



A NOTICE OF A BUSINESS MEETING OF **THE THETIS ISLAND LOCAL TRUST COMMITTEE**
to be held at 1:30 PM on Wednesday, February 8, 2012 at Thetis Island Community Centre
(Forbes Hall) North Cove Road, Thetis Island, BC

Revised – March 8, 2012

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		1:30 pm
2.	APPROVAL OF AGENDA		
3.	TOWN HALL SESSION (10 MINUTES)		
4.	MINUTES		
4.1	Local Trust Committee Special Meeting Minutes of December 5, 2011- <i>for adoption</i>	1-3	
4.2	Section 26 Resolutions Without Meeting Log dated January 30, 2012 – <i>for information</i>	4	
4.3	Advisory Planning Commission Meeting Minutes - <i>none</i>		
5.	BUSINESS ARISING FROM MINUTES		1:50 pm
5.1	Follow-up Action List dated January 30, 2012 - <i>attached</i>	5	
5.2	Cowichan Valley Regional District and Islands Trust Joint Enforcement Project Staff Report dated January 26, 2012 - <i>attached</i>	6-7	
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>		
7.1	Letter dated November 2, 2011 to Laurie Gorlay, President, Mid island Sustainability & Stewardship Initiative from Sheila Malcolmson, Chair, Islands Trust Council regarding Green Gateway to Vancouver Island Proposal - <i>attached</i>	8-16	
7.2	Post Public Hearing Correspondence regarding Thetis Island Official Community Plan Bylaw No. 88, 2011 and Thetis Island Land Use Bylaw No. 89, 2011 - <i>attached</i>	17-26	
7.3	Email dated February 6, 2012 from John Rowlandson of Velvo Village regarding Support for Rural Cycling – <i>attached (Late Item)</i>		
8.	APPLICATIONS AND PERMITS - <i>none</i>		
9.	LOCAL TRUST COMMITTEE PROEJCTS		2:15 pm
9.1	Thetis Island Sustainability Guide – <i>attached for discussion</i>	27-38	

10.	REPORTS	2:30 pm
10.1	Work Program Reports	
10.1.1	Memorandum dated January 9, 2012 - <i>attached</i>	39-40
10.1.2	Top Priorities and Projects Report dated January 30, 2012- <i>attached</i>	41-42
10.2	Applications Log	
	Report dated January 30, 2012 - <i>attached</i>	43-44
10.3	Trustee and Local Expenses	
10.3.1	Expenses report posted to December 21, 2011 - <i>attached</i>	45
10.3.2	Expenses report posted to January 23, 2012 - <i>attached</i>	46
10.4	Chair's Report	
10.5	Trustees' Report	
10.6	Advisory Planning Commission Report	
11.	NEW BUSINESS	3:15 pm
11.1	Proposed Local Trust Committee Meeting Schedule 2012 - <i>attached</i>	47
11.2	Advisory Planning Commission Vacancies	48
	Memorandum dated November 30, 2011 - <i>attached</i>	
11.3	Galiano Island Bylaw Referral - Proposed Bylaw No. 233 (OCP) cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011." – <i>attached for discussion/comment</i>	49-53
11.4	Galiano Island Bylaw Referral - Proposed Bylaw No. 234 (LUB) cited as "Galiano Island Land Use Bylaw No. 127,1999, Amendment No. 4, 2011". – <i>attached for discussion/comment</i>	54-58
11.5	Riparian Areas Regulation – <i>for discussion</i>	
11.5.1	Email dated September 27, 2011 from Ian Ralston regarding Meadow Valley Strata - <i>attached</i>	59
11.5.2	Letter dated September 27, 2011 to Ian Ralston from Planner Campbell regarding Riparian Areas Regulation Implementation for Ralston Watershed - <i>attached</i>	60
11.6	Affordable and Special Needs Housing Documents	61-67
	Memorandum dated August 8, 2011 regarding Housing Agreements on Salt Spring Island and the Islands Trust Application Guide for Affordable and Special Needs Housing – <i>attached for information</i>	
11.7	Bylaw Enforcement Notice Bylaw – Appointment of Screening Officers, Adoption of Cancellation Policies and Draft Bylaw Violation Notice	
11.7.1	Staff Report dated January 26, 2012 - <i>attached</i>	68-75
11.7.2	Bylaw Enforcement Investigations Report	76-77
	Briefing dated January 26, 2012 - <i>attached</i>	
12.	BYLAWS	
13.	ISLANDS TRUST WEBSITE	
13.1	Thetis Page - <i>attached</i>	78-79
14.	TOWN HALL DISCUSSION	
15.	CLOSED MEETING: The Thetis Island Local Trust Committee closes the next part of the February 8, 2012 business meeting to discuss matters pursuant to Legal Advice, Section 90(1)(i) of the Community Charter , the receipt of advice that is subject to solicitor/client privilege, including communications necessary for that purpose, and that staff and the recording secretary be asked to stay.	4:20 pm
16.	RECALL TO ORDER	4:40 pm
	Rise and Report from Closed Meeting	

17. NEXT MEETING DATE

Wednesday, April 18, 2012 at 1:30 pm at the Thetis Island Community Hall
(Forbes Hall) Thetis Island, BC

18. ADJOURNMENT

5:00 pm

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

**MINUTES OF THE LOCAL ISLAND TRUST COMMITTEE SPECIAL MEETING
HELD AT 1:30 PM ON MONDAY, DECEMBER 5, 2011
AT THE THETIS ISLAND COMMUNITY CENTER
FORBES HALL, MAIN ROOM,
NORTH COVE ROAD, THETIS ISLAND**

PRESENT

Gary Steeves	Chair
Peter Luckham	Local Trustee
Sue French	Local Trustee
Courtney Simpson	Island Planner
Marnie Eggen	Planner 1
Janice Young	Recorder

There were 16 (sixteen) members of the public in attendance.

1. CALL TO ORDER

Chair Steeves called the meeting to order at 1:30 p.m. and introduced the Local Trustees, Islands Trust Planners, and Recorder to the public. Opening remarks were made by Chair Steeves welcoming those in attendance and overviewing the agenda.

Chair Steeves announced that this is his last meeting as Chair and added that his first meeting as Chair, six years ago, was also on Thetis Island.

Trustee Luckham noted that this is the last meeting of the previous Local Trust Committee. Trustees Luckham and French both expressed thanks for support and re-election for the next term.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus.

3. MINUTES**3.1 *Local Trust Committee Meeting Minutes of September 7, 2011***

The minutes were adopted by consensus with the following amendments:

- In Section 4.1, second paragraph, third line, change “carbon” to “Carbon”.
- In Section 4.1, second paragraph, fifth line, delete “by Planner Campbell”.
- In Section 9.3, second line, add “Regional” before “Planning Manager”.

4. **APPLICATIONS AND PERMITS**

4.1 *TH-SUB-2010.2 (Lindberg for Velez – 49 Harbour Road) 10% Frontage Waiver*

Planner Eggen presented the Staff report dated December 1, 2011, followed by Chair Steeves clarifying the subdivision process and the protocols required from various levels of government.

The discussion that followed, including comments from the public, highlighted safety concerns and the possibility of reconfiguring this proposed driveway access, as well as environmental impacts and the possible criteria for not granting the waiver.

Suggestions for improving safety included:

- working with the Ministry of Transportation and Infrastructure to improve the conditions at the intersection by creating a wider shoulder and providing better signage.
- gathering supportive documents from Thetis Islanders
- Thetis Islanders creating an off-road trail so pedestrians can bypass this corner altogether.

TH-099-2011

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee grant an exemption for the 10% minimum frontage requirement of the Thetis Island Land Use Bylaw No.56 as permitted by Section 944(2) of the *Local Government Act* in respect of proposed Lot B of the proposed two lot bare land strata subdivision on Lot 1, District Lot 1, Thetis Island, Cowichan District, Plan 5327, Except Part in Plan 2609 RW (PID 005-975-191) file TH-SUB-2010.2, and that a comment be applied that the Ministry of Transportation and Infrastructure work with the applicant to rectify pedestrian safety issues at the corner of Harbour Road and Foster Point Road.

CARRIED

Trustee Luckham added the importance of talking to your neighbours and community and treading gently on the environment when developing.

Trustee French noted that this is not specifically a problem to do with this proposal, that the safety issue with developing this property is pre-existing and needs to be addressed by the community with the Ministry of Transportation and Infrastructure.

5. **BYLAWS**

5.1 *Proposed Bylaw No.88 cited as “Thetis Island Official Community Plan Bylaw, 2011”- for consideration of adoption.*

TH-100-2011

It was **MOVED** and **SECONDED** that final adoption be given to Proposed Bylaw No.88 cited as “Thetis Island Official Community Plan Bylaw, 2011”.

CARRIED

- 5.2 *Proposed Bylaw No.89 cited as “Thetis Island Land Use Bylaw, 2011” - for consideration of adoption*

TH-101-2011

It was **MOVED** and **SECONDED** that final adoption be given to Proposed Bylaw No.89 cited as “Thetis Island Land Use Bylaw, 2011”.

CARRIED

Chair Steeves commended the hard work of the community.

Trustee Luckham thanked the Advisory Planning Commission members for their hard work.

Trustee French thanked Planner Simpson for the patience and diligence in the revision process.

Trustee French thanked Janice Young for recording minutes and notes throughout six years of meetings.

6. TOWN HALL

Ernie Hunter thanked Chair Steeves for his Chairmanship and asked who will be replacing him.

Chair Steeves replied that at the next Trust Council meeting a new Executive Committee will be elected who will in turn appoint new Local Trust Committee Chairpersons.

Wendy Andison stressed the importance of replanting cleared areas with native plants.

Wayne Loiselle noted that the democratic process should allow for comments regarding any issue that may be of concern.

7. ADJOURNMENT

The Thetis Island Local Trust Committee Special Business Meeting of December 5, 2011 was adjourned at 3:20 pm.

Chair

Recorder



Islands Trust

Print Date: Jan-30-2012

RWM From: September 01, 2011 To: January 30, 2012

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2012-02	In Favour	"That the Thetis Island Local Trust Committee will hold its first regular business meeting of 2012 on February 8, 2012."	Jan 03, 2012
2012-01	In Favour	"THAT the Thetis Island Local Trust Committee instructs staff to enter into a cost recovery agreement allowing Islands Trust legal counsel to draft and/or review a Covenant prohibiting residential use of common property for Subdivision application TH-SUB-2010.2 (Lindberg for Velez)."	Jan 03, 2012
2011-12	In Favour	"That the Thetis Island Local Trust Committee hold a Special Meeting on December 5, 2011 to consider adoption of the Official Community Plan Bylaw No. 88 and Land Use Bylaw No. 89, and to consider a 10% frontage waiver for subdivision TH-SUB-2010.2."	Dec 01, 2011
2011-11	In Favour	"That the Thetis Island Local Trust Committee adopt proposed Bylaw No. 90 cited as ""Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 90, 2011""."	Nov 21, 2011



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.	Courtney Simpson	Mar-23-2011	On Going

Sep-07-2011

No.	Activity	Responsibility	Target Date	Status
1	Forward the following budget request for 2012/13 fiscal to FPC: Ruxton Bylaw Review, \$5,000; Shoreline DPA, \$5,000; and RAR Implementation \$5,000.	Courtney Simpson	Nov-18-2011	Done
1	Request a bill from TICA for hall rental at \$25 per LTC and APC meetings from April to September, 2011.	Theresa Vieau	Nov-19-2011	Done
1	Contact Penelakut and Lyackson First Nations re seawall DVP application.	Courtney Simpson	Nov-19-2011	Done
1	Write letter to Meadow Valley Strata Council re next steps in RAR comppliance.	Courtney Simpson	Nov-19-2011	Done
1	Arrange annual meeting with Cowichan Valley RD for October (Sue away 9-19).	Courtney Simpson	Nov-19-2011	Done
1	Make the following changes to the Sustianability Checklist: change title to "Sustainability Guide"; under "who should use this guide", include more remodelling and retrofitting scenarios; ensure references to "CRD" are changed to "CVRD", under local resources, add Rainwater Connection and Tiger Water, and remove TIMA; and change the bylaw numbers when new bylaw are adopted.	Courtney Simpson	Nov-19-2011	Done



STAFF REPORT

Date: January 26, 2012 **File No.:**

To: Local Trust Committee
Meeting February 8, 2012

From: Miles Drew, Bylaw Enforcement Coordinator

CC:

Re: **Joint Proactive Enforcement with Cowichan Valley Regional District Building Inspection**

THE PROPOSAL:

This report will recommend to the Thetis Island Local Trust Committee that it authorize the development of a project to carry out joint proactive enforcement with the Cowichan Valley Regional District to enforce Ruxton and Valdes Island Land Use Bylaws.

BACKGROUND:

In June of 2009 the Cowichan Valley Regional District Building Inspector toured Valdes, Ruxton, Reid and Pylades Islands. This survey revealed that there has been significant (perhaps in the 100s) construction of dwellings and accessory buildings without benefit of a building permit. As these buildings have never been subject to inspection there is a good possibility that they violate both the building code and the provisions of the local land use bylaw. In November of 2011 at a meeting between Cowichan Valley Regional District staff, its Local Area Director, Islands Trust staff and Thetis Island Trustees this issue was discussed. As a result the possibility of a joint proactive enforcement project was suggested.

STAFF COMMENTS:

In 2010 the Thetis Island Local Trust Committee sent a letter to property owners on Valdes Island informing of the requirement to comply with the local land use bylaw. There was never a follow up to this letter to assure that compliance rates had increased. The Thetis Island Local Trust Committee long list of projects includes doing the same for the remaining associated islands. There is a concern that unless the Islands Trust and the Cowichan Valley Regional District take steps to assert their bylaws development on these islands will not reflect the goals of the Official Community Plan and the Land Use Bylaw. Staff believes that by pooling resources with the CVRD building inspection division an effective enforcement program can be developed.

RECOMMENDATION:

Staff recommends that the Thetis Island LTC make the following resolutions:

1. The Thetis Island Local Trust Committee directs the Bylaw Enforcement Coordinator to work with Cowichan Valley Regional District staff to develop recommendations for a joint proactive enforcement project to ensure that the provisions of the Valdes Land Use Bylaw, the Ruxton Island Land Use Bylaw, and the Cowichan Valley Regional District Building Regulations Bylaw are complied with by property owners on Ruxton, Valdes, Reid and Pylandes Island.
2. That the proposed enforcement plan be brought back to the Thetis Island Local Trust Committee for approval before it is implemented.

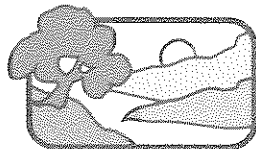
Prepared and Submitted by:

Miles Drew
Bylaw Enforcement Coordinator

January 26, 2012

Date

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Islands Trust

200-1627 Fort Street Victoria BC V8R 1H8

Telephone **250.405.5151** Fax 250.405.5155

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

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

November 2, 2011

Laurie Gourlay
President
Mid-Island Sustainability & Stewardship Initiative
P.O. Box 333
Cedar BC V9X 1W1

Dear Laurie Gourlay:

Re: Green Gateway to Vancouver Island proposal

Thank you for your letter regarding the Mid-Island Sustainability & Stewardship Initiative's Green Gateway to Vancouver Island proposal. The Islands Trust Executive Committee considered your letter at its October 11, 2011 meeting.

The Executive Committee directed staff to distribute the letter to the trustees in your area and to contact Regional District of Nanaimo staff about your project. We understand that the Regional District of Nanaimo Committee of the Whole reviewed your submission and chose not to act on your proposal.

You are welcome to apply as a delegation to Islands Trust Council's to present your proposal. The next meeting will be held from March 6-8 on Gabriola Island. Information on addressing Trust Council is available on the Islands Trust website at: www.islandstrust.bc.ca/tc/address.cfm.

Thank you for your commitment to sustainability initiatives that further our mandate to preserve and protect the Islands Trust Area.

Yours sincerely,

Sheila Malcolmson
Chair, Islands Trust Council

pc: Gabriola Island Local Trust Committee
Thetis Island Local Trust Committee

Islands Trust
200 - 1627 Fort St
Victoria, BC, V8R 1H8

Dear Sir/Madame,

We have sent a letter to the Board of the Regional District of Nanaimo, with related documents that outline our proposal for a 'Green Gateway to Vancouver Island" (attached). We are also in the process of contacting local and senior governments within the coastal region, as well as public institutions and private agencies that may have interest in advancing such measures.

We would then similarly request that the Islands Trust, governing coastal lands and waters adjacent to and in partnership with the RDN, consider this proposal and the potential afforded for jobs, growth and green spaces. We believe that the new partnership opportunities we have recommended, offer many benefits, and would encourage your consideration and support for this proposal.

We are requesting that our letter and the accompanying documents be brought to the attention of Island Trustees and elected representatives, and can be available to meet and present an overview. Should you have questions, or wish additional information, please do not hesitate to contact us.

Thank you.

Laurie Gourlay

President, Mid Island Sustainability & Stewardship Initiative
P.O. Box 333, Cedar, B.C., V9X 1W1
(250 722-3444) www.missimidisland.com <info@missimidisland.com>



RDN, Committee of the Whole
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC, V9T 6N2

re: Partnership in 'A Green Gateway to Vancouver Island '
...Regional and Local Planning, Sustainable Communities and Growth

cc: Local, Provincial & Federal Governments
...with responsibilities for mid Vancouver Island & the Strait of Georgia

September 27, 2011

Dear RDN Board Members,

Owing to the nature of this partnership proposal we are sending a copy of our letter to local governments on Vancouver Island, as well as to the City of Vancouver and Victoria, and senior governments. We hope this will lead to support from the RDN, and development of a 'Green Gateway to Vancouver Island'.

We believe exciting opportunities lie ahead for our coastal region, and that this proposal captures essential elements of both short and long term growth and benefits to residents.

With a federal economic plan being debated in the House of Commons at this time, and BC's Premier unveiling job priorities in a tour of the province, it is reasonable to consider regional partnerships that might be encouraged to meet both local needs and larger goals.

Here in the mid island the chair of the Regional District of Nanaimo has noted that growth in recent years has been twice the national average, and is expected to continue. This can be seen as good news, given global financial worries, but also brings new challenges.

MISSI would like to propose an approach that enhances economic development through partnerships with prominent Island institutions and organizations, and all levels of governments responsible for the mid island, coast and Strait of Georgia. We believe this can be done while protecting green spaces, and integrating conservation measures and practices.

In this respect we note that we have recently been in touch with federal and provincial Environment Ministers, and related Departments responsible for a proposal to designate a National Marine Conservation Area (NMCA) in the southern Georgia Strait and Gulf Islands. (attached)

We would like to offer our support in furthering this NMCA proposal, and to suggest that local initiatives offer opportunities that complement and further the goals of a Gulf Islands National Marine Conservation Area - as well as economic, growth and employment needs.

Three components, addressed in our brief, 'A Green Gateway to Vancouver Island', include:

- a National Marine Conservation Area, harbouring Nanaimo River's estuary.
- a 'Coastal Communities Biosphere Reserve', buffering local watersheds.
- economic partnerships with Victoria & Vancouver's 'Green City' initiatives.

The underlying premise of the 'Green Gateway' proposal is to maintain 'working areas' in the coastal region, where sustainability serves as the bottom line while jobs and economic activities are furthered. Sustainability is seen as a fair system of economic development and environmental protection that fosters long-term social and community benefits. As such, working with partners in cooperative ventures is essential.

We are pleased to report that the first two components of the plan were adopted as recommendations this past weekend at the Nanaimo River Symposium, hosted by NALT and held at VIU.

Briefly then, since we can provide additional information at your request, we would like to suggest that the mid island and coastal region lends itself to renewable resources, and that conservation and coastal protective measures offer opportunities for long-term growth. We believe economic diversity and commercial opportunities will expand if we consider options for larger regional partnerships and cooperation that share green goals for growth.

While governments may be moving forward with initiatives that address economic policy and sustainability performance, within their jurisdictions and communities there remains a 'larger picture' that must be addressed. Factors such as climate change and peak oil also require priority attention if future impacts are to be minimized and managed successfully.

The lands and waters of our shared coastal regions, and our quality of life, require such long-term approaches if we are to meet public, corporate and ecological bottom lines. Maintaining healthy, functioning watersheds and ecosystems is the most cost-effective and practical way to ensure that our common needs are met, and opportunities for growth retained for future generations.

With this in mind MISSI has been undertaking work locally to encourage a Coastal Communities Biosphere Reserve in the lands, and adjoining marine areas, encompassing the Nanaimo River watershed and southern Gulf Islands. (attached)

And our 'Green Gateway to Vancouver Island' initiative goes a step further, suggesting a corridor linkage between cities, across the coastal range. From the heavy industrial, ferry and shipping facilities at Duke Point, a green corridor would connect Cedar and Yellowpoint, the Nanaimo River watershed and a series of 'pocket' resource, conservation and alpine protected areas, wrapping around the RDN in a horseshoe-like manner. From the Mt Arrowsmith Biosphere Reserve a link would be made to the historic Horne Lake Trail, and over to Port Alberni's deep port and resource-based facilities. In effect a 'green-belt' would be established across the middle of Vancouver Island.

This innovative approach to our 'growth challenge' would serve to attract a wide range and diversity of green businesses, recreational and tourism opportunities, benefiting the mid island and coastal regions. Partnering with Victoria's work to integrate sustainable development practices, and Vancouver's Green City' initiative, this 'Green Gateway to Vancouver Island' would further small business ventures in the emerging markets for conservation and renewable services and products.

We hope you will then look at this proposal favourably. We believe that embracing these initiatives at this time would offer exceptional rewards to all sectors and interests, and long-term benefits. Fostering connections and partnership with universities, business, civil society and leaders in all sectors of the Island, capital and lower mainland will benefit all interests and regions. And, opening a green gateway to VI offers an innovative coastal approach for sustainable growth.

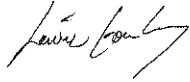
As the UN Rio+20 Brazil Conference approaches in June 2012, MISSI would then like to take this opportunity to engage with you in a conversation about conservation. We think a cooperative partnership, which puts conservation principles and practices into place, will best serve everyone's interests in our mid island coastal communities and regions.

Building on this solid foundation MISSI believes there is good reason to look forward to green growth, green jobs and a green belt for the mid island and region - establishing our coast and communities as a place for quality of life, work and business.

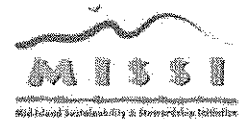
We also think the world would be pleased to hear about what our region has to offer, and so would ask for your support for our proposal for a 'Green Gateway to Vancouver Island', and we would also request the opportunity to present this proposal to you personally.

In the meantime should you have questions or wish further clarification, we'd be pleased to follow-up directly, at your request.

Regards,



Laurie Gourlay, President
Mid Island Sustainability & Stewardship Initiative
P.O. Box 333, Cedar, B.C., V9X 1W1
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"Each generation is entitled to the interest on the natural capital, but the principal should be handed on unimpaired."
- Canadian Conservation Commission, 1915



Hon. Dr. Terry Lake
Minister of Environment
Room 112, Parliament Buildings
Victoria, BC, V8V 1X4
terry.lake.mla@leg.bc.ca

Honourable Peter Kent
Minister of the Environment
House of Commons
Ottawa, Ontario, K1A 0A6
peter.kent@parl.gc.ca

Re: Gulf Islands National Marine Conservation Area

June 7, 2011

Minister Kent and Minister Lake,

We hope you're enjoying events and public support for World Oceans Day, and Canadian Environment Week!

Reports in the news suggest that the Governments of Canada and British Columbia may be in process of designating a National Marine Conservation Area in the Gulf Islands.

We would like to offer our support in furthering this work, and to raise two local considerations to your attention.

We have been in touch with Parks Canada offices, Mr. Bill Henwood, since 2007 with respect to the Gulf Islands NMCA proposal - and have provided a number of recommendations. We also believe that including local initiatives, presently underway, could offer new opportunities that complement and further the goals of a Gulf Islands National Marine Conservation Area.

Our interest, as a local organization, is to advance initiatives that serve sustainability and stewardship within the community and region. As such, working with conservation partners in cooperative ventures is essential.

In this respect we are involved with a number of conservation projects and coastal protective measures. Many of these are supportive of a local NMCA, while fostering complementary initiatives particular to the adjacent green lands of Cedar/Yellowpoint and the Nanaimo River watershed.

Without burdening you with details we would like to invite your consideration of two points at the present time. Should you wish further information we can of course make ourselves available, or provide a brief backgrounder for additional reference.

The first consideration we'd request is that of furthering estuarine benefits to the east coast of Vancouver Island by identifying the Gulf Islands NMCA northern boundary as embracing the Nanaimo River estuary.

We'd also note interest, previously expressed within the community of this area and from the Kulleet Band, for an information/educational centre in the adjacent Yellowpoint area. This centre could overlook and interpret the NMCA ...and perhaps serve for 'green corridor' and related initiatives noted below.

Our second request is based on the similarities of the process and goals for establishing a National Marine Conservation Area, and that of declaring a UNESCO Biosphere Reserve.

We would respectfully suggest that you extend your consideration of a Gulf Islands NMCA to a proposal that is underway for a neighbouring Coastal Communities Biosphere Reserve. (attached)

Combining both a marine and land-based model for conservation and sustainability, in this mid island coastal region, would be a substantial contribution to ecosystem protection - fostering conservation and sustainability goals that further economic and environmental development.

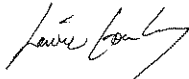
And finally, we would like to take this opportunity to extend an invitation to you or your representatives, to make a presentation about the NMCA and any related initiatives, on September 22nd. We have been planning an evening forum, open to the public, at the Vancouver Island University, just prior to BC Rivers Day. A weekend Symposium is to follow, organized by the Nanaimo and Area Land Trust, looking into opportunities for conservation in and around the Nanaimo River & watershed. Your presence would greatly enhance the success of these ventures.

We hope you may then look favourably upon these requests. The proposals offer positive means to open important conversations about conservation, and to engage the public in options to implement measures for sustainability.

The coast between Ladysmith harbour and Nanaimo harbour is one of the last large remaining rural areas of 'green lands and blue waters' in mid Vancouver Island - serving a growing population, and only a ferry's ride from the City of Vancouver. We believe that embracing these initiatives at this time would offer exceptional rewards to all sectors and interests, for the common good and long-term benefits.

Again then our best wishes in your deliberations about a Gulf Island NMCA. Should you have further questions we'd be pleased to provide details, at your request.

Regards,



Laurie Gourlay, President
Mid Island Sustainability & Stewardship Initiative

P.O. Box 333, Cedar, B.C., V9X 1W1
(250 722-3444) <www.missimidisland.com>

Biosphere Reserves are 'working areas' where jobs and economic activities are advanced within a framework of long-term prosperity and sustainability.

Furthering economic development while addressing social costs and benefits, builds a solid foundation for biosphere reserves.

Economic & Ecological Sustainability

...thinking globally, acting locally.

Balanced growth furthers community and sustainability ...fostering locally-appropriate, low-cost solutions. We address our regional interests, needs, and common goals together.

The net worth of biosphere reserves, and a transition to sustainability, can be seen in the cooperative, healthy and ecological benefits that are incrementally put in place.

Conservation efforts are integrated into local community, government and business plans, growing with our neighbourhoods.

A cooperative approach, biosphere reserves help public, private and government interests work together for us all...



A Necklace of Historical, Cultural & Natural Pearls...

Consider the possibility of a mid island UNESCO biosphere reserve and buffer, from the Southern Gulf Islands National Marine Park to Ladysmith Harbour to Nanaimo estuary ...& points between.

Parks, walkways and heritage features would provide major eco-tourist and economic benefits. Waterfront, marine environment and harbour developments would be improved with shoreline, wildlife, conservation and natural resource goals in mind.

****Three Key Goals Balance a Biosphere Reserve:***

- ***Economic***
- ***Social***
- ***Environmental***



A designated UNESCO Biosphere Reserve would help protect Vancouver Island's biodiversity and habitat, fostering interest in the protection of special places and species in the mid region — and our 'pearls' of historical, cultural & natural importance.

Please consider adding your voice to this initiative, a living and lasting legacy for VI coastal communities.

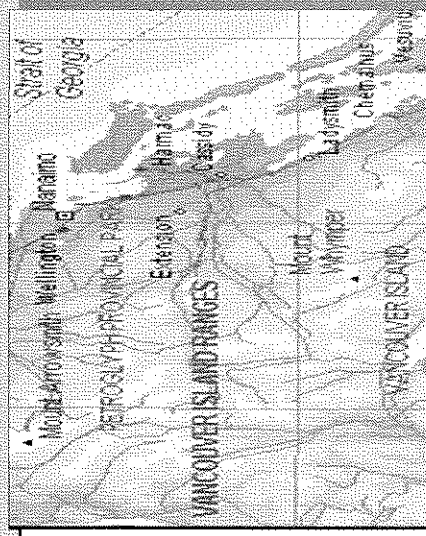
Please direct inquiries to: Mid Island Sustainability & Stewardship Initiative, <www.missimidisland.com>

A 'Coastal Communities' Biosphere Reserve Vancouver Island, BC

...Ladysmith

...Cedar

...Yellowpoint



Special Places, Diverse Communities, Green Lands & Blue Seas.

Leadership in Conservation and

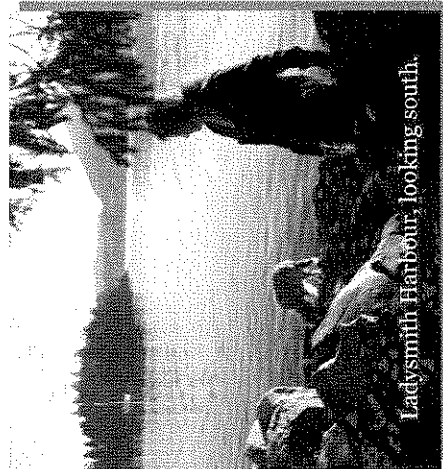


Sustainable Development!

This innovative initiative began in 2006 with a discussion about the need to foster long-term economic and ecological solutions for community planning and development in the mid island region.

We wanted to retain special places that were close to home, and to keep those recreational, heritage and green spaces that are nearby -so we could all continue to enjoy them.

This biosphere reserve proposal opens the door to solutions, to further steps we might take together to share our coastal beauty, quality of life, and a sustainable economy that supports mid island communities and Vancouver Island.



Ladysmith Harbour, looking south.

The... 'Coastal Communities' Biosphere Reserve A proposal for Vancouver Island Ladysmith... Yellowpoint... Cedar...

This sustainable, economically-rewarding, job-creating and conservation-oriented working reserve for the mid island region would encompass the lands and seas that extend along the narrow east coast of Vancouver Island, between the coastal mountain range and Gulf Islands.

From the rural countryside south of Ladysmith to southern urban boundaries of Nanaimo the green lands, marine waters, communities and towns would be invited to join and become a part of a larger UNESCO Biosphere plan.

...more information about this proposal, upcoming meetings as well as opportunities to get involved, can be found by contacting the Mid Island Sustainability & Stewardship Initiative, P.O. Box 333, Cedar, B.C., V9X 1W1

(250) 722-3444, (midislandcommunities@shaw.ca) <www.midislandcommunities@shaw.ca>

(Winter, 2011)

Your Comments...

Please feel free to jot down any thoughts or ideas, and forward to:

Mid Island Sustainability & Stewardship Initiative
Laurie Gourlay - MIST President, P.O. Box 333,
Cedar, B.C., V9X 1W1, <www.midislandcommunities@shaw.ca>
(e-mail: midislandcommunities@shaw.ca)

We encourage all who love Vancouver Island's beauty and welcoming spirit to consider the protection of special places, and to contribute to our quality of life, to sustainable development, and to the betterment of the places where we live, work and play!

Talk with friends and family about the 'pearls' you find important to your community ...and along Vancouver Island's east coast.

And look for ways to keep these special places, the paths and trails between — so we'll all get to enjoy them and the treasures they hide.

Please consider supporting this proposal for a mid island 'Coastal Communities' Biosphere Reserve.

And if you get a chance send us a picture of yourself, out there— having fun!





Courtney Campbell

From: annandandy@telus.net <t2462132@telus.net>
Sent: August-16-11 2:19 PM
To: Courtney Campbell
Subject: Re: Thetis Island current Land Use Bylaw and Official Community Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Hi, Courtney, Thanks for the info. Looking at the present bylaws I see nothing to indicate that a guest cottage may be used as a permanent residence. As far as the proposed bylaws are concerned, I'm still of the opinion that the R2 zone is best for renting guest cottages. They have space and actually want them. If the trustees decide that R1 needs this too, then 5 acres is certainly better than four. Thanks, Andy.

On 2011-08-16, at 10:54 AM, Courtney Campbell wrote:

Hi Andy,

Further to our conversation after the public hearing on Saturday, this is how you locate the current OCP and LUB on the Islands Trust website:

From the Thetis webpage: <http://www.islandstrust.bc.ca/ltc/th/default.cfm>

On the right-hand –side of the page select “planning bylaws: <http://www.islandstrust.bc.ca/ltc/th/bylaws.cfm>

On this page there is a list of bylaws, including both the current bylaws and the proposed bylaws. The very first one on the list is the current OCP, followed by the proposed OCP. Then there is the current LUB followed by the proposed LUB.

Please let me know if you have any other questions.

Courtney Campbell, MCIP
Island Planner
Islands Trust
Gabriola Island Office
700 North Road
Gabriola Island, BC V0R 1X3

Tel: 250-247-2209
Toll Free: 1-800-663-7867

Andy
t2462132@telus.net

**RECEIVED AFTER
PUBLIC HEARING**

From: Wallace, Bonita FLNR:EX [mailto:Bonita.Wallace@gov.bc.ca]
Sent: August-23-11 4:38 PM
To: Courtney Campbell
Subject: RE: Referral of revision to Thetis Island Proposed Bylaws 88 and 89

Courtenay: My apologies' for not responding earlier. The change to Public Utilities would not be an issue for us as the current use is compatible with the proposed change.

Bonita Wallace
Land Technical Officer

Ministry of Forests, Lands and Natural Resource Operations
Crown Land Resources
West Coast Region

2080 Labieux Rd
Nanaimo BC V9T 6J9
Phone: (250) 751-7266
Fax: (250) 751-7224

From: Courtney Campbell [mailto:ccampbell@islandstrust.bc.ca]
Sent: Thursday, July 28, 2011 9:27 AM
To: Wallace, Bonita FLNR:EX
Cc: Hill, Jacquie ISLT:IN
Subject: Referral of revision to Thetis Island Proposed Bylaws 88 and 89

Hi Bonita,

Thank you for your May 5, 2011 response to our referral of the Thetis Island Proposed Bylaws 88 and 89, the new Official Community Plan and Land Use Bylaw. Since that referral, there has been one additional change that would affect Crown Land that we would like to ask you to comment on.

Lot 11, District Lot 11 and 12, Thetis Island, Cowichan District, Plan 15927 is owned by the Provincial Crown, and leased to the Thetis Island Resident and Ratepayers Association for community recycling and garbage collection. It is currently zoned Rural, which is a residential zone, and the Local Trust Committee proposes to change the zoning to Public Utilities to reflect its use.

Specifically, the land use designation would change from Rural (R-2) to Community Services (S) and the zoning would change from Rural (R-2) to Public Utilities (S-2).

Would you please provide any comments to me at your earliest convenience? The public hearing for these proposed bylaw is scheduled for Saturday, August 13, 2011.

Thank you,

Courtney Campbell, MCIP
Island Planner
Islands Trust
Gabriola Island Office
700 North Road
Gabriola Island, BC V0R 1X3
Tel: 250-247-2209
Toll Free: 1-800-663-7867

Courtney Campbell

From: Peter Luckham
Sent: August-17-11 10:12 PM
To: Wilf Scheuer; Courtney Campbell
Subject: Re: FW: TODAY'S OCP PUBLIC MEETING

Wilf we are not allowed to receive submissions post public hearing I am forwarding this to our Planner Courtney Campbell unread, she can bring it to our attention if it is not in violation of our legislative responsibility. Please also give your submission to her for the same reason.

Peter Luckham, Trustee
Islands Trust
250-246-4802
Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment

On 8/17/2011 5:03 PM, Wilf Scheuer wrote:
Hello Peter

Here is a written submission re the last meeting, I will bring a typed one to hand in on Friday if I can get my printer to work! Not sure if you will be taking oral submissions on Friday.

Thanks

Wilf Scheuer

On 2011-08-16, at 9:24 PM, Wilf Scheuer wrote:

Hello

My impressions from the meeting are:

- 1) A lot of the presentations were from people with personal issues - like I do not want to see anyone from my deck, I do not want to see my neighbours, I do not want anyone affecting my view, my neighbour cut down some trees, I do not want to wait for the ferry and therefore there should be less people allowed to live on Thetis, let's adopt negative growth ----- who is leaving first??? (I respect people who lead by example) -- no new people on Thetis, no new buildings or initiatives turn the clock back to the old way, etc, etc, etc. My understanding is that the Islands Trust mandate is to protect the Gulf Islands for all the people of BC to enjoy. Not sure if they changed the mandate to only include the people who are lucky enough to be here already. Also the ferry service is operated for the general public and not just for people who live on the island, we are lucky as we only pay a fraction of the operating costs on the ferry due to a large public subsidy, so why not appreciate what we have compared to all the other islands and quit whining-- Thetis has by far the best ferry service.

- 2) I did not hear R2 owners complaining about short term vacation rentals just some R1 owners. I would hope that the Trust does not change the plan due to a very small number of presentations at this meeting – especially in light of all the work that went into it over the last 2.5 years and the overwhelming support for STVR in R2.
- 3) This whole system is flawed. For example if you own a condo in BC, all issues are voted on, if you cannot make a meeting you can assign a proxy to someone else to vote on your behalf. Major issues need a 75% yes vote and there has to be a quorum. Other issues need a 50% vote. Yes a vote imagine that. How come we do not get to vote this way on the Gulf Islands, instead we have to try and get the attention of a very small group of trustees who have to try and make sense of all the noise that they hear. The people who make the most noise are the minority! We need an actual vote with a proxy system just like the provincial legislation governing condos.
- 4) Encourage your friends and neighbours to make their voice heard by the trust- it is not too late.
- 5) One last note: true tranquility is a condo in Oak Bay!!!!, no chain saws, no trucks, no camps, no cows or sheep, very little traffic, it is pretty quiet on this island for a rural area and not sure how more tranquil it can get.

Wilf Scheuer

**RECEIVED AFTER
PUBLIC HEARING**

Courtney Campbell

From: Beverly Vreeswijk <beverlyvreeswijk@gmail.com>
Sent: August-15-11 1:17 PM
To: Courtney Campbell
Subject: Thetis Island hearing



Follow Up Flag: Follow up
Flag Status: Flagged

Hi Courtney,

Thank you for your input at the hearing on Thetis this past Saturday. I'm the one who was maddently inarticulate in my attempt to express my concerns about the trust being true to its mandate to protect this place.

I'm going to quote from an article on the Gulf Islands Alliance website which has just come to my attention (*Put place before people, governance consultant says: Thoughts on the Islands Trust Governance Task Force, by Graham Brazier, Denman Island*)

The Islands Trust Governance Task Force requested an independent consultant examine its structure with a view to improving how it governs. It's evident that the Task Force and the consultant have fundamentally differing views of what the Islands Trust is, and what it ought to be.

The Task Force is made up of Trustees, all steeped in the 'culture' which views the Trust as a 'local government' and views us, the residents and landowners of the Trust Area, as the folks they 'represent'. Trustees see their role as that of balancing the interests of their residents and landowners (those who elect them) against the interests of the environment. The best of them view themselves as 'councillors with a mandated conscience'.

Nevertheless, as time has passed, the *interests of the electorate have continued to encroach on the interests of the environment*. And, of course, there's no reason to expect that to change in the future. Some islands will move slower than others, *but all are likely to continue to expand human-based interests at the expense of other interests, much like other jurisdictions where local governments are responsible for land-use*.

The Consultant, who suggests that he may also speak for the Province, sees the Trust quite differently. He sees it as *an organization established to protect a 'place'*. **That is its only function.** Throughout the report the phrase 'places' before 'people' appears again and again and again. In his view, *the Trust was not intended to be a local government, it was not intended to represent the interests of its residents. On the contrary, it was intended to protect the 'place' for the 'people of British Columbia' largely from Trust area residents and landowners*.

It is my impression that this view is closer to the original motivation for the formation of the Trust. This view identifies the 'place' as worthy of protection and sees 'people', particularly residents and landowners, as the main threat to that 'place'. *It was, and continues to be, residents and landowners that seek to intrude, to subdivide, to log, to pave*. We, the residents, have great difficulty seeing ourselves as 'the enemy', but it is evident that from the inception of the Trust, we have managed to wrest power away from the appointed Trustees back to the local electorate and have presided over the all the negative environmental impacts that have occurred since 1978 when that power shift took place.

These are the words of Graham Brazier of GIA, but they might just as well be mine. The fact that Graham is my brother, perhaps plays a role in his thinking being aligned with mine. I only wish I had read this before addressing the meeting on Saturday. Please submit this email as my presentation on the hearing regarding the bylaws.

Thank you.

Courtney Campbell

From: Sue French
Sent: August-14-11 9:42 PM
To: Courtney Campbell
Subject: FW: PERSONAL NOTE,OBSERVATIONS AND COMMENT.....



And again... Thank you,

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

From: frankel@island.net [frankel@island.net]
Sent: Sunday, August 14, 2011 8:36 PM
To: frankel@island.net; Sue French; Peter Luckham
Subject: RE: PERSONAL NOTE,OBSERVATIONS AND COMMENT.....

PS: I felt I (we) needed to express our honest and heartfelt opinions and concerns. While we realize and believe you are doing everything you are doing all you can to bring this process to productive and balanced fruition, like other residents and property owners we are quite concerned that a small contingent of people may, "hi-jack" the process and impose their "agendas" while omitting any balance, fairness or equitable alternatives.

Having said we do support all voices needing to be heard, within reason, before final decisions can be made You are not doubt getting an earfuls from a variety of individuals.

We thank you for your patience and willingness to hear our opinions.

Again, much appreciation,

Steve & Myla Frankel

-----Original Message-----

From: frankel@island.net [mailto:frankel@island.net]
Sent: August 14, 2011 16:01
To: 'Sue French'; 'pluckham@islandstrust.bc.ca'
Subject: PERSONAL NOTE,OBSERVATIONS AND COMMENT.....

RE: Thetis Island OCP Review Process.

Hello Sue and Peter,

Before I begin my "dissertation" to you two fine people, let me first extend my gratitude to you for your; commitment, hard work, as well as your efforts at attempting to bring a; balanced, fair, realistic and intelligent approach to our Island's OCP challenges.

I would like to share with you my personal observations and thoughts regarding the OCP review process and some of the verbal input you have been receiving at our public meetings. Some of the comments made by individuals appear to

represent extreme opinions from both sides of the; political, environmental and social "aisle". It is, and will be quite a challenge for both of you to attempt to balance the "middle" with the much needed rational outcomes.

One of the areas of concern (again, via personal observations) is that three or four individuals who do not represent a majority view seem to dominate our meetings. I have been told this happens because a number of individuals "feel intimidated" or, "do not want to be drawn into a debate". I guess there is very little anyone of us can do, if people choose, for whatever reason, not to be heard. Hopefully, groups with views that are counter to the speakers will have, at least communicated their opinions in written form to you.

I found it curious the comments of three to four speakers, who had much to say regarding the proposed OCP/LUB changes. Like any individuals, or groups, all have "agendas". Sometimes it is a personal agenda; sometimes it is a social one, a political or economic agenda. My (our) concerns, for the purposes stated in this letter, are of those who have strong personal agendas.

One of the speakers had taken issue with all, or most of the LUB changes, especially those related to STVR, as well as any buildings on R1 lots that are jointly owned. This same individual is privileged enough to have two separate lots, one with his main residence and a separate one that he rents long term. Granted, his situation is perfectly legal. He is fortunate enough to have the opportunity to be in the economic position he is in. Having said that, should he not attempt to take a "world view", and not deny others a small piece of Paradise?

Another speaker was troubled (and always is at our meetings) by any and all attempts to change our LUBs on Thetis. This person has a small farm, animals, and few trees around her home. Yet, this same person would like to prohibit any farming, any cottage industry, any and all changes that would support sustainability for our community and or young families. Again, is this a Personal Agenda?

A third speaker spoke against any development what so ever. He would like in fact to turn "the clock backwards". Maybe even no camps, no cottage industry, no more building. Much of the information, statistics and statements presented could be challenged for accuracy. As you well know, any group can "skew" data.

These individuals have their piece of Paradise, yet it appears they want to deny individuals a chance to attain their own small piece of happiness. Their agenda to prohibit any and all changes on Thetis will have a detrimental effect on young families, our economic, and social and yes even the long term health of our environment. The vast majority of residents and new comers support stewardship of our community.

As you well recall, the previous ACP sent out and received (survey) input, as well, we had numerous community meetings along with much additional community input. Opinions, suggestions, input were gathered. There needs to be recognition of at least some of our community's' wishes and needs. The last ACP even discussed infinitum, the "Tranquility" statement.

We are a small community that is not, and probably will never grow much beyond what we are, given the older folks leaving, and younger ones leaving to find employment. Our economic challenges will be getting much greater. What we have needs to be sustained; socially, economically and environmentally

You have a challenging task ahead of you. However, being the committed members of our community that you are, we feel you will do what is right, or the best you can with a balanced and fair approach. We will never reach total consensus here, large groups rarely do. Not everyone will be happy with the outcomes, not every vested interest group will get all they hoped for. Even compromise is a challenge, especially when there are emotional issues at play, and even worse when there are those darn personal agendas getting in the way.

Please feel free to share this correspondence if you choose to.

We wish you the very, very best in the challenges ahead with our OCP/LUB. If we can assist in any way, please do not hesitate to contact us.

Sincerely and with much appreciation,

Steve & Myla Frankel
Blue Heron Ridge
Lot 240A/240 Pilkey Point Road
Thetis Island, BC
VOR 2Y0



Ph# 250-246-2099

Courtney Campbell

From: Sue French
Sent: August-14-11 9:41 PM
To: Courtney Campbell
Subject: FW: PERSONAL NOTE,OBSERVATIONS AND COMMENT.....

Hi Courtney,

Please let Steve know we are not allowed to read or respond to anything more about Bylaws 88 and 89.
Thank you,

Sue French
Thetis Local Trust Area Trustee
Islands Trust
250-416-0373
www.islandstrust.bc.ca
Preserving Island Communities, Culture and Environment _____
From: frankel@island.net [frankel@island.net]
Sent: Sunday, August 14, 2011 4:01 PM
To: Sue French; Peter Luckham
Subject: PERSONAL NOTE,OBSERVATIONS AND COMMENT.....

RE: Thetis Island OCP Review Process.

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We wish you the very, very best in the challenges ahead with our OCP/LUB. If we can assist in any way, please do not hesitate to contact us.

Sincerely and with much appreciation,

Steve & Myla Frankel
Blue Heron Ridge
Lot 240A/240 Pilkey Point Road
Thetis Island, BC
V0R 2Y0

Ph# 250-246-2099

From: John Rowlandson [velovillage2012@gmail.com]
Sent: Monday, February 06, 2012 10:11 AM
To: Sue French; Peter Luckham
Subject: Support for Rural Cycling

Dear Sue and Peter,

As you may know, Island Pathways is pulling out all the stops to make Salt Spring bicycle-heaven-on-earth between June 21st and 23rd.

Velo Village shines a light on rural cycling: its benefits, challenges and requirements. Specifically, we're setting aside a day to focus on cycling as a Rural Mobility Solution.

The conference will bring together about 200 delegates from all over BC to build stronger links between rural and urban cycling networks. Registration opens at the end of February.

In advance of the event we're asking all British Columbia municipalities and regional districts to support this effort by passing the attached resolution. We've introduced this motion with our Local Trust Committee and Capital Regional District and will be bringing it to Trust Council in March. We're asking that you support this motion on Thetis.

I'm happy to chat, should you have comments or questions. Please forward a scanned signed copy of the resolution to: velovillage2012@gmail.com<<mailto:velovillage2012@gmail.com>>

Very best,

John Rowlandson

Velo Village <<http://www.velovillage.ca>> Team Lead Island Pathways, Salt Spring Island
250 653 4049<<tel:25020653204049>>

<http://www.velovillage.ca>

[<http://4.bp.blogspot.com/->

tRygXLw6IOo/Tqr70NFt7AI/AAAAAAAAAP0/gnTX1hRJ2kw/s400/VV_LOGO_72.png]

PROVINCIAL FUNDING FOR CYCLING INFRASTRUCTURE

WHEREAS the Union of British Columbia Municipalities has consistently endorsed resolutions calling for development, improvement and augmentation of cycling infrastructure, including but not limited to:

- frequent sweeping of bike lanes (2011-B19);
- increased width and refurbished road shoulders to accommodate cycling (2010-B16, 2007-B14, 2007-B99);
- a BC Cycling Development Program (2010-B17);
- revenue sharing for cycling infrastructure intersecting provincial highways (2009-B83);
- safer cycling conditions to encourage ridership (2008-B108);
- bicycle lane funding (2007-B100, 2006-B140); and
- infrastructure for non-greenhouse gas emitting transportation (2006-B110);

AND WHEREAS rural cycling infrastructure strengthens communities by:

- increasing the safety of cycling on rural roads;
- supporting the growth of cycle tourism;
- addressing local climate change challenges;
- providing transportation and recreation alternatives;
- establishing links with existing urban and regional cycling networks; and
- enabling small business access to new commercial corridors and markets;

THEREFORE BE IT RESOLVED that [My Local Government] urges the Province of British Columbia to invest in cycling infrastructure in rural communities, in order to accelerate the availability and broaden the range of cycling opportunities for commuter, recreational and competitive cyclists living in and visiting rural and urban areas.

Reference Documents:

Salish Sea Statements on Cycling & Rural Mobility

http://www.velovillage.ca/wp-content/uploads/SSSOCandRM_English.pdf

Salish Sea Statements on Cycling & Rural Mobility – Body of Knowledge

http://www.velovillage.ca/wp-content/uploads/SSSOCandR_BOK.pdf

Please forward a scanned copy of this resolution to: velovillage2012@gmail.com



Thetis Island

Sustainability Guide

Guide for Residential Construction

- including additions, renovations, and accessory buildings

Part A is for rezoning, development permit, and development variance permit applications.
Part B is for building permit applications.

What is the Sustainability Guide?

The Sustainability Guide lets you know how to make your residential construction project more environmentally friendly and reduce its impact on Thetis Island's natural ecosystems. It also includes information about financial incentives and other resources that can help you achieve these goals.

Why on Thetis Island?

Thetis Island is part of the Islands Trust, which has a mandate to preserve and protect the Islands Trust area's unique environment. Both the Islands Trust and the Cowichan Valley Regional District (CVRD) have signed the provincial government's Climate Action Charter, which requires communities to reduce greenhouse gas emissions. One way to do this is through adopting a more sustainable approach to land development and construction. Initiatives you take at the planning stages of your building project can dramatically reduce any negative impacts and help to create a truly sustainable community.

Who should use the Guide?

All current and prospective Thetis Island landowners who are preparing to build a new house, a cottage, or an accessory building, or planning to remodel, renovate or retrofit an existing dwelling. Someone planning driveway construction or re-routing will also benefit from this guide.



When should I use the Guide?

The Guide is primarily a guidance document. The earlier you consult it, the easier it will be to include its ideas in your project. Review the Guide with your architect, designer and contractor. Completing the Guide after the working drawings are finished may result in lost opportunities and additional costs if you decide to make last-minute changes.

How do I complete the Guide?

See the next page...

How do I submit the completed Guide?

Part A

If your project requires planning permission — rezoning, development permit, or a development variance permit — complete Part A and submit it as part of your application to the Islands Trust. A planner will be pleased to help you with your application and answer any questions you may have. Even if you don't have to complete part A, doing so could give you some good new ideas.

Part B

All residential construction projects, except for minor non-structural changes, require a building permit from the CVRD Building Inspection Office in Duncan. Complete and submit Part B with your building permit application.

How is the Guide scored?

There is no pass-fail scoring. Implementing the suggested measures is entirely up to you. If your dwelling is in a Development Permit Area (DPA) though, some measures may be required as part of the development permit.



Islands Trust

Islands Trust contact:
700 North Road
Gabriola Island BC V9L 1N8
Phone: 250.247.2063
Fax: 250.247.7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca



C·V·R·D

Cowichan Valley Regional District contact:
175 Ingram Street
Duncan BC V9L 1N8
Building Inspection (Gulf Islands)
Phone: 250.746.2620
Fax: 250.746.2621
www.cvrld.bc.ca



Islands Trust

Thetis Island

Sustainability Guide

Guide for Residential Construction

-including additions, renovations, and accessory buildings

Part A (for Islands Trust)

Legal Lot Description of Property

For official use only:

Application No. _____

Date _____

Development proposals consistent with the Thetis Island Official Community Bylaw No. 88 and the Thetis Island Land Use Bylaw No. 89 are supported.

Plan

Ecosystem approach to site planning: Know the land

(OCP Section 4 Natural and Heritage Resources Objectives and Policies, Section 6 Development Permits, and Schedule F - Sensitive Ecosystem Mapping)

1. Identify areas with environmental and archaeological values, including habitat for threatened or endangered species and First Nations sites, before planning access, site clearing and design.
2. Locate development — your driveway, septic system, house and outbuildings — away from areas with high environmental values such as shorelines, streams, rare plants, and wildlife trees. Place natural buffers between the development and sensitive features.
3. Cluster development in one area of the property to minimize site disturbance.
4. Consider granting a covenant or the Natural Area Protection Tax Exemption Program (NAPTEP) for your property to protect ecological values in perpetuity.

ECOLOGY TIPS

- Plan ahead: walk the land with your contractor and a local biologist to find environmental benefits and cost savings.
- Certain types of First Nations sites are protected under federal and provincial law and must not be disturbed. Avoid the accidental destruction of an ancient burial site and costly delays and fines by walking the land with an archaeologist before work begins.
- A small patch of skunk cabbage or bulrushes in an otherwise dry environment indicates a mini-wetland —an important habitat for amphibians and birds. Clustering buildings and planning short driveways helps the environment and saves money.
- Conservation covenants and the Natural Area Protection Tax Exemption Program (NAPTEP) are registered on title and protect the special aspects of the land that you wish to preserve. They can also give you significant tax benefits.

Tree Removal: Think twice before you cut

(OCP Schedule F - Sensitive Ecosystem Mapping)

5. Minimize tree cutting and soil disturbance. Our Island's trees and soils have ecological value and represent important carbon sinks, critical in addressing climate change. When land is cleared for development, its ability to hold on to carbon and keep it out of the atmosphere is lost.
6. Check for eagle or heron nests on your property. These are provincially protected and the Thetis Island Land Use Bylaw No. 56 requires a 100 metre undisturbed buffer around trees containing eagle, osprey or heron nests.
7. Retain and protect significant trees such as Garry oaks and older growth Douglas-fir and cedar.

TREE TIPS

- *Very few old growth cedar or fir remains on Thetis Island. The dominant coastal Douglas-fir ecosystems on Thetis are very rare in the rest of the province. The island's Garry oak meadows are a rare subset of these shrinking ecosystems. These trees have both heritage and ecological value.*
- *Standing dead trees provide important wildlife habitat; leave them standing unless they pose a hazard. Topping is better than felling.*
- *You can create views by limbing taller trees instead of removing them. If you feel trees on your property must be removed to open up a view, cut trees selectively to create a viewscape framed by trees. Consider planting and replacing trees.*
- *Consult an Islands Trust planner before removing trees and vegetation. Special restrictions apply to tree removal in Development Permit Areas.*



Photo credit: for.gov.bc.ca

Water Management: Fresh water is a precious resource

(OCP Section 3 Services Objectives and Policies, Section 4 Natural and Heritage Resources Objectives and Policies, Land Use Bylaw Section 2)

8. Is your property located within a community water system's well capture zone as defined in the OCP? If so, you need to ensure the drinking water supply is not contaminated by malfunctioning septic systems, phosphorus release from soil disturbance, runoff and erosion, and fuel and chemical spills. Design your project to minimize risks to water supplies.
9. Plan to protect trees and vegetation if your property has a stream or wetland.
10. Store rainwater on site by constructing a cistern, tank, pond or wetland.
11. Observe the way water flows over your property and design your landscaping and development in response.
12. For oceanfront property, no buildings other than a boathouse or pumphouse may be constructed within 7.6 metres of the natural boundary of the sea or within 30.5 metres of the natural boundary of any other watercourse or source of water supply. Depending on the location of a property, livestock grazing and solid waste disposal may also be prohibited in areas designated "Water Resources Areas" in the Official Community Plan.

WATER MANAGEMENT TIPS

- *Thetis Island typically has wet winters and dry summers. Good water management involves retaining the winter rains to recharge groundwater supplies and ponds. Forested slopes, fractured bedrock, and deep organic soils hold moisture. Bare rock and pavement do not. Ensure sufficient topsoil remains on the property and that soil is not left compacted after construction.*
- *Removing trees can result in increased runoff and stormwater damage to properties below. Landowners can be liable for damages caused to a neighbour's property. Plan stormwater retention ponds, drainage swales and wetlands to retain stormwater on site, and maintain existing drainage patterns.*



Photo credit: P. Luckham

Landscaping: Go native, avoid turf

13. Landscape with native, drought hardy vegetation rather than lawns and water demanding ornamentals. Plant more and often!
14. Minimize impervious surfaces and plan to use permeable paving rather than conventional asphalt or concrete.
15. Avoid the use of synthetic pesticides and fertilizers.
16. Plan to control invasive species such as Scotch broom, holly, English Ivy, Himalayan and evergreen blackberry that may be growing on your property.
17. Plan an organic fruit and vegetable garden.

ECOLOGICAL LANDSCAPING TIPS

- *Avoid non-native plants that spread into and alter our natural ecosystems. The highly invasive Scotch broom originated from three seeds brought from Scotland a century ago.*
- *If turf is to be installed, reduce area as much as possible. Instead of turf grass, consider using drought resistant grass as ground cover.*
- *Pesticides and chemical fertilizers decrease the biological diversity of the soil and are counter-productive to a healthy landscape. Many plant “pest” problems can be addressed by feeding the soil with organic material such as compost.*
- *Growing organic food (or buying local organic food) is one of the best ways to reduce carbon emissions, as well as increasing self-sufficiency.*



Photo credit: conservancy.bc.ca



Thetis Island

Sustainability Guide

Guide for Residential Construction

- including additions, renovations, and accessory buildings

Part B (for CVRD Building Permit)

Legal Lot Description of Property

For official use only:

Application No. _____

Date _____

Wherever possible, property owners should review and complete Part B early in the design process. Submit as part of the building permit application. The Guide does not include items required by the BC Building Code. References to methods and materials in this Guide do not imply their suitability in all circumstances. Discuss options with your designer and contractor.

Site Plan

1. Review Part A of this Guide. Take opportunities to reduce the number of trees to be cut and to otherwise minimize the ecological impact of your building through good site design.

ECOLOGICAL PLAN REVIEW TIPS (see Part A)

- Take time to get to know your land before selecting your house site. Protect existing drainage patterns, trees and understory by siting buildings and driveways to avoid sensitive areas and minimize disturbance.

Construction Site Management

2. Avoid outdoor burning of slash and wood debris through berming and/or chipping or trucking.
3. Have a construction waste recycling plan and a no-burn policy on site.
4. Protect trees and other natural features during construction.
5. Reduce erosion and sedimentation during construction.

House Design

6. Ensure your design is compact and resource-efficient to reduce the building's ecological footprint.
7. Use passive solar design principles for space heating and cooling and planned for natural daylighting and natural ventilation.
8. Set performance objectives for your house (e.g. annual consumption targets for water, electricity, firewood and/or propane, or a third party industry standard such as BuiltGreen Platinum or EnerGuide for Homes 85 rating).
9. Use Hot-2000 or similar software to optimize your design for energy performance.
10. Plan a net zero energy house that produces as much energy as it consumes annually.

SITE MANAGEMENT TIPS

- *Good management significantly reduces the amount of construction waste to be recycled or landfilled.*
- *Outdoor burning is strongly discouraged because of local air pollution and greenhouse gas emissions.*
- *Branches may be piled densely in alternating layers with other clean wood debris to form a long narrow mound or berm. The material will gradually decompose to form rich soil. Woody berms can be used to slow runoff from a sloping site and to create raised planting beds.*
- *If you've had to cut down large trees, consider milling them on site to use in your project. Wood unsuitable for construction can be cut, split and stored under cover for at least one year before using as firewood.*
- *Clearing ground cover to limit fire spread is recommended for areas close to residential units- this material can be mixed with other compostable materials and returned to the property.*

DESIGN TIPS

- *Good passive solar design is the key to an environmentally sustainable home. By taking the 'House as a System' approach and by setting energy and water consumption targets, you can create a healthy, comfortable and efficient sustainable home.*
- *Match south-facing window areas with interior mass (e.g. concrete or tile floors, masonry feature walls, plaster or thick drywall) to store passive solar gains and reduce temperature swings. Avoid large areas of non-south glazing and large skylights; they cause overheating and glare during the summer and lose heat during the winter.*
- *Use of Hot-2000 or equivalent modelling software at the preliminary design stage can result in major energy and cost savings. Re-running the program at the working drawing stage can help fine-tune your plans.*
- *A near net zero energy house is feasible using current technology. The Canada Mortgage and Housing Corporation found that in this climate it was theoretically possible to retrofit a 1969 bungalow to become a net zero energy home by adding insulation (R-50 ceiling, R-26 walls and R-10 slab), high-performance windows, high efficiency lighting and appliances, and a rooftop solar electric (PV) system.*

Building Materials

11. Use foundation options that will provide good thermal performance and water resistance, and efficient resource use.
12. Use resource efficient framing and wall options that optimise structural and thermal performance and reduce environmental impact.
13. Use more insulation, insulation with recycled content, and windows with a higher energy rating than required in this area by the BC Building Code.

Mechanical and Electrical Systems

14. Use heat pump technologies for space heating such as ground, water, or air source heat pumps, including air source ductless systems if justified by heat loads.
15. Install a central heat recovery ventilator system.
16. Install a high efficiency wood burning appliance, pellet stove, or efficient propane gas fireplace rather than a conventional fireplace.
17. Purchase EnergyStar appliances.

BUILDING MATERIALS TIPS

- *The building code is a minimum standard. Adding insulation reduces operating energy costs and increases comfort.*
- *Various techniques and materials may be used to reduce a home's ecological footprint, but determining the best solution is not always straightforward. Depending on the circumstances, a 'high-tech' wall system using fossil fuel derived products may, or may not, score better than a conventional well-insulated wall, or a wall system built of natural materials. Ask your designer which techniques are appropriate for your home. Materials must be compatible with the design and with other building systems, plus meet performance objectives.*
- *Foundation options include fabric forms, foundation drainage membranes, insulated concrete forms (ICF), and portland cement substitutes such as fly ash.*
- *Above grade, raised heel trusses, advanced framing techniques (e.g. 24" centres, elimination of non-bearing double headers), sustainably harvested FSC certified wood, structural insulated panels (SIPS), and insulated rammed earth walls may be appropriate choices, depending on the building design.*
- *Provide a continuous air barrier. Air leakage through cracks, e.g. around beams and trim, significantly reduces energy performance. A blower door test towards the end of construction will identify unintentional air leakage paths, and is required if the house is to be rated.*

MECHANICAL SYSTEMS TIPS

- *Heat pumps are excellent where heat loads are large, as in older houses and large new homes. If your house is compact and well-insulated, the space heating loads may be too small to justify a heat pump; electric baseboard heaters may be the best solution. Radiant floor distribution systems can circulate hot water from various sources boiler, heat pump, solar system — and provide even, dust-free silent heat. They do not necessarily save energy. Central heat recovery ventilation (HRV) systems control humidity and ensure good indoor air quality.*
- *Greywater or drain-water heat recovery systems can recover heat from the hot water used in showers, bathtubs, sinks, dishwashers, and clothes washers.*
- *Always burn dry wood that has been seasoned under cover for at least one year. A conventional open fireplace wastes energy and creates air pollution. Low emissions wood stoves and fireplaces not only produce less air pollution — they're more efficient, heating your house with less wood.*

Water Conservation

18. Consider harvesting rainwater from roofs and storing it in tanks, cisterns, and/or ponds.
19. Use dual flush toilets, low flow shower heads and faucet aerators.
20. Use greywater separation and treatment for irrigation or reuse.

Interior and Exterior Finishes

21. Use roofing materials suitable for rainwater harvesting for potable use.
22. Source local wood and stone where possible to reduce transportation energy.
23. Use low maintenance exterior cladding and trim to reduce the need for paint and stain.
24. Use environmentally friendly, water soluble low-VOC paints and finishes.
25. Use materials with recycled content.

Renewable Energy

26. Install a clothesline.
27. Install a solar water heating system.
28. Consider a photovoltaic system. Roof-mounted photovoltaic (PV) panels can provide enough electricity from the sun to run an energy efficient home or cottage during summer months. A single panel can pump water from a pond to a garden irrigation system, or power a computer and emergency lights.

WATER CONSERVATION TIPS

- Rainwater collected from the roof can be more than sufficient to meet annual household needs. 100 sq. m. of roof yields 86,000 litres, given 86 cm annual rainfall. Rainwater may be used for toilet flushing, laundry and garden irrigation. After treatment, rainwater may be used for all household needs, including drinking water. Install a metal, slate or clay tile roof if you plan to use rainwater for potable water and check with the Vancouver Island Health Authority (VIHA) for current regulations.
- Six litre toilets are required; dual flush toilets give the option of using only three litres per flush.
- Low flow shower heads vary in water consumption from about two litres per minute to six litres per minute. Read the fine print before you buy.
- Greywater from laundry, showers and baths can be filtered and treated for reuse to flush toilet, or water gardens. Commercial systems are approved for use in BC.
- A waterless composting toilet is permitted and is the ultimate water saving device, but a septic system must still be installed to handle wastewater, grease and food debris from kitchen sinks, and to meet regulatory requirements. A registered practitioner is required to design and install residential wastewater systems in BC.

FINISHING MATERIALS TIPS

- Local materials, such as stone, sustainably harvested wood, and locally sourced natural earth plasters, are nontoxic, have low embodied energy, and often are very attractive.
- Natural, non-toxic and low VOC paints and coatings are now widely available and labelled as such.
- Many products are available with recycled content, for example, roofing, interior doors, ceramic tiles, and carpets. Ask your building supplier.
- Natural linoleum, bamboo and cork are three of many greener alternatives to vinyl flooring.

RENEWABLE ENERGY TIPS

- The clothesline is one of the simplest solar technologies, and a good way to save energy.
- An unshaded south-facing roof and space for a solar preheat tank are the prerequisites for a solar hot water system. A solar water heater can supply up to 60% of your annual domestic hot water energy needs. Provincial and federal grants may be available to offset some of the initial costs.
- If your PV, or wind energy system is connected to BC Hydro, whenever the system generates excess electricity you can "run the meter backwards," to reduce your electricity bill. Contact BC Hydro, or a qualified installer for details on net metering.

Maintenance

29. Schedule annual cleaning for chimneys and regular inspection and servicing for mechanical equipment, including water treatment equipment.
30. Occasionally inspect the outside of your home during, or just after, heavy rain to check for any drainage problems such as blocked eaves troughs.
31. Purchase environmentally friendly cleaning products and use organic gardening methods.
32. Recycle all household recyclables and compost garden and kitchen waste.

Thank you

for completing the Thetis Island Sustainability Guide for Residential Construction.

Please let us know if this Guide was helpful to you, and how it can be improved.

HOME OPERATING TIPS

- *Careful use can typically reduce energy and water consumption in a home by 10% to 20%. Use programmable thermostats to set back the temperature at night and when the house is unoccupied. Remind family members about energy and water conservation, and “turn it off”. Smart meters are available to help people track energy consumption.*
- *An “operating manual” or binder with equipment and materials information, along with a photographic record of construction and list of trades used will be very helpful long after construction’s done.*
- *Schedule regular servicing activities, such as filter cleaning or replacement, and chimney and eaves trough cleaning, into*
- *the household calendar. Filters include air filters on furnaces and screens on air intakes, and filters on home water purification systems.*
- *Keep a schedule for infrequent tasks, such as exterior painting and septic tank pump outs. Postponing these tasks can lead to serious problems and major, expensive repairs.*
- *Baking soda and vinegar work just as well as commercial cleansers for many household cleaning jobs and are better for the environment.*
- *Dimmers and timers are a simple and inexpensive way to increase the lifespan of light bulbs and reduce energy use.*
- *Plan to drive less. Automobiles are a major source of local air and noise pollution on Thetis Island, and are the largest single contributor to Salt Spring’s greenhouse gas emissions. Reduced automobile dependence is an island objective*
- *Tackle one guideline at a time – each one is a step closer to a more sustainable development.*

RESOURCES

Home Labelling Programs

If you would like assurance that your house meets current greenbuilding standards, you can get your home certified by an independent third party.

Several home labelling systems are currently used in Canada, including Energy Star, LEED® Canada for homes, R-2000, and BuiltGreen™. These labels all use the same “Hot-2000” software for energy analysis. These are the available options in BC:

R-2000 CHBA-BC

www.chbabc.org/
1-800-933-6777

BuiltGreen™ BC CHBA-BC

www.chbabc.org/
1-800-231-1336

LEED® Canada for Homes

www.cagbc.org
866-941-1184

Home Retrofit Labelling Programs

EcoEnergy for houses CityGreen

www.citygreen.ca
1-866-381-9995

Grants

Some federal, provincial and CVRD grants are available for energy & water conservation. The following were current at time of publication, check for additional grants with CVRD and CityGreen.

BC Hydro Power Smart Rebates

See BC Hydro’s website for current incentives and discount coupons.
www.bchydro.com/powersmart

Solar BC

\$1,000 point-of-sale discount (plus a further \$625 EcoEnergy/Live SmartBC rebate) towards a solar hot water system.
www.solarbc.ca
1-866-650-6527

EcoEnergy / Live Smart BC provide grants to homeowners and landlords upgrading existing homes for energy efficiency and some renewable energy and water conservation measures. A special CVRD rebate of \$75 is available to Salt Spring residents. All these are available on Salt Spring through CityGreen
www.citygreen.ca
1-866-381-9995

Information

Energy and buildings

CMHC www.cmhc-schl.gc.ca/en/

NRCan www.oee.nrcan.gc.ca

CityGreen

www.citygreen.ca
1-866-381-9995

Solplan Review is the independent Canadian journal of energy conservation, building science and construction practice for residential construction.
604-689-1841

BC Sustainable Energy Association

www.bcsea.org

Lighthouse Sustainable Building Centre

www.sustainablebuildingcentre.com

Water

Vancouver Island Health Authority

Jurisdiction over water quality
<http://www.viha.ca/mho/water/>

Islands Trust Fund

Rainwater Harvesting on the Gulf Islands, a series of publications, including project schematics and links.
www.islandtrustfund.bc.ca

Rainwater Connection

www.rainwaterconnection.com

Water Tiger

www.watertiger.net

Land Development

BC Ministry of Environment

Develop with Care March 2006 online manual
www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html

Conservation Covenants

TLC-The Land Conservancy of BC

www.conservancy.bc.ca

Local Resources

The following organizations have information and programs to assist residents in reducing our ecological footprints:

Island Natural Growers

information on organic farming & gardening
www.cog.ca/ing/index.htm

Thetis Island Community Association

www.thetisland.net

The Thetis Island Sustainability Guidelines

is downloadable at:
www.islandtrust.bc.ca



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 9, 2012

File Number TH/09-1

To Thetis Island Local Trust Committee

From Courtney Simpson
Island Planner
Northern Office

Re **Work Program and Priorities**

The start of a new term is an opportunity for the Local Trust Committee (LTC) to change or confirm their work program. The current work program was amended at the last regular meeting on September 7, 2011, after the Official Community Plan and Land Use Bylaw review project was completed, and was removed from the Top Priorities List. However, with a new term and a new Chair of the LTC, staff requests the LTC to confirm the priorities before staff invests a significant amount of work into them. The purpose of this memorandum is to provide the LTC with more information about the items currently on the work program.

TOP PRIORITIES LIST:

As shown in the table below, the first priority is a major OCP/LUB project estimated to span the entire three years of the term. The second and third priority projects could be completed during quiet times for the top priority project. Staff advises that this balance of one major bylaw review project and two other smaller projects is a realistic workload to complete all three top priorities in the current term (2011-2014). If the LTC wishes to amend the Top Priorities List, workload balance should be kept in mind. Further, the Thetis LTC work program will need to be balanced with the resource demands required at the Northern Office regional level.

Table 1: Thetis Island Local Trust Committee Top Priorities List

Description	Activity	Staff Comments
Ruxton Island OCP/LUB Review	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982	Detailed scoping and budgeting should begin immediately. Estimated to span all three years of term, bylaws to be adopted before end of term. LTC should consider adding other association islands such as Reid to the review and same bylaw. <i>The LTC requested a \$5,000 budget for 2012/13.</i>
Shoreline Development Permit Area	Community outreach and engagement on draft DPA	Target timeline of one year, detailed work plan needed. Staff recommends this project is not started until after the top priority project is scoped.
Riparian Areas Regulation Implementation	Amend OCP to comply with RAR for the one watershed identified as applicable to RAR, using stream mapping by Mimulus.	Project is in question as a recent report by landowner indicated no fish presence. See separate staff report.

PROJECTS LIST:

The purpose of the projects list is to keep a record of topics raised for future work by the LTC. Before any work beyond basic scoping or preliminary discussion with other agencies begins, the item should be moved to the Top Priorities list to ensure that staff resources are not being taken away from other top priorities.

Table 2: Thetis Island Local Trust Committee Projects List

Description	Activity	Staff Comments
Protocol Agreement or MoU with Penelakut First Nation	Continue work on a protocol agreement based on the draft with the Hul'qumi'num Treaty Group that was started with former Chief Lisa Shaver.	The current Chief and Council have not expressed interest in continuing with this work. The protocol agreement would be jointly with the Salt Spring Island and Galiano LTC's.
Pamphlet on building permits for Thetis and associated islands	Invite Penelakut First Nation to collaborate, prepare pamphlets in cooperation with the CVRD and Penelakut if they are interested using the pamphlet for Valdes Island as a model.	This project could be part of a larger project with Islands Trust and CVRD bylaw enforcement to increase compliance with building permits, as discussed at the November, 2011 meeting with the CVRD.
Revise protocol agreement with Lyackson First Nation	As of August, 2010, draft with Lyackson for review by their community.	Significant work has already gone into revising the draft protocol agreement, which is acceptable to Islands Trust staff for adoption. Lyackson has had the document since August, 2010, needing to spend more time reviewing it. Islands Trust staff continues to ask for updates from Lyackson staff every few months.
Development Approval Information Bylaw (DAI)	Create a DAI	Staff would like to include the development of this bylaw within the project for the Shoreline DPA, as the DPA will not be as effective without a DAI.
Short-term vacation rentals of principle dwellings in the R-2 zone	Consider extending the permitted use of guest cottages as STVRs in the R-2 zone to principle dwellings.	This item came from the recent OCP/LUB review.
Sustainability Guidelines for Thetis Island	Discuss collaboration with Cowichan Valley Regional District Building Department, finalize draft, and make a plan for distribution.	The draft can be finalized as part of the FUAL, and further work to collaborate with the CVRD could be undertaken as part of the next annual meeting with the CVRD, without moving this item to the Top Priorities List.
Ratification of protocol agreement with the CVRD	November, 2011 meeting with the CVRD set direction for work on revising a draft protocol agreement.	This work is with the Regional Planning Manager and can be completed without moving the item to the Top Priorities List.

Pc Chris Jackson, Regional Planning Manager



Islands Trust

Print Date: Jan-30-2012

Top Priorities

Thetis Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Ruxton Island OCP and LUB Review	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982	Sep-07-2011	Courtney Simpson	Nov-15-2014	On Going
1	Shoreline Development Permit Area	Community outreach, education and engagement on draft DPA.	Sep-07-2011	Courtney Simpson	Nov-15-2014	On Going
1	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



Islands Trust

Print Date: Jan-30-2012

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
2	Pamphlet on building permits for mail-out	Invite Penelakut First Nation to collaborate, prepare pamphlets for Thetis and associated islands in cooperation with the CVRD and Penelakut if they are interested using the pamphlet for Valdes Island as a model.	Jul-28-2010	On Going
4	Revise Protocol Agreement with Lyackson First Nation	As of August, 2010 draft with Lyackson for review by their community.	Feb-06-2009	On Going
5	Development Approval Information Bylaw		May-25-2011	On Going
6	Short-term vacation rentals of principle dwellings in the R-2 zone	Consider extending the permitted use of guest cottages as STVRs in the R-2 zone to principle dwellings.	Sep-07-2011	On Going
7	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
8	Ratification of protocol agreement with 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



Islands Trust

Print Date: Jan-30-2012

Applications w/ Status - Thetis Island Status: Open

Applications

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: Dec-22-2011

Waiting for post-impact archaeological assessment from applicant

Status Date: Nov-21-2011

File transferred from Planner Bird to Planner Simpson

Status Date: Oct-04-2011

Archaeology Branch recommended not to issue permit until a post-impact assessment be conducted

Subdivision

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

Planning Status

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

Status Date:

On-going

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: 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.

Status Date: Apr-19-2011

Referral Response sent to MOTI and applicant

Status Date: Mar-24-2010

Planner Reviewing File

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2010.2	G.W. Lindberg Land Surveying Inc. Planner: Marnie Eggen	Dec-20-2010	Create 2 parcels
Planning Status			

Status Date: Dec-05-2011

LTC approved frontage waiver

Status Date: Sep-30-2011

Staff site visit

Status Date: Sep-26-2011

PLA received

From: Nancy Rogers
Sent: December-22-11 2:47 PM
To: Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Becky McErlean
Subject: Thetis expense report - December/11

Hello Trustees,

This is a summary only for the Agenda Package. Please be advised that the details of expenditures to date will be sent to you by email in January/12.

		Budget	Spent	Balance
Invoices posted to DEC 21, 2011				
670 Thetis	65000 Trustee Expense	1,000.00	33.50	966.50
670 Thetis	65200 LTC Meetings	3,000.00	1,547.33	1,452.67
	65210 APC Meetings		422.92	(422.92)
	65220 Communications			-
	65230 Special Projects			-
	65240 Miscellaneous			-
	TOTAL LTC Local Expense	3,000.00	1,970.25	1,029.75
670 Thetis	72300 OCP/LUB Expense	8,000.00	7,876.19	123.81

Thanks!

Nancy Rogers
 Finance Officer

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5154
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.

From: Nancy Rogers
Sent: January-25-12 7:41 AM
To: Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Becky McErlean
Cc: Cindy Shelest; Craig Elder
Subject: Thetis expense report - Jan/12

		Budget	Spent	Balance
Invoices posted to JAN 23, 2012				
670 Thetis	65000 Trustee Expense	1,000.00	116.10	883.90
670 Thetis	65200 LTC Meetings	3,000.00	1,547.33	1,452.67
	65210 APC Meetings		422.92	(422.92)
	65220 Communications			-
	65230 Special Projects			-
	65240 Miscellaneous			-
	TOTAL LTC Local Expense	3,000.00	1,970.25	1,029.75
670 Thetis	72300 OCP/LUB Expense	8,000.00	7,876.19	123.81

Thanks!

Nancy Rogers
 Finance Officer

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5154
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.



Islands Trust

THETIS ISLAND LOCAL TRUST COMMITTEE

Visit Our Website:

www.islandstrust.bc.ca

Contact us:

northinfo@islandstrust.bc.ca

PROPOSED BUSINESS MEETING SCHEDULE – 2012

WEDNESDAY, FEBRUARY 8, 2012
WEDNESDAY, APRIL 18, 2012
WEDNESDAY, MAY 23, 2012
WEDNESDAY, AUGUST 1, 2012
WEDNESDAY, OCTOBER 3, 2012
WEDNESDAY, NOVEMBER 21, 2012

THESE ARE REGULAR BUSINESS MEETINGS OF THE LOCAL TRUST COMMITTEE, WHERE ITEMS SUCH AS CORRESPONDENCE, APPLICATIONS AND BYLAWS WILL BE CONSIDERED.

ALL MEETINGS ARE OPEN TO THE PUBLIC



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 November 30, 2011

To Thetis Island Local Trust Committee

From Courtney Simpson
Island Planner
Northern Office

Re Advisory Planning Commission Vacancies

File Number TH/02

Five of the seven Advisory Planning Commission (APC) members' terms expired on November 19, 2011. According to Thetis Island Local Trust Committee Bylaw 62, the APC Bylaw, the APC may consist of between five and seven members, two of which are appointed for a two-year term and the rest appointed for a one-year term. The current members and those whose terms recently expired are:

Term to November 19, 2012:

- Laurel March
- Noah Bond

Members whose terms expired on November 19, 2011:

- Mary Forbes
- Patrick Mooney
- David Steen
- Anne Marie Koeppen
- Wilf Scheuer

The LTC can reappoint some or all of the five members whose terms expired if they are willing to continue on the APC, or the LTC can seek new members. New members could be sought through trustees asking members of the community personally, through advertisement in the Quarterly and/or on E-Spokes, or through some other means.

Trustees or staff could first contact the APC members whose terms recently expired to see if they are interested in serving another term, and direct staff to advertise for new members if necessary. The LTC should appoint new members through resolution, and two of the new appointments should be for a two-year term.



Islands Trust

BYLAW REFERRAL FORM

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

Island: Galiano Island Trust Area Bylaw No.: 233 Date: December 20, 2011

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 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 at a date yet to be determined.

APPLICANTS NAME / ADDRESS:

Galiano Land and Community Housing Trust, #6-33 Manzanita Road, Galiano Island BC, V0N 1P0

PURPOSE OF BYLAW:

Proposed bylaw No. 233 is a mapping amendment to re-designate a portion of the subject property from Rural Residential (RR) to Community Housing (CH) in the Galiano Island Official Community Plan.

GENERAL LOCATION:

409 Porlier Pass Road, Galiano Island BC

LEGAL DESCRIPTION:

Lot 1, District Lot 3, Cowichan District, Galiano Island, Plan 29196

SIZE OF PROPERTY AFFECTED:

Total property size is 4.04 hectares. The subject area is approximately 1 hectare.

ALR STATUS:

Majority (3 hectares) of property in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Residential (RR) and Agricultural (AG)

OTHER INFORMATION:

Applicants have applied for an ALR exclusion

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: Kaitlin Kazmierowski

Title: Island Planner

Phone: 250-405-5194

Email: kkazmierowski@islandstrust.bc.ca

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Ministry of Community, Sport and Cultural Development
Ministry of Transportation and Infrastructure
Agricultural Land Commission

Non-Agency Referrals

Galiano Advisory Planning Commission

Regional Agencies

Vancouver Island Health Authority
Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

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

First Nations

Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation

PLEASE TURN OVER →

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Galiano Island Local Trust Area

(Island)

233

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

**A BYLAW TO AMEND THE GALIANO ISLAND
OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995**

WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

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

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011."

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME this 12th day of December , 2011.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME this day of , 20.

READ A THIRD TIME this day of , 20.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20.

ADOPTED this day of , 20.

DEPUTY SECRETARY

CHAIR



Islands Trust

BYLAW REFERRAL FORM

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

Island: Galiano Island Trust Area **Bylaw No.:** 234 **Date:** December 20, 2011

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

APPLICANTS NAME / ADDRESS:

Galiano Land and Community Housing Trust, #6-33 Manzanita Road, Galiano Island BC, V0N 1P0

PURPOSE OF BYLAW:

Proposed bylaw 234 would permit the creation of a new zone for affordable housing (Community Housing 1- CH1 zone) in the Galiano Island Land Use Bylaw by rezoning the Rural Residential (RR) portion of a split-zoned lot to CH1.

GENERAL LOCATION:

409 Porlier Pass Road, Galiano Island BC

LEGAL DESCRIPTION:

Lot 1, District Lot 3, Cowichan District, Galiano Island, Plan 29196

SIZE OF PROPERTY AFFECTED:

Total property size is 4.04 hectares. The subject area is approximately 1 hectare.

ALR STATUS:

Majority (3 hectares) of property in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Residential (RR) and AG (ALR)

OTHER INFORMATION:

Applicants have applied for an ALR exclusion

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: Kaitlin Kazmierowski

Title: Island Planner

Phone: 250-405-5194

Email: kkmierowski@islandstrust.bc.ca

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Ministry of Community, Sport and Cultural Development
Ministry of Transportation and Infrastructure
Agricultural Land Commission

Non-Agency Referrals

Galiano Advisory Planning Commission

Regional Agencies

Vancouver Island Health Authority
Capital Regional District – Building Inspection

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Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation

PLEASE TURN OVER →

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Galiano Island Local Trust Area

(Island)

234

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By amending section 2.17 by adding the words “This setback does not apply to buildings and structures in the Community Housing 1 zone” immediately following the words “of the Agricultural (AG) zone.”.
 - b) By adding “Community Housing 1 (CH1)” in Section 4.1 after “Health and Wellness (HW)”.
 - c) By adding the following after Section 8.5:

“8.6 Community Housing 1 – CH1

Permitted Uses

8.6.1 In the Community Housing 1 zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

8.6.1.1 Dwellings for the provision of affordable housing.

8.6.1.2 Home occupations

Permitted Density

8.6.2 The density of development must not exceed 15 dwellings per hectare.

8.6.3 Maximum floor area of a residence must not exceed 93 square metres.

Permitted Height

8.6.4 No building or structure for a use permitted by this section may exceed 9 metres in height.

Minimum Setbacks

8.6.5 Buildings and structures must be sited at least 7.5 metres from all lot lines.

Minimum Lot Size

8.6.6 No lot having an area less than 10 hectares may be created by subdivision.

- d) Section 13.22 is amended by adding the words “or in an area zoned Community Housing 1” immediately following the words “on Schedule C”.

e) Map Schedule "B", is amended as follows:

(i) By changing the zoning of a portion of the lands legally described as Lot 1, District Lot 3, Plan 29196, Galiano Island, Cowichan District from the Rural Residential - (RR) zone to the Community Housing 1 (CH1) zone as shown on Plan No. 1 which is attached to and forms part of this bylaw.

(ii) By adding Community Housing 1 (CH1) to the map legend.

B. This bylaw may be cited for all purposes as the "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011".

READ A FIRST TIME THIS 12th DAY OF December 2011

PUBLIC HEARING HELD THIS DAY OF 20

READ A SECOND TIME THIS DAY OF 20

READ A THIRD TIME THIS DAY OF 20

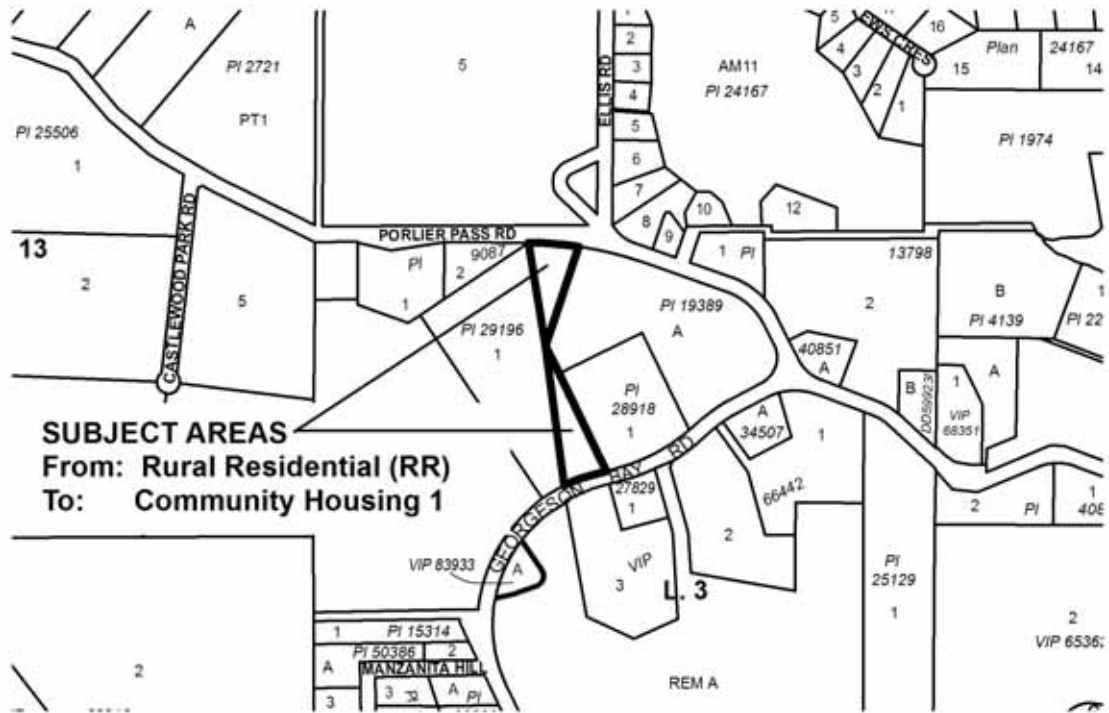
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF 20

ADOPTED THIS DAY OF 20

DEPUTY SECRETARY

CHAIRPERSON

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 234
PLAN NO. 1**



From: Ian Ralston [mailto:ipr@traxdev.com]
Sent: September-27-11 7:12 PM
To: Courtney Campbell
Cc: Thetis Island Local Trust Committee; Chris Jackson
Subject: Re: Letter to Meadow Valley Strata re Riparian Areas Regulation

Hi,

I have looked at a couple of quotes/proposals for the investigation, and based on what I received I selected Aquaparian to do the work, and have retained them to begin the process.

As far as I understand it at this point, the choice between #1 and #2 option awaits their report. They need to wait until the creek is in winter flow to complete investigation (similar to the Mimulus proposal), but as soon as I have a report I will copy it to you.

At that point I hope we can meet up or communicate to discuss the best way forward.

As before, I appreciate (and the strata members appreciate) the Local Trust Committee and your efforts to assist us in this situation.

--

Best regards,
Ian <mailto:ipr@traxdev.com>

Ian Ralston Eng.L.
TRAX Developments Ltd.
250-597-3155
Box 9-6
Thetis Island
BC
V0R2Y0

Tuesday, September 27, 2011, 2:06:49 PM, you wrote:



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

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

11.5.2

September 27, 2011

File Number: TH/04-1

VIA EMAIL TO: ipr@traxdev.com

Ian Ralston
Trax Developments Ltd
Box 9-6
Thetis Island, BC V0R 2Y0

Dear Ian Ralston:

Re: Riparian Areas Regulation Implementation for Ralston Watershed

I am writing to follow up on the July 22, 2011 meeting with you and several Meadow Valley Strata property owners. The Thetis Island Local Trust Committee is obliged, by provincial legislation, to amend their bylaws to implement the Riparian Areas Regulation (RAR) and we would like to know what your next steps are as we endeavour to work together on this issue.

At the July 22 meeting, we discussed two main options:

1. Pursuing an exemption from the RAR by Meadow Valley Properties hiring a biologist to determine if there is a lack of current or potential fish presence or habitat and if so, applying for this exemption from the province; or
2. Not pursuing exemption but designing development permit area guidelines where all current and planned activities that a biologist deems to not be harmful to fish or fish habitat are exempt from requiring a development permit, with any additional activities requiring one – a biologist would have to provide a RAR assessment of your plan for the property to determine what activities can be exempt from requiring a development permit.

We have since received a copy of a proposal from Mimulus Biological Consultants to you for a fish presence/absence assessment of Ralston Watershed. We would like to know if you have decided to hire these consultants to do this work, or if you require anything more from Islands Trust staff or from the Thetis Island Local Trust Committee. If you have decided to not pursue this option please let us know so that we can work with you to proceed with drafting a development permit area.

Sincerely,

Courtney Campbell
Island Planner
ccampbell@islandstrust.bc.ca
250. 247-2209

pc: Thetis Island Local Trust Committee
Chris Jackson, Regional Planning Manager



MEMORANDUM

Date: August 8, 2011

To: Community Housing Task Force of the Local Planning Committee of the Islands Trust

For: The meeting of August 10, 2011

From: Justine Starke, Island Planner, Local Planning Services

Re: **Housing Agreements on Salt Spring Island**

BACKGROUND

Housing agreements are authorized by section 905 of the Local Government Act. A local government, including an LTC, may enter into a housing agreement with the owner of land to set parameters regarding the occupancy of the housing units on the land. LTC authority to enter into housing agreements is derived from the authority in the Islands Trust Act to exercise the powers of a Regional District under Part 26 of the *Local Government Act*.

The terms of a housing agreement may include:

- Form of tenure
- Availability of units to classes of persons
- Administration and management of the housing units
- Rents, lease, sale or share prices, and the rates of change over time.

A housing agreement must be adopted by bylaw and may only be amended by bylaw adopted, with the consent of the owner. Notice of the agreement is filed at the land title office and the notice of agreement is registered on title to the land. The terms of the housing agreement are binding on all persons who acquire an interest in the land.

The term “classes of persons” is used in the legislation and is not further defined. Clearly, it can provide for situations such as seniors’ housing and for occupancy based on income. It is also used elsewhere to provide for employee housing, for example in resort communities. The terms of some housing agreements on Salt Spring specify conditions based on residency in the community.

HOUSING AGREEMENTS ON SALT SPRING ISLAND

The Salt Spring Island Local Trust Committee has entered into the following housing agreements on Salt Spring Island.

- 1) Gulf Islands Seniors Residence Association: A housing agreement to control the rent and occupancy of a seniors supportive housing complex at 377 Lower Ganges Rd (SSI Bylaw 388, 2000).

- 2) Meadow Brook: A housing agreement to control the rent and occupancy of 45 seniors suites and 5 caretaker dwelling units in a cluster of 5 residential style buildings at 121 Atkins Road (Bylaw 364, 2003).
- 3) Murakami Gardens: A housing agreement to control the rent and occupancy of 27 affordable housing units in a multifamily housing complex (Bylaw 424 and Bylaw 429, 2008).
- 4) Land Bank Society: A housing agreement to control the rent and occupancy of 10 affordable dwelling units at 584 Rainbow Road (Bylaw 441, 2010).

ADMINISTRATION

The earlier housing agreements (#1 and #2 above) did not include an implementation strategy for administration of the agreements. Provisions in these agreements put the onus of monitoring and enforcing the agreements on the Local Trust Committee. In accordance with traditional approaches to covenant monitoring, the agreements require that the operator provide the LTC with proof of compliance with the terms of agreement, upon request of the LTC. There are also provisions for statutory declarations (attached as schedules to the agreements) to be requested by the LTC, with five days' notice for submission. Such mechanisms were once typical but are now considered problematic for the responsibility they place on the LTC to monitor and enforce.

On Salt Spring, the Land Use Bylaw 355 defines affordable housing as a "deed restricted and/or a rent controlled *dwelling unit* that is secured by a housing agreement registered on title." It is therefore expected that all current and future affordable housing projects have housing agreements associated with them. However, if the LTC were to anticipate entering into a significant number of agreements, particularly with landowners who are not non-profit providers of housing, there would need to be more staff resources devoted to monitoring, tracking and managing the agreements. Administration could involve reviewing and signing off on annual statements of tenure, rent price, sale price or any other requirement that is included in the terms of the housing agreement. Depending on the terms of the agreement, the establishment and administration of an eligibility list can also be contemplated. The level of administration work obviously depends on the specifics of the agreement. At a minimum, there is at least some level of obligation to ensure the housing is available to the class of people listed in the agreement. While a housing agreement can be simplified, it is not possible to completely remove all of the LTC's obligations. Currently, Local Trust Committees do not have the capacity to administer housing agreements – nor do they have the authority to hold a housing agreement if the agreement requires provisions for the "first right of refusal." This is because under the Islands Trust Act, LTCs cannot hold property.

The more recent housing agreements (#3 and #4 above) have provision for administration by third parties (the Capital Regional District and BC Housing). In these examples, the LTC assigns the administrative activities of monitoring and enforcing to another body. The housing itself is owned and operated by non-profit societies who manage and administer the occupancy of the housing according to the housing agreements.

An individual LTC does not have the authority to create corporations (including societies) to administer its own housing agreements; however, the *Islands Trust Act* does permit an LTC to "enter into agreements with municipalities, regional districts, boards of school trustees, and francophone educational authorities" respecting the coordination of activities in the LTA. As there is no broad interpretation rule with respect to LTCs, there is no implied ability to enter into agreements with bodies other than those specified, and the power to enter into housing agreements does not imply the authority to enter into agreements for the administration and enforcement of such agreements.

In these two Salt Spring examples, partnership with the administering agencies was pursued by the applicants in the coordination of public funding for these non-profit housing developments, and while planning staff did help facilitate the process, the successful coordination of the agreements is due to the initiative taken by the applicants.

There have been communications with the Capital Regional District which have indicated agreement in principle to enter into formal agreements respecting the administration of housing agreements. The Capital Region Housing Corporation is a unique program created by the CRD to provide affordable housing in the Capital Region (<http://www.crd.bc.ca/housing/>). Because the CRD has this capacity, and because the SSI LTC is within the Capital Region, the SSI LTC can enter into agreements under this housing program, as according to the *Islands Trust Act*, agreements must be for “the coordination of activities in the local trust area.” The Salt Spring LTC has been in discussions with the Capital Regional District to establish basic principles and areas of responsibility for the administration of housing agreements. Discussions have contemplated payment of a fee to the CRD to recover costs associated with managing agreements. Partnerships tend to materialize on a case by case basis, according to the specifics of individual affordable housing proposals. The CRD staff has indicated that it is not practical for them to administer housing agreements on individual secondary suites or cottages – rather they agree in principle to partner on larger multi-family affordable housing projects as applicable.

COMMUNITY AFFORDABLE HOUSING STRATEGY

Affordable housing advocates on Salt Spring have over the years proposed that Salt Spring create its own housing council to help people coordinate the creation of affordable housing. It has been imagined that one role of such a council would be to administer housing agreements. The recently finalized Community Affordable Housing Strategy (CAHS) was directed by a steering committee with strategic membership:

- ° Christine Torgrimson (Steering Committee Chair), Island Trustee
- ° Henry Kamphof, Capital Region Housing Secretariat, Senior Manager
- ° Carol Biely, Salt Spring Island Foundation, Chair
- ° George Ehring, Island Trustee
- ° Garth Hendren, Capital Regional District, Salt Spring Director

CAHS forms the basis of a mandate for a Salt Spring Island housing council. It is expected that this council will be formed by the summer of 2011, under the guidance of the CAHS Steering Committee. It should be noted that Salt Spring trustees are aware of the dual role that membership on a housing council would imply. If the Council were to take on advocacy for individual affordable housing projects, it could become problematic for a trustee to be faced with a decision on an associated zoning proposal or other Islands Trust application.

The council will initially be a non-profit society with a part-time staff person to secure additional funding for programs and projects. Other key council roles could include “facilitating partnerships with community members and organizations to create housing, building capacity in the non-profit housing sector and providing education and awareness in the broader community. A housing council could also manage the funding and development of non-profit community housing and obtain ongoing funding for administration.” It is in this latter role that partnerships on the administration of housing agreements could be considered.

In summary, the approach to housing agreements on Salt Spring Island has evolved over the years. The administration of housing agreements is an on-going challenge to ensure the

viability of affordable housing applications. The Salt Spring Island Local Trust Committee has been working to address this locally, but the issue would benefit by consideration of a Trust Area wide strategy for the administration of housing agreements. A more in depth discussion of Trust Council's potential role in this can be reviewed in the *Affordable Housing Tool Kit* (prepared for the Islands Trust by JG Consulting Services, March 2010).

Respectfully submitted,

Justine Starke
Island Planner
Salt Spring Island
Islands Trust



Application Guide

Affordable and Special Needs Housing

Purpose of this Guide

This guide was developed to explain the Islands Trust role in regulating and approving affordable housing, to provide tips for making a complete and thorough application, and to identify other key agencies you may have to contact.

The Islands Trust is a unique form of government and not all land use and development approvals are under one roof. There is no simple “one process fits all” for affordable and special needs housing in the Islands Trust Area, and applicants for development proposal such as for affordable housing will likely have to coordinate with a number of other regulatory agencies.

Terms used in this Guide

Local Trust Committee (LTC): an independent local government within the Islands Trust Area. There are 12 LTCs that make up the federation of the Islands Trust. Each LTC is composed of two local trustees, and one appointed chair from the Islands Trust Executive Committee.

Island Municipality: An independent local government within the Islands Trust Area that has incorporated into a municipality. Bowen Island is the only Island Municipality within the Islands Trust, and is composed of two trustees, a mayor and other council members.



Murakami Gardens Groundbreaking Ceremony, Salt Spring Island

How is Affordable and Special Needs Housing Defined in the Islands Trust Area?

Affordable housing is commonly defined as adequate, suitable housing, typically costing less than 30% of household income. Special needs housing typically refers to housing intended for individuals who require specific housing designs (e.g. accessible) or who require services to enable them to live relatively independently or in a supportive environment.

Within Islands Trust each LTC can adopt its own definition for affordable or special needs housing. You should consult the official community plan and land use bylaw for your island early on to find out if and how they define affordable housing. Types of housing fall along an affordability continuum that may include:



Depending on the community's needs, some types of affordable housing may be more appropriate on some islands than others.

Before Making an Application:

- ✓ Know who your project is intended for.
- ✓ Contact organizations such as CMHC, BC Housing and the Real Estate Foundation for helpful resources including grant opportunities.
- ✓ Discuss your proposal with the following:
 - Islands Trust planner
 - Regional District building inspector (where applicable)
 - Health authority official
 - Ministry of Transportation and Infrastructure Subdivision
 - Approving officer (if subdivision required)
- ✓ Understand funders' requirements and timelines.
- ✓ Prepare a project management plan and budget.

Land Use

Responsible Agency: Islands Trust LTCs
Land use planning policies and regulations are established by each LTC through adoption of an official community plan (OCP) and land use bylaw (LUB). These are the key documents you should be familiar with before making an application, and will determine what approvals you need from the LTC. Planning staff can help you interpret these documents and determine the types of applications you will need to make.

OCP Amendment
The OCP establishes policies for land use in a local trust area. If your proposal is inconsistent with any OCP policies, you must apply for an amendment to the OCP. See the Islands Trust Bylaw Amendment Application Guide for more detail on the OCP amendment process before making an application.

LUB Amendment
The LUB establishes regulations for land use in a local trust area, including use, density, height and setbacks. You may discover that the permitted use and density do not accomodate affordable housing on your property, and you will have to make an application to amend the LUB, also called “rezoning”.

If you have not yet determined a location for your project, it will be helpful to review the policies in the OCP and the zoning in the LUB to target suitable locations on the island. Planning staff can assist with this step.

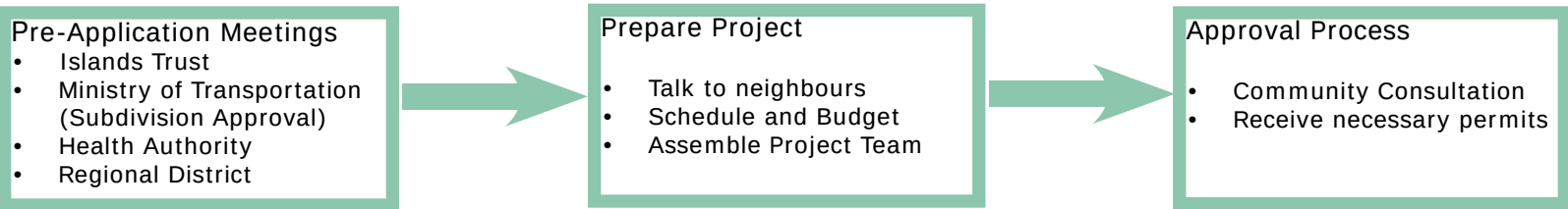
Review the Islands Trust Bylaw Amendment Application Guide for more detail on the process for LUB amendment before making an application.

Siting and Design
Responsible Agencies: Islands Trust LTCs and Regional Districts
If the project requires new construction or significant renovation, either a Building Permit or Siting and Use Permit will be required. In addition, a Development Permit and/or a Development Variance Permit may be required from the Islands Trust Local Trust Committee.

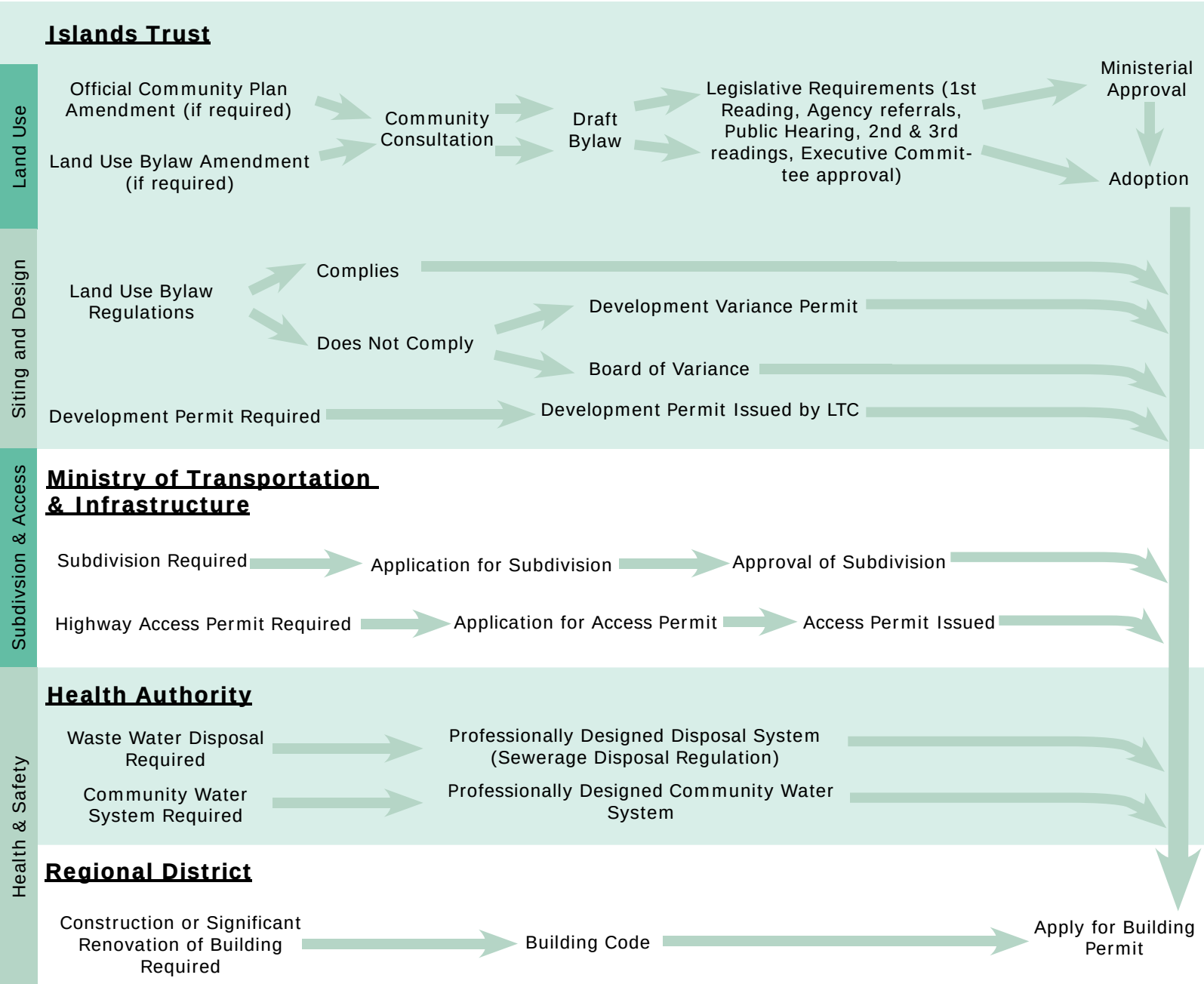
Building Permits & Siting and Use Permits
Building Permits are issued by the regional district building inspector unless your project will be located on Denman, Hornby or Lasqueti Islands. On Denman or Hornby Island, a Siting and Use Permit is required from Islands Trust. No permits are required on Lasqueti Island, but all construction must meet the requirements of the BC Building Code. All other large islands and some small islands have building bylaws in effect and require building permits. The setbacks, size, height, density, and use of structures and parking requirements must comply with the local land use bylaw regulations before a Building Permit or Siting and Use Permit can be issued.

Development Variance Permit
If the siting and design of the proposed project does not comply with the LUB regulations as noted above, the project must either be redesigned or a Development Variance Permit is required. Development Variance Permits are issued by the local trust committee. The Islands Trust Development Variance Permit Application Guide provides more detail on the approval process and should be reviewed before making an application.

Application Process



Steps in Approval Process



Housing Agreements
In some instances, the LTC may require that you enter into a housing agreement as a condition of a bylaw amendment for the affordable or special needs housing. A housing agreement is a document, registered on the Land Title, that establishes conditions for the use of a residence usually to ensure that it is only used for a specified purpose such as for affordable or special needs housing. Conditions could include the type of person who is eligible to live in the residence, the form of the tenure, the maximum rent or sale price, monitoring and reporting requirements, property management or any other requirement deemed necessary or important by the LTC or the proponent.

Under certain conditions, the regional district may partner with Islands Trust or local housing societies to hold housing agreements on affordable housing projects. You may want to talk to your local Regional Director and to Regional District staff to find out more information.

Development Permit
Many islands have development permit areas, which are established in an official community plan for protecting development from hazardous conditions, protecting the environment, or setting form and character guidelines.

Find out early on if the property you are planning your project on is within one or more development permit areas. You should review the guidelines of the development permit area and plan your project to conform to them. Reports or studies from qualified professionals may be required for some development permit applications, which is explained within the development permit guidelines. Guidelines may be found in either the OCP or the LUB.

Subdivision & Access
Responsible Agency: Ministry of Transportation and Infrastructure
If your project requires you to subdivide, move a lot line or requires access from a public road you will need to apply to the Ministry of Transportation and Infrastructure, except on Bowen Island, where the application may be made directly to the municipality. If you plan to lease part of a property for a term of greater than 3 years, you must also submit a subdivision application.

Subdivision approvals can take several months, so you should begin discussions early with the Approving Officer to determine what you will need to do to obtain subdivision approval. Your discussions with planning staff on land use and siting issues, with the regional district on building permit requirements and with the health authority on sewerage system requirements will help to streamline your subdivision application.

Health & Safety
Responsible Agencies: Regional Health Authority, Ministry of Transportation and Infrastructure, LTC
Sewerage System Approvals
The Islands Trust Area is not serviced by municipal sewerage systems, so waste must be dealt with on site or through a community sewer system. If the property will be serviced by a community sewer system, confirmation will be required from the operator that there is sufficient capacity to accommodate the proposed development. If on-site sewerage disposal is being proposed, different regulations may apply depending on the size of the proposed development, and you should contact the applicable regional Health Authority in order to find out what standards you must meet, or if there are any approvals you must obtain.

Other Considerations
Agricultural Land Commission
You should determine early on whether or not your property is within the Agricultural Land Reserve. If your property is within the Agricultural Land Reserve you may have to make a separate application, depending on the type of affordable housing proposal. An Islands Trust planner will be able to advise whether or not you should contact the Agricultural Land Commission staff for further information.

FAQs

How can a planner help me?

Islands Trust planners are available to meet with applicants prior to submitting an application, and during the application process. However, other organizations such as CMHC, BC Housing and the Real Estate Foundation may be better able to offer resources that are specific to developing affordable housing applications. For complex proposals such as for affordable and special needs housing rezoning applications, it will be helpful to have someone on your team experienced with local government approval processes.

How much are application fees?

Each local trust committee sets its own application fees which can be found in the “fees bylaw”. Islands Trust staff can direct you to this information.

Thank you

Providing affordable housing on the Gulf Islands relies on the efforts of community groups and volunteers. We cannot do it without you, and acknowledge the vision and dedication of those who do this work. Local Trust Committees must always balance multiple interests of communities when making a decision on applications including those for affordable housing, so cannot endorse an application from the start just because it is for affordable housing, but look forward to creating affordable housing options that are appropriate for each community.

Are there any discounts available for affordable housing applications?

Applications for affordable and special needs housing are subject to the same fees as any other land use application, except for on Salt Spring Island where there is a reduced fee for these projects.

You may also apply to the Islands Trust Executive Committee for sponsorship of your development application fees in part or in whole when an applicant is a non-profit agency or organization and is seeking to establish a facility for the benefit of the community at large and consistent with goals in the official community plan.

Is there a template for a housing agreement?

The Islands Trust does not have a template for housing agreements, as each agreement will be different. An Island Trust planner can provide you with information about previous applications for affordable housing, and can provide other housing agreements as examples.

Contacts:

	Islands Trust Office	Regional District Office	Ministry of Transporation and Infrastructure Office	Health Authority Office
Salt Spring	Salt Spring (250) 537-9144	Capital Regional District Salt Spring Island (250) 537-2711	Vancouver Island District Office (Nanaimo) (250) 751-3246	Vancouver Island Health Authority 1-877-370-8699
Galiano	Victoria (250) 405-5151	Capital Regional District Victoria (250) 360-3230	Saanich Area Office (250) 952-4515	
Mayne				
North Pender				
South Pender				
Saturna				
Denman	Gabriola (250) 247-2063	Comox Valley Regional District 1-800-331-6007	Courtenay Area Office (250) 334-6951	
Hornby		Regional District Nanaimo 1-877-607-4111	Vancouver Island District Office (Nanaimo) (250) 751-3246	
Gabriola				
Gambier		Sunshine Coast Regional District (604) 885-6800	Sechelt Office (250) 740-8987	Vancouver Coastal Health 1-866-844-0888
Lasqueti		Powell River Regional District (604) 483-3231	Vancouver Island District Office (Nanaimo) (250) 751-3246	Vancouver Island Health Authority 1-877-370-8699
Thetis		Cowichan Valley Regional District 1-800-665-3955		

Bowen Municipality: For information contact the Bowen Municipality Office at (604) 947-4255

The Islands Trust can be called toll free through Service BC at 1-800-663-7867



STAFF REPORT

Date: January 26, 2012 **File No.:** Bylaw 90, 2011

To: Thetis Island Local Trust Committee
Meeting February 8, 2012

From: Miles Drew, Bylaw Enforcement Coordinator

CC:

Re: **Appointment of Screening Officers**
Designation of Screening Officer Powers and Duties
Bylaw Violation Notice Cancellation Policy
Stipulation of the Form of Violation Notice

THE PROPOSAL:

This report will recommend to the Thetis Island Local Trust Committee that it:

1. appoint screening officers;
2. designate the powers and duties of specific screening officers by adopting the attached policy;
3. authorize the reasons for cancellation of a bylaw violation notice by adopting the attached policy; and
4. approve the form of violation notice to be used (attached).

STAFF COMMENTS

Section 7 of the Bylaw Enforcement Notification Bylaw requires that the Local Trust Committee (LTC) appoint screening officers. The powers and duties of screening officers are described in section 7 of the bylaw which is listed below. These powers and duties include release of information about bylaw violation notices (BVN) to various persons, negotiation of compliance agreements in return for reduced fine amounts, and cancellation of tickets. The LTC will give guidance to this process through the attached policy and thus ensure consistency.

The Bylaw permits the bylaw enforcement assistant, bylaw enforcement officers, the bylaw enforcement coordinator and regional planning managers to be appointed as screening officers. As very low numbers of BVNs will be issued there is no need at this time to appoint bylaw enforcement officers as screening officers.

The policy designates the bylaw enforcement assistant as a screening officer but limits the powers and duties to dissemination of information only. Permitting the bylaw

enforcement assistant to relay information about BVNs and the process will ensure that the public has immediate access to information. The bylaw enforcement coordinator is designated as a screening officer with full powers and duties. To avoid any perceived conflict of interest when BVNs are issued by the bylaw enforcement coordinator, the duties of screening officer will fall to the regional planning manager.

Negotiation of compliance agreements and cancellation of notices are reserved to senior staff to ensure that whatever agreement is made fully complies with the requirements of bylaws.

7.0 SCREENING OFFICERS

7.1 The position of screening officer is established.

7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

7.3 The powers duties and functions of screening officers are as set out in the *Act*, and include the following powers:

(1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the Bylaw Notice dispute adjudication system and the fee or fees payable in relation to the Bylaw Notice enforcement process;

(2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:

- (a) the person against whom a contravention is alleged or their representative;
- (b) the officer issuing the Notice;
- (c) the complainant or their representative;

(d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

(3) To prepare and enter into compliance agreements under the *Act* with persons who dispute Bylaw Notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;

(4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" and Schedule "B" as attached to this bylaw; and

(5) To cancel Bylaw Notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" and Schedule "B" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

Section 9 of the bylaw required that the LTC stipulate the form of the Bylaw Violation Notice. Attached is the version of the notice that Staff recommends be used. This version is very similar to those used by other jurisdictions. The form has been developed so that it may be used in all the Local Trust Areas which have adopted a Bylaw Enforcement Notification Bylaw.

RECOMMENDATION:

Staff recommends that the Thetis Island LTC make the following resolutions:

1. The Thetis Island Local Trust Committee appoints the Bylaw Enforcement Assistant, the Bylaw Enforcement Coordinator and the Regional Planning Manager as Screening Officers pursuant to Thetis Island Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 90, 2011;
2. The Thetis Island Local Trust Committee adopt the Bylaw Enforcement Notice Bylaw Screening Officers' Powers and Duties Policy attached to staff report dated January 26, 2012; and

3. The Thetis Island Local Trust Committee stipulates that the attached Bylaw Violation Notice is the form of violation notice to be used pursuant to the Bylaw Enforcement Notice Bylaw No. 90, 2011.

Prepared and Submitted by:

Miles Drew
Bylaw Enforcement Coordinator

January 26, 2012

Date



Thetis Island Local Trust Committee

Bylaw Enforcement Notice Bylaw Screening Officers' Powers and Duties Policy January 26, 2012

Appointment of Screening Officers

Pursuant to section 7.2 of the Thetis Local Trust Committee Bylaw Enforcement Notification Bylaw No. 90, 2011 the persons holding the following positions are appointed as screening officers:

- 1) Regional Planning Manager;
- 2) Bylaw Enforcement Coordinator; and
- 3) Bylaw Enforcement Assistant

Screening Officer Powers and Duties

The powers and duties of the screening officer are contained in section 7.3 of the bylaw. However, it is the direction of the Local Trust Committee that these powers and duties only are carried out in respect to each of the above positions as follows:

- 1) **Regional Planning Manager.** In respect to Bylaw Violation Notices issued by the Bylaw Enforcement Coordinator only the Regional Planning Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 90, 2011;
- 2) **Bylaw Enforcement Coordinator.** In respect to Bylaw Violation Notices issued by Bylaw Enforcement Officers only the Bylaw Enforcement Coordinator, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 90, 2011;
- 3) **Bylaw Enforcement Assistant.** In respect to Bylaw Violation Notices issued by the Bylaw Enforcement Coordinator and Bylaw Enforcement Officers the Bylaw Enforcement Assistant, acting as Screening Officer, may exercise only those powers and duties in Section 7.3(1) and 7.3(2) of Bylaw No. 90, 2011.

Authorized Reasons to Cancel Bylaw Violation Notices

The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist:

- 1) the Bylaw Violation Notice was issued to the wrong person;
- 2) an exception specified in the bylaw or related enactment exists;
- 3) a permit exists which authorises the alleged violation;
- 4) there is poor likelihood of success at adjudication for the Local Trust Committee. For example:
 - a) The evidence is inadequate to show a contravention;
 - b) The officer relied on incorrect information in issuing the Bylaw Violation Notice;
 - c) The Bylaw Violation Notice was not completed properly;
- 5) it is not in the public interest to proceed to adjudication for one of the following reasons:
 - a) The bylaw has changed since the Bylaw Violation Notice was issued, and now authorizes the contravention;
 - b) The offence occurred as a result of a circumstance that made it impossible for the person to reasonably comply with the bylaw.

DRAFT - FRONT



Islands Trust

No. _____

BYLAW VIOLATION NOTICE

THE ISSUING OFFICER SAYS YOU ARE IN BREACH OF A LOCAL TRUST AREA BYLAW AS FOLLOWS:

ISSUED TO:

NAME OF PERSON OR COMPANY		
ADDRESS		
LEGAL DESCRIPTION		
DATE	TIME	LOCATION ISSUED
YYYY MM DD	HH:MM AM/PM	
BYLAW NAME		
BYLAW NUMBER		SECTION
DESCRIPTION OF CONTRAVENTION		
ISSUING OFFICER NAME:		SIGNATURE

THE PENALTY FOR A CONTRAVENTION REFERRED TO ABOVE IS:

Discounted rate If paid within 14 days \$ _____

If paid within 15-28 days \$ _____

If paid after 28 days* \$ _____

*See reverse for additional information on late payments.

METHOD OF DELIVERY:

- ☐ In Person
☐ By Mail



Islands Trust

ADJUDICATION REQUEST

To dispute this Bylaw Violation Notice please complete the form below and deliver, mail, or fax to any Islands Trust office within 14 days of receipt of this notice. The request can also be made online at www.islandstrust.bc.ca. See the reverse side of this ticket for addresses and additional information.

Bylaw Notice #:	Date of Issue:
Name:	
Postal Address:	
City/Island:	Province: Postal Code:
Daytime Phone #	Email Address:
Signature:	

ALLEGED OFFENDER'S COPY

COMPLIANCE

- ▶ Failure to comply with the bylaw may result in additional penalties.
- ▶ To arrange a compliance agreement and to receive a discount on the penalty indicated on this notice, contact us.

PAYMENT INFORMATION

PAY BY MAIL OR IN PERSON BY CASH OR CHEQUE **PRESENT THIS NOTICE AT THE TIME OF PAYMENT**

- ▶ Please make your cheque or money order payable to Islands Trust.
- ▶ Do not send cash in the mail.
- ▶ Payment must be received within the noted time limits to receive the discounted amounts.
- ▶ A dishonoured cheque will not be considered payment of the penalty within the prescribed time. NSF fees will be applied.
- ▶ Failure to pay promptly will result in additional penalties being added.
- ▶ Overdue fines may be subject to collection process.

DISPUTE ADJUDICATION

- ▶ Adjudication requests must be filed within 14 days of violation notice receipt to be eligible for an adjudication hearing.
- ▶ Deliver, mail, or fax the request form on reverse to any Islands Trust office or complete a request form online at www.islandstrust.bc.ca.
- ▶ Unsuccessful adjudicated disputes will be charged an additional \$25 administration fee.

CONTACT US

Phone: 250-405-5175
Fax: 250-405-5155

Email: bylawenforcement@islandstrust.bc.ca
Web: www.islandstrust.bc.ca

ISLANDS TRUST OFFICES

Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

ISLANDS TRUST BRIEFING

Date: January 26, 2012

TOPIC: BYLAW ENFORCEMENT INVESTIGATIONS REPORT

DIRECTED TO: Thetis Island Local Trust Committee
Meeting of February 8, 2012

CONFIDENTIAL: No

DESCRIPTION OF ISSUE: A report to summarize 2012 bylaw enforcement investigations activity up to January 25, 2012.

BACKGROUND: This briefing is prepared for Thetis Island Local Trust Committee to highlight the current status of the bylaw enforcement program.

Resources: Bylaw enforcement staff consists of the Bylaw Enforcement Coordinator, one full time bylaw enforcement officer, one temporary part time bylaw enforcement officer and one part time clerical assistant serving the Islands Trust Area as a whole. Peter Phillips concentrates on the Northern Region, and Geoff Kinnear deals with the Southern Region and Salt Spring Island. Miles Drew is the Bylaw Enforcement Coordinator. The temporary bylaw enforcement officer position has been extended to March 31, 2012.

Reporting: The below tables show the current work loads assigned to each officer and shows the file type. There are currently no files which are subject to litigation.

Table of Active Files by Quarter for Thetis Island Local Trust Area

Assigned To	Nov 1 2011	Jan 26 2012			
Miles Drew	1	1			
Peter Phillips	11	11			
Total	12	12			

Table of Active Files by Violation Type

Officer	Density	Dev. Permit	Home Occupation	Land Use	Siting	Soil	STVR	Unenclosed Vehicle	Unlawful Dwelling	Totals
Peter Phillips		3		4	3				1	11
Miles Drew					1					1
Totals		3		4	4				1	2

Projects:

Bylaw Enforcement Notification and Adjudication System

The Thetis Island LTC adopted the BEN Bylaw in December of 2011. A separate report presented at today's meeting will recommend that the LTC take the final steps to bring the bylaw enforcement and adjudication system into effect.

PREPARED BY: Miles Drew, Bylaw
Enforcement Coordinator

SUBMITTED BY: Miles Drew, Bylaw
Enforcement Coordinator



Islands Trust

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

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Population:

Approximately 372

Size:

1,129 hectares (2,789 acres)

Location:

7 kilometres north of Chemainus on Vancouver Island.

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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.

December 2011

- The Thetis Island Local Trust Committee Adopted [Bylaw No. 88](#) (Official Community Plan) and [Bylaw No. 89](#) (Land Use Bylaw)

Thetis Island Local Trust Committee Projects

General

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

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

- [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](#)

Community Housing

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

Food Security

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

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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](#)

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