



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: May 26, 2015
Location: Denman Seniors Hall
1111 Northwest Rd, Denman Island, BC

Members Present Susan Morrison, Chair
David Critchley, Local Trustee
Laura Busheikin, Local Trustee

Staff Present Rob Milne, Island Planner
Vicky Bockman, Recorder

Others Present Approximately three (3) members of the public – am
Approximately one (1) member of the public - pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:30 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She welcomed the public and introduced trustees, staff and recorder.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

14.2 Input Into Trust Council Strategic Planning

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Edi Johnston addressed the Local Trust Committee (LTC) on behalf of the Association for Denman Island Marine Stewards (ADIMS) and the Denman Island Residents Association (DIRA) Guardians of Denman Shores requesting progress updates on suggested approaches to protect Denman Island beaches and waters of Baynes Sound. She read her speaking notes and presented these notes for LTC review.

Trustees responded that these requests are being considered and that some of them may be addressed throughout the meeting today.

4. COMMUNITY INFORMATION MEETING

None.

5. PUBLIC HEARING

None.

6. MINUTES

6.1. Local Trust Committee Minutes dated April 21, 2015 – for adoption

The following amendments to the minutes were presented for consideration:

- 11.2.1: change heading to “Staff Memorandum dated April 8, 2015”;
- 11.2.1, first line, after “regarding”: delete “the”;
- 11.2.1, second line, after “Relationship”: add “Building”; and
- 12.7, second paragraph, second line: change “Cowichan” to “Comox”.

By general consent the minutes were adopted as amended.

6.2. Section 26 Resolutions-without-meeting Report Dated May 14, 2015

Received.

6.3. Advisory Planning Commission Minutes

None.

6.4. Marine Advisory Planning Commission Draft Minutes

None.

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated May 14, 2015

Planner Milne presented the report, commenting on status of items.

Trustees requested that future reports include identifying words placed in brackets beside each application and bylaw numbers to assist in their review of the material.

8. DELEGATIONS

Harlene Holm, speaking on behalf of Denman Community Land Trust Association (DCLTA), provided an update on the status of the group’s pilot project. She reported that work is now being done on design and plans for Project 2 – affordable housing for seniors on Denman. She provided the LTC with an information sheet identifying steps completed, current work and next steps for the future. She described DCLTA’s requested Grant-In-Aid application for the Solar Power Integration Project.

Discussion followed the presentation with the following key points noted:

- Chair Morrison asked if DCLTA would like her to forward their information to Ray Lipovsky, the Project Manager for Lasqueti Island's solar electric system for their health centre and elder cottage and this offer was accepted;
- The Denman Island Fire Department and Emergency Services have been contacted to ensure that the access to the property is adequate for their purposes;
- DCLTA may consider requesting the inclusion of a right-of-first-refusal clause for the property remaining with the current landowner at the time of purchase.

Trustees expressed their appreciation for the informative presentation; and thanked DCLTA for the work they are doing and the land provider for the terms being provided.

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1. DE-RZ-2015.1 (PANDESIGN, Hermanutz, Innes - 2100 Crescent Road)

10.1.1. Staff Report dated May 4, 2015

Planner Milne presented the staff report and draft bylaws for DE-RZ-2015.1. He outlined the potential next steps in the process that would include LTC consideration of giving first reading to the draft bylaws and a Community Information Meeting once the comments from the bylaw referral process and a draft restrictive covenant have been received and considered by the LTC.

10.1.2. Email dated May 7, 2015 from Peter Thomsen

Trustees acknowledged that an objection to the application raised by a neighbour is a concern; however, they welcomed the opportunity for community input on the issue that the process provides.

10.1.3. Email dated May 14, 2015 from PANDESIGN INC. (Henning Neilsen)

Trustees acknowledged that the mapping that was provided in the correspondence was helpful in their review. They indicated that the ecological value of the proposal warrants advancing the application further and noted that views from the community will be considered in the process.

DE-2015-031

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee give first reading to Bylaw No. 219, cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2015".

CARRIED

DE-2015-032

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee give first reading to Bylaw No. 220, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2015”.

CARRIED

DE-2015-033

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to refer Bylaw Nos. 219 and 220 to the agencies, organizations and First Nations listed in the staff report for review and comment.

CARRIED

Prior to the vote, Trustees reviewed the agencies and First Nations identified for referral comments and confirmed that making a referral to the Denman Island Advisory Planning Commission (APC) is appropriate at this time and that the list of First Nations has been verified by the Ministry of Community, Sport and Cultural Development.

DE-2015-034

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee affirm that it has reviewed the Directives Only Policies and determined that Bylaw Nos. 219 and 220 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

The LTC discussed the referral to the APC and, acknowledging that it will be the initial referral, suggested that they be provided with guidance on the issue of conflict of interest and suggested that they decide by resolution how any such issues will be approached. Trustees indicated their general preference to have staff present at the APC meetings, depending on the nature of the referral before them for consideration. They discussed expense considerations and determined that staff attendance at the first meeting would be beneficial, providing clarity and input on issues including the scoping, mandate, and legislative authority.

DE-2015-035

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee recommend to the Advisory Planning Commission that their first meeting involve the participation of Planner Milne and that if possible the meeting be held at a time which will enable him to return home the same day.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Visitor Accommodation Review

11.1.1. Staff Report dated April 29, 2015

Planner Milne presented the staff report which provides a review of the current regulatory framework guiding the implementation of guest accommodation on Denman Island and suggests possible amendments to the Land Use Bylaw (LUB) to achieve the purpose and objectives of this LTC project.

Trustees discussed the report and the following key points were noted:

- they questioned the *BC Food Premises Act's* exemption of bed and breakfast establishments serving meals other than breakfast;
- the current bylaw regulations allow serving meals without limiting them to breakfast;
- Vancouver Island Health Authority will be receiving a referral and will have the opportunity to comment;
- exploration of the cooking facility size may be a tool to address concern about the guest accommodations being used for unauthorized residential uses; however, it was noted that the language in the draft bylaw addresses the necessity for the facilities to be provided in a residence which provides home-based guest accommodation and the Open House will be an opportunity for feedback from operators.

DE-2015-036

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee direct staff to schedule and conduct a public Open House in late June or early July, 2015 regarding the draft bylaw for the Review of Visitor Accommodation project.

CARRIED

Discussion followed on scheduling and venue for the informal Open House.

Trustees observed that the date of the Deliverable/Milestone "LTC review of draft bylaw" should be changed from June 2, 2015 to May 26, 2015.

12. REPORTS

12.1. Work Program Reports

12.1.1. Top Priorities Report Dated May 14, 2015

Planner Milne summarized the Top Priority Report.

12.1.2. Projects List Report Dated May 7, 2015

Trustee Busheikin commented that she has two items for the LTC to consider adding to the Projects List.

She noted that the community has expressed interest in an Alternative Dispute Resolution (ADR) process and in her exploration of the possibility she has learned that Comox Valley Regional District (CVRD) and other municipalities do have the ADR process as a tool in conjunction with the Community Justice Centre. She indicated that her research indicates that this process could be customized for the Islands Trust area, funding is available, and that Bylaw Enforcement has suggested a pilot project to evaluate the program.

DE-2015-037

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee add to its Projects List: Pilot Project to include Alternative Dispute Resolution as part of the enforcement tool kit, possibly in cooperation with the Hornby Island Local Trust Committee.

CARRIED

Trustee Busheikin proposed another addition to the Projects List, observing that she has made reference to this interest in the past.

DE-2015-038

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee add to its Projects List: Downtown Village Neighbourhood Planning.

CARRIED

Trustee Busheikin spoke to her motion, remarking that some work on Denman Island downtown village planning has been done previously and although it did not move forward, she feels that the need for this project continues. She noted that possible benefits of such a plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; and addressing of water and septic concerns.

12.2. Applications Report Dated May 14, 2015

Planner Milne presented the Applications Report.

A Trustee requested clarification on the Planning Status of DE-DP-2013.1 and Planner Milne responded that he would follow-up with the Planner reviewing the file and will report back.

A Trustee requested an update on the status of a Development Permit application regarding the Morning Beach Park for removal of hazard trees and their request for a possible Resolution Without Meeting (RWM) on the matter. Planner Milne explained the RWM process.

DE-2015-039

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee deal with the Development Permit application by Comox Valley Regional District pertaining to Morning Beach Park by Resolution Without Meeting.

CARRIED

12.3. Trustee and Local Expense Report Dated March, 2015

Trustees reviewed the Expense Report.

12.4. Adopted Policies and Standing Resolutions

Received.

12.5. Local Trust Committee Webpage

There were no changes, additions or deletions requested at this time.

12.6. Chair's Report

Chair Morrison explained that the rescheduling of today's LTC meeting was necessary to accommodate an all-day workshop for new Islands Trust Chairs which will be a facilitated orientation. She reported that Islands Trust Chief Administrative Officer, Linda Adams has announced her retirement and a committee is being formed to address the hiring process. She also noted that Regional Planning Manager, Courtney Simpson will be leaving for a position outside of the Islands Trust. She advised that the next Trust Council meeting will be held in June on Galiano Island and noted some of the topics that will be addressed at that meeting.

12.7. Trustee Reports

Trustee Busheikin reported on meetings that she has attended since the last LTC meeting including a DIRA meeting, a workshop on First Nations "Understanding the Village" and a Local Planning Committee meeting. She advised that she has completed her work on the Newcomers Package communications project and has begun to distribute the material.

Trustee Critchley reported on an oil spill response exercise that he attended in Nanaimo, advised that he held Trustee Office Hours and attended an Old School Committee meeting since the last LTC meeting. He commented that he attended

a meeting with CVRD Area A Director, Bruce Jolliffe and DIRA Guardians of Denman Shores to discuss driving on beaches. He noted that upcoming meetings will include a meeting with a CVRD Baynes Sound aquaculture planning group, and a scheduled meeting with local groups to continue the discussion of preventing driving on beaches in conservation areas.

12.8. Electoral Area Director's Report

None.

12.9. Trust Fund Board Report

Chair Morrison provided a Trust Fund Board report with the following noted:

- the Trust Fund Board met with the Assistant Deputy Minister of the Ministry of Community, Sport and Cultural Development to discuss the requested name change from the Trust Fund Board to the Islands Trust Conservancy;
- a meeting has been scheduled with the Qualicum First Nation to discuss the Lasqueti Island Crown Land acquisition initiative;
- the Annual Report has been filed;
- a report was presented on a workshop co-hosted by Squamish Nation and the David Suzuki Foundation attended by Kate Emmings, Ecosystem Protection Specialist; and
- the input into the Island Trust Strategic Plan was described.

13. BREAK

By general consent the meeting was recessed at 12:26 pm and reconvened at 12:45 pm.

By general consent agenda item 17.1, 17.2 and 17.3 were moved to follow item 13.

17. CLOSED MEETING

17.1. Motion to Close the Meeting

DE-2015-040

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) for the purpose of Adoption of In-Camera Meeting Minutes dated April 21, 2015 and s.90(1)(g) and (i) for the purpose of litigation and receipt of advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 12:46 pm.

17.2. Recall to Order

The meeting reopened to the public at 1:19 pm.

17.3. Rise and Report

Chair Morrison reported that in the closed meeting the LTC adopted minutes from the In-Camera meeting of April 21, 2015.

14. NEW BUSINESS

14.1. Annual Meeting with Comox Valley Regional District - Request for Topics

Planner Milne reported that he is awaiting possible meeting date suggestions from CVRD and he solicited input from Trustees on topics for discussion.

Trustees considered possible agenda items and the following were suggested:

- Aquaculture/Marine/Shoreline issues, including funding for marine industrial garbage clean up or addressing the source of the garbage;
- providing an update on the LTC's First Nations relationship building initiative;
- discussion of the CVRD experience of the Alternative Dispute Resolution process / bylaw enforcement; and
- an update on the Cross-Island Trail project.

14.2. Input into Trust Council Strategic Planning

Trustees discussed possible additions to the Trust Council Strategic Plan.

DE-2015-041

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee recommend to Trust Council that the potential objectives and strategies in the Discussion Draft of the Strategic Plan for 2014 to 2018 be amended as follows:

1. Under objective 2 "Protect coastal and marine areas" add the following as strategies:
 - 2.4 advocate to reduce the negative impacts of shellfish aquaculture practices;
 - 2.5 develop working relationships with governmental and private agencies having interests in shellfish aquaculture;
 - 2.6 participate in working groups and activities pertaining to shellfish aquaculture;
2. Under objective 6 add "improve organizational cost effectiveness and resilience"; and
3. Add 6.3 "increase opportunity for Trust Council to engage in in-depth discussion about its vision, goals, mandate and activities."

CARRIED

15. UPCOMING MEETINGS

15.1. Next Regular Meeting Scheduled for Tuesday, July 21, 2015 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC

The LTC confirmed that the next regular meeting is scheduled for July 21, 2015 at 10:30 am at the Denman Seniors Centre.

16. TOWN HALL

Edi Johnston invited Trustees to attend the World Ocean Day events on Denman Island, an ADIMS-sponsored speaker series from May 30 – June 7, 2015. She provided information on the slide show, talks, panel discussion, community beach celebration and family picnic that will be occurring as a part of the series to celebrate and reflect on the beauty and fragility of our marine ecosystem.

18. ADJOURNMENT

By general consent the meeting was adjourned at 1:36 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder