



Thetis Island Local Trust Committee Regular Meeting Addendum

Date: May 22, 2018
Time: 9:45 am
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

		Pages
11.	LOCAL TRUST COMMITTEE PROJECTS	11:05 AM - 11:50 AM
11.2	<i>Ruxton Island Private Moorage Structures Project - Staff Report</i>	2 - 19
13.	NEW BUSINESS	12:20 PM - 12:35 PM
13.1	<i>Thetis Island Local Trust Committee Annual Report Submission - Request for Decision</i>	20 - 22



File No.: 6500-20 (Ruxton Island Private
Moorage Structures &
Community Docks Review)

DATE OF MEETING: May 22, 2018
TO: Thetis Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
COPY: Ann Kjerulf, Northern Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager
SUBJECT: Ruxton Island Private Moorage Structures & Community Docks Targeted Review

RECOMMENDATION

1. That the Thetis Island Local Trust Committee endorse the revised Thetis Associated Islands Land Use Bylaw Amendment – Ruxton Island Private Moorage Structures Project Charter.
2. That the Thetis Island Local Trust Committee add the Thetis Associated Islands Land Use Bylaw Amendment – Ruxton Island Community Dock Review Project to the Projects List, with a notation in the “Activities” column that the Ruxton Island Private Moorage Structures Project be referenced.
3. That Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2018”, be read a first time.
4. That the Thetis Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2018”, is not contrary to or at variance with the Islands Trust Policy Statement.
5. That the Thetis Island Local Trust Committee refer Thetis Island Local Trust Committee Bylaw No. 103 to the following agencies and First Nations for comment:
 - Cowichan Tribes
 - Halalt First Nation
 - Lake Cowichan First Nation
 - Lyackson First Nation
 - Penelakut Tribe
 - Snuneymuxw First Nation
 - Semiahmoo First Nation
 - Stz'uminus First Nation
 - Ruxton Island Property Owners Association
 - Cowichan Valley Regional District
 - Galiano Island Local Trust Committee
 - Salt Spring Island Local Trust Committee
 - Gabriola Island Local Trust Committee
 - Ministry of Environment – BC Parks
 - Department of Fisheries and Oceans
 - Ministry of Forests, Lands, and Natural Resources Operations and Rural Development
6. That the Thetis Island Local Trust Committee request staff to schedule a community information meeting in accordance with the Ruxton Island Private Moorage Structures Project Charter.

REPORT SUMMARY

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

- Endorse the draft revised Project Charter v. 3.0 – Ruxton Island Private Moorage Structures Project;
- Consider first reading of draft Bylaw No. 103;
- Consider draft Bylaw No. 103 for consistency with the Islands Trust Policy Statement (ITPS);
- Consider referrals to First Nations and Agencies;
- Schedule a community information meeting; and
- Consider adopting a standing resolution regarding bylaw enforcement for the Marine Ruxton (W3) zone.

BACKGROUND

The LTC passed the following resolutions at their December 12, 2017 meeting:

TH-2017-051

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

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

TH-2017-052

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

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

All background materials, including previous staff reports, are posted to the project webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/thetis/projects-initiatives/ruxton-island-review/>.

Project Charter

The draft revised Project Charter reflects the removal of the review of community docks as endorsed by the LTC at the December 12, 2017 LTC meeting. The revised Project Charter focuses the scope of the project on the ambiguities in the Thetis Associated Islands Land Use Bylaw No. 94 (LUB) related to private moorage structures. The timeline reflects work completed and proposed next steps. Staff notes that the project timeline anticipates adoption of the bylaw in the fall, at the earliest. The LTC is requested to endorse a final version (v. 3.0) of the Project Charter for the Thetis Associated LUB Bylaw Amendment – Ruxton Island Private Moorage Structures Review Project. Staff advises that a project to review Ruxton Island Community Docks Review Project is best undertaken following completion of the Ruxton Island Private Moorage Structures Project. In the interim, Staff recommends placing this project on the Projects List. Additionally, staff suggests that the Projects List item include a reference to the work completed during the Ruxton Island Private Moorage Structures Project.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

An Islands Trust Policy Statement (ITPS) Directives Only Checklist has been prepared for the bylaw (see Attachments). In staff's opinion, Bylaw No. 103 is not contrary to or at variance with the ITPS.

Bylaw No. 103:

Following direction from the LTC at their December 12, 2017 regular business meeting, Bylaw No. 103 is a draft bylaw to amend the Thetis Associated Islands Land Use Bylaw No. 94 (LUB). Additionally, staff has itemized the LUB amendments for LTC consideration in a table that includes issues and opportunities, community survey comments, options, recommended amendments, and corresponding draft bylaw section references (see draft bylaw and table attached).

1. Platforms, boat ramps, and equipment

Currently, the way in which platform, boat ramp, and equipment are worded in the LUB could be used in combination and facilitate dock-like structures, which was not the intent of the bylaw. "Platform" is allowed within the 10 metre setback to the sea, is defined as a structure abutting the shoreline, and is to be used for the loading and offloading of materials and supplies. "Boat ramp" is undefined and allowed within the 10 metre setback to the sea; which means it could be interpreted as a ramp used to access a boat or moving a boat. The latter is the common sense intent. As defined, "Equipment installed on land to assist in the offloading and loading of people and materials from boats but not obstructing public access along the foreshore" and as permitted in the Ruxton Marine (W3) zone, compounds the situation by permitting unlimited equipment that originates from land, but in essence can extend into the marine zone as long as it doesn't obstruct public access along the foreshore (e.g. temporary, above land?).

Staff recommends that to address this ambiguity effectively, a definition of boat ramp be added to stipulate that a boat ramp may only be used for the purpose of moving a boat (already limited to upland lots within the setback to the sea), and not for any other purpose. Staff also recommends removing equipment as a permitted use within the Ruxton Marine (W3) zone because equipment is undefined and problematic to define because of the various types of equipment used by Ruxton islanders. Additionally, enforcement staff suggest that equipment placed on the shoreline in the marine zone will likely obstruct public access in some way.

Staff is recommending that the LTC consider, at the time of bylaw adoption, a no enforcement standing resolution with respect to equipment as it is currently included in the LUB.

Staff is also recommending that platform and boat ramp be limited to one each per upland lot within the 10 m setback to the sea to prevent the possibility of multiple buildings and structures within the sensitive coastal shoreline, and to retain the rural character and viewscape of Ruxton Island. This would be consistent with coastal and marine shoreline policies of the Islands Trust Policy Statement and the Marine Use Objectives and Policies of the Thetis Associated Islands Official Community Plan. This recommendation also takes into account the supportive comments received in the community survey for limiting the footprints of such buildings and structures.

2. Boathouses and stairs

Boathouses are defined in the bylaw as: “a building or structure that is located on a waterfront residential lot, and that is used to house a boat and equipment or items associated with sports, moorage and boating activities.” They are currently allowed to be sited on the upland portion of a lot, within the 10 m setback to the sea, and are a type of private moorage structure. Stairs are also currently allowed to be sited on the upland portion of a lot, within the 10 m setback to the sea, and support access to private moorage structures. Neither currently contributes to the ambiguities in the LUB with respect to allowing dock-like structures.

However, for the same reasons outlined above, staff is recommending that boathouses be limited in size (20 m²) to accommodate a small boat that would be used to get back and forth between land and a mooring, as the results of the community survey indicate, and that boathouses be limited to one per upland lot within the 10 m setback to the sea. Similarly, staff recommends limiting the stairs to a maximum height of 1 m and maximum width of 1.2 m.

3. Swimfloats and floats

“Swimfloats” are allowed in the Ruxton Marine (W3) zone and limited to a max. area of 9.3 m². These were not originally considered by staff to be private moorage structures because the LUB doesn’t allow them to be used for landing and mooring. Staff notes that there is a typographical error in the current LUB; the LTC resolution TH-2014-103 confirms that “swimfloat” is not to be used as a landing or moorage place for marine transport.” Staff note that swimfloats were mentioned in the community survey results as a structure that would be useful to assist with loading and offloading from boats.

The LUB defines “float” as the following “means a floating non-roofed structure that is used as a landing or moorage place for marine transport and which is free to rise and fall with sea level change, as for all conditions of tidal change, does not rest on sea floor”; however, “float” is not currently permitted in the Ruxton Marine (W3) zone.

Staff recommends removing “swimfloats” from the permitted uses in the Ruxton Marine (W3) zone, and instead, allowing one “float” per adjacent upland lot on Ruxton Island, as defined in the LUB, with the same maximum area of 9.3 m² as is currently permitted for a “swimfloat.” This would allow the float to be used for a landing or moorage place for marine transport. Staff suggests that this would provide a level of assistance with loading and unloading from boats, but not change the footprint of the structure that is currently permitted in the Ruxton Marine (W3) zone, and yet lessen the impact on the sensitive marine environment by limiting the number of “floats” to one per adjacent upland lot. Additionally, the improper use of “swimfloats” as a landing or moorage place for marine transport is difficult to enforce.

4. Mooring Buoys

Mooring buoys are allowed in the Ruxton Marine (W3) zone for mooring private vessels accessory to residential use of an upland lot on Ruxton Island. A high level of support for mooring buoys was indicated in the community survey, and some suggested limiting the number permitted in the Ruxton Marine (W3) zone. Staff is not recommending any change to the LUB at this time. Staff suggest further research be undertaken if the LTC is interested in limiting the number of mooring buoys on Ruxton Island.

Consultation

Referrals:

As this project does not involve proposed Official Community Plan (OCP) amendments, the LTC is not required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. However, staff recommends that the bylaw be referred to agencies and First Nations as good practice. The LTC should consider if it wishes to undertake additional consultation with agencies or First Nations other than those identified below and direct staff accordingly. Following first reading, staff recommends that Bylaw No. 103 be referred to the following First Nations and agencies:

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

Bylaw Enforcement

Draft Bylaw No. 103 was drafted in consultation with bylaw enforcement staff, and planning staff will continue to consult with them through the bylaw amendment process.

Community Information Meeting

Staff suggest that the LTC hold a Community Information Meeting (CIM) during the summer, subsequent to first reading in order to provide public forum for dialogue on the bylaw and so that the responses can be incorporated into the bylaw prior to second reading.

Rationale for Recommendations

In order to advance this project, staff recommend that Bylaw No. 103 be given first reading as per the recommendations on Page 1 of the staff report.

ALTERNATIVES

1. Make minor amendments to the draft bylaw and then proceed to first reading.

If the LTC wishes to make minor amendments to the draft bylaw, this can occur prior to consideration of first reading via the following resolution:

“That Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2018”, be amended as follows (insert specific changes here).”

The LTC could then proceed with the resolutions noted on page 1 of the staff report.

2. Request staff prepare revised draft bylaw for consideration of first reading at a subsequent meeting.

If significant changes to the bylaw are desired by the LTC, the LTC should request that staff prepare revised draft bylaws for LTC consideration at a subsequent meeting, via the following resolution:

“That the Thetis Island Local Trust Committee request that staff revise draft Bylaw No. 103, prior to Local Trust Committee consideration of first reading, as follows: (insert requested changes).”

Staff would provide the LTC with revised draft bylaws at a subsequent LTC meeting. Any such changes would necessitate a revision to the timelines in the Project Charter.

3. Request staff refer the bylaw to additional recipients.

The LTC can request additional bylaw referral recipients to those recommended by staff. The LTC should specify the additional recipients as a part of the recommended referral resolution on page 1 of the staff report.

4. Request Amendments to the Project Charter.

The LTC may request further changes to the Project Charter. If significant changes are made to the charter as presented, staff will need to bring back a revised timeline, workplan overview and budget for review. Recommended wording for the resolution is as follows:

That the Thetis Island Local Trust Committee amend the Ruxton Island Private Moorage Structures Review Project Charter v 3.0 by [insert changes] and endorse the Project Charter as amended.

NEXT STEPS

Subject to LTC concurrence with the staff recommendations, referrals to First Nations and agencies would be sent and a CIM would be scheduled.

Submitted By:	Marnie Eggen, MCIP RPP Island Planner	May 17, 2018
Concurrence:	Ann Kjerulf, MCIP RPP Northern Regional Planning Manager	May 18, 2018

ATTACHMENTS

1. Summary of Proposed Draft LUB Amendments
2. Bylaw No. 103
3. Ruxton Island Private Moorage Structures Project Charter v 3.0
4. Islands Trust Policy Statement Directives Only Checklist

ATTACHMENT #1 – SUMMARY OF PROPOSED DRAFT LUB AMENDMENTS MAY 2018

THETIS ASSOCIATED ISLANDS LAND USE BYLAW – RUXTON PRIVATE MOORAGE STRUCTURES REVIEW					
PRIVATE MOORAGE STRUCTURES FOR CONSIDERATION	COMMUNITY SURVEY COMMENTS	ISSUE/OPPORTUNITY	POSSIBLE OPTIONS TO ADDRESS AMBIGUITIES & ACKNOWLEDGE COMMUNITY COMMENTS	STAFF RECOMMENDATION	DRAFT BYLAW 103 SECTION REFERENCE
1. Platform Platform is defined: "means a flat surface raised from the ground, abutting the shoreline to serve for the loading and offloading of materials and supplies." A platform with a max. area of 5 m ² is allowed on upland lots within the 10 m setback to the sea.	General support for private moorage structures permitted in LUB, and general support for limiting their footprint.	Can be used in combination with other permitted structures, contributing to allowing dock-like structures. No limit to the number of platforms permitted.	a. Limit the number permitted to one per upland lot within the setback on Ruxton Island; no change to the max. area of 5m ² . b. Change the definition. c. Prohibit on Ruxton Island.	Option a.	Section 1.3
2. Boat ramp Boat ramp is allowed on upland lots within the 10 m setback to the sea.	General support for private moorage structures permitted in LUB, and general support for limiting their footprint.	Can be used in combination with other permitted structures, contributing to allowing dock-like structures. It is not defined in the LUB. No limit on size or number permitted.	a. Add a definition: "boat ramp means a ramp for the purpose of moving a boat," and limit the number to one per upland lot within the setback on Ruxton Island. b. Only add definition. c. Prohibit on Ruxton Island.	Option a.	Sections 1.1 and 1.3

THETIS ASSOCIATED ISLANDS LAND USE BYLAW – RUXTON PRIVATE MOORAGE STRUCTURES REVIEW

PRIVATE MOORAGE STRUCTURES FOR CONSIDERATION	COMMUNITY SURVEY COMMENTS	ISSUE/OPPORTUNITY	POSSIBLE OPTIONS TO ADDRESS AMBIGUITIES & ACKNOWLEDGE COMMUNITY COMMENTS	STAFF RECOMMENDATION	DRAFT BYLAW 103 SECTION REFERENCE
3. Equipment Allowed in the Ruxton Marine zone (W3): "Equipment installed on land to assist in the offloading and loading of people and materials from boats but not obstructing public access along the foreshore"	General support for private moorage structures permitted in LUB, and general support for limiting their footprint.	Can be used in combination with other permitted structures, contributing to allowing dock-like structures. No definition of equipment in LUB which creates ambiguity with respect to what kind of equipment is permitted.	a. Add a definition that defines "equipment" permitted. b. Remove from bylaw. In addition, staff recommend that the LTC consider a no enforcement policy on equipment at the time of bylaw adoption. For details, see Staff Report dated May 22, 2018.	Option b.	Section 1.10
4. Boathouse Boathouse is defined: "means a building or structure that is located on a waterfront residential lot, and that is used to house a boat and equipment or items associated with sports, moorage and boating activities." Boathouses are allowed on upland lots within the 10 m setback to the sea.	General support for private moorage structures permitted in LUB, and general support for limiting their footprint.	Boathouse is a type of private moorage structure. It isn't currently contributing to the ambiguities in LUB related to allowing dock-like structures. No limit to the number of boathouses or dimensions.	a. Limit dimensions to 20m ² and limit the number to one per upland lot within the setback on Ruxton Island. b. No change.	Option a.	Sections 1.3 and 1.4

THETIS ASSOCIATED ISLANDS LAND USE BYLAW – RUXTON PRIVATE MOORAGE STRUCTURES REVIEW

PRIVATE MOORAGE STRUCTURES FOR CONSIDERATION	COMMUNITY SURVEY COMMENTS	ISSUE/OPPORTUNITY	POSSIBLE OPTIONS TO ADDRESS AMBIGUITIES & ACKNOWLEDGE COMMUNITY COMMENTS	STAFF RECOMMENDATION	DRAFT BYLAW 103 SECTION REFERENCE
5. Stairs Stairs are allowed on upland lots within the 10 m setback to the sea.	General support for private moorage structures permitted in LUB, and general support for limiting their footprint.	Stairs support access to private moorage structures. They don't currently contribute to the ambiguities in LUB related to allowing dock-like structures. No limit to dimensions.	a. Limit stair dimensions to a max. 1 m height and 1.2 m width. b. No change.	Option a.	Section 1.4
6. Swimfloats "swimfloat." The definition currently includes the phrase 'used as a landing or moorage place for marine transport.' However, the LTC resolution TH-2014-103 confirms that "swimfloat" is not to be used as a landing or moorage place for marine transport." Swimfloats are allowed in the Ruxton Marine zone (W3) and limited to a max. area of 9.3 m ² . "Float" is defined: "means a floating non-roofed structure that is used as a landing or moorage place for marine transport and which is free to rise and fall with sea level change, as for all conditions of tidal change, does not rest on sea floor."	Swimfloats were not included as a "private moorage structure" as defined in the community survey, because the LUB doesn't allow them to be used as a landing or moorage place for marine transport. Swimfloats were mentioned in the results of the community survey as a structure that would be useful to assist with landing.	Typo in the definition. Swimfloats were not intended to be used as a landing or moorage place for marine transport. " "Float" could serve same purpose as a swimfloat and assist with landing or be a place of moorage, and be limited to the same size - 9.3 m ² .	a. Correct the typo in definition. b. Remove "swimfloats" on Ruxton Island. Instead, allow one "float" with a maximum area of 9.3 m ² per adjacent upland lot on Ruxton Island as per the current definition in the LUB, which would allow the float to be used for a landing or moorage place for marine transport.	Option b.	Sections 1.2, 1.5 – 1.9, 1.11 - 1.13

THETIS ASSOCIATED ISLANDS LAND USE BYLAW – RUXTON PRIVATE MOORAGE STRUCTURES REVIEW					
PRIVATE MOORAGE STRUCTURES FOR CONSIDERATION	COMMUNITY SURVEY COMMENTS	ISSUE/OPPORTUNITY	POSSIBLE OPTIONS TO ADDRESS AMBIGUITIES & ACKNOWLEDGE COMMUNITY COMMENTS	STAFF RECOMMENDATION	DRAFT BYLAW 103 SECTION REFERENCE
7. Mooring Buoys Allowed in the Ruxton Marine zone (W3) and are for mooring private vessels accessory to residential use of an upland lot on Ruxton Island.	High level of support for mooring buoys, and suggestions to limit the number permitted in the W3 zone.	Mooring buoys are a type of private moorage structure; however, it isn't currently contributing to the ambiguities in the LUB related to dock like structures.	a. Limit the number of mooring buoys in the W3 zone. b. No change. c. Prohibit on Ruxton Island.	Option b. Staff suggest further research be undertaken if interest in limiting the number of mooring buoys.	n/a

DRAFT

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 103

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

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

1. Citation

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

2. Thetis Island Local Trust Committee Bylaw No. 94, cited as “Thetis Associated Islands Land Use Bylaw, 2014,” is amended as per Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

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

Schedule 1

1. Schedule “A” of Thetis Associated Islands Land Use Bylaw No. 94, cited as “Thetis Associated Islands Land Use Bylaw, 2014,” is amended as follows:
 - 1.1 PART 1 INTERPRETATION, Section 1.1 Definitions is amended by adding a new definition in alphabetical order ““boat ramp” means a ramp for the purpose of moving a boat;”
 - 1.2 PART 1 INTERPRETATION, Section 1.1 Definitions is amended by deleting ““swimfloat” means a floating non-roofed structure that is used as a landing or moorage place for marine transport and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor and is not to be used as a landing or moorage place for marine transport.” in its entirety.
 - 1.3 PART 5 ZONES, Section 5.1 – “Residential One – (R1)”, Density, is amended by adding the following new subsections after subsection (3) as follows:
 - (4) The maximum number of platforms permitted within the R1 zone is one per lot.
 - (5) The maximum number of boat ramps permitted within the R1 zone is one per lot.
 - (6) The maximum number of boathouses permitted within the R1 zone is one per lot.
 - 1.4 PART 5 ZONES, Section 5.1 – “Residential One – (R1)”, Siting and Size, is amended by adding the following new subsections after subsection (7):
 - (8) The maximum floor area for a boathouse is 20 square metres.
 - (9) For stairs sited within the 10 metre horizontal setback and within the 1.5 metre vertical setback from the natural boundary of the sea, the average maximum elevated floor height shall be 1 metre and the maximum width shall be 1.2 metres.
 - 1.5 PART 5 ZONES, Section 5.9 – “Marine General (W1)”, Permitted Uses and Structures, Subsection (1)(d) is amended by deleting the words “and swimfloats”;
 - 1.6 PART 5 ZONES, Section 5.9 – “Marine General (W1)”, Siting and Size, Subsection (5) is amended by deleting the words “or swimfloat”;
 - 1.7 PART 5 ZONES, Section 5.10 – “Marine Service (W2)”, Permitted Uses and Structures, Subsection (1)(c) is amended by deleting the words “and swimfloats”;
 - 1.8 PART 5 ZONES, Section 5.10 – “Marine Service (W2)”, Siting and Size, Subsection (3) is amended by deleting the words “or swimfloat”;
 - 1.9 PART 5 ZONES, Section 5.11 – “Marine Ruxton (W3)”, Permitted Uses and Structures, Subsection (1)(b) is amended by deleting the word “Swimfloats” and replacing with “Float”;

1.10 PART 5 ZONES, Section 5.11 – “Marine Ruxton (W3)”, Permitted Uses and Structures, is amended by deleting Subsection “(c) Equipment installed on land to assist in the offloading and loading of people and materials from boats but not obstructing public access along the foreshore;” in its entirety;

1.11 PART 5 ZONES, Section 5.11 – “Marine Ruxton (W3)” is amended by adding the following new Subsection:

Density

(2) Not more than one float may be sited adjacent and accessory to any upland lot in the W3 zone.

1.12 PART 5 ZONES, Section 5.11 – “Marine Ruxton (W3)”, Siting and Size, Subsection (2) is amended by deleting the word “any swimfloat” and replacing it with “a float”.

1.13 PART 5 ZONES, Section 5.11 – “Marine Ruxton (W3)”, Conditions of Use is amended by adding the following new subsection after subsection (3):

(3) A float shall not be connected in anyway to the foreshore or an adjacent upland lot.

Ruxton Island Private Moorage Structures Project Charter v 3.0

Thetis Island Local Trust Committee

Date: May 2018

Purpose To address ambiguities in the Thetis Associated Islands Land Use Bylaw (LUB) regarding private moorage structures on Ruxton Island.

Background The Local Trust Committee (LTC) became aware that Thetis Associated Islands Land Use Bylaw No. 94 (LUB) unintentionally allows some private moorage related structures on Ruxton Island that were otherwise thought to be prohibited by the LUB. The LTC identified this as a top priority — to amend the Thetis Associated Islands Land Use Bylaw regarding private moorage related structures on Ruxton Island.

Objectives

- Review LUB regulations relevant to Ruxton Island to remove ambiguities regarding the regulation of private moorage structures in order to effectively reflect the original intent of the Thetis Associated LUB to prohibit private docks or dock like structures.

In Scope

- Review LUB regulations pertinent to Ruxton Island and private moorage related structures including:
 - 1.1 Definitions
 - 3.3 Siting and Setback Regulations
 - 5.1 Marine Ruxton (W3), including consideration of removing problematic uses such as “equipment installed...” and “swimfloats”

Out of Scope

- Consideration of allowing private docks on Ruxton Island.
- Development of a new DP area.

Workplan Overview

Deliverable/Milestone	Date
Community Information Meeting, LTC review of regulatory options for community dock & for private moorage related structures & survey (on line and mailout)	August 2017
CIM and survey responses presented to LTC (removed community docks from project)	Fall 2017
LTC consideration of draft LUB / 1st reading	May 2018
Referrals of draft bylaw (LUB) and Community Information Meeting	May— August 2018
Consideration of revisions/further readings/legislative process for proposed bylaw (includes Public Hearing)	August—September 2018
Adoption of proposed bylaw	October 2018

Project Team

Marnie Eggen	Project Manager/ Planner
Ann Kjerulf	Project Sponsor
Becky McErlean	Legislative Clerk
Mapping staff	mapping

RPM Approval:
Date: May 18, 2018

LTC Endorsement:
Resolution#:
Date:

Budget

Fiscal	Item	Cost
2018-2019	CIM	\$700
2018-2019	Legal review	\$1200
2018-2019	Legislative Process	\$1200
	Total	3,100.00 15



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500 20

File Name: Ruxton Island Private
Moorage Structures
Bylaw No. 103

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
✓	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
✓	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	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.
N/A	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.
N/A	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.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	No.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	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
N/A	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 the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

REQUEST FOR DECISION

To: Thetis Island Local Trust Committee
For the Meeting of: May 22, 2018
From: Marnie Eggen, Island Planner
Date Prepared: May 9, 2018
SUBJECT: 2017-2018 ANNUAL REPORT

RECOMMENDATION: That the Thetis Island Local Trust Committee approves the attached text for inclusion in the 2017-2018 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs & Housing.

- 1 **PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2018 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.i](#). The Executive Committee approved the format and outline of the 2017-2018 Annual Report at its meeting on April 9, 2018.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 19-21 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee on June 6 and consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Community Sport and Cultural Development and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about activities with First Nations may be included within committee reports.

OTHER: N/A

- 3 **RELEVANT POLICY(S):** Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

RESPONSE OPTIONS

Recommendation: That the Thetis Local Trust Committee approves the attached text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs & Housing.

Alternative: That the Thetis Local Trust Committee Committee approves the attached text for inclusion in the 2017-2018 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs & Housing.

Prepared By: Marnie Eggen, Island Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services, May 18, 2018

Thetis Island Local Trust Committee

The Thetis Island Local Trust Committee (TH LTC) held seven regular business meetings in the 2017–2018 fiscal year, as well as three Community Information Meetings, one special meeting, and one public hearing.

Work for this period focused on advancing the TH LTC priorities to address Ruxton Island private moorage structures, implementing the Riparian Areas Regulation, and building relationships with First Nations. For the latter, TH LTC applied for, and received, a Union of British Columbia Municipalities 2017 - 2018 grant to hold a Community to Community Forum with Lyackson First Nation in which TH LTC and Lyackson participants shared a lunch and discussed the First Nations' presence and interests on the Islands and ways in which to work together in the future.

The TH LTC also met with and discussed with the Cowichan Valley Regional District proposed New Regional Tax - Water Service Function.

The TH LTC received and considered applications for one temporary use permit, one rezoning, two crown land referrals, and 16 building permit referrals.