



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: June 27, 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
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. APPROVAL OF AGENDA
3. TOWN HALL AND QUESTIONS 9:35 AM - 9:50 AM
Reminder: the Public Hearing for Bylaw No. 98 (TH-RZ-2015.2 - Hardy Granite Quarries Ltd.) closed on April 25, 2017. The Local Trust Committee may not receive further public comments or submissions regarding a bylaw after the close of the Public Hearing.
4. COMMUNITY INFORMATION MEETING - None
5. PUBLIC HEARING - None
6. MINUTES 9:50 AM - 10:10 AM
 - 6.1 Local Trust Committee Minutes dated April 18, 2017 for adoption 4 - 9
 - 6.2 Local Trust Committee Special Meeting Minutes dated April 25, 2017 for adoption 10 - 13
 - 6.3 Local Trust Committee Public Hearing Record dated April 25, 2017 for receipt 14 - 16
 - 6.4 Section 26 Resolutions-Without-Meeting Report dated June 19, 2017 17 - 17
 - 6.5 Advisory Planning Commission Minutes - None
7. BUSINESS ARISING FROM MINUTES 10:10 AM - 10:20 AM
 - 7.1 Follow-up Action List dated June 19, 2017 18 - 19
8. DELEGATIONS - None
9. CORRESPONDENCE - None
(Correspondence received concerning current applications or projects is posted to the LTC webpage)

10.	APPLICATIONS AND REFERRALS	10:20 AM - 10:40 AM	
10.1	TH-RZ-2015.2 (Hardy Island Granite Quarries Ltd.) - Staff Report		20 - 24
10.1.1	<u>Bylaw No. 98</u>		
	That the Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a second time.		
	That the Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a third time.		
	That the Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.		
	That the Thetis Island Local Trust Committee forward Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", to the Minister of Community, Sport and Cultural Development for approval.		
10.2	Salt Spring Island Local Trust Area Referral Request for Response for a Land Use Bylaw Amendment Bylaw Nos. 487 and 496 dated June 8, 2017 - Attached		25 - 26
	-----BREAK----- 10:40 AM to 10:55 AM		
11.	LOCAL TRUST COMMITTEE PROJECTS	10:55 AM - 11:25 AM	
11.1	Thetis Associated Islands Land Use Bylaw Amendment - Ruxton Island Private Moorage Structures - Staff Report - to be distributed		
12.	REPORTS	11:25 AM - 11:55 AM	
12.1	Work Program Reports		
12.1.1	<u>Top Priorities Report dated June 19, 2017</u>		27 - 27
12.1.2	<u>Projects List Report dated June 19, 2017</u>		28 - 29
12.2	Applications Report dated June 19, 2017		30 - 33
12.3	Trustee and Local Expense Report dated April, 2017		34 - 34
12.4	Adopted Policies and Standing Resolutions - None		
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Reports		
12.8	Electoral Area Director's Report - None		
12.9	Trust Fund Board Report - None		
13.	NEW BUSINESS - None		

14. UPCOMING MEETINGS

- 14.1** Next Regular Meeting Scheduled for Tuesday, August 29, 2017 at 9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC

15. TOWN HALL 11:55 AM - 12:10 PM

16. CLOSED MEETING 12:10 PM - 12:20 PM

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, S.90(1)(d) and (i) for the purpose of considering Adoption of In-Camera Meeting Minutes dated February 27, 2017 and Legal 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 12:20 PM - 12:20 PM



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: April 18, 2017
Location: Thetis Island Community Centre (Forbes Hall)
 North Cove Road, Thetis Island, BC

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

Staff Present Marnie Eggen, Island Planner
 Janice Young, Recorder

Others Present Mel Dorey, Cowichan Valley Regional District (CVRD) Director,
 Area G and approximately sixteen **(16) members of the public.**

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

12.8 To be moved to the beginning of the agenda

13.2 To follow **Item 6. Minutes**

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

The following points were made:

- Chair Morrison reminded members of the public that the Burning Bylaw is a CVRD issue, not an Islands Trust issue and that concern regarding CVRD bylaws should be addressed at a CVRD meeting.
- A community meeting regarding the CVRD Burning Bylaw issue is needed.
- Education regarding the Bylaw is very important.
- Rural areas like Thetis Island are dependent on wood heating because natural gas is unavailable and hydro is expensive and unavailable during power outages.
- Representatives from the Thetis Island Improvement District (TIID) and Thetis Island Residents and Ratepayers Association (TIRRA) offered assistance to organize a CVRD meeting on Thetis to present Burning Bylaw No. 3716 to the Thetis Island community.
- Fire Chief Jeannine Caldbeck reported that since April 1, 2017, eighty-three (83) fire permits have been given out in compliance with Thetis Island Volunteer Fire Department (TIVFD) Regulations.

4. COMMUNITY INFORMATION MEETING – None

5. PUBLIC HEARING – None

6. MINUTES

6.1 Local Trust Committee Minutes dated February 21, 2017 for adoption

The following amendments to the minutes were presented for consideration:

Page 1, Item 3. Town Hall and Questions: third bullet, third line down change “TUPs are valid for two years” to “TUPs are valid for three years”.

Page 1, Item 3. Town Hall and Questions: fourth bullet, fourth line down change “would like” to “may”.

Page 3, Resolution TH-2017-003: change last words to “and none were in favour.”

By general consent the minutes were adopted as amended.

6.2 Local Trust Committee Special Meeting Minutes dated February 27, 2017 for adoption

The following amendment to the minutes was presented for consideration:

Page 3, Item 4.1.2 Local Trust Committee Discussion: last sentence “Trustee Hunter stood opposed to this resolution.” to be moved to after resolution **TH-2017-015** on page 4.

By general consent the minutes were adopted as amended.

6.3 Section 26 Resolutions-Without-Meeting Report dated April 10, 2017

Received.

6.4 Advisory Planning Commission Minutes – None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 10, 2017

Report received. Update provided by the Island Planner.

8. DELEGATIONS - None

9. CORRESPONDENCE

9.1 Letter from Alistair MacGregor, Member of Parliament - Cowichan-Malahat-Langford

Received for information.

10. APPLICATIONS AND REFERRALS

10.1 Salt Spring Island Local Trust Committee Referral regarding Bylaw Nos. 488, 489 and 490

TH-2017-016

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee responds to the Salt Spring Island Local Trust Committee referral regarding Bylaw Nos. 488, 489, and 490, and states that its interests are unaffected.

CARRIED

10.2 Gabriola Island Local Trust Committee Referral regarding Bylaw Nos. 292 and 293

TH-2017-017

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee responds to the Gabriola Island Local Trust Committee referral regarding Bylaw Nos. 292 and 293, and states that its interests are unaffected.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS – None

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated April 10, 2017

The report was presented and discussed followed with a request to reschedule the Riparian Areas Regulation meeting as soon as possible.

12.1.2 Projects List Report dated April 10, 2017

Report reviewed.

12.2 Applications Report dated April 10, 2017

Report received. Update provided by the Island Planner.

12.3 Trustee and Local Expense Report dated February, 2017

Received.

12.4 Adopted Policies and Standing Resolutions – None

12.5 Local Trust Committee Webpage

TH-2017-018

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to provide a link on the Thetis Island webpage to the CVRD burning bylaw information.

CARRIED

12.6 Chair's Report

Chair Morrison reported on the following:

- An upcoming workshop/retreat with Executive Committee and senior staff to discuss the allocation and spending of resources.
- Need to reschedule the Riparian Areas Regulation meeting as soon as possible.

12.7 Trustee Reports

Trustee Luckham reported on the following meetings:

- Trust Council
 - 2017-18 budget adopted
 - First Nations Project
 - Marine Issues.
- Executive Committee
 - Upcoming workshop/retreat with Executive Committee and senior staff to discuss the allocation and spending of resources.
 - South Pender – Land Use Bylaw amendment.
- Association of Vancouver Island and Coastal Communities (AVICC)
 - Additional regulations regarding the use of polystyrene foam were endorsed and will be presented to the Union of British Columbia Municipalities (UBCM) for consideration.
 - Resolution passed so that grants for emergency equipment include Improvement Districts.

Trustee Hunter had no report at this time.

12.8 Electoral Area Director's Report

12.8.1 Cowichan Valley Regional District Burning Bylaw No. 3716 - Verbal Update

Regional District Director (Area G), Mel Dorey, reported on CVRD Bylaw No. 3716 highlighting the Air Shed Protection Strategy and the concern to control particulate matter. He discussed the process of implementing this

Bylaw in other communities in Area G and asked if the Thetis Island community would be interested in a community information meeting to prepare for an upcoming town hall hearing. Experts would be in attendance to field questions and concerns.

Trustee Luckham thanked Mel Dorey for coming to the Islands Trust meeting.

Town Hall followed. Comments recorded in Item 3.

12.9 Trust Fund Board Report dated February, 2017

Report presented and updated by Chair Morrison.

13. NEW BUSINESS

13.1 Thetis Community Association - Invoice for Islands Trust Link on Webcam 2017

TH-2017-019

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee endorse continued advertising on the Thetis Island webcam and payment of Invoice No. 2017031415.

CARRIED

13.2 2016/17 Islands Trust Annual Report Memorandum

TH-2017-020

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee endorse the annual report submission as follows:

In 2016-2017, the Thetis Island Local Trust Committee amended its Bylaw Enforcement Notification Bylaw No. 90 to reduce penalties following voluntary bylaw compliance to zero. The Local Trust Committee considered a number of rezoning applications, mostly pertaining to marine areas, including an application for a yacht club outstation at Kendrick Island to the northeast of Valdes Island, an application for a barge facility on Valdes Island, and a proposal to rezone the marine area adjacent to Thetis Island to permit mariculture (approved January 2017). The Local Trust Committee has also recently embarked on a new project to review private moorage regulations and to examine the potential for community dock facilities on Ruxton Island.

CARRIED

14. UPCOMING MEETINGS

14.1 Next meeting of the Thetis Island Local Trust Committee is a Special Meeting being held on April 25, 2017 at the Beban Park Social Centre, Meeting Room 1 & 2, 2300 Bowen Park Road, Nanaimo BC beginning at 1pm.

14.2 Next Regular Meeting scheduled for Tuesday, June 27, 2017 at 9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC

15. TOWN HALL

The following points were made:

- International travel provides awareness of progressive strategies in other countries especially regarding alternate energy and transportation sources.
- TH-LTC members spoke of the Vancouver Island rail still being alive and well, and that there are also plans to provide a commuter railway in the Greater Victoria and Mid-island areas.

16. CLOSED MEETING – None

17. ADJOURNMENT

By general consent the meeting was adjourned at 10:30 am.

Susan Morrison, Chair

Certified Correct:

Janice Young, Recorder



Thetis Island Local Trust Committee Minutes of Special Meeting

Date: April 25, 2017
Location: Beban Park Social Centre, Meeting Room 3
 2300 Bowen Road
 Nanaimo, BC V9R 1Z7

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

Staff Present Ann Kjerulf, Regional Planning Manager
 Marnie Eggen, Island Planner
 Janice Young, Recorder

Others Present Linda Aidnell and Gary Drouillard from Lyackson First Nation (arrived during the Public Hearing),
 Greg Raymond from Hardy Island Granite Quarries Ltd. and approximately eleven (11) members of the public.

1. CALL TO ORDER

Chair Morrison called the meeting to order at 1:02 pm. She acknowledged that the meeting was being held in the territory of the Coast Salish First Nations, welcomed members of the public and introduced Trustees and Staff.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

4.3 Consideration of 2nd reading.

By general consent the agenda was adopted as amended.

3. COMMUNITY INFORMATION MEETING Proposed Land use Bylaw 98 TH-RZ-2015.2 - Hardy Island Granite Quarries Ltd.

3.1 Presentation by Island Planner Eggen

Planner Eggen explained that the purpose of the Community Information Meeting is to provide an overview of the bylaw amendment process, an overview of the proposed bylaw amendment, and to ensure that residents and property owners have an opportunity to ask questions and seek clarity prior to the Public Hearing.

Planner Eggen then conducted a Power Point presentation that included the following:

- The status of the application and the process undertaken to date, including the agency and First Nation referral responses and public submissions received.
- Information about the proposed rezoning application and background including the fact that the existing quarry permit is now expired and that the applicant is in the process of applying for a 7 year quarry permit.
- A review of the proposed Bylaw Amendment No. 98 from Marine Conservation (W1) to Marine Barge Facility (W7) to allow barges to be loaded and unloaded.
- A summary of applicable Islands Trust and Valdes Rural Land Use Policies and that the application can be viewed on the Island's Trust website.

3.2 Public Question & Answer Session

- There was a request to provide clarification between federal, provincial, and regional jurisdiction, and clarification of the zoning and regulations.
 - Planner Eggen explained that First Nation Reserve Lands are under federal jurisdiction and end at the high water mark or, as it's also called, the present natural boundary. The use of the foreshore requires proper zoning and a provincial licence of occupation.
- Concerns were raised regarding access to the quarry and future use by the Lyackson First Nations.
- Concerns were expressed regarding increased marine traffic, possibility of oil spills and increased noise and activities that will disturb birds and marine life.
 - Planner Eggen stated that the applicant will have an oil spill kit on hand and that under the environmental review process the applicant undertook, species at risk were assessed and guidelines and recommendations were provided and incorporated into the permit.
- Concerns about future expansion of the quarry activities and the environmental impact.
 - Planner Eggen reiterated that the quarry activities were being conducted on federal lands and were out of the Islands Trust jurisdiction; however, the LTC has previously written to the federal government requesting to be a referral agency in any future quarry permit applications for this site.
- There was a request for clarification as to why this zoning is necessary.
 - Planner Eggen explained that Islands Trust became aware of the proposed barge activity at the time the provincial licence of occupation referral application to Islands Trust was received. As barge activity is not permitted under present zoning, the applicant was advised that a successful rezoning is required to authorize barge activity in the marine zone. At that time, the applicant had already obtained their temporary quarry permit from the federal government to extract sandstone from the First Nation Reserve, after going through a rigorous environmental review process, which also included the construction of the barge landing on

Reserve lands. Hardy Island Granite Quarries Ltd. applied to rezone the marine area for barge activity on behalf of the Lyackson First Nation to continue the extraction and transportation of sandstone from the Valdes quarry site. Hardy Island Granite Quarries Ltd. continued to transport sandstone, and a bylaw complaint was made, but since the applicant had a rezoning application in process, showing their willingness to comply with the bylaw, bylaw enforcement was not activated.

- Concern was raised about access to the island and increased freighter and barge traffic.
- What are the restrictions with barge use and who monitors use, and how often?
 - Information about the proposed new marine zone for barge activities was reiterated and the bylaw enforcement process reviewed.
- The application can be withdrawn at any point during the rezoning process.
 - Information about the proposed bylaw amendment and proposed new marine zone for barge activities was reiterated.

4. PUBLIC HEARING

4.1 Recess for Public Hearing

At 2:00pm Chair Morrison recessed the Special Meeting to commence with the Public Hearing.

4.1.1 Bylaw No.98

Public hearing proceedings followed, as recorded separately in the Public Hearing Record.

4.2 Recall to Order

Following a brief break after the Public Hearing, Chair Morrison recalled the Special Meeting to order at 2:37pm.

4.3 Consideration of Second Reading.

Trustee Hunter left the meeting before the recall to order; consequently, consideration of second reading was deferred until the next business meeting of the Thetis Island Local Trust Committee on June 27, 2017.

5. **ADJOURNMENT**

By general consent the meeting was adjourned at 2:40 pm.

Susan Morrison, Chair

Certified Correct:

Janice Young, Recorder



Thetis Island Local Trust Committee Public Hearing Record

APPLICATION TH-RZ-2015.2 PROPOSED BYLAW NO. 98, Hardy Granite Quarries Ltd. on behalf of the Lyackson First Nation

Date of Meeting: April 25, 2017
Location: Beban Park Social Centre, Meeting Room 3
2300 Bowen Road, Nanaimo, BC V9R 1Z7

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

Staff Present Ann Kjerulf, Regional Planning Manager
Marnie Eggen, Island Planner
Janice Young, Recorder

Others Present Linda Aidnell and Gary Drouillard from Lyackson First Nation,
Greg Raymond from Hardy Island Granite Quarries Ltd., and
approximately eleven (11) members of the public.

1. CALL TO ORDER

Chair Morrison called the Public Hearing to order at 2:00 pm.

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Morrison read the Chairperson's Opening Statement and explained the Public Hearing is being conducted to hear views regarding proposed Bylaw No. 98. She stated that the intent and purpose of this bylaw is for a zoning change to allow barges to be loaded and unloaded in the proposed marine area adjacent to Valdes Island.

3. REVIEW OF PUBLIC HEARING NOTICE

Planner Eggen reported that a Public Hearing Notice was advertised in two consecutive editions of the Nanaimo Bulletin on April 13, 2017 and April 18, 2017. As a courtesy, notice was also emailed to the Ruxton Island Rate Payers Association, the DeCourcy Island Community Association, and the Valdes Island Conservancy for distribution to those islanders. All notification requirements under the Local Government Act had been completed.

Planner Eggen noted that a copy of the proposed bylaw and the public hearing binder had been available for public review at the Islands Trust office on Gabriola Island. A copy of the complete public hearing binder was available during the public hearing as well as a Public Hearing submission box for written submissions.

Planner Eggen explained that the purpose of proposed Bylaw No. 98 is to amend the Valdes Island Rural Land Use Bylaw No. 42 by rezoning approximately 0.27 hectares (0.67 acres) of marine area, adjacent to Lyackson IR3, Valdes Island, from Marine Conservation (W1) to Marine Barge Facility (W7) to allow barge loading and unloading.

The proposed bylaw was referred to 16 agencies and 9 First Nations. Planner Eggen reported that 12 responses were received. Seven responded that their interests were unaffected; Cowichan Tribes deferred to Lyackson First Nation, Lyackson First Nation responded that they had no issue with the application. Transport Canada responded that they had no perceived or potential conflicts with the Navigation Protection Act and the Archaeological Branch recommended that archaeological standards and practice are in place. Two public submissions were received during the notification period; one was supportive and the other was unsupportive.

4. PUBLIC COMMENTS

Chair Morrison opened the floor for public comments on proposed Bylaw No. 98.

Linda Aidnell, Lyackson first Nation, expressed concerns about unauthorized access to the island and increased freighter traffic.

Greg Raymond, Hardy Granite Quarries Ltd., further explained the paradigm of the barge dock facilities.

Dave Yardley expressed concerns regarding expansion of this operation and for increased noise levels.

Greg Raymond responded that there are no plans for expansion and that quieter technology is being implemented.

Jeremy Baker expressed his understanding that First Nations are looking to make changes to avail more income sources.

Dr. Victoria Scott expressed concerns of letting go of Marine conservation status and this setting a precedent for future development. She was also concerned for the bird population being at risk and potential oil spills; however, overall she expressed understanding that Lyackson First Nation should be able to do as they like with their land.

Colin Fraser would like the applicant to consider off loading on the other side of the island, which may be deemed more appropriate for this kind of operation.

Gary Drouillard, Lyackson First Nation expressed that it is important to keep in mind that we all do damage to the environment (e.g. residential development on islands), in one way or another and that it is important to be respectful to one another in this regard, and work towards open and honest communication.

Linda Aidnell expressed concerns from the Lyackson First Nation's Council regarding this operation and the proposed bylaw.

Planner Eggen provided information about the positive referral response previously received from Lyackson First Nation.

Linda Meneer indicated that she was not in support of the change of zoning and expressed concerns about the activity occurring without any action.

Gary Drouillard expressed appreciation from the Lyackson First Nations.

5. ADJOURNMENT

Chair Morrison expressed thanks to everyone for attending and participating in the Public Hearing. She then asked three times if there were any in the audience who wished to comment or provide written submissions and, hearing none, closed the meeting at 2:22 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF THE REPRESENTATIONS RESPECTING THE MEETING HELD.

Janice Young, Recorder



Islands Trust

Print Date: June 19, 2017

Resolutions Without Meeting

Thetis Island

Resolution #	Action	Resolution Description	Resolution Date
2017-08	In Favour	"THAT the Thetis Island Local Trust Committee accept a covenant for TH-SUB-2015.1 under Section 219 of the Land Title Act from the registered owners of PID 007-818-459; Lot 8, Thetis Island, Cowichan District (known as Dayman Island) and authorize the Chair and Trustee Luckham of the Thetis Local Trust Committee to sign the covenant".	01-Jun-2017
2017-09	In Favour	"THAT the Thetis Island Local Trust Committee, release instrument numbers CA3477976 (covenant), CA3477977 (right of way), and CA3477978 (rent charge), and authorize the Chair and Trustee Luckham of the Thetis Local Trust Committee to sign for the release of the instruments currently registered to PID 007-818-459; Lot 8, Thetis Island, Cowichan District (known as Dayman Island)".	01-Jun-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-Nov-2016

Activity	Responsibility	Target Date	Status
Staff to follow up with MOTI regarding their response to the letter sent from the LTC in October re: request for a road safety report because there is continued concern for public safety.	Marnie Eggen	09-Dec-2016	On Going
Staff to bring TH-DVP-2015.2 for consideration by the LTC when: - mitigation measures recommended in the Impact Plantings Assessment report dated July 15, 2016 prepared by JPH Consultants Inc. are carried out to the satisfaction of the planner; - First Nations concerns are addressed to the satisfaction of the LTC; and - signed survey prepared by a registered BC Land Surveyor is provided showing the location of the seawall structure.	Gary Richardson	31-Jan-2017	On Going

21-Feb-2017

Activity	Responsibility	Target Date	Status
Staff to request TH-SUB-2015.1 applicant to enter into a cost recovery agreement for strata common property covenant.	Marnie Eggen	10-Mar-2017	On Going
Staff to determine status of fulfillment of archaeological assessment for Dayman Island.		18-Apr-2017	On Going



Follow Up Action Report

Staff to arrange an LTC meeting with MFLNRO staff, and Meadow Valley Strata Property owners to discuss the applicability of RAR to Ralston Creek and options for implementation.

Marnie Eggen
Wil Cottingham

18-Apr-2017

On Going

Staff to write to the Cowichan Valley Regional District requesting the status of all building permits on record for Lot 49 Harbour Road, Thetis Island.

Marnie Eggen

07-Mar-2017

On Going

18-Apr-2017

Activity	Responsibility	Target Date	Status
The LTC authorized the payment of invoice 2017031415 from the Thetis Island Community Association (TICA) for webcam advertising. Staff to arrange payment.	Wil Cottingham	28-Apr-2017	Done



File No.: TH-RZ-2015.2
Hardy Island Granite Quarries Ltd.

DATE OF MEETING: June 27, 2017

TO: Thetis Island Local Trust Committee

FROM: Marnie Eggen, Island Planner
Northern Team

COPY: Ann Kjerulf, Regional Planning Manager
Linda Aidnell, Lyackson First Nation
Gary Drouillard, Lyackson First Nation

SUBJECT: Application to Rezone a Marine Area to Allow Barge Facilities
Applicant: Hardy Island Granite Quarries Ltd.
Location: Unsurveyed Crown foreshore and land covered by water being part of the bed of Pylades Channel, adjacent to Lyackson IR3, Valdes Island

RECOMMENDATION

1. That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a second time.
2. That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a third time.
3. That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
4. That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be forwarded to the to the Minister of Community, Sport and Cultural Development for approval.

REPORT SUMMARY

The purpose of this report is to provide comments from the Lyackson First Nation in response to discussion arising at the Public Hearing for proposed Bylaw No. 98, and request that the Local Trust Committee (LTC) consider second and third readings of proposed Bylaw No. 98, and forward proposed Bylaw No. 98 for approval by the Executive Committee and, subsequently, to the Minister of Community, Sport and Cultural Development.

BACKGROUND

On April 25, 2017, the LTC held a Community Information Meeting and Public Hearing for proposed Bylaw No. 98, which would amend Valdes Island Rural Land Use Bylaw No. 42 by:

- Creating a new "(W7) Marine Barge Facility" zone to permit "barge loading and unloading, aids to marine navigation, and moorage buoys associated with use of adjacent upland parcel";

- Adding “(W7) Marine Barge Facility” to the list of zone classifications; and
- Changing the zoning classification of a portion of the unsurveyed crown foreshore and land covered by water being part of the bed of Pylades Channel, adjacent to Lyackson IR3 from Marine Conservation (W1) to Marine Barge Facility (W7).

At the Public Hearing, representatives of the Lyackson First Nation conveyed uncertainty regarding the need for the rezoning, and concern about the barge operation and proposed bylaw. Subsequently, planning staff met with Lyackson staff to provide clarity regarding the need for the rezoning, and to request further comment from Lyackson Chief and Council. Staff has since received confirmation via email that Lyackson Chief and Council do not object to the rezoning application.

Rationale for Recommendation

Staff recommend second and third readings with no changes to the bylaw based on the submissions received up until the end of the Public Hearing.

ALTERNATIVES

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

1. Request further information

The LTC may request further information from the applicant or staff prior to making a decision. Staff advise that the general implications of this alternative are additional time post Public Hearing, commitment of further staff resources and possibly an additional Public Hearing. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

That the Thetis Island Local Trust Committee request that [insert request and rationale].

2. Deny the application

The LTC may decide to proceed no further with the bylaw amendment. Staff advise that the implications of this alternative are that, if the applicant obtains a second quarry permit to remove sandstone from Valdes Island, any barge activities undertaken would be contrary to Valdes Island Rural Land Use Bylaw No. 42 and would be subject to bylaw enforcement. If this alternative is selected, the LTC should state the reasons for denial.

That the Thetis Island Local Trust Committee deny application TH-RZ-2015.2 for the follows reasons [insert reasons].

3. Give further readings with minor amendments

The LTC may choose to give further readings with minor amendments that would not require an additional Public Hearing (i.e. amendments which would not affect use or density). If this alternative is selected, the LTC should amend the bylaw noting the specific bylaw sections to be amended, and then read the bylaw “as amended”.

That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be amended as follows [insert amendments].

That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a second time, as amended.

That Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be read a third time.

4. Consider significant amendments

The LTC may choose to amend the bylaw in a manner that would materially change the intent of the bylaw or based on new information received following the close of the public hearing. If this alternative is selected, the LTC should list the desired amendments, state the reason for the amendments and consider scheduling a community information meeting and public hearing.

That the Thetis Island Local Trust Committee Bylaw No. 98 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016", be amended as follows [insert amendments].

NEXT STEPS

Should the LTC give second and third readings, staff will prepare a submission to the Executive Committee for their approval.

Submitted By:	Marnie Eggen, MCIP RPP Island Planner	June 9, 2017
Concurrence:	Ann Kjerulf, MCIP RPP Northern Regional Planning Manager	June 14, 2017

ATTACHMENTS

1. Proposed Bylaw No. 98

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 98

A BYLAW TO AMEND VALDES ISLAND RURAL LAND USE BYLAW, 1998

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 “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016”.

2. Thetis Island Local Trust Committee Bylaw No. 42, cited as “Valdes Island Rural Land Use Bylaw, 1998,” is amended as follows:

2.1 Schedule “A” is amended by inserting the following new subsection and text, and by making such alterations to Schedule “A” to Bylaw No. 42 as are required to effect this change:

“5.2.13 Marine Barge Facility (W7) Zone

The following uses and no others are permitted in the (W7) Zone:

- Barge loading and unloading
- Aids to marine navigation
- Moorage to buoys associated with use of adjacent upland parcel”

2.2 Schedule “C” is amended as follows:

2.2.1 By adding to the list of zone classifications “(W7) Marine Barge Facility”, and by making such alterations to Schedule “C” to Bylaw No. 42 as are required to effect this change.

2.2.2 By changing the zoning classification of a portion of the unsurveyed crown foreshore and land covered by water being part of the bed of Pylades Channel, adjacent to Lyackson IR3 from Marine Conservation (W1) to Marine Barge Facility (W7), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “C” to Bylaw No. 42 as are required to effect this change.

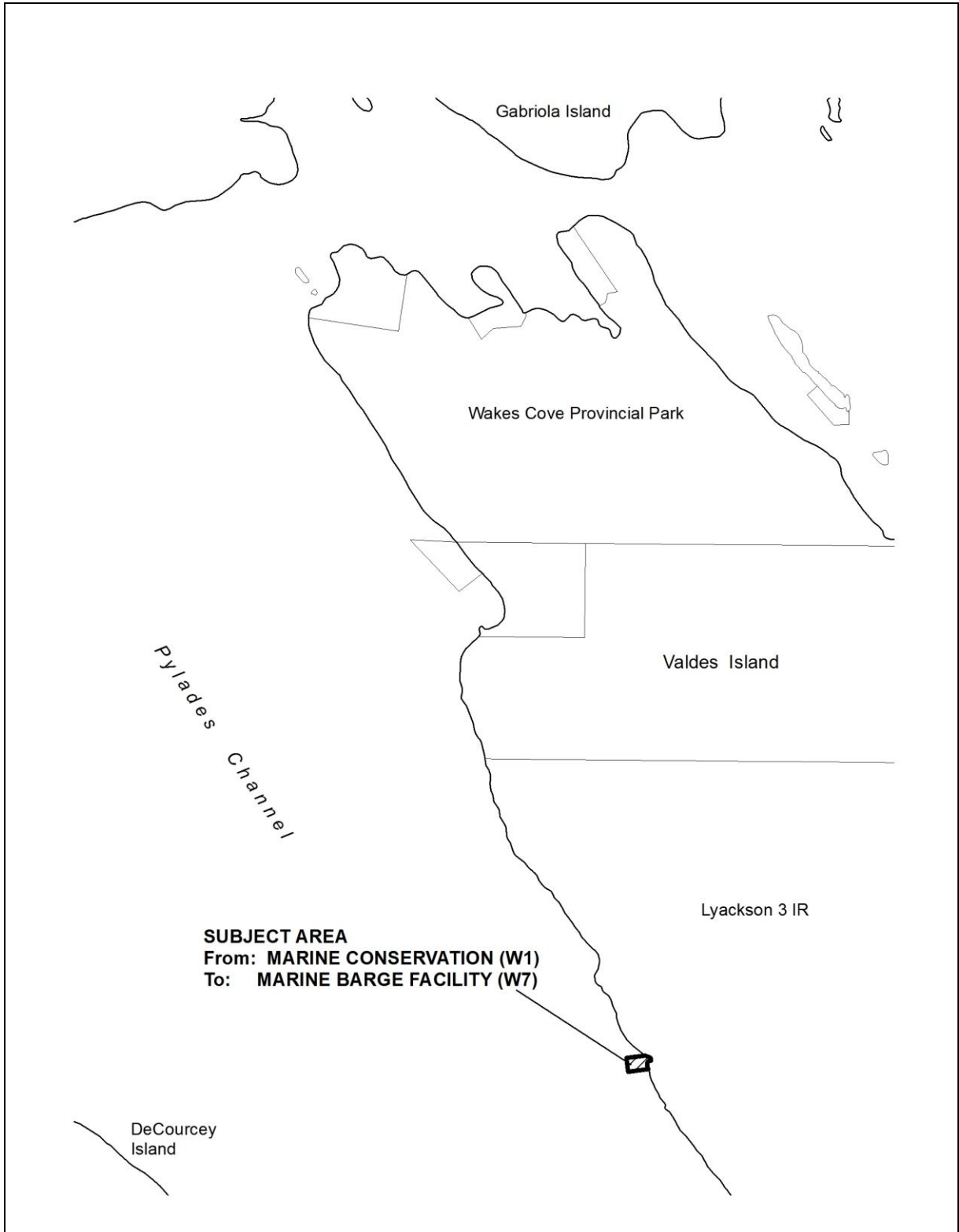
READ A FIRST TIME THIS	29 TH	DAY OF	NOVEMBER, 2016
PUBLIC HEARING HELD THIS	25 TH	DAY OF	APRIL, 2017
READ A SECOND TIME THIS	_____	DAY OF	_____, 20____
READ A THIRD TIME THIS	_____	DAY OF	_____, 20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____, 20____
ADOPTED THIS	_____	DAY OF	_____, 20____

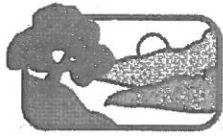
Chair

Secretary

**THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO.98**

Plan No. 1





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
ssinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area

Bylaws No: 487 and 496

Date: June 8, 2017

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

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee, 1-500 Lower Ganges Road, Salt Spring Island, BC

PURPOSE OF BYLAW:

The Salt Spring Island Local Trust Committee Rural Watershed Uses project was undertaken to develop appropriate regulatory or legislative measures to address current or potential impacts from agricultural practices in the Rural Watershed 1 and 2 zones within the Salt Spring Island Local Trust.

GENERAL LOCATION:

Salt Spring Island Local Trust Area Local Electoral Area "F"

LEGAL DESCRIPTION:

Same as above.

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

See other below

OFFICIAL COMMUNITY PLAN DESIGNATION:

Official Community Plan Bylaw No. 434

OTHER INFORMATION:

Only one property within Electoral Area "F" has been identified with dual ALR and Rural Watershed zoning designation. Legal description as follows: Lot B, Section 86, South Salt Spring Island, Cowichan District, Plan 29679.

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

Ministry of Agriculture
BC Assessment Authority
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Health

First Nations

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

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus 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
CRD – SSI Senior Manager, K. Campbell
CRD – Beddis Water Service Commission
CRD – Fulford Waterworks District
CRD – Fernwood/Highlands Water District
Vancouver Island Health Authority

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

Non-Agency Referrals

North Salt Spring Waterworks District
Salt Spring Island Water Preservation Society
Beddis and Cusheon Lake Area Residents Association
Salt Spring Island Watershed Protection Authority
Salt Spring Island Agricultural Alliance
Island Natural Growers
Salt Spring Island Farmers Institute
Salt Spring Island Water Council

PLEASE TURN OVER →

**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)

487 and 496
(Bylaw Numbers)

(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	Thetis Assoc. Islands Land Use Bylaw Amendment re: private moorage on Ruxton Isl.	Amendments to consider limiting private moorage related structures.	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

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2015.2	Trincomali Holdings Ltd.	03-Sep-2015	204 PILKEY POINT RD \request for variance to authorize a previously constructed seawall

Planner: Ann Kjerulf**Planning Status****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

Status Date: 15-Sep-2015

opened file, gave to planner, notified LTC, processed fees

Rezoning

File Number	Applicant Name	Date Received	Purpose
TH-RZ-2015.2	Hardy Island Granite Quarries Ltd.	05-Oct-2015	Zoning change to allow barges to be loaded and unloaded at the proposed lot.

Planner: Marnie Eggen**Planning Status****Status Date:** 21-Feb-2017

Community Information Meeting and Public Hearing scheduled for April 25, 2017.

Status Date: 29-Nov-2016

Applicant requested that moorings be added to permitted uses. Bylaw No. 98 given first reading as amended.

Status Date: 19-Jul-2016

Revised application anticipated.

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

Applications

Planner: Marnie Eggen

Planning Status

Status Date: 24-Apr-2017

No change.

Status Date: 11-Oct-2016

Referral responses received. Applicant requested to provide an archaeological impact assessment with Lyackson First Nation involvement.

Status Date: 26-Jul-2016

Bylaw given 1st reading and First Nation and Agency referrals sent out. Applicant requested to provide QEP report regarding construction timing windows for birds.

Subdivision

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

Planner: Marnie Eggen

Planning Status

Status Date: 19-Jul-2016

MOTI issued 1 yr. extension.

Status Date: 18-Dec-2015

Staff comments provided to MOTI.

Status Date: 14-Sep-2015

Applicant seeking comments on Phase III. Planner reviewing file.

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

Planner: Teresa Ritemann

Planning Status

Applications

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.

Status Date: 20-Mar-2017

PLA received from MOTI. Require final subdivision plans before IT can issue final letter.

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: 25-May-2017

Covenant approved by RWM

Status Date: 27-Jul-2016

Revisions compliant. No DVP required. Covenant respecting prohibition of subdivision of common property still required.

Status Date: 11-Mar-2016

Applicant revising proposed plan. Planner reviewing.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
TH-TUP-2017.1	Velez, RAYMUNDO	30-Mar-2017	PID: 028-987-691 Temporary affordable accommodation in travel trailers under roofs. Civic: 49 Harbour Road, Thetis Island, BC.

Planner: Teresa Rittemann

Planning Status

Status Date: 15-Jun-2017

No change in status.

Status Date: 31-Mar-2017

Planner reviewing



Applications

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

670 Thetis	Invoices posted to Month ending April 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	750.00	106.44	643.56
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	1,000.00	440.11	559.89
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>440.11</u>	<u>2,559.89</u>
Projects				
73001-670-2009	Thetis OCP/LUB	1,500.00	0.00	1,500.00
73001-670-2010	Thetis (Ruxton Island) Associated OCP/LUB	2,000.00	0.00	2,000.00
73001-670-3008	Thetis RAR	1,500.00	0.00	1,500.00
73001-670-4072	Thetis First Nations Relations	500.00	0.00	500.00
73001-670-4090	Thetis Ruxton Island Private Moorage	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>7,000.00</u>	<u>0.00</u>	<u>7,000.00</u>