



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: October 3, 2019
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

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

Staff Present: David Marlor, Director of Local Planning Services
Heather Kauer, Regional Planning Manager
Marnie Eggen, Island Planner
Ian Cox, Planner 1 (by telephone)
Vicky Bockman, Recorder

Regrets David Critchley, Local Trustee

Others Present: Approximately twenty (20) 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 12:38 pm. She welcomed the public and acknowledged that the meeting was being held in traditional territory of the K'ómoks First Nation.

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

- Defer 8.3 DE-RZ-2018.1 (Denman Housing Association) Staff Report to the next meeting due to lack of quorum necessary for consideration;
- Add 11.3 Comox Valley Regional District (CVRD) Housing Service Feasibility Study.

DE-2019-075

It was MOVED and SECONDED,

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

CARRIED

3. REPORTS

3.1 Trustee Reports

Trustee Busheikin reported on the following:

- Items considered in the recent Trust Council meeting included the Strategic Plan and Climate Crises response discussion;
- Held Trustee Office Hours;

- Updates were given on Denman Island Residents Association committees focusing on groundwater, climate action, and internet access;
- The owners of the former Rawganique commercial property that is for sale are welcoming interest from community groups;
- Discussions have been held on the community bus proposition;
- Petition documents she received regarding concerns with the potential 5g network on Denman Island and the Model Strategy for Antenna Systems were given to staff;
- The annual beach cleanup resulted in the largest accumulation of debris ever recorded in this volunteer effort;
- Attended the local climate action protest;
- Encouraged community participation in the upcoming Trust-wide engagement project "Islands 2050".

3.2 Chair's Report

Chair Fast reported on the following:

- Highlights from the Trust Council held on Bowen Island;
- Attended the Union of BC Municipalities (UBCM) convention and reported on the resolutions brought forward by Islands Trust and the meetings held with Ministers;
- At the UBCM meeting with a Minister she learned that Denman Island is not eligible for the Connected Coast internet connectivity funding as there is already a fiber optic cable connection here;
- Islands Trust held an informal breakfast meeting in Victoria with MLAs, Regional District Directors and others from across the Trust area to discuss items of mutual interest. Afterwards she was able to join a student climate action protest occurring nearby.

3.3 Electoral Area Director's Report - none

4. TOWN HALL

Members of the public commented with the following noted:

- The Denman Community Land Trust Association (DCLTA) Seniors Affordable Housing Project rental units should be limited to one story in height to ensure the safety of the aging residents;
- Any future duplex or triplex development proposals should be reviewed on a case-by-case basis in consideration of densification concerns; and the approval of the DCLTA Seniors Affordable Housing development duplexes should not be considered as precedent setting;
- The DCLTA Seniors Affordable Housing Project should have priority for accessing the necessary densities from the Density Bank;
- Many in the community do not understand the Denman Housing Association proposal; concern was expressed that bylaw changes being drafted would enable excessive growth; and that inadequate ground water and the proposed trucking of water as a solution are not acceptable in these times of climate change.

5. MINUTES

5.1 Local Trust Committee Minutes dated July 4, 2019 - for adoption

DE-2019-076

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt the minutes of the July 4, 2019 Local Trust Committee meeting.

CARRIED

5.2 Section 26 Resolutions-Without-Meeting Report dated September 26, 2019

Received.

5.3 Advisory Planning Commission Minutes – none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 26, 2019

Director of Local Planning Services Marlor advised that the June 6, 2019 activity to outline options to increase planning resources for Denman Island is in process and that staff will provide a report at a future meeting.

6.2 Meeting Participation Guidelines - Memorandum dated June 6, 2019

6.2.1 Meeting Participation Guidelines - comments - Trustee Busheikin

Provided suggested edits to the Meeting Participation Guidelines that utilize plain language, do not change the content and are not considered to be substantial in nature.

DE-2019-077

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the plain language Guidelines for Public Participation During Local Trust Committee meetings as presented by Trustee Busheikin.

CARRIED

DE-2019-078

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that staff include the Guidelines for Public Participation During Local Trust Committee Meetings on the Local Trust Committee webpage.

CARRIED

Trustees deferred consideration of requesting preparation of a draft Meeting Procedures Bylaw to a future meeting.

**6.3 BC Farm Industry Review Board (BCFIRB) - Letter dated September 25, 2019
2019 BCFIRB Aquaculture Case Decision**

Planner Eggen advised of the BCFIRB's response to the invitation from the Local Trust Committee (LTC) to meet with the LTC and to consider an aquaculture tour of Denman Island's shores, noting that potential dates and times have been provided for consideration.

DE-2019-079

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to follow up on the letter from the BC Farm Industry Review Board and to arrange the meeting and a tour as in the letter dated September 25, 2019 from the BC Farm Industry Review Board, and to include an invitation to the Hornby Island Local Trust Committee.

CARRIED

7. DELEGATIONS – none

8. APPLICATIONS AND REFERRALS

8.1 DE-DVP-2019.1 (Muggoch - 3780 East Road) - Staff Report

Planner Cox presented the Staff Report that asks the LTC to consider a Development Variance Permit (DVP) application to vary Land Use Bylaw (LUB) setback requirements to permit the projection of eaves and gutters into the setback areas of the south-east and north-west side lot lines of the subject property.

Chair Fast invited the applicant and builder to speak to the application with the following points noted:

- The shed has not been removed as a recent survey has demonstrated that it is in compliance with the setback from the natural boundary requirement;
- This application arises from their misunderstanding of the minimum 3.0 metre setback requirement ;
- A survey has been prepared since discovery of the error that identifies encroachments of 14” and 2’4” into the setback areas;
- Landscaping provides visual screening of the encroachments;
- A change to the eaves and gutter design would be unsightly, would not provide the necessary protection to the wood, and would be a financial hardship for the applicant.

Trustees discussed the application with the following noted:

- The value of setbacks and the impact from encroachment on small lot configurations was recognized;
- The Islands Trust mandate to preserve and protect involves upholding regulations as much as possible; concern regarding the potential setting of a precedent is always a consideration in LTC decisions;
- Expressions of concern from neighbours have been received;
- There might be flexibility for the carport area with the larger encroachment to be brought into compliance through an architectural solution.

DE-2019-080

It was MOVED and SECONDED,

that the draft DE-DVP-2019.1 (Muggoch) be amended to remove from 2a) all the words after “north-west boundary” to the end of “south-east boundary”.

CARRIED

DE-2019-081

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve issuance of DE-DVP-2019.1 (Muggoch) as amended.

CARRIED

8.1.1 Public Comments

Received.

By general consent the meeting was recessed at 2:20 pm and reconvened at 2:28 pm.

8.2 DE-RZ-2017.1 (Denman Community Land Trust Association) - Staff Report

Planner Eggen presented the Staff Report that provides an update on the draft Terms of Reference, identifies criteria used to evaluate the groundwater licence application and includes a revised Policies Table. She summarized the proposed amendments to the draft bylaws resulting from communication with the applicant and further analysis by staff.

8.4 Mock Consolidation (Extracted Pages Only) of Official Community Plan Bylaw No. 185 showing amendments from Draft Bylaws 233 and 235

Planner Eggen provided a projection of the extracted pages of a mock consolidated Official Community Plan (OCP) with the proposed changes to enable the DCLTA Seniors Affordable Housing project identified. She reported that the Agricultural Land Commission (ALC) has communicated that the road access is to remain in the Agriculture Land Reserve (ALR) and the proposed map reflects that finding.

8.5 Mock Consolidation (Extracted Pages Only) of Land Use Bylaw No. 186 showing amendments from Draft Bylaws 234 and 236

Planner Eggen presented a projection of the extracted pages of a mock consolidated LUB relating to the DCLTA Seniors Affordable Housing rezoning, and explained the changes that have been made since last reviewed.

A Trustee suggested that the zone classification term “Multi-family” might be more accurately expressed as “Multi-family Affordable Housing”; and Table 6 – Floor Area might be considered as not applicable in this case to enable the use of the document as a template for others. Staff provided information on process to consider changes to terminology or detailed items.

Chair Fast invited the agent for the applicant to speak to the application.

Harlene Holm pointed out errors in the Staff Report and asked the LTC to delay first reading of proposed Bylaw Nos. 233 and 234 to allow time for the DCLTA to resolve issues respecting the lane access that remains in the ALR, the proposed buildings and sewage disposal system given the setbacks to lot lines as proposed in the bylaws, and appropriate home occupation use. She requested that a formal report on these efforts be received at a future LTC meeting. She provided her speaking notes for the record.

DE-2019-082

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee defer first reading of DE-RZ-2017.1-Denman Community Land Trust Association to the proposed January 21, 2020 Denman Island Local Trust Committee meeting, at the request of the applicant.

CARRIED

By general consent the meeting was recessed at 3:39 pm and reconvened at 3:58 pm.

9. LOCAL TRUST COMMITTEE PROJECTS – none.

10. CORRESPONDENCE

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

10.1 Email dated August 21, 2019 from V. Wood regarding the 5G network on the Islands

Received.

10.2 Email dated September 12, 2019 from J. Balke regarding Cannabis - Denman Facilities

Received.

11. NEW BUSINESS

11.1 Climate Change Adaptation and Mitigation Strategies – Memorandum

Received.

11.2 2020 Local Trust Committee Meeting Schedule – Memorandum

Trustee Busheikin commented that there are fewer regularly scheduled meetings annually than in the past and she remains concerned that this diminishes the chances for the community to interact with the LTC. She noted that meetings, including electronic meetings, can be called if a need arises.

DE-2019-083

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2020: January 21, March 17, May 19, July 7, September 8, and November 3, with the possibility of additional meetings as needed.

CARRIED

11.3 Comox Valley Regional District (CVRD) Housing Service Feasibility Study

Trustee Busheikin advised that this topic arose from the CVRD/Islands Trust annual meeting and noted that a resolution has been passed by the LTC for the CVRD to carry out a feasibility study for a housing service on Denman Island. She reported that she has drafted a letter with background information as requested by the CVRD Area A Director, and offered to provide staff with the draft for moving this initiative forward. Chair Fast offered to sign the letter as Chair of the LTC.

12. REPORTS**12.1 Trust Conservancy Report**

Chair Fast reported that she is now the Vice-Chair of the Trust Conservancy.

12.2 Applications Report dated September 26, 2019

Received.

12.3 Trustee and Local Expense Report dated August, 2019

Trustee Busheikin observed that it might be valuable for a Denman Island Local Trustee to attend a future Association of Vancouver Island and Coastal Communities (AVICC) convention; budgetary considerations were discussed.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

Trustees requested that a link to “Guidelines for Public Participation During Local Trust Committee Meetings” be posted on the Denman Island Local Trust Committee webpage.

13. WORK PROGRAM**13.1 Top Priorities Report dated September 26, 2019**

Received.

13.2 Projects List Report dated September 26, 2019

Received.

14. CLOSED MEETING**14.1 Motion to Close the Meeting**

DE-2019-084

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 June 6, 2019 and Bylaw Enforcement and that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 4:12 pm.

14.2 Recall to Order

By general consent the LTC reconvened in open meeting at 4:27 pm to rise and report.

14.3 Rise and Report

Chair Fast reported that in the Closed Meeting, the LTC discussed bylaw enforcement issues and adopted minutes of the *In-Camera* meeting of June 6, 2019.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, November 7, 2019 at 12:30 pm at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

Trustees confirmed the next regular meeting date, time, and location.

16. ADJOURNMENT

By general consent the meeting was adjourned at 4:29 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder