



## Denman Island Local Trust Committee Minutes of Special Meeting

**Date:** March 2, 2021  
**Location:** Electronic Meeting

**Members Present:** Sue Ellen Fast, Chair  
 David Critchley, Local Trustee  
 Laura Busheikin, Local Trustee

**Staff Present:** Sonja Zupanec, Island Planner  
 William Shulba, Islands Trust Senior Freshwater Specialist  
 Wil Cottingham, Administrative Assistant  
 Vicky Bockman, Recorder

**Others Present:** Approximately twenty-three (23) members of the public  
 Doug Olstead, Denman Community Land Trust Association

### 1. CALL TO ORDER

*"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."*

Chair Fast called the meeting to order at 7:00 pm, welcomed the public, and acknowledged that the meeting was being held electronically in traditional K'ómoks and Qualicum First Nations territory. She introduced herself, Local Trustees, staff, recorder and the representative from Denman Community Land Trust Association (DCLTA).

She advised that this Special Local Trust Committee (LTC) meeting was being held to conduct a Community Information Meeting (CIM) presentation and facilitated question and answer session where members of the public will hear information and can ask questions about application DE-RZ-2017.1 (Denman Community Land Trust Association), proposed Bylaw Nos. 233 (Official Community Plan), 234 (Land Use Bylaw), and 239 (Housing Agreement).

### 2. COMMUNITY INFORMATION MEETING - Proposed Bylaw Nos. 233, 234 and 239

**Regarding DE-RZ-2017.1 - Denman Community Land Trust Association (DCLTA) - Denman Seniors Affordable Housing Project (Pepper Lane)**

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

#### 2.1 Planner Presentation

##### 2.1.1 Community Information Meeting Slides

Planner Zupanec explained that this CIM provides an opportunity for the public to learn about the proposed seniors affordable housing project development, determine if interests are affected, and encourages submission of written or verbal questions prior to the Public Hearing scheduled for March 15, 2021. She

advised that a facilitated question and answer session will follow this Planner Presentation.

She provided information on the following topics:

- Status of the application with a timeline of progress to date;
- Next steps necessary to consideration of adoption and finalizing of the process;
- Current zoning of the subject property “A” Agriculture Zone, and proposed zoning of R4(2) for the proposed Seniors’ Affordable Strata Lot B and subdivision layout;
- Existing Infrastructure, Agriculture Land Reserve Exclusion of 0.8 hectares approved for affordable housing requiring a vegetated buffer, and proposed redevelopment identified with an approximate layout for discussion purposes;
- Proposed Water System includes a rainwater cistern for a toilet flush system and a well on the property which has a provincial conditional water license with requirements on the maximum quantity of water which may be diverted per day, water quality sample collection, and submission of a report on water quality data;
- Proposed Wastewater System needs to meet provincial requirements for subdivision;
- A summary of agency and First Nation referrals of proposed Bylaw Nos. 233 and 234.

#### 2.1.2 Proposed Bylaw No. 233 (Official Community Plan (OCP))

This application seeks to rezone a 1.62 hectare (4.01 acre) property near the Denman village to allow for subdivision into two lots with one lot for development of eight units of seniors affordable housing and the other lot maintaining the existing single dwelling residential use.

To accomplish this, amendments to the OCP are required including:

- New policies to support multi-family affordable housing, rental tenure housing, and new dwellings complying with BC Energy Step Code requirements;
- Mapping changes relating to changes in zoning from Sustainable Resources to Residential;
- This development, if approved, would utilize eight residential densities from the Density Bank, leaving 25 remaining.

#### 2.1.3 Proposed Bylaw No. 234 (Land Use Bylaw (LUB))

A summary was provided of amendments in bylaw language and mapping that are necessary to reflect the changes being proposed.

#### 2.1.4 Proposed Bylaw No. 239 (Housing Agreement)

The Housing Agreement is contained in proposed Bylaw No. 239, an administrative bylaw that allocates potable water quantity per unit and sets out requirements intended to ensure that the development remains affordable in perpetuity.

### 2.1.5 Proposed Restrictive Covenant

The proposed Restrictive Covenant would be registered on title and would require:

- Installation and maintenance of a vegetative buffer and fencing along the Agricultural Land Reserve boundary;
- Installation of fencing to mitigate noise and dust along 3716 Denman Road;
- Installation of a groundwater monitoring data logger in the well with reporting requirements;
- Construction of all dwellings to a minimum of Step 2 of the BC Energy Step Code.

## 2.2 **Applicant Presentation**

Doug Olstead, DCLTA Co-Chair, spoke to the application with the following noted:

- This proposed development addresses a pressing need on Denman Island for secure, affordable housing designed and dedicated for low income, aging residents;
- A brief history of the process to enable this project was given;
- Details of the Housing Agreement and eligibility framework were provided;
- The water system and rainwater collection system were described;
- Funding of the development is in early stages;
- DCLTA will investigate costs to consider the construction of net zero buildings;
- This project has received generous, broad-based community support.

## 2.3 **QUESTION AND ANSWER SESSION**

Chair Fast opened the floor for the Question and Answer Session, and noted that questions will be directed to the applicant, Trustees or staff for response.

- Are there plans for fencing or soundproof barriers between the development and the north end of their property to mitigate sound problems that might arise, especially when the Earth Club Factory's musical evenings recommence?
  - There are no plans for specific requirements for noise abatement fencing or barriers at the property location described; a neighbourly agreement was suggested as a means to address this concern.
- Why was the R4 zone used for the Pepper Lane development versus the R3 zoning used for the Coho Housing development and what are the differences?
  - The R4(2) zoning is a site-specific zone, customized to accommodate the specifics of this requested proposal. The R4 zone is intended to be a broad zone category for affordable rental housing developments. It will create an umbrella category for other such developments that may be considered in the future.
- Why are the data logger and related demands on DCLTA necessary for the Pepper Lane well?
  - One condition of the water license is to test annually for saltwater intrusion. Continuous monitoring would provide early warning of potential problems and allow for proactive addressing of any concerns. The data logger automatically collects the data, making it as easy as possible to collect and submit data for collaboration with the Province. The Denman village aquifer is considered to be vulnerable and this system will support sustainable use of groundwater.

- What is the estimated annual cost that DCLTA will be incurring to meet the requirement for a professional analysis of the data?
  - The data could be submitted to a professional for analysis electronically and might take a few hours of time to produce at an estimated \$100-\$200 per hour. Doug Olstead advised that DCLTA would prefer to eliminate this cost by transmitting the data directly to the Islands Trust Freshwater Specialist for analysis; and suggested that this would be justified given that the protection of the aquifer and collection of the data will benefit the wider Islands Trust. Senior Freshwater Specialist Shulba described the difficulty with that approach and maintained the need to retain a professional for the analysis.
- Why was this application zoned R4 and not considered on its own merits as an affordable housing zone with an additional definition?
  - The LTC has taken this approach on the advice of Planning staff and in a public process to address the application through bylaws that would result in this application coming to fruition.
- As an adjacent neighbour, is DCLTA willing to guarantee them permanent access to their backyard in the form of an easement on the access road?
  - DCLTA has agreed to allow access to the back of the property through the laneway for a number of years, however, this agreement will not be registered on the title.
- Is there a methodology built into the Housing Agreement to consider cost-of-living increases for proposed tenants' income level limits?
  - Yes, there is an inflationary element included that periodically adjusts the income level limitations based on Statistics Canada figures.
- Is the remaining stock of densities for this type of use adequate; and how can more be obtained?
  - There is a provision in the Denman Island OCP that permits a variance of 5% over the density cap for affordable, seniors' and special needs housing which could amount to an estimated 35-50 densities in addition to the 25 remaining densities in the Density Bank. An OCP review would likely be required to amend that number.
- Will the residential units be built on-site or will they be prefabricated and brought over to the site?
  - This is unknown at this time.
- How should the Denman Island Fire Department's recommendations for adequate access for a safe turnaround for Fire Department vehicles and development of a Fire Safety Plan be addressed?
  - Since receipt of the referral response, the Fire Department has indicated that the turnaround would not be necessary as equipment could be staged from Denman Road if necessary. Staff will investigate for LTC consideration if completion of a satisfactory Fire Plan might be included as a requirement on the Siting and Use Permit.
- Is there any other step relating to the Restrictive Covenant that needs to be addressed before the bylaws can receive final approval?
  - There are currently no recommendations from staff for changes to the Restrictive Covenant; LTC consideration prior to the Public Hearing could result in a change.

Chair Fast thanked everyone for their participation at this CIM and encouraged the public to contact Trustees, Planner Zupanec, or DCLTA representatives with any further questions about this project so that comments can be provided at the Public Hearing, scheduled for March 15, 2021.

**3. ADJOURNMENT**

**By general consent** the meeting was adjourned at 8:37 pm.

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Sue Ellen Fast, Chair

Certified Correct:

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Vicky Bockman, Recorder