



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: November 20, 2018
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present: Sue Ellen Fast, Chair
 Laura Busheikin, Local Trustee
 David Critchley, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
 Miles Drew, Bylaw Enforcement Manager
 Vicky Bockman, Recorder

Others Present: Approximately eight (8) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 9:30 am.

2. APPROVAL OF AGENDA

The following additions were presented for consideration:

- 9.3 Committee Liaisons
- 9.4 Community/ Local Trust Committee (LTC) Forum

By general consent the agenda was adopted as amended.

3. TOWN HALL

Members of the public commented with the following noted:

- The cultural sharing event with members of K'ómoks First Nation, hosted by the LTC, was much appreciated;
- The proposed community forum to explore topics of interest with Trustees was supported;
- A representative of the Denman Community Land Trust Association provided an update on the progress of the project. He reported that the Agricultural Land Commission (ALC) has confirmed that the project portion of the land can be removed from the Agricultural Land Reserve (ALR) with the balance of the lot remaining for residential use.

By general consent TOWN HALL was continued after agenda item 9.2

4. MINUTES

4.1 Local Trust Committee Minutes dated October 9, 2018 - for adoption

By general consent the LTC minutes dated October 9, 2018 were adopted.

4.2 Section 26 Resolutions-Without-Meeting - none

4.3 Advisory Planning Commission Minutes - none**5. BUSINESS ARISING FROM MINUTES****5.1 Follow-up Action List dated November 15, 2018**

Regional Planning Manager Kjerulf reported that BC Ferries has been contacted regarding the location of the new electronic sign and has responded with a request for proposals. Trustees discussed potential alternative locations for the Islands Trust sign at the Buckley Bay terminal that would improve its visibility, and suggested that some changes to verbiage might be considered as well.

DE-2018-099**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee tasks Trustees Busheikin and Critchley to investigate and make recommendations as to new signage at the Buckley Bay ferry terminal, including location.

CARRIED

A Trustee enquired as to the status of the request for Executive Committee to carry out a Trust-wide project focused on the use of indigenous names for islands. Staff reported that this referral was delayed due to the election and should be considered by the Executive Committee on December 12.

5.2 Short Term Vacation Rental Proactive Enforcement - Staff Report

Bylaw Enforcement Manager Drew presented the Staff Report regarding unlawful short-term vacation rentals (STVRs) for LTC consideration. The following key points were noted:

- Reported on the results of the initial investigation and steps taken in response to the research.
- Suggested that the LTC might consider creating the framework to allow the use of Temporary Use Permits (TUPs) as a tool to permit lawful operations.

Trustees discussed options and the potential timeline to amend the TUP regulations to include the issuance of TUPs for the purpose of STVRs.

DE-2018-100**It was MOVED and SECONDED,**

That the Denman Island Local Trust Committee adopt the following standing resolution:

that the Denman Island Local Trust Committee direct Bylaw Enforcement to use the following priority in dealing with unlawful short-term vacation rentals (STVRs):

1. Unlawful STVRs that have been the subject of substantiated complaints;
2. Unlawful STVRs that are operated by persons who normally do not reside on Denman Island;
3. Unlawful STVRs operated by persons who do not reside on the same property as the STVR;
4. Unlawful STVRs operated by persons who reside on the same property as the STVR.

CARRIED

5.3 Letter of Understanding between Comox Valley Regional District (CVRD) - Denman Island and Hornby Island Local Trust Committees

Staff confirmed that a signed version of the Letter of Understanding is on file and that, while the respective Chief Administrative Officers are responsible for administering the agreement, Northern Office staff is actively involved in implementation of the agreement and coordination of meetings between the CVRD and local trust committees.

5.4 Response from Executive Committee Regarding Geoduck Advocacy Request

Chair Fast reported that at its recent convention, the Union of British Columbia Municipalities supported the Islands Trust's request that DFO conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and enforcement.

6. DELEGATIONS

6.1 Denman Residents Association Marine Guardians Committee

A representative of the Denman Residents Association Marine Guardians Committee presented a proposal to incorporate Denman Island beach walks into the Comox Valley Regional District (CVRD) Greenway Master Plan. She requested the support of the LTC to move this initiative forward. Her speaking notes: Denman Island Beaches – the "Missing Link" were submitted previously and are posted to the Islands Trust website October 9, 2018 meeting.

Trustees supported further exploration of this proposal that might include consideration of potential environmental, cultural and neighbourhood impacts, with possible community and First Nation consultation. They suggested that staff initiate a telephone call to CVRD staff to discuss these points.

DE-2018-101

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to liaise with the Comox Valley Regional District to discuss options and issues around the Denman Island Marine Guardians' proposal for a beach trail.

CARRIED

7. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

7.1 Email dated October 8, 2018 from C. Urquhart regarding Guest Accommodation

Received.

8. APPLICATIONS AND REFERRALS

8.1 DE-RZ-2018.1 (Denman Housing Association) - Staff Report

Trustee Busheikin declared a potential conflict of interest as she lives next to the site of the proposed project and left the meeting at 10:40 am.

Regional Planning Manager Kjerulf presented the Staff Report that addresses a rezoning application from Denman Housing Association (DHA) to reduce the density of a donor

parcel and increase the density of a receiver parcel from one dwelling to a maximum of twenty-five dwellings, twenty of which would be rent-controlled, affordable housing. She advised that the Staff Report recommends that the applicant submit further information regarding groundwater supply, sewage disposal and protection of environmentally sensitive areas on the subject properties.

Chair Fast opened the floor to the proponent to speak to the application.

Simon Palmer, speaking on behalf of DHA, reported that the approvals are needed by June, 2019 in accordance with conditions of the BC Housing grant to DHA.

Mr. Palmer urged the LTC to expedite his application and asked that the requested information pertaining to adequate groundwater supply, sewage disposal and protection of environmentally sensitive areas be limited to the project site and that covenants be placed on the donor and remainder properties to assure that the process will be carried out prior to development while not slowing the project.

Trustees discussed priorities and approaches that could expedite the proposal and provide possible alternative means of obtaining satisfactory information on the proposed remainder parcel.

DE-2018-102

It was MOVED and SECONDED,

1. that the Denman Island Local Trust Committee request that the applicant submit to the Islands Trust the following reports applicable to the proposed eight hectare affordable housing site on PID 006-657-290 prior to further consideration of application DE-RZ-2018.1 (Denman Housing Association):
 - a) Site plan, engineered drawings and an analysis of soil and site conditions, prepared by an Authorized Person, for the proposed community sewage system to service up to 20 residential units;
 - b) A hydrogeological assessment, completed by a Professional Engineer or Professional Geoscientist, which identifies the potential impacts to the quantity and quality of groundwater of the proposed development, and delineates an immediate catchment area for proposed wells; and
 - c) A biological inventory assessment report, completed by a Registered Professional Biologist, including: an inventory and classification of wildlife habitats, significant features and plant communities on the property; a study area map detailing the results of the study and recommendations for the retention, mitigation and compensation of significant features.

CARRIED

Trustees thanked staff for their work in bringing forward the informative and timely Staff Report on this application.

Trustee Busheikin returned to the meeting at 11:16 am.

8.2 Comox Valley Regional District (CVRD) Referral - Piercy Road Beach Access

Regional Planning Manager Kjerulf presented the Memorandum regarding a CVRD referral addressing the potential addition of the Piercy Road Beach Access to the CVRD Regional Parks Service.

DE-2018-103

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to notify the Comox Valley Regional District that it supports the inclusion of the Piercy Road Beach Access in the Regional Parks Service.

In speaking to the motion, Trustees observed that there are many policies that support this proposal and noted that the Denman Island Residents Association and the majority of the immediate neighbours are also supportive.

CARRIED

9. NEW BUSINESS

9.1 Notification of Federal Cannabis License Applications - Staff Report

Regional Planning Manager Kjerulf outlined the Staff Report that discusses LTC receipt of Notices of Intention to apply for a Federal Cannabis License and suggests the LTC consider drafting a Land Use Bylaw regulation to address cannabis land use regulations consistent with federal and provincial regulations.

She noted that the Staff Report recommends that a standing resolution be adopted should the LTC wish to receive notifications; and advised that the LTC may consider requesting that notices be included in public LTC agendas and if so, staff will consult with legal counsel to discuss this approach.

Trustees considered the options with the following noted:

- A preference was expressed for notices to be received in regular LTC business meetings and it was acknowledged that confirmation of this approach by legal counsel would be useful to the LTC.
- Strategies to address cannabis land use regulations might be considered with further discussion at agenda item 11.1.1 Top Priorities.

DE-2018-104

It was MOVED and SECONDED,

That the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust Committee regular meeting agenda package.

CARRIED

9.2 Local Trust Committee Meeting Schedule - 2019 Memorandum

DE-2018-105

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2019: February 7, March 7, April 4, June 6, July 4, October 3, and November 7 in the afternoons.

Trustees considered the need for a possible additional meeting in advance of February 7 and determined that such action could be requested by RWM if the need arises.

CARRIED

3. TOWN HALL (continued)

A member of the public commented with the following noted:

- Assistance to access the link to the bylaw standards was requested and the speaker was referred to staff for help.
- How will cannabis be addressed in the Farm Plan Implementation project?
 - A Trustee responded that the LTC is awaiting a report that will suggest next steps in the Farm Plan work and there will be opportunity for community input.
- Concern was expressed that discussion of medical cannabis application notifications in public meetings would compromise protection of privacy.

By general consent the meeting was recessed at 11:55 am and reconvened at 12:03 pm.

9.3 Committee Liaisons

Trustees discussed various liaison opportunities with interest expressed as follows:

- Trustee Busheikin: Denman Island Residents Association, monthly Flagstone articles;
- Trustee Critchley: Denman Island-Hornby Island Ferry Advisory Committee, Old School Committee, Shellfish Aquaculture Management Advisory Committee Environmental Working Group, Grapevine LTC meeting reports

DE-2018-106

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee accepts Trustee Busheikin's resignation from the Denman Island-Hornby Island Ferry Advisory Committee and appoints Trustee David Critchley as the new Islands Trust representative to the Denman Island-Hornby Island Ferry Advisory Committee.

CARRIED

9.4 Community/ Local Trust Committee (LTC) Forum

Trustee Busheikin proposed that an opportunity for community input on issues might be useful in the absence of a Trustee All-Candidates Forum in the recent election and suggested potential formats for such an event.

Discussion followed with other options suggested as possibilities. No action was taken at this time.

10. LOCAL TRUST COMMITTEE PROJECTS - none

11. REPORTS

11.1 Work Program Reports

11.1.1 Top Priorities Report dated November 15, 2018

Trustees discussed updating the Top Priorities list, reflecting that First Nation Relationship Building is an on-going process rather than a specific project and recognizing that there are currently affordable and seniors housing applications in process and the associated policy and regulatory review might be deferred.

DE-2018-107**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee requests staff to draft a Standing Resolution with respect to First Nation relationship building and opportunities for using indigenous place names where possible and that item No. 2 “Relationship building with K’ómoks First Nation” be removed.

CARRIED

Trustee Busheikin wished to thank everyone who participated in the cultural sharing event with members of K’ómoks First Nation held recently, and related that she has heard positive feedback from community members, staff and K’ómoks First Nation members.

DE-2018-108**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee remove item No. 3 “Facilitating Affordable-Attainable and Seniors Housing” from the Top Priorities list and place it on the Projects List.

Trustee Busheikin commented that public consultation of potential policy and regulatory review of this priority while the LTC is considering two major applications might complicate and slow down the process; and she confirmed that while the item is being removed from the Top Priorities list that there is much work being done on this area of focus.

CARRIED**DE-2018-109****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee add to its Top Priority list: “Cannabis Land Use Regulation”.

CARRIED**DE-2018-110****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee amend item No. 4 “Temporary Use Permits for Short-term Vacation Rentals” in its Top Priorities list to read: “Temporary Use Permits” and that the Activity be amended to add the words: “to support Temporary Use Permits for Short-term Vacation Rentals and other uses”.

CARRIED11.1.2 Projects List Report dated November 15, 2018

Received.

By general consent items 13, 13.1, 13.2 and 13.3 were moved to follow agenda item 11.1.2.

13. CLOSED MEETING**13.1 Motion to Close the Meeting**

DE-2018-111**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), ((f) and (j) for the purpose of considering Adoption of In-Camera Minutes dated October 9, 2018, Bylaw Enforcement, and Information protected under s.21 of the Freedom of Information and Protection of Privacy Act, and that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 12:29 pm.

13.2 Recall to Order

By general consent the LTC reconvened in open meeting at 12:37 pm.

13.3 Rise and Report

Chair Fast reported that in the Closed Meeting the LTC adopted minutes from the *In Camera* meeting of October 9, 2018.

11.2 Applications Report dated November 15, 2018

Received.

11.3 Trustee and Local Expense Report dated September, 2018

Received.

11.4 Adopted Policies and Standing Resolutions

Received.

11.5 Local Trust Committee Webpage

No changes were requested.

11.6 Chair's Report

Chair Fast reported that this is her first opportunity to Chair a Denman Island LTC meeting.

11.7 Trustee Reports

Trustee Critchley reported that he attended the following:

- Shellfish Aquaculture Management Advisory Committee Environmental Working Group
- Trust Programs Committee
- Denman Island and Hornby Island Ferry Advisory Committee
- Trust Council
- K'ómoks First Nation event
- Trustee Office Hours

Trustee Busheikin reported that she attended the following:

- K'ómoks First Nation event
- Local Planning Committee

- Denman Island and Hornby Island Ferry Advisory Committee
- Trust Council
- Denman Island Residents Association
- Trustee Office Hours
- A community information meeting on a potential new commercial venture that would require a zoning application

11.8 Electoral Area Director's Report - none

11.9 Trust Conservancy Report dated September, 2018

Received.

12. UPCOMING MEETINGS

12.1 Next Regular Meeting - TO BE DETERMINED

LTC members confirmed that the next regular meeting is scheduled for February 7, 2019 with location and time to be determined.

14. ADJOURNMENT

By general consent the meeting was adjourned at 12:40 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder