



File No.: 6500-20 (Ruxton Island Private Moorage Structures Review)

DATE OF MEETING: December 11, 2018

TO: Thetis Island Local Trust Committee

FROM: Marnie Eggen, Island Planner
Northern Team

COPY: Ann Kjerulf, Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager

SUBJECT: Ruxton Island Private Moorage Structures Review

RECOMMENDATION

1. That the Thetis Island Local Trust Committee endorse the revised Thetis Associated Islands Land Use Bylaw Amendment – Ruxton Island Private Moorage Structures Project Charter (v. 4.0).

REPORT SUMMARY

The purpose of this report is to provide an update to the Thetis Island Local Trust Committee (LTC), and request endorsement of revised Project Charter (v4.0) for this project, which targets the 2019-2020 fiscal year for completion of the legislative process.

BACKGROUND

The LTC passed the following resolutions at the May 22, 2018 meeting:

TH-2018-019

It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee direct staff to revise the description of “swimfloat” to exclude the word “moorage” and provide a size limitation of not more than six (6) square metres, and wording to avoid a long, narrow dock like structure and is more reflective of a “swimfloat”; and to consider using the word “swimfloat” to better portray the structure’s intent.

CARRIED

TH-2018-020

It was **MOVED** and **SECONDED**

that the Thetis Island Local Trust Committee direct staff to investigate and add language to the description of “mooring buoys” including a placement clause that suggests that they not be placed in a fashion that impedes public access to the shore.

CARRIED

TH-2018-021

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff to revise the definition of “boat ramp” regarding size and permeability; and that it cannot be used as a dock like structure, as discussed.

CARRIED

TH-2018-022

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee add the Thetis Associated Islands Land Use Bylaw Amendment – Ruxton Island Community Dock Review Project to the Projects List, with a notation in the “Activities” column that the Ruxton Island Private Moorage Structures Project be referenced.

CARRIED

TH-2018-023

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee direct staff to bring back amendment to Bylaw 103 as a Resolution Without Meeting for First Reading.

CARRIED

TH-2018-024

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee direct staff to amend the Project Charter to remove the necessity of a separate Community Information Meeting.

CARRIED

TH-2018-025

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee endorse the revised Thetis Associated Islands Land Use Bylaw Amendment – Ruxton Island Private Moorage Structures Project Charter, as amended.

CARRIED

TH-2018-026

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff, in 1.4 Part 5 ZONES, Section 5.1, to consider staircase descriptions greater than 1.5 meter vertical rise.

CARRIED

TH-2018-027

It was MOVED and SECONDED

that the Thetis Island Local Trust Committee request staff, in 1.4 Part 5 ZONES, Section 5.1, regarding the maximum width of a staircase, to increase to 1.4 meters.

CARRIED

All background materials, including previous staff reports, are posted to the project webpage:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/thetis/projects-initiatives/ruxton-island-review/>.

ANALYSIS

Project Charter

The draft revised Project Charter reflects the changes endorsed by the LTC at the May 22, 2018 meeting. The project is now focussed on private moorage structures, and the community information meeting is removed from the workplan and budget, as endorsed. Additionally, the workplan and timeline reflect work completed and proposed next steps. Time needed to complete the project has been added to the Project Charter. Doing so shifts the legislative process to the 2019-2020 fiscal year. Additionally, staff note that \$700.00 originally allotted to the community information meeting would be reallocated to legal review. The LTC is requested to endorse a final version (v. 4.0) of the Project Charter for the Thetis Associated Islands LUB Bylaw Amendment – Ruxton Island Private Moorage Structures Review Project.

Request to Consider Revisions and 1st Reading by Resolution Without Meeting

At the May 22, 2018 LTC meeting, the LTC passed a resolution to consider draft Bylaw No. 103 for 1st Reading by Resolution without Meeting, after staff had completed requested revisions to the draft bylaw. Staff continue to work on these revisions, which involves consulting with bylaw enforcement and legal counsel. Staff intend to provide a report and revised draft bylaw for LTC consideration at the next LTC meeting.

Rationale for Recommendation

In order to accommodate a fulsome review by bylaw enforcement staff and legal counsel, staff is recommending that the LTC endorse the draft revised Project Charter v. 4.0.

ALTERNATIVES

1. Request Amendments to the Project Charter

The LTC may request further changes to the Project Charter. If significant changes are made to the charter as presented, staff will need to bring back a revised timeline, workplan overview and budget for review.

That the Thetis Island Local Trust Committee amend the Ruxton Island Private Moorage Structures Review Project Charter v. 4.0 by [insert changes] and endorse the Project Charter as amended.

NEXT STEPS

Staff continue with revisions to the draft Thetis Island Local Trust Committee Bylaw No. 103 cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment No. 1, 2018”, which includes review by bylaw enforcement and legal counsel. A final draft of the bylaw is anticipated to be on the February LTC meeting agenda for consideration of 1st reading.

Submitted By:	Marnie Eggen, MCIP, RPP Island Planner	December 6, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 10, 2018

ATTACHMENTS

1. Ruxton Island Private Moorage Structures Project Charter draft v 4.0

Ruxton Island Private Moorage Structures Project Charter v 4.0

Purpose To address ambiguities in the Thetis Associated Islands Land Use Bylaw (LUB) regarding private moorage structures on Ruxton Island.

Background The Local Trust Committee (LTC) became aware that Thetis Associated Islands Land Use Bylaw No. 94 (LUB) unintentionally allows some private moorage related structures on Ruxton Island that were otherwise thought to be prohibited by the LUB. The LTC identified this as a top priority — to amend the Thetis Associated Islands Land Use Bylaw regarding private moorage related structures on Ruxton Island.

Objectives

- Review LUB regulations relevant to Ruxton Island to remove ambiguities regarding the regulation of private moorage structures in order to effectively reflect the original intent of the Thetis Associated LUB to prohibit private docks or dock like structures.

In Scope

- Review LUB regulations pertinent to Ruxton Island and private moorage related structures including:
 - 1.1 Definitions
 - 3.3 Siting and Setback Regulations
 - 5.1 Marine Ruxton (W3), including consideration of removing problematic uses such as “equipment installed...” and “swimfloats”

Out of Scope

- Consideration of allowing private docks on Ruxton Island.
- Development of a new DP area.

Workplan Overview

Deliverable/Milestone	Date
Community Information Meeting, LTC review of regulatory options for community dock & for private moorage related structures & survey (on line and mailout)	August 2017
CIM and survey responses presented to LTC (removed community docks from project)	Fall 2017
LTC consideration of draft bylaw (LUB)	May 2018
Bylaw revisions, legal review, 1st Reading	May— February 2019
Consideration of further revisions and readings/legislative process for proposed bylaw (includes Public Hearing)	February — Spring 2019
Adoption of proposed bylaw	Spring 2019

Project Team

Marnie Eggen	Project Manager/ Planner
Ann Kjerulf	Project Sponsor
Becky McErlean	Legislative Clerk
Mapping staff	mapping

Budget

Fiscal	Item	Cost
2018-2019	Legal review	\$1900
2019-2020	Legislative Process	\$1200
	Total	3,100.00

RPM Approval:
Date:

LTC Endorsement:
Resolution#:
Date: