



Islands Trust

## Denman Island Local Trust Committee Minutes of Regular Meeting

**Date:** June 6, 2019  
**Location:** Denman Activity Centre  
 1111 Northwest Rd, Denman Island, BC

**Members Present:** Sue Ellen Fast, Chair  
 David Critchley, Local Trustee  
 Laura Busheikin, Local Trustee

**Staff Present:** Marnie Eggen, Island Planner  
 David Marlor, Director Local Planning Services  
 Miles Drew, Bylaw Compliance and Enforcement Manager  
 Clare Frater, Director Trust Area Services (via telephone)  
 Vicky Bockman, Recorder

**Others Present:** Approximately twenty-five (25) 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."*

Chair Fast called the meeting to order at 12:40 pm. She welcomed the public, introduced Trustees, staff and recorder and acknowledged that the meeting was being held in traditional territory of the Qualicum and K'ómoks First Nations.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 10.4 Request for Additional Resources
- 10.5 Letter of Support for New Horizons Grant Application

**DE-2019-049**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee approve the agenda as amended.

**CARRIED**

### 3. TOWN HALL

Members of the public commented with the following noted:

- Bylaw Enforcement Notification (BEN) Bylaw:
  - Further consideration was opposed until a review is conducted of the Official Community Plan (OCP);
  - A public hearing on this matter should be held. Many community members were not able to attend this Local Trust Committee (LTC) meeting today;
  - Concern was expressed that adoption of the BEN bylaw would negatively affect housing opportunities;

- Wesley Ritter requested he be on the record as opposing the BEN Bylaw until bylaws affecting housing have been reviewed.
- Reinstatement of the second Town Hall at the end of agendas to provide the public with opportunity to speak to matters that arise during the meeting;
- Proposed Meeting Procedures Bylaw:
  - Delay consideration until community consultation has occurred;
  - Not supported; Trustees should have the ability to be flexible;
  - Wesley Ritter requested he be on the record as opposing adoption of this proposed bylaw at this meeting.
- Farm Plan Implementation:
  - Staff was requested to research the location of correspondence submitted February 7, 2019 for posting;
  - Why was removing permissions for small lots presented at the workshop event contrary to the understanding that this was not to be included?

#### 4. MINUTES

##### 4.1 Local Trust Committee Special Meeting Minutes dated April 24, 2019 - for adoption

###### DE-2019-050

It was **MOVED** and **SECONDED**,

that the Denman Island Local Trust Committee adopt the minutes of the April 24, 2019 Special Local Trust Committee meeting.

**CARRIED**

##### 4.2 Section 26 Resolutions-Without-Meeting Report dated May 29, 2019

Received.

##### 4.3 Draft Advisory Planning Commission Minutes dated April 16, 2019 - for receipt

Received.

#### 5. BUSINESS ARISING FROM MINUTES

##### 5.1 Follow-up Action List dated May 29, 2019

Planner Eggen provided an update on the proposed BC Farm Industry Review Board meeting that was requested in order to discuss aquaculture issues.

Trustee Critchley reported that his recommendation for a policy/standing resolution to capture the status of the density bank and reserve is complete and may be presented for consideration at the next LTC meeting.

##### 5.2 Bylaw No. 231 - for consideration of adoption

###### DE-2019-051

It was **MOVED** and **SECONDED**,

that the Denman Island Local Trust Committee Bylaw No. 231 cited as "Denman Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be adopted.

**CARRIED**

**6. DELEGATIONS – None**

**7. APPLICATIONS AND REFERRALS**

**7.1 DE-RZ-2017.1 (DCLTA) - Memorandum**

Planner Eggen presented the Memorandum that outlines preliminary draft amendments to the OCP and Land Use Bylaw (LUB) for the proposed rezoning for eight units of Seniors Affordable Housing.

Discussion included the following points:

- The use of a restrictive covenant option might be more expedient in this particular application than the creation of a new subsection 4.8 Development Permit Area (DPA) No. 8 – Energy and Water Conservation;
- Agricultural Land Commission (ALC) requirements might be omitted from the LTC regulations as they are covered through the ALC; however, staff suggested that inclusion might expedite the process;
- Reducing the parking to one vehicle per dwelling unit in a multiple family dwelling was supported.

Chair Fast invited comments from the public:

- Doug Olstead, speaking on behalf of the applicant, thanked staff for their work to bring this informative draft forward;
- Driveways are currently not affected by setbacks, however, are not mentioned in this document.

**8. LOCAL TRUST COMMITTEE PROJECTS**

**8.1 Bylaw Enforcement Notification Bylaw - Staff Report - for decision**

Bylaw Compliance and Enforcement Manager Drew summarized the Staff Report asking the LTC to consider the BEN Bylaw to aid in the undertaking of proactive enforcement of unlawful Short-term Vacation Rentals (STVRs) as tasked by the LTC. He proposed the adoption of a standing resolution to prevent unintended displacement of vulnerable individuals and households as a component to address community concerns.

Trustees discussed the proposed BEN Bylaw with the following noted:

- This system does not remove an individual's access to the judicial process as its final adjudication;
- Housing availability may improve as a result of proactive enforcement of STVRs.

**DE-2019-052**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 232, cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019", be read a first time.

Discussion followed on the motion.

Trustees noted that input from the community has been received and considered. They provided rationale for advancing this bylaw and noted that features have been included to address housing concerns.

Trustee Busheikin, in further addressing community concerns, suggested that any evidence of a targeted use of the bylaw against any group or in an unfair way may be brought to her for discussion and advocacy.

The question on the motion was then called.

**CARRIED**

**DE-2019-053**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 232, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019”, be read a second time.

**CARRIED**

**DE-2019-054**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 232, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019”, be read a third time.

**CARRIED**

**DE-2019-055**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 232, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**DE-2019-056**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee adopt the following standing resolution:

“The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to pursue enforcement against unlawful dwellings upon receipt of a written complaint, if any of the following conditions apply:

- a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property;
- b) It appears that there is more than one unlawful dwelling on a lot;
- c) An unlawful dwelling appears to be larger than 90 square meters; or
- d) An unlawful dwelling appears to be located within a Development Permit Area.

and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time.”

When asked if there was discussion, a Trustee indicated that having complaints received from at least two sources is intended to further address concerns.

**CARRIED**

**9. CORRESPONDENCE**

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

**9.1 Email dated April 24, 2019 from S. Bellerose regarding Farmhouse Project**

Received.

By general consent, the meeting was recessed at 2:53 pm and reconvened at 3:11 pm.

**10. NEW BUSINESS****10.1 Meeting Procedures Regarding Public Input - Memorandum - for decision**

Chair Fast summarized the Guidelines for Public Participation document that has been drafted to assist public understanding of opportunities and procedures for public participation during LTC meetings.

Trustees indicated that they would provide feedback for creation of a revised draft of Guidelines that might be considered by the LTC at a future meeting and used to inform preparation of a new Meeting Procedures Bylaw.

**10.2 Public Engagement on Denman Island for Visions 2099 - The Future of the Islands in the Salish Sea -Staff Report - for decision**

Trust Area Services Director Frater summarized the Staff Report that seeks input from the LTC on local public activities that might be considered for the Trust-wide project to engage feedback on potential changes to Islands Trust Policy Statement.

Trustees discussed the in-person and online engagement activities suggested for Denman Island and proposed the addition of a Vision Booth featuring information set up at a community event, market or other community-driven event.

**DE-2019-057****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee add "use of Vision Booth" to the proposed public engagement plan, and endorse the amended recommended public engagement activities to take place in the Denman Island Local Trust Area in support of the Trust Council's Visions 2099: The Future of the Islands in the Salish Sea, as outlined in the June 6 staff report.

**CARRIED**

**10.3 Internet Connectivity on Denman Island - Trustee Critchley - for discussion**

Trustee Critchley provided background on the efforts to improve internet connectivity on Denman Island and reported that the organization responsible for granting feasibility funding is requesting the local government's expression of support.

**DE-2019-058****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request the Chair to issue a letter of support for the feasibility funding application for internet connectivity services to Denman Island.

Discussion followed on the motion.

Trustees recognized the need for improved internet connection on Denman Island for emergency preparedness and other uses. A Trustee noted that the Official Community Plan Economic Activities Objective 1 supports this proposal.

The question on the motion was then called.

**CARRIED**

#### **10.4 Request for Additional Resources**

Trustee Busheikin provided background for the proposed request for additional planning resources on Denman Island, noting that the lack of sufficient professional assistance is becoming increasingly problematic. She suggested options to address the issue including reallocation of staff from one region to another, hiring a contractor, or a tax requisition for the Denman Island area to fund a special project.

##### **DE-2019-059**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to bring forward a report outlining options to increase planning resources for Denman Island, to address work overloads and community needs due to:

- Increased numbers of applications and complexity of applications;
- The need to respond to changing Provincial and Federal Regulations (for instance cannabis legalization, the *Water Sustainability Act*, and new Agricultural Land Reserve Regulations);
- Responsibilities connected to reconciliation;
- Changes in environmental, social and economic conditions, such as the global climate emergency, the Provincial housing crisis and the rise of on-line Short Term Vacation Rental marketing;
- Trust-wide work on the Islands Trust Policy Statement.

**CARRIED**

#### **10.5 Letter of Support for New Horizons Grant Application**

Trustee Critchley reported that the Denman Seniors and Museum Society is requesting a letter of support from the LTC for a New Horizons grant application. He noted that Guiding Objectives in the D.1 section of the Official Community Plan support this action.

##### **DE-2019-060**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request that the Chair write a letter to support the grant application being made by the Denman Seniors and Museum Society under the New Horizons for Seniors Program.

**CARRIED**

## **11. REPORTS**

### **11.1 Trustee Reports**

Trustee Busheikin reported on the following meetings:

- Denman Island Residents Association;

- Annual Comox Valley Regional District/Islands Trust;
- MP Gord Johns;
- Local Planning Committee;
- Financial Planning Committee;
- Audit Committee;
- Chair Training;
- Gather Workshop;
- Session with Eli Mina;
- Farm Plan Community Event.

Trustee Critchley reported on the following meetings:

- Farm Plan Community Event;
- Annual Comox Valley Regional District/Islands Trust;
- Trustee Office Hours;
- Trust Programs Committee;
- Ferry Advisory Committee.

#### **11.2 Chair's Report**

Chair Fast reported on the following:

- Trust Council will be held in two weeks;
- Executive Committee meeting.

#### **11.3 Trust Conservancy Report – none**

#### **11.4 Electoral Area Director's Report - none**

#### **11.5 Applications Report dated May 29, 2019**

Received.

#### **11.6 Trustee and Local Expense Report dated March, 2019**

Received.

#### **11.7 Adopted Policies and Standing Resolutions**

Received.

#### **11.8 Local Trust Committee Webpage**

No changes were requested.

### **12. WORK PROGRAM**

#### **12.1 Top Priorities Report dated May 28, 2019**

Received.

#### **12.2 Projects List Report dated May 28, 2019**

Received.

### **13. CLOSED MEETING**

**13.1 Motion to Close the Meeting**

**DE-2019-061**

**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) (d) and (f) for the purpose of considering Adoption of *In-Camera* Meeting Minutes dated March 7, 2019 and April 24, 2019 and Bylaw Enforcement and that the recorder and staff attend the meeting.

**CARRIED**

The LTC closed the meeting at 4:04 pm.

**13.2 Recall to Order**

**By general consent** the LTC reconvened in open meeting at 4:10 pm.

**13.3 Rise and Report**

**By general consent**, the LTC reported that in the closed meeting, the LTC adopted minutes from the March 7, 2019 and April 24, 2019 *In Camera* meetings.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Thursday, July 4, 2019 at 12:30 pm at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC**

LTC members confirmed the next regular meeting date, time and location.

**15. ADJOURNMENT**

By general consent the meeting was adjourned at 4:13 pm.

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Sue Ellen Fast, Chair

Certified Correct:

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Vicky Bockman, Recorder