

ADOPTED

**MINUTES OF THE DENMAN ISLAND LOCAL TRUST COMMITTEE MEETING HELD AT
11:00 A.M. ON TUESDAY, AUGUST 3, 2010
AT THE DENMAN ISLAND ARTS CENTRE,
1016 NORTHWEST ROAD, DENMAN ISLAND, BC,
THEN AT 12:30 P.M. AT THE MARCUS ISBISTER OLD SCHOOL CENTRE,
5901 DENMAN ROAD, DENMAN ISLAND, BC**

PRESENT: Peter Luckham Chair
 Louise Bell Local Trustee
 David Graham Local Trustee
 Courtney Campbell Island Planner
 Vicky Bockman Recorder

There were sixteen (16) members of the public in attendance.

1. CALL TO ORDER

The Chair called the meeting to order at 11:03 a.m.

3. REMARKS FROM LINDA ADAMS, CHIEF ADMINISTRATIVE OFFICER OF ISLANDS TRUST

Linda Adams, Chief Administrative Officer of Islands Trust, gave a presentation on the history, structure, policy, successes and challenges of the Islands Trust.

There was a recess from 11:45 a.m. – 12:30 p.m.

At 12:35 pm the Chair reconvened at the Marcus Isbister Old School Centre. There were ten (10) members of the public in attendance.

2. APPROVAL OF AGENDA

The following changes were made to the agenda:

- Move item 3, Remarks from Linda Adams, Chief Administrative Officer of Islands Trust, to follow item 1
- Move item 7.2 North Denman Lands Agreement with Ministry of Environment to follow item 6.4
- Add item 15.6 Proposed Bylaw No. 194 cited as “Denman Island Land Use Bylaw, 2008, Amendment No 3, 2009”
- Move item 12.2 Work Program Reports to follow item 15.6
- Add item 16.1 Memorandum from Denman Island Local Trust Committee to Denman Island Advisory Planning Commission

4. CHAIR'S REPORT

The Chair reported that it has been quiet with nothing of note to report.

5. TRUSTEES' REPORT

Trustee Graham reported that the Denman Island Local Trust Committee has received notice of funding for the grant from the Investment Agriculture Foundation for the Denman Island Agriculture Plan.

Trustee Bell had nothing to report at this time.

6. MINUTES

6.1 Local Trust Committee Special Meeting Minutes of June 29, 2010 – for adoption

The Denman Island Local Trust Committee made the following changes to the minutes:

- On page 2 Item 5.3 add the word “Log” after “The Chair reviewed the Resolution Without Meeting.”
- All references to the Island Planner are to be changed to “Island Planner” for consistency purposes

The Denman Island Local Trust Committee adopted the minutes by consensus.

6.2 Section 26 Resolutions Without Meeting

None.

6.3 Denman Island Advisory Planning Commission Minutes

None.

6.4 Denman Agriculture Plan Steering Committee Minutes dated June 30, 2010

The Denman Island Local Trust Committee received the minutes. Trustee Bell stated her appreciation for being able to review these minutes.

7.2 North Denman Lands Agreement with Ministry of Environment

The Island Planner reported on the current status of the Agreement, stating that all conditions were set to be removed on July 30, 2010 however a technical problem with one of the documents prevented that closure. It is now set to be completed August 3, 2010 and the Denman Island Local Trust Committee will be updated on the status. Upon removal of all the conditions, it will take approximately 10 business

days to complete the title transfer. The Island Planner will continue to follow this closely.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 26, 2010

The Island Planner reviewed the Follow-up Action List dated July 26, 2010 with the following comments:

- Completion of the Community Profile update is awaiting the completion of the North Denman Lands rezoning and park creation Agreement with Ministry of Environment.
- Prior to contacting the appropriate provincial ministry to discuss the issue of public roads to the proposed provincial park being blocked as requested by the LTC, staff contacted the landowner to confirmed that the roads had been blocked, and it was not deemed necessary to also contact the Province. No further action is required on this matter.

Trustee Bell inquired as to the status of the meeting with Fiona Cubit from the Ministry of Agriculture and Lands as she would like to see that meeting occur. The Island Planner responded that she will follow-up and will attempt to bring that item forward.

8. DELEGATIONS

None.

9. TOWN HALL DISCUSSION

The Chair invited comments from the public in attendance and there were none.

10. CORRESPONDENCE

None.

11. APPLICATIONS AND PERMITS

11.1 DE-DP-2010.1 (Wright – 4251 East Road)

The Island Planner stated that the applicant has recently made changes to the application requiring more time for staff review.

11.2 DE-DVP-2010.2 (Judith Scruton for Ainsworth and Broadbent, Komas Ranch)

The Island Planner reviewed the Staff Report with recommendations to issue the Development Variance Permit. There was discussion about the proposed variance

ADOPTED

permit request, the general history of the events prior to this request, and the role of the Archaeology Branch of the Ministry of Tourism, Culture and Arts.

Trustee Graham stated that he had made a site visit and did not oppose the request.

Trustee Bell stated that the construction of a dwelling prior to obtaining the proper siting and use permit results in an illegal dwelling. She felt this is an example of people not being aware that buildings and building extensions are not to be initiated until a siting and use permit has been obtained and expressed her concern that approval of variances might send a message that proper permit procedures are not necessary.

Chair Luckham expressed his agreement with the concerns of Trustee Bell and stated that approving a variance for a pre-existing development does not set a standard and that future requests for such development variance permits may not be approved.

DE-083-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to issue Development Variance Permit DE-DVP-2010.2 (J. Scruton for Broadbent/Ainsworth) for a height variance for a single family dwelling situated closer than 100 meters to the natural boundary of the sea.

CARRIED

Chair Luckham asked if there is anything the Local Trust Committee would like to do to increase community awareness of these required permits such as distribution of a brochure. Trustee Bell responded that over the years there have been various attempts to increase awareness of the requirements and that the most effective method may be to address the issue in the local newsletter, the Grapevine. Trustee Graham stated that Development Variance Permit Applications have not been numerous during his term and that the height restriction in the Bylaw may need to be reviewed. He agreed that the community should be reminded again of the requirements.

12. REPORTS

12.1 Strategic Plan for Local Trust Committees

Trustee Bell noted that Trust Council will be reviewing the Strategic Plan in September and that as part of Goal 3: Sustain Island Character and Healthy Communities it should be noted that the statement "No new funding required" for the Denman Island Farm Plan is inaccurate and that if we are to carry on with the Plan additional funds will be needed.

12.3 Applications Log

The Island Planner stated there were no updates for the Applications Log dated July 22, 2010.

There was discussion regarding the status of the farm plan for File No. DE-ALR-2008.3 and it was reported that there has been no new information received on this. The Island Planner will continue to follow-up.

Trustee Bell stated she would like the Local Trust Committee to address File No. DE-DVP-2010.1 soon. The Island Planner clarified that prioritizing the permits is a staff decision and priorities are typically not directed by the Local Trust Committee. An update will be provided at the next meeting.

12.4 Trustee and Local Expenses

12.4.1 Expenses posted to June 25, 2010

No comments.

12.4.2 Expenses posted to July, 2010

Trustee Bell requested a correction be made: that the Grapevine advertising expenses in the July report should be removed from the LTC-Local Exp.-LTC Meeting Expenses Category 65200-615 and placed in the "LTC-Local Exp.-Communications category 65220-615.

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Agriculture Plan

The Island Planner reviewed the timing for selection of the consultant, meeting schedules, expectations of the consultant and budget deadlines.

Trustee Bell stressed the importance of the tasks outlined in the proposal including collection of technical information and land use inventory as well as historic and economic data in order to identify gaps in information. She also hoped that equally qualified local island candidates would be given strong consideration in order to reduce travel expenses and provide local employment. The Island Planner responded that the process is sensitive, however, the evaluation criteria attempt to address the importance of local knowledge in its weighting of criteria mandates.

13.2 Seasonally Flooded Agricultural Fields – Staff Report dated July 22, 2010

The Island Planner reviewed the Staff Report and discussion ensued regarding the methodology of analysis, the definition of seasonally flooded agricultural fields as it relates to the 50-year benchmark for previous agricultural activities, and the logic of sites included in the proposed land use bylaw amendment.

ADOPTED

Trustee Bell stated there had been a long discussion about the ecological values of wetlands at the Trust Fund Board meeting with concerns expressed regarding the value of wetlands versus the exemption from restrictive regulations of agricultural fields. It was felt that the preservation of as many wetlands as possible is important.

Trustee Graham expressed his opinion that there is a good process defined and that he is in agreement with the findings in the Staff Report. He suggested that rather than identifying the Regional Agrologist specifically by name, that all references be made to the "Regional Agrologist" generally.

DE-084-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee amend Proposed Bylaw No. 195 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2010" as follows:

- Changing the text to be added to Schedule "A", Section 4.4 (Development Permit Area No. 4: Streams, Lake and Wetlands – Guidelines), Guideline 1, preceding the final sentence to:

"Despite the requirements of subsection 1 above, a development permit is not required for agricultural activities within a seasonally flooded agricultural field that is in the Agricultural Land Reserve as long as it can be determined by site inspection and/or by current orthophoto interpretation that it has been previously modified for agriculture. If it is not possible to make the determination by these means, other historical evidence that agricultural activities have occurred in the subject area within the last 50 years from the date of the application may be acceptable. A development permit is still required for the activities described in subsections 2, 3 and 4."

- Amending Schedule "A", Section 4.4 (Development Permit Area No. 4: Streams, Lakes and Wetlands – Guidelines) by adding the following wording to Guideline 1, following the final sentence:

"In addition, the following properties are recognized as containing seasonally flooded agricultural fields and are exempt from requiring a development permit for agricultural activities as long as they remain in the Agricultural Land Reserve:

Lot A, Section 32, Denman Island, Nanaimo District, Plan VIP 61295;
Lot 1, Section 17, Denman Island, Nanaimo District, Plan 43576;
The Southeast ¼ of Section 26, Denman Island, Nanaimo District; and
The Northwest ¼ of the Northwest ¼ of Section 22, Denman Island, Nanaimo District."

CARRIED

DE-085-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee instruct staff to refer the amended bylaw to the Agricultural Land Commission and the Ministry of Agriculture and Lands for comment.

CARRIED

ADOPTED

DE-086-2010 It was **MOVED** and **SECONDED** that Denman Island Local Trust Committee request staff to include in the agency referral for Proposed Bylaw No.195 the concept entertained by the Denman Island Local Trust Committee at its August, 2010 meeting of designating the seasonally flooded agricultural field in the Southwest ¼ of Section 13 as a Development Permit Area No. 4 and adding it to the list proposed in Guideline 1 of properties to be recognized as containing seasonally flooded agricultural fields and exempted from requiring a development permit for agricultural activities.

CARRIED

The Chair requested that input from the Agriculture Land Commission be obtained prior to public meetings.

13.3 Official Community Plan and Land Use Bylaw Targeted Review

13.3.1 Staff Report

The Island Planner reported that this report is not available for review at this time, however it will be presented at the next meeting. The Trustees discussed ways to encourage the community to participate in the Official Community Plan and Land Use Bylaw Targeted Review process.

13.4 Denman Island Community Profile – verbal update

This item was dealt with earlier in the meeting.

14. NEW BUSINESS

None.

15. BYLAWS

15.1 Proposed Bylaw No. 193 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2009.” - for adoption

DE-087-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee adopt the proposed Bylaw cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2009”.

CARRIED

15.2 Proposed Bylaw No. 198 cited as “Denman Island Official Community Plan Bylaw, 2008, Amendment No. 2, 2010” - for adoption

ADOPTED

DE-088-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee adopt the proposed Bylaw cited as “Denman Island Official Community Plan, 2008, Amendment No. 2, 2009”.

CARRIED

15.3 Proposed Bylaw No. 195 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2010” - verbal update

This item was dealt with previously in the meeting.

15.4 Proposed Bylaw No. 196 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2010” - verbal update

The Island Planner presented an update stating the proposed Bylaw Amendment has received Ministerial approval, however it has not yet been officially approved by the Agriculture Land Commission. Since this is an unusual sequence, it was decided to confirm that it is completely clear from the viewpoint of requirements at the next meeting.

15.5 Proposed Bylaw No. 197 cited as “Denman Island Land Use Bylaw, 2008, amendment No. 2, 2010” - verbal update

This will be updated at the next meeting.

15.6 Proposed Bylaw No. 194 cited as “Denman Island Land Use Bylaw, 2008” Amendment No. 3, 2009”. – For adoption

DE-089-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee adopt the proposed Bylaw cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2009”.

CARRIED

The Denman Island Local Trust Committee requested staff in the future to please identify bylaws with a name that describes the project in addition to the cited title for additional clarification purposes.

12.2 Work Program Reports

Top Priorities Report and Projects Report dated July 22, 2010

DE-090-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to a) remove No. 1 of the Top Priorities and b) move “Implementing Riparian Areas Regulations” from the Projects list to #3 on the Priorities List, and renumber the previous items.

CARRIED

ADOPTED

Trustee Bell noted that item No. 2.8 from the Top Priorities list should be deleted.

16. ADVISORY PLANNING COMMISSION AND TRANSPORTATION ADVISORY PLANNING COMMISSION REFERRALS

16.1 Memorandum from Denman Island Local Trust Committee to Denman Island Advisory Planning Commission

The memorandum was discussed and considered to be a useful tool to stimulate conversation and provide clarity to the Denman Island Advisory Planning Commission's new members.

DE-091-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee send the Memorandum of August 3, 2010 to the Denman Island Advisory Planning Commission providing further information on the request of Spring 2010 regarding Section E.3 of the Official Community Plan.

CARRIED

Trustee Bell will send out the memorandum.

17. ISLANDS TRUST WEBSITE

17.1 Denman Page

The following changes were requested for the website:

- Remove Climate Change Action from the Projects list
- Remove Proposed Bylaw No.198 from the Projects list
- Consider adding a new Section for Housing or Affordable Housing
- Latest News Box:
 1. Move Housing Needs Assessment from the Latest News section to new Housing section or elsewhere in the website.
 2. Suggested items for Latest News include Agriculture Policy Steering Committee grant information and recent Stewardship Awards.

18. NEXT MEETING DATE

The Denman Island Local Trust Committee confirmed that its next meeting will take place Tuesday, September 7, 2010 at 10:30 am at the Marcus Isbister Old School Centre, 5901 Denman Road, Denman Island, BC.

19. TOWN HALL SESSION

ADOPTED

Henning Nielsen commented that the Islands Trust Chief Administrative Officer's presentation was interesting and the Islands Trust is a success story. However one challenge that exists is the demographic shift of changing age and income averages that has happened in the past 25 years. Strong planning is required to address the resulting issues and that does not appear to be occurring. He referenced a pilot project he suggested previously, stating financial conditions would require increased densities but that we need to keep working on the issue of affordable housing, especially as it impacts a community desiring increased agriculture production.

Trustee Bell responded that the Local Trust Committee tried quite hard last term to introduce opportunities for affordable housing however the community was not responsive. How we can secure land to be used for this purpose needs to be discussed by the community. Administrative requirements of managing housing agreements as required in the pilot project mentioned and securing financial assistance are difficulties, however this Local Trust Committee would be more than happy to address affordable housing options.

20. ADJOURNMENT

The Chair adjourned the meeting at 3:08 pm

Recorder

Chair