



Denman Island Local Trust Committee Minutes of Special Meeting

Date:	January 13, 2022
Location:	Electronic Meeting
Members Present:	Sue Ellen Fast, Chair David Critchley, Local Trustee Laura Busheikin, Local Trustee
Staff Present:	Sonja Zupanec, Island Planner Heather Kauer, Regional Planning Manager Vicky Bockman, Recorder
Others Present:	Approximately thirty-one (31) members of the public Simon Palmer, Denman Housing Association Maris MacDonald, MacDonald Hagarty Architects Emily Davies, MacDonald Hagarty Architects

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 7:05 pm, welcomed the public, and acknowledged that the meeting was being held electronically in traditional territory of Coast Salish First Nations including the K'ómoks and Qualicum First Nations. She introduced herself, Local Trustees, staff, recorder and the representatives from Denman Housing Association (DHA) and MacDonald Hagarty Architects.

She advised that this Special Local Trust Committee (LTC) meeting was being held to conduct a Community Information Meeting (CIM) presentation and facilitated question and answer session where members of the public will hear information and can ask questions about application DE-RZ-2021.1 (DHA), proposed Bylaw Nos. 241 (Official Community Plan), 242 (Land Use Bylaw), and 243 (Housing Agreement).

2. COMMUNITY INFORMATION MEETING - Bylaw Nos. 241, 242 and 243

Regarding DE-RZ-2021.1 - Denman Housing Association (DHA) - Affordable Housing Project (Denman Green)

The following additions to the agenda were presented for consideration:

- 3.2 Letter of Support to Comox Valley Regional District (CVRD) regarding Housing Service

By general consent the agenda was approved as amended.

2.1 Planner Presentation

Planner Zupanec explained that this CIM provides an opportunity for the public to learn about the rezoning application, density transfer and changes to bylaws proposed to enable the Denman Housing Association “Denman Green” affordable housing development project; determine if interests are affected; and encourages submission of written or verbal questions. She advised that a facilitated question and answer session will follow this presentation.

She provided an overview of the proposed density transfer:

- Donor Parcel (6080 Woodham Road): reduce density on non-ALR portion of the parcel from 7 permitted dwellings/parcel to 4;
- Receiver Parcels (Lots 4 and 5 Danes Road): increase density from 2 permitted market housing dwellings/lots to 5;
- Receiver Parcel (1151 Northwest Road): increase density from 1 permitted dwelling up to 20 units of affordable housing, with 19 densities transferred from the Denman Island Density Bank which currently has sufficient densities to support this application;
- The density transfer pieces are necessary to allow for DHA to be in possession of the property in the village currently owned by a local resident, and all three pieces of the density transfer must be approved in order for the affordable housing portion to be possible.

The receiver parcel which will include the affordable housing development has recently been subdivided into two separate lots with a 1.05 ha portion for the affordable housing parcel and with .28 ha to be retained by the current owner for market residential use and which is not a part of this application.

Simon Palmer, on behalf of the DHA, spoke to the application noting that DHA has been working for ten years to address a proven and recognized need for affordable housing on Denman Island. He outlined the timeline for design and costing relating to BC Housing proposals for community funding.

Emily Davies, MacDonald Hagarty Architects, provided information on their work to advance the project:

- site water and wastewater plans have been completed. They are awaiting an environmental assessment to determine setback requirement for the waterlogged area on the west side of the site;
- the R4 setback requirement of 10 metres has been included to determine the available area;
- preliminary schematic design possibilities include a single story option or a two-story option with minor configuration differences, the use of natural landscaping, shared and private outdoor open spaces, natural and durable building palate, integrating daylight with natural and durable materials, a photovoltaic solar array, 30 parking stalls, a community room, laundry facility and mechanical/electrical room.

Planner Zupanec provided an overview of the following:

Proposed changes to the Official Community Plan (OCP) and Land Use Bylaw (LUB):

- OCP – Bylaw No. 241
 - Change the Denman Green subject area from Village-V to Residential-R;
 - Remove the Denman Green parcel from Development Permit Area (DPA) No. 5-Commercial;
 - New policies in support of affordable rental housing, rental tenure housing, BC Energy Step Code requirements and reducing the size of the Commercial DPA.
- LUB- Bylaw No. 242
 - Change the subject area from Commercial – C to Affordable Housing – R4(1);
 - New Affordable Housing Zone-R4(1), new site specific R1(5) zone for the Danes Road parcels;
 - New site specific R2(7) zone for the Woodham Road parcel.

Housing Agreement Bylaw No. 243:

- includes requirements for construction, sewage treatment system type, affordable rental rate to qualified occupants, a tenant selection procedure, annual reporting to the Islands Trust.

Restrictive Covenant:

- includes fencing, datalogger and construction of dwellings to a minimum Step 2 Energy Stop Code requirements.

Bylaw Referral Response Comments received to date:

- CVRD expressed interest in ensuring available space on the 1151 Northwest Road parcel for future infrastructure to support a public bus stop and a park and ride;
- Denman Conservancy is currently reviewing the bylaw referral package as it relates to the Danes Road receiver parcel adjacent to park and ecological covenant lands;
- Islands Trust Freshwater Specialist expressed concerns regarding the average daily demand and rainwater harvesting calculations, water treatment plan, climate modelling and storm water management planning.

Possible Next Steps;

- include ensuring an appropriate water system, sensitive ecosystem protection, adoption of bylaws, registration of covenant on title, transfer of land to DHA, DHA application to BC Housing for funding, and subsequent applicant and BC Housing working together to finalize design, site plan, water and sewage plan.

Issues and Opportunities:

- the need for affordable rental housing on Denman Island is well known;
- zoning changes need to ensure a viable affordable housing development, not just for profit housing;

- decisions need to consider appropriate and adequate water;
- sensitive ecosystems and habitats need to be protected.

2.2 Question and Answer Session

Members of the public were invited to raise questions with answers provided by the Planner, applicant or architects for the applicant.

- At what point will Island Health review the water system for this development?
 - Island Health has been involved for some time. The water plan is on the Islands Trust website and has been submitted to Island Health for their review. The next step is for Island Health to approve the design of the system for the overall plan.
- What is the definition of “affordable” for the bylaw?
 - The Housing Agreement Bylaw No. 243 stipulates and defines exactly how to put the affordability element into practice with section D dealing with rental rates.

To make the project financially feasible a combination of the three BC Housing groups of affordable housing will be needed: deeply subsidized, linked to gross income of household with payment of no more than 30% of the gross income of the family with a maximum income to qualify, and near market. The route to qualify for a deep subsidy would be to register with BC Housing and then to meet the local selection criteria. The criteria for income limits and percentage of housing allocated to deep subsidy or income related allocation changes from year to year.

A Trustee requested that information on the affordability of this project be provided in a more complete and transparent method, even if the limits and percentages criteria are utilized using this year’s numbers, to provide the public with a sense of how this will work.

- Where will the solar array be located and will trees be removed?
 - The current siting of the solar array is along the Kirk Road boundary. An arborist will be consulted to determine potentially dangerous trees requiring removal. Discussions have included replanting with native species.
- Why not create a referendum to establish a fund for purchase of land for affordable housing?
 - Taxpayers could be asked if they want to be levied for this specific purpose, and Trust Council has discussed the possibility of establishing a Housing Authority for this purpose. The underlying framework to support this does not currently exist and would need to be considered and determined. The subject of a Housing Service for Denman Island is on the agenda at 3.2.
- Has the septic disposal location, now shown in the southeast corner, been shifted from another location and was there an investigation for suitability for that area?
 - The southeast corner has been selected by professionals and has changed from the first iteration. A report from an environmental biologist reviewing

- the wet area will inform the final configuration of the buildings and septic field. Test pits and analysis would have to be done if change is necessary.
- The site is directly across from the community hall which can be lively and noisy into late evening and concern was expressed regarding a possible conflict; has the design included any measures to minimize this possible disruption?
 - The area facing Northwest Road will have a 10 metre setback which will allow for fencing and trees, and the incorporation of landscaping would be a key to addressing those concerns.
 - What is the intended height of the solar array and how would that area be screened?
 - The solar array site is very preliminary at this time and a specialist will be consulted to determine the best location after the site of the buildings is determined. The height might be 4-5 feet on a steel structure or there might be potential to use some on roofs. Landscaping would screen from ground level if that is the final location.
 - Is the Danes Road density increasing from 2 to 3 or from 2 to 5?
 - Danes Road Lots 4 and 5 are proposed to increase density from 2 permitted market housing dwellings/lots to 5.
 - Is the commercially zoned section of the Kirk Road property represented on the site drawings?
 - Part of the rezoning application is to remove the commercial zone designation and replace it with residential and affordable housing site-specific zones. There would be no commercial component to the Denman Green parcel other than the home occupation option.

Chair Fast thanked everyone for their participation and advised that Trustees and staff can be contacted with further questions.

3. NEW BUSINESS

3.1 Meeting Procedures Bylaw - Staff Report - for decision

Regional Planning Manager Kauer presented the Staff Report that asks the LTC to consider replacement of the Denman Island Meeting Procedures Bylaw to incorporate provincial regulation changes permitting local government regular business electronic meetings and adding provisions for public participation and meeting decorum.

She advised that recommendations include requesting that Trust Council be asked to consider adding a full time staff position to the 2022/23 fiscal year budget for electronic meeting support which would allow public to participate in Town Halls electronically.

Discussion of the draft Meeting Procedures Bylaw No. 244, 2022 included the following:

- Correction of a typo: paragraph no. 5, last line: change “trustee to “trustees”;
- Paragraph 38 was considered to be unclear and its removal was supported.

DE-2022-001

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 244, cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw, 2022” be amended by deleting paragraph 38.

CARRIED

DE-2022-002

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 244, cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw, 2022” as amended, be read a first time.

CARRIED

DE-2022-003

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 244, cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw, 2022” as amended, be read a second time.

CARRIED

DE-2022-004

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 244, cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw, 2022” as amended, be read a third time.

CARRIED

DE-2022-005

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 244, cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw, 2022” as amended, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

DE-2022-006

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that Trust Council consider adding a full time staff position to the 2022/23 fiscal year budget for electronic meeting support.

Discussion on the motion ensued. Trustees noted that more information would be useful to inform a decision, expressed concerns, and questioned flexibility and if in-person meetings were to be resumed regularly could this position be repurposed to a planning position; questions and rationale might be addressed through a review by Financial Planning Committee at this point as it is time sensitive, and could provide useful information prior to consideration by Trust Council. Staff will forward the matter to Financial Planning Committee.

CARRIED

3.2 Letter of Support to Comox Valley Regional District (CVRD) regarding Housing Service

Trustee Busheikin explained that a Denman Island Housing Service has been discussed for some time and that CVRD Director Arbour is working on this initiative. The process would involve a feasibility study and then a referendum on a small tax levy applied for a specific Housing Service to support housing.

DE-2022-007

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee send a letter to the Comox Valley Regional District encouraging them to undertake a feasibility study on establishing a Housing Service on Denman Island.

Staff will forward a letter drafted previously to Trustee Busheikin who offered to act on this resolution.

CARRIED

4. ADJOURNMENT

Upcoming Meeting

LTC members discussed the meeting scheduled for January 18th and supported postponing the meeting for reasons including the allowance for receipt of information on the DHA rezoning application; and to hold the meeting electronically in consideration of the number of COVID cases currently active on Denman Island.

DE-2022-008

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee cancel the January 18, 2022 meeting and hold a Special Electronic Meeting on February 15, 2022 at 10:00 am.

CARRIED

By general consent the meeting was adjourned at 9:13 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder