



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: September 7, 2021
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
 Sonja Zupanec, Island Planner
 Marnie Eggen, Island Planner
 Wil Cottingham, Administrative Assistant
 Katherine Vogt, Recorder

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 10:00 am. She introduced Trustees, staff and recorder, and acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- An addendum to the regular meeting agenda: 13.6 Trust Conservancy Report dated August 24, 2021.
- The addition of item 12.3 for discussion about the upcoming September 26, 2021 film screening of *Dust 'n Bones* regarding Covid concerns.

By general consent the agenda was approved as amended.

3. RISE AND REPORT - IN CAMERA MEETING JULY 6, 2021

Chair Fast reported that at the July 6, 2021 *In Camera* meeting, the Local Trust Committee (LTC) resolved by general consent to rise and report the following:

- The appointment of Edina Johnston, Anne de Cossen, Thomas Zawila, C. Urquhart, and George McRae to the Advisory Planning Commission.
- A standing resolution was adopted: That the LTC clarify that the reference to a 45-day limit for visitor accommodation means 45 days for one client and that otherwise there are no limits on how many days per year a visitor accommodation home occupation can operate; and that this temporary policy remain in place until this regulation is reviewed.
- Resolutions were adopted respecting First Nations: That the LTC request staff to provide a briefing and public speaking notes regarding ongoing work to protect cultural heritage sites on Denman Island; and that the LTC request staff to explore options for implementing the K'ómoks First Nation Cultural Heritage Policy on Denman Island.

- Adopted the minutes from the May 4, 2021 *In Camera* meeting.

4. REPORTS

4.1 Trustee Reports

Trustee Critchley provided a summary of activities and meetings attended:

- July Trust Council Special meeting at which the motion to give first reading to the Islands Trust Draft Policy Statement was defeated;
- A personal interview meeting with the Trust Council Select Committee-governance and management review in August;
- August Trust Programs Committee meeting at which discussion included the recent provincial government moratorium on dock building being imposed without Islands Trust input.

Trustee Busheikin provided a summary of activities and meetings attended:

- July Trust Council Special Meetings regarding the Islands Trust Draft Policy Statement;
- An August event on Hornby Island attended by the MLA for Mid Island-Pacific Rim and Minister of Municipal Affairs Josie Osborne to discuss and celebrate the recent funding announcement for fibre optic internet connectivity installations upcoming on Denman and Hornby Islands;
- Covid response electronic meetings on Denman Island;
- Financial Planning Committee Meetings for the upcoming budget cycle;
- Regional Planning Committee of Island Trustees at which the Planning Services Review was discussed;
- Presentation by Islands Trust Senior Freshwater Specialist William Shulba.

4.2 Chair's Report

Chair Fast provided a summary of activities and meetings attended:

- Chairing Hornby, Gambier and Keats Islands LTC meetings;
- Bowen Island meetings as a Municipal Councillor;
- Several Executive Committee meetings;
- Islands Trust Conservancy meetings;
- Upcoming Executive Committee meeting to prepare for the next Trust Council meeting;
- Upcoming Union of BC Municipalities electronic meetings.

4.3 Electoral Area Director's Report-None

5. TOWN HALL

There were no speakers.

6. DELEGATIONS - None

7. MINUTES

7.1 Local Trust Committee Minutes dated July 6, 2021- for adoption

It was noted that on page 5 of the minutes, third line of the last paragraph, the word “disbursed” should be corrected to “dispersed.”

By general consent the minutes dated July 6, 2021 were approved as amended.

7.2 Section 26 Resolutions-Without-Meeting - none

7.3 Advisory Planning Commission Minutes - none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated August 27, 2021

Trustees requested that Islands Trust Freshwater Specialist William Shulba attend the next LTC meeting to clarify water issues.

9. APPLICATIONS AND REFERRALS

9.1 DE-RZ-2017.1 (Denman Community Land Trust Association - DCLTA) - Staff Report for Decision

Planner Zupanec presented the Staff report addressing minor recommendation amendments to Denman Island Housing Agreement Bylaw No. 239, 2020.

DE-2021-063

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 239 cited as “Denman Island Housing Agreement Bylaw No. 239, 2020”, is amended as follows:

- a. Terms of Instrument, Part 2 be amended to replace the Denman Community Land Trust Association address from 3900 Lacon Road to 3771 East Road.
- b. Schedule B, Replace section 2. With the following text: “2. Only Seniors, that is, persons 65 years of age and over (to a maximum of 2 such persons) may apply for an Affordable Dwelling Unit. Seniors of all ethnicities and races including but not limited to all on-reserve and off-reserve, status and non-status, and self-identifying indigenous, Inuit and Metis people, as outlined in Calls for Justice #4.1 of the “Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls and 231 Calls for Justice” (June, 2019) may become “tenants” upon entering into a tenancy agreement.
- c. Schedule B, Section 9(i), 10(ii), add the words “Subject to Section 13 below” at the beginning of each subsection.
- d. Schedule B, add a new section 13. That reads: “The requirements of subsections 9(1), 10(i) and 10(ii) will be waived for indigenous elders who are seniors and whose ancestry relates to those First Nations having territorial claims to Denman Island.

CARRIED

DE-2021-064

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 239, cited as “Denman Island Housing Agreement Bylaw No. 239, 2020”, be read a second time as amended.

CARRIED

DE-2021-065

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 239, cited as “Denman Island Housing Agreement Bylaw No. 239, 2020”, be read a third time.

CARRIED

DE-2021-066

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 239, cited as “Denman Island Housing Agreement Bylaw No. 239, 2020”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

9.2 Islands Trust Area Bylaw No. TC 183 - Referral Request for Response

Chair Fast raised the issue of deferment of the October 22, 2021 referral response deadline at the upcoming Executive Committee meeting; and suggested the issue could also be raised at the upcoming Trust Council meeting. Discussion ensued and the following resolution was made to defer this item pending formal process.

DE-2021-067

It was MOVED and SECONDED

that the Denman Island Local Trust Committee postpone response to the Islands 2050 Islands Trust Area Bylaw No. TC 183 referral request until its next regular meeting.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Farming Regulation Review Project - Staff Report

Planner Eggen presented the staff report requesting the LTC to consider endorsing the newly revised Denman Island Farming Regulations Review Project Charter dated September 7, 2021, previously known as the Denman Farm Plan Implementation Project. Islands Trust was recently awarded a grant of \$18,000.00 as a 50% contribution towards the project, from the BC Investment Agriculture Foundation (IAF), and that August 1, 2022 is the deadline for draft bylaws to be completed according to the IAF funding agreement.

DE-2021-068

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that the Denman Island Farming Regulations Review Project Charter dated September 7, 2021 be amended to add, under “In Scope”, a third bullet: consideration of new Agricultural Land Commission options for secondary dwelling units.

CARRIED

DE-2021-069

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the Denman Island Farming Regulations Review Project Charter dated September 7, 2021, as amended.

CARRIED

11. CORRESPONDENCE-None

By general consent the meeting recessed at 11:20 and reconvened at 11:27.

12. NEW BUSINESS

12.1 Siting and Use Permit Bylaw Update - Staff Report

Regional Planning Manager Kauer presented the staff report that asks the LTC to consider passing Bylaw No. 240 cited as “Denman Island Local Trust Committee Siting and Use Permit Bylaw 240, 2021, to modernize the original 1990 bylaw and to add the requirement of professional site plans for all applications or just for specific situations such as setbacks from watercourses. Surveyor costs were estimated at, aside from travel costs, between \$380.00 to \$540.00. Historically, applicants have provided their own drawings.

DE-2021-070

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 240 cited as “Denman Island Local Trust Committee Siting and Use Permit Bylaw No. 240, 2021”, be read a first time.

CARRIED

DE-2021-071

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff post proposed Bylaw No. 240 cited as “Denman Island Local Trust Committee Siting and Use Permit Bylaw No. 240, 2021”, at first reading on the Islands Trust website and advertise a six-week comment period.

CARRIED

DE-2021-072

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that staff provide a report regarding the potential for waiving the Siting and Use Permit requirement for secondary dwellings as permitted by a Temporary Use Permit, except when those dwellings will be sited within one metre of any setback.

CARRIED

A trustee noted that it was a discretionary rather than an absolute requirement for an applicant to be requested to provide a SUP for a TUP.

12.2 Upcoming Meeting with Comox Valley Regional District for Discussion

It was noted that the meeting would be held on September 27, 2021

DE-2021-073

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee invite to its upcoming meeting with the Comox Valley Regional District, all members of the Electoral Area Services Committee and the Chair of the Comox Valley Regional District.

CARRIED

Trustees discussed drought, forest health, wildfire concerns and the Comox Valley Regional District summertime events bylaws as topics to bring up.

Chair Fast noted the emerging awareness that very large trees and older mature forests were protective in terms of mitigating forest fires.

12.3 Dust 'n Bones Film Screening Event at the Denman Island Community Hall on September 26, 2021

Trustees discussed the possibility of canceling the event given the complications of Covid protocols, new requirements for vaccine passports and rising Covid cases.

By general consent the meeting recessed at 12:23 and reconvened at 12:50.

13. REPORTS

13.1 Trust Conservancy Report dated July 13, 2021

Chair Fast presented the report 'Highlights of Islands Trust Conservancy July 13, 2021 Board Meeting (Open Portion)' noting the following:

- In the most recent edition of the quarterly Islands Trust Conservancy's Heron Newsletter available online or in hard copy, it was highlighted that \$47,000,000.00 worth of conserved property had been protected in the Salish Sea through Kick-start grants given to conservation partners.
- A new Species at Risk Program for the Trust area has recently been initiated and a coordinator hired through federal grant funding.

A trustee noted that the recent concerning heat dome event of late June could warrant further beach monitoring.

13.2 Applications Report dated August 27, 2021

Received.

13.3 Trustee and Local Expense Report dated June, 2021

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

Received.

13.6 Trust Conservancy Report dated August 24, 2021

Received.

14. WORK PROGRAM

14.1 Top Priorities Report dated August 27, 2021

Received.

14.2 Projects List Report dated August 27, 2021

Received.

15. INFORMATION ITEMS

15.1 Islands Trust Conservancy Newsletter - The Heron - Summer 2021

Received.

15.2 Trust Policy Statement - Islands 2050

[Trust Policy Statement](#)

Received.

15.3 September 2021 - Islands Trust Council Meeting Program

[Trust Council Quarterly Meeting - September 21, 2021](#)

Received.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

DE-2021-074

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) and (m) for the purpose of considering (d) adoption of In-Camera Meeting Minutes dated July 6, 2021 and (m) under another enactment, is such that the public may be excluded from the meeting and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:06 pm

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for Tuesday, November 2, 2021 at 10:30 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

18. ADJOURNMENT

By general consent the meeting was adjourned at 1:06 pm

Sue Ellen Fast, Chair

Certified Correct:

Katherine Vogt, Recorder