



## Denman Island Local Trust Committee Minutes of Regular Meeting

<b>Date:</b>	<b>April 19, 2016</b>
<b>Location:</b>	<b>Denman Seniors Hall 1111 Northwest Rd, Denman Island, BC</b>
<b>Members Present</b>	<b>Susan Morrison, Chair David Critchley, Local Trustee Laura Busheikin, Local Trustee</b>
<b>Staff Present</b>	<b>Ann Kjerulf, Regional Planning Manager Vicky Bockman, Recorder</b>
<b>Others Present</b>	<b>Approximately ten (10) members of the public - am Approximately five (5) members of the public - pm</b>

### 1. CALL TO ORDER

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

### 2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

- 9.5 Email dated April 10, 2016 from Edi Johnston regarding Local Trust Committee referral and correspondence procedures
- 10.1.2 Email dated April 17, 2016 from David Innes and Luise Hermanutz
- 11.1.5 Letter dated April 8, 2016 from Dorrie Woodward, Denman Island Forage Fish Group
- 13.2 Community to Community (C2C) Funding

**By general consent** the agenda was adopted as amended.

### 3. TOWN HALL AND QUESTIONS

Edi Johnston read a submission from Barbara Mills, Co-Chair of Association of Denman Island Marine Stewards (ADIMS), sharing insights from the Salish Sea Conference, Prime Minister Trudeau's letter Mandate to the ministers of the Department of Fisheries and Oceans, and the language in the *Fisheries Act* to support protection of the shoreline. She submitted her speaking notes for the record.

Doug Wright, speaking on behalf of the Denman Growers & Producers Alliance (GPA), supported the Local Trust Committee's (LTC) implementation of the Denman Island Farm Plan, pointing out that new farmers need to feel supported by the Islands Trust. He offered GPA's assistance in working with Planning staff on this project.

He identified actions to aid in the Marine Issues initiative, requesting that a full-scale map of beach substrate areas be placed in the library, as the details cannot be discerned on the online map. He suggested that ADIMS be encouraged to share their knowledge of forage fish spawning area locations and historical background by placing this information in the library for the public's use.

David Graham suggested that the implementation of the Farm Plan could be advanced by the appointment of an Agricultural Advisory Planning Commission (AAPC) in conjunction with coordination with the GPA.

**4. COMMUNITY INFORMATION MEETING - none**

**5. PUBLIC HEARING - none**

**6. MINUTES**

**6.1 Local Trust Committee Minutes dated March 15, 2016**

By general consent the minutes were adopted.

**6.2 Local Trust Committee Public Hearing Record dated March 15, 2016 - for receipt**

Received.

**6.3 Section 26 Resolutions-Without-Meeting Report dated April 8, 2016**

Received.

**6.4 Advisory Planning Commission Minutes - none**

**6.5 Marine Advisory Planning Commission Minutes - none**

**7. DELEGATIONS**

**7.1 Simon Palmer, Denman Housing Association**

Simon Palmer, speaking on behalf of Denman Housing Association, submitted a document regarding affordable housing for working families on Denman Island dated April 19, 2016. He summarized the need, the challenge, the solution, the proposal and the conclusion for this affordable housing initiative. The proposal included several requests to facilitate the creation of affordable housing on Denman Island.

## 8. BUSINESS ARISING FROM MINUTES

### 8.1 Affordable Housing - consideration of delegation submission by Simon Palmer, Denman Housing Association

Trustees considered the Denman Housing Association delegation and discussion included the following points:

- policies supporting affordable housing projects are provided in the Denman Island Official Community Plan (OCP);
- a review of density transfer options might be initiated;
- such review might include research into how other islands are addressing this issue including Saturna Island which has completed much of the groundwork to address process and options;
- density bonuses might be explored as an option;
- while acknowledging that Trustees cannot fetter their discretion, a Trustee suggested that identifying necessary criteria to assist affordable housing projects might be a helpful framework;
- referral of the density transfer issues to the APC for comment may be considered as a part of the process; and
- consideration may be given to expanding an existing project on the Projects List to incorporate a review of supporting mechanisms for affordable housing.

The LTC opened the discussion to the public on this matter.

Simon Palmer expressed frustration with the slow pace of the process and requested that the LTC ask staff to determine necessary criteria as a framework for affordable housing groups and to bring that report back to the LTC as a next step.

Other comments from the public included the following points:

- rezoning and density transfer provisions in a recent application were considered to be confusing; a definition of what is required for the Density Bank to provide density transfers for this type of project is needed; and
- the OCP policies already include information on the Density Bank transfer mechanism and what is required for these projects; bringing what has already been vetted through the OCP to the public would make the process easier.

### 8.2 Follow-up Action List dated April 7, 2016

Regional Planning Manager Kjerulf summarized the report and provided an update on the funding for stream mapping on the Schmidt-Schweda property.

## 9. CORRESPONDENCE

### 9.1 Letter dated February 22, 2016 from Hornby Island Residents and Ratepayers' Association (HIRRA) regarding Islands Trust Signage at Buckley Bay

A Trustee suggested that this request to revise the signage to include Hornby Island might be forwarded to the Denman Works! Visitor Services Committee, as this committee has expressed interest in participating in a revision of the signage.

#### **DE-2016-020**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee agrees to the request of the Hornby Island Residents' and Ratepayers' Association regarding Islands Trust signage at Buckley Bay.

**CARRIED**

Trustee Busheikin offered to forward this request to the Denman Works! Visitor Services Committee and will advise HIRRA of this action.

### 9.2 Letter dated March 2, 2016 from Director, Bill Veenhof, Regional District of Nanaimo regarding Electoral Area H Official Community Plan Review

Trustees considered the letter and did not identify any issues requiring a response at this time. They discussed the process, and noted that staff reports accompanying these types of invitations to comment would be helpful in the future.

#### **DE-2016-021**

**It was MOVED and SECONDED,**

that staff be requested to follow the Electoral Area H Official Community Plan Review and report back to the Local Trust Committee about pertinent issues and opportunities for involvement.

**CARRIED**

#### **DE-2016-022**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to respond to the letter of March 2, 2016 indicating our wish to be kept further informed.

**CARRIED**

### 9.3 Regional District Strategic Sustainable Water Planning - Climate Change Task Force Report dated February 17, 2016

The report was received for information.

**9.4 Letter dated April 6, 2016 from Telus regarding Denman Island Community Dock**

Received.

**9.5 Email dated April 10, 2016 from Edi Johnston regarding LTC Referral and Correspondence Procedures**

Trustees acknowledged the concern expressed in the email. Trustee Critchley offered to respond to the correspondence on behalf of the LTC.

**10. APPLICATIONS AND REFERRALS**

**10.1 DE-RZ-2015.1 (Pandesign)**

**10.1.1 Staff Report dated March 16, 2016**

Regional Planning Manager Kjerulf outlined the staff report prepared by Planner Milne.

Trustees considered the report, discussed process and timing, and asked questions for clarity regarding the densities and site specific regulations. They supported conducting a Community Information Meeting (CIM) as a separate event rather than incorporating it into an LTC meeting.

**DE-2016-023**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 219, cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2015" be amended at second reading by the addition of a new item 1 as follows and the renumbering of subsequent items:

"That the Residential Density Bank table of Appendix D, "Density Banking" be amended by the addition of a new item, in sequential order, which reads as follows:

- Authorizing Bylaw: No. 219
- Date Added to or transferred from the Bank: (date of adoption)
- Legal Description: Lot 17, Section 6, Denman Island, Nanaimo District, Plan 6404 (6080 Lacon Road)
- Number of residential dwelling units added or deleted: +1
- Cumulative Total of residential dwelling units in the bank: 14"

**CARRIED**

**DE-2016-024**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 219, cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2015" be read a second time as amended.

**CARRIED**

**DE-2016-025**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 220, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2015” be amended at second reading by the addition of a new item 1 as follows and the renumbering of subsequent items:

“That Table 8 – “Site Specific Regulations” of Part 3.3, “Residential Zoning Tables” be amended by the addition of a new entry in sequential order which reads as follows:

Site Specific Zoning Code: “R2(6)

Site Specific Regulations: 1 Despite line 1 in Table 7 of this Section, the maximum density permitted by subdivision is an average of one lot per 5.56 ha.”

And that renumbered item 2(b) be amended by the deletion of the text which reads:

“from a split zoning of Rural Residential (R2) and Forestry (F) to Rural Residential (R2)”

And inserting the following text:

“from a split zoning of Rural Residential (R2) and Forestry (F) to Rural Residential 2(6), (R2(6))”.

**CARRIED**

**DE-2016-026**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 220, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2015” be read a second time as amended.

**CARRIED**

**DE-2016-027**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to schedule a Community Information Meeting for a Saturday afternoon or weekday evening to allow for a community review of the draft bylaws and associated information.

**CARRIED**

A Trustee identified items for possible inclusion in the CIM presentation with the following points noted:

- a summary describing what is being proposed and the intention;

- clear information regarding the number of densities currently allowed on each property and the number of densities that will be allowed if the proposal goes forward;
- the size of the receiving property; and
- a map that shows the current shape and size of the receiving property.

Trustees requested that links to relevant maps, staff reports and general information on density transfers be placed on the Denman Island webpage prior to the CIM for the public's perusal.

## 10.2 DE-CL-2016.1 (Mac's Oysters LTD.)

### 10.2.1 Referral

Received.

### 10.2.2 Referral Response

Trustees expressed concern that the applicant has stated that the intended use is consistent with approved local government bylaws for land use planning and zoning, however the area is zoned as Marine Conservation.

Trustees discussed process and the referral response recommendation completed by staff.

#### **DE-2016-028**

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

that the Denman Island Local Trust Committee send a comment to the BC Ministry of Forests, Lands and Natural Resource Operations regarding the Mac's Oysters application pointing out that on Denman Island there is significant and ongoing community concern regarding aquaculture scope and intensity in the waters around the island.

Trustees considered the motion and expressed concern that the full extent of community response on this issue has not been quantified.

**DEFEATED**  
**Unanimously**

Regional Planning Manager Kjerulf advised that it would be possible for staff to follow up with the Land Officer to confirm that they have received the responding correspondence and to point out that rezoning is required.

### 10.2.3 Crown Tenure Area

Received.

10.2.4 Islands Trust Crown Lands Agreements

Received.

10.2.5 Email dated March 8, 2016 from Sharon Small

Received.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Marine Issues**

11.1.1 Staff Memorandum

Trustees discussed conducting a second CIM on this subject to solicit views, share scientific information and the report produced by the Marine Advisory Planning Commission with the community and stakeholders.

Trustees requested that staff provide a link on the Denman Island webpage to the forage fish map and report, currently located on the Trust Fund Board website.

**DE-2016-029**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to arrange a Community Information Meeting with regard to Bylaw No. 207, such meeting to include information including scientific information and to include persons who can speak to the need for a regulation of driving on the beach and to specifically invite the Shellfish Growers Association and the shellfish growers who are known to currently use vehicles on the beach and encourage them to bring any documentation that might be useful and to invite the K'omoks First Nation.

Discussion followed and Trustees considered initiating a separate meeting with K'omoks First Nation, as neighbours with a particular set of interests and history, to discuss this bylaw.

**CARRIED**

**DE-2016-030**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to set up a meeting with representatives of K'omoks First Nation and the Local Trust Committee to discuss proposed Bylaw No. 207.

**CARRIED**

Discussion followed on scheduling, invitations and the involvement of a facilitator for the CIM. Regional Planning Manager Kjerulf advised that



Islands Trust has in-house staff available to support this type of project as an option.

**DE-2016-031**

**It was MOVED and SECONDED,**  
that the Denman Island Local Trust Committee request staff to engage a facilitator for this meeting.

**CARRIED**

- 11.1.2 Bylaw No. 207 cited as "Denman Island Land Use Bylaw, 2002, Amendment No 1, 2013" - for discussion

This item was discussed in agenda item 11.1.1.

- 11.1.3 Letter dated March 23, 2016 from The Association of Denman Island Marine Stewards (ADIMS) regarding Marine Issues as Top Priority

Received.

- 11.1.4 Email dated March 9, 2016 from Ralph McCuaig regarding Beach Access

Received.

- 11.1.5 Letter dated April 8, 2016 from Dorrie Woodward, Denman Island Forage Fish Group

Received.

**12. REPORTS**

**12.1 Work Program Reports**

- 12.1.1 Top Priorities Report dated April 7, 2016

Trustees requested that Top Priority No. 2 "Review of Visitor Accommodations Regulations" be removed from the list as the project has been completed. They acknowledged that the responsibility for Marine Issues may now be designated as "staff".

- 12.1.2 Projects List Report dated April 7, 2016

Trustees requested that the Project "Review of OCP/LUB regarding Implementation of Denman Island Farm Plan and ensuring food security" be removed from the Projects List as it has been moved to the Top Priorities List.

**DE-2016-032****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee amend the last project on the list "Review effectiveness of Secondary Suites and Cottages bylaw" to read "Review regulatory mechanisms for supporting affordable, attainable, and seniors' housing."

**CARRIED**

Discussion followed on other possible additions to the Projects List, staff time, and the need to delay consideration of a referral of density transfer issues to the APC until the referral subject matter has been refined and clarified.

**12.2 Applications Report dated April 7, 2016**

Regional Planning Manager Kjerulf presented the report and provided updates.

**12.3 Trustee and Local Expense Report dated March, 2016**

Received.

**12.4 Adopted Policies and Standing Resolutions**

Trustees requested this item be removed from agendas as there are no standing resolutions at this time.

**12.5 Local Trust Committee Webpage**

Trustees requested the following additions to the Denman Island webpage:

- links to relevant maps, staff reports and general information on density transfers to be placed on the website prior to the CIM regarding DE-RZ-2015.1 (Pandesign); and
- a link to the forage fish map and report, currently located on the Trust Fund Board website.

**12.6 Chair's Report**

Chair Morrison reported on her attendance at the following:

- Gambier Island/First Nation Community to Community (C2C) session;
- Trust Fund Board/Executive Committee liaison meeting; and
- Association of Vancouver Island and Coastal Communities (AVICC) convention.

She noted that upcoming meetings will include:

- Transport Canada Canadian Coastguard Area Response Planning Initiative in Victoria;
- Engagement workshops; and
- Attendance at the Howe Sound Forum as a representative of Executive Committee.

## 12.7 Trustee Reports

Trustee Busheikin provided a report on her attendance at the following events:

- the Salish Sea Ecosystem Conference in Vancouver and
- AVICC in Nanaimo.

Trustee Critchley reported on his attendance at the following meetings:

- Trust Council on Hornby Island;
- Conducting Trustee Office Hours; and
- Denman Island Residents Association AGM.

He provided an update on the South Sewer project and noted that he produced an article for the Grapevine.

## 12.8 Electoral Area Director's Report - none

## 12.9 Trust Fund Board Report

Chair Morrison reported that there was a presentation on the local government role in protecting species at risk at the joint Trust Fund Board/Executive Committee meeting. She noted that species at risk are protected under Federal legislation and that the Islands Trust area has a high level of at risk species. She remarked that this subject will be on a future Executive Committee agenda to consider protection options that are available.

## 13. NEW BUSINESS

### 13.1 Request for Decision - 2015-2016 Annual Report

Trustees considered the suggested text for the Denman Island LTC section of the 2015-2016 Annual Report and requested the following amendments:

- First paragraph, last line: add "(RAR)" after "Riparian Areas Regulation";
- Second paragraph, third line: change "OCP" to "Official Community Plan";
- Fourth paragraph, second line: remove "contentious".

#### **DE-2016-033**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee approve the text as amended for inclusion in the 2015-2016 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

**CARRIED**

### 13.2 Community to Community (C2C) Funding

Trustee Busheikin suggested that the LTC apply for Community to Community (C2C) Forum Program funding to provide an opportunity for the LTC and First Nations to discuss issues, challenges and opportunities to work together. She recommended various options for the meeting agenda including a morning presentation event for the public; a lunch with representatives of K'omoks First

Nation, LTC and Staff; and an afternoon meeting that might include discussion of how to work together. Trustees supported the initiative.

**DE-2016-034**

**It was MOVED and SECONDED,**  
that the Denman Island Local Trust Committee apply for a Community to  
Community grant for an event with the K'omoks First Nation.

**CARRIED**

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Tuesday, May 17, 2016 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC**

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

**15. TOWN HALL**

Henning Nielsen commented on the following topics:

- He advised that the Denman Island website does not show the dates of Fall meetings;
- He objected to the inadequate location map that is included in the Mac's Oysters application and to the proposed location being in front of a well-used, drivable, community beach access. He expressed his opinion that a location further south might be more appropriate; and
- He remarked that he was uncomfortable with the manner in which the March 15, 2016 Public Hearing (PH) was conducted. He noted that comments were allowed that were too personal and remarks should have been restricted to addressing the issue of the application. He asked that the protocol for ensuring a respectful meeting be followed in the future CIM and PH.

Chair Morrison acknowledged the concern and expressed her intention to conduct the next CIM and PH on this application in an appropriate manner.

**16. CLOSED MEETING – none**

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:43 pm.

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Susan Morrison, Chair

Certified Correct:

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Vicky Bockman, Recorder