



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: August 1, 2017
Time: 9:30 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 9:30 AM - 9:35 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. **APPROVAL OF AGENDA**
3. **TOWN HALL AND QUESTIONS** 9:35 AM - 9:45 AM
4. **COMMUNITY INFORMATION MEETING - none**
5. **PUBLIC HEARING - none**
6. **MINUTES** 9:45 AM - 9:55 AM
 - 6.1 Local Trust Committee Minutes dated June 6, 2017 - for adoption 3 - 14
 - 6.2 Local Trust Committee Public Hearing Record dated June 6, 2016 - for receipt 15 - 16
 - 6.3 Section 26 Resolutions-Without-Meeting - none
 - 6.4 Advisory Planning Commission Minutes - none
7. **BUSINESS ARISING FROM MINUTES** 9:55 AM - 10:15 AM
 - 7.1 Follow-up Action List dated July 24, 2017 17 - 19
 - 7.2 Fees Bylaw Amendment regarding Affordable Housing - Staff Report 20 - 28
8. **DELEGATIONS**
9. **CORRESPONDENCE**
(Correspondence received concerning current applications or projects is posted to the LTC webpage)
10. **APPLICATIONS AND REFERRALS** 10:15 AM - 10:25 AM
 - 10.1 Agricultural Land Commission (ALC) Referral - Denman North Connector Trail - Memorandum 29 - 40

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|------------|--|----------------------------|
| 11. | LOCAL TRUST COMMITTEE PROJECTS | 10:25 AM - 11:00 AM |
| 11.1 | First Nations Relationship Building - for discussion | |
| 11.2 | Denman Downtown Village Design Charrette - for discussion | |
| | BREAK - 11:00 AM - 11:15 AM | |
| 12. | REPORTS | 11:15 AM - 11:30 AM |
| 12.1 | Work Program Reports | |
| 12.1.1 | Top Priorities Report dated July 24, 2017 | 41 - 41 |
| 12.1.2 | Projects List Report dated July 24, 2017 | 42 - 43 |
| 12.2 | Applications Report dated July 24, 2017 | 44 - 47 |
| 12.3 | Trustee and Local Expense Report dated May, 2017 | 48 - 48 |
| 12.4 | Adopted Policies and Standing Resolutions - none | |
| 12.5 | Local Trust Committee Webpage | |
| 12.6 | Chair's Report | |
| 12.7 | Trustee Reports | |
| 12.8 | Electoral Area Director's Report | |
| 12.9 | Trust Fund Board Report - none | |
| 13. | NEW BUSINESS | 11:30 AM - 11:45 AM |
| 13.1 | Fisheries and Oceans Canada (DFO) - Beach Clean-up - for discussion | 49 - 49 |
| 14. | UPCOMING MEETINGS | |
| 14.1 | Next Regular Meeting Scheduled for Tuesday, October 3, 2017 at 9:30 am at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC | |
| 15. | TOWN HALL | 11:45 AM - 11:55 AM |
| 16. | CLOSED MEETING - none | |
| 17. | ADJOURNMENT | 11:55 AM - 11:55 AM |



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: June 6, 2017
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present Susan Morrison, Chair
 David Critchley, Local Trustee
 Laura Busheikin, Local Trustee

Staff Present Ann Kjerulf, Regional Planning Manager
 Fiona MacRaild, Senior Intergovernmental Policy Advisor (via telephone)
 Teresa Rittemann, Planner 2
 Ian Cox, Student Planner
 Vicky Bockman, Recorder

Others Present: Approximately seven (7) members of the public - am
 Approximately two (2) members of the public - pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:33 am. She welcomed the public, acknowledged that the meeting was being held in territory of the Coast Salish First Nations, and introduced Trustees, staff and recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was adopted as presented.

3. TOWN HALL AND QUESTIONS

- A member of the public expressed concern at the limited understanding throughout the Trust area of the Salt Spring Island incorporation issue, noting the difficulty of obtaining relevant information on the website; and asked why the Islands Trust does not take an active position on the issue arguing that their mandate to preserve and protect might be diminished by the potential change to a municipality.
 - Trustees explained the Islands Trust's neutral approach to the matter, clarified that regardless of the outcome Salt Spring Island would continue to be subject to the preserve and protect aspect of the mandate, and outlined the numerous forms of communication addressing this topic that have been available to the public.
- A member of the public expressed concern that aquaculture applications submitted to The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) contained false information and asked if the Local Trust Committee (LTC) would discuss this with the Ministry. The individual inquired about the referral response to a new

application in Lambert Channel near Boyle Point Provincial Park, and requested an explanation as to why it is not listed on FLNRO's online application list.

- Trustees and staff responded that mistakes on FLNRO applications would be the responsibility of FLNRO to address;
- Staff confirmed that they recently responded to an aquaculture referral with a recommendation that the tenure be refused due to lack of permissible zoning.

By general consent the Local Trust Committee regular meeting was recessed at 9:48 am.

4. COMMUNITY INFORMATION MEETING

By general consent the Community Information Meeting was called to order at 9:49 am.

Senior Intergovernmental Policy Advisor MacRaidl joined the meeting via telephone at 9:50 am.

4.1 Overview of Bylaw No. 222

Planner Ritemann explained that the purpose of proposed Bylaw No. 222 is to amend maps in Development Permit Area 4 and the Official Community Plan (OCP) to correct inaccuracies and omissions that have been identified. She reported that these corrections add a non-*Riparian Areas Regulation* (RAR)-applicable stream that had been omitted and designate as RAR-applicable a creek and slough that had been mistakenly identified as non-RAR-applicable.

A question and answer opportunity was provided and the following comments were noted:

- New property owners asked how this would affect their land covenant.
 - Trustees and staff provided a general outline of RAR policies with information on where further specific information can be located.
- A member of the public requested clarity on the changes shown in the mapping.
 - Staff explained the key symbols in the maps and how they relate to the area in question.

4.2 Summary of Referral Responses – Memorandum

Planner Ritemann presented the Memorandum which updates the LTC on a suggestion received from the Ministry of Community, Sport, and Cultural Development (MCSCD) to consider sending a bylaw referral letter more widely to an additional 12 First Nations. She presented background and options for the LTC to consider.

Senior Intergovernmental Policy Advisor MacRaidl commented on the response options and the following was noted:

- She observed that these types of “housekeeping” amendment referrals require a significant amount of First Nations’ attention for relatively minor issues;
- She suggested that the LTC consider the re-referral process, however, proposed that should the LTC choose not to proceed with this approach, this amendment might be utilized as an opportunity to discuss these types

of referrals with First Nations as a component of a workshop or other communication.

Senior Intergovernmental Policy Advisor MacRaid left the meeting at 9:56 am.

DE-2017-041

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee refer proposed Bylaw No. 222, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016”, to the following First Nations: Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz’uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwu), Tla’amin, and Qualicum.

Discussion on the proposed resolution followed and Trustees’ comments included the following key points:

- MCSCD was not requiring that the additional referrals be sent;
- The Senior Intergovernmental Policy Advisor’s suggestion that this could be done in a more informal manner as an example of housekeeping items for discussion was supported;
- Engagement with First Nations is occurring on many levels; and
- Concern was expressed that re-referral on this “housekeeping” amendment to correct mapping would slow down the process.

The Chair then called the question.

DEFEATED
Unanimously

By general consent the Community Information Meeting was adjourned at 10:09 am.

5. PUBLIC HEARING

5.1 Public Hearing regarding Bylaw No. 222

A Public Hearing regarding Bylaw No. 222 was held with a Public Hearing Record documented separately.

By general consent the Local Trust Committee regular meeting was reconvened at 10:17 am.

6. MINUTES

6.1 Local Trust Committee Minutes dated May 2, 2017

The following amendments were presented for consideration:

- Page 9, item 14.5, first and fourth bullets: correct spelling to “Lasqueti”.

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated May 29, 2017

Received.

6.3 Advisory Planning Commission Minutes - none

6.4 Marine Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 30, 2017

Regional Planning Manager Kjerulf presented the report and provided updates.

7.2 Dock Regulations – Memorandum

Regional Planning Manager Kjerulf presented the Memorandum that addresses private dock regulations and options. She reported that the Denman Island Land Use Bylaw (LUB) only permits docks in the W2 zone.

7.3 Housing First – Memorandum

Regional Planning Manager Kjerulf presented the Memorandum that responds to the LTC's request for further information on an "affordable housing first" policy and Salt Spring Island's approach to this model. She reported that the term "housing first" generally applies to housing programs for people who are either chronically or episodically homeless, and provided an example of the Capital Regional District's housing first program. She noted that the Salt Spring Island Local Trust Committee has established a reduced fee for affordable housing applications.

Trustees discussed their support for reducing fees for affordable housing rezoning applications and clarified that this would not preclude applicants from requesting a waiver of fees from Executive Committee.

DE-2017-042

It was MOVED and SECONDED,

That the Denman Island Local Trust Committee request staff to draft an amendment to the Fees Bylaw to reduce the fee for a standard rezoning application to \$1,000 where the application is for affordable housing and the applicant is a registered charity or a non-profit society.

CARRIED

Trustees considered the possibility of prioritizing affordable housing rezoning applications and the following key points were noted:

- Reducing fees and prioritizing applications for affordable housing is an approach utilized in other jurisdictions;
- To avoid a perceived fairness issue in advancing these applications over others, care would need to be taken to ensure that the applications are consistent with regulations; and

- Options available to enable prioritizing of affordable housing rezoning applications were summarized.

DE-2017-043

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to bring forward a report considering options for prioritizing affordable housing rezoning applications.

Trustees continued discussion and the following points were noted:

- It was questioned if there might be other elements of an “affordable housing first” policy to consider that would facilitate these applications and mitigate potential perception of fairness concerns; and
- The report requested by this motion was considered to be an effective approach to present the LTC with possible next steps and course of action.

The Chair then called the question.

CARRIED

8. **DELEGATIONS - none**

9. **CORRESPONDENCE - none**

10. **APPLICATIONS, REFERRALS and BYLAWS**

10.1 Bylaw No. 222

A Community Information Meeting and Public Hearing have been conducted on this bylaw which seeks to amend maps in Development Permit Area 4 and the OCP to correct inaccuracies and omissions that have been identified.

DE-2017-044

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", be read a second time.

CARRIED

DE-2017-045

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be read a third time.

CARRIED

DE-2017-046

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

10.2 Bylaw No. 223 - Staff Report

Planner Ritemann presented the Staff Report that responds to the LTC's request for further information regarding the definition of feedlot, ways to regulate intensity, options for feedlot setbacks and screening and reported on the Ministry of Agriculture's response to the request for information on best practices. She indicated that the LTC could choose to defer consideration of proposed Bylaw No. 223 to occur simultaneously with the Farm Plan Implementation project to ensure consistency with that project.

DE-2017-047

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee defer consideration of, or changes to, proposed Bylaw No. 223 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016" to occur simultaneously with the Denman Island Farm Plan implementation project.

In discussion on the motion, a Trustee recommended that staff provide the support necessary to clarify the limited scope of the review of this issue when this bylaw is referred to the Advisory Planning Commission (APC).

CARRIED

Trustees and staff discussed the process relating to the referral of the Farm Plan Implementation to the APC.

Planner Ritemann left the meeting at 10:55 am.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Marine Issues - Staff Report

Regional Planning Manager Kjerulf presented a Staff Report to introduce draft Bylaw No. 225 for LTC consideration. She reported that this bylaw would amend the LUB to add a general prohibition against the use of vehicles and ground-based machinery in the W1, W3 and W4 zones and contains an information note referencing the federal authority over licensed aquaculture practices.

Trustees considered the draft Bylaw. They acknowledged the LTC's jurisdictional limitations in this issue that prevent another approach, however, recognized the value of the draft bylaw as presented for the purpose of protecting valuable fish

and wildlife habitat and provide an impetus for education of the public as to the negative impact of vehicles on foreshore areas.

11.1.1.1 Draft Bylaw No. 225

DE-2017-048

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee has reviewed the Directives Only Policy Checklist and confirmed by resolution that Denman Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2017-049

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, be read a first time.

CARRIED

DE-2017-050

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee refer Denman Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, to the following agencies and First Nations: BC Shellfish Growers Association, Association of Denman Island Marine Stewards, Pacific Salmon Foundation, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands and Natural Resource Operations (Crown Lands), Fisheries and Oceans Canada (Regional Aquaculture Management Office), Fisheries and Oceans Canada (Pacific Region Species at Risk Program), Islands Trust Fund, Comox Valley Regional District, Islands Trust Bylaw Enforcement, K’omoks First Nation, Cowichan Tribes, Lake Cowichan First Nation, Lyackson First Nation, Penelakut Tribe, Halalt First Nation, Stz’uminus First Nation, Qualicum First Nation, Snaw’Naw’As First Nation, Nanwakolas First Nation, We Wai Kai Nation, Wei Wai Kum First Nation, Homalco First Nation, and Tla’amin First Nation.

CARRIED

In speaking to the motion, a Trustee commented that this bylaw presents an opportunity for discussion and information regarding foreshore protection for the public.

11.2 Denman Village Design Charrette - Memorandum

Regional Planning Manager Kjerulf outlined the Memorandum that provides an update on the Denman Village Design Charrette and requests the LTC's consideration of the Project Charter.

Discussion followed on the initiative and the following was noted:

- The application for grant funding through the Vancouver Island University Regional Initiatives Fund was successful;
- Ian Cox, Student Planner, will be coordinating and attending the Charrette in September;
- It was suggested that the budget for accommodation and catering should be divided equally between the LTC and Vancouver Island University;
- It was suggested that the Charrette event, scheduled for September, be communicated to the community as soon as possible to maximize participation;
- Identifying study beyond the geographic extent of the Denman Village/Downtown area as "Out of Scope" in the Project Charter could constrain the process and connectivity to other areas should be considered;
- Trustees requested that the Denman Village Community Design Charrette – Charter v1.1 dated May 30, 2017 be amended by removing the Out of Scope first bullet.

DE-2017-051

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

that the Denman Island Local Trust Committee endorse the Project Charter for the Denman Village Community Design Charrette v1.1 dated May 30, 2017 as amended through discussion.

CARRIED

11.3 First Nations Engagement - Verbal Report from Fiona MacRaid

Senior Intergovernmental Policy Advisor MacRaid joined the meeting via telephone at 11:20 am.

Senior Intergovernmental Policy Advisor MacRaid reported on the recent "First Nations and the Islands" presentation, noting that it was well attended and that dates for future engagement with K'omoks First Nation will be forthcoming.

Trustees and staff commented on the event and the Shared Narrative of Place-Charter v2 and the following points were noted:

- Previous discussions had supported the presentation of several events with various aspects such as archeology, history, and the K'omoks Guardian Watchmen program being highlighted; however this is not reflected in the Project Charter;
- The additional presentations might be discussed with the K'omoks First Nation at the next event with their Chief and Council;
- The value of continuing to use the term "deep history" was explained;

- Inclusion of other First Nations with interests in Denman Island might be considered after discussions with them individually; and
- The process for identification of opportunities to amend signage names and places was described and a change to the text of the In Scope activity was discussed.

Senior Intergovernmental Policy Advisor MacRaid left the meeting via telephone at 11:41 am.

11.3.1 Project Charter

DE-2017-052

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that In Scope items of the Shared Narrative of Place – Charter v2 be amended so that the fourth bullet In Scope reads: “Identification of signage opportunities in the Denman Island Trust Area where indigenous history can be acknowledged”.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated May 30, 2017

Trustees discussed the Top Priorities Report and there were no changes requested at this time.

12.1.2 Projects List Report dated May 30, 2017

Received.

12.2 Applications Report dated May 30, 2017

Received.

12.3 Trustee and Local Expense Report dated April, 2017

Received.

12.4 Adopted Policies and Standing Resolutions - none

12.5 Local Trust Committee Webpage

A Trustee appreciated the work that has been completed on the Denman Island webpage. There were no changes requested.

12.6 Chair's Report

Chair Morrison reported on the following activities:

- Trust Fund Board updates on management plans completed; and
- She has been providing support for the upcoming Trust Council meeting to be held on Lasqueti Island.

12.7 Trustee Reports

Trustee Busheikin commented on the recent First Nations event that she attended.

Trustee Critchley reported on the following:

- He and Trustee Busheikin attended the film, A Plastic Ocean, presented by the Association for Denman Island Marine Stewards;
- Updates from an Old School Committee meeting that he attended;
- Community Stewardship Awards were considered at a recent Trust Programs Committee meeting that he attended;
- He described his impressions from a recent visit to a local geoduck aquaculture operation; and
- He has had communication from a person at University of Victoria working with the National Research Council regarding erecting seismic monitoring installations. He noted that Denman Island has been identified as a possible site and will follow up if further interest in this venture develops.

Student Planner Cox left the meeting at 11:54 am.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report - none

13. NEW BUSINESS

13.1 Ministry of Forests, Lands and Natural Resource Operations (FLNRO) Referrals Process - Discussion

Trustee Critchley questioned whether it might be possible for staff to provide the Trustees with notifications that a referral request for comment from FLNRO has been received as well as to pursue being notified of final decisions on the matters.

DE-2017-053

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to forward to Trustees, when received, any requests for comments on referrals from the Ministry of Forests, Lands and Natural Resource Operations.

CARRIED

Discussion continued on the most appropriate approach to address the request for disposition of results of the issues being referred.

DE-2017-054

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to contact staff in the Ministry of Forests, Lands and Natural Resource Operations to request that the Denman Island Local Trust Committee be notified of any decision made regarding applications for tenures within the Local Trust Area.

CARRIED

13.2 Well and Groundwater Workshops - Memorandum

Regional Planning Manager Kjerulf noted that the Wells and Groundwater Workshop is scheduled to occur on Denman Island in June and distributed extra posters to be displayed for community information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, August 1, 2017 at 9:30 am at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

Trustees confirmed the date, time and location for the next regular meeting.

15. TOWN HALL

- A member of the public thanked the LTC for moving forward with first reading of proposed Bylaw No. 225 (Prohibiting Vehicles and Ground-based Machinery on the Foreshore).
- A suggestion was made by a member of the community that the Elkhaven property might be a suitable location for housing the students working on the Denman Village Design Charrette.
- A community member expressed concern that the Senior Intergovernmental Policy Advisor position that is responsible for First Nations and Marine Issues appears to be heavily weighted toward First Nations matters and commented that separating the role into two positions in order to deal with these issues separately would be more appropriate. Concern was expressed that marine issues are not receiving the attention that is needed.
 - Trustees recognized that an effective First Nations relationship might assist in furthering marine issue work; however, they acknowledged the concern, and observed that this message can be brought forward for consideration.

16. CLOSED MEETING – none

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:15 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder

Denman Island Local Trust Committee Public Hearing Record

Date: June 6, 2017
Time: 10:10 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Members Present Susan Morrison, Chair
David Critchley, Local Trustee
Laura Busheikin, Local Trustee

Staff Present Ann Kjerulf, Regional Planning Manager
Teresa Ritemann, Planner 2
Ian Cox, Student Planner
Vicky Bockman, Recorder

Others Present Approximately six (6) members of the public

1. CALL TO ORDER

Chair Morrison called the Public Hearing to order at 10:10 am. She read the Chairperson's Opening Statement and explained that this Public Hearing is being conducted to hear views regarding proposed Bylaw No. 222.

2. PROPOSED BYLAW NO. 222 (OCP)

Planner Ritemann reported that all notification requirements under the *Local Government Act* have been completed. She explained that the intent and purpose of the proposed bylaw is to amend the Official Community Plan to address a "housekeeping" item that would correct an inaccuracy and omission in the original Development Permit Area 4 mapping schedule for Streams, Lakes and Wetlands. She reported on the agency referrals and responses received and noted that to date there have been no written submissions received.

The location of the speakers list, comment sheets for written comments, and Public Hearing submission box were pointed out and the public was advised that all submissions must be received by the end of the Public Hearing.

3. PUBLIC COMMENTS

Chair Morrison opened the floor for public comments on proposed Bylaw No. 222.

- Shirley Ward expressed support for Riparian Areas Regulation (RAR) protection of wetlands. She asked for clarification of the term RAR-applicable and how the decision was made to protect this additional stream.
 - Staff responded that that this stream, identified as a result of a Temporary Use Permit application, has been determined to meet the criteria for RAR protection.
- Bill Peters expressed support for the Bylaw amendment that adds the stream into the RAR-applicable category as it would prevent any future logging within the regulated setback.

4. ADJOURNMENT

Chair Morrison asked three times for further comments from the public and hearing none the Public Hearing was closed at 10:17 am.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF
REPRESENTATIONS RESPECTING THE MEETING HELD:

Vicky Bockman, Recorder

Follow Up Action Report

Denman Island

19-Apr-2016

Activity	Responsibility	Target Date	Status
Monitor Regional District of Nanaimo Electoral Area H Official Community Plan Review and report to LTC about pertinent issues and opportunities to participate. Update Mar. 7th: Expecting referrals in June 2017.	Marnie Eggen		On Going
Organize CIM with presentations on eelgrass, forage fish habitat and aquaculture practices and future plans; invite participation from BC Shellfish Growers Association and Komoks; staff to engage a facilitator for CIM if required	Marnie Eggen David Critchley Laura Busheikin		On Going

05-Jul-2016

Activity	Responsibility	Target Date	Status
Staff to inquire into the processing of Schedule B submissions for affordable housing projects pursuant to housing agreements.	Marnie Eggen	03-Oct-2017	On Going

02-May-2017

Activity	Responsibility	Target Date	Status
Send updated information binder to new APC members (PTA); schedule orientation session (OAA); provide APC orientation (Island Planner)	Marnie Eggen Penny Hawley Wil Cottingham	27-Jun-2017	Done
That the Denman Island Local Trust Committee send a letter signed by the Local Trustees to both island libraries including informing them about the First Nations reading list and potential co-financing opportunities.		06-Jun-2017	On Going

**Follow Up Action Report**

Public presentation by Islands Trust Senior Intergovernmental Policy Advisor on First Nations engagement and follow up presentations by Komoks members and representatives. Public presentation held June 4, 2017.	Fiona MacRaid	11-Jul-2017	On Going
Circulate First Nations reading list to the Denman Island Volunteer Library and Community School Library (Trustee Busheikin)			On Going
Where possible and appropriate, influence the content of signage to include First Nations place names and context of indigenous use of places.	Fiona MacRaid		On Going

06-Jun-2017

Activity	Responsibility	Target Date	Status
Draft an amendment to the fees bylaw to reduce the fee for applications for affordable housing from non-profit organizations to \$1,000 (e.g. Salt Spring Fees Bylaw)	Becky McErlean Marnie Eggen	11-Jul-2017	Done
Staff to provide a report considering options for prioritizing affordable housing rezoning applications.	Marnie Eggen	03-Oct-2017	On Going
Refer Bylaw 222 to the Executive Committee for approval; Bylaw 222 approved and forwarded to the Minister of Municipal Affairs & Housing	Becky McErlean Teresa Rittemann	27-Jun-2017	Done
Defer Bylaw No. 223 to the farm plan implementation project.	Sonja Zupanec		Done

Follow Up Action Report

Refer Bylaw No. 225 to agencies and First Nations: BC Shellfish Growers Association, Association of Denman Island Marine Stewards, Pacific Salmon Foundation, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands and Natural Resource Operations (Crown Lands), Fisheries and Oceans Canada (Regional Aquaculture Management Office), Fisheries and Oceans Canada (Pacific Region Species at Risk Program), Islands Trust Fund, Comox Valley Regional District, Islands Trust Bylaw Enforcement, Komoks First Nation, Cowichan Tribes, Lake Cowichan First Nation, Lyackson First Nation, Penelakut Tribe, Halalt First Nation, Stzuminus First Nation, Qualicum First Nation, SnawNawAs First Nation, Nanwakolas First Nation, We Wai Kai Nation, Wei Wai Kum First Nation, Homalco First Nation, and Tlaamin First Nation	Becky McErlean Ann Kjerulf	20-Jun-2017	Done
Amend Denman Village Community Design Charrette project charter (removing the first bullet from out of scope).	Ann Kjerulf	13-Jun-2017	Done
Amend the Shared Narrative of Place Charter V.2 in-scope items to read identification of signage opportunities in the Denman Island where indigenous history can be acknowledged (Fiona MacRaid).	Fiona MacRaid		On Going
Update file opening procedure to forward notification of Crown tenure referrals to Denman Island Local Trust Committee upon receipt of referral from FLRNO	Penny Hawley		Done
Staff to request FLNRO provide notification to Denman Island Local Trust Committee when decisions are made regarding applications for tenures within the Local Trust Area.	Ann Kjerulf	13-Jun-2017	Done

File No.: 3050-01 (Denman Fees Bylaw Amendment)

DATE OF MEETING: July 19, 2017
 TO: Denman Island Local Trust Committee
 FROM: Ann Kjerulf, Regional Planning Manager
 Northern Team
 SUBJECT: Bylaw No. 226 – Denman Island Fees Bylaw Amendment

RECOMMENDATION

1. That Denman Island Local Trust Committee Bylaw No. 226, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017", be read a first time.
2. That Denman Island Local Trust Committee Bylaw No. 226, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017", be read a second time.
3. That Denman Island Local Trust Committee Bylaw No. 226, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017", be read a third time.
4. That Denman Island Local Trust Committee Bylaw No. 226, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

At the June 6, 2017 meeting, the LTC passed the following resolution:

DE-2017-042

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

That the Denman Island Local Trust Committee request staff to draft an amendment to the Fees Bylaw to reduce the fee for a standard rezoning fee to \$1,000 where the application is for affordable housing and the applicant is a registered charity or a non-profit society.

The Denman Island Local Trust Committee (LTC) is asked to consider giving readings to Bylaw No. 226, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017", and subsequently to forward the bylaw to the Executive Committee for approval, prior to consideration of adoption. The proposed amendment aligns with the Islands Trust Council Strategic Plan initiative 5.1 *"Use land use planning tools and decisions to improve the availability of affordable, accessible, and appropriate housing."*

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	July 24, 2017
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ATTACHMENTS

1. Draft Bylaw No. 226
2. Current Fees Bylaw No. 181

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 226

A BYLAW TO AMEND THE DENMAN ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2007

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Denman Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Denman Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2017”.

2. Denman Island Local Trust Committee Bylaw No. 181, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007” is amended as shown on Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS TH DAY OF XXXX, 2017

READ A SECOND TIME THIS TH DAY OF XXXX, 2017

READ A THIRD TIME THIS TH DAY OF XXXX, 2017

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

TH DAY OF XXXX, 2017

ADOPTED THIS TH DAY OF XXXX, 2017

Chair

Secretary

DRAFT

Denman Island Local Trust Committee

Bylaw No. 226

Schedule 1

1. Part 3, **Application Fees**, Section 3.1, **TABLE 1 – Bylaw Amendments**, is deleted in its entirety and replaced with the following:

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,400
2. Official Community Plan amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$4,950
3. Land Use Bylaw or Zoning Bylaw or Subdivision Bylaw Amendment	\$4,400
4. Land Use Bylaw Amendment for the purpose of rezoning a property for use as affordable housing	\$1,000
5. Land Use Contract amendment	\$4,400
6. Amendments to an Official Community Plan to transfer density into or out of the Density Bank in conjunction with a land use bylaw amendment	\$4,000



Islands Trust

Denman Island Fees Bylaw

Bylaw No. 181, 2007

As amended by the
Denman Island Local Trust Committee

Consolidated Version: December 8, 2016

This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

For reference to original bylaw and amendments,
please contact:
Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

Preserving Island communities, culture and environment

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 187	Amendment No. 1, 2009	January 20, 2009
Bylaw No. 221	Amendment No. 1, 2016	November 15, 2016

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 181

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 931 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Denman Island Local Trust Committee, being the trust committee e having jurisdiction in respect of the Denman Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

. **Citation**

This bylaw may be cited as the "Denman Island Local Trust Committee Fees Bylaw, 2007".

. **Interpretation**

2.1 In this bylaw:

"Applicant" means the person authorized under the Denman Island Trust Committee Development Procedures Bylaw No. 71, 1992 to make the application;

"Islands Trust" means the Director of Local Planning or his/her authorized representative;

"Application Fee" means the monetary amount payable to the "Islands Trust".

3. Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application fee in the amount shown in Column 2 of Table 1, Table 2, Table 3 or Table 4.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,400
2. Official Community Plan amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$4,950
3. Land Use Bylaw, Zoning Bylaw or Subdivision Bylaw amendment	\$4,400
4. Land Use Contract amendment	\$4,400
5. Amendments to an Official Community Plan to transfer density into or out of the Density Bank in conjunction with a land use bylaw amendment	\$4,000

TABLE 2 – Permits	
Column 1	Column 2
Development Permits	
1. Development Permit (protection areas)	\$440
2. Development Permit (form and character areas)	\$660
3. Development Permit amendment	\$165
Development Variance Permits	
4. Development Variance Permit (residential)	\$715
5. Development Variance Permit (commercial, industrial, or institutional)	\$935
Temporary Use Permits	
6. Temporary Use Permit (commercial and industrial uses)	\$1,100
7. Temporary Use Permit (other than commercial and industrial uses)	\$440
8. Temporary Use Permit renewal	\$165
Siting and Use Permits	
9. Siting and Use Permit	\$220
Companion Applications	
10. Development Permit in combination with a companion application for a Development Variance Permit (residential)	\$770
11. Development Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
12. Siting and Use Permit in combination with a companion application for a Development Variance Permit (residential)	\$715
13. Siting and Use Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
14. Siting and Use Permit in combination with a companion application for a Development Permit (protection area)	\$550
15. Siting and Use Permit in combination with a companion application for a Development Permit (form and character areas)	\$660
16. Siting and Use Permit in combination with a companion application for a Temporary Use Permit (commercial and industrial uses)	\$1,100
17. Siting and Use Permit in combination with a companion application for a Temporary Use Permit (other than commercial and industrial uses)	\$440

TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for subdivision review – first parcel	\$1,100
2. Application for subdivision review - every additional parcel that would be created by the proposed subdivision	\$110
3. Application for subdivision review - parcel line adjustments only, creating no additional parcels	\$330

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$990
2. Strata Conversion	\$1,100
3. Liquor Control and Licensing Branch	\$825

- 3.3 An application administration fee in the amount of \$110.00 being a portion of the fee referred to in Table 1 is not refundable in any event.
- 3.4 An application administration fee in the amount of \$55.00 being a portion of the fee referred to in Table 2, Table 3 and Table 4 is not refundable in any event.
- 3.5 Subject to Section 3.3 and Section 3.4, if an application is not processed for any reason, the Islands Trust must refund to the applicant the application fee.
- 3.6 In the event a public hearing is not held in respect of an application referred to in Table 1, the applicant shall be entitled to a refund in the amount of \$1,650.

4. Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.
- 4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5. Severability

- 5.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

6. Repeal

- 6.1 Denman Island Local Trust Committee Fees Bylaw, 2004 is repealed upon adoption of this bylaw.

READ A FIRST TIME this 12th day of June , 2007.

READ A SECOND TIME this 10th day of July , 2007.

READ A THIRD TIME this 10th day of July , 2007.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 7th day of August , 2007.

ADOPTED this 11th day of September , 2007.

Chairperson

Secretary



MEMORANDUM

File No.: 3410-20 (Denman Island
North Connector Trail)

DATE OF MEETING: August 1, 2017

TO: Denman Island Local Trust Committee

FROM: Marnie Eggen, MCIP, RPP
Northern Team

SUBJECT: Comox Valley Regional District Application to the Agricultural Land Commission for a
Recreational Trail within the Agricultural Land Reserve

PURPOSE

The purpose of this memorandum is to provide the Denman Island Local Trust Committee (LTC) with information about a Comox Valley Regional District (CVRD) application to the Agricultural Land Commission (ALC) for a statutory right-of-way (SRW) for recreational trail use within the Agricultural Land Reserve (ALR) on Northern Denman Island.

The CVRD is seeking approval from the ALC for the SRW along the southern boundary of two land parcels within the ALR adjacent to Denman Island Provincial Park and Protected Area. The SRW is proposed to be approximately 1150 metres long and 30 metres wide, covering an area of approximately 3.45 hectares. The proposed alignment seeks to capture the full width of an existing gravel road and formalize public access to the eastern side of Denman Island Provincial Park and Protected Area (see Attachments).

This application falls into Priority #3 (connections between existing public trails/greenways) within the [CVRD Denman Parks and Greenway Master Plan](#), which was adopted by the LTC as Schedule 'D' of the Denman Island Official Community Plan Bylaw No. 185 (OCP).

This is not a formal referral to Islands Trust from the ALC. However, the ALC forwarded the application to the Islands Trust for information and will accept comments should the LTC wish to provide them. Staff have reviewed the proposal and have no concerns.

NEXT STEPS

Staff will forward any comments from the LTC to the ALC.

Submitted By:	Marnie Eggen, MCIP, RPP Island Planner	July 18, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Northern Regional Planning Manager	July 24, 2017

ATTACHMENTS

1. CVRD Application to the ALC
2. Proposed SRW - Cadastral
3. Proposed SRW – Airphoto
4. Development Permit Area Map
5. Sensitive Ecosystem Map

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 56215

Application Status: Submitted to ALC

Applicant: Grant Thornton Limited (Court Appointed Receiver)

Agent: Comox Valley Regional District

Local Government: Islands Trust Regional District

ALC Date of Receipt: 07/13/2017

Proposal Type: Transport, Utility, & Recreation

Proposal: As per section 6(c)(ii) of the Agricultural Land Use, Subdivision and Procedure Regulation of the Agricultural Land Commission Act, the Comox Valley Regional District (CVRD) is seeking approval for a recreational trail statutory right-of-way (SRW) along the southern boundary of two land parcels within the ALR on Denman Island. The SRW is proposed to be approximately 1150 metres long and 30 metres wide, covering an area of approximately 3.45 hectares. This proposed alignment seeks to capture the full width of an existing gravel road and formalize public access to the eastern side of Denman Island Provincial Park and Protected Area.

The proposed recreational trail would be designated for non-motorized users such as pedestrians, cyclists and equestrians. The SRW corridor is also being proposed to serve as an emergency vehicular access route to the park in the case of wildfire, rescue, or other emergency.

Of special note to this application:

1. Currently no legal public access to Denman Island Provincial Park exists along its eastern boundary although the public have been using the existing gravel road as a means of access for many years. The SRW would formalize this historic access and eliminate current trespass issues.
2. The land over which the SRW is proposed is not farmable land.
3. The existing gravel road within the proposed SRW was originally constructed to access a gravel pit (Chickadee Lake Pit). This gravel pit is now inactive. As the trail alignment is proposed to use this road there will be minimal trail construction impacts. The CVRD foresees only minor trail maintenance impacts including invasive species removal.
4. As the existing road edge is up to 30 metres away from the boundary, the proposed width would enable the existing road to be fully encapsulated within the SRW. This will greatly simplify future management and boundary issues that may arise by eliminating the small gap between the road and the park boundary that would be created if only the road were to be surveyed for the SRW.
5. Locating the trail along the eastern boundary of the park lands will reduce impacts on sensitive ecosystem habitat and protect unfragmented ecosystems and ecological values within the park.
6. The proposed alignment has the support of the Denman Island Residents Association (DIRA) trails committee, BC Parks, the Denman Island Fire Chief and the landowner (court appointed receiver). Letters of support have been attached to this application.
7. A resolution to support this application was adopted by the board of the CVRD on November 2, 2016.
8. This proposal supports the vision of the Denman Island Parks and Greenways Master Plan (August 2011) which looks to 'identify gaps in the existing parks system' and to 'support conservation efforts for sensitive ecosystem preservation, habitat, riparian areas and wildlife corridors'.
9. The trail alignment would enable emergency access to the park for emergency service vehicles in case of wildfire, rescue or other emergency.
10. The proposed alignment meets many objectives of the Islands Trust Denman Island Official Community Plan, Bylaw No.185, namely:
 - a. 'To conserve Denman Islands natural ecosystems while at the same time providing passive recreation opportunities which foster an appreciation of the natural environment and provide access to public lands';

- b. 'Trails form a necessary link between neighbourhoods and destination points'; and
- c. a 'trail system that provides a safe and inviting link between neighbourhoods and destination points should be supported'.

Agent Information

Agent: Comox Valley Regional District

Mailing Address:

Primary Phone:

Email:

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 006-660-185

Legal Description: The North 1/2 Section 26, Denman Island Nanaimo District Except Parts in Plans VIP87752 and VIP88294

Parcel Area: 19.5 ha

Civic Address:

Date of Purchase: 09/21/2010

Farm Classification: No

Owners

1. **Name:** Grant Thornton Limited (Court Appointed Receiver)

Address:

Phone:

Email:

2. **Ownership Type:** Fee Simple

Parcel Identifier: 006-660-614

Legal Description: Fractional Section 29, Denman Island, Nanaimo District Except Parts in Plans VIP87737 and VIP88293

Parcel Area: 171.9 ha

Civic Address:

Date of Purchase: 08/05/2011

Farm Classification: No

Owners

1. **Name:** Grant Thornton Limited (Court Appointed Receiver)

Address:

Phone:

Email:

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple

Parcel Identifier: 006-660-495

Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)

Parcel Area: 37.9 ha

Land Use Type: Unused
Interest Type: Full Ownership

2. **Ownership Type:** Fee Simple
Parcel Identifier: 026-826-445
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 56.0 ha
Land Use Type: Unused
Interest Type: Full Ownership

3. **Ownership Type:** Fee Simple
Parcel Identifier: 006-639-089
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 6.3 ha
Land Use Type: Unused
Interest Type: Full Ownership

4. **Ownership Type:** Fee Simple
Parcel Identifier: 026-826-437
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 14.6 ha
Land Use Type: Unused
Interest Type: Full Ownership

5. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-880
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 4.0 ha
Land Use Type: Residential
Interest Type: Full Ownership

6. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-910
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 4.7 ha
Land Use Type: Residential
Interest Type: Full Ownership

7. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-928
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 6.2 ha
Land Use Type: Residential
Interest Type: Full Ownership

8. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-936
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 3.0 ha
Land Use Type: Residential
Interest Type: Full Ownership

9. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-944
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)

Parcel Area: 2.8 ha
Land Use Type: Residential
Interest Type: Full Ownership

10. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-987
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 2.3 ha
Land Use Type: Residential
Interest Type: Full Ownership
-

11. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-952
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 4.4 ha
Land Use Type: Residential
Interest Type: Full Ownership
-

12. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-961
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 2.9 ha
Land Use Type: Residential
Interest Type: Full Ownership
-

13. **Ownership Type:** Fee Simple
Parcel Identifier: 028-639-995
Owner with Parcel Interest: Grant Thornton Limited (Court Appointed Receiver)
Parcel Area: 4.3 ha
Land Use Type: Residential
Interest Type: Full Ownership
-

Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

No agriculture on either parcel.

- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

No agricultural improvements on either parcel.

- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

No current non-agricultural uses on the land parcels. Past uses include: Parcel A: PID 006-660-185: logging, sand/gravel pit operations; Parcel B: PID 006-660-614: logging.

Adjacent Land Uses

North

Land Use Type: Unused

Specify Activity: unused, zoned rural residential

East

Land Use Type: Residential
Specify Activity: single family dwelling subdivision

South

Land Use Type: Civic/Institutional
Specify Activity: Provincial Park

West

Land Use Type: Civic/Institutional
Specify Activity: Provincial Park

Proposal

1. What is the purpose of the proposal? Include the length and average width of the proposed project.

As per section 6(c)(ii) of the Agricultural Land Use, Subdivision and Procedure Regulation of the Agricultural Land Commission Act, the Comox Valley Regional District (CVRD) is seeking approval for a recreational trail statutory right-of-way (SRW) along the southern boundary of two land parcels within the ALR on Denman Island. The SRW is proposed to be approximately 1150 metres long and 30 metres wide, covering an area of approximately 3.45 hectares. This proposed alignment seeks to capture the full width of an existing gravel road and formalize public access to the eastern side of Denman Island Provincial Park and Protected Area.

The proposed recreational trail would be designated for non-motorized users such as pedestrians, cyclists and equestrians. The SRW corridor is also being proposed to serve as an emergency vehicular access route to the park in the case of wildfire, rescue, or other emergency.

Of special note to this application:

- 1. Currently no legal public access to Denman Island Provincial Park exists along its eastern boundary although the public have been using the existing gravel road as a means of access for many years. The SRW would formalize this historic access and eliminate current trespass issues.*
- 2. The land over which the SRW is proposed is not farmable land.*
- 3. The existing gravel road within the proposed SRW was originally constructed to access a gravel pit (Chickadee Lake Pit). This gravel pit is now inactive. As the trail alignment is proposed to use this road there will be minimal trail construction impacts. The CVRD foresees only minor trail maintenance impacts including invasive species removal.*
- 4. As the existing road edge is up to 30 metres away from the boundary, the proposed width would enable the existing road to be fully encapsulated within the SRW. This will greatly simplify future management and boundary issues that may arise by eliminating the small gap between the road and the park boundary that would be created if only the road were to be surveyed for the SRW.*
- 5. Locating the trail along the eastern boundary of the park lands will reduce impacts on sensitive ecosystem habitat and protect unfragmented ecosystems and ecological values within the park.*
- 6. The proposed alignment has the support of the Denman Island Residents Association (DIRA) trails committee, BC Parks, the Denman Island Fire Chief and the landowner (court appointed receiver). Letters of support have been attached to this application.*
- 7. A resolution to support this application was adopted by the board of the CVRD on November 2, 2016.*
- 8. This proposal supports the vision of the Denman Island Parks and Greenways Master Plan (August 2011) which looks to 'identify gaps in the existing parks system' and to 'support conservation efforts for sensitive ecosystem preservation, habitat, riparian areas and wildlife corridors'.*
- 9. The trail alignment would enable emergency access to the park for emergency service vehicles in case of wildfire, rescue or other emergency.*
- 10. The proposed alignment meets many objectives of the Islands Trust Denman Island Official Community Plan, Bylaw No.185, namely:*
 - a. 'To conserve Denman Islands natural ecosystems while at the same time providing passive recreation*

opportunities which foster an appreciation of the natural environment and provide access to public lands';

b. 'Trails form a necessary link between neighbourhoods and destination points'; and

c. a 'trail system that provides a safe and inviting link between neighbourhoods and destination points should be supported'.

2. Specify any agricultural activities such as livestock operations, greenhouses or horticultural activities in proximity to the proposal. Please include the farm activity's location relative to the proposal.

No agricultural activities in proximity to the proposal.

3. What steps will you take to reduce potential negative impacts on surrounding agricultural lands?

The CVRD proposes the following to reduce the potential impacts on the surrounding lands:

1. The CVRD will undertake invasive species removal as part of its ongoing maintenance program for the trail corridor.

2. The CVRD will install a locked gate at the south end of the SRW which would ensure non-motorized use of the trail. Access through the gate for vehicles would only be granted for emergency purposes.

4. Could this proposal be accommodated on lands outside of the ALR? Include all alternative corridor alignment considerations. Alternate alignment maps can be uploaded in the Upload Attachments section.

The only potential alternate route would involve construction of a new trail within the boundaries of the Denman Island Provincial Park adjacent to the proposed SRW alignment. See attached map.

This alignment has been discussed with the landowner, BC Parks and DIRA and has been largely dismissed as problematic for the following reasons:

1. This alternate alignment may involve trail construction within an area identified as a primary ecosystem wetland. See attached sensitive ecosystem mapping. The Riparian Areas Regulation (RAR) development permit area would likely come into effect.

2. This alternate alignment would have negative impacts on the provincial park ecosystem.

3. This alternate alignment may involve trail construction on steeper slopes which exist between the southern marsh area and the boundary. Trail development in this area could lead to erosion concerns in the future.

4. This alignment would eliminate the possibility of access to the park for emergency vehicles. This could jeopardize the rapid deployment of personnel to the area in the event of an emergency such as a wildfire.

5. BC Parks is not supportive of this alternate alignment.

5. Total area of corridor 3.5 ha

6. All affected property owners with land in the ALR must be notified as required by Section 7 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation. Please attach the "Transportation, Utility, and Recreational Trail Use Proof of Serving Notice" in the "Upload Attachments" section. I confirm that all affected property owners with land in the ALR have been notified.

Yes

Applicant Attachments

- Other correspondence or file information - Letter of Support - Denman Fire
- Other correspondence or file information - Letter of Support - BC Parks
- Site Photo - Site Photos

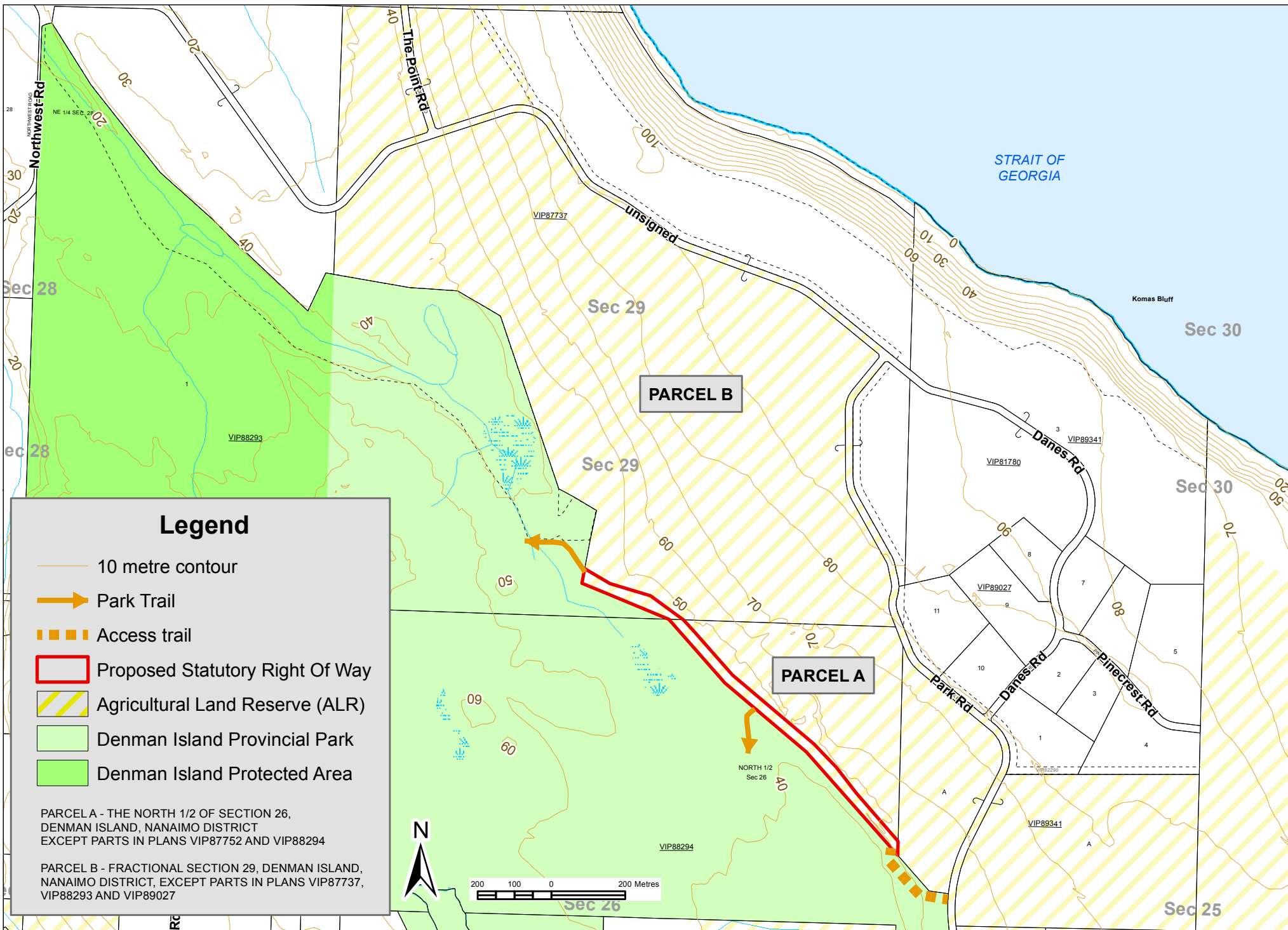
- Other correspondence or file information - Denman Greenways Map
- Other correspondence or file information - Letter of Support - DIRA
- Other correspondence or file information - Letter of Support - Landowner
- Other correspondence or file information - Air Photo Map
- Proposal Sketch - 56215
- Other correspondence or file information - Site Photos Key Map
- Other correspondence or file information - Zoning Map
- Other correspondence or file information - DPA Map
- Other correspondence or file information - Sensitive Ecosystems Map
- Other correspondence or file information - Alternate Alignment Map
- Notice of Affected Landowners - 56215
- Certificate of Title - 006-660-185
- Certificate of Title - 006-660-614

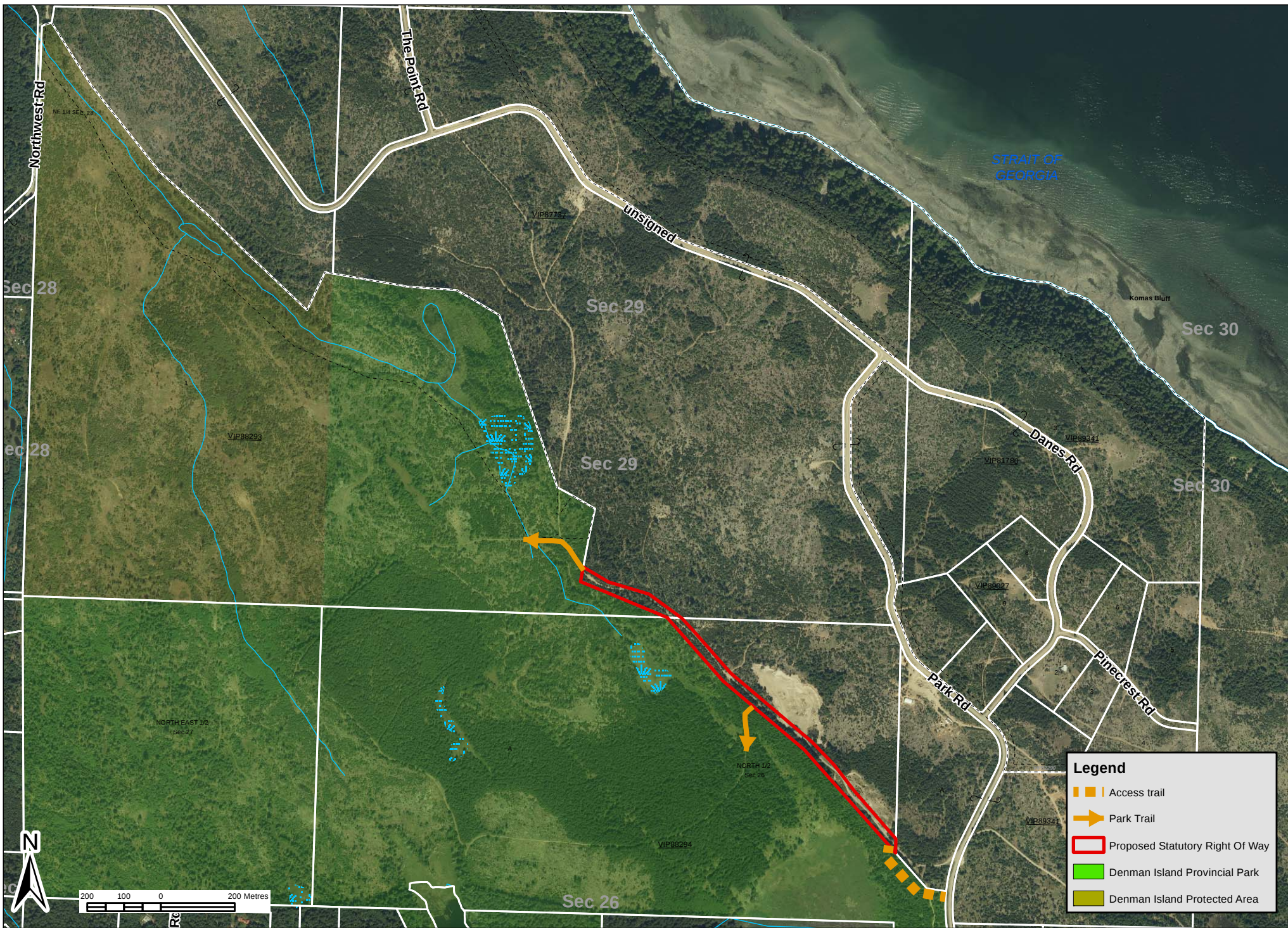
ALC Attachments

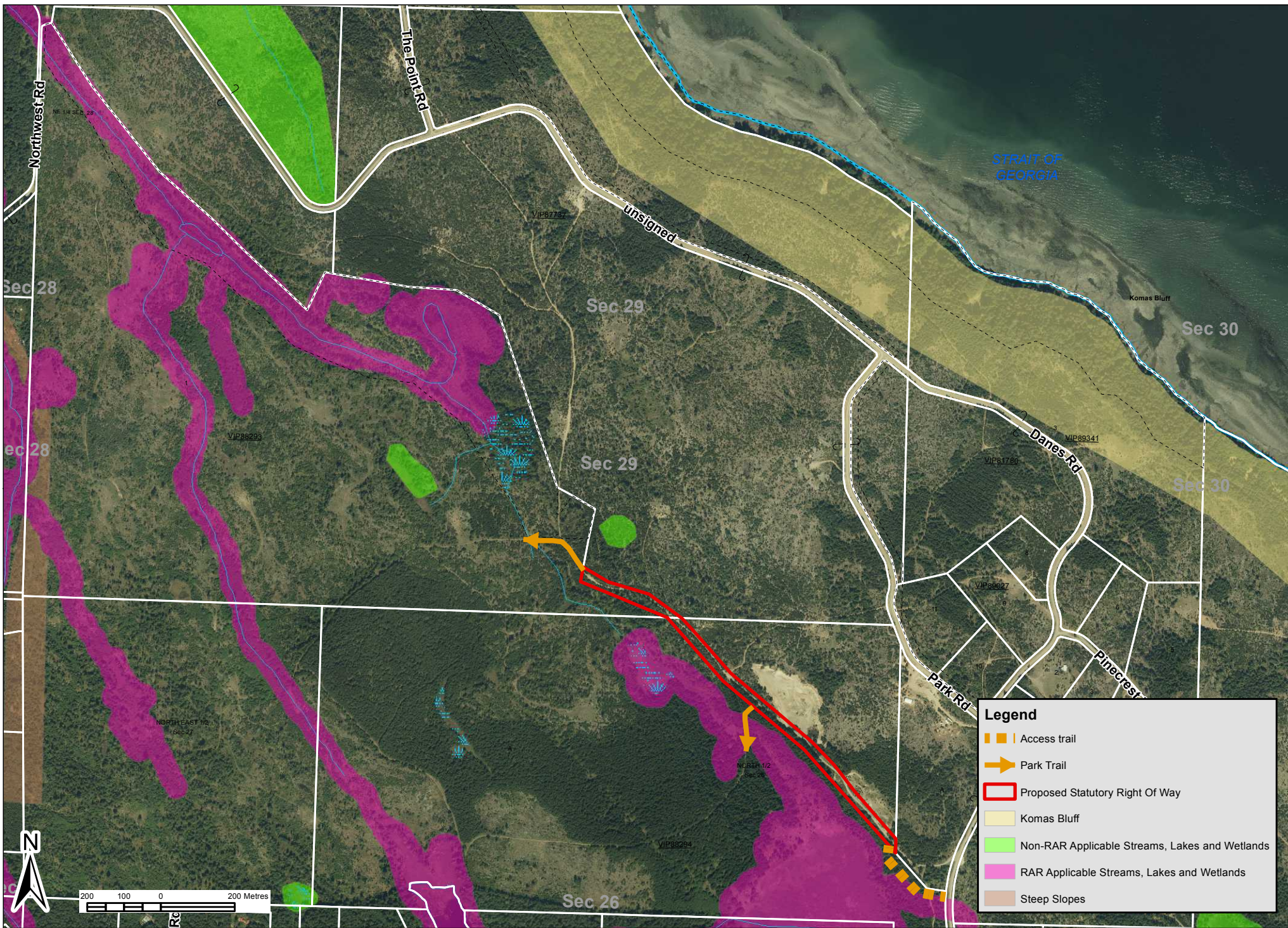
None.

Decisions

None









Top Priorities

Denman Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Marine Issues	June 6, 2017: Bylaw 225 (to prohibit vehicles and ground-based machinery on the foreshore) given 1st reading and referred to First Nations and agencies for comment	03-Mar-2015	Ann Kjerulf	
1	Relationship building with Komoks First Nation	Plan for a Community to Community (C2C) Forum; Shared Narrative of Place Project will integrate First Nations history and place names in the OCP and explore opportunities for First Nations to participate in the work of the Local Trust Committee more meaningfully.		Marnie Eggen Fiona MacRaid	
1	Denman Island Farm Plan Implementation	Incorporate Bylaw 224 considerations (agriculture, intensive agriculture, feedlot definitions)		Sonja Zupanec	
1	OCP Housekeeping Amendments	Corrections to DP4	15-Nov-2016	Teresa Ritemann	07-Mar-2017
1	Denman Village Community Design Charrette	Intensive study of Downtown Denman Village and community consultation process by VIU Master of Community Planning students September 6-9, 2017		Ann Kjerulf Ian Cox	

**Projects****Denman Island**

Description	Activity	R/Initiated
Protected Area Network	Undertake planning for a Protected Area Network on Denman Island	15-Mar-2011
Alternative Energy	Consider regulations governing wind towers and Ocean Loop Geo-Exchange Systems. Monitor recommendation from Trust Council.	15-Aug-2011
Dwelling Floor Area Regulation	Consider regulations to limit the gross floor area of a dwelling	25-Oct-2011
GHG Reduction	Consider regulations to promote greenhouse gas emissions reduction.	25-Oct-2011
Development Procedures Review	Review and update Development Procedure Bylaw No. 71	11-Dec-2012
Rural Affordable Housing	Consider DCLTA Rural Affordable Housing Project Final Report (June 20, 2013) recommendations	22-Oct-2013
Medical Marihuana	Review of LUB in consideration of the new Federal Marihuana for Medical Purposes Regulation (Staff Report dated April 28, 2014)	15-Jul-2014
Alternative Dispute Resolution	To be considered as part of the enforcement tool kit, possibly in cooperation with the Hornby Island Local Trust Committee	26-May-2015
Denman Village Plan	Undertake a Denman Downtown Village Neighbourhood Plan; the plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; and addressing of water and septic concerns.	26-May-2015
Secondary Suites Review	Review policies and regulations with respect to secondary suites and cottages	12-Jan-2016
Affordable, attainable and seniors housing	Review regulatory mechanisms for supporting affordable, attainable and seniors housing	19-Apr-2016



Projects

Denman Island

Description	Activity	R/Initiated
Travel trailers	LUB amendments and enforcement policies regarding the use of travel trailers	07-Mar-2017
Occasional use of accessory buildings	Amend LUB definition of the term occasional in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days per year regardless of who is staying there	07-Mar-2017



Islands Trust

Print Date: July 24, 2017

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2011.2	Day, Ella Planner: Teresa Rittermann	21-Mar-2011	For barn sited within DP #1: Komas Bluff
Planning Status			
Status Date: 19-Jul-2017 No change in status.			
Status Date: 18-Apr-2017 Waiting for applicant to take next steps working with Bylaw Enforcement team.			
Status Date: 29-Jul-2013 File passed on to Bylaw enforcement			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2011.1	Day, Ella Planner: Teresa Rittermann	13-May-2011	Barn on property line
Planning Status			
Status Date: 19-Jul-2017 No change in status.			
Status Date: 18-Apr-2017 Waiting for applicant to take next steps working with Bylaw Enforcement team.			
Status Date: 29-Jul-2013 no change; file passed on to bylaw enforcement			

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
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Applications

DE-SUP-2009.14 Day, Jean Ella 02-Nov-2009 2900 SWAN RD

One 26 foot high barn.

Planner: Teresa Ritemann

Planning Status

Status Date: 19-Jul-2017

No change in status.

Status Date: 30-Jun-2011

On hold until outcome of DP and DVP.

Status Date: 03-Mar-2011

New info submitted by applicant indicates bld sited on lot line; options provided to applicant

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2014.10	Stoneman, Daniel & Debra	29-Sep-2014	Residence, Garage, Chicken House, Beach Stairs, Woodshed

Planner: Rob Milne

Planning Status

Status Date: 03-Nov-2014

On hold pending confirmation of compliance with condnions of approval for DE-DP-2014.2

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.10	Formstate Design Inc.	16-Jun-2017	PID: 028-639-901 Civic Address: 4131 Pinecrest Road, Denman Island Constructing single family dwelling

Planner: Madeleine Koch

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.9	FRIESEN FAMILY CONSTRUCTION LTD	24-May-2017	PID: 003-105-083 Building single family dwelling with attached garage and workshop. CIVIC ADDRESS: 2370 East Road, Denman Island, BC

Planner: Ian Cox

Applications

Planning Status

Status Date:

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2015.1	De Villiers & Fraser, Etienne & Louise Planner: Teresa Rittemann	24-Dec-2014	2201 Tristone Road S.946 (2 lot subdivision)

Planning Status

Status Date: 19-Jul-2017

No change in status

Status Date: 26-Apr-2017

Revised Referral Report sent to MOTI. Waiting for PLA from MOTI, then Planner will work with applicant on Cost Recovery process to register S.514 covenant

Status Date: 18-Apr-2017

No change in status

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2016.1	MCKEACHIE, MORLEY Planner: Teresa Rittemann	01-Feb-2016	PID: 005-850-771 Proposed four lot Subdivision application

Planning Status

Status Date: 19-Jul-2017

No change in status.

Status Date: 21-Jun-2017

Revised referral report sent to MOTI

Status Date: 18-Apr-2017

No change in status.

File Number	Applicant Name	Date Received	Purpose
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**Applications**

DE-SUB-2016.2 Mason, Peter 28-Nov-2016 PIDs: 025-692-712 and 025-692-704. McFarlane Road, Denman Island. Lot line adjustment.

Planner: Linda Prowse

Planning Status

Status Date: 30-Jun-2017

PLA Received April 12, 2017
Islands Trust needs to provide final letter of approval once the final subdivision plan is received.

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2017.1	McElhanney Associates & Land Surveying	09-Jan-2017	PID: 005-850-011 Subdivide property into two lots for residential purposes. 5465 Lacon Road, Denman Island.
Planner: Linda Prowse			

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2017.2	PANDESIGN INC	08-Mar-2017	PID: 028-605-691. Two lot subdivision. Civic address: 2100 Crescent Road, Denman Island, BC.

Planner: Teresa Ritemann

Planning Status

Status Date: 17-Jul-2017

Applicant ready with final plan of subdivision but IT has not yet received copy of PLA from MOTI. Contacted applicant and MOTI for a copy of this for our records.

Status Date: 21-Jun-2017

Revised referral report sent to MOTI.

Status Date: 09-Jun-2017

Letter received from MOTI requesting a geotechnical assessment from applicant before a PLA or PLNA can be issued.

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending May 2017

615 Denman	Invoices posted to Month ending May 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	4,500.00	454.59	4,045.41
65210-615	LTC - Local Exp - APC Meeting Expenses	600.00	0.00	600.00
65220-615	LTC - Local Exp - Communications	500.00	125.00	375.00
65230-615	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>6,100.00</u>	<u>579.59</u>	<u>5,520.41</u>
Projects				
73001-615-2017	Denman OCP/LUB	1,500.00	378.10	1,121.90
73001-615-4011	Denman Agriculture Plan	3,500.00	0.00	3,500.00
73001-615-4062	Denman First Nations Relations	1,000.00	302.08	697.92
TOTAL Project Expenses		<u>6,000.00</u>	<u>680.18</u>	<u>5,319.82</u>

From: Marrie, Christopher [<mailto:Christopher.Marrie@dfo-mpo.gc.ca>]
Sent: Wednesday, June 21, 2017 2:30 PM
To: Denman Planner
Subject: beach clean up day(s) - September

Hi there. I work with DFO and we are currently working with the shellfish industry to rollout the first of a series (hopefully) “turn it in” day(s) for operators to properly dispose of their debris and any other debris they might come across on their beach clean-ups. 2nd week of September looks to be the first such time for this project. I am currently looking to see how we might get dump/tipping fees waived. We would like to have Denman Is. (location TBD) to be one of the areas that we target for this turn it in/clean up project. Likely we would have a dumpster or two or three placed for 2-3 days and monitored so only shellfish aquaculture/beach debris going in it, locked at night, etc. DFO will likely provide funding for the dumpsters being placed and taken away at set times by a company, but any way to save money would be great. Which landfill does Denman use? Below is what I sent to the CS waste management email. If I missed anything or there’s anything I should be considering, that would be great to know ☺ Thanks,

Chris

Chris Marrie

Vessel Coordinator/ Acting Senior Biologist- Shellfish
Aquaculture Management Division | Gestion de l'aquaculture
Fisheries Management | Direction des pêches
Fisheries and Oceans Canada | Pêches et Océans Canada
Campbell River B.C.
Christopher.Marrie@dfo-mpo.gc.ca
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Government of Canada | Gouvernement du Canada