



Thetis Island Local Trust Committee

Minutes of Regular Meeting

Date: September 10, 2024

Location: Forbes Hall Community Centre
North Cove Road, Thetis Island, BC

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

Staff Present: Margot Thomaidis, Planner 2
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were no members of the public, and two representatives of Lyackson First Nation in attendance.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 9:30 a.m. She acknowledged that the meeting was held on the territory of the Coast Salish First Nations and welcomed representatives of Lyackson First Nation.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Hunter reported the following:

- Noted \$2906.21 from property taxes were paid to Islands Trust; and
- Hopes to find solution to problem on Pilkey Point Road.

Trustee Luckham reported the following:

- Bylaw Enforcement Officer attended the Pilkey Point Road property and contractors have visited site to provide estimates for clean up costs;
- Attended opening of Mount Arrowsmith Biosphere Reserve Educational Centre in Qualicum which was opened by a Qualicum Nation member speaking the Qualicum language previously determined to be extinct;
- Preparing for September Trust Council meeting;
- CAO Hiring Committee has entered final stages of interview process; and
- Acknowledged retirement of Lyackson First Nation Chief Thomas.

3.2 Chair's Report

Chair Elliott reported the following:

- Preparing for September Trust Council and upcoming Executive Committee meetings;
- Ongoing review of bylaw compliance and enforcement policies with suggested amendments being advanced for consideration by Trust Council;
- Preparing for Union of BC Municipalities Conference;
- Financial Planning Committee creating budget guideline recommendations for Trust Council consideration during upcoming budget discussions;
- Report from Regional Planning Committee regarding First Nations referral structure will be sent for consideration by Trust Council.

3.3 Electoral Area Director's Report - none

4. PUBLIC COMMENTS - none

5. MINUTES

5.1 Local Trust Committee Minutes dated July 2, 2024 - for adoption

The following amendments to the minutes were presented for consideration:

- Item 3.1 Trustee Report last sentence change “Local Trust Committee” to “Trust Council”

By general consent, the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting Report - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 4, 2024

The Planner provided the following updates:

- Bylaws No. 113 and 114 have been forwarded to the Ministry of Environment and staff will follow up with the Ministry to seek assurance that the permits have been withdrawn; and
- Update on expressions of interest received for appointment to the Advisory Planning Commission will be provided at a future meeting.

7. DELEGATIONS - none

8. APPLICATIONS AND REFERRALS

8.1 Rezoning Application PLRRZ-2024.0105 (Connected Coast Fibre Optic Installation) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Rezoning application to permit establishment and use of fibre-optic cable in the Marine Conservation (W1) Zone adjacent to Valdes Island;
- Applicant proposes changes to the text portion of the Marine Conservation (W1) Zone to permit installation, operation, and maintenance of cables;

- Recommendation that the Local Trust Committee expedite the application due to funding deadlines;
- Public hearing not necessary as the Official Community Plan will not require amendments;
- Consultations Coordinator for Lyackson First Nation has indicated preference for a different referral approach; and
- Staff would like direction from the Local Trust Committee regarding approaches for referrals and consultation to ensure application is considered in a timely manner.

The applicant and representatives from Lyackson First Nations were in attendance.

Penelakut and Lyackson First Nation Consultations Coordinator Karyn Scott made the following comments:

- The area being discussed is part of Lyackson homeland;
- Lyackson community has stated desire to take back authority over their unceded land, territory, waters, and resources;
- The United Nations Declaration on the Rights of Indigenous Peoples affirms the Nations right to participate in decision-making matters with a seat at the table and not just a referral;
- Indigenous People have the right to determine and develop priorities and strategies for the development or use their lands and resources;
- Lyackson First Nation has been actively involved in the Connected Coast project for over three years;
- Connectivity infrastructure is of critical importance in this area and the project is for the benefit of the Lyackson community, on reserve land, where the Valdes Island Land Use Bylaw was not meant to apply; and
- Acknowledged the desire for the Local Trust Committee to expedite the bylaw amendment and noted the project funding expires in November.

Trustees asked why the application was before them as the communications cable lands on reserve land on Valdes Island and it was clarified that the fibre optic cable will cross the foreshore in the Marine Conservation Area over which Islands Trust has jurisdiction.

Applicant stated they have been working on consultation and engagement with First Nations, have conducted site visits to ensure the project meets the needs of Lyackson First Nation, and have met the goal to land the cable at the point identified by Lyackson staff.

Discussion ensued and the following points were noted:

- Trustees acknowledged the points made by the Consultations Coordinator Scott and apologized for lack of earlier communication and failure to work within the Protocol Agreement between Islands Trust and Lyackson First Nation;
- Applicant has been working on the project for a number of years and approached the Local Trust Committee with a rezoning application in July 2024; and
- It is important to advance the application quickly to meet funding deadlines.

The Planner outlined the following steps that could be taken to work through the process quickly:

- Undertake a very targeted consultation process;
- Incorporate the applicant's consultation data into the consultation period;
- Direct staff to consult with Lyackson First Nation;
- Prepare draft bylaws with first, second, and third readings done at the same time;
- Refer the draft bylaws to Executive Committee in a timely manner; and
- Referral to the Ministry is not required as there are no amendments to the Official Community Plan.

TH-2024-020

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to prepare a draft bylaw to amend the Thetis Island Bylaw No. 42, Valdes Island Rural Land Use Bylaw, 1998, to proceed with application PLRRZ2024.0105 (Connected Coast) to permit fibre-optic cable telecommunication public service utility in the Marine Conservation (W1) zone.

CARRIED

TH-2024-021

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee is not required to hold a Public Hearing on Bylaw No. 115 cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2024" as the Bylaw is consistent with the policies and objectives in Part One of the Valdes Island Rural Land Use Bylaw, 1998, and therefore requests staff to proceed with public notification as per Section 467 of the Local Government Act.

CARRIED

TH-2024-022

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to expedite application PLRRZ202R-0105 and schedule a Special Meeting for the Thetis Island Local Trust Committee as required in order to meet the deadline for the project.

CARRIED

TH-2024-023

It was MOVED and SECONDED

that Thetis LTC request staff to inquire with Lyackson First Nation as to their interest in holding Council to Council, and/or staff-to-staff meetings, as per the Protocol for Cooperation (2000) with Lyackson First Nation.

CARRIED

Penelakut and Lyackson Nation Consultations Coordinator Scott stated support for the expedition of the application and noted for the record the Nation does not require a formal referral or have need to comment further. Trustees noted that they will waive the referral process as the applicant has already done this work.

The meeting was recessed at 11:12 a.m. and reconvened at 11:30 a.m.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Local Trust Committee Minor Project Prioritization - Soil Removal Bylaw - Staff Report

The Planner summarized the staff report and highlighted the following:

- The Local Trust Committee identified contaminated soil and the introduction, spread, and establishment of invasive species on Thetis Island as a priority issue;
- Staff requested that the Local Trust Committee identify what this bylaw could address; and
- Bylaw work can be accomplished through the minor project process.

Discussion ensued and the following comments were noted:

- Agricultural Land Reserve (ALR) regulates agricultural uses of soil and the bylaw would regulate use of soil and fill on non ALR land;
- Residents source compost materials off island;
- Residents can create compost and move it on their property but the movement of soil from one area of Thetis to another is currently not allowed;
- There is a need for compost to be available locally and a soil deposit and removal bylaw can provide protection against soil contaminated with invasive species;
- There is opportunity to look at options for the operation of a composting facility as a home occupation;
- Intention is to allow a small, low impact operation to facilitate small scale community based agriculture; and
- Local Trust Committee is not interested in creating a bylaw that requires permits or fees.

TH-2024-024

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to investigate options for facilitating manufacture and distribution of compost on non Agricultural Land Reserve land.

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated July 2, 2024 from L. Smith regarding Ruxton Island Fire Water Cisterns

Received for information.

10.2 Thetis / Salt Spring LTC's Letter to Comox Valley Regional District regarding Protocol Agreement

Received for information.

11. NEW BUSINESS

11.1 Dark Sky Principles Adoption Advocacy – Briefing

The Chair summarized the briefing and highlighted the following:

- Trustee Morrison of North Pender Island requested Trust Council communicate to all Local Trust Committees to determine interest to collectively engage in conversations around Dark Sky Principles.

Discussion ensued and Trustees noted the following:

- Currently there are no street lights on Thetis Island but there is future risk;
- Issue raised by a resident of Gabriola experiencing residential light intrusion; and
- Local Trust Committee does not need to take specific action as the matter is an advocacy issue for Trust Council.

12. STAFF REPORTS

12.1 Trust Conservancy Report - none

12.2 Trust Conservancy The Heron - Summer Edition

Received for information.

12.3 Applications Report - none

12.4 Trustee and Local Expense Report dated July, 2024

Received for information.

12.5 Adopted Policies and Standing Resolutions

Received for information.

12.6 Local Trust Committee Webpage

Received for information.

13. WORK PROGRAM

13.1 Active Projects Report dated September 4, 2024

Received for information.

13.2 Future Projects Report dated September 4, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting scheduled for Tuesday, November 12, 2024 at 9:30 am and will be held electronically.

15. ADJOURNMENT

By general consent, the meeting was adjourned at 12:20 p.m.

Tobi Elliott, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

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