



Thetis Island Local Trust Committee

Regular Meeting Agenda

Date: June 1, 2021
Time: 9:30 am
Location: Electronic Meeting

Pages

- | | | | |
|------|---|---------------------|---------|
| 1. | CALL TO ORDER | 9:30 AM - 9:35 AM | |
| | "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. | APPROVAL OF AGENDA | | |
| 3. | REPORTS | 9:35 AM - 9:50 AM | |
| 3.1. | Trustee Reports | | |
| 3.2. | Chair's Report | | |
| 3.3. | Electoral Area Director's Report | | |
| 4. | TOWN HALL | 9:50 AM - 10:00 AM | |
| 5. | MINUTES | 10:00 AM - 10:05 AM | |
| 5.1. | Local Trust Committee Minutes dated April 13, 2021 - for adoption | | 3 - 9 |
| 5.2. | Section 26 Resolutions-Without-Meeting - none | | |
| 5.3. | Advisory Planning Commission Minutes - none | | |
| 6. | BUSINESS ARISING FROM MINUTES | 10:05 AM - 10:20 AM | |
| 6.1. | Follow-up Action List dated May 25, 2021 | | 10 - 15 |
| 7. | APPLICATIONS AND REFERRALS | 10:20 AM - 10:30 AM | |
| 7.1. | Galiano Island Local Trust Committee Bylaw Nos. 256 and 257 - Referral Request for Response | | 16 - 18 |
| 7.2. | Galiano Island Local Trust Committee Bylaw No. 278 - Referral Request for Response | | 19 - 21 |
| 8. | LOCAL TRUST COMMITTEE PROJECTS | 10:30 AM - 10:50 AM | |

8.1.	Coastal Shoreline Protection Project - Staff Report	22 - 26
9.	DELEGATIONS - none	
10.	CORRESPONDENCE - none <i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
11.	NEW BUSINESS	
12.	REPORTS	10:50 AM - 11:00 AM
12.1.	Trust Conservancy Report - none	
12.2.	Applications Report - none	
12.3.	Trustee and Local Expense Report - none	
12.4.	Adopted Policies and Standing Resolutions	27 - 29
12.5.	Local Trust Committee Webpage	
13.	WORK PROGRAM	11:00 AM - 11:25 AM
13.1.	Top Priorities Report dated May 25, 2021	30 - 30
13.2.	Projects List Report dated May 25, 2021	31 - 33
14.	CLOSED MEETING - none	
15.	UPCOMING MEETINGS	
15.1.	Next Regular Meeting Scheduled for Tuesday, August 3, 2021 at 9:30 am - Location to be determined	
16.	ADJOURNMENT	11:25 AM - 11:25 AM



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: April 13, 2021

Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Marnie Eggen, Island Planner
Jaime Dubyna, Island Planner
Wil Cottingham, Administrative Assistant
Sarah Shugar, Recorder

Others Present: Lynne Smith, Cowichan Valley Regional District Area G Saltair / Gulf Islands
Electoral Area Director
Four 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 9:30 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following supplemental item was presented for consideration:

3.3 Electoral Area Director's Report

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Fenton presented the following report:

- Expressed gratitude to live and work in Lyackson and Penelakut territory.
- Attended Trust Council electronic meetings held March 9 to 11, 2021.
- Attended an Islands Trust Conservancy meeting.
- Attended a Trust Programs Committee meeting regarding the Policy review project.

Trustee Luckham presented the following report:

- Expressed gratitude to live and work in Lyackson and Penelakut territory.
- Attended Transport Canada Oceans Protection Plan forum in February 2021 regarding marine issues including vessel traffic and anchorages. Trust Council has reaffirmed advocacy regarding vessel anchorages as a priority.
- Attended meetings with the Coastal Douglas-Fir Conservation Partnership.
- Attended Trust Council electronic meetings held March 9 to 11, 2021.
- Attended a meeting with Executive Committee and the Bowen Island Municipality regarding common interests and concerns.
- Attended a Community-to-Community meeting with First Nations regarding the Ganges Village Area Plan project and other issues of mutual interest.
- Expressed condolences to the family of Gabriola resident Chris Straw and acknowledged his work with the Gabriolans Against Vessel Anchorages.
- The Dead Boats Society and Salish Sea Industrial Services removed a derelict catamaran vessel from Preedy Harbour and will continue work to remove derelict vessels.

3.2 Chair's Report

Chair Patrick reported that she attended Trust Council electronic meetings held March 9 to 11, 2021. Trust Council affirmed the Islands Trust mandate contained in section 3 of the Islands Trust Act that includes protection of healthy and inclusive communities including housing and transportation. Trustee Patrick expressed support for Trustees' responsibility towards the constituency and the environment.

3.3 Electoral Area Director's Report

Director Smith reported the following:

- There was a flood at the CRD office located at 175 Ingram Street. Currently the office is closed and the reception area has been moved to the Cowichan Community Centre.
- The Thetis Island Wharf, Thetis Island Boat Launch and Thetis Island Solid Waste/Recycling services have been added to the CVRD Area G Budget insert this year. The insert is available on the CVRD website.
- The Province of BC is reviewing the *Emergency Program Act*. The new *Act* will have an impact on the CVRD Emergency Program Services. The Emergency Management BC (EMBC) Community Emergency Program Self Assessment Tool is available online.
- Thetis Island has very active volunteer groups that continue to work towards public awareness and Hazard Risk and Vulnerability Assessments (HRVA).
- A CVRD Housing Needs Assessment is available on the CVRD website.
- There has been no progress regarding the Thetis Island Wharf Grant. Thetis Island Wharf Reserve funds will be transferred into the Thetis Island Wharf 2021 budget for design costs in the near future. It was noted the window for this project is limited due to tides and weather.

The following comments and questions were noted:

- There was a suggestion to include the Thetis Island Ratepayers Association and Thetis Island Fire Department in planning the Thetis Island wharf repair project.

- There was a question regarding when the work would begin on the Thetis Island Wharf. Director Smith reported the design is in process and will determine the schedule for the work. She suggested an inter-agency meeting to address emergency services access and marine traffic.
- There was a question regarding whether construction materials would be stored on the wharf. Director Smith reported staff has not provided details regarding the storage of construction materials.

4. TOWN HALL

There were no speakers in the town hall portion of the meeting.

5. MINUTES

5.1 Local Trust Committee Minutes dated February 9, 2021 - for Adoption

By general consent the Local Trust Committee meeting minutes of February 9, 2021 were adopted.

5.2 Section 26 Resolutions-Without-Meeting Report dated March 29, 2021

Received.

5.3 Advisory Planning Commission Minutes – none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated April 7, 2021

Received.

7. APPLICATIONS AND REFERRALS

7.1 TH-OTH-2018.1 (Cypress Land Services on behalf of TELUS - 61 Pilkey Point Rd.) – Memorandum

Planner Eggen presented a memorandum dated April 7, 2021 respecting a request from the agent for TELUS regarding their 2018 submission to the Federal Ministry of Innovation, Science and Economic Development Canada (ISED) for the proposed 22.0 metre tower with a 4-foot microwave dish at 61 Pilkey Point Rd.

Representatives Chad Marlatt and Nicole Andreescu spoke to the application.

In discussion, the following questions were noted:

- There was a question regarding public consultation. Representative Chad Marlatt reported that previous public consultation included notification of approximately twelve neighbours, an open house event, advertisements in the local newspaper, a meeting with the Thetis Island Advisory Planning Commission and First Nations consultation.
- There was a question regarding whether any negative responses were received from neighbouring properties. Representative Chad Marlatt reported no negative responses have been received.
- There was a question regarding whether the proposal is for a microwave only with

no cell service. Representative Chad Marlatt reported the tower would have one microwave to back up services to Penelakut Island and Thetis Island.

- There was a question regarding the construction of the tower. Representative Chad Marlatt reported the tower design is small in stature and will be built behind existing infrastructure. The base of the tower will be approximately 3 feet across and the microwave would be approximately 4 feet across. Planner Eggen presented the original proposed site plan and elevation drawing with design specifications as provided by the applicant.
- There was a question regarding whether the tower would have a navigation light installed. Representative Chad Marlatt reported a navigation light is not required as the trees around the proposed tower are taller than the structure.

TH-2021-007

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee, in consideration of the letter of support from Penelakut Band, dated February 23, 2021, request that staff inform the proponent for the TELUS communications tower proposal located at 61 Pilkey Point Road, Thetis Island:

- a. The Local Trust Committee is satisfied with the Proponent's public consultation process and that the Proponent does not need to undertake further consultation with the public or First Nations;
- b. The Local Trust Committee concurs with the TELUS proposal to construct a communications tower provided it is constructed substantially in accordance with the plans submitted to the Islands Trust, dated July 10, 2018.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Thetis Island Riparian Areas Protection Regulation Implementation - Staff Report

Planner Eggen presented a staff report dated March 31, 2021 regarding Thetis Island Riparian Areas Protection Regulations

In discussion, the following questions and comments were noted:

- There was a question regarding an amendment to subsection 11.1.3 (g) – “conducted on the basis of advice from a Qualified Environmental Professional” (QEP). Planner Eggen reported the landowner would be required to provide documentation that the landowner has consulted with a QEP.
- There was a suggestion that communications regarding sensitive ecosystem protection need to be improved.

TH-2021-008

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be read a second time.

CARRIED

TH-2021-009**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be read a third time.

CARRIED**TH-2021-010****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED**TH-2021-011****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee forward Bylaw No. 108, cited as “Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020” to the Ministry of Municipal Affairs.

CARRIED**TH-2021-012****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee amend Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” as follows:

- a. By deleting the text “in accordance with a restoration plan prepared by Qualified Environmental Professional” in subsection 11.1.3 (g) and replacing it with “in accordance with best management practices.”
- b. By adding the following information note directly after subsection 11.1.3 Exempted Activities: “INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.”

CARRIED**TH-2021-013****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be read a second time, as amended.

CARRIED**TH-2021-014****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be read a third time.

CARRIED**TH-2021-015****It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 109, cited as “Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

By general consent the meeting was recessed at 11:03 a.m. and reconvened at 11:10 a.m.

9. DELEGATIONS - none

10. CORRESPONDENCE - none

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

11. NEW BUSINESS

11.1 Shoreline Protection Options - Memorandum - for discussion

Regional Planning Manager Kauer presented a memorandum dated April 1, 2021 regarding Shoreline Protection Options.

In discussion the following comments and questions were noted:

- The North Pender Island Local Trust Committee has advanced a coastal protection project.
- Support was expressed for the importance of public consultation.
- The Green Shores stewardship program was suggested as a resource. The CVRD Ocean Shoreline Protection Development Permit Area was suggested as a resource. It was noted CVRD Bylaw 2500 is the Official Community Plan for Area G Saltair only and does not include Area G Gulf Islands.
- There was a question regarding development potential on shoreline properties. It was noted older homes and cottages on existing lots are being replaced by larger homes and added infrastructure such as docks. Thetis Island has a development potential map dated 2009 and specifies there are 113 lots for potential development.
- K'ómoks First Nation has developed its own permitting process. Hornby Island and Denman Island development applications are referred to the K'ómoks First Nation.
- Thetis Island has a protocol agreement for building permit referrals with the CVRD.
- There was a suggestion to engage First Nations in the early phases of the project.
- There was a suggestion that First Nations engagement should prioritize First Nations that reside in the local area including Lyackson, Penelakut and the Cowichan Alliance.

TH-2021-016

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to develop a project charter for an information gathering phase of a Shoreline and Coastal Protection Strategy that includes First Nations engagement.

CARRIED

12. REPORTS

12.1 Trust Conservancy Report dated January 26, 2021

Received.

12.2 Applications Report - none

12.3 Trustee and Local Expense Report dated February 2021

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage - none

13. WORK PROGRAM

13.1 Top Priorities Report dated April 7, 2021

Received.

13.2 Projects List Report dated April 7, 2021

Received.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, June 1, 2021 at 9:30 am via - to be determined

The next Regular Meeting is scheduled for Tuesday, June 1, 2021 at 9:30 a.m., location to be determined. Please check the website at <http://www.islandstrust.bc.ca/> for details regarding this meeting.

15. CLOSED MEETING - none

16. ADJOURNMENT

By general consent the meeting was adjourned at 12:21 p.m.

Laura Patrick, Chair

Certified Correct:

Sarah Shugar, Recorder



Follow Up Action Report

Thetis Island

24-Nov-2020

Activity	Responsibility	Dates	Status
1 Staff to undertake a preliminary review of CVRD Official Community Plan Bylaw No. 4270 Phase 1 Harmonization with respect to how the plan reflects the interests of Islands Trust and Thetis Island.	Heather Kauer		Completed
2 Staff to engage with each of the trustees individually to help further inform the Thetis LTC Top Priorities and Projects list and to report back to a future LTC meeting.	Heather Kauer		Completed
3 Staff to share information regarding Keats Island Shoreline Protection Project and Salt Spring Protection of Coastal Douglas-Fir and Associated Ecosystems Project with the Thetis community via Thetis Island media sources.	Marnie Eggen Wil Cottingham		Completed
4 Request staff to schedule a Public Hearing for the Thetis Riparian Areas Protection Regulation Implementation Project and proposed Bylaw Nos. 108 and 109 in advance of the next LTC meeting and notice to include Trustee contact information. <i>Scheduled for Feb 2/21 @6:30pm</i>	Becky McErlean Marnie Eggen Penny Hawley Wil Cottingham		Completed
5 Trustee Luckham to draft a letter to the CVRD signed by the LTC Chair, regarding the closing of the Thetis Island dock, including concerns with respect to its closure, that there is interest in retaining it to facilitate emergency medical services and that the CVRD advise the community.	Wil Cottingham		In Progress

Follow Up Action Report

Thetis Island

09-Feb-2021

Activity	Responsibility	Dates	Status
1 that the Thetis Island Local Trust Committee request staff to submit the referral response form that is Attachment 1 of the staff report dated February 1, 2021 to the Cowichan Valley Regional District, amended as discussed.	Becky McErlean Heather Kauer		Completed
2 that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to how to implement permissive measures to expand small scale agriculture within the riparian areas.	Marnie Eggen		Completed
3 that the Thetis Island Local Trust Committee request staff to provide options and recommend an amendment to Bylaw Nos. 108 and 109 with respect to management of the manual removal of invasive species and management of native planting plans as discussed.	Marnie Eggen		Completed
4 that the Thetis Island Local Trust Committee request staff to coordinate a meeting with BC Ferries, the Ministry of Transportation and Infrastructure, the Local Ferry Advisory Committee, the Thetis Island Residents' and Ratepayers' Association, and the Cowichan Valley Regional District to discuss outstanding issues regarding ferry access and parking, wharf entrance congestion and pedestrian and cycling safety on Thetis Island.			In Progress

Follow Up Action Report

Thetis Island

09-Feb-2021

Activity	Responsibility	Dates	Status
5 that the Thetis Island Local Trust Committee request Trustee Luckham and Chair Patrick to write a letter of advocacy to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development regarding the clean up of an abandoned property on Valdes Island.	Mike Richards Wil Cottingham		In Progress
6 that the Thetis Island Local Trust Committee request staff to provide a staff report analyzing shoreline and conservancy tools that might be incorporated into a shoreline project that would include a robust First Nations advisory component and collaboration with other Local Trust Committees with a regional perspective.	Heather Kauer		Completed

13-Apr-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Thetis Island

13-Apr-2021

Activity	Responsibility	Dates	Status
<p>1 that the Thetis Island Local Trust Committee, in consideration of the letter of support from Penelakut Band, dated February 23, 2021, request that staff inform the proponent for the TELUS communications tower proposal located at 61 Pilkey Point Road, Thetis Island:</p> <p>a. The Local Trust Committee is satisfied with the Proponent's public consultation process and that the Proponent does not need to undertake further consultation with the public or First Nations;</p> <p>b. The Local Trust Committee concurs with the TELUS proposal to construct a communications tower provided it is constructed substantially in accordance with the plans submitted to the Islands Trust, dated July 10, 2018.</p>	Marnie Eggen		Completed
<p>2 that the Thetis Island Local Trust Committee Bylaw No. 108, cited as "Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020" be read a second time.</p>	Becky McErlean Marnie Eggen		Completed
<p>3 that the Thetis Island Local Trust Committee Bylaw No. 108, cited as "Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020" be read a third time.</p>	Becky McErlean Marnie Eggen		Completed



Follow Up Action Report

Thetis Island

13-Apr-2021

Activity	Responsibility	Dates	Status
4 that the Thetis Island Local Trust Committee Bylaw No. 108, cited as "Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.	Becky McErlean Marnie Eggen		Completed
5 that the Thetis Island Local Trust Committee forward Bylaw No. 108, cited as "Thetis Island Official Community Plan, 2011, Amendment Bylaw No. 1, 2020" to the Ministry of Municipal Affairs.	Becky McErlean Marnie Eggen		Completed
6 that the Thetis Island Local Trust Committee amend Bylaw No. 109, cited as "Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020" as follows: a. By deleting the text "in accordance with a restoration plan prepared by Qualified Environmental Professional" in subsection 11.1.3 (g) and replacing it with "in accordance with best management practices." b. By adding the following information note directly after subsection 11.1.3 Exempted Activities: "INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee."	Becky McErlean Marnie Eggen		Completed

Follow Up Action Report

Thetis Island

13-Apr-2021

Activity	Responsibility	Dates	Status
7 that the Thetis Island Local Trust Committee Bylaw No. 109, cited as "Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020" be read a second time, as amended.	Becky McErlean Marnie Eggen		Completed
8 that the Thetis Island Local Trust Committee Bylaw No. 109, cited as "Thetis Island Land Use Bylaw, 2011, Amendment Bylaw No. 1, 2020" be read a third time.	Becky McErlean Marnie Eggen		Completed
9 that the Thetis Island Local Trust Committee request staff to develop a project charter for an information gathering phase of a Shoreline and Coastal Protection Strategy that includes First Nations engagement.	Jaime Dubyna		In Progress



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area Bylaw No.: 256 and 257 Date: April 23, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

GL-RZ-2014.1 (Crystal Mountain Society)

PURPOSE OF BYLAW:

The purpose of these bylaws is to amend the land use designation and associated zoning for a 6.14 hectare portion of the two subject properties to allow for a **Spiritual Education** land use. The subject properties are currently designated Rural (Lot 9) and Forestry (Lot A) and would be re-designated as Spiritual Education; with the remainder of the two subject parcels to be re-designated as Nature Protection. The zoning for the 6.14 hectare portion of two subject properties that are currently zoned Rural 2 (Lot 9) and Forest1 (DL 88 & 89 Lot A) in the LUB would be re-zoned to **Spiritual Education 1**.

Professional reports and staff reports are available on the Galiano Island application webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/>

GENERAL LOCATION:

Galiano Island Local Trust Area

LEGAL DESCRIPTION:

District Lot (DL) Lot 90 Lot 9 and DL 88 & 89 Lot A, North Galiano Island

SIZE OF PROPERTY AFFECTED:

24.6 hectares

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

Forestry

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

BSmith

(Signature)

Name:

Brad Smith

Title:

Island Planner

Contact Info

Tel: 250-405-5194

Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Municipal Affairs
Ministry of Forest, Lands & Natural Resource Operations
- Water Protection
Ministry of Transportation & Infrastructure

Non-Agency Referrals

Galiano Island Trails Society

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Integrated Water Services
Island Health
Galiano Island Fire Rescue – North Department

Adjacent Local Trust Committees and Municipalities

Gambier Island Local Trust Committee
Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Galiano Island Local Trust Area

(Island)

(Signature)

(Date)

256 and 257

(Bylaw Number)

(Name and Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area Bylaw No.: 278 Date: March 11, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:

Technical Updates to the Galiano Island Land Use Bylaw.

Professional reports and staff reports are available on the Galiano island webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/lub-technical-review/>

GENERAL LOCATION:

Galiano Island Local Trust Area

LEGAL DESCRIPTION:

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

BSmith

Name:

Brad Smith

(Signature)

Title:
Contact Info

Island Planner

Tel: 250-405-5194

Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Regional Parks and Community
Services

Adjacent Local Trust Committees and Municipalities

Gambier Island Local Trust Committee
Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Musqueam Indian Band
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Galiano Island Local Trust Area

(Island)

(Signature)

(Date)

278

(Bylaw Number)

(Name and Title)

(Agency)

File No.: 6500-20
(Thetis Island Shoreline and
Coastal Protection)

DATE OF MEETING: June 1, 2021
TO: Thetis Island Local Trust Committee
FROM: Jaime Dubyna, Island Planner
Northern Team
COPY: Heather Kauer, Regional Planning Manager
SUBJECT: Thetis Island Local Trust Committee – Shoreline and Coastal Protection Strategy Project

RECOMMENDATION

1. That the Thetis Island Local Trust Committee endorse the *Thetis Island Shoreline and Coastal Protection Strategy Project Charter*, dated June 1, 2021.

PURPOSE

The Thetis Island Local Trust Committee (LTC) is asked to consider a draft project charter with respect to its top-priority project, “Coastal Shoreline Protection” (or “Shoreline and Coastal Protection Strategy”).

The project is in its early stages and the scope remains to be defined by the LTC. The intent of this first phase is to gather information and local knowledge to gain an understanding of the issues or concerns that may be addressed and the expected outcomes of the project.

BACKGROUND

Shoreline and coastal protection were included on the LTC Top Priorities list at the November 19, 2019 regular business meeting when the LTC adopted the following resolution:

TH-2019-070

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee rename “Project No. 8 – Review of Development Permit Areas and development of a Development Approval Information” to “Coastal Shoreline Protection” and add it to the Top Priorities List; and that the initial Local Trust Committee actions will be a review of the Coastal Douglas Fir Toolkit and a review of the Cowichan Valley Regional District Ocean Shoreline Protection Development Permit Area, Section 20.3.

CARRIED

At the April 13, 2021 regular business meeting, the LTC adopted the following resolution:

TH-2021-016

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to develop a project charter for an information gathering phase of a Shoreline and Coastal Protection Strategy that includes First Nations engagement.

CARRIED

PROJECT CHARTER

The draft project charter introduces options for proceeding with an information gathering phase to facilitate the LTC in defining the project direction and scope. See Attachment 1 for the draft project charter.

There are two parts proposed for this phase of the project that may occur simultaneously:

1. First Nations engagement; and
2. Staff preparation of a discussion paper.

Should the LTC make any changes to the draft as presented, staff will need to bring back a revised timeline, workplan overview and budget for review. Once the project charter has been endorsed by the LTC, staff can proceed in general accordance with the workplan presented.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

There are several Islands Trust Policy Statement (ITPS) directive policies that address shoreline and coastal environments, including:

- 3.4.4** *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.*
- 3.4.5** *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.*
- 4.5.10** *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.*

The project will be reviewed for consistency with the Islands Trust Policy Statement (ITPS) prior to the LTC review of a draft bylaw, should the project proceed in that direction. A detailed analysis will be provided at first reading of a bylaw.

Official Community Plan:

A review of relevant policies in the Thetis Island Official Community Plan (OCP) Bylaw No. 88 will be undertaken as part of the proposed Discussion Paper.

Land Use Bylaw:

A review of relevant regulations in the Thetis Island Land Use Bylaw No. 89 (LUB) will be undertaken as part of the proposed Discussion Paper.

Islands Trust Conservancy:

The project may provide an opportunity to support goals of the Islands Trust Conservancy (ITC) Regional Conservation Plan 2018-2027.

Consultation

At the April 13, 2021 regular business meeting, the LTC identified engagement with First Nations, and specifically with Penelakut Tribe and Lyackson First Nation to start, as a high priority.

This phase of the project may also include engagement with the Thetis community to gain an understanding of the concerns or issues the community may have, and to present potential options for the project.

Rationale for Recommendation

Staff are presenting a draft project charter that would initiate the first phase of the Coastal Shoreline Protection project that would include First Nations engagement and the preparation of a Discussion Paper. The outcome of this phase will help to frame the direction and scope of the project's next steps.

The staff recommendation is found on Page 1 of this report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Thetis Island Local Trust Committee request [specific request to be provided by LTC].

2. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Should the LTC endorse the draft project charter, staff can proceed in general accordance with the workplan presented.

Submitted By:	Jaime Dubyna Island Planner	May 18, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	May 19, 2021

ATTACHMENTS

1. Draft Project Charter

Thetis Island Shoreline and Coastal Protection Strategy Project - Charter v1 **DRAFT**

Thetis Island Local Trust Committee

Date: June 1, 2021

Purpose: *Initiate an information gathering phase to identify the issues to be addressed and the scope of the project. The outcome of this phase is intended to inform the next phase of the project.*

Background: *The Thetis Island Local Trust Committee (LTC) identified shoreline and coastal protection as a top priority project in November 2019. At the April 13, 2021 regular business meeting, the LTC expressed interest in collecting information and local knowledge to gain an understanding of topics of interest or concern in relation to shoreline and coastal protection. A starting point for the project includes initiating First Nations engagement, and the development of a discussion paper that provides an overview of existing policies and regulations, and that introduces potential options for shoreline and coastal protection, including protection of archaeological, heritage, and cultural areas.*

Objectives

- To identify areas or topics of concern related to shoreline and coastal protection that may be addressed through regulation and / or community educational materials;
- To frame the direction and scope of the project

In Scope

- Discussion paper that includes a review of existing Thetis Island policies and regulations related to shoreline and coastal protection, collates existing data on shoreline ecosystem features/functions, and an overview of regulatory and educational options available to strengthen shoreline and coastal protection;
- First Nations engagement to identify areas of concern

Out of Scope

- Full review of unrelated OCP policies and LUB regulations
- Extensive community engagement

Workplan Overview

Deliverable/Milestone	Date
Draft Project Charter to LTC for consideration	June 1, 2021
Staff prepare Discussion Paper	June – August 2021
Engage with First Nations	August 2021
Discussion Paper to LTC, LTC provide direction for next phase	September 2021
Develop Project Charter for next phase	November 2021
“Phase 2” of project	Winter 2022

Project Team

Jaime Dubyna, Planner	Project Manager
Heather Kauer, RPM	Project Sponsor
Lisa Wilcox, SIPA	Project Support
IT Mapping Department	Mapping Support
IT Administration Staff	Administrative Support
RPM Approval: Heather Kauer Date:	LTC Endorsement: Resolution #: Date:

Budget

Budget Sources:		
Fiscal	Item	Cost
2021/2022	FN engagement	\$500
	Total	\$500

PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
June 1, 2021	Staff present draft project charter to LTC	June 1, 2021	\$0
-	Planner to work with SIPA to develop engagement plan	June/July 2021	\$0
-	Engagement with Lyackson First Nation and Penelakut Tribe commences	August 2021 – ongoing	\$500
-	Preparation of Discussion Paper	June - August 2021	\$0
Sept. 28, 2021	Discussion Paper presented to LTC, results from engagement (to date), LTC to provide direction for next phase	September 28, 2021	\$0
Nov. 16, 2021	Draft project charter to LTC for consideration	November 16, 2021	\$0
TOTAL			\$500

Thetis Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	July 3, 2012	TH-03-2012	Professional Minute taker for APC meetings	It was MOVED and SECONDED that the Thetis Island Local Trust Committee authorizes the payment of funds from its local expense account to pay for a minute taker for Advisory Planning Commission meetings.
2.	August 28, 2018	TH-2018-036	Suspension of enforcement action regarding unlawful non-tourist accommodation at 49 Harbour Road	It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution: <ol style="list-style-type: none"> 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. <p>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.</p>
3.	August 28, 2018	TH-2018-041	Non-medical cannabis retail applications	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: <ul style="list-style-type: none"> • 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.

No.	Meeting Date	Resolution No.	Issue	Policy
				<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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.
4.	December 12, 2018	TH-2018-053	Cannabis License Applications	<p>It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution:</p> <ul style="list-style-type: none"> that the Thetis Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
5.	February 22, 2019	TH-2019-020	Electoral Area Director	<p>It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution:</p> <p>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.</p>
6.	April 23, 2019	TH-2019-026	LTC to engage in Reconciliation with local First Nations, governments and the island community	<p>It was MOVED and SECONDED that the Thetis Island Local Trust Committee adopt the following standing resolution:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of</p>

No.	Meeting Date	Resolution No.	Issue	Policy
				<p>British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
7.	February 11, 2020	TH-2020-001	Electoral Area Director Reports	<p>It was MOVED and SECONDED that the Thetis Island Local Trust Committee request staff to add a standing resolution that the Cowichan Valley Regional District Area G Saltair/Gulf Islands Director Report reports will be posted to the website.</p>

Top Priorities Report

Thetis Island

1. Riparian Areas Regulation Implementation

Ensure protection of freshwater ecosystems in the Ralston Creek watershed through implementation of a development permit area.

Responsible

Marnie Eggen

Dates

Rec'd: 07-Sep-2011
Target: 15-Nov-2014

2. Coastal Shoreline Protection

LTC to review the Coastal Douglas Fir and Associated Islands Toolkit and CVRD's Bylaw 2500, Section 20.3 Ocean Shoreline Protection Development Permit Area.

Responsible

Dates

Rec'd: 19-Nov-2019

3. Relationship Building with First Nations

Potential topics to explore:
Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place; Co-governance/co-management; follow up from Associated OCP/LUB review: land use considerations for clam gardens; explore private docks as a permitted use; potential impacts of ocean geothermal loops; switchback fencing in setback to the sea.

Responsible

Dates

Rec'd: 27-Feb-2018

**Projects Report****Thetis Island****1. Amendments to the Thetis Island OCP and LUB**

Responsible

Date Received

- research short-term vacation rentals of principle dwellings in the R-2 zone
 - rainwater storage requirements
 - support the construction of a storage building prior to construction of a principal dwelling
- Update 29-Sept-2020: Added from Projects List items 7 and 9:
- consider ocean loop geothermal exchange systems
 - explore measures to address impacts of wharf related structures
 - (housekeeping) 4.3(d) amend to say: In addition to s.4.3(a), (b), and (c)...
 - (housekeeping) objectives and policies re: sea level rise (was resolution to include in draft but did not make it into adopted OCP)
 - Review TUPs to include non-tourist accommodation (to be advanced at earliest convenience)

07-Sep-2011

2. Island-wide watershed protection

Responsible

Date Received

TBD

21-Nov-2012

3. Pilkey Point/Marina Drive Slough Support for Habitat Restoration

Responsible

Date Received

Include research potential for riparian area inclusion.

20-Nov-2013

4. Sensitive Ecosystems Education and Engagement

Responsible

Date Received

Projects Report

Thetis Island

Environmental education and engagement efforts, in particular with owners on the Associated Islands, to explore ways to protect sensitive ecosystems in the Area.

19-Mar-2014

5. *Associated Islands OCP and LUB*

Responsible

Date Received

Develop new OCP and LUB to replace CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stzuminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.

07-Sep-2011

6. *Letter of Understanding between the Thetis LTC and the Cowichan Valley Regional District*

Responsible

Date Received

Planning staff to begin drafting once project progresses to Priorities.

24-Nov-2015

7. *Thetis Associated Islands Land Use Bylaw Amendment, Ruxton Island Community Dock Review Project*

Responsible

Date Received

Reference Ruxton Island Private Moorage Structures project for preliminary consultation.

22-May-2018

8. *Incorporation of the Regional Conservation Plan into Thetis LTA OCPs and LUBs*

Responsible

Date Received

Investigate and provide recommendations on how to incorporate the plan elements into Thetis, Valdes, and Associated Islands OCPs and LUBs.

28-Aug-2018

Projects Report

Thetis Island

9. *Cannabis Production and Retail Sales*

Responsible

Date Received

Consideration of regulations to guide cannabis production and retail sales activities.

11-Dec-2018

10. *Affordable Housing Strategy*

Responsible

Date Received

Housing for young families, workers and seniors; community engagement

11-Dec-2018

11. *Model Consultation Process for Antenna Systems*

Responsible

Date Received

To amend the Model Consultation Process for Antenna Systems (from the "Model Strategy for Antenna Systems") to include APC recommendations from January 23, 2020 APC meeting and LTC resolutions from February 11, 2020 LTC meeting.

11-Feb-2020

12. *Plan to Improve Community Engagement Policy and Practice and to include First Nations*

Responsible

Date Received

Reference: "Proposal for a Thetis Island Official Community Plan Engagement Strategy" discussed at February 11, 2020 LTC meeting.

11-Feb-2020

13. *Explore zoning the unzoned area of water between the Associated Islands Official Community Plan and the Thetis Island Official Community Plan adjacent to Scott Island and Dayman Island*

Responsible

Date Received

21-Jul-2020