



Denman Island Local Trust Committee Minutes of Special Meeting

Date: May 30, 2022
Location: Denman Island Community Hall
 1196 Northwest Road, Denman Island, BC

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

Staff Present: Sonja Zupanec, Island Planner
 Vicky Bockman, Recorder

Others Present: Approximately thirty-five (35) members of the public

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 6:30 pm. She welcomed the public and acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She introduced Local Trustees, staff and recorder and advised that the meeting is being recorded and will be posted for viewing on the Islands Trust website.

2. COMMUNITY INFORMATION MEETING - Denman Housing Association (DHA) - DE-RZ-2021.1 (Denman Green)

By general consent the agenda was approved as presented.

2.1 Planner Presentation

Planner Zupanec reported that the purpose of this Community Information Meeting (CIM) is to review with the community all the main elements of the proposed bylaw changes to enable the Denman Housing Association’s Denman Green project. She advised that this meeting is intended to provide information needed for community members to be able to speak at the Public Hearing which will follow, and will include a question and answer session.

The presentation provided an overview of the density transfers, Denman Green proposal, next steps, changes to the Official Community Plan (OCP) and Land Use Bylaw (LUB); Housing Agreement Bylaw, and Restrictive Covenant; potable water and wastewater plans, and will be available on the Islands Trust website for viewing.

2.1.1 Bylaw Nos. 241, 242 and 243

Summary of Changes to Bylaw No. 241(OCP)

New policies in support of:

- affordable rental housing;
- rental tenure housing being established;
- new dwellings complying with BC Energy Step Code requirements;
- reducing the size of the Commercial Development Permit Area.

Summary of Changes to Bylaw No. 242 (LUB)

- new Affordable Housing zone – R4(1) that regulates siting, size, use, density, parking, etc.;
- new site specific R2(7) zone for the Woodham Road parcel to decrease density;
- new site specific R2(8) zone for the Danes Road parcels to increase density.

Summary of Bylaw No. 243 (Housing Agreement Bylaw)

- construct only duplexes, triplexes or quadplexes;
- be constructed to meet BC Energy Step Code Level 2 efficiency standards;
- be constructed with a Type 3 advanced sewage treatment system;
- rent the 20 units to qualified occupants at an affordable rate;
- follow a tenant selection procedure;
- require annual reporting to the Islands Trust.

2.1.2 Draft Covenant

The Restrictive Covenant would require DHA to:

- install fencing along shared interior lot lines;
- install a datalogger in the well, take readings, and submit to Islands Trust annually;
- construct all dwellings to a minimum of Step 2 of Energy Step Code.

2.2 Question and Answer Session

- Will the tenants be required to have special training to minimize use of water and wastewater sewage?
 - The project will have low flow fixtures and will reuse grey water for toilet flushing to save water; tenants will generally receive education on how to use water sparingly.
- Why is the transfer of densities from Woodham Road to Danes Road a part of the Denman Green project?
 - This is the primary mechanism for the parcel on Kirk Road to be transferred to DHA and is the proposal that has come from the applicants for consideration.
- Who is the proponent and who are the people involved in this application?
 - DHA-Denman Green affordable housing project, H. Nielsen-Kirk Road subdivided 0.28 ha lot and Danes Road lots, N. Snyder-Woodham Road lot.
- Can the subdivided 0.28 ha lot on Kirk Road be used for housing? Has the subdivision been approved?
 - The lot is zoned R1 residential and is permitted one dwelling. The subdivision is in the final stages with the Ministry of Transportation responsible for the

- subdivision approval. As a part of the process they refer the application to multiple agencies to approve elements such as water and septic.
- Will any properties zoned commercial be replaced downtown to restore the balance since this proposal removes a commercially zoned property from downtown area and replaces it with residential?
 - No additional commercial land is contemplated with this application. The need to develop affordable housing has been considered a priority over the loss of a commercial property. A rezoning application would be necessary to enable another commercially zoned property.
 - Who will be in control of Denman Green tenant selection?
 - This Housing Agreement forms the basis of the tenant key selection criteria, regardless of the funding source. Eligibility conditions are proposed to include factors such as time of residence on Denman Island, membership in a First Nation band with ties to Denman Island, work history, residential situation, if there are children.
 - Will there be an opportunity in the future to address any concerns about the Denman Green well extraction affecting the aquifer and the testing conditions involving the Kir-Nel water system?
 - The water license application is with the Province now; in that process they will be reviewing impact on adjacent water users. Concerns might be expressed to the water licensing agency before a final decision is made. A professional hydrogeologist was engaged by DHA to conduct a review of the impact of the well on pressure or yield on adjacent properties with no concern expressed. Data was also reviewed by a Ministry hydrogeologist.
 - Why is submission of the datalogger data to the Islands Trust being required?
 - This is for information purposes and for oversight that may not be provided by the Province, in this case, of multiple densities on a single lot. The intent is to assure the community that if there is a problem, it would be caught and addressed early.
 - Are there any bylaw restrictions to prohibit transfer of densities for a financial gain to an individual or an entity offering community benefit, as may be the case in this proposal?
 - This is not within the scope of a local government's rezoning consideration. DHA is a not-for-profit entity and board members could not individually profit.
 - What are the financial criteria for tenant eligibility in the affordable housing? Is it possible to designate a certain percentage of the units for lower income applicants? Will there be some units priced at market rental rates?
 - Housing funders determine on a case-by-case basis how best to achieve their objective of the highest number of units built for the lowest income residents. Putting a requirement on the percentage of units for lower income residents might restrict the necessary flexibility. Market rentals are needed to help subsidize the more affordable units. The range of affordability will be determined by the cost to build the units and the size of the mortgage that will be required.
 - Has the Islands Trust discussed the need for affordable housing with potential tenants to balance concerns with need?

- There have been several Community Information Meetings on this proposal, and Local Trustees have taken into consideration the Housing Needs Assessment, applicant's reports, Advisory Planning Commission referral and responses from referral agencies.
- If this application is not approved, what plans are there to meet the known need of housing on Denman Island?
 - Outside of this application, the Local Trust Committee (LTC) has initiated a Housing Review Project to create more flexible housing options through the OCP and LUB.
- Is this the final opportunity to provide input on the bylaws or this project?
 - After the Public Hearing that follows this CIM, input about this entire application can be directed to staff however not to Trustees.
- Has any analysis been done on the Danes Road lots to demonstrate sufficient quantity and quality of water for those lots to justify further subdivision?
 - The applicant was asked to provide sufficient evidence of adequate water and sewage disposal capacity to support an increase in density and was able to demonstrate sufficient minimum water requirements for quality and quantity. The subdivision process will require the applicant to provide sufficient evidence to the approving officer at that time.
- If there is a difference in the agreement between the funding agency and DHA in terms of the affordable units, would that have to come back to the LTC for approval?
 - Any change in the Housing Agreement requires the applicant to come back to the LTC to amend the Bylaw.

3. PUBLIC HEARING - BYLAW NOS. 241, 242 and 243

Bylaw No. 241 (Official Community Plan (OCP)), Bylaw No. 242 (Land Use Bylaw (LUB)) and Bylaw No. 243 (Housing Agreement (HA))

A Public Hearing on Bylaw Nos. 241, 242, and 243 will follow this meeting.

4. ADJOURNMENT

By general consent the meeting was adjourned at 8:00 pm.

Sue Ellen Fast, Chair
Certified Correct:

Vicky Bockman, Recorder