



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: October 8, 2024
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

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

Staff Present: Renée Jamurat, Regional Planning Manager (electronic)
Marlis McCargar, Island Planner
Narissa Chadwick, Island Planner (electronic)
Margot Thomaidis, Planner 2 (electronic)
Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately four members of the public in attendance.

1. CALL TO ORDER

Chair Maude 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 attendance at recent Committee of the Whole meeting to discuss amendments to the draft Policy Statement.

Trustee Borthwick reported attendance at Trust Council.

3.2 Chair's Report

Chair Maude reported the following:

- Attended Trust Council and noted letter being sent to the Province requesting a governance review;
- Attended Union of BC Municipalities conference; and
- Chief Administrative Officer Hiring Committee will be announcing decision soon.

3.3 Electoral Area Director's Report - none

4. PUBLIC COMMENTS

A member of the public, representing the community housing society, noted support received to advance their housing project to the Comox Regional District.

5. MINUTES

5.1 Local Trust Committee Minutes dated August 13, 2024 - for adoption

The following amendments were presented for consideration:

Page 2 of the minutes, second bullet point in Public Comments section, change “July, 2024” to “June, 2024”.

By general consent, the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting Report dated October 1, 2024

Received for information.

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated October 1, 2024

Planner noted call for expressions of interest to join the Advisory Planning Commission had been sent out again.

7. DELEGATIONS - none

8. APPLICATIONS AND REFERRALS

8.1 DE-RZ-2024.1 (Triple Rock Land Co-op) - Staff Report

Planner stated the application was to amend the Land Use Bylaw to allow for additional density by increasing the number of units on the subject property and to permit secondary suites in all units.

Discussion ensued and it was clarified that when a suite is built, the property owner is required to submit a ‘septic filing’ from a Registered Onsite Wastewater Practitioner (ROWP) or a Professional Engineer prior to construction. Island Health is responsible for the approval and oversight of onsite sewage disposal systems on Denman Island and plays a regulatory role in ensuring septic systems are designed, installed, and maintained according to the Sewerage System Regulation.

It was noted that the applicant was in attendance.

DE-2024-064

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw draft No. 250, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2024”, be amended to add “Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 3 – Density of Uses, Buildings and Structures is amended by replacing the number “15” with the number “19” after Section 1.4 in Schedule 1.

CARRIED

DE-2024-065

It was MOVED and SECONDED

that Denman Island Local Trust Committee Bylaw No. 250 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2024” be read a first time.

CARRIED

DE-2024-066

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. 250, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2024”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2024-067

It was MOVED and SECONDED

that Proposed Bylaw No. 250 be referred to the following First Nations, Local Governments and agencies for comment: Cowichan Tribes, Halalt First Nation, Da'naxda'xw/Awaetlala First Nation, Qualicum First Nation, Tla'amin Nation, Nanwakolas Council, Wei Wai Kum Nation, We Wai Kai 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), Mamalilikulla First Nation, K'ómoks First Nation, Comox Valley Regional District, School District #71 (Comox Valley), Hornby Island Local Trust Committee, Denman Fire Department, and Island Health.

CARRIED

8.2 DE-RZ-2023.1 (Komas Ranch) - Staff Verbal Update

The Planner provided a verbal update and highlighted the following:

- Early referrals had gone out;
- Engagement with K'ómoks First Nation is ongoing;
- Staff are planning to meet with archeology staff to discuss terms of reference for specific requirements of preliminary field reconnaissance;
- Water and septic information has been provided by owners and applicants;
- Owners are exploring Natural Area Protection Tax Exemption Program (NAPTEC) covenant options;
- Staff are working on draft information package regarding possibility of a heritage conservation area and an information package for development permit for potential shoreline protection options; and
- Official Community Plan and Land Use Bylaws are being drafted.

Discussion ensued and Trustees requested staff follow up on the following points:

- Confirm accessory dwelling units have complied with the 400 square foot allowance provided in the original land contract with the regional district; and

- Confirm that a cultural heritage investigation permit (CHIP) is not required as per applicant's assertion that it is not necessary because new construction is not being undertaken.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minor Project: Housing Related Temporary Use Permit Review - Verbal Update

The Planner provided a verbal update and indicated that referrals had been sent out.

Trustees requested a community information meeting and public hearing be scheduled at the same time as the regularly scheduled business meeting in December, 2024.

9.2 Major Project: Denman Housing Project Update - Staff Report

The Planner provided a verbal update and highlighted the following:

- Project charter timelines have been updated for target completion within the current term; and
- Budget has been changed to reflect recommendation to provide K'ómoks First Nation with additional funds for continued engagement.

Discussion ensued and the following comments and clarifications were noted:

- Higher budget amount allocated for First Nations engagement has allowed K'ómoks First Nation to have their archaeologist explore and document heritage sites on the island; hire a biologist to work with cultural knowledge holders to document information, and create a baseline of foundational information for Islands Trust staff to better understand how to effectively engage with First Nations;
- Map has been provided by K'ómoks First Nation showing four areas of particular interest, additional areas may be identified, and staff can put this information into the framework of suitable land analysis components to indicate areas that are better, or less, suited for potential increased density or areas for exclusion;
- The Land Use Bylaw will be reformatted to improve readability, facilitate ease of amendments, ensure consistency with other documents, simplify zoning language, and incorporate cross-referencing for effective presentation at the community information meeting and public hearing; Working towards improving housing language definitions to encourage consistency between Islands Trust and provincial definitions;
- Staff to look into the benefits of permitting dwelling units in institutional zone as examples of funding becoming available since not having zoning in place has resulted in lost funding opportunities in the past;
- Regulations have been proposed to ensure vacation rentals are attached to a bed and breakfast operation to address bylaw enforcement issues and for clarity; however, it was noted that the Local Trust Committee should engage with community members to ensure that currently accepted practices are not inadvertently curtailed;
- Staff have provided bylaw examples of permissible alternative types of dwelling units and Trustees noted that as long as septic is dealt with appropriately then most alternative units would be acceptable;
- Bylaws should reflect that domestic water supply can be derived from cisterns;

- Secondary suite permissions can be expanded where there are existing water systems;
- Local Trust Committee would like to allow both secondary suites and accessory dwelling units on a property;
- Staff can have conversations with water suppliers to determine if a suite or an accessory dwelling unit could be served by a cistern;
- Siting and use permits would not be issued for new builds unless a cistern is installed;
- Clarity is required around allowance for cistern only versus water system or community water system;
- Local Trust Committee agrees with 18000 litres (5000 gallons) water storage requirement;
- Preferred choice to determine floor area maximum is the total combined floor area of all dwelling units versus lot coverage allowance; and
- Local Trust Committee encourages flexible housing options and opportunity to have them on larger lots.

Staff noted that the Local Trust Committee requested staff explore domestic water requirements.

DE-2024-068

It was MOVED and SECONDED

that the Denman Island Local Trust Committee approve the revised Denman Island Housing Review Project (Stage 2, Phase 2) Project Charter.

CARRIED

DE-2024-069

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff provide the K'ómoks First Nations with an additional \$5,000 out of the existing project budget (2024-25) to support continued engagement on this project.

CARRIED

DE-2024-070

It was MOVED and SECONDED

that the Denman Island Local Trust Committee approve the next steps for completing Denman Island Housing Review Project (Stage 2, Phase 2A).

CARRIED

The meeting was recessed for a break at 12:20 p.m. and reconvened 12:55 p.m.

10. CORRESPONDENCE - none

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

11. NEW BUSINESS

11.1 K'ómoks First Nations Presentation on Cultural Heritage Investigation Permits (CHIPs)

K'ómoks First Nation Archaeologist and Project Coordinator, Raini Bevilacqua, provided a presentation and highlighted the following:

- Cultural Heritage Investigation Permits (CHIPs) are a reconciliation tool;
- Impacts to K'ómoks First Nation cultural heritage can be managed and mitigated through CHIP system;
- Archaeology sites on public and private land are protected under the Heritage Conservation Act;
- Archaeology Branch only requires permits within registered and known site boundary;
- Archaeology sites are kept confidential in BC, resulting in a lack of awareness of registered sites on properties which creates potential for site destruction;
- CHIP allows K'ómoks First Nation to make informed decisions about irreversible impacts to their cultural heritage;
- CHIP required before project begins, within areas of high archeology potential or registered sites, and within 200 metres of registered arch sites and major waterbodies; and
- K'ómoks First Nation works with municipal, provincial, and federal agencies to streamline the process from permitting to protection.

Trustees thanked the presenter and had no further questions.

11.2 Dark Sky Principles Adoption Advocacy – Briefing

Received for information.

12. STAFF REPORTS

12.1 Trust Conservancy Report - none

12.2 Applications Report - none

12.3 Trustee and Local Expense Report dated July, 2024

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 First Nations Relationship Building Update

12.5.1 Interest in Meeting with K'ómoks First Nations Chief and Council - Verbal Update

Regional Planning Manager Jamurat provided a verbal update.

DE-2024-071

It was MOVED and SECONDED

that Denman Island Local Trust Committee request staff to coordinate an update meeting between the Local Trust Committee and K'ómoks First Nation Chief and Council and that the Denman Island Local Trust Committee use up to \$1000 for arrangements to host a meeting if so desired.

CARRIED

12.6 Local Trust Committee Webpage

No changes at this time.

13. WORK PROGRAM

13.1 Active Projects Report dated October 1, 2024

Received for information.

13.2 Future Projects Report dated October 1, 2024

Received for information.

14. UPCOMING MEETINGS

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

15. CLOSED MEETING

15.1 Motion to Close the Meeting

DE-2024-072

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)(f)(g) for the purpose of considering:

- (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;
- (g) litigation or potential litigation affecting the municipality;

and that the Recorder and Staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:42 p.m.

15.2 Recall to Order

The meeting was recalled to order at 2:10 p.m.

15.3 Rise and Report - none

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:11 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder