



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: June 6, 2017
Time: 9:30 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 9:30 AM - 9:45 AM
"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. **TOWN HALL AND QUESTIONS**
4. **COMMUNITY INFORMATION MEETING**
 - 4.1 Overview of Bylaw No. 222
 - 4.2 Summary of Referral Responses - Memorandum 4 - 5
5. **PUBLIC HEARING to begin at 9:45 AM**
 - 5.1 Public Hearing regarding Bylaw No. 222
6. **MINUTES**
 - 6.1 Local Trust Committee Minutes dated May 2, 2017 6 - 15
 - 6.2 Section 26 Resolutions-Without-Meeting Report dated May 29, 2017 16 - 16
 - 6.3 Advisory Planning Commission Minutes - none
 - 6.4 Marine Advisory Planning Commission Minutes - none
7. **BUSINESS ARISING FROM MINUTES**
 - 7.1 Follow-up Action List dated May 30, 2017 17 - 20
 - 7.2 Dock Regulations - Memorandum 21 - 23
8. **DELEGATIONS**
9. **CORRESPONDENCE**

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

10. APPLICATIONS, REFERRALS and BYLAWS

- | | | |
|------|---|---------|
| 10.1 | Bylaw No. 222 | 24 - 27 |
| | <p>That Denman Island Local Trust Committee Bylaw No. 222 cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", be read a second time.</p> <p>That Denman Island Local Trust Committee Bylaw No. 222 cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be read a third time.</p> <p>That Denman Island Local Trust Committee Bylaw No. 222 cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.</p> | |
| 10.2 | Bylaw No. 223 - Staff Report | 28 - 40 |

11. LOCAL TRUST COMMITTEE PROJECTS

- | | | |
|------|---|---------|
| 11.1 | Marine Issues - Staff Report to be distributed | |
| | 11.1.1 Draft Bylaw No. 225 | 41 - 42 |
| 11.2 | Denman Village Design Charrette - Memorandum | 43 - 44 |
| 11.3 | First Nations Engagement - Verbal Report from Fiona MacRaid | |
| | 11.3.1 Project Charter | 45 - 46 |

12. REPORTS

- | | | |
|------|--|---------|
| 12.1 | Work Program Reports | |
| | 12.1.1 Top Priorities Report dated May 30, 2017 | 47 - 47 |
| | 12.1.2 Projects List Report dated May 30, 2017 | 48 - 49 |
| 12.2 | Applications Report dated May 30, 2017 | 50 - 56 |
| 12.3 | Trustee and Local Expense Report dated April, 2017 | 57 - 57 |
| 12.4 | Adopted Policies and Standing Resolutions - none | |
| 12.5 | Local Trust Committee Webpage | |
| 12.6 | Chair's Report | |
| 12.7 | Trustee Reports | |
| 12.8 | Electoral Area Director's Report | |
| 12.9 | Trust Fund Board Report - none | |

13. NEW BUSINESS

- | | | |
|------|---|---------|
| 13.1 | Ministry of Forests, Lands and Natural Resource Operations (FLNRO) Referrals Process - Discussion | |
| 13.2 | Well and Groundwater Workshops - Memorandum | 58 - 60 |

14. UPCOMING MEETINGS

- 14.1 Next Regular Meeting Scheduled for Tuesday, August 1, 2017 at 9:30 am at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

15. TOWN HALL

16. CLOSED MEETING - none

17. ADJOURNMENT



DATE OF MEETING: June 6, 2017

TO: Denman Island Local Trust Committee

FROM: Teresa Rittemann, Planner 2
Northern Team

SUBJECT: First Nations Referrals for Proposed Bylaw No. 222 (OCP Amendment)

PURPOSE

The purpose of this Memorandum is to:

- To update the Denman Island Local Trust Committee (LTC) that the Ministry of Community, Sport, and Cultural Development (MCSCD) has suggested that the LTC consider whether further engagement with First Nations is required for Proposed Bylaw No. 222 (OCP amendment); and
- To request a resolution from the LTC regarding how to respond to the MCSCD.

BACKGROUND

Under S.475(2)(b)(iv) of the *Local Government Act* (LGA), during an amendment of an Official Community Plan, a local government must specifically consider whether consultation is required with First Nations. This local government requirement for the LTC is separate from the Provincial “Duty to Consult”. Because Islands Trust Official Community Plan (OCP) bylaws require approval by the Minister, MCSCD has a strong interest in the bylaw referrals process.

On Tuesday, May 23, 2017, Staff received an email from the MCSCD suggesting “that it would be preferable to refer Denman Island LTC Bylaw No. 222 more widely, despite the nature of the proposed changes”. MCSCD has identified 12 First Nations with whom they believe the LTC should engage, in addition to the K’omoks First Nation, which include Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz’uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwa), Tla’amin, and Qualicum. However, MCSCD also noted that “in the event that Islands Trust chooses not to refer Bylaw No. 222 more widely (or is unable to do so), that’s not at all a problem.”

OPTIONS

Staff have provided the following options for the LTC:

1. Refer Proposed Bylaw No. 222 to all 12 suggested First Nations

Sample Resolution Wording: “That the Denman Island Local Trust Committee refer Proposed Bylaw No. 222 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016,” to the following First Nations: Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz’uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwa), Tla’amin, and Qualicum.”

2. Refer Proposed Bylaw No. 222 to selected First Nations

The LTC may refer Proposed Bylaw No. 222 to selected First Nations. The above-noted resolution could be modified to indicate to which First Nations Bylaw No. 222 should be referred.

3. Not refer Proposed Bylaw No. 222 to additional First Nations

Sample Resolution Wording: “That the Denman Island Local Trust Committee request staff inform the Ministry of Community, Sport, and Cultural Development that the Denman Island Local Trust Committee has referred Proposed Bylaw No. 222 to the K’omoks First Nation and has decided not to refer Proposed Bylaw No. 222 to the Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz’uminus, Snaw-Naw-As Nation, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwa), Tla’amin, and Qualicum First Nations.”

IMPLICATIONS/RATIONALE

Staff recommend the LTC pursue Option 3 given the following implications and rationale:

- The MCSCD suggestion that sending a standard bylaw referral letter and a confirmation phone call to the additional 12 First Nations would be sufficient is no longer an appropriate form of engagement with First Nations; the Islands Trust is committed to changing its organizational approach to relationship building and early referrals with First Nations. In December 2016 the Islands Trust Council adopted the First Nations Engagement Principles Policy¹, which allows for more meaningful, in-depth engagement with the First Nations who have interests in the lands and waters in the Trust Area.
- Re-referring at this stage (with all or some of the 12 suggested First Nations) would require additional Staff time and resources with negligible benefits given that the OCP bylaw amendment would correct mapping for a Development Permit Area for the purpose of protection of the natural environment. Staff are of the opinion that the LTC’s requirement under S.475(2)(b)(iv) of the LGA has been met and this would not be an adequate use of additional resources. Furthermore, during the referral stage, staff discussed the amendment with K’omoks First Nation’s referrals staff and the K’omoks First Nation did not provide comments.
- The LTC’s consultation with First Nations is separate from the Provincial “Duty to Consult” with First Nations. In essence, regardless of the LTC’s process, the Province still has an obligation to contact K’omoks First Nation and the other 12 First Nations to ensure their “Duty” is fulfilled before they can give approval for this OCP amendment, which may add to the approval timeline.

NEXT STEPS

Following this meeting (June 6, 2017), Staff will contact MCSCD staff to inform them of the LTC’s decision.

Submitted By:	Teresa Rittemann Planner 2	May 25, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 29, 2017

¹ See: <http://islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: May 2, 2017
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present Susan Morrison, Chair
 David Critchley, Local Trustee
 Laura Busheikin, Local Trustee

Staff Present Ann Kjerulf, Regional Planning Manager
 Fiona MacRaid, Senior Intergovernmental Policy Advisor
 David Marlor, Director, Local Planning Services
 Vicky Bockman, Recorder

Others Present: Approximately five (5) members of the public - am
 Approximately two (2) members of the public - pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:30 am. She welcomed the public, acknowledged that the meeting was being held in territory of the Coast Salish First Nations, and introduced the Trustees, staff and recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was adopted as presented.

3. TOWN HALL AND QUESTIONS

- A member of the public expressed concern regarding the lack of reference to water in the Farm Plan and its harmonization with the Ministry of Agriculture. She expressed her opinion that Denman Island's Farm Plan should be viewed in light of Denman Island's Official Community Plan (OCP), the Islands Trust mandate and the Islands Trust Policy Statement rather than from a provincial perspective.
- A member of the public questioned why farmers are not advising on the Farm Plan Implementation project; asked the meaning of "Out of Scope" in the project charter, and why Development Permit Areas (DPAs) are not being considered as a part of the review; and objected that the Farm Plan map differs from maps that have been presented in court.
 - Staff and Trustees responded that a call for farmers to sit on a special steering committee for this review had not received enough response to move forward with that approach; the Farm Plan implementation was considered to be best managed through phases and amending DPAs could be considered in a future phase; and the map in the Farm Plan will be referenced at the Local Trust Committee's (LTCs) discretion.

- A member of the Denman Island Residents Association Marine Guardians committee expressed concern that aquaculture operators may change the species being farmed without further oversight or involvement of local government in the Crown tenure process. She pointed out that there is a new application for a 10 hectare off-shore shellfish tenure in Lambert Channel and asked if the LTC had been advised of this.
 - Staff responded that Islands Trust has received a referral for this application.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated March 7, 2017

By general consent the minutes were adopted.

6.2 Section 26 Resolutions-Without-Meeting - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 24, 2017

Regional Planning Manager Kjerulf presented the Follow-up Action List. She provided an update on the proposed Denman Village community design charrette project. There was discussion on budget, funding opportunities, possible dates, and community involvement. She informed the LTC of the opportunity to apply for a matching grant through the Vancouver Island University Regional Initiatives Fund but due to a May 15 deadline, she would need to follow up with a Resolution Without Meeting request for the Committee to request funding and a letter of support for the application.

Trustees suggested scheduling an informational meeting for the community on a Saturday or other convenient time for the public to attend. Staff will provide a subsequent report on this initiative and keep Trustees informed of the progress.

7.2 Advisory Planning Commission Conflict of Interest Guidelines

Regional Planning Manager Kjerulf confirmed that this document is a general recommendation of guidelines and will be included in the orientation package provided for Advisory Planning Commission (APC) members.

A Trustee noted that the document is in need of an update to item 17, first bullet.

8. DELEGATIONS

8.1 Denman Community Land Trust Association (DCLTA) regarding Senior's Affordable Housing Project

Harlene Holm, on behalf of DCLTA, presented an update on the Seniors' Affordable Housing project. The Association is requesting that the LTC consider

adopting an “affordable housing first” policy that gives priority to any application relating to an affordable housing initiative. She provided background information for this request and described the housing first policy tool in the Islands Trust Affordable Housing Tool Kit as an effective method to streamline and facilitate affordable housing projects. Additionally, the Association is requesting that the LTC consider reducing the fees and cost-recovery charges applicable to all applications for affordable housing, presenting the rationale and need for such assistance.

Trustees suggested that DCLTA might make an application to Executive Committee for an application fee sponsorship waiver, and indicated that the “affordable housing first” policy warrants further investigation and consideration.

DE-2017-028

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to report back on the meaning and implications of establishing an “affordable housing first” policy for applications and including, if possible, the steps taken by Salt Spring Island Local Trust Committee on this topic.

CARRIED

By general consent item 8.2 was moved to follow item 15.

9. NEW BUSINESS

9.1 (DFO) Fisheries and Oceans Canada - Integrated Geoduck Management Framework 2017

Trustees and staff considered the DFO Integrated Geoduck Management Framework 2017 and discussed the following:

- There is ongoing concern that the Islands Trust is not represented on the Shellfish Aquaculture Management Advisory Commission;
- There are options to address the negative impacts of the geoduck aquaculture operations including the possibility of downzoning, creating zoning restrictions to exclude geoduck aquaculture, and restricting expansion of existing operations;
- There could be broader advocacy on a Trust-wide basis with respect to the management of geoduck cultivation;
- The Denman Island OCP could be reviewed relative to current policies regarding aquaculture; and
- There is an opportunity for greater co-ordination with First Nations.

DE-2017-029

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request Executive Committee to prioritize the task of seeking membership on the Shellfish Aquaculture Management Advisory Commission for the Islands Trust.

CARRIED

DE-2017-030

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request Executive Committee to request staff, on a priority basis, to investigate and report on strategies to limit the harmful impacts of geoduck aquaculture in the Trust Area and to obtain legal clarification on whether Local Trust Committees may create an exception in their zoning bylaws such that geoduck cultivation will not be permitted as a part of shellfish aquaculture.

CARRIED

9.2 2016/17 Islands Trust Annual Report - Memorandum

LTC members requested the following change to the draft annual report text:

- Change the second sentence to read: “The Committee considered a variety of planning applications including a rezoning proposal where a density transfer was granted by the LTC in exchange for the contribution of ecologically-significant land to the Valens Brook Nature Reserve and the addition of one density to the Affordable Housing Density Bank.”

DE-2017-031

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the amended annual report submission as follows: “In 2016-2017, the Denman Island Local Trust Committee held eight regular business meetings and two special meetings. The Committee considered a variety of planning applications including a rezoning proposal where a density transfer was granted by the LTC in exchange for the contribution of ecologically-significant land to the Valens Brook Nature Reserve and the addition of one density to the Affordable Housing Density Bank. The Committee continued to work on the Top Priorities of the preceding year, which included Denman Island Farm Plan Implementation, marine issues and foreshore protection, and First Nations relationship building.”

CARRIED

10. CORRESPONDENCE

10.1 Letter from Comox Valley Regional District (CVRD) Chair, Bruce Joliffe

Trustees discussed the response from CVRD and the following was noted:

- A Trustee is continuing to pursue the matter of completion of the Denman Cross-Island Trail section that includes the hill between the west Denman Island Ferry and the village to address safety concerns, and may have an opportunity to discuss resolution of the “big hill” engineering issues;
- It was suggested that a representative from the Denman Island Residents Association might be invited to attend meetings in this regard as they have expressed an interest in this matter as well; and

- There was a question of when “stage two” public consultation on the Cross-Island Trail would occur and it was suggested as a topic for a next CVRD protocol meeting.

11. APPLICATIONS AND REFERRALS

11.1 DE-DVP-2017.1 (Forrest) - Staff Report

Regional Planning Manager Kjerulf presented the staff report that addresses the application for a Development Variance Permit (DVP) to vary the required subdivision lot width to depth ratio in order to subdivide an existing lot into two new lots.

DE-2017-032

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve issuance of Development Variance Permit DE-DVP-2017.1 to vary the required subdivision lot width to depth ratio in the Denman Island Land Use Bylaw from 1:3 to 1:4.8 for proposed Lot A and from 1:3 to 1:3.3 for the proposed remainder lot.

CARRIED

11.2 Bylaw No. 224 - for adoption

Regional Planning Manager Kjerulf reported that Bylaw No. 224 updates the APC bylaw and has been approved by the Executive Committee.

DE-2017-033

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 224, cited as "Denman Island Local Trust Committee Advisory Planning Commission Bylaw, 2017", be adopted.

CARRIED

11.3 DE-RZ-2015.1 (Pandesign) - Staff Report

Regional Planning Manager Kjerulf noted that the staff report presents the LTC with the final draft version of a restrictive covenant that was a requirement of the rezoning.

DE-2017-034

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee receive and accept the draft covenant and priority agreement with respect to file DE-RZ-2015.1, and that Trustees Laura Busheikin and Susan Morrison be assigned as signatories.

CARRIED

11.4 DE-DVP-2016.1 (Citizen Design for Lundberg) - Staff Report

Regional Planning Manager Kjerulf advised that the staff report presents the LTC with the final draft version of a restrictive covenant that was a requirement of the Development Variance Permit (DVP).

DE-2017-035

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee receive and accept the draft covenant and priority agreement with respect to file DE-DVP-2016.1, and that Trustees Laura Busheikin and Susan Morrison be assigned as signatories.

CARRIED

12. BREAK

By general consent the meeting recessed at 10:58 am and reconvened at 11:08 am.

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Denman Farm Plan Implementation - Staff Report

Regional Planning Manager Kjerulf outlined the staff report that presents the LTC with an update on the status of early referrals for the Denman Island Farm Plan Implementation project, including the comments from the Denman Growers and Producers Alliance. She advised that the referral response from the APC has been delayed due to the need to appoint new APC members and that the new APC is expected to receive and review the referral following their orientation.

13.2 Housekeeping Bylaw No. 222 - Memorandum

Regional Planning Manager Kjerulf summarized the memorandum that provides an update on Housekeeping Bylaw Nos. 222 and 223 and proposes consideration of proceeding with Public Hearing on Bylaw No. 222.

Trustees discussed combining a Public Hearing for Bylaw No. 223, amending definitions and regulations pertaining to Agriculture and Intensive Agriculture, to coincide with a Public Hearing relating to the Farm Plan Implementation Project.

Discussion followed on scheduling a Public Hearing to coincide with an LTC business meeting for proposed OCP Amendment Bylaw No. 222 which would amend mapping for Development Permit Area No. 4 – Streams, Lakes and Wetlands.

Staff noted that a resolution to schedule a Public Hearing for Bylaw No. 222 had already been passed by the LTC.

13.3 Relationship Building with First Nations - Next Steps

13.3.1 Staff Report

Senior Intergovernmental Policy Advisor MacRaid presented the staff report regarding developing a shared narrative of Hornby and Denman Islands with local First Nations with suggestions for a two-phase initiative and including a draft Shared Narrative of Place Project Charter.

Trustees discussed the process and the following key points were noted:

- The addition of “and appropriate” to the suggested resolution to follow “where possible” was proposed; and
- Strategies for development and implementation of a series of community events sessions were considered.

David Marlor, Director, Local Planning Services, left the meeting at 11:35 am.

DE-2017-036

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee amend the Project Charter to add in the Shared Narrative of Place: “include a public presentation by the Islands Trust Senior Intergovernmental Policy Advisor and follow up public presentations by K’omoks members and representatives.

CARRIED

DE-2017-037

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the Shared Narrative of Place – Charter v1 Project Charter as amended which will strive to amend the Denman Island Official Community Plan in two phases. As a first step, integrating a First Nations “deep history” narrative and place names within the Official Community Plan. Then, in co-operation with local First Nations, review the Official Community Plan for opportunities for First Nations to participate in the work of the Local Trust Committee more meaningfully.

CARRIED

DE-2017-038

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee encourage residents of Denman Island to voluntarily start sharing First Nations’ place names and histories of the island through various stakeholder community groups and community events and, where possible and appropriate, influence the content of signage to include First Nations’ place names and context of indigenous use of places.

CARRIED

13.3.2 First Nations Reading List

Trustee Busheikin advised that she is aware of a First Nations reading list that is available and being used in the Trust area, and suggested that this list might be circulated to both the Denman Island volunteer library and to

the Community School library, encouraging them to consider the list as they develop their collection.

Trustees and staff discussed the proposal and comments included:

- Assisting the libraries in the expense of purchasing books from the reading list was suggested if possible;
- Funding to assist the libraries to acquire such books, might include use of a portion of the existing LTC budget for First Nations Relationship Building as a part of the work that would underlay future planning work, or requesting that funds be provided by Trust Council; and
- A library-supported First Nations literature reading club or circle activity might enable the receipt of a 50/50 funding opportunity.

DE-2017-039

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee send a letter signed by the Local Trustees to both island libraries including informing them about the First Nations reading list and potential co-financing opportunities.

CARRIED

Trustee Busheikin offered to draft the letter for the libraries.

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report dated April 24, 2017

Received.

14.1.2 Projects List Report dated April 24, 2017

Received.

14.2 Applications Report dated April 24, 2017

Regional Planning Manager Kjerulf presented the applications report.

Senior Intergovernmental Policy Advisor MacRaid left the meeting at 11:50 am.

14.3 Trustee and Local Expense Report dated February, 2017

Received.

14.4 Adopted Policies and Standing Resolutions - none

14.5 Local Trust Committee Webpage

There were no changes requested.

14.6 Chair's Report

Chair Morrison reported on the following:

- Attended a meeting with the Assistant Deputy Minister of the Ministry of Transportation and Infrastructure regarding a road issue on Lasquiti;
- She Chaired a Public Hearing recently;
- She will attend an Executive Committee meeting tomorrow; and
- She is working to assist in preparations for the next Trust Council which will be held on Lasquiti Island in June.

14.7 Trustee Reports

Trustee Busheikin reported on her attendance at the following:

- The Association of Vancouver Island and Coastal Communities convention;
- A meeting with K'omoks First Nation;
- Denman Island Residents Association meetings; and
- Trustee Office Hours.

Trustee Critchley reported on the following:

- He has been working to advocate for development of the ferry hill section of the Cross-Island Trail;
- He attended a Ferry Advisory Committee meeting where schedule improvement and traffic control at Gravelly Bay were discussed; and
- He attended an Old School Meeting.

14.8 Electoral Area Director's Report – none

14.9 Trust Fund Board Report dated April, 2017

Chair Morrison pointed out the new logo that celebrates the milestone achieved of 100 Protected Places for the Islands Trust Fund. She encouraged Trustees to provide input into the survey on the Regional Conservation Plan.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, June 6, 2017 at 9:30 am at the Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

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

8.2 Association For Denman Island Marine Stewards (ADIMS)

Barbara Mills, on behalf of ADIMS made a presentation on the specific impacts posed by geoduck aquaculture on Denman Island and the Strait of Georgia. The Association is requesting the LTC's support in opposing the Fisheries and Oceans Canada - Integrated Geoduck Management Framework 2017, identifying rationales including the lack of scientific basis; the threats to the marine environment from habitat destruction and microplastics pollution; potential threat to the herring; and the harm to the social, economic and cultural integrity of this

region that the geoduck industry will cause. She also requested that the Trustees take this issue to the June Trust Council meeting and request that the Executive Committee write a letter opposing this form of aquaculture.

16. TOWN HALL

Edi Johnston commented that a measure to limit expansion of existing shellfish tenures would likely not be effective as, to her knowledge, there is no intertidal or deep water operations enforcement occurring.

17. CLOSED MEETING

17.1 Motion to Close the Meeting

DE-2017-040

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)(a)(d) and (i) for the purpose of considering Appointment of Advisory Planning Commission members, adoption of minutes dated March 7, 2017 and for receipt of advice subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 12:14 pm.

17.2 Recall to Order

By general consent the meeting was recalled to order at 12:29 pm.

17.3 Rise and Report

Chair Morrison reported that in the Closed Meeting the Local Trust Committee adopted minutes from the *In Camera* meeting of March 7, 2017 and appointed the following persons to the Advisory Planning Commission: Alan Stoddart, Rosa Telegus, Margie Gang, David Graham, Jack Forsyth, Edi Johnston, Tom Zawila, Howard Stewart and Steve Caballeria.

18. ADJOURNMENT

By general consent the meeting adjourned at 12:30 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder



Islands Trust

Print Date: May 29, 2017

Resolutions Without Meeting

Denman Island

Resolution #	Action	Resolution Description	Resolution Date
2017-03	In Favour	"THAT the Denman Island Local Trust Committee add "Denman Village Community Design Charrette" to its Top Priorities List."	10-May-2017
2017-04	In Favour	"THAT the Denman Island Local Trust Committee authorize the expenditure of up to \$5,000 from the Local Trust Committee Special Projects Budget to offset travel and accommodation expenses for Vancouver Island University Master of Community Planning faculty and students conducting the Denman Village Community Design Charrette in September 2017."	09-May-2017
2017-05	In Favour	"That the Denman Island Local Trust Committee provide a letter of support, signed by the Chair of the Local Trust Committee, for a grant application to the Vancouver Island University Regional Initiatives Fund to support the Denman Village Community Design Charrette. "	09-May-2017

Follow Up Action Report

Denman Island

19-Apr-2016

Activity	Responsibility	Target Date	Status
Monitor Regional District of Nanaimo Electoral Area H Official Community Plan Review and report to LTC about pertinent issues and opportunities to participate. Update Mar. 7th: Expecting referrals in June 2017.	Marnie Eggen		On Going
Organize CIM with presentations on eelgrass, forage fish habitat and aquaculture practices and future plans; invite participation from BC Shellfish Growers Association and Komoks; staff to engage a facilitator for CIM if required	Marnie Eggen David Critchley Laura Busheikin		On Going

05-Jul-2016

Activity	Responsibility	Target Date	Status
Staff to inquire into the processing of Schedule B submissions for affordable housing projects pursuant to housing agreements.	Marnie Eggen		On Going

20-Sep-2016

Activity	Responsibility	Target Date	Status
DE-DVP-2016.1 (Lundberg) approved with conditions; May 2, 2017 covenant authorized by LTC; Chair Morrison and Trustee Busheikin to sign	Becky McErlean Penny Hawley Teresa Rittemann	16-May-2017	Done

31-Jan-2017

Activity	Responsibility	Target Date	Status
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**Follow Up Action Report**

Housekeeping Bylaws 222 and 223: Bylaw 222 (OCP): public hearing to be scheduled for June 6, 2017 Bylaw 223 (LUB): for Staff to report on alternatives to accommodate small scale poultry and livestock keeping for commercial purposes; alternative definition of feedlot; options for setbacks and screening LUB bylaw 223 (agriculture) to be included with farm plan implementation project	Becky McErlean Teresa Rittemann	06-Jun-2017	Done
Staff to redraft bylaw 207 (to prohibit driving on the beach) May 30, 2017: Bylaw 207 has been redrafted as Draft Bylaw 225	Ann Kjerulf	06-Jun-2017	Done
Staff to review and report on status of and options for private moorage (dock) regulations.	Ann Kjerulf Madeleine Koch	06-Jun-2017	Done

07-Mar-2017

Activity	Responsibility	Target Date	Status
Staff to prepare a draft project charter for the Denman Village community design charrette to be led by VIU planning students in September 2016. Staff to liaise with VIU faculty regarding budget preparation and to explore grant funding opportunities. Staff to conduct an RWM process (with background information) to request LTC project funding and a letter of support for a grant application to the VIU Research Initiatives Fund. RWM completed on May 9, 2017	Ann Kjerulf	05-May-2017	Done

02-May-2017

Activity	Responsibility	Target Date	Status
Staff to report back on the meaning and implications of establishing an affordable housing first policy for applications, noting steps taken by SSI LTC on this topic.	Marnie Eggen Ann Kjerulf	06-Jun-2017	On Going

**Follow Up Action Report**

That the DILTC request that the Executive Committee prioritize the task of seeking membership on the Shellfish Aquaculture Management Advisory Commission for the Islands Trust. That the DILTC request that the Executive Committee to request staff on a priority basis to investigate and report on strategies to limit the harmful impacts of geoduck aquaculture in the trust area and to obtain legal clarification on the whether local trust committees may create an exception in their zoning bylaws that geoduck cultivation will not be permitted as part of shellfish aquaculture.	David Marlor Ann Kjerulf	16-May-2017	Done
Staff to forward Annual Report Text (as amended) to the Executive Committee for inclusion in the 2016/17 Annual Report	Ann Kjerulf	03-May-2017	Done
DE-DVP-2017.1 (Hansen) approved; issue permit and register notice on title	Becky McErlean Penny Hawley Linda Prowse	16-May-2017	Done
Bylaw No. 224 Adopted; post to website and update APC binder	Becky McErlean Penny Hawley Wil Cottingham	16-May-2017	Done
Covenant for DE-RZ-2015.1 authorized by LTC; Chair Morrison and Trustee Busheikin to sign	Becky McErlean	03-May-2017	Done
Amend the Shared Narrative of Place Project Charter to include (in-scope) a public presentation by Fiona MacRaid and follow up public presentations by Komoks members and representatives.		06-Jun-2017	Done
Send letters to new APC members (PTA); update APC binder including p.22 of conflict of interest (PTA); schedule orientation session (OAA); provide APC orientation (Island Planner) Letters sent to APC; APC binder updated; APC orientation being scheduled.	Marnie Eggen Penny Hawley Wil Cottingham	31-May-2017	On Going
That the Denman Island Local Trust Committee send a letter signed by the Local Trustees to both island libraries including informing them about the First Nations reading list and potential co-financing opportunities.		06-Jun-2017	On Going

Follow Up Action Report

Public presentation by Islands Trust Senior Intergovernmental Policy Advisor on First Nations engagement and follow up presentations by Komoks members and representatives (Fiona MacRaid) where possible and appropriate, influence the content of signage to include First Nations place names and context of indigenous use of places. Circulate First Nations reading list to the Denman Island volunteer library and to the Community School library (Trustee Busheikin)

Madeleine Koch

01-Aug-2017

On Going

DATE OF MEETING: June 6, 2017
TO: Denman Island Local Trust Committee
FROM: Madeleine Koch, Planner 1
Northern Team
SUBJECT: Private Dock Regulation Status and Options

PURPOSE

- To provide background on the Provincial “General Permission” framework for private moorage
- To summarize the Denman Island Local Trust Area’s existing regulations pertaining to private docks
- To provide an overview of the regulatory tools available to local governments that may be used to mitigate potential impacts of private docks

BACKGROUND ON THE PROVINCIAL GENERAL PERMISSION FRAMEWORK

The Provincial Government recently established a “General Permission” framework to allow development of private dock moorages without the need for Crown Lease applications in certain areas, under certain conditions. The Denman Island Local Trust Area (LTA) falls within the area that could be eligible for General Permissions.

Docks proposals must meet certain terms and conditions in order to qualify for General Permission (see attachment). Please note that private docks must be permitted by local government zoning in order to be eligible for a General Permission.

EXISTING REGULATORY FRAMEWORK PERTAINING TO DOCKS

The current Denman Island Land Use Bylaw No. 186 only permits “Wharves and Docks” in the W2 (Marine Service) zone, and at present, the two BC Ferries docks are the only sites within the Denman LTA that are zoned W2. The remainder of the marine Water zones in the Denman LTA do not permit wharves or docks for either private or commercial use.

It should be noted that the Denman Island Land Use Bylaw does allow non-commercial use of moorage buoys accessory to adjacent upland residential or park uses in all marine Water zones. Please note that the Provincial General Permissions apply only to private dock moorage, not private moorage buoys.

Because further dock moorage sites are not supported by the Denman Island Land Use Bylaw, the Provincial General Permissions framework is not an option in the Denman LTA.

REGULATORY TOOLS

The *Local Government Act* empowers local governments to introduce land use planning tools, a number of which may be used to regulate private docks, as described below. The first tool is the approach currently in place within the Denman Island LTA:

- **Prohibition of docks:** Under this approach, private docks are simply not a permitted use within marine water zones.

The following tools can be used in jurisdictions where docks are permitted by zoning:

- **Zoning Regulations:** Zoning can regulate the siting, size, and dimensions of docks as a way to mitigate possible impacts.
- **Development Permit Areas:** Development Permit Areas (DPAs) can be designated in Official Community Plans for a number of purposes, including “protection of the natural environment, its ecosystems, and biodiversity”. DPAs are established over specific lands and include development guidelines to address DPA objectives (such as protecting the marine environment). This tool could be used to require issuance of a Development Permit with environmental protection conditions prior to allowing dock construction.

Submitted By:	Madeleine Koch, Planner 1	May 30, 2017
Concurrence:	Ann Kjerulf, MCIP RPP Regional Planning Manager	May 30, 2017

ATTACHMENTS

1. Attachment 1 – Denman Island Water Zoning Tables – Excerpt from Bylaw No. 186

3.7 Water Zoning Tables

Table 1 - Permitted Uses		W1	W2	W3	W4	W5
1	Public utilities	✓	✓	✓	✓	✓
2	Non-commercial boat anchorage and moorage	✓	✓	✓	✓	
3	Commercial boat anchorage and moorage		✓			
4	Seaplane anchorage and moorage		✓			
5	Marine parks	✓	✓	✓	✓	
6	Ferry terminals		✓			
7	Boat launching		✓			
8	Boat rentals and sales		✓			
9	Marine fuel sales		✓			
10	Take-out food service		✓			
11	Shellfish aquaculture			✓		
12	Water reservoir					✓

Table 2 - Permitted Buildings and Structures		W1	W2	W3	W4	W5
1	Marine navigation aids	✓	✓	✓	✓	
2	Moorage buoys accessory to an adjacent upland residential or park use	✓	✓	✓	✓	
3	Wharves and docks		✓			
4	Buildings to accommodate permitted commercial uses, except take-out food services		✓			
5	Structures to accommodate permitted uses		✓	✓		✓
6	Breakwaters		✓			
7	Boat launching ramps		✓			
8	Ramps, floats, pilings and mooring buoys		✓			
9	Mobile trailer for take-out food service		✓			
10	signs, subject to Section 2.6	✓	✓	✓	✓	✓

Table 3 - Height		W1	W2	W3	W4	W5
1	Maximum height of floating structures above the water surface, except for a breakwater	n/a	10.0 m	n/a	n/a	n/a
2	Maximum height above the high high water mark for buildings and structures fixed to the bed of the sea, except for a breakwater	n/a	10.0 m	n/a	n/a	n/a
3	Maximum height of buildings and structures on the upland portion in this zone	n/a	9.0 m	n/a	n/a	n/a

BL 153

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 222

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

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

1. Citation

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

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

READ A FIRST TIME THIS	15 TH	DAY OF	NOVEMBER	, 2016
READ A SECOND TIME THIS		DAY OF		, 2016
PUBLIC HEARING HELD THIS		DAY OF		, 2016
READ A THIRD TIME THIS		DAY OF		, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2016
ADOPTED THIS		DAY OF		, 2016

SECRETARY

CHAIRPERSON

Denman Island Local Trust Committee

Bylaw No. 222

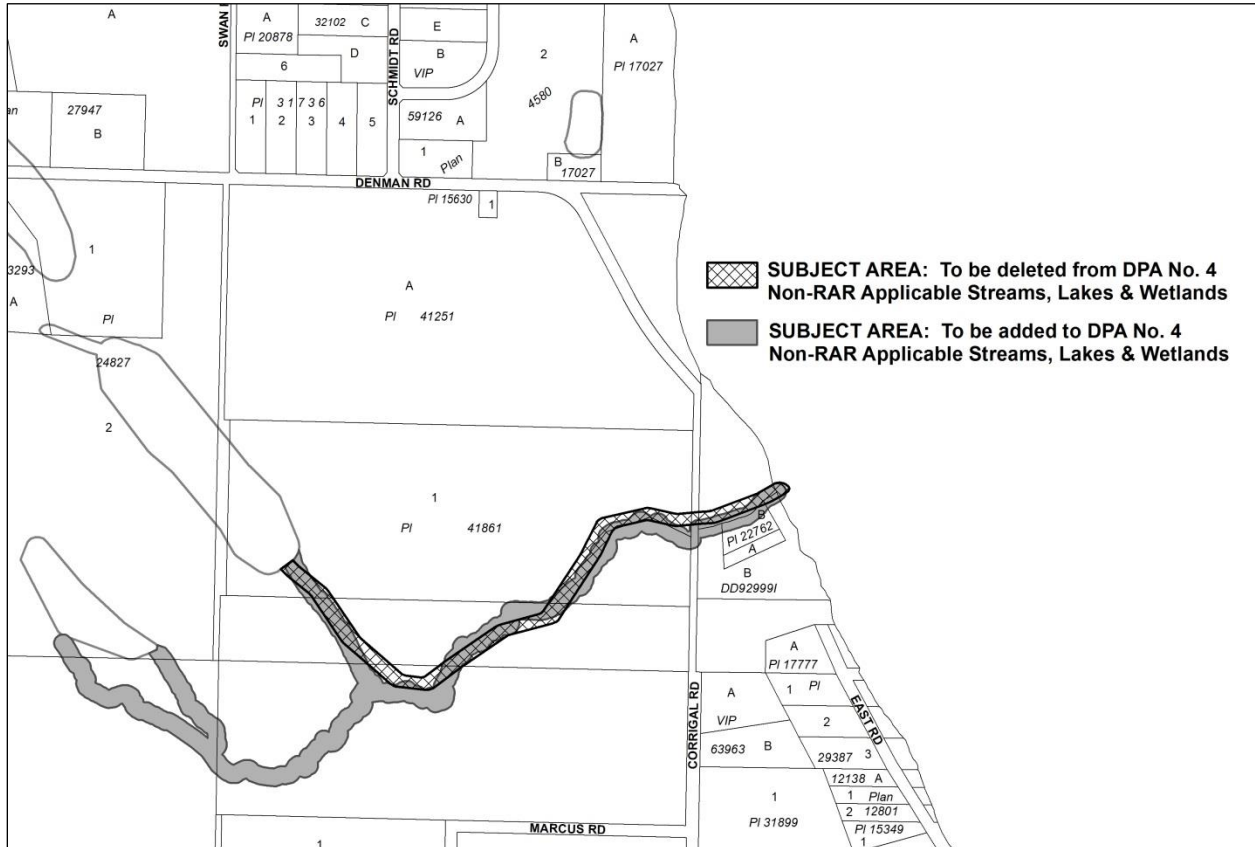
Schedule 1

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

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW 222

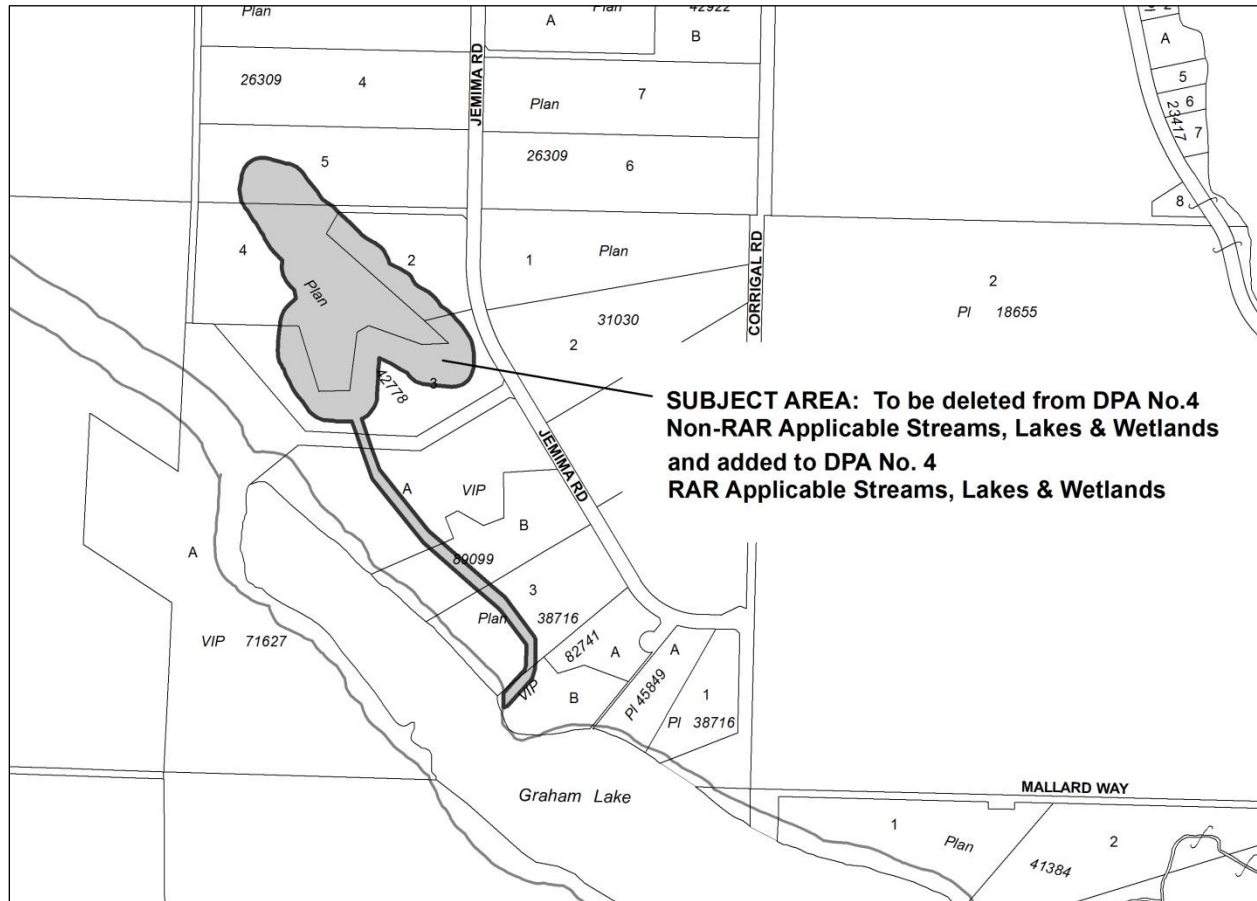
PLAN No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW 222

PLAN No. 2





DATE OF MEETING: June 6, 2017
TO: Denman Island Local Trust Committee
FROM: Teresa Ritemann, Planner 2
Northern Team
SUBJECT: Interim Staff Report –
Denman Island LUB Housekeeping Bylaw Amendment (Bylaw No. 223)

RECOMMENDATION

1. That the Denman Island Local Trust Committee defer consideration of, or changes to, proposed Bylaw No. 223 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016” to occur simultaneously with the Denman Island Farm Plan implementation project.

REPORT SUMMARY

The purpose of this report is to address the Denman Island Local Trust Committee’s (LTC) requests of staff during its regular business meeting on January 31, 2017, regarding proposed Denman Island Land Use Bylaw (LUB) Housekeeping Bylaw Amendment – Bylaw No. 223; and to recommend next steps. Staff have undertaken research regarding the definition of feedlot, ways to regulate intensity, and options for feedlot setbacks and screening. Changes to Proposed Bylaw No. 223 are recommended as a result of this research; further consideration of these changes may occur in conjunction with the Denman Island Farm Plan Implementation project.

BACKGROUND

At the regular LTC business meeting on January 31, 2017, the LTC passed the following resolutions:

DE-2017-003

that the Denman Island Local Trust Committee request staff to provide the following information regarding agricultural definitions:

1. Alternative ways to regulate intensity that address concerns with numbers of livestock in a given space and still would allow pasture-keeping of livestock;
2. An alternative definition or definitions of feedlot that clarify that feedlot does not include small-scale confined keeping of poultry and livestock for occasional commercial activities; and
3. Options for feedlot setbacks and screening to better protect neighbouring properties especially on non-agricultural lots for negative impacts;

and report back to the Local Trust Committee with information on best practices for these issues.

DE-2017-004

that the Denman Island Local Trust Committee request staff to provide information on other examples of agricultural bylaws in other jurisdictions that cover the same or similar topics under consideration now.

In response to the request for further information on best practices, Staff contacted the Ministry of Agriculture (MoA) for guidance. The MoA did not point to any specific examples of “best practices” currently used in any one jurisdiction. Instead, they directed Staff to reference and encourage the implementation of the Minister’s Bylaw

Standards within the “Guide for Bylaw Development in Farming Areas”¹ document; this document is already the Province’s “best practice” guide, and was created through extensive consultation with the public and the farming community, and is occasionally updated in the interest of regulating and supporting agricultural activities. Using MoA input, Staff have created a chart to clarify the differences in farming type and scale (see Attachment 1).

ANALYSIS

Ministry of Agriculture “Guide for Bylaw Development in Farming Areas”

The *Minister’s Bylaw Standards* (the *Standards*) are intended to help local governments develop and amend bylaws affecting farming areas, including land in the Agricultural Land Reserve (ALR), as well as on land zoned for agricultural use, in order to develop fair and supportive ways to regulate agriculture. The *Standards* are meant to reflect the province-wide interest of protecting BC’s present and future agriculture resource base for food production and other farming uses. Thus, local governments are *encouraged to adopt these Standards to promote consistency and minimize conflicts* around agricultural uses, and help provide a stable environment for the farming community.

Part of the process of creating the *Standards* included public outreach to the agricultural industry, discussions with local government staff and stakeholders, as well as a province-wide review of various zoning bylaws, provincial and federal legislation, and Agricultural Land Commission (ALC) policies, to ensure that the *Standards* and definitions are consistent and realistic, and reflect best practices province-wide.

1. *An alternative definition or definitions of feedlot that clarify that feedlot does not include small-scale confined keeping of poultry and livestock for occasional commercial activities:*

The current Denman LUB definition reads: “Feedlot means a 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.”

Under the Minister’s Bylaw Standards, the following definitions are recommended for use in local government bylaws:

- **Confined Livestock Area** means an outdoor, non-grazing area where livestock, poultry, or farmed game are confined by fences, other structures or topography, and includes feedlots, paddocks, corrals, exercise yards, and holding areas, but does not include a seasonal feeding area.
- **Feedlot** means a fenced area where livestock, poultry, or farmed game are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing.
 - **Livestock** means cattle, horses, sheep, goats, swine, rabbits, and fish.
 - **Poultry** means domesticated birds kept for eggs, meat, feathers, hide, or cosmetic or medicinal purposes, and includes broilers, Cornish hens, layers, breeding stock, replacement pullets, roasters, ducks, geese, turkeys, game birds, and ratites.
 - **Ratite** means a bird that has small or rudimentary wings and no keel to the breastbone, and includes ostriches, rheas, and emus.
 - **Farmed game** means any animal held under the authority of a license under the Game Farm Act and includes fallow deer, bison, and reindeer.

¹ See http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1_guide_for_bylaw_development_in_farming_areas.pdf

The definition of feedlot does not need to specify that it is a commercial operation. A feedlot is a specific type of confined livestock area (which in turn is a type of intensive agriculture – See Attachment 1) that is outdoors and where grazing for food on pasture is not an option for the animals. Furthermore, there are other ways to regulate feedlots in the LUB (e.g. through setbacks and limiting the number of animals/agricultural units, as discussed below).

Similarly, for example, small-scale farmers on Denman who keep small flocks of chickens for their own personal or domestic use, or to sell eggs occasionally, are not running “feedlots” by the above definition. The MoA has confirmed this. However, if chickens are kept primarily for profit (e.g. a farm business), not permitted to graze for food (e.g. pasture-feeding), and are only confined for the sole purpose of growing and finishing, then this scale of agricultural use is arguably more intensive and perhaps better suited to land in the ALR.

Staff believe that implementing the Provincial definitions, and adding a land use bylaw regulation to only permit feedlots in the ALR would support continued small-scale agricultural and horticultural uses outside the ALR yet mitigate potential negative impacts with residential land uses. Therefore, Staff recommend that the current definition of “feedlot” in the LUB be replaced with the Provincial definition yet keeping “but excludes confinement of animals for domestic purposes” for clarity. Staff further recommend defining “confined livestock area” in the LUB as well.

2. *Alternative ways to regulate intensity that address concerns with numbers of livestock in a given space and still would allow pasture-keeping of livestock:*

Division 17 (Section 555) of the *Local Government Act (LGA)* includes a definition and provisions regarding intensive agriculture, specific to commercial enterprises and institutions:

Intensive agriculture

555 (1) *In this section, “intensive agriculture” means the use of land, buildings and other structures by a commercial enterprise or an institution for*

(a) the confinement of poultry, livestock or fur bearing animals, or

(b) the growing of mushrooms.

(2) Despite a zoning bylaw, if land is located in an agricultural land reserve under the Agricultural Land Commission Act and that land is not subject to section 23 (1) [exception for small farms established before 1973] of that Act, intensive agriculture is permitted as a use.

(3) Subsections (1) and (2) cease to have effect in an area after a zoning bylaw for that area is approved under section 481 (2) [zoning requires agriculture minister's approval].

Thus, there appears to be an implied distinction between levels of intensity and scale of agriculture: “intensive agriculture” is farming of a commercial or institutional scale, while small-scale, subsistence farming and horticulture would be of a residential or domestic scale (See Attachment 1).

Intensive agriculture is permitted within the ALR despite LUB regulations; therefore as feedlots are considered to be a form of intensive agriculture, they could not be prohibited as a permitted use in the ALR regardless of the intensity or number of animals in a given space. Feedlots can, however, be regulated in the LUB by, for instance, prohibiting them outside the ALR, and regulating their location within the ALR through siting and setback regulations.

The current Denman LUB does not expressly permit intensive agriculture in Residential zones (R1, R2, and R3), but does permit intensive agriculture in Resource zones (A, F, and RE). In the Resource zones, the minimum required setback for intensive agriculture is **30.0 m from all lot lines**. “Feedlot” is defined in but not otherwise referenced in the LUB.

Staff recommend that the definition of “intensive agriculture” be aligned with the *LGA* by removing the words “and excludes feedlots” from the current LUB definition to read:

“intensive agriculture means the use of land, buildings, and other 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).”

MoA Staff has suggested that keeping the exclusion of forest fungi is appropriate as this is implied to be a form of outdoor cultivation, but “excluding feedlots” should be removed, as feedlots are a type of animal feeding operation used in intensive animal farming.

A consideration for the number of animals in a given space could be based on the definition of “agricultural unit” in the *Standards*:

Agricultural Unit means an equivalent live farm animal weight corresponding to 455 kilograms (1000 pounds) for livestock, poultry or farmed game, or any combination of them equaling 455 kilograms as defined under the Code of Agricultural Practice for Waste Management, Environmental Management Act.

3. Feedlot setbacks and screening between properties, and especially between zones:

Farm Practices Protection (Right to Farm) Act

The guiding principle of the *Farm Practices Protection (Right to Farm) Act* (FPPA) is that farmers have a right to farm in BC’s important farming areas, particularly in the ALR, so long as they use “normal farm practices” as defined in the FPPA and comply with other legislation listed in that Act.

Where a farm operation is conducted with normal farm practices in the ALR or **on land zoned for farm use**, a farmer is not liable in nuisance to any person and cannot be prevented by an injunction or court order from conducting the farm operation for any odour, noise, dust, or other disturbance from the farm operation. Additionally, where a farm operation is in the ALR, is using normal farm practices, and is in compliance with other legislation indicated in the *Act*, the farm operation is protected from unwarranted nuisance complaints.

Thus, the need for setback regulations along edge lot lines (any lot line on a lot in the Agriculture zone that abuts a lot in another zone) is essential, and the Minister’s Bylaw Standards suggests that:

“appropriate setback distances can help prevent nuisance conflicts, protect natural resources, and safeguard human health. On the other hand, excessive setbacks can present serious challenges to farming operations. The standards in this section seek to strike a balance by recommending setbacks that are large enough to reduce conflict between uses while still being reasonable and economical for farm operations. Structures for crop protection and support such as deer fencing, trellises and netting supports should be excluded from setback requirements in order to allow a farm operation maximal use of a property. However, the farm residence must comply with any setback requirements established by other government agencies such as the Ministry of Health and the Ministry of Environment (MOE). In addition, setbacks must be in compliance with building code and fire safety requirements. Minimum lot line setbacks would meet fire safety requirements between two parcels. Refer to section 2.4.6 for the Minister’s Bylaw Standard regarding the siting and size of residential uses in the ALR.”

Another suggestion offered by the *Standards* includes the need to take different commodities into account:

“For example, the setback for a closed principal farm building housing poultry from an exterior lot line may be set at 15 metres, while the setback for an open confined livestock area for beef from an exterior lot line may be more appropriately set at 30 metres.”

Therefore, Staff recommend inserting regulations for feedlots in the LUB, as appears in attachment 3.

The suggested regulations for feedlots of different sizes would be consistent with the provincial *Standards*, which indicates a setback range of 15.0 m – 30.0 m for confined livestock areas, including feedlots (a type of intensive agriculture). The *Standards* state:

“Appropriate setback distances can help prevent nuisance conflicts, protect natural resources, and safeguard human health. On the other hand, excessive setbacks can present serious challenges to farming operations. The standards in this section seek to strike a balance by recommending setbacks that are large enough to reduce conflict between uses while still being reasonable and economical for farm operations.”

Furthermore, the LTC should note that under Part 14, Division 13, Section 527 of the *LGA*, the LTC has the ability to require and regulate screening or landscaping to mask separate uses, preserve/protect/restore/enhance the natural environment, and to prevent hazardous conditions. The Denman LUB could set different requirements and regulations for different zones, different uses within a zone, and different locations within a zone. The incorporation of specified buffer types and composition (e.g. trees, shrubs, fencing, berms), could be further discussed in conjunction with the Farm Plan Implementation project.

Definition of “Agriculture” in the Denman Island Land Use Bylaw:

The current definition in the Denman LUB appears to have been based on the definition of “farm operation” that is used in the provincial *Farm Practices Protection (Right to Farm) Act (FPPA)*. In order to shorten, simplify, and make the definition easier to read, Staff recommend adopting the same definition used in the FPPA; thus, if the FPPA definition changes, the bylaw definition won’t also need to be updated. MoA recommends using the following definition, as “the definitions have been developed for incorporation into bylaws where appropriate but may also be used for reference purposes. The use of terminology in bylaws as prescribed in the definitions encourages greater consistency throughout the province”:

“agriculture means the farm uses of land, buildings or structures for a farm operation as defined by the Farm Practices Protection (Right to Farm) Act.”

Consultation:

The LTC previously gave first reading to Bylaw No. 223 on November 15, 2016, and passed resolutions to refer the bylaws to agencies and First Nations, and to schedule a public hearing. The following table provides the status of referrals and comments on Bylaw No. 223:

Agency/ First Nation	Date of Referral	Response Deadline	Date of Response	Comment Summary
Ministry of Community, Sport, and Cultural Development	Dec. 12, 2016	Jan. 16, 2017	<i>None received by deadline</i>	n/a
Ministry of Forests, Lands, and Natural Resource Operations (Ecosystems Branch)	Dec. 12, 2016	Jan. 16, 2017	Dec. 19, 2016	Interests unaffected by proposed Bylaw No. 223
Agricultural Land Commission (ALC)	Dec. 8, 2016	Jan. 16, 2017	<i>None received by deadline</i>	n/a
School District No. 71	Dec. 8, 2016	Jan. 16, 2017	<i>None received by deadline</i>	n/a
K’ómoks First Nation	Jan. 4, 2017	Mar. 3, 2017	<i>See comments.</i>	Mar. 7, 2017: IT Staff (Ann Kjerulf, Fiona MacRaid & Teresa Ritemann) met with Cory Frank from K’ómoks First Nation; Cory Frank expressed no concerns for the proposed bylaw.

Rationale for Recommendation:

It is the view of staff that the definitions of agriculture, confined livestock area, feedlot, and intensive agriculture in the Denman Island LUB should align with the *Local Government Act* and the provincial “Guide for Bylaw Development in Farming Areas”, and that specific regulations should also be included to ensure that local bylaws are consistent with relevant provincial legislation applicable to farming. As, the LTC has initiated a project to implement recommendations of the Denman Island Farm Plan, the LTC may wish to defer consideration of, or changes to, proposed Bylaw No. 223, to occur simultaneously with Farm Plan Implementation Project. This would ensure that proposed Bylaw No. 223 is going to be consistent with the recommendations of the Farm Plan project, including revised definitions and/or a potential Agricultural Area Plan, or DPA guidelines for screening, landscaping, fencing and siting of buildings or structures, to provide buffering or separation of development from farming etc. The recommended resolutions to enact this change are found on page 1.

ALTERNATIVES

1. Amend Proposed Bylaw No. 223

The LTC may wish to amend proposed Bylaw No. 223, as per Staff’s recommendations outlined in this report. If selecting this alternative, the following is a draft resolution:

That Denman Island Local Trust Committee Bylaw No. 223 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2016”, be amended as follows:

- a) **Part 1 ADMINISTRATION, Section 1.1 Definitions, “agriculture”, “intensive agriculture” and “feedlot” are deleted entirely and replaced with:**

“agriculture means the farm uses of land, buildings or structures for a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*.”

“feedlot means a fenced area where livestock, poultry, or farmed game are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing, but excludes confinement of animals for domestic purposes.”

“intensive agriculture means the use of land, buildings, and other structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms (except forest fungi).”

- b) **Part 1 ADMINISTRATION, Section 1.1 Definitions, be amended to include a new definition as follows:**

“confined livestock area means an outdoor, non-grazing area where livestock, poultry, or farmed game are confined by fences, other structures, or topography, and includes feedlots, paddocks, corrals, exercise yards, and holding areas, but does not include a seasonal feeding area.”

- c) **Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, Subsection 2.3(2) Setbacks from Streams, Lakes, and Wetlands be deleted entirely and replaced with:**

“The minimum setback from the natural boundary of a stream, lake (except Chickadee and Graham), or wetland is:

- 30.0 metres for a sewage disposal field or alternate sewerage system;**
- 30.0 metres for buildings and structures associated with intensive agriculture, feedlots, or used to accommodate domesticated animals other than household pets**

- 15.0 metres for all other buildings and structures except for a fence

The minimum setback from Chickadee and Graham lake is:

- 60.0 metres for a sewage disposal field, alternate sewerage system, and all other buildings and structures, except for a fence”

d) Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, Subsection 2.3(3) Setbacks and Elevations from the sea be deleted entirely and replaced with:

“The minimum setback from the natural boundary of the sea is:

- 30.0 metres for a sewage disposal field or alternate sewerage system;
- 30.0 metres for buildings and structures associated with intensive agriculture (including feedlots), or used to accommodate domesticated animals other than household pets;
- 5.0 metres for a boathouse; and
- 15.0 metres for all other buildings and structures, except for a fence or access stairway.”

e) Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, be amended to include new subsections 7 and 8 as follows:

“Feedlot Regulations

7 Feedlots are prohibited on lands outside the Agriculture Land Reserve

8 The minimum setback from a lot line for feedlots is:

- 15.0 metres for feedlots used or intended to be used by less than 4500 kg of livestock, poultry, or farmed game.
- 30.0 metres for feedlots used or intended to be used for more than 4500 kg of livestock, poultry, or farmed game.”

NEXT STEPS

Staff are recommending that Proposed Bylaw No. 223 and the associated statutory process, if necessary, proceed simultaneously with the Denman Island Farm Plan implementation project.

Submitted By:	Teresa Ritemann Planner 2, Northern Office	May 16, 2017
Concurrence:	Ann Kjerulf, RPP, MCIP Regional Planning Manager	May 29, 2017

ATTACHMENTS:

1. Chart Classifying Farming Type and Scale
2. Copy of Proposed Bylaw No. 223 – at first reading
3. Copy of Proposed Bylaw No. 223 – with recommended amendments before second reading

Farming Type/Scale

SUBSISTENCE FARMING

Small Scale. Self-sufficiency farming.

Primary focus = producing enough for themselves & their family
(may or may not be supplemented by occasional sales/profit)

EXTENSIVE
AGRICULTURE

KEEPING OF
ANIMALS FOR
PERSONAL USE

HORTICULTURE

e.g.
Small flock/free-range/backyard chickens,
keeping goats for milk etc.

Growing flowers, fruits,
vegetables and other plants;
**includes the sale of such products
when grown by the
landowners on their lot**

e.g.
Shifting Cultivation (Amazon Rainforest)
Nomadic Pastoralism/Herding (Central Africa)
Rice Cultivation/Terraced Paddies (Asia)

COMMERCIAL FARMING

Large Scale. Business-driven farming.

Primary focus = yielding a profit.

EXTENSIVE
AGRICULTURE

e.g. Growing of **crops**
Commercial Cereal/Grain Farming
(Corn, Barley, Wheat etc.)

INTENSIVE
AGRICULTURE

(Commercial Enterprise or Institution)

Growing Mushrooms
(except forest fungi)

CONFINING ANIMALS:
Poultry, Livestock,
or Fur-bearing Animals

Outdoor
Sustained by?

Grazing

Non-Grazing

Seasonal
Feeding Areas

Confined Livestock Areas

Feedlots

Paddocks

Corrals

Exercise
Yards

Holding
Areas

Solely for
growing or finishing

*Note: Feedlots/feed yards are a
type of animal feeding operation
used in intensive animal farming

Indoor
(e.g. barns)

e.g.
Dairy cows,
Fur farms etc.

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 223

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

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

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

READ A FIRST TIME THIS 15TH DAY OF NOVEMBER , 2016

READ A SECOND TIME THIS DAY OF , 2016

PUBLIC HEARING HELD THIS ^t DAY OF , 2016

READ A THIRD TIME THIS DAY OF , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

SECRETARY

CHAIRPERSON

Denman Island Local Trust Committee

Bylaw No. 153

Schedule 1

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

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

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 223

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

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

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

READ A FIRST TIME THIS 15TH DAY OF NOVEMBER , 2016

READ A SECOND TIME THIS DAY OF , 2016

PUBLIC HEARING HELD THIS ^t DAY OF , 2016

READ A THIRD TIME THIS DAY OF , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

SECRETARY

CHAIRPERSON

Denman Island Local Trust Committee

Bylaw No. 153

Schedule 1

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

1. Part 1 ADMINISTRATION, Section 1.1 Definitions, “*agriculture*”, “*intensive agriculture*” and “*feedlot*” are deleted entirely and replaced with:
 - i. “*agriculture* means the farm uses of land, buildings or structures for a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*.”
 - ii. “*feedlot* means a fenced area where livestock, poultry, or farmed game are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing, but excludes confinement of animals for domestic purposes.”
 - iii. “*intensive agriculture* means the use of land, buildings, and other structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms (except forest fungi).”
2. Part 1 ADMINISTRATION, Section 1.1 Definitions, be amended to include a new definition as follows:
 - i. “*confined livestock area means an outdoor, non-grazing area where livestock, poultry, or farmed game are confined by fences, other structures, or topography, and includes feedlots, paddocks, corrals, exercise yards, and holding areas, but does not include a seasonal feeding area.*”
3. Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, Subsection 2.3(2) Setbacks from Streams, Lakes, and Wetlands be deleted entirely and replaced with:

“The minimum setback from the natural boundary of a stream, lake (except Chickadee and Graham), or wetland is:

 - 30.0 metres for a sewage disposal field or alternate sewerage system;
 - 30.0 metres for buildings and structures associated with intensive agriculture, feedlots, or used to accommodate domesticated animals other than household pets; and
 - 15.0 metres for all other buildings and structures except for a fence.

The minimum setback from Chickadee and Graham lake is:

- 60.0 metres for a sewage disposal field, alternate sewerage system, and all other buildings and structures, except for a fence”
- 4. Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, Subsection 2.3(3) Setbacks and Elevations from the sea be deleted entirely and replaced with:

“The minimum setback from the natural boundary of the sea is:

- 30.0 metres for a sewage disposal field or alternate sewerage system;
 - 30.0 metres for buildings and structures associated with intensive agriculture (including feedlots), or used to accommodate domesticated animals other than household pets;
 - 5.0 metres for a boathouse; and
 - 15.0 metres for all other buildings and structures, except for a fence or access stairway.”
5. Part 2 GENERAL REGULATIONS, Section 2.3 General Setback Regulations, be amended to include a new subsection 7 and 8 as follows:

“Feedlot Regulations

7 Feedlots are prohibited on lands outside the Agriculture Land Reserve

8 The minimum setback from a lot line for feedlots is:

- 15.0 metres for feedlots used or intended to be used by less than 4500 kg of livestock, poultry, or farmed game.
- 30.0 metres for feedlots used or intended to be used for more than 4500 kg of livestock, poultry, or farmed game.

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO.225**

Schedule 'A'

-
1. PART 3 ZONE REGULATIONS, Section 3.7 Water Zoning Tables is amended by the addition of a new "Table 5 – Prohibited Uses" as shown below:

Table 5 – Prohibited Uses

The regulations listed in this table are intended to be applied in conjunction with the provisions of Table1, "Permitted Uses" in order to provide additional guidance and clarity on acceptable implementation actions and practices associated with the permitted uses

Zoning Code	Regulations
W1, W3, W4	Despite Table 1 of this Section, the use of vehicles and ground based machinery on the foreshore is prohibited.

INFORMATION NOTE: Aquaculture operations in the W3 zone that are licensed under the <i>Fisheries Act</i> (Canada) may be entitled to operate vehicles or ground based machinery in accordance with the terms of the license.

MEMORANDUM

File No.: 6500-20 (Denman Charrette)

DATE OF MEETING: June 6, 2017
 TO: Denman Island Local Trust Committee
 FROM: Ann Kjerulf, Regional Planning Manager
 Northern Team
 SUBJECT: Denman Village Community Design Charrette

RECOMMENDATION

1. That the Denman Island Local Trust Committee (LTC) endorse the Project Charter for the Denman Village Community Design Charrette v1.1 dated May 30, 2017 [as amended].

PURPOSE

The purpose of this memorandum is to provide the Denman Island Local Trust Committee (LTC) with an update on the Denman Village Community Design Charrette planned for September 6-9, 2017, and to request LTC consideration of the draft project charter. The following resolutions were passed by the Denman Island Local Trust Committee on May 9, 2017 (*via Resolutions without Meeting*):

1. That the Denman Island Local Trust Committee add “Denman Village Community Design Charrette” to its Top Priorities List.
2. That the Denman Island Local Trust Committee authorize the expenditure of up to \$5,000 from the Local Trust Committee Special Projects Budget to offset travel and accommodation expenses for Vancouver Island University Master of Community Planning faculty and students conducting the Denman Village Community Design Charrette in September 2017.
3. That the Denman Island Local Trust Committee provide a letter of support, signed by the Chair of the Local Trust Committee, for a grant application to the Vancouver Island University Regional Initiatives Fund to support the Denman Village Community Design Charrette.

Subsequent to these resolutions, a grant application was submitted to the Vancouver Island University Regional Initiatives Fund for matching funds to support the charrette project. Islands Trust has been informed that this application was successful and \$2500.00 in Grant Funding has been awarded.

The Denman Island Local Trust Committee (LTC) is asked to consider the attached project charter to guide the upcoming Denman Village Community Design Charrette, and to pass a resolution to endorse the charter with amendments as required.

Submitted By:	Ann Kjerulf, MCIP, RPP, Regional Planning Manager	May 30, 2017
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ATTACHMENT

1. Draft Project Charter v 1.1 (May 30, 2017)

R:\LTC\Northern Denman\Agendas\2017\2017-06-06\Agenda Items\Working Docs\Memo re Denman Village Design Charrette June 6 2017 FINAL.docx

Denman Village Community Design Charrette - Charter v1.1

Denman Island Local Trust Committee

Date: May 30, 2017

Purpose *Vancouver Island University (VIU) Master of Community Planning (MCP) students and faculty will undertake an intensive, three-day community planning and design process, with active participation from Denman Island residents and stakeholders, to develop a series of alternative designs for the Denman Village area—Downtown Denman, which may inform future OCP or LUB amendments.*

Background *the design charrette is a community planning tool which allows diverse groups of participants to explore, understand and create possible and preferred options. Charrettes give visual form to ideas and encourage creative and innovative design solutions to difficult problems in a short period of time.*

The charrette is a field-based component of the MCP curriculum. Students will obtain practical experience, the community will have the opportunity to participate in planning for the future of the Village/Downtown, and the Local Trust Committee will receive valuable input which may inform future planning and bylaws.

Objectives

- Active community participation in planning for the future of the Village/Downtown
- Identification of opportunities and challenges
- Development of a community a shared vision for Downtown Denman
- Development of a Village Enhancement Plan and Action Plan

In Scope

- Focused study of the Denman Village/Downtown area
- Preparatory research and stakeholder input prior to charrette (historical/archival review)
- Introductory presentation by VIU Faculty
- Team progress presentations with community dialogue
- Final Team presentations
- Website presence
- Charrette report

Out of Scope

- Study beyond the geographic extent of the Denman Village/Downtown area (with the exception of key linkages (e.g. ferry hill))
- OCP or Land Use Bylaw amendments

Workplan Overview

Deliverable/Milestone	Date
Charrette event planning, preparatory research, advertising & promotion	May—September, 2017
Charrette Event (held continuously over 3-4 day period)	September 6-9, 2017
Final Charrette Report	TBD, 2017

Project Team

Ann Kjerulf, Regional Planning Manager	Project Champion
Ian Cox, Co-op Student Planner	Charrette Coordination (with VIU)
Wil Cottingham, Office Administrative Assistant	Travel Coordination
VIU Students and Faculty	Charrette Designers

Budget

Budget Source: LTC Special Projects; VIU Regional Initiatives Fund

Fiscal	Item	Cost
2017/18	Travel	\$500 (LTC)
	Accommodation	\$3500 (LTC)
	Hall Rental	\$500 (LTC)
	Advertising/Printing	\$500 (LTC)
	Catering	\$2500 (VIU)
	Total	\$7500
		44

RPM Approval:

Ann Kjerulf

Date: May 5, 2017

LTC Endorsement:

Resolution #:

Date:

Shared Narrative of Place - Charter v2

Hornby/Denman Island LTC

Date: 30.05.17

Purpose For Denman/Hornby Island Local Trust Committees to develop a mutually respectful long term relationship with K'omoks First Nation that honours their connections to the lands and water of both Hornby Local Trust Area and Denman Local Trust Area.

Background Recently trustees and staff representing Hornby and Denman Islands were invited to meet with K'omoks Chief, Council and key staff on April 10. Many positive ideas were discussed about how the LTCs could develop a mutually respectful relationship with K'omoks FN. The Project Charter outlines activities that will deepen the meaningfulness of that relationship. The Project outlines how Hornby/Denman LTCs can utilize the opportunities of island signage and amendments to the Official Community Plan to reflect a shared narrative of place with K'omoks First Nation.

Objectives

- Increased understanding and respect for Indigenous connections to the islands
- Amending the OCP to reflect the "deep history" of K'omoks FN in the Hornby/Denman Trust Areas and adding maps (with permission from K'omoks FN) of Indigenous special places to the OCPs

In Scope

- Community Event to raise awareness of the History of First Nations on the Islands
- Hosting a public event where FNs are invited to share their knowledge of Denman/Hornby special places
- OCP amendments
- Signage in the Trust Area where the Hornby/Denman trustees have some influence over content
- Encouraging community associations and events to include and honour Indigenous participation

Out of Scope

- Follow-through of activities suggested for community associations and events
- Final decision of signage content where signage is a partnership effort of multiple agencies
- Indigenous place names that are not publically available online or shared by explicit permission by local First Nations

Workplan Overview

Deliverable/Milestone	Date
Plan for Public FN Event	June 4, 2017
Draft OCP amendments (introductory section on deep history and map with Indigenous place names)	August 1, 2017
Identification of signage opportunities in Hornby/Denman Trust Area where Indigenous history can be acknowledged	August 1, 2017

Project Team

Fiona MacRaidl	Project Manager
Island Planner	Marnie Eggen

Budget

Budget Sources: Hornby/Victoria FN budget (1575); Denman FN budget (1575); Matching C2C funding (3150) (pending). Total 6300 (2017/18).

Fiscal	Item	Cost	
2017/18	Public event	4000	
2017/18	OCP amend/Legislative	1500	
2017/18	Contingency	750	
Total 2017/18		6250	
2018/19 (pending)	OCP amend/Legislative	1500	45

RPM Approval:

Ann Kjerulf

Date:

LTC Endorsement:

Resolution #:

Date:



Top Priorities

Denman Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Relationship building with Komoks First Nation	Plan for a Community to Community (C2C) Forum; Shared Narrative of Place Project Charter endorsed May 2, 2017, which will integrate First Nations history and place names in the OCP and explore opportunities for First Nations to participate in the work of the Local Trust Committee more meaningfully.		Marnie Eggen Mike Richards	
2	Denman Island Farm Plan Implementation	Include consideration of limiting commercial agriculture and horticulture in high density small lot neighbourhoods. Referred to Growers & Producers Alliance and Advisory Planning Commission		Ann Kjerulf	
3	Marine Issues	Jan. 31/17 - Staff to prepared revised bylaw 207 (to restrict driving on the foreshore) and report on status and options for dock regulations	03-Mar-2015	Ann Kjerulf	
4	OCP and LUB Housekeeping Amendments	Corrections to DP4 and intensive agriculture definition;	15-Nov-2016	Teresa Ritemann	07-Mar-2017

**Projects****Denman Island**

Description	Activity	R/Initiated
Protected Area Network	Undertake planning for a Protected Area Network on Denman Island	15-Mar-2011
Alternative Energy	Consider regulations governing wind towers and Ocean Loop Geo-Exchange Systems. Monitor recommendation from Trust Council.	15-Aug-2011
Dwelling Floor Area Regulation	Consider regulations to limit the gross floor area of a dwelling	25-Oct-2011
GHG Reduction	Consider regulations to promote greenhouse gas emissions reduction.	25-Oct-2011
Development Procedures Review	Review and update Development Procedure Bylaw No. 71	11-Dec-2012
Rural Affordable Housing	Consider DCLTA Rural Affordable Housing Project Final Report (June 20, 2013) recommendations	22-Oct-2013
Medical Marihuana	Review of LUB in consideration of the new Federal Marihuana for Medical Purposes Regulation (Staff Report dated April 28, 2014)	15-Jul-2014
Alternative Dispute Resolution	To be considered as part of the enforcement tool kit, possibly in cooperation with the Hornby Island Local Trust Committee	26-May-2015
Denman Village Plan	Undertake a Denman Downtown Village Neighbourhood Plan; the plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; and addressing of water and septic concerns.	26-May-2015
Secondary Suites Review	Review policies and regulations with respect to secondary suites and cottages	12-Jan-2016
Affordable, attainable and seniors housing	Review regulatory mechanisms for supporting affordable, attainable and seniors housing	19-Apr-2016

Projects

Denman Island

Description	Activity	R/Initiated
Travel trailers	LUB amendments and enforcement policies regarding the use of travel trailers	07-Mar-2017
Occasional use of accessory buildings	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



Islands Trust

Print Date: May 30, 2017

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
DE-ALR-2015.1	Denman Community Land Trust Association Planner: Marnie Eggen	17-Dec-2015	PID: 009-708-537 Severn - 3730 Denman Road Exclusion of 1.6ha in the ALR
Planning Status			
Status Date: 14-Nov-2016 ALC approved exclusion.			
Status Date: 24-Jul-2016 Pending decision from ALC.			

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2011.2	Day, Ella Planner: Teresa Ritemann	21-Mar-2011	For barn sited within DP #1: Komas Bluff
Planning Status			
Status Date: 18-Apr-2017 Waiting for applicant to take next steps working with Bylaw Enforcement team.			
Status Date: 29-Jul-2013 File passed on to Bylaw enforcement			
Status Date: 05-Oct-2012 Letter sent to applicant re: further info required			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2011.1	Day, Ella Planner: Teresa Ritemann	13-May-2011	Barn on property line

Applications

Planning Status

Status Date: 18-Apr-2017

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

Status Date: 29-Jul-2013

no change; file passed on to bylaw enforcement

Status Date: 09-Nov-2012

BCLS survey confirms barn sited on lot line; Applicant intends to apply for lot line adjustment

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2016.1	Citizen Design Build Inc.	21-Mar-2016	variance to setbacks from Streams, Lakes and Wetlands\n40m from Graham Lake to buildings and structures and sewage disposal field\n15m from stream to sewage disposal field\n

Planner: Teresa Rittermann

Planning Status

Status Date: 30-May-2017

Young Anderson confirmed that the covenant was registered on title 19-May-2017. DVP ready to be issued. Gave to PTA to issue the permit and close the file.

Status Date: 09-May-2017

Denman LTC has signed the covenant. Planner sent copies to applicant's solicitor for signature. Next step to send signed copies to IT solicitor for registration on title.

Status Date: 08-Feb-2017

Cost recovery agreement in place. Commencing work with legal counsel.

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2017.1	McElhanney Consulting Services	20-Mar-2017	PID: 005-850-011 Proposed development for personal use. Civic address: 5465 Lacon Road, Denman Island, BC.

Planner: Linda Prowse

Planning Status

Status Date:

Rezoning

**Applications**

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2015.1	Neilsen, Henning	12-Jan-1900	To change Land Use Designation of a portion of the subject property from Residential to Conservation/recreation and that portion to be transferred to Islands Trust Fund - remainder to be used for residential

Planner: Teresa Ritemann

Planning Status

Status Date: 18-Apr-2017

Planner working with applicant to have the covenant registered.

Status Date: 16-Mar-2017

March 16/17 File reopened and assigned to Teresa Ritemann to address the required covenant.

Status Date: 14-Feb-2017

File closed Bylaws 219 and 220 adopted

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2009.14	Day, Jean Ella	02-Nov-2009	2900 SWAN RD \n\nOne 26 foot high barn.

Planner: Teresa Ritemann

Planning Status

Status Date: 18-Apr-2017

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-2014.10	Stoneman, Daniel & Debra	29-Sep-2014	Residence, Garage, Chicken House, Beach Stairs, Woodshed

Planner: Rob Milne

Planning Status

Applications

Status Date: 03-Nov-2014

On hold pending confirmation of compliance with conditions of approval for DE-DP-2014.2

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2016.3	Citizen Design Build Inc.	21-Mar-2016	A new single family dwelling to replace the existing family dwelling; a new sewage disposal field; a new water well; and a new workshop building

Planner: Teresa Ritemann

Planning Status

Status Date: 30-May-2017

The LTC approved the DVP subject to registering a covenant. Young Anderson confirmed that the covenant was registered on title for the related DVP (DE-DVP-2016.1) on 19-May-2017. SUP ready to be issued. Gave to PTA to issue the permit and close the file.

Status Date: 04-May-2016

On hold until LTC consideration of DVP and TUP applications

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.4	Nadine Gourkow	28-Mar-2017	PID: 024-355-992 Temporary Use Permit to grow medicinal plants in a controlled environment for the purpose of veterinary medication research. Civic: 9000 Rayelyn Lane, Denman Island, BC.

Planner: Madeleine Koch

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.6	Andrew, JOHN	27-Apr-2017	PID: 000-211-320 Building workshop. Civic address: 7001 Komas Road, Denman Island.

Planner: Linda Prowse

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
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Applications

DE-SUP-2017.7 Pandesign Inc. 11-May-2017 PID: 024-825-221 Building single family dwelling. Civic address: 5200 Creekside Road, Denman Island, BC.

Planner: Madeleine Koch

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.8	Pandesign Inc.	11-May-2017	PID: 029-963-435 Building single family dwelling. Civic address: 5250 Creekside Road, Denman Island, BC.

Planner: Madeleine Koch

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2017.9	FRIESEN FAMILY CONSTRUCTION LTD	24-May-2017	PID: 003-105-083 Building single family dwelling with attached garage and workshop. CIVIC ADDRESS: 2370 East Road, Denman Island, BC

Planner: Ian Cox

Planning Status

Status Date:

Subdivision

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

Planner: Teresa Ritemann

Planning Status

Status Date: 26-Apr-2017

**Applications**

Revised Referral Report sent to MOTI. Waiting for PLA from MOTI, then Planner will work with applicant on Cost Recovery process to register S.514 covenant

Status Date: 18-Apr-2017

No change in status

Status Date: 15-Mar-2016

Associated DP application was approved at the regular LTC meeting. Planner waiting for updated site plan from applicant before revising referral report to MOTI

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: Teresa Ritemann

Planning Status

Status Date: 18-Apr-2017

No change in status.

Status Date: 22-Mar-2016

MOTI sent PLNA.

Status Date: 10-Feb-2016

Referral report emailed to MOTI - does not meet IT bylaws for minimum parcel size, width to length ratio, 10 percent road frontage, or parkland dedication. IT does not recommend approval. Copied to LTC and applicant.

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2016.2	Mason, Peter	28-Nov-2016	PIDs: 025-692-712 and 025-692-704. McFarlane Road, Denman Island. Lot line adjustment.

Planner: Linda Prowse

Planning Status

Status Date:

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: Linda Prowse

Applications

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2017.2	PANDESIGN INC	08-Mar-2017	PID: 028-605-691. Two lot subdivision. Civic address: 2100 Crescent Road, Denman Island, BC.

Planner: Teresa Ritemann

Planning Status

Status Date: 05-Apr-2017

Planner completed review and sent referral report to MOTI with conditions of PLA including confirmation of registration of covenant for related rezoning file DE-RZ-2015.1

Status Date: 08-Mar-2017

Application received and assigned to Planner TR.

Islands Trust
 LTC EXP SUMMARY REPORT F2018
 Invoices posted to Month ending April 2017

615 Denman	Invoices posted to Month ending April 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	4,500.00	150.00	4,350.00
65210-615	LTC - Local Exp - APC Meeting Expenses	600.00	0.00	600.00
65220-615	LTC - Local Exp - Communications	500.00	125.00	375.00
65230-615	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>6,100.00</u>	<u>275.00</u>	<u>5,825.00</u>
Projects				
73001-615-2017	Denman OCP/LUB	1,500.00	0.00	1,500.00
73001-615-4011	Denman Agriculture Plan	3,500.00	0.00	3,500.00
73001-615-4062	Denman First Nations Relations	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>6,000.00</u>	<u>0.00</u>	<u>6,000.00</u>



File No.: 8021
TPC Water and Marine
Conservation

DATE: May 23, 2017
TO: Local Trust Committees
FROM: Shelley Miller, Planner 1
Trust Area Services
SUBJECT: Wells and Groundwater Workshops

PURPOSE

The purpose of this memorandum is to inform Local Trust Committees and Bowen Island Municipality of wells and groundwater education workshops scheduled for the Islands Trust Area this spring and summer.

WORKSHOP DETAILS

As part of the Trust Programs Committee Water Conservation Advocacy and Education project, the Islands Trust has partnered with the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) and local health authorities to deliver a series of free, private well owner and groundwater education workshops in the Islands Trust Area. Please see Attachment 1 for a poster advertisement that includes the dates, times and locations for each workshop.

The workshops will consist of an introduction to the Islands Trust, a FLNRO presentation on groundwater and well protection, and a health authority (Island Health or Vancouver Coastal Health) presentation on water quality and well water testing, followed by a question and answer period. The Islands Trust arranged for a local laboratory, Maxxam Analytics, to provide water testing kits that will be available for pick up at the workshops. Maxxam Analytics will provide a 10% discount on select well water testing for workshop participants. In addition, the Environmental Operators Certificate Program will offer Continuing Education Units to Certified Operators who attend these workshops.

Staff have researched water conservation issues and projects and contacted local groups within the Trust Area, including regional districts, improvement districts, and water conservation community groups. Staff have also collected educational materials on water conservation from various organizations to be distributed at the workshops. In addition, staff developed an Islands Trust water conservation handout that will be available at the workshops and on the Islands Trust website.

NEXT STEPS

The Islands Trust encourages trustees and community members to promote and participate in these workshops.

Submitted By:	Shelley Miller, Planner 1	May 23, 2017
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Concurrence:	Clare Frater, Director, Trust Area Services	May 23, 2017
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ATTACHMENTS

1. Islands Trust Wells and Groundwater Workshop Poster



Islands Trust

PAL-O-MINE VIA FLICKR

Wells and our groundwater

Concerned about your well going dry?
Worried about well water safety?
Interested in groundwater?

*Water testing kits
and 10% discount
on select well water
testing provided by
Maxxam Analytics*

Join us for a **FREE** workshop to learn about:

- 💧 Groundwater and your well
- 💧 How to protect your water source
- 💧 How to test and treat your well water

Everyone interested in learning about groundwater is welcome! Refreshments provided.

ISLAND	DATE	WORKSHOP TIME	MEETING HALL
Mayne	June 2	1:00pm–3:30pm	Mayne Island Agricultural Hall, 430 Fernhill Road
Thetis	June 9	10:00am–12:30pm	Thetis Island Community Centre (Forbes Hall), 292 North Cove Road
Galiano	June 16	1:00pm–3:30pm	Galiano South Community Hall, 141 Sturdies Bay Road
Denman	June 23	12:30pm–3pm	Denman Island Community Hall (Back Hall), 1196 Northwest Road
Salt Spring	June 30	10:00am–12:30pm	Hart Bradley Memorial Hall (Lion's Hall), 103 Bonnet Avenue
North Pender	July 7	10:30am–12:30pm	Pender Island Community Hall (Upper Hall), 4418 Bedwell Harbour Road
Hornby	July 14	1:00pm–3:30pm	New Horizons Hall, 1765 Sollans Road
Saturna	July 21	12:30pm–3pm	Saturna Recreation and Cultural Centre, 104 Harris Road
Gabriola	July 28	10am–12:30pm	Gabriola Arts and Heritage Centre, 476 South Road
Bowen	August 10	1:00pm–3:30pm	Bowen Island Municipal Hall (Council Chambers), 981 Artisan Lane
Gambier	August 11	9:30am–12pm	Gambier Island Community Centre, 721 Andy's Bay Road

***Water affects us all,
let's keep it clean!***
islandstrust.bc.ca/water

WORKSHOP PARTNERS:

