



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: July 21, 2015
Location: Denman Seniors Hall
 1111 Northwest Rd, Denman Island, BC

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

Staff Present Rob Milne, Island Planner
 Vicky Bockman, Recorder

Others Present Approximately ten (10) members of the public – am
 Approximately five (5) members of the public – pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:30 am. She welcomed the public and introduced herself, Trustees, staff and recorder. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

Add:

14.2 Communications

14.3 Driving on the Foreshore

14.4 Advisory Planning Commission (APC) Membership

Move:

13.1 to after 14

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Graham Brazier provided input into the draft Strategic Plan, commenting that he does not agree with the 7.1 Activity “Begin preliminary investigations into the possibility of forming a Gulf Island Regional District” as he views this as outside of the Trust’s mandate to protect the Islands. He remarked that the hiring process for the Trust’s Chief Administrative Officer (CAO) provides an opportunity to review administrative structure in terms of the importance of First Nations relations and marine environment issues which he believes are under-represented in the current organization.

Liz Johnston advised that The Association for Denman Island Marine Stewards (ADIMS) has arranged a meeting with the Department of Fisheries and Oceans Canada (DFO) on July 28, 2015 to discuss the mapping project and marine concerns, and invited Trustees to attend that meeting.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated May 26, 2015 – for adoption

By general consent the Local Trust Committee meeting minutes of May 26, 2015 were adopted.

6.2 Section 26 Resolutions-without-meeting Report Dated July 9, 2015

Received for information.

6.3 Advisory Planning Commission Minutes - none

6.4 Marine Advisory Planning Commission Draft Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated July 9, 2015

Planner Milne presented the report and in response to a question that arose, he provided a summary of the outgoing letter regarding First Nations relations. Trustees discussed possible next steps to follow up on that action and Trustee Busheikin offered to assist in the effort.

DE-2015-042

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request Trustee Busheikin to visit the K'omoks First Nation office with an invitation to meet.

CARRIED

A Trustee suggested that it would be helpful to include the topic of bylaws in brackets in the Follow-up Action Report for clarity.

7.2 Phase 2 Local Trust Committee Input into Development of the Islands Trust Strategic Plan for 2014-2018

7.2.1 Memorandum dated June 30, 2015

Trustees discussed the continued input into the draft Strategic Plan with the following comments noted:

- a Trustee expressed frustration that an item submitted by the Local Trust Committee (LTC) as an Example of a Potential

Strategy was changed to an Example of Activity and the significance of the categories was debated;

- a Trustee expressed concern with the size of the Plan and after further reflection believes the objectives should focus on getting the work done; and
- Trustees acknowledged the importance of public input into the draft Plan.

DE-2015-043

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee respond to the invitation with regard to Strategic Plan input by requesting that the item “advocate to reduce negative impacts of shellfish aquaculture practices” be located in the column under Examples of Potential Strategies instead of the column relating to Examples of Activities.

CARRIED

The LTC deferred discussion of Attachment 3: identification of interests in addressing the topics identified as possible strategies for implementation this term.

By general consent continuation of agenda item 7.2.1 was moved to after item 12.

8. DELEGATIONS

The Association for Denman Island Marine Stewards

Edi Johnston, on behalf of ADIMS spoke on concerns regarding vehicles driving on beaches and the negative impact this has on the forage fish spawning habitat, providing a possible approach to manage the situation. She read a paper: “Delegation Notes for D.I. LTC meeting of July 21, 2015” which was distributed to the LTC. She asked the LTC to provide a letter of support to further the goal of restricting all but emergency vehicles from driving on Denman Island beaches, and to give consideration to creation of an appropriate bylaw if the existing bylaw is not capable of protecting the W1 Marine Conservation zones.

Trustees thanked ADIMS for their work on this topic and appreciated the presentations that the group organized for the World Oceans Week event. They indicated that the research provided with this delegation was useful and expressed an interest in the outcome of consultation with Comox Valley Regional District (CVRD) and the meeting with Ministry of Transportation and Infrastructure (MOTI) that ADIMS is currently seeking.

Trustees discussed the letter of support being requested. Trustee Critchley indicated his intention to attend the July 28th meeting with ADIMS and DFO and to report back to the LTC on that discussion. The Trustees indicated their preference to consider the requested letter of support after that meeting in order to include what might evolve from that discussion.

9. CORRESPONDENCE

Margie Gang commented that she submitted a letter to the LTC for inclusion on the agenda however as it had not been incorporated, she wished to speak to the issue. She expressed concern regarding sinking and derelict dock debris in Graham Lake which is a source of drinking water for many households.

Trustees considered the role of the LTC in this matter and possible actions to take.

DE-2015-044

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee send a letter to the Denman Island Residents Association's Graham Lake Dock Committee and Graham Lake Improvement District alerting them to issues with debris and derelict docks in the lake and asking if they are able to address this.

CARRIED

The LTC confirmed with Planner Milne that the letter will be reviewed by the Trustees before finalizing.

10. APPLICATIONS AND REFERRALS

10.1 DE-RZ-2015.1 (PANDESIGN, Hermanutz, Innes - 2100 Crescent Road)

10.1.1 Staff Report dated July, 2015 - to be distributed

Planner Milne presented the Staff Report addressing the outcomes of the formal referral of draft Bylaw Nos. 219 and 220 which proposes to facilitate the dedication of lands for a nature reserve and the transfer of density from those lands to a receiving parcel. He provided updates, noting that the Denman Island APC did support the application in its recent meeting to discuss the referral, and the Hornby Island LTC responded to the agency referral as "interests unaffected". He advised that the restrictive covenant is under preparation at this time and will be available for public review at the Public Hearing.

Trustees indicated their readiness to move forward with the amendment bylaws and public consultation.

DE-2015-045

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee confirm that it has read the Directives Only Policies and that it agrees that Bylaw Nos. 219 and 220 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2015-046

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 219, cited as “Denman Island Official Community Plan, 2008, Amendment No. 2, 2015”, be read a second time.

CARRIED

DE-2015-047

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 220, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2015”, be read a second time.

CARRIED

DE-2015-048

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee proceed to a Public Hearing for Bylaw Nos. 219 and 220 to be held prior to the regular meeting of the Local Trust Committee to be held on September 8, 2015 pending the completion of a draft of the required restrictive covenant for the “receiving” property available for public review.

CARRIED

Prior to the vote, Trustees discussed the Public Hearing start time to give consideration to constituents who may have daytime conflicts. They observed that in this case there have not been concerns brought forward to warrant conducting an evening hearing.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation

11.1.1 Staff Report dated June 25, 2015

Planner Milne outlined the Staff Report with a summary of the agency referral responses received at the time of this report. He provided an update, noting that the Hornby Island LTC responded to the referral as “interests unaffected”.

A Trustee proposed a small change to draft Bylaw No. 212 for clarity and Trustees considered that with this change they were ready to proceed to next steps with the project.

DE-2015-049

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee amend draft Bylaw No. 212, Schedule 1, page 2 by adding the following words under the heading “Measurement of RAR and Non-RAR Development Permit Areas”: “The Streams, Lakes and Wetlands Development Permit Area includes the following:”.

CARRIED

Trustees discussed scheduling options for the Public Hearing.

A Trustee requested a change in the formatting of draft Bylaw No. 123 for clarity: In 4.4.3 Guidelines, Guideline 4: Insert a space between subset v) and vi).

DE-2015-050

It was MOVED and SECONDED,

that Bylaw No. 212, cited as “Denman Island Official Community Plan No. 185, 2008, Amendment No. 2, 2015”, be considered for second reading.

CARRIED

DE-2015-051

It was MOVED and SECONDED,

that Bylaw No. 213, cited as “Denman Island Land Use Bylaw No. 186, 2008, Amendment No. 2, 2015”, be considered for second reading.

CARRIED

DE-2015-052

It was MOVED and SECONDED,

that a Public Hearing be scheduled for September 8, 2015 for the proposed bylaws.

CARRIED

11.2 Visitor Accommodation Review

11.2.1 Staff Report dated June 29, 2015

Planner Milne summarized the Staff Report to review the outcome of the public Open House and discuss the next steps in the Visitor Accommodation Review project. He noted that the community has demonstrated support for the proposed bylaw amendment. He suggested that given the focused nature of this proposal that the referrals for review and comment be limited to the BC Assessment Authority and the Vancouver Island Health Authority.

Trustees appreciated the straightforward approach to addressing the need identified in the community. They confirmed with Planner Milne that the LTC has the authority to regulate this use and hearing no concerns, indicated their readiness to move forward.

DE-2015-053

It was MOVED and SECONDED,

that Bylaw No. 216 being the Denman Island Land Use Bylaw 186, Amendment No. 1, 2015 be given first reading.

CARRIED

DE-2015-054

It was MOVED and SECONDED,

that Bylaw No. 216 being the Denman Island Land Use Bylaw 186, Amendment No. 1, 2015 be referred out for review and comment to the BC Assessment Authority and the Vancouver Island Health Authority.

CARRIED

12. BREAK

By general consent the meeting was recessed at 11:42 am and reconvened at 12:15 pm.

7.2 Phase 2 Local Trust Committee Input into Development of the Islands Trust Strategic Plan for 2014-2018 (Continued)

7.2.1 Memorandum dated June 30, 2015 (Continued)

Trustees continued their discussion of the Strategic Plan. They reviewed Attachment 3 to indicate the LTC's interest in addressing topics as possible strategies for implementation this term.

Following is a recap of the results of the review:

- Topic is on the LTC Work Program:
1.3, 1.6, 1.7, 2.1, 3.1, 5.2, 5.3, 6.1, 8.2, 9.3, 10.3;
- Topic May possibly be addressed by LTC this term:
4.1, 5.4, 6.2; and
- Not applicable:
4.2, 5.5, 5.6, 7.2.

DE-2015-055

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee forward Attachment 3 about Strategic Plan input to the Chief Administrative Officer, Linda Adams, for inclusion in Strategic Plan discussion for Trust Council.

CARRIED

13. REPORTS

13.2 Applications Report Dated July 9, 2015

Planner Milne reviewed the Applications Report. Trustees observed that as of May 21, 2015, DE-SUP-2015.2 for Denman Island Memorial Society appears to have been ready to issue the permit and close the file. Planner Milne noted that he did not have any updates to the information provided at this time.

13.3 Trustee and Local Expense Report Dated June, 2015

Trustees reviewed the expense report. In response to a Trustee's question, Planner Milne provided an explanation of possible expenditures contributing to LTC Meeting Expenses as of June and indicated that taking measures to reallocate categories of funds would not be generally necessary.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage

Planner Milne indicated that efforts will be made to include information regarding the two planned Public Hearings on the website to assist in the community's review of the material.

13.6 Chair's Report

Chair Morrison reported on Executive Committee activities that included discussion of the facilitated Strategic Planning session scheduled for the next Trust Council meeting and moving ahead with the CAO Hiring Committee business. She mentioned that there will be a four day Union of BC Municipalities convention in September.

13.7 Trustee Reports

Trustee Busheikin reported that she attended a Ferry Advisory Committee meeting and described some of the work being done by that group. She remarked that she attended an APC meeting held at the Old School and observed that the Old School building was not considered accessible to some with physical difficulties and could use improvement in that regard. She suggested that there might be grants available to address this concern. She noted that she has completed a Trustee Notebook article that asks for the public to provide input into the draft Strategic Plan and will be bringing drafts of the informational pamphlets she has been working on to the LTC for review.

Trustee Critchley reported on business conducted in several meetings that he has attended since the last LTC meeting including the Old School Committee, the CVRD Baynes Sound Plan, Trust Programs Committee, a community RCMP meeting, Trust Council, and the Visitor Accommodation Cooking Facilities Information Open House. He remarked that he held Trustee Office Hours and had a number of calls regarding concerns relating to possible noise and potential for fire resulting from a proposed festival which was voluntarily cancelled.

13.8 Electoral Area Director's Report - none

Trustees discussed maintaining the Electoral Area Director's Report standing agenda item and determined that it presents an opportunity for communication even if not utilized regularly.

13.9 Trust Fund Board Report - May, 2015

Chair Morrison provided an update on the Trust Fund Board's request to change the name to the Islands Trust Conservancy, reporting that the Assistant Deputy Minister with the Ministry of Community, Sport and Cultural Development who was supportive of the change is now leaving his post and there is concern that this may impact the initiative. She also provided an update on the Lasqueti Crown Land Acquisition project and noted that the Trust Fund Board is now working on input for the Strategic Plan.

By general consent agenda item 14.3 was moved to follow 13.9.

14.3 Driving on the Foreshore

Trustee Critchley proposed that the LTC consider an amending bylaw to make it explicit that driving on the foreshore is not permitted in various areas and provided the background for this matter. He presented a draft bylaw motion for LTC consideration and suggested that if the LTC supports the initiative that it be subsequently forwarded to staff and the Marine Advisory Planning Commission (MAPC) for review and comment. He outlined the differences between this approach and the previous effort by the LTC on this issue and supported going forward, recognized the need for the action, and observed that the Trust mandate to preserve and protect provides the justification to act.

Trustees considered the proposal.

DE-2015-056

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee forward the driving on the foreshore draft bylaw amendment to staff and to the Marine Advisory Planning Commission, inviting their comments on it.

CARRIED

Discussion ensued and the following points were considered:

- how this project might fit into the Top Priorities and available resources;
- strategies to manage costs that might arise as a result of the undertaking;
- timing and process relating to the proposal;
- jurisdictional issues would need to be addressed;
- the beach access review might have a bearing on the matter; and
- creating the bylaw would be a first step to initiate further discussion.

By general consent agenda item 14.1 was moved to follow item 13.1.2.

13.1 Work Program Reports

13.1.1 Top Priorities Report Dated July 9, 2015

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

13.1.2 Projects List Report Dated July 9, 2015

Trustees reviewed the Projects List and there were no changes to the projects or activities at this time. Trustees observed that the status of several items from 2011 are still identified as “on going” and asked if Planner Milne might look into the possibility of the identifying these in another, more descriptive manner to provide more clarity.

14.1 LTC Budget Requests for 2016-2017

14.1.1 Memorandum dated July 9, 2015

Planner Milne summarized the memorandum requesting budget submissions and provided an analysis of the status of Denman Island LTC priorities. He indicated the rationale for the preliminary project requests identified in the report.

Trustees discussed the project requests and considered alternative choices; however, there were no changes requested to the Preliminary LTC Project Budget Request at this time.

DE-2015-057

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve and forward the draft 2016-17 LTC Project Budget submission to Financial Planning Committee as presented.

CARRIED

14. NEW BUSINESS

By general consent agenda item 14.2 was removed from the agenda and will be considered in the *In Camera* meeting.

14.4 APC Membership

Trustee Busheikin observed that with five current APC members, there is an open position remaining and noted that it would be useful to appoint a sixth member to provide more flexibility in case of scheduling conflicts or other issues. She noted that the process allows the LTC to consider pending applications and Trustees indicated their desire to review these in today's *In Camera* meeting.

15. UPCOMING MEETINGS

15.1 **Next Regular Meeting Scheduled for Tuesday, September 8, 2015 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC**

The LTC confirmed that the next regular meeting is scheduled for September 8, 2015 at 10:30 am at the Denman Seniors Centre.

16. TOWN HALL

Edi Johnston asked if ADIMS can expect a letter of support as requested in the delegation presentation, suggested possible items to include in such a letter, and commented that it would be helpful to the Denman Island Residents Association's Marine Guardians Committee and ADIMS to have the letter to bring to the proposed CVRD and MOTI meetings.

Trustees remarked that the LTC expressed their preference earlier in the meeting to consider writing a letter of support subsequent to the MOTI meeting. They noted that the LTC's proposed creation of a bylaw addressing these concerns needs to be considered in the approach.

Edi Johnston noted that the LTC discussed a referral to the MAPC and commented that an orientation meeting would delay the review and asked if this is necessary, given that all the members are returning members.

Planner Milne responded that an orientation meeting would not be necessary in this case and that the MAPC could move forward based on today's LTC proceedings.

Liz Johnston thanked Trustee Critchley for bringing forward the proposed creation of a draft bylaw to address driving on the foreshore and the LTC for its consideration of the matter.

Shelley McKeachie observed that reference was made in the discussion of the bylaw regarding driving on the foreshore to Bylaw Enforcement's caution to not pass a bylaw unless it is enforceable. She countered this by noting that there are bylaws that are not enforced and that while there are many considerations for creating a bylaw, that enforcement caution might not be the best determination of whether or not to proceed.

17. CLOSED MEETING:**17.1 Motion to Close the Meeting****DE-2015-058****It was MOVED and SECONDED,**

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1)(d) for the purpose of Adoption of *In Camera* Meeting Minutes dated May 26, 2015, s.90(1)(g) and (i) for the purpose of litigation and receipt of advice that is subject to solicitor-client privilege, for appointment of APC members s.(a) and discussion regarding communications and contractors and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:37 pm.

17.2 Recall to Order

The meeting was reopened to the public at 2:14 pm.

17.3 Rise and Report

Chair Morrison reported that in the closed meeting the LTC adopted *In Camera* meeting minutes of May 26, 2015, requested that the Executive Committee communicate with the CAO regarding LTC communications, and appointed Margie Gang to the APC.

18. ADJOURNMENT

By general consent the meeting was adjourned at 2:14 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder