

Denman Island Local Trust Committee Regular Meeting Addendum

Date: November 15, 2016
Time: 10:30 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

	Pages
10. APPLICATIONS AND REFERRALS	11:30 AM - 11:50 AM
10.2 Bylaw Housekeeping - Staff Report	2 - 17
14. NEW BUSINESS	
14.1 Ferry Hill Pedestrian Concerns - for discussion	18 - 19
17. CLOSED MEETING	

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90 (1)(i) for the purpose of considering receipt of advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.



DATE OF MEETING: November 15, 2016
TO: Denman Island Local Trust Committee
FROM: Rob Milne, Island Planner
Northern Team
SUBJECT: Denman Island Official Community Plan and Land Use Bylaw Housekeeping Amendments

RECOMMENDATION

1. That the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 222 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016” is not contrary to or at variance with the Islands Trust Policy Statement;
2. That the Denman Island Local Trust Committee reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 223 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016” is not contrary to or at variance with the Islands Trust Policy Statement;
3. That Denman Island Local Trust Committee Bylaw No. 222 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016” be read a first time;
4. That Denman Island Local Trust Committee Bylaw No. 223 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016” be read a first time;
5. That the Denman Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 222 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016”;
6. That the Denman Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 223 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016”.

REPORT SUMMARY

This report introduces draft Official Community Plan (OCP) and Land Use Bylaw (LUB) amendments, Bylaw Nos. 222 and 223 respectively, for Denman Island Local Trust Committee (LTC) consideration. These bylaws are intended to address “housekeeping” items including the definition of “intensive agriculture” and scope and application of Development Permit Area (DPA) 4.

BACKGROUND

The Denman Island Local Trust Committee (LTC) has, since 2011, had at least one bylaw housekeeping item pending consideration. Recently, a small number of other unrelated items have been identified which would reasonably justify the expense of conducting the statutory process to facilitate their consideration for inclusion in the Denman Island Official Community Plan (OCP) and Land Use Bylaw (LUB).

At the August 15, 2011 regular meeting of the LTC, direction was provided by LTC resolution that the Projects list be amended by the addition of a new task to amend the definition of “intensive agriculture” by removing the words, “and excluding feedlots”. More recently, with the increased awareness of riparian area protection which

resulted from the May 2016 adoption of the *Riparian Area Regulation* (RAR) provisions into the Denman Island OCP and LUB, two inaccuracies and omissions in the original Development Permit Area (DPA) 4 mapping schedule have come to light.

Information regarding the first issue related to the DPA 4 mapping came from property owners whose property fronts onto Corrigan Road on the eastern side of Denman Island and which is affected by an identified non-RAR wetland and watercourse. The mapping for the DPA location of the features was generally correct but had missed one stream connected to the identified and adjacent wetland area (Attachment 2).

Following discussion of this matter at their March 15, 2016 regular meeting, the LTC adopted the following resolution:

DE-2016-019

that the Denman Island Local Trust Committee direct staff to make all reasonable efforts to utilize the budget money for Riparian Areas Regulation remaining in the Local Trust Committee's account for the purpose of mapping the stream located on the Schmidt-Schweda property referred to in their correspondence.

Funding to complete the necessary GPS ground mapping was found within the LPS budget and the data necessary to update the GIS mapping purchased in September of this year.

The second issue related to DPA 4 came to light during LTC consideration of application DE-TUP-2016.1 at their July 5, 2016 regular meeting. This application dealt with a request for a temporary use permit, as well as a development variance permit, to allow for a secondary residence on a property which fronts onto Graham Lake and through which Cicero Slough Creek flows. The background information provided in support of the application included a RAR assessment of Cicero Slough Creek which identified it as a RAR applicable watercourse. Based upon the RAR, Cicero Slough is also, as the source of the creek, considered to be a RAR applicable feature. As an outcome of that discussion, staff was requested to identify Cicero Slough Creek and Cicero Slough as "RAR applicable" minor stream features in DPA 4 rather than the current "Non-RAR" designation.

ANALYSIS

Policy/Regulatory:

Islands Trust Policy Statement

The directive policies relevant to the proposed bylaws are as follows:

- 3.1.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
- 3.1.4 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
- 3.3.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
- 4.1.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.

Official Community Plan

The relevant OCP policies with respect to the proposed amendment to the definition of “intensive agriculture” in the LUB are as follows.

E.4 Resources

Policies

- | | |
|----------|--|
| Policy 2 | All farm uses defined in the <i>Agricultural Land Commission Act</i> for land in the Agricultural Land Reserve should be permitted. |
| Policy 3 | Zoning regulations should establish sufficient setbacks to ensure that livestock waste does not enter lakes, streams, wetlands or the sea. |

The relevant OCP objectives and policies as they apply to the proposed addition of riparian features to the DPA 4 are as follows:

C.1- Lands and Forest

- | | |
|-------------|--|
| Objective 1 | To maintain, preserve, and restore the Denman Island natural ecosystems, the natural biodiversity and the beauty of the Island to the greatest possible extent |
|-------------|--|

C.2- Freshwater

- | | |
|-------------|---|
| Objective 1 | To protect the quantity and quality of both surface and ground water especially for agricultural purposes |
| Objective 3 | To protect from disturbance sensitive areas within fresh water environments |

Freshwater - Policies

- | | |
|----------|---|
| Policy 1 | The protection and retention of riparian and aquatic habitat is encouraged. |
| Policy 2 | Adequate setbacks should be maintained to discourage development encroachment on riparian habitat and reduce pollution of this habitat. |

DPA 4 Amendments

The proposed changes to DPA 4 are minor in nature and would require simple mapping amendments to Denman Island OCP Schedules E Map 2, North and South sheets. These amendments would require the additions to those schedules as shown on (Attachment 2).

Land Use Bylaw

Intensive Agriculture

The issue related to the definition of intensive agriculture and the exclusion of feedlots from that definition was first introduced by means of a staff report dated July 27, 2011 which was presented at the August, 2011 meeting of the LTC. That report noted that:

“...although feedlots are not included in the Denman LUB definition of intensive agriculture, land in the ALR can be used as a feedlot as it fits within this definition.

By including feedlots in the definition of intensive agriculture in the LUB, this would have the effect of requiring the use to comply with the setbacks for intensive agriculture”.

The proposed change would not have the effect of prohibiting the use, something the LTC does not have the authority to do; but, as stated, would allow the LTC to regulate the use, which it does authority to do, and at a minimum ensure compliance with setback provisions of the LUB.

It is the view of staff that the proposed amendments are supported by the objectives and policies of the Denman Island OCP, and are not contrary to or at variance with the Islands Trust Policy Statement.

Issues and Opportunities:

The proposed change to the intensive agriculture definition offers the opportunity to provide the maximum level of regulation which is available to the LTC regarding any potential feed lot operation.

The changes proposed for DPA 4 will continue the process of enhancing riparian areas protection when and where possible.

Staff does not see any significant issues related to these initiatives given the unlikelihood of a feedlot operation on Denman Island and the level of community support for the recent implementation of RAR protection on Denman Island, but does see associated potential net benefits through providing improved environmental protection to important riparian features.

Consultation:

In view of the analysis above, and the fact that the changes are minor in nature, staff does not see the need for extraordinary public outreach and consultation in association with the proposed changes. Notwithstanding the minor nature of the changes both bylaws will require a public hearing and the approval of the Executive Committee and, in the case of the OCP amendment, approval by the Minister of Community, Sport and Cultural Development.

As the project would involve an OCP amendment, the LTC is required under s. 472(2) of the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected including First Nations. There is a statutory requirement, under s. 475(4) to refer OCP amendment bylaws which may affect agricultural land to the Agricultural Land Commission (ALC). There is a further requirement under s. 477(3)(b) that this referral occur following first reading. The LTC is also required under s. 476(a) to consult with the local school district.

In consideration of the foregoing, staff recommends that following first reading of Bylaw Nos. 222 and 223, the bylaws be referred to the following agencies and First Nations for comment:

- Ministry of Community, Sport and Cultural Development
- Ministry of Forests, Lands and Natural Resource Operations (Ecosystems Branch)
- Agricultural Land Commission
- School District No. 71
- K'omoks First Nation

The LTC should consider if it wishes to undertake additional consultation other than identified above and direct staff accordingly.

Rationale for Recommendation:

In general terms it is the recommendation of staff that the draft OCP and LUB bylaws (Attachments 2 and 3) be given first reading and proceed to public hearing. The intent and purpose of the bylaws does not alter permitted uses or affect density and could technically proceed with the waiving of a public hearing pursuant to s. 464(2) of the *Local Government Act* although that is not the recommendation of staff. It is the view of staff that the proposed amendments are supported by the objectives and policies of the Denman Island OCP.

ALTERNATIVES

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Amend Bylaw Nos. 222 and 223 prior to Readings

3. Proceed no further

NEXT STEPS

Should it be the decision of the LTC to given the draft bylaws first and second readings consideration should be given to scheduling a statutory public hearing for the January 31, 2017 regular meeting of the LTC.

Submitted By:	Rob Milne, M.A., RPP, MCIP Island Planner	November 7, 2016
Concurrence:	Ann Kjerulf, RPP, MCIP Regional Planning Manager	November 8, 2016

ATTACHMENTS

1. Islands Trust Policy Statement Directives Only Check List
2. Draft Bylaw No. 222
3. Draft Bylaw No. 223



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File Nos: 222 and 223

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 222

A BYLAW TO AMEND THE DENMAN ISLAND OFFICIAL COMMUNITY PLAN, 2008

The Denman Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Denman Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016”.

2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008”, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS	DAY OF	, 2016
READ A SECOND TIME THIS	DAY OF	, 2016
PUBLIC HEARING HELD THIS	DAY OF	, 2016
READ A THIRD TIME THIS	DAY OF	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2016
ADOPTED THIS	DAY OF	, 2016

SECRETARY

CHAIRPERSON

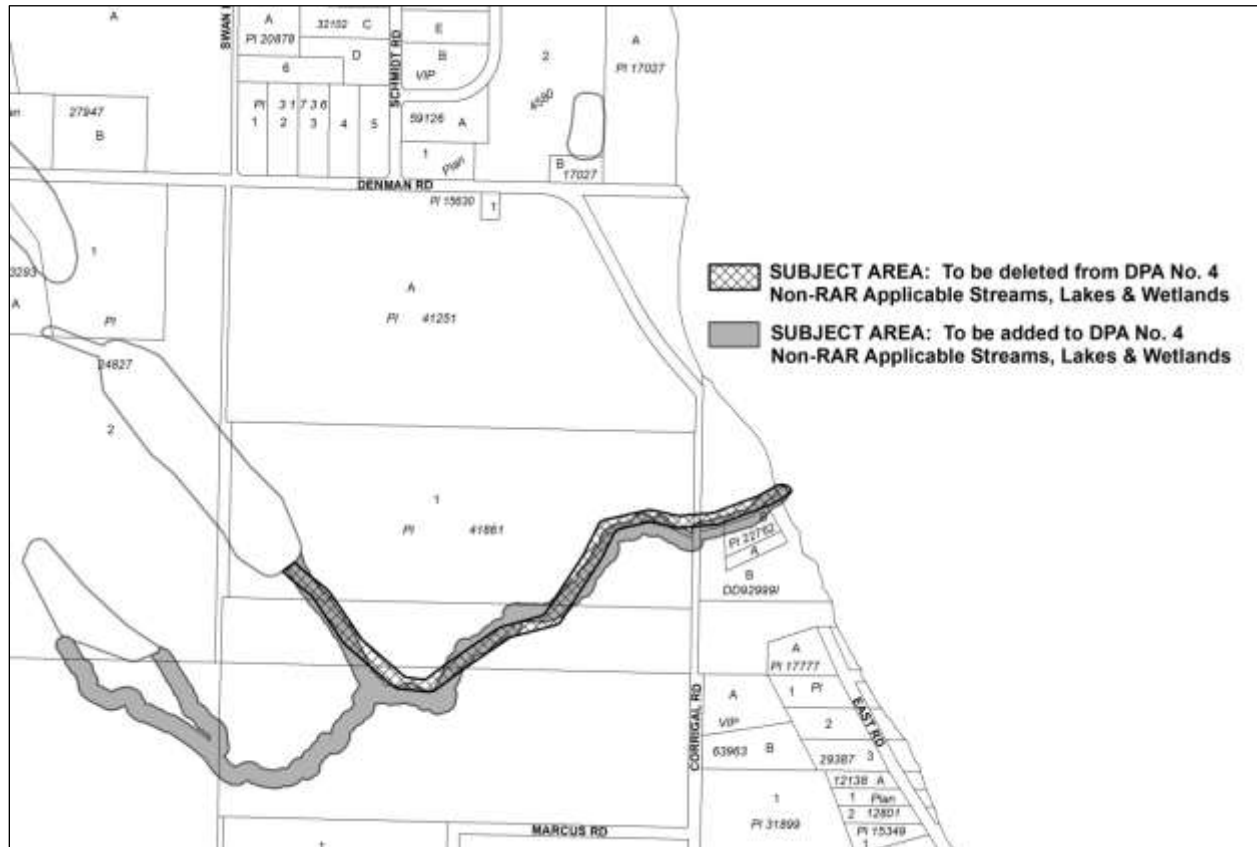
Denman Island Local Trust Committee

Bylaw No. 222

Schedule 1

1. Schedule "E", Map 2, "North" of Denman Island Official Community Plan Bylaw No. 185 cited as "Denman Island Official Community Plan, 2008 is amended as shown on Plan No. 1 attached to and forming part of this bylaw:
2. Schedule "E", Map 2, "South" of Denman Island Official Community Plan Bylaw No. 185 cited as "Denman Island Official Community Plan, 2008 is amended as shown on Plan No. 2 attached to and forming part of this bylaw:

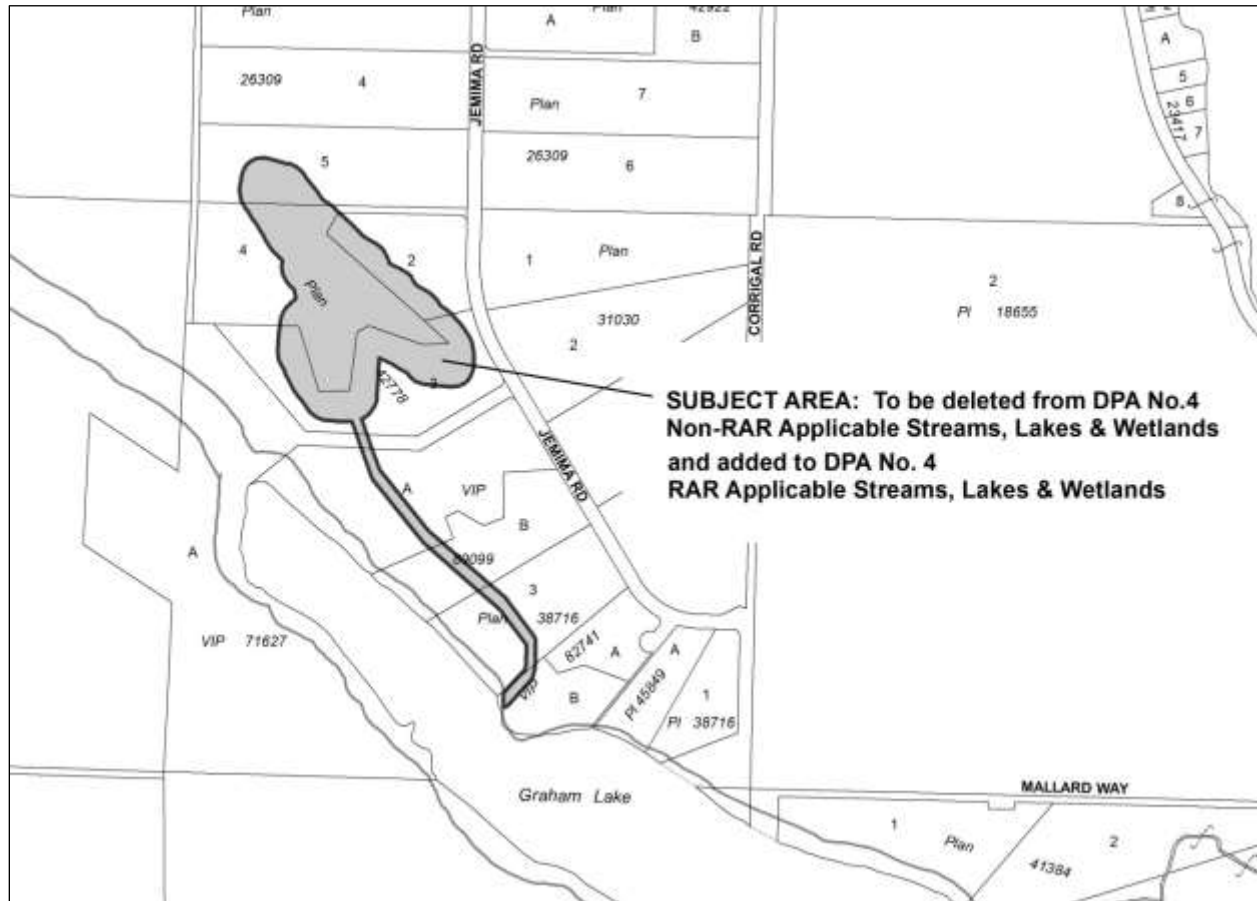
PLAN No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW 222

PLAN No. 2



DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 223

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

The Denman Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Denman Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016”.

2. Denman Island Local Trust Committee Bylaw No. 186, cited as “Denman Island Land Use Bylaw, 2008”, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS DAY OF , 2016

READ A SECOND TIME THIS DAY OF , 2016

PUBLIC HEARING HELD THIS DAY OF , 2016

READ A THIRD TIME THIS DAY OF , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

SECRETARY

CHAIRPERSON

Denman Island Local Trust Committee

Bylaw No. 153

Schedule 1

Schedule “A” of Denman Island Land Use Bylaw No. 186 cited as “Denman Island Land Use Bylaw, 2008”, is amended as follows:

1. Part **1 ADMINISTRATION**, **Section 1.1**, Definitions, “*intensive agriculture*”, is amended by deleting the last three words, “and excludes feedlots”.

From: [Dr. Peter Walford](#)
Sent: Sunday, November 06, 2016 3:03 PM
To: [Tony Law](#) ; [REDACTED]
Subject: Ferries Advisory Committee -submission

Attention Ferry Advisory Committee;

I would like to enter a concern into your next meeting.

At the Denman West Terminal my staff are facing unsafe pedestrian conditions in the early morning. They walk onto the 7:40 am sailing, cross the channel, and walk up the hill to my dental clinic for a day's work, 8 days a month.

There is no designated safe pedestrian walkway on either side of the hill. On a typical morning, there is a great deal of vehicle and pedestrian traffic, including:

- Secondary school students walking down the hill
- Secondary students being dropped off at the ferry by their parents
- The school bus dropping off students
- Commuters from Denman arriving at the terminal
- Commuters from Denman waiting for the sailing, sometimes with headlights on, heater/defroster on, and an exhaust plume to obscure vision.
- offloading ferry traffic going up the hill
- arriving ferry traffic from Hornby Island stopping at the designated staging areas with flashers blinking
- Reflected images of all these light sources from wet pavement
- rain-impaired visibility on all vehicle windshields

While the cable ferry is being repaired, there is a novel traffic circulation program in effect where discharging vehicles from the ferry crosses the traffic flow of vehicles dropping off pedestrians.

In these dark mornings, with very little imagination, one can picture a very confusing visual traffic situation of uphill headlights, downhill taillights from 15 cars from Hornby with their flashers on, other vehicles arriving and steering around them, and numbers of pedestrians walking and being dropped off. I would say it is a perfect storm of bad conditions and it is only a matter of time before a serious injury occurs. Where BCF will stand legally after being notified of these dangerous conditions, I can only conjecture. I don't want to see that particular headline.

I request that you go to work to quickly improve this situation. A permanent pedestrian roadway up the hill needs to be established. It cannot be considered acceptable that pedestrians climb the poorly lit hill with a slope to fall off of one side, and a cliffside to be crushed against on the other. Pedestrians have no safe side to occupy as they thread through

this morass of risk. I have had several patients bring my attention to their alarm as they were taking this same sailing off Denman and in saw pedestrians, including my staff, at the last minute. Who, if anyone, has given approval to this nonsensical traffic pattern?

I would appreciate your prompt feedback and followup on this.

Regards

Dr Peter Walford

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Dr Peter Walford
DDS, FCARDP

[REDACTED]

[REDACTED]
Hornby Island, B.C. Canada
V0R1Z0

[REDACTED]