250-597-3155

From: William Pearce [<mailto:bjpearce@telus.net>]
Sent: November-26-12 3:41 PM
To: Courtney Simpson
Subject: Re: woodlot license 2043

Hello Courtney- thanks for the update.

i note that i sent peter luckham a copy of 'draft4B preliminary objections' on aug 14th which sets out the legal position as to why we feel the IT zoning bylaws do apply to the cutting of timber on WL2043 by the Lyackson who do not enjoy Crown immunity granted under s14(2) of the Interpretation Act. if you wish to see that or an updated version of same let me know.

i recently read s2 (4) of the Forest and Range Practices Act which provides the "Section 14(2) of the Interpretation Act "does **not** apply to this Act". S14(1) of that Act binds the Crown to provincial enactments including bylaws so it is clear the legislature intended local government bylaws to apply to woodlot licences issued and administered under the Forest and Range Practises Act. It would appear therefore that both the Crown and the Lyackson are bound by your zoning bylaws.

The Crown of course has the power to override your bylaws but that does not arise in this matter.

Your staff report drew my attention to s21 of the Private Managed Forest Land Act which forbids local governments from adopting bylaws with respect to land that is "private managed forest land" that would have the effect of restricting forest management activity but there is no similar prohibition with respect to Crown land that I have been able to find. The very fact that this section exists demonstrates the obvious that local governments can prohibit the cutting of trees. Oak Bay has very stringent provisions regarding the cutting of trees , particularly gary oak, and we are not alone in that regard.

the Crown did not have to include its land in the islands trust area when the islands trust was formed, nor did it have to approve the RR zoning for some of its land on valdes (other land which the Crown owns on valdes was zoned to allow forestry).

I look foreword to learning of what legislation or case law i have overlooked in my research which supports the proposition put foreword by your staff.

have a good day

Bill Pearce



www.rlr-law.com
info@rlr-law.com

RAMSAY

D. PETER RAMSAY, Q.C.*
DAVID R. BROOKS**
MICHAEL WASSERMANN**
DONNA L. KYDD
CHELSEA D. WILSON
DYLAN M. KOZLICK

JOHN W. HORN, Q.C.

LAMPMAN

JONATHAN W. LAMPMAN
PETER C.P. BEHIE, Q.C.**
STEPHEN MCPHEE, Q.C.**
RHONDA M. JOHNSON
SONYA PARKIN

ASSOCIATE COUNSEL
JAMES A. VANSTONE**
ERIC JOHN MOSLEY

RHODES

RICHARD N. RHODES**
DEREK R.S. JONSON**
JENNIFER MILLBANK
NICOLE E. SMITH
LISA M. LOW

ADAM de TURBERVILLE**
*FAMILY LAW MEDIATOR
**LAW CORPORATION

November 19, 2012

Thetis Island Local Trust
Committee

khancock@islandstrust.bc.ca
pluckham@islandstrust.bc.ca
sfrench@islandstrust.bc.ca

Regional Planning Manager
Islands Trust

Suite 200, 1627 Fort Street
Victoria, BC V8R 1H8
cjackson@islandstrust.bc.ca

Island Planner, Island Trusts
700 North Road

Gabriola, BC V0R 1X3
CSimpson@islandstrust.bc.ca

Re: Trax Developments Ltd. – Thetis Island – RAR Implementation for Ralston Watershed

We have been retained by Ian Ralston of Trax Developments Ltd. ("Trax Developments") to address the issue of whether Riparian Areas Regulation ("RAR") is applicable in relation to the Ralston Creek Watershed.

In this regard, we have been instructed by our client to provide an opinion with regard to the following:

A. COMPLIANCE WITH THE FISH PROTECTION ACT, RAR AND ATTACHING SCHEDULE

Upon our review of the RAR and its attached Schedule, it would appear that Trax Developments has complied with the requirements set out therein and as determined by the courts. In particular, Trax Developments has:

1. As is prescribed by section 7 of the RAR, Trax Developments did engage the services of a Qualified Environmental Professional ("QEP") and that QEP was Aquaparian Environmental Consulting Ltd. ("Aquaparian").
2. As is prescribed by the RAR Schedule- Assessment Methods, certain methods of assessment are required by the QEP. Aquaparian utilized the methods described in the Schedule to determine if RAR are applicable to the Ralston Watershed. In that regard, Aquaparian conducted a "fish presence/absence" survey in 2011, which is set out in a letter report dated December 5, 2011 (the "Aquaparian Report").
3. The QEP (in this instance, Aquaparian) made a determination as prescribed by the RAR, the key points of which are set out here after.

4. Based on the foregoing, Trax Developments has fully complied with the regulatory and assessment process as is required under RAR and attached Schedule, as prescribed by the *Fish Protection Act*.

B. THE 15 YEARS OF EVIDENCE OF RALSTON CREEK BEING A NON-FISH BEARING WATERCOURSE AND, THEREFORE, EXEMPT FROM THE RAR

Under section 2.2.2 entitled "Determining Fish Absence" of the Schedule:

"Fish Absence can be affirmed using the three methods outlined below:

1. Using stream gradient
2. Evaluating man made barriers to fish passage
3. Undertaking sampling to confirm fish absence

Section 2.2.2 of the Schedule further states that:

...The only watercourses that are exempt from the RAR are those that are clearly isolated from a fish bearing system. (italics added for emphasis).

The Ralston Creek area which relates to Trax Developments has been the subject of assessment by two (2) QEP's over a period of 15 years, specifically: Ted Burns, a biologist, in July 1998; and Aquaparian in December 2011. These Qualified Environmental Professionals concluded as follows:

1. "Ralston Creek... has no riparian zone... and supports no fish": Report of Ted Burns, Biologist, to Trax (Ian Ralston) dated July 6, 1998 (last paragraph, p. 1, "Environmental Setting");
2. "Ralston Creek does not provide enough suitable spawning habitat, seasonal flow or overwintering habitat to support a population of resident fish...": Aquaparian Report, 2011 (1st sentence, 2nd paragraph, p. 5);
3. "...the watercourse does not support fish and therefore is not protected under RAR": Aquaparian Report, 2011 (last sentence, 2nd paragraph, p.5); and
4. Ralston Creek is not a fish bearing watercourse: Aquaparian Report, 2011 (last sentence, 1st paragraph, p. 6, "Conclusions").

Based on this evidence, it would appear that the portion of Ralston Creek which Trax Developments is concerned with is "clearly isolated from a fish bearing system" as contemplated in Section 2.2.2 of the Schedule and, therefore, exempt from the RAR.

In addition, the Report prepared by Mimulus Biological Consultants for The Islands Trust entitled RAR Stream Identification of the Ralston Creek Watershed" of March 2011 (the "Mimulus Report") appears to support this evidence. The Mimulus Report states (amongst others) that:

1. No fish trapping or sampling procedures were conducted (last paragraph, p. 7, "2.5 Assessing for Fish Presence or Potential Fish Presence");

2. No fish were observed in any of the watercourses during the field studies (2nd sentence, 1st paragraph, p. 8);
3. No information was discovered during the research which included watershed codes, fish distribution and *documented fish presence* (1st sentence, p. 8, “3.2 Documented Stream Data” – italics added for emphasis);
4. There is no history of fish presence or stocking within Meadow Valley Lake and no evidence was observed during the surveys” (1st sentence, 3rd paragraph, p. 14, “3.3.4 Ralston Creek: Reach 4”).

The foregoing evidence, as prescribed under the RAR and attaching Schedule, therefore, is reasonably conclusive and objectively demonstrates that the portion of Ralston Creek which Trax Developments is concerned with is “clearly isolated from a fish bearing system” as contemplated in Section 2.2.2 of the Schedule and, therefore, exempt from the RAR.

C. OVER-REACHING OF THE PHRASE “POTENTIAL FISH HABITAT” FOR RAR IMPLEMENTATION

The presence of fish in the portion of Ralston Creek which Trax Developments is concerned with is very relevant to the issue of whether the RAR is applicable. It may not, however, be relevant to whether the Island Trust Local Trust Committee has an obligation to enact riparian area protection measures under section 12 of the *Fish Protection Act* more generally in the Thetis Island Local Trust Area; but, that is a separate and distinct matter.

Trax Developments has complied with the prescribed provisions of RAR and the attached Schedule and relies, appropriately on the determination by its QEP as it is entitled to, namely that: the portion of Ralston Creek which Trax Developments is concerned with is “clearly isolated from a fish bearing system” as contemplated in Section 2.2.2 of the Schedule and, therefore, exempt from the RAR.

Indeed, there is a 15-year evidentiary chain which supports this determination by the QEP’s who conducted surveys in this area. On balance, this evidence outweighs the over-generalized and over-reaching suggestion that the portion of Ralston Creek which Trax Developments is concerned with has the “potential to support fish” and, therefore, is RAR applicable.

In our respectful opinion, this is simply too broad an approach and not one contemplated by the RAR and attaching Schedule. If so, then, there would be no exemption for streams “clearly isolated from a fish bearing system”.

To use the “potential for fish” as a means to expand the scope and implementation of RAR to the Trax Developments situation would be contrary to the express exemption set out in section 2.2.2 as Ralston Creek by all the evidence is a non-fish bearing watercourse.

The presence or absence of fish is, therefore, relevant in the determination by the QEP as to whether the RAR is applicable. In support of this proposition, we refer you to the BC Court of Appeal in *Yanke v. Salmon Arm (City)*, 2011 BCCA 309 (CanLii), wherein the Honorable Madam Neilson held that:

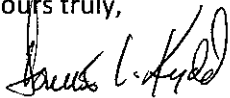
“...the current regulation requires that the streamside protection and enhancement area to be delineated by a qualified environmental professional in an assessment report. The area is identified by using the assessment methods established in the schedule to the regulation. *There is no provision allowing any governmental body to vary the extent of the streamside protection and enhancement area.*” (at paragraph 21, italics added for emphasis).

As held by the Honorable Madam Neilson, it is the QEP that makes the determination as to whether or not any particular watercourse requires protection under the *Fish Protection Act*. No one else is mandated to play a role in that determination or to over-ride that determination when premised on the authorized exemption expressly set out in Section 2.2.2 of the Schedule attached to the RAR.

Concluding Remarks

In light of the foregoing, we ask that the initial view held by the Local Trust Committee (namely: that the portion of the Ralston Creek which Trax Developments is concerned with is non-RAR applicable) be maintained and upheld.

Yours truly,



Per: Donna L. Kydd

From: Judy Shaw [<mailto:questshaw@hotmail.com>]
Sent: November-23-12 11:00 AM
To: Ken Hancock; Sue French; Peter Luckham; Courtney Simpson
Subject: Comments on Ruxton elements of the Nov. 21 Agenda package

HI All,

I tried to send this via the Thetis Islands Trust web mail but my message was too long.

Hope I have sent it to the people who would have received it otherwise.

Good Morning Trustees,

Finally I am back to my computer and able to send you my comments on the Nov. 21 agenda items relating to Ruxton Island.

I was very surprised to see the presentation of draft minutes in an agenda that was not the group that generated the minutes. On advice from Courtney that the draft minutes had been published for some time, I found these draft minutes from the APC under the Thetis Islands Trust website. I was not the only person surprised by this publication and doubly surprised that members of the APC were not all aware that the minutes were published.

Further, the staff report regarding the Associated Islands Community Plan: Endorsing Ruxton Island project goals was a shock. It seemed the goals and suggested approaches were being published without the benefit of the actual advice of the APC as the APC has only identified a range of topics (Attachment 3 or pages 13-15 of the staff report).

I would like to note that issues respecting road width and quality, and emergency preparedness with the possibility of a helipad have been points of debate of the Ruxton Island Property Owners Association. After a winter clearing of our roads to a full 1 lane road width by the road maintenance contractor, there was a great amount of concern that it would increase traffic and change the character of the island. As a result, the roads were allowed to grow back.

Given the dimensions of a helipad and the need for flat land, the only public land option would be the park in the centre of the island. This option was rejected and the consensus was that if the tide did not permit landing a helicopter that the Coast Guard was the next option with its hovercraft. The feeling was that being on Ruxton Island or any isolated rural area involves some risk.

I am concerned IF somehow a viable option for a permanent community dock were to be found and agreed to (unlikely given the desire of many on Ruxton to keep the island the way it is), the character of the island would change due to the increased demand to get to the dock. In other words, goals (road scale and island access) may be in conflict and which takes precedence could cause future conflict.

My comment that a technical study on community docks was not necessary was based on the common knowledge of the weather/seas and geography of Ruxton. The best protection from the weather is at Naylor Bay but it dries at solstice low tides. All options would severely affect adjacent property owners as all waterfront parkland lots are in very exposed positions. The initial and ongoing cost of a community dock would need to be considered if the voters on Ruxton chose to accept the idea in principle.

I realize that these items are in the early stages of consideration but I felt enough concern to try to get clarification of the procedure for input and comment on the draft goals and approaches.

It was good to learn about the R.A.R. concerns on Thetis Island.

Sincerely,

Judy Shaw



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 January 23, 2013 File Number 6500-20

To Thetis Island Local Trust Committee
For meeting on February 6, 2013

From Courtney Simpson
Acting Regional Planning Manager
Northern Office

Re **Marine Shorelands Development Permit Area**

During the 2008-2011 Official Community Plan (OCP) and Land Use Bylaw (LUB) Review for Thetis Island, the Local Trust Committee (LTC) decided to proceed no further with a draft development permit area (DPA) for marine shorelands. This project was set aside to be completed separately, with more time dedicated to public consultation. This project is now third on the Top Priorities List.

Thetis Island was the pilot area for integrated watershed and shoreline mapping in 2009, a project which has now been completed for all the major islands in the Islands Trust Area. As part of the contract for these maps, the consultants Murdoch deGreef are holding workshops in local trust areas to present them. The workshop on Thetis Island is scheduled for **March 13, 2013 from 1:30 to 4:30 or 5:00** (exact end time to be decided). This presentation is intended to raise awareness in the community about the shoreline characteristics of Thetis Island, sensitive areas, and development considerations generally. There will also be a presentation from Seachange Marine Conservation Society on new eelgrass mapping for Thetis Island.

We have also had the opportunity to hire a planning consultant to hold a further public workshop specifically aimed at: increasing awareness and understanding of the draft Marine Shorelands Development Permit Area; providing participants with an understanding of the practical implications of the guidelines; and delivering an opportunity for dialogue resulting in direct feedback from the community. This workshop is scheduled for **March 20th, 2013 from 1:30 to 4:00**. Attached is the consultant's Public Consultation Plan for the LTC's review and comment.

After these two workshops, a summary of feedback and recommendations for next steps will be presented to the LTC.

Attachments:

1. Draft Detailed Agenda for Green Shores for Homes Program and Integrated Watershed & Shoreline Mapping Workshop
2. Thetis Island Public Consultation Plan; Marine Shorelands Development Permit area

pc Aleksandra Brzozowski, Island Planner
James vanHemert, Golder Associates

DRAFT Detailed Agenda for Green Shores for Homes Program and Integrated Watershed & Shoreline Mapping Workshop

Note: the duration of each agenda item/topic includes about 5 minutes for questions.

Note: need to determine who will be chairing / moderating the meeting to keep the time on track and manage questions from the audience. This could be the planner or a trustee.

Duration	Agenda item / Topic	Presenter
15 mins	OVERVIEW Introduction and Overview of the Green Shores for Homes Program and the Integrated Watershed & Shoreline Mapping Project.	Brian Emmet & David Marlor
50 mins	INTEGRATED SHORELINE MAPPING - Mapping component, show shoreline features and the interrelationships between them that clarifies some of the key interrelationships on a regional basis. - Where is the shoreline most vulnerable? Understanding the regional conditions that make one type of shoreline more sensitive than others.	Paul de Greef
TBD	ISLANDS TRUST MAPPING APPLICATION “MapIT” Update on inclusion of mapping components with online MapIT application	David Marlor
35 mins	GREENSHORES APPROACH What has history taught us? Experience that has resulted in the Green shores movement to a softer, more effective method of dealing with coastal forces when necessary. Understanding of why past practices have often had untoward impacts with unexpected results.	Brian Emmet
15 mins	BREAK (optional)	
35 mins	EELGRASS AND THE IMPORTANCE OF MAPPING (If requested by LTC) Relevance of shoreline mapping with community conservation projects. Presentation on Eelgrass Mapping Project: Eelgrass as an indicator of nearshore ecosystem health and an example of the impact of residential development on shorelines.	Nikki Wright, Seachange
20 mins	ISLANDS TRUST EELGRASS AND FORAGE FISH MAPPING Introduction to upcoming eelgrass and forage fish mapping	Kate Emmings, Islands Trust Fund
TBD	WRAP UP QUESTIONS	Facilitated by the Chair / moderator



January 22, 2013

ATTACHMENT 2

THETIS ISLAND PUBLIC CONSULTATION PLAN

Marine Shorelands Development Permit Area

Submitted to:

Courtney Simpson, MCIP, RPP
Acting Regional Planning Manager
Islands Trust Northern Office
700 North Road
Gabriola Island, BC, V0R 1X3



Report Number: 12-1442-0001

REPORT





Table of Contents

1.0 INTRODUCTION.....	1
2.0 PURPOSE OF PUBLIC CONSULTATION PLAN	1
3.0 OUTCOMES	1
4.0 METHOD OF ADVERTISING	1
5.0 WORKSHOP ACTIVITIES	1
6.0 VENUE & TIME.....	2
7.0 PRESENTATION OUTLINE	2
8.0 MATERIALS	3
9.0 AGENDA.....	3



1.0 INTRODUCTION

The Thetis Island Local Trust Committee is contemplating a development permit area for marine shoreline protection. As noted in a January 6, 2011 Staff Report from planning staff, support for adopting development permit area guidelines is found in the Islands Trust Policy Statement, The Official Community Plan policies, and current trends in shoreline modifications. The necessary background shoreline mapping for Thetis Island has recently been completed by Murdoch deGreeff Inc. and features shoreline types, energy and sediment movement, and shoreline values & vulnerability. The maps will be presented to the public in a separate and prior workshop.

2.0 PURPOSE OF PUBLIC CONSULTATION PLAN

The public consultation event is designed to **increase awareness and understanding** of the proposed Marine Shorelands Development Permit Area Guidelines. It will provide community members with an **understanding of the practical implications** of the guidelines and deliver the opportunity for dialogue between the Islands Trust and citizens and interested parties, resulting in **direct feedback** from the community.

3.0 OUTCOMES

Community awareness, understanding, and guideline refinements are the core outcomes anticipated for the consultation. Interested parties who attend the public consultation event and view the information online will have a greater awareness and understanding of the proposed Marine Shorelands Development Permit Area Guidelines. Feedback from the community will give rise to the opportunity for refinements to the guidelines.

4.0 METHOD OF ADVERTISING

In order to have maximum attendance at the public consultation event, three methods of advertising will be used:

1. Flyer advertising the Murdoch de Greeff shoreline mapping workshop and this workshop jointly to be distributed by mail drop at the post office and by direct mail-out to waterfront property owners
2. Announcement via “ESpokes” email wheel
3. Announcement on the Islands Trust website and community billboards

5.0 WORKSHOP ACTIVITIES

The following workshop activities will help to achieve the desired outcomes:

1. Introductions
 - Islands Trust staff introduce the presenters
 - Brief overview of the event agenda
 - Short ice breaker
2. Presentation



THETIS ISLAND PUBLIC CONSULTATION PLAN

- A presentation by the consulting team addresses the fundamental questions surrounding marine shoreline development permit area guidelines. A PowerPoint accompanies the presentation. An outline is provided in Section 7.
- 3. Question & answer period
 - Specific questions about the topics presented are answered by the consulting team and staff
- 4. Community workshop and discussion
 - Small break-out groups sitting at tables have the opportunity to candidly discuss their initial responses to the proposed guidelines
 - A response form is provided for each table to complete with their collective thoughts, hopes and reservations about the guidelines, including recommendations for refinements.
- 5. Reporting
 - A designated participant from each table records and shares key areas of consensus and disagreement with the larger group
- 6. Next steps
 - Information is provided on what will be happening next with the guideline development
 - Participants have the opportunity to fill in an individual response form at the workshop or to bring it home to fill out in paper or digital format
 - Further information will be posted on the Islands Trust website as it becomes available

6.0 VENUE & TIME

The public consultation event will take place at the Thetis Island Hall, Forbes meeting room from 1:30 to 4:00 pm, Wednesday, March 20th.

7.0 PRESENTATION OUTLINE

1. Why?
 - Coastal issues
 - Sea level rise
2. Where?
 - Development Permit Areas
3. What?
 - Exemptions
 - Activities to be addressed
 - Subdivisions, building permits and site development



4. How?

- Application process and timing
- Information submittals
- Development Approval Information
- Cost control strategies
- Practical techniques/ guidelines

8.0 MATERIALS

Materials for the public consultation event include:

- Shoreline maps (3) developed by Murdoch de Greef
- A PowerPoint presentation
- A PowerPoint presentation handout for participants
- A process chart handout for participants to clarify the development permit application process
- One response form per table for group discussion and an additional response form for each participant to fill out individually
- An online version of the response form for those unable to attend the event and those who prefer a digital format

9.0 AGENDA

Below is the detailed public consultation event agenda.

1:30 – 1:40	Doors open
1:40 – 2:20	Introductions & presentation
2:20 – 2:35	Questions & answers
2:35 – 3:25	Community workshop & discussion
3:25 – 3:50	Reporting
3:50 – 4:00	Next steps



Report Signature Page

GOLDER ASSOCIATES LTD.

ORIGINAL SIGNED

James van Hemert, MCIP
Senior Planner

ORIGINAL SIGNED

David Reid, FCSLA
Principal, Environmental Planning Practice Leader.

Golder, Golder Associates and the GA globe design are trademarks of Golder Associates Corporation.

n:\active\2012_1442\12-1442-0001 islands trust bylaws denman and thetis\07 deliverables\public consultation plan for thetis island marine shorelands dpa_final.docx



At Golder Associates we strive to be the most respected global company providing consulting, design, and construction services in earth, environment, and related areas of energy. Employee owned since our formation in 1960, our focus, unique culture and operating environment offer opportunities and the freedom to excel, which attracts the leading specialists in our fields. Golder professionals take the time to build an understanding of client needs and of the specific environments in which they operate. We continue to expand our technical capabilities and have experienced steady growth with employees who operate from offices located throughout Africa, Asia, Australasia, Europe, North America, and South America.

Africa	+ 27 11 254 4800
Asia	+ 86 21 6258 5522
Australasia	+ 61 3 8862 3500
Europe	+ 356 21 42 30 20
North America	+ 1 800 275 3281
South America	+ 55 21 3095 9500

solutions@golder.com
www.golder.com





Islands Trust

Top Priorities

Thetis Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Associated Islands OCP and LUB Creation	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982, CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island.	Sep-07-2011	Aleksandra Brzozowski	Nov-15-2014	On Going
2	Riparian Areas Regulation Implementation	Amend OCP to comply with RAR for the one watershed identified as applicable to RAR, using the stream mapping by Mimulus Biological Consultants.	Sep-07-2011	Courtney Simpson	Nov-15-2014	On Going
3	Shoreline Development Permit Area	Community outreach, education and engagement on draft DPA.	Sep-07-2011	Courtney Simpson	Sep-01-2014	On Going



Projects

Thetis Island

No.	Description	Activity	Received/Initiated	Status
1	Protocol Agreement or Memorandum of Understanding with Penelakut First Nation	Sent letter to newly elected Chief and Council to see if they are interested in continuing the work on a protocol that was started with former Cheif Lisa Shaver.	Feb-06-2009	On Going
1	Joint proactive enforcement with CVRD		Jul-28-2010	On Going
1	Revise Protocol Agreement with Lyackson First Nation	As of August, 2010 draft with Lyackson for review by their community.	Feb-06-2009	On Going
1	Development Approval Information Bylaw		May-25-2011	On Going
1	Potential LUB amendments:	- short-term vacation rentals of principle dwellings in the R-2 zone - rainwater storage requirements	Sep-07-2011	On Going
1	Sustainability Guidelines for Thetis Island	Discuss collaboration with Cowichan Valley Regional District Building Department, finalize draft, and make a plan for distribution.	Sep-07-2011	On Going
1	Housekeeping Amendmends to LUB	4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)...	May-24-2012	On Going
1	Ratification of protocol agreement with the Cowichan Valley Regional District	Director of Local Planning Services to move forward. Meeting to be held between CVRD board and Thetis LTC	Feb-06-2009	On Going
1	Housekeeping amendments to the OCP	- objectives and policies re sea level rise (was resolution to include in draft but did not make it in to adopted OCP)	Oct-03-2012	On Going
1	Island-wide watershed protection	TBD	Nov-21-2012	On Going



Applications w/ Status - Thetis Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
TH-ALR-2012.1	Torchbearers Capernwray Canada Society Planner: Courtney Simpson	Jun-29-2012	298 Foster Point Road, Thetis Island Non Farm Use Application For existing and new Bible Centre uses

Planning Status

Status Date: Nov-01-2012

Referred to ALC

Status Date: Sep-24-2012

Staff report on October 3, 2012 agenda

Status Date: Jul-23-2012

Planner reviewing file

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2010.1	Trincomali Holdings Ltd Planner: Courtney Simpson	Aug-17-2010	Seawall Construction

Planning Status

Status Date: Nov-21-2012

LTC moved not to issue a Development Variance Permit for application TH-DVP-2010.1. Trustee Luckham noted that lack of information and science regarding the site has made this a difficult decision for the LTC and hoped that the applicant returns with more information.

Status Date: Aug-01-2012

LTC direction to defer decision until response from Lyackson and Penelakut First Nations

Status Date: Jun-19-2012

Staff report prepared

Subdivision

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

Planning Status

Status Date: Jul-08-2011

PLA extended to June 8 2012

Status Date: Jun-23-2011

Indicated RAR requirement in response to request for PLA extension

Status Date: Jun-17-2010

12-month extension to PLA

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2010.1	Williamson & Associates Professional Surveyors Planner: Linda Prowse	Feb-24-2010	Subdivide to create 2 lots

Planning Status

Status Date: Oct-10-2012

Address is 17 Foster Point, Thetis Island - The Ministry of Transportation and Infrastructure will close this file in February, 2013 if PLA conditions are not met. Islands Trust staff will also close the file in February 2013. Islands Trust staff sent Notice of PLA non-approval to the Local Trust Committee.

Status Date: Feb-07-2012

Preliminary Layout not approved notice received - There are a number of conditions the applicant has not complied with. Ministry notes if conditions are not complied with, the file will be closed in 1 year.

Status Date: Jan-10-2012

MOTI will be recommending NON PLA to the Provincial Approving Officer, as there has not been any attempt by the applicant to remedy the concerns of the Environmental Health Officer regarding sewage disposal for this subdivision proposal.

From: Nicole Ranger

Sent: November-28-12 11:28 AM

To: Aleksandra Brzozowski; Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Theresa Warren; Becky McErlean

Cc: Nancy Rogers

Subject: Thetis Expense Report Nov/12

Islands Trust

LTC EXP SUMMARY REPORT F2012

Invoices posted to November 30, 2012

670 Thetis	Invoices posted to November 30, 2012	Budget	Spent	Balance
65000 670	LTC "Trustee Expenses"	1,100.00	307.91	792.09
65200 670	LTC Local Exp LTC Meeting Expenses	1,200.00	418.69	781.31
65210 670	LTC Local Exp APC Meeting Expenses	600.00	104.12	495.88
65220 670	LTC Local Exp Communications	500.00	403.95	96.05
65230 670	LTC Local Exp Special Projects	500.00	-	500.00
65240 670	LTC Local Exp Miscellaneous	200.00	-	200.00
TOTAL LTC Local Expense		3,000.00	926.76	2,073.24
73001 670 2009	Thetis OCP/LUB	5,000.00	-	5,000.00
73001 670 2010	Thetis Ruxton Island Associated OCP/LUB	5,000.00	1,181.21	3,818.79
73001 670 3008	Thetis RAR	2,000.00	135.26	1,864.74
TOTAL Project Expense		12,000.00	1,316.47	10,683.53

Nicole Ranger

Finance Clerk

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Phone: (250) 405-5152

Fax: (250) 405-5155

*Preserving **Island** communities, culture and environment*



Please consider the environment before printing this email

From: Nicole Ranger

Sent: January-07-13 12:20 PM

To: Aleksandra Brzozowski; Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Theresa Warren; Becky McErlean

Cc: Nancy Rogers

Subject: Thetis Expense Report Dec 2012

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2012 Invoices posted to December 31, 2012					
670 Thetis	Invoices posted to December 31, 2012	Budget	Spent	Balance	
65000 670	LTC "Trustee Expenses"	1,100.00	307.91	792.09	
65200 670	LTC Local Exp LTC Meeting Expenses	1,200.00	791.15	408.85	
65210 670	LTC Local Exp APC Meeting Expenses	600.00	217.69	382.31	
65220 670	LTC Local Exp Communications	500.00	403.95	96.05	
65230 670	LTC Local Exp Special Projects	500.00	-	500.00	
65240 670	LTC Local Exp Miscellaneous	200.00	-	200.00	
TOTAL LTC Local Expense		3,000.00	1,412.79	1,587.21	
73001 670 2009	Thetis OCP/LUB	5,000.00	-	5,000.00	
73001 670 2010	Thetis Ruxton Island Associated OCP/LUB	5,000.00	1,286.62	3,713.38	
73001 670 3008	Thetis RAR	2,000.00	135.26	1,864.74	
TOTAL Project Expense		12,000.00	1,421.88	10,578.12	

Nicole Ranger

Finance Clerk

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Phone: (250) 405-5152

Fax: (250) 405-5155

Preserving *Island* communities, culture and environment



Please consider the environment before printing this email

From: Nicole Ranger

Sent: January-29-13 12:40 PM

To: Aleksandra Brzozowski; Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Becky McErlean

Cc: Nancy Rogers

Subject: Thetis Expense Report Jan/13

Islands Trust					
LTC EXP SUMMARY REPORT F2012					
Invoices posted to January 31, 2013					
670 Thetis	Invoices posted to January 31, 2013	Budget	Spent	Balance	
65000 670	LTC "Trustee Expenses"	1,100.00	462.68	637.32	
65200 670	LTC Local Exp LTC Meeting Expenses	1,200.00	791.15	408.85	
65210 670	LTC Local Exp APC Meeting Expenses	600.00	217.69	382.31	
65220 670	LTC Local Exp Communications	500.00	403.95	96.05	
65230 670	LTC Local Exp Special Projects	500.00	-	500.00	
65240 670	LTC Local Exp Miscellaneous	200.00	-	200.00	
TOTAL LTC Local Expense		3,000.00	1,412.79	1,587.21	
73001 670 2009	Thetis OCP/LUB	5,000.00	694.44	4,305.56	
73001 670 2010	Thetis Ruxton Island Associated OCP/LUB	5,000.00	1,286.62	3,713.38	
73001 670 3008	Thetis RAR	2,000.00	135.26	1,864.74	
TOTAL Project Expense		12,000.00	2,116.32	9,883.68	

Nicole Ranger

Finance Clerk

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Phone: (250) 405-5152

Fax: (250) 405-5155

Preserving *Island* communities, culture and environment



Please consider the environment before printing this email



Memorandum

11.3

Date January 24, 2013 File Number TH 3030-01-2013

To Thetis Island Local Trust Committee

From Aleksandra Brzozowski
Island Planner
Northern Office

Re Planner Office Hours on Thetis Island

On-Island planner office hours are an optional service that staff provide to the Thetis Island community.

In 2012, planner office hours on Thetis Island were held on mornings prior to afternoon Local Trust Committee (LTC) meetings. Now that LTC meetings have been rescheduled to begin in the morning, a new option will need to be chosen for On-Island Planner hours.

One option is to schedule and advertise specific days when the Island Planner would travel to Thetis Island specifically for Office Hours. The other option is to schedule Office Hours by appointment only.

Considering the time and travel required for a Planner to travel to Thetis solely for Office Hours, it is recommended that 2013 On-Island Planner Hours be advertised as by appointment. This change in scheduling would be advertised as widely as possible.

pc Courtney Simpson, Acting Regional Planning Manager



Islands Trust

BYLAW REFERRAL FORM

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

Island: Galiano Island Trust Area **Bylaw Nos.:** 238 and 239 **Date:** December 6, 2012

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

APPLICANTS NAME / ADDRESS:

Local Trust Committee Initiated

PURPOSE OF BYLAW:

Proposed Bylaw No. 238 is to amend the Land Use Bylaw to permit the owner of District Lot 46 to be able to construct a dwelling without having direct highway access. Currently, the owner cannot build a residence due to the wording in the bylaw. (See Attachment 1 for staff report)

Proposed Bylaw No. 239 is to amend six (6) subject areas within the Land Use Bylaw. The areas are:

1. Split zoned lots – to remove the possibility of split zoned lots having additional density unless the zoned lots can be subdivided.
2. Permitting Stairs with Setbacks for Public Bodies – to allow public bodies to be able to construct stairs (accesses) providing access to the foreshore/beach areas without requiring a development variance permit.
3. Calculation of Floor Area for Environmentally Buildings – to permit the calculation of floor area for environmentally friendly buildings to be measured to the inner surface of the exterior wall and not the exterior surface as is done for conventional buildings.
4. Small Lot Sawmilling Clarification – to ensure that the bylaw explicitly states that sawmilling is to be for the use of the owner on that lot where the sawmilling takes place unless otherwise permitted in the zone.
5. Accessory Building Allowances – to change the calculation of accessory buildings permit from a maximum floor area to a calculation based on lot coverage.
6. Lions Hall zone – to amend the zone to permit existing uses (hall, thrift store, walkway) to remain. (See Attachment 2 for staff report)

GENERAL LOCATION:

Galiano Island

LEGAL DESCRIPTION:

n/a

SIZE OF PROPERTY AFFECTED:

n/a

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

n/a

OTHER INFORMATION:

Please note that additional background information on this application can be found on the Islands Trust website under <http://www.islandstrust.bc.ca/lc/gl/default.cfm>

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: Kris Nichols

Email: knichols@islandstrust.bc.ca

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

N/A

Regional Agencies

Building Inspection, CRD
Regional Parks & Community Services, CRD

PLEASE TURN OVER →

Provincial Agencies

Ministry of Transportation & Infrastructure
Private Managed Forest Land Council

Non-Agency Referrals

Bylaw Enforcement, Islands Trust
Galiano Island Parks & Recreation Commission

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Galiano Island Trust Area

(Island)

238 and 239

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



BYLAW REFERRAL FORM

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

Islands Trust

Island: Salt Spring Island Local Trust Area **Bylaw No.:** 461 (2nd Referral) **Date:** January 11, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 21 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:

N/A

PURPOSE OF BYLAW:

To amend SSI Land Use Bylaw No. 355 to allow secondary suites as an accessory residential use in some areas of Salt Spring Island, as identified on the Pilot Area Map attached as a schedule to Proposed Bylaw 461.

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

This is the second referral for Proposed Bylaw No. 461. The attached bylaw has been substantially revised since it was referred in July, 2012 and has now been given Second Reading.

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.

Justine Starke
(Signature)

Name: Justine Starke

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

BC Assessment Authority
Ministry of Environment
Ministry of Transportation & Infrastructure

Regional Agencies

CRD Building Inspection
CRD Economic Development Commission (Kees Ruurs)
CRD Water & Sewer (Kees Ruurs)
Vancouver Island Health Authority

First Nations

Tsawout First Nation

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
School District 64
SSI Chamber of Commerce
SSI Fire Protection District
SSI Transportation Commission (Kees Ruurs)
SSI Water Council

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

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)

461

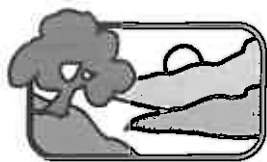
(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



BYLAW REFERRAL FORM

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

Islands Trust

Island: Salt Spring Island Trust Area Bylaw No.: 464 Date: January 16, 2013

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:

Eric Booth

PURPOSE OF BYLAW:

To amend Land Use Bylaw 355 to rezone the subject property from Residential 6 (R6) to Commercial 2 Zone Variation (b) (C2(b)) to allow a broad range of commercial uses not permitted under the residential zoning.

GENERAL LOCATION:

151 Rainbow Road, Salt Spring Island.

LEGAL DESCRIPTION:

Lot 6, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827.

SIZE OF PROPERTY AFFECTED:

0.072 hectares (0.18 acres)

ALR STATUS:

N/A

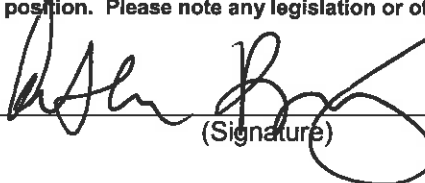
OFFICIAL COMMUNITY PLAN DESIGNATION:

Development Permit Area 1 (DPA1) - Island Villages

OTHER INFORMATION:

Please see attached staff report and covering email.

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: Caitlin Brownrigg

Title: Planner 1

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Transportation & Infrastructure

Non-Agency Referrals

Ganges Sewer Committee (Kees Ruurs)
North Salt Spring Waterworks District
School District 64

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

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)

464

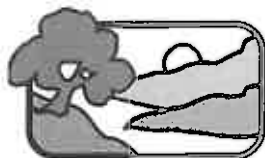
(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



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.:** 465 **Date:** January 22, 2013

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 Conservancy.

PURPOSE OF BYLAW:

To amend Land Use Contract Bylaw No. 12 to discharge it from the subject property.

GENERAL LOCATION:

Blackburn Road, Salt Spring Island.

LEGAL DESCRIPTION:

Lot 1, Section 86, South Salt Spring Island, Cowichan District, Plan 17652.

SIZE OF PROPERTY AFFECTED:

13.19 ha (32.58 acres)

ALR STATUS:

Yes

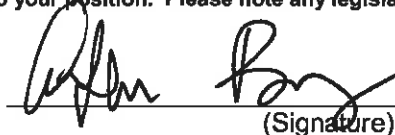
OFFICIAL COMMUNITY PLAN DESIGNATION:

Watershed – Agriculture (WA)

OTHER INFORMATION:

See attached staff report.

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: Caitlin Brownrigg

Title: Planner 1

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Transportation & Infrastructure

Regional Agencies

CRD Building Inspection
CRD Regional Parks
Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
SSI Fire-Rescue
CRD Transportation Commission (Kees Ruurs)
CRD Engineering Services (Kees Ruurs)

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

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)

465

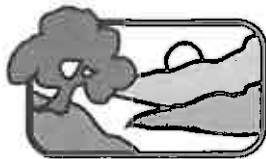
(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



BYLAW REFERRAL FORM

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

Islands Trust

Island: Salt Spring Island Trust Area Bylaw No.: 466 Date: January 22, 2013

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 Conservancy.

PURPOSE OF BYLAW:

To amend Land Use Bylaw No. 355 to rezone the subject property from Agriculture 2 (A2) to Agriculture 2 Zone Variation (b) – A2(b) to permit administrative and education uses for conservation purposes.

GENERAL LOCATION:

Blackburn Road, Salt Spring Island.

LEGAL DESCRIPTION:

Lot 1, Section 86, South Salt Spring Island, Cowichan District, Plan 17652.

SIZE OF PROPERTY AFFECTED:

13.19 ha (32.58 acres)

ALR STATUS:

Yes

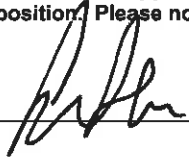
OFFICIAL COMMUNITY PLAN DESIGNATION:

Watershed – Agriculture (WA)

OTHER INFORMATION:

See attached staff report.

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: Caitlin Brownrigg

Title: Planner 1

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Transportation & Infrastructure

Regional Agencies

CRD Building Inspection
CRD Regional Parks
Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
SSI Fire-Rescue
CRD Transportation Commission (Kees Ruurs)
CRD Engineering Services (Kees Ruurs)

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

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)

466

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)

Date January 24, 2013 File Number 0410-20

To Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee

From Robert Kojima, Regional Planning Manager
Leah Hartley, Regional Planning Manager
Courtney Simpson, Regional Planning Manager

Re National Marine Conservation Area

At December Trust Council, a Request for Decision (RFD) from Trust Programs Committee concerning the proposed National Marine Conservation Area Reserve (NMCAR) was considered. Trust Council adopted the following resolutions:

Resolution TC 161/12

That the Islands Trust Council reaffirm its support for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed .

Resolution TC 161/12

That the Islands Trust Council recommend that local trust committee zoning be used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Resolution TC 161/12

That the Islands Trust Council propose that the Islands Trust be included in a joint management approach to the National Marine Conservation Area Reserve.

The RFD included the following passage:

Local trust committees (except Lasqueti, Hornby, Denman, Gambier and Executive (Ballenas-Winchelsea)) are encouraged to give specific input (ideally by resolution) about more precise NMCAR boundary definition in environmentally sensitive areas and/or exclusions of high use areas such as docks

and sewage outfalls. (CAO comment: Those LTCs that wish to solicit public comment or make detailed assessments before providing more specific input regarding NMCAR boundary definition would need to make this a work program priority with assigned planner resources.)

LTCs have several options in considering if further specific input is appropriate.

1. Review of NMCAR boundaries: as suggested in the RFD quote above, an LTC may consider that a detailed review of the proposed boundaries within the LTA should be conducted prior to making comment. This may involve some or all of the following:
 - a. Staff review of Parks Canada proposed NMCAR boundaries in comparison to Islands Trust mapping and LTC bylaw designations and zoning.
 - b. Identification and delineation of specific locations to recommended for exclusion (or for inclusion). For example public docks could be requested for exclusion, and options could be considered for the exact boundary of the area of exclusion (i.e. lease, zone or general area of activity). Conversely, a recommendation could be made to include areas current shown as excluded based on Islands Trust mapping (ecosystem, shoreline, archaeological, etc.)
 - c. LTC led consultation, including community meetings and consultation with local groups

Although the work may be completed within one or two LTC meetings, this level of work should be treated like any other LTC project and included as Top Priority on the Work Program and staff should be requested to provide options on the resources, timelines and scope of work.

2. The LTC may consider a simple resolution or set of resolutions to forward to Parks Canada. For example:
 - a. A resolution recommending exclusion specific location or feature (e.g. a public dock)
 - b. A resolution recommending that Parks Canada hold a public meeting on the island.

This approach would typically be considered at a single meeting and would not need to be added to the Work Program. Trustees considering this approach are encouraged to work with their Island Planner in advance of the meeting on suitable resolution wording.

3. Finally, an LTC may consider that no further action is necessary from the LTC. In other words, the resolutions of Trust Council are sufficient.

pc David Marlor, Director of Local Planning Services
Lisa Gordon, Director of Trust Area Services



Islands Trust

Preserving **island** communities, culture and environment.

[Meeting Agendas](#)
[Contact](#)
[Secure Login](#)
[Home](#)
[Local Trust Committees](#)
[Trust Council](#)
[Islands Trust Fund](#)
[Island Municipalities](#)
[About Us](#)
[Employment](#)
[News and Subscriber Services](#)


Population (2011):

Approximately 340

Size:

1,129 hectares (2,789 acres)

Location:

7 kilometres north of Chemainus on Vancouver Island.

[Land Use Planning](#)
[Related Planning Services](#)
[Related Resources](#)
[Trust Area Mapping](#)
[Related Links](#)

Thetis Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Thetis Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

November 2012

- [Adopted minutes of the September 1, 2012 special meeting on Ruxton Island are available](#)

August 2012

- [A Ruxton Island Advisory Planning Commission has been appointed to advise the Local Trust Committee on a new Community Plan.](#)

July 2012

- [Community Information Meeting scheduled for Ruxton Island on September 1st, 2012 regarding the Community Plan project](#)

June 2012

- [The Local Trust Committee launches a Community Plan Review for the Associated Islands with a newsletter and survey mailed to property owners.](#)

February 2012

- [Thetis Island owners have options to provide lasting protection for properties](#)

Committee Links

[Committee Home](#)
[Trustee Membership](#)
[Contact Trustees](#)
[Contact Planning Staff](#)
[Planning Bylaws](#)
[Administrative Bylaws](#)
[Meetings Schedule](#)
[Meeting Agendas](#)
[Meeting Minutes](#)
[Resolutions-Without-Meeting](#)
[Associated Islands](#)
[Land Use Application Forms](#)

Local Trust Committee Projects and Resources

Thetis Island General

- [Thetis Island Sustainability Guide](#)
- [Thetis Island Community Profile](#)
- [Thetis Island Draft Development Potential Map -August 2009](#)

Note: Subdivision requirements or restrictions not taken into exhaustive account for the purposes of this map include restrictive covenants, park dedication, road dedication, steep slope, and lot width to length ratios, and may occur.

Thetis Island Work Program Top Priorities

The following Work Program Top Priorities are projects that have been prioritized by the Local Trust Committee and for which resources are available or anticipated to be available shortly.

1. Associated Islands Official Community Plan and Land Use Bylaw Creation
2. Riparian Areas Regulation Implementation
3. Shoreline Development Permit Area

Thetis Island Standing Resolutions

Community Plan Project for Associated Islands

Including Ruxton, Reid, Pylades, Hudson, Scott, Dayman, Bute and Dunsmuir Islands

Staff reports and project documents:

- [Project Terms of Reference](#)
- [Preliminary Staff Report for April 18, 2012 Meeting](#)
- [Staff Report for May 23, 2012 Meeting](#)
- [UPDATED Community Profile -September, 2012](#)

Communication and consultation:

- [Newsletter - June, 2012](#)
- [Report on Summer 2012 Survey](#)
- [Addendum to report on Summer 2012 Survey](#)

Ruxton Island - specific:

- [Ruxton Advisory Planning Commission Terms of Reference](#)
- [Ruxton Island Advisory Planning Commission membersip](#)

Ruxton Island Advisory Planning Commission Minutes

- [October 19, 2012 - Draft](#)

Riparian Areas Regulation Implementation

- [Staff Report dated May 24, 2011](#)
- [Staff Report dated July 21, 2010](#)
- [RAR Stream Identification of the Ralston Creek Watershed, March 2011](#)
- [Map showing RAR streams with property lines](#)
- [Map showing RAR streams with buffers for Streamside Protection and Enhancement Area](#)
- [Provincial Riparian Areas Regulation website](#)

Marine Shorelands

- [DRAFT Marine Shorelands Development Permit Area, April 30, 2011](#)
- [Staff Report re: Marine Shorelands Development Permit Area and Sea Level Rise - January 26, 2011](#)
- [Staff Report re: Marine Shorelands Development Permit area - January 6, 2011](#)
- [Staff Report re: Shoreline Management - November 18, 2010](#)
- [Review of Thetis Island Shoreline Classification and Recommendations for Shoreline Development - March 31, 2010, Archipelago Marine Research Ltd.](#)
- UBC Pilot Study on Thetis Shoreline Classification - maps and presentation boards:
 - [Distribution of Coastline Types](#)
 - [Coastal and Watershed Systems: Sediment Sources, Movement, Sinks and Ecosystems](#)
 - [Relative Energy Zones & Shoreline Dynamics](#)
 - [Coastal Types & Shoreline Characteristics](#)
 - [Coastal Types & Siting in Response to Systems](#)
 - [Coastal Design Strategies](#)

Advisory Planning Commission

- [Advisory Planning Commission Minutes](#)

Bylaw Enforcement Notice System

The Bylaw Enforcement Notice and Dispute Adjudication system provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations. It is much less costly, complex and time-consuming than a system in which tickets can be disputed only by going to court.

- [Brochure on the Bylaw Enforcement Notice \(BEN\) system](#)

Community Housing

- [Community Housing in the Islands Trust Area](#)

Food Security

- [Food Security in the Islands Trust Area](#)

Climate Change Action

- [Staff Report dated October 6, 2009](#)

- [Memorandum dated August 17, 2009](#)
- [Climate Wise Islands](#)
- [Newsletter - November 2009](#)
- [Fact Sheets](#)

Valdes Island

- [Brochure for Building Permit information on Valdes Island](#)

[^ top](#)



[Privacy Policy](#) | [Terms & Conditions](#) | [Accessibility](#) | [Copyright](#) | [Search](#) | [Contact](#) | [Webmail](#) | [Home](#)

Copyright © 2008 Islands Trust. All rights reserved.