



# ADOPTED

## Mayne Island Local Trust Committee Minutes of Regular Meeting

**Date:** March 27, 2017  
**Location:** Mayne Island Agricultural Hall  
430 Fernhill Road, Mayne Island, BC

**Members Present** George Grams, Chair  
Jeanine Dodds, Local Trustee  
Brian Crumblehulme, Local Trustee

**Staff Present** Gary Richardson, Island Planner  
Pat Todd, Recorder

**Public** There were approximately 8 members of the public present

**Guest** Tristan Willmott, Madrone Environmental Services Ltd.

### 1. CALL TO ORDER

Chair Grams called the meeting to order at 1:00 pm. acknowledging that the meeting was being held in territory of the Coast Salish First Nations. Tristan Willmott was introduced and it was explained that he would be speaking to the Riparian Areas Regulations (RAR) report.

### 2. APPROVAL OF AGENDA

Add: 9.2 Letter from Mayne Island Pathways and Trail Association.

By general consent the agenda was approved as amended.

### 3. TOWN HALL AND QUESTIONS

**Ian Birtwell** spoke of concerns regarding RAR report that will be brought forward after QEP report.

**Ian Dow** asked to speak with the Qualified Environmental Professional (QEP) regarding historical reports, errors and omissions in current report. It was agreed that professional reports may have different findings.

**Glenda Johnson** raised similar concerns and had previously requested amendments to stream names.

### 4. COMMUNITY INFORMATION MEETING

None

**5. PUBLIC HEARING**

None

**6. MINUTES**

**6.1 Local Trust Committee Minutes Dated January 30, 2017 (for Adoption)**

The following amendments to the minutes were presented for consideration:

Call to Order: delete word "traditional" in second sentence.

**By general consent** the minutes were adopted as amended.

**6.2 Section 26 Resolutions-without-meeting Report Dated March 2017**

Received for information

**6.3 Advisory Planning Commission Minutes**

Commission met on March 13, 2017 regarding Short Term Vacation Rental (STVR) referral and this will be discussed at the next meeting.

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Follow-up Action List Dated March 2017**

Received for information

**8. DELEGATIONS**

None

**9. CORRESPONDENCE**

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

**9.1 C. Redsell Letter Dated February 25, 2017 re: Chartering of the Boat Pekona**

Planner Richardson advised the LTC that a Bylaw Officer is working with Mr. Redsell. The issue is use of a boat as STVR which is currently not by zoning.

Options available to Mr. Redsell are to rezone or apply for a Temporary Use Permit (TUP) to allow for the boat to be used as an STVR. It is the responsibility of the owner to apply.

**MA-2017-006**

**It was MOVED and SECONDED**

that the Mayne Island Local Trust Committee direct Planner Richardson to respond to Mr. Redsell and detail Mr. Redsell's options of applying for a Temporary Use Permit or rezoning as Short Term Vacation Rental is not a permitted use at this time.

**CARRIED**

**9.2 Letter Mayne Island Paths and Trails Association**

**MA-2017-007**

**It was MOVED and SECONDED**

that the Mayne Island Local Trust Committee direct staff to respond to Mayne Island Pathways and Trails correspondence.

**CARRIED**

**10. APPLICATIONS AND REFERRALS**

**10.1 North Pender Island Local Trust Committee Bylaws No. 209 & 210 Referral**

**MA-2017-008**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee interests are not affected by North Pender Island Trust Committee Bylaws No. 209 and 210.

**CARRIED**

**10.2 Salt Spring Island Local Trust Committee Bylaws No. 488, 489 & 490 Referral**

**MA-2017-009**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee interests are not affected by Salt Spring Island Local Trust Committee Bylaws No. 488, 489 and 490.

**CARRIED**

Chair Grams spoke to the bylaws which change the use from Industrial Land back to General Employment. Proposed development would look at the impact of business on surroundings, water, etc.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Riparian Area Implementation - Staff Report**

Planner Richardson reviewed the steps taken to date regarding Riparian Area Implementation (RAR) and reviewed the staff report. Two of the three streams have been designated as RAR applicable.

Trustee Dodds identified the Hunt Stream location.

Staff will work with the Trustees to get correct stream names on mapping and reports.

The staff recommendation at this time is to prepare a draft bylaw to create the a RAR Development Permit Area (DPA).

Tristan Willmott, Madrona Environmental Services Ltd. Summarized the RAR report. Horton Creek and Deacon Creek are identified as RAR applicable.

Current practices are permitted within setbacks, example mowing grass however any new development activities activate RAR.

Farming activities do not affect RAR.

Detailed assessment determines setbacks specific to site.

Trustee Crumblehulme questioned the setbacks within agricultural land denoted on maps.

It was explained that setbacks are there as future development may be something which is not related to farming.

Federal Fisheries Act (FFA) is the primary regulation.

If RAR does not apply still cannot do anything that would contravene the FFA.

Trustee Crumblehulme emphasized the need to protect streams however need to preserve according to historical aspects. Regulations are trying to protect something that may or may not occur.

RAR designed to protect habitat.

Trustee Dodds questioned manmade water courses: ie. Ditches can be temporary, could be rerouted.

Chair Grams informed the LTC that RAR has had minimal impact on Salt Spring Island. To date there had been two DPA applications.

Mr. Willmott spoke to the benefits of a functioning riparian zone; less erosion. cleaner water. There are historical references to cutthroat trout in Horton Creek which indicates potential for fish return. RAR regulations are attached to waterway – if water course changes RAR moves.

**Ian Dow** expressed appreciation for the reasonable approach of the current report. Concern was raised as to water courses being created, for example by Ministry of Transportation.

**Glenda Johnson** spoke to temporary ditch that was permitted, however permit expired 1 ½ years ago and ditch is going to be filled. Construction on Montrose

Road had significant impact on water run off which impacted property. Ministry of Transportation and Infrastructure (MoTI) blocked natural drainage.

Trustee Crumblehulme suggested inviting MoTI to LTC meeting.

Staff indicated the ditch can be noted and that RAR process will take approximately a year to complete and hopefully situation can be rectified prior to implementation of RAR. Staff will request MoTI attend a LTC meeting for the purpose of looking at Montrose Road.

**MA-2017-010**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee direct staff to invite Ministry of Transportation and Infrastructure to a Mayne Island Local Trust Committee meeting for the purpose of looking at Montrose Road.

**CARRIED**

**Ian Birtwell** raised concerns regarding some of the definitions and the importance of being definitions being specific within the bylaw. He felt that a number of public meetings will be required as home owners will be concerned about property impacts.

**Dean MacKay** raised the question of enhancing fish habitat and asked if further plans are forthcoming to ameliorate existent waterways. There is a natural barrier within Horton Creek and feels there are contradictions within report as to potential fish habitation.

No direct action is expected – just natural increase of vegetation.

**Ian Dow** asked if RAR could preclude MoTI moving a waterway.

If MoTI is responsible for fixing the location of the waterway then RAR would apply to changed route.

**MA-2017-011**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee direct staff to prepare a draft bylaw to establish a Riparian Area Regulation Development Permit area for Deacon Creek and Horton Creek.

**CARRIED**

**MA-2017-012**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee endorse the Riparian Area Regulation Development Permit area implementation project charter dated March 14, 2017 as amended.

**CARRIED**

## 11.2 Commercial Land Use Review - Revised Project Charter

**MA-2017-013**

**It was MOVED and SECONDED**

that Mayne Island Local Trust Committee approve the attached project charter dated March 16, 2017 as drafted.

**CARRIED**

## 12. REPORTS

### 12.1 Work Program Reports (attached)

#### 12.1.1 Top Priorities Report Dated March 2017

Received for information

#### 12.1.2 Projects List Report Dated March 2017

Received for information

### 12.2 Applications Report Dated March 2017(attached)

Planner Richardson spoke to referrals list. The TUP application for the music festival will be advertised for consideration at the May LTC meeting.

### 12.3 Trustee and Local Expense Report Dated January 2017

Received for information

### 12.4 Adopted Policies and Standing Resolutions

Received for information

### 12.5 Local Trust Committee Webpage

Will be updated at conclusion of meeting

### 12.6 Chair's Report

Trust Council was held on Gabriola Island. Chair Grams reported that the annual budget for 2017/18 has been approved and that IT component does not change. Identified initiatives include an internal review of IT Act and the engagement of a temporary full-time Fresh Water Specialist, who will together all the works/projects throughout the IT area. Salt Spring Island will hold a referendum on September 9, 2017 regarding incorporation.

## **12.7 Trustee Report**

Trustee Dodds informed the committee that the Fallow deer Committee has a website and face book page for information as it is important for island newcomers to understand the issue and why the need for eradication of species. There was a large meeting in Sidney with several Ministries being represented. The Capital Regional District (CRD) is working on a fallow deer plan.

Trustee Crumblehulme spoke to meeting with the CRD regarding Cotton Park. The CRD will be applying to rezone the property to a Community Park. There is a permit in place to dismantle house. The CRD Community Economic Sustainability Commission has completed a Strategic Plan and a financial system is to be implemented. A website is being developed. The CRD Trails Open House was attended.

## **12.8 Trust Fund Board Report Dated February 2017**

Received for information

## **13. NEW BUSINESS**

### **13.1 Provincial Private Moorage Policy Update - Staff Memo**

This policy does not affect the Southern Gulf Islands.

### **13.2 CRD Gulf Islands Regional Trail Plan Open House - Letter of Invitation**

This item has been addressed.

### **13.3 Bylaw Enforcement Policy (unlawful dwellings) - Staff Report**

Bylaw Manager Miles Drew will attend the next meeting to speak to this item.

## **14. UPCOMING MEETINGS**

### **14.1 Next Regular Meeting Scheduled for April 24, 2017, at the Agricultural Hall, Mayne Island**

## **15. TOWN HALL**

None

## **16. CLOSED MEETING**

None

17. **ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:25 pm.

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George Grams, Chair

Certified Correct:

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Pat Todd, Recorder