



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: February 28, 2023

Location: Electronic Meeting

Members Present: Tobi Elliott, Chair
Peter Luckham, Local Trustee
Ken Hunter, Local Trustee

Staff Present: Marlis McCargar, Island Planner
Warren Dingman, Bylaw Compliance & Enforcement Manager
Vicky Bockman, Recorder

Others Present: Approximately six (6) 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 Elliott called the meeting to order at 9:30 am. She acknowledged with gratitude that the meeting was being held in territory of the Coast Salish First Nations. She introduced Trustees, staff and recorder; and noted that this meeting is being live-streamed and recorded for viewing on the Islands Trust website.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Hunter commented that he is pleased to be serving as a Local Trustee once again and is looking forward to working with everyone this term.

Trustee Luckham's report included the following:

- He acknowledged the work of previous Trustee Doug Fenton and thanked him for his four years of service on the Local Trust Committee (LTC). He welcomed Trustee Hunter and commented that he is looking forward to working with him, Chair Elliott and staff this term.
- He reported on activities since the last LTC meeting that include:
 - an ongoing bylaw enforcement file;

- BC Ferries and Penelakut Tribe conversation regarding the ferry terminal;
 - Conversations with Cowichan Valley Regional District regarding the government dock, which is the emergency egress point for First Responder teams.
- He attended meetings of the Thetis Island Forum, a group with many local stakeholders sharing ideas and working together to consider matters of interest to Thetis Islanders.
- He noted that the LTC meetings include a standing agenda item for the newly elected Electoral Area Director McClinton to provide a report.
- A recently passed Cowichan-wide referendum for funding of a recreational planning project involved Thetis Island contributing to recreational centres throughout the Cowichan Valley. It is hoped that this can be revisited in some manner as many feel it is not equitable for Thetis Island as well as other smaller areas that do not generally have access to these recreational facilities.

3.2 Chair's Report

Chair Elliott reported that she is looking forward to attending future Thetis Island LTC meetings on the island. She mentioned that she also serves on the Islands Trust Conservancy and is a Local Trustee for Gabriola Island.

3.3 Electoral Area Director's Report - none

4. PUBLIC COMMENTS

A member of the public expressed concern with the increasing number and length of stay of ship anchorages; and asked what the Islands Trust be doing about this given that the Port of Vancouver is continuing to suggest that ships are not causing a major problem? Is there a way for Islands Trust to facilitate the different groups across the islands who are interested in ship anchorages as a way to share information and solicit actions?

Trustees and staff comments in response included the following:

- Serious engagement with the Federal Government on this issue will continue to be requested; promoting the consideration of a Trust-wide response might be encouraged to improve government response.
- The Islands Trust currently has no jurisdiction over anchorage sites and does not have authority to adopt a nuisance noise bylaw.
- Engagement with the community is a key strategy for advocacy.
- The Southern Gulf Islands Forum is a body where anchorages have been a topic of discussion. Encouragement of organized anchorage groups was supported and thought might be given to what Islands Trust resources can be applied to the issue.

A member of the public asked for a status report on Lot 88 and whether the Islands Trust has received approval for cleanup.

- Bylaw Compliance and Enforcement Manager Dingman provided an update, noting that the matter continues to be pursued in court with an injunction order that will give another 90 days to comply with clean up of the property, and he outlined possible action should that not occur.
- Trustee Luckham spoke to the significant risk to community health and safety associated with that property, as well as the diminished saleability of adjacent properties.

5. MINUTES

5.1 Local Trust Committee Minutes - none

5.2 Section 26 Resolutions-Without-Meeting Report dated February 21, 2023

Chair Elliott requested that the time for entry 2022-008 be changed from 10:30 am to 9:30 am to reflect the correct time that this meeting was scheduled to commence.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated February 21, 2023

Planner McCargar provided an overview of the List.

Discussion included the following:

- Planner McCargar suggested that the Aug 03, 2021 activity: “staff to prepare a discussion paper for the Shoreline and Coastal Protection project” might be considered for discussion with the Active and Future Project Lists.
- Trustee Hunter advised that he is the Thetis Island representative on the Ferry Advisory Committee and that he will have more information after the March meeting.
- Trustee Luckham provided a summary of the October 3, 2022 meeting held with multiple bodies including representatives from the Penelakut Tribe and BC Ferries where issues discussed included ferry access, public safety, fencing, signage regarding the historic nature of that site, ways of providing public access to the waterfront there, planning for the rebuilding of the ferry dock and the possible combining of emergency egress for First Responders. LTC members supported Doug Fenton continuing to liaise with Penelakut Tribe members on this initiative.

7. APPLICATIONS, REFERRALS AND BYLAWS

7.1 Galiano Island Local Trust Committee Referral Request for Response regarding Bylaw Nos. 283 and 284 - for decision

TH-2023-001

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee does not consider that its interests are affected by Galiano Island Bylaw Nos. 283 and 284.

CARRIED

7.2 Thetis Island Local Trust Committee Official Community Plan Bylaw No. 108 (OCP) and Land Use Bylaw No. 109 (LUB) - Staff Report - for adoption

Trustee Luckham provided an explanation of the lengthy process involved with these amendments which have been a Top Priority since 2019.

Trustee Hunter asked that the matter of adoption of these amendments be deferred to a future meeting to allow for his review of the proposed bylaws which were considered prior to his incoming as a Trustee. He proposed that a meeting with staff to discuss his questions would be helpful.

TH-2023-002

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee Bylaw Nos. 108 and 109 be deferred to a subsequent meeting for adoption.

CARRIED

Trustee Luckham expressed his hope that this might be advanced at the next LTC meeting as discussion of Riparian Areas Protection has not progressed in the last four years.

7.3 TH-RZ-2022.1 (Abrupt Shellfish Inc. - Preedy Harbour near Crescent Point) - Preliminary Staff Report

Planner McCargar presented the Staff Report that outlines the background and a preliminary overview of the proposal to rezone approximately 14 ha of the marine area in Preedy Harbour to allow subtidal geoduck aquaculture. The rezoning would require amendments to the Thetis Island Official Community Plan (OCP) and the Land Use Bylaw (LUB).

She identified land use planning issues with this rezoning proposal and the applicant's consideration of some of the reasons for the denial of the previous application in 2020. She reported that a portion of the proposed mariculture operation lies within the unzoned Thetis Local Trust Area and a portion of the proposed operation extends into Thetis Associated Islands planning area which is zoned Marine General (W1).

Discussion ensued and included the following points:

- Concerns were expressed that the community's concerns and interests have not changed from those expressed in 2020.
- If this proposal advances, the rezoning of the piece in the Associated Islands area should also move forward.
- The OCP and LUB zoning should be changed to include the piece that is not in either the Associated Islands or Thetis Island jurisdiction areas.

- Concerns were expressed that the protected waterway between Dayman Island and Thetis Island is a recreational site for travellers and community; vessels anchor there; the area is used by swimmers throughout the summer months; and this is an area of interest to the Penelakut Tribe that has received little or no consultation; there is no local employment or food sustainability associated as the product will be exported to an international market.
- If this application moves forward, referrals should be made to the Advisory Planning Commission and Penelakut Tribe with another community information meeting held.

Chair Elliott invited Yvonne Tomlinson on behalf of the applicant to speak to the application with the following comments noted:

- The proposed operation does not pose a threat to any use of the waterway there, and will not interfere with recreational or other uses of the area.
- The netting will be on the ocean floor with only four buoys visible and will be easy to navigate around.
- Infrastructure will be installed in one small area of maximum 1.5 ha at a time, in place for approximately a year then completely removed before another area is planted and infrastructure deployed there.
- Time between seeding and harvest of the entire area would be approximately 12 years.

Trustees continued discussion of the proposal and next steps:

- Concern was expressed that the netting being moved over time will restrict boaters from anchoring in that area and it will pose significant safety hazards and potential risk to boaters as nets can get caught in boats.
- This is a complex application that would benefit from the applicant undertaking additional consultation with community and the Penelakut Tribe before consideration of next steps.

TH-2023-003

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee advise the applicant that they should engage in meaningful consultation with Penelakut Tribe and, after that event, hold a public community information session in person on Thetis Island and then return to the Thetis Island Local Trust Committee with this application.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Local Trust Committee Active and Future Projects Summary - Staff Report

Planner McCargar advised that this report was created from discussion at the end of last term and that there are no active projects on the work program at this time. She

reported that Trust Council policy allows for each LTC to have one minor project at a time in addition to a major project funded through a business case.

Trustees reviewed the list and suggested that a report of options and associated costs might help to inform a decision on potential projects. **TH-2023-004**

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to bring a report to the Local Trust Committee regarding three potential projects, those being:

1. Omissions in the water zoning
2. Soil Removal and Deposit Bylaw
3. Shoreline Protection

and that the report provide information regarding minor or major project status and options associated with advancing those this term.

CARRIED

9. DELEGATIONS - none

10. CORRESPONDENCE - none

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

By general consent the meeting recessed at 11:13 am and reconvened at 11:25 am.

11. NEW BUSINESS

11.1 2023 Regular Business Meeting Schedule for Adoption - Staff Report

Chair Elliott advised of a scheduling conflict for the proposed April 25 meeting and suggested that an alternate date might be considered.

TH-2023-005

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee schedule its regular business meetings on the following dates:

- July 4 – held electronically
- September 5 – held in person
- November 7 – held electronically

and that staff advise the Local Trust Committee of an alternate date for the April 25 meeting, to be held in person.

CARRIED

11.2 2022-09-02 Trust Programs Committee - Briefing regarding Letter from W̱SÁNEĆ Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments
Received.

12. REPORTS

- 12.1 Trust Conservancy Report dated October, 2022** - Received.
- 12.2 Applications Report dated February 21, 2023** - Received.
- 12.3 Trustee and Local Expense Report dated December, 2022** - Received.
- 12.4 Adopted Policies and Standing Resolutions** - Received.
- 12.5 Local Trust Committee Webpage** -Received.

13. WORK PROGRAM

- 13.1 Active Projects Report dated February 21, 2023** -Received.
- 13.2 Future Projects Report dated February 21, 2023**-Received.

14. CLOSED MEETING

14.1 Motion to Close Meeting

TH-2023-006

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s90(1)(f) for the purpose of considering Bylaw Enforcement and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 11:33 am.

15. RISE AND REPORT - none

16. UPCOMING MEETINGS

16.1 Next Regular Meeting

The next regular meeting date to be determined.

16. ADJOURNMENT

By general consent the meeting was adjourned at 12:00 pm.

Tobi Elliott, Chair

Certified Correct:

Vicky Bockman, Recorder