



**DENMAN ISLAND  
LOCAL TRUST COMMITTEE  
AGENDA**

**REGULAR BUSINESS MEETING  
OF THE DENMAN ISLAND LOCAL TRUST COMMITTEE**  
held on Tuesday, February 25, 2014 at the Denman Seniors Hall,  
1111 Northwest Road, Denman Island, BC

**LATE ITEMS, ADDITIONS**

**AMENDMENTS/ADDITIONS  
TO ITEMS:**

**5. MINUTES**

- 5.3 Denman Island Advisory Planning Commission Draft Minutes dated February 11, 2014  
with attached comments submissions - *attached*

**10. TOWN HALL DISCUSSION**

- 10.1 Submission from Edi Johnston regarding Prohibiting Vehicles from Beaches - *attached*

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## Denman Island Advisory Planning Commission Minutes of a Regular Meeting

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**Date of Meeting:** Tuesday, February 11, 2014

**Location:** Denman Island Old School Center  
5901 Central Road, Denman Island, BC

**Members Present:** Ralph McCuaig, Member  
Henning Nielsen, Member  
Jesse Edwards, Member  
Lindsey Graf, Member

**Trustee:** Laura Busheikin

**Staff Present:** Rob Milne, Island Planner  
Katherine Vogt, Minute Recorder

**Members of the Public Present: 2**

**1. CALL TO ORDER**

**By general consent** Ralph McCuaig was appointed as Chair for the purpose of this meeting and called the meeting to order at 12:35 pm.

**2. APPROVAL OF AGENDA**

The agenda was approved by consensus.

**3. CHAIR'S REPORT**

Chair McCuaig introduced himself and allowed all others present to introduce themselves. He noted that the present meeting was to allow for feedback and general informal discussion on the Memorandum and package dated January 29, 2014 provided by Island Planner Rob Milne. It was expected that the APC members would discuss package contents and make recommendations for the Denman Island Local Trust Committee regarding them.

**4. CORRESPONDENCE**

**4.1 Email dated February 2, 2014 from Daryl McLoughlin regarding the Denman Island Affordable Housing Report.**

Chair McCuaig read out a copy of this email which expressed regret at being unable to attend the meeting and contained 6 specific questions regarding practical considerations around affordable housing.

**4.2 Letter dated February 2, 2014 from Ralph McCuaig regarding his thoughts on the proposed Draft Bylaws 185 and 186.**

Chair McCuaig read out this letter at the meeting and submitted it for inclusion in the minutes.

**5. NEW BUSINESS**

Chair McQuaig invited discussion of the Draft Bylaws.

The ensuing discussion dealt with the following issues:

- implications of the Agricultural Land Reserve regulations
- spacing of secondary dwelling unit from the principle residence
- the use of Temporary Use Permits
- the 4 hectare parcel size requirement for secondary dwelling units
- rain water collection and septic disposal approaches
- the fit of visitor accommodation considerations in the housing need process and whether they were considered “in scope”.

Subsequent to the discussions the following motions were adopted:

**DEAPC-01-2014**

**It was MOVED and SECONDED,**

that the Denman Island Advisory Planning Commission direct the Denman Island Local Trust Committee to ensure that all R2 lots qualify for secondary suites and Temporary Use Permits for secondary dwellings.

**CARRIED**

**DEAPC-02-2014**

**It was MOVED and SECONDED,**

that the Denman Island Advisory Planning Commission recommend to the Denman Island Local Trust Committee that the Draft Land Use Bylaw point 6(a) be changed to 140 square metres and that point 6(b) be changed to 100 metres.

**CARRIED**

**DEAPC-03-2014**

**It was MOVED and SECONDED,**

that the Denman Island Advisory Planning Commission has the general sense that the bylaw changes contained in resolution DEAPC -01-2014 and DEAPC-02-2014 are a step in a continuing discussion of housing solutions on Denman Island. We recommend that density issues, zoning consideration, and permanent secondary dwellings be considered as part of the next Official Community Plan review.

**CARRIED**

**6. NEXT BUSINESS MEETING DATE**

There was no date set for the next meeting.

**7. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:45pm.

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**Ralph McCuaig, Chair**

**CERTIFIED CORRECT:**

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**Katherine Vogt, Recorder**

Attachment to APC minutes of February 11, 2014

## My thoughts - 2 - about the proposed bylaws:

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2014-02-02

Although I like the proposed bylaws as written, I think this is a backwards approach to providing affordable housing. Since “affordable” is necessarily linked to income, a more logical approach would involve determining:

- the current labor needs of the island, how many additional housing units would be needed to house the required laborers, and the expected wage rates for those occupational categories, and
- the number of retired persons of independent means needing new housing, and what “affordable” means to them, given their income levels.

The Denman Housing Association report didn’t separate these categories, and didn’t even consider dearth of suitable employment or income level as factors in determining affordability of housing.

The bylaws could be modified to encourage development of stable work and income options that would inspire workers to move here to raise families. This might go a long way to meeting the “affordable housing” challenge for younger people, with no expenditure of public money.

Retired people are more likely to be financially self-sufficient, and may be able to afford current market rates for rents, so rent control mechanisms may be unnecessary.

Given that consideration of these points is unlikely:

There are currently two ongoing initiatives on Denman to supply low-rent housing. Additionally, the LTC has established precedents to create low-cost housing through co-housing.

In my view, the proposed bylaws serve a different need, defined by planner Milne as “elder housing and intergenerational living,” “aging in place... and rental income,” as well as “legalization of currently illegal suites.” It’s not necessary for this initiative to also be about “affordable housing,” so maybe those words could be replaced with “appropriate housing.”

The prevalence of illegal usages here (non-compliance) is an unintended consequence of bylaws that don’t meet community needs. Illegal suites are not uncommon here, showing a clear need and demand for secondary suites.

Less regulation is easier for most people to swallow than more regulation. It might be a useful idea to survey all the owners of R2 zoned property to determine how many of them would consider having a secondary suite in their home. Those who would could be asked

how the imposition of regulations about choice of renters and acceptable rental rates might affect this decision. My guess is that as more rules are imposed, less housing will be made available.

There are many places in B.C. where typical rental rates are far beyond 30% of the renters' incomes. The Comox Valley is one example. This just isn't a realistic standard, and I can't see any reason to legislate cheaper rentals on Denman than elsewhere in the Valley. This would foster competition for the very few available jobs here, and that wouldn't benefit residents already employed or looking for work. Also, income levels can fluctuate wildly for people in casual or seasonal employment categories. How can it be determined when rents should rise and fall?

Having a group of islanders (possibly neighbors, friends or enemies) empowered to monitor and enforce rental agreements in other people's private homes is a terrible idea. Anyone who thinks this would work hasn't really thought it through.

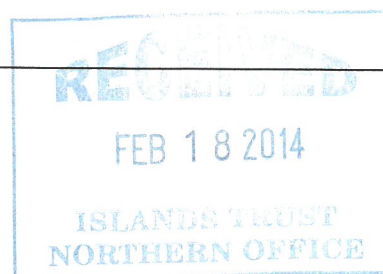
While having rental units constructed to meet BC building codes sounds good at first glance, bringing building inspectors to this island would probably be very unpopular with many people.

I suggest that bylaws concerning visitor accommodation should be addressed and liberalized at the same time as these bylaws concerning secondary suites and temporary use permits are considered. This would save years of frustrating debate, and help to rescue a struggling sector of this island's economy. Some people have said that this would be "confusing," but I think it could easily be explained in a way that was perfectly clear.

Ralph McCuaig

**Ralph S. McCuaig**

**From:** "Daryl McLoughlin" <djmcloughlin@msn.com>  
**Date:** Sunday, February 02, 2014 1:23 PM  
**To:** <rmccuaig@telus.net>  
**Subject:** Affordable Housing Report



Hi Ralph:

APC

I cannot make the meeting on the 11th but here are my thoughts on the report:

In my previous life I was an economist and that jades my thinking. I think we need more information before we can proceed with any recommendations. We need to know:

- 1) How many elder housing units are required? Are these single or couples or family elders?
  - 2) What are the demographics of the other people in need of affordable housing? How many are single? Families? Size of families? For example the needs of a single person are quite different from those of a family of 4 children and a single parent. Are the children all of the same sex? For example it may be conceivable that a family with 2 male children could share a bedroom but if there is a boy and a girl then 2 separate bedrooms may be required.
  - 3) Are there disabilities to be considered? For example, elder housing may require special bathing and toilet equipment as well as other mobility friendly designs. There are also could be others who have mobility issues.
  - 4) What is the definition of affordable??? Using a percentage of income criteria as a stand alone definition does not address how much money would be required to pay for the housing.
  - 5) How are repairs and upkeep going to be financed? There is reference to no ability to enforce or inspect facilities for standards but where is the liability going to lie for injury or other damages?
- My concern is that a body that is challenged to finance housing is going to be making financial impact decisions and if that is going to happen then we need to have at least the first 4 questions answered by them in order to proceed with recommendations.

Thanks

Daryl

**Ralph S. McCuaig**

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**From:** "Denman Island General Store and Post Office" <denmanisland.generalstore@gmail.com>  
**Date:** Monday, February 03, 2014 7:07 AM  
**To:** "Ralph McCuaig" <rmccuaig@telus.net>  
**Subject:** More on the affordable housing

Hi again Ralph:

I guess an analogy we could use as to why I asked the questions I did on the housing is if there was agreement that we needed more recreational facilities on the island and in order to address that we built a swimming pool based solely on that premise. However, when we did were digging around trying to find out why no one was using the pool we discovered that no one had the ability to swim. In the case of housing, we could agree that there is a need for affordable housing but we have to be careful that we are not building a swimming pool to address the need for recreation when no one swims.

Thanks

Grumpy



from Ralph McCuaig DI APC 2014-02-11

Submission to the Advisory Planning Committee re: Affordable Housing

Suggest the following amendments to bylaw #186 of the Denman Island  
OCP:

**In the definitions section at the beginning of the document,**

**Change:** “dwelling unit means one or more rooms in a building, containing a single set of cooking facilities, and used or intended to be used, as a residence by an individual or a group of individuals living together in common occupancy”;

to: “dwelling unit means one or more rooms in a building, used or intended to be used as a residence by an individual or a group of individuals living together in common occupancy.”

[this is all that would be required to eliminate the issue of illegal cooking facilities.]

**and in section 2.1 (Uses, Buildings and Structures Limitations)**

**under Principal Dwelling Units**

**change:** “Subject to Section 2.4 (home occupations), the use of a dwelling unit for vacation rental or for the accommodation of paying guests is not permitted.”

to: “A dwelling unit may be used for occasional vacation rental or for the occasional accommodation of paying guests , “providing the number of guests does not exceed the design capacity of the approved sewage treatment system” and “...the home occupation shall be operated in accordance with [other provisions of the] land use bylaw and with guidelines prepared by the LTC in consultation with the community.” (quotes from the new Hornby bylaw)

**or delete this phrase completely.**

Feb 25/14



## Prohibiting Vehicles From Beaches

- The Golder report of 2013 states that the Local Government Act can be used to create Land Use Bylaws and that Local Governments commonly use gates and other structures that restrict vehicular access while enabling public access (on foot).
- On Denman, where the road ends and the beach begins is zoned W1- Marine Conservation yet vehicular access to industrial shellfish tenures is tolerated even though it is not included as a "Permitted Use" in Marine Conservation areas and destroys fish habitat.
- Non-motorised use of conservation areas is referred to in the D.I. OCP L3 section under Conservation/Recreation (pg 61) which states that beach rights of way are **"identified as candidates for future parks and conservation areas"**.
- Policy 11 states **"Beach rights of way identified on Schedule F should be retained for non-motorised public use"**.
- The CVRD Beach Access Inventory has many documented examples of barricades used to stop vehicles from accessing the beach which include- boulders, driftwood log barriers, rip rap and concrete blocks all of which appear to be perfectly acceptable.
- Comox Valley Regional District Bylaw 103 states under *"Vehicle control 17. (1) (a) no person shall operate a vehicle or cycle below the natural boundary or high tide mark in a park, off the designated road ways, or in such a manner as to disturb the natural features of a park."* The definition of "Park" includes beach access and the "Jurisdiction" includes Electoral Area 'A', Denman Island and is enforceable by the RCMP.

Prohibiting vehicles from driving on beaches is solely a local government issue and the Denman Island local government can, if it so chooses, prohibit vehicles from driving on our beaches. Vehicles driving on the beach destroys fish habitat, you have the power, please use it!