



File No.: 6500-20 (Marine Areas Review Project)

DATE OF MEETING: February 6, 2024

TO: Thetis Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2  
Northern Team

SUBJECT: Minor Project Update: Referral Responses for Proposed Bylaw Nos. 113 (OCP) and 114 (LUB)

## REPORT SUMMARY

This staff report provides the Thetis Island Local Trust Committee (LTC) with a follow up of bylaw referral responses received from First Nations, agencies, and the Thetis Advisory Planning Commission to date. Staff are recommending the LTC continue with Proposed Bylaw Nos. 113 and 114 as drafted (Attachments 1 and 2) and will arrange an electronic Community Information Meeting and Public Hearing before the next LTC regular business meeting.

## BACKGROUND

The purpose of this project is to review and update the Thetis Associated Islands Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations to address a portion of the marine area that is outside the OCP designation area and is outside the area of LUB application.

Proposed Bylaws 113 and 114 will establish an expanded bylaw area of application for the OCP and LUB in the marine area surrounding Scott, Dayman and Hudson Islands to ensure the marine uses are consistent with the object of the Islands Trust and to ensure the Thetis Associated Island Bylaws are applicable in that area.

The LTC gave First and Second Readings to proposed Bylaw Nos. 113 and 114 on November 7, 2023. All relevant background information is contained in the [report](#) provided to the LTC at that meeting.

At their regular business meeting held November 7, 2023, the LTC considered staff’s recommendations to proceed with Proposed Bylaw Nos. 113 and 114. At that meeting, the LTC passed the following resolutions:

### TH-2023-030

**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 Bylaw No. 113, cited as "Thetis Associated Islands Official Community Plan, 2014, Amendment No. 1, 2023," is not contrary to or at variance with the Island Trust Policy Statement.

**CARRIED**

### TH-2023-031

**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 Bylaw No. 114, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2023,” is not contrary to or at variance with the Island Trust Policy Statement.

**CARRIED**

**TH-2023-032**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 113, cited as “Thetis Associated Islands Official Community Plan, 2014, Amendment No. 1, 2023,” be read a first time.

**CARRIED**

**TH-2023-033**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 114, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2023,” be read a first time.

**CARRIED**

**TH-2023-034**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 113, cited as “Thetis Associated Islands Official Community Plan, 2014, Amendment No. 1, 2023,” be read a second time.

**CARRIED**

**TH-2023-035**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee Bylaw No. 114, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2023,” be read a second time.

**CARRIED**

**TH-2023-036**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee proposed Bylaw Nos. 113 (Official Community Plan) and 114 (Land Use Bylaw) be referred to the following for comment:

First Nations:

Semiahmoo First Nation, Tsawwassen First Nation, Snuneymuxw First Nation, Halalt First Nation, Stz’uminus First Nation, Cowichan Tribes, Lake Cowichan First Nation, Penelakut Tribe, Lyackson First Nation, Tsawout First Nation, Pauquachin First Nation, Tseycum First Nation and Tsartlip First Nation;

Local Government and Agencies:

Islands Trust Conservancy, Salt Spring Island Local Trust Committee, Gabriola Local Trust Committee, Cowichan Valley Regional District, School District 79, Ministry of Forests, Ministry of Agriculture and Food, Ministry of Transportation and Infrastructure, and Fisheries and Oceans Canada.

**CARRIED**

**TH-2023-037**

**It was MOVED and SECONDED,**

that the Thetis Island Local Trust Committee request staff to schedule an electronic Community Information Meeting and Public Hearing for Proposed Bylaw Nos. 113 (Official Community Plan) and 114 (Land Use Bylaw).

Reports and associated information for the Marine Area Review project are available on the Islands Trust website, under [Thetis Projects](#).

## **ANALYSIS**

### **Policy/Regulatory**

#### ***Islands Trust Policy Statement (ITPS):***

Staff have previously provided an analysis of the proposed bylaws in the [staff report](#) dated November 7, 2023, and have determined Proposed Bylaw Nos. 113 and 114 are not contrary to or at variance with the ITPS.

### **Issues and Opportunities**

#### ***CIM and Public Hearing:***

Under section 464 of the *Local Government Act* (LGA), a local government must hold a public hearing to adopt an official community plan bylaw and zoning bylaw, “...for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw.” Under section 465 (1) of the LGA, a public hearing must be held after first reading and before third reading of a proposed bylaw.

The purpose of the public hearing is to hear the view of community members regarding a proposed bylaw. A public hearing is preceded by a community information meeting (CIM), which is intended to introduce the proposed bylaws and respond to any questions community members may have prior to voicing their opinion at the public hearing.

The LTC has already directed staff to arrange an electronic CIM and public hearing following the referral period, which ended on January 26, 2024. Scheduling options include holding the CIM and public hearing following the regular business portion of an LTC meeting (next meeting is April 30, 2024), or holding the CIM and public hearing on a separate day (or night).

The LTC may consider potential dates and request staff to schedule the meetings accordingly. Staff will circulate notification of the public hearing in advance of the meeting date.

### **Consultation**

#### ***Referrals***

A referral of Proposed Bylaws Nos. 113 (OCP) and 114 (LUB) was forwarded to First Nations and other agencies on December 5, 2023.

A referral was also forwarded to the Advisory Planning Commission (APC) and considered by members at their meeting of January 18, 2024.

#### ***Bylaw Referral Responses***

At the time of this report, referral responses from 8 First Nations and agencies have been received. The referral response from Cowichan Valley Regional District (CVRD), Department of Fisheries and Oceans (DFO), Ministry of Transportation and Infrastructure (MOTI) and Ministry of Agriculture and Food have been included as Attachments 3, 4, 5 and 6.

A summary of the referral responses that have been received are provided in Table 1.

**Table 1. Summary of Referral Responses**

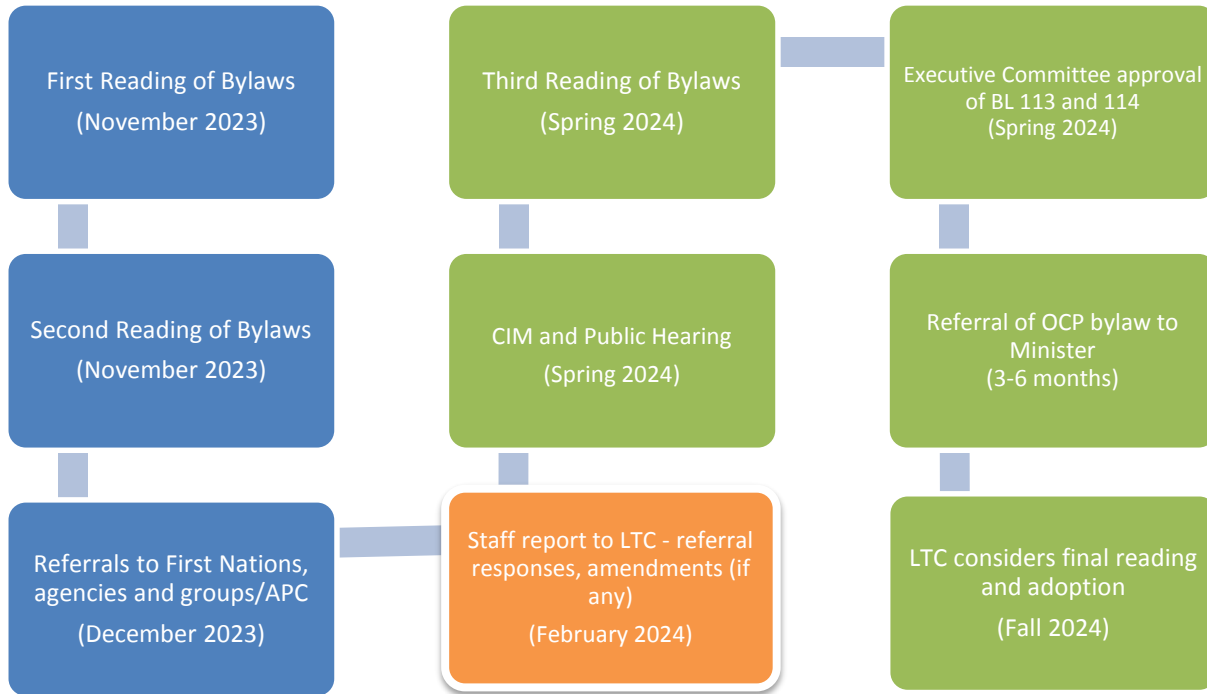
First Nation/ Agency / Group	Summary Response to Bylaw Referral	Staff Comments
Thetis Advisory Planning Commission	<ul style="list-style-type: none"> <li>Recommend moving forward with Proposed Bylaw Nos. 113 and 114.</li> </ul>	
Islands Trust Conservancy	<ul style="list-style-type: none"> <li>Bylaw was not referred to ITC as it is not required by the referral policy.</li> </ul>	
Salt Spring Island Local Trust Committee		Unable to provide a response until after February 15, 2024 LTC meeting.
Gabriola Island Local Trust Committee	<ul style="list-style-type: none"> <li>Interests Unaffected.</li> </ul>	
Semiahmoo First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Snuneymuxw First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Halalt First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Stz'uminus First Nation	<ul style="list-style-type: none"> <li>No response</li> </ul>	
Cowichan Tribes	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Lake Cowichan First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Penelakut Tribe	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Lyackson First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Tsayout First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	

Pauquachin First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Tseycum First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Tsartlip First Nation	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Tsawwassen First Nation	<ul style="list-style-type: none"> <li>No concerns.</li> </ul>	
Fisheries & Oceans, Canada - Pacific Region	<ul style="list-style-type: none"> <li>No detailed comments.</li> <li>Land use planning processes consider establishing clear environmental conservation and protection objectives that are reflected in designation of environmentally sensitive areas, setback requirements, stormwater retention/detention requirements, land use restrictions and bylaws (e.g., tree removal).</li> </ul>	Extending the Bylaw Area of Application as proposed increases environmental protection of the marine area.
Cowichan Valley Regional District	<ul style="list-style-type: none"> <li>Electoral Area Services Committee and Board support proposed Bylaw Nos. 113 and 114.</li> </ul>	
School District 79	<ul style="list-style-type: none"> <li>No response.</li> </ul>	
Ministry of Agriculture and Food	<ul style="list-style-type: none"> <li>Interests unaffected.</li> </ul>	
Ministry of Transportation and Infrastructure	<ul style="list-style-type: none"> <li>No objections to the zoning text amendment.</li> </ul>	
Ministry of Forests	<ul style="list-style-type: none"> <li>No response.</li> </ul>	

**Timeline:**

The following timeline outlines the bylaw amendment process milestones to-date along with next steps and approximate timing which may assist in managing community expectations in how an OCP and LUB amendment is processed. The blue steps identify completed milestones, the orange identifies the current stage, and the green identifies anticipated next steps or milestones in the process.

Public input may be received by the LTC at any point during the OCP and LUB amendment process up until the end of the public hearing.



**NEXT STEPS**

Staff will proceed to schedule an electronic CIM and public hearing for Proposed Bylaw Nos. 113 and 114. Once a date is decided, public notification of the CIM and public hearing will be coordinated.

Submitted By:	Margot Thomaidis, Planner 2	January 18, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	January 30, 2024

**ATTACHMENTS**

1. Proposed Bylaw No. 113
2. Proposed Bylaw No. 114
3. December 11, 2023 referral response from DFO
4. December 12, 2023 referral response from MOTI
5. December 15, 2023 referral response from Ministry of Agriculture and Food
6. January 18, 2024 referral response from CVRD

# DRAFT

## THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 113

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### A BYLAW TO AMEND THETIS ASSOCIATED ISLANDS OFFICIAL COMMUNITY PLAN BYLAW, 2014

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The Thetis Island Local Trust Committee being the Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as “Thetis Associated Islands Official Community Plan Bylaw, 2014, Amendment No. 1, 2023”.

2.

Thetis Associated Islands Official Community Plan Bylaw No. 93, 2014, cited as “Thetis Associated Islands Official Community Plan Bylaw, 2014, Amendment No. 1, 2023” is amended as per Schedules “1” and “2” attached to and forming part of this bylaw.

READ A FIRST TIME THIS	7 <sup>th</sup>	DAY OF	NOVEMBER	, 2023
READ A SECOND TIME THIS	7 <sup>th</sup>	DAY OF	NOVEMBER	, 2023
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

**THETIS ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 113**

**SCHEDULE 1**

1. Schedule “A” of “Thetis Associated Islands Official Community Plan No. 93, 2014” is amended as follows:

**PART E – ADMINISTRATION AND INTERPRETATION**, is amended by deleting Section 16.7.2(e) in its entirety.

2. **Schedule “B” Plan Area – Area of Application** of the Thetis Associated Islands Official Community Plan No. 93, 2014 is amended as follows:

The area of application map is replaced with a new map as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule “B” of Bylaw No. 93 as are required to effect this change.

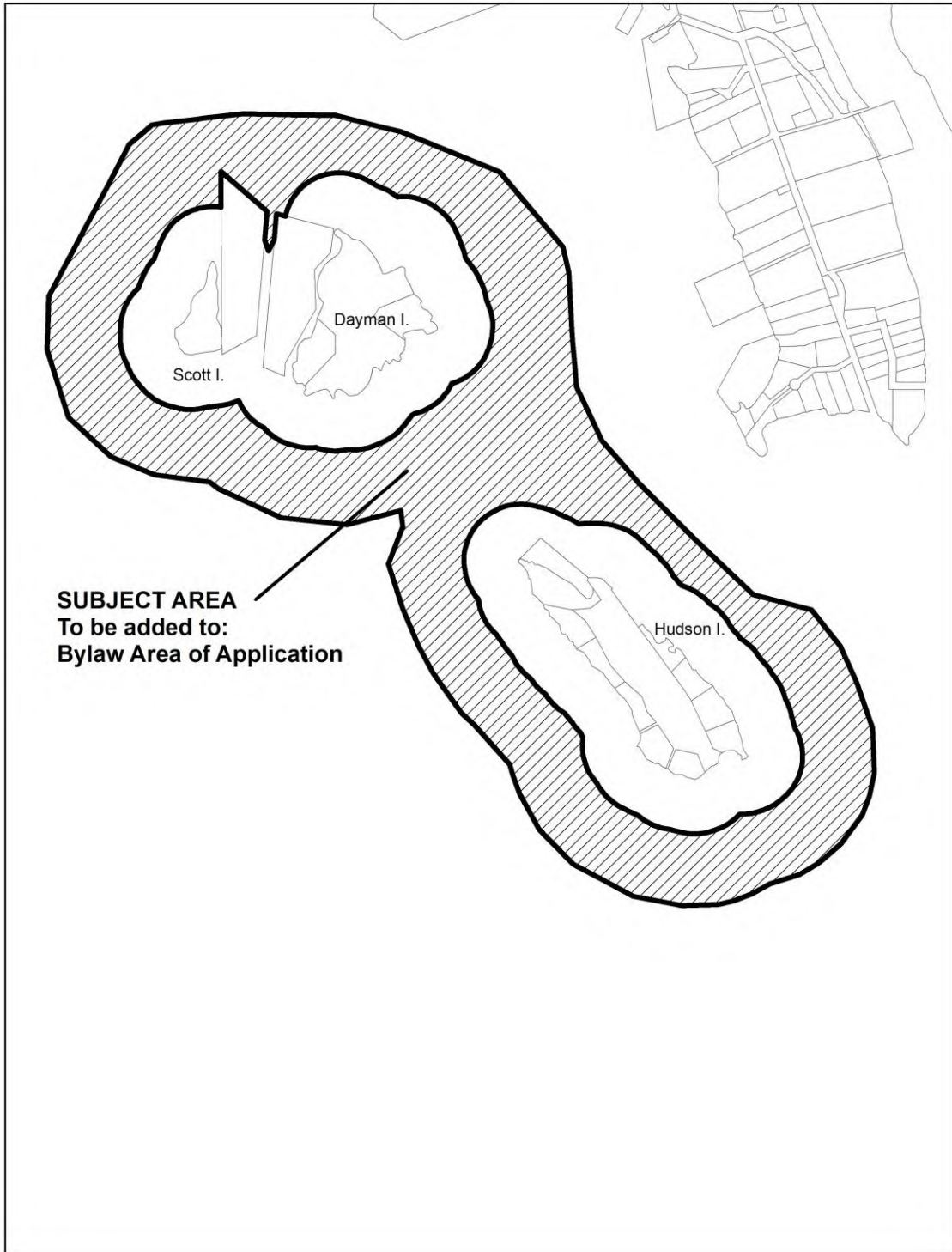
3. **Schedule “C” – Land Use Designation Map C** of the Thetis Associated Islands Official Community Plan No. 93, 2014 is amended as follows:

The land use designation is changed from “Undesignated” to “Marine” as shown on Plan No. 2 attached to and forming part of this bylaw and by making such alterations to Schedule “C” of Bylaw No. 93 as are required to effect this change.



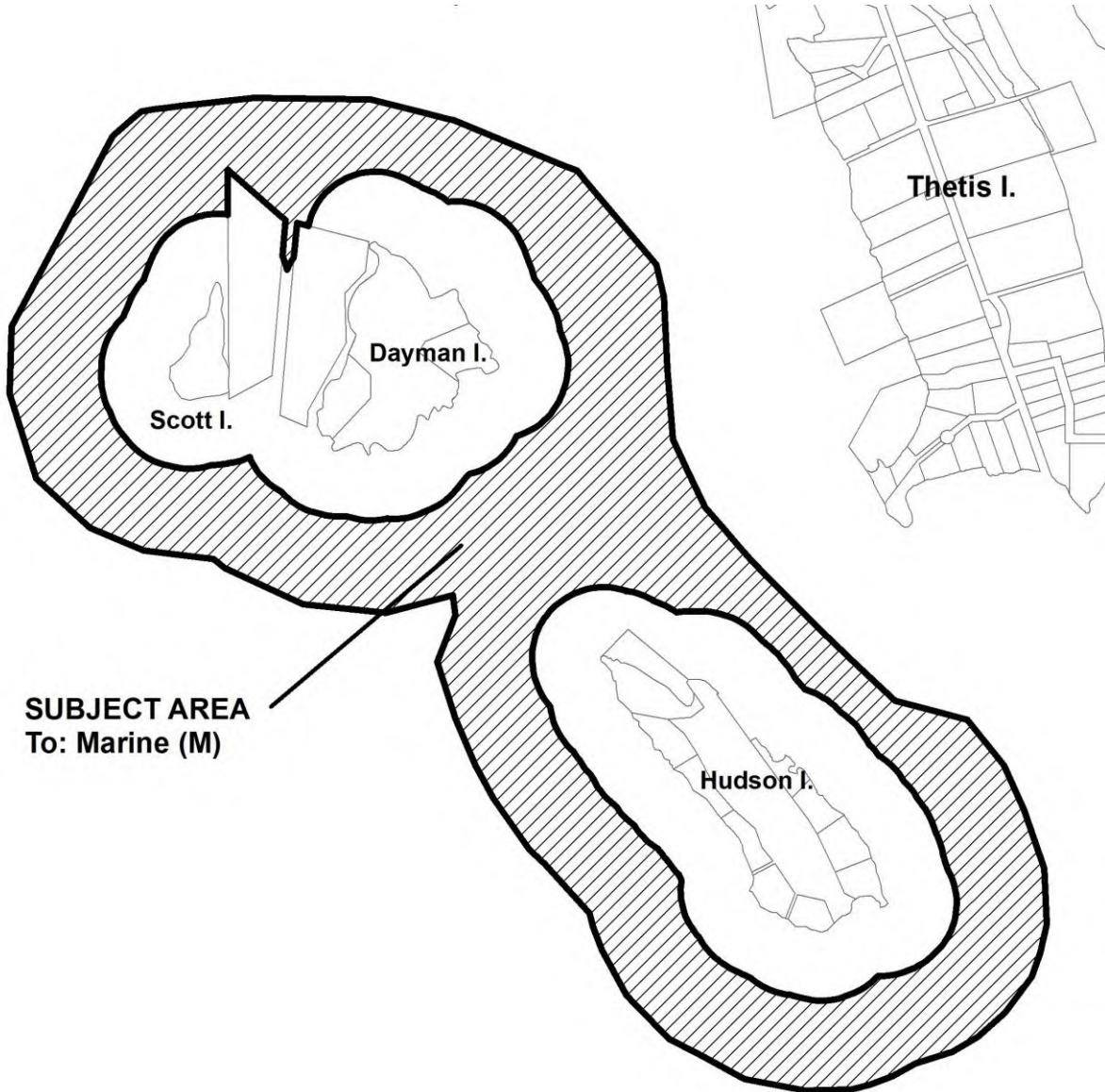
THETIS ASSOCIATED ISLANDS LOCAL TRUST COMMITTEE  
BYLAW NO. 113

Plan No. 1



THETIS ASSOCIATED ISLANDS LOCAL TRUST COMMITTEE  
BYLAW NO. 113

Plan No. 2



**SUBJECT AREA**  
To: Marine (M)

# DRAFT

## THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 114

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### A BYLAW TO AMEND THETIS ASSOCIATED ISLANDS LAND USE BYLAW, 2014

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The Thetis Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Thetis Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. This bylaw may be cited for all purposes as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2023”.
2. Thetis Associated Islands Local Trust Committee Bylaw No. 94, cited as “Thetis Associated Islands Land Use Bylaw, 2014,” is amended as follows:
  - 2.1 Schedule “B” – Area of Application, is amended as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 94 as are required to effect this change.
  - 2.2 Schedule “C” – Zoning Map C, on those marine areas on Plan No. 2 the zoning is changed from unzoned to “Water 1 (W1)” as shown on Plan No. 2 attached to and forming part of this bylaw and by making such alterations to Schedule “B” of Bylaw No. 94 as are required to effect this change.

READ A FIRST TIME THIS	7 <sup>th</sup>	DAY OF	NOVEMBER	, 2023
PUBLIC HEARING HELD THIS	7 <sup>TH</sup>	DAY OF	NOVEMBER	, 2023
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

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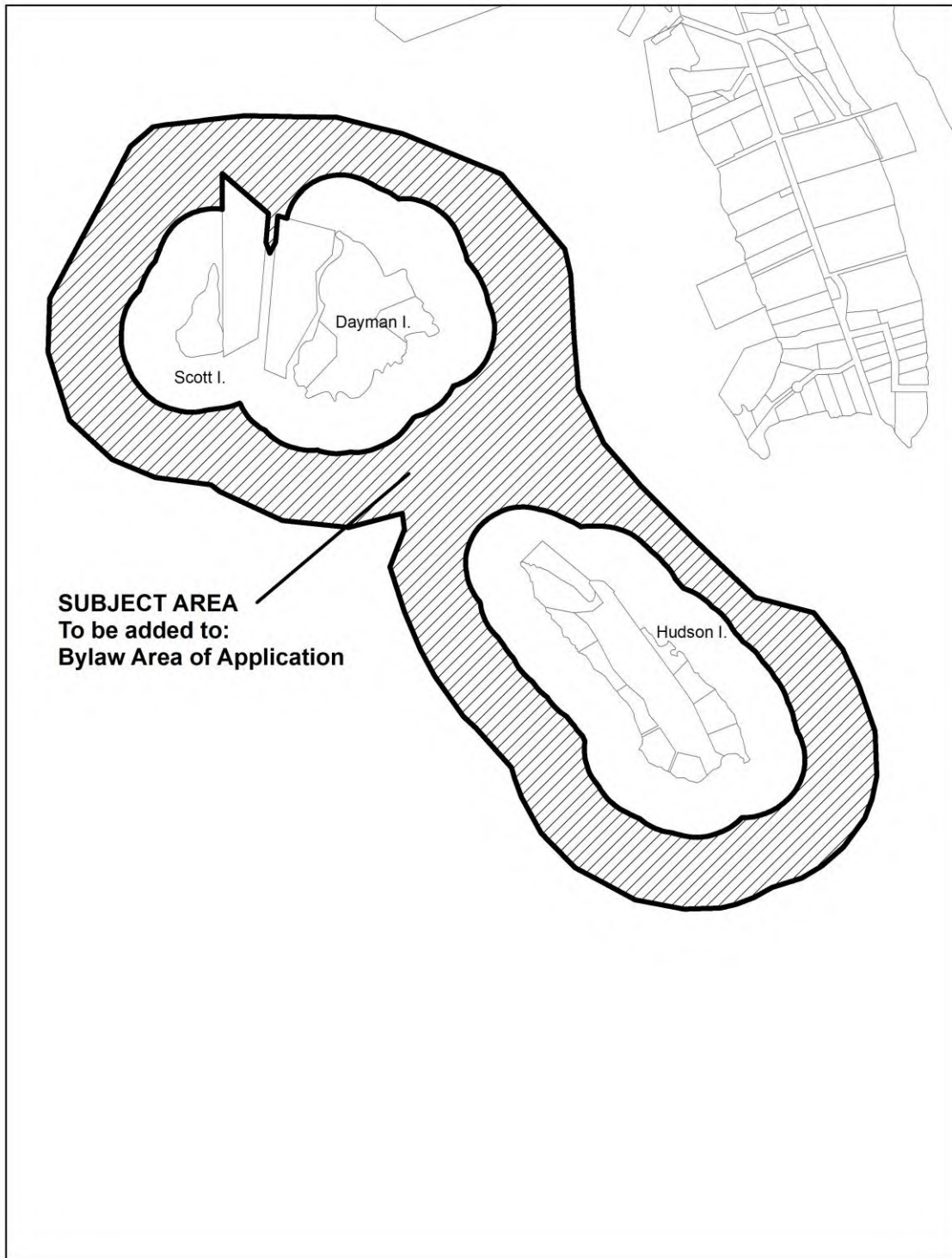
CHAIR

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SECRETARY

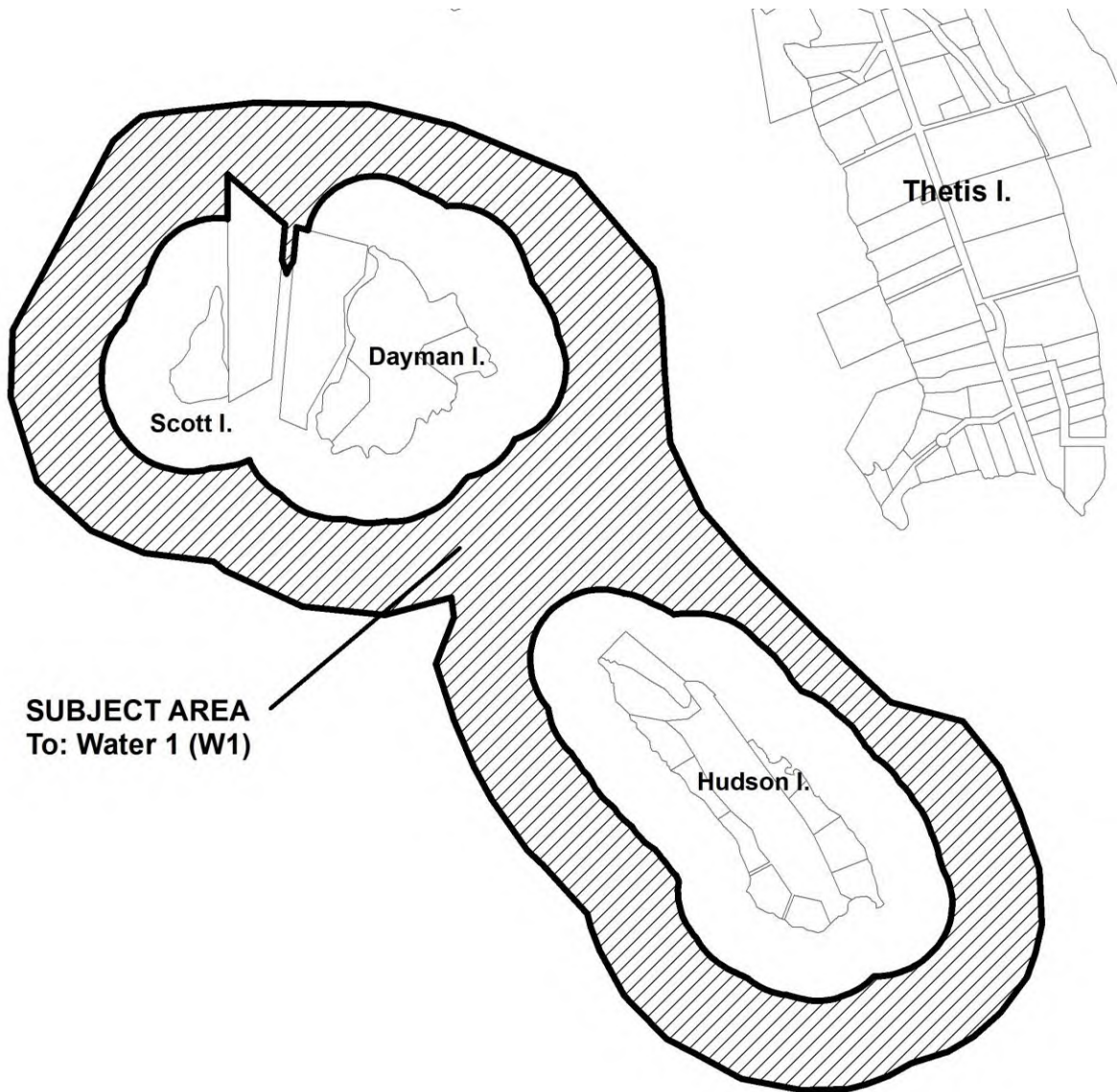
THETIS ASSOCIATED ISLANDS LOCAL TRUST COMMITTEE  
BYLAW NO. 114

Plan No. 1



THETIS ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 114

Plan No. 2



**From:** Nadine Mourao  
**Sent:** Monday, December 18, 2023 11:38 AM  
**To:** Margot Thomaidis  
**Subject:** FW: Thetis Island Bylaw Referral - Response Required

FYI

**Nadine Mourao**, (she, her, hers)  
Legislative Clerk / Deputy Secretary  
Islands Trust | T 250-247-2206

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**From:** PAC FPP / PPP PAC (DFO/MPO) <[DFO.PACFPP.PPPAC.MPO@dfo-mpo.gc.ca](mailto:DFO.PACFPP.PPPAC.MPO@dfo-mpo.gc.ca)>  
**Sent:** Monday, December 11, 2023 4:06 PM  
**To:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Subject:** RE: Thetis Island Bylaw Referral - Response Required

Hi Nadine,

Thank you for contacting the Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) regarding the above headlined Thetis Island Bylaw Referral.

The conservation and protection of Canada's marine and freshwater resources is a top priority for Fisheries and Oceans Canada (DFO). DFO's [Fish and Fish Habitat Protection Program](#) (FFHPP) helps conserve and protect fish and fish habitat and restore fish habitat for future generations. The FFHPP administers and ensures compliance for development projects taking place in and around fish habitat, under the *Fisheries Act* and relevant provisions of the *Species at Risk Act*.

DFO's FFHPP is not providing detailed comments. However, DFO recommends that land use planning processes consider establishing clear environmental conservation and protection objectives that are reflected in designation of environmentally sensitive areas, setback requirements, stormwater retention/detention requirements, land use restrictions and bylaws (e.g., tree removal). Protection of freshwater and marine resources provides long-term benefits to fish and fish habitat, as well as to the public, by regulating water quality and quantity, providing for stream channel and foreshore stability, and increasing resiliency to climate change impacts.

If you have any further questions about DFO's role in municipal planning processes, please feel free to direct future enquiries to [EnquiriesPacific@DFO-mpo.gc.ca](mailto:EnquiriesPacific@DFO-mpo.gc.ca).

I hope that the information I have provided is helpful and thank you for the opportunity to provide input.

Kindly,

Stephen Tessovitch (he/him)  
Referrals and Client Services Coordinator  
Regional Operations Division

*Fish & Fish Habitat Protection Program  
Ecosystems Management Branch  
Fisheries and Oceans Canada....><(((°°  
985 McGill Place  
Kamloops, BC V2C 6X6  
E-mail: [ReferralsPacific@dfo-mpo.gc.ca](mailto:ReferralsPacific@dfo-mpo.gc.ca)*

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**From:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Sent:** Friday, December 8, 2023 11:45 AM  
**To:** PAC FPP / PPP PAC (DFO/MPO) <[DFO.PACFPP.PPPPAC.MPO@dfo-mpo.gc.ca](mailto:DFO.PACFPP.PPPPAC.MPO@dfo-mpo.gc.ca)>;  
[Jill.Hatfield@gov.bc.ca](mailto:Jill.Hatfield@gov.bc.ca); [Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca); Atchison, Derek MOTI:EX <[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)>;  
[Pat.Lapcevic@gov.bc.ca](mailto:Pat.Lapcevic@gov.bc.ca); [mtippett@cvrd.bc.ca](mailto:mtippett@cvrd.bc.ca); [rgray@sd79.bc.ca](mailto:rgray@sd79.bc.ca); [skoers@sd79.bc.ca](mailto:skoers@sd79.bc.ca)  
**Cc:** Margot Thomaidis <[mthomaidis@islandstrust.bc.ca](mailto:mthomaidis@islandstrust.bc.ca)>  
**Subject:** Thetis Island Bylaw Referral - Response Required

You don't often get email from [nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca). [Learn why this is important](#)

Dear Referral Coordinators,

The Thetis Island Local Trust Committee has asked that its draft Bylaw Nos. 113 (Official Community Plan) and 114 (Land Use Bylaw) be referred to you for comment. The referral package is attached and a reply is respectfully requested by **January 26, 2024**.

Amendments to the Thetis Associated Islands Official Community Plan (OCP) and Land Use Bylaw (LUB) are part of the Thetis Island OCP/LUB Marine Areas Review Project to ensure the marine area surrounding Scott, Dayman and Hudson Island permits uses that are consistent with the object of the Islands Trust.

The intent of Bylaw No. 113, if adopted, would be to amend both Schedule Maps B and C in the Thetis Associated Islands Official Community Plan No. 93, 2014 (OCP) to include undesignated area in the area of application. The proposed subject area is a sensitive ecosystem and inclusion in the OCP bylaw application area offers greater protection and regulation.

The intent of Bylaw No. 114, if adopted, would be to amend Thetis Associated Islands Land Use Bylaw No. 94, 2014 to include the unzoned area surrounding Scott, Dayman and Hudson Island in the Marine General (W1) zone. The following uses and structures are permitted in the W1 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:

- a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot;
- b) Docks accessory to the residential use of an adjacent upland lot;
- c) Community docks;
- d) Floats and swimfloats; and,
- e) Marine navigational aids.

The Thetis Island Local Trust Committee gave First and Second Reading to proposed Bylaw Nos. 113 and 114 on November 7, 2023. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public

correspondence received is posted to the Thetis Projects webpage: <https://islandstrust.bc.ca/island-planning/thetis/projects/>

Thank you for your time and attention,

**Nadine Mourao**

Legislative Clerk / Deputy Secretary (she, her, hers)

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2206 | [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

**Preserving and protecting over 450 islands and surrounding waters in the Salish Sea**

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səilwətəʔ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SȚÁUTȚ, Stz'uminus, †aʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, ȚJOLÉŁP, ȚSIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*



**From:** Nadine Mourao  
**Sent:** Monday, December 18, 2023 11:23 AM  
**To:** Margot Thomaidis  
**Subject:** FW: Thetis Island Bylaw Referral - Response Required

FYI

**Nadine Mourao**, (she, her, hers)  
Legislative Clerk / Deputy Secretary  
Islands Trust | T 250-247-2206

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**From:** Atchison, Derek MOTI:EX <[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)>  
**Sent:** Tuesday, December 12, 2023 11:02 AM  
**To:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Subject:** RE: Thetis Island Bylaw Referral - Response Required

Hello,

The Ministry of Transportation and Infrastructure has received and reviewed your referral of December 8, 2023.

The Ministry has no objections to the zoning text amendment.

Thank you for the opportunity to comment. If you or the proponent has any questions, please let me know.

Kind regards,

**Derek Atchison**  
Development Services Officer  
Vancouver Island District- SA02  
Ministry of Transportation and Infrastructure  
[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)



[APPLY FOR PERMIT](#)  
[APPLY FOR BCeID](#)  
[SUBDIVISION INFORMATION](#)

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**From:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Sent:** Friday, December 8, 2023 11:45 AM  
**To:** [ReferralsPacific@dfo-mpo.gc.ca](mailto:ReferralsPacific@dfo-mpo.gc.ca); [Jill.Hatfield@gov.bc.ca](mailto:Jill.Hatfield@gov.bc.ca); Bailey, Reed AF:EX <[Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca)>; Atchison, Derek MOTI:EX <[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)>;

[Pat.Lapcevic@gov.bc.ca](mailto:Pat.Lapcevic@gov.bc.ca); [mtippett@cprd.bc.ca](mailto:mtippett@cprd.bc.ca); [rgray@sd79.bc.ca](mailto:rgray@sd79.bc.ca); [skoers@sd79.bc.ca](mailto:skoers@sd79.bc.ca)

Cc: Margot Thomaidis <[mthomaidis@islandstrust.bc.ca](mailto:mthomaidis@islandstrust.bc.ca)>

Subject: Thetis Island Bylaw Referral - Response Required

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Coordinators,

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- a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot;
- b) Docks accessory to the residential use of an adjacent upland lot;
- c) Community docks;
- d) Floats and swimfloats; and,
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Thank you for your time and attention,

**Nadine Mourao**

Legislative Clerk / Deputy Secretary (she, her, hers)

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2206 | [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

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## Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwáθən, səlilwətał, SEMYOME, shíshálh, Sḵw̓xwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SḶÁUTW, Stz'uminus, †aʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and x<sup>m</sup>məθk<sup>w</sup>əyám First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*

**From:** Nadine Mourao  
**Sent:** Monday, December 18, 2023 9:27 AM  
**To:** Margot Thomaidis  
**Subject:** FW: Thetis Island Bylaw Referral - Response Required

FYI

**Nadine Mourao**, (she, her, hers)  
Legislative Clerk / Deputy Secretary  
Islands Trust | T 250-247-2206

---

**From:** Bailey, Reed AF:EX <[Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca)>  
**Sent:** Friday, December 15, 2023 10:56 AM  
**To:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Cc:** Mills, Bejay AF:EX <[Bejay.Mills@gov.bc.ca](mailto:Bejay.Mills@gov.bc.ca)>; ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>  
**Subject:** RE: Thetis Island Bylaw Referral - Response Required

Hi Nadine,

Thank you for sending the below noted draft bylaws to the Ministry of Agriculture and Food. Ministry staff have reviewed the proposed changes to the OCP and the Land Use Bylaw and have determined that the Ministry's interests are unaffected.

Cheers and all the best,

Reed Bailey, Land Use Planner  
Strengthening Farming Program  
BC Ministry of Agriculture and Food  
778 698 3455

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**From:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Sent:** Friday, December 8, 2023 11:45 AM  
**To:** [ReferralsPacific@dfo-mpo.gc.ca](mailto:ReferralsPacific@dfo-mpo.gc.ca); [Jill.Hatfield@gov.bc.ca](mailto:Jill.Hatfield@gov.bc.ca); Bailey, Reed AF:EX <[Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca)>; Atchison, Derek MOTI:EX <[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)>; [Pat.Lapcevic@gov.bc.ca](mailto:Pat.Lapcevic@gov.bc.ca); [mtippett@cprd.bc.ca](mailto:mtippett@cprd.bc.ca); [rgray@sd79.bc.ca](mailto:rgray@sd79.bc.ca); [skoers@sd79.bc.ca](mailto:skoers@sd79.bc.ca)  
**Cc:** Margot Thomaidis <[mthomaidis@islandstrust.bc.ca](mailto:mthomaidis@islandstrust.bc.ca)>  
**Subject:** Thetis Island Bylaw Referral - Response Required

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Coordinators,

The Thetis Island Local Trust Committee has asked that its draft Bylaw Nos. 113 (Official Community Plan) and 114 (Land Use Bylaw) be referred to you for comment. The referral package is attached and a reply is respectfully requested by **January 26, 2024**.

Amendments to the Thetis Associated Islands Official Community Plan (OCP) and Land Use Bylaw (LUB) are part of the Thetis Island OCP/LUB Marine Areas Review Project to ensure the marine area surrounding Scott, Dayman and Hudson Island permits uses that are consistent with the object of the Islands Trust.

The intent of Bylaw No. 113, if adopted, would be to amend both Schedule Maps B and C in the Thetis Associated Islands Official Community Plan No. 93, 2014 (OCP) to include undesignated area in the area of application. The proposed subject area is a sensitive ecosystem and inclusion in the OCP bylaw application area offers greater protection and regulation.

The intent of Bylaw No. 114, if adopted, would be to amend Thetis Associated Islands Land Use Bylaw No. 94, 2014 to include the unzoned area surrounding Scott, Dayman and Hudson Island in the Marine General (W1) zone. The following uses and structures are permitted in the W1 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:

- a) Mooring buoys, for mooring a private vessel accessory to the residential use of an upland lot;
- b) Docks accessory to the residential use of an adjacent upland lot;
- c) Community docks;
- d) Floats and swimfloats; and,
- e) Marine navigational aids.

The Thetis Island Local Trust Committee gave First and Second Reading to proposed Bylaw Nos. 113 and 114 on November 7, 2023. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public correspondence received is posted to the Thetis Projects webpage: <https://islandstrust.bc.ca/island-planning/thetis/projects/>

Thank you for your time and attention,

**Nadine Mourao**

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**From:** Nadine Mourao  
**Sent:** Thursday, January 18, 2024 2:09 PM  
**To:** Margot Thomaidis  
**Subject:** FW: Thetis Island Bylaw Referral - Response Required

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

**Nadine Mourao**, (she, her, hers)  
Legislative Clerk / Deputy Secretary  
Islands Trust | T 250-247-2206

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**From:** Mike Tippett <[Mike.Tippett@cprd.bc.ca](mailto:Mike.Tippett@cprd.bc.ca)>  
**Sent:** Thursday, January 18, 2024 11:36 AM  
**To:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Subject:** RE: Thetis Island Bylaw Referral - Response Required

Hi Nadine,

The Electoral Area Services Committee met yesterday afternoon and passed the following recommendation to our Board:

That it be recommended to the Board that the Thetis Island Local Trust Committee be advised that the Cowichan Valley Regional District supports proposed Bylaw Nos. 113 and 114.

The Board will consider this Committee recommendation on the 24<sup>th</sup>. I could send another email following that meeting, but I will let you know for sure if the above recommendation is either not ratified at the Board or amended in some way (both of which are highly unlikely).

Best regards,

Mike Tippett, MRM, RPP, MCIP

Division Manager  
Community Planning  
Land Use Services Department  
Cowichan Valley Regional District  
175 Ingram Street, Duncan BC V9L 1N8  
Telephone: 250.710.2928

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**From:** Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>  
**Sent:** December 8, 2023 11:45 AM

**To:** [ReferralsPacific@dfo-mpo.gc.ca](mailto:ReferralsPacific@dfo-mpo.gc.ca); [Jill.Hatfield@gov.bc.ca](mailto:Jill.Hatfield@gov.bc.ca); [Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca); Atchison, Derek  
MOTI:EX <[Derek.Atchison@gov.bc.ca](mailto:Derek.Atchison@gov.bc.ca)>; [Pat.Lapcevic@gov.bc.ca](mailto:Pat.Lapcevic@gov.bc.ca); Mike Tippett  
<[Mike.Tippett@cvrd.bc.ca](mailto:Mike.Tippett@cvrd.bc.ca)>; [rgray@sd79.bc.ca](mailto:rgray@sd79.bc.ca); [skoers@sd79.bc.ca](mailto:skoers@sd79.bc.ca)  
**Cc:** Margot Thomaidis <[mthomaidis@islandstrust.bc.ca](mailto:mthomaidis@islandstrust.bc.ca)>  
**Subject:** Thetis Island Bylaw Referral - Response Required

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