



## Denman Island Local Trust Committee Minutes of Regular Meeting

**Date:** June 6, 2017  
**Location:** Denman Activity Centre  
 1111 Northwest Rd, Denman Island, BC

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

**Staff Present** Ann Kjerulf, Regional Planning Manager  
 Fiona MacRaid, Senior Intergovernmental Policy Advisor (via telephone)  
 Teresa Rittemann, Planner 2  
 Ian Cox, Student Planner  
 Vicky Bockman, Recorder

**Others Present:** Approximately seven (7) members of the public - am  
 Approximately two (2) members of the public - pm

### 1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:33 am. She welcomed the public, acknowledged that the meeting was being held in territory of the Coast Salish First Nations, and introduced Trustees, staff and recorder.

### 2. APPROVAL OF AGENDA

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

### 3. TOWN HALL AND QUESTIONS

- A member of the public expressed concern at the limited understanding throughout the Trust area of the Salt Spring Island incorporation issue, noting the difficulty of obtaining relevant information on the website; and asked why the Islands Trust does not take an active position on the issue arguing that their mandate to preserve and protect might be diminished by the potential change to a municipality.
  - Trustees explained the Islands Trust's neutral approach to the matter, clarified that regardless of the outcome Salt Spring Island would continue to be subject to the preserve and protect aspect of the mandate, and outlined the numerous forms of communication addressing this topic that have been available to the public.
- A member of the public expressed concern that aquaculture applications submitted to The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) contained false information and asked if the Local Trust Committee (LTC) would discuss this with the Ministry. The individual inquired about the referral response to a new application in Lambert Channel near Boyle Point Provincial Park, and requested an explanation as to why it is not listed on FLNRO's online application list.

- Trustees and staff responded that mistakes on FLNRO applications would be the responsibility of FLNRO to address;
- Staff confirmed that they recently responded to an aquaculture referral with a recommendation that the tenure be refused due to lack of permissible zoning.

**By general consent** the Local Trust Committee regular meeting was recessed at 9:48 am.

#### **4. COMMUNITY INFORMATION MEETING**

**By general consent** the Community Information Meeting was called to order at 9:49 am.

Senior Intergovernmental Policy Advisor MacRaidl joined the meeting via telephone at 9:50 am.

##### **4.1 Overview of Bylaw No. 222**

Planner Ritemann explained that the purpose of proposed Bylaw No. 222 is to amend maps in Development Permit Area 4 and the Official Community Plan (OCP) to correct inaccuracies and omissions that have been identified. She reported that these corrections add a non-*Riparian Areas Regulation* (RAR)-applicable stream that had been omitted and designate as RAR-applicable a creek and slough that had been mistakenly identified as non-RAR-applicable.

A question and answer opportunity was provided and the following comments were noted:

- New property owners asked how this would affect their land covenant.
  - Trustees and staff provided a general outline of RAR policies with information on where further specific information can be located.
- A member of the public requested clarity on the changes shown in the mapping.
  - Staff explained the key symbols in the maps and how they relate to the area in question.

##### **4.2 Summary of Referral Responses – Memorandum**

Planner Ritemann presented the Memorandum which updates the LTC on a suggestion received from the Ministry of Community, Sport, and Cultural Development (MCSCD) to consider sending a bylaw referral letter more widely to an additional 12 First Nations. She presented background and options for the LTC to consider.

Senior Intergovernmental Policy Advisor MacRaidl commented on the response options and the following was noted:

- She observed that these types of “housekeeping” amendment referrals require a significant amount of First Nations’ attention for relatively minor issues;
- She suggested that the LTC consider the re-referral process, however, proposed that should the LTC choose not to proceed with this approach, this amendment might be utilized as an opportunity to discuss these types of referrals with First Nations as a component of a workshop or other communication.

Senior Intergovernmental Policy Advisor MacRaid left the meeting at 9:56 am.

**DE-2017-041**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee refer proposed Bylaw No. 222, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016”, to the following First Nations: Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz’uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwa), Tla’amin, and Qualicum.

Discussion on the proposed resolution followed and Trustees’ comments included the following key points:

- MCSCD was not requiring that the additional referrals be sent;
- The Senior Intergovernmental Policy Advisor’s suggestion that this could be done in a more informal manner as an example of housekeeping items for discussion;
- Engagement with First Nations is occurring on many levels; and
- Concern was expressed that re-referral on this “housekeeping” amendment to correct mapping would slow down the process.

The Chair then called the question.

**DEFEATED**  
**Unanimously**

**By general consent** the Community Information Meeting was adjourned at 10:09 am.

**5. PUBLIC HEARING**

**5.1 Public Hearing regarding Bylaw No. 222**

A Public Hearing regarding Bylaw No. 222 was held with a Public Hearing Record documented separately.

**By general consent** the Local Trust Committee regular meeting was reconvened at 10:17 am.

**6. MINUTES**

**6.1 Local Trust Committee Minutes dated May 2, 2017**

The following amendments were presented for consideration:

- Page 9, item 14.5, first and fourth bullets: correct spelling to “Lasqueti”.

**By general consent** the minutes were adopted as amended.

**6.2 Section 26 Resolutions-Without-Meeting Report dated May 29, 2017**

Received.

**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 30, 2017**

Regional Planning Manager Kjerulf presented the report and provided updates.

**7.2 Dock Regulations – Memorandum**

Regional Planning Manager Kjerulf presented the Memorandum that addresses private dock regulations and options. She reported that the Denman Island Land Use Bylaw (LUB) only permits docks in the W2 zone.

**7.3 Housing First – Memorandum**

Regional Planning Manager Kjerulf presented the Memorandum that responds to the LTC's request for further information on an "affordable housing first" policy and Salt Spring Island's approach to this model. She reported that the term "housing first" generally applies to housing programs for people who are either chronically or episodically homeless, and provided an example of the Capital Regional District's housing first program. She noted that the Salt Spring Island Local Trust Committee has established a reduced fee for affordable housing applications.

Trustees discussed their support for reducing fees for affordable housing rezoning applications and clarified that this would not preclude applicants from requesting a waiver of fees from Executive Committee.

**DE-2017-042****It was MOVED and SECONDED,**

That the Denman Island Local Trust Committee request staff to draft an amendment to the Fees Bylaw to reduce the fee for a standard rezoning application to \$1,000 where the application is for affordable housing and the applicant is a registered charity or a non-profit society.

**CARRIED**

Trustees considered the possibility of prioritizing affordable housing rezoning applications and the following key points were noted:

- Reducing fees and prioritizing applications for affordable housing is an approach utilized in other jurisdictions;
- To avoid a perceived fairness issue in advancing these applications over others, care would need to be taken to ensure that the applications are consistent with regulations; and
- Options available to enable prioritizing of affordable housing rezoning applications were summarized.

**DE-2017-043**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to bring forward a report considering options for prioritizing affordable housing rezoning applications.

Trustees continued discussion and the following points were noted:

- It was questioned if there might be other elements of an “affordable housing first” policy to consider that would facilitate these applications and mitigate potential perception of fairness concerns; and
- The report requested by this motion was considered to be an effective approach to present the LTC with possible next steps and course of action.

The Chair then called the question.

**CARRIED**

8. **DELEGATIONS - none**

9. **CORRESPONDENCE - none**

10. **APPLICATIONS, REFERRALS and BYLAWS**

10.1 **Bylaw No. 222**

A Community Information Meeting and Public Hearing have been conducted on this bylaw which seeks to amend maps in Development Permit Area 4 and the OCP to correct inaccuracies and omissions that have been identified.

**DE-2017-044**

**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", be read a second time.

**CARRIED**

**DE-2017-045**

**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be read a third time.

**CARRIED**

**DE-2017-046**

**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

## 10.2 Bylaw No. 223 - Staff Report

Planner Ritemann presented the Staff Report that responds to the LTC's request for further information regarding the definition of feedlot, ways to regulate intensity, options for feedlot setbacks and screening and reported on the Ministry of Agriculture's response to the request for information on best practices. She indicated that the LTC could choose to defer consideration of proposed Bylaw No. 223 to occur simultaneously with the Farm Plan Implementation project to ensure consistency with that project.

### **DE-2017-047**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee defer consideration of, or changes to, proposed Bylaw No. 223 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016" to occur simultaneously with the Denman Island Farm Plan implementation project.

In discussion on the motion, a Trustee recommended that staff provide the support necessary to clarify the limited scope of the review of this issue when this bylaw is referred to the Advisory Planning Commission (APC).

**CARRIED**

Trustees and staff discussed the process relating to the referral of the Farm Plan Implementation to the APC.

Planner Ritemann left the meeting at 10:55 am.

## 11. LOCAL TRUST COMMITTEE PROJECTS

### 11.1 Marine Issues - Staff Report

Regional Planning Manager Kjerulf presented a Staff Report to introduce draft Bylaw No. 225 for LTC consideration. She reported that this bylaw would amend the LUB to add a general prohibition against the use of vehicles and ground-based machinery in the W1, W3 and W4 zones and contains an information note referencing the federal authority over licensed aquaculture practices.

Trustees considered the draft Bylaw. They acknowledged the LTC's jurisdictional limitations in this issue that prevent another approach, however, recognized the value of the draft bylaw as presented for the purpose of protecting valuable fish and wildlife habitat and provide an impetus for education of the public as to the negative impact of vehicles on foreshore areas.

#### 11.1.1 Draft Bylaw No. 225

### **DE-2017-048**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee has reviewed the Directives Only Policy Checklist and confirmed by resolution that Denman

Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

**DE-2017-049**

**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, be read a first time.

**CARRIED**

**DE-2017-050**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee refer Denman Island Local Trust Committee Bylaw No. 225, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2017”, to the following agencies and First Nations: BC Shellfish Growers Association, Association of Denman Island Marine Stewards, Pacific Salmon Foundation, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands and Natural Resource Operations (Crown Lands), Fisheries and Oceans Canada (Regional Aquaculture Management Office), Fisheries and Oceans Canada (Pacific Region Species at Risk Program), Islands Trust Fund, Comox Valley Regional District, Islands Trust Bylaw Enforcement, K’omoks First Nation, Cowichan Tribes, Lake Cowichan First Nation, Lyackson First Nation, Penelakut Tribe, Halalt First Nation, Stz’uminus First Nation, Qualicum First Nation, Snaw’Naw’As First Nation, Nanwakolas First Nation, We Wai Kai Nation, Wei Wai Kum First Nation, Homalco First Nation, and Tla’amin First Nation.

**CARRIED**

In speaking to the motion, a Trustee commented that this bylaw presents an opportunity for discussion and information regarding foreshore protection for the public.

## **11.2 Denman Village Design Charrette - Memorandum**

Regional Planning Manager Kjerulf outlined the Memorandum that provides an update on the Denman Village Design Charrette and requests the LTC’s consideration of the Project Charter.

Discussion followed on the initiative and the following was noted:

- The application for grant funding through the Vancouver Island University Regional Initiatives Fund was successful;
- Ian Cox, Student Planner, will be coordinating and attending the Charrette in September;
- It was suggested that the budget for accommodation and catering should be divided equally between the LTC and Vancouver Island University;

- It was suggested that the Charrette event, scheduled for September, be communicated to the community as soon as possible to maximize participation;
- Identifying study beyond the geographic extent of the Denman Village/Downtown area as “Out of Scope” in the Project Charter could constrain the process and connectivity to other areas should be considered;
- Trustees requested that the Denman Village Community Design Charrette – Charter v1.1 dated May 30, 2017 be amended by removing the Out of Scope first bullet.

**DE-2017-051****It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee endorse the Project Charter for the Denman Village Community Design Charrette v1.1 dated May 30, 2017 as amended through discussion.

**CARRIED****11.3 First Nations Engagement - Verbal Report from Fiona MacRaid**

Senior Intergovernmental Policy Advisor MacRaid joined the meeting via telephone at 11:20 am.

Senior Intergovernmental Policy Advisor MacRaid reported on the recent “First Nations and the Islands” presentation, noting that it was well attended and that dates for future engagement with K’omoks First Nation will be forthcoming.

Trustees and staff commented on the event and the Shared Narrative of Place-Charter v2 and the following points were noted:

- Previous discussions had supported the presentation of several events with various aspects such as archeology, history, and the K’omoks Guardian Watchmen program being highlighted; however this is not reflected in the Project Charter;
- The additional presentations might be discussed with the K’omoks First Nation at the next event with their Chief and Council;
- The value of continuing to use the term “deep history” was explained;
- Inclusion of other First Nations with interests in Denman Island might be considered after discussions with them individually; and
- The process for identification of opportunities to amend signage names and places was described and a change to the text of the In Scope activity was discussed.

Senior Intergovernmental Policy Advisor MacRaid left the meeting via telephone at 11:41 am.

11.3.1 Project Charter

**DE-2017-052**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request that In Scope items of the Shared Narrative of Place – Charter v2 be amended so that the fourth bullet In Scope reads: “Identification of signage opportunities in the Denman Island Trust Area where indigenous history can be acknowledged”.

**CARRIED**

**12. REPORTS**

**12.1 Work Program Reports**

12.1.1 Top Priorities Report dated May 30, 2017

Trustees discussed the Top Priorities Report and there were no changes requested at this time.

12.1.2 Projects List Report dated May 30, 2017

Received.

**12.2 Applications Report dated May 30, 2017**

Received.

**12.3 Trustee and Local Expense Report dated April, 2017**

Received.

**12.4 Adopted Policies and Standing Resolutions - none**

**12.5 Local Trust Committee Webpage**

A Trustee appreciated the work that has been completed on the Denman Island webpage. There were no changes requested.

**12.6 Chair's Report**

Chair Morrison reported on the following activities:

- Trust Fund Board updates on management plans completed; and
- She has been providing support for the upcoming Trust Council meeting to be held on Lasqueti Island.

**12.7 Trustee Reports**

Trustee Busheikin commented on the recent First Nations event that she attended.

Trustee Critchley reported on the following:

- He and Trustee Busheikin attended the film, A Plastic Ocean, presented by the Association for Denman Island Marine Stewards;
- Updates from an Old School Committee meeting that he attended;
- Community Stewardship Awards were considered at a recent Trust Programs Committee meeting that he attended;
- He described his impressions from a recent visit to a local geoduck aquaculture operation; and
- He has had communication from a person at University of Victoria working with the National Research Council regarding erecting seismic monitoring installations. He noted that Denman Island has been identified as a possible site and will follow up if further interest in this venture develops.

Student Planner Cox left the meeting at 11:54 am.

**12.8 Electoral Area Director's Report - none**

**12.9 Trust Fund Board Report - none**

**13. NEW BUSINESS**

**13.1 Ministry of Forests, Lands and Natural Resource Operations (FLNRO) Referrals Process - Discussion**

Trustee Critchley questioned whether it might be possible for staff to provide the Trustees with notifications that a referral request for comment from FLNRO has been received as well as to pursue being notified of final decisions on the matters.

**DE-2017-053**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to forward to Trustees, when received, any requests for comments on referrals from the Ministry of Forests, Lands and Natural Resource Operations.

**CARRIED**

Discussion continued on the most appropriate approach to address the request for disposition of results of the issues being referred.

**DE-2017-054**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to contact staff in the Ministry of Forests, Lands and Natural Resource Operations to request that the Denman Island Local Trust Committee be notified of any decision made regarding applications for tenures within the Local Trust Area.

**CARRIED**

**13.2 Well and Groundwater Workshops - Memorandum**

Regional Planning Manager Kjerulf noted that the Wells and Groundwater Workshop is scheduled to occur on Denman Island in June and distributed extra posters to be displayed for community information.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Tuesday, August 1, 2017 at 9:30 am at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC**

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

**15. TOWN HALL**

- A member of the public thanked the LTC for moving forward with first reading of proposed Bylaw No. 225 (Prohibiting Vehicles and Ground-based Machinery on the Foreshore).
- A suggestion was made by a member of the community that the Elkhaven property might be a suitable location for housing the students working on the Denman Village Design Charrette.
- A community member expressed concern that the Senior Intergovernmental Policy Advisor position that is responsible for First Nations and Marine Issues appears to be heavily weighted toward First Nations matters and commented that separating the role into two positions in order to deal with these issues separately would be more appropriate. Concern was expressed that marine issues are not receiving the attention that is needed.
  - Trustees recognized that an effective First Nations relationship might assist in furthering marine issue work; however, they acknowledged the concern, and observed that this message can be brought forward for consideration.

**16. CLOSED MEETING – none**

**17. ADJOURNMENT**

By general consent the meeting was adjourned at 12:15 pm.

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Susan Morrison, Chair

Certified Correct:

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Vicky Bockman, Recorder