



## Denman Island Local Trust Committee Minutes of Regular Meeting

**Date:** September 27, 2022  
**Location:** Denman Activity Centre  
 1111 Northwest Rd, Denman Island, BC

**Members Present:** Laura Busheikin, Alternate Chair  
 David Critchley, Local Trustee

**Regrets:** Sue Ellen Fast, Chair

**Staff Present:** Sonja Zupanec, Island Planner  
 Marlis McCargar, Island Planner  
 Vicky Bockman, Recorder

**Also Present:** Approximately three (3) 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."*

Alternate Chair Busheikin called the meeting to order at 10:00 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, in particular the K'ómoks and other First Nations.

### 2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

- Remove 5.1 Delegation;
- Remove 6, 6.1 and 6.2 Closed Meeting;
- Move 7.0 Town Hall to after 9.4;
- Add 11.2 Denman Housing Review Project – Verbal Update;
- Remove item 18.2 Recall to Order.

**By general consent** the agenda was approved as amended.

### 3. RISE AND REPORT

#### 3.1 In-Camera Meeting of November 2, 2021 Minutes Adopted

Alternate Chair Busheikin reported that the In-Camera meeting minutes of November 2, 2021 were adopted at the July 19, 2022 closed meeting.

### 4. REPORTS

#### 4.1 Trustee Reports

Trustee Critchley provided a summary of meetings attended:

- Trust Programs Committee where the Trust Policy Statement was discussed;
- Ferry Advisory Committee informal session discussing potential changes to improve ferry schedule and capacity;
- Meeting with MLA Josie Osborne to discuss ferry issues;
- Baynes Sound Lambert Channel Ecosystem Forum where discussions included planning for a December meeting, Baynes Sound pollution and the herring fleet;
- Trust Council;
- Comox Valley Regional District (CVRD) annual meeting to discuss issues of mutual interest;
- Communicating with constituents.

Alternate Chair Busheikin provided a summary of meetings attended:

- CVRD annual meeting to discuss issues of mutual interest;
- Met with CVRD Area A Director Arbour; discussion included housing service for Denman/Hornby Islands and possible septic system regulations;
- Chaired a Regional Planning Committee meeting with a working group focusing on housing advocacy, funding request to Province for programming, and reshaping Planning Services delivery to bring more efficiency and clarity to the process;
- Financial Planning Committee with discussion including early budget work;
- Trust Council;
- Will attend an online presentation from K'ómoks First Nation regarding treaty process;
- Communicating with constituents on a variety of issues.

**4.2 Chair's Report - none**

**4.3 Electoral Area Director's Report - none**

**5. DELEGATIONS - none**

**6. CLOSED MEETING - none**

**8. MINUTES**

**8.1 Local Trust Committee Minutes dated July 19, 2022- for adoption**

The following change was presented for consideration:

- Page 6, DE-2022-080, fourth line: change “measure” to “measures”.

**By general consent** the minutes were adopted as amended.

**8.2 Local Trust Committee Special Meeting Minutes dated July 27, 2022 - for adoption**

**By general consent** the minutes were adopted.

**8.3 Section 26 Resolutions-Without-Meeting - none**

**9. BUSINESS ARISING FROM MINUTES**

**9.1 Follow-up Action List dated September 19, 2022**

Local Trust Committee (LTC) members requested the following changes to the List:

- Remove Sep 8, 2020 activity regarding DE-SUP-2020.3 from the Action List and place a note in the Application Report;
- Remove Nov 2, 2021 Activity regarding BL TC 183 as it will be re-referred to LTCs upon completion of the formal consultation process.

## 9.2 Electronic Meeting Data and Options - Memorandum

LTC members considered the information and options presented in the Memorandum created in response to a request for information on cost savings on hybrid and digital meetings.

### DE-2022-094

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee defer the memorandum “Electronic Meetings and Staff Time” dated September 27, 2022 to the next regular Local Trust Committee meeting with the recommendation that the Local Trust Committee consider alternating between in-person and fully remote meetings until better internet options are available.

**CARRIED**

### DE-2022-095

**It was MOVED and SECONDED,**

that the memorandum from Regional Planning Manager Kauer “Electronic Meetings and Staff Time” dated September 27, 2022 be referred to the Trust Council Financial Planning Committee for information.

**CARRIED**

### DE-2022-096

**It was MOVED and SECONDED,**

that the memorandum from Regional Planning Manager Kauer “Electronic Meetings and Staff Time” dated September 27, 2022 be referred to the Regional Planning Committee for information.

**CARRIED**

## 9.3 Model Cell Tower Strategy - Staff Report

Planner Zupanec presented an overview of the Model Cell Tower Strategy that addresses consultation requirements, applicant-led consultation, federal requirements and several other considerations for use when reviewing a potential tower application.

### DE-2022-097

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee adopt the “Model Strategy for Antenna Systems” dated May 3, 2018 prepared by the Local Planning Committee of the Islands Trust, as the Denman Island Local Trust Committee strategy to assess any future potential tower proposals in the Denman Island Local Trust Area.

**CARRIED**

**9.4 DAI Bylaw Status - verbal update**

Planner Zupanec provided a summary of the status of the DAI Bylaw that has not been considered for quite some time. She observed that this document can be a useful means to provide certainty of what is expected for applicants and suggested that staff might provide the LTC with a staff report that includes current recommendations and options on how to proceed.

**DE-2022-098**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to review Bylaw No. 149 of 2013 with a view to creating recommended changes and to bring such recommendations to a future Local Trust Committee meeting.

**CARRIED****7. TOWN HALL – none****10. APPLICATIONS, REFERRALS AND BYLAWS****10.1 DE-RZ-2017.1 Denman Community Land Trust Association - Bylaw Nos. 233, 234 and 239 - Staff Report**

Planner Zupanec presented the Staff Report that asks the LTC to consider making administrative amendments to Bylaw Nos. 233 and 234 to remove placeholder text in the map schedules prior to final adoption. She advised that the recommended amendments do not change the use, density or relevant content of either proposed bylaw.

She confirmed that staff will correct formatting issues as necessary including on the Housing Agreement Schedules A and B, and change the date of the agreement on the Covenant from 2021 to 2022.

**DE-2022-099**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 233 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2019”, Schedule 2, Plan No. 1 be amended by removing the following text: “CONCEPTUAL PLAN ONLY Final Plan to be inserted prior to bylaw adoption, subject to receipt of Preliminary Layout Approval of future 2-3 lot subdivision”.

**CARRIED****DE-2022-100**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 233 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2019”, be adopted as amended.

**CARRIED****DE-2022-101**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 234 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, be amended by removing the following text: “CONCEPTUAL PLAN ONLY Final Plan to be inserted prior to bylaw

adoption, subject to receipt of Preliminary Layout Approval of future 2-3 lot subdivision”.

**CARRIED**

**DE-2022-102**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 234 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, be adopted as amended.

**CARRIED**

**DE-2022-103**

**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”, be adopted.

**CARRIED**

**DE-2022-104**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee accept a covenant under section 219 of the *Land Title Act* from the registered owners of LOT A SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP68031, PID 031-102-026 and designate any two members of the Local Trust Committee to sign the covenant DE-RZ-2017.1, 3730 Denman Road.

**CARRIED**

Alternate Chair Busheikin expressed appreciation for the dedication of those who have worked to make this project happen; thanking Islands Trust staff, Denman Community Land Trust Association volunteers, and Bev Severn for the level of community generosity shown to make the property available.

**10.2 DE-DP-2022.2 (1265478 BC LTD Walsen - McElhanney) - Staff Report**

Planner Zupanec summarized the Staff Report that asks the LTC to consider issuance of a Development Permit (DP) for a proposed 13 lot subdivision within Development Permit Area (DPA) 1 – Komas Bluff, and DPA 4 – Streams, Lake and Wetlands. She advised that staff recommend approval as the development is consistent with the guidelines for both DPAs.

Discussion included the following:

- A Trustee expressed concern that the proposed DP, required in the process of a subdivision referral from the Ministry of Transportation and Infrastructure, stipulates conditions for development and might cause the applicant confusion;
- Additional concern was expressed that the Geohazard Assessment report provided does not address climate change or include more recent projections in this area of actively eroding cliffs;
- Staff advised that the recommended decision is based on the geotechnical report which is a condition of this DP, references the covenant registered against the property, clearly delineates setback requirements based on their assessment that reflects the current conditions and anticipated future conditions as of that date even if limited in scope which is likely sufficient to satisfy concerns.

**By general consent the meeting was recessed at 11:52 am and reconvened at 11:58 am; and the discussion of agenda item 10.2 will continue after agenda item 11.1**

## **11. LOCAL TRUST COMMITTEE PROJECTS**

### **11.1 Denman Island Farming Regulations Review Project - Staff Report**

Planner McCargar presented the Staff Report for LTC consideration that addresses questions and suggests changes to Draft Bylaw No. 228 (OCP) and Draft Bylaw No. 229 (LUB) based on discussion at the prior LTC meeting.

Trustees' discussion on the proposed amendments included:

- Concern was expressed that the potential increase in density with proposed secondary dwellings permitted on all Agricultural Reserve Land zoned properties might warrant more public participation. A case was made that given the concern with housing it is important that the LTC review the issue carefully; as subdivision is not possible, uptake may be limited; and the initiative is supported provincially;
- The definition of intensive agriculture remains problematic;
- Screening options;
- Temporary Use Permits for agri-tourism accommodations in the Resource and Forestry zones;
- Setbacks for farm stands.

**By general consent the meeting was recessed at 1:18 pm and reconvened at 2:32 pm.**

#### **DE-2022-105**

**It was MOVED and SECONDED,**

that First Reading on the Denman Island Local Trust Committee Bylaw No. 228, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2018", be rescinded.

**CARRIED**

#### **DE-2022-106**

**It was MOVED and SECONDED,**

that Bylaw No. 228 cited as "Denman Island Official Community Plan Bylaw, 2008, Amendment No. 1, 2018" be amended as follows:

- Schedule 1, 1.8L: to the first bulleted point, adding the words "and the Denman Island Land Use Bylaw" after the word "regulation";
- Schedule 1, 1.8b: replacing the words "in keeping with" with "as guided by";
- Schedule 1, 1.8d: removing the hyphen and all the following words after the word "bylaws";
- Schedule 1, 1.15: removing Policy 4, and renumbering accordingly;
- Schedule 1: renumber such that there is only one 1.8c.

**CARRIED**

#### **DE-2022-107**

**It was MOVED and SECONDED,**

that First Reading of the Denman Island Local Trust Committee Bylaw No. 229, cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2008", be rescinded.

**CARRIED**

**DE-2022-108****It was MOVED and SECONDED,**

that Bylaw No. 229 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2008”, be amended as follows:

- Schedule 1, 1.1: deleting the words “and intensive agriculture” in the introductory text, removing item II, and renumbering accordingly;
- Schedule 1, 1.12: replace the words “the following bullet” with and words “a new item five that reads” followed by the current bulleted text with the following change: removing the words “and highway” and adding after “landscape screen”, the words “a berm, or fencing that shields the use from view from an adjacent lot”, and then renumbering the following points accordingly;
- Schedule 1, 1.14: adding at the end the text and renumbering the following points as appropriate;
- Schedule 1, 1.29: including material about using Temporary Use Permits for the provision of agri-tourism accommodation in the R and F zones;
- Adding to Schedule 1, as item 4, a new point: amending Land Use Bylaw 3.3, Table 5, Setbacks, by adding “4 Minimum setbacks for produce stands” and the number “4.5 m” in each column.

**CARRIED****DE-2022-109****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to prepare the amendments to draft Bylaw Nos. 228 and 229 as endorsed by the Local Trust Committee and request staff to schedule a Special Electronic Meeting for consideration of First Readings.

**CARRIED****10.2 DE-DP-2022.2 (1265478 BC LTD Walsen - McElhanney) - Staff Report - Continued**

The LTC continued consideration of the DP.

**DE-2022-110****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee make the following amendments to draft Development Permit DE-DP-2022.2:

- by deleting paragraph 2b and 3b;
- by rewording paragraph 2a to state as follows: “Subdivision must be substantially in accordance with the proposed plan of subdivision attached to and forming part of this permit and in accordance with Schedule “C” – Geohazard Assessment – Rev 1 Proposed 13-Lot Subdivision 4201 Park Road Denman Island, Prepared by Peter Weisinger, MSc PGeo for Westrek Geotechnical Services Ltd., and dated May 17, 2022, attached to and forming part of this permit.”; and
- by rewording paragraph 3a to state as follows: “Subdivision must be substantially in accordance with the proposed plan of subdivision attached to and forming part of this permit and in accordance with Schedule “B”

Assessment of Watercourses at PID 006-660-614 by Strategic Natural Resource Consultants Inc., dated February 18, 2022, attached to and forming part of this permit.”

**CARRIED**

**DE-2022-111**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee approve issuance of Development Permit DE-DP-2022.2 as amended.

**CARRIED**

**11.2 Denman Housing Review Project – verbal update**

Planner Zupanec reported that a draft Engagement Plan has just been received and that the consultant team would like to launch the engagement on October 8<sup>th</sup> at the final Farmers Market on Denman Island. She will forward the document to Trustees for review prior to the date and outline the process for next steps.

**DE-2022-112**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee supports the launch of the Denman Housing Regulations Review Project public engagement phase to begin on October 8 at the Denman Farmers Market.

**CARRIED**

**12. CORRESPONDENCE - none**

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

**13. NEW BUSINESS**

**13.1 Islands Trust Conservancy 3 Year Plan - Briefing**

Received.

**13.2 Proposed Letter to Comox Valley Regional District regarding Trail from General Store to Community Hall to Increase Connectivity and Provide a Safer Pedestrian Experience - for discussion**

Alternate Chair Busheikin provided background and offered to draft the letter for the Chair’s signature.

**DE-2022-113**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee write a letter to the Comox Valley Regional District regarding a trail from the General Store to the Community Hall to increase connectivity and provide a safer pedestrian experience.

**CARRIED**



**14. REPORTS**

**14.1 Trust Conservancy Report - dated July 13, 2022**

Received.

**14.2 Applications Report dated September 20, 2022**

Received.

**14.3 Trustee and Local Expense Report dated July, 2022**

Received.

**14.4 Adopted Policies and Standing Resolutions**

Received.

**14.5 Local Trust Committee Webpage**

No changes or additions were identified.

**15. WORK PROGRAM**

**15.1 Top Priorities Report dated September 20, 2022**

Received.

**15.2 Projects List Report dated September 20, 2022**

Trustees discussed the complex process for lot line adjustments and suggested a review be undertaken to determine if it might be simplified.

**DE-2022-114**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee add to the Projects List under 1. OCP and LUB Amendments: Review of subdivision requirements for lot line adjustments with a goal of simplifying this process.

**CARRIED**

**16. INFORMATION ITEMS**

**16.1 Sea Duck Atlas**

<https://seaduckjv.org/science-resources/sea-duck-key-habitat-sites-atlas-narratives/>

[https://seaduckjv.org/atlas/pdf/narrative\\_site2\\_508.pdf](https://seaduckjv.org/atlas/pdf/narrative_site2_508.pdf)

Received.

**16.2 The Climate Projections Report for Islands Trust Area**

<https://islandstrust.bc.ca/document/climate-projections-for-islands-trust-area-report-2020/>

Received.

**16.3 Conservancy Current Campaigns**

<https://islandstrust.bc.ca/conservancy/current-campaigns/>

Received.

**16.4 2022 Community Stewardship Awards**

<https://islandstrust.bc.ca/programs/stewardship-awards/>

Received.

**16.5 Conservancy Current Campaigns**

<https://islandstrust.bc.ca/conservancy/current-campaigns/>

Received.

**16.6 2022 Local Election Information for Citizens**

<https://islandstrust.bc.ca/about-us/governance/2022-local-election/>

Received.

**16.7 September 2022 Islands Trust Council Quarterly Meeting Announced**

<https://islandstrust.bc.ca/document/august-16-2022-september-2022-islands-trust->

Received.

**16.8 BC Government News - Public Invited to learn more about Proposed Treaty with K'ómoks First Nation**

<https://news.gov.bc.ca/releases/2022IRR0052-001296>

Received.

**17. UPCOMING MEETINGS**

**17.1 Next Regular Meeting Scheduled for Tuesday, November 8, 2022 at 10:30 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC**

**DE-2022-115**

**It was MOVED and SECONDED,**

that the Tuesday, November 8, 2022 Local Trust Committee meeting be cancelled.

**CARRIED**

An Electronic Special Meeting will be scheduled to consider Denman Island Farming Regulations Review Project – date and time to be determined.

**18. CLOSED MEETING**

**18.1 Motion to Close the Meeting**

**DE-2022-116**

**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) (a), (d) and (i) for consideration of Appointment of Board of Variance Members, Adoption of In-Camera meeting Minutes dated July 19, 2022 and receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and that the recorder and staff attend the meeting.

**CARRIED**

The meeting closed to the public at 3:08 pm.

**18.2 Recall to Order - none**

**19. ADJOURNMENT**

**By general consent the meeting was adjourned at 3:08 pm.**

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Laura Busheikin, Alternate Chair

Certified Correct:

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Vicky Bockman, Recorder