

**MINUTES OF THE DENMAN ISLAND LOCAL TRUST COMMITTEE  
BUSINESS MEETING  
HELD AT 10:30 AM ON WEDNESDAY, MAY 8, 2013  
AT THE DENMAN SENIORS HALL,  
1111 NORTHWEST ROAD, DENMAN ISLAND, BC**

**MEMBERS PRESENT:**

Peter Luckham	Chair
Laura Busheikin	Local Trustee
David Graham	Local Trustee

**STAFF PRESENT:**

Aleksandra Brzozowski	Island Planner
Peter Phillips	Bylaw Enforcement Officer
Vicky Bockman	Recorder

**MEDIA AND OTHERS PRESENT:**

Seth Wright                      Student Planner  
Approximately 12 members of the public – am  
Approximately 2 members of the public – pm

**1. CALL TO ORDER**

Chair Luckham called the meeting to order at 10:30 am. He welcomed the public and introduced himself, the local trustees, staff and recorder. He acknowledged that the meeting is being held in the traditional territory of Coast Salish First Nations.

**2. APPROVAL OF AGENDA**

The agenda was adopted by consensus with the following amendment:

- move agenda Items 15 and 16 to after Item 2.

**15. CLOSED MEETING**

**DE-021-2013**

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee close the next part of the May 8, 2013 business meeting to discuss matters pursuant to Section 90(1)(f) (Bylaw Enforcement) of the *Community Charter* and that Staff be invited to attend this meeting.

**CARRIED**

*Chair Luckham closed the meeting at 10:31 am.*

**16. RECALL TO ORDER**

16.1 Rise and Report from Closed Meeting

*By general consent the Committee reconvened in open meeting at 10:51 am.*

*Bylaw Enforcement Officer Phillips left the meeting at 10:51 am.*

**3. CHAIR'S REPORT**

**Chair Luckham** reported that it has been a quiet time in between Trust Council, Executive Committee and Trust Fund Board meetings.

**4. TRUSTEES' REPORT**

**Trustee Busheikin** reported that she has reviewed and updated the Islands Trust material in the Dora Drinkwater library. She mentioned that she has been working to ensure that advertisement of Local Trust Committee meetings and Planner Office Hours are communicated correctly in response to past inconsistencies.

Trustee Busheikin reported that since the last meeting she held Trustee Office Hours. She advised that she also attended a Ferry Advisory Committee meeting and encouraged dialogue with community members on ferry issues to address at those meetings. She noted that she will be attending the Island Studies Conference on Gabriola Island where she will be hearing about island issues and presenting a talk about affordable housing. She reported that work scheduled for the next Trust Programs Committee meeting will include selection of the annual Community Stewardship Award recipients.

**Trustee Graham** reported that since the last meeting he held Trustee Office Hours at the Marcus Isbister Old School. He noted that he attended the Annual General Meeting of the Association of Vancouver Island and Coastal Communities in Sooke. He advised that an outcome of the meeting was an agreement that supported Vancouver Island as a genetically engineered (GE) -free zone and that this message will be sent to the Union of British Columbia Municipalities meeting in September. He noted that the meeting also included a presentation by BC Hydro on Operations and Planning that included a discussion of Smart Meters.

He commented that the Raven Coal Mine Working Group has completed their technical review of the application information requirement and submitted the Table of Concordance response in the environmental assessment process.

He commented briefly on the bylaw enforcement process and steps the public can take to register complaints.

**5. MINUTES**

*5.1.1 Local Trust Committee Meeting Minutes dated April 2, 2013*

The minutes were adopted by consensus with the following amendment:

- Page 2, item 3, fifth line: insert after “previously”: “that the last meeting seemed rushed”.

5.2 *Section 26 Resolutions Without Meeting Log dated April 29, 2013*

Chair Luckham summarized the Resolutions Without Meeting Log dated April 29, 2013.

5.3 *Denman Island Advisory Planning Commission Minutes – None.*

5.4 *Denman Island Marine Advisory Planning Commission Minutes – None.*

**6. BUSINESS ARISING FROM MINUTES**

6.1 *Follow-up Action List dated April 29, 2013*

Planner Brzozowski reviewed the Follow-up Action List dated April 29, 2013, provided verbal updates, and responded to questions that arose.

6.2 *Review of Table of Concordance for proposed Raven Underground Coal Project – submission by David Graham as Working Group member to the Environmental Assessment Office*

Trustee Graham reported that the Table of Concordance had been completed and submitted on time and expressed his appreciation for the expertise and hard work of the members of the Working Group. He noted that there will be an opportunity in the future for the public to be party to an in-depth review and to express viewpoints.

**7. APPLICATIONS AND PERMITS - None.**

**8. DELEGATIONS**

8.1 *Association of Denman Island Marine Stewards regarding Pentlatch Seafoods new Tenure in Henry Bay*

**Pat McLaughlin** presented an overview of the Association of Denman Island Marine Stewards (ADIMS) three-part presentation and introduced the speakers.

**Eddie Johnston** expressed concern regarding the shellfish tenure at Henry Bay that has not applied for re-zoning.

**Liz Johnston** spoke regarding the draft bylaws addressing predator netting, driving on beaches and beach modification. She requested that the Local Trust Committee actively pursue specific recommendations from the Golder report.

**Shelley McKeachie** expressed concerns regarding proposed planning area boundaries for the Ballenas-Winchelsea Official Community Plan which would set the planning area at less than the entirety of the Local Trust Area's jurisdiction up to the high tide mark on Vancouver Island.

The delegation submitted their presentation documents for the record. They directed questions to the trustees and there followed a period of dialogue with the Trustees and Staff who responded to the questions.

There was discussion regarding the Shellfish Aquaculture Management Advisory Committee currently being formed by Fisheries and Ocean Canada. Trustees expressed their desire to be included in this Committee. The delegates from ADIMS observed that they would like to be included as a Non-Governmental Group participant and were advised to follow-up on that request directly with the Advisory Committee organizers.

*8.1.1 Email submission dated April 29, 2013*

Received and discussed at agenda item 8.1.

## **9. TOWN HALL DISCUSSION**

**Keith Porteous** – noted that the Comox Valley Regional District has stated in their Official Community Plan amendment that their Transportation Policy objective is to preserve and enhance access for aquaculture and pointed out that this is a concern.

He asked if the Cross-Island Trail issue is being referred to the Advisory Planning Committee.

Planner Brzozowski clarified that the Local Trust Committee resolved to make the referral after Phase I and prior to Phase II of the project.

**John Johnston** – encouraged the Local Trust Committee to consider saving staff time by utilizing the Marine Advisory Planning Committee and to take advantage of the energy and information that is there. He commented that there is confusion in the community regarding the jurisdiction area of the Local Trust Committee and requested that an overview of marine zoning be addressed in the next Trustees Report published in the Denman Island Flagstone or Denman/Hornby Island Grapevine.

**Rob Wiltshire** – described his experience of living near a shellfish operation. He commented that all nine property owners adjacent to the shellfish rafts in his neighbourhood are upset with the smell and noise that the operation produces, and that the operator of the tenure in front of his property has moved all the rocks off the beach and drives on the beach.

**Sharon Small** – expressed concern that the shellfish raft operation near her property appears to be planning expansion without due process.

**Pat McLaughlin** – asked what action the Local Trust Committee can take regarding the illegal activity happening at the Pentlatch Seafoods tenure.

Chair Luckham responded that bylaw enforcement is investigating this matter and will take what action they consider to be appropriate.

**Edina Johnston** – asked if the Marine Advisory Planning Committee might be asked to review and comment on the Comox Valley Regional District’s proposed Official Community Plan amendment and Ocean-Based Geo-Exchange Systems. She also expressed concern that shellfish tenures appear to be encroaching on (W1) Marine Conservation areas.

Planner Brzozowski suggested the question of (W1) encroachment might be discussed with the planner staffing On-Island Planner Hours that day, as she has access to the Islands Trust mapping system.

**Liz Johnston** – stated that she has many concerns with the Comox Valley Regional District’s proposed Official Community Plan amendment including splitting of lots and driving on beaches. She pointed out that 90% of oyster tenures on Denman Island do not drive on beaches and that there is no good reason for that practice as the normal practice is to access by boat. She noted that aquaculture management plans do not discuss approach by vehicle.

**10. CORRESPONDENCE**

10.1 *Email dated April 3, 2013 from Keith Porteous regarding Cross-Island Trail*

Received.

10.2 *Email dated April 14, 2013 from Pat McLaughlin regarding Pentlatch Seafoods new Tenure in Henry Bay*

Received.

**11. REPORTS**

11.1 *Work Program Reports*

11.1.1 *Top Priorities and Projects List Report dated April 29, 2013*

The Top Priorities and Projects List dated April 29, 2013 was reviewed.

Trustee Graham suggested that signage prohibiting driving on beach areas might be considered as a topic for New Business.

**DE-022-2013**

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee change the fourth item on the Projects List “Regulations governing wind towers” to read: “Regulations governing wind towers and Ocean Loop Geo-Exchange Systems”.

**CARRIED**

Prior to the vote, Trustee Busheikin suggested that Ocean Loop Geo-Exchange Systems be combined on the Projects List with wind towers as further reports on renewable energy are expected and these topics could be considered concurrently.

11.2 *Applications Log*

11.2.1 *Report dated April 29, 2013*

Received.

11.3 *Trustee and Local Expenses*

11.3.1 *Expenses posted to March 31, 2013*

Received.

11.4 *Policies and Standing Resolutions*

11.4.1 *Report*

*The Policies and Standing Resolutions report was received for information.*

**12. LOCAL TRUST COMMITTEE PROJECTS**

12.1 *Review of Housing Policies – Project Charter  
Memorandum dated April 25, 2013*

Planner Brzozowski summarized the memorandum, and requested direction from the trustees as to how to proceed with the creation of the Project Charter for Review of Housing Policies.

Trustee Graham proposed that a meeting with the community on the topic of density would be a fundamental discussion to have prior to addressing possible solutions and creation of a Project Charter.

*By general consent the meeting was recessed at 12:54 pm and reconvened at 1:10 pm.*

Trustees discussed an approach for the format for the meetings and project with the following key points noted:

- Two meetings were proposed;
- The first meeting might be designated as Possibilities for Addressing Housing Needs or Possible Changes to Housing Regulations and would address needs and fears;
- The second meeting might be designated as addressing Finding Our Path or Finding Our Solutions. This meeting might include findings from

other islands, possible mitigations of concerns, suggestions from the public, and dispelling myths;

- Subsequent to the second meeting, a referral might be made to the Advisory Planning Commission if considered necessary or if not, requesting a staff report with recommendations;
- Advertising the meetings would be important;
- The Project Charter, Work Plan, and Communications Plan would be components of the project and Trustee Busheikin offered to assist with the communications.

Trustees indicated their support for the following changes to the scope of the Project Charter:

- Out of Scope: add Density Bank, Density Transfer, and Multi-Unit Projects;
- In Scope: add Density Cap;
- Instead of regulating cooking facilities, an expanded definition of dwelling unit might be more appropriate;
- Travel trailer regulations might be contained within the definition.

**DE-023-2013** It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to prepare a proposal for two community meetings about housing needs strategies including proposals for format and communications.

**CARRIED**

Possible dates for the meetings were suggested and will be confirmed as plans progress.

*By general consent the following items were added to the agenda:*

- 13.5 Advocacy Regarding Department of Fisheries and Oceans Advisory Committee; and
- 13.6 BC Ferry Signage

### **13. NEW BUSINESS**

#### *13.1 Eelgrass Mapping – Funding Request*

Planner Brzozowski summarized the memorandum dated April 23, 2013. Trustees discussed budgetary considerations and funding for the collaborative initiative.

**DE-024-2013** It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee commit up to \$1,000 from the 2013-2014 Denman Local Trust Committee budget for eelgrass mapping.

**CARRIED**

13.2 *Renewable Energy Technologies in the Trust Area – Ocean Based Geo-Exchange Systems*  
*Memorandum dated February 25, 2013*

Received.

13.3 *Comox Valley Regional District Bylaw Referral Request for Response*

The response for the referral request was discussed and the following key points were noted:

- As part of the identified coastal area is within the Denman Island Local Trust area of jurisdiction, the proposed bylaw should be consistent with Denman Island Official Community Plan and Land Use Bylaw;
- Encouraging aquaculture industry and practices in the upland areas will affect the beaches;
- The proposed amendment supports increased growth of aquaculture activities without balancing statements regarding ecosystem or social and cultural health of the surrounding communities;
- Trustees expressed concern that aquaculture has reached or exceeded the carrying capacity of the Denman Island Local Trust area and produces tons of escaped industry gear and debris annually;
- The proposed amendment states that the 300 metre coastal area is partially located within the Denman Island Local Trust area of jurisdiction. Therefore, any plans for development within the 300 metre area as well as impacts from the upland development affect the interests of the Denman Island Local Trust Committee, warranting a consultation.

**DE-025-2013** It was **MOVED** and **SECONDED** that staff respond that our interests are affected and request a meeting with staff and with the Regional Director to discuss impacts of proposed Aquaculture and Fisheries policies B.16 of Proposed Bylaw No. 216, being the Rural Comox Valley Official Community Plan, 1998, Amendment No. 46.

**CARRIED**

13.4 *2012-2013 Annual Report – Draft Wording*  
*Memorandum dated April 26, 2013*

The memorandum was reviewed and no changes were requested.

## ADOPTED

**DE-026-2013** It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee approve the Annual Report submission.

**CARRIED**

### 13.5 *Advocacy regarding Department of Fisheries and Oceans Advisory Committee*

This topic was discussed at agenda item 8.1.

**DE-027-2013** It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to request that the Islands Trust be included in membership in the Shellfish Aquaculture Management Advisory Committee being formed by Department of Fisheries and Oceans.

**CARRIED**

### 13.6 *BC Ferries Signage*

This topic was discussed at agenda item 11.1.1

**DE-028-2013** It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to write to BC Ferries requesting that they install a barricade at the north end of Denman West terminal land to prevent motorized vehicle access to the foreshore.

**CARRIED**

14. **BYLAWS** - None.

17. **ISLANDS TRUST WEBSITE**

#### 17.1 *Denman Page*

The following changes were requested to the Denman page of the Islands Trust website:

- add to Latest News: a link to the Comox Valley Regional District Official Community Plan amendment bylaw revising agriculture and aquaculture objectives and policies; and

18. **NEXT BUSINESS MEETING DATE**

The next meeting of the Denman Island Local Trust Committee will take place on Tuesday, June 4, 2013 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC.

**19. TOWN HALL DISCUSSION**

**Shelley McKeachie**, speaking on behalf of Association of Denman Island Marine Stewards, thanked the Local Trust Committee for their continued diligence and efforts on marine issues.

**20. ADJOURNMENT**

By general consent the meeting was adjourned at 2:22 pm.

\_\_\_\_\_  
Recorder

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Chair