



## Thetis Island Local Trust Committee Minutes of Regular Meeting

**Date:** February 22, 2019  
**Location:** Thetis Island Community Centre (Forbes Hall)  
 North Cove Road, Thetis Island, BC

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

**Staff Present:** Ann Kjerulf, Regional Planning Manager  
 Miles Drew, Bylaw Enforcement Manager  
 Penny Hawley, Recorder

**Others Present:** Approximately five (5) 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 9:19 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

### 3. MINUTES

#### 3.1 Local Trust Committee Minutes dated December 11, 2018 - for Adoption

**By general consent** the Local Trust Committee meeting minutes of December 11, 2018 were adopted.

#### 3.2 Section 26 Resolutions-Without-Meeting Report dated February 4, 2019

Received.

#### 3.3 Advisory Planning Commission Minutes - none

### 4. BUSINESS ARISING FROM MINUTES

#### 4.1 Follow-up Action List dated February 5, 2019

Received.

#### 4.2 Advisory Planning Commission - Staff Report

At the December 11, 2018 meeting, the Local Trust Committee (LTC) requested that staff draft update Advisory Planning Commission (APC) Bylaw No. 102. The update

clarifies the roles of the Chair, Deputy Chair, Secretary and the retention of a professional minute taker.

**TH-2019-001**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a first time.

**CARRIED**

**TH-2019-002**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a second time.

**CARRIED**

**TH-2019-003**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be read a third time.

**CARRIED**

**TH-2019-004**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 102, cited as "Thetis Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**4.3 Thetis Island Local Trust Committee Fees Bylaw No. 106 - for adoption**

**TH-2019-005**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 106 cited as "Thetis Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be adopted.

**CARRIED**

**5. TOWN HALL**

A member of the public commented on the following:

- A Ruxton Island resident sent a letter to the LTC expressing concern that the process to deal with docks has been slow.
- Islands Trust has done a good job of surveys and information meetings.
- Residents are concerned there could potentially be a dock at every property.
- Important to maintain access to public boat launches
- Hard to get public input as people work and are not always available.
  - Trustees acknowledged receipt of the letter.

**6. APPLICATIONS AND REFERRALS - none**

**7. LOCAL TRUST COMMITTEE PROJECTS**

## 7.1 Ruxton Island Private Moorage Structures Project - Staff Report

Regional Planning Manager Kjerulf presented the report.

Discussion ensued and the following points were made:

- Challenges for residents to gain access without compromising ecology.
- Satisfied with height of low profile platforms.
- Concern for unrestricted public access points to the shore.
- Swim floats would need a tenure from the Province in order to be lawful.
- Concern for mooring buoys impeding marine traffic.
- Concern for impacts to eelgrass from mooring.
- Development Permit Areas could be established to protect the natural environment and ecosystems.
- Community docks would better enable bylaws to prohibit docks and buoys.
- Ruxton Island Community dock review is on the Projects List and there has been discussion about the most appropriate location in order to use it for emergencies. During last term, Fiona MacRaild, Senior Intergovernmental Policy Advisor, presented a briefing on marine protection tools to Trust Council. Staff could provide that document as a reference.

### TH-2019-006

#### It was **MOVED** and **SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.7(12) is amended by replacing “on the vertical plane may be more than 1 meter above the ground” with “on the vertical plane may be more than .5 meters above the ground”.

Discussion ensued and it was noted that the amended wording sets a higher standard.

The question on the motion was then called.

**CARRIED**

### TH-2019-007

#### It was **MOVED** and **SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended as follows:

Section 1.12(5) is amended by replacing “natural boundary” with “low low tide line”.

Discussion ensued and the following points were made:

- Want to prevent any further docks from being built.

The question on the motion was then called.

**CARRIED**

**TH-2019-008****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED****TH-2019-009****It was MOVED and SECONDED**

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

**CARRIED****TH-2019-010****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee refer Thetis Island Local Trust Committee Bylaw No. 103 to the following agencies and First Nations for comment:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snuneymuxw First Nation
- Semiahmoo First Nation
- Stz’uminus First Nation
- Transport Canada
- Ruxton Island Property Owners Association
- Cowichan Valley Regional District
- Gabriola Island Local Trust Committee
- Galiano Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Ministry of Environment – BC Parks
- Department of Fisheries and Oceans
- Ministry of Forests, Lands, and Natural Resources Operations and Rural Development

**CARRIED****7.2 Riparian Areas Regulation Implementation Project – Memorandum**

Regional Planning Manager Kjerulf provided a PowerPoint presentation and noted the following:

- Project started in 2010; information is available on the Islands Trust website.
- Original assessment determined Ralston Creek was RAR applicable.
- Developer undertook a subsequent assessment that determined Ralston Creek was not RAR applicable; despite this assessment, the initial assessment required the LTC to implement RAR.
- In 2018, the LTC requested a third party assessment; this assessment confirmed that Ralston Creek is RAR applicable and also confirmed fish presence.
- There are three options to implement RAR: covenant, screening and setback regulations, and a Development Permit Area (DPA).
- Staff recommended implementing RAR through a DPA; a DPA is not intended to be punitive or a barrier to development, but to guide development and provide protection. DPAs are clearly indicated on maps and show purchasers and owners what they can and cannot do on a property; the LTC is obligated to issue

development permits if the proposed development complies with the guidelines; this provides certainty for title holders.

- The LTC is obligated to issue a Development Permit if it conforms.
- The LTC has the option to consider a DPA for non-RAR applicable watercourses that would apply to the entire island.
- Trustees want to provide certainty to landowners and are in support of the recommendations.

**TH-2019-011**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee endorse implementation of the *Riparian Areas Regulation* (RAR) through the establishment of a Development Permit Area applicable to Ralston Creek on Thetis Island.

**CARRIED**

**TH-2019-012**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request staff to report back to the Local Trust committee with a draft revised project charter which outlines the process to establish a Development Permit Area on Thetis Island.

**CARRIED**

**8. DELEGATIONS - none**

**9. CORRESPONDENCE - none**

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

**10. NEW BUSINESS**

**10.1 Updated Islands Trust Climate Change Webpages – Briefing**

Received.

Discussion ensued and the following was noted:

- Climate change is everyone’s responsibility.
- It is up to individuals regarding modes of transportation.
- Be cognizant of where manufactured products and goods are purchased from.
- Make sound choices around food and packaging.

**10.2 Bylaw Enforcement Notification Bylaw Amendments - Staff Report**

Bylaw Enforcement Manager Drew presented his report and the following resolutions were made:

**TH-2019-013**

**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be read a first time.

**CARRIED**

**TH-2019-014****It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be read a Second time.

**CARRIED****TH-2019-015****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be read a third time.

**CARRIED****TH-2019-016****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 107 cited as “Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED****10.3 The Indigenous People of the Thetis Island Local Trust Area Briefing Binder and Trustee Toolkit – discussion**

Received. The LTC agreed to move forward with distribution.

**TH-2019-017****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask staff to forward the letter included in the package received at Trust Council entitled “Indigenous People of the Thetis Island Local Trust Area” and the Trustee Toolkit to the First Nations identified in the Thetis Island Local Trust Area.

**CARRIED****10.4 First Nations Archeology Sites in the Trust Area – discussion**

Trustee Luckham provided detailed information regarding the discovery of First Nations ancestral remains, which were disturbed by the storm on December 21, 2018, and the process of removal and where there is room for improvement. The following points were made:

- Senior Intergovernmental Policy Advisor, Lisa Wilcox, Kwakwemtenaat, was consulted after the fact and recommended lighting a candle as a sign of respect and to protect ourselves from bad spirits.
- “Archaeological Chance Find Procedure” document should be provided to community members so people have a better chance of doing the right thing.
- Will provide link to website once document has been posted.
- Would like this document to be included in the building permit process.
- Regional Planning Manager Kjerulf has been working with the Cowichan Valley Regional District and as part of the building permit referral process, could include this item so that it could be attached to an application package or permit.

Discussion ensued regarding the recent Denman Island standing resolution pertaining to First Nations in the Denman Island Local Trust Area and also references the truth and reconciliation declaration on the rights of indigenous peoples.

**TH-2019-018**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee respectfully request the Cowichan Valley Regional District to include the document “Archaeological Chance Find Procedure” with building permits and that this document be made available on the Thetis Island Trust Area website.

Further discussion ensued and concern was expressed how to identify archaeological finds and what procedure to follow. In addition to posting the aforementioned document on the website for easy access, it could be printed out and mailed to everyone on Thetis Island, posted at the community hall and on eSPOKES.

There is a First Nation Engagement item on the Top Priorities List and this item could be included there for further discussion on how to move forward.

The question on the motion was then called.

**CARRIED**

**10.5 First Nations Engagement – discussion**

Regional Planning Manager Kjerulf made the following comments:

- Success of the Denman Island Local Trust Committee and First Nations engagement over the past couple of years.
- Senior Intergovernmental Policy Advisor, Lisa Wilcox, Kwakwemtenaat, drafted a standing resolution, which provides a framework for First Nations engagement and reconciliation.
- It is a model which other LTCs could consider adopting.

Discussion ensued and the following points were made:

- Want to promote awareness in general.
- Would like staff to bring this formally back to the LTC for consideration.
- Would like to continue to try for funding to facilitate a large community event with Hul’qumi’num First Nations, and start developing friendships.
- Discussion regarding Community to Community Forum (C2C) funding recently announced and the deadlines over the next year.
- Possibly next fall or spring.

**TH-2019-019**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask staff to bring a staff report back to the Local Trust Committee on options to advance First Nations engagement and community reconciliation.

**CARRIED**

**By general consent** the break was omitted and the meeting proceeded.

## 11. REPORTS

### 11.1 Trustee Reports

Trustee Fenton reported on the following:

- Intends to report to the community more consistently via Trustee Corner, by promoting conversations and on eSPOKES.
- He was grateful to be included in the Penelakut archaeological event at the Preedy Harbour shoreline on December 21, 2018.

Trustee Luckham reported on the following:

- Anchorages issue is ongoing. First Nations Squamish leadership meeting is coming up and wants to attend.
- Lots of energy at Trust Council with 13 new trustees. The upcoming meeting on Gabriola Island will be on March 12, 13 and 14, 2019.
- Expressed appreciation to Trustee Fenton regarding conversations about middens.

### 11.2 Chair's Report

Chair Patrick reported on the following:

- Islands Trust completed a survey for budget; about 180 people responded. Budget on agenda at next Trust Council.
- Victoria office renovations are ongoing, conference room will have more electronic capabilities. Hopefully it will be more successful to participate in distance meetings.
- Beginning at the March meeting, strategic planning will be happening; exciting to be a member of this organization.

### 11.3 Trust Conservancy Report dated November, 2018

Trustee Fenton stated that the Conservancy Board members are a good group and are keen. Links to notes are in the Trustee Corner.

### 11.4 Electoral Area Director's Report

None

#### TH-2019-020

#### 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.

**CARRIED**

Discussion ensued regarding a standing invitation to First Nations to attend the regular LTC meetings. Concern was expressed of the need to be cautious of information overload and respect of their time to attend regular LTC meetings. Preference was expressed to extend invitations in a proper manner to meetings that would be



specifically of interest when their presence is really needed rather than generally, although the door is always open.

**11.5 Applications Report dated February 5, 2019**

Received.

**11.6 Trustee and Local Expense Report dated December, 2018**

Received.

**11.7 Adopted Policies and Standing Resolutions**

Received.

**11.8 Local Trust Committee Webpage**

**TH-2019-021**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request staff to send a communique to eSPOKES when the "Archaeological Chance Find Procedure" document is available on the website.

**CARRIED**

**12. WORK PROGRAM**

**12.1 Top Priorities Report dated February 5, 2019**

Received

**12.2 Projects List Report dated February 5, 2019**

Received

**13. CLOSED MEETING**

**13.1 Motion to Close the Meeting**

**TH-2019-022**

**It was MOVED and SECONDED**

*that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) and (d) for the purpose of considering appointments to the Advisory Planning Commission and Adoption of In Camera Meeting Minutes dated February 2, 2018 and that the recorder and staff attend the meeting.*

**CARRIED**

The LTC closed the meeting at 11:50 am

**13.2 Recall to Order**

**By general consent** the LTC convened in open meeting at 11:55 am to rise and report.

**13.3 Rise and Report**

Chair Patrick reported that in the Closed Meeting, the LTC adopted Minutes from the *closed* meeting of February 27, 2018 and that Veronica Shelford was appointed to the Thetis Island Advisory Planning Commission.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Tuesday, April 23, 2019 at 9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC**

**15. ADJOURNMENT**

**TH-2019-023**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee adjourn the meeting at 12:00 pm.

**CARRIED**

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Laura Patrick, Chair

Certified Correct:

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Penny Hawley, Recorder