



## Thetis Island Local Trust Committee Regular Meeting Agenda

Date: February 27, 2018  
Time: 9:45 am  
Location: Thetis Island Community Centre (Forbes Hall)  
North Cove Road, Thetis Island, BC

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|                                                                                                                                                 | <b>Pages</b>        |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>1. CALL TO ORDER</b>                                                                                                                         | 9:45 AM - 9:50 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." |                     |
| <b>2. APPROVAL OF AGENDA</b>                                                                                                                    |                     |
| <b>3. TOWN HALL AND QUESTIONS</b>                                                                                                               | 9:50 AM - 10:05 AM  |
| <b>4. COMMUNITY INFORMATION MEETING - None</b>                                                                                                  |                     |
| <b>5. PUBLIC HEARING - None</b>                                                                                                                 |                     |
| <b>6. MINUTES</b>                                                                                                                               | 10:05 AM - 10:15 AM |
| <b>6.1 Local Trust Committee Minutes dated December 12, 2017 for Adoption</b>                                                                   | 4 - 11              |
| <b>6.2 Section 26 Resolutions-Without-Meeting Report dated February 19, 2018</b>                                                                | 12 - 12             |
| <b>6.3 Advisory Planning Commission Minutes - None</b>                                                                                          |                     |
| <b>7. BUSINESS ARISING FROM MINUTES</b>                                                                                                         | 10:15 AM - 10:25 AM |
| <b>7.1 Follow-up Action List dated February 19, 2018</b>                                                                                        | 13 - 14             |
| <b>8. DELEGATIONS - None</b>                                                                                                                    |                     |
| <b>9. CORRESPONDENCE</b>                                                                                                                        | 10:25 AM - 10:35 AM |
| <i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>                                       |                     |
| <b>9.1 Valdes Island Conservancy December, 2017 Update</b>                                                                                      | 15 - 16             |
| <b>9.2 Correspondence received from Olaf Knezevic - February 18, 2018</b>                                                                       | 17 - 17             |

|            |                                                                                             |                            |         |
|------------|---------------------------------------------------------------------------------------------|----------------------------|---------|
| <b>10.</b> | <b>APPLICATIONS AND REFERRALS</b>                                                           | <b>10:35 AM - 10:55 AM</b> |         |
| 10.1       | TH-RZ-2017.1 (Velez) - Memorandum                                                           |                            | 18 - 19 |
| 10.2       | TH-DVP-2015.2 (Trincomali Holdings Ltd.) - Memorandum                                       |                            | 20 - 22 |
| 10.3       | North Pender Island Local Trust Area Referral Request for Response for Bylaw Nos. 216 & 217 |                            | 23 - 25 |
| <b>11.</b> | <b>LOCAL TRUST COMMITTEE PROJECTS</b>                                                       | <b>10:55 AM - 11:25 AM</b> |         |
| 11.1       | Ruxton Island Private Moorage & Community Docks Review - Memorandum                         |                            | 26 - 27 |
| 11.2       | Relationship Building with Lyackson First Nation - Staff Report                             |                            | 28 - 31 |
|            | <i>--BREAK - 11:25 - 11:40--</i>                                                            |                            |         |
| <b>12.</b> | <b>REPORTS</b>                                                                              | <b>11:40 AM - 12:10 PM</b> |         |
| 12.1       | Work Program Reports                                                                        |                            |         |
| 12.1.1     | <u>Top Priorities Report dated February 19, 2018</u>                                        |                            | 32 - 32 |
| 12.1.2     | <u>Projects List Report dated February 19, 2018</u>                                         |                            | 33 - 34 |
| 12.2       | Applications Report dated February 19, 2018                                                 |                            | 35 - 38 |
| 12.3       | Trustee and Local Expense Report dated December, 2017                                       |                            | 39 - 39 |
| 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                                                            |                            |         |
| 12.9       | Trust Fund Board Report dated November, 2017                                                |                            | 40 - 41 |
| 12.10      | Trust Fund Board Report dated January, 2018                                                 |                            | 42 - 44 |
| <b>13.</b> | <b>NEW BUSINESS</b>                                                                         | <b>12:10 PM - 12:40 PM</b> |         |
| 13.1       | Housing Agreement Administration - Briefing                                                 |                            | 45 - 47 |
| 13.2       | CVRD's Ruxton Island Civic Address Project - For Information                                |                            |         |
| 13.3       | Thetis Community Association - Invoice for Islands Trust Link on Webcam 2018                |                            | 48 - 48 |
| 13.4       | Farm Industry Review Board - Memorandum - For Information                                   |                            | 49 - 50 |

13.5 CVRD Proposed New Regional Tax - Water Service Function - for Discussion

51 - 52

13.6 Agenda Format - Discussion

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, April 17, 2018 at 9:45 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC

15. TOWN HALL 12:40 PM - 12:55 PM

16. CLOSED MEETING 12:55 PM - 1:05 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) for adoption of In-Camera Meeting Minutes dated December 12, 2017 AND that the recorder and staff attend the meeting.*

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT 1:05 PM - 1:05 PM



## Thetis Island Local Trust Committee Minutes of Regular Meeting

**Date:** December 12, 2017  
**Location:** Thetis Island Community Centre (Hunter Room)  
 North Cove Road, Thetis Island, BC

**Members Present:** Peter Luckham, Local Trustee, Acting Chair  
 Ken Hunter, Local Trustee

**Staff Present:** Marnie Eggen, Island Planner  
 Miles Drew, Bylaw Enforcement Officer  
 Jennifer Eliason, Islands Trust Fund Manager  
 Teresa Rittemann, Planner 2 (by speakerphone)  
 Janice Young, Recorder

**Others Present:** There were approximately four (4) members of the public present.

**Regrets:** Susan Morrison, Chair

### 1. CALL TO ORDER

Planner Eggen, standing in for Chair Morrison called the meeting to order at 9:31am and appointed Trustee Luckham as Chair.

Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations and welcomed the members of the public.

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

### 3. TOWN HALL AND QUESTIONS

Thanks were extended to the Islands Trust Fund for its Conservation Plan and particularly for the hard work assisting with the Moore Hill and Burchell Hill (Fairy Slipper Forest) acquisition projects.

### 4. COMMUNITY INFORMATION MEETING – None

### 5. PUBLIC HEARING – None

### 6. MINUTES

#### 6.1 Local Trust Committee Minutes dated October 17, 2017 for adoption

**By general consent** the Local Trust Committee meeting minutes of October 17, 2017 were adopted.

**6.2 Section 26 Resolutions-Without-Meeting Report dated December 1, 2017**

Reviewed and approved.

**6.3 Advisory Planning Commission Minutes – None**

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List dated December 1, 2017**

Received. Update was provided by Planner Eggen and discussion followed.

**8. DELEGATIONS – None**

**9. CORRESPONDENCE - None**

**10. APPLICATIONS, REFERRALS AND BYLAWS**

**10.1 Regional Conservation Plan – Briefing**

Jennifer Eliason, Manager of the Trust Fund, presented the Regional Conservation Plan. Discussion ensued and questions and answers followed:

- Is there any flexibility of the three year reviews of the ten year plan when new situations and opportunities arise?
  - Prioritization is based on merit, not geography, that the three year review of work plan is adaptive, to be updated or re-evaluated as required
- Are there tools available for Marine Protected Areas?
  - When working with Crown Land, tools are limited and also First Nations Treaties need to be considered; monitoring and policing is not really possible, however, stewardship agreements are a possibility.

**10.2 Islands Trust Fund Five Year Plan – Briefing**

Manager Eliason presented the Islands Trust Fund Five Year Plan, discussion followed and thanks were extended to her for her work on these plans.

**TH-2017-045**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Five Year Plan for information.

**CARRIED**

**10.3 TH-DVP-2015.2 (Trincomali Holdings Ltd.) – Memorandum**

Planner Eggen presented the memorandum and discussion followed.

Staff will provide a follow-up report for a future meeting.

**10.4 TH-RZ-2015.2 (Hardy Island Granite Quarries Ltd.) – Memorandum**

Planner Eggen presented the memorandum and discussion followed, including concerns about effect on the environment.

The following resolution was MOVED:

that the Thetis Island Local Trust Committee respond to Joan Calderhead, Manager of Environment & Natural Resources, Lands and Economic Development BC Region with thanks for the referral, and that the Thetis Island Local Trust Committee is concerned with the following:

- that the report indicated that there are no rare and endangered species or suitable habitat for these in the application area;
- noise is of great concern as to impact on adjacent islands;
- fire protection and management plan do not take into account that it is an unserviced area and that wild fire is unaddressed;
- with respect to restoration, that all identified invasive species be managed.

Not SECONDED; does not CARRY.

**10.5 TH-RZ-2016.1 (West Vancouver Yacht Club) - Letter from Lyackson First Nation dated November 21, 2017**

Received.

**10.6 TH-RZ-2017.1 (Velez) - Staff Report**

Teresa Ritemann, Planner 2, participated by telephone.

Planner Ritemann reported that the applicant has requested that the Local Trust Committee delay making a decision until February when he returns from Mexico and can attend the meeting and speak on his own behalf.

Chair Luckham requested that all correspondence to date be attached to a subsequent Staff Report.

**TH-2017-046**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee refer application TH-RZ-2017.1 (Velez) to the Thetis Island Advisory Planning Commission, BC Ferries Corporation, and the Thetis Island Ferry Advisory Committee in order to solicit feedback on the proposed use of Strata Lot B, District Lot 1, Thetis Island as temporary rental housing.

**CARRIED**

The Thetis Island Local Trust Committee has reservations regarding this application.

Planner Rittemann left the meeting.

**10.7 Salt Spring Island Local Trust Area Referral Request for Response for Bylaw Nos. 504 and 505**

Presented by Chair Luckham.

**TH-2017-047**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee advise the Salt Spring Local Trust Area that in regard to Bylaws Nos. 504 and 505, the Thetis Island Local Trust Committee's interests are not affected.

**CARRIED**

**10.8 Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 507**

Presented by Chair Luckham.

**TH-2017-048**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee advise the Salt Spring Local Trust Area that in regard to Bylaw No. 507, the Thetis Island Local Trust Committee's interests are not affected.

**CARRIED**

**10.9 Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 508**

Presented by Chair Luckham.

**TH-2017-049**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee advise the Salt Spring Local Trust Area that in regard to Bylaw No. 508, the Thetis Island Local Trust Committee's interests are not affected.

**CARRIED**

**10.10 Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 509**

Presented by Chair Luckham.

**TH-2017-050**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee advise the Salt Spring Local Trust Area that in regards to Bylaw No. 509, the Thetis Island Local Trust Committee's interests are not affected.

**CARRIED**

**By general consent** the meeting was recessed for a break at 10:40 am and was reconvened at 10:46 am.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Ruxton Private Moorage & Community Docks Review - For Discussion**

Presented by Planner Eggen. Staff reiterated the community survey results and recommendations presented at the previous LTC meeting.

**TH-2017-051**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request staff to prepare a draft bylaw to amend the Thetis Associated Islands Land Use Bylaw No. 94, 2014 (LUB) to remove ambiguities regarding the regulation of private moorage structures in order to effectively reflect the original intent of the Land Use Bylaw to prohibit private docks or dock like structures and in consideration of the community survey conclusions as outlined in the October 17, 2017 Community Survey Presentation.

**CARRIED**

**TH-2017-052**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request Staff to separate the Community Private Docks issue from the Project Charter and that a new second Project Charter be created for that topic.

**CARRIED**

**11.2 Riparian Areas Regulation Project - Verbal Update**

Planner Eggen gave an update on the Riparian Areas Regulation (RAR) Project.

After staff communicated with the Ministry and Aquaparian Environmental Consulting Ltd., a report was prepared by Aquaparian that restated their original opinion of Ralston Creek. Following the LTC's resolution at the RAR Community Information Meeting in August, a third party assessment will follow, that will involve consultation with the Ministry.

## **12. REPORTS**

### **12.1 Work Program Reports**

#### **12.1.1 Top Priorities Report dated December 1, 2017**

Received.

#### **12.1.2 Projects List Report dated December 1, 2017**

Received.

### **12.2 Applications Report dated December 1, 2017**

Received.

### **12.3 Trustee and Local Expense Report dated October, 2017**

Received.

### **12.4 Adopted Policies and Standing Resolutions - None**

### **12.5 Local Trust Committee Webpage**

No changes or additions.

### **12.6 Chair's Report**

Chair Luckham reported on the Trust Council meeting.

### **12.7 Trustee Reports**

None.

### **12.8 Electoral Area Director's Report**

None.

### **12.9 Trust Fund Board Report dated November, 2017**

Received.

## **13. NEW BUSINESS**

### **13.1 2018 Local Trust Committee Proposed Meeting Dates – Memorandum**

**TH-2017-053**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee schedule its regular business meetings on the following dates in 2018: February 13, April 17, May 22, July 10, August 28, and December 11.

**CARRIED**

**13.2 Follow up from Lyackson First Nation Meeting of November 5, 2017 - Staff Report**

Staff Report was presented by Planner Eggen and discussion followed.

**TH-2017-054**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee amend the Top Priorities List to change #3 description to say “relationship building with Lyackson First Nation and add the bulleted item in the Staff Report December 12, 2017, and add them to the list.

**CARRIED**

**TH-2017-055**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request staff to develop a Project Charter for “Relationship Building with Lyackson First Nation” that includes an exploration and analysis of the topics raised at the November 5, 2017 meeting and other potential opportunities for engagement in keeping with Trust Council Policy 6.1.1 First Nation Engagement Principles.

**CARRIED**

Discussion ensued regarding relationship building with Penelakut First Nation who has expressed an interest in working with the Trust Area on shoreline development and its effects on marine resources.

Community to Community (C2C) funding may be available as well at the general First Nations budget.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Tuesday, February 13, 2018 at 9:45 am at the Thetis Island Community Centre (Hunter Room), North Cove Road, Thetis Island, BC**

**15. TOWN HALL**

Discussion regarding docks on Ruxton Island: shared docks and communal docks, as well as public/community dock options.

**16. CLOSED MEETING**

**16.1 Motion to Close the Meeting at 11:45am.**

**TH-2017-056**

**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) for the purpose of considering appointments to the Advisory Planning Commission, s.90(1)(d) for adoption of in camera minutes dated August 29, 2017 and s.90(1)(i) receipt of advice that is subject to solicitor-client privilege AND that the recorder and staff attend the meeting.

**CARRIED**

**16.2 Recall to Order**

Chair Luckham recalled the meeting to order at 12:39pm.

**16.3 Rise and Report**

Chair Luckham reported that the Minutes from the In-Cameral meeting of August 29, 2017 were approved by consensus and that and Advisory Planning Committee had been appointed consisting of the following members: Anne-Marie Koeppen, Mary Forbes, Patrick Mooney and Doug Fenton.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:40pm.

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Peter Luckham, Acting Chair

Certified Correct:

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Janice Young, Recorder



Islands Trust

Print Date: February 19, 2018

## Resolutions Without Meeting

### Thetis Island

| Resolution # | Action    | Resolution Description                                                                                                                      | Resolution Date |
|--------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 2018-01      | In Favour | "That the Thetis Island Local Trust Committee reschedule the cancelled regular business meeting of February 13, 2016 to February 27, 2018." | 16-Feb-2018     |

## Follow Up Action Report

### Thetis Island

#### 11-Oct-2016

| Activity                                                                                                                                                                                                                     | Responsibility | Target Date | Status   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| Staff to contact MFLNRO and provide a Staff Memo regarding options for the LTC with regard to issues that arise in changes in mariculture/aquaculture operations under licences of occupation, including changes in species. | Marnie Eggen   | 18-Nov-2016 | On Going |

#### 29-Aug-2017

| Activity                                                                                                                                                                                                                                                        | Responsibility | Target Date | Status   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| Staff to work with Ministry to facilitate and gain clarification from Aquaparian Consultants Ltd. with regard to the classification of Ralston Creek as a stream as per the provincial Riparian Areas Regulation or hire a different QEP to undertake the same. | Marnie Eggen   | 29-Sep-2017 | On Going |

#### 17-Oct-2017

| Activity                                                                                                                                                                                                                                                                      | Responsibility | Target Date | Status   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| Chair to write to ACT, thanking them for letter and their advocacy.                                                                                                                                                                                                           | Marnie Eggen   | 27-Oct-2017 | On Going |
| Staff to write to Susan Randall, MOTI, requesting an update on Road Safety Report as previously requested, status of ferry terminal improvements, and bring to her attention the pedestrian safety concerns regarding Harbour Rd. at the corner of Foster Pt. cc: Andy Newall | Marnie Eggen   | 27-Oct-2017 | On Going |

#### 12-Dec-2017

| Activity | Responsibility | Target Date | Status |
|----------|----------------|-------------|--------|
|----------|----------------|-------------|--------|

## Follow Up Action Report

|                                                                                                                                                                                                                                       |                                                  |             |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-------------|----------|
| Staff to refer TH-RZ-2017.21 (Velez) to the Thetis APC, BC Ferries Corp., & Thetis Ferry Advisory Committee in order to solicit feedback on the proposed use of Strata Lt B, District Lot 1, Thetis Isld as temporary rental housing. | Teresa Rittemann                                 | 26-Jan-2018 | On Going |
| Staff to prepare draft bylaw to amend the Thetis Associated Islands LUB to remove ambiguities regarding the regulation of private moorage structures & to create a new project charter for community private docks.                   | Marnie Eggen                                     |             | On Going |
| Staff to organize 2018 regular business meetings for February 13, April 17, May 22, July 10, August 28, December 11.                                                                                                                  | Becky McErlean<br>Penny Hawley<br>Wil Cottingham |             | Done     |
| Staff to amend Top Priorities list to say Lyackson First Nation Relationship Building with added bullet items & staff to develop a Project Charter as per Staff Report for Dec. 12, 2017 LTC mtg.                                     | Marnie Eggen<br>Fiona MacRaid                    |             | On Going |
| LTC appointed to APC all those who applied. Staff to inform by letter and arrange an APC orientation prior to receipt of first referral (TH-RZ-2017.1) in 2018.                                                                       | Marnie Eggen<br>Penny Hawley<br>Teresa Rittemann |             | Done     |
| Staff to inform SSI staff of the Thetis LTC responses to Bylaw referrals: BL 504, 505, 507, 508, 509, interests unaffected.                                                                                                           | Marnie Eggen                                     |             | Done     |

\*From:\* Warren Warttig [REDACTED]  
> \*Sent:\* Friday, December 22, 2017 7:54 AM  
> \*To:\* [conservancy@galianoconservancy.ca](mailto:conservancy@galianoconservancy.ca); [info@galitt.ca](mailto:info@galitt.ca); Marnie Eggen;  
> Susan Morrison; Ken Hunter; Heather O'Sullivan  
> \*Subject:\* Valdes Island Conservancy December Update  
>  
> \*/\_Hello Valdes Island Conservancy Members\_/\*  
>  
> Since our last e-Blast, we have had two Board meetings: one conference  
> call meeting in October and one in-person meeting in November. Both  
> meetings were positive and productive! Please see the minutes attached  
> (in total, this e-Blast includes nine documents).  
>  
> On October 29, nine Board members met with the Lyackson Chief and  
> Council in Chemainus. The meeting went very well. A Report on the  
> issues discussed is attached. Topics finalized by the Executive  
> Committee are highlighted in yellow, followed by a brief synopsis of  
> the discussion which took place.  
>  
> Board member, Anne Casselman, attended the Marine Mammal Symposium in  
> late November at UBC and gathered information and contacts for  
> upcoming newsletter articles.  
>  
> Some of our newer members have had questions that we thought might be  
> answered by easy access to these documents...and we hope all members  
> will find these helpful:  
>  
> ·Woodlot information article (from past newsletter)  
>  
> ·Map of defined regions of Valdes Island  
>  
> ·Map of sensitive area inventory for Valdes Island  
>  
> ·Bylaws as they apply to Valdes Island via Thetis Island Local Trust  
> Committee  
>  
> Also attached is a document entitled "Getting to 100%" which provides  
> a wealth of information on the history and perspective of the  
> Hul'qumi'num Treaty Group (HTG) of which the Lyackson First Nation is  
> a member. The HTG is engaged in the current treaty negotiations with  
> the Federal and Provincial governments.  
>

> For the purpose of advising the Treaty Commission of the existence of  
> the Conservancy and its purposes, attached is a copy of a letter to be  
> sent to the Commissioner in the New Year. This letter has been  
> reviewed by the VIC Board and shared with the Lyackson First Nation.  
> We consider this an important step in our relationship with the  
> Lyackson, and our involvement (where applicable) in the treaty process.  
>  
> At this time, the Board would like to commend and thank our members  
> for following the Lyackson access protocol. It is much appreciated by  
> the Lyackson First Nation and is helpful in their efforts to more  
> actively engage as stewards of their IR lands on Valdes Island. Our  
> compliance shows respect and has been positively acknowledged.  
>  
> Thinking ahead, this year's annual Bioblitz is set to match the low  
> tides in June...so hold onto June 16<sup>th</sup> and 17<sup>th</sup> .  
>  
> Lastly, each year we get contacted by people interested in hunting on  
> Valdes Island, and in particular, where they are allowed to hunt. Our  
> response is that no hunting is allowed within Parks (e.g. Wakes Cove),  
> no hunting is allowed on Private Land (e.g. Island Timberlands, and  
> our recreational properties) and Indian Reserve (IR) lands without  
> land owner permission. Hunting is allowed on the remaining crown land  
> but no firearms are allowed to be discharged within 100m of a  
> residence (some of the hunting information signs we put up are at this  
> 100m mark). When looking at a zoning map of Valdes, there is very  
> little area where hunting can legally occur.  
>  
> Please contact us should you have any questions. We hope that you have  
> a pleasant holiday time and that the year ahead is filled with many  
> happy days on Valdes Island!  
>  
> \*/Sincerely, Valdes Island Conservancy Board/\*

On 2/18/2018 5:07 PM, Olaf wrote:

Dear Peter and Thetis Trust Committee

I find the attached news release an interesting revelation.

Mr Luckham appears to object to freighters anchoring and transferring material within the Trust region. He claims “/this type of industrial activity is not appropriate within our region”./ He also claims/” the industrial levels of noise and light are incompatible with the rural character of the islands.”/

It is also my understanding that Mr Luckham as a present member of the Thetis Island Local Trust Committee supports the rezoning of the Valdez area to permit a commercial dock which facilitates the mining and removal of sandstone by barge from Valdez island while also voting in favour of bylaws which prohibit any wharves or docks on neighbouring Ruxton Island.

Is the mining, blasting, removal and loading of rock onto barges in the Trust Area an appropriate industrial activity within the Trust region? Is this removal of rock and loading onto barges not going to be noisy and therefore not compatible with the rural character of the islands? Are wharves and docks not a necessity for habited islands?

Is it not hypocritical of Mr. Luckham to claim the freighters are incompatible with the trust area due to noise transfer of material and industrial activity when in his own jurisdiction of Thetis island he supports rezoning part of Valdez Island to permit a commercial dock or wharf to support mining in the Trust area? Is it not hypocritical for Mr Luckham to support bylaws which permit commercial wharves or docks on one island and voting to pass by laws prohibiting any private wharves or docks on neighbouring Ruxton Island?

I urge the Thetis Island Local Trust Committee to treat all stake holders with respect, in a consistent, fair and reasonable manner and remove the ban on private wharves or docks on Ruxton Island.

Olaf Knezevic

<http://www.islandstrust.bc.ca/media/345223/2018-03-it-islands-trust-welcomes-better-anchorage-mgmt.pdf>

# MEMORANDUM

File No.: TH-RZ-2017.1 (VELEZ)

DATE OF MEETING: February 13, 2018  
 TO: Thetis Island Local Trust Committee  
 FROM: Teresa Ritemann, Planner 2  
 Northern Team  
 SUBJECT: Application Update – TH-RZ-2017.1 (VELEZ)

## PURPOSE

- To update the Thetis Island Local Trust Committee (LTC) on the status of this application.

At the regular business meeting on December 12, 2017, the LTC passed the following resolution (DRAFT):

## TH-2017-046

**“that the Thetis Island Local Trust Committee refer application TH-RZ-2017.1 (Velez) to the Thetis Island Advisory Planning Commission, BC Ferries Corporation, and the Thetis Island Ferry Advisory Committee in order to solicit feedback on the proposed use of Strata Lot B, District Lot 1, Thetis Island as temporary rental housing.”**

On January 11, 2018, Staff sent referral packages to both BC Ferries Corporation and the Thetis Island Ferry Advisory Committee (FAC), requesting a timely response. At the time of writing this report, Staff have received no response from BC Ferries; a copy of the FAC’s response (January 23, 2018) is included as Attachment 1.

Due to scheduling conflicts and availability of Thetis Island Advisory Planning Commission (APC) members, Staff are still in the process of arranging an “APC Orientation” session for the new APC members, whose two-year term began on January 27, 2018. The application will be referred to the APC in advance of their orientation, and will be discussed by the APC at their first public meeting following their orientation session.

## NEXT STEPS

Staff will continue to await a referral response from BC Ferries, and the APC will also consider this application during their first public meeting. Following this, Staff will then report back to the LTC at a subsequent meeting with all referral responses and public correspondence received to date.

|               |                                                     |                  |
|---------------|-----------------------------------------------------|------------------|
| Submitted By: | Teresa Ritemann, MCIP, RPP<br>Planner 2             | January 24, 2018 |
| Concurrence:  | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager | January 24, 2018 |

## ATTACHMENT:

- Referral response from the Thetis Island Ferry Advisory Committee dated January 23, 2018

**From:** Keith Rush [REDACTED]  
**Sent:** Tuesday, January 23, 2018 9:50 AM  
**To:** Teresa Rittemann  
**Cc:** Keith Rush  
**Subject:** Islands Trust Referral Request to Route 20 FAC: File No.:TH-RZ-2017.1 (VELEZ)

Attention Teresa Rittemann: Planner 2.

Thank you for making an effort to consult with a part of the Thetis Island community on this topic. The Thetis Island Ferry Advisory Committee (Route 20) have the following comments.

- 1) Our role is to be a communication link between Thetis and Penelakut Islands and BC Ferries to improve service to our ferry dependent communities.
- 2) Crewing is an issue between, BC Ferries its employees and their unions.
- 3) Permanent changes to zoning for temporary use are land use decisions for the CVRD, Islands Trust and the community to decide not the Ferry Advisory Committee.

Considering the above mentioned points, providing input and/or recommendations on this referral is not part of our role as set out by BC Ferries.

*Keith*

Keith Rush  
Co-Chair  
Route 20 FAC  
[REDACTED]

# MEMORANDUM

File No.: TH-DVP-2015.2  
(Trincomali Holdings)

DATE OF MEETING: February 27, 2018  
TO: Thetis Island Local Trust Committee  
FROM: Ann Kjerulf, Regional Planning Manager  
Northern Team  
COPY: Marnie Eggen, Island Planner  
SUBJECT: Development Variance Permit Application TH-DVP-2015.2

## PURPOSE

Staff would like to inform the Thetis Island Local Trust Committee (LTC) of referral process outcomes subsequent to the August 29, 2017 LTC resolution:

### TH-2017-034

#### It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee refer Variance Permit [application] TH-DVP-2015.2 (Trincomali Holdings) to the Crown with respect to the natural boundary of the sea, to First Nations and to the British Columbia Archaeological Branch to see if their interests are affected. **CARRIED**

## DISCUSSION

Development Variance Permit (DVP) application TH-DVP-2015.2 (Trincomali Holdings) was referred to the Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (FLNRORD) Land Tenures Branch and Archaeology Branch, BC Land Title and Survey Authority (LTSA) Surveyor General Division, and the following First Nations: Semiahmoo First Nation, Stz'uminus First Nation, Cowichan Tribes, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, Penelakut Tribe, Tsawout First Nation, Tseycum First Nation, Tsartlip First Nation, Malahat First Nation, Pauquachin First Nation, and the Hul'qumi'num Treaty Group.

Referral responses received from the Archaeology Branch, Land Tenures Branch, and the LTSA Surveyor General Division were provided to the LTC via memorandum at the December 12, 2017 LTC meeting.

Since the last LTC meeting, staff have received a letter from Penelakut Chief Joan Brown (attached). The response indicates that a supplemental response will be forthcoming from Penelakut Tribe.

## NEXT STEPS

Unless otherwise directed by the LTC, staff will wait for a response from the Penelakut Tribe before providing the LTC with a staff report and recommendations concerning application TH-DVP-2015.2.

|               |                                                     |                   |
|---------------|-----------------------------------------------------|-------------------|
| Submitted By: | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager | February 15, 2018 |
|---------------|-----------------------------------------------------|-------------------|

## ATTACHMENTS

1. Letter from Penelakut Chief Joan Brown dated January 31, 2018

# Penelakut Tribe

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PO Box 360  
Chemainus, B.C.  
V0R 1K0  
Tel: 250-246-2321  
Fax: 250-246-2725

**January 31, 2018**

Islands Trust: Northern Office  
700 North Road  
Gabriola Island, B.C.,  
V0R 1X3  
Tel: 250-247-2063  
Fax: 250-247-7514

To whom it may concern:

Penelakut Island, formerly Kuper Island, is where the majority of the Penelakut members reside, which is split into four different land lots: Northern tip of Galiano Island, Penelakut Island, Tent Island, and Tsussie Road located in the Chemainus area. The majority of the members reside on Penelakut Island, which total close to 600 of the 960 members that makes up about 13% of the historic Cowichan Nation Alliance.

Recently, the Penelakut Tribe was approached through representatives of Islands Trust that were reporting on the 'Trincomali Holdings Development Variance Permit application for the seawall'. The Penelakut Tribe was concerned that the process of the development didn't follow the necessary protocol to mitigate potential impacts in the area: 1) environmental impacts of the construction and building materials on the foreshore; 2) contamination impacts from construction and building materials on adjacent and neighboring tenures; 3) archeological impacts on any remains or artifacts that could have been disturbed during the construction.

Penelakut Tribe would want to ensure that this process doesn't occur without the appropriate review and necessary steps to mitigate potential impacts; furthermore, the Penelakut Tribe would like to have a post assessment to ensure that there weren't impacts to any artifacts, contamination to the foreshore, and/or long term effects to the environment. This process should be incurred in addition to the construction costs, and if needed remediated.

Penelakut Tribe is working in coordination with the Province and Islands Trust to determine the appropriate course of action; therefore, the parties are in contact with the Natural Resource Enforcement: Compliance and Enforcement, as well as others concerning foreshore, environmental, and archaeology concerns. Therefore, waiting for the appropriate course of actions for this file.

Regards,

A handwritten signature in black ink, appearing to read "Joan B", with a stylized flourish at the end.

Chief Joan Brown



Islands Trust

# BYLAW REFERRAL FORM

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

**Island:** North Pender Island Local Trust Area **Bylaws No.:** 216 & 217 **Date:** February 8, 2018

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

**APPLICANTS NAME / ADDRESS:**

N/A

**PURPOSE OF BYLAW:**

The purpose of the bylaws are to allow and regulate secondary suites as accessory residential uses in the Rural, Rural Residential, and Agriculture zones on North Pender Island. Please see the attached bylaws and staff report.

Background information and staff reports are available on the North Pender island webpage:

[www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

**GENERAL LOCATION:**

North Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

N/A

**SIZE OF PROPERTY AFFECTED:**

N/A

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

N/A

**OTHER INFORMATION:**

Additional information is attached. For more background visit [www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Justine Starke

(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5189  
Email: [jstarke@islandstrust.bc.ca](mailto:jstarke@islandstrust.bc.ca)

PLEASE TURN OVER 

This referral has been sent to the following agencies:

**Federal Agencies**

N/A

**Provincial Agencies**

Agricultural Land Commission  
BC Assessment Authority  
Ministry of Forest, Lands & Natural Resource Operations  
- Water Protection

**Non-Agency Referrals**

North Pender Island Advisory Planning Commission  
Islands Trust – Bylaw Enforcement  
Gulf Islands School District No. 64  
Outer Gulf Islands RCMP  
Razor Point Improvement District  
Trincomali Water Improvement District  
Island Health

**Regional Agencies**

Capital Regional District – Electoral Area Director  
Capital Regional District – Building Inspection  
Capital Regional District – Infrastructure Engineering (Integrated Water Services)  
Magic Lake Water and Sewer Commission  
North Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

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

**First Nations**

Cowichan Tribes  
Halalt First Nation  
Lake Cowichan First Nation  
Lyackson First Nation  
Malahat First Nation - TE'Mexs Treaty Association Pauquachin First Nation  
Penelakut Tribe  
Semiahmoo First Nation  
Stz'uminus First Nation  
Tsartlip First Nation  
Tsawout First Nation  
Tsawwassen First Nation  
Tseycum First Nation

# BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

216 & 217

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

# MEMORANDUM

File No.: 6500-20 Thetis Associated Islands  
Land Use Bylaw Amendment –  
Ruxton Island Private Moorage  
Structures

DATE OF MEETING: February 27, 2018  
TO: Thetis Island Local Trust Committee  
FROM: Marnie Eggen, Island Planner  
Northern Team  
SUBJECT: Thetis Associated Islands Land Use Bylaw Amendment - Ruxton Island Private Moorage Structures – Project Update

## PURPOSE

The purpose of this memorandum is to update the Local Trust Committee (LTC) on the status and next steps of the Thetis Associated Islands Land Use Bylaw Amendment - Ruxton Island Private Moorage Structures Project.

At the regular business meeting of November 14, 2017, the LTC passed the following resolution (draft):

### TH-2017-051

#### It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee request staff to prepare a draft bylaw to amend the Thetis Associated Islands Land Use Bylaw No. 94, 2014 (LUB) to remove ambiguities regarding the regulation of private moorage structures in order to effectively reflect the original intent of the Land Use Bylaw to prohibit private docks or dock like structures and in consideration of the community survey conclusions as outlined in the October 17, 2017 Community Survey Presentation. **CARRIED**

### TH-2017-052

#### It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee request Staff to separate the Community Private Docks issue from the Project Charter and that a new second Project Charter be created for that topic. **CARRIED**

## NEXT STEPS

Staff are in the process of drafting a bylaw, which includes consultation with bylaw enforcement in response to the LTC resolution and anticipate presenting a Staff Report, with recommendations, for this project at the April 17, 2018 LTC meeting.

|               |                                                     |                   |
|---------------|-----------------------------------------------------|-------------------|
| Submitted By: | Marnie Eggen, MCIP, RPP<br>Island Planner           | February 16, 2018 |
| Concurrence:  | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager | February 16, 2018 |





File No.: TH-6500-20  
Relationship Building with  
Lyackson First Nation

DATE OF MEETING: February 27, 2018

TO: Thetis Island Local Trust Committee

FROM: Fiona MacRaid, XETXÁTTEN MacRaid, First Nations and Marine Issues  
Marnie Eggen, Island Planner  
Northern Team

COPY: Ann Kjerulf, Regional Planning Manager  
Miles Drew, Bylaw Enforcement Manager

SUBJECT: Relationship Building with Lyackson First Nation

## RECOMMENDATIONS

1. That the Thetis Island Local Trust Committee approve the draft Project Charter for “Relationship Building with Lyackson First Nation” dated February 13, 2018.
2. That the Thetis Island Local Trust Committee request staff to apply to the Union of BC Municipalities for funding to hold a Community to Community (C2C) Forum in 2018/19.

## REPORT SUMMARY

The purpose of the report is to introduce the draft Project Charter as a practical approach to addressing the many issues brought up at the November 5, 2017 meeting between Lyackson Chief and Council and Thetis local trustees.

## BACKGROUND

On December 12, 2017, at their regular business meeting, the Thetis Island Local Trust Committee (LTC) passed the following resolutions (draft):

### TH-2017-054

#### It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee amend the Top Priorities List to change #3 Description to say “Relationship building with Lyackson First Nation” and add the bulleted items in the Staff Report of December 12, 2017, to the Activity list.

#### **CARRIED**

### TH-2017-055

#### It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee request staff to develop a Project Charter for “Relationship Building with Lyackson First Nation” that includes an exploration and analysis of the topics raised at the November 5, 2017 meeting and other potential opportunities for engagement in keeping with Trust Council Policy 6.1.1 First Nation Engagement Principles.

#### **CARRIED**

For more background on the November 5, 2017 meeting, please see the staff report presented at the December 12, 2017 LTC meeting.

## **ANALYSIS**

### **Policy**

Relevant policy: [Trust Council Policy 6.1.1 First Nation Engagement Principles](#)

### **Issues and Opportunities**

During the November 5, 2017 Community to Community (C2C) meeting, Lyackson Council members expressed a strong desire for a boat trip with representatives from the Islands Trust and Cowichan Valley Regional District (CVRD) to review in-person the extent of building contraventions on Valdes Island shoreline properties. It was noted that this trip should take place in good weather as the journey from Vancouver Island to Valdes Island can be rough in the winter months. The boat trip could be scheduled for as early as April 2018.

During February and March, staff could communicate with the CVRD and Ministry of Forests, Lands, Natural Resources Operations and Rural Development (FLNRORD) regarding issues brought up by Lyackson leadership (see Staff Report, December 12, 2017). Conclusions from a South Pender Island LTC project (in cooperation with the South Pender Historical Society and Tsawout First Nation) involving educational signage for reserve lands could also be shared with Lyackson First Nation during this time.

Coordinating a second C2C meeting with Lyackson for June 2018 would be a good opportunity to review progress to date and top priority activities to advance. This would provide an opportunity for staff and trustees to reflect on the pace of broader societal changes that may be happening with regard to expectations for reconciliation activities between First Nations and local government authorities.

### **Rationale for Recommendation**

Staff are recommending that the Thetis Island LTC endorse the draft Project Charter, attached, and request that staff apply for funding from the Union of BC Municipalities to support a C2C Forum during the 2018/19 fiscal year. The Project Charter is a practical approach to address the many issues discussed on November 5, 2017 without overwhelming staff capacity and provides opportunities for Lyackson leadership and staff to offer feedback on activities to the LTC and staff.

## **ALTERNATIVES**

The LTC may consider the following alternatives to the staff recommendation.

### **1. Request further information**

The LTC may request further information prior to approving a Project Charter. Staff advise that this may delay action on items discussed at the November 5, 2017 C2C Forum with Lyackson First Nation. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording is as follows:

*That the Thetis Island Local Trust Committee request staff to report on [insert requested information].*

## 2. Approval of Project Charter with changes

The LTC may decide to make changes to the Project Charter. A corresponding resolution could be worded as follows:

*That the Thetis Island Local Trust Committee request staff to make the following changes to the Project Charter: [insert requested change(s)].*

If the LTC chooses to make changes, staff recommends approving the Project Charter as amended.

## 3. Receive for information.

The LTC may receive the report for information.

### NEXT STEPS

Staff will begin communications with the CVRD and FLNRORD, which may necessitate letters from the LTC. Also, staff will begin coordinating a boat trip to Valdes Island.

|               |                                                     |                                                                        |                   |
|---------------|-----------------------------------------------------|------------------------------------------------------------------------|-------------------|
| Submitted By: | Marnie Eggen, MCIP, RPP<br>Island Planner           | Fiona MacRaid,<br>XETXÁTTEN MacRaid<br>First Nations and Marine Issues | February 16, 2018 |
| Concurrence:  | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager |                                                                        | February 20, 2018 |

### ATTACHMENTS

1. Draft Project Charter, dated February 27, 2018

# Thetis Relationship Building with Lyackson First Nation - Charter v1

Thetis Island LTC

Date:18-02-27

**Purpose** For Thetis Island Local Trust Committee to develop a mutually respectful long term relationship with Lyackson First Nation that honours their connections to the lands and water of the Thetis Local Trust Area.

**Background** In December 2016 Islands Trust Council adopted the First Nations Engagement Principles Policy. Trustees and staff met with Lyackson Chief, Council and key staff on November 5, 2017. Many potentially shared interest were brought to light and positive ideas were discussed about how to develop a mutually respectful relationship between parties. The Project Charter outlines activities, including those that were discussed at that meeting, that will deepen the meaningfulness of the relationship with Lyackson First Nations who have asserted rights and title in the Thetis Local Trust area.

## Objectives

- Increased understanding and respect for Indigenous connections to the islands.
- Seeking meaningful ways to acknowledge Lyackson's connections to Valdes Island and the LTA more generally.
- Advance topics raised at November 5, 2017 meeting between Lyackson First Nation and Thetis LTC.

## In Scope

- Encouraging community associations and events to include and honour Indigenous participation.
- Work with Lyackson FN & CVRD to address bylaw contraventions.
- Investigate wrongful log salvaging on Valdes Island.
- Work with Lyackson FN to improve bylaw referral process.
- Develop a shared narrative of place.
- Explore co-governance/co-management opportunities.

## Out of Scope

- Follow-through of activities from community associations and events.
- Compliance of other government agencies to requests by Lyackson First Nation.
- Activities outside of the legislative constraints of the Thetis Local Trust Committee (e.g. funding for referrals without the Province's approval).

## Workplan Overview

| Deliverable/Milestone                                                               | Date          |
|-------------------------------------------------------------------------------------|---------------|
| Communicate with CVRD and Ministry of Forests Lands and Natural Resource Operations | February 2018 |
| Letter to Lyackson with suggested signage wording for reserve lands for review      | March 2018    |
| Coordination of in-person visit to Valdez Island with CVRD, IT and Lyackson leaders | April 2018    |
| Map of Hul'quimi'num place names, with pronunciation guides, for OCP inclusion      | May 2018      |
| Second C2C meeting with Lyackson Council to review progress and next activities     | June 2018     |

| Project Team                                                                  |                  | Budget Budget Sources: Thetis & Islands Trust FN Budgets |                                |                  |
|-------------------------------------------------------------------------------|------------------|----------------------------------------------------------|--------------------------------|------------------|
| Fiona MacRaild                                                                | Project Manager  | Fiscal                                                   | Item                           | Cost             |
| Thetis Planner                                                                | Planning support | 2018/19                                                  | Boat day trip to Valdez Island | \$1000.00        |
| <b>RPM Approval:</b><br>Ann Kjerulf<br><b>Date:</b> February 16, 2018         |                  | 2018/19                                                  | Second C2C meeting             | \$800.00         |
|                                                                               |                  | <b>Total 2018/19</b>                                     |                                | <b>\$1800.00</b> |
| <b>LTC Endorsement:</b><br><b>Resolution #:</b><br><b>Date:</b> Feb. 27, 2018 |                  |                                                          |                                |                  |

**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.                                                                                                                                                                                                                                                                                           | 11-Jan-2017 | Marnie Eggen                   |             |
| 3   | Relationship Building with Lyackson First Nation | Potential topics to explore:<br>Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place;<br>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 | 11-Oct-2016 | Marnie Eggen<br>Fiona MacRaild | 24-Nov-2017 |



## Projects

### Thetis Island

| Description                                                                               | Activity                                                                                                                                                                                                                                                                                                           | R/Initiated |
|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| LUB Amendments                                                                            | - short-term vacation rentals of principle dwellings in the R-2 zone<br>- 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 |
| 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:<br>- (housekeeping )4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)...<br><br>- (housekeeping) objectives and policies re sea level rise (was resolution to include in draft but did not make it in to adopted OCP).<br><br>- OCP/LUB amendments to consider ocean loop geothermal exchange systems.<br><br>- 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 |                                                                                                                                                                                                                                                                                                                                                                                                                         | 21-Feb-2017 |
| Consolidating lots for community benefit of Ruxton Island.                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                         | 17-Oct-2017 |



### Development Variance Permit

| File Number                                                                                                                                                                                                                     | Applicant Name                                          | Date Received | Purpose                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------|-----------------------------------------------------------------------------------------|
| TH-DVP-2015.2                                                                                                                                                                                                                   | Trincomali Holdings Ltd.<br><b>Planner:</b> Ann Kjerulf | 03-Sep-2015   | 204 PILKEY POINT RD \request for variance to authorize a previously constructed seawall |
| <b>Planning Status</b>                                                                                                                                                                                                          |                                                         |               |                                                                                         |
| <b>Status Date:</b> 29-Aug-2017<br>Staff requested to refer the new survey to the Crown, First Nations and the Arch Branch with respect to the location of the natural boundary of the sea, asking if interests are unaffected. |                                                         |               |                                                                                         |
| <b>Status Date:</b> 26-May-2017<br>Letter sent to applicant requesting valid survey be submitted by July 15, 2017                                                                                                               |                                                         |               |                                                                                         |
| <b>Status Date:</b> 29-Nov-2016<br>LTC considered application; will reconsider pending completion of mitigation measures, confirmation that First Nations concerns have been addressed, and provision of a valid survey         |                                                         |               |                                                                                         |

### Rezoning

| File Number                                                                                       | Applicant Name                                                     | Date Received | Purpose                                                                      |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------|------------------------------------------------------------------------------|
| TH-RZ-2015.2                                                                                      | Hardy Island Granite Quarries Ltd.<br><b>Planner:</b> Marnie Eggen | 05-Oct-2015   | Zoning change to allow barges to be loaded and unloaded at the proposed lot. |
| <b>Planning Status</b>                                                                            |                                                                    |               |                                                                              |
| <b>Status Date:</b> 17-Oct-2017<br>Ministry approved bylaw                                        |                                                                    |               |                                                                              |
| <b>Status Date:</b> 19-Jul-2017<br>Bylaw approved by EC and sent on to the Ministry for approval. |                                                                    |               |                                                                              |
| <b>Status Date:</b> 19-Jul-2017<br>EC approved Bylaw.                                             |                                                                    |               |                                                                              |

| File Number | Applicant Name | Date Received | Purpose |
|-------------|----------------|---------------|---------|
|-------------|----------------|---------------|---------|



## Applications

TH-RZ-2016.1 WEST VANCOUVER 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:** 03-Nov-2017

No change

**Status Date:** 29-Aug-2017

LTC passed resolution to hold in abeyance to allow for 30 first nation review period of Arch Report and receipt of comments from Lyackson FN, and request applicant to meet with Lyackson FN.

**Status Date:** 29-Aug-2017

LTC passed resolution to hold in abeyance to allow for 30 first nation review period of Arch Report and receipt of comments from Lyackson FN, and request applicant to meet with Lyackson FN.

| File Number  | Applicant Name  | Date Received | Purpose                                                                                                                             |
|--------------|-----------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------|
| TH-RZ-2017.1 | VELEZ, RAYMUNDO | 13-Sep-2017   | PID: 028-987-691 Building roofs over travel trailers for accommodation to ferry workers. Civic: 49 Harbour Road, Thetis Island, BC. |

**Planner:** Teresa Ritemann

#### Planning Status

**Status Date:** 30-Jan-2018

LTC postponed consideration of application until the February meeting. Memo from Staff will be on the 13-Feb-2018 LTC meeting agenda.

**Status Date:** 27-Nov-2017

Planner completed review. Staff Report to appear on agenda for Dec 12 2017 LTC meeting

### Subdivision

| File Number                  | Applicant Name                                                 | Date Received | Purpose                                                                                                             |
|------------------------------|----------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------|
| TH-SUB-1998.1                | TRAX<br>DEVELOPMENT LTD<br>C/O WRIGHT FOCUS<br>ENGINEERING LTD | 25-Sep-1998   | Phased Strata Subdivision<br>'Meadow Valley Propertes' phased strata to create 21 strata lots from 4 parent parcels |
| <b>Planner:</b> Marnie Eggen |                                                                |               |                                                                                                                     |

## Applications

### 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                                                   |
|----------------------------------|----------------------------|---------------|-----------------------------------------------------------|
| TH-SUB-2014.1                    | J.E. Anderson & Associates | 23-Jun-2014   | Ruxton Island<br>to create 2 parcels from 3 existing lots |
| <b>Planner:</b> Teresa Rittemann |                            |               |                                                           |

### Planning Status

**Status Date:** 30-Jan-2018

No change in status.

**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



## Applications

**Status Date:** 25-May-2017

Awaiting final plan of subdivision before giving final approval.

***Islands Trust***  
LTC EXP SUMMARY REPORT F2018  
Invoices posted to Month ending December 2017

| 670 Thetis                     | Invoices posted to Month ending December 2017 | <u>Budget</u>   | <u>Spent</u>    | <u>Balance</u>  |
|--------------------------------|-----------------------------------------------|-----------------|-----------------|-----------------|
| 65000-670                      | LTC "Trustee Expenses"                        | 750.00          | 415.44          | 334.56          |
| <b>LTC Local</b>               |                                               |                 |                 |                 |
| 65200-670                      | LTC - Local Exp - LTC Meeting Expenses        | 1,000.00        | 1,195.42        | -195.42         |
| 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          |
| <b>TOTAL LTC Local Expense</b> |                                               | <u>3,000.00</u> | <u>1,195.42</u> | <u>1,804.58</u> |
| <b>Projects</b>                |                                               |                 |                 |                 |
| 73001-670-2009                 | Thetis OCP/LUB                                | 1,500.00        | 0.00            | 1,500.00        |
| 73001-670-3008                 | Thetis RAR                                    | 1,500.00        | 1,409.67        | 90.33           |
| 73001-670-4072                 | Thetis First Nations Relations                | 500.00          | 17.70           | 482.30          |
| 73001-670-4090                 | Thetis Ruxton Island Private Moorage          | 3,500.00        | 401.62          | 3,098.38        |
| <b>TOTAL Project Expenses</b>  |                                               | <u>7,000.00</u> | <u>1,828.99</u> | <u>5,171.01</u> |



## **Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality November 2017**



### **TFB 2018 Meeting Dates**

The Trust Fund Board finalized the 2018 TFB meeting dates. The dates are: January 30, April 3, May 29, July 17 (Annual meeting with the Executive Committee), September 25, and November 27.

### **Regional Conservation Plan (RCP)**

The Trust Fund Board (TFB) reviewed a three-year work plan that builds on the approved draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

### **Land Trust Alliance of BC National Land Summit**

Trust Fund Board members and staff shared key lessons learned from their participation and attendance at the Land Trust Alliance of BC National Land Summit (Nov. 15-17). Staff presented at the conference on Conservation Planning.

### **Board Retreat**

The Trust Fund Board discussed possible follow-up actions emerging from the October 2, 2017 retreat. Staff provided the board with summaries of key information about ITF for members to use in developing personalized messages for outreach and fundraising, as discussed at the retreat.

### **Property Monitoring**

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 51 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island). All follow-up correspondence related to 2017 monitoring has been provided to land holders and co-covenant holders. This year, covenant outreach communications were included with the monitoring letters.

### **Summary of Current Island-by-Island Activities**

#### **Denman**

Invasive species removal, restoration, planting and monitoring continues on all three TFB nature reserves (Inner Islands Nature Reserve, Lindsay Dickson Nature Reserve, and Morrison Marsh Nature Reserve). Management plan revisions and species at risk surveys are being completed for Morrison March Nature Reserve. In addition, public consultation planning - including a questionnaire and open

house, are in progress for a revised management plan for Morrison Marsh Nature Reserve to be completed by April 2018.

#### **Gabriola**

The Trust Fund Board approved a request from a NAPTEP landholder to remove limbs from several trees to maintain a viewscape with the conditions that the work is carried out by a professional arborist, the work is done outside of nesting season for birds and the woody debris is left on site to decompose naturally.

The Elder Cedar Nature Reserve continues to suffer from the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues. Construction is set to begin on a boardwalk around the large western red cedar tree in late November. A boardwalk is also being built over a wet area on one section of the existing trail.

#### **Galiano**

The TFB accepted an updated conservation proposal from the Crystal Mountain Society, agreeing to accept the transfer of approximately 18.3 hectares of land on Galiano Island, provided specified conditions are met. The proposed nature reserve will be further protected by a conservation covenant held by the Land Conservancy of BC. Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves.

#### **Lasqueti**

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

#### **North Pender**

Public consultation planning - including a questionnaire and open house, are in progress for a revised management plan for the Medicine Beach Nature Sanctuary to be completed by April 2018.

*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](mailto:tlaw@islandstrust.bc.ca)  
Islands Trust Fund [itfmail@islandstrust.bc.ca](mailto:itfmail@islandstrust.bc.ca)



## **Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality January 2018**



### **Election of the Trust Fund Board Chair**

Trustee Tony Law was nominated and elected by acclamation as the Trust Fund Board (TFB) Chair for 2018.

### **Re-appointment of Robin Williams**

The Minister has approved the re-appointment of Robin Williams to the TFB for two years. Trustee Williams will continue to represent the TFB on the Financial Planning Committee.

### **New 'Salish View' Conservation Proposal, Lasqueti Island**

The TFB received and accepted a conservation proposal submitted by the Lasqueti Island Nature Conservancy, (LINC) regarding the acquisition of the property known as 'Salish View'. The TFB agreed to contribute \$32,000 from the Lasqueti Island Acquisition Fund to purchase Salish View, on the condition that the primary donors to this Fund support the use of the funds for this project. Staff will be working with LINC on fundraising and communications for the campaign, and if the campaign is successful, the land will be protected by the TFB as a nature reserve, with a covenant held by LINC.

### **Regional Conservation Plan (RCP)**

The TFB approved the final 2018-2027 Regional Conservation Plan (RCP). The Board is referring the RCP to Trust Council for endorsement at the March Trust Council meeting. The TFB also reviewed a three-year work plan that builds on the approved RCP. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The final RCP will be posted on the Islands Trust Fund (ITF) website after the March Trust Council meeting and a news release will be issued.

### **Fairyslipper Forest campaign**

Fairyslipper Forest is now protected as a TFB nature reserve. A board-to-board celebration event will be held in Cowichan Valley on February 24, 2018 to celebrate the successful completion and protection of Fairyslipper Forest Nature Reserve on Thetis Island. Public celebration events will be held on Thetis Island on April 21-22, 2018.

### **Report on Islands Trust Meeting with the Minister**

The TFB discussed possible follow-up actions emerging from the recent Islands Trust meeting with the Minister of Municipal Affairs and Housing regarding the requested change to the Islands Trust Act to change the name of the Islands Trust Fund.

### **Agricultural Land Commission (ALC) Review**

Trustee Tony Law attended the a regional stakeholder meeting held by the Minister of Agriculture's Advisory Committee on the Revitalization of the Agricultural Land Reserve and Agricultural Land Commission on February 6, 2018 in Nanaimo.

### **Summary of Current Island-by-Island Activities**

#### **Denman**

Staff attended an open house on January 27, for public consultation on the revised management plan for Morrison Marsh Nature Reserve, to be completed by April 2018. Invasive species removal and trail clearing, sign installation, tree caging for forest restoration continues at all three TFB nature reserves.

#### **Gabriola**

Construction is almost complete on the boardwalk around the large western redcedar tree. Notice of the work went into the local paper and social media, and the RCMP was notified to deter vandalism. Construction of boardwalk over a wet area on one section of the existing trail will begin in February.

#### **Galiano**

Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves. The Board received and approved a request from a

*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](mailto:tlaw@islandstrust.bc.ca)  
Islands Trust Fund [itfmail@islandstrust.bc.ca](mailto:itfmail@islandstrust.bc.ca)

Master's student to perform research on pollinators and microclimates on Retreat Island Covenant provided that conditions for ecological integrity and stakeholder approval are met.

### **Lasqueti**

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

### **North Pender**

Public consultation, including a questionnaire and open house scheduled for February 17, 2018, are underway for a revised management plan for the Medicine Beach Nature Sanctuary, to be completed by April 2018.

*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](mailto:tlaw@islandstrust.bc.ca)  
Islands Trust Fund [itfmail@islandstrust.bc.ca](mailto:itfmail@islandstrust.bc.ca)

## BRIEFING

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**To:** Thetis Island Local Trust Committee      **For the Meeting of:** February 13, 2018  
**From:** David Marlor, DLPS      **Date Prepared:** December 4, 2017  
**SUBJECT:** Housing Agreement Administration

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### PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

### BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

*TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.*

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

### 1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

## **2. Current Housing Agreements**

There are currently seven housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (2) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

## **3. Managing and Administering Housing Agreements**

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

### **a. Templates**

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

### **b. New Staff Procedures**

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

### **c. Information Brochure for Owners/Societies/Developers**

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

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**Prepared By:** Emily Kozak, Housing Agreement Project Coordinator

**Reviewed By/Date:** David Marlor, DLPS/December 4, 2017



Thetis Island Community Association  
292 North Cove Road, P.O. Box 14-0  
Thetis Island, B.C., Canada V0R 2Y0

[www.thetisland.net/tica/](http://www.thetisland.net/tica/)

**INVOICE NO.** 2018012922

January 29, 2018

CUSTOMER: Islands Trust

| JOB                             | / year   |         |
|---------------------------------|----------|---------|
| Webcam link on thetisisland.net | \$ 35.00 | \$35.00 |
| TOTAL                           |          | \$35.00 |

PLEASE MAKE CHEQUES PAYABLE TO T.I.C.A. and send to the  
TICA Treasurer at Box 14-0

*Thank you!*



# MEMORANDUM

File No.: 3445-40

(File: Farm Industry Review Board -  
Aquaculture)

DATE OF MEETING: February 13, 2018  
TO: Thetis Island Local Trust Committee  
FROM: David Marlor, Director of Local Planning Services  
Local Planning Services  
COPY:  
SUBJECT: Farm Industry Review Board and Aquaculture

## PURPOSE

At its business meeting on January 17, 2018, the Executive Committee passed the following resolution:

*that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.*

The attached news release advises under the *Fish and Seafood Act* that came into force on January 1, 2017 that the BC Farm Industry Review Board had jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the Farm Practices Protection (Right to Farm) Act.

## NEXT STEPS

None

|               |                                                   |                  |
|---------------|---------------------------------------------------|------------------|
| Submitted By: | David Marlor, Director of Local Planning Services | February 2, 2018 |
|---------------|---------------------------------------------------|------------------|

## ATTACHMENTS

1. Attachment 1 – March 2017 News Release – Aquaculture and the Farm Practices Protection (Right to Farm) Act.



## **AQUACULTURE AND THE *FARM PRACTICES PROTECTION (RIGHT TO FARM) ACT***

As of January 1, 2017 the BC Farm Industry Review Board (BCFIRB) has jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the *Farm Practices Protection (Right to Farm) Act (FPPA)*

Agriculture and aquaculture are important BC industries. Under the *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers using “normal farm practices” are protected from certain bylaw enforcement, court injunctions and lawsuits related to nuisance complaints. The *FPPA* balances community interests by both protecting farmers from disturbance complaints, and by giving neighbours of a specific farm the right to formal conflict resolution through BCFIRB. Both non-farming and farming neighbours have the right to file a complaint.

While normal farm practices are protected under legislation, BCFIRB encourages farmers and their neighbours to work together to resolve disputes in the first instance.

Although there are many options for resolving disputes between farmers and neighbours, in some situations, enforcement regarding use of a farm practice which is causing a disturbance may be called for.

### **Expanded Jurisdiction**

The *Fish and Seafood Act* came into force by regulation on January 1, 2017. Concurrently consequential amendments to the *FPPA* came into force. These amendments bring fin and shellfish aquaculture back into the scope of nuisance complaints heard by BCFIRB under the *FPPA*. The types of aquaculture covered by the amendments are broad and include marine finfish, shellfish and freshwater (or land-based) operations as well as aquatic plants.

### **For more information contact**

**Case Manager**  
**250-356-8945**

---

**British Columbia**  
**Farm Industry Review Board**

**Mailing Address:**  
PO Box 9129 Stn Prov Govt  
Victoria BC V8W 9B5  
Telephone: 250 356-8945  
Facsimile: 250 356-5131

**Location:**  
1<sup>st</sup> Floor, 780 Blanshard Street  
Victoria BC V8W 2H1  
Email: [firb@gov.bc.ca](mailto:firb@gov.bc.ca)  
Website: [www.gov.bc.ca/BCFarmIndustryReviewBoard](http://www.gov.bc.ca/BCFarmIndustryReviewBoard)

# PROTECTING OUR DRINKING WATER

## Proposed water and watershed protection service



This proposed new service represents a fundamental shift in how our region addresses water and watershed related activities. It will allow us to move from siloed, sub-regional services to a comprehensive, region-wide approach that more effectively and efficiently manages this most important resource.



## Average cost comparison with other services

PER \$100,000 OF ASSESSED PROPERTY VALUE



COMMUNITY  
PARKS  
SERVICE  
**\$22**



RECREATION  
CENTRES  
SERVICE  
**\$88**



WATER  
PROTECTION  
SERVICE  
**\$15**



### **Drinking water and watershed protection service input form**

Drinking water and watershed management have consistently been identified as priority issues by the public. In early 2017, the Cowichan Valley Regional District (CVRD) asked the community for its input on the role of local government in addressing drinking water and watershed protection in the Cowichan watershed. Building on engagement activities in 2017, the CVRD seeking the public's input on possible options for a drinking water and watershed protection service for the region (see handout). Input can be made at [www.placespeak.com/drinkingwater](http://www.placespeak.com/drinkingwater) or by filling in the form below.

Name

Address

Phone number

Are there items you think should be included or not included in the proposed function?

Please email your completed form to [clockrey@cprd.bc.ca](mailto:clockrey@cprd.bc.ca) or [kmiller@cprd.bc.ca](mailto:kmiller@cprd.bc.ca)  
Forms can also be mailed to CVRD attention Cynthia Lockrey, 175 Ingram Street,  
Duncan, BC, V9L 1N8