

Thetis Island Local Trust Committee

Regular Meeting Revised Agenda

Date: April 13, 2021
 Time: 9:30 am
 Location: Electronic Meeting

			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.	REPORTS	9:35 AM - 9:50 AM	
3.1.	Trustee Reports		
3.2.	Chair's Report		
3.3.	<i>Electoral Area Director's Report</i>		3 - 3
4.	TOWN HALL	9:50 AM - 10:00 AM	
5.	MINUTES	10:00 AM - 10:05 AM	
5.1.	Local Trust Committee Minutes dated February 9, 2021 - for Adoption		4 - 10
5.2.	Section 26 Resolutions-Without-Meeting Report dated March 29, 2021		11 - 11
5.3.	Advisory Planning Commission Minutes - none		
6.	BUSINESS ARISING FROM MINUTES	10:05 AM - 10:20 AM	
6.1.	Follow-up Action List dated April 7, 2021		12 - 12
7.	APPLICATIONS AND REFERRALS	10:20 AM - 10:40 AM	
7.1.	TH-OTH-2018.1 (Cypress Land Services on behalf of TELUS - 61 Pilkey Point Rd.) - Memorandum		13 - 19
8.	LOCAL TRUST COMMITTEE PROJECTS	10:40 AM - 11:00 AM	

8.1.	Thetis Island Riparian Areas Protection Regulation Implementation - Staff Report	20 - 35
9.	DELEGATIONS - none	
10.	CORRESPONDENCE - none	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
11.	NEW BUSINESS	11:40 AM - 11:20 AM
11.1.	Shoreline Protection Options - Memorandum - for discussion	36 - 76
12.	REPORTS	11:20 AM - 11:30 AM
12.1.	Trust Conservancy Report dated January 26, 2021	77 - 79
12.2.	Applications Report - none	
12.3.	Trustee and Local Expense Report dated February, 2021	80 - 80
12.4.	Adopted Policies and Standing Resolutions	81 - 83
12.5.	Local Trust Committee Webpage	
13.	WORK PROGRAM	11:30 AM - 11:50 AM
13.1.	Top Priorities Report dated April 7, 2021	84 - 84
13.2.	Projects List Report dated April 7, 2021	85 - 87
14.	UPCOMING MEETINGS	
14.1.	Next Regular Meeting Scheduled for Tuesday, June 1, 2021 at 9:30 am via - to be determined	
15.	CLOSED MEETING - none	
16.	ADJOURNMENT	11:50 AM - 11:50 AM

13 Apr 2021 Thetis Island Local Trust Committee

Lynne Smith CVRD Director Area G Saltair/Gulf Islands Report

CVRD Office Building

28 Mar 2021 there was a flood at the 175 Ingram office building. Currently the office is closed and the reception area has been moved to the Cowichan Community Centre Reception. The phone lines have also been connected to this receptionist area. Bills can be paid, inquiries, etc are being handled from this new reception area. 1-800-665-3955 or 250-746-2500

The majority of the CVRD staff are now working from home as there has been damage on all 3 floors of the building. Many have been working from home for the past year with COVID.

Currently the temporary office is planned for 3 weeks. As more updates come forward the communities will be notified.

CVRD Board, etc meetings are not been Live Streamed due to the building being closed. Videos of the meetings are posted to the CVRD YouTube site.

<https://www.youtube.com/channel/UCiBKKJQmIlwAd61ZTLrwQ-Q/playlists>

CVRD Area G Budget Area G Insert

<https://www.cvrld.ca/DocumentCenter/View/7536/CVRD-Area-G-Tax-Brochure?bidId=>

I am please to notify Thetis Island taxpayers that the Thetis Island Wharf, Thetis Island Boat Launch and Thetis Island Solid Waste/Recycling have been added to the insert this year.

CVRD Emergency Program Service

The Prov. of BC is reviewing the Emergency Program Act and the new act will have an impact on the CVRD Emergency Program Services. During a CVRD staff workshop with Directors on the 8 Apr gaps were identified and over the coming 6 months there will be additional workshops for further information and discussion.

I am sure that the Thetis Island Local Trust Committee is aware of the EMBC Community Emergency Program Self Assessment Tool. <https://www2.gov.bc.ca/gov/content/safety/emergency-preparedness-response-recovery/local-emergency-programs/program-self-assessment>

Thetis has very active volunteer groups that continue to work towards public awareness and Hazard Risk and Vulnerability Assessments (HRVA).

CVRD Housing Needs Assessment

The Prov. of BC required a CVRD Housing Needs Assessment. When it was presented to the Directors there was a glitch with Area G as it included Saltair and the Gulf Islands. After a discussion with CVRD staff there have been some changes to the report for Area G.

<https://www.cvrld.ca/3348/Sub-regional-Housing-Needs-Assessment-Re>

<https://www.cvrld.ca/DocumentCenter/View/100287/1---Snapshot>

It is my understanding that Islands Trust completes their own Housing Needs Assessment for the Prov. of BC.

Thetis Island Wharf

Grant - Still waiting.

Thetis Island Wharf Reserve funds will be moved into the Thetis Island Wharf 2021 Budget to start on the design costs in the near future. The window for this project is limited.



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: February 9, 2021
Location: Electronic Meeting

Members Present: Laura Patrick, Chair
Doug Fenton, Local Trustee
Peter Luckham, Local Trustee

Staff Present: Heather Kauer, Regional Planning Manager (RPM)
Marnie Eggen, Island Planner
Wil Cottingham, Administrative Assistant
Sarah Shugar, Recorder

Others Present: Two members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Patrick called the meeting to order at 9:31 am and welcomed everyone to an electronic meeting of the Thetis Island Local Trust Committee. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following supplemental items were presented for consideration:

- 5.2 Local Trust Committee Special Meeting Minutes dated February 2, 2021 - for adoption
- 5.3 Local Trust Committee Public Hearing Record dated February 2, 2021 - for receipt
- 8.1 Bylaw Nos. 108 and 109 – Project Update

The following additional items were presented for consideration:

- 10.2 Letter dated February 2, 2021 to Cowichan Valley Regional District (CVRD) regarding Broadband Service Capabilities and Funding
- 11.2 Abandoned Crown Property on Valdes Island

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Fenton presented the following report:

- Expressed gratitude for living and working within the Lyackson and Penelakut traditional territory.

- Attended a meeting with Penelakut Elder Augie Sylvester and Penelakut Councillor Ken Thomas regarding Preedy Harbour.
- Islands Trust Conservancy is hosting an Open House event regarding the Moore Hill Nature Reserve Management Plan on February 10, 2021.
- Attended ongoing discussions regarding telecommunications.

Trustee Luckham presented the following report:

- 84 new cases of COVID-19 were recorded on Vancouver Island on February 8, 2021.
- Expressed gratitude for living and working within the Lyackson and Penelakut traditional territory.
- A survey regarding public input on the proposed Islands Trust 2021/22 budget closed on February 7, 2021. He encouraged residents of Thetis Island to submit written comments regarding the proposed budget and the Islands Trust Policy Statement review.
- Trustee Luckham is a member of the Trust Area Services Committee, the Regional Planning Committee, the Financial Planning Services Committee and the Governance Services Review Select Committee.
- Trustee Luckham has attended meetings regarding the provision of internet access to all areas on Thetis Island including a meeting with the Strathcona Regional District regarding a telecommunications proposal and a Town Hall event hosted by the Cowichan Valley Regional District on February 4, 2021. He reported the Thetis Island Local Trust Committee passed a resolution by Resolution Without Meeting to support efforts to attract funding to provide internet connectivity to all homes on Thetis Island.
- Expressed gratitude to Electoral Area Director Lynne Smith and the Cowichan Valley Regional District for work to address concerns regarding the Thetis Island Community Dock.
- Attended a meeting with the Association of Vancouver Island Coastal Communities (AVICC) Climate Leadership Committee.
- Attended a Thetis Island LTC Community Information Meeting and Public Hearing regarding Bylaw Nos. 108 and 109 regarding Riparian Areas Regulations and acknowledged the members of the public that provided input on the topic.

3.2 Chair's Report

Chair Patrick presented the following report:

- The survey regarding public input on the proposed Islands Trust 2021/22 budget and the survey regarding public input on the Strategic Policy Review closed on February 7, 2021. An Islands Trust Policy Directions report is available on the website.
- Encouraged members of the public to subscribe to the Islands Trust website for updates.
- The next Trust Council meeting will be held electronically on March 9 to 11, 2021 and the deadline for delegation submissions is February 15, 2021.
- The Salt Spring Island Local Trust Committee approved a project charter for a Housing Action Program.

3.3 Electoral Area Director's Report

Chair Patrick presented the Electoral Area Director's Report dated February 9, 2021.

4. TOWN HALL

No comments.

5. MINUTES

5.1 Local Trust Committee Minutes dated November 24, 2020 - for Adoption

By general consent the Local Trust Committee meeting minutes of November 24, 2020 were adopted.

5.2 Local Trust Committee Special Meeting Minutes dated February 2, 2021 - for adoption

The following amendment to the minutes was presented for consideration:

- Replace "Trustee Luckham reported protecting the riparian areas would also protect 75% of other species that exist within the habitat." with "Trustee Luckham reported protecting the riparian areas would also protect 75% terrestrial species that transit the habitat."

By general consent the Local Trust Committee meeting minutes of February 2, 2021 were adopted as amended.

5.3 Local Trust Committee Public Hearing Record dated February 2, 2021 - for receipt

By general consent the Local Trust Committee Public Hearing Record of February 2, 2021 was received.

5.4 Section 26 Resolutions-Without-Meeting Report – none

It was noted the LTC passed a resolution by Resolution Without Meeting to support efforts to attract funding to provide internet connectivity to all homes on Thetis Island and the Resolution Without Meeting Report would be included in the next regular meeting agenda package.

5.5 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated February 1, 2021

Received.

6.2 Cowichan Valley Regional District (CVRD) Official Community Plan Response - Staff Report

Regional Planning Manager Kauer presented a staff report dated February 1, 2021 regarding a referral response to Cowichan Valley Regional District Official Community Plan update.

There was discussion and the Trustees wished to include reference to Reid Island, Ruxton Island, Hudson Island and information regarding the jurisdiction of Penelakut Island and areas of Valdes Island that are within the Lyackson First Nation Territory.

TH-2021-001

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to submit the referral response form that is Attachment 1 of the staff report dated February 1, 2021 to the Cowichan Valley Regional District, amended as discussed.

CARRIED

7. APPLICATIONS AND REFERRALS - none

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Bylaw Nos. 108 and 109 – Project Update

Planner Eggen gave a PowerPoint presentation regarding advancing proposed Bylaw Nos. 108 and 109 post public hearing.

There was discussion regarding the proposed bylaws including:

- The history of implementation of Riparian Areas Regulation on Thetis Island.
- The option to include language in the proposed bylaws regarding expansion of small-scale gardens and agriculture within 30 metres of the stream.
- The option to remove the requirement for a Qualified Environmental Professional (QEP) to oversee manual invasive species removal and native planting plans within the riparian areas, with consideration of provincial best practices that match the scale.
- There was a question regarding guideline “(h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP” and how it would affect the instream Phase 3 subdivision of Trax development. Planner Eggen reported that the subdivision would be subject to the development permit area guidelines should the development permit area be approved prior to the applicant completing the conditions of subdivision.
- There was a question regarding whether development can occur within the riparian assessment area, given the proposed Phase 3 subdivision layout. Planner Eggen reported that it depends on the size of the proposed lot or how the proposed lot is configured. .
- There was a question about including reference in the proposed bylaws to the human influence over Ralston Creek and the importance of the area for agricultural purposes. Planner Eggen responded that including such references would be counter to the justification for the development permit area which is for the protection of the natural environment, its ecosystems and biological diversity.
- There was a question regarding the whether the current infrastructure, like the dams within Ralston Creek are exempt. Planner Eggen reported there is an exemption in proposed Bylaw No. 109 regarding emergency procedures to prevent,

control or reduce immediate threats to life or property including flood protection and erosion protection. She reported further that all works undertaken within the stream itself including the maintenance of a dam would be regulated by the *Water Sustainability Act* and would require provincial approval and that any development within the riparian assessment area (upland, within 30 m of the stream) would require a development permit, should the proposed bylaws be adopted.

TH-2021-002

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to how to implement permissive measures to expand small scale agriculture within the proposed riparian assessment area.

CARRIED

TH-2021-003

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to management of the manual removal of invasive species and management of native planting plans as discussed.

CARRIED

9. DELEGATIONS - none

10. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

- 10.1 Letter dated January 22, 2021 from Thetis Island Residents' and Ratepayers' Association (TIRRA) Transportation Committee regarding Site Visit and Issues with Offloading Patients from our Island's First Responder Vehicle**

TH-2021-004

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to coordinate a meeting with BC Ferries, the Ministry of Transportation and Infrastructure, the Local Ferry Advisory Committee, the Thetis Island Residents' and Ratepayers' Association, and the Cowichan Valley Regional District to discuss outstanding issues regarding ferry access and parking, wharf entrance congestion and pedestrian and cycling safety on Thetis Island.

CARRIED

The correspondence item was received.

- 10.2. Letter dated February 2, 2021 to Cowichan Valley Regional District (CVRD) regarding Broadband Service Capabilities and Funding**

The correspondence item was received.

11. NEW BUSINESS**11.1 Forest Conservation Outreach Briefing - for information**

A briefing dated November 25, 2020 regarding 2020 Forest Conservation Outreach Campaign Completion was presented for information.

11.2 Abandoned Crown Property on Valdes Island

Trustee Luckham presented an update regarding an Abandoned Crown property on Valdes Island.

TH-2021-005

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request Trustee Luckham and Chair Patrick to write a letter of advocacy to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development regarding the cleanup of an abandoned property on Valdes Island.

CARRIED

12. REPORTS**12.1 Trust Conservancy Report - none****12.2 Applications Report - none****12.3 Trustee and Local Expense Report dated December 2020**

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage - none**13. WORK PROGRAM****13.1 Top Priorities Report dated February 1, 2021**

There was discussion and the following items were noted:

- Alignment of current projects within the Islands Trust with the Local Trust Committee Top Priorities.
- Community engagement, ecosystem protection, cultural significance regarding shoreline protection.
- There was discussion regarding the deliverable for a shoreline protection project. A scope of work including an analysis of tools available to the Islands Trust.

TH-2021-006

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to provide a staff report analyzing shoreline and conservancy tools that might be incorporated into a shoreline project that would include a robust First Nations advisory component and collaboration with other Local Trust Committees with a regional perspective.

CARRIED

13.2 Projects List Report dated February 1, 2021

Received.

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

15.1 Next Regular Meeting

The next Regular Meeting is scheduled for Tuesday, April 13, 2021 at 9:30 a.m., location to be determined. Please check the website at <http://www.islandtrust.bc.ca/> for details regarding this meeting.

16. ADJOURNMENT

By general consent the meeting was adjourned at 12:21 p.m.

Laura Patrick, Chair

Certified Correct:

Sarah Shugar, Recorder

Resolutions Without Meetings Log

Thetis Island

Resolution Number	Action	Date
2021-001	Carried	01-Feb-2021
"That the Thetis Island Local Trust Committee express support for efforts to attract funding to provide Internet connectivity to all homes on Thetis Island by requesting staff [or request Trustee ...] to draft letters to be signed by the Chair on behalf of the Local Trust Committee to advise the Thetis Island Economic Enhancement Corporation, the Cowichan Valley Regional District Board, the Strathcona Regional District and the Minister of Citizen Services of the Local Trust Committee's interest and that it supports funding for a fibre connection to Thetis Island as well as funding for Internet Service Provider (ISP) supported last mile fiber connections to all homes on Thetis Island, including advising the Cowichan Valley Regional District that the Local Trust Committee supports their interest in providing the 10% funding requirement by community for a Government of Canada Universal Broadband Fund grant."		



Follow Up Action Report

Thetis Island

24-Nov-2020

Activity	Responsibility	Dates	Status
1 Staff to undertake a preliminary review of CVRD Official Community Plan Bylaw No. 4270 Phase 1 Harmonization with respect to how the plan reflects the interests of Islands Trust and Thetis Island.	Heather Kauer		Completed
2 Staff to engage with each of the trustees individually to help further inform the Thetis LTC Top Priorities and Projects list and to report back to a future LTC meeting.	Heather Kauer		Completed
3 Staff to share information regarding Keats Island Shoreline Protection Project and Salt Spring Protection of Coastal Douglas-Fir and Associated Ecosystems Project with the Thetis community via Thetis Island media sources.	Marnie Eggen Wil Cottingham		In Progress
4 Request staff to schedule a Public Hearing for the Thetis Riparian Areas Protection Regulation Implementation Project and proposed Bylaw Nos. 108 and 109 in advance of the next LTC meeting and notice to include Trustee contact information. <i>Scheduled for Feb 2/21 @6:30pm</i>	Becky McErlean Marnie Eggen Penny Hawley Wil Cottingham		Completed
5 Trustee Luckham to draft a letter to the CVRD signed by the LTC Chair, regarding the closing of the Thetis Island dock, including concerns with respect to its closure, that there is interest in retaining it to facilitate emergency medical services and that the CVRD advise the community.			In Progress

MEMORANDUM

File No.: 3400-20
TH-OTH-2018.1 (TELUS)

DATE OF MEETING: April 13, 2021

TO: Thetis Island Local Trust Committee

FROM: Marnie Eggen, Island Planner
Local Planning Services

COPY: Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: TELUS Communications Tower Proposal
Applicant (Proponent): Cypress Land Services on behalf of TELUS
Location: 61 Pilkey Point Road, Thetis Island

PURPOSE

The purpose of this memorandum is to advise the Thetis Local Trust Committee (LTC) of a request from the agent for TELUS regarding their 2018 submission to the federal Ministry of Innovation, Science and Economic Development Canada (ISED) for the proposed 22.0 metre tower with a 4-foot microwave dish at the above mentioned location.

The agent requests a response on whether the proposed tower may now proceed and provides a letter from Penelakut Band who concur with the proposed tower. The email from the agent and the letter from Penelakut Band are attached.

Staff request direction from the LTC regarding a response to Cypress Land Services.

BACKGROUND

At the May 2020 business meeting, the LTC passed the following resolution:

"That the Thetis Island Local Trust Committee rescind resolution TH-2018-050 and that staff advise Telus and Industry Canada that Telus seek direction from the Thetis Island Local Trust Committee and restart the public consultation process regarding application TH-OTH-2018.1 due to new information becoming available to the Local Trust Committee that was not discovered during the required public consultation and that Telus must consult with Penelakut First Nation."

Additionally, on October 6, 2020, the LTC Chair sent a [letter](#) to ISED seeking information and guidance with respect to the federal licencing process for Radiocommunication and Broadcasting Antenna for the purposes of cooperatively working towards improving communications for all interested parties. Staff have not yet received a response from ISED or received any further communication from TELUS or their agent since last May.

NEXT STEPS

Staff will advise Cypress Land Services of the LTC's resolution.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	April 7, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	April 7, 2021

ATTACHMENTS

1. Email from Cypress Land Services Ltd., dated April 6, 2021
2. Letter from Penelakut Band, dated February 23, 2021

From: Chad Marlatt <chad@cypresslandservices.com>
Sent: Tuesday, April 6, 2021 11:41 AM
To: Marnie Eggen; Nicole Andreescu; Tim Gordon
Cc: Heather Kauer; 'Doug Anastos'; 'Ries, Bernie (IC)'
Subject: RE: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

Marnie – we are not contemplating restarting consultation as TELUS has fulfilled that requirement, received LTC concurrence and has subsequently (at the final request of the LTC) successfully consulted with Penelakut First nation. There appears to be nothing outstanding. Someone from TELUS will likely attend the meeting. I am cc'ing a couple of folks from TELUS.

Chad

From: Marnie Eggen <meggen@islandstrust.bc.ca>
Sent: April 6, 2021 11:27 AM
To: Chad Marlatt <chad@cypresslandservices.com>
Cc: Heather Kauer <hkauer@islandstrust.bc.ca>; 'Doug Anastos' <Doug.Anastos@telus.com>; 'Ries, Bernie (IC)' <bernie.ries@canada.ca>
Subject: RE: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

Hi Chad,
Thanks for your email and attached letter from Penelakut Band.

Your question will need to go the Thetis LTC for their consideration. I am working on getting it to the next available LTC meeting and will keep you apprised. I would encourage a representative be available to attend the zoom meeting as I suspect that the LTC may have some questions for Telus as they consider this new information and consider the concurrence request.

In the meantime, and to follow up on the LTC's request from their May 2020 resolution (see below), is Telus contemplating restarting the public consultation process?

Regards,
Marnie

Marnie Eggen, RPP, MCIP
Island Planner
Islands Trust
700 North Road | Gabriola Island BC V0R 1X3
(250) 247-2210 | www.islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421



Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the traditional and treaty territories of the BOKEĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lak' wəŋən (SXIMELEŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXEŁ, Penelakut, Qualicum, Scia'new, səliłwətaʔ, SEMYOME, Shishálh, Snaw-naw-as,

Snuneymuxw, Skwxwú7mesh, STÁUTW, Stz'uminus, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM, and x̣ṃəθḳəỵəm.

From: Chad Marlatt <chad@cypresslandservices.com>
Sent: Tuesday, April 6, 2021 10:11 AM
To: Marnie Eggen <meggen@islandstrust.bc.ca>
Cc: 'Doug Anastos' <Doug.Anastos@telus.com>; 'bernie.ries@canada.ca' <bernie.ries@canada.ca>
Subject: RE: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

Marnie – see the attached. Can you confirm we are now fine to proceed with the tower to back up service for Thetis?

Regards,
Chad

From: Marnie Eggen <meggen@islandstrust.bc.ca>
Sent: May 4, 2020 3:24 PM
To: Chad Marlatt <chad@cypresslandservices.com>
Cc: 'Doug Anastos' <Doug.Anastos@telus.com>; 'bernie.ries@canada.ca' <bernie.ries@canada.ca>
Subject: FW: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

Hi Chad,

I would like to let you know that the Thetis Local Trust Committee passed the following resolution last week regarding the 61 Pilkey Point Road tower proposal:

“That the Thetis Island Local Trust Committee rescind resolution TH-2018-050 and that staff advise Telus and Industry Canada that Telus seek direction from the Thetis Island Local Trust Committee and restart the public consultation process regarding application TH-OTH-2018.1 due to new information becoming available to the Local Trust Committee that was not discovered during the required public consultation and that Telus must consult with Penelakut First Nation.”

Please contact me if you would like to discuss or have any questions.

Marnie

Marnie Eggen, MCIP, RPP
Island Planner
Islands Trust, Northern Office
700 North Road, Gabriola Island, BC, V0R 1X3
(250) 247-2210
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

From: Marnie Eggen
Sent: Thursday, April 9, 2020 7:36 PM
To: 'Chad Marlatt' <chad@cypresslandservices.com>
Cc: 'Doug Anastos' <Doug.Anastos@telus.com>
Subject: RE: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

Hi Chad,
Thanks for your email and update. I hope you and Doug are doing well considering the challenging times.

Does this mean that the Moore Hill tower proposal is formally withdrawn? If so, would TELUS be able to provide a more formal communication addressed to the Thetis Local Trust Committee with respect to the status of the Moore Hill tower proposal and TELUS's intension of moving forward with the back up microwave tower at 61 Pilkey Point Road?

I just wanted to relay again as I did in my November 22, 2019 email, that the LTC has expressed concern regarding the original TELUS tower proposal at 61 Pilkey Point Road because of the information that was received by the LTC at their August 20, 2019 LTC meeting regarding the areas of cultural and spiritual significance in the vicinity of the proposed tower at 61 Pilkey Point Road.

Marnie

Marnie Eggen, MCIP, RPP
Island Planner
Islands Trust, Northern Office
700 North Road, Gabriola Island, BC, V0R 1X3
(250) 247-2210
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

From: Chad Marlatt <chad@cypresslandservices.com>
Sent: Thursday, April 9, 2020 10:12 AM
To: Thetis Island Local Trust Committee <ThetisIslandLocalTrustCommittee@islandstrust.bc.ca>; Marnie Eggen <meggen@islandstrust.bc.ca>
Cc: Tim Gordon <Tim.Gordon@telus.com>
Subject: TELUS Microwave Installation - 61 Pilkey Point Road, Thetis

All,

I am just writing to inform you that TELUS will be moving ahead with the installation of back up microwave tower at 61 Pilkey Point Road, Thetis. I think you are all likely aware, TELUS did make significant efforts towards having a larger tower near Moore Hill constructed to improve services to the community, though it seems as there were too many forces working against us! That said, the backup

microwave tower will help ensure that TELUS' existing services to the community will be supported should the submarine cable be damaged. Installation of the microwave structure will likely take place in the summer timeframe.

Regards,

Chad Marlatt

Cypress Land Services, Agents for TELUS

Suite 1051, 409 Granville Street, Vancouver, BC V6C 1T2

Office: 604 620 0877

Fax: 604 620 0876

Cell: 604 910 7310

Email: chad@cypresslandservices.com

Penelakut Tribe



11330 Clam Bay Road N,
Penelakut Island, BC, V0R 5K0,
Ph. 250-246-2321
Fax 250-246-2725

February 23, 2021

To whom it may concern,

I am writing this letter on behalf of the Penelakut Tribe in regards to the proposed microwave radio link proposal as outlined by TELUS to provide redundancy of telecom services to Thetis and Penelakut Islands.

This is leveraging an existing TELUS Central Office located at:
61 Pilkey Pt Road,
Thetis Island, BC

And will include the addition of a new 22m self-support tower to house the required microwave radio equipment.

We have been made aware of the planned additions at this site and are in concurrence with this work proceeding.

Sincerely,

Chief Joan Brown

File No.: 6500-20
Riparian Areas Protection
Regulation Implementation

DATE OF MEETING: April 13, 2021
TO: Thetis Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
COPY: Heather Kauer, Regional Planning Manager
SUBJECT: Thetis Island Riparian Areas Protection Regulation Implementation

RECOMMENDATION

1. That the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be read a second time.
2. That the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be read a third time.
3. That the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
4. That the Thetis Island Local Trust Committee forward Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” to the Ministry of Municipal Affairs.
5. That the Thetis Island Local Trust Committee amend Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” by deleting the text “in accordance with a restoration plan prepared by Qualified Environmental Professional” in subsection 11.1.3 (g) and replacing it with “conducted on the basis of advice from a Qualified Environmental Professional.”
6. That the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be read a second time, as amended.
7. That the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be read a third time.
8. That the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report provides options and a recommended bylaw amendment to proposed Bylaw No. 109 as requested by the Thetis Local Trust Committee (LTC) following comments received at the Public Hearing held February 2, 2021.

Staff recommends one minor amendment, further readings of the bylaws, and that the bylaws be forwarded to Executive Committee and the Ministry of Municipal Affairs.

BACKGROUND

The following resolutions were passed at the February 9, 2021 LTC meeting following discussion about the comments received at the Public Hearing held the week previous.

TH-2021-002

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to how to implement permissive measures to expand small scale agriculture within the proposed riparian assessment area.

CARRIED

TH-2021-003

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to management of the manual removal of invasive species and management of native planting plans as discussed.

CARRIED

ANALYSIS

Issues and Opportunities

The LTC requested that staff bring back options and bylaw amendments for the purposes of modifying provisions for activities that are currently proposed to be exempted from the requirements for a development permit.

Options for allowing the expansion of small scale agriculture within the Riparian Area Assessment Area without requiring a Development Permit

To allow the expansion of small scale agriculture within 30 metres of the stream in undisturbed areas without requiring the hiring Qualified Environmental Professional (QEP) to undertake an assessment report would be in contravention of the RAPR. As a result, staff to do not recommend any bylaw amendments for exemptions in this regard, and that landowners apply for a development permit so that development within the riparian area can be appropriately guided by the QEPs assessment report.

Under proposed Bylaw No. 109, the expansion of small scale agriculture within the Riparian Assessment Area (RAA) is exempted if the expansion is to occur within an already disturbed area as defined by RAPR, with some provisos. The exemption is included under section 11.1.3 (d) of proposed bylaw No. 109 and is in alignment with the provincial *Riparian Areas Protection Regulation* (RAPR) which exempts activities from the requirements of RAPR only if the activities occur within an existing “area of human disturbance” and the type of disturbance is “not changed.” The definition of “area of human disturbance” is defined in the RAPR and is “an area that is subject to enduring disturbance as a result of human occupation or activity and includes...areas where soil or vegetation has been added, removed or altered...”

Staff recommend that landowners contact a planner when they have questions in cases where small scale agriculture or other similar landscaping activity is proposed to be expanded into existing “areas of human

disturbance” to determine if the proposed expansion is considered exempt. Staff would need to better understand the current level of disturbance and what the proposed activity is in order to determine whether the proposal is a “change” and requires a development permit. An example that would be exempt would be a proposal to expand a vegetable/flower garden, comprised of only soil and vegetables/flowers, into to an already disturbed area, such as a lawn. However, if the proposed activity is more transformative and changes the type of existing disturbance, such as from lawn to extensive boxes for raised garden beds, greenhouse covering(s), and/or gravel/paved walkways, depending on the scale, this would likely be considered a “change” to the disturbed area, and would not be exempt.

On a separate, but related note, staff would like to mention that agricultural uses as defined as a part of normal farm operations under the [Farm Practices Protection \(Right to Farm\) Act](#) (FPPA) are exempt from RAPR. Normal farm operation means activities involved in carrying on a farm business as defined by the FPPA.

Less onerous standards for manual removal of invasive species and native plantings

Section 11.1.3 (g) in proposed Bylaw No. 109 includes the following exemption:

- manual removal of invasive species and manual planting of native vegetation in accordance with a restoration plan prepared by Qualified Environmental Professional.

To address the LTC’s request to modify this exemption so that is less onerous for landowners, staff re-examined the provincial resources on invasive species management in BC and consulted with the Coastal Invasive Species Committee and the Invasive Species Council of BC, and provide the following options and comments:

Options	Staff Comments
1. Manual removal of invasive species and manual planting of native vegetation conducted on the basis of advice from a Qualified Environmental Professional.	• Less onerous and potentially less cost/no cost to landowner to provide advice vs. a plan. • Landowner is somewhat accountable. Staff would discuss with landowner the specific situation to confirm that the proposed activities are exempt and confirm that the landowner has obtained advice from a QEP. • “QEP” in this exemption is intended to be a QEP with expertise in the field of invasive species and native vegetation. The definition of QEP in the RAPR is only applicable with respect to carrying out assessment reports, which doesn’t apply in this case.
2. Manual removal of invasive species and manual planting of native vegetation in accordance with best management practices.	• Least onerous and least cost to landowner. • No landowner accountability. Staff would discuss with the landowner the specific situation to confirm that the proposed activities are exempt and advise the landowner to contact the appropriate authorities. • Staff suggest adding an Information Note at the end of Exempted Activities (Section 11.1.3 of proposed Bylaw No. 109): “INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.”

Staff recommend option one as it is less onerous to the landowner, yet still provides some level of accountability on the part of the landowner to undertake activities based on the scientific advice of an environmental professional.

Rationale for Recommendation

In response to the LTC request, staff recommend an amendment to proposed Bylaw No. 109 that lessens the burden on the landowner respecting the standards around manual removal of invasive species. Staff do not recommend permissive provisions with respect to small scale agriculture expansions within the development permit area because it would be in contravention of the RAPR. Staff recommend giving second and third readings to proposed Bylaw Nos. 108 and 109 (as amended), forwarding to the Executive Committee and the Ministry of Municipal Affairs. Staff recommendations are found on Page 1 of the report.

ALTERNATIVES

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

1. Request alternative wording to the recommended amendment to proposed Bylaw No. 109

The LTC may request an alternative option to amend proposed Bylaw No. 109 with respect to the standards around manual removal of invasive species as an exempted activity. If selecting the alternative identified by staff above, staff recommended the following wording for the resolution is as follows:

That the Thetis Island Local Trust Committee amend Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” as follows:

a. *By deleting the text “in accordance with a restoration plan prepared by Qualified Environmental Professional” in subsection 11.1.3 (g) and replacing it with “in accordance with best management practices.”*

b. *By adding the following information note directly after subsection 11.1.3 Exempted Activities:*

“INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.”

NEXT STEPS

Should the LTC concur with staff’s recommendation or an alternative, staff will make the amendments to proposed Bylaw No. 109, forward Bylaw Nos. 108 and 109 to Executive Committee for approval and forward Bylaw No. 108 to the Ministry of Municipal Affairs. Once Bylaw No. 108 is approved by the Ministry, staff will bring back both bylaws for adoption.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	March 31, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	April 6, 2021

ATTACHMENTS

1. Proposed Bylaw No. 108
2. Proposed Bylaw No. 109

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 108

A BYLAW TO AMEND THETIS ISLAND OFFICIAL COMMUNITY PLAN BYLAW, 2011

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*, enacts as follows:

1. Citation
This bylaw may be cited for all purposes as “Thetis Island Official Community Plan, 2011, Amendment No. 1, 2020”.
2. Thetis Island Local Trust Committee Bylaw No. 88, cited as “Thetis Island Official Community Plan Bylaw, 2011,” is amended as per Schedules “1” and “2” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 21ST DAY OF JULY ,2020

PUBLIC HEARING HELD THIS 2ND DAY OF FEBRUARY ,2021

READ A SECOND TIME THIS _____ DAY OF _____ ,202X

READ A THIRD TIME THIS _____ DAY OF _____ ,202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ ,202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

_____ DAY OF _____ ,202X

ADOPTED THIS _____ DAY OF _____ ,202X

Chair

Secretary

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108
Schedule "1"

1. Page i of Thetis Island Official Community Plan Bylaw, 2011 is amended as follows:
 - 1.1 Section "3" is amended by inserting "I" after "H".
 - 1.2 Section "4" is amended by adding "Schedule "I" – Development Permit Area" after "Schedule "H" – Shoreline Classification".
2. **SCHEDULE A – POLICY DOCUMENT** is amended as follows:
 - 2.1 **SECTION 4 – NATURAL AND HERITAGE RESOURCES**, subsection 4.1 NATURAL RESOURCES, NATURAL RESOURCES POLICIES, Surface Water Resources Policies, 8 is amended by replacing "Schedule I which are applicable to the Riparian Areas Regulation of the Fish Protection Act." with "Schedule G, including those applicable to the provincial *Riparian Areas Protection Regulation* of the *Riparian Areas Protection Act*."
 - 2.2 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.1 DEVELOPMENT PERMIT AREAS, Background is amended by replacing "Section 919.1" with "Section 488".
 - 2.3 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.1 DEVELOPMENT PERMIT AREAS is amended by adding the following after "Development Permit Area Policy 1...":

"Development Permit Designations

1. Development Permit Area No. 1: Riparian Areas

Development Permit Area No. 1 is established pursuant to Section 488 of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

Terms used in this section that are defined in the provincial *Riparian Areas Protection Regulation (RAPR)*, *Riparian Areas Protection Act* are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

Location

The Riparian Areas Development Permit Area includes all land designated on Schedule I of this plan, which includes any of the following that provides potential fish habitat, as defined as a stream in accordance with *RAPR*:

- a) a watercourse or body of water, whether or not usually containing water; and
- b) any of the following that is connected by surface flow to a watercourse or body of water referred to in (a):
 - (i) a ditch, whether or not usually containing water;
 - (ii) a spring, whether or not usually containing water;
 - (iii) wetland.

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary.

For a stream located within a ravine less than 60 metres wide, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary to a point that is 30 metres beyond the top of the ravine bank.

For a stream located within a ravine that is 60 or more metres wide, the development permit area is a 10 metre strip on each side of the stream, measured from the stream boundary to a point that is 10 metres beyond the top of the ravine bank.

The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies and the actual extent of the Development Permit Area may need to be determined on a site-specific basis by a qualified environmental professional or surveyor.

Justification

This development permit area contains streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health.

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Thetis Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas. This designation is intended to protect riparian areas

from development so that the areas can provide natural features, functions and conditions that support fish life processes.

The objectives of this designation are:

1. To protect the biological diversity and habitat values of riparian and aquatic ecosystems;
2. To protect the natural environment necessary to provide productive fish habitat, including streams and the adjacent land and vegetation; and
3. To direct their restoration and enhancement so that they can provide natural features, functions and conditions that support fish life processes.”

2.4 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.1 Circumstances is amended by inserting “a) development permit areas;” after “Applicants for:” and renumbering subsequent listings to affect the change.

2.5 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.1 Circumstances is amended by replacing “pursuant to a development approval information bylaw adopted under section 920.01 of the *Local Government Act*” with “pursuant to section 487 of the *Local Government Act*”.

2.6 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.2 Special Conditions is amended by inserting the following before “1. Temporary use permits...” and renumbering subsequent listings to affect the change:

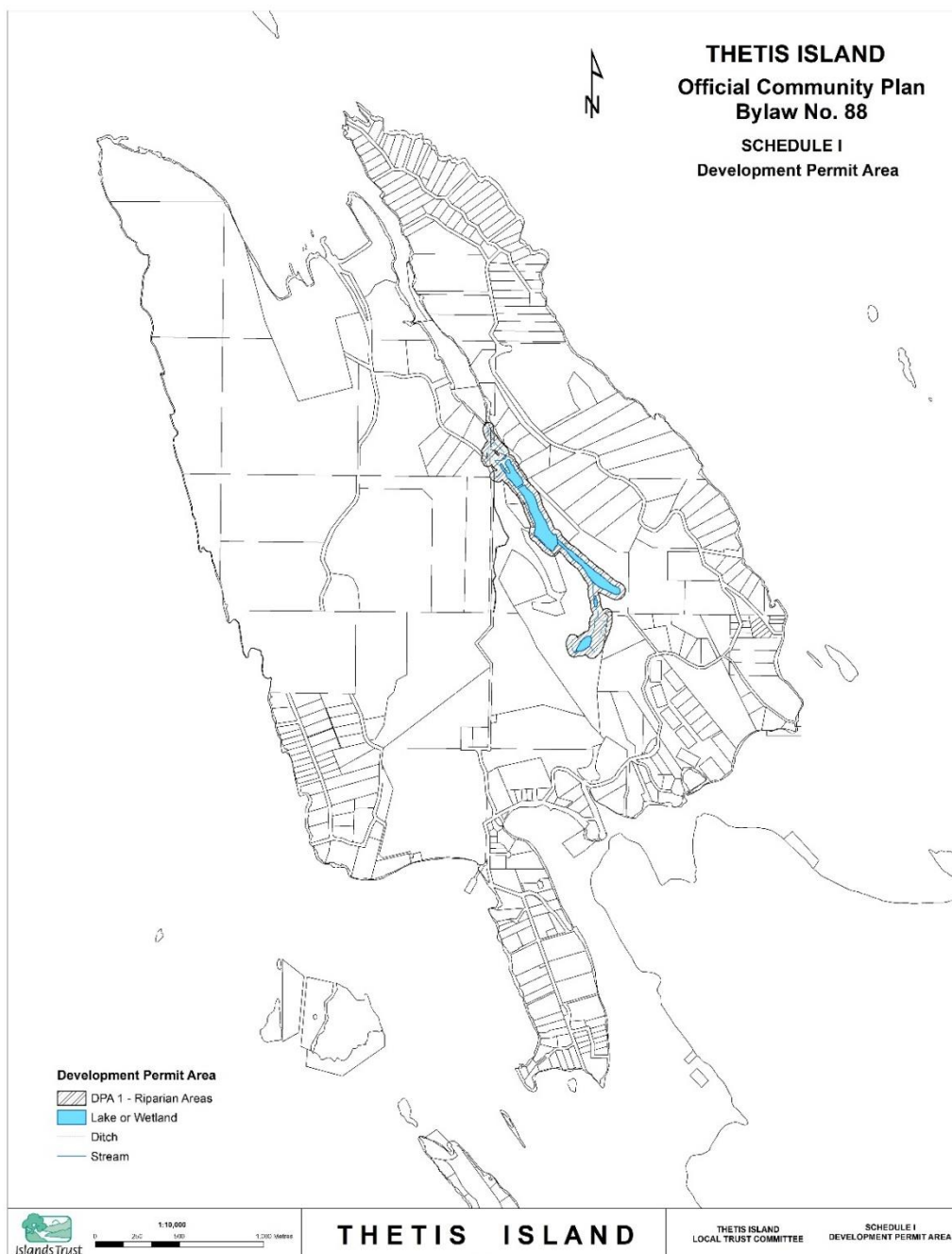
“1. Development Permit Area 1 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report submitted by a Qualified Environmental Professional (QEP) may be required for applicable development activities. Development Permit Area 1 protects the natural environment, specifically streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on aquatic and adjacent riparian ecosystems.”

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108
Schedule "2"

1. Thetis Island Local Trust Committee Bylaw No. 88, cited as "Thetis Island Official Community Plan Bylaw, 2011," is amended by adding "Schedule "I" – Development Permit Area" as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "A" of Bylaw No. 88 as are required to effect this change.

**THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108**

Plan No. 1



PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 109

A BYLAW TO AMEND THETIS ISLAND LAND USE BYLAW, 2011

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*, enacts as follows:

1. Citation
This bylaw may be cited for all purposes as “Thetis Island Land Use Bylaw, 2011, Amendment No. 1, 2020”.
2. Thetis Island Local Trust Committee Bylaw No. 89, cited as “Thetis Island Land Use Bylaw, 2011,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 21ST DAY OF JULY ,2020

PUBLIC HEARING HELD THIS 2ND DAY OF FEBRAURY ,2021

READ A SECOND TIME THIS _____ DAY OF _____ ,202X

READ A THIRD TIME THIS _____ DAY OF _____ ,202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ ,202X

ADOPTED THIS _____ DAY OF _____ ,202X

Chair

Secretary

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 109
Schedule “1”

1. Schedule “A” of Thetis Island Land Use Bylaw No. 89, 2011 is amended as follows:

1.1 **PART 1. ADMINISTRATION**, 1.1 DEFINITIONS, is amended by adding the following definition in alphabetical order:

“*watercourse* means a creek, pond, lake, river, stream, or brook, whether usually containing water or not and any spring or wetland that is integral to a watercourse.”

1.2 Add a new **PART 11. DEVELOPMENT PERMIT AREA GUIDELINES** immediately following “**PART 10. WATER ZONES**” as follows and renumber subsequent parts chronologically:

“PART 11. DEVELOPMENT PERMIT AREA GUIDELINES

11.1 Development Permit Area No. 1 – Riparian Areas

11.1.1 Definitions

Unless otherwise defined in this bylaw, Terms used in Section 11.1 that are defined in the *Riparian Areas Protection Regulation (RAPR)* of the *Riparian Areas Protection Act* have the same meaning as the definition given in the Regulation (e.g. stream, stream boundary, area of human disturbance), as it may be amended from time to time. Italicized terms (other than legislation) are defined in this bylaw.

11.1.2 Applicability

The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 11.1.3:

- (a) The addition, removal or alteration of soil, vegetation or *building* or other *structure*;
- (b) Creation of non-structural, impervious or semi-impervious surfaces;
- (c) Without limiting paragraph (a), the addition, removal or alteration of works and services described in section 506 (1) [*subdivision servicing requirements*] of the *Local Government Act*;
- (d) Subdivision as defined in section 455 of the *Local Government Act*;
- (e) Application of artificial fertilizer, pesticides or herbicides;
- (f) Any other development, as that term is defined under the *Riparian Areas Protection Regulation*.

11.1.3 Exempted Activities

The following activities are exempt from any requirement for a development permit in Development Permit Area No. 1:

- (a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- (b) work authorized by Fisheries and Oceans Canada under section 35 of the *Fisheries Act*;
- (c) repairs or other non-structural alterations or additions to a pre-existing *building* or other *structure* to the extent that it remains on its existing foundation and does not alter, extend or otherwise increase the footprint, and that it is not damaged or destroyed to the extent described in section 532 of the *Local Government Act*;
- (d) the maintenance of an area of human disturbance, other than a *building* or other *structure*, if the area is not extended and the type of disturbance is not changed and does not involve the application of artificial fertilizer, pesticides or herbicides;
- (e) repair or replacement of a septic field within the same area of land as the existing septic field;
- (f) the removal of trees that have been examined by an International Society of Arboriculture Certified Arborist and certified in writing to pose a threat to life or property;
- (g) manual removal of invasive species and manual planting of native vegetation in accordance with a restoration plan prepared by Qualified Environmental Professional;
- (h) pruning of not more than two trees in one growing season which does not involve the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- (i) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - (i) emergency actions for flood-protection and erosion protection;
 - (ii) clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow;
 - (iii) repairs to bridges and safety fences carried out in accordance with the *Water Act*; and
 - (iv) creation of a fire break in accordance with the *Wildfire Act*;
- (j) The construction of a trail if all of the following apply:
 - (i) The trail is 1 metre wide or less;
 - (ii) No trees are removed;
 - (iii) The surface of the trail is pervious;
 - (iv) The trail is designed and constructed to prevent soil erosion where slopes occur; and

- (v) Where the trail parallels the stream, the trail is more than 5 metres away from the stream boundary;

11.1.4 Guidelines

Prior to undertaking any non-exempt development activities within the Development Permit Area No. 1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- (a) Applications for development permits must include an assessment report prepared by a Qualified Environmental Professional (QEP) in accordance with the assessment methods described in the *Riparian Areas Protection Regulation* (RAPR) and submitted to the responsible BC ministry. The report must include the QEP's recommendations regarding development approval conditions including the monitoring of development activities and subsequent reporting by the QEP to the applicant and the Local Trust Committee.
- (b) Applications for development permits received after site works are complete should include a condition and impact assessment report prepared by a QEP in accordance with *Professional Practice Guidelines – Legislated Riparian Assessments in BC* and the *Riparian Areas Regulation Assessment Methods*, as they may be amended from time to time.
- (c) In general, all development in this Development Permit Area should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a QEP has, as part of the assessment report or condition and impact assessment report, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, or monitoring and reporting, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the QEP's report.
- (d) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the QEP's report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term, which measures should be included as conditions of the development permit.
- (e) Where a QEP report describes an area within the DPA as suitable for development, the development permit should only allow the development to occur in that area.

- (f) If the nature of the proposed project within the DPA changes after the assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- (g) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in accordance with the recommendations in the QEP's report.
- (h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.
- (i) A development permit may designate areas of land within a subdivision that must remain free of development in accordance with the recommendations of a QEP.
- (j) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a stream, except in accordance with the recommendations of a QEP.
- (k) No subdivision plan should be designed in such a way that activities described in 11.1.2 would be likely to occur within 30 metres of the stream boundary, unless the development will comply with the recommendations of the QEP who assessed the impact of the subdivision on the riparian area. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP's report.

MEMORANDUM

DATE OF MEETING: April 13, 2021

TO: Thetis Island Local Trust Committee

FROM: Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: Shoreline Protection Options

PURPOSE

At their February 9, 2021 business meeting, the Thetis Island Local Trust Committee passed the following motion:

2021-006

that the Thetis Island Local Trust Committee request staff to provide a staff report analyzing shoreline and conservancy tools that might be incorporated into a shoreline project that would include a robust First Nations advisory component and collaboration with other Local Trust Committees with a regional perspective.

The purpose of this memorandum is to provide the Thetis Island Local Trust Committee (LTC) a summary of options for projects related to shoreline protection.

OPTIONS

There are multiple tools available to the LTC regarding shoreline protection, depending on the type of protection the LTC is seeking. A variety of communication methods could be utilized to advocate for or educate the public on protection of shoreline values. The regulatory options that the LTC has are summarized as follows:

Regulatory Tool	Purpose
Shoreline Upland Zoning	Regulation of allowed land uses and structures, lot coverage, height, and setbacks from the sea.
Marine Zoning	Regulation of water uses and structures in the water adjacent to land.
Development Permit Areas	Provides guidelines above and beyond zoning that must be met in order to issue a Development Permit.
Heritage Conservation Area	Establishes a set of conservation objectives and guidelines for achieving these objectives. New construction, land subdivision, and major alterations to existing buildings would require a heritage alteration permit.
Flood Control Bylaw	Designates a floodplain and regulates flood control, flood hazard management, and development of land that is subject to flooding.

Staff has attached a recent Discussion Paper developed by Planner Jaime Dubyna analyzing a Gambier LTC Top Priority Project regarding shoreline protection on Keats Island. On pages 13-17 of the Discussion Paper, Planner Dubyna describes some of the regulatory options listed above and discusses the relative effectiveness of each regulatory tool. As a result of this Discussion Paper, the Gambier LTC chose to move forward with developing and implementing a shoreline Development Permit Area as they thought this tool was the most impactful with regards to limiting impacts to land adjacent to shorelines of the options presented.

Staff notes that while this Discussion Paper explored the option of developing Marine Zoning, changes to upland zoning was not contemplated. One could argue that zoning is actually a more impactful tool that an LTC has at their disposal than a Development Permit Area and the LTC could consider this as well as part of a shoreline protection project.

If the Thetis Island LTC wished to take advantage of the momentum of the Gambier project by considering adopting a Shoreline Development Permit area, a project of this type could be resourced if it also included a minimum amount of public engagement. Adoption of a DPA is an OCP and/or LUB amendment. A minimum amount of public engagement in the context of a bylaw amendment process means one referral period to First Nations and outside agencies and one public hearing. Islands Trust would also include one Community Information Meeting. If the LTC believed this minimal level of public engagement would be adequate, staff believe a project of this nature could be resourced in the short-term.

The LTC may also want to consider that the Regional Planning Committee currently has a project on its work program related to shoreline protection. Consultants have been hired to develop a set of recommendations for Islands Trust regarding options for shoreline protection. That report is anticipated to be presented to the Regional Planning Committee at its May 12th meeting. With this in mind, the Thetis Island LTC may want to postpone initiating a shoreline protection project until the RPC has considered this report.

NEXT STEPS

According to LTC direction.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	April 1, 2021
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ATTACHMENTS

1. Keats Shoreline Project Discussion Paper dated May 2020

MEMORANDUM

File No.: GM-6500-20 Keats Shoreline Protection

DATE OF MEETING: May 28, 2020
TO: Gambier Island Local Trust Committee
FROM: Jaime Dubyna, Planner 2
Northern Team
COPY: Heather Kauer, Regional Planning Manager
SUBJECT: **Keats Island Shoreline Protection Project**

PURPOSE

The purpose of this memo is to update the Gambier Island Local Trust Committee (LTC) on progress to date with the Keats Shoreline Protection Project, to introduce the discussion paper resulting from the first phase of the project, and to outline potential next steps for LTC consideration.

BACKGROUND

At the January 30th, 2020 Gambier Island LTC regular business meeting staff presented the amended project charter for LTC endorsement. The LTC passed the following resolution:

GM-2020-005

It was Moved and Seconded,

that the Gambier Island Local Trust Committee endorse the revised 'Keats Islands Shoreline Protection' Project Phase 2 Project Charter v.3 dated January 30, 2020.

CARRIED

PROJECT UPDATE

Since the endorsement of the revised project charter in January 2020, staff have been undertaking a review of current LUB regulations and OCP policies on Keats Island, and other Local Trust Area regulations and policies. The goal of this review is to analyse what opportunities may exist for regulatory and/or policy changes that could potentially provide increased shoreline protection on Keats Island.

As a means for providing baseline information to the LTC and the Keats Island Shoreline Protection Working Group with respect to shoreline protection regulations and policies on Keats Island, the attached discussion paper includes:

- A summary of relevant Islands Trust Policy Statement directive policies;
- A summary of relevant Keats Island Official Community Plan (OCP) policies;
- A description of current regulations in the Keats Island Land Use Bylaw (LUB);
- A summary of relevant regulations in other Local Trust Area land use bylaws; and,
- A brief outline of four potential options for regulatory and/or policy changes that could help to protect the shoreline on Keats Island.

NEXT STEPS

Proposed next steps include:

- Staff to present discussion paper to Working Group to generate recommendation on options and report back to LTC.

Submitted By:	Jaime Dubyna Planner 2	May 19, 2020
Concurrence:	Heather Kauer Regional Planning Manager	May 20, 2020

ATTACHMENTS:

1. Keats Shoreline Protection Review Discussion Paper
2. Project Charter v.3.1, updated May 28, 2020

GAMBIER ISLAND LOCAL TRUST COMMITTEE
KEATS ISLAND SHORELINE PROTECTION PROJECT

DISCUSSION PAPER

MAY 2020

Jaime Dubyna, Planner 2



Islands Trust

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Summary

As a mechanism for providing background and context, staff have prepared a discussion paper on shoreline policies and regulations on Keats Island. The purpose of this discussion paper is to provide analysis, technical information and recommend options in order to inform discussion and deliberation.

Following LTC endorsement of this discussion paper, the next step in the review process is proposed to be a referral of this discussion paper to the Keats Island Shoreline Protection Working Group for comment. Working Group comments and recommendations would then be brought back to the LTC for consideration.

1. Background

At the July 27, 2017 regular meeting of the Gambier LTC, a resolution was passed which moved the item “Keats Island Regulatory Options for Docks and Other Foreshore Development” to the top priority project list, with the specified activity of “amending policies and regulations for docks and other foreshore development.” This action was taken in response to community concerns related to the general increase in development on Keats, and more specifically to the increase in dock development.

The concerns are understood to include environmental impacts, particularly on eelgrass or forage fish spawning areas; visual impacts to neighbours; and impacts on public access to the foreshore for residents and visitors of the Island.

In addition to community concerns, a review and update to shoreline policies and regulations for Keats Island has not been done since the adoption of the Keats Island Official Community Plan (OCP) Bylaw No. 77, 2002 and the Keats Island Use Bylaw No. 78, 2002 (LUB). While 18 years may not seem that long ago, it is generally considered good practice to review OCPs every 5 to 10 years. As well, it has been noted that some regulations found in the current LUB have been carried over from the repealed “Sunshine Coast Regional District Land Use Regulation By-law No. 76, 1974.”

A high concentration of archaeological values, including an estimated 80% of known archaeological sites, are found near the foreshore. Increasingly, First Nations are expressing concerns about the proliferation of shoreline development, which may impact their ability to engage in traditional food gathering activities, and other cultural impacts, as well as generating rights and title implications.

Subsequently, at the April 19, 2018 regular meeting, the LTC endorsed a project charter for ‘Phase 1’ of the project, renamed “Keats Island Shoreline Protection Project”. ‘Phase 1’ introduced potential policy, regulatory and voluntary options related to shoreline protection, and conducted two public meetings and a survey to solicit community input on shoreline values. At the January 31, 2019 regular meeting, a summary of community input was presented to the LTC, the LTC deemed ‘Phase 1’ complete and endorsed a project charter for ‘Phase 2’ of the project.

The purpose of ‘Phase 2’ is to review and update relevant OCP policies and LUB regulations to strengthen opportunities for protection of archaeological resources, sensitive ecosystems, shoreline integrity and function, and public access on Keats Island. The project aligns with Trust Council direction related to the protection of the foreshore and nearshore, and for climate change adaptation and mitigation. The objectives of ‘Phase 2’ include OCP and LUB updates to address the following:

- Sea level rise and flood protection;
- Protection of archaeological resources, sensitive ecosystems and species at risk; and
- Consistency with AtI'ka7tsem/Howe Sound cumulative effects studies, conservation and marine use planning documents; and the Islands Trust Conservancy Regional Conservation Plan 2018-2027 and Coastal Douglas-fir Ecosystem Protection Toolkit.

The scope of the project includes:

- Establishing a Keats Island Shoreline Protection Working Group;
- Reviewing and updating relevant OCP policies and schedules, LUB setbacks and flood protection levels, dock regulations, marine zones, and flood protection bylaw;
- Potentially developing a shoreline development permit area;
- Conducting minor 'housekeeping' bylaw amendments.

The first deliverables identified in the project charter include LTC endorsement of the revised project charter and Working Group Terms of Reference, and establishing the Working Group; completed in June 2019. Since then, staff have met with the Working Group to introduce the project and relevant topics, conduct a boat tour to identify areas of concern or interest along the Keats shoreline, and identify the Working Group's key concerns related to the Island's foreshore and marine areas.

This discussion paper has been prepared for the Working Group and the Gambier Island LTC, to present an overview of existing Keats Island regulations and policies, provide a comparison of other Local Trust Area's regulations, and present four potential regulatory options for proceeding. The Working Group will be asked to provide recommendations to the LTC in relation to the four options. The findings of this discussion paper along with the Working Group's recommendations are proposed to inform the LTC as they move forward with considering the existing Keats shoreline policies and regulations.

2. Limitations

This discussion paper has several limitations that should be considered relevant. An overarching goal of this project is to strengthen opportunities for protection of archaeological resources, sensitive ecosystems, shoreline integrity and function, and public access on Keats Island.

It is noted that information pertaining to archaeological sites is not available publicly, and Islands Trust planning staff are not authorized to share this information. Individual property owners can petition the BC Archaeology Branch for information regarding archaeological sites on their property, as the Archaeology Branch is responsible for maintaining and distributing archaeological information; however, the Archaeology Branch may not release data that could potentially damage archaeological sites. Property owners are encouraged to contact the Archaeology Branch for more information.

The scope of this project does not include determining the legal status of current docks and foreshore structures under the LUB. In addition, the scope of this project does not include identifying whether current docks and foreshore structures still require permissions or a license for a Crown lease. It is the responsibility of property owners to confirm the legality of their docks or foreshore structures with the Province.

It is recognized that Keats Island is accessible by boat only, and that many upland properties are water access only, having no access to a developed road. Options for access include private boat, water taxi from Gibsons or Horseshoe Bay, and a passenger service from Langdale.

3. Existing Islands Trust Policies

3.1. Islands Trust Policy Statement

The Policy Statement guides land use planning and development through the preserve and protect mandate of the Islands Trust. It includes goals and policies that reflect the values and concerns for the future of the Trust Area. Local trust committee official community plans and land use bylaws must comply with the Policy Statement. There are a number of policies which speak broadly for shoreline protection, and more specifically for the implementation, regulation and use of foreshore development, as follows in the table below:

Table 1. ITPS Policies

ITPS Policies	
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.
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.
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.
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.
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.

A comprehensive list of relevant ITPS policies are found in Appendix 1.

3.2. Keats Island Official Community Plan

There are several policies in the Keats Island Official Community Plan (OCP) Bylaw No. 76, 2002 which speak to protecting coastal and/or foreshore areas:

P 3.20 *In order to protect the island's foreshore and beaches from pollution, environmental degradation, and inappropriate development or use, zoning regulations for coastal areas should be designed to ensure protection of natural coastal processes and features.*

P 4.20 *The integrity of foreshore features, shoreline features, and intertidal processes should be maintained by:*

- a) discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore;*
- b) supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas;*
- c) land use regulations should provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures;*
- d) where land use regulations provide for private docks, the use of communal or shared docks is encouraged, where feasible, to limit the need for multiple dock development along the shoreline.*

P 4.21 *The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.*

The OCP also includes the following policy for protecting archaeological resources:

P 5.117 *The protection of archaeological and heritage sites afforded under the Heritage Conservation Act is acknowledged by the Local Trust Committee.*

There are additional OCP policies that support dock or wharf development, specifically for water-access only lots, and that encourage sharing of docks through joint ownership or agreements between neighbours:

P 4.16 *Zoning regulations should provide for the existing public wharves, public barge ramp, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements.*

P 5.84 *Water-access lots are recognized as areas suitable for private docks and moorings.*

P 5.85 *Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.*

Appendix 2 provides a comprehensive list of existing OCP policies.

3.3. Keats Island Land Use Bylaw

For clarity, the LUB provides the following definitions:

- accessory** *in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan.*
- moorage** *means the tying of a boat or vessel:*
- *to a wharf, dock, or float; or*
 - *to a mooring buoy that is in turn anchored to the seabed.*
- dock** *means a marine-based structure, usually comprised of a float, ramp and pier which is used for the private moorage of boats or vessels in association with a permitted residential use on the adjacent upland.*
- public wharf** *means a wharf serving the general public for the purpose of loading and unloading people, goods and material, plus temporary moorage space for the boating public.*
- wharf** *means a marine-based structure, usually comprised of a pier, ramp(s) and float(s), which is available in association with a public use, provincial marine park, private institutional or communal moorage use.*

Permitted Uses

The Keats Island Land Use Bylaw (LUB) permits non-commercial anchorage or moorage use through four routes:

- in marine zones;
- accessory to a residential use of a residential zone;
- accessory to a permitted use of an institutional zone;
- for public use associated with park use in the Provincial Marine Park (P2) zone (Plumper Cove Marine Provincial Park).

There are two locations zoned Marine 1 – Public Wharf (M1) on Keats, where non-commercial boat moorage use is permitted: Eastbourne and Keats Landing government wharves.

There are also two locations zoned Marine 2 – Communal Moorage (M2) zone on Keats, where non-commercial anchorage and moorage of private vessels is permitted: directly adjacent to Keats Landing wharf, and in a marine-only area adjacent to the Eastbourne wharf. The M2 zone permits this use provided it serves “....only single family uses on any Keats Island upland lot, and for which user fees may be charged.”

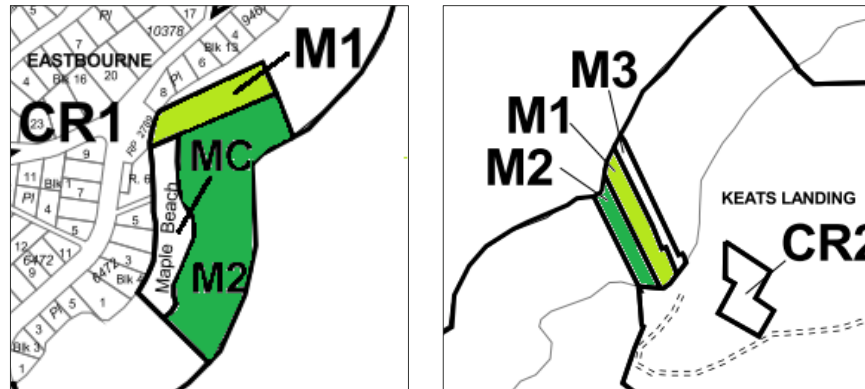


Figure 1. Location of M1 and M2 zones on Keats Island

The following residential zones permit non-commercial anchorage and moorage in the marine-based area, accessory to a permitted residential use on the adjacent upland:

- Community Residential 1 (CR1)
- Community Residential 2 (CR2)
- Comprehensive Development 1 (CD1)
- Rural Residential (RR)
- Rural Comprehensive (RC)

And, the following institutional zones permit non-commercial anchorage and moorage in the marine-based area, accessory to a permitted use in the adjacent upland:

- Private Institutional 1 (PI1)
- Private Institutional 2 (PI2)

Generally, commercial or industrial use of a “buoy, float, dock, wharf, ramp or related structure” is prohibited on Keats Island, unless it is expressly permitted in Part 4 of the LUB. For example, Section 4.16 of the LUB permits “buoys, floats, dolphins and pilings, necessary for the establishment or operation of a use permitted in this zone”, in the Marine 4 – Private Log Dump (M4) zone.

Permitted Structures

Docks

The LUB provides regulations for private docks and associated structures (floats, ramp, pier) within the marine-based area of the following residential zones:

- Community Residential 1 (CR1)
- Community Residential 2 (CR2)
- Comprehensive Development 1 (CD1)
- Rural Residential (RR)
- Rural Comprehensive (RC)

Regulations for docks include the maximum number of docks permitted per waterfront lot, the maximum area covered by a dock float, and the maximum width of a ramp associated with a dock. To

align with OCP policies that support or encourage communal/shared docks, the LUB includes regulations where the maximum float size may be increased per residential dwelling served by that dock, provided a restrictive covenant is registered.

While the LUB includes docks under permitted structures in the Private Institutional 2 (PI2) zone, the regulations for marine-based structures in this zone are directed toward wharves. It is also noted that both the Provincial Marine Park (P2) and Marine 2 – Communal Moorage (M2) zones include regulations for docks, but do not include docks under permitted buildings and structures in that zone.

Wharves

The LUB permits wharves through two routes: for public use and in association with a private institutional camp. Public wharves are permitted in the following zones:

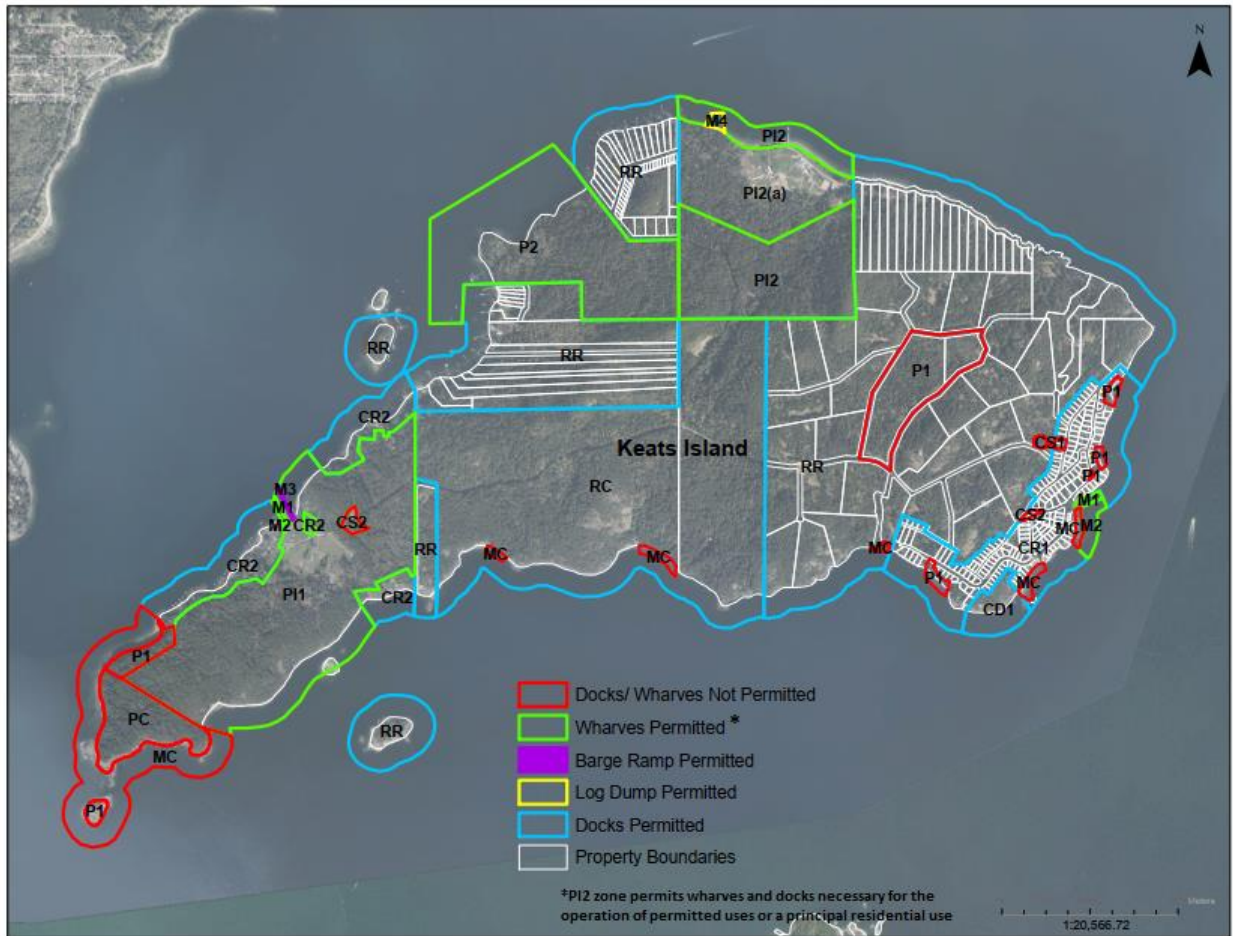
- Provincial Marine Park (P2)
- Marine 1 – Public Wharf (M1)
- Marine 2 – Communal Moorage (M2)

The M1 and M2 zones provide the main public access points to Keats Island; as noted, the M1 zone includes Eastbourne and Keats Landing government wharves. The P2 zone includes the upland and marine-based area of Plumper Cove Marine Provincial Park. LUB regulations related to public wharves include limiting the maximum area covered by a float and the maximum width of a ramp.

Wharves and associated structures (float, dolphin, pilings, etc.) that are necessary for the establishment or operation of a private institutional camp use, are also permitted in the Private Institutional 1 (PI1) and Private Institutional 2 (PI2) zones. There are associated regulations for wharves for each of these zones, including the maximum number of wharves permitted and maximum area covered by floats and ramps.

Appendix 3 provides summary tables of zone-specific regulations found in the LUB in relation to docks, wharves and other marine structures.

As shown in Figure 2, most of the Keats shoreline is zoned to permit marine-based structures such as docks and wharves.



Setbacks

Natural Boundary of the Sea

The LUB provides the following regulations for siting of buildings and structures in relation to the natural boundary of the sea:

2.7.2 The following features may project into a required setback area:

- steps, eaves gutters, cornices, sills, chimneys, or similar features, provided they do not project more than 1.0 metre (3 feet) into the required setback area or 0.5 metres (1.5 feet) in the case of a side yard setback area;
- balconies, decks and sunshades, provided that they do not project more than 1.0 metre (3 feet) into the required setback area;
- retaining walls may be located in any required setback area except the setback from the natural boundary of the sea.

2.7.3 No building or structure except platforms not exceeding a combined floor area of 10 square metres, a permitted boathouse, pump/utility house, or stairs, or walkways required to access the foreshore or a permitted float, dock, wharf, or other permitted marine related structure may be

constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea.

For clarity, the LUB provides the following definitions:

- | | |
|--------------------------------|--|
| <i>natural boundary</i> | <i>means the visible high water mark of the sea, a lake, a stream or other body of water, where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil or rock of the bed of the body of water a character distinct from that of the bank, and in the case of a lot having a surveyed high water mark means the high water mark.</i> |
| <i>retaining wall</i> | <i>means the placement of riprap or a structure between lands of different elevations to protect structures and/or to prevent erosion.</i> |
| <i>structure</i> | <i>means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes:</i> <ul style="list-style-type: none">• <i>fences;</i>• <i>surfaced areas of gravel, concrete, or other similar material comprising driveways and uncovered parking areas; and</i>• <i>underground sewage disposal systems including septic tanks, absorption fields and related appurtenances</i> |

3.4. Other Local Trust Area Bylaw Regulations

Policies and regulations related to shorelines differ from island to island in the Trust Area, as each island has taken a variety of approaches to address shoreline development and protection. Since each LTA has its own Land Use Bylaw (LUB) and Official Community Plan (OCP), each island has taken an approach consistent with its own individual culture, history, and intensity of use. The main tools available to the LTAs under the *Islands Trust Act* are modifications to the OCP and associated LUBs to include shoreline-specific provisions. Within the LUBs, this generally takes the form of increasing setbacks from the natural boundary of the sea and limiting buildings and structures within the setback area and in marine areas.

Table 2 (next page) provides a brief overview of how the LTAs in the Islands Trust regulate the shoreline area. Further summaries of each island's regulations are outlined in Appendix 4 – Summary of Other Local Trust Area Regulations. A select number of associated islands bylaws were included in this study.

Table 2: Summary of Other LTA Regulations

Shoreline Regulation Overview Table	Private Docks permitted (zone specific)	Setback from Natural Boundary of the Sea	Permits Structures in Setback from NB	Exemptions to Setback from NB	Shoreline (or Marine) Development Permit Area
Ballenas-Winchelsea	✓	15 m	-	✓	✓
Bowyer and Passage Islands (Gambier LTA)	✓	7.6 m	Property specific min. setbacks based on historical buildings and structures	✓	-
Denman	✓	15 m	✓	-	-
Gabriola	✓	15 m*	✓	-	✓
Galiano	✓	7.5 m	✓	-	✓
Gambier	✓	15 m	✓	✓	✓
Gambier Associated Islands	✓	7.5 m	✓	-	-
Hornby	-	15 m	-	✓	-
Lasqueti	✓	15 m*	✓	-	-
Mayne	✓	7.5 m	✓	✓	-
North Pender	✓	15 m	✓	✓	✓
North Pender Associated Islands	✓	15 m	-	-	✓
Salt Spring	✓	15 m*	✓	✓ (zone specific)	✓
Saturna	✓	7.6 m	✓	-	-
South Pender	✓	7.6 m	✓	✓	-
Thetis	✓	7.6 m	✓	✓	-
Thetis Associated Islands	✓	10 m	✓	-	-

*May be reduced with engineer certification.

4. Options

As outlined in Section 3.3, the Keats Island LUB currently regulates docks and other foreshore development through a combination of general and zone-specific regulations. Outlined below is a brief discussion of potential options that could be considered by the LTC for enhancing shoreline protection further through its regulatory and policy framework on Keats Island.

4.1. Establish a Shoreline Development Permit Area

Authorized by the *Local Government Act* (LGA), development permit areas (DPA) are one regulatory option available to the LTC for managing development on private land. Under Section 488 of the LGA, DPAs may be designated within an official community plan for a number of purposes, including “protection of the natural environment, its ecosystems and biological diversity” and “protection of

development from hazardous conditions”. DPAs are established over specific land or areas and include development guidelines to address DPA objectives. Examples of objectives that may be relevant to Keats include:

- To preserve and protect the ecological values of shorelines and associated foreshore and upland areas;
- To protect and/or minimize disruption of important natural features and processes;
- To protect fish or wildlife habitat;
- To prevent erosion;
- To adapt to anticipated effects from climate change.

The guidelines may prescribe how applicable development activity occurs within that DPA. Examples include guidelines for retaining walls and other shoreline stabilization works; dock construction regarding density, size and materials; protecting eelgrass and other plant or tree species; setbacks from the natural boundary; requirements for professional reports (i.e. engineer, biologist, etc.); and restoration or enhancement measures.

There are several LTAs that have established Shoreline DPAs, which guide development within a specified area upland of the natural boundary of the sea, and in some cases, seaward to the boundary of the area of bylaw application.

Ballenas-Winchelsea Islands designates all land 30 metres upland of the natural boundary of the sea within its Shoreline DPA, for the protection of the natural environment and to protect development from hazardous conditions. The DPA applies to all construction and land alteration within the Shoreline DPA, and includes general guidelines, shoreline specific guidelines for steep slopes and bluffs, and guidelines for boat launch facilities.

Salt Spring Island designates all land covered by water between the natural boundary of the sea and a parallel line draw 300 metres seaward of the natural boundary of the sea within its Shoreline DPA. It also encloses upland areas measured 10 metres from the natural boundary of the sea in areas where the marine environment has been identified as particularly sensitive to development impacts. Guidelines include addressing water quality, residential dock float size, shoreline stabilization works, lighting over the water and reducing impact on kelp or eelgrass beds.

Considerations:

Pros

- Would address the greatest number of concerns identified by the LTC and Working Group of all options listed;
- Furthers the Islands Trust’s “preserve and protect” mandate;
- Guides development, does not preclude development;
- Certain development activities may be exempted from the requirement for a development permit;
- Applicable to residential, industrial and commercial development;
- Specifies natural or hazardous areas that must remain free of development, except in accordance with the conditions of the permit;

- May require measures to preserve, protect, restore or enhance specified natural features or areas;
- May incorporate recommended sea level rise and flood protection measures;
- Opportunity to incorporate recommendations in the Islands Trust Coastal Douglas-fir Zone Ecosystem Protection Toolkit and Islands Trust Conservancy Regional Conservation Plan;
- Opportunity to incorporate Green Shores or “soft shore” alternative approaches to shoreline and flood protection;
- No public notification required for an application for a Development Permit. Public consultation is done at the time of the DPA’s establishment within the OCP and LUB.

Cons

- Amendments to OCP and LUB required, including mapping updates;
- Not applicable to institutional, agricultural, forestry or parks development;
- Limited discretion for LTC. Issuance of DP is in accordance with DPA guidelines;
- Bylaw infraction enforcement can be costly;
- Misunderstanding of DPAs can lead to difficulty gaining public acceptance;
- Property owners concern for additional costs and regulations.

4.2. Flood Protection Bylaw

Section 524 of the LGA enables local governments to develop flood hazard area bylaws. When adopting these bylaws, local governments are required to consider the Province’s [“Flood Hazard Area Land Use Management Guidelines”](#) (the Provincial Guidelines). Amended in 2018, the Provincial Guidelines incorporate sea level rise (SLR) into land use planning and future development, and require that local governments adjust setbacks according to the Year 2100 Global SLR prediction of 1.0 metre, with adjustments made for regional uplift and subsidence. Using the Year 2100 SLR prediction of 1.0 metre as the minimum elevation, local governments can regulate flood construction levels (FCL) of buildings and structures, including docks.

The Provincial Guidelines require a setback of 15 metres from the future estimated natural boundary of the sea at Year 2100, or landward of the location where the natural ground elevation contour is equivalent to the Year 2100. It is noted that where sea frontage is protected from natural bedrock formation, setback requirements may be adjusted as recommended by a qualified Professional Engineer experienced in coastal engineering. Conversely, the recommended setback may be increased based on the site specific conditions, for example in low-lying areas or areas of known erosion hazard.

The current Keats LUB requires a 7.5 metres setback from the natural boundary of the sea for buildings and structures, and requires amendments to be consistent with the Provincial Guidelines. Rather than amending the LUB to update the setback measurement, one option would be to amend the LUB to refer to the flood protection bylaw for setbacks from the natural boundary of the sea. This would align with the existing Provincial Guidelines, and with any future amendments to the setbacks to the sea as required by the Province.

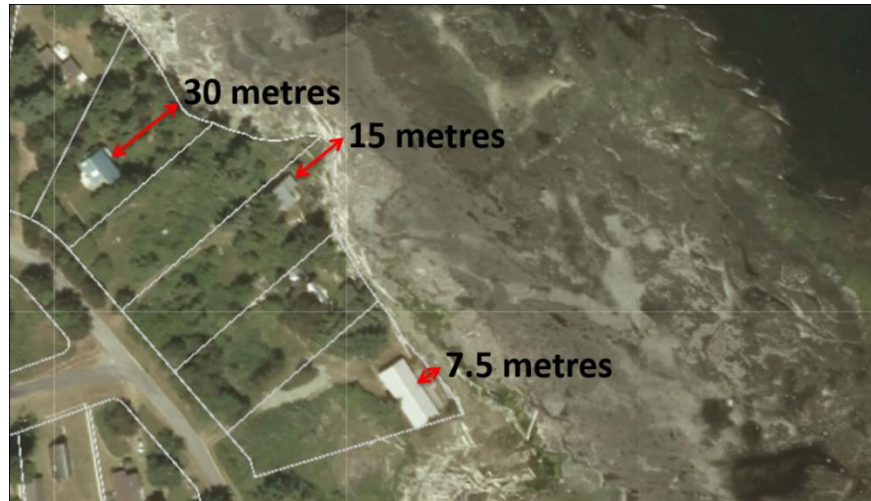


Figure 3. Example of setbacks from natural boundary of sea

For historic development that does not meet the Provincial Guidelines, the province recommends that redevelopment be regulated by requiring a restrictive covenant stipulating that any future development must meet the FCL and setback requirements in force at the time of redevelopment. Given its historic development pattern, this final recommendation could potentially apply to a number of properties on Keats.

Considerations:

Pros

- Aligns with provincial direction;
- Designed to prevent injury or loss of human life, and to minimize property damage resulting from flood events;
- Potentially an Islands Trust-wide option.

Cons

- Only address flood construction levels; do not address most aspects of dock or retaining wall density, design or setbacks, or environmental protection beyond flood construction levels;
- Coastal floodplain mapping and data is costly, Islands Trust relies on Regional Districts and the Province for this information;
- Flood hazard assessment reports by qualified professional engineer may be out of reach for some property owners;
- Could have implications for smaller lots – i.e. limit or restrict some lots.

4.3. Create Marine Zones

Another option available to the LTC is to create marine-specific zones for the marine area surrounding Keats Island. Currently, there are six (6) marine zones that cover approx. 18% of the marine area surrounding Keats, and the other 82% shares the zoning of the adjacent upland area. It is noted that one zone, the Marine General (MG) zone includes surrounding marine areas outside of the perimeter of the other zones (as shown in Figure 4 below). In the Marine zones (except the MG zone), the LUB

KEATS ISLAND
Land Use Bylaw No. 78
Schedule B

Zones

- MC, M1, M2, M3, M4

Legend:

- CR1 Community Residential 1
- CR2 Community Residential 2
- CD1 Comprehensive Development 1
- RR Rural Residential
- RC Rural Comprehensive
- P1 Private Institutional 1
- P2 Private Institutional 2
- PC Private Conservation
- CS1 Community Service 1
- CS2 Community Service 2
- P1 Natural Area Community Park
- M1 Marine 1 - Public Wharf
- M2 Marine 2 - Commercial Moorage
- M3 Marine 3 - Public Barge Ramp
- M4 Marine 4 - Private Log Dump
- MC Marine Conservation
- MG Marine General

Map Details:

- Shoal Lake
- Plummer Cove
- Barfleur Passage
- Observatory Pt.
- RR L. 1488
- P2
- RR L. 1487
- RR L. 1489
- P12
- P12(a)
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- L. 1490
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Amending the LUB to create new marine zone designations would simplify zoning in general in the LUB, and would focus regulations below the natural boundary of the sea to marine-specific uses, buildings and structures only. This option would require amendments to the existing zoning regulations found in the LUB, and may involve a comprehensive review and update to the entire LUB. As a result, this option would provide an opportunity to also consider amendments to other zoning regulations.

Additional regulations could include setbacks from important marine plant species. One example that may be replicated for Keats is Section 9.11.1 of the [Salt Spring Island Land Use Bylaw no. 355, 1999](#), which requires a 10 metre setback from eelgrass (*Zostera marina*) or kelp (*Nereocystis luetkeana*).

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Considerations:

Pros

- Marine/foreshore focus only – no regulations or guidelines for development of land that impacts the foreshore;
- Simplifies zoning in marine areas;
- Regulates dock size, density, and other marine structures;
- Opportunity to update LUB regulations, including provincial best practices for docks;
- Can incorporate existing Islands Trust mapping data – including sensitive ecosystems and eelgrass mapping.

Cons

- May require OCP amendments;
- May require substantial amendments to the LUB;
- Can be achieved through amendments to existing zoning.

4.4. Establish Heritage Conservation Areas

In accordance with Section 614 of the LGA, Heritage Conservation Areas (HCA) are designated within an OCP. Similar to DPAs, where a Development Permit application must be “in accordance with” DPA guidelines, a Heritage Alteration Permit (HAP) must act in accordance with the HCA “purpose”. While DPAs may be designated for a number of purposes, a HCA is designated for the purpose of “heritage conservation”. The LGA provides the following definition:

conservation *includes, in relation to heritage, any activity undertaken to protect preserve or enhance the heritage value or heritage character of heritage property or an area;*

Further definitions are provided within the LGA for “heritage value”, “heritage character”, and “heritage property”. While heritage conservation is often thought of from a historical or architectural perspective (i.e. heritage buildings), HCAs can apply to cultural areas, land or natural features of importance. In this way, staff surmise that this option may also further the [Reconciliation Action Plan 2019-2022](#) adopted by the Islands Trust Council in 2019, by exploring opportunities for collaboration and knowledge sharing with local First Nations. HCAs could recognize important cultural or historical areas or features of importance on Keats, and facilitate understanding of property owners on First Nations concerns.

Existing Keats OCP policies that address heritage conservation are broad and encourage preservation and protection of heritage values and character, and encourage the use of voluntary conservation covenants. Establishing a HCA is an opportunity to strengthen heritage conservation on Keats Island.

HCAs are a relatively underused regulatory tool in the Islands Trust. Staff are aware of one HCA on Salt Spring Island, the HCA 1 – Ganges Village Core. While the Ganges Village Core is a designated HCA that protects a number of heritage buildings, it also protects heritage trees – in Centennial Park, on the grounds of the elementary school, mature trees with a trunk diameter greater than 20 cm and fruit trees over 50 years old, as decided by a certified arborist.

An important note when considering the establishment of HCAs, is that they may not be used to prevent a land use that is permitted within the LUB, and may not conserve natural landscapes or undeveloped land, except as noted in Section 588(1) of the LGA:

588 (1) *This Part must not be used to conserve natural landscapes or undeveloped land except (a) to the extent that the exercise of power under this Part in respect of natural landscape or undeveloped land is, in the opinion of the local government, necessary for the conservation of adjacent or proximate real property that is protected heritage property, (b) with respect to a site that has heritage value or heritage character related to human occupation or use, or (c) with respect to individual landmarks and other natural features that have cultural or historical value.*

Considerations:

Pros

- Strengthens the protection of important heritage areas, properties and/or features;
- Provides long-term protection;
- Can apply to a historical, cultural, aesthetic, scientific or educational value;
- Can protect identified natural features and characteristics;
- No public notification required for an application for a HAP. Public consultation is done at the time of the HCA's establishment within the OCP and LUB.

Cons

- Does not address regulations or guidelines associated with dock or retaining walls;
- Generally underused, may be unfamiliar to many;
- Limited discretion for LTC. Issuance of HAP is in accordance with HCA purpose;
- Enforcement can be costly;
- Could potentially be a slow process to establish a HCA – planning and research, consultation, etc.

5. Conclusion

This discussion paper is intended to identify and document existing policies and regulations related to the Keats Island shoreline and make recommendations as to potential updates to these policies and regulations.

The options presented in Section 4 represent some potential regulations that could be enacted in response to specific concerns from the community. Staff recommend that the LTC consider pursuing all of the options over time but identify a priority sequence for consideration. Staff recommend that the LTC start with consideration of a Shoreline Development Permit Area as this regulatory tool has the potential for impacting the most areas of interest.

- 6. Appendix 1 – Islands Trust Policy Statement Policies**
- 7. Appendix 2 – Keats Island OCP Policies**
- 8. Appendix 3 – Keats Island LUB Regulations**
- 9. Appendix 4 – Summary of Other Local Trust Area Regulations**

APPENDIX 1 – ISLANDS TRUST POLICY STATEMENT

ITPS Policies	
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.
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.
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.
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.
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.
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.
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.
5.2.3	Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
5.2.4	Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
5.2.6	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.
5.5.4	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.
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.
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.
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.

APPENDIX 2 - KEATS ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 77, 2002

SECTION 3. ECOSYSTEM PRESERVATION AND PROTECTION	
P 3.2	Measures which assist in maintaining and protecting unfragmented forest ecosystems and habitats, groundwater supplies, scenic areas, undeveloped beaches and pedestrian hiking trails is encouraged and supported by the Local Trust Committee. Such measures may include incentives to: retain large lots; register conservation or restrictive covenants which protect natural features or limit development; dedicate hiking trails and beach accesses.
P 3.3	Residents and property owners are encouraged to assume ongoing long term stewardship of environmentally sensitive features and undeveloped natural areas on private lands. The voluntary use of conservation covenants to protect the natural environment of Keats Island and surrounding islets is strongly supported by the Local Trust Committee.
P 3.5	Areas considered to be environmentally sensitive are shown generally on Schedule "C", Environmentally Sensitive Areas. The Local Trust Committee encourages the cooperation of relevant senior government agencies to further identify and protect environmentally sensitive features and areas.
P 3.6	Natural features and areas identified as environmentally sensitive to development may be protected by land use regulation. In considering permits, referrals, applications and rezoning proposals, the Gambier Island Local Trust Committee may request or require, as a condition of approval, the registration of restrictive covenants to maintain undeveloped specified portions of lots in order to protect specific features or retain certain undisturbed natural areas
P 3.7	New development detrimental to environmentally sensitive features and areas is discouraged. Setbacks for all buildings and structures shall be designed to protect significant riparian and wildlife habitat and encourage maintenance of indigenous vegetation within these areas.
P 3.8	Hazardous lands are those with natural characteristics that may endanger land use and related development. These can include areas susceptible to damage from natural phenomena such as storm wave action, flooding, severe erosion, land slippage, and rock fall. a) Areas of land where land use and related development is or may have to be restricted due to hazardous natural conditions include: - Lots or portions thereof having registered upon their title restrictive covenants prohibiting or limiting placement of buildings or structures due to hazardous conditions; and - Areas of land identified during the subdivision or building inspection processes as having natural conditions that may be hazardous to land use and related development. b) The Local Trust Committee is supportive of measures implemented by the Ministry of Transportation during the subdivision process and the Sunshine Coast Regional District during the building inspection process that protect land use development from hazardous conditions.

P 3.11	BC Parks is requested to: adequately supervise public recreational use of Plumper Cove Provincial Marine Park, particularly where overnight camping is permitted; require the use of holding tanks for vessels moored within the Park's water lot lease; and require that park users take their own garbage with them when they leave the site.
P 3.20	In order to protect the island's foreshore and beaches from pollution, environmental degradation, and inappropriate development or use, zoning regulations for coastal areas should be designed to ensure protection of natural coastal processes and features.
SECTION 4. STEWARDSHIP OF RESOURCES	
P 4.5	Residents and property owners are encouraged to retain areas of land and water in their natural state to ensure sufficient natural habitat is retained for maintenance of wildlife and bird populations or retention of rare or significant native vegetation.
P 4.15	Public access and the right to recreational use of the foreshore should be supported and protected, and such access and use should also respect the interests of adjacent residents and tenure holders. The use of public beaches should be regulated to ensure public access to and enjoyment of beaches is not impeded or impaired by inappropriate development or use of the foreshore.
P 4.16	Zoning regulations should provide for the existing public wharves, public barge ramp, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements.
P 4.17	Upon application for rezoning, a change, expansion, or downsizing in existing foreshore uses including public wharves, public and private barge ramps or boat launches, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements may be considered by the Local Trust Committee. Each application should address issues such as ensuring public access to the foreshore and safety issues.
P 4.18	Any foreshore rezoning proposal should only receive favourable consideration by the Local Trust Committee when the proposal is made in response rather than in anticipation of the needs and desires of the Keats Island community, at a time when establishment of such a use would enjoy widespread support within the community as a whole.
P 4.19	Given that most of the foreshore in the planning area is heavily used for recreational purposes, zoning regulations should not permit shellfish and finfish farms in the planning area; however, on application, the zoning regulations may be amended to permit shellfish aquaculture provided that the aquaculture uses do not preclude the traditional enjoyment of the shoreline by the public or upland owners and do not preclude recreational uses traditionally enjoyed by the people in the Howe Sound area.
P 4.20	The integrity of foreshore features, shoreline features, and intertidal processes should be maintained by: a) discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore; b) supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas; c) land use regulations should provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures; d) where land use regulations provide for private docks, the use of communal or shared docks is encouraged, where feasible, to limit the need for multiple dock development along the shoreline.

P 4.21	The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.
P 4.22	Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics.
P 4.23	The Ministry of Sustainable Resource Management and Land and Water British Columbia Inc. are encouraged to respect land use regulations of local government when authorizing uses of the foreshore and adjacent marine waters.
P 4.24	The Federal Department of Fisheries and Oceans is encouraged to require holding tanks in boats and to designate all waters surrounding Keats Island and adjacent islets, including and especially Plumper Cove Provincial Marine Park, as non discharge areas for purposes of sewage disposal from boats.
SECTION 5. SUSTAINABLE COMMUNITIES	
P 5.1	Preservation and protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic values of Keats Island and surrounding islets is encouraged.
P 5.4	New proposals for future development should only be permitted to occur at a scale and rate of growth that is respectful of: community-held values; the island's unique rural character; consideration of the historical character of distinctive settlement areas including water-only access; the islands' limited infrastructure; the requirements of applicable land use regulations.
P 5.8	Provisions pertaining to lot site coverage, building or structure setbacks, heights, floor area regulations, screening, and water-only access or parking requirements shall be included in the land use regulations and should be developed with regard to maintenance of residential privacy, and with regard to retaining the unique rural character, historical character of distinctive settlement neighbourhoods, and natural landscapes of Keats Island.
P 5.12	The Local Trust Committee encourages land owners to retain, on a voluntary basis, undeveloped natural areas on their properties in order to protect specific features or retain natural landscapes.
P 5.42	Lands in the Keats Island planning area deemed to be of special importance for environmental, heritage, recreational or aesthetic reasons should be designated "Conservation" on Schedule B.
P 5.56	Intrusion or expansion of roads and vehicular access into water-access-only lots is strongly discouraged.
P 5.77	The existing publicly owned wharves, Eastbourne and Keats Landing, which are shown on Schedule B, were approved for transfer to the Sunshine Coast Regional District, on Oct. 21, 2000, are essential public access facilities, and should be retained for public use.
P 5.78	The traditional use of Keats Island public wharves for the loading and unloading of passengers and cargo, emergency evacuation purposes, and for day use or temporary moorage purposes, is strongly supported by the Local Trust Committee.
P 5.79	Use of existing public wharf facilities shall be addressed by land use zoning regulations. Any change in use, expansion or downsizing, should only be considered subject to extensive consultation with the Keats Island community as a whole.
P 5.80	The Sunshine Coast Regional District is requested to involve the Local Trust Committee and the Keats Island community in developing Regional District policies and guidelines respecting ongoing maintenance, repairs, and management of both Keats Island public wharf facilities. Such policies and guidelines should clearly and consistently address issues, such as: a) priorities, scheduling, and funding of annual maintenance, repairs, improvements and capital expenditures on ports facilities; b) vehicle parking restrictions on public wharves;

	c) vessel loading and unloading; d) emergency evacuation; e) day use, temporary moorage, and long term moorage for private vessels (if any); f) private subleasing arrangements for community moorage purposes (if any); g) enforcement; h) amendment procedures for changes in policy; i) opportunities for ongoing public consultation and involvement in ports issues.
P 5.81	In developing its long term ports repairs, maintenance, and capital improvements strategies, the Sunshine Coast Regional District is requested to consider the Eastbourne wharf as a priority facility for repairs, maintenance, and any proposed improvements, as a means of making the facility more available for safe year round use.
P 5.82	When accessing Keats Island via public wharf, island residents, property owners, and visitors are encouraged to utilize the public wharf facility which is located in closest proximity to where they reside, or where they are visiting, as a means of reducing cross island traffic.
P 5.83	The Local Trust Committee may consider a proposed location for long term public moorage for private vessels, in response to an application for rezoning. Environmental impact information may be required and community information and consultation meetings should be held on island prior to the public hearing. Issues to be resolved prior to approval consideration should include: location; proposed use and scale; level of community support; environmental impacts; impacts on the immediate surroundings; impacts on existing Keats Island facilities and services; the availability of services and resources necessary and potential impacts on cross island traffic, and Keats Island growth and development patterns.
P 5.84	Water-access lots are recognized as areas suitable for private docks and moorings.
P 5.85	Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.
P 5.86	The zoning regulations should require that docks be setback from the seaward extension of the property lines to ensure right of access to adjacent foreshore and to protect privacy.
P 5.87	When considering applications for new development on lots that do not have waterfront access, the Local Trust Committee should consider the impacts of the proposed development on the existing public wharves, including parking and access requirements, and encourage the landowners to provide other means of access.
P 5.116	The preservation and protection of the heritage value and character of historic Keats Island settlement patterns and remains is encouraged.
P 5.117	The protection of archaeological and heritage sites afforded under the Heritage Conservation Act is acknowledged by the Local Trust Committee.
P 5.118	The use of voluntary conservation covenants to protect heritage resources is encouraged by the Local Trust Committee.
SECTION 6. CLIMATE CHANGE ADAPTATION AND MITIGATION	

P 6.1	The Local Trust Committee should consider ways of balancing seemingly competing interests, such as encouraging shifts in density while protecting the rural nature of the island, by considering these issues from a perspective of reducing greenhouse gas emissions and adapting to or mitigating the impacts of climate change.
P 6.2	The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation. These criteria should address issues such as the impact of proposed density on reducing greenhouse gas emissions, the land use and the form of development, building materials and construction methods, energy efficiency and sources, and the long-term potential for the development to decrease footprint on the landscape. The criteria should also include a comprehensive cost benefit analysis to illustrate the benefits of a green approach to land use and development.
P 6.4	The Local Trust Committee should look for new methods for better understanding and monitoring greenhouse gas emissions, as well as other measures of climate change, that are relevant to Keats Island. Relevant baseline data are needed to map future reductions in greenhouse gas emissions

APPENDIX 3 - KEATS ISLAND LAND USE BYLAW No. 78, 2002

Table 1. Permitted Uses in the Marine-based Area																		
Use	CR1	CR2	CD1	RR	RC	PI1	PI2	PC	CS1	CS2	P1	P2	M1	M2	M3	M4	MC	MG
Non-commercial anchorage & moorage of private vessels	✓	✓	✓	✓	✓	✓	✓	-	-	-	-	-	✓	✓	-	-	-	-
Temporary mooring facilities (for ferry, water taxi, sea plane, etc.)	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	-	-	-
Public Boat Anchorage & Moorage associated with Park Use	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	-	-	-	-
Boat & seaplane loading and unloading	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	-	-
Barge loading & unloading	-	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	-
Private log dump; log storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-

Table 2. Permitted Structures in the Marine-based Area

Structure	CR1	CR2	CD1	RR	RC	PI1	PI2	PC	CS1	CS2	P1	P2	M1	M2	M3	M4	MC	MG
Mooring Buoys	✓	✓	✓	✓	✓	✓	✓	-	-	-	-	-	✓	✓	-	✓	-	-
Floats	✓	✓	✓	✓	✓	✓	✓	-	-	-	-	-	✓	✓	-	✓	-	-
Docks	✓	✓	✓	✓	✓	-	✓	-	-	-	-	-	-	-	-	-	-	-
Stairs	✓	✓	✓	✓	✓	✓	✓	-	-	-	-	-	-	-	-	-	-	-
Ramp (Dock or Wharf)	*	✓	✓	✓	✓	✓	-	-	-	-	-	-	✓	-	-	-	-	-
Piers	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	✓	-	-	-	-	-
Dolphins & Pilings	✓	✓	✓	✓	✓	✓	✓	-	-	-	-	-	✓	✓	-	✓	-	-
Swimming Float	-	-	-	-	-	✓	✓	-	-	-	-	-	✓	-	-	-	-	-
Wharves	-	-	-	-	-	✓	✓	-	-	-	-	✓	✓	✓	-	-	-	-
Floating Breakwater	-	-	-	-	-	✓	✓	-	-	-	-	-	✓	✓	-	-	-	-
Floating Boathouse	-	-	-	-	-	✓	✓	-	-	-	-	-	-	-	-	-	-	-
Barge Ramp	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	✓	-	-	-
Walkway	-	-	-	-	-	-	-	-	-	-	-	-	✓	✓	-	-	-	-

*Under the CR1 zone, a dock ramp is not listed as a permitted structure, however, the Land Use Bylaw does identify a max. dock ramp width of 2.4 m in the CR1 zone.

Table 3. Marine-based Structure Density & Limitations

	CR1	CR2	CD1	RR	RC	PI1	PI2	PC	CS1	CS2	P1	P2	M1	M2	M3	M4	MC	MG
Max. # of docks (or wharves where permitted) per waterfront lot	1	1	1	1	*1	3	3	-	-	-	-	1	-	-	-	-	-	-
Max. float area	65 m ²	65 m ²	65 m ²	65 m ²	65 m ²	-	-	-	-	-	-	600 m ²	-	600 m ²	-	-	-	-
Permitted increase of float area (with covenant)	47 m ² per dwelling served up to 158 m ²	47 m ² per dwelling served up to 158 m ²	47 m ² per dwelling served up to 158 m ²	47 m ² per dwelling served up to 158 m ²	47 m ² per dwelling served up to 158 m ²	-	-	-	-	-	-	-	-	-	-	-	-	-
Ramp width	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	-	-	-	-	-	-	2.4 m	-	2.4 m	7 m	-	-	-
Max. area covered by any structure	-	-	-	-	-	3000 m ²	**3000 m ²	-	-	-	-	-	-	-	-	-	-	-

*Maximum of one dock permitted in the marine-area abutting each waterfront lot **for each principal residential dwelling unit** (RC zone only).

**The PI2 zone also permits a max. area covered by structures in the marine-based area of 150 m² per permitted residential dwelling unit located on the adjacent upland lot, provided the lot on which the dwelling units are located is larger than 16 ha (40 acres). For reference, the Barnabas property is in the PI2 zone.

APPENDIX 4 - SUMMARY OF OTHER LOCAL TRUST AREA REGULATIONS

Island, Bylaw No.	Setback from Natural Boundary of the Sea	Min. elevation above the NB of the Sea	Exemptions from Setback from NB of the Sea	Other (permitted bldgs. or structures) within Setback from NB of the Sea	Shoreline Development Permit Area – Y/N
Ballenas-Winchelsea Islands Land Use Bylaw No. 28, 2013	15 m	-	-	Ocean loop geo-exchanges systems.	Shoreline DPA All construction within 30 m of the NB of the sea requires a Development Permit.
Bowyer and Passage Islands Land Use Bylaw No. 114, 2011 (in Gambier Island Local Trust Area)	7.6 m	-	- Boathouse, including accessory ramps; - Propane tank; - Utility lines; - Stairs, ramps or walkways not exceeding 2.5 m in width, to access the foreshore or a permitted dock; - Decks or platforms not exceeding a height of 1.2 m above natural grade and 17 m² (183 sq.ft.) in area within the setback area; - Lifting devices.	<i>Note:</i> There are property-specific min. setbacks from the NB of the sea for (historic) buildings or structures that apply to identified properties within the LUB (i.e. Kildare Estates on Passage Island).	No.
Denman Island Land Use Bylaw No. 186, 2008	15 m 30 m (sewerage system, building/structure for intensive	1.5 m	- Boathouse (5 m setback required); - Fence; - Access stairway.	-	No.

	agriculture or domesticated animals)				
<u>Gabriola Island Land Use Bylaw No. 177, 1999</u>	7.5 m* (*15 m where frontage is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer) 30 m (septic sewage disposal field)	1.5 m	- Boathouses; - Walkways and stairs (average max. elevated floor height of 0.3 m and max. width of 1 m).	-	DPA 2 – Lock Bay - Area of DPA 4 shown on <u>Schedule D.</u> DPA 4 – Flat Top Islands Area - Area of DPA 4 shown on <u>Schedule D.</u> DPA 5 – Gabriola Pass Marine Protected Area - Area of DPA 5 shown on <u>Schedule D.</u>
<u>Galiano Island Land Use Bylaw No. 127, 1999</u>	7.5 m 30 m (sewage absorption fields, buildings/ structures for farm animals)	-	- Sign; - Pumphouse with a floor area less than 10 m².	-	DPA 2 – Shoreline All land 15 m upland of the natural boundary of the sea, and seaward to the boundary of the area of bylaw application.
<u>Gambier Island Land Use Bylaw No. 78, 2004</u>	15 m 40 m (animal enclosures, pens, feeding troughs, animal runs, manure piles)	1.5 m	- Signs, arbours and trellises; - Boat houses, stairs, or walkways required for foreshore access or a permitted ramp associated with a dock may be sited within 15 metres of the natural boundary of the sea.	- Allows up to 0.6 m projection for a projecting feature (i.e. bay windows, chimneys, roof overhangs, eaves, gutters, etc.). - Allows up to 1 m projection for a projecting feature (i.e. canopies, sunshades, unenclosed balconies, patios, porches, etc.). - Structures no more than 0.6 m above grade level (i.e. wellheads, parking spaces),	DPA 2 – Brigade Bay Area Area of DPA 2 shown on <u>Schedule I.</u>

				except sewage disposal systems and fields shall comply with Provincial regulations.	
Gambier Associated Islands Land Use Bylaw No. 120, 2013 (including Anvil, Pasley, North and South Thormanby Islands)	7.5 m	-	• One boathouse not exceeding 18.5 m²; • Propane tanks; • Utility lines; • Lifting devices associated with permitted marine uses; • Stairs, ramps or walkways not exceeding 2.5 m in width, to access the foreshore or a permitted dock; • Decks or platforms not exceeding a height of 1.2 m above natural grade and 10 m² in area within the setback area.	-	No.
Hornby Island Land Use Bylaw No. 150, 2014	15 m 30 m (feed troughs, manure piles, buildings/ structures housing animals; sewage disposal fields)	1.5 m	-	• Signs or fences that do not exceed 2 m in height.	No.
Lasqueti Island Land Use Bylaw No. 78, 2005	15 m* (*reduced to 7.5 m where frontage is adequately protected from erosion by natural bedrock or works as certified by a	1.5 m	• Boathouse (5 m setback required); • Fence; • Access stairway.	-	No.

	professional engineer)				
Mayne Island Land Use Bylaw No. 146, 2008	7.5 m	1.5 m	- Fence; - Utility shed; - Navigational aid; - Structures supporting a permitted dock or wharf; - Stairs or walkways required to access the foreshore or a permitted dock.	Allows up to 1 m projection for a projecting feature (i.e. steps, eaves and gutters, etc.) and for balconies, decks and sun shades.	No.
North Pender Island Land Use Bylaw No. 103, 1996	15 m 60 m (sewage disposal field or septage pit)	-	- Walkways and stairs for dock or foreshore access, not exceeding 1 m in height and 1.2 m in width; - Anchor pads or abutments up to 1.5 metres in width for securing a dock structure or wharf to the upland; - Up to 3 metres length of a dock walkway or ramp; - Pumphouses used exclusively for housing an individual water system.	Allows up to 0.6 m projection for a projecting feature (i.e. chimneys, gutters, sills, bay windows, steps, eaves, sunlight control projections, balconies, or porches, etc.).	DPA 6 – Intertidal Sensitive Ecosystems Areas of DPA 6 shown on Schedule N.
North Pender Associated Islands Land Use Bylaw No. 148, 2003	15 m* 50 m for the CD3(a) zone on James Island	-	-	-	Shoreline DPA All non-Crown land within 15 m upland of the NB of the sea. *Buildings and structures may not be sited within 15 m of the NB of the sea, without first obtaining a Development Permit.
Salt Spring Island Land Use Bylaw No. 355, 1999	15 m* (*reduced to 10 m with engineer certification the NB	1.5 m	- Pumphouse; - Boathouse.	In the CA1(c) and CA1(d) zones, building setbacks from the NB of the sea do not apply to buildings or structures used for boat	DPA 3 – Shoreline DPA area shown on Map 20.

	is located on non-erodible material) 30 m (sewage disposal field or seepage pit, and for identified commercial, institutional or agricultural activities)			building, boat repairs, boat rental and marina administration and services.	
Saturna Island Land Use Bylaw No. 119, 2018	7.6 m	-	• Fences; • One small boat storage platform not exceeding a floor area of 18.5 m²; • One boathouse not exceeding a floor area of 18.5 m²; • Stairways; • Wharf and dock ramps and their footings.	-	No.
South Pender Island Land Use Bylaw No. 114, 2016	7.6 m	-	• Fence, • Pump/utility house, • Stairway, • Wharf and dock ramps or their footings.	• Allows up to 1 m projection for steps, eaves, gutters, retaining walls, balconies, decks, etc. • Retaining structures less than 1.2 metres (4 feet) in height at all points <u>not</u> included in definition of "Structure".	No.
Thetis Island Land Use Bylaw No. 89, 2011	7.6 m	-	• Boathouse, • Pumphouse.	• Allows up to 0.6 m projection for a projecting feature (i.e. chimneys, sills, bay-windows and ornamental architectural features). • Allows up to 1.8 m projection for a projecting feature (i.e. steps, eaves, awnings,	No.

				canopies, balconies, decks or porches). Fences, free-standing lighting poles, warning devices, antennas, masts, utility poles, wires, flagpoles, signs and sign structures may be sited on any portion of a lot.	
Thetis Associated Islands Land Use Bylaw No. 94. 2014 (incl. Ruxton, Reid Islands)	10 m	1.5 m	- Fence, - Utility shed, - Boathouse located within the R2, R3, R4 or R5 zones, - Platform with a max. area of 5 m², a set of stairs or a walkway or combination of the two, for accessing the foreshore, - Boat ramp.	-	No.

Keats Island Shoreline Protection 'Phase 2' - Charter v3.1

Gambier Island Local Trust Committee

Date: April 19, 2018 Revised: January 30, 2020

Updated: May 28, 2020

Purpose: To review and update relevant Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations to strengthen opportunities for protection of archaeological resources, sensitive ecosystems, shoreline integrity and function, and public access on Keats Island.

Background: 'Phase 1' of the project involved community consultation to solicit input on policy, regulation and voluntary stewardship options to address shoreline protection on Keats Island. 'Phase 2' of the project is strongly aligned with Trust Council direction, provincial policy regarding updating flood protection levels and sea level rise, and First Nations and community interest in ensuring the OCP policies and LUB regulations are updated to allow for continue access to waterfront properties while protecting archaeological resources, sensitive ecosystems and species at risk.

Objectives

Conduct a comprehensive review of and update for OCP policies and LUB regulations to address:

- Sea level rise and flood protection;
- Protection of archaeological resources, sensitive ecosystems and species at risk;
- Consistency with Atlatsem/Howe Sound cumulative effects studies, conservation and marine use planning documents; ITC Regional Conservation Plan and Coastal Douglas-fir Ecosystem Protection Toolkit.

In Scope

1. Establish a Keats Island Shoreline Protection Working Group.
2. Review OCP and LUB policies and regulations related to setback and flood protection levels; dock regulations; marine zones; flood protection bylaw.
3. Identify options for and prioritize policy and regulatory amendments to be made related to shoreline protection.
4. Potentially develop a shoreline development permit area.
5. Minor 'housekeeping' bylaw amendments.

Out of Scope

- Green Shores for homes workshop.
- Impact current legal foreshore structures and docks.

Workplan Overview

Deliverable/Milestone	Date
LTC endorsed revised project charter and Working Group TOR.	June 2019
Appointments to Working Group.	June 2019
Working Group meetings – referral to review targeted topics.	July 2019 – ongoing
LTC review of staff and Working Group recommendations. Direction to draft bylaw language.	Spring/Summer 2020
Legal review. Draft bylaw(s) presented to LTC for review.	Fall 2020
Community consultation, early referrals of draft bylaw(s).	Winter 2020
Legislative process for proposed bylaw(s).	Winter 2020/ Spring 2021
Adoption of proposed bylaw(s) and communication materials.	Spring/Summer 2021

Project Team

Planner 2	Project Manager
Island Planner	Project Support
Islands Trust GIS Technician	Mapping Support
Islands Trust Admin. Staff	Administrative Support
RPM Approval: Heather Kauer Date: 21 Jan 2020	LTC Endorsement: Resolution #: 2020-05 Date: 30 Jan 2020

Budget

Budget Sources:		
Fiscal	Item	Cost
2019-2020	Working Group meetings	\$200
2020-2021	Legal Review	\$3000*
2020-2021	Legislative Process (CIM, public hearing, advertising)	\$2000*
	Total (*pending approval)	\$5200*

PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
LTC regular business meeting	Revised project charter to LTC for consideration; LTC provides direction.	January 30, 2020	n/a
RWM	Staff provide update to LTC.	March 26, 2020	n/a
LTC regular business meeting	Staff presents discussion paper identifying policy and regulatory options.	May 28, 2020	n/a
Working Group Meeting	Staff presents discussion paper to Working Group and group identifies recommended policy / regulatory option and elements of option	June, 2020	
LTC regular business meeting	Staff present working group recommendation and introduction staff report to proposed elements of an amending bylaw, LTC direct staff to draft bylaws and proceed with legal review.	July 23, 2020	n/a
n/a	Legal review.	August/ September 2020	Approx. \$2000 <i>(pending approval)</i>
LTC regular business meeting	Draft bylaws considered by LTC.	October 1, 2020/ November 19, 2020	n/a
LTC meeting, CIM, public hearing, Executive Committee meeting	Legislative process – includes 1 st , 2 nd , 3 rd reading by LTC; referrals to agencies; Community Information Meeting and Public Hearing; Executive Committee review; referral to Ministry; etc.)	December 2020/ January-March 2021	Approx. \$3000 <i>(pending approval)</i>
LTC regular business meeting	Adoption of proposed bylaws.	Spring 2021	n/a
TOTAL			\$5200 (pending approval)



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality January 26, 2021

Islands Trust Conservancy Board News

Due to the COVID-19 pandemic, the Islands Trust Conservancy (ITC) Board continues to hold meetings electronically due to Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act. Meetings are live-streamed and recorded, and the public can participate by connecting to the link or the phone number provided in the meeting notice. Electronic meetings have resulted in cost savings to ITC as well as reductions in travel time and greenhouse gas emissions for Board members.

Staff have posted the ITC Board meeting schedule for 2021 here:

www.islandstrustconservancy.ca/about-us/meetings/.

The ITC Board directed staff to add “Public Comments and Delegations”, a town hall opportunity, to the standing agenda, allocating 15 minutes to this new section.

An election was held for Board Chair and Vice Chair positions as required by the ITC Meeting Bylaw. Trustee Kate-Louise Stamford was elected ITC Board Chair and Trustee Sue-Ellen Fast as Vice Chair. Both positions were election by acclamation.

An update regarding ITC staffing was provided, including notes as follows:

1. ITC Manager – Kate Emmings confirmed as permanent Manager Jan 11
2. Ecosystem Protection Specialist – posted internally, confirmed Kathryn Martell in the role Feb 16
3. Communications and Fundraising Specialist – position temporarily divided into two part-time roles: Communications Specialist (Erin Coulson) and a Fundraising Specialist (Carla Funk)
4. Species at Risk Program Coordinator role (see below) – hiring expected before end of March
5. Summer Co-op Student – Field work technician, job description in development

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of Islands Trust Conservancy (ITC). ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Islands Trust Area. For more information, visit

www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

The project charter for the Species at Risk (SAR) program was reviewed and approved as interim, pending a few adjustments as discussed by the Board. The project coordinator who will ultimately complete the planning and oversee the implementation of SAR at a detailed level is still being recruited.

Goal 2 – Strong relationships with First Nations

Staff continue to work to deepen relationships with First Nation communities and governments, notably through upcoming management planning for several nature reserves and participation in the Sidney

Island Ecological Restoration Project. Staff also participated in a January training session regarding residential schools.

Goal 3 – Protection of core conservation areas

Property Management

Currently, four management plans are in development and set to complete before the end of March, including two on Gabriola Island, one on Salt Spring Island, and one on Thetis Island. See reference to open house events below regarding these four for the current year.

Land Acquisition and Covenants

The Sandy Beach Nature Reserve on Lhek'tines/Keats Island became ITC's 30th in 30 years in December 2020 and the ITC Board received a donation of land on North Pender in February 2021 (see below). Management planning will begin in the next fiscal year to create the first management plan for these new nature reserves.

Staff continue negotiations on 144 ha of land: eight covenants (S. Pender, Salt Spring [3], Keats, Bowen, Thetis, and Lasqueti) and two land acquisitions.

Goal 4 – A strong voice for nature conservation

The ITC Fund Development Action Plan was reviewed and approved as drafted, with staff directed to implement the plan.

*Please feel free to contact Islands Trust Conservancy for more details.
Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*

Activities by Local Trust Area/Island Municipality

Bowen – \$5,000 Opportunity Fund Grant paid out to Bowen Island Conservancy.

Gabriola – A management planning open house for the S’ul-hween X’pey/Elder Cedar Nature Reserve and the Coats Millstone Nature Reserve will be held on February 22, 2021. Two public surveys continue to March 15 – one for [Elder Cedar](#) and one for [Coats Millstone](#).

Galiano – ITC Manager Kate Emmings advised the Board of a declared conflict of interest regarding the Crystal Mountain conservation proposal on Galiano, and noted the file will be managed by Trust Area Services Director Clare Frater and Ecosystem Protection Specialist Kathryn Martell.

Gambier/Keats – The transfer of the Sandy Beach Nature Reserve, Keats Island, was completed on December 18, 2020, and marks the 30th nature reserve in 30 years of Islands Trust Conservancy history. News coverage of [the announcement](#) included local outlets, [Pacific Yachting](#), and the [Toronto Star](#). The ITC received a \$12,000 contribution as part of the land transfer and the ITC Board has allocated \$10,000 to create a property management fund.

Lasqueti – The ITC Board considered a response to the Lasqueti Official Community Plan referral. The Board resolution has been provided to planning staff for consideration by the Lasqueti Island Local Trust Committee.

Funded through grant programs, increased wetlands restoration work is being planned for the Salish View and John Osland nature reserves, in partnership with Lasqueti Island Nature Conservancy.

North Pender/Sidney – Funded through grant programs, restoration work is planned at Dragonfly Pond on Sidney Island. Work will pilot removal techniques for invasive parrot’s feather and American bullfrog.

The ITC received a land donation on North Pender Island in February. A formal announcement for this donation is pending.

Salt Spring – The Board approved both the 2020 update of the Deep Ridge Nature Reserve Management Plan and the Lower Mount Erskine Nature Reserve Management Plan. These will be posted to the ITC website shortly.

A management planning open house was held on February 11, 2021, with regards to the Ruby Alton Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

Thetis - A management planning open house was held on February 10, 2021, with regards to the Moore Hill Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

Please feel free to contact Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending February 2021

670 Thetis	Invoices posted to Month ending February 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-670	LTC "Trustee Expenses"	166.00	0.00	166.00
LTC Local				
65200-670	LTC - Local Exp - LTC Meeting Expenses	711.00	1,172.05	-461.05
65210-670	LTC - Local Exp - APC Meeting Expenses	359.00	121.00	238.00
65220-670	LTC - Local Exp - Communications	250.00	35.00	215.00
65230-670	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,614.00</u>	<u>1,328.05</u>	<u>285.95</u>
Projects				
73001-670-3008	Thetis RAR	<u>3,500.00</u>	<u>253.65</u>	<u>3,246.35</u>
TOTAL Project Expenses		<u>3,500.00</u>	<u>253.65</u>	<u>3,246.35</u>

Thetis Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	July 3, 2012	TH-03-2012	Professional Minute taker for APC meetings	It was MOVED and SECONDED that the Thetis Island Local Trust Committee authorizes the payment of funds from its local expense account to pay for a minute taker for Advisory Planning Commission meetings.
2.	August 28, 2018	TH-2018-036	Suspension of enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: 1. That whereas the Thetis Island Local Trust Committee intends to facilitate a community process to consider allowing Temporary Use Permits (TUP) to permit temporary non-tourist accommodation use, staff are directed to take no enforcement action against properties where temporary accommodations used for non-tourist accommodation exist. In particular, staff are directed to suspend enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road, Strata Lot B, District Lot 1, Thetis Island, Cowichan District, Strata Plan EPS644; together with an interest in the Common Property shown in proportion to the unit entitlement to the Strata Lot show on Form V. PID 028-987-691. 2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Thetis Island Land Use Bylaw No. 89 and the Thetis Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice. That unless the Thetis Island Local Trust Committee extends the effective period, this enforcement policy expires on July 30, 2019, or when the temporary use permit review project is complete, whichever is the sooner.
3.	August 28, 2018	TH-2018-041	Non-medical cannabis retail applications	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.

No.	Meeting Date	Resolution No.	Issue	Policy
				- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the Local Trust Committee.
4.	December 12, 2018	TH-2018-053	Cannabis License Applications	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: that the Thetis Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
5.	February 22, 2019	TH-2019-020	Electoral Area Director	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: that the Thetis Island Local Trust Committee request staff to circulate future meeting agendas to the Electoral Area Director and provide an invitation to attend or provide reports to the Local Trust Committee.
6.	April 23, 2019	TH-2019-026	LTC to engage in Reconciliation with local First Nations, governments and the island community	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of

No.	Meeting Date	Resolution No.	Issue	Policy
				British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
7.	February 11, 2020	TH-2020-001	Electoral Area Director Reports	It was MOVED and SECONDED that the Thetis Island Local Trust Committee request staff to add a standing resolution that the Cowichan Valley Regional District Area G Saltair/Gulf Islands Director Report reports will be posted to the website.

Top Priorities Report

Thetis Island

1. Riparian Areas Regulation Implementation

Ensure protection of freshwater ecosystems in the Ralston Creek watershed through implementation of a development permit area.

Responsible

Marnie Eggen

Dates

Rec'd: 07-Sep-2011
Target: 15-Nov-2014

2. Coastal Shoreline Protection

LTC to review the Coastal Douglas Fir and Associated Islands Toolkit and CVRD's Bylaw 2500, Section 20.3 Ocean Shoreline Protection Development Permit Area.

Responsible

Dates

Rec'd: 19-Nov-2019

3. Relationship Building with First Nations

Potential topics to explore:
Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place; Co-governance/co-management; follow up from Associated OCP/LUB review: land use considerations for clam gardens; explore private docks as a permitted use; potential impacts of ocean geothermal loops; switchback fencing in setback to the sea.

Responsible

Dates

Rec'd: 27-Feb-2018



Projects Report

Thetis Island

1. Amendments to the Thetis Island OCP and LUB

Responsible

Date Received

- research short-term vacation rentals of principle dwellings in the R-2 zone
 - rainwater storage requirements
 - support the construction of a storage building prior to construction of a principal dwelling
- Update 29-Sept-2020: Added from Projects List items 7 and 9:
- consider ocean loop geothermal exchange systems
 - explore measures to address impacts of wharf related structures
 - (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 into adopted OCP)
 - Review TUPs to include non-tourist accommodation (to be advanced at earliest convenience)

07-Sep-2011

2. Island-wide watershed protection

Responsible

Date Received

TBD

21-Nov-2012

3. Pilkey Point/Marina Drive Slough Support for Habitat Restoration

Responsible

Date Received

Include research potential for riparian area inclusion.

20-Nov-2013

4. Sensitive Ecosystems Education and Engagement

Responsible

Date Received

Projects Report

Thetis Island

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

5. *Associated Islands OCP and LUB*

Responsible

Date Received

Develop new OCP and LUB to replace 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

6. *Letter of Understanding between the Thetis LTC and the Cowichan Valley Regional District*

Responsible

Date Received

Planning staff to begin drafting once project progresses to Priorities.

24-Nov-2015

7. *Thetis Associated Islands Land Use Bylaw Amendment, Ruxton Island Community Dock Review Project*

Responsible

Date Received

Reference Ruxton Island Private Moorage Structures project for preliminary consultation.

22-May-2018

8. *Incorporation of the Regional Conservation Plan into Thetis LTA OCPs and LUBs*

Responsible

Date Received

Investigate and provide recommendations on how to incorporate the plan elements into Thetis, Valdes, and Associated Islands OCPs and LUBs.

28-Aug-2018

Projects Report

Thetis Island

9. *Cannabis Production and Retail Sales*

Responsible

Date Received

Consideration of regulations to guide cannabis production and retail sales activities.

11-Dec-2018

10. *Affordable Housing Strategy*

Responsible

Date Received

Housing for young families, workers and seniors; community engagement

11-Dec-2018

11. *Model Consultation Process for Antenna Systems*

Responsible

Date Received

To amend the Model Consultation Process for Antenna Systems (from the "Model Strategy for Antenna Systems") to include APC recommendations from January 23, 2020 APC meeting and LTC resolutions from February 11, 2020 LTC meeting.

11-Feb-2020

12. *Plan to Improve Community Engagement Policy and Practice and to include First Nations*

Responsible

Date Received

Reference: "Proposal for a Thetis Island Official Community Plan Engagement Strategy" discussed at February 11, 2020 LTC meeting.

11-Feb-2020

13. *Explore zoning the unzoned area of water between the Associated Islands Official Community Plan and the Thetis Island Official Community Plan adjacent to Scott Island and Dayman Island*

Responsible

Date Received

21-Jul-2020