

**MINUTES OF THE DENMAN ISLAND LOCAL TRUST COMMITTEE
BUSINESS MEETING
HELD AT 10:30 AM ON TUESDAY, NOVEMBER 6, 2012
AT THE DENMAN SENIORS HALL
1111 NORTHWEST ROAD, DENMAN ISLAND, BC**

PRESENT:

Peter Luckham	Chair
Laura Busheikin	Local Trustee
David Graham	Local Trustee
Courtney Simpson	Acting Regional Planning Manager
Vicky Bockman	Recorder

There were sixteen (16) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:40 am. He welcomed the public and acknowledged that the meeting is being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus with the following amendments:

- Add item 10.5: Letter dated November 5, 2012 from Association for Denman Island Marine Stewards
- Add item 13.3: Late Rise and Report from Previous Meeting

Dan Stoneman submitted a late written submission requesting it be included on the agenda, however; Chair Luckham declined due to the lateness of the submission.

3. CHAIR'S REPORT

Chair Luckham reported that he recently attended a meeting of the Financial Planning Committee to begin the process of budget preparation for the next fiscal year and that there will be another meeting next week to continue the work. Chair Luckham announced, on behalf of the Trust Fund Board, that there is a new Nature Reserve on Denman Island that has been created by a section 99 subdivision, and expressed gratitude to Kal Holsti and Marilyn Wan for their donation which protects the section of Valens Brook that runs through the property.

4. TRUSTEES' REPORT

Trustee Graham expressed his appreciation to Trustee Busheikin who held most of the on island Trustee Office Hours since the last meeting. He reported that he did attend the Denman WORKS! visitor accommodation bylaw forum and found it to be an

interesting meeting. He indicated that he looks forward to carrying on the conversation with the broader community.

Trustee Busheikin commented that she enjoyed the on island Trustee Office Hours that she held during the last month. She noted that she also attended the visitor accommodation forum and found it to be informative. She reported that she attended a meeting initiated by the Comox Valley Regional District that included representatives from Denman and Hornby Islands and the RCMP to discuss police matters. She advised that the importance of communications between the RCMP and the Denman Island community was conveyed at that meeting. She noted that she was pleased to see advocacy letters from the Trust Council Chair regarding the proposed coal mine and aquaculture industry, topics of particular interest to Denman Islanders.

5. MINUTES

5.1 Local Trust Committee Meeting Minutes of October 2, 2012

The minutes were adopted by consensus as presented with the following amendments:

- Page 3, item 6.2, first line: replace “water” with “marine”
- Page 4, fourth paragraph, first bullet: replace “by a Trustee” with “by Trustee Busheikin”

5.2 Section 26 Resolutions Without Meeting Log dated October 29, 2012

The Section 26 Resolutions Without Meeting Log dated October 29, 2012 was reviewed.

5.3 Denman Island Advisory Planning Commission Minutes – None.

5.4 Denman Agriculture Plan Steering Committee Draft Minutes dated September 18, 2012

The draft minutes dated September 18, 2012 were received. Committee members thanked the Steering Committee members for the work that they have done.

5.5 Denman Island Marine Advisory Planning Commission Draft Minutes – None.

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated October 29, 2012

Acting Regional Planning Manager Simpson provided updates to the Follow-Up Action List dated September 20, 2012 and responded to questions.

6.2 *Association of Vancouver Island and Coastal Communities Aquaculture Working Group*

Acting Regional Planning Manager Simpson provided a verbal update on her participation as the Islands Trust representative in the Association of Vancouver Island and Coastal Communities Aquaculture Working Group. She reported that the group is in the preliminary stage of creating terms of reference. She advised that she will report back after the next meeting with more information on the scope of the work and the possibility of addressing management practices in the aquaculture industry through the work of this group.

It was suggested that it might be useful for this agenda item to be a standing item on future agendas so that regular updates can be provided.

7. APPLICATIONS AND PERMITS

7.1 *DE-DP-2012.1 (Comox Valley Regional District – Water Tanks in Bill Mee Park for Fire Fighting Purposes)*

7.1.1 *Memorandum dated October 26, 2012 regarding Sponsorship of Application Fee*

Acting Regional Planning Manager Simpson summarized the memorandum which outlines the request being made for Executive Committee sponsorship of the application fee for installation of two water tanks in Bill Mee Park for firefighting purposes.

Don Luckett, speaking on behalf of the Comox Valley Regional District and Denman Island Fire Rescue Department, thanked the Islands Trust and Trustee Graham for their consideration and timely action on the request. He confirmed that the applicant is the Comox Valley Regional District and clarified that the application fee submitted with the application has been taken from the Denman Island Fire Rescue Department budget.

DE-070-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request the Executive Committee to sponsor the Development Permit/Siting and Use Permit application fee for the Comox Valley Regional District to install two water tanks in Bill Mee Park for firefighting purposes.

CARRIED

7.1.2 *Staff Report dated October 26, 2012*

Acting Regional Planning Manager Simpson presented the staff report proposing the installation of two above ground water tanks for firefighting purposes at Bill Mee Community Recreation Park and Boat Ramp.

DE-071-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee issue the permit for DE-DP-2012.1 (Comox Valley Regional District).

CARRIED

Before the vote, Trustee Graham indicated that he supported the application after careful review of the information provided. He added that having these tanks for fire control on the south side of Denman Island is an important benefit for the island.

8. DELEGATIONS

Edina Johnston for Association for Denman Island Marine Stewards

Edina Johnston, on behalf of the Association for Denman Island Marine Stewards, spoke regarding the marine environment today. She expressed concern on issues including seaweed harvesting ventures; necessary improvement in aquaculture industry practices; expansion of the aquaculture industry in Baynes Sound; negative effect of seawalls and the absence of bylaws to prohibit them; the lack of action on the third Top Priority in the list; and advocacy limitations. She presented her notes for the record.

Liz Johnston, on behalf of the Association for Denman Island Marine Stewards, thanked the Local Trust Committee for the letter to the Comox Valley Regional District as resolved at the October 2, 2012 meeting, however, advised that she had requested the letter be sent to other agencies as well. She asked that the letter be sent to Fisheries and Oceans Canada, the Ministry of Environment and appropriate British Columbia ministries.

In response the following points were raised:

- the Ministry of Agriculture is issuing permits to harvest seaweed specific to a particular invasive species that has died and blown ashore;
- permits to harvest seaweed are not referred to Islands Trust or any local governments for comment, however, the pursuit of this objective might be considered for any future proposals;
- results of research currently being conducted on this topic at the University of Victoria might be useful in determining next steps for the future.

DE-072-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to ask the Ministry of Agriculture to include the Denman Island Local Trust Committee in any application for seaweed harvesting in the Denman Island Local Trust Committee area.

CARRIED

Acting Regional Planning Manager Simpson suggested that issues relating to seaweed harvesting and related effects of equipment and driving on the foreshore could become a part of the work on the Top Priorities List. She advised that funds are currently available and discussions are being conducted

to hire a consultant to assist with the priority item related to the impacts of aquaculture on the marine environment. Committee members determined that a second letter to other agencies similar to the one provided in response to the October 2, 2012 resolution would be warranted.

DE-073-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to write a letter or email to agencies that deal with shellfish aquaculture requesting that when engaging in planning and consultation they invite the Association of Denman Island Marine Stewards to participate.

CARRIED

9. TOWN HALL DISCUSSION

Simon Palmer – presented a paper describing Denman Housing Association, a recently formed not-for-profit organization with the purpose of providing affordable housing on Denman Island. He advised that seed funding is being sought through Canada Mortgage and Housing Corporation to assist with the project and asked for Local Trust Committee support in principal and an endorsement to forward with the funding application.

Dean Ellis – noted that the hazard mapping of Komas Bluffs was on the work agenda at one time and asked if it is still there.

Acting Regional Planning Manager Simpson responded that it is not currently on the Work Program and was taken off due to budget constraints.

Harlene Holm – expressed general support with the definition of dwelling unit, affordable housing in the Denman Community Land Trust Association draft bylaw, emphasizing that the 30% rate of income is critical to the definition. She expressed concern that if the “30% of tenant’s or purchaser’s income maximum monthly rental rate or purchase price” is unpegged it could have a significant, negative impact on people needing affordable housing.

Graham Brazier- spoke on behalf of Denman Opposes Coal. He disagreed with the position that the Islands Trust is taking regarding the seabed jurisdiction issue based on a confidential legal opinion. He stated that the Denman Opposes Coal submission to the Local Trust Committee and Trust Council presented legal precedents supporting the case for Islands Trust jurisdiction of the seabed. He considered the letter writing advocacy effort by the Trust Council to be inadequate and he opposed the decision to not gather baseline information on the seabed. He questioned whether the seabed jurisdiction issue had been fully understood at Trust Council.

Trustees responded that the seabed zoning issue as presented at Trust Council had been understood, and added that the Islands Trust does not have the resources or staff to undertake the scope of science-based sampling of the seabed that would be necessary to create an acceptable baseline study.

Edina Johnston – commented that the harvesting of the invasive species of seaweed collects non-invasive species as a byproduct of the process and remarked that all seaweeds are beneficial for the marine environment, providing insulation and protection for forage fish who spawn in that area all year around. She added that seaweed harvesting requires driving over soft beach areas where forage fish are spawning to get to the hard beaches.

By consensus the meeting was recessed at 11:49 am and reconvened at 12:09 pm.

By consensus the agenda was amended as follows:

- Add item 18: Closed Meeting
- Move item 13.3 to a new item 19: Rise and Report
- Renumber Adjournment to item 20

Committee members addressed the request for endorsement from the Denman Housing Association.

DE-074-2012 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee support the Denman Housing Association's application to the Canada Mortgage and Housing Corporation for seed funding to explore affordable housing options on Denman Island.

CARRIED

The Trustees noted for the record that the Denman Island Local Trust Committee's support in the previous motion is not an indication of approval of any future application.

DE-075-2012 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request Trustee Graham to write a letter to the Denman Housing Association regarding its support for affordable housing from the Chair.

CARRIED

10. CORRESPONDENCE

10.1 *Email dated October 17, 2012 from Edina Johnston regarding Marine Environment Issues*

The email from Edina Johnston dated October 17, 2012 was received.

10.2 *Petition from Hornby Denman Tourist Services Society regarding Support for Amendment of Bylaw 186 signed by Marion Cobb*

The petition signed by Marion Cobb was received.

Trustee Graham gave the petition from Hornby Denman Tourist Services Society, which includes 230 signatures, to staff and confirmed that it will be received on a future agenda.

- 10.3 *Petition from Hornby Denman Tourist Services Society regarding Support for Amendment of Bylaw 186 signed by Oliver Cobb*

The petition signed by Oliver Cobb was received.

- 10.4 *Email dated October 23, 2012 from Morley McKeachie regarding Bylaw 186*

This item was deferred until later in the agenda and was considered in conjunction with the discussion at item 12.1.

- 10.5 *Letter dated November 5, 2012 from Association for Denman Island Marine Stewards*

The letter from the Association for Denman Island Marine Stewards dated November 5, 2012 was received.

11. REPORTS

- 11.1 *Strategic Plan for Local Trust Committees*

Received for information.

- 11.2 *Work Program
Top Priorities Report and Projects Report dated October 29, 2012*

Acting Regional Planning Manager Simpson presented the Top Priorities report. She reported that it is likely that a consultant will be engaged to work on Top Priority No. 3 related to impacts of aquaculture on the marine environment, and confirmed that the Local Trust Committee can expect a preliminary report on that item at the January 22, 2013 meeting.

- 11.3 *Applications Log
Report dated October 29, 2012*

Acting Regional Planning Manager Simpson indicated that there were no updates to the Applications Log and responded to questions that arose.

Chair Luckham commented that Richard Bullock, Chair of the Agricultural Land Commission, will be at the Trust Council meeting in December on Salt Spring Island. He noted that Chair Bullock has expressed his desire to strengthen agriculture activities and to keep the land protected.

- 11.4 *Trustee and Local Expenses
Expenses posted to October 31, 2012*

The expenses posted to October 31, 2012 were received for information.

LOCAL TRUST COMMITTEE PROJECTS

12.1 *Denman Island Farm Plan*
Staff Report dated October 22, 2012

Acting Regional Planning Manager Simpson summarized the staff report which outlines changes to the draft Plan and provides recommendations for implementation steps. She explained that further edits to the Plan could be made, however funding would need to be released from the Local Trust Committee expense budget for that work.

Trustee Graham recognized the Steering Committee for the work done on the Farm Plan. He advised that he had small edits to recommend that do not change the substance of the report. Trustee Busheikin provided an update that affects the Vancouver Island Health Authority reference to funding on page 78 of the Plan.

DE-076-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee forward Trustee Graham's suggested edits to the Denman Island Farm Plan consultant for consideration and that funds be released from the Local Trust Committee expense budget accordingly to a maximum of \$200.00

CARRIED

It was noted that endorsement of the Plan after the changes have been completed can occur by Resolution Without Meeting.

Trustee Busheikin offered to announce the completion of the Farm Plan in a future Trustee Notebook article in the Flagstone and it was confirmed that this would be useful and not in conflict with the press release that will be written by staff.

Discussion followed on Farm Plan related items and included the following points:

- it was suggested that creation of a new Agriculture Advisory Planning Commission be deferred until the final version of the Farm Plan has been endorsed;
- the proposed Agriculture Advisory Planning Commission might be referred the work on reviewing the Official Community Plan and Land Use Bylaw to explore recommendations made in the Farm Plan;
- the proposed Agriculture Advisory Planning Commission and recommended Implementation Body might overlap in some manner;
- removing the Farm Plan from the No. 1 position in Top Priorities was considered.

DE-077-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee amend its Top Priorities List by removing item No. 1, Agriculture Plan.

CARRIED

Discussion followed on consideration of an addition to the Top Priorities List and it was noted that the lack of secure housing on Denman Island is a high priority. It was suggested that visitor accommodation, secondary cottages and suites, and issues of density are closely related and might be combined into one work item.

DE-078-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee:

- add “Review of Housing Policies E.1 with respect to secondary cottages and suites in residential designations” to the Top Priority List No. 3; and
- add in Activity column: “consider the potential use of secondary dwelling units for affordable, caregiver, special needs, elder housing and visitor accommodation.”

CARRIED

DE-079-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee move “Review of OCP section C3 with a view to addressing the impacts of shellfish farming on the natural marine environment and residential properties, and review of associated LUB regulations” to No. 1.

CARRIED

DE-080-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee removes the last two items on the Projects List.

CARRIED

The email dated October 23, 2012 from Morley McKeachie regarding Bylaw No. 186, included in the agenda as item 10.4, was discussed. The email requested the extension of the suspension of enforcement of the overnight stay provisions of Bylaw No.186.

Acting Regional Planning Manager Simpson and Trustees noted that visitor accommodation housing is now on the Top Priorities List and suggested that a resolution extending the expiration of the standing resolution might be considered.

DE-081-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee renew the Standing Resolution No. DE-041-2012 to be extended until December 31, 2013.

CARRIED

13. NEW BUSINESS

- 13.1 *Green Shores/ Integrated Watershed and Shoreline Mapping Workshops Memorandum dated October 22, 2012*

Acting Regional Planning Manager Simpson reported that funding is available to engage expert consultants for public outreach and education workshops using the completed shoreline mapping products, to increase awareness of shoreline issues and to determine an implementation strategy for each individual Local Trust Area. She requested input to gauge interest in participation, acknowledging that the short timeline might warrant support for the workshop if the deadline could be extended to February 28, 2013.

DE-082-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instructs staff to move forward in organizing a public education/consultation event through the Green Shores program in early 2013 if possible.

CARRIED

13.2 Denman WORKS! Forum on Visitor Accommodation Bylaws

13.2.1 Visitor Accommodation Bylaw Meeting Notes

Received for information.

13.2.2 Forum Notes

Received for information.

14. BYLAWS – None.

15. ISLANDS TRUST WEBSITE

15.1 Denman Page

The following change was requested to the website:

- Add a link to the Natural Drainage Area map

16. NEXT MEETING DATE

The next meeting of the Denman Island Local Trust Committee will take place on Tuesday, December 11, 2012 at 10:30 am at The Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC..

17. TOWN HALL DISCUSSION – time permitting

Simon Palmer – thanked the Local Trust Committee for providing the endorsement for the Denman Housing Association funding proposal and support in review of visitor accommodation and ancillary uses.

Liz Johnston – thanked the Local Trust Committee for its consideration of marine issues.

18. CLOSED MEETING

DE-083-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90(1) (f) law enforcement and (g) litigation; and that the recorder and staff attend the meeting.

CARRIED

Chair Luckham recessed the meeting at 1:18 pm to hold an in-camera meeting and reconvened in open meeting at 1:35 pm to rise and report.

19. RISE AND REPORT

The Denman Island Local Trust Committee reported on the following motion passed at the Denman Island Local Trust Committee meeting of April 3, 2012:

That the Denman Island Local Trust Committee resolve to authorize legal action against DANIEL J. STONEMAN and DEBRA M. STONEMAN, owners of property at 2600 Swan Road, Denman Island legally described as Lot A, Section 23, Denman Island, Nanaimo District, Plan VIP74719, to require them to conform to the Denman Island Land Use Bylaw No. 186 by either removing all structures in the setback from the sea and all structures that are in a development permit area without benefit of a permit or by acquiring a development permit and completing the conditions of the permit.

19. ADJOURNMENT

Chair Luckham adjourned the meeting at 1:37 pm.

Recorder

Chair