



## Thetis Island Local Trust Committee Minutes of Special Meeting

**Date:** February 2, 2021  
**Location:** Electronic Meeting

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

**Staff Present:** Marnie Eggen, Island Planner  
 Wil Cottingham, Administrative Assistant  
 Sarah Shugar, Recorder

**Others Present:** Approximately 10 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 6:32 pm. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

- 3.3 Internet Connectivity - Update

**By general consent** the agenda was adopted as amended.

### 3. COMMUNITY INFORMATION MEETING -Development Permit Area 1: Riparian Areas

#### 3.1 Presentation of the Development Permit Area and Proposed Bylaw Nos. 108 and 109

Planner Eggen presented Proposed Bylaw No. 108 cited as “Thetis Island Official Community Plan, 2011, Amendment No. 1, 2020” and proposed Bylaw No. 109 cited as “Thetis Island Land Use Bylaw, 2011, Amendment No. 1, 2020”.

Bylaw No. 108 will amend the Thetis Island Official Community Plan (OCP) and introduce new Development Permit Area No. 1: Riparian Areas in the OCP by designating the new Development Permit Area to within 30 metres of Ralston Creek, Thetis Island, in accordance with Riparian Areas Protection Regulation (RAPR) and by describing the importance of protecting the stream, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat; amending text to

reflect legislative changes to RAPR and to update *Local Government Act* references.

Bylaw No. 109 will amend the Thetis Island Land Use Bylaw (LUB) by introducing a new Part 11 Development Permit Area Guidelines in the LUB describing activities that require a development permit, activities exempted in accordance with Riparian Areas Protection Regulation (RAPR) and setting out the guidelines that must be met before any development activities can take place, including subdivision.

Planner Eggen summarized the referral responses and written submissions.

### 3.2 Question and Answer Session

A member of the public asked for clarification regarding agricultural activity and exempt activity (d) related to the maintenance of an area of human disturbance. The member of the public expressed concern regarding exempt activity (g) manual removal of invasive species and manual planting of native vegetation in accordance with a restoration plan prepared by Qualified Environmental Professional. The member of the public expressed concern that a person who does restoration work and is not a Qualified Environmental Professional would not be able to do restoration work and/or remove invasive species within the riparian setback areas.

Planner Eggen reported existing gardens and maintenance of an existing lawn area within the riparian setback areas would be permitted to continue. Development of a garden area may or may not require a development permit, depending on the existing area of human disturbance and the scale of the new works within the riparian setback area. Agricultural activities are exempt from the Riparian Areas Protection Regulations as defined in Section 1 of the *BC Farm Practices Protection (Right to Farm) Act*.

Planner Eggen reported exempt activity (g) manual removal of invasive species and manual planting of native vegetation in accordance with a restoration plan prepared by Qualified Environmental Professional is included to ensure that the works are completed within the parameters of current standards.

A member of the public expressed support for the protection of streams, lakes/ponds and wetlands and their associated riparian areas and asked why the protection of riparian areas is restricted to fish bearing and potential fish bearing watercourses. The member of the public expressed support for proposed Bylaw No. 108 to include all the riparian areas that is habitat for invertebrates. The member of the public asked if the proposed bylaws would apply to any other riparian areas on Thetis Island.

Planner Eggen reported proposed Bylaw No. 108 focuses on protection of fish bearing and potential fish bearing habitat. The protection of fish bearing and potential fish bearing habitat also helps to protect other species and attributes in the riparian areas. Planner Eggen reported the Province identified Ralston Creek as a potential fish-bearing stream, which was verified by a Qualified Environmental Professional and that the proposed bylaws apply to Ralston Creek and do not include other riparian areas on Thetis Island.

A member of the public asked for clarification regarding whether livestock would be permitted to graze within the riparian setback areas and asked whether there is land within the Agricultural Land Reserve (ALR) adjacent to Ralston Creek.

Planner Eggen reported existing livestock grazing is an exempt activity. Planner Eggen reported there are no ALR lands adjacent to Ralston Creek.

Trustee Luckham reported protecting the riparian areas would also protect 75% terrestrial species that transit the habitat.

A member of the public asked whether agriculture is a permitted use in Residential 2 (R2) areas and whether aquaculture activity is a permitted use. The member of the public reported that the proposed subdivision that is phase 3 of an existing strata development includes a conservation covenant area. The subdivision involves property lines that intersect the proposed riparian area. The member of the public asked whether it is necessary to include the guidelines regarding subdivision to meet Provincial requirements. The member of the public asked what the timeline is and cost for a development permit application related to riparian areas. The member of the public reported phase three of the subdivision plan is registered with the Ministry of Transportation and Infrastructure.

Planner Eggen reported agriculture activity is a permitted accessory use in R2 areas. The agricultural activity would be an exempt use if the agricultural activity is considered a normal farm practice as defined in the *BC Farm Practices Protection (Right to Farm) Act*.

Planner Eggen reported the Riparian Areas Protection Regulation only applies to the area above the high water mark and that aquaculture activity within a stream would require approvals from the Province.

Planner Eggen reported the development permit guidelines specific to subdivision are not a Provincial regulation and the Local Trust Committee has included the guidelines to help guide development within the ecologically sensitive areas. Planner Eggen presented guideline (h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.

Planner Eggen reported the processing time for development permit applications is 2 to 3 months and the development permit application fee for development in a protection area is \$550.

Trustee Luckham asked whether there is a provision to recognize the registered subdivision plan that is already in process with the Ministry of Transportation and Infrastructure.

Planner Eggen reported phase 3 of the proposed subdivision has received preliminary layout approval by the Ministry of Transportation and Infrastructure, a QEP report has been completed and a conservation covenant is in place, and that the subdivision is

subject to conditions yet to be completed by the applicant. Staff would need to review the subdivision application further for details.

**3.3 Internet Connectivity Update**

Trustee Luckham reported the Thetis Island Local Trust Committee passed a resolution by Resolution Without Meeting to support efforts to attract funding to provide internet connectivity to all homes on Thetis Island by requesting staff to draft letters to advise that the Thetis Island Economic Enhancement Corporation, the Cowichan Valley Regional District, the Strathcona Regional District and the Minister of Citizen Services of the Local Trust Committee's interest and that it supports funding for fibre connection to Thetis Island as well as funding for internet service provider ISP supported last mile fibre connections to all homes on Thetis Island including advising the Cowichan Valley Regional District that the LTC supports their interest in providing the 10% funding requirement by community for a Government of Canada Universal Broadband Fund Grant. Trustee Luckham reported the closing date for the Government of Canada Universal Broadband Fund Grant is February 15, 2021 and the Cowichan Valley Regional District has scheduled a town hall on February 4, 2021 at 6:30 p.m. for community input on the topic.

**4. PUBLIC HEARING - BYLAW NOS. 108 AND 109**

**4.1 Recess for Public Hearing**

The meeting recessed at 7:40 p.m. for the public hearing.

**4.2 Recall to Order**

The meeting reconvened at 8:16 p.m.

**5. BYLAW NOS. 108 AND 109 - CONSIDERATION OF FURTHER READINGS – none**

**6. ADJOURNMENT**

The next regular meeting is scheduled on Tuesday, February 9, 2021 at 9:30 a.m.

**By general consent** the meeting was adjourned at 8:18 p.m.

---

Laura Patrick, Chair

Certified Correct:

---

Sarah Shugar, Recorder