



Denman Island Local Trust Committee

Regular Meeting Revised Agenda

Date: November 7, 2019
Time: 12:30 pm
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 12:30 PM - 12:35 PM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. **APPROVAL OF AGENDA**
3. **REPORTS** 12:35 PM - 1:00 PM
 - 3.1 Trustee Reports
 - 3.2 Chair's Report
 - 3.3 Electoral Area Director's Report
4. **TOWN HALL** 1:00 PM - 1:10 PM
5. **MINUTES** 1:10 PM - 1:15 PM
 - 5.1 Local Trust Committee Minutes dated October 3, 2019 - for adoption 4 - 11
 - 5.2 Section 26 Resolutions-Without-Meeting - none
 - 5.3 Advisory Planning Commission Minutes - none
6. **BUSINESS ARISING FROM MINUTES** 1:15 PM - 1:45 PM
 - 6.1 Follow-up Action List dated October 31, 2019 12 - 17
 - 6.2 Naming and Recognition/Traditional Place Name for Denman Island on Local Trust Committee Meeting Agendas - Staff Report 18 - 20
 - 6.3 Denman Island Planning Resources - Briefing 21 - 24
7. **DELEGATIONS**

8.	APPLICATIONS AND REFERRALS	1:45 PM - 2:45 PM	
8.1	DE-RZ-2017.1 (Denman Community Land Trust Association) - verbal update		
8.2	DE-RZ-2018.1 (Denman Housing Association) - Staff Report		25 - 53
8.2.1	<i>Memo from Denman Housing Association regarding Backup Water and Suggested Timeline</i>		54 - 61
8.3	Mock Consolidation (Extracted Pages Only) of Official Community Plan Bylaw No. 185 showing amendments from Draft Bylaws 233 and 235 - attached		62 - 70
8.4	Mock Consolidation (Extracted Pages Only) of Land Use Bylaw No. 186 showing amendments from Draft Bylaws 234 and 236 - attached		71 - 89
9.	LOCAL TRUST COMMITTEE PROJECTS - none		
10.	CORRESPONDENCE		
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)		
11.	NEW BUSINESS	2:45 PM - 3:00 PM	
11.1	Live Streaming of Local Trust Committee Meetings - Request for Decision		90 - 91
11.2	Denman Community Land Trust Association Housing Agreement - Memorandum		92 - 92
11.3	Request for Letter of Support for Bus Service		93 - 95
	----- BREAK 3:00 PM TO 3:30 PM -----		
12.	REPORTS	3:30 PM - 3:45 PM	
12.1	Trust Conservancy Report - none		
12.2	Applications Report dated October 31, 2019		96 - 104
12.3	Trustee and Local Expense Report dated September, 2019		105 - 105
12.4	Adopted Policies and Standing Resolutions		106 - 108
12.5	Local Trust Committee Webpage		
13.	WORK PROGRAM	3:45 PM - 4:10 PM	
13.1	Top Priorities Report dated October 31, 2019		109 - 109
13.2	Projects List Report dated October 31, 2019		110 - 112

14. CLOSED MEETING

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, January 21, 2020 at 12:30 pm at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

16. ADJOURNMENT 4:10 PM - 4:10 PM



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: October 3, 2019
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Members Present: Sue Ellen Fast, Chair
Laura Busheikin, Local Trustee

Staff Present: David Marlor, Director of Local Planning Services
Heather Kauer, Regional Planning Manager
Marnie Eggen, Island Planner
Ian Cox, Planner 1 (by telephone)
Vicky Bockman, Recorder

Regrets David Critchley, Local Trustee

Others Present: Approximately twenty (20) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 12:38 pm. She welcomed the public and acknowledged that the meeting was being held in traditional territory of the K'ómoks First Nation.

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

- Defer 8.3 DE-RZ-2018.1 (Denman Housing Association) Staff Report to the next meeting due to lack of quorum necessary for consideration;
- Add 11.3 Comox Valley Regional District (CVRD) Housing Service Feasibility Study.

DE-2019-075

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve the agenda as amended.

CARRIED

3. REPORTS

3.1 Trustee Reports

Trustee Busheikin reported on the following:

- Items considered in the recent Trust Council meeting included the Strategic Plan and Climate Crises response discussion;
- Held Trustee Office Hours;

- Updates were given on Denman Island Residents Association committees focusing on groundwater, climate action, and internet access;
- The owners of the former Rawganique commercial property that is for sale are welcoming interest from community groups;
- Discussions have been held on the community bus proposition;
- Petition documents she received regarding concerns with the potential 5g network on Denman Island and the Model Strategy for Antenna Systems were given to staff;
- The annual beach cleanup resulted in the largest accumulation of debris ever recorded in this volunteer effort;
- Attended the local climate action protest;
- Encouraged community participation in the upcoming Trust-wide engagement project "Islands 2050".

3.2 Chair's Report

Chair Fast reported on the following:

- Highlights from the Trust Council held on Bower Island;
- Attended the Union of BC Municipalities (UBCM) convention and reported on the resolutions brought forward by Islands Trust and the meetings held with Ministers;
- At the UBCM meeting with a Minister she learned that Denman Island is not eligible for the Connected Coast internet connectivity funding as there is already a fiber optic cable connection here;
- Islands Trust held an informal breakfast meeting in Victoria with MLAs, Regional District Directors and others from across the Trust area to discuss items of mutual interest. Afterwards she was able to join a student climate action protest occurring nearby.

3.3 Electoral Area Director's Report - none

4. TOWN HALL

Members of the public commented with the following noted:

- The Denman Community Land Trust Association (DCLTA) Seniors Affordable Housing Project rental units should be limited to one story in height to ensure the safety of the aging residents;
- Any future duplex or triplex development proposals should be reviewed on a case-by-case basis in consideration of densification concerns; and the approval of the DCLTA Seniors Affordable Housing development duplexes should not be considered as precedent setting;
- The DCLTA Seniors Affordable Housing Project should have priority for accessing the necessary densities from the Density Bank;
- Many in the community do not understand the Denman Housing Association proposal; concern was expressed that bylaw changes being drafted would enable excessive growth; and that inadequate ground water and the proposed trucking of water as a solution are not acceptable in these times of climate change.

5. MINUTES

5.1 Local Trust Committee Minutes dated July 4, 2019 - for adoption

DE-2019-076

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt the minutes of the July 4, 2019 Local Trust Committee meeting.

CARRIED

5.2 Section 26 Resolutions-Without-Meeting Report dated September 26, 2019

Received.

5.3 Advisory Planning Commission Minutes – none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated September 26, 2019

Director of Local Planning Services Marlor advised that the June 6, 2019 activity to outline options to increase planning resources for Denman Island is in process and that staff will provide a report at a future meeting.

6.2 Meeting Participation Guidelines - Memorandum dated June 6, 2019

6.2.1 Meeting Participation Guidelines - comments - Trustee Busheikin

Provided suggested edits to the Meeting Participation Guidelines that utilize plain language, do not change the content and are not considered to be substantial in nature.

DE-2019-077

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the plain language Guidelines for Public Participation During Local Trust Committee meetings as presented by Trustee Busheikin.

CARRIED

DE-2019-078

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that staff include the Guidelines for Public Participation During Local Trust Committee Meetings on the Local Trust Committee webpage.

CARRIED

Trustees deferred consideration of requesting preparation of a draft Meeting Procedures Bylaw to a future meeting.

**6.3 BC Farm Industry Review Board (BCFIRB) - Letter dated September 25, 2019
2019 BCFIRB Aquaculture Case Decision**

Planner Eggen advised of the BCFIRB's response to the invitation from the Local Trust Committee (LTC) to meet with the LTC and to consider an aquaculture tour of Denman Island's shores, noting that potential dates and times have been provided for consideration.

DE-2019-079

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to follow up on the letter from the BC Farm Industry Review Board and to arrange the meeting and a tour as in the letter dated September 25, 2019 from the BC Farm Industry Review Board, and to include an invitation to the Hornby Island Local Trust Committee.

CARRIED

7. DELEGATIONS – none

8. APPLICATIONS AND REFERRALS

8.1 DE-DVP-2019.1 (Muggoch - 3780 East Road) - Staff Report

Planner Cox presented the Staff Report that asks the LTC to consider a Development Variance Permit (DVP) application to vary Land Use Bylaw (LUB) setback requirements to permit the projection of eaves and gutters into the setback areas of the south-east and north-west side lot lines of the subject property.

Chair Fast invited the applicant and builder to speak to the application with the following points noted:

- The shed has not been removed as a recent survey has demonstrated that it is in compliance with the setback from the natural boundary requirement;
- This application arises from their misunderstanding of the minimum 3.0 metre setback requirement ;
- A survey has been prepared since discovery of the error that identifies encroachments of 14" and 2'4" into the setback areas;
- Landscaping provides visual screening of the encroachments;
- A change to the eaves and gutter design would be unsightly, would not provide the necessary protection to the wood, and would be a financial hardship for the applicant.

Trustees discussed the application with the following noted:

- The value of setbacks and the impact from encroachment on small lot configurations was recognized;
- The Islands Trust mandate to preserve and protect involves upholding regulations as much as possible; concern regarding the potential setting of a precedent is always a consideration in LTC decisions;
- Expressions of concern from neighbours have been received;
- There might be flexibility for the carport area with the larger encroachment to be brought into compliance through an architectural solution.

DE-2019-080

It was MOVED and SECONDED,

that the draft DE-DVP-2019.1 (Muggoch) be amended to remove from 2a) all the words after "north-west boundary" to the end of "south-east boundary".

CARRIED

DE-2019-081

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve issuance of DE-DVP-2019.1 (Muggoch) as amended.

CARRIED

8.1.1 Public Comments

Received.

By general consent the meeting was recessed at 2:20 pm and reconvened at 2:28 pm.

8.2 DE-RZ-2017.1 (Denman Community Land Trust Association) - Staff Report

Planner Eggen presented the Staff Report that provides an update on the draft Terms of Reference, identifies criteria used to evaluate the groundwater licence application and includes a revised Policies Table. She summarized the proposed amendments to the draft bylaws resulting from communication with the applicant and further analysis by staff.

8.4 Mock Consolidation (Extracted Pages Only) of Official Community Plan Bylaw No. 185 showing amendments from Draft Bylaws 233 and 235

Planner Eggen provided a projection of the extracted pages of a mock consolidated Official Community Plan (OCP) with the proposed changes to enable the DCLTA Seniors Affordable Housing project identified. She reported that the Agricultural Land Commission (ALC) has communicated that the road access is to remain in the Agriculture Land Reserve (ALR) and the proposed map reflects that finding.

8.5 Mock Consolidation (Extracted Pages Only) of Land Use Bylaw No. 186 showing amendments from Draft Bylaws 234 and 236

Planner Eggen presented a projection of the extracted pages of a mock consolidated LUB relating to the DCLTA Seniors Affordable Housing rezoning, and explained the changes that have been made since last reviewed.

A Trustee suggested that the zone classification term “Multi-family” might be more accurately expressed as “Multi-family Affordable Housing”; and Table 6 – Floor Area might be considered as not applicable in this case to enable the use of the document as a template for others. Staff provided information on process to consider changes to terminology or detailed items.

Chair Fast invited the agent for the applicant to speak to the application.

Harlene Holm pointed out errors in the Staff Report and asked the LTC to delay first reading of proposed Bylaw Nos. 233 and 234 to allow time for the DCLTA to resolve issues respecting the lane access that remains in the ALR, the proposed buildings and sewage disposal system given the setbacks to lot lines as proposed in the bylaws, and appropriate home occupation use. She requested that a formal report on these efforts be received at a future LTC meeting. She provided her speaking notes for the record.

DE-2019-082

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee defer first reading of DE-RZ-2017.1-Denman Community Land Trust Association to the proposed January 21, 2020 Denman Island Local Trust Committee meeting, at the request of the applicant.

CARRIED

By general consent the meeting was recessed at 3:39 pm and reconvened at 3:58 pm.

9. LOCAL TRUST COMMITTEE PROJECTS – none.

10. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

10.1 Email dated August 21, 2019 from V. Wood regarding the 5G network on the Islands

Received.

10.2 Email dated September 12, 2019 from J. Balke regarding Cannabis - Denman Facilities

Received.

11. NEW BUSINESS

11.1 Climate Change Adaptation and Mitigation Strategies – Memorandum

Received.

11.2 2020 Local Trust Committee Meeting Schedule – Memorandum

Trustee Busheikin commented that there are fewer regularly scheduled meetings annually than in the past and she remains concerned that this diminishes the chances for the community to interact with the LTC. She noted that meetings, including electronic meetings, can be called if a need arises.

DE-2019-083

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2020: January 21, March 17, May 19, July 7, September 8, and November 3, with the possibility of additional meetings as needed.

CARRIED

11.3 Comox Valley Regional District (CVRD) Housing Service Feasibility Study

Trustee Busheikin advised that this topic arose from the CVRD/Islands Trust annual meeting and noted that a resolution has been passed by the LTC for the CVRD to carry out a feasibility study for a housing service on Denman Island. She reported that she has drafted a letter with background information as requested by the CVRD Area A Director, and offered to provide staff with the draft for moving this initiative forward. Chair Fast offered to sign the letter as Chair of the LTC.

12. REPORTS

12.1 Trust Conservancy Report

Chair Fast reported that she is now the Vice-Chair of the Trust Conservancy.

12.2 Applications Report dated September 26, 2019

Received.

12.3 Trustee and Local Expense Report dated August, 2019

Trustee Busheikin observed that it might be valuable for a Denman Island Local Trustee to attend a future Association of Vancouver Island and Coastal Communities (AVICC) convention; budgetary considerations were discussed.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

Trustees requested that a link to "Guidelines for Public Participation During Local Trust Committee Meetings" be posted on the Denman Island Local Trust Committee webpage.

13. WORK PROGRAM

13.1 Top Priorities Report dated September 26, 2019

Received.

13.2 Projects List Report dated September 26, 2019

Received.

14. CLOSED MEETING

14.1 Motion to Close the Meeting

DE-2019-084

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1), (d) and (f) for the purpose of considering Adoption of *In-Camera* Meeting Minutes dated June 6, 2019 and Bylaw Enforcement and that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 4:12 pm.

14.2 Recall to Order

By general consent the LTC reconvened in open meeting at 4:27 pm to rise and report.

14.3 Rise and Report

Chair Fast reported that in the Closed Meeting, the LTC discussed bylaw enforcement issues and adopted minutes of the *In-Camera* meeting of June 6, 2019.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, November 7, 2019 at 12:30 pm at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

Trustees confirmed the next regular meeting date, time, and location.

16. ADJOURNMENT

By general consent the meeting was adjourned at 4:29 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder

Follow Up Action Report

Denman Island

09-Oct-2018

Activity	Responsibility	Dates	Status
1 Staff to bring forward options for the use of the K'omoks name for Denman Island on LTC meeting agendas.	Lisa Wilcox Marnie Eggen		Completed

20-Nov-2018

Activity	Responsibility	Dates	Status
1 Trustees Buskeikin and Critchley to investigate alternative locations for Islands Trust signage at the Buckley Bay Ferry Terminal.			In Progress

07-Feb-2019

Activity	Responsibility	Dates	Status
1 Amend Bylaw No. 228 (OCP) by replacing item 1.15 Policy 3 (as per Feb. 7, 2019 staff report).	Becky McErlean Marnie Eggen Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
2 Amend Bylaw No. 229 (LUB) for LTC consideration: a. Include TUP and rainwater harvesting collection system requirements for temporary secondary dwellings for immediate family; b. Amend the agri-tourism accommodation TUP guidelines to remove the option for seasonal cabins, and continue to permit seasonal campsites and a maximum of three sleeping units, which includes home-based guest accommodation rooms; c. Reduce the lot line setback for feedlots from 50 m to 30 m. - d Remove the term feedlot e. Add a new defined term, confined livestock area. f. remove agriculture as an accessory use in the R1 zone, while retaining horticulture as an accessory use in this zone; - g remove the term intensive agriculture; h. amend the definition of horticulture to continue to allow the sale of products produced on the lot, and to ensure that the use is accessory to a principal residential use and not tied specifically to a landowner; i. permit the keeping of animals for personal use as an accessory use in the R1, R2, R3 zones. j. Remove horticulture as a permitted use in the A, F, and RE zones, while retaining agriculture as a principal permitted use in these zones.	Becky McErlean Marnie Eggen Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
3 LTC endorsed revised Farm Plan Implementation Project Charter as amended (adding Cannabis Land Use Regulations as an Out of Scope activity).	Marnie Eggen Sonja Zupanec		In Progress
4 Send an introductory/welcome letter to First Nations with interests in the Local Trust Area.	Lisa Wilcox Marnie Eggen		In Progress

07-Mar-2019

Activity	Responsibility	Dates	Status
1 Request the communication specialist to prepare draft wording for Islands Trust signage at the Buckley Bay terminal, which would consist of a sign 3 feet wide and 4 feet tall and include reference to indigenous territorial acknowledgement, and design elements and graphics. Request referred to Andrew Templeton March 11, 2019. Location of sign has been confirmed. David Critchley will follow up with Andrew on wording - July 2019	Lisa Wilcox		In Progress

Follow Up Action Report

Denman Island

07-Mar-2019

Activity	Responsibility	Dates	Status
2 Request that the applicant for DE-ALR-2018.1 submit to the Islands Trust the groundwater license application and the FLNRORD response and/or provide an evidence-based estimate of the amount of water that would be used for the proposed non-farm use and a professional report commenting on how anticipated water use will potentially affect aquifer neighbouring wells and natural environment of the surrounding area for the purpose of satisfying islands trust policy statement 3.3.1 and 4.4.2.	Jaime Dubyna		In Progress

06-Jun-2019

Activity	Responsibility	Dates	Status
1 Staff to bring forward a report outlining options to increase planning resources for Denman Island as per resolution DE-2019-059.Update: report received by Executive Committee.	David Marlor		Completed

04-Jul-2019

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Denman Island

04-Jul-2019

Activity	Responsibility	Dates	Status
1 Staff to create a permanent Density Register setting out the current available densities resulting from Section E.1, policy 11 and Appendix D, Density Banking of the Denman Island Official Community Plan Bylaw No. 185; b) that the Density Register be added to the Denman Island Local Trust Committee Policies & Standing Resolutions; and c) that the Density Register be updated from time to time to show additions and withdrawals as they occur.	Marnie Eggen Penny Hawley		In Progress
2 David Marlor to bring forward draft procedures for cell tower application consultation for LTC consideration.	David Marlor		In Progress

03-Oct-2019

Activity	Responsibility	Dates	Status
1 Laura Bushiekin to draft letter to the CVRD re: feasibility study for a housing service for Denman Island.	Marnie Eggen Wil Cottingham		Completed
2 Staff to post the plain language guideline version of the Guidelines for Public Participation during Local Trust Committee Meetings on the Denman LTC webiste.	Becky McErlean Wil Cottingham		Completed

Follow Up Action Report

Denman Island

03-Oct-2019

Activity	Responsibility	Dates	Status
3 Staff to follow up with the Farm Industry Review Practices Board staff to arrange a meeting and a tour as per their letter dated September 25, 2019 and include an invitation to the Hornby LTC.	Becky McErlean Marnie Eggen Penny Hawley Wil Cottingham		In Progress
4 Staff to issue amended DE-DVP-2019.1 (Muggoch), that only allows a variance to NW property boundary.	Ian Cox Penny Hawley		Completed
5 The Denman LTC endorsed the regular business meeting schedule for 2020 with the possibility of adding more meetings: January 21, March 17, May 19, July 7, September 8, November 3.	Wil Cottingham		Completed

File No.: 6500-20 (First Nations)

DATE OF MEETING: November 7, 2019

TO: Denman Island Local Trust Committee

FROM: Lisa Wilcox, Senior Intergovernmental Policy Advisor
Marnie Eggen, Island Planner
Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: Naming and Recognition/Traditional Place Name for Denman Island on LTC meeting agendas

RECOMMENDATION

1. That the Denman Island Local Trust Committee request staff to add the “naming and recognition/traditional place name for Denman Island on LTC meeting agendas” to the Projects List.

REPORT SUMMARY

In response to the Denman Island Local Trust Committee (LTC)’s resolution DE-2018-088, the LTC is asked to consider potential next steps for advancing the LTC’s request to use a traditional place name for Denman Island on LTC meeting agendas. Staff is recommending that in order to advance this request that the LTC add this to the Projects List.

BACKGROUND

In response to the LTC’s request DE-2018-107 made at their November 20, 2018 business meeting to work toward next steps in its relationship with local First Nations, staff provided a report to the LTC at their February 7, 2019 business meeting. The staff report recommended a standing resolution to guide reconciliation within the Local Trust Area. At that meeting, the LTC adopted the standing resolution:

DE-2019-012

It was **MOVED** and **SECONDED**,

That the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia’s Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;

- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

CARRIED

At the December 12, 2018 meeting of the Islands Trust Executive Committee, in response to the LTC's resolution DE-2018-087, the Indigenous Place Names project was added to the Executive Committee's work program to be undertaken in the future:

DE-2018-087

It was MOVED and SECONDED,

That the Denman Island Local Trust Committee request to the Executive Committee that they carry out a Trust wide project focused on use of Indigenous names for Islands, with consideration of using Denman and Hornby Islands as precedents.

CARRIED

The resolution passed by the LTC at their November 20, 2018 business meeting remains on the Follow Up Action List (FUAL) and is addressed specifically in this staff report:

DE-2018-088

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request to Staff to bring forward options for the use of the K'ómoks name on meeting agendas for the Island.

CARRIED

ANALYSIS

Issues and Opportunities

Potential Steps for Advancing Future Project

Staff have prepared the potential steps to advance this initiative that are reflective of reconciliation. As a part of the steps, staff recommend engaging K'ómoks and other First Nations with respect to how they would like to undertake the work of naming and recognition and the use of a traditional place name for Denman Island. Based on the potential steps outlined below and the staff resources required, staff recommend that the LTC place this project on the Projects List until such time that it can be moved to the Top Priorities. At that time, a Project Charter would be developed for LTC consideration that could expand upon the steps outlined below.

Potential Steps:

1. Research K'ómoks and other First Nations traditional names for Denman Island;
2. Exploration of use of a traditional name in meeting agendas;
3. Draft a letter to K'ómoks First Nation Chief and Council asking about the naming and recognition process they would like to undertake;

4. Draft and send letters to each of the other First Nations as listed in the Consultative Area Database (CAD)
5. Based on guidance provided by First Nations, LTC considers naming and recognition:
 - LTC invites First Nation to LTC meeting:
 - LTC requests First Nations to speak and then presents gifts and shares a meal (lunch); and
 - LTC passes motion about the use of a traditional name.
6. Staff to incorporate traditional name into agenda format.

Rationale for Recommendation

Due to the anticipated resources required to undertake this aspect of reconciliation with respect to naming and recognition/use of a traditional place name for Denman Island on LTC meeting agendas, staff recommend that this item be added to the Projects List. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Denman Local Trust Committee request [insert information].

2. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Should the LTC adopt the recommended approach, staff will add this item to the Projects List and remove it from the FUAL.

Submitted By:	Lisa Wilcox, Senior Intergovernmental Policy Advisor	Marnie Eggen, RPP, MCIP Island Planner	October 21, 2019
Concurrence:	Heather Kauer, AICP Regional Planning Manager		October 21, 2019

BRIEFING

To: Denman Local Trust Committee **For the Meeting of:** November 7, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** October 24, 2019

SUBJECT: Denman Island LTC Request on Staffing

PURPOSE: To respond to the Denman Island Local Trust Committee in relation to planning resources.

BACKGROUND:

The Denman Island Local Trust Committee (LTC) passed the following resolution on June 6, 2019:

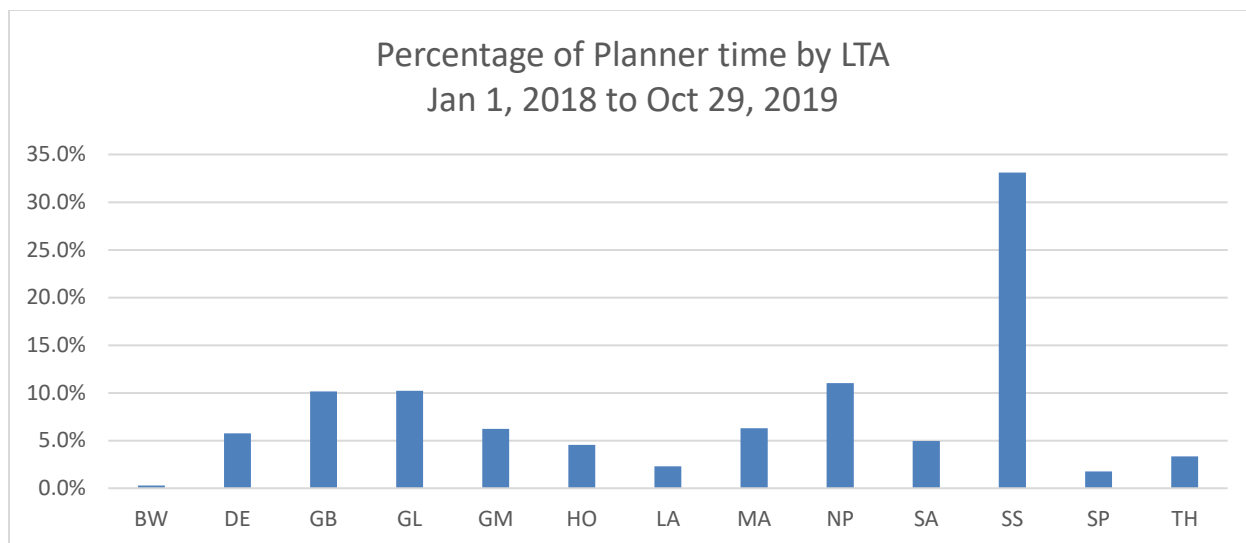
that the Denman Island Local Trust Committee request staff to bring forward a report outlining options to increase planning resources for Denman Island, to address work overloads and community needs due to:

- *increased numbers of applications and complexity of applications;*
- *the need to respond to changing Provincial and Federal Regulations (for instance cannabis legalization, the Water Sustainability Act, and new Agricultural Land Reserve Regulations);*
- *responsibilities connected to reconciliation;*
- *changes in environmental, social and economic conditions, such as the global climate emergency, the Provincial housing crisis and the rise of on-line Short Term Vacation Rental marketing;*
- *Trust-wide work on the Islands Trust Policy Statement.*

The current system of allocating planner resources has been in place since 2007 and includes consideration of the population of a local trust area and the type and complexity of applications. Generally, time is proportionally allocated with about 1/3 of planner time allocated for current planning, 1/3 for project planning and 1/3 for administrative/local trust committee meetings preparation and attendance. In other words, the time allocated for actual planning work would be split 50/50 between current planning and project planning.

This system was reviewed in 2018. In that review we found that the volume and complexity of current planning applications has increased. The actual split reported over the past couple of years is 70 percent current planning and 30 percent project planning.

The following charts shows the hours reported by planners for each of the local trust areas. These numbers do not include contract work that would have been used to assist on particular projects.



The options available to increase planning resources are as follows:

1. Reallocation of Planner Resources from other local trust areas

A reallocation of resources from other local trust areas is not a viable option, as the workload in those areas is just as demanding as on Denman Island. Furthermore, the reallocation happens dynamically as the Regional Planning Manager reassigns planning staff as needed to balance workload for staff and ensure fairness in application and project processing. The allocation will be reviewed in the Fall of 2019 as part of the 2018 LPS review implementation.

2. Reallocation of Planner Functions

The 2018 Local Planning Services Review (2018 LPS Review) recommends reallocating planners into current planning and policy (long-range) planning functions. This would likely reduce the number of planners assigned to current planning, in order to improve and protect planners undertaking pro-active policy work to support the mandate and strategic plan objectives. Additionally, the reduction in the number of planners assigned to current planning would be offset by revising the current approach to processing applications in order to realize efficiencies.

3. Increase Capacity

The 2018 LPS Review recommends increasing capacity by adding a Planning Technician position. This administrative technical position would take on all referral applications including building permits and Crown land referrals for all local trust areas and include siting and use permits for Denman and Hornby Islands. The position would be located in one centralized location. This approach would realize efficiencies by having all of this type of work undertaken centrally, and would free up valuable time for current planning and policy planning work.

Increasing planner capacity by hiring new planning staff for the purpose of processing applications would cost approximately \$100,000 per planner. In the LPS Review 2018 report, Staff does not recommend increasing planning staff to increase capacity to undertake application processing, as this would not further the Islands Trust mandate nor the Islands Trust Strategic Plan objectives. To support the mandate and Strategic Plan, additional resources are needed in the project and long-range planning functions of the organization to undertake pro-active planning.

4. Raise Fees

The current fees charged for development applications only cover a small fraction of the actual cost to process applications. Currently, we estimate that the revenue generated from fees covers seven percent of the cost of processing applications. Raising the fees would raise more revenue to cover the cost of processing applications. However, to fully cover the cost of staff to

process applications, the fee would need to be increased significantly. Even if the LTC were to raise fees, Trust Council would need to approve any funding increases to hire additional planners to process applications.

5. Reduce Need for Development Applications

Another approach is to look at the cause of applications, and review the means to reduce the number of applications received. This would include a review of the most common type of applications, the reasons for them, and then develop amendments to reduce the need for the certain applications. For example, some LUB regulations could be loosened to avoid minor rezoning or variance applications.

6. Lower Expectations

While this is not about increasing staff resources, it is an approach to managing applications by managing expectations around timelines and number of applications that can be concurrently processed. Most applications today are more complex due to many more issues that need to be considered than when similar applications were processed 10 or 20 years ago, e.g. climate change, reconciliation/meaningful engagement with First Nations. These should be factored in when considering how much staff time it will take to process an application. Public education information brochures could be developed to explain processes and timeline expectations for applications. Local trust committees could also review their meeting schedule, and adjust it to allow more time for planners to undertake planning work.

7. Special Tax Levy

Under Section 47(5) of the *Islands Trust Act*, the LTC has the option to request a special requisition to fund additional services. This could be used to fund additional planner time specifically to work on a project or applications as determined by the LTC. A special requisition funding request should consider the number of hours of planner time required for the fiscal year, include a public consultation component and be approved by Trust Council as part of the annual budget cycle.

Option 2 and option 3 are underway as part of the implementation of the 2018 LPS Review . This includes a request to Trust Council for funding for a Planning Technician position, and management working to reorganize planning staff for 2020. The Chief Administrative Officer, Regional Planning Managers and Director, Local Planning Services will be meeting in November to develop a plan to reorganize planning functions, and a timeline to transition to that new arrangement. This is intended to protect planner time for projects, but it will also provide improvement on how applications are processed. It will better utilize planner time to do more planning work and less administrative work. These changes should improve the overall ability to process applications more efficiently.

The Local Planning Committee is currently reviewing the current application fees and will be recommending a fee strategy to Trust Council in March 2020.

The regional planning managers continue to evaluate workloads and adjust planning assignments as necessary to ensure that resources are provided where required and that the workload between planners is balanced.

ATTACHMENT(S):

1. None

FOLLOW-UP:

As directed by the Denman Island Local Trust Committee.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Robert Barlow, Administrative Assistant/October 25, 2019

File No.: DE-RZ-2018.1 (Denman Housing Association/Snyder & Terry)

DATE OF MEETING: November 7, 2019

TO: Denman Island Local Trust Committee

FROM: Sonja Zupanec RPP, MCIP
Local Planning Services

SUBJECT: OCP and LUB Amendments for 20 units of Rental Housing – “Denman Green”
Applicant: Simon Palmer on behalf of the Denman Housing Association
Location: PID 009-704-523 and PID 006-657-290 Denman Island

RECOMMENDATIONS

1. That Denman Island Local Trust Committee Bylaw No. 235 cited as “Denman Island Official Community Plan, 2008, Amendment No.2, 2019” be read a first time.
2. That Denman Island Local Trust Committee Bylaw No. 236 cited as “Denman Island Land Use Bylaw, 2008, Amendment No.2, 2019” be read a first time.
3. That Proposed Bylaw Nos. 235 and 236 be referred to the following First Nations, Local Governments and agencies for comment:

a. First Nations:

K’omoks First Nation, Qualicum First Nation, Tla’amin Nation, Snaw’Naw’As Nation, Te’Mewx Treaty Association, We Wai Kai Nation, Stz’uminus First Nation, Lake Cowichan First Nation, Halalt First Nation, Lyackson First Nation, Penelakut Tribe, Cowichan Tribes, Laich-kwil-tach Treaty Society, Nanwakolas Council, We Wai Kum Nation, Xwemanlhkwu (Homalco) First Nation.

b. Local Governments and Agencies:

Hornby Island Local Trust Committee, Island Health, Denman Advisory Planning Commission, Agricultural Land Commission, Comox Valley Regional District, School District 71, Ministry of Agriculture, Islands Trust Freshwater Specialist.

4. That the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 235 cited as “Denman Island Official Community Plan, 2008, Amendment No.2, 2019” is not contrary to or at variance with the Islands Trust Policy Statement.
5. That the Denman Island Local Trust Committee request staff to schedule a special meeting for a community information meeting on application DE-RZ-2018.1 (DHA) and Proposed Bylaw Nos. 235 and 236 following the close of the bylaw referral period and upon receipt of confirmation of an on-island back-up water supply for the proposed 20 units of rental housing.

REPORT SUMMARY

This report introduces draft bylaws to amend the Denman Island Official Community Plan (OCP) and Denman Island Land Use Bylaw (LUB) to enable the proposed multi-family rental housing development “Denman Green” as presented in application DE-RZ-2018.1 (DHA). Staff is recommending that the draft bylaws in Attachment 1 and 2 of this report be given first reading as presented. All relevant background information is posted to the current [application website](#).

BACKGROUND

The Denman Island Local Trust Committee (LTC) passed the following resolutions at the July 4, 2019 regular business meeting:

DE-2019-067 It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008, consistent with draft bylaw language presented in Attachment 1, Table 1 of the Staff Report dated July 4, 2019 for DE-RZ-2018.1 (Denman Housing Association).

CARRIED

DE-2019-068 It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Denman Island Land Use Bylaw, 2008, consistent with draft bylaw language presented in Attachment 1, Table 2 of the Staff Report dated July 4, 2019 for DE-RZ-2018.1 (Denman Housing Association).

CARRIED

Staff have prepared amending bylaws for LTC consideration of first reading (Attachments 1 and 2).

ANALYSIS

Issues and Opportunities

Staff have identified the following issues for LTC consideration:

- Summary of Draft Bylaw No. 235 (OCP)
- Summary of Draft Bylaw No. 236 (LUB)
- Bylaws consistent with Islands Trust Policy Statement
- Pending amendments to enable new Development Permit Areas
- Restrictive covenants and housing agreements

Summary of Draft Bylaw No. 235 (OCP)

Draft Bylaw No. 235 (Attachment 1), if adopted, would introduce new policies in the OCP to: enable the transfer of density from one parcel to another for the purposes of multi-family affordable housing; require Energy Step Code compliance for new dwellings as a result of rezoning or density transfer; re-designate the receiver parcel (PID 006-657-290) from ‘Sustainable Resource’ to ‘Rural’ in order to contemplate eventual subdivision into 4 parcels; and require consideration of residential rental tenure zoning for multi-family dwellings to ensure affordability is

maintained in perpetuity. Extracted pages of a mock consolidated OCP with the proposed changes has been included in the November 7, 2019 LTC agenda package for convenience.

Summary of Draft Bylaw No. 236 (LUB)

Draft Bylaw No. 236 (Attachment 2), if adopted, would amend the LUB by: rezoning the donor parcel to a new site specific 'R7' zone to reduce the maximum permitted density/lots from seven dwellings/lots to three; rezoning the receiver parcel to two new site specific 'R8' and 'R4(1)' zones to permit an increase in density; permit multi-family affordable housing by way of a residential rental tenure zone; and regulate siting, size, lot coverage, parking, signage and several other land use parameters for the new site specific zones. Extracted pages of a mock consolidated LUB with the proposed changes has been included in the November 7, 2019 LTC agenda package for convenience.

Residential Rental Tenure Zoning in Draft Bylaw No. 236 (LUB)

In 2018, the Union of British Columbia Municipalities' Special Committee on Housing ([A Home for Everyone: A Housing Strategy for British Columbians](#)) recommended the Province provide a rental zoning authority to local governments and the province responded by creating this residential rental tenure zoning. On May 31, 2018 the Provincial government amended the *Local Government Act*, granting local governments with the authority to zone land for rental tenure (residential rental tenure zoning). The intent of this new legislation is to give local governments greater ability to preserve existing rental housing and/or increase the supply of new rental housing in their communities. The authority applies to any location where multi-family residential use is permitted and can apply to an entire parcel of land; require a certain number or percentage of units; or require a portion of a building be rental tenure. The use of housing agreements with residential rental tenure zoning further assists to secure affordability over time through conditions.

The residential tenure may not be varied by a Development Variance permit, Development Permit, Heritage Alteration Permit or Board of Variance. Several local governments have prepared and/or implemented new rental zones (Ladysmith, Richmond, Burnaby, Port Moody). Draft Bylaw No. 236 introduces a new residential rental tenure zone in the LUB called 'Multi-Family Dwelling (R4)' to be applied to the Denman Green portion of the receiver parcel. This new zone regulates the use, density, siting, setbacks, lot coverage and parking requirements for new development to enable the proposal as presented in application DE-RZ-2018.1 (DHA).

Islands Trust Policy Statement

Planning staff have reviewed the draft bylaws against the Islands Trust Policy Statement Directives Only Checklist (ITPS Attachment 3) and concluded that the Draft Bylaw No. 235 (OCP) as written is not contrary to or at variance with the ITPS.

Attachment 4 illustrates that Draft Bylaw No. 236 (LUB) is currently contrary to the ITPS until such a time as the provision of potable water for the proposed 20 units of multi-family affordable housing is confirmed by the applicant. The LTC will be considering supplemental information from the applicant regarding the provision of potable water after the Comox Valley Regional District (CVRD) Board considers a report on bulk water services from Graham Lake on Denman Island. Staff recommend that the LTC proceed with first reading of the bylaws and referrals in advance of the water system details being confirmed by the applicant. Further information may be required of the applicant to substantiate capacity of the Graham Lake water supply to provide adequate volume and quality of water to the proposed Denman Green development. Staff can report back on ITPS compliance prior to LTC consideration of second reading.

Pending amendments to enable new Development Permit Areas (DPAs)

The LTC directed staff in July to develop bylaw amendments that would also introduce new DPAs to be applied to the receiver parcel to protect the natural environment, farming and promote energy, water conservation and reduction of greenhouse gas emissions.

In order to implement these changes, staff is recommending a separate set of draft bylaws to amend the OCP and LUB. The drafts are currently being reviewed by staff/legal counsel and are anticipated to be ready for LTC review at a future LTC meeting date for consideration of first reading. The LTC can advance consideration of Draft Bylaw Nos. 235 (OCP) and 236 (LUB) in the interim, and all four bylaws can be presented at a public hearing together without delaying the legislative review process.

Restrictive covenants and housing agreements

In addition to draft DPA bylaws, staff will be providing the LTC with an analysis of the land use planning tools that will be required to ensure BC Energy Step Code compliance at the time of construction for all new dwellings on the receiver parcel and that any new multi-family dwelling is subject to a housing agreement to ensure rental affordability in perpetuity. Such draft legal instruments should be considered by the LTC in advance of second reading and be available to the public for review as part of a public hearing package.

Consultation

As this application proposes an amendment to the official community plan, the LTC is required to conduct a consultation process involving a set of referrals that are independent of any public hearing process. The LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified below, and direct staff accordingly. Following first reading of the bylaws staff recommend referrals to First Nations, provincial agencies, adjacent local governments and select referral agencies as detailed below and in the recommendations on page 1 of this report. Staff also recommend a community information meeting as part of the review process, subsequent to the receipt of referral responses and in advance of a public hearing being scheduled. Significant changes to the bylaw (either as a requirement of the LTC, or by the applicant) that necessitate further referrals or community meetings or application complexities may require more involved consultation.

Agencies

Should the LTC concur with the staff recommendation to give first reading to both bylaws, referrals will be sent to the following agencies and adjacent local governments for comment:

- Denman Island Advisory Planning Commission
- Island Trust Freshwater Specialist
- Comox Valley Regional District
- Island Health
- Agricultural Land Commission/Ministry of Agriculture
- School District 71
- Hornby Island Local Trust Committee

First Nations

The following First Nations include Denman Island as part of their marine, land territory or Treaty area and bylaw referrals should be sent to the following First Nations for comment:

- K'omoks First Nation
- Qualicum First Nation
- Te'Mexw Treaty Association
- Lake Cowichan First Nation
- Penelakut Tribe
- Nanwakolas Council
- Snaw'Naw'As Nation
- Stz'uminus First Nation
- We Wai Kum Nation
- Lyackson First Nation
- Laich-kwil-tach Treaty Society
- Tla'amin Nation
- We Wai Kai Nation
- Halalt First Nation
- Lyackson First Nation
- Laich-kwil-tach Treaty Society
- Cowichan Tribes

Protocols

The LTC has a [protocol agreement](#) with the Comox Valley Regional District (CVRD, 2011) and staff of the Islands Trust have a [letter of understanding](#) with staff of the CVRD (2018) to ensure interagency collaboration on land use, park planning, bylaw enforcement and servicing. Proposed bylaws would be referred to CVRD for comment.

Correspondence from Applicant

The applicant has submitted correspondence to the LTC (Attachment 5) requesting the LTC and planning staff adhere to an expedited legislative review to coincide with a spring 2020 funding call from BC Housing for affordable housing.

Public Correspondence

All public correspondence received to date is being redacted by staff and posted to the [applications website](#).

Rationale for Recommendations

Draft bylaws have been prepared to amend the OCP and LUB and contemplate density transfer, multi-family affordable housing and subdivision as presented in application DE-RZ-2018.1 (DHA). Staff recommend first reading of both bylaws in order to advance referral responses from First Nations, agencies and The staff recommendations are found on page 1 of this report.

ALTERNATIVES:

1. Request additional information/defer consideration of first reading.

The LTC can request specific additional information from staff and/or the applicant prior to consideration of first reading. If this alternative is selected then the following resolution is recommended:

“That the Denman Island Local Trust Committee request staff/applicant to provide the following (specify information request) prior to further consideration of Draft Bylaw Nos. 235 and 236.”

2. Proceed no further.

The LTC can choose this alternative at any stage in a bylaw amendment application. If this alternative is selected the following resolution is recommended:

“That the Denman Island Local Trust Committee proceed no further with application DE-RZ-2018.1 (DHA).”

Next Steps

Should the LTC concur with the staff recommendations, referrals will be sent out requesting a response within 60 days of the date on the referral; a community information meeting will be tentatively scheduled and draft bylaws for the DPAs will be finalized for LTC consideration.

Submitted By:	Sonja Zupanec, RPP, MCIP Island Planner	October 21, 2019
Concurrence:	Heather Kauer, ACIP Regional Planning Manager, Northern Office	October 21, 2019

ATTACHMENTS

1. Draft Bylaw No. 235 (OCP)
2. Draft Bylaw No. 236 (LUB)
3. Islands Trust Policy Statement Directives Only Checklist for Bylaw 235 (OCP)
4. Islands Trust Policy Statement Comparison Table Bylaw 236 (LUB)
5. Correspondence from Applicant, September 2019

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

A BYLAW TO AMEND 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. That the Denman Island Local Trust Committee Bylaw No. 185 cited as “Denman Island Official Community Plan, 2008” is amended as shown on Schedules “1” and “2” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2019".

READ A FIRST TIME THIS	xx	DAY OF	, 20xx
READ A SECOND TIME THIS	xx	DAY OF	, 20xx
READ A THIRD TIME THIS	xx	DAY OF	, 20xx
PUBLIC HEARING HELD THIS	xx	DAY OF	, 20xx
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	xx	DAY OF	, 20xx
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS		DAY OF	, 20XX
ADOPTED THIS		DAY OF	, 20XX

Chair

Secretary

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 235

Schedule “1”

1. Schedule “A” – Official Community Plan Policy Document of the Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008” is amended as follows:

- 1.1 PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Objectives is amended by adding the following new objective following the text of Objective 4:

“Objective 5 To protect and enhance the supply and quality of rental housing for low income households.”

- 1.2 PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 9 is replaced in its entirety with the following:

“In the Residential and Rural designation, the principal use should be single family residential with the exception of the following:

- The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw; and
- Multi-family affordable housing through the completion of a successful rezoning application.

- 1.3 PART E FAMILIES AND INDIVIDUALS – E.1 HOUSING, Housing Policies, Policy 10 is amended by adding the following sentence to the end of Policy 10: “Multi-family affordable housing may be considered by an application for rezoning in the Rural designation.”

- 1.4 PART E FAMILIES AND INDIVIDUALS – E.1 HOUSING, Housing Policies, Zoning Amendments, Policy 27 is deleted in its entirety and replaced with:

“Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.”

- 1.5 PART E FAMILIES AND INDIVIDUALS – E.1 HOUSING, Housing Policies, Zoning Amendments, Policy 29 is amended by adding an additional bullet to the end of the list that reads: “that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity.”

- 1.6 PART E FAMILIES AND INDIVIDUALS – E.1 HOUSING, Housing Policies, Zoning Amendments is amending by adding the following new policy after Policy 30 and renumbering subsequent policies chronologically:

“Policy 31 The provision for density transfer in Appendix C of this Plan may apply to the donation or sale of land for the development of multi-family affordable housing projects that include protection of the natural environment.”

- 1.7 APPENDIX C DENSITY TRANSFER – is amended by inserting the following text in the introductory paragraph after the words “density transfer to permit”:

“multi-family affordable housing with formal protection of the natural environment; permit”;

and the following text after the words “simply replaces that of the lot”:

“protected by covenant or Development Permit Area,”.

1.8 APPENDIX C DENSITY TRANSFER – Policies, Policy 1 is replaced in its entirety with the following:

“The Local Trust Committee may consider applications for density transfer for multi-family affordable housing, conservation and park purposes only. Eligible situations are limited to the following:

- donation or sale of land for a multi-family affordable housing development that results in protection of the natural environment on the same parcel through a restrictive covenant or Development Permit Area; or
- dedication of land for a park; or
- donation or sale of land for conservation purposes.”

1.9 APPENDIX C DENSITY TRANSFER – Policies, Policy 1, Guidelines for Density Transfer is amended by adding the following new guideline after Guideline 3 and renumbering subsequent guidelines chronologically:

“Guideline 4 The original parcel of land which is subject to a reduction in development potential in order to transfer the density to another parcel(s) for the purposes of multi-family affordable housing is referred to as the donor parcel.”

1.10 APPENDIX C DENSITY TRANSFER – Policies, Policy 1, Guidelines for Density Transfer is amended by adding the following new guideline after Guideline 5 and renumbering subsequent guidelines chronologically:

“Guideline 6 Where the receiver parcel is intended for multi-family affordable housing, the following are required:

- a housing agreement to the satisfaction of the Local Trust Committee to protect the receiver parcel in perpetuity for the purposes of providing multi-family affordable housing; and
- protection of the natural environment on the receiver parcel by way of a restrictive or conservation covenant or Development Permit Area.”

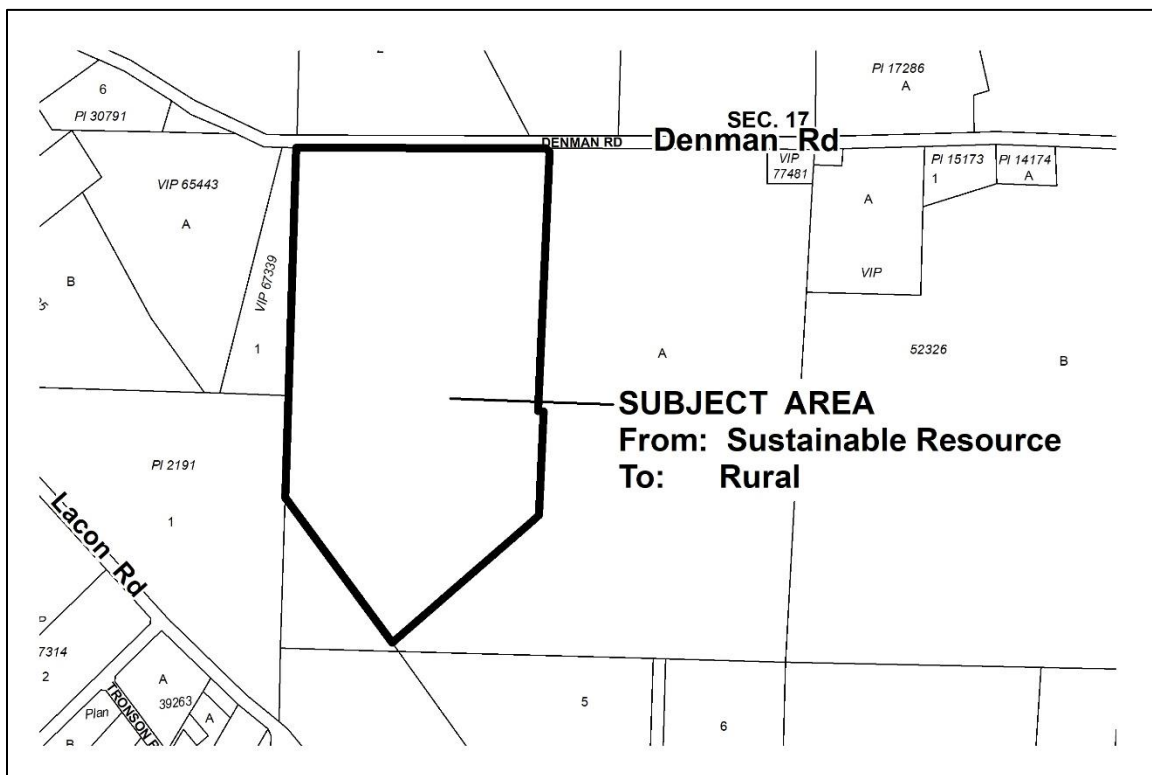
DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 235

Schedule "2"

1. Schedule "C" – Land Use Designations of the Denman Island Local Trust Committee Bylaw No. 185, cited as "Denman Island Official Community Plan, 2008" is amended by changing the designation of THE SOUTH WEST 1/4 OF SECTION 17, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN 14174, VIP77481 AND VIP87456 (PID 006-657-290) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "C" of Bylaw No. 185 as are required to effect this change.

Plan No. 1



DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 236

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 for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2019”.

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 236**

1. Schedule “A” of Denman Island Land Use Bylaw, 2008 is amended as follows:

- 1.1 PART 1 ADMINISTRATION, Section 1.1 Definitions is amended by replacing the definition of “lot coverage” with the following:

“lot coverage means the percentage of the total area of the lot covered by buildings and structures including roof overhangs but excluding cisterns connected to a building for the purposes of rainwater harvesting and collection.”

- 1.2 PART 1 ADMINISTRATION, Section 1.1 Definitions is amended by adding the following definitions in alphabetical order:

“dwelling, multi-family means a building containing two or more dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance;

dwelling unit, single family means a building containing one dwelling unit;

residential rental tenure means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit;”

- 1.3 PART 2 ADMINISTRATION, Section 2.1 **Accessory Buildings and Structures**, 10 is amended by adding the words “and the use is not permitted on a parcel in the ‘Multi-Family (R4) Zone’.” after the word “Bylaw”.
- 1.4 PART 2 GENERAL REGULATIONS, Section 2.1 **Travel Trailers**, 11 is amended by adding the words “except on a parcel zoned ‘Multi-Family (R4).’” after the word “accommodation”.
- 1.5 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by removing:
- “one per one single family residential use”
- And replacing it with:
- “one per one single family residential dwelling unit”
- 1.6 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by adding another bullet:
- “two per dwelling unit in a multi-family dwelling”
- 1.7 PART 2 GENERAL REGULATIONS, Section 2.5, Parking Regulations, Number of Parking Spaces Required, 17, Minimum number of bicycle parking spaces is amended by adding another bullet:
- “one per dwelling unit in a multi-family dwelling”

1.8 PART 2 GENERAL REGULATIONS, Section 2.6 Signs Regulations, Permitted signs, 1 is amended by adding “Multi-Family (R4)” after “(R3)”.

1.9 PART 2 GENERAL REGULATIONS, Section 2.7 Screening Regulations, Landscape Screens, 8 is amended by removing “R3 zone” and replacing with “R3 and R4 zones”.

1.10 PART 3 ZONE REGULATIONS, Section 3.1 Creation of Zones, 1, Zone Classification, Zoning Code, **Residential Zones** is amended by adding “Multi-Family R4”.

1.11 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 1 – Permitted Uses is deleted in its entirety and replaced with:

Table 1 - Permitted Uses		R1	R2	R3	R4
Principal Uses					
1	Residential	✓	✓	✓	
2	Residential Rental Tenure subject to registration of housing agreement				✓
3	Parks	✓	✓	✓	✓
4	Utilities	✓	✓	✓	✓
Accessory Uses					
4	Home occupation uses listed in Section 2.4 accessory to a principal residential use	✓	✓	✓	
5	Forest fungi production accessory to a residential use, on lots 2.0 ha or larger	✓	✓	✓	✓
6	Horticulture and agriculture, other than intensive agriculture, accessory to a principal residential use	✓	✓	✓	✓
7	Occasional wood working and wood processing using wood obtained from the lot and accessory to a principal residential use	✓	✓	✓	
8	Generation of electricity from non-polluting renewable sources and accessory to a principal residential use	✓	✓	✓	✓
9	Secondary suites and secondary dwelling units		✓		
			*Secondary dwelling units must be approved through a Temporary Use Permit		

1.12 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 2 – Permitted Buildings and Structures is deleted in its entirety and replaced with:

Table 2 - Permitted Buildings and Structures		R1	R2	R3	R4
1	Single family dwelling units	✓	✓	✓	
2	Multi-family dwelling units				✓
3	Buildings and structures accessory to a constructed single family dwelling unit	✓	✓	✓	
4	Buildings and structures accessory to a constructed multiple family dwelling unit				✓

5	Buildings and structures to accommodate horticulture, agriculture and sale of horticultural and agricultural products	✓	✓	✓	✓
6	Buildings and structures for parks and utilities	✓	✓	✓	✓
7	Pit privies	✓	✓	✓	
8	Fences	✓	✓	✓	✓
9	Signs, subject to Section 2.6	✓	✓	✓	✓
10	Portable sawmill accessory to a residential use, to accommodate occasional wood working and wood processing	✓	✓	✓	
11	Buildings and structures for the generation of electricity from non-polluting renewable sources	✓	✓	✓	✓
12	Common house			✓	

1.13 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 3 – Density of Uses, Buildings and Structures is deleted in its entirety and replaced with:

Table 3 - Density of Uses, Buildings and Structures		R1	R2	R3	R4
1	Minimum lot area per principal single family dwelling unit	1.0 ha	4.0 ha	n/a	n/a
2	Despite line 1 of this table, maximum number of single family dwelling units on lots less than the minimum area shown in line 1 of this table	1	1	n/a	n/a
3	Subject to line 1 of this table, maximum number of dwelling units per lot	5	n/a	15	
4	Maximum combined lot coverage of buildings and structures	25%	25%	n/a	10%
5	Maximum number of buildings or structures for the generation of electricity from non-polluting sources	1	1	1	3

1.14 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 4 – Height is deleted in its entirety and replaced with:

Table 4 – Height		R1	R2	R3	R4
1	Maximum height of principal buildings and structures				
	• located less than 100.0 metres from the natural boundary of the sea	7.0 m	7.0 m	7.0 m	7.0 m
	• located 100.0 metres or more from the natural boundary of the sea	9.0 m	9.0 m	9.0 m	12.0 m
2	Maximum height of buildings and structures				
	• accessory to a residential use	6.0 m	6.0 m	6.0 m	6.0 m
	• used exclusively for agriculture	15.0 m	15.0 m	15.0 m	15.0 m
3	Maximum height of a fence, excluding deer netting	2.0 m	2.0 m	2.0 m	2.0 m
4	Maximum height of a pump/utility house located within a setback area	2.5 m	2.5 m	2.5 m	2.5 m
5	Maximum height of a boathouse	4.5 m	4.5 m	4.5 m	4.5 m

1.15 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 5 – Setbacks is deleted in its entirety and replaced with:

Table 5 - Setbacks		R1	R2	R3	R4
In addition to regulations 1 to 5 in Section 2.3, the following setbacks apply					
1	Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy				
	• from the front lot line	7.5 m	7.5 m	30.0 m	10.0 m
	• from the rear or side lot line	3.0 m	3.0 m	30.0 m	10.0 m
	• from the exterior side lot line	4.5 m	4.5 m	30.0 m	10.0 m
2	Minimum setback from all lot lines for pit privies, feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops	8.0 m	8.0 m	30.0 m	30.0 m
3	Minimum setback from all lot lines for domestic chicken coops	3.0 m	3.0 m	30.0 m	10.0 m

1.16 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 6 – Floor Area is deleted in its entirety and replaced with:

Table 6 - Floor Area		R1	R2	R3	R4
1	Maximum gross floor area of a pump/utility house located within a setback area	6.0 m ²	6.0 m ²	6.0 m ²	10.0 m ²
2	Maximum gross floor area of a boathouse located within 15.0 metres of the natural boundary of the sea	30.0 m ²	30.0 m ²	n/a	n/a
3	Maximum gross floor area of a single family dwelling unit	n/a	n/a	139.4 m ²	n/a
4	Maximum gross floor area of a dwelling unit in a multiple family dwelling	n/a	n/a	n/a	
5	Maximum gross floor area of a common house	n/a	n/a	279 m ²	n/a
6	Maximum combined gross floor area of all accessory buildings and structures	n/a	n/a	1275 m ²	100 m ²

1.17 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 7 – Subdivision is deleted in its entirety and replaced with:

Table 7 - Subdivision		R1	R2	R3	R4
1	Maximum density permitted by subdivision is an average of one lot per	1.0 ha	4.0 ha	35.0 ha	
2	Minimum lot area permitted by subdivision, subject to the regulations in 2.8	1.0 ha	2.0 ha	35.0 ha	

1.18 PART 3 – ZONE REGULATIONS, Section 3.3 – “Residential Zoning Tables”, Table 8 – Site Specific Regulations is amended by adding the following text after row R2(6):

- "R2(7) 1 Despite line 10 in Table 1 of this Section, secondary suites are not permitted in the R2(7) zone.
- 2 Despite line 3 in Table 3 of this Section, the maximum number of single family dwellings permitted in the R2(7) zone is three.
- 3 Despite line 1 in Table 7 of this Section, the maximum number of lots permitted by subdivision in the R2(7) zone is three.
- R2(8) 1 Despite line 10 in Table 1 of this Section, secondary suites are not permitted in the R2(8) zone.
- 2 Despite line 3 in Table 3 of this Section, the maximum number of single family dwellings permitted in the R2(8) zone is five.
- 3 Despite line 1 in Table 7 of this Section, the maximum number of lots permitted by subdivision in the R2(8) zone is three.
- R4(1) 1 Despite line 4 in Table 1 of this Section, the following uses, and no other uses, are permitted as home occupations:
- general business offices,
 - professional offices, including health services,
 - personal services,
 - food processing.
- 2 Despite line 3 in Table 3 of this Section, the maximum number of dwelling units permitted in the R4(1) zone is 20.
- 3 Despite line 4 in Table 6 of this Section, the maximum gross floor area of a dwelling unit in a multiple family dwelling is 140 m².
- 4 Despite line 1 in Table 7 of this Section, the maximum density permitted by subdivision is one lot per 8.0 hectares.
- 5 Despite line 2 in Table 7 of this Section, the minimum lot area permitted by subdivision, subject to regulations in Section 2.8 is 8.0 hectares.

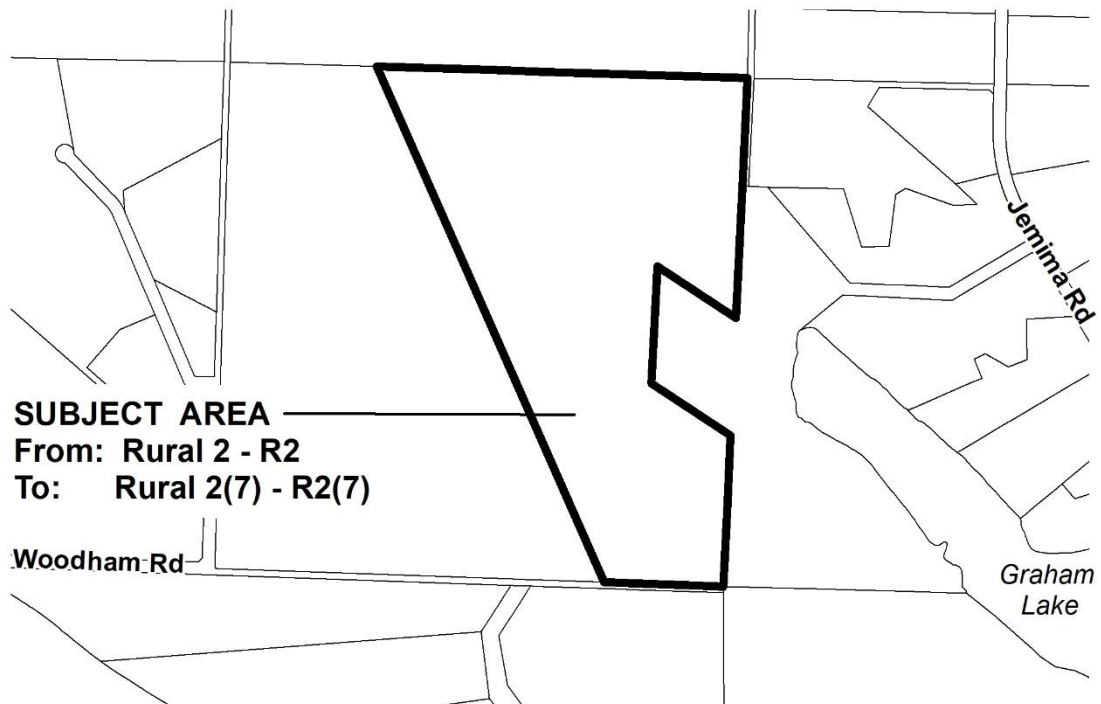
2. Schedule "B" of Denman Island Land Use Bylaw, 2008 is amended as follows:

- 2.1 Schedule "B" – South Sheet, is amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE SOUTH WEST 1/4 OF SECTION 13, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PART IN PLAN VIP71627 (PID 009-704-523) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 186 as are required to effect this change.
- 2.2 Schedule "B" – North Sheet and South Sheet, are amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE SOUTH WEST 1/4 OF

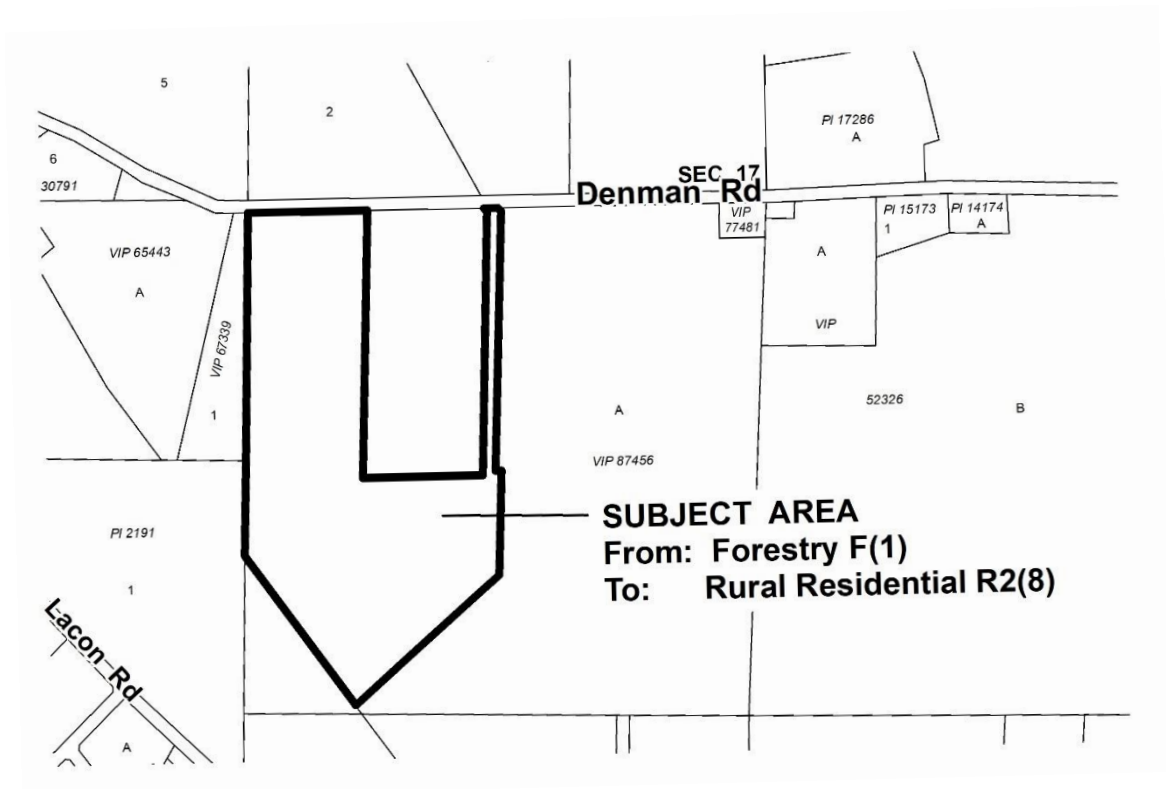
SECTION 17, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN 14174, VIP77481 AND VIP87456 (PID 006-657-290) as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 186 as are required to effect this change.

- 2.3 Schedule "B" – North Sheet and South Sheet, are amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE SOUTH WEST 1/4 OF SECTION 17, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN 14174, VIP77481 AND VIP87456 (PID 006-657-290) as shown on Plan No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Bylaw No. 186 as are required to effect this change.

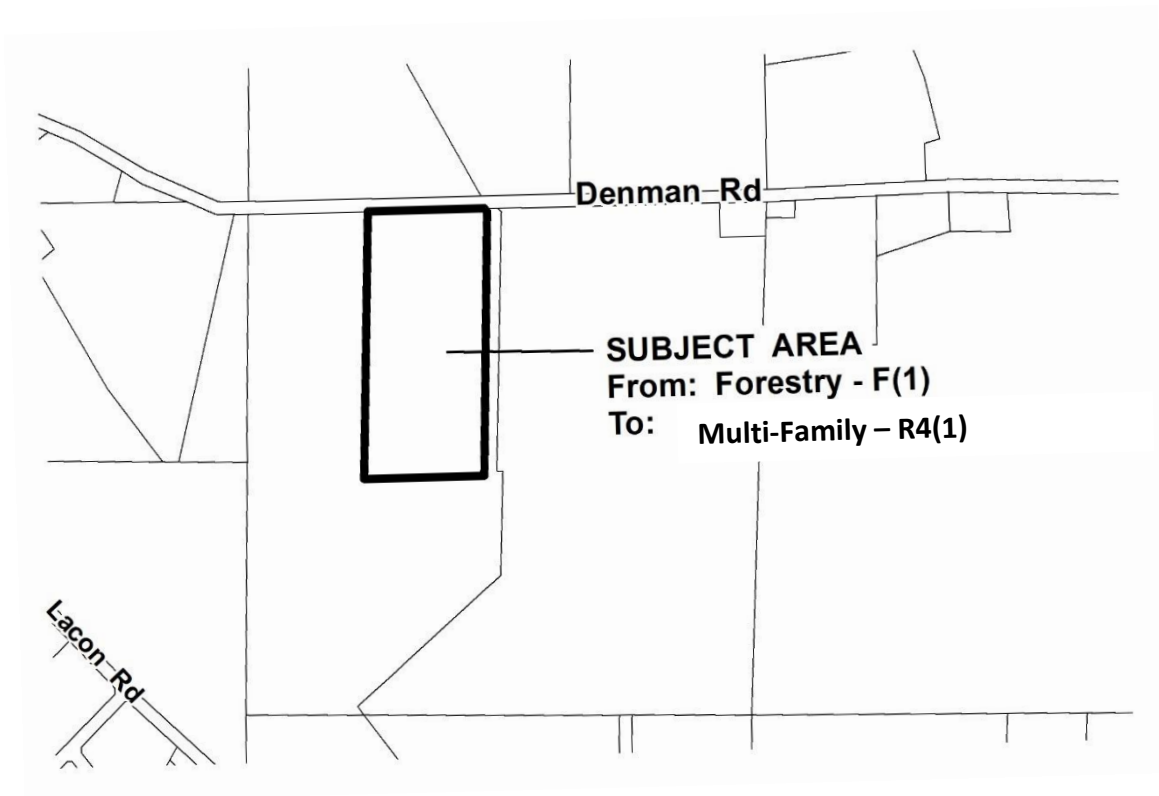
Plan No. 1



Plan No. 2



Plan No. 3





ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: DE-RZ-2018.1 (DHA)

File Name: Bylaw No. 235 (OCP)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, 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 CHECKLIST

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 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.
N/A	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.
✓	3.1.5	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
✓	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
N/A	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.
N/A	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
✓	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.
CONSISTENT	No.	DIRECTIVE POLICY

	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.

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
✓	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.
✓	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.
✓	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

	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
✓	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
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

ATTACHMENT 4 – ITPS AND DRAFT BYLAW 236 (LUB)

ISLANDS TRUST POLICY STATEMENT

ITPS Policy	Draft Bylaw 236 Complies	Planner Comments
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.	YES	To be addressed by new proposed draft development permit areas and restrictive covenants requiring compliance with BC Energy Step Code at time of construction.
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.	YES	Donor parcel is within RAR and non RAR Development Permit Area (DPA). Receiver parcel has a small portion of land within the RAR DPA. Guidelines will apply if subdivided.
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.	pending new DPA	Receiver parcel has 2.2 hectares of ALR land that is not being re-zoned or redesignated. New draft DPA may apply to the non ALR land adjacent.
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.	pending new DPA	To be addressed in bylaw amendments and can incorporate ALC buffer requirements.
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.	Does not comply.	Insufficient groundwater to support the proposed increase in density on the receiver parcel. Applicant seeking access to Graham Lake water supply to support 20 units of housing. Remainder of the receiver lot anticipated to be further subdivided into 3 parcels/5 dwellings with no indication of adequate groundwater resources to support subsequent subdivision.

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.	Pending receipt of additional information from the applicant	LTC has requested further information about the water supply for the proposed development.
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.	pending DPA guidelines to be applied at subdivision	Receiver parcel is within a protection area identified in Schedule D of the OCP. Draft new DPA subdivision regulations will address protection of the scenic value of the ridge.
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.	pending new DPA and restrictive covenant	New draft DPA being developed to address environmental issues.
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.	YES	Complies with density transfer.
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.	YES	Location of affordable housing units in proximity to village and ferry terminal.
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.	Yes	Proposal seeks to address community's current and projected housing requirements for affordable housing.

Denman Housing Association

To: DILTC Chair Sue Ellen Fast and Trustee David Critchley
Denman Island Planner Sonja Zupanec

Re: DE-RZ-2018.1 Application Timeline & Potential Repercussions

Request: That DILTC & Planner coordinate to achieve the timeline below

Reason: Sept 30 DHA Board met with Kirsten Baillie, Development Manager, BC Housing
- Competition for capital funding is very real. Projects funding-ready preferred
- Clear title to land necessary. (For DHA this follows rezoning/subdivision)
- Next funding 'call' likely Spring 2020

Implications:

Spring 2020 Funding > Fall 2020 Land Prep > Spring 2021 Build > Fall 2021 Occupation

Failing which all is set back 12 months because Land Prep is restricted to non-fire danger months

So occupancy of Denman Green would only be in Fall 2022 or three years from now.

Application Timeline per Planner email Sept 9 2019 & Applicant Requests in Red

1. October 3 – LTC consider 1st reading and referrals to all First Nations, agencies and adjacent LTC's (60 day minimum referral period). Schedule a CIM to take place after the 60 day referral so that responses can be presented at the CIM.

LTC – 1st Reading of Bylaws & Referrals. Schedule CIM for December 12 (60 days +)

2. November 7 – LTC consider DPA Bylaws for 1st reading and referrals.

LTC – 1st Reading of DPA Bylaws & Referrals

3. Community Information Meeting

December 12

4. LTC can proceed to second reading in early 2020 and make any necessary changes based on the input of the CIM, agency or First Nation referrals.

LTC – 2nd Reading at February meeting (or first meeting in 2020 when set)

A public hearing can then be scheduled once the LTC has reviewed/accepted any necessary covenants, easements and proof of water requirements.

LTC - Review at February meeting (or first meeting in 2020 when set)

We recommend you have PLA for subdivision before the public hearing.

5. Third reading can be considered at the close of the PH or at a date after the PH.

Public Hearing & Third Reading – end February

6. After third reading bylaws are forwarded to the Executive Committee for approval, and Minister of Municipal Affairs and Housing.

Approval by end March.

7. Once those approvals are back the LTC can consider final adoption (pending registration of any covenants etc on title).

LTC - At April meeting or soonest after

Denman Housing Association

Memo to: DILTC Chair – Sue Ellen Fast
DILTC Trustee – David Critchley
Regional Planning Manager – Heather Kauer
Planner – Sonja Zupanec

November 3 2019

Re: Backup Water (see attached)
DE-RZ-2018.1 Timeline (see attached)

DE-RZ-2018.1

On behalf of Denman Housing Association I ask your urgent and serious consideration & assistance on the two matters above.

I believe meeting our request in both cases to be not only within your discretion but also, considering the importance of this Application, quite reasonable.

I must reiterate that creating these 20 units of affordable housing meets, though only in part, a critical need on Denman Island. There is good reason why this has not been possible hitherto, simply the availability of land & current funding opportunity.

I would ask that you bear this unique opportunity for Denman Island in mind when considering our request.

On the question of backup water I believe the attached is self-explanatory.

On the question of timeline, in addition to requesting of DILTC a further meeting in 2019 to consider DPA Bylaws, I would ask for Planners' assistance in correcting the attached Timeline. In doing so Planners may wish to reconsider our prior offer to pay for outside assistance in drafting etc in order to meet the Spring 2020 funding deadline. This date is very real, was reconfirmed last week by BC Housing & failure to meet it will indeed set the project back by 12 months. Thus our willingness to pay for a few hours work now.

I look forward to discussing the above at the coming DILTC meeting

Simon Palmer, Chair

Registered Charity #84680 0936 RR0001

Denman Housing Association
3720 East Road, Denman Island, B.C. V0R 1T0
DenmanAffordableHousing@gmail.com 250 335 2559
Registered Charity #84680 0936 RR0001

To: DILTC General Meeting on Nov 7 2019
Re: DE-RZ-2018.1

Backup Water Supply to Denman Green

Situation:

- DILTC require that a backup supply of potable water be provided to supplement the planned Rainwater Harvesting (RWH) system on Denman Green
- the backup would only be required should there be an expectation of non-rain days exceeding 5 months for which there is a reserve designed into the RWH system
- there was reason to believe that CVRD would establish a bulk water delivery system on Denman Island that would serve the backup needs of Denman Green
- see the attached CVRD Staff Report to EASC stating that this is now uncertain & at best might only be in place end 2020. Further that off-island bulk water supply is more economic
- one dry well has been drilled & GW Solutions, hydrogeologists, are unable to recommend more promising drill sites

Politics:

- Trust Council Policy 4.4.1 states "...that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater".
- it has been reliably reported that this Policy was adopted as a means of restricting development on Gulf Islands
- in practice several Gulf Islands rely on off-island bulk water deliveries, in particular those residents who have not developed adequate RWH systems

Proposal:

- that DILTC should request Staff to draft a bylaw exempting Denman Green from Policy 4.4.1 in the supply of a backup source of potable water
- that in considering this bylaw the Executive Committee of Islands Trust should be requested by DILTC to take into account the Trust's own stated need for affordable

housing on Denman Island and the unique opportunity for such housing represented by DE-RZ-2018.1 and Denman Green

- that the Executive Committee not regard this exempting bylaw as creating precedent but rather as facilitating the construction of this specific affordable housing project, much as draft bylaw 235, amending Denman Island OCP 2008, extends consideration of density transfers for the same specific purpose

- that if granted off-island bulk water would be the stated backup supply of potable water

DATE: October 31, 2019**FILE:** 5600-20/Denman Island**TO:** Chair and Directors
Electoral Areas Services Committee**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer**R. Dyson****RE: Denman Island – Bulk Water Service Update****Purpose**

To provide an update to Denman Island residents on bulk water supply options.

Recommendations from the Chief Administrative Officer:

1. THAT a decision on implementation of a bulk water station for Denman Island residents be delayed until selection of a new treatment technology and a decision on conversion of the Graham Lake Improvement District to a regional service in late 2020.
2. THAT staff be directed to update K'ómoks First Nation regarding water service delivery challenges on Denman Island and the role of the Comox Valley Regional District.

Executive Summary

- Initial review of the bulk water infrastructure required to provide a bulk water supply off the Denman Island Water Local Service Area (DIWLSA), including siting a bulk water tank, and associated connection and control infrastructure would be expensive and possibly cost prohibitive to local residents;
- The DIWLSA is currently working with the Graham Lake Improvement District (GLID) on an analysis of options for treatment technology to be implemented by GLID for them to meet the province's Surface Water Treatment Objectives;
- In conjunction, DIWLSA and GLID are completing a conversion study examining the viability and support for conversion of GLID to a regional service (expected early 2020), as well as reviewing grant funding opportunities for treatment technology;
- Both the selection of a treatment technology and the prospect of conversion of GLID into a regional service could significantly change the optimal means of delivery of bulk water service on Denman Island;
- Staff recommend waiting until the treatment technology and long term governance model are known before making a decision on implementation of a bulk water solution for Denman Island.

Prepared by:

C. MakinsonCole Makinson, P.Eng
Engineering Analyst

Concurrence:

K. La RoseKris La Rose, P.Eng
Senior Manager of Water/
Wastewater Services

Concurrence:

M. RuttenMarc Rutten, P.Eng
General Manager of
Engineering Services

Stakeholder Distribution (Upon Agenda Publication)

Graham Lake Improvement District	✓
Island Trust, CAO	✓

Background/Current Situation

In late 2018, upon legal review, GLID determined it would no longer supply water bulk water to haulers due to concerns surrounding GLID's liability. GLID made the Comox Valley Regional District (CVRD) aware of this change in early January 2019.

CVRD's legal review of the bulk water sale identified there could be liability concerns for DIWLSA, but the risks were likely very low and should be balanced against the impact to health and safety of those members of the Denman Island community reliant on bulk water delivery.

CVRD reviewed setting up a standpipe for bulk water sales from DIWLSA's current system but the following factors led this option not to be feasible:

- Restricted filling times due to operational constraints for the GLID system;
- Estimated total summer bulk water quantity not able to be supplied by GLID's system due to limited filling times, requiring additional off island delivery of water;
- Financial factors making it comparable for costs for supply of water from off island.

An informal meeting was held with Denman residents, GLID representatives and bulk water providers at the end of June 2019 informing them of the decision to not proceed with a temporary bulk water standpipe. From the meeting there was a strong desire from residents to further determine a local solution to avoid off island delivery of water, and allow for smaller water load deliveries which work with local residents systems more efficiently.

Further investigation into a long term solution for bulk water delivery on Denman was investigated. The required upgrades included:

- Additional water storage/buffer tank to alleviate operational constraints on GLID's system;
- Extension of the water main to a water storage tank;
- Lease agreements for siting a water storage/buffer tank.

Policy Analysis

Bylaw No. 190 would require updating, establishing a separate bulk water rate for the sale from the DIWLSA system to cover capital and operational costs.

Financial Factors

The capital costs for a bulk water filling station was estimated to be \$45,000-\$85,000 with a large variable on costs due to securing a location for the buffering/storage tank. The finalized location for the storage/buffer tank would affect the costing for the watermain extension, required road crossings, and amount of civil preparation required.

Estimates for the sale of bulk water would be \$14-23/m³ to licensed haulers which include:

- Annual operational/maintenance/asset management costs;
- Capital repayment over a 30 year period;
- Contribution to liability reserve funds.

A comparison table of the previous GLID bulk water cost to residents (including delivery), and options for future costing is detailed below:

	Previous GLID Bulk Water Delivery	Private Delivery from off island	New Storage/Buffer Tank – Low Estimate	New Storage/Buffer Tank – High Estimate
Cost for Residents (\$/m ³)	\$52.90	\$50.00	\$56.70	\$65.60
Approximate load size	3.8 m ³	6.8 m ³	3.8 m ³	3.8 m ³

Legal Factors

CVRD's legal review of the bulk water sale identified there could be liability concerns for DIWLSA, these risks were likely very low and should be balanced against the impact to health and safety of those members of the Denman Island community reliant on bulk water delivery.

Should sale of water from the DIWLSA be deemed not viable, consideration could be given to sale of bulk water by the Comox Valley Water System Service, which does provide for bulk water sales. In that event, consultation would be required with the service stakeholders and Comox Valley Water Committee.

Finally, an updated Water Service Agreement with GLID would be required to establish the terms and price for sale of bulk water.

Regional Growth Strategy Implications

Related to Regional Growth Strategy Goal No. 8: climate change, establishing access to bulk water on Denman Island will reduce fuel consumption from off island delivery of bulk water.

Intergovernmental Factors

The CVRD will work collaboratively with GLID to establish a bulk water delivery system which will work with GLID's future treatment technology and operations.

Citizen/Public Relations

Updates have been provided in the form of public meetings to Denman Island residents, and updates on the CVRD webpage. Staff will continue to engage with residents as progress is made.

Denman Housing Association
3720 East Road, Denman Island, B.C. V0R 1T0
DenmanAffordableHousing@gmail.com 250 335 2559
Registered Charity #84680 0936 RR0001

Draft Timeline for Application DE-RZ-2018.1

Nov 7 DILTC Meeting

- 1st Reading of LUB & OCP Amendment Bylaws
- Refer above to First Nations, Agencies etc
- Schedule CIM Jan 20 2020 (60+ days after Referrals)

Nov 15 DILTC Remote Meeting

- 1st Reading of DPA Bylaws
- Refer above to First Nations, Agencies etc

Jan 15 Community Information Meeting

Jan 21 DILTC Meeting

- 2nd Reading of Bylaws
- Schedule Public Hearing Feb 20

Applicant to obtain PLA for subdivision

Feb 20 Public Hearing

- 3rd Reading of Bylaws

Feb 28 Bylaws to Exec Committee & Ministry for Approval

April ? DILTC Meeting

- Final Adoption of Bylaws

OR – if no Nov 15 Remote Meeting

Jan 21 DILTC Meeting

- 1st Reading of DPA Bylaws
- Refer to First Nations, Agencies etc

March 25 Community Information Meeting

April ? DILTC Meeting

- 2nd Reading of Bylaws
- Schedule Public Hearing May 20

Applicant to obtain PLA for subdivision

May 20 Public Hearing

- 3rd Reading of Bylaws

June 1 Bylaws to Exec Committee & Ministry for Approval

July ? DILTC Meeting

- Final Adoption of Bylaws



Islands Trust

Denman Island Official Community Plan Bylaw No. 185, 2008

As amended by the
Denman Island Local Trust Committee

Consolidated Version: February, 2017

**MOCK CONSOLIDATED VERSION – OCTOBER 2 2019
BYLAW 233 AND 235**

This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

For reference to original bylaw and amendments,
please contact:

Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

Preserving Island communities, culture and environment

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 198	Amendment No. 2, 2010	August 3, 2010
Bylaw No. 199	Amendment No.1, 2011	August 15, 2011
Bylaw No. 210	Amendment No. 1, 2014	November 30, 2014
Bylaw No. 212	Amendment No. 2, 2014	May 17, 2016
Bylaw No. 219	Amendment No. 2, 2015	January 31, 2017
Bylaw No 233	Amendment No. 1, 2019	
Bylaw No 235	Amendment No 2, 2019	

E.1 - HOUSING

Some islanders are concerned that growth and development of Denman Island could produce an accompanying sharp rise in land prices and could lead to a decrease in the diversity of the population in coming years. Comments submitted during the development of this Plan expressed a desire for a wide range of housing options to limit this possibility. As a result, this Plan introduces alternatives to the current land use pattern. Nonetheless, single family lots will continue to make up the majority of the land base on Denman Island.

This community acknowledges the need for affordable and special needs housing to maintain a diverse population in the face of rising land prices and to encourage seniors to remain on the Island. Limits on these forms of housing are designed to address the possible negative impact of locally increased density. Initiatives to provide opportunities for affordable housing of various kinds are ongoing.

The Residential designation, which is shown on Schedule C, includes the smaller lot subdivisions on the Island in which the existing principal use is single family residential.

The Rural designation, which is shown on Schedule C, includes the predominantly larger lots on the Island in which the existing principal use is single family residential.

The Sustainable Resource designation, which is shown on Schedule C, includes all of the large forested and agriculture lots on the Island, in which the existing principal use is locally operated sustainable resource harvesting.

Guiding Objective

To encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community

Housing - Objectives

- | | |
|-------------|--|
| Objective 1 | To ensure that housing options are sensitive to ground water availability and sewage disposal capability, guard against contamination of ground water and preserve the rural nature of Denman Island |
| Objective 2 | To ensure housing options preserve human diversity in the community |
| Objective 3 | To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types |
| Objective 4 | To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their families' homes |
| Objective 5 | To protect and enhance the supply and quality of rental housing for low income <u>households</u> |

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Housing - Policies

Subdivision

- | | |
|----------|--|
| Policy 1 | In the Residential designation, the size of new lots created by subdivision may not be less than 1.0 hectare <u>except for lots created for the purpose of allowing multi-family affordable housing.</u> In areas where the subdivision potential of the existing parcel may have negative impacts on the natural environment, the Local Trust Committee should consider increasing the minimum parcel size in the zoning regulations. |
| Policy 2 | In the Rural designation, the size of new lots created by subdivision may not be less than 2.0 hectares and the average lot size created by subdivision may |

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Denman Island Official Community Plan, 2008

not be less than 4.0 hectares. In areas where the existing parcel size may have negative impacts on the natural environment, the Local Trust Committee should consider increasing the minimum parcel size and the minimum for the average parcel size in the zoning regulations.

Policy 3 In the Sustainable Resource designation, the size of new lots for forestry uses that are created by subdivision may not be less than 64 hectares.

INFORMATION NOTE: Subdivision of land in the Agricultural Land Reserve requires the prior approval of the Agricultural Land Commission.

Policy 4 In the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the purpose of allowing multi-family affordable housing.

Policy 5 In the Sustainable Resource designation, the lot size averaging provision should not be used.

Policy 6 In the Sustainable Resource designation, parcel sizes should be regulated in such a way as to encourage and enhance the sustainable resource capability of the land.

Policy 7 When developing subdivision regulations for lots adjacent to or encompassing a watercourse, the Local Trust Committee should consider potential negative impact on the watercourse.

Policy 8 In the Residential designation, parcel consolidations are encouraged wherever possible.

Use and Density

Policy 9 In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following:

- The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw; and
- Multi-family affordable housing through the completion of a successful rezoning application.

Policy 10 In the Residential designation, unless otherwise permitted by Policy 28, 29, or 30, zoning regulations should permit one dwelling unit per 1.0 hectare of lot area to a maximum of five dwelling units, provided that the land owner provides the Local Trust Committee with proof that adequate water supply is available for each dwelling unit without endangering the water supply of adjacent land owners. One dwelling unit should be permitted on lots that are less than 1.0 hectare in area. Multi-family affordable housing may be considered by an application for rezoning in the Rural designation.

BL 210

Policy 11 In the Rural designation zoning regulations should generally permit one dwelling unit per lot, including a secondary suite, provided that the land owner provides the Local Trust Committee with proof of adequate water supply for each dwelling unit without endangering the water supply of adjacent land owners. A secondary dwelling unit may be permitted on a lot if approved by a Temporary Use Permit.

BL 210

Policy 12 The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 29 of this Section.

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Bylaw 235 Amendment 1.2

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Denman Island Official Community Plan, 2008

		Notwithstanding the foregoing, secondary suites contained within the footprint of conforming dwelling units are not deemed to contribute to density calculations for the purposes of this policy .	
	Policy 13	Landowners are encouraged to ensure that all dwelling units comply with the building safety and waste disposal regulations found in the B.C. Building Code and the applicable health standards .	
BL 210	Policy 14	In the Sustainable Resource designation, zoning regulations should permit one dwelling including a secondary suite per parcel .	
	Policy 15	In the Sustainable Resource designation, unless otherwise permitted by Policy 29, on land in the Agricultural Land Reserve: - one dwelling could be permitted per the minimum lot area permitted by Subdivision; and - additional dwellings could be permitted if they are required for full-time farm help.	
BL 210	Policy 16	The Local Trust Committee may approve secondary dwelling units on lands within the "Rural" and "Sustainable Resources" designations through a Temporary Use Permit in order to address housing objectives as defined in the Official Community Plan .	
BL 210	Policy 17	Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space .	

INFORMATION NOTE: A secondary dwelling unit on land in the Agricultural Land Reserve requires the approval of the Agricultural Land Commission.

	Policy 18	The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing .	
	Policy 19	The Local Trust Committee should consider amendments to this Plan allowing the Committee to accept and hold for affordable housing purposes, in accordance with the guidelines in Appendix D, any unused residential densities that are relinquished by owners of lots with subdivision potential or available through land sold or given for conservation or park .	
	Policy 20	The Local Trust Committee should review the policies in this section once the final report is available for the Hornby and Denman Island Housing Needs Assessment, with a view to determining whether further opportunities for affordable housing are needed and what form any such opportunities should take .	

Siting

	Policy 21	Land owners and residents are encouraged to maintain low-level directed lighting that is in keeping with the rural character of Denman Island and does not unduly illuminate an adjacent lot .	
	Policy 22	Zoning regulations should establish setbacks for buildings and other structures from lot lines, and should establish sufficient setbacks to protect watercourses on Denman Island and to protect development from flooding or other such hazards. In the case of fish-bearing or potential fish-bearing streams setbacks should be adequate to protect the riparian habitat consistent with the <i>Riparian Area Regulation</i> under the <i>Fish Protection Act</i> .	
	Policy 23	Zoning regulations should establish sufficient setbacks to protect the foreshore and coastal marine environment and to protect development from foreshore erosion .	
	Policy 24	Zoning regulations should establish sufficient setbacks for septic disposal systems:	

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Denman Island Official Community Plan, 2008

- to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and
 - to protect adjacent properties from effluent or odours.
- Policy 25 Setbacks from lot lines should be sensitive to the nature of the use and its potential negative impact on the neighbouring properties.

Zoning Amendments

- Policy 26 The Local Trust Committee encourages applicants applying for zoning amendments to permit new construction to meet or exceed the Canadian Green Building Council certification, or to provide details on green technology alternatives if meeting the certification requirements is not possible.
- Policy 27 Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.
- Policy 28 The Local Trust Committee should consider zoning amendment applications for seniors housing provided:
- that the proposal is not located in a connectivity area identified on Schedule D;
 - that the proposal is small-scale;
 - that the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties;
 - that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
 - that the applicants enter into a housing agreement with the Local Trust Committee;
 - that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;
 - that the proposal is designated a development permit area to guide form and character; and
 - that the proposed development will not place a strain on existing public services and infrastructure.
- Policy 29 The Local Trust Committee should consider zoning amendment applications for affordable housing projects provided:
- that the proposal is not located in a connectivity area identified on Schedule D;
 - that the proposal does not impact negatively on adjacent properties;
 - that the proposal is small-scale;
 - that the proposal is clustered and the siting and height are sensitive to surrounding land uses;
 - that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
 - that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;
 - that the proposed development will not place a strain on existing public services and infrastructure.
 - that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity.

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Bylaw 235 Amendment 1.4

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Bylaw 235 Amendment 1.5

- Policy 30 The Local Trust Committee should consider zoning amendment applications:
- to bring into conformity dwelling units that were in existence but did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction;
 - to bring into conformity dwelling units that were constructed to replace existing dwelling units that did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the replaced dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction; and
 - to authorize up to 9 dwelling units on land legally described as The south east ¼ of section 26, Denman Island, Nanaimo District.
- Policy 31 The provision for density transfer in Appendix C of this Plan may apply to the donation or sale of land for the development of multi-family affordable housing projects that include protection of the natural environment.

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DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

- Policy 32 Applicants for a zoning amendment in the Residential or Rural designation in this Plan, may be required to provide development approval information.
- Policy 33 The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations.

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Bylaw 235 Amendment 1.6

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Bylaw 235 Amendment 1.6

Housing - Advocacy Policies

- Advocacy Policy 1 The Vancouver Island Health Authority and landowners are encouraged:
- to consider, as an alternative, innovative methods of waste water treatment that minimize water use; and
 - to consider rain water collection as a source of water.
- Advocacy Policy 2 The Ministry of Community Development is encouraged to assist individuals or groups planning affordable or special needs housing projects.
- Advocacy Policy 3 The Comox Valley Regional District is encouraged to work with the Denman Island community to review its regulations with regard to noise pollution and animal control.

APPENDIX C

DENSITY TRANSFER

Density transfer refers to two consecutive zoning amendments undertaken to protect a specified property by removing some or all of the development potential from one property and transferring that density to another property or to another portion of the same property. On Denman Island, the Local Trust Committee is willing to consider using density transfer to permit multi-family affordable housing with formal protection of the natural environment; permit a land owner to give or sell land to a conservation organization, or dedicate land for park, without losing the subdivision potential of the property. There is no net increase in residential density because the residential density that is transferred simply replaces that of the lot protected by covenant or Development Permit Area, given to the conservation agency or dedicated as park.

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Policies

- Policy 1 The Local Trust Committee may consider applications for density transfer for multi-family affordable housing, conservation and park purposes only. Eligible situations are limited to the following:
- donation or sale of land for a multi-family affordable housing development that results in protection of the natural environment on the same parcel through a restrictive covenant or Development Area; or
 - dedication of land for a park; or
 - donation or sale of land for conservation purposes

Commented [BM39]: Bylaw 235 Amendment 1.8

Guidelines for Density Transfer

- Guideline 1 Transfer of residential density should only be considered for the eligible situations listed under Policy 1 of this Appendix.
- Guideline 2 The original parcel on which the land is being protected under Policy 1 of this Appendix is referred to as the parent parcel.
- Guideline 3 The parcel of land to be given or sold to a conservation organization or dedicated as park is referred to as the protected parcel.
- Guideline 4 The original parcel of land which is subject to a reduction in development potential in order to transfer the density to another parcel(s) for the purposes of multi-family affordable housing is referred to as the donor parcel.
- Guideline 5 The parcel of land to which the density is being transferred is referred to as the receiving parcel.
- Guideline 6 Where the receiver parcel is intended for multi-family affordable housing, the following are required:
- a housing agreement to the satisfaction of the Local Trust Committee to protect the receiver parcel in perpetuity for the purposes of providing multi-family affordable housing; and
 - protection of the natural environment on the receiver parcel by way of a restrictive or conservation covenant or Development Permit Area.

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Denman Island Official Community Plan, 2008

Density transfer to permit the provision of land under Policy 1 of this appendix should result in no net overall increase in residential density.

Guideline 7 Density transfer to permit the provision of land under Policy 1 of this appendix should result in no net overall increase in residential density.

Guideline 8 Calculation of the number of residential densities will be based on the area of the protected parcel divided by the minimum average lot size for the zone in which the protected parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).

Guideline 9 In the event the above calculation results in a fraction, the number may be rounded up to the nearest whole number provided that by rounding the number up there is no net increase in residential density on the parent parcel.

INFORMATION NOTE: Under the Land Use Bylaw, residential density is rounded down in the event of a fraction. For example, if the minimum average lot size is 2.0 hectares, a parcel of 8.5 hectares would be permitted 4 residential densities (8.5 divided by 2 equals 4.25, which rounds down to 4). Rounding up in the guideline above will result in no loss or gain of residential densities. For example, on the 8.5 hectare lot above, if 0.5 hectares is donated or sold, no additional density shall be given as the remaining 8.0 hectares still has a potential of 4 residential dwellings. On the other hand, if 0.6 hectares is donated or sold, one additional density will be given as the remaining 7.9 hectares would only have potential for 3 residential dwellings.

Guideline 10 Applications that affect land in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission.

Guideline 11 Where the protected parcel is intended for conservation, the density transfer is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.

Guideline 12 Where the protected parcel is intended as park, the density transfer is conditional on the relevant government agency agreeing to accept the protected parcel for a park and the Local Trust Committee considering the protected parcel suitable for park purposes.

Guideline 13 The minimum lot size for the receiving parcel resulting from density transfer zoning amendments in any designation is 1.0 hectare, provided adequate potable water and sewage disposal capacity is demonstrated.

Guideline 14 Applicants for a density transfer zoning amendment that includes sensitive areas shown on Schedule D or in a development permit area shown on Schedule E may be required to provide Development Approval Information for the special conditions outlined in Guideline 13 of this Appendix.

Guideline 15 The areas shown on Schedule D and the development permit area for the protection of the natural environment shown on Schedule E are environmentally sensitive areas in which development is not encouraged. Development Approval Information may be required to help the Local Trust Committee determine appropriate uses, density and siting of development resulting from a density transfer zoning application.

Guideline 16 The protected parcel must be secured in perpetuity for conservation or park either by dedication or the registration of a covenant that restricts the use of the protected parcel to conservation or park.

Guideline 17 Density transfer zoning applications should be consistent with all other policies of this Plan.

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Denman Island Land Use Bylaw

Bylaw No. 186, 2008

As amended by the
Denman Island Local Trust Committee

MOCK CONSOLIDATED VERSION – OCTOBER 2, 2019

Consolidated Version: July, 2018

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For reference to original bylaw and amendments,
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Preserving Island communities, culture and environment

CONSOLIDATED BYLAW TEXT AMENDMENTS

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<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 190	Amendment No. 1, 2009	April 13, 2010
Bylaw No. 194	Amendment No. 3, 2009	August 3, 2010
Bylaw No. 195	Amendment No. 1, 2010	June 21, 2011
Bylaw No. 200	Amendment No. 1, 2011	August 15, 2011
Bylaw No. 204	Amendment No. 1, 2012	September 24, 2013
Bylaw No. 211	Amendment No. 1, 2014	November 28, 2014
Bylaw No. 213	Amendment No. 2, 2014	May 17, 2016
Bylaw No. 216	Amendment No. 1, 2015	January 28, 2016
Bylaw No. 220	Amendment No. 3, 2015	February 1, 2017
Bylaw No. 225	Amendment No. 1, 2017	June 26, 2018
Bylaw No. 234	Amendment No. 1, 2019	
Bylaw No. 236	Amendment No. 2, 2019	

Denman Island Land Use Bylaw, 2008

community kitchen means a shared-use commercial processing area that is agency approved for preparing foods that may be sold elsewhere or for such things as catered functions;

community water system means a system for the supply of water serving two or more customers as approved by a public authority;

constructed top width means the width of the relatively level portion of a road, measured between the insides of the ditches, shoulders, cutbanks, or fills;

constructed total width means the width of a road, including the constructed ditches, shoulders, cutbanks, or fills;

covered walkway means a structure that shelters a walking area by a roof or awning and that is connected to a building;

dangerous tree means a tree that is hazardous to human safety because of location or lean, physical damage, overhead hazards, deterioration of the limbs, stem or root system, or a combination of these;

dbh means the diameter at breast height measured outside the bark around the trunk of the tree at 1.3 m above the point of germination;

derelict vehicle means any vehicle that has been unlicensed for 12 months or more;

domestic chicken coop means a building or structure used for accommodating chickens that are used for non-commercial purposes;

dwelling, multi-family means a building containing two or more dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance;

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;

dwelling unit, affordable housing means a deed restricted and/or rent controlled *dwelling unit* that is secured by a housing agreement, and is available to persons with a low income as defined by housing agreement for the dwelling unit;

dwelling unit, single family means a building containing one dwelling unit;

Engineer means a member of the Association of Professional Engineers and Geoscientists of British Columbia;

Feedlot means commercial operation containing a fenced area where livestock, poultry or farmed game is confined solely for the purpose of growing or finishing and is sustained by means other than grazing, but excludes confinement of animals for domestic purposes;

fill means uncontaminated earth, sand, gravel or any other similar material used, or capable of being used, to raise the contour of the ground surface;

food processing in regards to a home occupation means the creation of packaged food products intended for consumption off-site and excludes take-out restaurants, cafes or similar food service facilities;

front yard means the area of a lot located between the front lot line and the front wall of the building closest to that lot line, and extending the full width of the lot;

forest fungi means naturally growing mushrooms or similar products that may be cultivated using wood products from local trees and excludes mushrooms grown on manure;

forestry sales mean the sale of lumber, timber, posts, and other similar wood products, but excludes the sale of goods manufactured from these materials;

gouge means an injury to the stem of a tree that penetrates into the sapwood or deeper;

grade means the average elevation of the ground at a distance of 1.0 metre from a building or structure determined by averaging the finished elevations at the midpoint of all of the exterior walls;

gross floor area means the sum of the area of all storeys in a building or structure, measured to the outermost wall surface, including the areas of roofed porches, roofed terraces and roofed decks;

ground-based machinery means powered vehicles that move by means of wheels or tracks in contact with the ground, including trucks, skidders, loaders, excavators, backhoes, and tractors;

guest accommodation means accommodation provided for a fee to the travelling public, for a total length of stay of not more than 6 consecutive weeks and a total of 45 days in any one calendar year;

Some words and phrases are defined in Section 1.1

Commented [BM1]: Bylaw 236 Amendment 1.2
Bylaw 234 Amendment 1.2

Commented [BM2]: Bylaw 234 Amendment 1.2
Bylaw 236 Amendment 1.2

Denman Island Land Use Bylaw, 2008

- height* means the vertical distance to the highest point of the upper roof of a building or structure measured from the grade;
- BL 194 *hermitage* means a spiritual retreat centre that may also offer educational programs and provides overnight accommodation and meals to guests participating in its programs and activities;
- high high water mark* means the high water mark identified on the plan most recently registered in the Land Title Office, and where there is no such plan, means the natural boundary;
- horticulture* means the growing of flowers, fruits, vegetables and other plants and includes the sale of such products when grown by the landowners on their lot;
- intensive agriculture* means the use of land, buildings and structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms, except for forest fungi, and excludes feedlots;
- lot* means any parcel, block or other area in which land is held or into which it is subdivided, whether under the Land Title Act or the Bare Land Strata Regulations under the *Strata Property Act*;
- lot coverage* means the percentage of the total area of the lot covered by buildings and structures including roof overhangs but excluding cisterns connected to a building for the purposes of rainwater harvesting and collection;
- lot line* means a legally defined boundary of any lot, and in the case of tenure under the Land Act, a boundary of the lease area;
- BL 200 *lot line – edge* means any lot line on a lot in the Agriculture zone that abuts a lot in another zone;
- lot line – front* means the lot line common to the lot and the abutting highway, or access route under the Strata Property Act, and where there is more than one lot line common to a highway or access route, the following rules apply:
- the shortest lot line abutting a highway or access route that is greater than 20.0 metres is the front lot line, except where there are no lot lines greater than 20.0 metres abutting a highway or access route, in which case the longest line abutting a highway or access route is the front lot line;
 - where there are three or more lot lines and one or more of the lot lines is a corner-cut, one of the other lot lines is the front lot line based on the preceding rule;
 - where there are more than two lot lines defining a curve, including any tangents making up the curve in a highway or access route, all such lot lines defining the curve must be considered to be one lot line for the purpose of determining the front lot line; and
 - where a lot is split by a highway or access road, a front lot line will be determined for each portion of the lot;
- lot line - rear* means the property line opposite to and most distant from the front lot line, or where the rear portion of the parcel is bounded by intersecting lines, it shall be the point of such intersection;
- lot line – exterior side* means a lot line not being the front lot line but common to a lot and an abutting highway or access route;
- lot line - side* means any lot line not being a front lot line, rear lot line or exterior side lot line;
- BL 194 *mobile* means, in relation to a building, not permanently affixed to the land with the ability to be moved to another location by towing or similar means;
- BL 211 *Moveable housing unit* means a dwelling unit capable of being moved from location to location which does not require a permanent foundation;
- natural boundary* means:
- with reference to the sea or a lake, the visible high water mark of the lake, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil or rock of the bed of the sea or a lake a character distinct from that of the adjoining upland, in vegetation as well as in the soil or rock;
 - with reference to a stream, the normal high water mark of the stream, which is often indicated by the edges of rooted terrestrial vegetation, and a definite change in vegetation and sediment texture, above which soils and terrestrial plants appear undisturbed by recent erosion, and below which the stream banks show signs of scouring or sediment deposition or both;
 - with reference to a wetland, the boundary between the wetland and the adjacent upland, where the extent of the wetland is usually indicated by the presence of plants that normally grow in water or

Commented [BM3]: Bylaw 234 Amendment 1.1
Bylaw 236 Amendment 1.1

Some words and phrases are defined in Section 1.1

Denman Island Land Use Bylaw, 2008

residence means:

- the occupancy or use of a dwelling unit for the permanent domicile or home life of a person or persons; or
- the occasional or seasonal occupancy of a dwelling unit as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner, and for these purposes, owner includes a tenant under a residential tenancy agreement;

and residence does not include guest accommodation use, commercial vacation rental or any occupancy of a dwelling unit by persons entitled to such occupancy under a time share plan as defined in the Real Estate Act or successor legislation;

residential rental tenure means the granting of a right to occupy a *dwelling unit* as living accommodation where the minimum occupancy period is thirty consecutive days, and where the *dwelling unit* is not owned by a *dwelling unit* occupant, but where regular payments are made to the owner for the use of the *dwelling unit*;

retail sales and rentals means the selling of goods or merchandise directly to the consumer and includes bicycles, scooters, tools, equipment and home entertainment products, but excludes automobiles, recreational vehicles and heavy equipment;

riparian describes the land adjacent to the normal high water level in a stream, lake, or wetland and extending to the portion of land that is directly influenced by the presence of adjacent ponded or channelled water;

school means a school as defined by the *Schools Act* or the *Independent Schools Act* and does not include overnight accommodation or a dormitory;

BL 195 *seasonally flooded agricultural field* means land that has been previously modified for agriculture and experiences flooding during part of the year due to its location in a low lying area with poor drainage or with a high water table;

BL 211 *secondary dwelling unit* means a dwelling unit, which may be a moveable housing unit, that is accessory to a permitted principal dwelling unit and which is limited in floor area;

BL 211 *secondary suite* means an accessory, self-contained dwelling unit, located within a building that is a single real estate entity which otherwise contains a single family dwelling, and having a lesser floor area than the principal dwelling unit;

setback means the horizontal distance that a building, structure or use must be sited from a specific lot line, building, structure or other specified point;

shellfish aquaculture means the raising of any aquatic invertebrate animal having a shell (for example, oysters, clams, and crabs) for commercial purposes;

storey means all areas of a building or structure in which the ceiling is at least one metre above the floor at its lowest point, but excludes crawl spaces;

stream means any natural depression:

- in which water exists at least seven months of the year flowing on a perennial or seasonal basis; and
- in which the continuous channel bed is 0.6 metre or more below the average elevation of the surrounding land; or if the bed or banks of the reach are locally obscured by overhanging or bridging vegetation or soil mats, in which the channel bed is scoured by water or contains observable deposits of mineral alluvium;

but excludes road side drainage ditches on a highway right-of-way;

structure means anything constructed or erected that is fixed to, supported by or sunk into land or water, whether underwater or otherwise, but excludes vehicles, floating vessels, ground-level paving for driveways and vehicle parking, ground-level sidewalks, detached ground-level patios and decks, detached access stairways and boardwalks, power-poles and telecommunication poles;

third party signs means signs advertising business, products, goods or services not provided on the lot on which the sign is located

top of the inner gorge means the boundary between a side-wall slope adjacent to a stream, that has a slope greater than or equal to 60% slope, and an adjacent upland area that has a slope of less than 60%;

utilities means water, sewer, electrical, telephone and similar services where established by a government body or by a company operating under the Utilities Commission Act, and where such use is intended for the local community;

vehicle fuel service means the retail sale of gasoline, propane and diesel fuel;

Commented [BM4]: Bylaw 234 Amendment 1.2
Bylaw 236 Amendment 1.2

Some words and phrases are defined in Section 1.1

Denman Island Land Use Bylaw, 2008

- 8 Where water is supplied to a secondary suite or a secondary dwelling unit by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity prior to the issuance of any permits to allow the use.
- 9 Where water is to be supplied from a surface water body, a water license, issued by the Province, must permit the withdrawal of the required amount of water prior to the issuance of any permits to allow a secondary suite or secondary dwelling unit.

INFORMATION NOTE: Any residence approved by the Agricultural Land Commission for farm help within the ALR does not require a Temporary Use Permit.

INFORMATION NOTE: Secondary suites and secondary dwelling units are not permitted to be used for short term vacation rental or for the accommodation of paying guests in accordance with Regulation 2.1.2 of the Denman Island Land Use Bylaw.

Accessory Buildings and Structures

- 10 Accessory buildings and structures are not to be used for overnight accommodation **other than on an occasional basis**, except as permitted elsewhere in this Bylaw **and the use is not permitted on a parcel in the 'Multi-family (R4) Zone'**.

Travel Trailers

- 11 Travel trailers may be stored on the lot and used for occasional non-commercial accommodation **except on a parcel zoned 'Multi-family (R4)'**.
- 12 A travel trailer, bus or similar vehicle may be used as a principal dwelling unit or as a secondary dwelling unit approved by a Temporary Use Permit on any lot where a single family dwelling is a permitted building provided that it:
 - is on a lot larger than 1.0 ha or is screened from adjacent properties subject to Section 2.7;
 - is connected to an approved sewage disposal system; and
 - is considered a dwelling unit for the purpose of residential density calculations.

Water Zones

- 13 In the water zones, no building or structure may be used for overnight accommodation.
- 14 In the water zones, a vessel may be used for occasional non-commercial accommodation but shall not be used as a permanent residence.

Covered Walkways

- 15 Buildings located within 4.0 metres of each other and attached by a covered walkway are deemed to be one building.

Undersized Lots

- 16 Where a lot exists prior to the effective date of this Bylaw and the area of such a lot does not conform to the minimum lot area established in Part 3 relating to subdivision control, such a lot may be used for any of the uses permitted in the zone in which the lot is situated, subject to all of the other regulations for that zone and provided the provisions of the Health Act and attendant regulations have been met.

2.2 General Height Regulations

- 1 Despite any regulations in the zoning tables in Part 3, height restrictions do not apply to radio or television antennas or any accessory radio or television antennas, including satellite dishes, flag poles, lighting poles, utility poles, stairways, chimneys, or water storage tanks that are attached to and accessory to a principal use.

2.3 General Setback Regulations

Setbacks from Cliffs

Some words and phrases are defined in Section 1.1

Commented [BM5]: Bylaw 234 Amendment 1.3
Bylaw 236 Amendment 1.3

Commented [BM6]: Bylaw 234 Amendment 1.4
Bylaw 236 Amendment 1.4

BL 211

- 13 The slope of any automobile parking space shall not exceed 10 per cent.
- 14 Lighting fixtures for the parking area must be less than 1.0 metre in height and must be directed exclusively at the parking area at illumination levels of 11 lux or less¹.

Number of Parking Spaces Required

- 15 The minimum number of parking spaces required is as specified in accordance with regulations 16 to 18 of this section

- 16 Minimum number of automobile parking spaces is

residential

- one per one single family residential dwelling unit
- one per one cabin or accessory residential use
- two per dwelling unit in a multi-family dwelling

home occupations

- one per two non-resident employees in a home occupation
- one per rental room in a home occupation providing home-based guest accommodation

commercial

- one per 20.0 square metres of gross floor area of a building or structure for a commercial use other than a restaurant, cafe, public docking facility, or vehicle fuel sales
- one per three seats in a restaurant or café
- one per four berths in a public docking facility, plus four per launch ramp or hoist
- four per vehicle fuel service

institutional

- one per 25.0 square metres of gross floor area of a building or structure for a school, community hall, church, social hall, museum use, health care service use, recycling centre or similar use
- one per each employee or volunteer for a fire hall, police station or ambulance station

resource

- one per 30.0 square metres of gross floor area for a building or structure for an industrial, equipment storage, material supply or warehouse use
- one per 15 square metres of gross floor area for a greenhouse, a nursery, farm sales or forestry sales.

- 17 Minimum number of bicycle parking spaces is

- four, or one per 150 square metres of gross floor area for a commercial use, whichever is greatest
- four, or one per 10 students in a school, whichever is greatest
- four, or one per 150 square metres of gross floor area for a community hall, church, social hall, museum or other institutional use, whichever is greatest.
- one per dwelling unit in a multi-family dwelling

- 18 Of the number of automobile parking spaces required in Regulation 16 of this section for commercial or institutional uses, a minimum of one, or one per 50 required parking spaces, whichever is greatest, must be provided for disabled persons.

Commented [BM7]: Bylaw 234 Amendment 1.5
Bylaw 236 Amendment 1.5

Commented [BM8]: Bylaw 234 Amendment 1.6
Bylaw 236 Amendment 1.6

Commented [BM9]: Bylaw 234 Amendment 1.7
Bylaw 236 Amendment 1.7

¹ A lux is a measure of candlepower per square metre. Ten lux is considered adequate to do most tasks.

Some words and phrases are defined in Section 1.1

2.6 Signs Regulations

Permitted Signs	Maximum Area of a Sign	Maximum Combined Sign Area	Maximum Number of Signs
1 Residential (R1), Rural Residential (R2), Co-housing (R3) and Multi-family (R4) zones	0.5 m ²	1.0 m ² per lot	no limit
2 Agriculture (A), Forestry (F) and Resource (RE) zones	0.75 m ²	2.0 m ² per lot	no limit
3 Commercial (C) and Light Industrial (L) zones	2.0 m ²	2.0 m ² per business	2 per business
4 Institutional (IN) zone	2.0 m ²	2.0 m ² per lot	2 per lot
5 Conservation (CN) and Parks (PK) zones	1.0 m ²	1.0 m ² per lot	no limit
6 Marine Aquaculture (W3) zone	0.5 m ²	1.0 m ² per tenure	2 per tenure
7 In addition to the signs permitted in regulations 1 to 6 of this section, temporary real estate signs in all zones, which must be removed within 2 weeks of sale	1.0 m ²	2.0 m ² per lot	2 per lot
8 In addition to Regulation 3 of this section, each business in the Commercial (C) zone and Light industrial (L) zone is permitted a maximum of one additional non-flashing neon sign that advertises the business as open, and such a sign must be no larger than 0.3 square metres.			
9 In all zones, free standing signs shall not be deemed "structures" for the purposes of requiring compliance with horizontal setback regulations from lot lines or natural features.			
10 The maximum areas set out in Section 2.6, Regulations 1 to 7 refers to the area of one face of a sign.			

Commented [BM10]: Bylaw 234 Amendment 1.8
Bylaw 236 Amendment 1.8

Height of Signs

- 11 In all zones, the maximum height of free standing signs is 3.0 metres.
- 12 In all zones, the maximum height of a sign attached to a building or structure is the same as the maximum height for the building or structure as set out in the zoning tables in Part 3.

Exempted Signs

- 13 Signs exempted from the provision of this section are:
 - those approved by a public authority such as directional signs, traffic signs, electoral signs and marine navigational signs
 - warning signs, such as private property, no trespassing, no vehicles, and no hunting signs provided that such signs are no larger than 0.2 square metres.
 - interpretative signs
 - murals, providing the mural is not advertising a product or service.

Prohibited Signs

- 14 Except as permitted in regulations 3 to 12 of this section, the following signs are expressly prohibited
 - animated signs
 - illuminated signs
 - obsolete signs
 - third party signs larger than 0.5 square metre regardless of location

2.7 Screening Regulations

General Regulations

- 1 Where a landscape screen is required by this Bylaw, it must be provided in the form of:
 - existing vegetation of the required height or
 - a row of drought-tolerant evergreen plants that after three years of growth will attain the required heightand provide a continuous, permanent visual screen between the uses being separated.
- 2 The minimum height of a landscape screen is 2.0 metres.
- 3 The minimum depth of a landscape screen is 1.5 metres.
- 4 Landscape screens along a front or exterior side lot line must be unbroken, except to provide for access to or from the lot.

Landscape Screens

- 5 All commercial, industrial and institutional uses must be screened from view from a lot in the Residential (R1) or Rural Residential (R2) zone by a landscape screen.
- 6 All outdoor storage or use related to a home occupation must be screened from view from an adjacent lot or highway by a landscape screen.
- 7 All works yards, commercial or industrial outdoor storage, or derelict vehicles must be screened from view from an adjacent lot or highway by a landscape screen.
- 8 All uses in the **R3 and R4 zones** must be screened from adjacent properties with a landscape screen located within the setback area, except that dead trees or trees that pose a safety risk may be extracted from the setback area.

Commented [BM11]: Bylaw 234 Amendment 1.9
Bylaw 236 Amendment 1.9

2.8 Subdivision Regulations

Compliance with Minimum Lot Area and Minimum Average Lot Area

- 1 Except as provided for in Regulation 21 of this section, no lot may be created by subdivision that renders an existing use, building or structure non-conforming with respect to a siting or density provision of this Bylaw.
- 2 Except as provided for in regulations 20 and 21 of this section, no lot may be created by subdivision that does not comply with the regulations contained in Part 3.
- 3 Every subdivision must comply with the applicable minimum lot area and minimum average lot area specified by this Bylaw and for that purpose, the average lot area is determined by

Total area of all proposed lots including the remainder
divided by

Number of Proposed lots including the remainder.

The resulting number must equal or exceed the applicable minimum average lot area or, if there is no minimum average lot area specified, the applicable Minimum Lot Area.

- 4 No more than 50 per cent of the total number of lots in the subdivision shall be less than the applicable minimum average lot area.

INFORMATION NOTE: The minimum average lot area is used for calculating the maximum number of lots that may be created by subdivision. The minimum lot area is used for determining the smallest size lot that can be created by subdivision. If there is no minimum average lot area specified, then the minimum lot area is used to determine the maximum number of lots that may be created by subdivision. In this Bylaw, the minimum average lot area is only used in the Rural Residential (R2) Zone.

INFORMATION NOTE: The 50 per cent requirement in Regulation 4 will have no effect on a bare land strata subdivision due to the lot averaging provisions in the Bare Land Strata Regulations under the *Strata Property Act*.

Some words and phrases are defined in Section 1.1

3 ZONE REGULATIONS

3.1 Creation of Zones

- 1 The area included in Schedule B of this Bylaw is divided and designated into the following zones:

Zone Classification	Zoning Code
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Residential Zones

Residential	R1
Rural Residential	R2
Co-housing	R3
Multi-family	R4

Resource Zones

Agriculture	A
Forestry	F
Resource	RE

Commercial and Light Industrial Zones

Commercial	C
Light Industrial	L

Community Zones

Institutional	IN
Conservation	CN
Park	PK

Water Zones

Marine Conservation	W1
Marine Service	W2
Aquaculture	W3
Marine Protection	W4
Lakes	W5

3.2 Definition of Zones

Interpretation of Zone Boundaries

- 1 Except where otherwise specified the zone boundaries, together with any explanatory legends, notations and references in respect thereof, are delineated and described on a computer record compiled by means of geographic information software and a global positioning system (the "Zoning Map").
- 2 The Zoning Map is kept at the Islands Trust Victoria Office and forms part of this Bylaw.
- 3 A generalised diagrammatic representation of the Zoning Map is annexed to this Bylaw as Schedule B. In the event of any conflict or inconsistency between the Zoning Map and Schedule B, the Zoning Map shall govern.

Some words and phrases are defined in Section 1.1

Commented [BM12]: Bylaw 234 Amendment 1.10
Bylaw 236 Amendment 1.10

3.3 Residential Zoning Tables

Table 1 - Permitted Uses		R1	R2	Commented [BM13]: Bylaw 234 Amendment 1.11 Bylaw 236 Amendment 1.11	
Principal Uses					
1	Residential	✓	✓	✓	
2	Residential Rental Tenure subject to registration of housing agreement				✓
3	Parks	✓	✓	✓	✓
4	Utilities	✓	✓	✓	✓
Accessory Uses					
5	Home occupation uses listed in Section 2.4 accessory to a principal residential use	✓	✓	✓	
6	Forest fungi production accessory to a residential use, on lots 2.0 ha or larger	✓	✓	✓	✓
7	Horticulture and agriculture, other than intensive agriculture, accessory to a principal residential use	✓	✓	✓	✓
8	Occasional wood working and wood processing using wood obtained from the lot and accessory to a principal residential use	✓	✓	✓	
9	Generation of electricity from non-polluting renewable sources and accessory to a principal residential use	✓	✓	✓	✓
10	Secondary suites and secondary dwelling units		✓ *Secondary dwelling units must be approved through a Temporary Use Permit		

BL 211

Table 2 - Permitted Buildings and Structures		R1	R2	Commented [BM14]: Bylaw 234 Amendment 1.12 Bylaw 236 Amendment 1.12	
1	Single family dwelling units	✓	✓	✓	
2	Multi-family dwelling units				✓
3	Buildings and structures accessory to a constructed single family dwelling unit	✓	✓	✓	
4	Buildings and structures to accessory to constructed multi-family dwelling unit				✓
5	Buildings and structures to accommodate horticulture, agriculture and sale of horticultural and agricultural products	✓	✓	✓	✓
6	Buildings and structures for parks and utilities	✓	✓	✓	✓
7	Pit privies	✓	✓	✓	
8	Fences	✓	✓	✓	✓
9	Signs, subject to Section 2.6	✓	✓	✓	✓
10	Portable sawmill accessory to a residential use, to accommodate occasional wood working and wood processing	✓	✓	✓	
11	Buildings and structures for the generation of electricity from non-polluting renewable sources	✓	✓	✓	✓
12	Common house			✓	

Some words and phrases are defined in Section 1.1

Table 3 - Density of Uses, Buildings and Structures

		R1	R2	Commented [BM15]: Bylaw 234 Amendment 1.13 Bylaw 236 Amendment 1.13	
1	Minimum lot area per principal single family dwelling unit	1.0 ha	4.0 ha	n/a	n/a
2	Despite line 1 of this table, maximum number of single family dwelling units on lots less than the minimum area shown in line 1 of this table	1	1	n/a	n/a
3	Subject to line 1 of this table, maximum number of dwelling units per lot	5	n/a	15	
4	Maximum combined lot coverage of buildings and structures	25%	25%	n/a	10%
5	Maximum number of buildings or structures for the generation of electricity from non-polluting sources	1	1	1	3

Table 4 - Height

		R1	R2	Commented [BM16]: Bylaw 234 Amendment 1.14 Bylaw 236 Amendment 1.14	
1	Maximum height of principal buildings and structures				
	• located less than 100.0 metres from the natural boundary of the sea	7.0 m	7.0 m	7.0 m	7.0 m
	• located 100.0 metres or more from the natural boundary of the sea	9.0 m	9.0 m	9.0 m	12.0
2	Maximum height of buildings and structures				
	• accessory to a residential use	6.0 m	6.0 m	6.0 m	6.0 m
	• used exclusively for agriculture	15.0 m	15.0 m	15.0 m	15.0 m
3	Maximum height of a fence, excluding deer netting	2.0 m	2.0 m	2.0 m	2.0 m
4	Maximum height of a pump/utility house located within a setback area	2.5 m	2.5 m	2.5 m	2.5 m
5	Maximum height of a boathouse	4.5 m	4.5 m	4.5 m	4.5 m

Table 5 - Setbacks

Table 5 - Setbacks		R1	R2	Commented [BM17]: Bylaw 234 Amendment 1.15 Bylaw 236 Amendment 1.15	
In addition to regulations 1 to 5 in Section 2.3, the following setbacks apply					
1	Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy				
	• from the front lot line	7.5 m	7.5 m	30.0 m	10.0 m
	• from the rear or side lot line	3.0 m	3.0 m	30.0 m	10.0 m
	• from the exterior side lot line	4.5 m	4.5 m	30.0 m	10.0 m
2	Minimum setback from all lot lines for pit privies, feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops	8.0 m	8.0 m	30.0 m	30.0 m
3	Minimum setback from all lot lines for domestic chicken coops	3.0 m	3.0 m	30.0 m	10.0 m

Table 6 - Floor Area		R1	R2	Commented [BM18]: Bylaw 234 Amendment 1.16 Bylaw 236 Amendment 1.16	
1	Maximum gross floor area of a pump/utility house located within a setback area	6.0 m ²	6.0 m ²	6.0 m ²	10.0 m ²
2	Maximum gross floor area of a boathouse located within 15.0 metres of the natural boundary of the sea	30.0 m ²	30.0 m ²	n/a	n/a
3	Maximum gross floor area of a single family dwelling unit	n/a	n/a	139.4 m ²	n/a
4	Maximum gross floor area of a dwelling unit in a multi-family dwelling	n/a	n/a	n/a	
5	Maximum gross floor area of a common house	n/a	n/a	279 m ²	n/a
6	Maximum combined gross floor area of all accessory buildings and structures	n/a	n/a	1275 m ²	100 m ²

Table 7 - Subdivision		R1	R2	Commented [BM19]: Bylaw 234 Amendment 1.17 Bylaw 236 Amendment 1.17
1	Maximum density permitted by subdivision is an average of one lot per	1.0 ha	4.0 ha	35.0 ha
2	Minimum lot area permitted by subdivision, subject to the regulations in 2.8	1.0 ha	2.0 ha	35.0 ha

Table 8 - Site Specific Regulations

The regulations listed in tables 1 through 7 of this section apply to the land identified on Schedule B (the Zoning Map) by the site specific zoning code listed below on the left, except as varied by the relevant site specific regulation listed in this Table (Table 8)

Site Specific Zoning Code	Site Specific Regulations
R1(1)	1 In addition to Table 1 of this Section, accessory residential is a permitted use. 2 Despite lines 2 and 3 in Table 3 of this Section, the maximum number of accessory residential dwelling units permitted is one per lot, provided it is contained in or attached to the principal dwelling unit. 3 The maximum permitted gross floor area of an accessory residential dwelling unit is 56.0 square metres.

INFORMATION NOTE: The site specific regulations for R1(1) are to permit a use previously permitted on two specific lots.

- | | |
|-------|--|
| R1(2) | <ol style="list-style-type: none"> 1 Despite lines 4 to 7 in Table 1 of this Section, the only accessory use permitted is accessory residential. 2 Despite line 2 in Table 2 of this Section, the only accessory buildings and structures permitted are cabins. 3 Despite lines 2 and 3 in Table 3 of this Section, the maximum number of cabins permitted is six per lot. 4 Despite Table 7 of this Section, the minimum lot area permitted is 3.75 hectares. 5 The maximum gross floor area of a permitted cabin is 56.0 square metres. |
|-------|--|

INFORMATION NOTE: The site specific regulations for R1(2) are to permit the historical use on one specific lot .

- | | |
|-------|---|
| R1(3) | <ol style="list-style-type: none"> 1 Despite lines 1 and 2 in Table 3 of this Section, two dwelling units are permitted providing one is limited to a footprint of 18.6 m2 (200 square feet) and one storey. |
|-------|---|

INFORMATION NOTE: The site specific regulations for R1(3) are to permit the historical density on one specific lot.

BL 200

BL 204	R1(4)	1	Despite Tables 2 and 3 of this section, single family dwelling units and buildings and structures accessory to single family dwelling units are not permitted and instead, one <i>affordable housing dwelling unit</i> is permitted, and buildings and structures accessory to the <i>affordable housing dwelling unit</i> are permitted.
		2	In addition to Table 6 of this section, the maximum gross floor area for an <i>affordable housing dwelling unit</i> is 93 square metres.
		3	Despite Section 2.1, travel trailers are not permitted to be stored on the lot or to be used as a principal dwelling unit. However, a travel trailer may be used on the lot for up to six months during construction of the <i>affordable housing dwelling unit</i> .
		4	Home occupation uses are permitted as an <i>accessory</i> use. Despite Section 2.4, home-based <i>guest accommodation</i> , welding shops, including sale of products produced on site, daycare, and automobile repair and maintenance, are not permitted.
	R2(1)	1	In addition to the uses listed in Table 1 of this Section, a kennel accessory to a residential use is permitted.
		2	In addition to the buildings and structures listed in Table 2 of this Section, buildings or structures for a kennel use are permitted.
		3	In addition to the setbacks listed in Table 5 of this Section, the minimum setback from all lot lines for a kennel is 30.0 metres.
	R2(2)	1	In addition to the uses listed in Table 1 of this Section, a riding stable accessory to a residential use is permitted.
		2	In addition to the building and structures listed in Table 2 of this Section, buildings or structures for a riding stable use are permitted.
		3	In addition to the setbacks listed in Table 5 of this Section, the minimum setback from all lot lines for a riding stable is 30.0 metres.
BL 200	R2(3)	1	Despite lines 1 and 2 in Table 3 of this Section, two dwelling units are permitted.
	R2(4)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 1.4 hectares.
	R2(5)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 3.33 hectares.
BL 220	R2(6)	1	Despite line 1 in Table 7 of this Section, the maximum density permitted by subdivision is an average of one lot per 5.56ha.
	R2(7)	1	Despite line 9 in Table 1 of this Section, secondary suites are not permitted. Commented [BM20]: Bylaw 236 Amendment 1.18
		2	Despite line 3 in Table 3 of this Section, the maximum number of single family dwellings permitted in the R2(7) zone is three.
		3	Despite line 1 in Table 7 of this Section, the maximum number of lots permitted by subdivision in the R2(7) zone is three.
	R2(8)	1	Despite line 9 in Table 1 of this Section, secondary suites are not permitted. Commented [BM21]: Bylaw 236 Amendment 1.18
		2	Despite line 3 in Table 3 of this Section, the maximum number of single family dwellings permitted in the R2(8) zone is five.
		3	Despite line 1 in Table 7 of this Section, the maximum density permitted by subdivision is one lot per 8.0 hectares.

Denman Island Land Use Bylaw, 2008

- R4(1) 1 Despite line 3 in Table 3 of this Section, the maximum number of dwelling units in an R4(1) zone is 20.
- 2 Despite line 4 in Table 6 of this Section, the maximum gross floor area of a dwelling unit in a multiple family dwelling is 140 m².
- 3 Despite line 1 in Table 7 of this Section, the maximum density permitted by subdivision is one lot per 8.0 hectares.
- 4 Despite line 2 in Table 7 of this Section, the minimum lot area permitted by subdivision, subject to regulations in Section 2.8 is 8.0 hectares.
- R4(2) 1 Despite line 4 in Table 1 of this Section, the following uses, and no other uses, are permitted as home occupations:
- general business offices,
 - professional offices, including health services,
 - personal services,
 - food processing.
- 2 Despite line 3 in Table 3 of this Section, the maximum number of dwelling units per lot is 8.
- 3 Despite line 4 in Table 3 of this Section, the maximum combined lot coverage of buildings and structures is 20%.
- 4 Despite line 1 in Table 5 of this Section, the minimum setback of buildings or structures, except for a fence or pump/utility house
- from the front lot line is 7.5 m
 - from the rear or side lot line is 3 m, except it is 10 m where the lot line abuts land in the ALR that is not for the sole purpose of access and egress
 - from the exterior side lot line is 3 m
- 5 Despite line 4 in Table 6 of this Section, the maximum gross floor area of a dwelling unit in a multi-family dwelling is 60 m².
- 6 Despite Table 7 of this Section, the minimum lot area permitted by subdivision is 0.8 hectares.

Commented [BM22]: Bylaw 236 Amendment 1.18

Commented [BM23]: Bylaw 234 Amendment 1.18

INFORMATION NOTE: The site specific regulations for R2(3), R2(4) and R2(5) are to permit the historical density on

Denman Island Land Use Bylaw, 2008

	A(5)	1	Despite Table 1 of this section, no residential use is permitted.
		2	Despite Table 2 of this section, single family dwelling units and buildings and structures accessory to a constructed single family dwelling unit are not permitted.
		3	Despite Table 5 of this section, the minimum setback of principal and accessory residential buildings or structures, except a fence, pump/utility house or pit privy from the front, rear, side and exterior side lot lines is 30 m.
		4	Despite Table 7 of this section, the minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 13.0 ha.
BL 190	A(6)	1	Despite Table 7 of this section, the minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 45.0 hectares.
		2	Despite Table 3 of this section, the minimum lot area per principal single family dwelling unit is 45.0 hectares.
BL 194	A(7)	1	In addition to the uses listed in Table 1 of this section, hermitage is a permitted accessory use.
		2	In addition to the buildings and structures listed in Table 2 of this section, mobile accessory buildings for overnight accommodation of people participating in the activities or programs of a hermitage on the same lot are permitted.
		3	Despite section 2.1(4) up to eight mobile accessory buildings with a floor area not greater than 10m ² each may be used for overnight accommodation of hermitage participants.
BL 200	A(8)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 8.4 hectares.
	A(9)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 7.5 hectares.
		2	If a lot in this zone is subdivided, a total of 4 dwelling units are permitted on the resulting lots.
	A(10)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 14.91 hectares.
	A(11)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 5.25 hectares.
	A(12)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 10.45 hectares.
	A(13)	1	Despite lines 1 and 2 in Table 3 of this Section, the minimum lot area per principal single family dwelling unit is 1.55 hectares.
	A(14)	1	Despite Table 7 of this section, the minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 9.0 ha.
	A(15)	7	Despite Table 7 of this Section, the minimum lot area is 0.8 hectares.

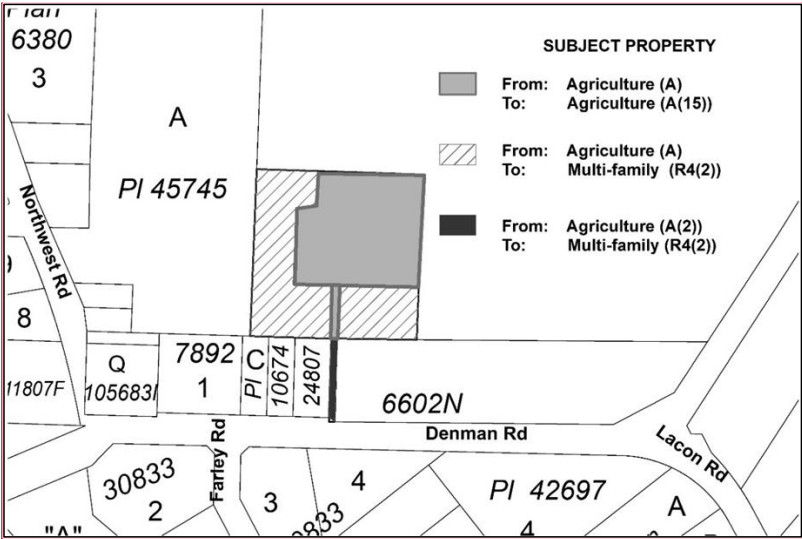
Commented [BM24]: Bylaw 234 Amendment 1.19

INFORMATION NOTE: The site specific regulations for A(8), A(9), A(10), A(11), A(12) and A(13) are to permit the historical density on seven specific lots. Approval from the Agricultural Land Commission may be required for more than one dwelling per lot.

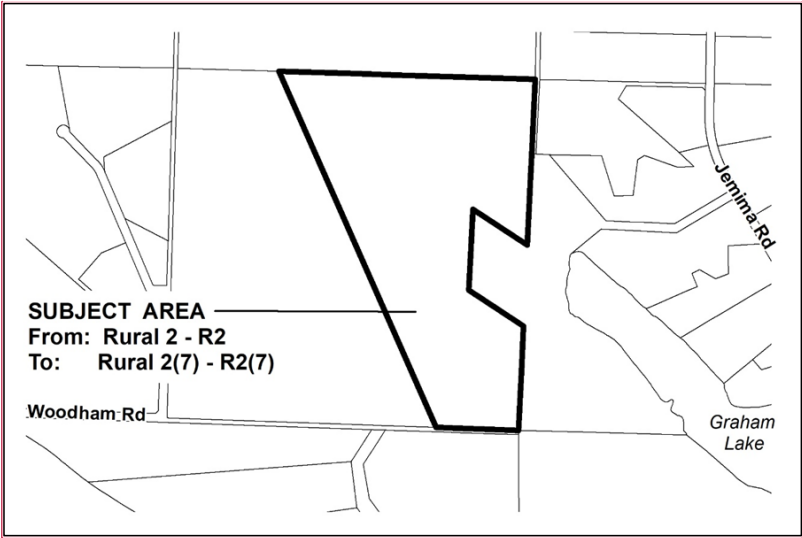
F(1)	1	Despite Table 7 of this section, the minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 20 ha.
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Some words and phrases are defined in Section 1.1

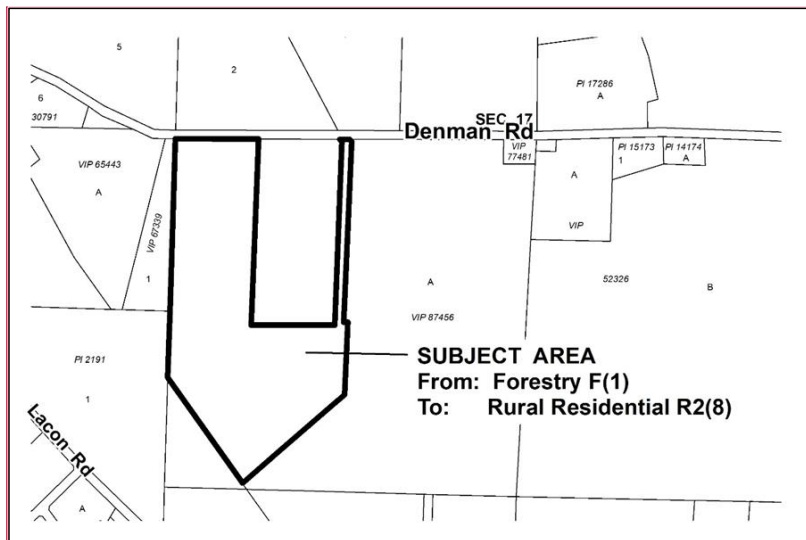
Schedule “B” of Denman Island Land Use Bylaw, 2008 is amended as follows:



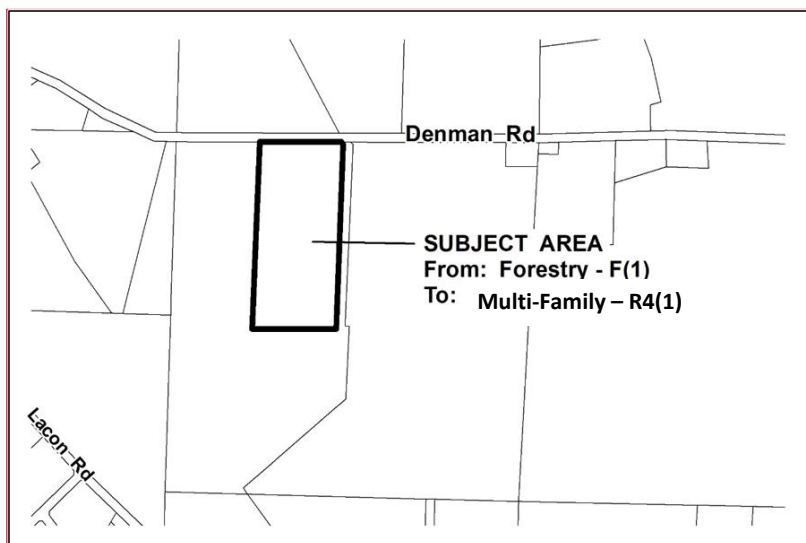
Commented [ME1]: Bylaw 234 Schedule B Amendment 1



Commented [ME2]: Bylaw 236 Schedule B Amendment 1



Commented [ME3]: Bylaw 236 Schedule B Amendment 2



Commented [ME4]: Bylaw 236 Schedule B Amendment 2



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** November 7, 2019
From: David Marlor, Director, Local Planning Services **Date Prepared:** October 23, 2019
SUBJECT: Live Streaming of Local Trust Committee Meetings

RECOMMENDATION:

That the Local Trust Committee communicate to Trust Council its interest (or lack thereof) in filming and streaming its public meetings.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Meeting streaming provides a new way for island constituents to engage in Islands Trust work. Challenges and opportunities related to this topic will be explored in a report to Trust Council in coming months.

1 PURPOSE:

To determine the level of interest in streaming local trust committee meetings.

2 BACKGROUND:

At its June 19, 2019 meeting Trust Council made the following resolutions:

"That Trust Council request that each local trust committee and Trust Council committees indicate whether it has an interest in filming and streaming its public meetings."

And,

"That Trust Council request staff to prepare a report about the costs and feasibility of filming and streaming videos of public meetings through the new Islands Trust website and social media."

The report requested in the latter resolution is currently being prepared by staff.

Forming part of this discussion will be the level of interest of Council committees in pursuing this initiative for their own public meetings. As such, a committee decision is required for communication to Trust Council to inform dialogue and appropriate resource allocation.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: A change in procedures for how local trust committee meetings are organized and conducted.

FINANCIAL: Additional costs for equipment, processing and storage of recordings and staff resources to operate the equipment.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: The interest or lack thereof of the Local Trust Committee will be communicated to Trust Council as requested.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):
None.

5 ATTACHMENT(S):
None.

RESPONSE OPTIONS

That the Local Trust Committee communicate to Trust Council its interest in filming and streaming its public meetings.

OR

That the Local Trust Committee communicate to Trust Council that it is not interested in filming and streaming its public meetings.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By: Clare Frater, Director, Trust Area Services

MEMORANDUM

File No.: 2230-20 Housing Agreements

DATE OF MEETING: November 7, 2019
TO: Denman Island Local Trust Committee
FROM: Becky McErlean, Legislative Clerk
SUBJECT: Denman Community Land Trust Association Housing Agreement

PURPOSE

To inform the Denman Island Local Trust Committee that the 2019 Schedule B – Owner Statutory Declaration has been received from the Denman Community Land Trust Association in regards to their Housing Agreement at 3900 Lacon Road, Denman Island. The property is in compliance with the Housing Agreement.

The declaration is included in each Housing Agreement as a method for the Islands Trust to monitor the property on an annual basis.

It should be recognized that the Denman Community Land Trust Association has been proactive in sending in this schedule each year and has shown commitment to the subjects and criteria laid out in the housing agreement.

Submitted By:	Becky McErlean, Legislative Clerk	October 31, 2019
Concurrence:	Heather Kauer, AICP Regional Planning Manager	October 31, 2019

From: [REDACTED]
Sent: Wednesday, October 02, 2019 9:20 PM
To: Laura Busheikin
Subject: Submission to the LTC Meeting, Oct. 3, 2019, Bus service, Letter of Support

Hi Laura,

Here are some reference materials relating to my request for a letter of support from the Denman Island Local Trust Committee.

I am expecting a Letter of Support from the Denman Island Residents Association following my presentation to DIRA at their most recent general meeting, and in more recent correspondence with Ron Shepherd telling me I will have it by Friday of this week, and prior to my presentation to the CVRD Board. DenmanWorks has financially committed to training a number of Denman residents to the Class 4 standard.

Your letter of support will be greatly appreciated in supporting our efforts to achieve both our mission and our vision, and in securing terms of financial support from CVRD Transit, the businesses of Denman and Hornby Islands, BC Transit, The Government of Canada, BC Ferries, and other agencies. We plan to sell sponsorship and select advertising, as well as present the Wrong Bus as a mobile art gallery and private shuttle service.kp



BUS

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[Hornby Letter Of Support](#)

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Welcome to the Wrong Bus!

Denman Island, Coast Salish Territory

Our Mission: to provide bus and shuttle service on Denman Island, and a ferry to ferry link for Hornby travellers.

Our Vision: to operate a zero emission vehicle within 3 years.

After following the conversation about cross island transportation for some time, we are pleased to announce the birth of bus and shuttle service on Denman Island. We plan a soft launch this year and through the beginning of 2020. The first order of business for

us is to train drivers to the Class 4 standard. DenmanWorks has pledged financial support in this effort with a grant, with the driver training classes hosted by DICES. We have received generous support in our planning stage from HICEEC (Hornby Bus), the aforementioned DenmanWorks, and from the CVRD (Daniel Arbour), including Mike Zbarsky from CVRD Transit. CVRD Transit has already offered us inclusion in their fleet bus maintenance program, which will be very helpful savings in service and maintenance. 5 years ago, the CVRD made a cross Denman link to Hornby Island part of their Strategic Plan. There are many ways in which you may be helpful in supporting this service for Denman and Hornby Islanders including:

- designation and assistance with bus stops/pullouts at strategic points.
- schedule planning.
- advocacy for public money and other funds.

Who could #GOWRONG

Keith Porteous

Oct. 3, 2019

Comox Valley Transit Plan

bctransit.com/documents/1507213425475

Hornby Energy / Transportation Initiative

prezi.com/i8fn1sguryn-/hornby-energy-transportation-initiative

Support for a Denman bus

August 24, 2019

This letter is being written to share our support for a Denman Bus. In 2018, HICEEC worked with the CVRD to have a Feasibility Study produced, on the Hornby bus operations. In the section of that report, that offered recommendations for improvements to the project, is a section titled “Connector Bus Across Denman Island”. This is an excerpt from the study: “When talking about transportation on Hornby Island it quickly becomes clear that this conversation has to include Denman Island. Unless you fly or travel in your own boat a person can not get to Hornby without crossing Denman Island. It is important to be curious about a connecting bus service of some description across Denman Island. Although the feasibility study did not focus on transportation across Denman, the lack of public transit on Denman island, it was explored as to how it impacts the Hornby Bus.

Those who responded to the The Hornby Bus Review survey said they would use the Hornby Bus more if there was a connecting bus that crossed Denman Island. 72% of survey respondents state they would use the Hornby Bus more frequently if there was a connecting bus across Denman Island.

It is recommended to combine island resources, skills and experience of the economic enhancement groups, and potential riders from both islands. Focus efforts on establishing transit on Denman Island to connect to BC Transit #10 bus and to get people across to Hornby Island.”

The complete Feasibility study has been shared with Keith Porteous, and Tony Gregson of Denman Works, and can be accessed online at: www.hiceec.org/energy---transportation.html Expanding on the Feasibility Study comments, we would include an endorsement to meet the schedules for south bound buses, such as Island Links, as well. The rationale for the Connector, expressed in the study, is to service residents and visitors of Hornby Island, and also to make a positive contribution for a reduction of greenhouse gas emissions; and contribute to alleviating cross-island traffic angst. Best wishes on initiating this project.
Your neighbours on Hornby,

Karen Ross
Economic Enhancement Officer
Hornby Island Community Economic Enhancement Corporation

Keith Porteous
250 335-1361



Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
DE-ALR-2018.1	Kirk, JARRAH	05-Nov-2018	PID: 027-381-447 Cider production from other sources. Civic address: 1100 Lacon Road, Denman Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 16-Apr-2019

No change. Planner awaiting submission of requested information.

Status Date: 07-Mar-2019

Application to LTC for consideration.

Status Date: 07-Mar-2019

LTC resolution 2019-025.\nthat the Denman Island Local Trust Committee request that the applicant submit to the Islands Trust the Groundwater Licence application and the Forests, Lands, Natural Resource Operations and Rural Development response and/or an evidence-based estimate of the amount of water that would be used for the proposed non-farm use and a professional report commenting on how anticipated water use will potentially affect the aquifer, neighbouring wells and natural environment of the surrounding area for the purposes of satisfying Trust Policy Statement 3.3.1 and Directive Policy 4.4.2.\n

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2011.2	Day, Ella	21-Mar-2011	For barn sited within DP #1: Komass Bluff

Planner: Marnie Eggen

Planning Status

Status Date: 10-Oct-2019

No change in status.

Status Date: 25-Sep-2018

No change in status.

Status Date: 18-Apr-2017

Waiting for applicant to take next steps working with Bylaw Enforcement team.



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2019.1	Helliwell + Smith + Blue Sky Architecture Inc. Planner: Bronwyn Sawyer	10-Oct-2019	PID: 017-541-131 Building SFD. Civic address: 2650 Swan Road, Denman Island, BC.
Planning Status			
<u>Status Date:</u>			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2011.1	Day, Ella Planner: Marnie Eggen	13-May-2011	Barn on property line
Planning Status			
<u>Status Date:</u> 10-Oct-2019 No change in status.			
<u>Status Date:</u> 25-Sep-2018 No change in status.			
<u>Status Date:</u> 18-Apr-2017 Waiting for applicant to take next steps working with Bylaw Enforcement team.			



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2017.1	Denman Community Land Trust Association	12-Sep-2017	PID: 009-708-537 Create two lots for affordable housing for seniors. Civic address: 3730 Denman Road, Denman Island, BC

Planner: Marnie Eggen

Planning Status

Status Date: 03-Oct-2019

LTC considers 1st reading and bylaw referrals. At request of applicant, LTC defers consideration.

Status Date: 06-Jun-2019

Draft bylaws presented.

Status Date: 07-Mar-2019

LTC receives groundwater licence approval from FLNRORD.

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2018.1	Denman Housing Association (Snyder & Terry)	01-Oct-2018	PIDs: 009-704-523 (Snyder) and 006-657-290 (Terry) Rezoning to change number of allowed dwellings

Planner: Sonja Zupanec

Planning Status

Status Date: 03-Oct-2019

Draft bylaws to amend OCP and LUB to be presented to LTC October 3, 2019

Status Date: 04-Jul-2019

LTC directed staff to prepare draft bylaws consistent with staff recommendations as set out in July 4, 2019 report.

Status Date: 24-Oct-2018

Executive Committee approved sponsorship application



Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2009.14	Day, Jean Ella	02-Nov-2009	2900 SWAN RD

One 26 foot high barn.

Planner: Marnie Eggen

Planning Status

Status Date: 25-Sep-2018

No change in status.

Status Date: 30-Jun-2011

On hold until outcome of DP and DVP.

Status Date: 03-Mar-2011

New info submitted by applicant indicates bld sited on lot line; options provided to applicant

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2019.11	Helliwell + Smith + Blue Sky Architecture Inc.	22-Aug-2019	PID: 017-541-131 Single family dwelling, carport and existing accessory building. Civic address: 2650 Swan Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 09-Oct-2019

Awaiting DPA information

Status Date: 08-Oct-2019

Under review

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2019.13	Friesen Family Construction Ltd.	11-Oct-2019	PID: 027-613-615 Addition to garage. Civic address: 1746 Dalziel Road, Denman Island, BC.

Planner: Ian Cox

Planning Status

Status Date:



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2019.14	Trafalgar Homes	10-Oct-2019	PID: 029-228-522. New SFD. Civic address: Lot 2, Lacon Road, Denman Island, BC

Planner: Ian Cox

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2019.15	Henning Nielsen - Pandesign Inc.	24-Oct-2019	PID: 028-639-910 SFD & fruit processing barn. Civic address: 4101 Pinecrest Road, Denman Island, BC.

Planner: Jaime Dubyna

Planning Status

Status Date:



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2015.1	De Villiers & Fraser, Etienne & Louise	24-Dec-2014	2201 Tristone Road S.946 (2 lot subdivision)

Planner: Jaime Dubyna

Planning Status

Status Date: 25-Sep-2018

Returned original copy of covenant and proof of registration on title received. Planner working with Finance to close Cost Recovery file and SUB file.

Status Date: 05-Jun-2018

LTC accepted the covenant and signed. Planner returned covenant to applicant's lawyer for final signatures and registration. Awaiting confirmation of registration on title and returned original copy of signed covenant for IT records.

Status Date: 16-Apr-2018

Planner recommending LTC to accept and sign the Covenant at the May 1 LTC meeting.

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2016.1	MCKEACHIE, MORLEY	01-Feb-2016	PID: 005-850-771 Proposed four lot Subdivision application

Planner: Ian Cox

Planning Status

Status Date: 05-Sep-2019

Waiting on MOTI re-referral for revised proposed plan of subdivision.

Status Date: 16-Apr-2019

Applicant working to meet PLA conditions including DP and required QEP report for portion of Valens Brook.

Status Date: 12-Apr-2019

File to planner IC.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2017.1	McElhanney Associates & Land Surveying	09-Jan-2017	PID: 005-850-011 Subdivide property into two lots for residential purposes. 5465 Lacon Road, Denman Island.

Planner: Marnie Eggen

Planning Status

Status Date: 20-Feb-2019

Final confirmation letter sent via email to MOTI and copied to Denman LTC , owners and the applicant.

Status Date: 10-Oct-2018

No change.

Status Date: 17-Aug-2017

Revised Preliminary Layout Approval received from MOTI

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2017.4	Denman Community Land Trust (Harlene Holm)	29-Nov-2017	PID: 009-708-537 - Lot line adjustment Civic address: 3730 Denman Road, Denman Island, BC PID: 009-708-189 - Lot line adjustment Civic address: 3806 Denman Road, Denman Island, BC

Planner: Marnie Eggen

Planning Status

Status Date: 23-Jan-2019

Final Letter of Approval issued.

Status Date: 19-Sep-2018

Preliminary Layout Approval received from MOTI

Status Date: 16-Aug-2018

Awaiting Preliminary Layout Approval from MOTI.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2018.1	PANDESIGN INC	18-Sep-2018	PID: 028-605-691 Civic address: 2100 Crescent Road, Denman Island Divide property into 2 residential lots.

Planner: Jaime Dubyna

Planning Status

Status Date: 13-Jun-2019

Staff forwarded copy of covenant template to applicant for review.

Status Date: 25-Apr-2019

MOTI PLA received.

Status Date: 26-Feb-2019

Planner to submit LSR regarding drafting, reviewing and registration of covenant, at the request of the applicant.

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2018.2	Sea Berry Farm Ltd.	19-Oct-2018	PID: 000-974-081 5 lot subdivision Civic address: 1300 Farley Road, Denman Island, BC

Planner: Ian Cox

Planning Status

Status Date: 04-Feb-2019

Referral response sent to MOTI. Awaiting PLA and fulfillment of conditions.

Status Date: 28-Jan-2019

Planner to provide referral response by end of January.

Status Date: 04-Jan-2019

MOTI tech confirm will still accept response. Applicant provided additional info regarding updated plan, covenant, etc.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2019.1	Grant Land Surveying Inc.	25-Feb-2019	PID: 006-657-290 2 lot subdivision. Civic address: 2.2km east of Denman West ferry terminal; Denman Road between top of the hill and firehall.
Planner: Jaime Dubyna			
Planning Status			
Status Date: 28-Mar-2019			
Planner completed review and sent referral report to MOTI and applicant. Several conditions listed for PLA which must be met prior to final subdivision approval.			
Status Date: 20-Mar-2019			
Planner reviewing application.			
File Number	Applicant Name	Date Received	Purpose
DE-SUB-2019.2	Formstate Design Inc. (Pandesign)	27-Aug-2019	PID: 006-660-495 Six lot subdivision. Civic address: Danes Road, Denman Island, BC
Planner: Jaime Dubyna			
Planning Status			
Status Date: 10-Sep-2019			
Planner reviewing application.			

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending September 2019

615 Denman	Invoices posted to Month ending September 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	378.00	404.51	-26.51
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	4,337.00	1,647.15	2,689.85
65210-615	LTC - Local Exp - APC Meeting Expenses	493.00	739.77	-246.77
65220-615	LTC - Local Exp - Communications	250.00	274.98	-24.98
65230-615	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>5,374.00</u>	<u>2,661.90</u>	<u>2,712.10</u>
Projects				
73001-615-4011	Denman Farm Plan	2,250.00	182.02	2,067.98
TOTAL Project Expenses		<u>2,250.00</u>	<u>182.02</u>	<u>2,067.98</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy/Standing Resolution
1.	June 26, 2018	DE-2018-056	Proactive enforcement of Short-term Vacation Rentals	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: "That Bylaw Enforcement staff undertake proactive enforcement of Short-term Vacation Rentals on Denman Island".
2.	June 26, 2018	DE-2018-066	Processing of non-medical cannabis retail license applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms; - o The location of the proposed establishment and the subject site; - o The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - o How public comments may be submitted to the Local Trust Committee.
3.	October 9, 2018	DE-2018-096	Application processing	It was MOVED and SECONDED, that the Denman Local Trust Committee direct staff to give priority to processing applications for affordable housing projects until further direction by the Denman Island Local Trust Committee.
4.	November 20, 2018	DE-2018-100	Bylaw enforcement on	That the Denman Island Local Trust Committee adopt the following standing

			unlawful STVRs	resolution: that the Denman Island Local Trust Committee direct Bylaw Enforcement to use the following priority in dealing with unlawful short-term vacation rentals (STVRs): 1. Unlawful STVRs that have been the subject of substantiated complaints; 2. Unlawful STVRs that are operated by persons who normally do not reside on Denman Island; 3. Unlawful STVRs operated by persons who do not reside on the same property as the STVR; 4. Unlawful STVRs operated by persons who reside on the same property as the STVR.
5.	November 20, 2018	DE-2018-104	Cannabis License applications	That the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust Committee regular meeting agenda package.
6.	February 7, 2019	DE-2019-012	First Nations Reconciliation	that the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural

				heritage and history; d) Work with First Nations governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights and First Nations' traditional territories within the Islands Trust Area.
7.	June 6, 2019	DE-2019-056	Bylaw enforcement against unlawful dwellings	that the Denman Island Local Trust Committee adopt the following standing resolution: "The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to pursue enforcement against unlawful dwellings upon receipt of a written complaint, if any of the following conditions apply: a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property; b) It appears that there is more than one unlawful dwelling on a lot; c) An unlawful dwelling appears to be larger than 90 square meters; or d) An unlawful dwelling appears to be located within a Development Permit Area. and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time."

Top Priorities Report

Denman Island

1. *Denman Island Farm Plan Implementation*

Responsible

Dates

Incorporate Bylaw 223 considerations (agriculture, intensive agriculture, feedlot definitions)

Marnie Eggen
Sonja Zupanec

2. *Temporary Use Permits*

Responsible

Dates

To support the development of Temporary Use Permits for short-term vacation rentals and other uses

Rec'd: 09-Oct-2018

3. *Cannabis Land Use Regulation*

Responsible

Dates

Review of land use regulations with respect to cannabis production and retail sales.

Jaime Dubyna

Rec'd: 20-Nov-2018



Projects Report

Denman Island

1. <i>Protected Area Network</i>	Responsible	Date Received
Undertake planning for a Protected Area Network on Denman Island		15-Mar-2011
2. <i>Alternative Energy</i>	Responsible	Date Received
Consider regulations governing wind towers and Ocean Loop Geo-Exchange Systems. Monitor recommendation from Trust Council.		15-Aug-2011
3. <i>Dwelling Floor Area Regulation</i>	Responsible	Date Received
Consider regulations to limit the gross floor area of a dwelling		25-Oct-2011
4. <i>Climate Change</i>	Responsible	Date Received
Consider climate change adaptation and mitigation measures		25-Oct-2011
5. <i>Development Procedures Review</i>	Responsible	Date Received
Review and update Development Procedure Bylaw No. 71		11-Dec-2012
6. <i>Alternative Dispute Resolution</i>	Responsible	Date Received
To be considered as part of the enforcement tool kit, possibly in cooperation with the Hornby Island Local Trust Committee		26-May-2015
7. <i>Denman Village Plan</i>	Responsible	Date Received

Projects Report

Denman Island

Undertake a Denman Downtown Village Neighbourhood Plan; the plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; addressing of water and septic concerns; and consideration of Denman Community Design Charrette Final Report Jan 2018 recommendations.

26-May-2015

8. <i>Travel trailers</i>	Responsible	Date Received
LUB amendments and enforcement policies regarding the use of travel trailers		07-Mar-2017
9. <i>Occasional use of accessory buildings</i>	Responsible	Date Received
Amend LUB definition of the term occasional in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days per year regardless of who is staying there		07-Mar-2017
10. <i>Greenshores Workshop</i>	Responsible	Date Received
		01-May-2018
11. <i>Incorporate the Regional Conservation Plan into land use planning.</i>	Responsible	Date Received
To foster preservation and protection of the Denman Island Ecosystems (based on the Islands Trust Conservancy Report, dated July 17, 2018)		07-Aug-2018
12. <i>Facilitating affordable, attainable and seniors housing.</i>	Responsible	Date Received

Projects Report

Denman Island

Secondary suites review and consideration of further opportunities to support housing options. Consideration of DCLTA and Northern Housing Needs Assessment report recommendations.

20-Nov-2018

13. *Coastal Douglas-fir protection*

Responsible

Date Received

Implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Island Trust Tool Kit (2018).

07-Feb-2019
