

**MINUTES OF THE DENMAN ISLAND LOCAL TRUST COMMITTEE
BUSINESS MEETING
HELD AT 10:30 AM ON JUNE 5, 2012
AT THE DENMAN SENIORS HALL
1111 NORTHWEST ROAD, DENMAN ISLAND, BC**

PRESENT:

Laura Busheikin	Local Trustee
David Graham	Acting Chair
Marnie Eggen	Planner
Linda Prowse	Planner
Vicky Bockman	Recorder

REGRETS

Peter Luckham	Chair
---------------	-------

There were forty-four (44) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:30 am. He welcomed the public and introduced himself, Trustee Busheikin, Planners and Recorder. He explained that in Chair Luckham's absence that he would be acting as Chair at this meeting.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus with the following amendments:

- Add item 5.6 – Denman Island Farm Plan Steering Committee Minutes of May 28, 2012
- Add item 6.1.2e – Email dated June 3, 2012 from George McFaul
- Add item 6.1.2f – Email dated May 30, 2012 from Ralph McCuaig
- Move item 10 to after item 5.5

3. CHAIR'S REPORT

There was no Chair's Report provided.

4. TRUSTEES' REPORT

Trustee Busheikin reported that she attended a Trust Programs Committee meeting by telephone. She announced that nominations for the Islands Trust Community Stewardship Awards have been received and that Peter Karsten has been nominated in the individual category and the Denman Island Residents Associations' Parks Committee has been nominated in the group category.

Trustee Busheikin stated that she has been busy reviewing affordable housing documents and noted that while some steps have been undertaken to move the issue forward such as the density bank creation and the creation of affordable co-housing, much more can be done. She noted that she attended the release of the Age-Friendly report sponsored by the Hornby Denman Community Health Care Society. She reported that since the last Local Trust Committee meeting she held a Trustee Office Day at the Old School and that it was an opportunity for discussions with individuals on particular topics of interest to them.

Chair Graham reported that the Trustees are holding regular Trustee Office Hours at the Old School, alternating attendance between Local Trustees and encouraged the public to take advantage of this opportunity to meet with Local Trustees. Additionally, he noted that today is an On-Island Planner Day, an occasion to talk with an Island Planner. He reported that he attended a Trust Council Local Planning Committee meeting where work is ongoing on the draft Strategic Plan. He advised that this draft will be presented for public feedback sometime this summer.

5. MINUTES

5.1 Local Trust Committee Meeting Minutes of May 1, 2012

The minutes were adopted by consensus with the following amendments:

- Page 3, item 6.2, last paragraph, first line: Change “Graham” to “Luckham”
- Page 12, item 12, last line: correct formatting to change the italics and remove the indentation

5.2 Section 26 Resolutions Without Meeting Log dated May 24, 2012

Chair Graham summarized the Resolutions Without Meeting Log dated May 24, 2012.

5.3 Denman Island Advisory Planning Commission Draft Minutes dated May 16, 2012

Received

5.4 Denman Agriculture Plan Steering Committee Minutes dated April 30, 2012

Received.

5.5 Denman Island Marine Advisory Planning Commission Draft Minutes dated May 16, 2012

Received.

Planner Prowse advised that Planner Simpson had noted that the minutes include a reference to the next meeting, and she wished to clarify that Advisory

Planning Commissions meet only in response to a referral presented for their review.

Chair Graham requested that Planner Simpson clarify this procedure with the commission.

5.6 *Denman Island Farm Plan Steering Committee Minutes dated May 28, 2012*

Received.

Chair Graham thanked the volunteer members of the Advisory Planning Commission, Agriculture Plan Steering Committee and Marine Advisory Planning Commission for their time and work.

10. TOWN HALL DISCUSSION

Chair Graham explained that the Town Hall Discussion is the opportunity provided in the agenda for the public to speak about any topic relating to Islands Trust matters.

Mica Gries – expressed concern about the lack of affordable housing on Denman Island, stating that those with lower incomes are the pillars of the community and the issue is tantamount to class warfare. He stressed the importance of understanding how this is faced in the local community.

Jon LeBaron – expressed his opposition to proposed Bylaw 201, stating that there should be more community discussion about the problems that this bylaw seeks to address and that he prefers a less punitive approach to solutions. He stated that efforts need to be directed toward the issue of housing on Denman Island.

Brian Goldring – asked if fines could be issued with proposed Bylaw 201 and commented that if so, this could cause people to leave Denman Island.

Chair Graham confirmed that fines are a part of the Bylaw Enforcement Notification System and he explained the steps that are involved with the current and proposed bylaw enforcement systems to encourage compliance.

Ralph McCuaig – stated that he is opposed to proposed Bylaw 201 and that he concurs with the staff report that recommends the proposed bylaw be defeated.

Riane Dasilva – stated that she is opposed to proposed Bylaw 201 and supports its defeat. She noted that the enforcement of unsuitable regulations makes a difference to those who cannot afford to pay the fines. She stated that she would like discussions for a community-based approach to deal with complaints without ticketing to continue in a proactive way.

Tracy Horovatin – stated that she recognizes the importance of bylaws and guidelines, however, rules using punitive methods of enforcement do not create a positive environment for change. She encouraged an alternative approach be found.

Dawid Bryzgliski – expressed his opposition to proposed Bylaw 201. He advocated for the community to work together to help those needing assistance cleaning up properties. He expressed his concern with the lack of affordable housing on Denman Island and stated that if not corrected this issue will cause families to leave and the school to close leaving only senior residents.

Perri Gorrara – stated that she is opposed to proposed Bylaw 201, preferring a community-based friendship circle approach to solving problems that is helpful and not punitive.

Scott Donaldson – stated that he is opposed to proposed Bylaw 201 and supports its defeat, commenting that he does not believe it is within the rights of the Local Trust Committee to enact this proposed bylaw.

Megan Blu – wanted to acknowledge both community support and non-support for her Denman Island project. She expressed her opposition to proposed Bylaw 201, stating that bylaw enforcement should be looking at community mediation and communication to address compliance issues. She asked if fines issued under proposed Bylaw 201 would be cumulative or result in a lien on property if not paid.

Chair Graham responded that he was unsure of the answer and stated that this question could be researched and the answer posted on the Denman webpage or in the Grapevine.

Brett – stated that he opposed proposed Bylaw 201, observing that there has been a lack of analysis as to how ticketing can apply to everyone in an economically fair manner.

Serena – expressed her opposition to proposed Bylaw 201, stating that it would negatively impact housing on Denman Island. She encouraged trust in the community's ability to solve problems.

Anis Larue – commented on her experience on Salt Spring Island where gentrification has resulted in alienation, environmental degradation and reduction of people with alternative ideas and she hoped that does not happen on Denman Island.

Ash – stated that she opposes proposed Bylaw 201. She acknowledged the increasing divide between those who have money and those who do not and suggested that increasing density could help feed the residents and create sustainability.

Ron Sakolsky - spoke against proposed Bylaw 201, recommending that before passing any bylaw the impact on the issue of affordable housing should be considered. He stated that he would prefer a moratorium on enforcement of any bylaw that has a detrimental effect on affordable housing. He added that the lack of affordable housing limits diversity, alternative lifestyles and sustainability and increases class discrimination and generational division.

Sherry Williams – stated that she opposes proposed Bylaw 201 and supports its defeat, noting that she would be very much affected if it were to pass. She urged

consideration of how we can sustain ourselves and think differently before we lose the ability to be different.

Bruce Holden – expressed his opposition to proposed Bylaw 201, stating that he prefers the idea of a community-based justice system.

Keith Porteous – stated that he is opposed to proposed Bylaw 201 and would like to see it defeated now. He commented that a bylaw enforcement ticketing system for small infractions is not appropriate for Denman Island where there are very few complaints and no groundswell of support for more bylaw enforcement.

Joshua VanDale – stated that he supports proposed Bylaw 201 and hopes that a decision is made today so that the motives of the Islands Trust are clear. He commented that there are no police on Denman Island and that one's reputation here goes a long way.

Leon - expressed his view that he does not want Denman Island to move in a direction such as Salt Spring or other areas where bylaw enforcement has become excessive. He recommended the community talk about issues and work out the problems together, and stated that he prefers seeing fewer or even no bylaws. He considers gentrification to be the problem and added that young people are passionate about protecting the land.

Sheila Nopper – stated that she is opposed to proposed Bylaw 201 and supports a community-based approach such as mediation rather than a punitive approach. She noted that Denman has a do-it-yourself heritage and she would like to see that continue and to enhance mutual aid.

Margie Gang – expressed her opinion that there are too many bylaws and objected to proposed Bylaw 201 not receiving broad community consultation prior to readings. She stated that this would be a good time to review the Official Community Plan and to have full community discussion on just the bylaws that are needed.

Brad – expressed his objections to proposed Bylaw 201, stating that it would accelerate gentrification and prevent the community from solving its own conflicts.

Graham Brazier – observed that he is hearing opposition to bylaws in general based on lack of affordable housing. He stated that proposed Bylaw 201 has no impact on affordable housing on Denman Island and would levy a fine to owners for infractions. He commented that people would like to change bylaws relating to affordable housing however noted that this is a separate issue.

Marjo VanTooren – commented that her deceased partner was involved in the Islands Trust in its early days and that it seemed like a very good idea then, however, she thought that current affairs would anger him.

The Trustees thanked everyone for making the time to attend this meeting and for their comments, noting the high degree of passion and love for Denman Island that has been heard.

6. **BYLAWS**

6.1 *Bylaw Enforcement Notification System*

6.1.1 *Staff Report dated May 7, 2012*

Chair Graham summarized the staff report, advising that the Bylaw Enforcement Manager has recommended that proposed Bylaw No. 201 be cancelled in order to allow the community to focus on several issues in the Land Use Bylaw that may need changing. He commented that after hearing from the community several times on this issue, it is evident that adoption of this proposed bylaw does not reflect the current needs of the community.

DE-048-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee proceed no further with Bylaw No. 201 cited as the "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 201, 2011".

CARRIED

There was discussion regarding the possibility of adding bylaw enforcement discussions to a future agenda. The value of community-driven tools for mediation and communication was recognized. It was acknowledged that Islands Trust bylaw enforcement policies will continue to apply in the event of environmental concerns or serious problems; however it was suggested that because enforcement of the regulation that a second dwelling cannot be used as a vacation home rental affects affordable housing, continuing discussion on the issue would be warranted.

DE-049-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to add "Discussion of Bylaw Enforcement" to the Denman Island Local Trust Committee business meeting in 18 months' time."

CARRIED

6.1.2 *Correspondence*

6.1.2a *Email dated May 17, 2012 from Roxanna Mandryk and Response from Trustee Graham*

Received.

6.1.2b *Letter dated May 20, 2012 from Louise Bell*

Received.

6.1.2c *Email dated May 21, 2012 from Jon LeBaron*

Received.

6.1.2d *Email dated May 21, 2012 from Patti Willis*

Received.

6.1.2e *Email dated June 3, 2012 from George McFaul*

Received.

6.1.2f *Email dated May 30, 2012 from Ralph McCuaig*

Received.

6.1.3 *Proposed Bylaw No. 201 cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 201, 2011"*

This item was considered earlier in the agenda.

7. BUSINESS ARISING FROM MINUTES

7.1 *Follow-up Action List dated May 24, 2012*

Received.

7.2 *Denman Island Technical Committee comments on "Penultimate" Draft Application Information Requirements (May 2012) for Raven Underground Coal Project*

Received.

8. APPLICATIONS AND PERMITS

8.1 *DE-ALR-2011.3 (Holden, Jacobs and Aronson)
Staff Report dated May 24, 2012*

Planner Eggen summarized the staff report that includes supplemental information provided subsequent to the March 15, 2012 meeting and recommendation.

The Trustees noted that a comment accompanying the referral for an application for subdivision in the Agricultural Land Reserve might assist the Agricultural Land Commission in their decision.

DE-050-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee forward the application DE-ALR-2011.3 (Holden, Jacobs and Aronson) to the Agricultural Land Commission with the following comments: “Regarding the proposed 16 hectare lot size, this size is consistent with the current intensive agriculture practices observed on Denman Island. A subdivision would improve access to equity finance, and the ability to act independently is a key component in any wish to increase farm capability by either party.”

CARRIED

8.2 *DE-ALR-2012.1 (Denman Community Land Trust Association)
Staff Report dated May 22, 2012*

Planner Eggen summarized the proposal to include a 0.9 hectare portion of the parcel into the Agricultural Land Reserve.

DE-051-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee forward the application to include land in the Agricultural Land Reserve, DE-ALR-2012.1, to the Agricultural Land Commission.

CARRIED

8.3 *DE-SUB-2011.1 (Hoerbunger for Smith) – Endorsement of 946 Covenant,
Statutory Right of Way and Easement to Satisfy Subdivision Regulations
Memorandum dated May 22, 2011*

Planner Eggen presented the memorandum for consideration of the 946 Covenant, Statutory Right of Way and Easement relative to the application to subdivide property in order to provide a residence for a relative.

Chair Graham questioned the process for a land owner to acquire water rights in order to assure that the carrying capacity of the water system is not being exceeded. Planner Eggen explained that approval has been granted from the Water Stewardship Division of the Ministry of the Environment for the supply of water to these two lots.

Trustee Busheikin asked if there has been consultation to determine if the water system is capable of supplying water to these additions. Planner Eggen responded that there is no consultation process however every license is reviewed with consideration of quantity of water in management plans.

DE-052-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee endorse the finalized Covenant pursuant to Section 946 of the Local Government Act, and the Statutory Right of Way and Easement for water supply purposes as per Sections 2.8.14 and 1.2.4 of the Denman Island Land Use Bylaw No. 186, 2008 for the proposed two lot subdivision on the North east ¼ Section 10, Denman Island, Nanaimo District (PID 006-639-275); and appoint the Chair of the Denman Island Local Trust Committee, that on behalf of the Local Trust Committee, be a signatory on the Covenant and Statutory Right of Way.

CARRIED

Chair Graham recessed the meeting at 12:40 pm and reconvened at 1:00 pm.

9. DELEGATIONS

There were no delegations.

11. CORRESPONDENCE

11.1 *Email dated May 10, 2012 from Rob Friberg of Ecosystem Restoration Associates Inc. regarding Denman Island Avoided Conversion of Forestlands Project*

Received. The email discussed the process of validation of certain aspects of its project. Chair Graham advised that he had been contacted by the writer.

11.2 *Email dated May 18, 2012 from Guy Marion regarding Vacation Rentals on Denman Island*

Received.

12. REPORTS

12.1 *Work Program
Top Priorities Report and Projects Report dated May 24, 2012*

Chair Graham summarized the Top Priorities and Projects Report dated May 24, 2012.

12.2 *Applications Log
Report dated May 24, 2012*

The Applications Log Report dated May 24, 2012 was reviewed.

12.3 *Trustee and Local Expenses*

There was no Trustee and Local Expenses report.

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 *Denman Island Farm Plan*

13.1.1 *Staff Report dated May 24, 2012*

Chair Graham summarized the staff report, noting that the draft Farm Plan presented in the agenda is the third draft of the plan. He explained that the Steering Committee comments made at their May 28, 2012 meeting will be considered and incorporated into a revision which will be distributed to the community for review.

DE-053-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee endorse the recommended changes to the Denman Island Farm Plan cited in the Denman Island Farm Plan Steering Committee minutes of May 28, 2012.

CARRIED

There was discussion on several points in the draft Farm Plan and suggestions were considered for purposes of clarification.

DE-054-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee:

- direct staff to consider clarifying the relationship between the material in italics and the first statement in 13.8 on page 153;
- direct staff to consider removing the first sentence of the italicized section in 14.2 on page 154; and
- direct staff to include information that food processing is currently permitted as a home occupation on Denman Island.

CARRIED

The Farm Plan project budget was discussed and amending the budget to reallocate funds for reimbursement of Steering Committee printing expenses was considered.

DE-055-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to submit a request to the Investment Agriculture Foundation to amend the Farm Plan project budget by reallocating the following to a new budget line "Printing costs for Steering Committee":

- a. \$300 from 2.4 Holding Focus Groups;
- b. \$120 from 3.5 Advertising draft Plan;
- c. \$120 from 4.2 Advertising Final Plan;
- d. \$50 from 3.6 Printing Draft Copies; and
- e. \$50 from 4.1 Printing Final Copies.

CARRIED

DE-056-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to endorse for community distribution and comment the Denman Island Farm Plan draft dated May 22, 2011 including amendments recorded in the May 28, 2012 minutes.

CARRIED

13.1.2 Letter dated April 17, 2012 from BC Shellfish Growers Association

The letter dated April 17, 2012 from BC Shellfish Growers Association was reviewed. The Trustees discussed drafting a letter for the Chair to send in response.

*13.2 Affordable Housing Planning
Memorandum dated May 18, 2012*

The Affordable Housing Planning memorandum dated May 18, 2012 was reviewed. The Trustees discussed the options for funding as well as information and tools available to advance the Affordable Housing Strategy project.

DE-057-2012

It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to furnish Advisory Planning Commission members with the Islands Trust Affordable Housing Strategy and to ask the Advisory Planning Commission to evaluate its usefulness for Denman Island.

CARRIED

Trustee Busheikin stated that she has identified other actions that could be considered to further the discussion on affordable housing and suggested that these ideas can be explored as a part of the process.

14. NEW BUSINESS

*14.1 Information Bulletin – May 2012
Aquaculture Management in British Columbia*

Received.

*14.2 Amendments to the Liquor Control and Licensing Regulation Affecting the
Licensing of Theatres from the Liquor Control and Licensing Branch dated April
11, 2012*

The policy directive dated April 11, 2012 announcing amendments to the Liquor Control and Licensing Regulation of movie theatres and live event theatre establishments was received.

14.3 Referral from Trust Fund Board regarding Bill Mee Gravel Quarry

The Trustees deferred consideration of the referral awaiting further background information from staff including authority, implications of industrial use close to a park in a residential area and historical context of quarry use.

14.4 Information Sheet on Guest Accommodation Regulations

Trustee Busheikin volunteered to draft an information sheet on guest accommodation regulations to clarify questions that have been arising from the community. She confirmed that she would work with staff to vet the draft prior to distribution. The consensus was that this fact sheet would be a useful tool and Trustee Busheikin will proceed.

14.5 Local Trust Committee Table at Denman Saturday Market

The Trustees discussed the benefits of setting up a table with information at the Denman Island Saturday Market during the Denman Sustainability Festival. They agreed that Trustee Busheikin would take the lead in organizing this activity.

15. ISLANDS TRUST WEBSITE

15.1 Denman Page

The following change was requested to the website:

- remove proposed Bylaw No. 201 from Administrative Bylaws
- add the standing resolution on visitor accommodation regulations to the Denman Island Local Trust Committee Standing Resolutions

16. NEXT MEETING DATE

The next meeting of the Denman Island Local Trust Committee will take place on Tuesday, July 17, 2012 at 10:30 am at The Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC

17. TOWN HALL DISCUSSION – time permitting

Cathy Noakes – asked for an explanation of the Advisory Planning Commission and Marine Advisory Planning Commission and if their meetings are public.

Chair Graham explained the function and purpose of these working committees and the process that is involved in referring topics for their consideration. He confirmed that the meetings are public and that engagement of the public at the meetings is at the discretion of the commission.

James Noakes – suggested that there might be an existing policy on mass transportation of soil that could be useful in consideration of the referral from the Islands Trust Fund regarding quarry activities.

The Trustees responded that they do not believe that the policy referenced is applicable to the issue that involves the Ministry of Highways and Infrastructure and confirmed that they have requested more information in order to address the referral.

Cathy Noakes – noted that food processing is being supported in the bylaws and she asked if current home occupation regulations would allow a separate building for that purpose.

Chair Graham explained the option for a home occupation operation and clarified that the ability to have an accessory building is dependent upon the size of the lot.

18. ADJOURNMENT

Chair Graham adjourned the meeting at 2:10 pm.

Recorder

Chair