

Trustee Notebook

By Laura Busheikin

VISITOR ACCOMMODATION REGULATIONS MADE (SOMEWHAT) SIMPLE

As March holds out the promise of Spring, and then Summer, we may be hearing from friends and family who want to visit Denman, or perhaps we're planning a summer event and need to accommodate lots of people. So we might be asking, "Where can they stay? Where can they eat?"

Or if you are a Bed and Breakfast (B&B) operator, you may be looking forward to the increased income after winter's slow season. And you may be wondering if you can provide what people need in a way that is financially viable for yourself.

All these questions eventually lead to the same place -- OK, the same two places. The first is the regulatory framework for visitor accommodation; the second is a long and lively discussion about these regulations, about what type and how much tourism is healthy for the island, and more.

I'll do my best here to clarify the first of these -- the regulations. Beyond that, let the conversations flow!

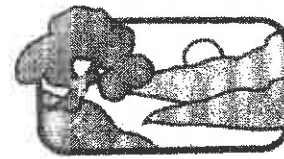
Denman Island Local Trust Committee regulations about visitor accommodation are actually quite simple: you are allowed to provide accommodation for paying guests in your home as long as you, or someone, is living there. You can have up to three bedrooms with up to two beds each (Denman Island Land Use Bylaw (LUB), Subsections 2.4.2, 2.4.15, 2.4.16 & 2.4.17).

Renting out your home to short-term guests, other than in a B&B context, is not permitted. Renting out an accessory cabin or trailer to short-term paying guests is not permitted in any situation (LUB Subsection 2.1.2).

As for serving food, the Local Trust Committee regulations are, once again, simple: meals may be served to short-term paying guests in home-based guest accommodation (LUB Subsection 2.4.17).

However, things get complicated because of the Public Health Act (administered by the Vancouver Island Health Authority, aka VIHA). It says that to serve anything beyond breakfast to paying guests, you need a commercial kitchen, an approved water system, and a higher level of septic treatment. All of this is generally too onerous for a typical B&B operator, but this is out of the Trust's jurisdiction.

We're back at "simple" when we ask if you can put a kitchen into your B&B space for guests to use: the Local Trust regulations say quite clearly "no."



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Things get somewhat complicated again when we ask why this is so: the "kitchen thing" mainly comes from the Local Trust Committee's commitment to limiting density on the Island. The Committee, guided by the community and its "preserve and protect" mandate, seeks to ensure that the Island keeps its rural character and pristine environment. One way it does this is by limiting how many "dwelling units" are allowed per property.

To do that, it needs to define "dwelling unit." Otherwise, multiple homes could spring up on one property, calling themselves "outbuildings." Thus far, the inclusion of a cooking facilities has been considered to be the best way to say "this is a dwelling unit, this isn't," and it is used throughout the Trust area. So -- one kitchen per dwelling, regardless of whether or not it includes a B&B.

The rationale for the Denman Island LUB regulations comes from our Official Community Plan (OCP), which lays out the goals, values and policies that are meant to inform local regulations and political decisions. Here are a few key points:

- economic activities should "respect the natural environment and the character of the human community."
- "Home occupations should be encouraged but limited to specific uses and to a scale that will have minimum negative impact on neighbouring properties and the natural environment"
- The Land Use Bylaw should support "types of tourism that are low impact, environmentally sensitive and educational and that provide local employment."

There's a fair bit more in the OCP -- worth looking at if you are interested in this issue. And of course, there are more complexities to the regulations, such as definitions of "guest accommodation" and "cooking facilities," that are beyond this article's scope. The LUB and OCP are on the Islands Trust website and in the Denman Library.

Also, for more info you can talk to myself or Trustee David Graham (250-335-3033, dgraham@islandstrust.bc.ca), or contact Island Planner Courtney Simpson (250-247-2209, csimpson@islandstrust.bc.ca).

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