



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: April 23, 2019
Time: 9:30 am
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

	Pages
1. CALL TO ORDER 9:30 AM - 9:35 AM	
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA	
3. TOWN HALL 9:35 AM - 9:45 AM	
4. MINUTES 9:45 AM - 9:50 AM	
4.1 Local Trust Committee Minutes dated February 22, 2019 - for Adoption	4 - 13
4.2 Section 26 Resolutions-Without-Meeting Report dated April 16, 2019	14 - 14
4.3 Advisory Planning Commission Minutes - none	
5. BUSINESS ARISING FROM MINUTES 9:50 AM - 10:15 AM	
5.1 Follow-up Action List dated April 16, 2019	15 - 15
5.2 Bylaw No. 102 - for adoption	16 - 18
That Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2018", be adopted.	
5.3 Bylaw No. 107 - for adoption	19 - 31
That Thetis Island Local Trust Committee Bylaw No. 107, cited as "Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019", be adopted.	
5.4 First Nations Engagement - Staff Report	32 - 35
6. APPLICATIONS AND REFERRALS - none	

7.	LOCAL TRUST COMMITTEE PROJECTS	10:15 AM - 11:00 AM	
7.1	Ruxton Island Private Moorage Structures Project - Staff Report		36 - 51
8.	DELEGATIONS	11:00 AM - 11:10 AM	
8.1	Chris Fordham, Solar Project, "Green Power to the Grid"		
9.	CORRESPONDENCE		
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
10.	CLOSED MEETING	11:10 AM - 11:25 AM	
10.1	Motion to Close the Meeting		
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (d) and (i) for the purpose of considering Adoption of In-Camera Meeting Minutes dated February 22, 2019 and Legal Advice and that the recorder and staff attend the meeting.</i>		
10.2	Recall to Order		
10.3	Rise and Report		
11.	NEW BUSINESS	11:25 AM - 11:45 AM	
11.1	Islands Trust - 2019 Annual Report - Memorandum		52 - 52
12.	REPORTS	11:45 AM - 12:15 PM	
12.1	Trustee Reports		
12.2	Chair's Report		
12.3	Trust Conservancy Report dated March, 2019		53 - 54
12.4	Electoral Area Director's Report - none		
12.5	Applications Report dated April 16, 2019		55 - 57
12.6	Trustee and Local Expense Report dated February, 2019		58 - 58
12.7	Adopted Policies and Standing Resolutions		59 - 60
12.8	Local Trust Committee Webpage		
13.	WORK PROGRAM	12:15 PM - 12:45 PM	
13.1	Top Priorities Report dated April 16, 2019		61 - 61

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, June 11, 2019 at 9:30 am at (to be determined), Thetis Island, BC

15. ADJOURNMENT

12:45 PM - 12:45 PM



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: February 12, 2019
Location: Thetis Island Community Centre (Forbes Hall)
 North Cove Road, Thetis Island, BC

Members Present: Laura Patrick, Chair
 Doug Fenton, Local Trustee
 Peter Luckham, Local Trustee
Staff Present: Ann Kjerulf, Regional Planning Manager
 Miles Drew, Bylaw Enforcement Manager
 Penny Hawley, Recorder

Others Present: Approximately five (5) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Patrick called the meeting to order at 9:19 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. MINUTES

3.1 Local Trust Committee Minutes dated December 11, 2018 - for Adoption

By general consent the Local Trust Committee meeting minutes of December 11, 2018 were adopted.

3.2 Section 26 Resolutions-Without-Meeting Report dated February 4, 2019

Received.

3.3 Advisory Planning Commission Minutes - none

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated February 5, 2019

Received.

4.2 Advisory Planning Commission - Staff Report

At the December 11, 2018 meeting, the Local Trust Committee (LTC) requested that staff draft update Advisory Planning Commission (APC) Bylaw No. 102. The update clarifies the roles of the Chair, Deputy Chair, Secretary and the retention of a professional minute taker.

TH-2019-001**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a first time.

CARRIED**TH-2019-002****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a second time.

CARRIED**TH-2019-003****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a third time.

CARRIED**TH-2019-004****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED**4.3 Thetis Island Local Trust Committee Fees Bylaw No. 106 - for adoption****TH-2019-005****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 106 cited as "Thetis Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be adopted.

CARRIED**5. TOWN HALL**

A member of the public commented on the following:

- A Ruxton Island resident sent a letter to the LTC expressing concern that the process to deal with docks has been slow.
- Islands Trust has done a good job of surveys and information meetings.
- Residents are concerned there could potentially be a dock at every property.
- Important to maintain access to public boat launches
- Hard to get public input as people work and are not always available.
 - Trustees acknowledged receipt of the letter.

6. APPLICATIONS AND REFERRALS - none**7. LOCAL TRUST COMMITTEE PROJECTS****7.1 Ruxton Island Private Moorage Structures Project - Staff Report**

Regional Planning Manager Kjerulf presented the report.

Discussion ensued and the following points were made:

- Challenges for residents to gain access without compromising ecology.
- Satisfied with height of low profile platforms.
- Concern for unrestricted public access points to the shore.
- Swim floats would need a tenure from the Province in order to be lawful.
- Concern for mooring buoys impeding marine traffic.
- Concern for impacts to eelgrass from mooring.
- Development Permit Areas could be established to protect the natural environment and ecosystems.
- Community docks would better enable bylaws to prohibit docks and buoys.
- Ruxton Island Community dock review is on the Projects List and there has been discussion about the most appropriate location in order to use it for emergencies. During last term, Fiona MacRaid, Senior Intergovernmental Policy Advisor, presented a briefing on marine protection tools to Trust Council. Staff could provide that document as a reference.

TH-2019-006

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.7(12) is amended by replacing “on the vertical plane may be more than 1 meter above the ground” with “on the vertical plane may be more than .5 meters above the ground”.

Discussion ensued and it was noted that the amended wording sets a higher standard.

The question on the motion was then called.

CARRIED

TH-2019-007

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.12(5) is amended by replacing “natural boundary” with “low low tide line”.

Discussion ensued and the following points were made:

- Want to prevent any further docks from being built.

The question on the motion was then called.

CARRIED

TH-2019-008

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

TH-2019-009**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be read a first time.

CARRIED**TH-2019-010****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee refer Thetis Island Local Trust Committee Bylaw No. 103 to the following agencies and First Nations for comment:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snuneymuxw First Nation
- Semiahmoo First Nation
- Stz’uminus First Nation
- Transport Canada
- Ruxton Island Property Owners Association
- Cowichan Valley Regional District
- Gabriola Island Local Trust Committee
- Galiano Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Ministry of Environment – BC Parks
- Department of Fisheries and Oceans
- Ministry of Forests, Lands, and Natural Resources Operations and Rural Development

CARRIED**7.2 Riparian Areas Regulation Implementation Project – Memorandum**

Regional Planning Manager Kjerulf provided a PowerPoint presentation and noted the following:

- Project started in 2010; information is available on the Islands Trust website.
- Original assessment determined Ralston Creek was RAR applicable.
- Developer undertook a subsequent assessment that determined Ralston Creek was not RAR applicable; despite this assessment, the initial assessment required the LTC to implement RAR.
- In 2018, the LTC requested a third party assessment; this assessment confirmed that Ralston Creek is RAR applicable and also confirmed fish presence.
- There are three options to implement RAR: covenant, screening and setback regulations, and a Development Permit Area (DPA).
- Staff recommended implementing RAR through a DPA; a DPA is not intended to be punitive or a barrier to development, but to guide development and provide protection. DPAs are clearly indicated on maps and show purchasers and owners what they can and cannot do on a property; the LTC is obligated to issue development permits if the proposed development complies with the guidelines; this provides certainty for title holders.
- The LTC is obligated to issue a Development Permit if it conforms.
- The LTC has the option to consider a DPA for non-RAR applicable watercourses that would apply to the entire island.
- Trustees want to provide certainty to landowners and are in support of the recommendations.

TH-2019-011**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee endorse implementation of the *Riparian Areas Regulation* (RAR) through the establishment of a Development Permit Area applicable to Ralston Creek on Thetis Island.

CARRIED**TH-2019-012****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request staff to report back to the Local Trust committee with a draft revised project charter which outlines the process to establish a Development Permit Area on Thetis Island.

CARRIED**8. DELEGATIONS - none****9. CORRESPONDENCE - none**

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

10. NEW BUSINESS**10.1 Updated Islands Trust Climate Change Webpages – Briefing**

Received.

Discussion ensued and the following was noted:

- Climate change is everyone's responsibility.
- It is up to individuals regarding modes of transportation.
- Be cognizant of where manufactured products and goods are purchased from.
- Make sound choices around food and packaging.

10.2 Bylaw Enforcement Notification Bylaw Amendments - Staff Report

Bylaw Enforcement Manager Drew presented his report and the following resolutions were made:

TH-2019-013**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 107 cited as "Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019", be read a first time.

CARRIED**TH-2019-014****It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 107 cited as "Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019", be read a Second time.

CARRIED

TH-2019-015**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be read a third time.

CARRIED**TH-2019-016****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

10.3 The Indigenous People of the Thetis Island Local Trust Area Briefing Binder and Trustee Toolkit – discussion

Received. The LTC agreed to move forward with distribution.

TH-2019-017**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask staff to forward the letter included in the package received at Trust Council entitled “Indigenous People of the Thetis Island Local Trust Area” and the Trustee Toolkit to the First Nations identified in the Thetis Island Local Trust Area.

CARRIED

10.4 First Nations Archeology Sites in the Trust Area – discussion

Trustee Luckham provided detailed information regarding the discovery of First Nations ancestral remains, which were disturbed by the storm on December 21, 2018, and the process of removal and where there is room for improvement. The following points were made:

- Senior Intergovernmental Policy Advisor, Lisa Wilcox, Kwakwemtenaat, was consulted after the fact and recommended lighting a candle as a sign of respect and to protect ourselves from bad spirits.
- “Archaeological Chance Find Procedure” document should be provided to community members so people have a better chance of doing the right thing.
- Will provide link to website once document has been posted.
- Would like this document to be included in the building permit process.
- Regional Planning Manager Kjerulf has been working with the Cowichan Valley Regional District and as part of the building permit referral process, could include this item so that it could be attached to an application package or permit.

Discussion ensued regarding the recent Denman Island standing resolution pertaining to First Nations in the Denman Island Local Trust Area and also references the truth and reconciliation declaration on the rights of indigenous peoples.

TH-2019-018**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee respectfully request the Cowichan Valley Regional District to include the document “Archaeological Chance Find Procedure” with building permits and that this document be made available on the Thetis Island Trust Area website.

Further discussion ensued and concern was expressed how to identify archaeological finds and what procedure to follow. In addition to posting the aforementioned document on the website for easy access, it could be printed out and mailed to everyone on Thetis Island, posted at the community hall and on eSPOKES.

There is a First Nation Engagement item on the Top Priorities List and this item could be included there for further discussion on how to move forward.

The question on the motion was then called.

CARRIED

10.5 First Nations Engagement – discussion

Regional Planning Manager Kjerulf made the following comments:

- Success of the Denman Island Local Trust Committee and First Nations engagement over the past couple of years.
- Senior Intergovernmental Policy Advisor, Lisa Wilcox, Kwakwemtenaat, drafted a standing resolution, which provides a framework for First Nations engagement and reconciliation.
- It is a model which other LTCs could consider adopting.

Discussion ensued and the following points were made:

- Want to promote awareness in general.
- Would like staff to bring this formally back to the LTC for consideration.
- Would like to continue to try for funding to facilitate a large community event with Lyackson, Penelakut and Chemainus First Nations, and start developing friendships.
- Discussion regarding Community to Community Forum (C2C) funding recently announced and the deadlines over the next year.
- Possibly next fall or spring.

TH-2019-019**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask staff to bring a staff report back to the Local Trust Committee on options to advance First Nations engagement and community reconciliation.

CARRIED

By general consent the break was omitted and the meeting proceeded.

11. REPORTS**11.1 Trustee Reports**

Trustee Fenton reported on the following:

- Intends to report to the community more consistently via Trustee Corner, by promoting conversations and on eSPOKES.
- He was grateful to be included in the Penelakut archaeological event on December 21, 2018.

Trustee Luckham reported on the following:

- Anchorages issue is ongoing. First Nations Squamish leadership meeting is coming up and wants to attend.
- Lots of energy at Trust Council with 13 new trustees. The upcoming meeting on Gabriola Island will be on March 12, 13 and 14, 2019.
- Expressed appreciation to Trustee Fenton regarding conversations about middens.

11.2 Chair's Report

Chair Patrick reported on the following:

- Islands Trust completed a survey for budget; about 180 people responded. Budget on agenda at next Trust Council.
- Victoria office renovations are ongoing, conference room will have more electronic capabilities. Hopefully it will be more successful to participate in distance meetings.
- Beginning at the March meeting, strategic planning will be happening; exciting to be a member of this organization.

11.3 Trust Conservancy Report dated November, 2018

Trustee Fenton stated that the Conservancy Board members are a good group and are keen. Links to notes are in the Trustee Corner.

11.4 Electoral Area Director's Report

None

TH-2019-020

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee adopt the following standing resolution:

that the Thetis Island Local Trust Committee request staff to circulate future meeting agendas to the Electoral Area Director and provide an invitation to attend or provide reports to the Local Trust Committee.

CARRIED

Discussion ensued regarding a standing invitation to First Nations to attend the regular LTC meetings. Concern was expressed of the need to be cautious of information overload and respect of their time to attend regular LTC meetings. Preference was expressed to extend invitations in a proper manner to meetings that would be specifically of interest when their presence is really needed rather than generally, although the door is always open.

11.5 Applications Report dated February 5, 2019

Received.

11.6 Trustee and Local Expense Report dated December, 2018

Received.

11.7 Adopted Policies and Standing Resolutions

Received.

11.8 Local Trust Committee Webpage

TH-2019-021

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to send a communique to eSPOKES when the "Archaeological Chance Find Procedure" document is available on the website.

CARRIED

12. WORK PROGRAM**12.1 Top Priorities Report dated February 5, 2019**

Received

12.2 Projects List Report dated February 5, 2019

Received

13. CLOSED MEETING**13.1 Motion to Close the Meeting**

TH-2019-022

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) and (d) for the purpose of considering appointments to the Advisory Planning Commission and Adoption of In Camera Meeting Minutes dated February 2, 2018 and that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 11:50 am

13.2 Recall to Order

By general consent the LTC convened in open meeting at 11:55 am to rise and report.

13.3 Rise and Report

Chair Patrick reported that in the Closed Meeting, the LTC adopted Minutes from the *closed* meeting of February 27, 2018 and that Veronica Shelford was appointed to the Thetis Island Advisory Planning Commission.

14. UPCOMING MEETINGS**14.1 Next Regular Meeting Scheduled for Tuesday, April 23, 2019 at 9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC**

15. **ADJOURNMENT**

TH-2019-023

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee adjourn the meeting at 12:00 pm.

CARRIED

Laura Patrick, Chair

Certified Correct:

Penny Hawley, Recorder



Islands Trust

Print Date: April 16, 2019

Resolutions Without Meeting

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2019-01	In Favour	"THAT the Thetis Island Local Trust Committee cancel the regular business meeting scheduled for February 12, 2019 due to weather conditions□.	11-Feb-2019
2019-02	In Favour	"THAT the Thetis Island Local Trust Committee reschedule the cancelled February 12, 2019 regular business meeting to February 22, 2019.□	14-Feb-2019
2019-03	In Favour	That the Thetis Island Local Trust Committee authorize the expenditure of up to \$300.00 from the Trustee Expenses Budget to support Trustee Fenton's participation in the Galiano Conservancy Retreat.	16-Apr-2019

Follow Up Action Report

Thetis Island

22-Feb-2019

Activity	Responsibility	Target Date	Status
LTC Bylaw 102 (APC Bylaw) 2018 given three readings and referred to the Executive Committee for consideration of approval.	Becky McErlean Ann Kjerulf		Done
LTC Bylaw 106 (Fees Bylaw) adopted	Becky McErlean		Done
Request staff to forward the letter and trustee toolkit included in the Indigenous People of the Thetis Island Local Trust Area binder to local First Nations.	Penny Hawley Ann Kjerulf		On Going
LTC Bylaw 103 (Ruxton) given 1st reading and referred to agencies and First Nations.	Becky McErlean Marnie Eggen Ann Kjerulf		Done
Respectfully request that the CVRD include the document Archaeological Chance Find Procedures with building permits and that this document be made available on the Islands Trust website.	Ann Kjerulf Wil Cottingham		On Going
Request staff to report back to the local trust committee on options to advance First Nations engagement and community reconciliation.	Ann Kjerulf		On Going
Staff to send communication to e-spokes when the Archaeological Chance Find Procedures document is available on the website.	Penny Hawley		On Going

PROPOSED

THETIS ISLAND TRUST COMMITTEE

BYLAW NO. 102

A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE THETIS ISLAND LOCAL TRUST AREA PURSUANT TO THE *LOCAL GOVERNMENT ACT* AND THE *ISLANDS TRUST ACT*

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

1. Establishment

- a) The Thetis Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an Official Community Plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to seven members to an Advisory Planning Commission (APC) to serve a two-year term, and may reappoint those members for a subsequent two-year term.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.

- c) The Deputy Chairperson will:
 - i) Undertake the duties listed in 3b) above, in the Chairperson's absence.
- d) The Secretary will:
 - i) Assist the Chairperson, as needed, to arrange meetings;
 - ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
 - iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;
 - iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has, by resolution, requested a response by an earlier specified date or authorized the referral to be considered at a later date.
- c) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- a) The Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) If the APC has been referred an application, the Islands Trust must ensure that the applicant is notified of the date, time and place of the meeting at which their application will be discussed, at least five (5) calendar days prior to the meeting.
- c) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- d) The Secretary must post the notice of meeting indicating the date, time, and place of any APC meeting at least five (5) calendar days prior to the meeting on a bulletin board that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50% of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.
- e) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff,

- f) The APC must not receive development proposals or other applications directly from applicants.
- g) The APC must not consult directly with other government agencies or organizations.
- h) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

- a) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that, where requested by any member, all dissenting opinions are also recorded.
- b) Draft minutes will be forwarded directly to the Islands Trust Office within (7) days of an APC meeting.
- c) Upon receipt of draft minutes, Islands Trust staff will conduct a review and revise the minutes insofar as to ensure that the draft minutes can be published in accordance with the Islands Trust policies and provincial legislation.
- d) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.

a) "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2012", is repealed.

a) This Bylaw may be cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2018".

READ A FIRST TIME THIS	22 ND	DAY OF	FEBRUARY	, 2019
READ A SECOND TIME THIS	22 ND	DAY OF	FEBRUARY	, 2019
READ A THIRD TIME THIS	22 ND	DAY OF	FEBRUARY	, 2019
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	27 TH	DAY OF	MARCH	, 2019
ADOPTED THIS		DAY OF		, 201x

CHAIRPERSON

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 107

A BYLAW TO AMEND

THE THETIS ISLAND LOCAL TRUST AREA BYLAW ENFORCEMENT NOTIFICATION BYLAW, NO. 90, 2011

The Thetis Island Local Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Thetis Island Local Trust Area, under the *Islands Trust Act*, in open meeting assembled, enacts as follows:

1. Thetis Island Local Trust Committee Bylaw cited as “Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 90, 2011” is hereby amended as follows:
 - i. By deleting the words “A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE THETIS ISLAND LOCAL TRUST AREA” and substituting the words “A BYLAW WITH RESPECT TO THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE THETIS ISLAND LOCAL TRUST AREA”;
 - ii. By deleting the word “Area” within section 1 and substituting the word “Committee”;
 - iii. By deleting the words “North Shore Bylaw Notice Adjudication Registry” within section 1.2 and substituting the words “Islands Trust”;
 - iv. By deleting the words within section 4.0(2) and substituting the following: “if received by the Islands Trust within 14 days of the person having received or is presumed to have received the bylaw violation notice, is the Discounted Penalty Amount set out in column A2 of Schedules “A”, “B” and “C” as attached to this bylaw;”
 - v. By deleting the words within section 4.0(3) and substituting the following: “if received by the Islands Trust more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1) , and is the Late Payment Penalty Amount set out in column A3 of Schedules “A”, “B” and “C” as attached to this bylaw;”
 - vi. By deleting the words within section 6.2 and substituting the following: “The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8.”;
 - vii. By removing Schedule A – Thetis Island Land Use Bylaw No. 89 Contraventions and Penalties and substituting the attached: Schedule A – Thetis Island Land Use Bylaw No. 89, 2011 Contraventions and Penalties;
 - viii. By removing Schedule B – Valdes Island Land Use Bylaw No. 42 Contraventions and Penalties and substituting the attached: Schedule B – Valdes Island Rural Land Use Bylaw No. 42, 1998 Contraventions and Penalties;
 - ix. By removing Schedule C – Thetis Associated Islands Land Use Bylaw No. 94 Contraventions and Penalties and substituting the attached: Schedule C – Thetis Associated Islands Land Use Bylaw No. 94, 2014 Contraventions and Penalties;
2. This Bylaw may be cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019.”

READ A FIRST TIME THIS 22ND DAY OF FEBRUARY , 2019

READ A SECOND TIME THIS 22ND DAY OF FEBRUARY , 2019

READ A THIRD TIME THIS 22ND DAY OF FEBRUARY , 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
27TH DAY OF MARCH , 2019

ADOPTED THIS DAY OF , 20__

SECRETARY

CHAIR

Schedule A
THETIS ISLAND LAND USE BYLAW NO. 89, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1	Non-Permitted Use Of Land/Buildings/Structures	\$500.00	\$375.00	\$750.00	Yes	100%
2.1.3(a)	Non-Permitted Campground	\$500.00	\$375.00	\$750.00	Yes	100%
2.1.3(b)	Disposal Of Waste Not Originating On Thetis Island	\$500.00	\$375.00	\$750.00	Yes	100%
2.1.3(c)	Wrecking/Storage Of Derelict Vehicles	\$200.00	\$150.00	\$300.00	Yes	100%
2.1.3(d)	Moorage/Wharfage Of Float Homes	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.3(e)	Sale Or Rental of Motorized Personal Watercraft	\$200.00	\$150.00	\$300.00	Yes	100%
2.2.1	Chimney/Sill/Bay-Window/Ornamental Architectural Feature Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
2.2.2	Step/Eave/Awning/Canopy/Balcony/Deck/Porch Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
2.2.3	Cistern/Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
2.2.6(a)	Non-Permitted Building Encroaching Setback From The Sea	\$350.00	\$262.50	\$525.00	Yes	100%
2.2.6(b)	Non-Permitted Building Encroaching Setback From Water Body	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.1(a)	Home Occupation Not Operated By Resident	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1(a)	More Than Three (3) Additional Persons Employed In Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1(b)	Home Occupation Conducted Outdoors	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1(c)	Fail To Screen Outdoor Uses	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1(d)	Fail To Provide Off-Street Employee Parking Stall(s)	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1(e)	Fail To Accommodate Home Occupation Parking Needs	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.2(a)	Home Occupation Not Operated By Resident	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.2(a)	More Than Four (4) Additional Persons Employed In Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.2(c)	Fail to Screen Outdoor Uses	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.2(d)	Fail To Provide Off-Street Employee Parking Stall(s)	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.2(f)	Fail To Accommodate Home Occupation Parking Needs	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.3(a)	Storage Of Non-Permitted Materials Or Products	\$200.00	\$150.00	\$300.00	Yes	100%

Schedule A
THETIS ISLAND LAND USE BYLAW NO. 89, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.3.3(b)	Non-Permitted Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(a)	Bed & Breakfast Serving Meals Other Than Breakfast	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(a)	Bed and Breakfast Serving Breakfast To Persons Not Registered For Overnight Accommodation	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(b)	Bed And Breakfast Not Within Dwelling Unit	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(b)	Bed And Breakfast Guest Accommodation Exceeds Three Bedrooms	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(c)	Fail To Provide Minimum Parking Spaces	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.4(d)	Non-Permitted Sign Or Advertisement	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.5(a)	Short Term Vacation Rental In Non-Permitted Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.5(b)	Short Term Vacation Rental Without A Dwelling And A Guest Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.5(c)	Non-Permitted Operator Of Short Term Vacation Rental	\$350.00	\$262.50	\$525.00	Yes	100%
2.4.1	Exceed Maximum Sign Area or Number Of Signs	\$200.00	\$150.00	\$300.00	Yes	100%
2.4.3	Non-Permitted Sign Containing Moving Parts/Flashing Or Neon Lights	\$200.00	\$150.00	\$300.00	Yes	100%
2.4.4	Unlawful Location Of Illuminated Sign	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.2	Fail To Provide Minimum Parking Spaces	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.3	Fail To Provide Minimum Bicycle Parking Spaces	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.4	Fail To Provide Minimum Disabled Parking Spaces	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.4	Unlawful Location Of Disabled Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.5	Fail To Provide Minimum Size Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.6	Fail To Provide Parking Space On Lot	\$200.00	\$150.00	\$300.00	Yes	100%
2.5.7	Unlawful Location Of Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
4.1	Non-Permitted Use In Agriculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.2	Non-Permitted Building Or Structure	\$350.00	\$262.50	\$525.00	Yes	100%
4.3(a)	More Than One (1) Dwelling Unit Per Lot	\$350.00	\$262.50	\$525.00	Yes	100%
4.3(b)	More Than One (1) Guest Cottage Per Lot	\$350.00	\$262.50	\$525.00	Yes	100%
4.3(c)	More Than One (1) Additional Dwelling Unit For Caretaker Or Employee On Lot	\$350.00	\$262.50	\$525.00	Yes	100%
4.3(d)	Exceeds Maximum Permitted Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
4.3(e)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.4(a)	Building/Structure For Intensive Agricultural	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
THETIS ISLAND LAND USE BYLAW NO. 89, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Use/Mushroom Cultivation Encroaching Setback					
4.4(b)	Building/Structure Exceeds Maximum Permitted Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
4.4(c)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.4(d)	Building Or Structure Encroaches Setback In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
4.4(e)	Building/Structure Exceeding Maximum Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.1	Non-Permitted Use In Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2	Non-Permitted Building/Structure In Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(a)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(b)	More Than One (1) Guest Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(c)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(d)	Exceed Maximum Permitted Dwelling Units	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(e)	More Than One (1) Guest Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(f)	Exceed Maximum Number Of Guest Cottages	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(g)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(a)	Building/Structure Exceeds Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(b)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(c)	Non-Permitted Solid Waste Disposal Or Garbage Dump or Livestock Grazing	\$350.00	\$262.50	\$525.00	Yes	100%
6.1	Non-Permitted Use In Commercial Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.2	Non-Permitted Building/Structure In Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(a)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(b)	More Than One (1) Dwelling Unit For Resort Employees	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(c)	More Than One (1) Dwelling Unit For Marina Employees	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(d)	Guest Cottage On Non-Permitted Lot	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(e)	Exceed Maximum Permitted Guest Cottages	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(f)	Exceed Maximum Permitted Lodge Buildings	\$350.00	\$262.50	\$525.00	Yes	100%
6.3(g)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
6.4(a)	Exceed Maximum Permitted Floor Area Of Guest Cottages	\$350.00	\$262.50	\$525.00	Yes	100%
6.4(b)	Exceed Maximum Permitted Guest Bedrooms	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
THETIS ISLAND LAND USE BYLAW NO. 89, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.4(c)	Building/Structure Exceeds Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
6.4(d)	Lodge Building Exceeds Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
6.4(e)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.1	Non-Permitted Use In Institutional Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.2	Non-Permitted Building/Structure In Institutional Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3(a)	Exceed Maximum Permitted Colleges	\$350.00	\$262.50	\$525.00	Yes	100%
7.3(b)	Exceed Maximum Permitted Camp Facilities	\$350.00	\$262.50	\$525.00	Yes	100%
7.3(c)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
7.4(a)	Exceed Maximum Combined Floor Area For Overnight Accommodation	\$350.00	\$262.50	\$525.00	Yes	100%
7.4(b)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.4(c)	Building/Structure Exceeds Maximum Height	\$350.00	\$262.50	\$525.00	Yes	100%
8.1	Non-Permitted Use In Community Services Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.2	Non-Permitted Building/Structure In Community Services Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3	Exceed Maximum Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
8.4(a)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
8.4(b)	Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
9.1	Non-Permitted Use/Building/Structure In Marine Conservation Zone	\$500.00	\$375.00	\$750.00	Yes	100%
10.1	Non-Permitted Use In Water Zone	\$500.00	\$375.00	\$750.00	Yes	100%
10.2	Non-Permitted Building/Structure In Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
10.3	Exceed Permitted Wharfage Of Boats/Vessels Used As Residences	\$350.00	\$262.50	\$525.00	Yes	100%
10.4(a)	Building/Structure Exceeding Maximum Height	\$350.00	\$262.50	\$525.00	Yes	100%
10.4(b)	Floating Dock Structure Exceeding Maximum Seaward Extension	\$350.00	\$262.50	\$525.00	Yes	100%
10.4(c)	Stairway Or Walkway Exceeds Maximum Seaward Extension	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule B
VALDES ISLAND RURAL LAND USE BYLAW NO. 42, 1998
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.1.3(a)	Sewage Disposal Field Within 30 Metres Of High Water Mark Of Tidal Water	\$500.00	\$375.00	\$750.00	Yes	100%
4.1.3(b)	Building Encroaching Setback From Lot Lines	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.3(c)	Buildings Encroaching Setback From The Natural Boundary Of The Sea/Lake/Water Course/Wetland	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.4(a)	Dwelling Unit Exceeds Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.4(b)	Accessory Building/Structure Exceeds Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.6(a)	Exterior Indication Of Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
4.1.6(b)	Home Occupation Conducted On Non-Permitted Lot	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.1	Non-Permitted Use In Forest/Wilderness Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.1	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.1	More Than One (1) Forestry Accommodation Unit Complex	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.1	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.2	Non-Permitted Use In Rural 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.2	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.2	More Than One (1) Guest Cottages	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.2	Exceed Maximum Permitted Area Of Guest Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.2	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.3	Non-Permitted Use In Rural 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.3	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.3	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.4	Non-Permitted Use In Recreational Resource Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.5	Non-Permitted Use In Recreational Home Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.5	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule B
VALDES ISLAND RURAL LAND USE BYLAW NO. 42, 1998
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.2.5	More Than One (1) Guest Cottages	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.5	Exceed Maximum Permitted Area Of Guest Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.5	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.6	Non-Permitted Use In Yacht Club Outstation (YC) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.6	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.6	More Than One (1) Yacht Club Outstation Facility	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.6	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.7	Non-Permitted Use In Marine Conservation Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.8	Non-Permitted Use In Yacht Club Outstation (W2) Zone	\$500.00	\$375.00	\$750.0	Yes	100%
5.2.9	Non-Permitted Use In Mariculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.10	Non-Permitted Use In Marine Log Storage Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.11	Non-Permitted Use In Marine Log Dump Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.12	Non-Permitted Use In Marine Towboat Reserve Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.13	Non-Permitted Use In Marine Barge Facility Zone	\$500.00	\$375.00	\$750.00	Yes	100%

Schedule C
THETIS ASSOCIATED ISLANDS LAND USE BYLAW NO. 94, 2014
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.1	Non Permitted Use/Building/Structure	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(1)	Disposal Of Waste Matter On Land/Marine Areas	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(2)	Disposal/Storage Of Hazardous Or Toxic Waste	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(3)	Non Permitted Breakwater	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(4)	Non Permitted Residential Use Of Vessel	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(5)	Non Permitted Finfish Aquaculture	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(6)	Non Permitted Structure Connecting Island	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(7)	Non Permitted Wind Turbine	\$350.00	\$262.50	\$525.00	Yes	100%
3.3(3)(a)	Non Permitted Building/Structure Encroaching Setback From The Sea	\$350.00	\$262.50	\$525.00	Yes	100%
3.3(3)(b)	Non Permitted Building/Structure Encroaching Setback From Natural Watercourse/Source Of Water Supply	\$350.00	\$262.50	\$525.00	Yes	100%
3.3(4)	Building/Structure Encroaching Setback From Wetland	\$350.00	\$262.50	\$525.00	Yes	100%
3.3(6)	Non Permitted Siting Of Wind Turbines	\$350.00	\$262.50	\$525.00	Yes	100%
3.4(2)	Exceed Maximum Permitted Height Of Wind Turbines	\$350.00	\$262.50	\$525.00	Yes	100%
3.5(1)	Non Permitted Residential Use Of Building/Structure	\$500.00	\$375.00	\$750.00	Yes	100%
3.5(3)	Non Permitted Accessory Building/Structure On Lot Prior To Construction Of Principal Building	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(1)	Non Permitted Home Occupation	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(2)	Fail To Operate Home Occupation Within Permitted Building	\$200.00	\$150.00	\$300.00	Yes	100%
3.6(3)	Fail To Employ Resident Of Dwelling	\$200.00	\$150.00	\$300.00	Yes	100%
3.6(4)	Fail To Store Home Occupation Materials/Commodities/Finished Products Within Permitted Building	\$200.00	\$150.00	\$300.00	Yes	100%
3.6(5)	Excessive Noise From Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%

Schedule C
THETIS ASSOCIATED ISLANDS LAND USE BYLAW NO. 94, 2014
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.7(1)	Exceed Maximum Permitted Fence Height	\$350.00	\$262.50	\$525.00	Yes	100%
3.8(1)	Non Permitted Storage Of Derelict Vehicles	\$200.00	\$150.00	\$300.00	Yes	100%
5.1(1)	Non Permitted Use In Residential One Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.1(2)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(3)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(5)	Dwelling Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(6)	Accessory Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(7)	Exceed Maximum Size For Structure Storing Emergency Service Equipment	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(1)	Non Permitted Use In Residential Two Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2(2)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(3)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(5)	Dwelling Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(6)	Accessory Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.2 Site Specific Regulations	Fail to Meet Site Specific Regulations in Residential Two Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(1)	Non Permitted Use In Residential Three Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3(2)	Exceed Maximum Permitted Dwelling Units	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(3)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule C
THETIS ASSOCIATED ISLANDS LAND USE BYLAW NO. 94, 2014
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.3(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(5)	Dwelling Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(6)	Accessory Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.3 Site Specific Regulations	Fail to Meet Site Specific Regulations in Residential Three Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(1)	Non Permitted Use In Residential Four Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.4(2)	Exceed Maximum Permitted Dwelling Units	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(3)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(5)	Dwelling Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(6)	Accessory Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(7)	Exceed Maximum Permitted Dwelling Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(1)	Non Permitted Use In Residential Five Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.5(2)	More Than One (1) Dwelling Unit	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(3)	Exceed Maximum Permitted Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(5)	Dwelling Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(6)	Accessory Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(1)	Non Permitted Use In Community Services Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.6(2)	Exceed Maximum Permitted Lot	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule C
THETIS ASSOCIATED ISLANDS LAND USE BYLAW NO. 94, 2014
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Coverage					
5.6(3)	More Than One (1) Community Hall	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(4)	Building/Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(5)	Building/Structure Exceeding Maximum Permitted Height	\$350.00	\$262.50	\$525.00	Yes	100%
5.7(1)	Non Permitted Use in Park Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.7(2)	Non Permitted Structure	\$350.00	\$262.50	\$525.00	Yes	100%
5.7(3)	Building Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.8(1)	Non Permitted Use In Private Conservation Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.8(2)	Non Permitted Structure	\$350.00	\$262.50	\$525.00	Yes	100%
5.8(3)	Structure Encroaching Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(1)	Non Permitted Use In Marine General Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.9(2)	More Than One (1) Dock	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(3)	Dock Exceeding Maximum Permitted Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(4)	Ramp/Walkway Exceeding Maximum Permitted Length	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(5)	Float/Swimfloat Exceeding Maximum Permitted Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(6)	Non Permitted Dock	\$500.00	\$375.00	\$750.00	Yes	100%
5.9(7)	Non Permitted Building On Float/Wharf	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(8)	Non Permitted Mooring/Docking/Storage Of Derelict/Abandoned Float/Ramp/Walkway	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(1)	Non Permitted Use In Marine Service Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.10(2)	Exceed Maximum Permitted Dock/Wharf	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(3)	Float/Swimfloat Exceeding Maximum Size	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(4)	Non Permitted Dock	\$500.00	\$375.00	\$750.00	Yes	100%
5.10(5)	Non Permitted Building On Dock	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(6)	Non Permitted Mooring/Docking/Storage Of Derelict/Abandoned	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule C
THETIS ASSOCIATED ISLANDS LAND USE BYLAW NO. 94, 2014
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Float/Ramp/Walkway					
5.11(1)	Non Permitted Use In Marine Ruxton Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.11(2)	Swimfloat Exceeding Maximum Permitted Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.11(3)	Non Permitted Mooring/Docking/Storage Of Derelict/Abandoned Equipment	\$350.00	\$262.50	\$525.00	Yes	100%
5.12(1)	Non Permitted Use In Marine Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.12(2)	Non Permitted Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
5.13(1)	Non Permitted Use In Marine Aquaculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.13(2)	Non Permitted Structure	\$350.00	\$262.50	\$525.00	Yes	100%
6.1	Non Permitted Sign	\$200.00	\$150.00	\$300.00	Yes	100%
6.2(1)	Exceed Maximum Permitted Sign Height	\$200.00	\$150.00	\$300.00	Yes	100%
6.2(2)	Exceed Maximum Permitted Sign Size	\$200.00	\$150.00	\$300.00	Yes	100%
6.3(1)	Fail To Remove Obsolete Sign	\$200.00	\$150.00	\$300.00	Yes	100%

DATE OF MEETING: April 23, 2019

TO: Thetis Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Team

COPY: Lisa Wilcox, Kwakwemtenaat
Senior Intergovernmental Policy Advisor

SUBJECT: First Nations Engagement and Community Reconciliation

RECOMMENDATION

1. That the Thetis Island Local Trust Committee adopt the following standing resolution:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

REPORT SUMMARY

This report follows a request from the Thetis Island Local Trust Committee (LTC) for options to support First Nations engagement and community reconciliation in the Thetis Island Local Trust Area. Staff are recommending a consistent approach to First Nations engagement and community reconciliation across the Islands Trust Area. This may be reinforced through adoption of a standing resolution. As stated in the recommendation above, this standing resolution is intended to establish a framework for the development of successful relationships among trustees, staff and local First Nations, and set realistic expectations for all parties.

BACKGROUND

Building relationships with local First Nations emerged as a top priority of the Thetis Island LTC during the 2014-18 term. This was, in part, due to issues raised by local First Nations during consultation on the Thetis Associated Islands Official Community Plan (OCP).

In September 2015, the LTC passed the following resolution:

TH-2015-031

It was MOVED and SECONDED

That Top Priority #1 Associated Island OCP and LUB Creation be moved to the Projects List and that the Project List Items: protocol agreement or memorandum of understanding with Penelakut First Nation and revise protocol agreement with Lyackson First Nation be consolidated and moved to the Top Priorities List and be reworded to include the Stz'uminus First Nation, and that "Protocol Agreement" be struck and the activity be reworded to say "seek community to community" funding.

Subsequently, in March 2016, the LTC added a number of items to its projects list in response to specific concerns raised by the Lyackson First Nation (in relation to the OCP), including: land use considerations for clam gardens; limiting private docks as a permitted use on associated islands; potential impacts of geothermal loops; and switchback fencing in setback to the sea.

In 2016 and 2017, the LTC referred various rezoning and development applications to local First Nations.

A community to community (C2C) forum was held with Lyackson First Nation in Cowichan Bay in November 2017. Following this event, the LTC indicated a commitment to further relationship building with Lyackson through amendments to its 'Relationship Building with Local First Nations' activities (as described in the Top Priorities List):

"Bylaw referrals, land & marine use on and around Lyackson Island, Shared Narrative of Place, co-governance/co-management, follow-up from the Associated Islands OCP/LUB Review, land use considerations for clam gardens, explore private docks as a permitted use, potential impacts of geothermal loops, switchback fencing in setback to the sea"

The LTC passed the following resolutions at the February 22, 2019 LTC meeting:

TH-2019-017

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee ask staff to forward the letter included in the package received at Trust Council entitled "Indigenous People of the Thetis Island Local Trust Area" and the Trustee Toolkit to the First Nations identified in the Thetis Island Local Trust Area.

CARRIED

TH-2019-019

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee ask staff to bring a staff report back to the Local Trust Committee on options to advance First Nations engagement and community reconciliation.

CARRIED

Notably, at the Trust Council meeting held in March 2019, the Trust Council passed a Reconciliation Declaration:

The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honors the rich history, stewardship, and cultural heritage that embody this place we all call home.

The Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

The Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.

ANALYSIS

Issues and Opportunities

The LTC has specifically requested options to advance First Nations engagement and community reconciliation. There are arguably numerous actions that may be taken to build relationships and advance reconciliation. It should be noted that the LTC has already initiated its relationship building and reconciliation work through past engagement and through seeking meaningful consultation with First Nations on land use matters.

Approach to Reconciliation

The intent of a standing resolution is to provide a framework to guide reconciliation and relationship building with First Nations and our community in the local Trust Area. Key documents to guide the LTC's journey of reconciliation with local First Nations include:

- Truth and Reconciliation Commission (TRC) Calls to Action
https://nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Draft Principles that Guide the Province of BC's Relationship with Indigenous Peoples;
https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf
- Islands Trust First Nations Engagement Principles.
<http://www.islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

Proposed Standing Resolution

The proposed standing resolution was developed with Lisa Wilcox, Kwakwemtenaat, Islands Trust Senior Intergovernmental Policy Advisor, as a framework to guide relationship building and reconciliation. This draft resolution provides a non-linear timeline that respects an Indigenous worldview, by providing a flexible timeline and variety of options to approach reconciliation and relationship building. This approach recognizes that local First Nations may have different interests or core concerns.

The draft standing resolution also aligns with key documents such as the TRC Calls to Action, UNDRIP, BC Draft Principles and Islands Trust Engagement Principles. It intends to lessen the demand on First Nations to act, provide resources, or to engage particularly in cases where First Nations have multiple competing priorities, demands of their time, and limited resources, and provide First Nations with the space and time to choose whether or not and how they wish to participate in LTC activities. The resolution also recognizes the educational and learning

components of the TRC and UNDRIP principles and allows trustees, staff and the community time to learn about reconciliation as part of the process of cultural competency.

Additionally, the draft standing resolution provides a consistent approach that is achievable throughout the Islands Trust Area by all LTCs. It seeks to address that First Nations may have differing interests or core concerns within each LTC; however, they share similar protocols within the Coast Salish territory of the Islands Trust Area.

Rationale for Recommendation

The draft standing resolution provides a framework for the Thetis LTC to engage with First Nations with interests in the Local Trust Area. It is intended to set the LTC for success in its efforts toward reconciliation and emphasises the work that the LTC will do in reconciliation with local First Nations.

Alternatives

- 1. Request further information**
- 2. Amend the draft Standing Resolution**
- 3. Recommend to the Islands Trust Local Planning Committee and/or Executive Committee that the standing resolution be adopted as a model approach to reconciliation for all Local Trust Committees.**

NEXT STEPS

Should the LTC adopt the recommended standing resolution, staff will draft letters of introduction to all First Nations within interests in the Local Trust Area, as noted in item (a) of the resolution and welcome input, dialogue and opportunities to address items (b) through (e) of the resolution.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	April 17, 2019
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File No.: 6500-20 (Ruxton Island
Private Moorage Structures
Review)

DATE OF MEETING: April 23, 2019
TO: Thetis Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager
SUBJECT: Ruxton Island Private Moorage Structures Review

RECOMMENDATION

1. That the Thetis Island Local Trust Committee Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be read a second time.
2. That the Thetis Island Local Trust Committee request staff to schedule a Public Hearing for Thetis Island Local Trust Committee Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, and hold a Community Information Meeting prior to the Public Hearing.

REPORT SUMMARY

The purpose of this report is to request that the Thetis Island Local Trust Committee (LTC):

- Consider second reading of Bylaw No. 103; and
- Consider scheduling a public hearing and community information meeting.

BACKGROUND

TH-2019-006

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

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.7(12) is amended by replacing “on the vertical plane may be more than 1 meter above the ground” with “on the vertical plane may be more than .5 meters above the ground”.

Discussion ensued and it was noted that the amended wording sets a higher standard. The question on the motion was then called.

CARRIED

TH-2019-007

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.12(5) is amended by replacing “natural boundary” with “low low tide line”.

Discussion ensued and the following points were made: Want to prevent any further docks from being built. The question on the motion was then called.

CARRIED

TH-2019-008

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

TH-2019-009

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be read a first time.

CARRIED

TH-2019-010

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee refer Thetis Island Local Trust Committee Bylaw No. 103 to the following agencies and First Nations for comment:

- | | |
|------------------------------|--|
| • Cowichan Tribes | • Ruxton Island Property Owners Association |
| • Halalt First Nation | • Cowichan Valley Regional District |
| • Lake Cowichan First Nation | • Gabriola Island Local Trust Committee |
| • Lyackson First Nation | • Galiano Island Local Trust Committee |
| • Penelakut Tribe | • Salt Spring Island Local Trust Committee |
| • Snuneymuxw First Nation | • Ministry of Environment – BC Parks |
| • Semiahmoo First Nation | • Department of Fisheries and Oceans |
| • Stz'uminus First Nation | • Ministry of Forests, Lands, Natural Resources Operations and Rural Development |
| • Transport Canada | |

CARRIED

Staff amended Bylaw No. 103, gave first reading and referred the bylaw to agencies and First Nations as per the above resolutions. See Attachment 1 for Bylaw No. 103 and the Analysis section below for information on responses received to date.

For more information on the Ruxton Island Private Moorage Structures Review Project, previous staff reports and memorandums, please see the [Project website](#).

ANALYSIS

Issues and Opportunities

Consultation

Staff recommend holding a public hearing as the next step in the bylaw amendment process, and that the public hearing be held in Nanaimo. Past experience indicates that this is a relatively accessible location for title holders on Ruxton Island. A community information meeting could be held on the same day, immediately prior to the public hearing. The LTC could consider third reading of Bylaw No. 103 after the public hearing.

Statutory Requirements

As per Section 464 of the *Local Government Act* (LGA), the LTC must not adopt a zoning bylaw (land use bylaw, in this case) without holding a public hearing. This section of the LGA also stipulates that a local government may waive the holding of a public hearing if there is an Official Community Plan (OCP) in place and the proposed bylaw is consistent with the OCP. While both stipulations are true for Bylaw No. 103, staff does not recommend waiving the public hearing given that there has been considerable public interest in this project.

Notice of the public hearing would be in accordance with Section 466 of the *LGA*.

Agency and First Nation Referral Comments

Agency and First Nation referrals were sent March 19, 2019 and responses were requested by April 9th and April 19th respectively. At the time of preparing this staff report, five referral responses were received. See Attachment 2. Only Cowichan Tribes provided particular comments on Bylaw No. 103. They support the use of community docks as opposed to private docks. No changes to Bylaw No. 103 are recommended as a result of the responses so far.

Referral responses and public correspondence may continue to be received up until the close of the public hearing. However, staff highly recommend that comments be provided much sooner, so that any significant changes can be addressed earlier than at the time of the public hearing.

Rationale for Recommendation

Staff have made the requested changes to Bylaw No. 103 and referred the bylaw to Agencies and First Nations. Staff recommend second reading of Bylaw No. 103 and scheduling a public hearing in order to advance this project as per the recommendations on page 1 of the staff report. Any referral responses and public comments will continue to be received by the LTC and staff, and would be addressed at the time of the community information meeting and prior to the public hearing.

Alternatives

The LTC may consider the following alternative to the staff recommendations:

1. Defer Second Reading

The LTC may defer consideration of second reading (by not passing the first recommended resolution on page 1 of the staff report) in order to provide more time for referral respondents to reply. Staff advise that this approach may provide extra time for respondents and for staff to address any identified issues that may arise prior to second reading; however, this could also delay the completion of the project if the LTC does not want to advance to public hearing prior to second reading. Staff note that second reading may occur either before or after the public hearing.

NEXT STEPS

Subject to LTC concurrence with the staff recommendations, staff would schedule a community information meeting and public hearing in Nanaimo.

Submitted By:	Marnie Eggen, MCIP, RPP Island Planner	April 16, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	April 17, 2019

ATTACHMENTS

1. Proposed Bylaw No. 103
2. Agency and First Nation Referral Responses

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 103

A BYLAW TO AMEND THETIS ASSOCIATED ISLANDS LAND USE BYLAW, 2014

The Thetis Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area under the *Islands Trust Act*, at open meeting assembled enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”.

2. Thetis Associated Islands Land Use Bylaw, 2014 is amended as per Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 22ND DAY OF FEBRUARY , 2019

READ A SECOND TIME THIS _____ DAY OF _____ , 20XX

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20XX

READ A THIRD TIME THIS _____ DAY OF _____ , 20XX

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 20XX

ADOPTED THIS _____ DAY OF _____ , 20XX

Chair

Secretary

**THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 103**

Schedule 1

1. Schedule "A" of Thetis Associated Islands Land Use Bylaw, 2014 is amended as follows:

1.1 **PART 1 INTERPRETATION**, Section **1.1 Definitions** is amended by adding the following definition in alphabetical order:

"boat ramp" means a water permeable ramp or a ramp constructed with a water permeable surface that is only used for the purposes of moving a boat from the natural boundary of the sea to another part of the lot.

1.2 **PART 1 INTERPRETATION**, Section **1.1 Definitions** is amended by deleting the definition of "swimfloat" in its entirety and replacing it with:

"Swimfloat" means a floating non-roofed structure that is used only by swimmers for diving or respite.

1.3 **PART 3 GENERAL REGULATIONS**, Section **3.3 Siting and Setback Regulations**, subsection 3.3(1) is amended by adding the words: "Unless specified otherwise" immediately before the words "All siting measurements" and changing the capitalization accordingly.

1.4 **PART 3 GENERAL REGULATIONS**, Section **3.3 Siting and Setback Regulations**, subsection 3.3(3) is amended by deleting the words:

"No building or structure except a fence, utility shed, boathouse, platform with a maximum area of 5 square metres, stairs and boat ramps may be constructed, reconstructed, moved, extended or located:

- (a) within a 10 metre horizontal setback, and within 1.5 metres vertically, from the natural boundary of the sea; or
- (b) within 30 metres of the natural boundary of any natural watercourse or source of water supply.

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

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

in their entirety and replacing them with the following:

"No building or structure except the following:

- (a) a fence;
- (b) a utility shed;
- (c) a boathouse located within zones R2, R3, R4, or R5;

- (d) a platform with a maximum area of 5 square metres, a set of stairs or a walkway or a combination of the two, for the purposes of accessing the foreshore; and
- (e) a boat ramp;

may be constructed, reconstructed, moved, extended or located:

- (i) within 10 metres of the natural boundary of the sea;
- (ii) within 1.5 metres of the natural boundary of the sea as measured on the vertical plane; or
- (iii) within 30 metres of the natural boundary of any natural watercourse or source of water supply.

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

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

- 1.5 **PART 3 GENERAL REGULATIONS, Section 3.5 Accessory Uses, Buildings and Structures** is amended by adding the following as subsection 3.5(5):

- (5) A swimfloat must not:
 - (a) be used to moor boats or other watercraft; or
 - (b) be placed in a location such that the swimfloat rests on the seabed at low tide.

- 1.6 **PART 5 ZONES, Section 5.1 Residential One – (R1), Density**, is amended by inserting the following as subsections 5.1(4) and 5.1(5) and renumbering the existing subsections accordingly:

- (4) The maximum number of platforms permitted on a lot within the R1 zone is one.
- (5) The maximum number of boat ramps permitted on a lot within the R1 zone is one.

- 1.7 **PART 5 ZONES, Section 5.1 Residential One – (R1), Siting and Size**, is amended by inserting the following as subsections 5.1(10), 5.1(11) and 5.1(12):

- (10) For a platform within the R1 zone, the maximum permitted height under subsection (8) is reduced to 1 metre.
- (11) Within the R1 zone, walkways and stairs sited within 10 metres of the natural boundary of the sea or sited within 1.5 metres of the natural boundary of the sea as measured on the vertical plane must be no wider than 1.5 metres and must not have any steps or portion of walkway floor more than 1.5 metres above the ground.
- (12) Within the R1 zone, no part of a boat ramp sited within 10 metres of the natural boundary of the sea or within 1.5 metres of the natural boundary of the sea as measured on the vertical plane may be more than .5 meters above the ground.

- 1.8 **PART 5 ZONES, Section 5.1 Residential One – (R1)** is amended by inserting the following subsection:

Accessory Uses

- (15) A lot within the R1 zone may not be used to keep or store a boat that is longer than 7 metres.

- 1.9 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Permitted Uses and Structures** is amended by deleting Article 5.11(1)(c):

“Equipment installed on land to assist in the offloading and loading of people and materials from boats but not obstructing public access along the foreshore;”

in its entirety; and renumbering Article 5.11(1)(d) to (c) to effect this change.

- 1.10 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Siting and Size**, Subsection 5.11(2) is amended by replacing “9.3m²” with “6 square metres”.

- 1.11 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3)**, is amended by inserting the following subsection and making such consequential numbering alterations to effect this change:

Density

- (2) The maximum number of swimfloats that may be used accessory to an adjacent upland lot within the W3 zone is one.

- 1.12 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Siting and Size**, is amended by inserting the following as subsections (5), (6) and (7):

- (5) Mooring buoys within the W3 zone must not be sited in the area that is between the projecting boundary lines of an upland public road right-of-way that provides access to the foreshore and is within 35 metres of the low low tide line that intersects with the boundary lines.

- (6) A swimfloat within the W3 zone must not be less than 2 metres in width.

- (7) A swimfloat within the W3 zone:

- (a) must not be connected in any way to the foreshore or to an adjacent upland lot; and
- (b) must be sited within the projecting lot lines of the adjacent upland lot for which the swimfloat provides an accessory use.



Lyackson First Nation

***7973A Chemainus Road
Chemainus BC V0R 1K5***

Telephone: (250) 246-5019

Fax: (250) 246-5049

Tuesday, April 16, 2019

Lyackson First Nation is in receipt of the referral for:

File #: 6500-20

Dated: March 19, 2019

Proponent: Marine Eggen

Location: Ruxton Island, B.C

Proposed Activity: Referral for proposed changes to the Thetis Associated Islands Land use by law

Lyackson First Nation recognizes this referral as being in the Hul'qumi'num Treaty Group's Marine Statement of Intent area. Lyackson First Nation had primary and secondary, fishing and marine harvesting rights/practices in this area, but not necessarily title and governing authority.

As this referral is in close proximity to other First Nations' territorial lands and marine areas, Lyackson First Nation defers to those First Nations' whose title and governing authorities are directly affected. By deferring this referral to another First Nation, Lyackson First Nation in no way surrenders its current rights and title claims.

This decision is based on knowledge available at this time. Should Lyackson First Nation identify greater interests in the future we retain the right to revise this assessment.

Huy ch q'a,

This email has been sent to you on behalf and under direction of,

Linda Aidnell

Lands & Resources Coordinator
Lyackson First Nation

BYLAW REFERRAL FORM

RESPONSE SUMMARY

☒

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Cowichan Tribes Supports use of
community docks as opposed to private
moorages.

Thetis Island Local Trust Area – Ruxton Island

(Island)



(Signature)

March 20, 2019

(Date)

Bylaw No. 103 (LUB Amendment)

(Bylaw Number)

Referrals Coordinator

(Title)

Cowichan Tribes

(Agency)

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

Thetis Island Local Trust Area – Ruxton Island

(Island)



(Signature)

2019/04/05

(Date)

Bylaw No. 103 (LUB Amendment)

(Bylaw Number)

MANAGER LAND USE SERVICES

(Title)

C. V. R. D.

(Agency)

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

Thetis Island Local Trust Area – Ruxton Island
(Island)

Bylaw No. 103 (LUB Amendment)
(Bylaw Number)

(Signature)

(Title)

(Date)

Galiano LTC
(Agency)

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

Thetis Island Local Trust Area – Ruxton Island

(Island)

Bylaw No. 103 (LUB Amendment)

(Bylaw Number)

Brent Magee

(Signature)

Navigation Protection Officer

(Title)

2019-04-09

(Date)

Navigation Protection Program - Transport Canada

(Agency)

From: FPP.PAC.Enquiries / Renseignements.PPP.PAC (DFO/MPO)
<XPAC.EnquiriesPacific@dfo-mpo.gc.ca>
Sent: Wednesday, March 27, 2019 9:17 AM
To: Becky McErlean
Subject: RE: Bylaw Referral - Thetis Island Local Trust Committee Bylaw No. 103
(Ruxton Island) - DFO

Hi Becky,

The role of the DFO's Fisheries Protection Program (FPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the Fisheries Act. The FPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

DFO does not have a regulatory role related to the Thetis Island Local Trust Committee Bylaw No. 103 because it does not directly propose works, undertakings or activities that may result in serious harm to fish.

DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program toll free: 1-866-845-6776 or email: ReferralsPacific.XPAC@dfo-mpo.gc.ca.

Regards,

Vanessa Holland

Fisheries Protection Biologist, Fisheries Protection Program
Fisheries and Oceans Canada | Government of Canada

Biologiste de la protection des pêches, La protection des pêches Programme
Pêches et Océans Canada | Gouvernement du Canada



Please consider the environment before printing this email

From: Magnan, Alain <Alain.Magnan@dfo-mpo.gc.ca>
Sent: March-19-19 12:49 PM
To: FPP.PAC / PPP.PAC (DFO/MPO) <ReferralsPacific.XPAC@dfo-mpo.gc.ca>
Subject: FW: Bylaw Referral - Thetis Island Local Trust Committee Bylaw No. 103 (Ruxton Island) - DFO

Hi Triage,

For your action.

Thanks.

From: Becky McErlean [<mailto:bmcerlean@islandstrust.bc.ca>]

Sent: March-19-19 10:57 AM

To: Nessman, Chantal; Magnan, Alain

Subject: Bylaw Referral - Thetis Island Local Trust Committee Bylaw No. 103 (Ruxton Island) - DFO

Attention Referrals:

Please find attached, a bylaw referral package from the Thetis Island Local Trust Committee of the Islands Trust regarding Bylaw No. 103.

The intent of bylaw no. 103, if adopted, would be to amend the Thetis Associated Islands Land Use Bylaw No. 94, 2014 (LUB) regulations for private moorage structures, boat ramps, walkways, floats and other structures in order to reduce their environmental and visual impact and to accommodate public access to the foreshore.

Staff reports and other materials related to the proposed bylaw can be viewed on our website at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/thetis/projects-initiatives/ruxton-island-review/>

To access the Land Use Plan Bylaw for Thetis Associated Islands please click <http://www.islandstrust.bc.ca/media/339624/thetis-assoc-islands-lub-bylaw-94.pdf>

Please include in your response, comments that you may have with respect to the bylaw amendment allowing swimfloats.

A reply is respectfully requested prior to **April 9, 2019** and a referral response form is included for your convenience, should you wish to use this document.

In the meantime should you have any questions or concerns regarding the proposed bylaw, please contact Miles Drew, Bylaw Enforcement Manager at mdrew@islandstrust.bc.ca or 250-886-6716.

Responses should be addressed to northinfo@islandstrust.bc.ca or by mail to Islands Trust, 700 North Road, Gabriola Island, BC V0R 1X5. If we do not receive a reply from you within the time requested, we will proceed with the approval process.

Thank you for your time and attention to this matter,

Becky McErlean,
Legislative Clerk/Deputy Secretary, Northern Team
Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

Phone: 250-247-2206 (office)
Enquiry BC Toll-free call 1-800-663-7867 or
from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
*Preserving **Island** communities, culture and environment since 1974*

MEMORANDUM

File No.: 0680-25
(Annual Report)

DATE OF MEETING: April 23, 2019
TO: Thetis Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: 2018-2019 Annual Report

RECOMMENDATION:

1. That the Thetis Island Local Trust Committee endorse the following text for inclusion in the 2018-2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing.

The Thetis Island Local Trust Committee (TH LTC) held five regular business meetings in the 2018/19 fiscal year.

Work for this period focused on advancing the TH LTC priorities to address private moorage regulations for Ruxton Island, implementation of the Riparian Areas Regulation on Thetis Island, and advancement of reconciliation and relationship building with local First Nations.

In order to provide backup transmission for the existing Telus network, the TH LTC also considered and provided its concurrence to Industry Canada for a telecommunications tower proposal on Thetis Island.

DISCUSSION

Local trust committees are asked to endorse their draft sections of the 2018-2019 Annual Report so that Trust Council is readily able to approve the annual report at the Trust Council meeting in June 2019.

Preparation of the Islands Trust Annual Report is outlined in Trust Council's [Annual Report Policy 6.10.i](#). Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and subsequent consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs & Housing and circulate it as indicated in Trust Council's policy.

The recommended text (above) has been reviewed by the Islands Trust Communications Specialist and approved by the Director of Local Planning Services (or designate).

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	April 16, 2019
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Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality March 2019

Local Trust Committee Referrals

The ITC Board considered two local trust committee referrals regarding development proposals on two properties adjacent to ITC Nature Reserves on Salt Spring and North Pender Islands. Read the details in the Island-by-Island Activities.

Standards and Practices for Land Trusts

The ITC Board received a comparison report about the revised Canadian Land Trust Alliance Standards and Practices. While the Islands Trust Conservancy meets the majority of recommended standards, there will be further work done to ensure it fulfills all relevant recommendations.

ITC Board Fund Development Advisory Committee

The ITC Board Fund Development Advisory Committee met for the first time since forming in a special closed meeting after the regular closed and open March 26 ITC Board meetings.

Islands Trust Reconciliation Declaration

The ITC Board discussed options for endorsement or participation in the Islands Trust Reconciliation Declaration.

Summary of Current Island-by-Island Activities

The ITC continues to work on management plans for eight nature reserves on Thetis (1), Gambier (3) and Denman (4) Islands and received forage fish habitat mapping for Sidney and James Islands.

Denman

The ITC Board received a briefing on the Comox Valley Regional District Engagement with First Nations in relation to a request from the Cowichan Valley Regional District to allow a segment of the Denman Cross Island Trail to cross the Lindsay Dickson Nature Reserve.

Management planning for the Valens Brook Nature Reserve, including the recent addition, is under way. Invasive species removal and trail clearing, sign installation, and tree protection for forest restoration continue at Inner Island, Lindsay Dickson, and Morrison Marsh Nature Reserves on Denman. New ten-year management plans for these three nature reserves will be completed in 2019.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and additional minor trail improvements are planned for 2019.

Galiano

The ITC received a report from the Habitat Acquisition Trust that approximately 30 m³ of Scotch broom was removed from the bluffs at Trincomali Nature Sanctuary by volunteers in October 2018. Improved signage for the trail in Vanilla Leaf Land Nature Reserve is planned for 2019.

Gambier

Management planning for three Gambier Island Nature Reserves (Brigade Bluffs, Long Bay Wetland, Mount Artaban) continues.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, public consultation and management planning will begin.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff regarding best management practices for external lighting and wildlife.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the Nature Reserve.

Thetis

The ITC is assisting the Thetis Island Nature Conservancy and the Cowichan Community Land Trust with an application for funding for a trail and kiosk on Fairyslipper Forest Nature Reserve. The ITC continues to work on management plans for recent acquisitions on Thetis Island, including archaeological work and communications with the Penelakut Tribe regarding cultural values on the lands. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries in 2019.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Islands Trust

Print Date: April 17, 2019

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
TH-ALR-2018.1	James / Sara Woodman Planner: Jaime Dubyna	05-Sep-2018	PID: 000-049-905 Civic Address: Lot 39 Ruxton Island Inclusion application - Provide local produce to Ruxton residents
Planning Status			
Status Date: 02-Jan-2019 Application forwarded to ALC.			
Status Date: 11-Dec-2018 Staff report to LTC for consideration.			
Status Date: 11-Dec-2018 LTC resolution TH-2018-049: \nIt was MOVED and SECONDED that the Thetis Island Local Trust Committee forward application TH-ALR-2018.1 to the Agricultural Land Commission with the following recommendations:\na) that the property owner/applicant submit a report by a qualified professional (P. Eng. or P. Ag.) to the Agricultural Land Commission describing the agricultural capability of the subject property and demonstrating that the subject property meets Agricultural Land Commission criteria for inclusion applications;\nb) that the property owner/applicant submits an application to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development for a water license that authorizes the use of surface water or groundwater for the proposed agricultural uses.\nCARRIED\n\n			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2015.2	Trincomali Holdings Ltd. Planner: Ann Kjerulf	03-Sep-2015	204 PILKEY POINT RD \request for variance to authorize a previously constructed seawall
Planning Status			
Status Date: 14-Feb-2019 Applicant informed Islands Trust staff that he has provided a copy of the archaeological assessment report to the Penelakut Tribe.			

Applications

Status Date: 11-Dec-2018

LTC requested applicant provide recent Archaeological assessment report to the LTC and to the Penelakut Tribe.

Status Date: 31-Jan-2018

Letter received from Penelakut Tribe.

Rezoning

File Number	Applicant Name	Date Received	Purpose
TH-RZ-2016.1	WEST VANCOUVER YACHT CLUB Planner: Marnie Eggen	02-Feb-2016	Proposed reconstruction and/or maintenance of breakwater on crown land north of Kendrick Island, south is Valdes Island.
Planning Status			
Status Date: 04-Mar-2019			
Application advised of intention not to proceed with application. Refund cheque issued in the amount of \$1,650.00			
Status Date: 11-Dec-2018			
Letter sent to applicant to advise their intention to proceed with their application, requesting a response in 90 days.			
Status Date: 02-Jul-2018			
No change			

Subdivision

File Number	Applicant Name	Date Received	Purpose
TH-SUB-1998.1	TRAX DEVELOPMENT LTD C/O WRIGHT FOCUS ENGINEERING LTD Planner: Marnie Eggen	25-Sep-1998	Phased Strata Subdivision 'Meadow Valley Properties' phased strata to create 21 strata lots from 4 parent parcels
Planning Status			
Status Date: 05-Feb-2019			
No change.			

Applications

Status Date: 19-Jul-2016

MOTI issued 1 yr. extension.

Status Date: 18-Dec-2015

Staff comments provided to MOTI.

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

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 02-Oct-2017

Require final subdivision plans before IT can issue final letter.

Status Date: 13-Jun-2017

MOTI letter stating they are willing to accept a 10 metre setback, as in the LUB, instead of 15 metres as in the original PLA.

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

Planner: Marnie Eggen

Planning Status

Status Date: 19-Sep-2017

Final letter of approval sent to MOTI

Status Date: 25-May-2017

Covenant approved by RWM

Status Date: 25-May-2017

Awaiting final plan of subdivision before giving final approval.

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending February 2019

670 Thetis	Invoices posted to Month ending February 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	750.00	15.62	734.38
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	1,046.27	-46.27
65210-670	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-670	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-670	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>2,250.00</u>	<u>1,046.27</u>	<u>1,203.73</u>
Projects				
73001-670-3008	Thetis RAR	11,235.00	7,231.85	4,003.15
73001-670-4072	Thetis First Nations Relations	1,800.00	0.00	1,800.00
73001-670-4090	Thetis Ruxton Island Private Moorage	3,100.00	2,868.94	231.06
TOTAL Project Expenses		<u>16,135.00</u>	<u>10,100.79</u>	<u>6,034.21</u>

Thetis Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	July 3, 2012	TH-03-2012	Professional Minute taker for APC meetings	that the Thetis Island Local Trust Committee authorizes the payment of funds from its local expense account to pay for a minute taker for Advisory Planning Commission meetings.
2.	August 28, 2018	TH-2018-036	Suspension of enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road	that the Thetis Island Local Trust Committee adopt the following standing resolution: 1. That whereas the Thetis Island Local Trust Committee intends to facilitate a community process to consider allowing Temporary Use Permits (TUP) to permit temporary non-tourist accommodation use, staff are directed to take no enforcement action against properties where temporary accommodations used for non-tourist accommodation exist. In particular, staff are directed to suspend enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road, Strata Lot B, District Lot 1, Thetis Island, Cowichan District, Strata Plan EPS644; together with an interest in the Common Property shown in proportion to the unit entitlement to the Strata Lot show on Form V. PID 028-987-691. 2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Thetis Island Land Use Bylaw No. 89 and the Thetis Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice. That unless the Thetis Island Local Trust Committee extends the effective period, this enforcement policy expires on July 30, 2019, or when the temporary use permit review project is complete, whichever is the sooner.
3.	August 28, 2018	TH-2018-041	Non-medical cannabis retail applications	that the Thetis Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500

				metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms ○ The location of the proposed establishment and the subject site ○ The place where, date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the Local Trust Committee.
4.	December 12, 2018	TH-2018-053	Cannabis License Applications	that the Thetis Island Local Trust Committee adopt the following standing resolution: • that the Thetis Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
5.	February 22, 2019	TH-2019-020	Electoral Area Director	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: that the Thetis Island Local Trust Committee request staff to circulate future meeting agendas to the Electoral Area Director and provide an invitation to attend or provide reports to the Local Trust Committee.



Top Priorities

Thetis Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Riparian Areas Regulation Implementation	Ensure protection of freshwater ecosystems in the Ralston Creek watershed through review of current regulation and covenants, and possible bylaw amendment.	07-Sep-2011	Marnie Eggen	15-Nov-2014
2	Ruxton Island Private Moorage Review	Review regulation regarding private moorage related structures and community docks. Project Charter v.4 endorsed by LTC on Dec. 11, 2018.	11-Jan-2017	Marnie Eggen	
3	Relationship Building with Local First Nations	Potential topics to explore: Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place; Co-governance/co-management; follow up from Associated OCP/LUB review:land use considerations for clam gardens; explore private docks as a permitted use; potential impacts of ocean geothermal loops; switchback fencing in setback to the sea	27-Feb-2018	Marnie Eggen	

**Projects****Thetis Island**

Description	Activity	R/Initiated
LUB Amendments	·short-term vacation rentals of principle dwellings in the R-2 zone ·rainwater storage requirements ·construction of a storage building prior to construction of a principal dwelling.	07-Sep-2011
Island-wide watershed protection	TBD	21-Nov-2012
Pilkey Point / Marina Drive Slough Support for Habitat Restoration		20-Nov-2013
Sensitive ecosystems education and engagement	Environmental education and engagement efforts, in particular with owners on the Associated Islands, to explore ways to protect sensitive ecosystems in the Area.	19-Mar-2014
Associated Islands OCP and LUB	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982, CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stzuminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.	07-Sep-2011
Letter of Understanding between the Thetis LTC and the Cowichan Valley Regional District.	Planning staff to begin drafting once project progresses to Priorities.	24-Nov-2015

**Projects****Thetis Island**

Description	Activity	R/Initiated
Amendments to Thetis Island OCP and LUB; staff to provide staff report when time permits.	Moved back to Projects List: - (housekeeping)4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)... - (housekeeping) objectives and policies re sea level rise (was resolution to include in draft but did not make it in to adopted OCP). - OCP/LUB amendments to consider ocean loop geothermal exchange systems. - explore measures to address impacts of wharf related structures.	12-Jan-2017
Review of Development Permit Areas and development of a Development Approval Information Bylaw on Thetis Island	Dec. 11, 2018: Incorporation of the Regional Conservation Plan, Coastal Douglas-fir and Associated Ecosystems Toolkit, Riparian Areas Regulation (RAR) Implementation, and Shoreline Protection.	21-Feb-2017
Consolidating lots for community benefit of Ruxton Island.		17-Oct-2017
Review Thetis Island TUPs to include non-tourist accommodation.	To be advanced to top priorities at earliest convenience.	17-Apr-2018
Thetis Associated Islands Land Use Bylaw Amendment, Ruxton Island Community Dock Review Project	Reference Ruxton Island Private Moorage Structures project for prelim consultation.	22-May-2018
Incorporation of the Regional Conservation Plan into Thetis LTA OCPs and LUBs	Investigate and provide recommendations on how to incorporate the plan elements into Thetis, Valdes, and Associated Islands OCPs and LUBs.	28-Aug-2018

Projects

Thetis Island

Description	Activity	R/Initiated
Cannabis Production and Retail Sales	Consideration of regulations to guide cannabis production and retail sales activities.	11-Dec-2018
Affordable Housing Strategy	Housing for young families, workers and seniors; community engagement	11-Dec-2018