



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: April 9, 2024
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Members Present: David Maude, Chair
David Graham, Trustee
Sam Borthwick, Trustee

Staff Present: Narissa Chadwick, Island Planner (attended electronically)
William Shulba, Senior Freshwater Specialist (attended electronically)
Marlis McCargar, Island Planner
Vicky Bockman, Recorder

Others Present: There were approximately three (3) members of the public in attendance.

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 Maude called the meeting to order at 10:00 am. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations. He welcomed the public and introduced himself, Local Trustees, Staff and Recorder.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Graham reported that the Islands Trust 2024/25 budget was approved at Trust Council last month after much discussion and work to keep the impact on constituents as low as possible.

Trustee Borthwick reported on the following:

- He also attended the Trust Council meeting last month and noted that there were some good components achieved in the approved budget.

- He advised that the Ferry Advisory Committee has been suspended since last year by BC Ferries and, as the Trustee sitting on the Committee, he is frustrated that there is no forum to discuss the community's concerns and rising negative impacts related to ferry travel.

3.2 Chair's Report

Chair Maude reported on the following:

- He noted that the Islands Trust 2024/25 budget was approved after much discussion with a 5.9% increase in taxation, which he considered reasonable especially in comparison with other local governments, and given rising costs.
- He is involved with the committee working to hire a new Chief Administrative Officer; progress is being made.
- He has had meetings with government officials regarding the proposed National Marine Reserve, which Parks Canada has been working on establishing. Public consultation will be conducted and while the Reserve may not extend as far as Denman Island, there may be impacts.

3.3 Electoral Area Director's Report – none.

4. PUBLIC COMMENTS

- Last spring it was reported that the Federal government was offering a housing grant and that while the application deadline might be difficult to meet this year, it might be approached next year more successfully. What is the status of this opportunity?
 - An application was made to Canada Housing and Mortgage Corporation for the housing grant; however, it was not successful. Additional funding opportunities through that program have not been identified at this time.
- Objection was made to adding additional items to the Housing Review project at this point in the process. The Suitable Land Analysis, Water Availability Assessment and a Housing Action Plan were not supported as a part of this project, are out of scope, and would cause delay in the Housing Review.
- The total of residential densities remaining in the Density Bank reported in Standing Resolution DE-2020-022 are incorrect. When will this be corrected?
 - The total is correctly reported in Standing Resolution DE-2023-073; the original Standing Resolutions was not amended, but a new Standing Resolution was added with the correct information.
- What is the status of the Bylaw Enforcement Notification bylaw changes made last year?
 - The changes, limited to environmental concerns, Short-Term Vacation Rentals and Siting and Use infractions were approved by Executive Committee.
- Can Trustees explain why Denman residents were surprised by a Bylaw Officer on January 30th without notice? And what recourse is available to community members if the Bylaw Compliance and Enforcement rules are not followed?

- A Trustee responded that his initial understanding is that a complaint was received about machinery cutting trees in the lake area and that the Officer was attempting to discover on which property it occurred. Community members may speak to Local Trustees or to make an administrative fairness complaint regarding staff contact the CAO.
- Is a secondary suite considered a home-based guest accommodation or Short-Term Vacation Rental?
 - Secondary Suites are permitted in certain zones and information on regulations can be found in the Land Use Bylaw or by speaking to a Planner. There are specific regulations regarding home-based guest accommodations. For example, must be contained within a principal dwelling unit, limit on number of bedrooms and beds, length of stay, etc.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Minutes dated February 13, 2024 - for adoption

By general consent, the Local Trust Committee meeting minutes of February 13, 2024 were adopted.

6.2 Section 26 Resolutions-Without-Meeting Report - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 2, 2024

A Trustee requested an update on the status of the February 13, 2024 activity regarding coordination of an introduction meeting between the Local Trust Committee (LTC) and K'ómoks First Nation Chief and Council. Planner McCargar will follow up on this inquiry with Regional Planning Manager Jamurat, who is tasked with organizing the meeting.

7.2 Groundwater - Memorandum

Senior Freshwater Specialist Shulba presented the Memorandum that responded to a LTC request for the status of the Freshwater Sustainability Strategy (FWSS) with regards to the Denman Island Local Trust Area.

- He provided background on the development of the FWSS and related projects, identified focused work on Denman Island groundwater conditions (1970's) and water allocation (1994), and the Islands Trust Area Groundwater Recharge Potential Mapping project (2021).
- The project reports data will be available in the Islands Trust Freshwater Atlas.
- There are no planned Freshwater Sustainability Strategy projects specifically for Denman Island at this time.

- In fiscal year 2024/25, the Islands Trust Area Water Balance project will commence with Gabriola Island as the case study island, which will help, determine next steps and methodology.

Trustees continued the discussion with response from Senior Freshwater Specialist Shulba with the following noted:

- Water is of great importance to the Denman Island community and was a source of concern during the recent Farming Regulations Review.
- Trustees acknowledged the significant local knowledge of water on the island and asked how can that knowledge or existing mapping be utilized or how interfacing with the project can occur. Is there a simple methodology that could be shared with community groups to facilitate them being able to collect and report information in a useful way?
 - The next step would be for the Islands Trust to undertake a tailor-made Water Balance Assessment for Denman Island. A Water Balance Assessment could be funded before the LTC term concludes and would include consultation with the community. PDF maps of different projects that have been done on Denman Island can be requested.
- A Trustee noted that residents can contribute knowledge of their water usage, and community input on water issues can help inform LTC decisions.
- Observing the outcome and costs of the Gabriola Island Water Balance case study was considered as a next step to inform whether to advance a Denman Island Water Balance Assessment funding request.

8. APPLICATIONS AND REFERRALS - none

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Denman Housing Advisory Planning Commission Reporting - verbal update

There was no verbal update provided.

9.2 Major Project: Denman Housing Review Project - Staff Report

Planner Chadwick reported that staff is recommending the LTC schedule a Special Meeting in May to review next steps for the Housing Review project. She anticipated the focus would include discussion of a draft Housing Action Plan and consideration of options from the Housing Advisory Planning Commission's work and the February 20th LTC Special Meeting to inform the drafting of related bylaws.

Discussion included the following key points:

- A Special Meeting was supported with an expedited timeline requested.
- Some aspects of the proposed project amendments might be considered as a minor project, a process that would advance a piece of the work ahead of the major project.

DE-2024-024

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to schedule a Special Meeting as soon as possible via Zoom to review a draft Denman Island Housing Action Plan and process options related to the drafting of bylaws to support the Denman Island Housing Review project. **CARRIED**

- Funding for the next phase of the project has been approved.
- Engagement with K'ómoks First Nation has begun on a staff-to-staff basis. The Suitable Land Analysis tool would help inform protection of their cultural heritage sites.
- Trustees expressed frustration that their repeated request for an introductory meeting with K'ómoks First Nation, a community that is important to this process, has not moved forward. Staff will bring this issue to the attention of Regional Planning Manager Jamurat.

9.3 Local Trust Committee Project Prioritization - Staff Report

Planner McCargar summarized the Staff Report that asks the LTC to consider selection of a minor project for the 2024/25 fiscal year as the Farming Regulations Review project is in the final stages of completion. She outlined potential projects and provided rationale for recommending that review of the Temporary Use Permit regulations related to secondary dwelling units be identified as the minor project priority for the upcoming fiscal year.

DE-2024-025

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to remove the requirement for a Temporary Use Permit in Section 5, Area 2 of the Land Use Bylaw and in any Official Community Plan references. **CARRIED**

Trustees expressed their hope that this work can be expedited, given the limited scope and previously identified community support for removal of this requirement.

By general consent the meeting recessed at 11:55 am and reconvened at 12:15 pm.

10. CORRESPONDENCE

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

10.1 Email dated March 25 from H. Holm regarding Cross-Island Traffic

LTC members discussed options to continue to seek a solution to the cross-island traffic concerns on Denman Island. They acknowledged that Trust Council does not generally advocate for specific island issues and, as BC Ferries has not been responsive to the concerns and plans to increase capacity, they considered that advocating at a provincial Ministerial level might prove the most effective. Trustees offered to discuss this strategy with Hornby Island Trustees who might consider initiation of the correspondence with the Minister to demonstrate the extent of concerns, with invitation to the islands as an option. Trustees appreciated the email from H. Holm and will respond.

11. NEW BUSINESS**11.1 Intent for C2C Funding Application - verbal update**

Staff reported that the previously discussed C2C funding application is not proceeding at this time, as the deadline did not allow sufficient time to align the proposed activities with the program objectives; if there is another funding opportunity the LTC will be advised with more time to prepare.

12. STAFF REPORTS**12.1 Short-Term Vacation Rental Enforcement Policy Update - Staff Report**

LTC members supported the recommended Staff Report resolutions, noting that the action combines three adopted Standing Resolutions into one policy and provides a distinction between Short-Term Vacation Rentals and home-based guest accommodation uses for clarity.

DE-2024-026

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee rescind Standing Resolutions DE-2018-056, DE-2018-100, and DE-IC-2021.007.

CARRIED

DE-2024-027

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt the following policy as a Standing Resolution:

That the Denman Island Local Trust Committee direct staff to use the following policy in dealing with unlawful Short-Term Vacation Rentals (STVRs), or other forms of commercial vacation rentals:

1. There will be proactive monitoring, investigation, and reporting to the Local Trust Committee regarding Short-Term Vacation Rentals on Denman Island.

2. Bylaw Officers will prioritize the investigation of Short-Term Vacation Rentals in the following manner:
 - a) There are issues related to health and safety on the property;
 - b) There are written complaints regarding nuisance issues such as noise or parking congestion related to Short-Term Vacation Rental operation;
 - c) There are operations by persons who have not established a residential use on the same property as the Short-Term Vacation Rentals; and
 - d) Accessory buildings or structures are being used as part of a Short-Term Vacation Rental operation.
3. It is understood that home-based guest accommodation home occupations complying with section 2.4 of the Denman Island Land Use Bylaw No. 186 are not interpreted to be Short-Term Vacation Rentals, or commercial vacation rentals, and that those home-based guest accommodations may be operated year around.

CARRIED

Following up on earlier discussion, the LTC requested additional information as follows.

DE-2024-028

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request a written staff report regarding Bylaw Compliance and Enforcement staff visits on Denman Island on January 30, 2024 that is appropriate for public contemplation.

CARRIED

12.2 Trust Conservancy Report - none

12.3 Applications Report dated April 2, 2024

A Trustee requested a status report on DE-SUP-2022.2 given the length of time this file has been open. Planner McCargar will ask the Planner responsible for the file to follow-up on this request.

12.4 Trustee and Local Expense Report dated February, 2024

Received for information.

12.5 Adopted Policies and Standing Resolutions

Trustees acknowledge the need for clarity with Density Bank updated densities and suggested that a comment be added to Standing Resolution DE-2020-022 such as "see updated resolution DE-2023-073."

12.6 First Nations Relationship Building Update – none.

12.7 Local Trust Committee Webpage

There were no changes or additions requested.

13. WORK PROGRAM

13.1 Active Projects Report dated April 2, 2024

Planner McCargar will update the report based on the decision from this meeting to advance the Housing-Related Temporary Use Permit Review as a minor project.

13.2 Future Projects Report dated April 2, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, June 4, 2024 at 10:00 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

15. ADJOURNMENT

By general consent, the meeting was adjourned at 12:45 p.m.

David Maude, Chair

Certified Correct:

Vicky Bockman, Recorder