



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: August 28, 2018

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, Island Planner
Ann Kjerulf, Regional Planning Manager
Janice Young, Recorder

Others Present: Brich Zdenek, Chair, Anchorages Concern Thetis (ACT)
Doug Fenton, Co-Chair, Anchorages Concern Thetis
Chad Marlatt, Manager, Cypress Land Service
One (1) member of the public from Ruxton Island

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 Morrison called the meeting to order at 9:37 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, she then introduced Staff and Trustees and welcomed all present.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS - None

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING – None

6. MINUTES

6.1 Local Trust Committee Minutes dated May 22, 2018 for Adoption

The following amendments to the minutes were presented for consideration:

- **Item 12.6 Chair's Report**, last bullet, change "Thetis Island" to "Chemainus".

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated August 20, 2018

Received for information.

6.3 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated August 20, 2018

Received; no further update.

7.2 Amendments to the Meeting Procedures Bylaw for Electronic Meetings - Staff Report

Staff Report presented by Regional Planning Manager Ann Kjerulf; discussion followed.

TH-2018-031

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 105, cited as "Thetis Island Local Trust Committee Meeting Procedures Bylaw No. 105, 2018", be read a first time.

CARRIED

TH-2018-032

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 105, cited as "Thetis Island Local Trust Committee Meeting Procedures Bylaw No. 105, 2018", be read a second time.

CARRIED

TH-2018-033

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 105, cited as "Thetis Island Local Trust Committee Meeting Procedures Bylaw No. 105, 2018", be read a third time.

CARRIED

TH-2018-034

It was MOVED and SECONDED

that Thetis Island Local Trust Committee Bylaw No. 105, cited as "Thetis Island Local Trust Committee Meeting Procedures Bylaw No. 105, 2018", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

TH-2018-035

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to remove "Amendments to the Meeting Procedures Bylaw to include Electronic Meetings" from the Projects List.

CARRIED

7.3 Temporary Rental Housing Enforcement Policy - Staff Report

Staff Report presented by Island Planner Eggen; discussion followed, with note that the Advisory Planning Commission (APC) recommended this course of action.

TH-2018-036**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.
3. 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.

CARRIED**8. DELEGATIONS - None****9. CORRESPONDENCE**

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

9.1 Letter dated June 7, 2018 from Anchorages Concern Thetis (ACT)

Representatives of ACT, Doug Fenton and Brich Zdenek, were in attendance and spoke to the issue, provided background information and requested Islands Trust to take action on the marine vessels in question. Which government agency is responsible; who do we write to with our concerns?

Trustee Luckham responded that this has been discussed at meetings he has attended with the members of ACT; that this issue has been brought to the Executive Council and is a top priority, adding that at present, commercial navigation is operated by the Federal Government level, not local government; and that he will continue to work on this issue of governing and monitoring anchorages in Trincomali Channel.

Regional Planner Kjerulf added that there are no provisions in our local bylaw to regulate marine vessels regarding navigational concerns; Islands Trust holds no capacity to enforce against Federal shipping.

Trustee Luckham and Chair Morrison agreed to produce for ACT, the letter on file that verifies that the Federal Government has jurisdiction regarding all marine navigation concerns.

10. APPLICATIONS AND REFERRALS

10.1 Galiano Island Local Trust Committee Bylaw referral regarding Proposed LUB Amendment Bylaw No. 267 and Proposed Official Community Plan Amendment Bylaw No. 268

TH-2018-037

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee advise the Galiano Island Local Trust Committee, that with respect to Bylaw Nos. 267 and No. 268, that our interests are unaffected by the Bylaw.

CARRIED

10.2 Proposed TELUS Telecommunications Facility on Thetis Island - Staff Report

Island Planner Eggen, summarized the Staff Report; provided updates and discussion ensued, with Chad Marlatt, representative for Cypress Land Service in attendance to speak to this proposed facility, with focus on public input and environmental safety concerns. Discussion ensued regarding this facility also providing enhanced internet service to the north end of the island.

It was noted that as attached to the Staff Report are Policies and Land Use Bylaw Regulations which should be communicated to the proponent and adhered to as much as possible; and that Islands Trust mapping indicates that there is an at-risk ecosystem covering the entire subject property and is a forestry corridor of importance.

TH-2018-038

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee refer the proposed Telus communication facility on Thetis Island Staff Report to the Advisory Planning Commission for comment.

CARRIED

TH-2018-039

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request the proponent of application TH-OTH-2018.1 (TELUS) follow the Ministry of Innovation, Science and Economic Development Canada (ISED) Default Public Consultation Process for a proposed Telecommunications Facility at 61 Pilkey Point Road, Thetis Island.

CARRIED

TH-2018-040

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request the proponent of application TH-OTH-2018.1 (TELUS) hold a public meeting on Thetis Island as part of the ISED Default Public Consultation Process, to provide the public an opportunity to receive information, ask questions, and provide feedback to the proponent.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Ruxton Island Private Moorage Structures Project

Island Planner Eggen provided a verbal update. Staff is working on the revisions to the Bylaw to be brought forward by RWM.

11.2 Relationship Building with Local First Nations

Island Planner Eggen reported that Staff are still working to communicate with the Lyackson First Nation.

12. REPORTS**12.1 Work Program Reports****12.1.1 Top Priorities Report dated August 20, 2018**

Received.

12.1.2 Projects List Report dated August 20, 2018

Received.

12.2 Applications Report dated August 20, 2018

Update by Regional Planning Manager Kjerulf on File Number TH-DVP-2015.2, Trincomali Holdings, that an archaeological post-impact inspection is planned and follow-up report is pending.

12.3 Trustee and Local Expense Report dated June, 2018

Received.

12.4 Adopted Policies and Standing Resolutions - None**12.5 Local Trust Committee Webpage**

Ensure that a link to the Housing Report is accessible from our webpage.

12.6 Chair's Report

Chair Morrison reported on:

- Working on the open letter that came forward at Trust Council regarding the Trans Mountain Pipeline Project and the scheduled Special Meeting of the Executive Committee to address this issue
- Upcoming Executive Committee meeting to plan Trust Council Meeting on Keats Island in September.

12.7 Trustee Reports

Trustee Hunter reported on:

- Ferry ramp repairs, which went well and are now finished.

Trustee Luckham reported on:

- Engaging extensively with ACT and keeping them up to date on where Islands Trust is on this issue.

12.8 Electoral Area Director's Report

None at this time; however, Trustee Luckham mentioned that Electoral Area candidates have been visiting Thetis and connecting with islanders.

12.9 Trust Conservancy Report dated May, 2018

Received.

12.10 Trust Conservancy Report dated July, 2018

Chair Morrison presented the Trust Conservancy Report and provided updates.

13. NEW BUSINESS**13.1 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail License Application Fees - Staff Report**

Regional Planning Manager Kjerulf, presented a review of the Staff Report, including background and summary; discussion followed regarding emphasis on local government to put policies and regulations in place.

TH-2018-041**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.
- 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.

CARRIED

TH-2018-042**It was MOVED and SECONDED**

that the Thetis Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a fee for Liquor and Cannabis Regulation Branch non-medical cannabis retail license applications, in the amount of \$2,000.

CARRIED

13.2 Agricultural Land Commission (ALC) Information Bulletin-Cannabis Production in the Agricultural Land Reserve (ALR)

Received for information.

13.3 Islands Trust Conservancy - Regional Conservation Plan – Briefing

TH-2018-043

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee add to the Projects List that an investigation be undertaken and recommendations be provided to the Local Trust Committee regarding how we might incorporate those elements of the Islands Trust Conservancy Regional Conservation Plan that are applicable to the Thetis Island Trust Area into the Thetis, Valdez and Associated Islands' Official Community Plans and Land Use Bylaws.

CARRIED

13.4 Trust Programs Committee - Service Integration – Briefing

TH-2018-044

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee advises the Trust Programs Committee that the Thetis Island Local Trust Committee has experienced barriers to engaging service providers/other agencies when addressing the following topics:

1. Foreshore Leases
2. Nuisance

CARRIED

13.5 Housing Needs Assessment - Staff Report

TH-2018-045

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee receive the "Housing Needs Assessment, Northern Region of Islands Trust" report prepared by Dillon Consulting dated June 21, 2018; and that the Thetis Island Local Trust Committee request Staff to publish the "Housing Needs Assessment, Northern Region of Islands Trust" report prepared by Dillon Consulting dated June 21, 2018 on the Islands Trust website with a link to the Thetis Island webpage.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, December 11, 2018 at 9:30 am. at the Thetis Island Community Centre (Hunter Room), North Cove Road, Thetis Island, BC

The meeting time for the December meeting was changed to begin at 9:30 am instead of 9:45 am.

15. TOWN HALL

Speaker from Ruxton Island addressed the Ruxton Island issue of moorage, which has been open for over a year and leaves the door open for more docks. Is there a timeframe for a public meeting and advancement on this issue?

Island Planner Eggen reported that at the last Local Trust Committee meeting, the decision was made to not have another Community Information Meeting and to receive revisions for consideration of first reading by Resolution Without Meeting within the next thirty days, moving towards Public Hearing and Community Information Meeting post early in the new term.

Discussion followed to clarify the process and timeframe.

16. ADJOURNMENT

This is the last meeting of the current Local Trust Committee; thanks were exchanged for a term well served.

By general consent the meeting was adjourned at 10:56 am.

Susan Morrison, Chair

Certified Correct:

Janice Young, Recorder