



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: November 14, 2017
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present George Grams, Alternate Chair
 David Critchley, Local Trustee
 Laura Busheikin, Local Trustee

Staff Present Marnie Eggen, Island Planner
 Jennifer Eliason, Islands Trust Fund Manager
 Katherine Vogt, Recorder
 Ian Cox, Student Planner (by telephone)

Regrets Susan Morrison, Chair

Others Present Edi Johnston, Association for Denman Island Marine Stewards
 Harlene Holm, Denman Community Land Trust Association
 Approximately three (3) members of the public

1. CALL TO ORDER

Chair Grams called the meeting to order at 9:30 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations. He introduced Trustees, staff and recorder. He sent good wishes to regular Chair Susan Morrison.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.4 **Email dated November 10, 2017 from Denman Community Land Trust Association regarding Affordable Housing and received by Trustee Busheikin**

13.5 **Local Trust Committee Draft Minutes of Business Meetings**

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

- A representative, speaking on behalf of the Association for Denman Island Marine Stewards, expressed concern that aquaculture tenure decisions were being made before the Local Trust Committee (LTC) had received notification of the aquaculture applications.

- A Trustee noted that the LTC presently receives timely email responses from Islands Trust staff after staff have made technical response comments to the appropriate agencies regarding crown land tenure decision notifications.
- The representative noted that there were many false aquaculture applications being made and that the LTC should be notified of applications before they are decided upon.

4. COMMUNITY INFORMATION MEETING-none

5. PUBLIC HEARING-none

6. MINUTES

6.1 Local Trust Committee Minutes dated October 3, 2017

By general consent the minutes were adopted as presented.

6.2 Section 26 Resolutions-Without-Meeting - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated November 7, 2017

Planner Eggen reported on the progress on various items in the Follow-up Action list.

A Trustee stated that a short Trust-wide Memorandum regarding the June 6, 2017 consideration of options for prioritizing affordable housing rezoning applications would be forthcoming.

A Trustee asked if the October 3, 2017 action for staff to send a letter to aquaculture tenure holders clarifying the intent and limitations of Proposed Bylaw No.225 accompanied by educational materials with respect to the Islands Trust Object and impacts of driving on the beach had gone out. Planner Eggen replied that it is in progress.

7.2 Aquaculture Notification - Ministry of Forests, Lands, Natural Resource Operations and Rural Development - Response to Local Trust Committee Request-email

Received

8. DELEGATIONS

8.1 Denman Community Land Trust Association (DCLTA)

Applicant Harlene Holm of the DCLTA raised concerns that her volunteer-driven Seniors Affordable Housing Project would be unnecessarily delayed by freshwater availability and sewage disposal system issues raised in the Staff Report.

By general consent it was decided to consider item **10.3 DE-RZ-2017.1 (Denman Community Land Trust Association) - Staff Report**, for the benefit of continuity of discussion with the applicant.

Discussion ensued on how to best address potential impacts of the proposed project (sewage disposal and groundwater use) on groundwater resources. Chair Grams noted that the Islands Trust Freshwater Specialist is the agent who could best embrace and analyze these environmental factors in their entirety...

DE-2017-079

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee confirm that the Application to Rezone to Allow for Seniors Affordable Housing use densities from the 5% allowance as per the Official Community Plan, if the application goes forward.

CARRIED

DE-2017-080

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request staff to contact the Vancouver Island Health Authority to determine if there are any concerns with respect to the recommendations of H2O Environmental regarding wastewater treatment proposals for the proposed affordable housing project at 3730 Denman Road.

CARRIED

DE-2017-081

It was MOVED and SECONDED,

that the Denman island Local Trust Committee request planning staff to develop, in consultation with the Islands Trust Freshwater Specialist and applicant for DE-RZ-2017.1, a draft terms of reference for information to be supplied by the applicant in order to understand the potential impacts of the proposed development, including its water supply and sewage disposal systems, on local groundwater resources, and that the draft terms of reference be provided to the Local Trust Committee.

CARRIED

DE-2017-082

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to compile all of the necessary information for the creation of draft bylaws for rezoning to allow for the Seniors Affordable Housing Project.

CARRIED

9. CORRESPONDENCE-none

10. APPLICATIONS AND REFERRALS

10.1 Islands Trust Fund Five Year Plan – Briefing

Islands Trust Fund Manager Jennifer Eliason presented the draft Islands Trust Fund Five Year Plan for consideration.

DE-2017-083

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee receive the draft Islands Trust Fund Five Year Plan for consideration.

CARRIED

10.2 Islands Trust Fund Regional Conservation Plan – Briefing

Islands Trust Fund Manager Eliason briefed the LTC on the Regional Conservation Plan, noting that it is a ten year plan.

She pointed out page 37 of the Plan, which provided specific ecosystem profiles and statistics for Denman Island. New information on page 40 of the Plan looks at recent deforestation and development footprints comprising approximately 51 Hectares of Denman Island forest land. More information specific to Denman Island will become available toward the end of November.

Discussion ensued and the following points were made:

- A Trustee suggested that the impacts of shellfish aquaculture on shoreline erosion and accretion be included in the plan.
 - Trust Fund Manager Eliason agreed to look at that.
- The Trustee also noted that the amount of regional parkland mapped on Denman seemed low.
- Trust Fund Manager Eliason pointed out the existence of 568 Hectares of rockfish conservation zones around Denman Island.
- A Trustee questioned why there seemed to be no recognition of post-logging new forest growth on the map.
 - Trust Fund Manager Eliason agreed to look into it.
- A Trustee spoke on the topic of improper shoreline practices such as clearing right up to tidelines as a possible issue to look into and map.

10.3 DE-RZ-2017.1 (Denman Community Land Trust Association) - Staff Report

This item was previously distributed and discussed under item 8.1.

10.4 Agricultural Land Commission (ALC) Referral - Comox Valley Regional District (CVRD) Small Recreational Trail Adjacent to East Road – Memorandum

DE-2017-084**It was MOVED and SECONDED**

that the Denman Island Local Trust Committee request staff to inform the Agricultural Land Commission that the Local Trust Committee has reviewed the application for a statutory right-of-way within the Agricultural Land Reserve to accommodate the construction of the Cross Island Trail and would like to express its support.

CARRIED**10.5 Electoral Area "H" Official Community Plan Review Referral – Memorandum****DE-2017-085****It was MOVED and SECONDED**

that the Denman Island Local Trust Committee request staff to prepare a referral response to the Regional District of Nanaimo Board to support the approval of Proposed Bylaw No. 1335.06, 2017 (Electoral Area 'H' Official Community Plan), and include a copy of the Islands Trust staff report dated November 14, 2017 and the following comments:

- a) The subject marine area of Proposed Bylaw No. 1335.06, 2017 is within the Ballenas Winchelsea Islands Local Trust Area of the Islands Trust, and adjacent to the Denman Island Local Trust Area but located outside the respective Official Community Plan areas;
- b) Pursuant to Islands Trust Policy Manual 5.9ii (Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area) the [Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)/Denman Island Local Trust Committee] has reviewed the proposed zoning amendments and deems Proposed Bylaw No. 1335.06, 2017 to be consistent with the Islands Trust object and policy statements;
- c) The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and
- d) The RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Areas for both the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee.

CARRIED**11. LOCAL TRUST COMMITTEE PROJECTS****11.1 Denman Farm Plan Implementation - Staff Report**

Planner Eggen summarized the report. Discussion ensued regarding several of the Advisory Planning Commission responses, including panhandle lots, occasional markets, fairs, and festivals in the W2 zone, definition of intensive agriculture.

DE-2017-086

It was MOVED and SECONDED

that the Denman Island Local Trust Committee direct staff to investigate and report on the following matters:

1. Alternative definitions for intensive agriculture and/or a definition of intensive horticulture.
2. Possible amendments to permitted residential uses that could limit intensive horticultural uses.
3. Information about setbacks from streams, lakes and wetlands and the natural boundaries of the sea in relation to fences allowed up to their margins such that livestock may encroach upon these sensitive areas.
4. Information on alternative land tenure agreements.
5. A rationale for proposed policy 8 regarding panhandle lots.

CARRIED

DE-2017-087

It was MOVED and SECONDED

that the Denman Island Local Trust Committee confirms the following regarding staff recommendations for Farm Plan Implementation:

1. That Temporary Use Permit areas for agri-tourism accommodation also be considered for bona fide farms outside of the Agriculture Land Reserve.
2. That Temporary Use Permit guidelines regarding clustering of dwellings (proposed regulation 17.1) include the word “encourage” rather than “require” clustering.

CARRIED

DE-2017-088

It was MOVED and SECONDED

that the Denman Island Local Trust Committee direct staff to amend the Denman Island Farm Plan Charter by adding to the Deliverable/Milestone section (where it says Preparation of community information materials): “including a plain language guide to the draft amendments.”

CARRIED

11.2 Denman Community Design Charrette-Staff Report

Student Planner Cox, via telephone, presented a draft version of the Denman Community Design Charrette and offered that he was open to any input from the LTC regarding reprioritizing of items.

The Trustees noted the following:

- Noted that the public washroom in the downtown/village core was noteworthy.
- Liked the action plan and did not notice anything missing from the report, though would like a few more details.
- Appreciation that the action plan was divided between short term, medium term and long term.
- A good use of visuals in the report and the right amount of information.

By general consent the meeting was recessed at 12:23 pm and reconvened at 12:47 pm.

11.3 Shared Narrative of Place Project - Staff Report

Planner Eggen noted that it was very difficult to secure commitments from First Nations public speakers and presenters as they are very busy.

She noted that the project had been revised to separate Denman and Hornby Islands into two separate projects.

There was some discussion that First Nations presenters on a variety of cultural topics could be paid for their presentations out of existing budgets.

A Trustee expressed interest in inviting other First Nations besides K'omoks First Nation that have interests in Denman Island.

DE-2017-089

it was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to organize one or more community dialogue sessions focused on First Nations and related topics of interest, to be facilitated by Denman Island community members, and to invite First Nations who have asserted rights and title on Denman Island to participate with the expectation that prior to organization that staff will consult with trustees about possible presentations.

CARRIED

DE-2017-090

it was MOVED and SECONDED

that the Denman Island Local Trust Committee endorse the Denman Island Shared Narrative of Place Project Charter, v.3 [as amended].

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated November 7, 2017

Received.

12.1.2 Projects List Report dated November 7, 2017

Received.

12.2 Applications Report dated November 7, 2017

Received.

12.3 Trustee and Local Expense Report dated September, 2017

Trustee Busheikin requested more information on the expense report. Planner Eggen conveyed she would follow up with the Finance Department and that enquiries regarding the expense report be directed to the Finance Department.

12.4 Adopted Policies and Standing Resolutions - none

12.5 Local Trust Committee Webpage-none

12.6 Chair's Report

Chair Grams reported on the Trust Programs Committee meeting where it was agreed that a working group should be set up to examine inter-agency cooperation throughout the Trust area to improve services.

The Trusts Program Committee is also proceeding with a proposal that will be sent to executives suggesting a process for a revision of the policy statement.

12.7 Trustee Reports

Trustee Busheikin reported on the following:

- Shared information on various housing related information toolkits and downloadable booklets that might be of use to other trustees.
- Reported on her attendance at a Local Planning Committee meeting where housing agreements were discussed in relation to affordable housing.
- Discussed running into an area of conflict regarding a sense of inhibition of individuals in illegal housing to release information through housing needs assessments, for fear of possible by-law enforcement.
- Reported on efforts to prioritize and create a plan to protect the Coastal Douglas Fir Rainforest Climatic Zone.

Trustee Critchley reported on the following:

- Attendance at a recent Comox Valley Regional District meeting.
- Attendance at a Housing Needs Stakeholder meeting which had low public attendance and no attendance by anyone from the real estate sector.
- Shared that Bylaw Enforcement Manager Drew provided valuable information at this meeting.
- Received feedback recently from a local resident who expressed that the information gathering on affordable housing was overdone and that more direct action was needed on the issue.

Both trustees reported on their use of Facebook postings to notify residents of their attendance or absence from regular office hours.

12.8 Electoral Area Director's Report-none

12.9 Trust Fund Board Report dated October, 2017

Received for information.

13. NEW BUSINESS

13.1 2018 Local Trust Committee Meeting Schedule – Memorandum

DE-2017-091

It was MOVED and SECONDED

that the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2018: January 23, March 6, May 1, June 12, August 7, October 2 and November 20.

CARRIED

13.2 Temporary Use Permit Referrals – discussion

Discussion ensued regarding Islands Trust issued permits and the need to refer or provide copies of permits to the British Columbia Housing Authority for individuals who wish to build their own homes.

DE-2017-092

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to report back on the possibility of not informing British Columbia Housing Authority as part of Temporary Use Permit issuance.

CARRIED

13.3 Farm Industry Review Board Meeting – discussion

DE-2017-093

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the Executive to consider inviting a representative from the Farm Industry Review Board to Trust Council.

CARRIED

- 13.4 Email dated November 10, 2017 from Denman Community Land Trust Association regarding Affordable Housing and received by Trustee Busheikin**

DE-2017-094

It was MOVED and SECONDED

that the Denman Island Local Trust Committee direct that the correspondence from the Denman Community Land Trust Association dated November 10, 2017 be forwarded to the Executive Committee for information.

CARRIED

- 13.5 Local Trust Committee Draft Minutes of Business Meetings**

Discussion ensued regarding request that trustees receive draft minutes for the purposes of supporting trustee public communication efforts.

DE-2017-095

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request that the Draft Minutes be made available to local trustees when they become available to staff, for the purpose of supporting communication activities.

CARRIED

14. UPCOMING MEETINGS

- 14.1 Next Regular Meeting Scheduled for January 23, 2018 at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC**

15. TOWN HALL-none

16. CLOSED MEETING

16.1 Motion to Close the Meeting

DE-2017-096

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) and (i) for the purpose of considering: Adoption of In-Camera Meeting Minutes dated October 3, 2017 and receiving Legal Advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

Chair Grams recalled the meeting to order at 1:55 pm.

16.3 Rise and Report - None

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:00 pm.

George Grams, Alternate Chair

Certified Correct:

Katherine Vogt, Recorder