



## Thetis Island Local Trust Committee Minutes of Regular Meeting

- Date:** May 24, 2016
- Location:** Thetis Island Community Centre (Forbes Hall)  
North Cove Road, Thetis Island, BC
- Members Present:** Susan Morrison, Chair  
Peter Luckham, Local Trustee  
Ken Hunter, Local Trustee
- Staff Present:** Marnie Eggen, Planner 2  
Alexandra Brzozowski, Island Planner  
Ann Kjerulf, Regional Planning Manager  
Miles Drew, Bylaw Enforcement Manager  
Janice Young, Recorder
- Others Present:** There were approximately thirty-five (35) members of the public in attendance, including special guests Kathleen Johnnie and Cory Thomas, consultants for the Lyackson First Nation, Eric Nicholls, Ministry of Community, Sport and Cultural Development, and Graeme Trigg, West Vancouver Yacht Club, Outstation Director

### 1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:30 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations, and introduced the Local Trust Committee (LTC), Staff and Special Guests.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.1 To be moved to the beginning of agenda
- 7.3 Add addendum
- 11.3.1 Add addendum
- 11.3.2 Add addendum

**By general consent** the agenda was adopted as amended.

### 3. TOWN HALL AND QUESTIONS

Veronica Shelford asked for clarity in regard to mariculture lease and licence renewals and the protocol that “the government will advise when there is change in the motion.”

Graeme Shelford, representing the Thetis Island Ratepayers and Residents Association (TIRRA) asked for a progress report on the request to develop trails on Thetis Island. Trustee Luckham reported that a Road Safety Report has been submitted as requested. Trustee Luckham added that a local highways representative visited Thetis Island and is in support of the application.

Wayne Loiselle asked for information regarding noise bylaws – land and water. Islands Trust Bylaw Enforcement Officer, Miles Drew, responded that the Cowichan Valley Regional District handles noise bylaw infractions.

Victoria Scott and Pat Hutchison of Ruxton Island spoke to the Hardy Granite Quarries re-zoning application, with concerns to noise and pollution, and overall ecosystem disruption, especially five species of concern that breed in that location.

Maureen Loiselle commented on the toxicity of our seafood and to flag and take action on that information.

### 4. COMMUNITY INFORMATION MEETING - None

### 5. PUBLIC HEARING - None

### 6. MINUTES

#### 6.1 Local Trust Committee Minutes dated March 29, 2016 for adoption

**By general consent** the Local Trust Committee meeting minutes of March 29, 2016 were adopted.

#### 6.2 Local Trust Committee Minutes from Special Meeting dated May 9, 2016 for adoption

**By general consent** the Local Trust Committee meeting minutes of May 9, 2016 were adopted.

#### 6.3 Public Hearing Record dated May 9, 2016 - For Information

The Public Hearing Record was received with the following comments:

Page 3 - name corrections noted:

- Change Glen Anderson to Glen Andison
- Change Richard Strachan to Dixon Strachan
- Change Sandy Lotis to Sandy Lottis

**6.4 Section 26 Resolutions-Without-Meeting Report dated May 13, 2016**

Received.

**6.5 Advisory Planning Commission Minutes - None**

**7. NEW BUSINESS**

**7.1 Lyackson First Nation Comments (Thetis Associated Islands Official Community Plan and Land Use Bylaw)**

**7.1.1 Staff Report dated May 6, 2016**

Island Planner Brzozowski presented the Staff Report. Lyackson First Nation Consultants Kathleen Johnnie and Corey Thomas brought forward new information to consider regarding shellfish beaches and clam gardens, as well as developing a marine use plan for local First Nations with sensitivity to archaeological sites. Eric Nicholls, Ministry of Community, Sport and Cultural Development spoke to these concerns.

Discussion followed.

**TH-2016-021**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee place "Land Use Considerations for Clam Gardens" on the Projects List at the earliest opportunity.

**CARRIED**

**TH-2016-022**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee place "Limiting Private Docks as a Permitted Use on Associated Islands" on the Projects List.

**CARRIED**

**TH-2016-023**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee place "Potential Impacts of Geothermal Loops" on the Projects List.

**CARRIED**

**TH-2016-024**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee place "Switchback Fencing in Setback to the Sea" on the Projects List for the Thetis Associated Islands OCP and LUB.

**CARRIED**

**TH-2016-025****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee provide staff with the following comment on the draft Community Plan newsletter – “The Local Trust Committee is very excited about the adoption of the Official Community Plan and Land Use Bylaw. We are grateful to the residents of the Associated Islands, particularly Reid, Ruxton and Hudson Islands for the level of collaboration and the quality of discussion. We would like to thank the Ruxton Island residents that volunteered for the Associated Island Advisory Planning commission, Past Trustee Sue French and Planner Brzozowski for all their support and work.”

**CARRIED****7.2 Public Consultation re: Cowichan Valley Regional District (CVRD) Burning Ban**

Presented by Planner Eggen regarding CVRD burning ban bylaw decisions. Trustee Luckham spoke to the issue that Thetis Islanders have not been included in the conversation and the importance for the community to have a legitimate opportunity to participate in decision as well as education for burning options. Discussion followed.

Graeme Shelford spoke on behalf of the Thetis Island Improvement District (TIID) noting that limited burning is necessary due to restriction of island living and the expense of exporting burnable refuse; also that the CVRD talk of banning woodstoves is very problematic to Thetis Islanders, especially due to the sometimes lengthy power outages in the winter.

**TH-2016-026****It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee ask the Cowichan Valley Regional District to formally consult with the Thetis Island Community regarding inclusion in the Burning Ban Bylaw 3716.

**CARRIED****7.3 Limberis Aquaculture Lease**

7.3.1 Email dated April 21, 2016 from Richard and Tess DeMarco

7.3.2 Letter dated April 25, 2016 from Kathryn Kennedy to Jim Johnson

7.3.3 Letter dated April 25, 2016 from Kathryn Kennedy to Rudy Mayser

7.3.4 Letter dated May 9, 2016 from Fisheries and Oceans to K. Kennedy

7.3.5 Letter dated May 16, 2016 from Kathryn Kennedy to Heather Wood

Above correspondence all received for information.

**7.4 Bylaw Enforcement Notification Bylaw Amendment Bylaw No. 100**

**7.4.1 Staff Report dated May 10, 2016**

Bylaw Enforcement Manager, Miles Drew, presented the Staff Report outlining proposed amendments. Discussion followed.

**TH-2016-027**

**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No 100, cited as “Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 90, 2011 Amendment No. 1, 2016”, be read a first time.

**CARRIED**

**TH-2016-028**

**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 100, cited as “Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 90, 2011 Amendment No. 1, 2016”, be read a second time.

**CARRIED**

**TH-2016-029**

**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 100, cited as “Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 90, 2011 Amendment No. 1, 2016”, be read a third time.

**CARRIED**

**TH-2016-030**

**It was MOVED and SECONDED**

that Thetis Island Local Trust Committee Bylaw No. 100, cited as “Thetis Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 90, 2011 Amendment No. 1, 2016”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**8. BUSINESS ARISING FROM MINUTES**

**8.1 Follow-up Action List dated May 13, 2016**

Planner Eggen presented and updated the Follow-Up Action List. Discussion followed.

**8.2 Advisory Planning Commission - None**

**9. DELEGATIONS - None**

**10. CORRESPONDENCE - None**

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

**11. APPLICATIONS AND REFERRALS**

**11.1 TH-RZ-2015.1 (Penelakut Seafoods Ltd.)**

11.1.1 Email dated April 26, 2016 from Pat English

Received.

11.1.2 Public Hearing Submissions

Received.

11.1.3 Public Hearing Follow Up - Verbal Update

Power Point presentation was given by Planner Eggen, reviewing the Bylaw Amendment Process. At this point of the process – post Public Hearing - no further input can be received.

Trustee Luckham spoke to the limits of public input as the process is laid out, and that public input is collected in a Public Hearing Binder.

Planner Eggen continued her presentation with a review of the re-zoning application, followed by a summary of public submissions heard by the end of the May 9, 2016 Public Hearing.

Discussion regarding concerns about future changes to the Licence of Occupation.

**TH-2016-031**

**It was MOVED and SECONDED**

that the Local Trust Committee request that the Chair write a letter to the Province to be notified in the future of changes to the License of Occupation of the Penelakut Seafood Mariculture Licence.

**CARRIED**

Discussion continued, with Trustee Hunter voicing concerns regarding navigation of the cut and limits of dredging to maintain the navigation channel with the Mariculture Permit in place.

11.1.4 Bylaw No. 96

**TH-2016-032**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 96 cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2015", be read a second time.

**CARRIED**

Trustee Hunter opposed; discussion followed.

**TH-2016-033**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request the Chair to write a letter to Penelakut Seafoods Ltd. asking for a letter of support for dredging of the Cut in the future, if necessary, regardless of the mariculture uses.

**CARRIED**

**TH-2016-034**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 96 cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2015", be read a third time.

**CARRIED**

**TH-2016-035**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 96, cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2015", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**TH-2016-036**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee forward Bylaw No. 96, cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2015", to the Minister of Community, Sport and Cultural Development for approval.

**CARRIED**

11.1.5 Bylaw No. 97

**TH-2016-037**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee Bylaw No. 97 cited as "Thetis Island Land Use Bylaw, 2011, Amendment 1, 2015", be read a second time.

**CARRIED**

**11.2 TH-RZ-2015.2 (Hardy Granite Quarries Ltd.) - Verbal Update**

11.2.1 Letter dated May 8, 2016 from Victoria Scott

Received.

Verbal Update by Planner Eggen. No decision from the LTC needed at this time. Referral responses received and will come forward at the next meeting. Staff have replied to any public submissions that required a response. Trustee Luckham added that more information is welcome as this issue moves forward.

**By general consent** the meeting was recessed at 11:45 am and reconvened at 12:00 pm.

**11.3 TH-RZ-2016.1 (West Vancouver Yacht Club) - Verbal Update**

11.3.1 Memorandum dated May 16, 2016

11.3.2 Letter dated May 13, 2016 from West Vancouver Yacht Club (WVYC)

Planner Eggen spoke to the Memo regarding early referral comments from Lyackson First Nation, received April 27, 2016, and the letter received from the West Vancouver Yacht Club. Discussion followed including comments from Trustee Luckham regarding marine habitat and community member Wayne Loiselle concerning location of dock. WVYC Outstation Director, Graeme Trigg provided some information and feedback.

**11.4 Salt Spring Island Local Trust Area Bylaw Referral Request for Response for a Land Use Bylaw Amendment No. 492 dated April 18, 2016**

11.4.1 Bylaw Referral Form

Review and discussion of Bylaw referral request.



**TH-2016-038**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee advise the Salt Spring Island Local Trust Committee that its interests are unaffected by Bylaw 492.

**CARRIED**

**12. LOCAL TRUST COMMITTEE PROJECTS - None**

**13. REPORTS**

**13.1 Work Program Reports**

13.1.1 Top Priorities Report dated May 13, 2016

Report reviewed and discussion followed.

**TH-2016-039**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee remove Top Priority List Item #1, for the short time.

**CARRIED**

Planner Eggen reported that work with Ian Ralston regarding the Riparian Area issue continues to move forward towards a draft covenant.

**TH-2016-040**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request that "Land Use consideration for clam gardens" be on the Top Priorities List.

**CARRIED**

13.1.2 Projects List Report dated May 13, 2016

Received and reviewed.

**13.2 Applications Report dated May 13, 2016**

- Planner Eggen provided a verbal update of applications.

**13.3 Trustee and Local Expense Report dated March, 2016**

Received and reviewed.

**13.4 Adopted Policies and Standing Resolutions - None**

**13.5 Local Trust Committee Webpage**

Suggestion to create links to maps that easily locate various islands, especially the smaller islands.

Regional Planning Manager, Ann Kjerulf, responded in the affirmative and referred to a 57 page gazette which identifies where islands are located.

**13.6 Chair's Report**

Chair Morrison reported on the following:

- Upcoming June Trust Council meeting; and
- Gambier Island Riparian Areas Regulation meeting.

**13.7 Trustee Reports**

Trustee Hunter reported on the following:

- Working on the idea of creating trails around the island;
- Working on the issue of vulnerable gas pipes; and
- Working on Riparian Areas Regulation with Ian Ralston.

Trustee Luckham reported on the following:

- Working on the issue of the Burn Ban with CVRD;
- Upcoming excursion to Kendrick Island;
- Work on the issue of Environment Canada - Kinder Morgan Pipelines, looking at accident risk, overflow risk, and vessel anchorage; and
- Attendance at a University of Victoria conference looking at clam gardens. A small film on U-Tube presentation is recommended viewing.

**13.8 Electoral Area Director's Report - None****13.9 Trust Fund Board Report**

Chair Morrison reported the Trust Fund Board is seeking to fill two positions, and they are working on a big conservation project on Link Island (between Mudge Island and DeCourcy Island) involving the Natural Area Protection Tax Exemption Program (NAPTEP).

**14. UPCOMING MEETINGS****14.1 Next Regular Meeting Scheduled for Tuesday, July 26, 2016 at 9:30 am at the Thetis Island Community Centre (Forbes Hall), North Cove Road, Thetis Island, BC****15. TOWN HALL**

Maureen Loiselle asked about the renewal of the Limberis Oyster Lease and was told that the Province renews the lease, which would only be referred to the Thetis Island LTC if use is changed. Discussion followed.

**TH-2016-041**

**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee suggest in the Staff Report regarding clam beds, that options for renewal of licences of occupation and leases be considered.

**CARRIED**

Wayne Loiselle, representing the Thetis Island Marine Association (TIMA) talked about the issue of docks and floating wharfs in Telegraph Harbour. It was suggested that bylaw enforcement could be a follow up.

**16. CLOSED MEETING**

**16.1 Motion to Close the Meeting**

**TH-2016-042**

**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)(d) for the adoption of In-Camera Minutes dated March 29, 2016 and s.90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and that the recorder and staff attend the meeting.

**CARRIED**

The meeting was closed to the public at 12:36 pm.

**16.2 Recall to Order**

The meeting was reopened to the public at 12:38 pm.

**16.3 Rise and Report**

Chair Morrison stated that the minutes of the March 29, 2016 Closed Meeting were adopted.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:39 pm.

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Susan Morrison, Chair

Certified Correct:

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Janice Young, Recorder