



Thetis Island Local Trust Committee

Special Meeting Agenda

Date: May 31, 2019
Time: 1:00 pm
Location: Beban Park Social Centre
2300 Bowen Road
Rooms 7 and 8
Nanaimo, BC

Pages

1. **CALL TO ORDER and APPROVAL OF AGENDA** 1:00 PM - 1:30 PM

“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. **COMMUNITY INFORMATION MEETING: RUXTON ISLAND MOORAGE STURCTURES REVIEW PROJECT**
 - 2.1 Presentation on the Project and Proposed Bylaw Amendment No. 103
 - Project Details
 - Bylaw Amendment Process
 - Description of Proposed Amendments
 - 2.2 Public Questions and Answer Session
3. **PUBLIC HEARING - BYLAW NO. 103** 1:30 PM - 1:30 PM
4. **BYLAW NO. 103 - for consideration of Third Reading** 2 - 5

That Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be read a third time.

That Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
5. **ADJOURNMENT**

PROPOSED

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 Local Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area under the *Islands Trust Act*, at open meeting assembled enacts as follows:

1. Citation

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

2. 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 22ND DAY OF FEBRUARY , 2019

READ A SECOND TIME THIS 23RD DAY OF APRIL , 2019

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20XX

READ A THIRD TIME THIS _____ DAY OF _____ , 20XX

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ , 20XX

ADOPTED THIS _____ DAY OF _____ , 20XX

Chair

Secretary

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

Schedule 1

1. Schedule "A" of Thetis Associated Islands Land Use Bylaw, 2014 is amended as follows:

1.1 **PART 1 INTERPRETATION**, Section **1.1 Definitions** is amended by adding the following definition in alphabetical order:

"boat ramp" means a water permeable ramp or a ramp constructed with a water permeable surface that is only used for the purposes of moving a boat from the natural boundary of the sea to another part of the lot.

1.2 **PART 1 INTERPRETATION**, Section **1.1 Definitions** is amended by deleting the definition of "swimfloat" in its entirety and replacing it with:

"Swimfloat" means a floating non-roofed structure that is used only by swimmers for diving or respite.

1.3 **PART 3 GENERAL REGULATIONS**, Section **3.3 Siting and Setback Regulations**, subsection 3.3(1) is amended by adding the words: "Unless specified otherwise" immediately before the words "All siting measurements" and changing the capitalization accordingly.

1.4 **PART 3 GENERAL REGULATIONS**, Section **3.3 Siting and Setback Regulations**, subsection 3.3(3) is amended by deleting the words:

"No building or structure except a fence, utility shed, boathouse, platform with a maximum area of 5 square metres, stairs and boat ramps may be constructed, reconstructed, moved, extended or located:

- (a) within a 10 metre horizontal setback, and within 1.5 metres vertically, from the natural boundary of the sea; or
- (b) within 30 metres of the natural boundary of any natural watercourse or source of water supply.

Septic tanks, sewage absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection.

Ocean loop geoexchange systems are not considered a structure for the purposes of this subsection."

in their entirety and replacing them with the following:

"No building or structure except the following:

- (a) a fence;
- (b) a utility shed;
- (c) a boathouse located within zones R2, R3, R4, or R5;

- (d) a platform with a maximum area of 5 square metres, a set of stairs or a walkway or a combination of the two, for the purposes of accessing the foreshore; and
- (e) a boat ramp;

may be constructed, reconstructed, moved, extended or located:

- (i) within 10 metres of the natural boundary of the sea;
- (ii) within 1.5 metres of the natural boundary of the sea as measured on the vertical plane; or
- (iii) within 30 metres of the natural boundary of any natural watercourse or source of water supply.

Septic tanks, sewage absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection.

Ocean loop geoexchange systems are not considered a structure for the purposes of this Subsection.”

- 1.5 **PART 3 GENERAL REGULATIONS, Section 3.5 Accessory Uses, Buildings and Structures** is amended by adding the following as subsection 3.5(5):

- (5) A swimfloat must not:
 - (a) be used to moor boats or other watercraft; or
 - (b) be placed in a location such that the swimfloat rests on the seabed at low tide.

- 1.6 **PART 5 ZONES, Section 5.1 Residential One – (R1), Density**, is amended by inserting the following as subsections 5.1(4) and 5.1(5) and renumbering the existing subsections accordingly:

- (4) The maximum number of platforms permitted on a lot within the R1 zone is one.
- (5) The maximum number of boat ramps permitted on a lot within the R1 zone is one.

- 1.7 **PART 5 ZONES, Section 5.1 Residential One – (R1), Siting and Size**, is amended by inserting the following as subsections 5.1(10), 5.1(11) and 5.1(12):

- (10) For a platform within the R1 zone, the maximum permitted height under subsection (8) is reduced to 1 metre.
- (11) Within the R1 zone, walkways and stairs sited within 10 metres of the natural boundary of the sea or sited within 1.5 metres of the natural boundary of the sea as measured on the vertical plane must be no wider than 1.5 metres and must not have any steps or portion of walkway floor more than 1.5 metres above the ground.
- (12) Within the R1 zone, no part of a boat ramp sited within 10 metres of the natural boundary of the sea or within 1.5 metres of the natural boundary of the sea as measured on the vertical plane may be more than .5 meters above the ground.

- 1.8 **PART 5 ZONES, Section 5.1 Residential One – (R1)** is amended by inserting the following subsection:

Accessory Uses

- (15) A lot within the R1 zone may not be used to keep or store a boat that is longer than 7 metres.

- 1.9 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Permitted Uses and Structures** is amended by deleting Articles 5.11(1)(b) and 5.11(1)(c):

- “(b) Swimfloats;
(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 their entirety; and renumbering Article 5.11(1)(d) to (b) to effect this change.

- 1.10 **PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Siting and Size**, is amended by inserting the following as subsections (5):

- (5) Mooring buoys within the W3 zone must not be sited in the area that is between the projecting boundary lines of an upland public road right-of-way that provides access to the foreshore and is within 35 metres of the low low tide line that intersects with the boundary lines.