



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: August 13, 2024
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present: David Graham, Trustee
 Sam Borthwick, Trustee

Members Regrets: David Maude, Chair

Staff Present: Marlis McCargar, Island Planner
 Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 6 members and 1 member of the media in attendance.

1. CALL TO ORDER

By general consent, Trustee Graham will act as Chair of the August 13, 2024 meeting.

Acting Chair Graham called the meeting to order at 10:00 a.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Graham reported the following:

- Acknowledged recent site visit with members of K'omoks First Nation.

Trustee Borthwick reported the following:

- Attended Trust Council in July; and
- Honoured to be invited by members of K'omoks First Nation to accompany them for a site visit on culturally important lands.

3.2 Chair's Report - none

3.3 Electoral Area Director's Report - none

4. PUBLIC COMMENTS

- Member of the public asked if Islands Trust staff are equivalent to municipal government staff, why there are no public garbage cans, and if Islands Trust can put garbage cans in public places and take responsibility for emptying them.
 - Trustees replied Islands Trust is a land use authority and not the same as a municipality and garbage removal service is within the jurisdiction of the Comox Valley Regional District.
- Member of the public stated Sue Big Oil is a movement calling on local governments to fund a class action lawsuit against big oil companies by contributing \$1.00 per resident and asked Islands Trust to endorse the campaign and work with other local communities who have committed funds.
 - Trustees noted a delegation from Sue Big Oil presented at the July, 2024 Trust Council meeting and potential for participation is being discussed at Trust Council level.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Minutes dated June 4, 2024 - for adoption

By general consent, the Local Trust Committee meeting minutes of June 4, 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 August 2, 2024

Planner provided the following update:

- Bylaw Nos. 228 and 229 have been consolidated and will be uploaded to website;
- Received one expression of interest to join Advisory Planning Commission; and
- Additional development approval information for the Komax Ranch application has been received including water information for each of the building sites, early referral of the application to First Nations and the Comox Valley Regional District has commenced, and staff are in the process of researching Local Trust Committee options for shoreline and cultural heritage preservation.

DE-2024-055

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to suspend the solicitation of expression of interest for the Advisory Planning Commission until October, 2024.

CARRIED

8. APPLICATIONS AND REFERRALS

8.1 DE-RZ-2024.1 - Proof of Sewage Treatment Capacity for the Triple Rock Land Cooperative/CoHo Landing Rezoning - Verbal Discussion

Speaking on behalf of Triple Rock Land Cooperative, Laura Busheikin stated the Cooperative engaged a wastewater engineer who verified that adequate sewage treatment can be created on the site and she enquired if an email from the engineer is sufficient at this time.

Discussion ensued and Trustees noted the following:

- It was not a requirement to provide proof that a wastewater system could handle the sewerage of a secondary suite when the Local Trust Committee created the ability for property owners to build a suite within R2 (Rural Residential) zone;
- Email provided is a professional opinion that the site has the capability of handling additional sewerage from suites;
- Many of the Cooperative property owners may never build a secondary suite; and
- The intention was that sewerage capacity will be demonstrated as the builds are planned.

Planner noted the following:

- Application is part of a rezoning process which is different than an individual homeowner adding a suite;
- Triple Rock Land Cooperative is requesting nineteen units of additional density and, while all units might not be realized, the Local Trust Committee may want to consider the implications of creating a zone that cannot be implemented if the land is unsuitable for septic systems;
- If septic systems are not feasible, owners may face substantial unexpected costs for alternative systems which could affect the viability of the project;
- The Local Trust Committee could consider requiring proof of septic capability at the time of build and this could be built in to the zoning requirement; and
- Once the zone has been drafted, it will come back to the Local Trust Committee and there will be opportunity to review conditions of use and wording for the specific zone and make amendments at that time.

DE-2024-056

It was MOVED and SECONDED

that the Denman Island Local Trust Committee is satisfied with the requirements set forth in DE-2024-049 for the applicant for DE-RZ-2024.1 (Triple Rock Land Cooperative) to submit confirmation from a qualified professional the subject property has adequate conditions to support wastewater systems is sufficient for now and that the Local Trust Committee will request more comprehensive wastewater treatment information prior to construction.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minor Project: Housing Related Temporary Use Permits Review - Staff Report

Planner summarized the Staff Report and highlighted the following:

- Draft bylaws are to remove the requirement of a Temporary Use Permit for secondary dwellings on lands zoned R2 (Rural Residential), A (Agriculture), F (Forestry) and RE (Resource);
- Currently 37 properties in the specified zones;
- Reports from Vancouver Island University and Housing Advisory Planning Commission, as well as community input recommended removing Temporary Use Permit requirement for secondary dwellings; and
- Bylaw also proposed removal of the density bank as it is administratively complex, requires careful tracking and regulation, and has become obsolete.

Trustees had no questions for the Planner and noted that the removal of the density bank and removal of the requirement for a Temporary Use Permit for secondary dwellings allows for the creation of more housing.

DE-2024-057

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024,” be read a first time.

CARRIED

DE-2024-058

It was MOVED and SECONDED

That the Denman Island Local Trust Committee Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024,” be read a first time.

CARRIED

DE-2024-059

It was MOVED and SECONDED

that the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 248, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024,” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2024-060

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to refer Bylaw No. 248 and Bylaw No. 249 to the following agencies and First Nations for comment: Cowichan Tribes, Halalt First Nation, Da'naxda'xw/Awaetlala First Nation, Qualicum First Nation, Lyackson First Nation, Penelakut Tribe, Snuneymuxw First Nation, Snaw'Naw'As Nation, Stz'uminus First Nation, Te'Mexw Treaty

Association, Tsu'uubaa-asatx First Nation, Tlowitsis First Nation, Homalco First Nation (Xwemalhkwu), Tla'amin Nation, Nanwakolas Council, Wei Wai Kum Nation, We Wai Kai Nation, Mamalilikulla First Nation, K'omoks First Nation, Comox Valley Regional District, School District #71 (Comox Valley), Hornby Island Local Trust Committee, Denman Island Fire Department, and Ministry of Municipal Affairs and Housing.

CARRIED

DE-2024-061

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw Nos. 248 (OCP) and 249 (LUB).

CARRIED

9.2 Major Project: Denman Housing Review Project - Stage 2 – Memorandum

Planner noted that work was being done and draft bylaws would be coming forward for consideration by the Local Trust Committee in late fall.

Trustees reaffirmed commitment to have the project move forward in a timely manner and get draft bylaws to the public for debate and discussion.

10. CORRESPONDENCE

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

10.1 Email dated July 28, 2024 from S. Griffin regarding Denman Island Heritage Designation Bylaw Proposal

Planner noted that the following options were available for consideration:

- Denman Island Community Heritage Register provides heritage recognition but does not constitute formal protection and the property might be eligible for inclusion on the Register; and
- A Heritage Designation Bylaw would provide long-term protection ensuring property preservation and would include registration with BC Government Heritage Branch, and if the Local Trust Committee were interested in this option, it would be considered a minor project.

Discussion ensued and Trustees indicated the building has significant colonial history and while they would consider adding the property to the Denman Island Community Heritage Register, they are not interested in adding a Heritage Designation Bylaw to the minor projects list.

Staff indicated they will send information on how to nominate the building to the Denman Island Heritage Register to the letter writer.

11. NEW BUSINESS - none

12. STAFF REPORTS

12.1 Trust Conservancy Report - none

12.2 Applications Report - none

12.3 Trustee and Local Expense Report dated June, 2024

Received for information.

12.4 Adopted Policies and Standing Resolutions

Trustees noted that Standing Resolution No. 10 DE-2023-080 has been brought forward into the Bylaw Enforcement Policy and is no longer required as a Standing Resolution.

DE-2024-062

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to remove Standing Resolution No. 10 DE-2023-080 from the Denman Island Local Trust Committee Policies and Standing Resolutions.

CARRIED

12.5 First Nations Relationship Building Update – none

12.6 Local Trust Committee Webpage

No updates at this time.

13. WORK PROGRAM

13.1 Active Projects Report dated August 2, 2024

Received for information.

13.2 Future Projects Report dated August 2, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, October 8, 2024 at 10:00 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

The meeting was recessed for a break at 11:40 a.m. and reconvened at 12:30 p.m.

15. CLOSED MEETING

15.1 Motion to Close the Meeting

DE-2024-063

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)(b)&(f) for the purpose of considering:

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

and that the Recorder and Staff attend the meeting.

CARRIED

The meeting was recessed at 12:32 p.m.

15.2 Recall to Order

The meeting was recalled to order at 1:21 p.m.

16. ADJOURNMENT

By general consent, the meeting was adjourned at 1:22 p.m.

David Graham, Acting Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder