

**Minutes of the Ruxton Island Advisory Planning Commission Meeting  
Held on Wednesday, June 19, 2013 at 11:00 a.m.  
At the Vancouver Island Conference Center  
101 Gordon Street, Nanaimo, BC**

**Members Present:**

Peter Luckham	Local Trustee (Thetis Island)
Roger Kimmerly	Chair
Dennis Rutherford	APC Member
Larry Ross via telephone	APC Member
Mike Higgins	APC Member
David Paterson	APC Member
Gina Couchman	APC Member
Dan Geisbrecht	APC Member

**Staff Present:**

Aleksandra Brzozowski	Island Planner
Jessie Sherk	Recorder
Jason Youmans	Islands Trust Summer Intern

**Others Present:**

Judy Shaw	President, Ruxton Island Property Owners' Association (RIPOA)
Russ Irish	Dock Consultant

**1. CALL TO ORDER:**

Roger Kimmerly called the meeting to order at 11:10 am. Reading from the Advisory Planning Commission Operating Guidelines, he discussed how to pass a resolution. He also spoke of potential conflict of interest protocol noting that they are not here to promote their personal views but to make recommendations that reflect the best interest of the community.

**2. APPROVAL OF AGENDA**

The agenda was adopted by consensus.

**3. MINUTES**

**3.1. Ruxton Advisory Planning Commission Minutes dated March 1, 2013**

The minutes were adopted by consensus with the following amendments:

- On the 4<sup>th</sup> page under 'Protect the Natural Aesthetic of Residential Development, change "the general feel among the members is that"

to “the majority of the members feel that”. This is a more accurate summary, as one member is in support of private docks.

**4. APC REFERRAL #1: DRAFT OFFICIAL COMMUNITY PLAN**

**4.1 Referral Package regarding review of Draft Official Community Plan**

Planner Brzozowski introduced the draft Official Community Plan and noted that this would not only be for Ruxton Island but also for other associated islands. This means that not all the policies noted in the plan will be specific to Ruxton Island, and that hopefully the information notes in the margin explain those instances.

The Advisory Planning Commission members went through each item in the draft, flagging the following:

3.1.1 *“To Guide and regulate growth and change in a manner that protects sensitive ecosystems, encourages sustainability, and.”*

Incomplete sentence.

3.2.4 *“Residential density should be limited to one single family dwelling unit and structures accessory to a dwelling unit for each lot”.*

Discussion on what was meant by “single family dwelling unit” and “structures accessory..” ensued.

Trustee Luckham noted that a list of definitions would be helpful.

3.2.3 *“Local Trust Committee bylaw provisions should ensure that uses customarily considered accessory to residential uses are permitted and regulated.”*

Discussed, as the members needed more clarification. The intention of an Official Community Plan as well as a Land Use Bylaw and how the two work together was discussed. It was noted by the Trustee that this item seems vague and may not add value to the document. The planner will look into the necessity of this statement.

3.2.7 *“Subdivision regulations should establish an average lot size of 4 hectares (10 acres), consistent with the historic 4 hectare (10 acre) minimum lot size, while allowing for the clustering of lots in future subdivisions to protect rare, threatened, or sensitive ecosystems.”*

Does not affect Ruxton Island.

By consensus all items under number three were agreed upon.

It was noted that the items in 4.1 and 4.2 have previously been discussed at great length.

- 4.2.2 *“Home occupations should be permitted as a use accessory to residential use and should be regulated to minimize impacts”.*

Discussed and noted that this is giving direction to what will be specified in the Land Use Bylaw.

- 4.2.3 *“Commercial visitor accommodation should be limited to temporary overnight accommodation that is accessory to residential use.”*

Visitor accommodation on Ruxton Island was discussed. The majority felt skeptical of vacation rentals, as it may be dangerous on a boat-only access island. It was noted that this item should be more specific as there could be potential dangers surrounding this. Regulations should include property owner being present to monitor propane use, water use, and to regulate vacationer activity.

**RX-001-2013**

**It was MOVED and SECONDED,**

that the Ruxton Island Advisory Planning Commission advises to add to paragraph 4.2, a clause that says that short term vacation rentals will not be permitted.

**CARRIED**

- 4.2.4 *“Industrial uses should be limited to accessory home occupations”*

The wording and intent of this item was discussed.

- 4.2.5 *“The Local Trust Committee may consider temporary use permits for short-term commercial or industrial uses where appropriate. Applications may be considered for temporary industrial use where such uses are of a short-term and fixed duration, and would not negatively impact the environment and natural resources in the Plan Area.”*

The pros and cons of temporary use permits were discussed at great length.

- 5.2.4 *“Excepting properties on Ruxton Island, the Local Trust Committee may permit individual private docks accessory to residential uses. These docks should be regulated by zoning. Community or communal docks, where feasible, should be encouraged in order to limit the need for private dock development along the shoreline.”*

There were questions as to why these statements are in one policy (why encourage something that is not allowed?). Planner Brzozowski agreed to pull out the two points in the sentence and separate them into two policies.

The topic of a community dock and private docks was discussed at great length with many points made on both the pros and cons.

Discussion followed on the following points regarding community docks:

- Impacts on neighbours
- Safety standards
- Community docks on private property

It was noted that Islands Trust Student Planner Jason Youmans is working on a compilation of case studies that will provide further information on the subject of shared docks. This set of case studies is being done for a few Islands Trust islands, not only Ruxton.

The Advisory Planning Commission did not arrive at a consensus on the dock topics.

**RX-002-2013**

**It was MOVED and SECONDED,**

that the Ruxton Island Planning Commission advises to accept the wording of 5.2.4 as presented, provided it is broken into two parts.

**CARRIED**

Noted that there were six in favor and one not in favor of this motion.

**LUNCH BREAK – 12:42 – 1:12 p.m.**

5.2.5 *“The Local Trust Committee should use bylaw provisions to locate docks in locations with minimum environmental impact, and should encourage dock design that is sensitive to marine ecosystems and habitat.”*

The potential location of a dock as well as who would have access to and be responsible for maintenance was discussed at great length.

5.2.7 *“The Local Trust Committee may consider rezoning applications for leases for aquaculture, other than finfish farms.”*

Dennis Rutherford did not participate in this discussion due to a conflict of interest.

Discussion ensued.

**RX-003-2013**

**It was MOVED and SECONDED,**

that the Ruxton Island Advisory Planning Commission advises that 5.2.7 be rewritten to read, “the Local Trust Committee should discourage applications for leases for aquaculture”.

**CARRIED**

5.2.8 *"The Local Trust Committee should, through zoning, the use of setbacks, and the use of development permit areas:*

- (a) protect the integrity of the foreshore, shoreline, and natural coastal and intertidal processes;*
- (b) discourage uses that disrupt natural features and processes;*
- (c) allow for natural erosion and accretion processes, without endangering structures;*
- (d) encourage owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas adjacent to the foreshore; and*
- (e) discourage filling, deposits, excavation, or removal of foreshore and seabed materials, except for maintenance or navigational channels and existing facilities.*

There was discussion about protecting the foreshore.

5.3.1 *"Transport Canada is encouraged to monitor the regulation of mooring buoys in the Plan Area."*

The direction and intent of this item was discussed. The need for stronger wording was also discussed.

**RX-004-2013**

**It was MOVED and SECONDED**, that the Ruxton Island Advisory Planning Commission advises to add "and enforce" after "monitor" in 5.2.8.

**CARRIED**

6.3.3 *"The Local Trust Committee should encourage the Cowichan Valley Regional District to establish a management strategy for the wetland on Ruxton Island."*

This paragraph was discussed in the context of how the CVRD would interpret this. Some Ruxton Island property owners would like to see the wetland enhanced and others would like to leave it alone and let nature takes its course.

8.3.2 *"The Local Trust Committee should work with communities and the Coast Guard to establish suitable helicopter landing areas for use in cases of medical emergency."*

This was discussed, as it was thought that it was voted down at the last RIPOA meeting. The possibility of changing the word "establish" to "identify" was discussed.

10.2.5 *"As it is Trust Council policy that islands in the Trust Area should be self-sufficient in regard to their water supply, no water line connections to the mainland should be permitted."*

Does not apply to Ruxton Island.

10.3.2 *“The Local Trust Committee should encourage the Vancouver Island Health Authority to ensure sewage disposal protects the quality of groundwater supply on islands in the plan area.”*

Discussed. It was noted that the Vancouver Island Health Authority has a very thorough waste sewage policy about protecting groundwater supplies in place, and some members feel this statement is unnecessary.

10.3.3 *“The Local Trust Committee should encourage the Vancouver Island Health Authority and Cowichan Valley Regional District to:*

- a) permit waste water treatment systems of demonstrated efficacy that are alternative to conventional septic disposal systems;*
- b) implement studies on alternate systems for waste water treatment;*
- c) develop a regular septic system maintenance program requirement; and*
- d) develop a program to detect and correct failing septic systems.”*

Discussed, as Vancouver Island Health Authority already has these policies in place.

14.2.2 *“The Local Trust Committee should, through bylaw provisions, provide for facilities for float plane emergency helicopter access in appropriate locations.”*

Discussed. Wording should be cleaned up.

**RX-005-2013**

**It was MOVED and SECONDED**, that the Ruxton Island Advisory Planning Commission advises to change the wording in paragraph 14.2.2 from “should” to “may” and to remove the word “floatplane”.

**CARRIED**

There was discussion about a fire hall on Ruxton Island.

**RX-006-2013**

**It was MOVED and SECONDED**, that the Ruxton Island Advisory Planning Commission advises that the Local Trust Committee continue to move forward with the Official Community Plan Bylaw as amended.

**CARRIED**

## 5. APC REFERRAL #2: DRAFT DOCK OPTIONS STUDY

### 5.1 Referral Package regarding input of local knowledge on Draft Dock Options Study

Russ Irish was introduced as not only a Ruxton Island property owner for the last 8 years, but also as the lead consultant on the Draft Dock options study. Russ reviewed the report that he and his company, McElhanney Consulting Services Ltd, put together. It was noted that Russ donated his time for this project. Before summarizing the report, he noted that the main objective of the dock would be safety and that he hopes his report will assist the people of Ruxton Island in developing informed opinions and discussing docks on Ruxton based on common technical information.

Russ identified 15 possible locations for a community dock on Ruxton Island. There was a question why the bay near site F was not included as a potential site. Russ replied that this site was not identified as a possible location at the outset of the study, and would be interested to know more about it.

With the help of an environmental consultant, he concluded that there were no significant issues from an environmental perspective that would stop the development of a dock at any of the 15 locations.

The approval process for building on the foreshore was reviewed, noting that it is a very involved process.

The members, trustee and consultant discussed each of the most favorable potential dock building sites (Sites M, L, and K). The method and reasoning behind the scoring in the report was discussed at great length. Some members feel that it should be made explicit that it is subjective scoring, and that the report should elaborate more on the scoring criteria and include a statement that the overall ranking was based on each factor having equal weight. Some members would like to have a section discussing the "best" sites and not just a table ranking them.

### **Mike Higgins exited the meeting at 2:23 p.m.**

Discussion followed regarding the concerns for siting a dock. The following topics were discussed about dock sites and what would be the deciding factor for a location:

- Winds and other extreme weather
- Safety
- Neighbors; some people may not want a community dock near them
- Cost. Funding for a project like that was discussed and it was noted that a community dock might cost around \$200,000. Trustee Luckham noted that special tax levies may be available and that money should not be a deciding factor.

In closing, Russ Irish noted that this report is the basis for a more in depth discussion and that he welcomes information and comments from other islanders

if anything is missing from his report. All comments should be directed to Planner Brzozowski.

**6. OTHER BUSINESS**

None.

**7. ADJOURNMENT**

The meeting was adjourned by consensus at 3:00 pm.

\_\_\_\_\_  
Recorder

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Chair