



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: May 17, 2016
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 six (6) members of the public - am
 Approximately three (3) members of the public - pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:32 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

By general consent the agenda was adopted.

3. TOWN HALL AND QUESTIONS

Edi Johnston posed several questions for the Local Trust Committee (LTC). She asked if the LTC staff ever respond to shellfish tenure referrals from the Vancouver Island side of Baynes Sound.

Planner Milne responded that in general, referrals are received and responses are provided when the interests may be affected. He added that as a courtesy, referrals may be made on significant applications close to the jurisdictional boundary with other districts when it is considered that interests may be affected, providing an opportunity for response.

Edi Johnston asked if the LTC will respond to the Regional District of Nanaimo's (RDN) invitation to comment on the Electoral Area H Official Community Plan (OCP) review.

Trustee Critchley advised that a letter has been sent conveying the LTC's interest in continuing to be informed as the OCP review progresses.

Edi Johnston noted that Comox Valley Regional District (CVRD) recognizes the Islands Trust LTC's zoning in its OCP and wondered if the RDN's has any recognition of the LTC's local government philosophy and mandate in its OCP.

Trustee Busheikin responded that the CVRD may include this as there are overlapping areas of jurisdiction.

Edi Johnston asked if at the Union of BC Municipalities convention a Trustee will request a seat on the Fisheries and Oceans Canada Shellfish Aquaculture Management Advisory Committee.

Trustee Critchley responded that the two appointments have been made by the UBCM Board and that requesting a specific Islands Trust seat on the Committee is an approach that can be pursued. He offered to follow up on this option.

Edi Johnston asked if the Marine Advisory Planning Commission will be invited to participate at the upcoming Community Information Meeting to discuss proposed Bylaw No. 207. Additionally, she noted that a budget has not been allocated for the Marine Issues Top Priority and asked about plans for funding.

Trustees indicated that these topics will be discussed later in the agenda.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated April 19, 2016

By general consent the minutes were adopted.

6.2 Section 26 Resolutions-Without-Meeting - none

6.3 Advisory Planning Commission Minutes - none

6.4 Marine Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 4, 2016

Planner Milne presented the report and provided updates on the Schmidt-Schweda property stream mapping, Community to Community funding, and Farm Plan Implementation process.

Trustee Critchley reported that he did communicate with both the Hornby Island Residents and Ratepayers Association and a representative of the Denman Works! Visitor Services Committee regarding the request to revise the signage at Buckley Bay.

A Trustee requested that removal of the Adopted Policies and Standing Resolutions from the agendas be added to the Follow-up Action List as the

issues reflected on the report have been resolved and the continuing appearance on the agenda may cause confusion in the community.

Trustees discussed the Farm Plan Implementation and the following points were noted:

- the value of appointing a Special Steering Committee or Agriculture Advisory Planning Commission (AAPC) to consider implementation options was recognized;
- the Advisory Planning Commission Bylaw limits membership to six which may not be enough to provide the expertise and variety of perspective that is warranted on an AAPC;
- the usefulness of an enduring AAPC limited to six members versus a Steering Committee organized to address a specific project and open to more members was considered;
- a member of the current APC could also serve on the Steering Committee or AAPC; and
- Trustees proposed initiating the process of advertising for expressions of interest in a Steering Committee that would not be limited to six members.

DE-2016-035

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to advertise for expressions of interest in a Steering Committee for Farm Plan Implementation.

CARRIED

Trustees asked staff to research what would be involved in changing the APC Bylaw in order to change the membership number and to report back to the LTC with that information.

8. DELEGATIONS - none

9. CORRESPONDENCE

9.1 Email dated April 30, 2016 from Edina Johnston to Nicole Prichard, Ministry of Forests, Lands and Natural Resource Operations regarding Tenuring Issues

Received.

9.2 Letter dated May 1, 2016 from The Association of Denman Island Marine Stewards regarding the Referral Response Process

Trustees considered the letter and responded to some of the points raised as follows:

- The referral process was discussed at length in the April, 2016 LTC meeting;
- The request to announce a permanent moratorium on applications for new or expanded aquaculture tenures was not considered to be a viable option as Trustees may not fetter their discretion on issues without having given due

consideration and the right to put forward a rezoning application for consideration was recognized; and

- Changing the OCP and general approach to aquaculture would contravene the Trust Policy Statement.

Trustees discussed the process of applications being handled by staff versus coming before the LTC for consideration and requested clarification. The following key points were noted by Planner Milne:

- There is a class of application or process deemed to be technical that require compliance with regulations and rules of Islands Trust and which do not need LTC approval;
- Other permit processes, governed under the statutory requirements of the *Local Government Act*, require LTC approval;
- The LTC could be notified of all applications processed, however, the quantity might be onerous; and
- There is a need to differentiate between technical and political input.

A Trustee inquired if staff is aware of meetings held to consider a change in Crown Tenures Branch practices and procedures on issuing tenures, noting that this might be presenting an opportunity for input.

Planner Milne noted that it is his understanding that there has been a meeting with Ministry of Forests, Lands and Natural Resource Operations and Islands Trust Regional Planning Managers. He commented that the primary concern of issuance of tenures in absence of zoning may have been discussed, however, he has not had an update on the nature or outcome of the discussion.

DE-2016-036

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to inquire of Senior Planning Managers of Islands Trust as to the status of the discussion between them and the Crown Tenures Branch.

CARRIED

10. APPLICATIONS AND REFERRALS

10.1 DE-RZ-2015.1 (Pandesign)

10.1.1 Bylaw No. 219 cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2015".

Planner Milne commented on the Community Information Meeting (CIM) held last night on the subject of this bylaw. He noted that should the LTC wish to proceed, consideration might be given to scheduling a Public Hearing at this time and suggested that the LTC consider holding another CIM prior to that Hearing.

A Trustee proposed amending the bylaw to prohibit secondary cottages on the receiving property in order to mitigate the concerns expressed regarding possible impacts of increased density in the area. Trustees

discussed the matter and invited the applicant to speak to his position on this proposed approach.

Henning Nielsen commented that he is only one of the applicants and could not speak for the others; however his initial thought was that this would seem to be an unfair restriction given the scope of the rezoning with associated community benefits and considering that the surrounding large parcels would have this opportunity.

Trustees considered options for next steps and scheduling for the CIM and Public Hearing.

DE-2016-037

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee schedule a Community Information Meeting and a Public Hearing on Bylaw Nos. 219 and 220 for June 25, 2016 in the afternoon; such Public Hearing is to be preceded by a Community Information Meeting.

CARRIED

10.1.2 Bylaw No. 220 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2015"

This was discussed in agenda item 10.1.1.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation

11.1.1 Bylaw No. 212

That the Denman Island Local Trust Committee Bylaw No. 212 cited as "Denman Island Official Community Plan (Denman Island) Bylaw 185, Amendment No. 2, 2014", be adopted.

Trustee Critchley stated that he continues to have concerns regarding the Riparian Areas Regulation (RAR) mapping aspects of the Bylaw, noting that while one issue is being addressed, others remain. He observed that the Bylaw has been supported by the Ministry and indicated his willingness to proceed with the adoption of the Bylaws.

DE-2016-038

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 212 cited as "Denman Island Official Community Plan (Denman Island) Bylaw 185, Amendment No. 2, 2014" be adopted.

CARRIED

11.1.2 Bylaw No. 213

That the Denman Island Local Trust Committee Bylaw No. 213 cited as “Denman Island Land Use Bylaw 186, Amendment No. 2, 2014”, be adopted

DE-2016-039

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 213 cited as “Denman Island Land Use Bylaw 186, Amendment No. 2, 2014” be adopted.

CARRIED

A Trustee asked if there might be a pamphlet or information sheet on RAR created by another island available to customize for Denman Island, noting that it could be used to post on the website and to hand out as needed. Trustee Busheikin and Planner Milne offered to investigate the possibility.

11.2 Bylaw No. 207 - Marine Issues - Organization of Community Information Meeting - for discussion

Trustees discussed the purpose, structure, stakeholders to invite, and possible timing of the proposed meeting. The following key points were noted:

- a CIM format including presentations from BC Shellfish Growers Association (BCSG), a scientific/technological resource, and K’omoks Band shellfish growers would provide an incentive for growers and other interested community members to attend and participate;
- potential presenters should be identified and contacted with availability established prior to advertising for the meeting;
- a date in September for the meeting was suggested as a viable option;
- Trustee Busheikin suggested she might include mention of the event in her monthly writing, advising that this would be a CIM and welcoming participation from the community, including recreational users; and
- Planner Milne proposed that he would contact BCSG and Trustees might contact the K’omox Band for expressions of interest in this meeting.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated May 4, 2016

Planner Milne reviewed the Top Priorities Report.

12.1.2 Projects List Report dated May 4, 2016

Trustees reviewed the Projects List Report and requested that the RAR Implementation project be removed as it has been completed.

12.2 Applications Report dated May 4, 2016

Planner Milne presented the Applications Report, provided updates and responded to questions that arose. He reported that he continues to request that addresses be provided on the report for information.

12.3 Trustee and Local Expense Report dated March, 2016

Received.

12.4 Adopted Policies and Standing Resolutions

Trustees requested that Adopted Policies and Standing Resolutions be removed from future agendas as there are no standing resolutions outstanding and the continued inclusion may confuse some community members.

12.5 Local Trust Committee Webpage

Trustees discussed the webpage and requested the following actions:

- Add titles to Trustee Notebook entries, such as including a date, to differentiate them;
- The link to the forage fish map is broken;
- The link to Denman Ecosystem Mapping is broken;
- Remove the Standing Resolutions; and
- Update the Top Priorities.

12.6 Chair's Report

Chair Morrison reported on the following:

- Executive Committee has been busy preparing for the June Trust Council;
- She attended a recent Public Hearing on Thetis Island concerning the expansion of an aquaculture tenure that might be of interest on Denman Island, as there are similar concerns regarding the use of predator netting on that island. She commented that the tenure being considered did not allow predator netting, the applicant did not request it, and the Thetis Island OCP does not permit the use of predator netting; and
- Since the last LTC meeting she attended a Trust Fund Board meeting.

12.7 Trustee Reports

Trustee Critchley reported on the following:

- He provided an update on the CVRD South Region Liquid Waste Management Plan (South Sewer Project), reporting that they have been holding open houses and a referendum is set for June 18, 2016. He noted that if the referendum is passed the outflow would be located in Cape Lazo; if not, the working group will explore other options;
- He observed affordable housing projects while in England recently and reported on various local government options and strategies that are being employed to advance these developments; and

- He will be attending an Affordable Housing Forum which will be held prior to the June Trust Council.

Trustee Busheikin reported on the following:

- She held Trustee Office Hours and had many constituents come in for discussions;
- She attended a Denman Island Residents Association meeting where a presentation by the Fire Chief identified their need to create a fire plan for dwellings with secondary suites. She commented on the difficulty of identifying those locations and expressed concern that under these circumstances homeowners may not have a complete level of fire protection. She commented that she will follow up on this; and
- She is on the Steering Committee for the Affordable Housing Forum which will be held on June 13, 2016 and advised that a report of those findings will be issued.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report - none

13. NEW BUSINESS

13.1 Maps for the Denman Island Office

Trustee Busheikin reported that she has observed large, full-coloured, laminated maps at another Islands Trust office and expressed her belief that these would be an improvement in current maps available on Denman Island. She noted that these would be available at \$25 each and proposed that \$75 be allocated for new maps. She suggested zoning, sensitive ecosystem and orthophotographic maps might be considered for purchase.

DE-2016-040

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee purchase three laminated maps for the Denman Local Trust Committee office for a total of \$75.

CARRIED

Trustee Busheikin offered to follow-up on this initiative.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, July 5, 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

Edi Johnston requested clarity on the discussions of not outreaching to neighbours for proposed Bylaw Nos. 219 and 220 versus soliciting specific shellfish growers concerning proposed Bylaw No. 207.

Planner Milne responded that the proposed format for the meeting regarding Bylaw No. 207 has evolved from a round table discussion to that of a CIM. He explained that in the case of proposed Bylaw Nos. 219 and 220 statutory procedures provide for notification of interested parties.

Edi Johnston asked if it would be possible for the Association for Denman Island Marine Stewards to conduct a presentation at the CIM for Bylaw No. 207 currently being planned.

Planner Milne suggested that this would be an aspect for the Trustees to consider.

Edi Johnston suggested that a representative from K'omoks Band might be invited to discuss their new Marine Watchman Program at the proposed CIM for Bylaw No. 207.

Trustee Busheikin suggested that the K'omoks Band could consider this opportunity if they wish.

A community member asked how the general public can get more information on applications under consideration.

Planner Milne responded that property addresses have been requested to be provided in the applications report. He added that those applications that are not just technical in nature and that require the LTC consideration will appear on the agendas and in some circumstances adjacent property owners are notified.

16. ADJOURNMENT

By general consent the meeting was adjourned at 12:41 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder