



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: October 11, 2016
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 AND QUESTIONS 9:35 AM - 9:50 AM
Reminder: the Public Hearing for Bylaw Nos. 96 and 97 (TH-RZ-2015.1 - Penelakut Seafoods Ltd.) closed on May 9, 2016. The Local Trust committee must not permit a delegation to address a meeting of the committee regarding a bylaw in respect of which a Public Hearing has been held.
4. COMMUNITY INFORMATION MEETING - None
5. PUBLIC HEARING - None
6. MINUTES 9:50 AM - 10:05 AM
 - 6.1 Local Trust Committee Minutes Dated July 26, 2016 for adoption 4 - 12
 - 6.2 Section 26 Resolutions-Without-Meeting - None
 - 6.3 Advisory Planning Commission Minutes - None
7. BUSINESS ARISING FROM MINUTES 10:05 AM - 10:15 AM
 - 7.1 Follow-up Action List Dated October 4, 2016 13 - 14
8. DELEGATIONS - None
9. CORRESPONDENCE - None
(Correspondence received concerning current applications or projects is posted to the LTC webpage)

- | | | | |
|-----|---|---------------------|---------|
| 10. | APPLICATIONS AND REFERRALS | 10:15 AM - 11:00 AM | |
| | 10.1 TH-RZ-2015.1 (Penelakut Seafoods Ltd.) - Verbal Update | | |
| | 10.2 TH-RZ-2015.2 (Hardy Granite Quarries Ltd.) | | |
| | 10.2.1 <u>Staff Report - To be Distributed</u> | | |
| | 10.3 TH-RZ-2016.1 (West Vancouver Yacht Club) | | |
| | 10.3.1 <u>Staff Report - To be Distributed</u> | | |
| 11. | LOCAL TRUST COMMITTEE PROJECTS | 11:00 AM - 11:30 AM | |
| | 11.1 Riparian Areas Regulation - Verbal Update | | |
| | 11.2 Land Use Considerations for Clam Gardens | | |
| | 11.2.1 <u>Staff Report Dated September 30, 2016</u> | | 15 - 19 |
| 12. | REPORTS | 11:30 AM - 11:50 AM | |
| | 12.1 Work Program Reports | | |
| | 12.1.1 <u>Top Priorities Report Dated October 4, 2016</u> | | 20 - 20 |
| | 12.1.2 <u>Projects List Report Dated October 4, 2016</u> | | 21 - 21 |
| | 12.2 Applications Report Dated October 4, 2016 | | 22 - 24 |
| | 12.3 Trustee and Local Expense Report dated August, 2016 | | 25 - 25 |
| | 12.4 Adopted Policies and Standing Resolutions - None | | |
| | 12.5 Local Trust Committee Webpage | | |
| | 12.6 Chair's Report | | |
| | 12.7 Trustee Reports | | |
| | 12.8 Electoral Area Director's Report - None | | |
| | 12.9 Trust Fund Board Report Dated September, 2016 | | 26 - 27 |
| 13. | NEW BUSINESS | 11:50 AM - 12:00 PM | |
| | 13.1 2017 Local Trust Committee Meeting Dates (Proposed) | | |
| | 13.1.1 <u>Memorandum Dated September 27, 2016</u> | | 28 - 29 |
| 14. | UPCOMING MEETINGS | | |
| | 14.1 Next Regular Meeting Scheduled for Tuesday, November 29, 2016 at 9:30 am
at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis
Island, BC | | |
| 15. | TOWN HALL | 12:00 PM - 12:15 PM | |

16. CLOSED MEETING

12:15 PM - 12:30 PM

16.1 Motion to Close the Meeting

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 July 26, 2016 and Legal Advice and that the recorder and staff attend the the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

12:30 PM - 12:30 PM



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date:	July 26, 2016
Location:	Thetis Island Community Centre (Forbes Hall) North Cove Road, Thetis Island, BC
Members Present	Susan Morrison, Chair Peter Luckham, Local Trustee Ken Hunter, Local Trustee
Staff Present	Marnie Eggen, Planner 2 Sarah Shugar, Recorder
Others Present	There were approximately four (4) members of the public in attendance, including Stephanie Cottell, Chair of the Meadow Valley Properties Strata Council; Helgi Sigurgeirson, Hardy Granite; Graeme Trigg, West Vancouver Yacht Club, Outstation Director

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:30 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

13.2 Meadow Valley Properties Strata Letter Dated July 20, 2016

The following supplemental item to the agenda was presented for consideration:

10.4.1 TH-RZ-2016.1 (West Vancouver Yacht Club)

By general consent the agenda and addendum were approved.

3. TOWN HALL AND QUESTIONS

Carolyn Askew requested information regarding the Road Safety Report. She expressed concern regarding safety issues related to narrow road widths; the lack of paved or gravel shoulder, poor visibility and poor conditions for pedestrians and cyclists. She spoke to the Memorandum of Understanding between the Islands Trust and the Ministry of Transportation and Infrastructure.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes dated May 24, 2016 for adoption

By general consent the Thetis Island Local Trust Committee meeting minutes of May 24, 2016 were adopted.

6.2 Local Trust Committee Minutes from Special Meeting dated June 18, 2016 for adoption

By general consent the Thetis Island Local Trust Committee Special Meeting minutes of June 18, 2016 were adopted.

6.3 Section 26 Resolutions-Without-Meeting Report Dated July 19, 2016

The report was received.

6.4 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated July 19, 2016

The report was received.

7.2 Advisory Planning Commission – Update - None

8. DELEGATIONS - None

9. CORRESPONDENCE - None

10. APPLICATIONS AND REFERRALS

10.1 TH-SUB-2014.2 (Reid)

10.1.1 Staff Report Dated July 18, 2016

Planner Eggen presented a staff report dated July 18, 2016 regarding the endorsement of a finalized covenant prohibiting residential use of common property for a proposed two lot strata subdivision.

TH-2016-045

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee endorse the finalized covenant prohibiting residential use of common property for a proposed two lot strata subdivision on Lot 5, District Lot 1, Thetis Island, Cowichan District, Plan 5327 Except Part in Plan 2609 RW; and that the Thetis Island Local Trust Committee appoint Chair Susan Morrison on behalf of the Local Trust Committee, to be a signatory on the covenant.

CARRIED

TH-2016-046

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee ask staff to provide information regarding the covenant on the waterfront of Lot 5, District Lot 1, Thetis Island, Cowichan District, Plan 5327, Except part in plan 2609 RW.

CARRIED

TH-2016-047

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee ask staff to provide information regarding a water lease adjacent to Lot 5, District Lot 1, Thetis Island, Cowichan District, Plan 5327, Except part in plan 2609 RW.

CARRIED

10.2 TH-RZ-2015.1(Penelakut Seafoods Ltd)

10.2.1 Staff Report Dated July 18, 2016

Planner Eggen presented a staff report regarding an application to rezone lands to permit mariculture.

Discussion followed including comment regarding ensuring that access to the cut is protected and awaiting responses from the Department of Fisheries and Oceans and the Ministry of Forests, Lands and Natural Resources.

10.3 TH-RZ-2015.2 (Hardy Granite Quarries Ltd.)

10.3.1 Memorandum Dated July 18, 2016

Planner Eggen presented a memorandum regarding an application to rezone a marine area adjacent to Valdes Island to allow barge facilities.

Applicant Helgi Sigurgeirson was present and spoke to the application. He reported all works are complete.

10.4 TH-RZ-2016.1 (West Vancouver Yacht Club)

10.4.1 Staff Report Dated July 18, 2016

Planner Eggen presented a staff report dated July 18, 2016 regarding an application to rezone lands to permit breakwater improvements.

West Vancouver Yacht Club Outstation Director, Graeme Trigg was present and spoke to the application.

TH-2016-048

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee Bylaw No. 101 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 2, 2016" be read a first time.

CARRIED

TH-2016-049

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 Bylaw No. 101 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 2, 2016" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

TH-2016-050

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to refer Bylaw No. 101 cited as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 2, 2016” to the following agencies and First Nations for comment:

Local Governments: Cowichan Valley Regional District; Nanaimo Regional District

Local Trust Committees: Gabriola Island Local Trust Committee; Galiano Island Local Trust Committee, Salt Spring Island Local Trust Committee;

Provincial Agencies: Ministry of Environment, Parks; Ministry of Forests, Lands and Natural Resource Operations – Ecosystems; Ministry of Forests, Lands & Natural Resource Operations - Archaeology Site Inventory; School District #68 (Nanaimo-Ladysmith)

Federal Agencies: Transport Canada; Environment Canada; Parks Canada;

First Nations (as determined from the Provincial Consultative Areas Database and in consultation with the Ministry of Community, Sport and Cultural Development): Semiahmoo First Nation; Stz'uminus First Nation; Cowichan Tribes; Halalt First Nation; Lake Cowichan First Nation; Lyackson First Nation; Penelakut Tribe; Snuneymuxw First Nation; Hul'qumi'num Treaty Group.

CARRIED

TH-2016-051

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to refer Bylaw No. 101 cited as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 2, 2016” to the Valdez Island Conservancy.

CARRIED

TH-2016-052

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request the applicant to provide a report from Qualified Environmental Professional regarding appropriate times for construction that would not impact migratory and resident bird species.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS - None

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated July 19, 2016

The report was received.

12.1.2 Projects List Report Dated July 19, 2016

The report was received.

There was a discussion regarding the Road Safety Report and it was noted the Thetis Island Local Trust Committee is strongly in favour of advocating for improved road safety.

12.2 Applications Report Dated July 19, 2016

The report was received.

TH-2016-053

It was MOVED and SECONDED

that that the Thetis Island Local Trust Committee request staff to provide a written update regarding application TH-DVP-2015.2 (Trincomali Holdings Ltd.).

CARRIED

12.3 Trustee and Local Expense Report Dated May 2016

The report was received.

12.4 Adopted Policies and Standing Resolutions - None

12.5 Local Trust Committee Webpage

Planner Eggen presented an update regarding the webpage and noted public submissions related to applications would be posted on the website and links to the submissions would be included in agenda packages.

12.6 Chair's Report

Chair Morrison reported the next Trust Council is scheduled for September 13 to 15, 2016 on Mayne Island.

12.7 Trustee Reports

Trustee Hunter suggested each Trustee provide a draft of their ideas regarding the Islands Trust Visioning Statement for consideration at the next Trust Council and expressed support for consideration of the Riparian Areas Regulation (RAR) at the next meeting.

Trustee Luckham reported he has received a number of complaints regarding disturbances and noise recently and suggested residents also submit their complaints via the Islands Trust website. He expressed continued concern regarding the lack of consultation with the Cowichan Valley Regional District on burning bylaws.

12.8 Electoral Area Director's Report – None

12.9 Trust Fund Board Report

Chair Morrison reported the Trust Fund Board has requested the Islands Trust Visioning Statement be considered at the next Trust Council. She reported there were discussions regarding the protection of Owl Island and the audited financial statements were approved.

13. NEW BUSINESS

13.1 2017-18 Local Trust Committee Budget Request

13.1.1 Staff Report Dated July 12, 2016

A staff report dated July 12, 2016 regarding 2017-18 Local Trust Committee Budgets was presented.

TH-2016-053

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee approve and forward the draft 2017-18 budget submission to Financial Planning Committee as presented.

CARRIED

13.2 Meadow Valley Properties Strata Letter Dated July 20, 2016

Correspondence was received.

Stephanie Cottell, Chair of the Meadow Valley Properties Strata Council was present and spoke to the correspondence. She expressed support for a covenant that speaks to the strata's support of conservation and stewardship of the watershed in place of RAR on the property. She expressed concern regarding whether the strata would need to undertake the Development Permit Area process for any maintenance in the RAR area. She also expressed concern regarding the uncertainty of RAR.

There was discussion including that the Islands Trust is the agency tasked to implement RAR.

TH-2016-054

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to forward the letter dated July 20, 2016 from the Chair of the Meadow Valley Properties Strata Council with appendix, to the appropriate senior staff member at the Ministry of Environment and request a review of the watershed within the Meadow Valley Properties and advise how the Ministry of Environment expects the Thetis Island Local Trust Committee to proceed, and that the correspondence be copied to the Meadow Valley Properties Strata Council.

CARRIED

14. UPCOMING MEETINGS

The next regular meeting is scheduled for Tuesday, October 11, 2016 at 9:30 a.m. at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, B.C.

15. CLOSED MEETING

16.1 Motion to Close the Meeting

TH-2016-055

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), (d) and (i) for the purpose of considering Appointment of Board of Variance (BOV) Members and adoption of In-Camera Meeting Minutes dated May 24, 2016 and to receive advice that is subject to solicitor-client privilege, including communication necessary for that purpose, and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 11:11 a.m.

16.2 Recall to Order

The meeting was reopened to the public at 11:22 a.m.

16.3 Rise and Report

Chair Morrison reported the Thetis Island Local Trust Committee has appointed Sheila Ray, Jack Woodward, and Laurie Jackson to the Board of Variance for the Thetis Island Local Trust Area. She also reported the minutes of the May 24, 2016 Closed Meeting were adopted.

17. ADJOURNMENT

By general consent the meeting was adjourned at 11:22 a.m.

Susan Morrison, Chair

Certified Correct:

Sarah Shugar, Recorder

Follow Up Action Report

Thetis Island

29-Mar-2016

Activity	Responsibility	Target Date	Status
Staff to prepare a letter from the LTC (signed by the LTC chair) to MOTI requesting a road safety report.	Marnie Eggen Peter Luckham	29-Apr-2016	On Going

02-Jun-2016

Activity	Responsibility	Target Date	Status
Staff to communicate with the Department of Fisheries and Oceans and the Ministry of Forest Lands and Natural Resources and request written confirmation that in the future an application for dredging of the Navigation Channel between Thetis and Penelakut Islands, if applied for by local government or another agency with community support, would not be approved solely on the basis that the area has a License of Occupation for the purposes of Mariculture	Marnie Eggen	26-Jul-2016	Done
Staff to communicate with Transport Canada and request written confirmation that despite the issuance of a License of Occupation for the purposes of Mariculture (Clam and Oyster) in the Navigation Channel between Thetis and Penelakut Islands, the Navigation Protection Act will continue to protect the right of the public to use this channel for the purposes of navigation.	Marnie Eggen	26-Jul-2016	Done

26-Jul-2016

Activity	Responsibility	Target Date	Status
Staff to provide written update on TH-DVP-2015.2.	Gary Richardson	16-Sep-2016	Done
Staff to request from the West Vancouver Yacht Club (TH-RZ-2016.1) a biologists report about appropriate construction times with regard to resident and migratory birds from a Qualified Environmental Professional	Marnie Eggen	16-Sep-2016	Done



Follow Up Action Report

Staff to update Amendment Bylaw No. 101 after 1st reading, to note Islands Trust Policy Statement endorsement, and to send out referrals to agencies and First Nations, including the Valdes Island Conservancy	Becky McErlean Marnie Eggen	15-Aug-2016	Done
Staff to forward the approved draft 2017-18 budget submission from the Thetis LTC to Financial Planning Committee as presented.	Marnie Eggen Ann Kjerulf	12-Aug-2016	On Going
Staff to forward to senior staff at Ministry of environment the legal opinion from Meadow Valley Strata and ask to be advised on how the LTC shall proceed with implementing the Riparian Areas Regulation on Thetis Island.	Marnie Eggen	19-Aug-2016	On Going
Thetis LTC appointed Sheila Ray, Jack Woodward, and Laurie Jackson to the Board of Variance.	Becky McErlean	05-Aug-2016	On Going



File No.: TH-6500-20 (Clam Gardens)

DATE OF MEETING: October 11, 2016

TO: Thetis Island Local Trust Committee

FROM: Aleksandra Brzozowski, Island Planner
Northern Office

SUBJECT: Land Use Considerations for Clam Gardens

Applicant: LTC-initiated Project

Location: Thetis Island Local Trust Area (Thetis, Valdes, and Associated Islands)

RECOMMENDATION

1. That the Thetis Island Local Trust Committee request Staff to establish a series of Elder-to-Staff sessions with local First Nations to learn more about the clam gardens and clam garden practices in the Thetis Island Local Trust Area.

REPORT SUMMARY

This report outlines the land use planning considerations for protecting clam gardens, and identifies as a next step the crucial need to learn about clam garden practices from First Nations.

BACKGROUND

Clam gardens are traditional aquaculture cultivation areas established and used by First Nations along the Pacific Coast. Recent academic research has identified upwards of 70 clam gardens in and around the Thetis Island Local Trust Area. Clam gardens were often constructed where there was little or no former clam habitat (such as on bedrock), though some clam gardens were created to augment and expand a pre-existing clam beach. Clam gardens could potentially serve a broader purpose as sites to be restored and maintained using First Nations practices, with the possibility to return to being active aquaculture cultivation sites. Research to date regarding the ecological benefit of clam garden structures is sparse, but all research indicates that clam gardens improve the biodiversity of marine ecosystems.

On May 24, 2016, the LTC requested Staff to prepare a report outlining land use considerations in relation to clam gardens, including options regarding renewals of Licences of Occupation and Crown Leases.

ANALYSIS

Clam Gardens as Archaeological Sites

The Thetis Island Official Community Plan, the Associated Islands Official Community Plan, and the Valdes Island Rural Land Use Bylaw all acknowledge the importance of culturally significant heritage sites.

Planning staff has clarified with the BC Archaeology Branch how clam gardens would receive protection under the *Heritage Conservation Act*. Clam garden protection would include both the physical site itself as well as the traditional activity occurring on the site. Registered clam garden sites would require an alteration permit from the Archaeology Branch to permit changes to the site, similar to those required for shoreline middens.

Effective protection of archaeological and heritage sites under the *Heritage Conservation Act* is a common concern of First Nations. The Lyackson Nation has indicated that they desire a more proactive approach to protecting clam gardens as a land use. However, it is unclear at this time the interests and opinions of the other local First Nations in the Local Trust Area.

The LTC could look to establish a Heritage Conservation Area over one or more clam garden sites. One example of a Heritage Conservation Area protecting First Nations sites is on Savary Island, where the Powell River Regional District has established a Heritage Conservation Area over a district lot hosting several archaeological sites. The strength of a Heritage Conservation Area is that guidelines can stipulate that no alteration permits may be sought. Establishing a site as a Heritage Conservation Area is a significant process, and more information is needed to identify which clam garden sites are suited for such protection.

Clam Gardens and Existing Zoning

Docks and Moorage

Permitted zoning for docks and moorage is the largest threat to the protection of clam gardens, as dock structures directly impede clam garden use and can also damage clam gardens.

Private moorage of boats for upland lots comprises a significant amount of zoning on Thetis, Valdes, and the Associated Islands (save Ruxton Island). Modifications to this zoning could be made after careful consideration by the Local Trust Committee.

Aquaculture/Mariculture

Clam gardens were typically not established in high functioning clam bed areas; as such, they likely do not occur in areas currently zoned for aquaculture or areas considered to be rezoned for aquaculture. Aquaculture or mariculture as defined in the Local Trust Committee's land use bylaws are broader terms than the specific traditional practices that would occur in a clam garden. It would be inappropriate to include clam gardens under the general definition of aquaculture or mariculture.

Marine Conservation

The Associated Islands Land Use Bylaw and the Thetis Island Land Use Bylaw both include marine zones that limit use to marine conservation uses such as ecological reserves and marine research and educational activities. These terms are not explicitly defined; it is possible, however, that clam garden restoration could be included under this zoning without the other conservation uses precluding clam garden use.

Shoreline Structures

Shoreline structures, such as seawalls and rip rap, affect the wave energy and marine habitat at shorelines. Such structures certainly impact the practice and effectiveness of clam gardening at these sites. Currently, none of the land use bylaws permit structures to be erected within at least 7.5 metres of the natural boundary of the sea; however, upholding these regulations continues to be a concern for the LTC. The threat that shoreline structures like seawalls pose to clam gardens is a reminder of the tenets of existing regulations when requiring and reviewing shoreline development variance permit applications.

Clam Gardens and Crown Leases

Designated Use Areas

Staff has confirmed with staff at the Ministry of Forests, Lands, and Natural Resources (FLNRO) that Designated Use Areas are regarded as the most effective tool offered through the *Land Act* to protect areas vulnerable to impact from other uses or users. Designated Use Area status can be placed on specific sites to prevent other

Crown tenures from being established at these sites for a temporary period (typically five years), with opportunity for renewal. The intention is that the area is flagged for review by FLNRO and denoted as a map reserve until an agreement about the long-term use and user is permanently established.

Clam gardens are eligible to become Designated Use Areas (DUAs). Detailed information and rationale would be required, and such a submission would only be effective if put forward or supported by local First Nations. Designated Use Areas could comprise multiple sites; it is possible that many or all clam garden sites identified as part of the recent research project could be included as one submission to FLNRO. To date, FLNRO staff is unaware of any DUA submissions for clam gardens in the Local Trust Area.

Renewals of Crown Leases

A large number of Crown leases and Licenses of Occupation are renewed each year. Currently, these permissions are not referred back to the Islands Trust at time of renewal. At their May 24, 2016 LTC meeting, the LTC specifically requested staff to investigate options to protect clam gardens in renewal situations.

It is possible for the Islands Trust to flag certain renewal files with Notifications of Interest, which would request that FLNRO refer the renewal to those notified as having particular interest. Should the LTC wish to pursue such an approach, however, it would be necessary to provide detailed information about the specific interests regarding specific sites. Notwithstanding, notifications citing a general and high-level interest may not be effective in protecting clam gardens and may in practice simply become a bureaucratic hurdle. Specific information about the identified clam gardens is unknown at this time.

Issues and Opportunities:

Clam Gardens typically belongs to families, and Islands Trust staff is not knowledgeable about the history, use, or stewardship of the specific clam gardens that have been identified through this academic research. The options afforded to the LTC that are described above require a better understanding of the practice of clam gardens and of the clam garden sites identified through aerial archaeological research.

When looking for guidance on how to proceed with land use considerations for clam gardens, Planning Staff has referenced the following three principles that the Islands Trust has committed to in respect to working with First Nations on matters of land use:

Principle #1: Islands Trust is committed to becoming aware of what it does not know or understand about First Nations.

- Islands Trust commits to “listen and learn” about the history of First Nations’ connection to the land and waters.
- Islands Trust commits to “listen and learn” about First Nations’ perspective on treaties, rights and title.
- Islands Trust commits to acknowledging that history, once it is understood.

Principle #2: Islands Trust is committed to proving sincere desire for reconciliation.

- Islands Trust commits to acknowledging the inherent bias in the organization that comes from Canadian culture and assumptions have conditioned non-Natives citizens to ignore and minimize their relationship with First Nations.
- Islands Trust commits to actions that reflect an effort to change societal attitudes and systems.

Principle #3: Islands Trust is committed to integrating, where possible, activities that support First Nations reconnecting with the Trust Area lands and waters.

- Islands Trust commits to supporting, where possible, traditional gathering and harvesting activities.
- Islands Trust commits to supporting, where possible, the integration of Traditional Knowledge into stewardship practices and policies.
- Islands Trust commits to supporting the development of a Reconciliation Action Plan.

The Islands Trust Senior Governmental Policy Advisor (SIPA) recommends that Planning Staff undertake an Elders-to-Staff knowledge gathering series wherein the Regional Planning Manager and Planning staff will meet with knowledge keepers of the local First Nations to learn about clam garden practices in their communities. Better understanding local clam garden practices will be the first step towards supporting the First Nations in protecting these areas in a manner that stems from their interests.

Consultation:

Following the three guiding principles, it is recommended that Planning Staff request meeting with knowledge keepers of the First Nations with interests in the Thetis Island Local Trust Area. It is advised by the SIPA that this consultation be limited to staff at this time, and that more elected official-focused consultation follow these initial learning sessions.

Rationale for Recommendation:

The physical identification of clam gardens in the Thetis Island Local Trust Area is a good first step toward protection. Yet, before land use considerations can be made about how to best protect these clam gardens, much more needs to be understood about clam gardens and traditional clam garden practices in order to learn how best to support local First Nations in protecting this use. Spending time on a phase of knowledge gathering demonstrates a concrete commitment to supporting First Nations from a place of respect.

ALTERNATIVES

1. Request staff to proceed with land use regulation options

The LTC may request staff to proceed with one of the above noted options to protect Clam Gardens through zoning and/or designation of a Heritage Conservation Area.

***Resolution:** That the Thetis Island Local Trust Committee request that staff prepare a report identifying potential OCP and land use bylaw amendments to protect identified clam gardens within the Thetis Island Local Trust Area.*

2. Proceed No Further at this time

The LTC may choose not to proceed with this project at this time. If this alternative is selected, the LTC should consider moving this item off the Priorities List until a later date.

***Resolution:** That the Thetis Island Local Trust Committee move 'Land Use Considerations for Clam Gardens' from the Top Priorities List to the Projects List.*

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

If requested by the LTC, Staff would work with the SIPA to contact the Knowledge Keepers of local First Nations.

Submitted By:	Aleksandra Brzozowski, MCIP, RPP Island Planner	September 30, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 30, 2016



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	Amendments to Thetis Island OCP and LUB; staff to provide staff report when time permits.	Moved from 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.	29-Mar-2016	Marnie Eggen	29-Mar-2017
3	Land Use Considerations for Clam gardens	- staff report to include consideration of options regarding renewal of Licence of Occupation and leases	24-May-2016	Aleksandra Brzozow	24-Nov-2017

**Projects****Thetis Island**

Description	Activity	R/Initiated
Potential LUB amendments:	- short-term vacation rentals of principle dwellings in the R-2 zone - rainwater storage requirements	07-Sep-2011
Island-wide watershed protection	TBD	21-Nov-2012
Pilkey Point / Marina Drive Slough: Support for habitat restoration.		20-Nov-2013
Education and engagement re: sensitive ecosystems.	Environmental education and engagement efforts, in particular with owners on the Associated Islands, to explore ways to protect sensitive ecosystems in the Area.	19-Mar-2014
Associated Islands OCP and LUB Creation	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982, CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stz'uminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.	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
Follow up on comments from Lyackson FN post adoption of Thetis Assoc. Islands OCP and LUB	Limiting private docks as a permitted use on Thetis Associated Islands Potential Impacts of Ocean Geothermal loops Switchback fencing in setback to the sea	24-May-2016



Islands Trust

Print Date: October 4, 2016

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2015.2	Trincomali Holdings Ltd.	03-Sep-2015	204 PILKEY POINT RD Obtain approval to construct a retaining wall.
Planner: Gary Richardson			
Planning Status			
Status Date: 15-Sep-2015 opened file, gave to planner, notified LTC, processed fees			

Rezoning

File Number	Applicant Name	Date Received	Purpose
TH-RZ-2015.1	PENELAKUT SEAFOODS INC	11-Mar-2015	Rezoning to allow for mariculture in the marine area, south of Thetis Island.
Planner: Marnie Eggen			
Planning Status			
Status Date: 19-Jul-2016 PH held. Staff requesting info from various agencies, First Nations re: 'the cut'			
Status Date: 04-May-2016 CIM and Public Hearing set May 9th			
Status Date: 14-Dec-2015 First Nation and Agency referrals sent out.			
File Number	Applicant Name	Date Received	Purpose
TH-RZ-2015.2	Hardy Island Granite Quarries Ltd.	05-Oct-2015	Zoning change to allow barges to be loaded and unloaded at the proposed lot.
Planner: Marnie Eggen			
Planning Status			
Status Date: 19-Jul-2016 Revised application anticipated.			

Applications

Status Date: 29-Mar-2016

First reading and bylaw referrals sent out

Status Date: 10-Nov-2015

Preliminary Staff Report.

File Number	Applicant Name	Date Received	Purpose
TH-RZ-2016.1	WEST VANCOUVER YACHT CLUB	02-Feb-2016	Proposed reconstruction and/or maintenance of breakwater on crown land north of Kendrick Island, south is Valdes Island.

Planner: Marnie Eggen

Planning Status

Status Date: 19-Jul-2016

CIM held. Draft Bylaw prepared.

Status Date: 04-May-2016

Preliminary staff report considered and CIM scheduled for June 18th.

Subdivision

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

Planner: Marnie Eggen

Planning Status

Status Date: 19-Jul-2016

MOTI issued 1 yr. extension.

Status Date: 18-Dec-2015

Staff comments provided to MOTI.

Status Date: 14-Sep-2015

Applicant seeking comments on Phase III. Planner reviewing file.

File Number	Applicant Name	Date Received	Purpose
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**Applications**

TH-SUB-2014.1

J.E. Anderson &
Associates

23-Jun-2014

Ruxton Island
to create 2 parcels from 3 existing lots**Planner:** Marnie Eggen**Planning Status**

Status Date: 08-Jun-2016

Subdivision Referral response sent to Kirsten Fagervik MOTI and copied to applicant and LTC.

Status Date: 04-May-2016

New Thetis Associated Islands OCP and LUB adopted; applicant to confirm whether they would like to continue with application.

Status Date: 08-Jan-2016

No change

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: 11-Mar-2016

Applicant revising proposed plan. Planner reviewing.

Status Date: 02-Mar-2016

Subdivision referral report completed and sent to MOTI.

Status Date: 08-Jan-2016

Planner reviewing application, as per new TH Associated Islands OCP & LUB.

Islands Trust
 LTC EXP SUMMARY REPORT F2017
 Invoices posted to Month ending August 2016

670 Thetis	Invoices posted to Month ending August 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	931.46	68.54
65210-670	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-670	LTC - Local Exp - Communications	1,000.00	0.00	1,000.00
65230-670	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,000.00</u>	<u>931.46</u>	<u>2,068.54</u>
Projects				
73001-670-3008	Thetis RAR	1,500.00	0.00	1,500.00
73001-670-4072	Thetis First Nations Relations	3,000.00	0.00	3,000.00
TOTAL Project Expenses		<u>4,500.00</u>	<u>0.00</u>	<u>4,500.00</u>



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality September 2016

New Trust Fund Board Member – Richard Hoops Harrison

The Trust Fund Board (TFB) is happy to welcome Hoops Harrison, recently appointed as a member of the Board by the Minister of Community, Sport and Cultural Development. Hoops has a home on Saturna Island and is actively interested in Islands Trust issues. He is a lawyer specializing in civil litigation and serves as a member of the Patient Care Quality Review Boards for the Fraser Health Authority, Provincial Health Services, and Vancouver Coastal Health Authority. One vacancy remains on the Trust Fund Board; we are awaiting news of another appointment.

2016 Monitoring Reports

The TFB has accepted reports from monitoring contractors on the status of the 26 nature reserves, 24 NAPTEP covenants and 48 conservation covenants held by the Board that are not part of the NAPTEP program. The contractors report no significant issues were identified. The report includes an assessment of whether management objectives are being achieved and public safety issues are being addressed. The monitoring is also valuable for identifying other management issues that need attention.

Thetis Island

The TFB has directed staff to proceed with acquisition of a property on Thetis Island which will become a nature reserve. This is being made possible through a generous donation, an Ecological Gift and a grant from Environment Canada's Habitat Stewardship Program for Species at Risk– a great example of the kind of partnerships required to achieve land conservation on the Islands in the Salish Sea. Full details of the acquisition will be provided once the acquisition is complete.

Meanwhile, the Islands Trust Fund is continuing to support the final year of the Fairyslipper Forest campaign through social media outreach, planning and grant applications. The campaign deadline is June 2017.

Salt Spring Island

The TFB has accepted two conservation proposals to hold covenants on properties on Salt Spring Island with special natural values. Both covenants will be co-held with the Salt Spring Island Conservancy.

The Board has considered possible roles in protecting Owl Island. TFB land protection projects are usually initiated by a proposal from, or on behalf of, a landowner. The TFB is not in a position to be actively involved at this time but will continue to monitor the situation.

Property management activities

A draft revised management plan for the Cyril Cunningham Nature Reserve has been provided to partners for comment.

Hornby Island

A small celebration was held with partners to mark registration of the TFB's second conservation covenant on Hornby Island protecting Garry Oak meadow and mature forest. As often happens, unexpected challenges arose but the TFB is grateful for the landowner's vision and determination to see this protection completed.

Bowen Island

Property management activities

The feasibility of building a viewing platform at Fairy Fen Nature Reserve is being explored. The management plan for Singing Woods Nature Reserve is scheduled for revision.

Denman Island

Property management activities

Discussions are taking place with BC Parks and Denman Conservancy Association about trail relocation at the Morrison March Nature Reserve.

The TFB is negotiating a covenant for the Settlement Lands with the Denman Conservancy Association and has been working with them on the ecological baseline for the properties.

Gabriola Island

Property management activities

Vandalism and trail maintenance are on-going issues at the Elder Cedar Nature Reserve. Staff are seeking design and cost estimates for creating a boardwalk around the large western red cedar tree. A draft management plan for the Burren's Acres Nature Reserve has been circulated to partners.

Lasqueti Island

Property management activities

There is continuing monitoring of the restoration work at the Mount Trematon Nature Reserve following damage caused by trespass activities last year (no repeat problems this year). The management plan for the Kwell Nature Reserve will be revised next year.

North Pender Island

Property management activities

Three beautiful and informative interpretive panels have been installed in a kiosk at the Medicine Beach Nature Sanctuary, with thanks to our partner the Pender Island Conservancy Association for coordinating, and thanks to Tsartlip elder and language teacher John Elliott and forage fish expert Ramona de Graff for sharing their knowledge and time.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca



File No.: 3030-02 (LTC General)

DATE OF REPORT: October 6, 2016

TO: Denman Island Local Trust Committee
Executive Committing Acting as a Local Trust Committee (**Ballenas-Winchelsea Islands**)
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Office

SUBJECT: 2017 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. **That the [insert name of Local Trust Committee] schedule its regular business meetings on the following dates: [insert meeting dates as noted and/or amended].**

REPORT SUMMARY

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2017. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for meetings. Meeting details will be advertised in accordance with legislated notification requirements.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 6, 2016
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ATTACHMENT

1. Tentative 2017 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2017 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 31*	January 12 February 9	January 26 (Alt. Feb. 2) March 23	February 3	February 27	February 21	April 19
	March 7	March 9	April 27	March 31*	April 24	April 18	July 19 (Alt. July 12)
	May 2	May 11	May 25	May 5	June 26	June 27*	
	June 6	June 8	July 27	July 7	September 18*	August 29*	
	August 1	July 13	August 31*	September 8*	October 23	October 17	October 11 (Alt. Oct. 4)
	October 3	September 7*	October 26	November 3	November 27	December 12*	
	November 14*	October 12 December 14	November 30*				
Total	7	9	8	6	6	6	3

Day	1 st Tuesday	2 nd Thursday	4 th Thursday	1 st Friday	4 th Monday	3 rd Tuesday	Wednesday
Time	10:30 am	10:15 am	10:30 am	11:30 am	11:00 am	9:15 am	10:30 am
Location	Denman Seniors Hall	Gabriola Arts Council	TBD	Room to Grow	Judith Fisher Centre/The Arts Centre	Thetis Community Centre (Forbes Hall)	Northern Office (Gabriola)

*Meeting moved from designated day due to scheduling conflict

Key Dates

Stat Holidays	Jan. 2; Feb.13; Apr 14,17; May 22; July 3; Aug.7; Sept.4; Oct.9; Nov.13; Dec.25,26
LGLA Conference	Feb.1-3
SD 46 (Sunshine Coast) Spring Break	Mar.13-24
SD 68 (Nanaimo) Spring Break	Mar. 20-31
SD 69 (Qualicum) Spring Break	Mar 13-24
SD 71,79 (Comox /Cowichan) Spring Break	Mar. 20-24
AVICC Conference	April 7-9
LGMA Conference	May 16-18
PIBC Conference	May 30-June 2
CIP Conference	June 17-20
UBCM Conference	Sept. 25-29
Trust Council (TC)	March 14-16; June 20-22; Sept 12-14; Dec. 5-7
Executive Committee(EC)	Jan. 18; Feb. 8; Mar. 1, 14; Apr. 5, 26; May 17; June 7, 20; July 12; Aug. 2, 30; Sept. 12; Oct. 4, 25; Nov. 8, 22; Dec. 5
Trust Programs Committee (TPC)	Feb. 20; May 29; Aug. 21; Nov. 6
Local Planning Committee (LPC)	Feb. 16; May 24; Aug. 17; Nov. 16
Financial Planning Committee (FPC)	Jan. 17; Feb. 28; May 31, Aug. 23; Oct. 18; Nov. 15
Trust Fund Board (TFB)	Feb. 7; Apr. 4; May 30; July 18; Sept. 26; Nov. 21