



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: December 12, 2017
Time: 9:30 am
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

	Pages
1. CALL TO ORDER	9:30 AM - 9:35 AM
<i>"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."</i>	
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	9:35 AM - 9:50 AM
4. COMMUNITY INFORMATION MEETING - None	
5. PUBLIC HEARING - None	
6. MINUTES	9:50 AM - 10:00 AM
6.1 Local Trust Committee Minutes dated October 17, 2017 for adoption	4 - 10
6.2 Section 26 Resolutions-Without-Meeting Report dated December 1, 2017	11 - 11
6.3 Advisory Planning Commission Minutes - None	
7. BUSINESS ARISING FROM MINUTES	10:00 AM - 10:10 AM
7.1 Follow-up Action List dated December 1, 2017	12 - 13
8. DELEGATIONS - None	
9. CORRESPONDENCE - None	
<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10. APPLICATIONS, REFERRALS AND BYLAWS	10:10 AM - 11:25 AM
10.1 Regional Conservation Plan - Briefing	14 - 15
10.2 Islands Trust Fund Five Year Plan - Briefing	16 - 17
10.3 TH-DVP-2015.2 (Trincomali Holdings Ltd.) - Memorandum	18 - 27
10.4 TH-RZ-2015.2 (Hardy Island Granite Quarries Ltd.) - Memorandum	28 - 86

10.5	TH-RZ-2016.1 (West Vancouver Yacht Club) - Letter from Lyackson First Nation dated November 21, 2017	87 - 87
10.6	TH-RZ-2017.1 (Velez) - Staff Report	88 - 100
10.7	Salt Spring Island Local Trust Area Referral Request for Response for Bylaw Nos. 504 and 505	101 - 103
10.8	Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 507	104 - 105
10.9	Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 508	106 - 108
10.10	Salt Spring Island Local Trust Area Referral Request for Response for Bylaw No. 509	109 - 110

--BREAK - 11:25 - 11:40--

11. LOCAL TRUST COMMITTEE PROJECTS 11:40 AM - 12:25 PM

11.1 Ruxton Private Moorage & Community Docks Review - For Discussion

11.2 Riparian Areas Regulation Project - Verbal Update

12. REPORTS 12:25 PM - 12:55 PM

12.1 Work Program Reports

12.1.1 Top Priorities Report dated December 1, 2017 111 - 111

12.1.2 Projects List Report dated December 1, 2017 112 - 113

12.2 Applications Report dated December 1, 2017 114 - 116

12.3 Trustee and Local Expense Report dated October, 2017 117 - 117

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 118 - 119

13. NEW BUSINESS 12:55 PM - 1:25 PM

13.1 2018 Local Trust Committee Proposed Meeting Dates - Memorandum 120 - 121

13.2 Follow up from Lyackson First Nation Meeting of November 5, 2017 - Staff Report 122 - 125

14. UPCOMING MEETINGS

- 14.1** Next Regular Meeting Scheduled for Tuesday, February 13, 2017 at 9:45 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC

15. TOWN HALL 1:25 PM - 1:40 PM

16. CLOSED MEETING 2:10 PM - 2:10 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)(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.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT 2:10 PM - 2:10 PM



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: October 17, 2017

Location: Thetis Island Community Centre (Hunter Room)
North Cove Road, Thetis Island, BC

Members Present: Susan Morrison, Chair
Peter Luckham, Local Trustee
Ken Hunter, Local Trustee

Staff Present: Marnie Eggen, Island Planner
Janice Young, Recorder

Others Present: Approximately four (4) members of the public in attendance.

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:30am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the members of the public and introduced the Staff, Trustees and recorder.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:
Add 13.2: Road Safety (verbal update by Trustee Luckham)

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS - None

4. COMMUNITY INFORMATION MEETING – None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Special Meeting Minutes dated August 27, 2017 – for adoption

By general consent the Local Trust Committee (LTC) meeting minutes of August 27, 2017 were adopted.

6.2 Local Trust Committee Minutes dated August 29, 2017 – for adoption

The following amendments to the minutes were presented for consideration:

Page 3, Item 10.3: TH-DVP-2015.2 (Trincomali Holding), after the first sentence add,
"Trustee Luckham spoke to statements made by the applicant that were critical of
staffs handling of the application. He indicated that the applicant was responsible
for a number of the delays with processing the application and it was unfair to
blame staff for the length of time it has taken to process it."

Page 4, Item 12.6: Chair's Report, third bullet, delete "and administerial law."

Page 4, Item 12.9: Trust Fund Board Report, in line one change "doing" to "attending"
and in line two, change "for" to "to".

By general consent the minutes were adopted as amended.

6.3 Local Trust Committee Special Meeting Minutes dated August 29, 2017 - for adoption

The following amendments to the minutes were presented for consideration:

Page 3, Item 3.3 Public Input, Questions and Answers, second paragraph, change
"Rolston" to "Ralston".

Page 3, Item 3.5: Meeting with Lyackson First Nations, second line deleted everything
after "Nations".

By general consent the minutes were adopted as amended.

6.4 Section 26 Resolutions-Without-Meeting Report dated October 10, 2017 Reviewed and Approved.

6.5 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated October 10, 2017

The Follow-up Action List dated October 10, 2017 was received. Update was provided
by the Planner. Discussion followed regarding meeting with the Lyackson, possible
funding and relationship building.

8. DELEGATIONS - None

9. CORRESPONDENCE

9.1 Letter received October 2, 2017 from Anchorages Concerns Thetis

Letter reviewed and received by Local Trust Committee. This letter was also sent to the
Executive Committee and discussed at their meeting. Discussion followed.

TH-2017-039**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask the Chair to send a thank you note to Anchorages Concerns Thetis in response to their letter received October 2, 2017.

CARRIED**10. APPLICATIONS AND REFERRALS - None****11. LOCAL TRUST COMMITTEE PROJECTS****11.1 Ruxton Private Moorage & Community Docks Review - Planner Presentation on Survey Results**

Trustee Luckham welcomed the Ruxton Islanders present and thanked them for attending the meeting.

Planner Eggen gave a Power Point Presentation outlining the results of the survey.

Objectives of the project were reviewed, reminding that private docks are not in the scope of this project.

Project background and timeline were reviewed and looking forward to the next steps of drafting bylaws and sending out referrals.

The Planner presented a summary of responses.

The complete presentation of survey results can be viewed on the Islands Trust website, Thetis Island page at the following link:

<http://www.islandstrust.bc.ca/media/344650/pp-ltc-mtg-october-17-2017.pdf>

Discussion followed with Trustee Luckham stating that resolving the ambiguity regarding the use of the word "Equipment", with an eye to the future, may be important; Trustee Hunter remarked that more time is needed to absorb and process the information before making a decision; and, the Chair put forward that the next LTC meeting is in December and that the presentation can be sent to everyone involved, be more fully absorbed and further discussed at the next meeting. Planner Eggen will also send the original "raw" results to the Trustees.

This project may then extend into the next fiscal year.

11.2 Riparian Areas Regulation Project

Planner Eggen gave a verbal update on the Riparian Area Regulation Project with news that it is moving forward.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated October 10, 2017

Received.

12.1.2 Projects List Report dated October 10, 2017

Received and discussed.

TH-2017-040

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

that the Thetis Island Local Trust Committee request Staff to add to the Projects List – Consolidating Lots for Community Benefit on Ruxton Island.

CARRIED

12.2 Applications Report dated October 10, 2017

Planner Eggen presented the Applications Report dated October 10, 2017. Updates included the receipt of a rezoning application for Lot 49 Harbour Road, and West Vancouver Yacht Club Board moving forward with relationship building with the Lyackson First Nation.

12.3 Trustee and Local Expense Report dated August, 2017

Received.

12.4 Adopted Policies and Standing Resolutions - None

12.5 Local Trust Committee Webpage

The implementation of the new colour palette on the Islands Trust website was recognized.

Discussion regarding a general map with road names made easily available – for example the map in the Thetis Island phone book – and added to Resources.

TH-2017-041

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

that the Thetis Island Local Trust Committee request Staff to consider providing a general purpose road map to be posted on the website.

CARRIED

12.6 Chair's Report

Chair Morrison reported on:

- Executive Council
- September 2017, Trust Council on Denman
- Union of British Columbia Municipalities
 - Ministry of Transportation and Infrastructure
 - Ministry of Environment
- Lasqueti Island – Shoreline Protection
- Preparing for Trust Council meeting in Victoria in December
 - Our San Juan Island neighbours will be represented.

12.7 Trustee Reports

Trustee Hunter reported on:

- Ferry Advisory Committee meeting:
 - Looking at re-scheduling dangerous cargo run
 - MV Kuper going for re-fit; plans include replacing the seating in the passenger lounge; also adding more lighting at the top of the dock.
- Meeting with Andy Newell to discuss road safety including problematic gas pipes near Telegraph Harbour Marina and monitoring traffic at the intersection of Foster Point and Pilkey Roads (at the stop sign) to measure the flow for a week.

Trustee Luckham reported on:

- Union of British Columbia Municipalities:
 - Very welcoming.
 - Having concerns about people having high expectations and the government not delivering.
- Salt Spring Referendum:
 - 70% turned out to vote.
 - Did not incorporate.
- Natural Marine Conservation Areas meeting in Cowichan Bay:
 - Former Penelakut Chief Lisa Joe is the First Nations liaison for Parks Canada asked to make a presentation to Trust Council prior to taking the presentation on the road.
- Ferry Advisory Committee meeting:
 - Good conversation
 - Requested 25% reduction in ferry fares.
- Meeting with Andy Newell to discuss road safety
 - Cross bars have been repainted.
 - Yield signs at ferry are bigger and re-positioned.
 - Harbour Road stop sign, but no pedestrian shoulder.
 - Road safety report – need to write for an update on the report as well as ferry terminal improvements and pedestrian safety on Harbour Road.

12.8 Electoral Area Director's Report - None

12.9 Trust Fund Board Report dated October 17, 2017

Chair Morrison presented and updated the Trust Fund Board Report dated October 17, 2017, highlighting recent news on Thetis Island's Moore Hill and Fairyslipper Forest projects; Chair Morrison added that the Trust Fund Board retreat was excellent.

13. NEW BUSINESS

13.1 Advisory Planning Commission - Staff Report

Planner Eggen presented the Staff Report dated September 29, 2017. Discussion followed.

TH-2017-042

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request that Staff to advertise for expressions of interest for the Thetis Island Advisory Planning Commission.

CARRIED

TH-2017-043

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request that Staff send letters to members of the Advisory Planning Commission whose terms will expire on January 26, 2018, inviting their expressions of interest for reappointment to the Advisory Planning Commission and thanking them for their participation.

CARRIED

13.2 Road Safety

Presented by Trustee Luckham; discussion followed.

TH-2017-044

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request that Staff write to Susan Randall (Ministry of Transportation and Infrastructure) requesting update on the Road Safety Report requested earlier; status of ferry terminal improvements; and, bring to her attention pedestrian safety concerns regarding Harbour Road at the corner of Foster Point Road, and to send a copy of the letter to Andy Newell.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, December 12, 2017 at 9:30 am at the Thetis Island Community Centre (Hunter Room), North Cove Road, Thetis Island, BC.

15. TOWN HALL

Comments concerning the Ruxton Island Survey included:

- Regarding the use of the word “equipment”; how do you differentiate between floats, docks, ramps and other foreshore equipment?
- Tides affect the dimension of the set back.
- People are not complaining about the public stairways.
- There are so many variables, how can there be a reasonable decision made; how do we incorporate all these things?
- Sharing of a photo of a structure in question; reminded by LTC that enforcement is complaint driven.

Trustee Luckham welcomed a new resident attending the meeting to get a sense of Thetis Island and protocol.

16. CLOSED MEETING - None

17. ADJOURNMENT

By general consent the meeting was adjourned at 11:30 am.

Susan Morrison, Chair

Certified Correct:

Janice Young, Recorder



Resolutions Without Meeting

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2017-11	In Favour	"THAT Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be adopted".	06-Nov-2017

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 arrange a lunch with Thetis LTC and Lyackson First Nation Chief and Council, and that staff of Islands Trust and Lyackson be invited to attend. Update Nov.17/17: staff to consider agenda prep. including upcoming Islands Trust Policy Statement Review referral.	Marnie Eggen Fiona MacRaid		Done
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

Follow Up Action Report

Staff to advertise for expressions of interest for the Thetis Island Advisory Planning Commission, and that staff send letters to members of the Advisory Planning Commission whose terms will expire on January 26, 2018, inviting their expressions of interest for reappointment to the Advisory Planning Commission and thank them for their participation.

Penny Hawley

31-Oct-2017

Done



BRIEFING

To: Thetis Island Local Trust Committee
Bowen Island Municipality

For the Meeting of:
December 12, 2017

From: Kate Emmings, Ecosystem Protection
Specialist

Date prepared: October 11, 2017

SUBJECT: REFERRAL OF DRAFT ISLANDS TRUST FUND REGIONAL CONSERVATION PLAN 2018-2027

PURPOSE:

The Islands Trust Fund has completed a draft of its Regional Conservation Plan 2018-2027 and is providing it for information to all local trust committees and to the Bowen Island Municipality. The draft Regional Conservation Plan is also being shared with all First Nations with interests in the Islands Trust Area as well as conservation partners.

BACKGROUND:

Why a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Trust Fund Board and, in some cases, the Islands Trust's local planning work, has been guided by Regional Conservation Plans.

What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the next ten years. The goals identified in the draft 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

3. Continue to secure and manage Trust Fund Board lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Local trust committees and the Bowen Island Municipality will find island profiles in Appendix II with information specific to their area of interest.

When will the Regional Conservation Plan Begin?

The draft Regional Conservation Plan will cover a ten-year period and will begin with approval of the Trust Fund Board. Review and approval of the final draft will happen in early 2018. The final Regional Conservation Plan will be provided to the Trust Council in March 2018 with a request for endorsement.

Who will the Regional Conservation Plan affect?

The Regional Conservation Plan directs the work of the Trust Fund Board and its staff. It is not binding on the work of the local trust committees, Bowen Island Municipality or Trust Council, although each of these corporate bodies may choose to incorporate elements of the plan into their work.

How will the Regional Conservation Plan be implemented?

The Trust Fund Board will implement the Regional Conservation Plan through three-year work plans, which will be approved by the Trust Fund Board and will be implemented by staff. At the end of each three-year period, staff will evaluate progress and set the next three-year work plan with the Trust Fund Board.

ATTACHMENT(S): [Draft Regional Conservation Plan 2018-2027](#)

FOLLOW-UP:

If the local trust committee or Bowen Island Municipality chooses to provide comment, they should pass a resolution citing comments and direct staff to relay the comments to Islands Trust Fund staff. Feedback will be considered by the Trust Fund Board when it finalizes its Regional Conservation Plan at its first meeting in 2018.

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By/Date: Jennifer Eliason, Islands Trust Fund Manager/October 6, 2017



REQUEST FOR DECISION

TO: Thetis Island Local Trust
Committee
Bowen Island Municipality

FROM:
Islands Trust Fund

For the meeting of:
December 12, 2017
Date: October 12, 2017

SUBJECT: REFERRAL OF ISLANDS TRUST FUND FIVE YEAR PLAN

RECOMMENDATION:

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

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: Consistent with policy.

IMPLEMENTATION/COMMUNICATIONS: The Islands Trust Fund Plan has been referred to all local trust committees and Bowen Island Municipality, as well as First Nations with interests in the Trust Area and Trust Council. Comments received will be considered and addressed. The Trust Fund Board intend to submit a final plan to the Minister of Municipal Affairs and Housing in December 2017 with a request for approval.

BACKGROUND

The *Islands Trust Act* requires that the Trust Fund Board prepare and submit to the Minister, at least once every five years, a plan for the Islands Trust Fund respecting policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required.

Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1) requires the plan to be referred to every LTC and Island Municipality for comment. The Trust Fund Board will also be submitting the plan to Trust Council for comment at its December 2017 meeting.

The Islands Trust Fund Plan is administrative in nature, and explains current Trust Fund Board policies on land acquisition, management and disposition of land, and investment of funds. It also summarizes the goals of the draft Regional Conservation Plan.

It is important to distinguish between the Islands Trust Fund Five Year Plan which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Trust Fund Board and its staff. The documents are complementary, but serve different functions.

REPORT/DOCUMENT: [Draft Islands Trust Fund Five Year Plan](#)

RELEVANT POLICY: Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1)

DESIRED OUTCOME: Local Trust Committee/Islands Municipality review of the Islands Trust Fund Five Year Plan and approval of plan from the Minister of Municipal Affairs and Housing.

RESPONSE OPTIONS

Recommended: That the Thetis Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Fund Plan for information.

Alternatives: That the Thetis Island Local Trust Committee/Bowen Island Municipality provide the following comments on the Islands Trust Fund Five Year Plan:

PREPARED BY: Jennifer Eliason
Islands Trust Fund Manager

REVIEWED BY: Clare Frater
Director of Trust Area Services



MEMORANDUM

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

DATE OF MEETING: December 12, 2017
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 following the LTC meeting held August 29, 2017 where the following resolution was passed:

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 were received from the Archaeology Branch, Land Tenures Branch, and the LTSA Surveyor General Division (see attachments).

Referral responses from First Nations included:

- Halalt: "Halalt First Nation will defer to Penelakut Tribe on this matter."
- Cowichan Tribes: "Interests Unaffected"

Subsequent to the initial referrals being sent via email, staff met with Lyackson First Nation Land & Resources Coordinator, Linda Aidnell on September 27, 2017 to discuss a variety of files including the subject DVP application. Staff's understanding from the discussion was that Lyackson would defer to Penelakut on this matter.

Staff travelled to Penelakut Island on December 4, 2017 and met with the Penelakut Chief Joan Brown, Councillors August Sylvester, Pam Jack, and Loren James, and one member of Penelakut staff, Joshua James.

R:\LTC\Northern Thetis\Applications & Referrals\Development Variance Permit\2015\TH-DVP-2015.2 Trincomali Holdings\Staff reports\TH-2017-12-05_TH-DVP-2015.2_memo.docx

Key concerns expressed by Penelakut members included: construction of a seawall on a recorded prehistoric midden, the lack of consultation with Penelakut prior to construction of the wall, the lack of prior archaeological assessment and failure to obtain a provincial heritage alteration permit, and potential environmental impacts to the beach and fisheries. Penelakut expressed their intent to issue a formal referral response following a meeting of Chief and Council on December 14, 2017.

NEXT STEPS

Staff will provide a report to the LTC, which includes a detailed analysis of the referral responses and recommendations, following receipt of a formal referral response from the Penelakut First Nation.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 5, 2017
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ATTACHMENTS

1. Land Tenures Branch Referral Response
2. Archaeology Branch Referral Response
3. LTSA Referral Response



Islands Trust

REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Thetis Island Local Trust Area

Application No. TH-DVP-2015.2

Date: September 12, 2017

You are requested to comment on the attached Development Variance Permit application for potential effect on your agency's interests. We would appreciate your response by **October 20, 2017**. If no response is received by this date, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Trincomali Holdings Ltd., 100 S Murphy Street, Campbell River, BC, V9W 1Y4

PURPOSE OF REFERRAL:

The applicant has applied for a variance to the Thetis Island Land Use Bylaw to permit an existing seawall structure to be located 0.0 m from the rear property line as shown on the applicant's Location Certificate (attachment 1). A recent field survey indicates that a portion of the wall is located outside the applicant's property on the marine foreshore (attachment 2). The seawall is proximate to a documented archaeological site (attachment 3).

The Thetis Island Local Trust Committee wishes to hear your comments on this application as this will assist them in properly evaluating and making a decision on this application. Further background is provided in the August 29, 2017 staff report (attachment 4).

GENERAL LOCATION:

Thetis Island – 204 Pilkey Point Road

OTHER INFORMATION:

Please direct any communications regarding this referral to Ann Kjerulf, Regional Planning Manager, at (250) 247-2209 or by email to akjerulf@islandstrust.bc.ca.

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 Application.

(Signature)

Ann Kjerulf

Name:

Title:

Regional Planning Manager

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD):

- (Archaeological Branch)
- (Crown Tenures) – Front Counter BC

BC Land Title and Survey Authority

- Surveyor General Division

First Nations

Semiahmoo First Nation
Hul'qumi'num Treaty Group – for information only
Stz'uminus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Tsawout
Tseycum
Tsartlip
Malahat
Pauquachin

PLEASE TURN OVER **20**

REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected
- ☐ Approval Not Recommended Due to Reason Outlined Below

As the adjacent land owner may apply, through provisions of the *Land Title Act*, to the Surveyor General for the accreted lands, we recommend that issues regarding accretion and erosion are forwarded to the Surveyor General for clarification regarding ownership of the land.

The applicant should be advised to apply for a Crown land tenure for those improvements that are located below the High Water Mark.

Thetis Island Local Trust Area – Thetis Island

(Island)



(Signature)

September 19, 2017

(Date)

TH-DVP-2015.2 (Trincomali Holdings)

(Application Number)

Land Officer

(Title)

Ministry of Forests, Lands, Natural Resource
Operations and Rural Development

(Agency)



Islands Trust

REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Thetis Island Local Trust Area

Application No. TH-DVP-2015.2

Date: September 12, 2017

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APPLICANTS NAME / ADDRESS:

Trincomali Holdings Ltd., 100 S Murphy Street, Campbell River, BC, V9W 1Y4

PURPOSE OF REFERRAL:

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The Thetis Island Local Trust Committee wishes to hear your comments on this application as this will assist them in properly evaluating and making a decision on this application. Further background is provided in the August 29, 2017 staff report (attachment 4).

GENERAL LOCATION:

Thetis Island – 204 Pilkey Point Road

OTHER INFORMATION:

Please direct any communications regarding this referral to Ann Kjerulf, Regional Planning Manager, at (250) 247-2209 or by email to akjerulf@islandstrust.bc.ca.

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 Application.

(Signature)

Ann Kjerulf

Name:

Title:

Regional Planning Manager

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD):

- (Archaeological Branch)
- (Crown Tenures) – Front Counter BC

BC Land Title and Survey Authority

- Surveyor General Division

First Nations

Semiahmoo First Nation
Hul'qumi'num Treaty Group – for information only
Stz'uminus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Tsaout
Tseycum
Tsartlip
Malahat
Pauquachin

PLEASE TURN OVER **22**

REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☒

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected

☐

Approval Not Recommended Due to Reason Outlined Below

Please see attached letter.

Thetis Island Local Trust Area – Thetis Island

(Island)



(Signature)

19 October 2017

(Date)

TH-DVP-2015.2 (Trincomali Holdings)

(Application Number)

Heritage Resource Specialist

(Title)

Archaeology Branch, FLNRORD

(Agency)



October 19, 2017

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

Dear Ann Kjerulf:

Re: Development Variance Permit Application TH-VDP-2015.2, 204 Pilkey Point Road, Thetis Island – Thetis Island Local Trust Committee, Islands Trust

In response to your request for comments regarding the above-captioned application, the Archaeology Branch has reviewed the referral package received via email on October 3, 2017, describing the unauthorized construction of a retaining wall along the foreshore and impacts to archaeological site DgRw-149, a prehistoric shell midden.

As noted in previous correspondence with the Archaeology Branch, DgRw-149 was recorded in 1975. DgRw-149 is protected under the *Heritage Conservation Act (HCA)* and may not be altered, except as authorized by a permit issued under the *Act*. The construction of the seawall occurred in July 2009 without a *HCA* permit in place, which is a contravention of the *HCA*.

The Branch recommends that:

1. A post-impact assessment is conducted under a *HCA* Section 14 Inspection Permit in the immediate vicinity of the seawall to evaluate the extent and impacts to DgRw-149 in response to the contravention of the *HCA*, as recommended in Jim Spafford's initial letter dated July 29, 2009 to the registered owner on the above-captioned property, since very little is known about DgRw-149's extent, nature, and significance at this location;
2. In the event further development activities are planned on the subject property, an archaeological impact assessment (AIA) is conducted under an *HCA* permit, as per Jim Spafford's letter dated June 18, 2012, confirming the receipt of a letter from the registered property owner that an AIA will be completed ahead of any future development activities. The property is considered to have high archaeological potential outside of the recorded boundaries of DgRw-149.

Ministry of Forests,
Lands, Natural
Resource Operations and
Rural Development

Archaeology Branch

Mailing Address:
PO Box 9816 Stn Prov Govt
Victoria BC V8W 9W3

Phone: (250) 953-3334
Fax: (250) 953-3340

Location:
1st floor – 1250 Quadra St.
Victoria, BC V8W 2K7

3. The retaining wall remains in place, as its removal would likely cause further significant impacts to DgRw-149.
4. Any land-altering activities, including any modifications to or landscaping adjacent to the seawall within the recorded boundaries of DgRw-149, will require a *HCA* Section 12 Site Alteration Permit co-held with a qualified archaeologist.

I may be reached at 250.953.3357 or via email at rennie.varsakis@gov.bc.ca if you would like to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read 'I Varsakis', with a stylized flourish at the end.

Rennie Varsakis, M.Sc.
Heritage Resource Specialist | Archaeologist

Our File: 10500-30-642

Your File: TH-DVP-2015.2

October 24, 2017

Becky McErlean
Legislative Clerk
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3

Dear Ms. McErlean:

**Re: Lot 27, District Lot 30, Thetis Island, Cowichan District, Plan 12796
PID 004-858-026**

I have reviewed your email of October 16, 2017 with respect to Lot 27, District Lot 30, Thetis Island, Cowichan District, Plan 12796. I understand that the Thetis Island Local Trust Committee of the Islands Trust is reviewing an application for a Development Variance Permit and you are concerned with the location of a retaining wall in relation to the natural boundary of the subject property.

I understand that Islands Trust has directly contracted with Polaris Land Surveying and specifically Brent Taylor, BCLS. Mr. Taylor has prepared a site plan to assist you in your review of this application.

You may wish to engage further with Mr. Taylor to determine the location of the present natural boundary in the area of the retaining wall.

I have reviewed Plan 12796 and can provide some feedback on that plan that may help with your understanding of the depiction of the natural boundary on this plan. I would encourage you to reach out to Mr. Taylor with additional questions.

Plan 12796 was surveyed in 1958. The only location that the plan contains measurements to the natural boundary of Lot 27 is at the intersection of the side boundaries with the natural boundary. The ties to the natural boundary fronting the remainder of Lot 27 are not shown on the plan, so without the surveyors field notes, any attempt to re-construct the titled natural boundary location of Lot 27 would be based on scaling from the plan.

.../2

It looks like the present natural boundary, as surveyed by Mr. Taylor, and the natural boundary from Plan 12796 match up well at the side boundaries of Lot 27 but vary in other locations. This may indicate that:

- (1) the natural boundary was not surveyed accurately, other than at the sidelines, because of either too few ties or an error in the survey;
- (2) the natural boundary was not plotted accurately on Plan 12796;
- (3) the natural boundary has been altered since the time of the original survey.

A review of all evidence would be required to make this assessment.

The extent of common law ownership is based on the location of the present natural boundary of Lot 27, so even if the plan depicts the natural boundary incorrectly, the upland owners retain ownership up to the present natural boundary (as defined in the *Land Act*). In order to update the title to reflect the extent of ownership, the owners would need to have the property surveyed and the surveyor would apply to the Surveyor General under either s.94(1)(c) or 94(1)(d) of the *Land Title Act*, depending on the findings of the surveyor.

These applications can be challenging where the present natural boundary has been modified, such as by construction of a retaining wall. The best evidence of the location of the present natural boundary, in the area of modification, would be evidence pre-dating the wall construction. The appropriate supporting evidence would be site specific, but could include historical ground photographs, historical aerial photographs and/or soil analysis. The land surveyor must provide sufficient evidence of the present natural boundary location in the application.

As a statutory application has not been submitted to our office, we won't be commenting on the location of the present natural boundary of this property.

You may wish to review information on the Land Title and Survey Authority of BC's website at www.ltsa.ca. Specifically I would suggest Circular Letters 459 and 470 (www.ltsa.ca/practice-information/circular-letters) and the Applications to the Surveyor General page (www.ltsa.ca/practice-information/applications-surveyor-general) for information on accretion and natural boundary adjustment applications.

I trust that the information in this letter will provide you with some clarification.

Yours sincerely,



Cristin Schlossberger, BCLS
Deputy Surveyor General
Telephone: 250 410 0581
E-mail: cristin.schlossberger@ltsa.ca



DATE OF MEETING: December 12, 2017
TO: Thetis Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
SUBJECT: Hardy Granite Islands Quarry Operation on Valdes Island

PURPOSE

The purpose of this memo is to update the Thetis Island Local Trust Committee (LTC) on the recent quarry application from Hardy Island Granite Quarries Ltd. to the federal government for a seven year permit to quarry sandstone on Valdes Island. In September 2015, the LTC asked staff to prepare a letter to the federal government requesting that the LTC be consulted as part of any future lease application by Hardy Granite or any other mining operation, given the potential for 'off-reserve effects' of mining operations. The new application was obtained after staff enquired with the federal government. While this is not a formal referral to the LTC, staff understands that the federal government will accept comments from the LTC.

NEXT STEPS

Should the LTC provide comments, staff will forward them to the federal authority.

Submitted By:	Marnie Eggen, MCIP, RPP Island Planner	December 4, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 5, 2017

ATTACHMENTS

1. Letter to AANDC from Thetis LTC Chair, dated September 29, 2015
2. Application to AANDC from Hardy Island Granite Quarries Ltd.

September 29, 2015

File: TH-3070-20

Joan Calderhead
Manager, Environment & Natural Resources,
Lands and Economic Development
BC Region
600-1138 Melville Street
Vancouver BC V6E 4S3

RE: Hardy Island Granite Quarries Ltd. Operation on Valdes Island

Dear Ms. Calderhead,

I am writing to you as Chair of the Thetis Island Local Trust Committee which is the local government with land use planning authority for part of the Gulf Islands including Valdes Island, and surrounding waters. A permit for the Dimension Stone Test Quarry on Valdes Island was issued to Hardy Island Granite Quarries Ltd. ('Hardy Granite') by the Department of Aboriginal Affairs and Northern Development Canada (AANDC) on December 30, 2014. As the Permit Area is located on a portion of L'yackson First Nations Territory (L'yackson IR3), the permit was issued by AANDC pursuant to their authority under the *Indian Act*, Subsection 28(2), which speaks to issuance of a permit for occupation or use of First Nation land.

It is of concern to the Thetis Island Local Trust Committee that we were not advised of the proposed quarrying activity during the application process. In fact, we only became aware of the quarry following several inquiries from residents of DeCourcy Island about blasting noise coming from L'yackson Territory (commencing in January of 2015). This noise issue, along with the lack of consultation with LTCs for the permit itself, is deeply troubling to the Local Trust Committee.

We were informed that due to permit requirements as per the bald eagle nesting season (the window for barging the material off-site is limited to December 1st through to February 15th) that quarrying activity ceased for a time, and that Hardy Granite will recommence blasting operations again this month. We understand from AANDC staff that Hardy Granite is required to provide a noise management plan for next year following the complaints, and we request that AANDC provide us with a copy of this plan for our reference.

While L'yackson First Nations was actively involved in the permitting process, they were not signatories to the agreement made between the Hardy Granite and AANDC. As such AANDC's primary responsibility for stakeholder consultation is to L'yackson First Nation, whose comments and concerns were addressed during the proposal stage. However, consultation with non-Aboriginal groups can be a requirement of such permits if AANDC deems it necessary due the potential for 'off-reserve effects.' We believe that the Thetis Local Trust Committee, along with the residents of neighbouring islands, should be consulted as part of the permitted process for any significant development activity on Valdes Island.

It is our understanding that if Hardy Granite applies for a longer term lease once the two year test lease is up, there would be a new and separate review process. AANDC has indicated that they have documented all noise complaints received thus far as part of any future application; however, no assurance has been provided that the Local Trust Committee or adjacent residents would be consulted in the event that a long-term permit application is made. The Thetis Local Trust Committee recognises and respects the L'yackson First Nation's rights to develop their lands, and do not wish to interfere with economic activities. Simply, given the strong potential for 'off-reserve effects' and the delicate ecosystem in which this quarrying activity is taking place, the Thetis Local Trust Committee respectfully requests to be consulted as part of any future lease application by Hardy Granite or any other mining operation.

The Islands Trust is a federation of local government bodies representing 25,000 people living within the Islands Trust Area and another 10,000 non-resident property-owners. The Islands Trust is responsible for preserving and protecting the unique environment and amenities of the Islands Trust Area through planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major and more than 450 smaller islands covering 5200 square kilometres.

Yours sincerely,



Susan Morrison
Chair, Thetis Island Local Trust Committee

pc:

Chief Pahalicktun (Richard Thomas), L'yackson First Nation
Kathleen Johnnie, L'yackson First Nation
Bonita Wallace, Ministry of Forests, Lands and Natural Resource Operations,
(Bonita.Wallace@gov.bc.ca)
Helgi Sigurgeirson, Hardy Island Granite Quarries Ltd.
Gabriola Island Local Trust Committee

C.M.# 3622697

**Application for a
Non-Metallic
Minerals Permit
on Lyacksun IR 3**

Valdes Island, B.C.
Lat 49° 6' 00" Long 123° 41' 46"
NTS 92G

For:
Hardy Island Granite Quarries Ltd.
4743 Ketch Rd., Pender Island, B.C.

By:
David Deering, P.Eng
Helgi Sigurgeirson, P.Geo

Date:
February 28, 2017

PROPERTY DESCRIPTION:
Lyacksun Indian Reserve No. 3
CLSR 68876 (September 1983)
Plan BC 230 (CLSR)
Plan 51 IR (LTO)
Nanaimo Land District, British Columbia

Management Summary

The Lyackson First Nation (LFN) has given Hardy Islands Granite Quarries Ltd. (HIGQ) permission to apply for a permit to quarry dimension stone (sandstone) on Lyacksun 3, Valdes Island. The application is limited to a 3.3 ha site on Lyacksun IR3 and a 7 year period.

Initial property examinations in the spring of 2008 defined the general areas of interest. An Archaeological Impact Assessment (AIA) and an Ecological Assessment were done on these areas of interest to define the parameters within which an application would be made. An assessment of the dimension stone potential of the property done in the spring of 2009 located two showings and recommended further work. An Operational Plan and a Restoration Plan were made which incorporated the recommendations of the above surveys. A follow-up AIA, a Species at Risk Assessment (SARA) and a Marine Bio-Assessment were done on the application areas defined in the Operational Plan. An application for a test quarry with a period of 2 years and for 2400 tonnes was submitted on September 17, 2009. A second Marine Bio-Assessment was done to assess a modified landing plan, which was accepted by the DFO. A revised application was submitted on November 1, 2013. An application for a license of occupation for the barge landing was submitted on September 27, 2014 and is still pending. A permit was issued for the test quarry on December 23, 2014. Quarrying began immediately upon receiving the permit and continued until February 5, 2015. The quarry was developed, the landing built, and 901 tons quarried, during that period. An application to rezone the area of the barge landing was submitted to the Islands Trust on September 21, 2015 and is still in process. A license of occupation was granted on August 17, 2016. A second round of quarrying began in October, 2016. 1505.3 tonnes were barged off the island on December 22, 2016, shortly before the test quarry permit expired.

This application is essentially for an extension of the previous mine plan, except that it is only for the northern site. This application is intended to lead to a new permit by the fall of 2017.

The overall application area envelope is greatly reduced relative to the previous application, as the southern site (and the road to the southern site) are not part of this application. All quarry activity will be confined to the proposed quarry lot (the "north site" of the test quarry application). No new development is proposed within the Marine Riparian Buffer Zone. The areas added to the quarry footprint are all within the clearcut surrounding the test quarry, and are within the study areas of the archaeological and environmental assessments done for the test quarrying phase. The maximum volume of stone we seek to take from the reserve during the period of the permit is 20 000 m³.

No significant adverse environmental effects are expected to result from the proposed project.

This application includes the Operational Plan, a Restoration Plan, and an Environmental Assessment of the Operational Plan and Restoration Plans. The reports on the various surveys and supporting documents are included in the appendices.

Table of Contents

1.0 Introduction

1.1	Purpose and Scope of Application	.....	1
1.2	Overview of activities to date	.....	1
1.3	Native Economic Opportunities	.....	1

2.0 Environmental Assessment

2.1	Introduction		
2.1.1	Purpose of the Project	.....	4
2.1.2	Summarized project description	.....	4
2.1.3	Contact list	.....	4
2.2	Environmental Setting		
2.2.1	Physical Environment	.....	9
2.2.2	Biological Environment	.....	10
2.2.3	Socio-Economic Environment	.....	11
2.3	Environmental Effects and Mitigation		
2.3.1	Resources	.....	12
2.3.2	Construction Activities	.....	13
2.3.3	Operation and Maintenance Activities	.....	13
2.3.4	Related Effects	.....	14
2.3.5	Mitigation	.....	14
2.3.6	Decommissioning	.....	17
2.3.7	Monitoring	.....	17
2.4	Public Participation/Consultation		
2.4.1	Lyacksun Community Consultation	.....	17
2.4.2	Other Public Consultation	.....	17
2.5	Conclusions		
2.5.1	Summary of Adverse Environmental Effects	.....	17
2.5.2	Cumulative Effects	.....	17
2.5.3	Potential effects of Accidents or Malfunctions	.....	18

3.0 Operational Plan

3.1	Pit Planning		
3.1.1	Pit Status	.....	20
3.1.2	Deposit Information	.....	20

3.1.3	Volume of stone to be produced	21
3.1.4	Types of stone products to be produced	21
3.1.5	Weight of each stone product to be produced	21
3.1.6	Identify Sensitive Areas	21
3.1.7	Schedule of Pit Operation	21
3.2	Pit Design	
3.2.1	General Pit Plan	21
3.2.2	Visual Screening of operation	22
3.2.3	Access and transportation haul roads	22
3.2.4	Water usage	23
3.2.5	Security/Safety	23
3.3	Pit Operation	
3.3.1	Site Preparation	23
3.3.2	Method of Excavation	23
3.3.3	Drainage and Erosion Control	23
3.3.4	Dust, noise and light control	24
3.3.5	Maintenance Yard	24
3.3.6	Equipment in pit	24
4.0	Restoration Plan	
4.1	Environmental Regulations	
4.1.1	abide by all Federal, Provincial and Municipal environmental regulations	26
4.2.2	obtain as necessary all regulatory approvals	26
4.2	Site Restoration	
4.2.1	Progressive Reclamation Strategy	26
4.3	Final Reclamation Strategy	
4.3.1	Method of Reclamation	25
4.3.2	Clean up	25
4.3.3	Drainage and Erosion Control	25
4.3.4	Re-contouring	25
4.3.5	Topsoil and Overburden Replacement	25
4.3.6	Re-vegetation	25
4.3.7	Monitoring and Maintenance	26
5.0	References	27
6.0	Signature Pages	29

List of Figures

1. Location Map	2
2. Proposed Quarry Lot Map	3
3. Quarry Areas Map	5
4. Bench Map	6
5. Section A -A'	7
6. Section B – B'	8

Appendices

1. Report on the Dimension Stone Potential of Lyacksun IR 3
2. Archaeological Impact Assessment Study Hardy Island Granite's Sandstone Test Quarrying Lyackson I.R.3, Valdes Island, British Columbia.
3. Assessment of Risk Associated with Proposed Sandstone Quarries - Valdes Island, BC
4. Proposed Dimension Stone Test Quarry on Lyacksun IR 3
5. Revised Application: Proposed Dimension Stone Test Quarry on Lyacksun IR 3
6. Letter of Clarification
7. Non-metallic Mineral Permit No. 1-646-06811-2014/2016
8. Mine Emergency Response Plan – Valdes Quarry
9. ML/ARD Prediction and Prevention Plan - Valdes Quarry
10. Noise Management Plan - Valdes Quarry
11. ASTM test results
12. Invasive Plant Management Plan
13. Restoration Cost Estimate – Valdes Quarry

1.0 Introduction

1.1 Purpose and Scope of the Application

The purpose of this application is to obtain a permit for the quarrying of dimension stone (sandstone) on Lyacksun IR3 (Figure 1). Work would proceed according to the operational and restoration plan described below. The quarry footprint would be restricted to a surveyed lot of approximately 3.3 ha (Figure 2). The period applied for is 7 years. After that time, either a new permit will be obtained, or the site will be restored.

1.2 Overview of Activities to Date

Initial property examinations in the spring of 2008 defined the general areas of interest. An Archaeological Impact Assessment and an Ecological Assessment were done on these areas of interest to define the parameters within which an application would be made. A Report on the Dimension Stone Potential of Lyacksun IR 3 (Appendix 1) was done in the spring of 2009 which located two showings and recommended further work. An preliminary Operational and Restoration Plan was made which incorporated the recommendations of the above surveys. A follow-up AIA (Appendix 2), a Species at Risk Assessment (Appendix 3) and a Marine Bio-Assessment were done on the application areas defined in the preliminary Operational Plan. An application for a test quarry with a period of 2 years and for 2400 tonnes was submitted on September 17, 2009 (Appendix 4). A second Marine Bio-Assessment was done to assess a modified landing plan, which was accepted by the DFO. A revised application was submitted on November 1, 2013 (Appendix 5). A letter of clarification regarding this application was submitted on May 24, 2014 (Appendix 6). An application for a license of occupation for the barge landing was submitted on September 27, 2014. A permit was issued for the test quarry on December 23, 2014 (Appendix 7). Quarrying began immediately upon receiving the permit and continued until February 6, 2015. The quarry was developed, the landing built, and 901 tons quarried, and barged off the island. An application to rezone the area of the barge landing was submitted to the Islands Trust on September 21, 2015 and is still in process. A license of occupation was granted on August 17, 2016. A second session of quarrying began in October, 2016. 1505.3 tonnes were barged off the island on December 22, 2016, shortly before the test quarry permit expired.

1.3 Native Economic Opportunities

The Lyackson First Nation (LFN) will be paid royalties on the rock sold and a band member will be hired during work sessions. In addition, LFN can use the waste rock for community purposes (such as a breakwater at Shingle Point). Quarry development to date has improved access to the reserve by building a barge landing and connecting it to the reserve road system. The culvert on the E-W connector road will be replaced during the next period of dry weather that coincides with the equipment being on the island (hopefully in September 2017). Hardy Island Granite Quarries Ltd. (HIGQ) intends to maintain the E-W connector road sufficiently to allow 4 wheel drive traffic.

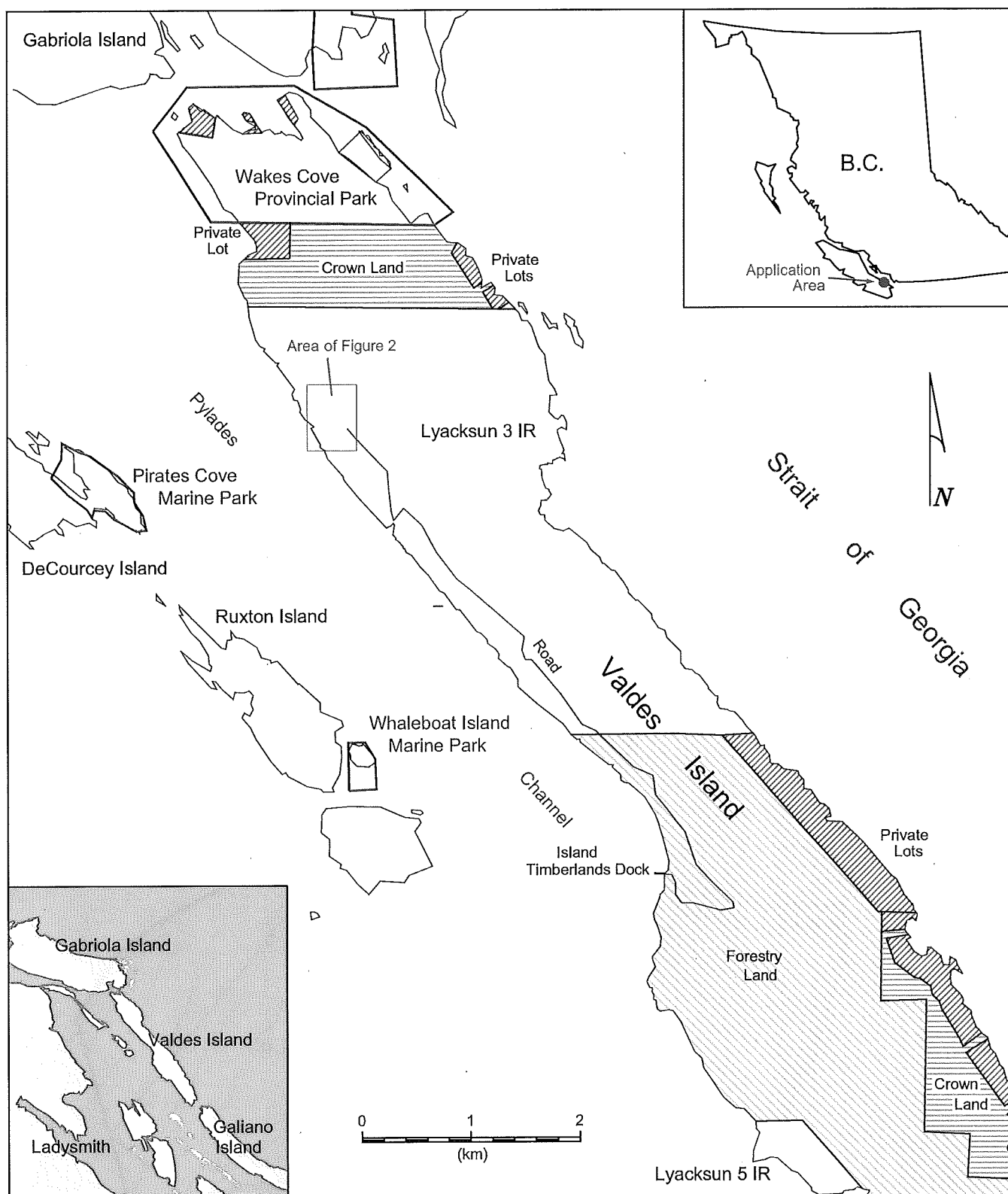


Figure 1: Location Map

Scale = 1:50 000

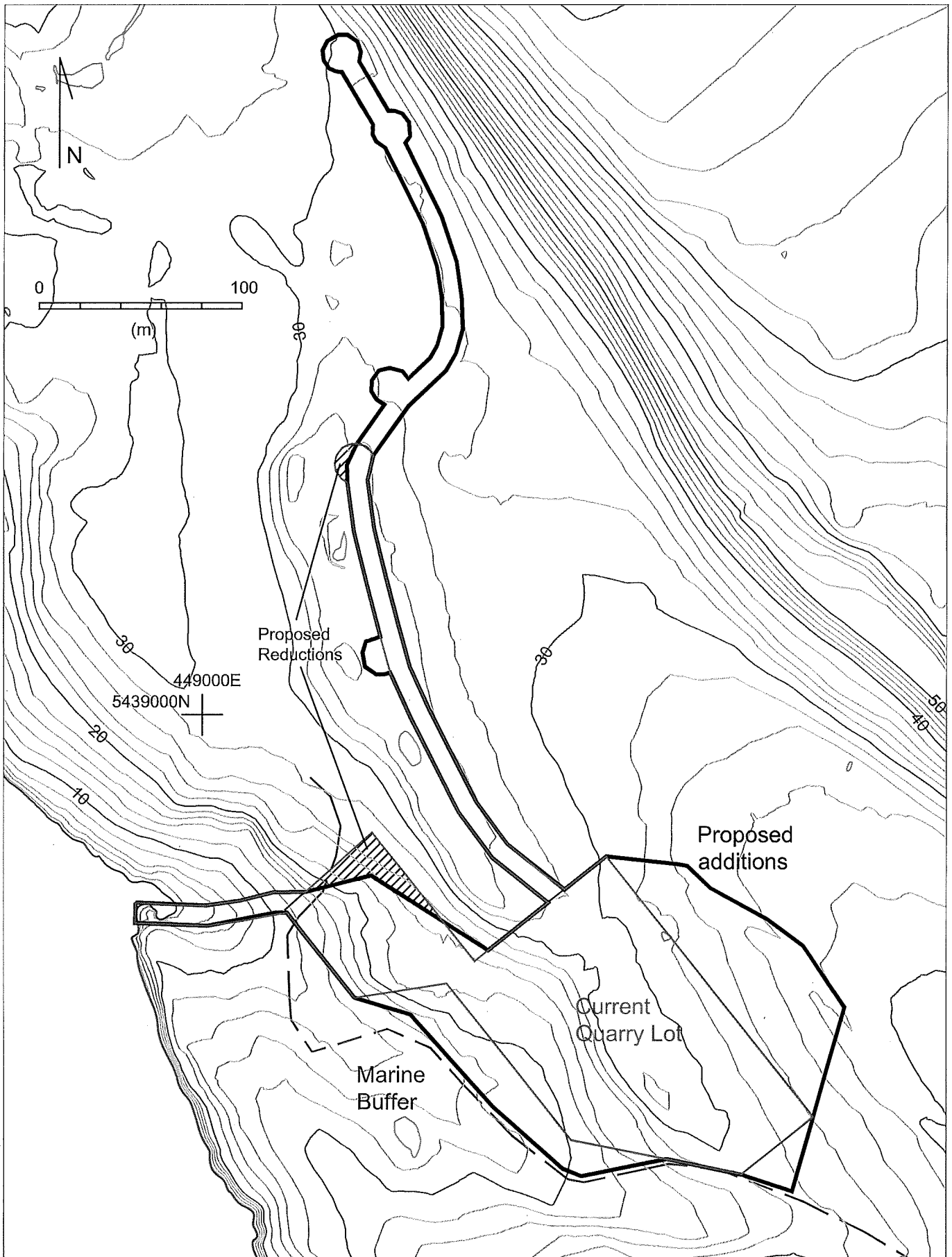


Figure 2 - Proposed Quarry Lot Map (Scale = 1:2500)

2.0 Environmental Assessment

2.1 Introduction

2.1.1 Purpose of the Project

The operation could provide long term revenue and employment for the Lyackson community. In addition, the presence of a quarry operation on the reserve would facilitate other community projects through improved access and the seasonal presence of equipment.

2.1.2 Summarized project description

The proposed work will expand upon the development done within the parameters of the previous permit (Appendix 7) and described in the previous operational plan (Appendices 4, 5 & 6).

Quarrying will be conducted within the seasonal development work windows recommended in the Species at Risk Assessment (Appendix 3). The window is from September 1 to February 4 each year. It is expected that equipment will be barged directly to the site in early September and work will continue until enough blocks for the year have been stockpiled. This volume will depend on projected sales for the year, but it is expected that quarrying will take 2 to 3 months each year to complete.

Current Equipment:

- 2004 ZX-450 Excavator
- 1981 980C Wheel Loader
- 1972 P-10 Pacific Dump Truck
- Maverick Airtrack Drill with a 600 cfm Compressor
- a pellegrini line drill
- 2 x IR XP370 Compressors
- 8000 Litre EnviroTank
- a 20' container on a trailer
- 2 explosives magazines
- a storage shed on a platform
- a F-350 pickup truck

Once the equipment has been mobbed onto the site, any additional clearing required for the planned work would be done, with soil, overburden and grubbing material stockpiled in Area 4 (Figure 3). The quarry benches would be worked to the south and east (Figure 4, 5 & 6). Waste rock would be used to build a landing in Area 3. Blocks would be stored in Area 2. The explosive magazines and fuel tank would be located where indicated on Figure 3. At the end of each work session, the stone would be barged to Vancouver for processing and the equipment would be shipped to Hardy Island.

2.1.3 Contact list

(1) Lyacksun First Nation

Resource Manager, Linda Aidnell 250-246-5019

(2) Hardy Island Granite Quarries Ltd.

Manager, Helgi Sigurgeirson 250-629-3778

(3) Indian and Northern Affairs Canada

Natural Resources Officer, Kathleen Kerr 606-666-3536

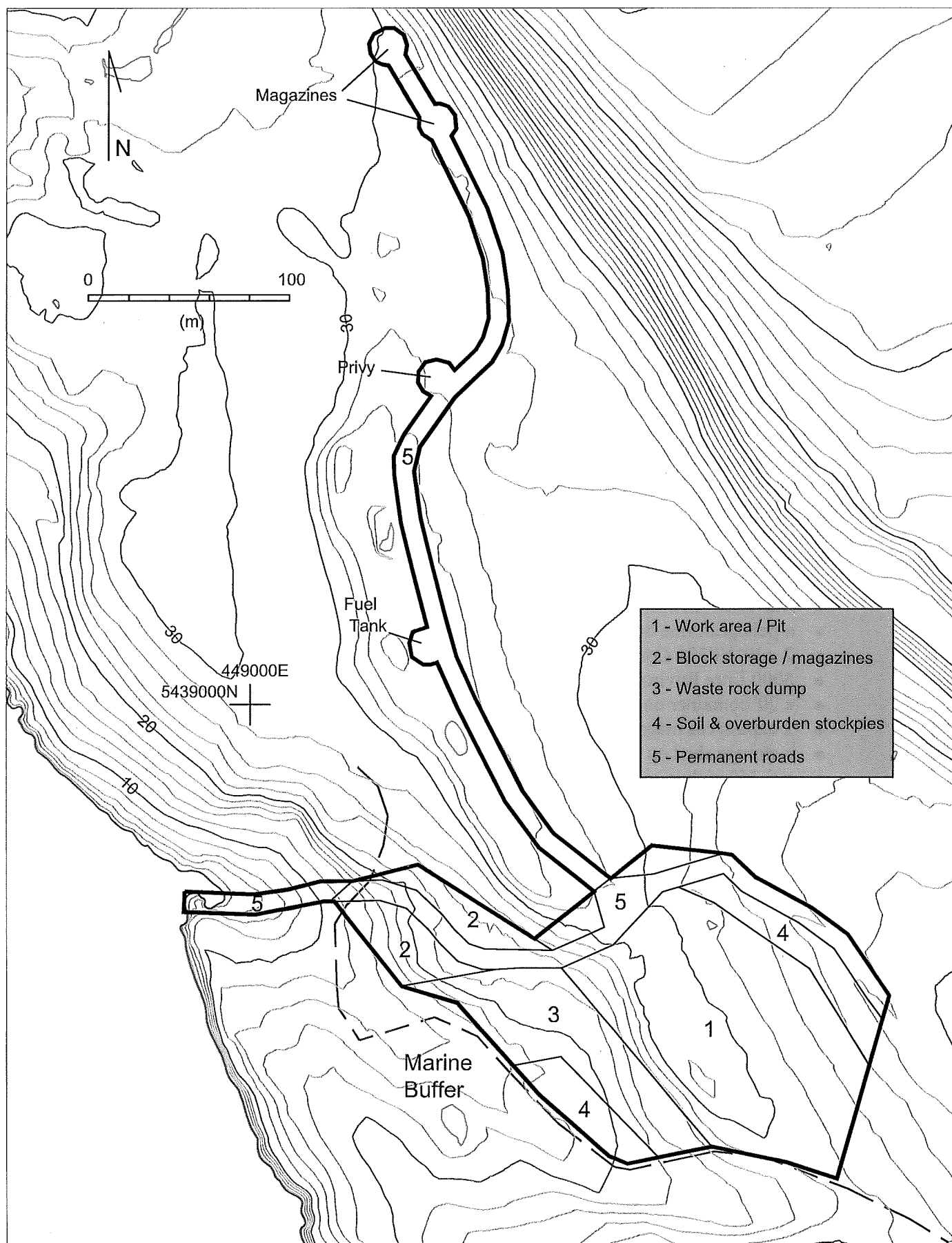


Figure 3 - Proposed Quarry Areas (Scale = 1:2500)

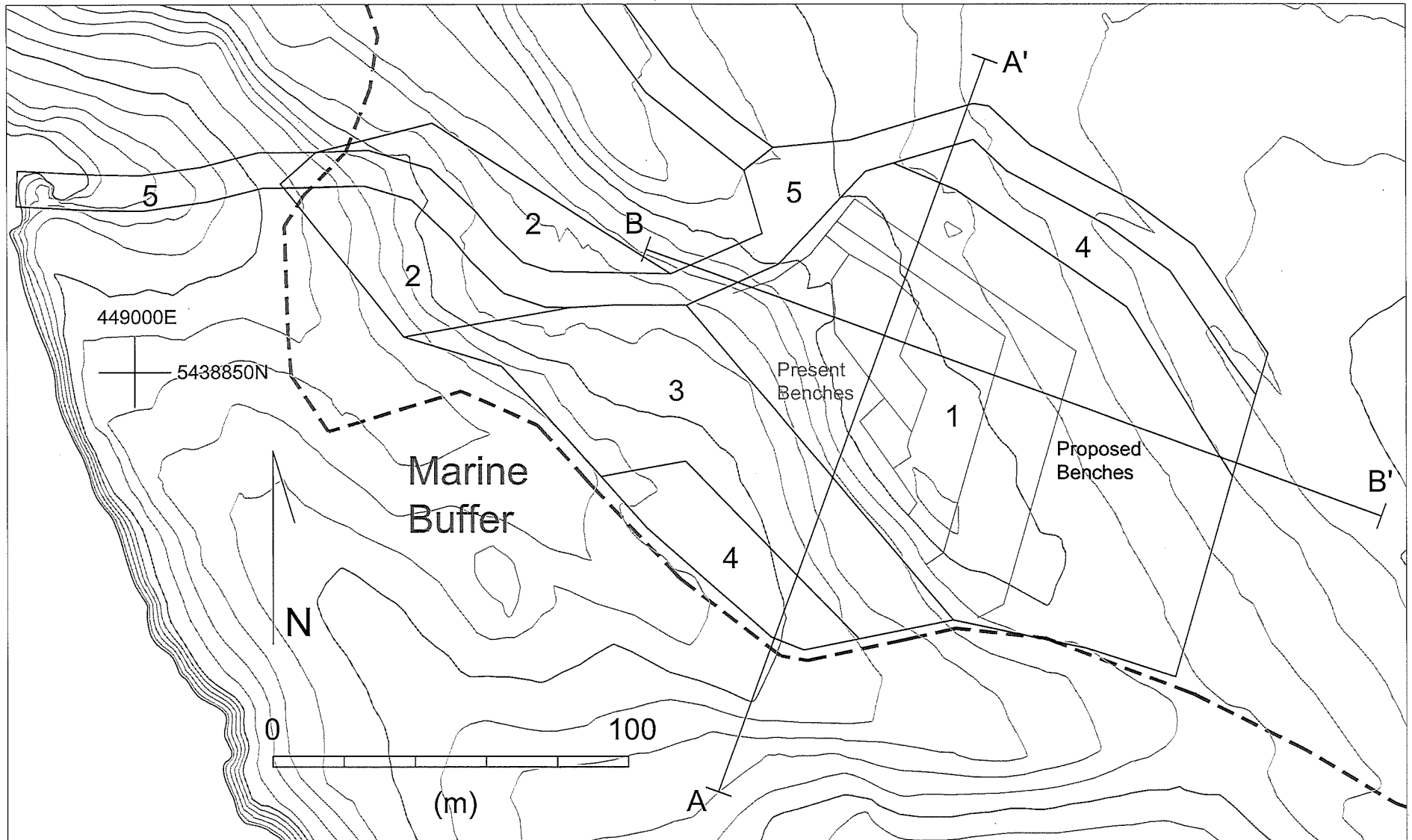


Figure 4 - Present and Proposed Pit Plans

Scale = 1:1000

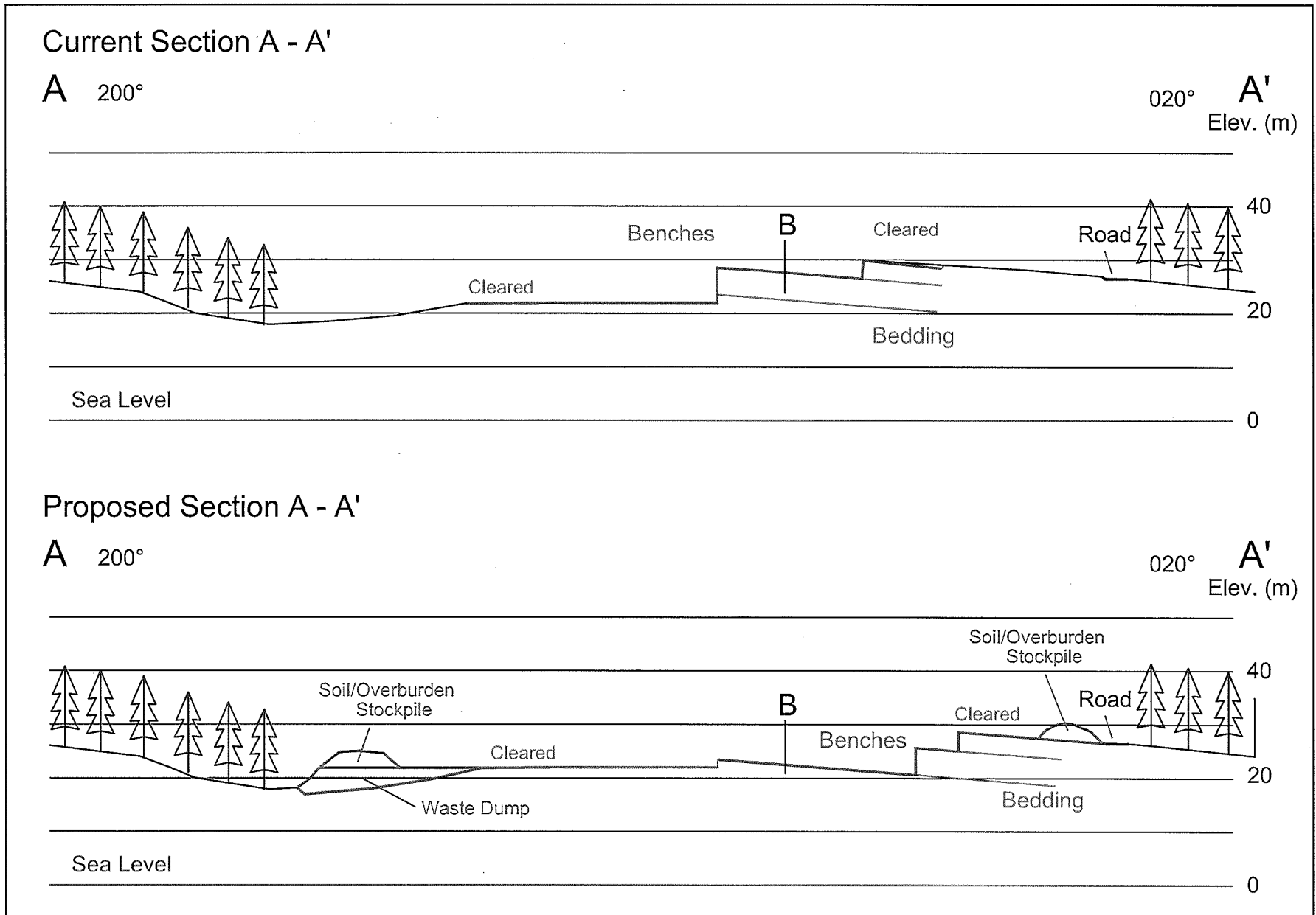


Figure 5: Section A-A' (Current and Proposed)

Scale = 1:1000
Vertical = Horizontal Scale

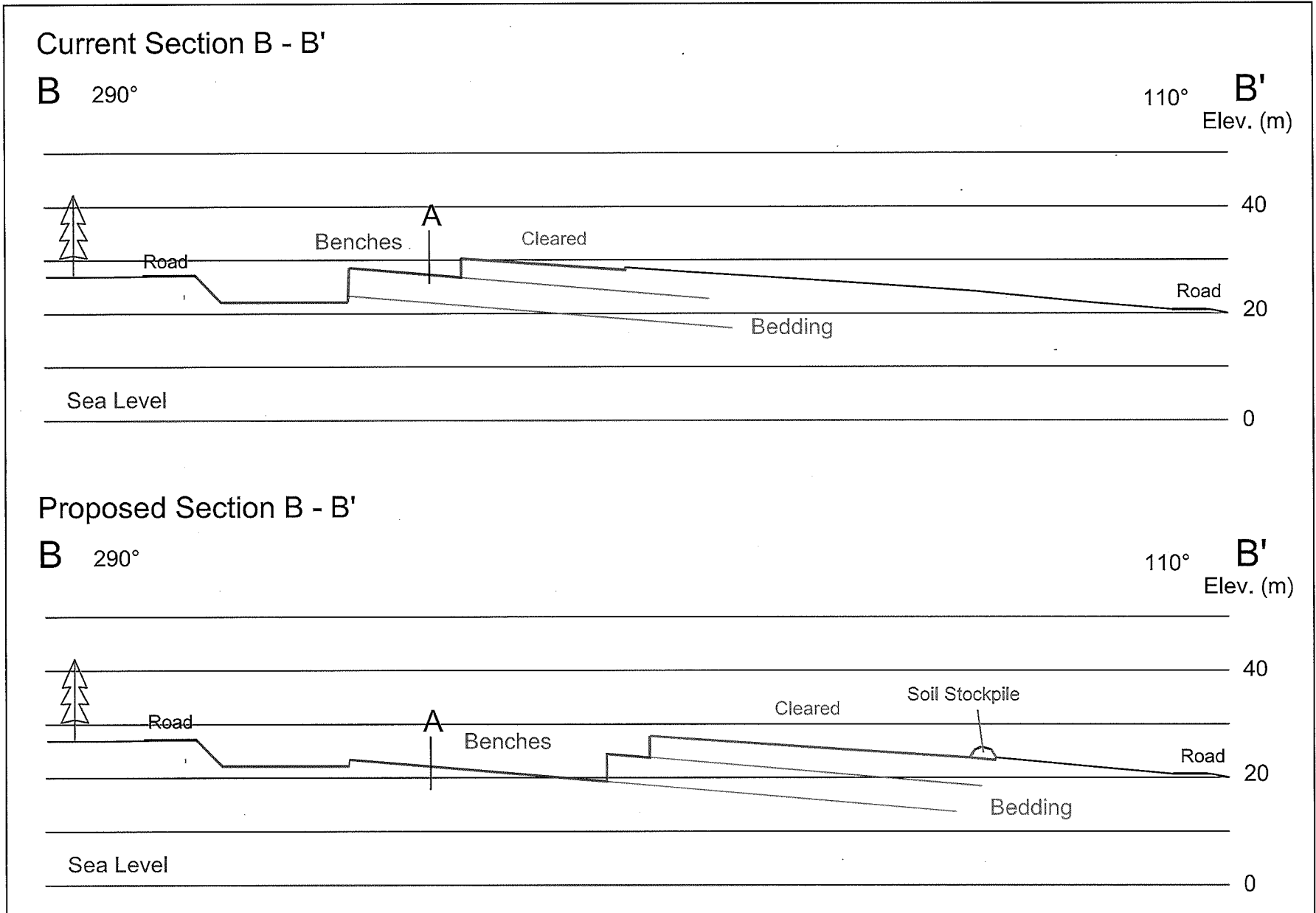


Figure 6: Section B-B' (Current and Proposed)

Scale = 1:1000

Vertical = Horizontal Scale

2.2 Environmental Setting

2.2.1 Physical Environment

(1) Geographic Setting

Valdes Island is in the Strait of Georgia and is one of the Southern Gulf Islands (Figure 1). The quarry benches are about 200 meters inland from the shoreline cliffs on the west side of the island. These cliffs face Ruxton Island and DeCoursey Island across Pylades Channel.

(2) Air Quality

Valdes Island is within the Georgia Basin Airshed. The "Air quality in this area typically meets both US and Canadian standards" (B.C. Ministry of Environment & B.C. Ministry of Healthy Living and Sport, 2009). Though there is no air quality data specific to Valdes Island, the relatively low level of residential development or industrial activity on the island suggests that air quality would be above average for this airshed.

(3) Climate

The Gulf Islands typically have warm dry summers and cool wet winters. Mean monthly temperatures are between 0° - 20°C. The Environment Canada Climate Normals website (Environment Canada, 2008) indicates Gabriola Island received an average yearly rainfall of 884.3 mm between 1971 and 2000. About 80% of the precipitation occurs during the winter months, though snowfall is light. Southeasterly winds dominate in the winter and westerly winds dominate in the summer.

(4) Topography

The application area is characterized by moderate slopes, typically around 10%, with thin well drained soils underlain by solid bedrock. The topography is essentially composed of moderate dip slopes opposed by occasional low anti-dip bluffs. There are no indicators of terrain instability in the areas covered by this application, though the cliffs to the east have talus, often including large boulders, along their bases. The sites are Terrain Stability Class I (ie. very stable) (B.C. Ministry of Forests, 1999a).

(5) Soil

The soils are mapped as Saturna Soils of the very shallow lithic variant (Green et al, 1989). These soils are channery sandy loam to channery loamy sand, colluvial and glacial drift materials commonly less than 50 cm deep in the area of the pit. They are well drained, moderately coarse to medium textured soils. The sites have a low soil compaction and puddling hazard rating, a moderate soil displacement hazard rating, and a high soil erosion hazard rating, according to the "Hazard Assessment Keys for Evaluating Soil Sensitivity to Soil Degrading Processes Guidebook" (B.C. Ministry of Forests, 1999b). Bedrock exposures occur on the faces of low benches and as patches along the top of the ridge in the area of proposed development.

(6) Geology

The rocks exposed in the area of proposed development belong to the uppermost, sandstone dominated section of the Geoffrey Formation, at or near the transition to the overlying Spray Formation (Trust Area Services, 2007). The sandstone is a medium grained lithic arkose or feldspathic litharenite. A low fracture density together with thick bedding in the application areas indicates that these areas may be suitable for dimension stone production, though exposure is limited. The cliffs along the shoreline to the west belong to the Geoffrey Formation,

but are within the Marine Riparian Buffer Zone. The cliffs to the east are composed of sandstone of the Gabriola Formation. The higher fracture density of these rocks makes them unsuitable for dimension stone. The geology of the area is discussed in detail in the "Report on the Dimension Stone Potential of Lyacksun IR 3" (Appendix 1).

(7) Surface Water

There is no surface water within the application area. The area is not within a community watershed.

(8) Ground Water

There is no data on the quantity, quality or flow of the groundwater as there are no wells within several kilometers on the project area. The nearest wells are probably over 1.8 kilometers northeast of the site (Figure 1), on the small lots along the east shore of the island. On Gabriola Island, where the topography and geology are comparable to Valdes, the water table is usually within about 5 meters of the surface (Earle and Krogh, 2004). The water table is generally lower beneath topographic highs, such as the ridge the test pit is on. During the 2016 work, water was observed at the bottom of the road material pit at the north end of the main pit, about 10 m from the ground surface. This observation was made during a period of heavy rain, so some or all of the water seen was likely surface water. There are no significant surficial deposits in or near the application area, therefore groundwater is contained primarily within bedrock fractures. Unconfined, fractured rock aquifers with relatively near surface water tables are considered vulnerable to contaminants (Potter, 2006; Lapcevic et al, 2007), though the particularly low fracture density of the rocks within the application area should reduce the infiltration rate and therefore the ability of the aquifer to absorb contaminants.

2.2.2 Biological Environment

The biological environment of the area of the application is discussed in in the SARA (Appendix 3).

(1) Vegetation

The area of proposed development is entirely with the clearcuts, which are dominated by the Douglas Fir – Salal ecosystem type in the shrub/herb structural stage. Note that there are no wildlife trees within the application area.

(2) Rare/Endangered Species

There are no rare/endangered species or suitable habitat for these in the application area.

(3) Mammals

Black tailed deer trails, tracks and scat have been observed in the general area of the application.

(4) Fish/Fish Habitat

No further development is proposed in the area of the landing, which is the only project area in contact with fish habitat.

(5) Amphibians and Reptiles

No amphibians or reptiles have been observed, nor has any habitat specifically suited to them been identified within the application area.

(6) Birds

For the focal bird species included in the SARA (Appendix 3), most of the application area “contained low to no suitability due to the recent disturbance and associated lack of tree cover.” The site is about 200 meters from a Bald Eagle nest near the shore to the southwest.

(7) Buffer Zone

The Marine Riparian Buffer zone encompasses the coastal fringe of forest adjacent to the area of proposed development (Figure 2). This forested strip was left untouched by the recent logging and is 60 to 300 meters wide in area of the application. It is outside the area of proposed development.

2.2.3 Socio-Economic Environment

(1) Land Use

This area has been logged at least twice in the last 100 years. Most recent logging occurred in 2004 under a permit from INAC. The application area is generally a good productive site for growing tree crops. The average site index is 30 and the area is within the BGC Ecological zone Coastal Douglas Fir moist maritime (CDFmm). There are currently trees left standing either singly or in scattered groups throughout the clearcut areas. The predominant tree species is Douglas fir, followed by Western red cedar, balsam and some Red alder. The clearcuts have also been planted with fir and cedar.

(2) Traditional Uses

Valdes Island has wild fruits and berries that were used traditionally by the Lyackson for food. There are also cedar trees that provided bark for weaving and baskets, wood for canoes, paddles, arts and crafts and traditional clothing. Hardwoods such as Pacific yew, maple, Cascara and wild cherry were used for traditional medicines (cascara was used as a digestive aid). Eel grass was used to make traditional clothing, including capes and hats. However, there is no current use of the area by Lyackson. The last Lyackson community member moved away from IR 4 Shingle Point over 6 kilometers to the southeast about 40 years ago. The community moved to look for work as there was little economic activity on Valdes Island.

(3) Archaeology

Valdes Island has been occupied by the Lyackson and the other Hul’Qumi’Num tribes for over 5,000 years. There are numerous recorded archeological sites on the Island. All heritage resources are protected by the *Heritage Conservation Act of BC*. Refer to Appendix 2 (AIA) for a general discussion of the archaeology of Lyackson I.R. 3.

The only archaeological site in the area of the application is a small coastal shell midden, deposits of which are found in small pockets on either side of the cove. The access road to the landing was sited to avoid these pockets. No archaeological materials were identified by the archaeological monitor during road construction.

(4) Other Uses

There is evidence of illegal hunting and camping on the reserve. Lyackson First Nation has erected signs warning people that the area is private reserve land and is not for the general public use. There are gates on the road access on the east side of the island. The road between the quarry site and Hole-in-the-wall has been blocked using large blocks of stone.

(5) Adjacent Land Uses

The nearest adjacent property is about 1.1 km to the north and is crown land designated as Forest/Wilderness (Islands Trust Council, 2007) (Figure 1). The adjacent property about 3 km to the south is private forestry land. The nearest recreational property on the Island is about 1.8 kilometers to the northeast, on the east shore of the island. Recreational properties are also found on Ruxton and DeCoucey Island, which are about 2 km to the west across Pylades Channel.

2.3 Environmental Effects and Mitigation

Potential significant environmental effects, concerns or risks associated with the project are listed below. These include potential impacts on resources, or arising from construction, operation or maintenance activities.

2.3.1 Resources

(1) Ground or surface water resources could be affected by:

1. Fuel or oil spills.
2. Septic effluent.
3. ML/ARD.
4. Stripping and clearing.
5. A large excavation.

(2) Fisheries / Habitat / Aquatic Biology could be affected by:

1. Fuel or oil spills.
2. Septic effluent.
3. ML/ARD.
4. Blast vibrations.
5. Siltation.

(3) Soil Quality could be affected by:

1. Stripping and clearing.
2. Compaction.
3. Erosion.

(4) Vegetation / Forests could be affected by:

1. Stripping and clearing.
2. Fire.

(5) Air Quality could be affected by:

1. Dust.

(6) Wildlife/Habitat/ Migration Patterns could be affected, including:

1. Species at risk
2. Migratory birds nests
3. Other significant ecological features

(7) Recreational Resources could be affected by:

1. Noise
2. Visual impact

(8) Adjacent land uses could be affected by:

1. Noise
2. Visual impact

2.3.2 Construction Activities

(1) Clearing, drilling & blasting could affect:

1. Species at risk
2. Migratory birds nests
3. Other significant ecological features
or cause:
 1. Fire
 2. Dust

(2) Roadworks could cause:

1. Compaction.
2. Siltation.

(3) Storage of Fuel and/or chemical products could result in:

1. Fuel or oil spills.
2. Explosive hazards.

(4) Waste disposal could result in contamination from:

1. Fuel or oil spills.
2. Site garbage.
3. Septic effluent.

2.3.3 Operation and Maintenance Activities

(1) Storage, use or disposal of solid or liquid waste could result in contamination from:

1. Fuel or oil spills.
2. Site garbage.
3. Septic effluent.

(2) Storage, use or disposal of toxic or hazardous waste could result in:

1. Toxic or hazardous waste spill.

(3) Storage or use of fuel or chemical products could result in:

1. Fuel or oil spills.
2. Explosive hazards.
3. Fire.
4. Theft or vandalism.

(4) Transportation of substances in catagories 1,2 or 3 above could result in:

1. Fuel or oil spills.
2. Explosive hazards.

- (5) Run-off from site could result in:
 - 1. Siltation.
 - 2. ML/ARD.
- (6) Vegetation control (if inadequate) could result in:
 - 1. Invasive plants.
- (7) Spills or leaks could result in:
 - 1. Fuel or oil spills.

2.3.4 Related Effects

- (1) Health could be affected by:
 - 1. Injury to workers.
 - 2. Injury to workers or public from fly rock.
- (2) Socio-economic activities could be affected by:
 - 1. Noise
 - 2. Visual impact
- (3) Physical heritage sites (none in the application area)
- (4) Cultural heritage sites could be affected by:
 - 1. Stripping and clearing
- (5) Current use of Land/Resources for Traditional Purposes (no current use)

2.3.5 Mitigation

The potential environmental impacts listed above are evaluated and, if necessary, mitigative measures described.

- (1) Fuel or oil spills
 - 1. Proper fuel handling practices in accordance with the "Field Guide to Fuel Handling, Transportation & Storage (Ministry of Water Land and Air Protection, 2002) will be followed.
 - 2. The fuel will be stored in a double walled enviro tank.
 - 3. The fuel tank will not be located near riparian areas.
 - 4. Spill kits will be maintained by the fuel tank and on equipment.
 - 5. A spill response plan is in place. Refer to the MERP (Appendix 8) for details.
 - 6. Equipment will be regularly maintained.
 - 7. Bio-degradable hydraulic oil will be used in the equipment.
- (2) Septic effluent
 - 1. A Privy has been constructed on site in accordance with Interior Health Guidelines (Interior Health, 2006).
- (3) ML/ARD

1. There are no visible sulphides or signs of sulphide weathering in the stone.
 2. Static tests on a sample of the grey and brown sandstone returned NPR values of 3.5 and 9.3 respectively, indicating that the rock is non-PAG. The ML/ARD potential of the rock is discussed in the Valdes Sandstone Quarry ML/ARD Prediction and Prevention Plan (Appendix 9).
- (4) Stripping and clearing
1. Soil, overburden and grubbing material will be stockpiled and spread over stripped areas upon restoration.
 2. Stripping and clearing will be done between August 31 and April 1 to avoid impacting migratory birds nests.
 3. All proposed stripping and clearing will be done within clearcuts.
 4. Areas to be stripped and cleared are relatively small and generally feature thin well drained soils, therefore no significant effect on groundwater recharge rates is anticipated.
 5. The area has been surveyed for Archaeological sites (Appendix 2).
- (5) A large excavation
1. Test pitting to the full depth planned did not encounter significant groundwater.
 2. The proposed excavation is not deep enough to significantly cut into major groundwater flow paths.
- (6) Blast vibrations
1. No blasting will be done within 175 meters of the shoreline.
 2. Charge sizes will be well within the recommended DFO "Guidelines for the Use of Explosive In or Near Canadian Fisheries Waters" (Wright & Hopky, 1998).
- (7) Siltation
1. The road to the landing has been ditched to prevent stormwater from running onto or along the road. Straw is spread over disturbed areas, which are then reseeded.
 2. A wide vegetated buffer lies between the main area of disturbance and the shoreline.
- (8) Compaction
1. Compacted overburden in areas to be reclaimed will be tilled prior to revegetation.
- (9) Erosion
1. Soil from cleared areas is stockpiled and stabilized.
 2. There are low to moderate slopes in most areas of exposed overburden.
 3. Steeper areas of exposed soil or overburden are covered with straw and seeded.
- (10) Fire
1. A fire fighting plan is in place in the MERP (Appendix 8).
 2. A fire safety plan is in place for the explosive magazines.
- (11) Dust
1. Dust masks are worn during the operation of drills.
 2. The dust produced by the drills or by equipment during dry weather is a local inconvenience for workers, but is of insufficient quantity to have a wider environmental effect.

(12) Species at risk

1. There are no species at risk in the application area (Appendix 3).

(13) Migratory birds nests

1. Clearing will be done outside the migratory bird nesting periods, (August 31 to April 1).

(14) Other significant ecological features

1. Blasting and quarry development will cease during the eagle nesting period (February 5 to August 31).

(15) Noise

1. Work will be conducted according to a noise management plan (Appendix 10) produced in response to complaints from residents on DeCoursey and Ruxton Island. The plan may be modified as part of an ongoing process of consultation with area residents.

(16) Visual Impact

1. The marine buffer zone effectively screens all proposed development.
2. No complaints have been received regarding visual impact.

(17) Explosive hazard

1. Explosives will be stored, used and transported in accordance with "Blasting Explosives and Initiation Systems – Storage, Possession, Transportation, Destruction and Sale" (Explosives Regulatory Division, 2008), amendments to the ERD regulations since 2008 (Explosives Regulatory Division, 2016), and Section 8 of the "Health Safety and Reclamation Code for Mines in British Columbia" (Health, Safety and Reclamation Code Review Committee, 2008).

(18) Site Garbage

1. Garbage will be collected and disposed of off site.

(19) Toxic or hazardous waste spill

1. Explosive packaging is gathered and burned.

(20) Theft or vandalism

1. The security plan submitted to the ERD with the magazine application will be followed.
2. All equipment will be removed from the site as soon as possible after each work session ends.

(21) Invasive plants

1. Provisions for invasive plant management are included in the operation and restoration plans.

(22) Injury to workers

1. Work will be carried out in accordance with the "Health Safety and Reclamation Code for Mines in British Columbia" (Health, Safety and Reclamation Code Review Committee, 2008).

(23) Injury to workers or public from fly rock

1. Signs and guards will be posted at access points to the blasting area.

2. Fly rock will be minimized by proper blast design. Note that most shots will use low strength detonating cord, with which there is virtually no risk of fly rock.

2.3.6 Decommissioning

Decommissioning will be carried out according to the Restoration Plan described in Section 4 below. Restoration will be conducted in accordance with the "Health, Safety and Reclamation Code for Mines in British Columbia" (Health, Safety and Reclamation Code Review Committee, 2008) and will follow the practices detailed in the "Aggregate Operators Best management Practices Handbook for British Columbia" (B.C. Ministry of Energy and Mines, 2002).

2.3.7 Monitoring

A P. Eng will be hired to visit the quarry during the work period to assess permit compliance. An annual monitoring report will be produced based on this visit.

2.4 Public Participation/Consultation

2.4.1 Lyacksun Community Consultation

This project has been presented to Chief and Council numerous times since 2008. It has been presented at two community meetings. Chief and Council, and the Lyackson community are in support of this proposal. It is an economic development opportunity that will create both revenues and employment for the community.

2.4.2 Other Public Consultation

The proponent has committed to keeping the nearby resident groups on Valdes, DeCourcey and Ruxton Island informed of planned activities. A noise management plan was developed in response to concerns expressed by DeCourcey and Ruxton Islanders. It is expected that this plan will be refined as part of an ongoing consultation with nearby residents.

A public meeting on the rezoning application for the area of the license of occupation was held on September 19, 2015 in Ladysmith.

2.5 Conclusions

2.5.1 Summary of Adverse Environmental Effects

The only significant environmental impact identified during test quarrying was noise. Residents of Ruxton and DeCourcey Island reported being particularly affected by the whine of the airtrack drill and the detonating cord shots. A noise management plan (Appendix 10) has been produced and is expected to significantly reduce the noise associated with the operation. Input from area residents will help determine the necessity and nature of future refinements to the noise management plan.

With the mitigation measures described above in place, no significant adverse environmental effects are expected to result from the proposed project.

There are no unresolved environmental or socio-economic impacts which require further study, mitigation or public consultation.

2.5.2 Cumulative Effects

(1) Successive Programs

The area of the proposed operation is about 16% larger in total area than the total test quarrying

proposal (ie. 3.3 ha vs 2.75 ha), and is expected to run for about 50% more time each year (ie. 3 months vs 2 months). No further development is proposed within the Marine Riparian Buffer Zone. This application is for a period of 7 years. Unless superceded by another program proposal, the site will be restored with no anticipated adverse residual effects. If a successive longer term operation is proposed, it will specifically address any potential cumulative effects that may arise from that proposal. While there is an increase in the area and duration of the proposed operation, the area affected is still less than half of 1% of the area of the reserve. The nature and magnitude of the operation is essentially the same as during the test quarry phase. Even with an increase in the duration and footprint, it could still be safely described as a small, seasonal stone quarry.

(2) Past Actions

Logging was carried out in the application area about 15 years ago. The present project will not be significantly add to this disturbance, as the project footprint is entirely within the previously disturbed area (ie. the clearcuts).

(3) Other present or future Actions

Island Timberlands or the Lyackson First Nation may log areas to the south of Lyacksun IR3 sometime in the future. There may also be some building associated with the summer cottages on the other side of the Island, over 1.8 km to the northeast and over 5 km to the to the southeast. There are no other actions known of in the area during the period of the proposed program.

(4) Regional Issues

1. Habitat loss, generally due to residential development, is increasingly a concern on the Gulf Islands. No species at risk are expected to be affected by the proposed activity. However, peregrine falcons are redlisted and nest in the cliffs to the north and south of the study area. The site is outside the 1 km seasonal no blasting buffer zones recommended by the SARA (Appendix 3). To avoid contributing to the "nibbling" loss of habitat, the coastal strip of trees along the western shore of the reserve was excluded from consideration during exploration. Restricting all but a small part of the proposed activities to the clearcuts and maintaining the coastal strip of trees as a Marine Riparian Buffer is intended to avoid contributing to this loss.
2. The visual impact of waterfront development in the Gulf Islands is another regional concern. Adding to this cumulative visual impact is avoided by maintaining the Marine Riparian Buffer. The barge landing was designed to be relatively unobtrusive and appears to have achieved this goal.
3. The main source of noise in the area is likely pleasure boat traffic. As most of the proposed activity is expected to be during the off-season, the additive effect should be insignificant, as most pleasure boat traffic is in the summer.

2.5.3 Potential effects of Accidents or Malfunctions
Accidents could cause injury or a fuel / oil spill.

- (1) Avoiding accidents involving an injury, or mitigating the effects of any accident which might occur, is accomplished by adhering to the "Health Safety and Reclamation Code for Mines in British Columbia" (Health, Safety and Reclamation Code Review Committee, 2008).
- (2) Avoiding fuel/oil spills, or mitigating the effects of any spills that might occur, is

accomplished through following the “Field Guide to Fuel Handling, Transportation & Storage (Ministry of Water Land and Air Protection, 2002).

Both possibilities are addressed in the Mine Emergency Response Plan (Appendix 8).

3.0 Operational Plan

3.1 Pit Planning

3.1.1 Pit Status

Figures 4, 5 & 6 show the present benches, and a possible final bench configuration based on the present understanding of the geology and production volume projections (Section 3.1.3).

3.1.2 Deposit Information

(1) Type of material

The sandstone is a medium grained lithic arkose or feldspathic litharenite. It is thickly bedded with widely spaced vertical joints in most exposures within the application area. Unweathered stone is a medium grey colour, while weathered stone is a medium to dark brown. Detailed deposit information is given in the "Report on the Dimension Stone Potential of Lyacksun 3" (Appendix 1).

Area 1 shown on Figure 3 is mainly underlain by thick, gently sloping beds of grey sandstone and forms the gently sloping east side of the ridge. Two sets of vertical joints are dominant and are commonly spaced 5 to 10 m apart. The upper two beds quarried so far are each 3-4 m thick. A brown weathered zone about 1' thick occurs adjacent to bedding and joint planes.

The steep west facing slope of the ridge underlying Area 1 features a zone of brown sandstone characterized by irregular, though still widely spaced, fractures. The zone is about 10 m wide.

(2) Quality

Large blocks of grey sandstone can be quarried with little waste (c.25%) from the main part of the deposit. The blocks can be split using wedge and shim, though the stone splits best along the horizontal bedding plans. The stone is a consistent colour and texture and can be processed into a wide variety of landscape, building and architectural stone products. ASTM testing (Appendix 11) was done on a sample of the grey sandstone which met the specifications for compressive strength, abrasion, modulus of rupture, and absorption.

Large blocks of brown sandstone can be quarried from Area B, though there is a higher waste factor in this area (c. 70% waste factor). The brown stone can also be worked and processed easily and is a consistent colour and texture. The brown sample met all the ASTM test (Appendix 11) specifications except for modulus of rupture.

(3) Thickness

Massive, unfractured sandstone beds suitable for quarrying form a layer that is at least 10 m thick. Individual beds are commonly 3 to 5 m thick.

(4) Overburden thickness

The overburden is 0 – 1 m thick in Area 1 and 2+ m thick in area 3.

(5) Depth to water table

The test pit excavated to a depth of 10 m without encountering a definite water table.

(6) Estimate outline and size of deposit

The stripped area adjacent to the present bench could be considered an indicated reserve. The jointing in this area has been exposed and is widely spaced and regular. The area of the indicated reserve block corresponds to the area of the proposed benching in Figure 4 and has an

area of 2600 m². The volume is approximately (2600 m² x 8.5 m) – 2600 m³ (approximate volume already benched) = 19500 m³.

There is an inferred resource estimate given in the Report on the Dimension Stone Potential of Lyacksun IR 3 (Appendix 1). This resource includes the indicated reserve discussed above. As the rest of the resource is based on geological assumptions rather than direct observations, there is considerable uncertainty regarding the size of the resource.

3.1.3 Volume of stone to be produced

The maximum volume of stone we seek to take from the reserve during the period of the permit is 20 000 m³.

Yearly volumes shipped will be determined by sales, but are expected to be between 800 m³ to 2000 m³. The proposed pit (Figure 4) size is based on a high end expected sales estimate of 2000 m³ per year for 7 years. This would produce a total of 14 000 m³ of blocks, which is within the proposed maximum volume of 20 000 m³.

3.1.4 Types of stone products to be produced

The blocks produced will be of "saw block" or "splitting block" grades. They should have orthogonal sides and be regular enough that they can be cut by on gantry saw without excessive waste.

3.1.5 Weight of each stone product to be produced

Blocks usually weigh 6 - 15 tonnes. The density was determined to be 2525 Kg/m³ during the ASTM testing (Appendix 11).

3.1.6 Identify Sensitive Areas

The only sensitive area within the application area is the area of the barge landing. No further development is proposed in this area.

3.1.7 Schedule of Pit Operation

(1) General schedule information

The site is within a seasonal no blasting or development zone that extends from February 5 to August 31. It is expected that the work session will usually be from mid-September to November, though the length of the work period will depend on the rate of production achieved and the projected volume of stone needed for the year. Work shifts of 9 days on and 5 days off with 9 hour days are preferred by the crew.

It is expected that 1 to 4 barges per year would be loaded with blocks, depending on the amount of stone to be shipped and the capacity of the barge(s). The barge would be loaded using a wheel loader with forks. Loading a barge usually takes less than 8 hours.

3.2 Pit Design

3.2.1 General Pit Plan

(1) Extraction / Working Area

Area 1 (Figure 3) is the extraction area / working area. The current faces within the extraction / working area are shown on Figure 4. These will be advanced to the south and east (Figure 4). It is expected most of Area 1 will be cleared and stripped as the faces are advanced. Pit walls will be between 3 m to 8 m in height. Benches will be at least 8 m wide.

(2) Block Stockpile

Blocks will be stockpiled in Area 2.

(3) Reject Storage Area

Waste rock will be stored in the waste dump (Area 3), which is essentially a landing built off the west side of the work area floor (Figure 5). Note that "waste rock" is not waste as defined by the *Waste Management Act*, rather it is a by-product of quarrying and has a number of possible uses and applications. The rock in the "waste" dump will be accessible in the event that a sale of waste rock can be made or the band wants to use it for some community purpose (ie. breakwater stone or the like).

(4) Topsoil and Overburden Stockpile Areas

Topsoil, overburden and grubbing material will be stored in upper and lower stockpile areas (Area 4). They will be mulched seeded to stabilize the piles and prevent invasive plants from taking hold as per the Invasive Plant Management Plan (Appendix 12).

(6) Magazine Clearings

The explosives magazine and the detonator magazine will be placed at the locations indicated on Figure 3. They are in areas that have been cleared of flammable material for a minimum distance of 7.5 meters from the magazines (as per WorkSafeBC regulations). The magazines have been located in topographic lows and out of sight to reduce the danger of lightening strikes or vandalism.

(6) Other

The equipment container and office trailer will be set up on the road north of the work area. The Privy is at the location shown on Figure 3.

There is no processing area, as blocks are split to size adjacent to the face before being hauled to the stockpile areas. There is no water used in processing. As no water is used in processing, there are no holding or settling ponds needed.

There is no weigh scale, as the blocks are weighed using a hydraulic weighing system on the loader.

The marine buffer zone boundary is shown in green on Figure 2. This boundary will be flagged when work is expected to come within 15 m of this boundary.

3.2.2 Visual Screening of operation

The operation will be almost entirely visually screened by the Marine Riparian Buffer Zone.

3.2.3 Access and transportation haul roads

The landing (Figure 2) will be used to land equipment at the beginning of each work session. It will be used to remove equipment at the end of each work session. Blocks will be shipped from the stockpiles as needed.

No new roads will be built during the proposed operation. Existing roads within the proposed quarry lot from logging and the test quarry phase will be maintained by Hardy Island Granite Quarries Ltd. during the permit period. The roads built during the test quarry phase will be kept by the band should quarrying cease, as they link the landing to the reserve logging road system. There are no stream crossings, culverts or weight restrictions on roads within the application area.

4.0 Restoration Plan

4.1 Environmental Regulations

4.1.1 All applicable Federal, Provincial and Municipal environmental regulations will be followed.

4.2.2 All regulatory approvals will be obtained.

Specific applications made include:

- (1) INAC non-metallic minerals permit
- (2) ERD Magazine License

4.2 Progressive Reclamation Strategy

Once the pit wall has reached its limit in any direction, backfilling will begin along the wall as the excavation continues. In this way, a significant part of the recontouring of the final pit walls should be completed before the end of the permit period.

4.3 Final Reclamation Strategy

4.3.1 Method of Reclamation

Disturbed areas will be covered with a suitable growth medium and planted. The roads will be left to allow the band to continue to use the landing to access the reserve. The privy will be dismantled and capped with at least 30 cm of thoroughly compacted soil. A detailed description and costing of the reclamation plan is given in the Restoration Cost Estimate (Appendix 13).

4.3.2 Clean up

All equipment and gear related to the quarry operation would be removed from the site at the end of the operation.

4.3.3 Drainage and Erosion Control

(1) overburden, then soil and grubbing material will be spread over cleared and stripped areas, which will then be revegetated.

(2) Pathways of stormwater flow identified during operations will have diversion ditches placed across them to prevent flow over areas that are being revegetated.

4.3.4 Re-contouring

Any faces over 2 m will be backfilled to a 1 to 1 (horizontal to vertical) slope.

4.3.5 Topsoil and Overburden Replacement

Stockpiled overburden, soil and grubbing material will be spread over cleared and stripped areas.

4.3.6 Re-vegetation

At the conclusion of active operations, the sites will be restored by tree planting. The sites will be planted as per the stocking specifications for the CDFmm ecological sub-zone.

4.3.7 Monitoring and Maintenance

(1) Long term Monitoring

All gear and equipment related to the quarry operation would be removed and all dumps and pits would be left in a stable, revegetated state. An environmental consultant and an engineer will be hired to assess the final reclamation done as per the Restoration Cost Estimate (Appendix 13).

(2) Proposed Timetable and Procedure

An environmental consultant and an engineer will be hired to assess the final reclamation done as per the Restoration Cost Estimate (Appendix 13).

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All equipment and gear related to the quarry operation would be removed from the site at the end of the operation.

4.3.3 Drainage and Erosion Control

(1) overburden, then soil and grubbing material will be spread over cleared and stripped areas, which will then be revegetated.

(2) Pathways of stormwater flow identified during operations will have diversion ditches placed across them to prevent flow over areas that are being revegetated.

4.3.4 Re-contouring

Any faces over 2 m will be backfilled to a 1.5 to 1 (horizontal to vertical) slope.

4.3.5 Topsoil and Overburden Replacement

Stockpiled overburden, soil and grubbing material will be spread over cleared and stripped areas.

4.3.6 Re-vegetation

At the conclusion of active operations, the sites will be restored by tree planting. The sites will be planted as per the stocking specifications for the CDFmm ecological sub-zone.

4.3.7 Monitoring and Maintenance

(1) Long term Monitoring

All gear and equipment related to the quarry operation would be removed and all dumps and pits would be left in a stable, revegetated state. Annual site visits will be made for several years to control invasive weeds and monitor the reclamation goals, as per the Restoration Cost Estimate (Appendix 13).

(2) Proposed Timetable and Procedure

An environmental consultant will be hired to assess the final reclamation done as per the Restoration Cost Estimate (Appendix 13).

5.0 References

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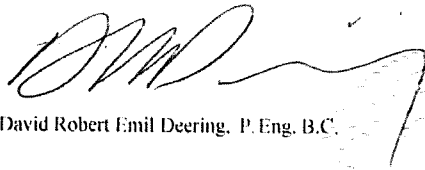
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CERTIFICATE OF AUTHOR

I, David Robert Emil Deering, P. Eng., am a Consulting Engineer residing in Burnaby, British Columbia, and do hereby certify that:

- I am employed by DRD Mining Services Inc., with an office at 7954-18th Avenue, Burnaby, B. C.
- This report is based on research, study, examination and evaluation work performed by Helgi Sigurgeirson P.Geo. B.C. under my guidance.
 - I am a graduate of the Colorado School of Mines, and I have practiced continuously as a mining engineer 1982.
 - I am a Professional Engineer (P. Eng.) registered and in good standing with the Association of Professional Engineers and Geoscientists of British Columbia.
 - From 1982 to the present, I have been actively engaged as a mining engineer in underground mining machinery development in my early career; and, later in mineral exploration and mine development in Canada, USA and Latin America.
- I am independent of Hardy Island Granite Quarries Ltd.
 - I consent to the submission of this Application to Indian and Northern Affairs Canada for the purpose of obtaining a permit to quarry dimension sandstone on Lyacksun 3.

Dated: January 1, 2017.

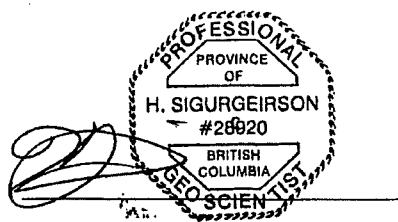


David Robert Emil Deering, P. Eng. B.C.

Statement of Qualifications

I, Helgi Sigurgeirson, certify the following:

1. I graduated in 1995 from the University of British Columbia with a B.Sc. in the Geological Sciences.
2. I have worked in mining and mineral exploration continuously since graduation.
3. I have worked on VMS, porphyry, epithermal and mesothermal Au vein, anorthosite hosted Ti, and nephrite exploration programs in Canada, Mexico and China. I have developed and operated 3 dimension stone quarries on the BC coast.
4. I am a professional geoscientist in the Association of Professional Engineers and Geoscientists of British Columbia, and have been a member in good standing (member #28920) since 2004.
5. I contributed to this application.



H. Sigurgeirson, P. Geo

February 28, 2017

Date

This document represents an electronic version of the original hard copy document, sealed, signed and dated by (name and professional designation) and retained on file. The content of the electronically transmitted document can be confirmed by referring to the original hard copy and filed.

Reclamation Cost Estimate – Valdes Quarry, Lyackson IR3

Proponent:

Hardy Island Granite Quarries Ltd.

Scope:

All areas disturbed by quarry activity will be reclaimed except the landing and the road from the landing to the existing logging road network. This will be left in place to facilitate future access to the reserve by the Lyackson First Nation.

The total area to be restored would be about 2.3 Ha. Site restoration should be relatively straightforward as there are no ARD (acid rock drainage) issues and the topography is gentle.

Tasks:

Progressive Reclamation:

1. Scaling - All faces and slopes will be examined and scaled on an ongoing basis as part of normal operations.
2. Reclamation of unused disturbed areas – Unused disturbed areas will be re-vegetated by scattering mixed seeds and by tree planting. The sites will be planted as per the stocking specifications for the CDFmm ecological sub-zone.
3. Backfilling – Final pit walls will be backfilled to a 1:1 slope using waste rock once they are no longer near the active working faces.

Final Reclamation:

1. Backfilling - Final pit walls will be backfilled to a 1:1 slope using waste rock.
2. Scaling - All faces and slopes will be examined and scaled if necessary.
3. Contouring and ditching – Disturbed areas will be contoured as necessary to ensure long term stability. Areas of observed high stormwater flow will be ditched to prevent erosion and excessive ponding while vegetation is being re-established.
4. Spreading of growth medium – Soil and grubbing material will be spread over areas to be replanted.
5. Seeding and mulching – Disturbed areas will be mulched with straw and seeded with an appropriate westcoast seed mix.
6. Tree planting - The site will be planted as per the stocking specifications for the CDFmm ecological sub-zone.

Monitoring

An environmental consultant and an engineer will be hired to assess the final reclamation done one year after the reclamation work was done.

Costs:

Progressive reclamation costs are part of normal operations and therefore are not included in this costing.

1) Mobilization

barge (to move equipment and fuel to and from island) = \$5,000.00
excavator (road mobilization/demobilization) = \$1,000.00
crew boat (6 days @ 500/day) = \$3,000.00

2) Accommodation and food costs

3 operators/workers for 6 nights @ 150.00/night = \$2,700.00
1 tree planter for 2 nights @ 150.00/night = \$300.00

3) Reclamation cost (2.3 Ha – back-filling, re-contouring, spreading soil, seeding - 3 operators/workers, excavator, dump truck, pickup)

5 days @ \$2,600/day = \$13,000.00

Daily rate includes worker wages, equipment rental, and routine maintenance.

6) Fuel

Excavator 5 days x 8 hours x 30 litres/h @ \$1.50/litre = \$1,800.00
Dump truck 5 days x 8 hours x 15 litres/h @ \$1.50 litre = \$900.00
Pick-up truck 6 days x 20 litres @ \$1.50 litre = \$180.00
Total fuel cost = \$2880.00

7) Seed mix and straw

\$2,000.00

8) Tree planting

1 planters for 2 days @ \$1,500/ha = \$3,000.00

9) Monitoring (Post-Restoration 1 day Inspection and Reporting)

Biologist = \$2,500.00

Engineer = \$2,500.00

2 round trips water taxi totalling 2.5 hours @ \$200.00/hour = \$1000.00

10) Contingency (+10%)

\$38,880.00 x 10% = \$3,888.00

Estimated Total Reclamation Cost = \$42,768.00

Hardy Island Granite Quarries Ltd. - Valdes Site

Invasive Plant Management Plan

Date: 2017-01-01

Goals:

To control invasive plants on the quarry site and re-establish native vegetation in disturbed areas that are no longer in active use.

Actions:

Fall (during operations):

1. Mulch disturbed areas and seed heavily with an appropriate west coast reclamation mix.
2. Plant unused disturbed areas with native ground cover and trees according to the biologists recommendations (see below). This will be done on an ongoing basis.
3. If necessary, cover temporary soil piles with a weed barrier landscape fabric until they are in their final location.

Spring:

1. Weed whacking or uprooting as appropriate of invasive species (see below).

Excerpt from Trystan Willmot's (Madrone Environmental Services Ltd.) August 29, 2016 email

During the site visit on August 25th, I noted the presence of invasive plant species on disturbed sites in and around the quarry operations. Despite seeding disturbed areas with a native grass mix, Canada thistle (*Cirsium arvense*), bull thistle (*Cirsium vulgare*), tansy ragwort (*Senecio jacobaea*), foxglove (*Digitalis purpurea*) and common mullein (*Verbascum Thapsus*) have become established on all recently disturbed sites. It is important to note that all these plants were noted as occurring in disturbed (logged) areas, and along the island access roads during the 2009 and 2011 assessments completed by Madrone. It should further be noted that Canada thistle and tansy ragwort are listed as Noxious Weeds under the BC Weed Control Act (Schedule A). Section 2 of the Weed Control Act imposes a duty on landowners to control noxious weeds.

Invasive plants are pioneer species, and will quickly infest disturbed sites (displacing native species), distributed by wind, water or birds from surrounding areas. It may be possible that seeds of invasive plants observed at the quarry site originated from hay that you brought to the site to address erosion and sediment control. Based on the fact that the invasive plants that were observed in and around the quarry site were already established on nearby sites in 2009, a local movement of seeds is more likely. Disturbance at the quarry site led to ideal conditions for invasive plant establishment, and steps need to be taken to address the removal of unwanted plants. Common mullein, in particular, has readily taken to the area, based on its ability to withstand the dry growing conditions on the shallow soils and gravel surfaces created by the quarry operations.

As invasive plants are established throughout the island, unwanted vegetation will continue to become established until functioning native vegetation is able to out-compete the invasives on the disturbed sites around the quarry. For areas that will not be subject to any more disturbance, therefore, the

prompt establishment of native vegetation is recommended. This would be applicable to the slope on the southern side of the landing access road, which is currently vegetated mainly by Canada thistle, bull thistle and tansy ragwort, with common mullein growing along the edge of the road. Prior to planting native vegetation in areas such as this, the weeds should be cut with a mower or weed-whacker in the spring, immediately prior to the plants producing flowers. The plants should not be removed once the flowers have set, or when the plants have gone to seed. Species such as Canada thistle can still produce seeds if they are cut in full flower, and removing the plants once they have gone to seed will simply spread more seeds during the removal process. Cutting the plants immediately prior to the flowers forming will help ensure that the plants are being removed at a time when energy is being directed into the production of flowers, which will reduce the likelihood of the plants re-establishing. Common mullein should be pulled out of the ground, due to the presence of a tap root.

Following the removal of the weedy species, native vegetation should be planted in order to create conditions that are unfavourable for the re-establishment of invasive plants. Based on the growing conditions, the following species represent options for planting in areas cleared of invasive plants:

Shrubs - Oceanspray (*Holodiscus discolor*), tall Oregon grape (*Mahonia aquifolium*), flowering currant (*Ribes sanguineum*), snowberry (*Symphoricarpos albus*), Nootka rose (*Rosa nutkana*), baldhip rose (*Rosa gymnocarpa*).

Herbs – kinnikinnick (*Arctostaphylos uva-ursi*), vanilla leaf (*Achlys triphylla*), beach strawberry (*Fragaria chiloensis*), Arctic lupine (*Lupinus arcticus*).

Trees (interspersed throughout) – Douglas fir (*Pseudotsuga menziesii*), arbutus (*Arbutus menziesii*).

Plants should be obtained in 1-gallon pots and spaced approximately 1 m apart. Mulch should be placed on the treated areas in order to retain moisture and prevent the re-growth of unwanted plants. Hay must not be used as mulch, as it often contains seeds of invasive, weedy plants. Watering will likely be required during the first summer, and perhaps during the second summer, to allow the plants to become established. Invasive plants should be removed, as needed, in any areas that have been replanted.

For areas that are to remain within the operating zone of the quarry, and subject to further/ongoing disturbance, invasive plants should be removed on an on-going basis. Common mullein should be removed in the spring (pulled out of the ground), immediately prior to flowering, with areas infested by thistle (Canada and bull) and tansy ragwort either mowed or weed-whacked during the same time period. Where conditions permit (i.e. on piles of topsoil that have been removed from the quarry footprint area), the area treated for invasive plants should be seeded immediately with a native clover mix. It is likely that this type of removal and seeding treatment will be required on an annual basis in order to prevent the re-establishment of invasive plants within the active quarry area. This is due to the fact that without a cover of functioning native vegetation, disturbed sites will continue to become infested by invasive plants from seeds in surrounding areas, and also from seeds that are present in the soil. Invasive plants that have been removed can be left on site to decompose.

As noted in the ecological assessments, Scotch broom is currently limited in spatial distribution at the quarry site and immediate surrounding areas. As this plant also specializes in colonizing disturbed sites, it should be removed wherever it is encountered. Broom should be removed when it is in full flower by cutting it at the soil-root interface. If the plant is cut too high, it is likely to re-sprout from the cut stem. Covering the cut stem with soil will also reduce the likelihood that the plant will re-sprout.

Valdes Sandstone Quarry Noise Management Plan

Prepared by: Helgi Sigurgeirson

Date: January 1, 2017

Background:

Hardy Island Granite Quarries Ltd. opened a sandstone dimension stone quarry on Lyacksun IR3 on Valdes Island during the winter of 2014-2015. Activities included clearing, blasting for road material, access road building, blasting to remove rock for the access road, production blasting, stockpiling materials, unloading and loading barges. Equipment operating at the quarry included an airtrack drill, an excavator, air compressors, handheld rock drills, a dump truck and a wheel loader.

A second work session was carried out from October to December, 2016. A line drill was added to the equipment used in this session.

The DeCoursey, Ruxton and Valdes Islands residents associations were informed of our start up and shut down plans. Comments on noise levels during quarrying were encouraged.

Feedback from the nearby inhabitants during winter 2014 - 2015

1. The high pitched whine of the airtrack drill and the detcord shots appear to have had the greatest impact.
2. Working outside of regular business hours was also cited as an issue.

Feedback from the nearby inhabitants during the fall – winter 2016

1. The line drill was an improvement over the airtrack drill.
2. The airhorn warning that was given for the blasts was often more disturbing than the following blast.

Mitigation

The noise of the impact of the operation was reduced in the 2016 work session in the following ways:

1. Use of the airtrack drill was reduced by approximately 80%. The line drill was used in it's place for block production drilling. The line drill does not have the high pitched whine of the airtrack.
2. Detcord shots were covered with conveyor belting. This was found to be effective in reducing the noise of the shots.
3. Use of the airhorn was restricted to those blasts for which there was considered to be the possibility of fly rock. As there was no risk of fly rock from the detcord shots, use of the airhorn was reduced by approximately 75%.
4. Blasting was generally restricted to between 8 am and 4 pm.
5. No work was done on alternating weekends.

Future noise reduction plans

1. We expect a general reduction of equipment noise in future rounds, as the bulk of road building and landing construction has been completed.
2. There will be ongoing consultation with the nearby residents associations regarding noise impacts. Local residents will be notified individually (if requested), or through the appropriate association or organization, when we intend to start and end each period of work.

Quarrying operations (with the possible exception of the occasional day of barge loading) will be conducted almost entirely during off season and likely only for a few months per year. Work will usually start after the labour day long weekend.

Valdes Quarry ML/ARD Prediction and Prevention Plan

Date: 2017/01/01

This prediction and prevention plan is submitted to accompany a quarry permit application for a site on Lyacksun IR3.

Geology of the site

The sandstone in the quarry area occurs in thick beds ranging from 1 to 3 m thick which dip gently to the east. These beds form a low ridge which is the site of the quarry. Most of the sandstone underlying the ridge is medium grained and light to medium grey in colour. The stone has a light to medium brown weathering rind up to 1 m thick along bedding and joint planes. The steeper west facing edge of the ridge being worked is characterized by irregular, anastomizing fractures. The outermost stone along the western edge of the ridge is commonly weathered brown through the entire fracture bounded block.

The rock would likely be classified as a lithic arenite, though no petrography has been done to confirm this.

The following geological and site conditions argue against the likelihood of significant risk of ML/ARD from the quarry operation:

1. There are no visible sulphides in the sandstone, and no signs of sulphide oxidation that might indicate the presence of very fine grained sulphides.
2. There is no sign of hydrothermal alteration that might indicate a concentration of metallic minerals in the area.
3. The workings have a low fracture density and the waste dumps are relatively coarse grained (much of the dump material would be large pieces >1 ton), therefore the reactive surface available to oxidation is relatively low.
4. The volume of rock involved is relatively small (thousands of tons rather than the millions of tons usually involved in metallic mineral mines).

Sampling

2 samples of approximately 3 kg each were taken from blocks stockpiled at Bedrock Natural Stone in Coquitlam, BC. Representative samples of the grey and brown stone were taken and sent to SGS laboratories for modified acid-base accounting. The results of the testing is given in Table 1 (appended).

Conclusions

NP/AP, or the NPR (neutralization potential ratio), is above 2 for both samples. The values were 3.5 and 9.3 for the green and yellow (what we call the grey and brown) respectively. Samples are considered non-PAG (potentially acid generating) when the NPR > 2. The lack of geological or site conditions favouring ML/ARD development, and the results of the static testing, indicate that there is no risk of ML/ARD in the operation if the current conditions remain the same.

No action is required to avoid ML/ARD. However, if significant changes to the expected geology are observed as quarrying advances, any rock that is considered higher risk for ML/ARD should be sampled and submitted for static testing, and avoided until the results indicate it does not pose an ML/ARD risk. Changes which may warrant evaluation include:

1. increased sulphide content or indications of sulphide weathering.
2. a significant mudstone interval.

Helgi Sigurgeirson, P.Geo.

Date

Table 1 – ABA data

CLIENT : Hardy Island Granite Quarries Ltd.
PROJECT : ARD Testing
SGS Project # : 1530
Test : Modified Acid-Base Accounting
Date : October 21, 2015

Sample ID	Paste pH	TIC %	CaCO ₃ NP	S(T) %	S(SO ₄) %	S(S-2) %	AP	NP	Net NP	Fizz Test
Method Code	Sobek	CSB02V	Calc.	CSA06V	CSA07V	Calc.	Calc.	Modified	Calc.	Sobek
LOD	0.2	0.01	Err:512	0.005	0.01	Err:512	Err:512	0.5	Err:512	Err:512
Green Sandstone	8.82	0.02	1.7	0.066	<0.01	0.066	2.1	7.8	5.7	None
Yellow Sandstone	8.81	<0.01	<0.8	0.02	<0.01	0.02	0.6	5.6	5.0	None
Duplicate										
Green Sandstone	8.89	0.03		0.064	<0.01			7.4		None
QC										
GTS-2A				0.342						
RTS-3A					0.96					
SY-4		0.91						40.4		Slight
NBM-1										
Expected Values		0.95		0.341	0.98			42.0		Slight
Tolerance +/-		0.06		0.03	0.12			3.0		

Note:

AP = Acid potential in tonnes CaCO₃ equivalent per 1000 tonnes of material. AP is determined from the calculated sulphide sulphur content: S(T) - S(SO₄).

NP = Neutralization potential in tonnes CaCO₃ equivalent per 1000 tonnes of material.

NET NP = NP - AP

Carbonate NP is calculated from TIC originating from carbonate minerals and is expressed in kg CaCO₃/tonne.

**Hardy Island Granite Quarries Emergency Plan
Valdes Site**

Date: 2017-01-01

Person Responsible for Review: Helgi Sigurgeirson

Mine Information

Mine: Valdes Island Sandstone Quarry

Company: Hardy Island Granite Quarries Ltd.
47312 Schooner Way, Pender Island, BC
V0N 2M2
Phone: 250-629-0020
Cell: 604-341-7092
hardygranite@gmail.com

Manager: Helgi Sigurgeirson

Mine number: n/a

Permit number: Non-Metallic Minerals Permit No.1-646-06811-(2014-2016)-Dimension Stone
Test Quarry Permit

Type of operation: surface quarry (sandstone dimension stone)

Location: Lat 49° 06' 01"
Long 123° 41' 44"

UTM 449230 E 5438830 N (Zone 10)

The Valdes Sandstone Quarry is located about 3.3 km from the north end of Valdes Island, about 200 m inland from the west shore, on a small ridge within a clearcut.

A helicopter landing site will be indicated by waving an orange helicopter flag.

Water access is by a via a mooring buoy, about 200 m west of the quarry site.

Number of employees on site: 5 - 6

An emergency plan / safety meeting will be held monthly when the quarry is active (as per Section 1.6.12). The various inspections will be done on the first work day of the month. The meeting will occur on the second day of work. The emergency plan will be reviewed and a checklist completed to ensure that the components of the plan are complete and up to date. The meeting checklist will be signed by all those present and any comments or recommendations will be noted. Employees who were not present, will review the plan when they next work.

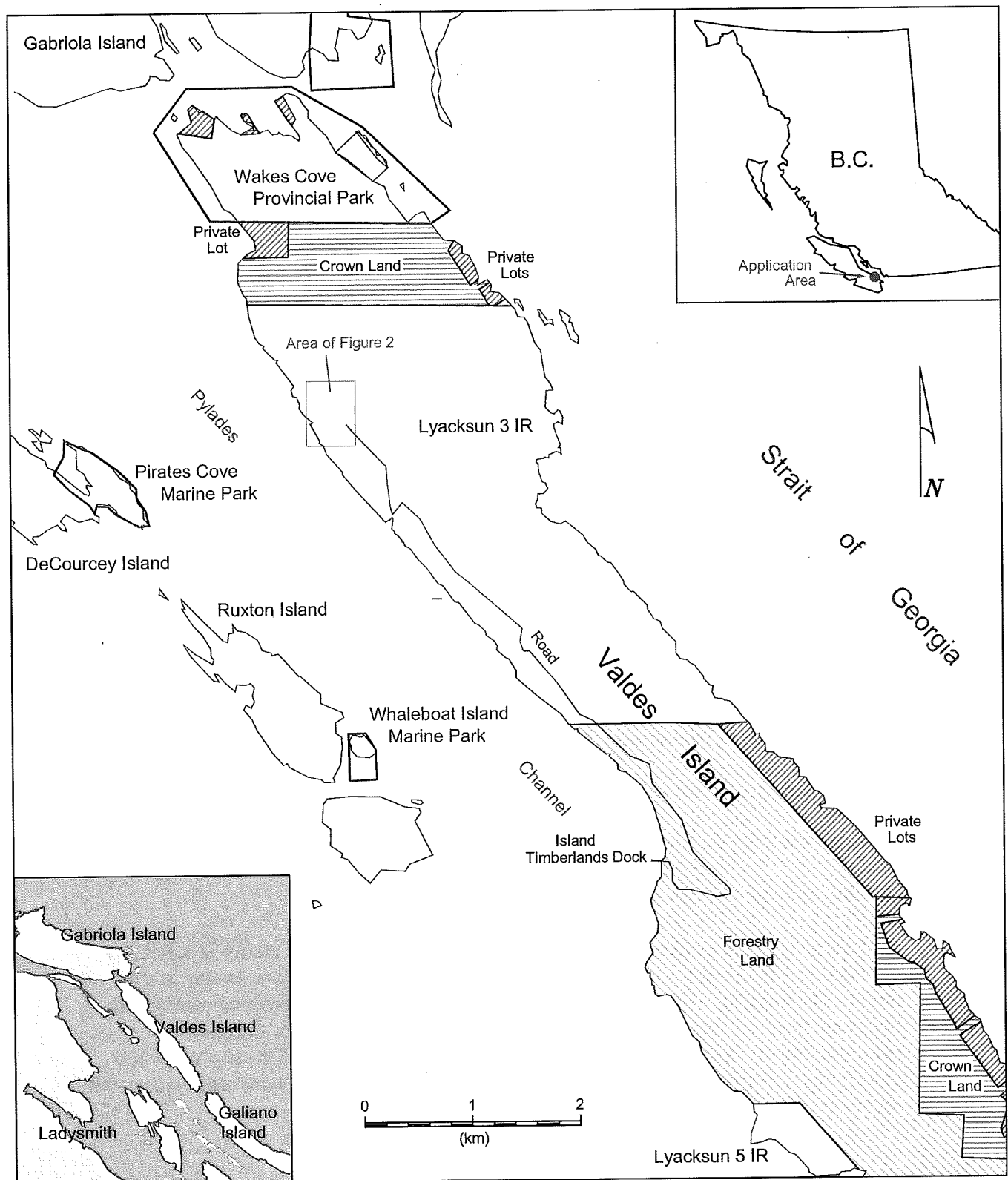


Figure 1: Location Map

Scale = 1:50 000

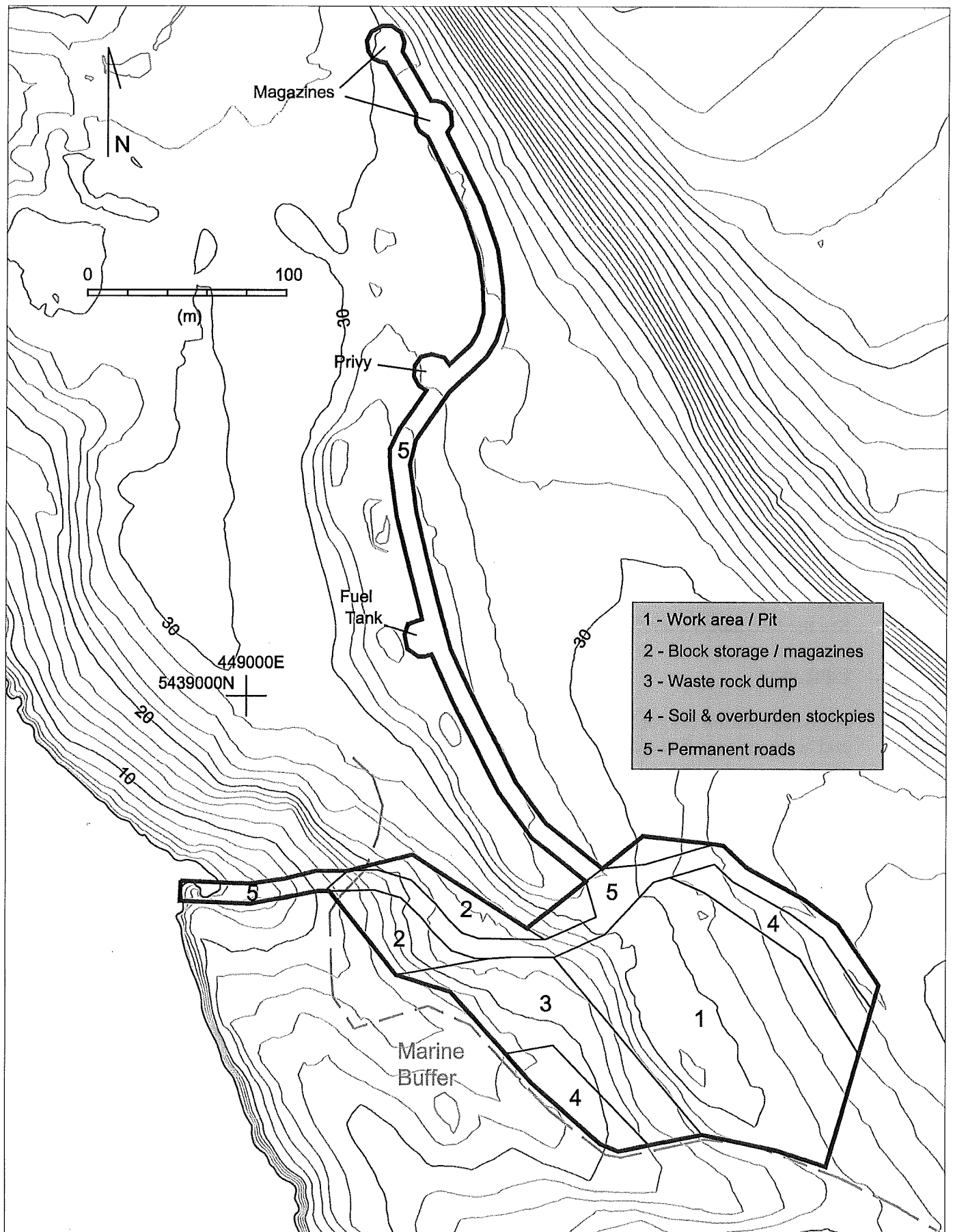


Figure 2 - Proposed Quarry Areas (Scale = 1:2500)

Hazard Analysis

Injury to workers

A serious injury would need to be transported by helicopter or boat. A helicopter would take approximately 25 minutes to reach the quarry from Vancouver (10 minutes to launch and 15 minutes travel). There are several suitable helicopter landing sites at the quarry. If a helicopter is not available, it would take about 45 minutes to travel by boat to the Ladysmith Boatlaunch. There the injured worker would be transferred to an ambulance from Nanaimo. If high winds would make travelling directly from the quarry difficult, then the injured worker would be transported by truck to the Parks dock at the north end of Valdes, then by boat to Degnan Harbour, where an ambulance would meet them. This would take about 35 minutes.

Climate

Transport by boat or helicopter could be affected by high winds or poor visibility.

Fuel/oil spill

Fuel is stored on site in an 8000 litre double walled envirotank. Fuel is delivered to the site by barge (usually Marine link Transportation). A rupture in the fuel tank or an accident during fuel delivery could result in a significant spill. Minor oil spills could be caused by equipment failure (ie. broken hydraulic line).

Fire

See the Fire Safety Plan for a full hazard analysis (appended).

Equipment

A first aid station (as per Section 3.6.1) consisting of a level 1 first aid kit, a spine board and accessories, a first aid guide, clearly posted instructions on who to call and what to say in event of a medical emergency, a copy of the emergency plan and related documents and records, a charged cell phone (as per Section 3.6.3), and a helicopter flag.

Fire extinguishers are maintained on equipment in accordance with Mines HSRC 4.9.3.

Fire suppression equipment is maintained on site (at a fire station) as required by the quarry permit.

A spill kit containing is maintained on site as required by the quarry permit.

Transport equipment includes a pickup truck and a crewboat

Other equipment which may be of use in an emergency include a ZX-450 excavator, a 980C Loader and a P-10 dump truck

Training

At least two employees will have level 1 first aid tickets with transport endorsements.

Emergency Plan Records

Before the safety meeting is held the various inspections to be reviewed during the safety meeting need to be done. Any deficiencies noted during these inspections and during the safety meeting will be posted and remedied.

The monthly safety meeting includes

1. checklist and review checklist
2. spill kit inspection
3. first aid equipment inspection (eye wash, first aid kits,...)
4. fire extinguisher inspection
5. fire station inspection
6. Fuel storage equipment inspection
7. Fuel handling, transportation and storage procedures review
8. Training review
9. Sign inspection
10. Document review

The following records are to be maintained on site

1. Recent MEM inspection reports and responses
2. First Aid Report + Form 7A for WCB
3. Incident and implementation reports
4. Weekly magazine inspections
5. Magazine Logs
6. Monthly equipment and maintenance log review and summary
7. Monthly safety meeting
8. Annual brake test of the haul truck

Post

1. What to do in case of Emergency
2. Post a map of the site each month showing helicopter landing site, fire suppression station, first aid station, assembly area, magazines and dock
3. Up to date Mine Plan
4. Post recent MEM inspection reports

Emergency Plan Implementation and Incident Command

In the event of a medical emergency, the emergency plan is to be implemented and conducted by the first aid attendant.

The First Aid attendant will give the injured worker first aid and, if necessary, package the worker for transport.

An assistant will be sent to phone 911 and follow the steps listed in the "In case of Medical Emergency" sheet posted at the first aid station.

If helicopter transport is not available, the worker will be moved by truck to the crew boat, then by boat to Saltery Bay to meet an ambulance.

If the crew boat is unavailable or not operational, the Coast Guard and/or the Chemainus Water Taxi will be called.

The first aid attendant will fill out a first aid report for the company records and for WCB and ensure the information is sent with the worker.

The manager shall notify the Mines Inspector as per Section 1.7.1

In the event of high winds and / or poor visibility which could make the evacuation of an injured worker difficult, the quarry will cease operations until the weather improves.

In the event of a major fuel / oil spill (over 170 litres or 45 gallons) the emergency plan is to be implemented and conducted by the manager or other authorized person.

If the spill is too large to deal with on site, the manager or authorized person will call 911, and upon being connected to the appropriate authority, appraise them of the situation and follow their advice.

If the spill involves a marine transport company (probably delivering fuel), then we will put our equipment and personnel at the disposal of the person authorized to conduct their emergency response plan.

The manager shall notify the Mines Inspector of any major fuel / oil spills.

In the event of a forest fire the emergency plan is to be implemented and conducted by the manager or other authorized person. If the fire is too large to be extinguished with the fire suppression equipment available on site, then the manager or authorized person will call 911, appraise them of the situation and follow their advice. See the Fire Safety Plan for a full description of the plan and incident command.

Communication System

Communication is by cell phone. A charged cell phone shall be available at the first aid station whenever the quarry is operating. The emergency plan contact list will be posted in the first aid station.

A charged cell phone will be carried by the crewboat operator. Emergency numbers will be posted in the crewboat.

Emergency Plan Contact List

Mine Manager

Helgi Sigurgeirson Cell: 604-341-7092

Company Owners

Greg Raymond	Cell: 604-803-3097	Home: 604-538-9271
Helgi Sigurgeirson	Cell: 604-341-7092	Home: 250-629-0020

First Aid contact number:

Helgi Sigurgeirson Cell: 604-341-7092

Other cell phones on site

Bill Harding	Cell: 604-483-6009
Sam Harding	Cell:

Air Ambulance 911

Local Ambulance Service 911

**Marine Emergency /
Canadian Coast Guard** 911

Forest Fire 911

Fuel / Oil Spill
(Provincial Emergency Plan) 911

Ministry of Energy & Mines
Southwest Region 250-387-4825

Chemainus Water Taxi 250-246-7866 250-246-9559 (cell)

In case of Medical Emergency

1) Call 911

2) Describe Injuries

3) Request Helicopter to:

Valdes Island Sandstone Quarry

Location: Lat 49° 06' 01"
Long 123° 41' 44"

UTM 449230 E 5438830 N
(Zone 10)

The Valdes Sandstone Quarry is located:

- **about 3.3 km from the north end of Valdes Island,**
- **about 200 m inland from the west shore,**
- **on a small ridge within a clearcut.**

Helicopter landing site will be indicated by an orange flag.

4) Give call back number of cell phone

Helgi's cell 604-341-7092

Bill's cell 604-483-6009

Sam's cell 604-483-1715

5) Return to accident scene with cell phone

If a helicopter is not available

**Request an ambulance to meet boat at the Ladysmith
Boatlaunch**

If crew boat is not operational

**Chemainus Water Taxi 250-246-7866 or the Coast
Guard 911**

Hardy Island Granite Quarries Ltd.

Fire Safety Plan – Valdes Site

Updated: 2017-01-01

1. Prevention of Fire Measures

Activities:

Forest Fire

Work will be restricted during periods of elevated fire risk according to the BC Wildfire Regulation. During periods of dry weather the fire risk rating on Gabriola Island will be used to determine the Valdes Island fire risk.

A fire station with pulaskis, shovels and a backpack water sprayer is maintained on site. In the event of a forest fire, 911 would be called and quarry equipment and personnel would follow the directions of the fire fighters.

Equipment

Regularly inspected fire extinguishers are maintained on all equipment. Excessive buildup of grease or oil on the equipment will be watched for and removed.

Welding, cutting and grinding

Fire associated with grinding, welding and cutting. Fire extinguishers are maintained with the welding station. Appropriate PPE will be worn by personnel engaged in grinding, welding and cutting.

Burning Explosives Packaging

Burning is done in a cleared area at least 25 m from flammable material.

High hazard areas:

1. Explosives magazine. Cleared of flammable material for 8 m. No open flames or ignition sources within 10 m (signs posted to this effect). BCMEM and ERD regulations followed.
2. Detonator magazine. Cleared of flammable material for 8 m. No open flames or ignition sources within 10 m (signs posted to this effect). BCMEM and ERD regulations followed.
3. Envirotank (deisel). Fuel handling guidelines followed. A fire extinguisher is maintained at the envirotank.
4. Jerry cans gasoline. Fuel handling guidelines followed.

2. Emergency Procedures

In the event of an uncontrolled fire at the site, the fire department is to be notified by calling 911. The person who first noticed the fire is responsible for ensuring the fire department is notified. The site manager (or most senior person on site if the manager is not available) must take charge. Fire suppression equipment is maintained on site. If the fire involves or is threatening the magazines, evacuation procedures must be initiated. The manager (or alternate) must ensure all persons on the site

have evacuated to the designated assembly area and are accounted for. The manager (or alternate) will meet be available to communicate with the responders and provide details on the fire, including recommendations.

Hardy Island Granite Quarries Ltd has a firefighting plan in accordance with section 3.10.4 of the mines act showing location of the firestation(s) at a scale of 1:2500 that is reviewed monthly when operating, as well as list of fire suppression equipment (as per 3.9.1), a procedure, and training requirements, which are signed off on monthly when operating.

3. Determination for Fighting a Fire

The determination to fight a fire must be appropriate for the site.

All employees are instructed to assess whether a fire could be safely extinguished with the equipment at hand. If the fire is assessed to be immediately extinguishable without risk to the employee, the employee must put out the fire, then report it to the manager. If the fire cannot be immediately extinguished safely, the employee must immediately report the fire to the manager. The site manager will determine if the fire will be fought based on fire size, wind direction, wind speed, and available personnel and equipment.

A fire involving the magazines or within 8 metres of a magazine is not to be fought and evacuation procedures are to be initiated. Fires greater than 50 metres from a magazine can be fought. For fires within 50 metres of a magazine, the site manager will determine if the fire will be fought based on fire size, wind direction, wind speed, and available personnel and equipment.

4. Training

Employees and visitors are familiarized with the location of the firefighting equipment and muster station during the initial site orientation.

Fire fighting equipment is inspected monthly. At the same time, the Hardy Island Granite Quarries Fire Safety Plan is reviewed.

Workers are trained annually in the use of fire extinguishers and backpack water sprayers by a qualified person. The date and time of the review and the name of the trainer and the trainees will be recorded.

5. Reporting

Incidents, including fires, are recorded by filling out a Hardy Island Granite Quarries Ltd. Incident Report Form.

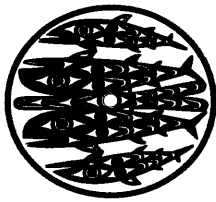
Any injuries or deaths are to be reported to the BC Ministry of Energy and Mines at 1-250-387-4825.

All reporting is the responsibility of the person in charge at the time of the incident with follow-up by the person in charge of the Fire Safety Plan for this site.

All incidents involving explosives must be reported to the local fire department immediately and to the Chief Inspector of Explosives (CIE) as soon as circumstances permit. The fire department is reached by calling 911. Incidents to be reported to the CIE include fire, explosion, injury, death, and property damage. An incident can be reported by calling, emailing, or faxing the Pacific Region Office

Tel.: 604-666-0366 Fax: 604-666-0399 ERDpacific@nrcan.gc.ca

The form contained in Annex F (Form F07-01) can be used to report incidents to the CIE



Lyackson First Nation
7973A Chemainus Road
Chemainus BC V0R 1K5
Telephone: (250) 246-5019
Fax: (250) 246-5049

November 21, 2017

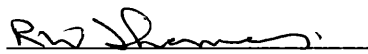
Re: Proposed changes to the Valdes Island Rural Land Use Bylaw No. 42 to change the zoning classification of the unsurveyed Crown foreshore or land covered by water being part being part of the bed of Georgia Strait, Nanaimo District, 0.95 ha of marine waters between Valdes Island and Kendrick Island from Marine Conservation (W-1) to Yacht Club Outstation (W2)(a) to allow a rock breakwater

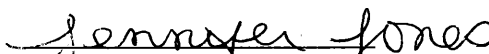
Lyackson First Nation claims title to all of Le'eyqsun Island. The whole island was important to Lyackson First Nation historically and continues to be of uttermost importance for Lyackson's cultural identity and continued practise of rights and interests. Lyackson First Nation have been the environmental stewards of Le'eyqsun Island since time immemorial and continue in this capacity to ensure that future generations of Lyackson can enjoy their rights. Kendrick Island is highly likely to have been of cultural and historical significance to Lyackson. It is further a desired location for future traditional use practises in accordance with Aboriginal rights and title.

Lyackson First Nation was not rightfully consulted when the breakwater was initially installed at Kendrick Island, nor did the Nation consent to this. Lyackson First Nation is concerned that Kendrick Island is not an appropriate location for a breakwater. Environmental, cultural and historical values of importance to Lyackson First Nation may be impacted by the existing breakwater, thereby infringing on Lyackson's rights and title.

Given the potential impacts that the breakwater may pose to Lyackson's environmental, cultural and economic interests, Lyackson objects to rezoning of marine waters between Valdes Island and Kendrick Island from Marine Conservation (W-1) to Yacht Club Outstation (W2)(a) to allow a rock breakwater, until any impacts have been adequately identified and assessed in collaboration with Lyackson, and until outstanding concerns have been adequately addressed and mitigated by the West Vancouver Yacht Club.

Sincerely,


Chief Richard Thomas


Councillor Jennifer Jones



Councillor Frank Conibear



Councillor Brena Robinson



File No.: TH-RZ-2017.1 (VELEZ)
(Cross Ref.: TH-BP-2017.4 &
TH-TUP-2017.1)

DATE OF MEETING: December 12, 2017

TO: Thetis Island Local Trust Committee

FROM: Teresa Ritemann, Planner 2
Northern Team

SUBJECT: **Application to Rezone Property to Permit Temporary Rental Housing**
Applicant: Raymundo Velez
Location: **49 Harbour Road, Thetis Island**

Strata Lot B, District Lot 1, Thetis Island, Cowichan District, Strata Plan EPS644; Together with an interest in the Common Property shown in proportion to the unit entitlement of the Strata Lot as shown on Form V.
PID 028-987-691

RECOMMENDATION

1. **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.**

REPORT SUMMARY

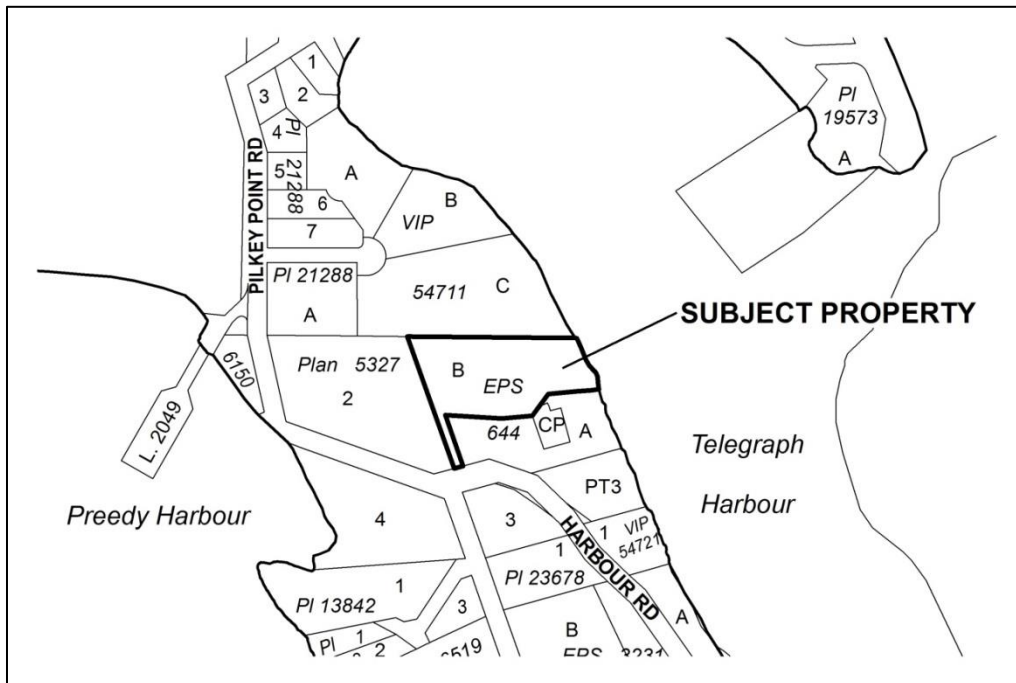
Rezoning application TH-RZ-2017.1 (VELEZ) is to request a bylaw amendment to permit the use of three travel trailers on a 1.44 hectare (3.565 acre) waterfront property in the R-1 (Rural Residential) zone, to provide temporary rental accommodation. The purpose of this report is to:

- Provide the Local Trust Committee (LTC) with a preliminary overview of the Rezoning proposal;
- Identify any land use planning issues associated with the application; and
- Seek direction from the LTC on how to proceed with the application.

BACKGROUND

Temporary accommodation is not a permitted use on the subject property. However, the applicant has been occasionally using three travel trailers to provide temporary accommodation for BC Ferries workers while the ferry is docked on Thetis Island. The applicant originally submitted an application for a Temporary Use Permit (TUP); however, staff's review of the TUP application determined that a TUP for this type of commercial use is not supported under the current TUP framework in the Thetis Island Official Community Plan (OCP). A TUP may only be issued for "temporary tourist accommodation", and the applicant is not providing accommodations for "tourists". Therefore, the applicant has alternatively applied for a permanent zoning change.

Figure 1: Subject Property Map



The applicant provided the following rationale in support of the bylaw amendment request:

"Affordable, legal accommodations are in short supply and virtually non-existent in summer months on Thetis Island. Ferry workers who provide a service to the island need a place to stay at night when they finish their shift because the ferry is docked overnight in Thetis. They don't reside in Thetis, they just need a place to sleep and go home the next morning."

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement (ITPS):

The following Islands Trust Policy Statement (ITPS) Directive Policies appear to be contrary to the proposal (see Attachment 2 for more information):

Increasing density in an area where groundwater vulnerability is moderate to moderately-high, is contrary to **ITPS Directive Policy 4.4.2 (to protect freshwater resources)**, as an increase in density may have a negative impact on water quality and quantity.

Furthermore, as the application is proposing an increase in the density limits defined in the OCP, this may be contrary to ITPS Directive Policy 5.2.5, and begs the question of whether or not ITPS Directive Policies 5.2.3 and 5.2.4 are being addressed. **ITPS Directive Policies 5.2.3 – 5.2.5** speak to the need for LTC bylaws to address:

- Policies related to the aesthetic, environmental and social impacts of development;
- Any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character; and

- The means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

The proposed use is also more commercial in nature and scale, whilst surrounding land uses are characteristic of a rural residential neighbourhood. **ITPS Directive Policy 5.7.2** speaks to the need for LTC bylaws to address economic opportunities that are compatible with conservation of resources and protection of community character. In Staff's view, the proposal may impact the rural residential community character by introducing a commercial use to the neighbourhood.

Finally, **ITPS Directive Policy 5.8.6** includes the need for LTC bylaws to address their community's current and projected housing requirements. Thus, the LTC must consider whether or not this proposed permanent change would appropriately and adequately address the current or long-term housing needs of the community.

Official Community Plan (OCP):

The purpose of the OCP is to serve as a guide for the Thetis Island Local Trust Committee when decisions are to be made regarding bylaw amendments and applications for permits with respect to community land use. The proposal is not contrary to or inconsistent with the relevant sections of the OCP, and therefore an OCP amendment is not required. The following OCP objectives and policies are most relevant to this rezoning application (see Attachment 2 for additional detail).

Given that this proposal would result in a permanent increase in the density of the property, OCP Residential Policy 2.1.6 notes that "overall residential density on Thetis Island should not increase beyond that permitted by existing zoning except that a small increase may be considered to accommodate zoning amendments that would result in affordable housing, special needs housing, or conservation of lands with conservation value."

OCP Residential Policy 2.1.15 also notes that "The zoning for the provision of housing for affordable, rental and special needs should be considered if a community need can be demonstrated." The applicant is suggesting adding rental opportunities to meet a community need (providing temporary living spaces for BC Ferry workers). However, the LTC must consider whether or not this permanent change is appropriate for the community in the long-term, given the short-term and temporary need for housing for off-island commuters. A permanent change to the zoning may not ensure that the increased density is indeed "affordable".

The applicant also suggests that this proposal can provide a community service on Thetis Island, as it is offering to address a temporary housing need for current BC Ferry workers. OCP Community Service Land Use Objectives 1 and 2, as well as Policy 2 are particularly pertinent to this rezoning proposal, to "meet the needs of the Thetis Island Community", ensure that "community facility development and services [are provided] for Thetis Island at a scale consistent with the Island's rural character and [which] can be sustained by the population", and that "rezoning applications for additional Community Service lands should be considered with a view to concentrating compatible developments". As the community centre, fire hall and school are currently in close proximity, consideration should be given to locating possible future facilities nearby. The location of the property is also in close proximity to the ferry terminal.

The proposal is also consistent with OCP Water Transportation Services Objective 1, which aims to maintain "a level of ferry service adequate and affordable for the Thetis Island Community", as well as Advocacy Policy 2 e) and f), which requests the BC Ferry Corporation to "continue to berth the ferry at Preedy Harbour overnight" and "support consultation with the ferry advisory committees." Thus, Staff are recommending that this proposal be referred to the Ferry Advisory Committee (FAC) in order to solicit feedback on the proposed rezoning of this property to be used as temporary rental housing.

Moreover, given the scale of the proposed use is over and above what might be considered as “accessory” to a residential use, and is rather more “commercial” in nature, OCP Commercial Land Use Policies 12 and 14 also apply. Policy 12 suggests that rezoning applications for commercial visitor accommodation should demonstrate:

- a) A large enough lot area to buffer the noise, lighting or other potential disturbances caused by the visitor accommodation to neighbouring properties;
- b) Sufficient parking for guests;
- c) Design for water conservation and storage;
- d) A potable and sufficient water supply and septic capability; and
- e) Protection of sensitive ecosystems by locating buildings away from them and/or by protecting them through conservation covenant or donation as park or conservation land.

Policy 14 suggests that “Clustering of buildings for visitor accommodation may be appropriate to reduce greenhouse gas emissions or to protect sensitive ecosystems.” Should this rezoning proposal advance, the applicant should be asked to provide supplemental information to demonstrate that Policies 12 and 14 have been addressed in their proposal.

Land Use Bylaw:

As mentioned in Attachment 1, the property is zoned R-1 – Rural Residential, which only permits principal residential uses. The applicant is proposing a bylaw amendment to permanently change the zoning of the property to permit a number of accessory buildings to be used for temporary accommodation.

Issues and Opportunities

A. Proposed use not considered a “Home Occupation”

In the R-1 zone, permitted accessory uses include Home Occupations (commercial uses that are accessory to a permitted principal residential use on the same lot). However, regulation 2.3.1.a) notes that the home occupation must be accessory to the dwelling unit, and regulation 2.3.1.b) notes that home occupations must be operated entirely within the dwelling unit and/or an accessory building. Based on the scale and nature of this accommodation business (number of buildings/structures/vehicles devoted to the use and the number of people that could potentially be accommodated at any one time etc.), staff do not consider this use to be a Home Occupation. It is also not a Bed and Breakfast Home Occupation as the use is not occurring within the dwelling unit.

B. Proposed use not eligible for a TUP

The Thetis Island OCP has designated land in the Rural Residential designation as areas where temporary use permits (TUPs) for the provision of temporary tourist accommodation may be issued. However, temporary accommodations for BC Ferry workers who permanently reside elsewhere are not tourist accommodations as their visits to Thetis are not for tourism/pleasure.

The applicant originally applied for a TUP, but Staff determined that the proposed use does not qualify for a TUP under Thetis Island’s specific “temporary tourist” TUP conditions. If the applicant had proposed to open up the use to the general tourist population, then a TUP could be considered; as it is only the assumption that none other than BC Ferries workers will be guests on the property (and tourists are excluded) which prevents the applicant from being eligible for a TUP.

The LTC may wish to take on a future project to explore amending the OCP in order to permit a wider range of situations that could be eligible for issuance of a Temporary Use Permit.

C. BC Building Code Requirements

The Cowichan Valley Regional District (CVRD) is responsible for the provision of building inspection services on Thetis Island, and therefore, should the rezoning be approved, the applicant will also need to obtain Building Permits from the CVRD.

D. Temporary vs. Permanent Use

Amending the bylaws is permanent. As the applicant has stated, this is a temporary use, so there is no guarantee that the need for this use will exist in the future. Thus, permanently rezoning and amending the bylaw for this property and temporary use is not the appropriate land use tool in this situation.

E. Community Service?

As mentioned in the OCP section above, perhaps this use could be viewed as more appropriate for a Community Service (CS) zone. If so, is this an appropriate location for the community? It is near the ferry terminal; however, OCP policies suggest that multiple uses of CS land are supported wherever practical, though it is better to concentrate future CS facilities with the community centre, fire hall and school since they are already in close proximity to one another, and rezoning for new community facility uses should not be considered in advance of demonstrated need. Thus, the LTC should consider whether or not there is a demonstrated need in the community, and whether this proposal will adequately address it. A referral to the Advisory Planning Commission (APC) may provide additional community insight.

Consultation

To the best of Staff's knowledge, the applicant did not hold a pre-application public meeting regarding their application. Should the application proceed to draft bylaw amendment stage, and if the application would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly (i.e. which Agencies and First Nations will need to be referred for comment). Furthermore, the LTC should hold a minimum of one Community Information Meeting during the bylaw amendment process, which would be held prior to consideration of first reading, so that any feedback may be incorporated into the bylaw amendment.

Rationale for Recommendation

Staff are recommending that the LTC refer this application to the APC for comment; APC members, as members of the Thetis Island community may provide further insight to the level of need for temporary housing and also indicate whether or not the location for this type of use is appropriate. Furthermore, given that the Thetis Island OCP includes a policy to advocate to BC Ferries for the ferry to overnight on Thetis Island, the LTC may also wish to solicit input from the BC Ferries Corporation and the FAC. The staff recommendation is noted on page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Consider Potential OCP Amendments

Should the LTC, wish to proceed with the processing of application TH-RZ-2017.1, potential amendments to the Thetis Island OCP could be explored. This may include amendments to the TUP provisions (to allow TUPs to be issued for temporary non-tourist accommodation), or other amendments which may facilitate the proposal for temporary accommodation in residential zones.

NEXT STEPS

Should the LTC proceed with Staff's recommendation, Staff will inform the applicant, contact CVRD Building Inspection to confirm BC Building Code requirements, and send referrals to the Advisory Planning Commission, BC Ferries, and the Ferry Advisory Committee.

Submitted By:	Teresa Rittemann, MCIP, RPP Planner 2	November 24, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 4, 2017

ATTACHMENTS

1. Site Context
2. Policy / Regulatory Framework

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Strata Lot B, District Lot 1, Thetis Island, Cowichan District, Strata Plan EPS644 Together with an interest in the Common Property shown in proportion to the unit entitlement of the Strata Lot as shown on Form V.
PID	028-987-691
Civic Address	49 Harbour Road, Thetis Island
Instruments Registered on Title	Statutory Right-of-Way FB440720 (BC Hydro) and FB440721 (TELUS) Covenant CA2940777 – Ministry of Transportation and Infrastructure (MOTI) and the Cowichan Valley Regional District (CVRD) – construction may require a Geotechnical Report before a Building Permit is issued.

LAND USE

Current Land Use	Residential use (single family), plus temporary residences/housing for ferry staff
Surrounding Land Use	Residential (R1) properties to the north, west, and south Waterfront (ocean) boundary to the east

HISTORICAL ACTIVITY

File No.	Purpose
TH-SUB-2010.2	To create 2 Strata Lot properties (Strata Lots A & B), with access to Common Property
TH-BP-2017.4	To obtain Building Permits for: three roofs which provide shelter over travel trailers. These structures to be built on concrete pads and not attached or fixed to the ground (temporary structures).
TH-TUP-2017.1	Review of application concluded that a TUP is not the appropriate type of development application to address the proposed uses. File was closed and applicant submitted current Rezoning app (TH-RZ-2017.1).
Bylaw Enforcement	TH-BE-2016.1 – Commercial activity within a residential zone. Several trailers, in shelters (accessory buildings), being rented out short-term to BC Ferries staff. File on hold while Rezoning application is being addressed.

SITE INFLUENCES

Islands Trust Fund	There are no identified interests in the immediate area pertaining to the Islands Trust Fund.
Regional Conservation Plan	The interests of the Islands Trust Fund Regional Conservation Plan are not affected by the rezoning application.
Species at Risk	Ecological community mapped: Douglas-Fir / Dull Oregon-Grape
Sensitive Ecosystems	Mature Forest, Young Forest, and Woodland Ecosystems mapped
Hazard Areas	None mapped but area near the foreshore is a Covenant Area to address any future development with regards to slope stability.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping notes that although no known sites are mapped on or within 100 metres of the property, the lot does have a small portion which may contain an Archaeological site. Thus, by

	copy of this report, the owners/applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No anticipated impacts related to Climate Change or greenhouse gas emissions for this application, and there is a Covenant registered on title to address setbacks and potential for slumping, erosion etc.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder (as shown on Schedule H of the OCP)
Shoreline Data in TAPIS	TAPIS Mapping shows an area of Eelgrass mapped approximately 130 metres from the property line at the Natural Boundary of the Sea.

ATTACHMENT 2 – POLICY / REGULATORY FRAMEWORK

POLICY/REGULATORY FRAMEWORK

Official Community Plan No. 88	Land Use Designation: R-1 (Rural Residential) Property not within a Development Permit Area or Heritage Conservation Area 2.1 RESIDENTIAL LAND USE Residential Policies: 4. Applicants for zoning amendments to permit new construction should be encouraged to design and locate buildings in keeping with the rural atmosphere, environment and topography and to produce minimal greenhouse gas emissions. 6. The overall residential density on Thetis Island should not increase beyond that permitted by existing zoning except that a small increase may be considered to accommodate zoning amendments that would result in affordable housing, special needs housing, or conservation of lands with conservation value. 15. The zoning for the provision of housing for affordable, rental and special needs should be considered if a community need can be demonstrated. 2.2 HOME OCCUPATIONS Home Occupation Policies 1. Home occupations must be accessory to a residential use. 2. Home occupations should be regulated to help prevent any adverse effects they may have on residential use, the peaceful enjoyment of surrounding lands, and on the residential character of the premises on which they are conducted. 3. Home occupation land use regulations may address: a) Categories of home occupations and develop regulations pertaining to them or to specific home occupations. b) The number and size of buildings and structures used for home occupation. c) Minimum parcel size requirements and minimum set-back requirements. d) Exterior storage of materials and screening requirements. e) Off-street parking requirements. f) Signage. 4. Bed and Breakfast use as a home occupation should be permitted and regulated by land use bylaw. 5. Rental of a cottage as tourist accommodation may be permitted as a home occupation on lots in the R2 zone and the operator of the home occupation resides in the principal dwelling while the use is being conducted. 2.3 COMMUNITY SERVICE LAND USE COMMUNITY SERVICE OBJECTIVES 1. To support the provision of community facilities that meets the needs of the Thetis Island Community. 2. To ensure community facility development and services provision for Thetis Island is at a scale consistent with the Island's rural character and can be sustained by the population.
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	COMMUNITY SERVICE POLICIES 2. Rezoning applications for additional Community Service lands should be considered with a view to concentrating compatible developments. As the community centre, fire hall and school are currently in close proximity, consideration should be given to locating possible future facilities nearby. 2.9 COMMERCIAL LAND USE POLICIES 12. Rezoning applications for commercial visitor accommodation should demonstrate: a) A large enough lot area to buffer the noise, lighting or other potential disturbances caused by the visitor accommodation to neighbouring properties; b) Sufficient parking for guests; c) Design for water conservation and storage; d) A potable and sufficient water supply and septic capability; and e) Protection of sensitive ecosystems by locating buildings away from them and/or by protecting them through conservation covenant or donation as park or conservation land. 14. Clustering of buildings for visitor accommodation may be appropriate to reduce greenhouse gas emissions or to protect sensitive ecosystems. 3.2 WATER TRANSPORTATION SERVICES WATER TRANSPORTATION OBJECTIVES 1. To maintain a level of ferry service adequate and affordable for the Thetis Island Community. WATER TRANSPORTATION ADVOCACY POLICIES 2. The B.C. Ferry Corporation shall be requested to: ... e) continue to berth the ferry at Preedy Harbour overnight; and f) support consultation with the ferry advisory committees Section 5: CLIMATE CHANGE ADAPTATION AND MITIGATION 5.7. CLIMATE CHANGE ADAPTATION AND MITIGATION POLICIES a) The Local Trust Committee should consider the development of new criteria for assessing official community plan or land use bylaw amendment applications from the perspective of climate change adaptation and mitigation. This criteria will address issues such as the impact of the density proposed on reducing greenhouse gas emissions, land use and the form of the development, use of building materials and construction methods, energy efficiency and sources, and the long term potential for the development to truly result in a decreased footprint on the landscape Section 6.2: TEMPORARY USE PERMITS Temporary Use Permit Designations and Conditions Designations 1. Land within the Rural Residential, Rural, and Agricultural land use designations is designated under s. 920.2 of the Local Government Act as an area in which temporary use permits for the provision of temporary tourist accommodation may be issued.
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Land Use Bylaw No. 89	Zoning: R-1 – Rural Residential	
	5.1. Permitted Uses	R-1
	The following uses and no others are permitted in the <i>zones</i> indicated by checkmarks in the column to the right.	
	Principal Uses	
	a) residential	✓
	Accessory Uses	
	b) <i>home occupation</i> ;	✓
	c) the keeping of livestock and poultry for the personal use of the owner;	✓
	d) <i>agriculture</i> ; and	✓
	e) <i>guest cottages</i> on 0.8 hectares or more provided that, in the R1 zone on lots less than 1.6 hectares, the guest cottage is only used on an occasional basis meaning that the accommodation is not used as a residence.	✓
	5.2. Permitted Buildings and Structures	R-1
	The following <i>buildings</i> and structures and no others are permitted in the <i>zones</i> indicated by checkmarks in the columns to the right:	
	a) <i>Buildings</i> and <i>structures</i> for a permitted use; and	✓
	b) <i>Buildings</i> and <i>structures</i> accessory to a permitted use.	✓
	5.3. Density of Uses, Buildings and Structures	R-1
	a) Maximum number of single family <i>dwelling units</i> per <i>lot</i>	1
	b) Maximum number of <i>guest cottages</i> per <i>lot</i>	1
	c) In the R-2 zone, only one <i>dwelling unit</i> is permitted on <i>lots</i> having an area of less than 8.0 hectares.	
	d) In the R-2 zone on <i>lots</i> having an area of 8.0 hectares or more, one <i>dwelling unit</i> other than a <i>guest cottage</i> is permitted in respect to each full 4.0 hectares of <i>lot</i> area if the owner grants a covenant prohibiting subdivision of the <i>lot</i> . If the owner does not provide a covenant prohibiting subdivision of the <i>lot</i> , the maximum number of <i>dwelling units</i> is one.	
	e) In the R-2 zone one <i>guest cottage</i> is permitted on <i>lots</i> having an area of between 0.8 and 8.0 hectares.	
	f) In the R-2 zone on <i>lots</i> having an area of 8.0 hectares or more one <i>guest cottage</i> is permitted in respect of every <i>dwelling unit</i> permitted under article 5.1.3 (d).	
	g) Maximum combined <i>lot coverage</i> of <i>buildings</i> and <i>structure</i>	35%
	5.4. Height, Setbacks, and Siting of Buildings, Structures and Uses	R-1
	a) Maximum <i>height</i> of all <i>buildings</i> and <i>structures</i>	11.0 m
	b) Minimum setback of <i>buildings</i> or <i>structures</i>	
	• From the <i>front lot line</i> ;	7.5 m
	• From an <i>interior side lot line</i> ;	3.0 m
	• From an <i>exterior side lot line</i> ; and	4.5m
	• From a <i>rear lot line</i> .	6.0m
	c) In the R-2 zone, no solid waste disposal site or garbage dump may be located and no grazing of livestock may occur within an area designated as a Water Resources Area shown on Schedule “A” Zoning Map of this Bylaw.	
	5.5. Lot Area	
	a) Minimum lot area permitted by subdivision	0.8 ha
	b) Minimum average lot area permitted by subdivision	n/a
Other Regulations	This property is not within the Agricultural Land Reserve (ALR). No Trust Fund Covenants or Properties on or in immediate vicinity of the property.	
Islands Trust Policy Statement	The Islands Trust Policy Statement contains the following relevant Directive Policies:	

4.4 Freshwater Resources

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- **neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,**
- **water quality is maintained,** and
- existing, anticipated and seasonal demands for water are considered and allowed for.

Image: Groundwater Vulnerability Map for the Lot

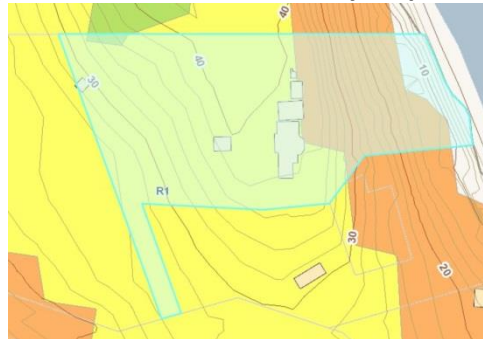
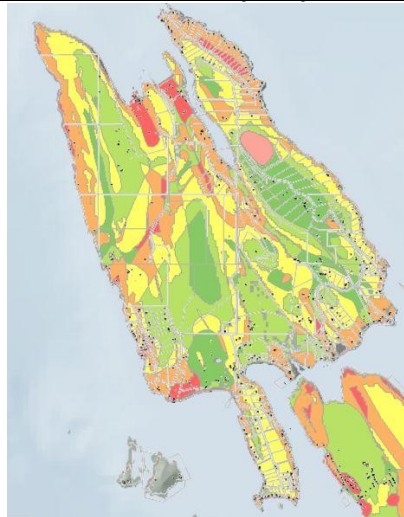


Image: Groundwater Vulnerability Map for all of Thetis Island



Much of Thetis Island is shown as dark/light green (low/moderately low vulnerability for groundwater), though the lot with proposed density increase is mostly yellow (moderate vulnerability) and partly orange (moderately high vulnerability).

5.2 Growth and Development

5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, **address policies related to the aesthetic, environmental and social impacts of development.**

5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, **address any potential growth rate**

	and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character. 5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans. 5.7 Economic Opportunities 5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character. 5.8 Health and Well-Being 5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as cultural and recreational facilities and services.
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Islands Trust

BYLAW REFERRAL FORM

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

Island:	Salt Spring Island Trust Area	Bylaw Nos:	504 and 505	Date:	November 9, 2017
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You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by January 2, 2017. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Fernando and Tammy Dos Santos, 416 Old Scott Road, Salt Spring Island, BC, V8K 2L7, f.dos.santos111@gmail.com

PURPOSE OF BYLAW:

The purpose of OCP proposed bylaw amendment No. 504 is to re-designate the property from rural neighbourhood (RL) to a residential neighbourhood (RN) variant which would allow for medium density of approximately 7 lots/hectare or 3 lots/acre.

The purpose of LUB proposed bylaw amendment No. 505 is to rezone the property from its Rural(R) designation to a Residential (R4) variant to allow for the development of up to 30 lots on the subject property.

GENERAL LOCATION:

221 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 20, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 28650 – PID 001-751-581

SIZE OF PROPERTY AFFECTED:

4.26 Hectares

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Presently Rural Neighbourhood

OTHER INFORMATION:

Salt Spring Island Local Trust Committee Rezoning Application SS-RZ-2017.2

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: Rob Milne

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – Housing Secretariat
CRD – Ganges Water & Sewer Commission
Vancouver Island Health Authority

Non-Agency Referrals

North Salt Spring Waterworks District
School District No. 64
SSI Chamber of Commerce
SSI Fire Protection District
SSI Water Preservation Society
SSI Water council Society

Provincial Agencies

BC Assessment Authority
Ministry of Municipal Affairs and Housing
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Jobs, Tourism & Skills

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

504 and 505
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 507 **Date:** October 17, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days (November 30, 2017). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Janis Gauthier, JG Consulting Services Ltd., 2161 Fulford-Ganges Road, Salt Spring Island, BC, V8K 1Z7

PURPOSE OF BYLAW:

To rezone Agriculture 1(A1), Residential 6 (R6) and Residential (R1) land to a Residential 1 (R1) variant to allow for development of an additional 34 affordable housing units and office use. See staff report dated October 5, 2017 which includes the proposed bylaw.

GENERAL LOCATION:

132 Corbett Road, Salt Spring Island, BC

LEGAL DESCRIPTION:

LOT A, SECTION 3, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 41612, PID 000-698-865

SIZE OF PROPERTY AFFECTED:

4.94 Acres

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Core, Development Permit Area 1 (Island Villages)

OTHER INFORMATION:

This property contains Residential Zones (R1) and (R6) and Agriculture Zone (A1) designations

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: Susan Palmer

Title: Consulting Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Building Inspection
CRD – SSI Transportation Commission
CRD – Housing Secretariat
CRD – Ganges Water & Sewer Commission
Vancouver Island Health Authority
Vancouver Island Health Authority – Director Geography 3 Saanich Peninsula
Lady Minto Hospital Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
SSI Fire Protection District
Partners Creating Pathways

Provincial Agencies

BC Assessment Authority
Ministry of Municipal Affairs and Housing
Ministry of Transportation & Infrastructure
Ministry of Forests, Land, Natural Resource Operations & Rural Development – Archaeology Branch
Ministry of Forests, Land, Natural Resource Operations & Rural Development - Water Authorization Section
Ministry of Forests, Land, Natural Resource Operations & Rural Development – Utility Regulation Section
Ministry of Forest Lands & Natural Resource Operations & Rural Development – Front Counter BC

BYLAW REFERRAL FORM

RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

507
(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 508 **Date:** October 19, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by November 30, 2017. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Robert Irving, Irving Pitchers Architects Ltd., 613 Horton Bay Rd., Mayne Island, BC – 250-539-5225 –
irvingpitcherarchitects@gmail.com

PURPOSE OF BYLAW:

Rezoning application to permit 13 additional commercial accommodation units, as well as three dwelling units for the exclusive use of hotel staff for a total of 55 units to the property.

GENERAL LOCATION:

Harbour House Hotel, 121 Upper Ganges Road, Salt Spring Island, BC

LEGAL DESCRIPTION:

Lot 1 Section 3 Range 3 East North Salt Spring Island Cowichan District Plan 11914 Except Parts In Plans VIP56622 and VIP59981 – PID 004-909-721

SIZE OF PROPERTY AFFECTED:

2.97 acres

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Development Permit Area 1 – Island Villages

OTHER INFORMATION:

Recorded archaeological site in the area and close proximity to the shoreline.

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: Jason Youmans

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Transportation Commission
CRD – Ganges Water & Sewer Commission

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire-Rescue
Partners Creating Pathways

Provincial Agencies

BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

508
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area Bylaw No.: 509 Date: November 28, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by January 10, 2018. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Mrs. Mafalda Hoogerdyk, Salt Spring Tennis Association

PURPOSE OF BYLAW:

To rezone the subject property to permit a second indoor tennis court and outdoor tennis courts in the PR3(a) zone

GENERAL LOCATION:

805 Lower Ganges Road, Salt Spring Island, BC V8K

LEGAL DESCRIPTION:

PID 009-600-426 SECTION 6, RANGE 2 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, EXCEPT THE EASTERLY 6.75 CHAINS THEREOF; EXCEPT PARCEL B (DD 770361), AND EXCEPT PART IN PLAN 14185

SIZE OF PROPERTY AFFECTED:

16.27 ha (40.21 acres)

ALR STATUS:

Yes

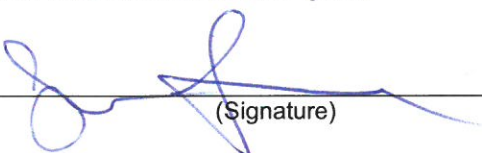
OFFICIAL COMMUNITY PLAN DESIGNATION:

Parks and Recreation

OTHER INFORMATION:

ALR non-farm use permission granted – Decision # 281/2017

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


(Signature)

Name: Jason Youmans

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Transportation & Infrastructure

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Parks and Recreation
Vancouver Island Health Authority

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Fire-Rescue

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

509
(Bylaw Number)

(Title)

(Agency)



Top Priorities

Thetis Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Riparian Areas Regulation Implementation	Ensure protection of freshwater ecosystems in the Ralston Creek watershed through review of current regulation and covenants, and possible bylaw amendment.	07-Sep-2011	Marnie Eggen	15-Nov-2014
2	Ruxton Island Private Moorage Review	Review regulation regarding private moorage related structures and community docks.	11-Jan-2017	Marnie Eggen	
3	Follow up on Lyackson FN comments post adoption of Thetis Assoc. Islands OCP and LUB	- 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	24-Nov-2017

**Projects****Thetis Island**

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



Projects

Thetis Island

Description	Activity	R/Initiated
Amendments to Thetis Island OCP and LUB; staff to provide staff report when time permits.	Moved back to Projects List: - (housekeeping)4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)... - (housekeeping) objectives and policies re sea level rise (was resolution to include in draft but did not make it in to adopted OCP). - OCP/LUB amendments to consider ocean loop geothermal exchange systems. - explore measures to address impacts of wharf related structures.	12-Jan-2017
Review of Development Permit Areas and development of a Development Approval Information Bylaw on Thetis Island		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. Planner: Ann Kjerulf	03-Sep-2015	204 PILKEY POINT RD \request for variance to authorize a previously constructed seawall
Planning Status			
Status Date: 29-Aug-2017 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.			
Status Date: 26-May-2017 Letter sent to applicant requesting valid survey be submitted by July 15, 2017			
Status Date: 29-Nov-2016 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. Planner: Marnie Eggen	05-Oct-2015	Zoning change to allow barges to be loaded and unloaded at the proposed lot.
Planning Status			
Status Date: 17-Oct-2017 Ministry approved bylaw			
Status Date: 19-Jul-2017 Bylaw approved by EC and sent on to the Ministry for approval.			
Status Date: 19-Jul-2017 EC approved Bylaw.			

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

Planner: Marnie Eggen

Planning Status

Status Date: 19-Jul-2016

MOTI issued 1 yr. extension.

Applications

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 to create 2 parcels from 3 existing lots
Planner: Teresa Rittemann			

Planning 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.

Status Date: 11-May-2017

Waiting for additional information from MOTI.

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

Planner: Marnie Eggen

Planning Status

Status Date: 19-Sep-2017

Final letter of approval sent to MOTI

Status Date: 25-May-2017

Covenant approved by RWM

Status Date: 25-May-2017

Awaiting final plan of subdivision before giving final approval.

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

670 Thetis	Invoices posted to Month ending October 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	750.00	415.44	334.56
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	925.65	74.35
65210-670	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-670	LTC - Local Exp - Communications	1,000.00	0.00	1,000.00
65230-670	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,000.00</u>	<u>925.65</u>	<u>2,074.35</u>
Projects				
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
TOTAL Project Expenses		<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
Islands Trust Fund itfmail@islandstrust.bc.ca



DATE OF MEETING: December 12, 2017
TO: Thetis Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: 2018 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. 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.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2018. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

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

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 28, 2017
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ATTACHMENT

1. Tentative 2018 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2018 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 23*	January 18	January 25	-	-	-	-
	-	-	-	February 9	February 19*	February 13*	-
	March 6	March 1*	March 8*	-	-	-	March 28
	-	April 12	April 19*	April 27*	April 23	April 17	-
	May 1	May 3*	May 24	-	-	May 22	-
	June 12*	June 14	June 28	June 8	June 4*	-	-
	-	July 12	July 26	-	July 23	July 10*	July 18
	August 7	August 16*	August 30*	August 3*	-	August 28*	-
	-	September 27*	-	September 28*	September 24	-	-
	October 2	-	-	-	-	-	-
	November 20	November 22*	November 15*	November 30*	November 26	-	-
	-	-	-	-	-	December 11*	December 12
Total	7	9	8	6	6	6	3

Day	1 st Tuesday	2 nd Thursday	4 th Thursday	2 nd Friday	4 th Monday	3 rd Tuesday	Wednesday
Time	9:30 am	10:15 am	10:45 am	11:30 am	11:00 am	9:45 am	10:00 am
Location	Denman Activity Centre	Gabriola Arts & Heritage Centre	TBD	Room to Grow	Judith Fisher Centre	Thetis Community Centre	TBD

**Meeting moved from designated day due to scheduling conflict*

Key Dates

Stat Holidays	Jan. 1; Feb.12; Mar 30, Apr 2; May 21; July 2; Aug.6; Sept.3; Oct.8; Nov.12; Dec.25,26
Trust Council	March 13-15, June 19-21, Sept 18-20 (tentative), Nov 6-8 (tentative)
Executive Committee	Jan 17, Feb 7, 28, Mar 13, Apr 11, May 9, June 6, 19, July 18, Aug 15, Sept 5, 18, Oct. 10, 24, Nov 6, 28, Dec 12
Financial Planning Committee	Jan 16, Feb 21, May 30, Aug 9, Oct 17
Trust Fund Board	Jan 30, Apr. 3, May 29, July 17, Sept 25, Nov 27
Trust Programs Committee	Feb 13, May 22, Aug 21, Oct 9
Local Planning Committee	Feb 15, May 24, Aug 23, Oct 11
SD 79 (Cowichan) Spring Break	Mar 12-23
SD 46 (Sunshine Coast) Spring Break	Mar.19-Apr 2
SD 68 (Nanaimo) Spring Break	Mar.19-Apr 2
SD 71, 79 (Comox) Spring Break	Mar 26-Apr 6
LGLA Conference	Jan 31-Feb.2
Salish Sea Ecosystem Conference	Apr 4-6
AVICC Conference	April 13-15
LGMA Conference	May 15-17
PIBC Conference	May 29-June 1
CIP Conference	June 19-22
UBCM Conference	Sept. 10-14



File No.: TH-6500-20
First Nations Relationship
Building

DATE OF MEETING: December 12, 2017

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: Follow up from meeting with Lyackson First Nation, November 5, 2017

RECOMMENDATION

1. That the Thetis Island Local Trust Committee request staff to add “Relationship Building with Lyackson First Nation” to their Top Priorities list.
2. 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.

REPORT SUMMARY

The purpose of the report is to summarize the meeting held with Lyackson First Nation on November 5, 2017 and request direction from the Thetis Island Local Trust Committee (LTC) on next steps with respect to taking action on shared topics of interest.

Staff recommend that the LTC place on the Top Priorities list, “Relationship Building with Lyackson First Nation”, in order to follow up on the shared topics of interest raised at the November 5, 2017 meeting and to explore other potential opportunities for engagement.

BACKGROUND

On November 5, 2017, the Lyackson First Nation Chief and Council met for lunch with Trustee Luckham and Trustee Hunter, along with staff from each organization. The meeting was held in an effort to reconnect and refresh the relationship, as the last meeting together was held over five years ago. The meeting was funded in part by the Union of BC Municipalities (UBCM) Regional Community to Community (C2C) Forum program. At that meeting, Lyackson First Nation was presented with a piece of print art from Dillon Thomas, a Lyackson First Nation artist, and four blankets for each of the members of the Council. The following general topics were discussed, along with ideas for possible follow up:

1. Land and Marine Use on and around Lyackson Island (Valdes Island)

- Concern was raised with respect to potential Islands Trust and Regional District bylaw contraventions, in general, regarding the land and marine use on and around Lyackson Island. Bylaw contraventions noted (not specific to any particular properties) included recreational use over reserve and crown lands (e.g. trail building), existing buildings and/or structures that may contravene the Valdes Island Rural Land Use Bylaw (e.g. siting within the setback to the sea and/or located on crown foreshore), which may be having a negative impact on the shoreline/sensitive ecosystems; and/or buildings or structures that may not have building permits. Interest was expressed to work together and in cooperation with the Cowichan Valley Regional District (CVRD) to address bylaw contraventions. Ideas for next steps included:
 - Organizing a meeting with Lyackson First Nation, CVRD and Islands Trust to discuss enforcement and building permit statistics;
 - Representatives from Lyackson First Nation, CVRD and Islands Trust visit Lyackson Island by boat to view and discuss land and marine use concerns; and
 - Explore the development of educational signage for the boundaries between reserve lands and non-reserve lands (to prevent trespassing by island residents). Example text for signage for reserve lands to be used on Saturna, Mayne, South Pender and Salt Spring could be shared with Lyackson once text is completed and approved by Saanich elders.
- Concern was expressed regarding observed log salvaging along the shoreline adjacent to Lyackson Reserve lands. An idea for follow-up included:
 - Islands Trust staff could investigate possible bylaw infractions, and enquire with Province about log salvaging permits and permit terms.
- Concern was expressed regarding marine vessel dumping practices in the Salish Sea. Ideas for next steps included:
 - Lyackson expressed willingness to share a letter written to the federal government regarding their opposition to dumping practices in the Salish Sea with Islands Trust, especially for sharing with the Saanich Tribes in the south Gulf islands.
 - Islands Trust shares concern and willing to provide information to Lyackson on their advocacy efforts to minimize negative impacts of ships anchoring in the Salish Sea.

2. Bylaw Referrals

- Concern was expressed regarding the volume of bylaw referrals from Islands Trust to Lyackson First Nation and they reiterated their request for funds to process the referrals. Islands Trust staff received the comments and request, and mentioned that they are working with the province to address these concerns. Ideas for next steps included:
 - Lyackson staff could put together some statistics on the volume of referrals they receive, from what agencies and what they deem as high-priority referrals.
 - Lyackson is willing to attend a workshop in late January 2018 to work with Islands Trust staff and other First Nations referrals staff to find efficiencies in the current referral system.
 - Using tools (e.g. Development Procedure Bylaw) available to the LTC to redirect applicants to Lyackson first before applicants submit a development application to consider ways in which their application may affect Indigenous rights and title.

3. Shared Narrative of Place

- The idea of a shared narrative of place was discussed. With regard to Hul'qumi'num place names and developing a "shared narrative of place" in the Thetis Local Trust Area, Lyackson recommends working with two elders from Halalt (Joe Norris and Dan Norris) who are speakers of the language for correct pronunciation and place name meanings.

4. Co-governance/co-management

- Interest was expressed with respect to exploring the idea of co-governance/co-management. Ideas for next steps included:
 - Explore Strathcona and Powell River Regional Districts' models to determine if they would be feasible options.
 - Islands Trust would share with the Lyackson band manager a calendar of meeting dates for both the Thetis LTC and the quarterly Trust Council. Lyackson will be able to consider in advance when they will be able to attend these meetings to observe governance structure and consideration of key areas where co-governance or co-management may be possible.
 - The [Protocol For Cooperation in the Thetis Island Local Trust Area and Lyackson Traditional Territory, 2000](#) was discussed. Interest was expressed by both parties to "refresh" the Protocol, although, it is considered a lower priority than other items discussed. Islands Trust will send an electronic version to the band manager and work with her to identify areas of shared interest to "refresh" the Agreement and make it more specific.

ANALYSIS

Policy

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

Issues and Opportunities

The November 5th meeting brought to light many potentially shared interests, and the LTC expressed a desire to pursue action on a number of items. In keeping with the *Trust Council Engagement Principles* and in order to explore the ideas brought up at the meeting, staff recommend that the LTC initiate a top priority project that explores the topics raised at the meeting and similar opportunities being pursued with other First Nations by other LTCs (e.g. Saturna, Denman, and Hornby).

Rationale for Recommendation

In keeping with the *Trust Council Engagement Principles* and in order to explore ways in which to take action on shared interests with Lyackson First Nation, staff recommend that the LTC initiate a top priority project that focuses on building a relationship with Lyackson First Nation and includes the exploration and analysis of the topics and ideas raised at the November 5th meeting. See recommendations on page 1 of the staff report.

ALTERNATIVES

1. Place item on Projects List

The LTC may decide to place this item on the Projects List. Staff advise that the implications of this alternative are that action will likely be delayed, and as a result the momentum to take action on the good intentions expressed at the meeting may be lost.

2. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Staff will prepare a staff report and draft project charter for LTC consideration.

Submitted By:	Marnie Eggen, MCIP, RPP Island Planner	December 4, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 5, 2017