



Hornby Denman Tourist Services Society

To: Trustees, Denman Island Local Trust Committee

Re: Visitor Services related bylaw amendments (i.e. amendments to bylaw #186)

To: Denman Island Trustees

Re: Amendment to Visitor Services related Bylaw #186)

For Discussion at the October 25th 2012 Public Forum:

We, the undersigned, support amendment of Bylaw 186 as follows:

- a. Guest accommodation in secondary suites with 'cooking facilities' be permitted when within a principal dwelling unit so long as the premises comply with water and septic regulations and such other conditions as the Trustees might prescribe;
- b. Guest accommodation in accessory buildings with cooking facilities be permitted, so long as the premises comply with water and septic regulations and such other conditions as the Trustees might prescribe;
- c. 'Cooking facilities' in Land Use Bylaw 186 be defined;
- d. Accessory buildings that are currently non-conforming as guest accommodation be permitted where such exist as of December 1, 2011 (or such other date as the Trustees choose) and subsequently registered with Islands Trust;
- e. Removal of time limits regarding guest accommodation and accessory building use where the property's zoning permits an additional dwelling unit;
- f. That short-term vacation rentals be permitted where the registered owner(s) has a principal residence (as defined and declared by the owner(s) for the purpose of the British Columbia Homeowners Grant) at another property on Denman Island, and is residing there during the rental period.

Therefore, Margie Lang supports a review and amendment of the relevant portions of Bylaw 186, with a view to advancing the objectives of the O.C.P. and the economic well-being of Denman Island, particularly Tourism, Community Fabric, and The Arts.

(please sign above and at the bottom of the "appended notes" as well.)

Appended Notes:

Bylaw #186 is very restrictive regarding guest accommodation, and somewhat confusing.

Fee-paying guest accommodation (“guest accommodation”) is singled out from all other home occupations by restrictive regulations. Currently, guest accommodation is prohibited except within a principal residence – the so-called “B & B” format, where meals may be prepared and served by the host.

Provincial health regulations are onerous regarding kitchens where meals are prepared for paying guests. It is not economically feasible to attain these standards for a homeowner.

Under Denman Island Bylaw 186 “guest accommodation” is not permitted:

1. In secondary suites within a principal residence (ie. Self-contained “secondary suites” with cooking facilities);
2. In accessory buildings – with or without cooking facilities. That is, one cannot rent a sleeping cabin to paying members of the public.

Where overnight fee-paying guests are permitted, Bylaw 186 prescribes:

1. size limits and limits on the number of beds – not more than 3 bedrooms and not more than 2 beds per bedroom; and
2. time-limits – “guest accommodation” is limited to stays of not more than 6 consecutive weeks and not more than 45 days per calendar year.

In contrast, Bylaw 186 permits as “home occupations” many other commercial activities, including, amongst others, light industrial activities: welding shops, manufacturing and repairs, automobile repair, mechanical shops.

The *Denman Island Official Community Plan* Vision Statement provides that “...*We will use innovative options to promote a diversity of age and financial means within the carrying capacity of the island.*” And

“We believe that Denman Island can become a model for sustainability and self-sufficiency. All islanders share the privilege and responsibility for realizing this vision.”

The “Guiding Principles” of the *Denman Island Official Community Plan* provide as follows:

“Guiding Principle 6 To acknowledge that this community finds its strength in the varied gifts and experiences of its members; and, within the framework of a limitation on population, to support and encourage a diverse and self-reliant community.”

How can we have a diverse community if we limit peoples’ ability to earn a living on the island to a few activities to which not all are suited? How can Denman Islanders be “self-reliant” if their economic options are restricted? If one has no artistic ability but an abandoned pottery studio in the woods, should they be permitted to earn some money by offering guest accommodation?

Notwithstanding the foregoing, the *Official Community Plan* provides:

“Policy 11 Home-based guest accommodation where permitted as a home occupation should be limited to the principal dwelling on the lot regardless of the size of the lot.”

In our respectful view, this is unduly restrictive, as are, we submit, a number of other provisions of the O.C.P.

Difficult economic times face residents of Denman Island:

- *B.C. Ferry fares have increased approximately 70% in the last 5 years;*
- *Property taxes continue to rise*
- *Gasoline prices have risen exponentially in the last few years;*
- *Young families have trouble finding employment on the island;*
- *Seniors' retirements are strained by a combination of their savings negatively impacted by the economic and political climate, reduced Canada Pension Plan benefits, and delayed Old Age Pension.*

What does all of this mean?

It means that people will be forced to leave the island unless they can find sources of income to support themselves and their families. Permitting more options for guest accommodation is one such source of income. For young couples, this might mean the difference between affording to buy a home on Denman Island rather than somewhere where “mortgage helper” suites are permitted. For an established family it may mean that they can remain here rather than re-locate to find work; or it may permit a senior with limited savings and an unused studio to remain on Denman Island.

Concerns about water, septic disposal, and noise can be dealt with very simply by appropriate regulations, some of which already exist. These can be explored in detail when Bylaw 186 is reviewed.

Therefore, *Margie Lang* supports a review and amendment of the relevant portions of Bylaw 186, with a view to advancing the objectives of the O.C.P. and the economic well-being of Denman Island, particularly Tourism, Community Fabric, and The Arts.

