



A NOTICE OF A BUSINESS MEETING OF **THE DENMAN ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:30 am on Tuesday, October 22, 2013 at the Denman Seniors Hall,
1111 Northwest Road, Denman Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:30 am
2.	APPROVAL OF AGENDA		
3.	CHAIR'S REPORT		
4.	TRUSTEES' REPORT		
5.	MINUTES		10:45 am
5.1	Local Trust Committee Meeting Minutes dated September 24, 2013 – <i>for adoption</i>	1-14	
5.2	Section 26 Resolutions Without Meeting - <i>none</i>		
5.3	Denman Island Advisory Planning Commission Minutes - <i>none</i>		
5.4	Denman Island Marine Advisory Planning Commission Draft Minutes - <i>none</i>		
6.	BUSINESS ARISING FROM MINUTES		10:50 am
6.1	Follow-up Action List dated October 10, 2013 - <i>attached</i>	15-17	
7.	APPLICATIONS AND PERMITS		11:15 am
8.	DELEGATIONS		
9.	TOWN HALL DISCUSSION		11:45 am
10.	CORRESPONDENCE		
	<i>Correspondence specific to an active development application and/or project will be received by the Denman Island Local Trust Committee when that application and/or project is on the agenda for consideration.</i>		
10.1	Emails dated September 21, October 3 and October 8, 2013 from Duncan and Susan Stewart regarding Aquaculture Expansion on Denman Island - <i>attached</i>	18	
10.2	Email dated September 25, 2013 from Howard Stewart regarding Shoreline Degradation on Denman Island - <i>attached</i>	19	
10.3	Letter dated September 30, 2013 from Ron Shepherd regarding Tenure Violations - <i>attached</i>	20	
10.4	Letter dated September 27, 2013 from Simon Palmer, President, Denman WORKS! regarding Bylaw 186 and Visitor Accommodation Providers - <i>attached</i>	21-23	

11.	REPORTS	12:00 pm
11.1	Work Program	
	11.1.1 Top Priorities Report and Projects Report dated October 10, 2013 - <i>attached</i>	24-25
11.2	Applications Log	
	11.2.1 Report dated October 10, 2013 - <i>attached</i>	26-30
11.3	Trustee and Local Expenses	
	11.3.1 Expenses posted to September 30, 2013 - <i>attached</i>	31
11.4	Policies and Standing Resolutions	
	11.4.1 Report – <i>attached for information</i>	32
	BREAK	12:10 pm
12.	LOCAL TRUST COMMITTEE PROJECTS	12:25 pm
12.1	Housing Regulations Review	
	12.1.1 Staff Report dated October 3, 2013 (Summary of August 25 th , 2013, Housing Needs Meeting) - <i>attached</i>	33-69
13.	NEW BUSINESS	1:00 pm
13.1	Islands Trust Council Strategic Plan – Local Trust Committee Input	
	13.1.1 Briefing dated October 3, 2013 - <i>attached</i>	70-86
14.	BYLAWS	
15.	ISLANDS TRUST WEBSITE	
15.1	Denman Pages – <i>for discussion</i>	
16.	NEXT MEETING	
	Tuesday, November 26, 2013 at 10:30 am at The Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC	
17.	TOWN HALL DISCUSSION – <i>time permitting</i>	
18.	ADJOURNMENT	1:15 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice.



Denman Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Tuesday, September 24, 2013

Location: Denman Seniors Hall
1111 Northwest Road, Denman Island, BC

Members Present: Peter Luckham, Chair
Laura Busheikin, Local Trustee
David Graham, Local Trustee

Staff Present: Rob Milne, Island Planner
Vicky Bockman, Recorder

Media and Others Present: Approximately twenty-five (25) members of the public-am
Approximately seven (7) members of the public-pm

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:30 am. He welcomed the public and introduced himself, the Local Trustees, Staff and Recorder. He acknowledged that the meeting was being held in traditional territory of Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 10.14 Email from Gillian Wilshire regarding: Aquaculture dated September 18, 2013
- 10.15 Email from Duncan Stewart regarding: Aquaculture expansion – Denman Island dated September 21, 2013
- 13.5.1 Email from Harlene Holm regarding: DCLTA's Rural Affordable Housing Project Recommendations dated August 9, 2013
- 14.4 Development Permit Application DE-DP-2011.1 (DCLTA)

By general consent the agenda was approved as amended.

3. CHAIR'S REPORT

Chair Luckham reported that Trust Council was recently held on Lasqueti Island, off-the-grid, and all went well with a significant amount of business being conducted. He commented on matters addressed at the Union of British Columbia Municipalities five-day conference attended by Executive Committee members. He noted that there were

two sessions on Truth and Reconciliation and that other sessions included information and debate on derelict vessels, support for continued protection of Agricultural Land Reserve lands, and a motion was passed to create a Howe Sound Trust Area Management Plan. He commented that a motion to support a ban on growing genetically engineered and modified organism foods in the entire British Columbia province passed by a significant margin.

4. TRUSTEES' REPORT

Trustee Busheikin reported that since the last meeting she has had many discussions with community members wanting to talk about aquaculture issues and the housing regulations review. She commented on Ferry Advisory Committee matters, noting that preparations are now being made for an October meeting and it is anticipated that the topics of the cable ferry and Denman West terminal upgrade will be discussed. She reported that she attended the Trust Council on Lasqueti Island, an Old School meeting, Denman Island Residents Association meetings, the opening of the new ambulance station, and held office hours twice.

Trustee Graham commented that he has had numerous conversations with community members about housing and aquaculture since the last meeting. He was pleased to report that at Trust Council on Lasqueti Island there was discussion regarding a meeting that is being planned to include Integrated Land Management Bureau (ILMB) and senior staff of Islands Trust. He reported that among the topics to be discussed at that meeting will be the requirement of aquaculture tenure applicants within the Trust Area to obtain the required zoning prior to ILMB issuing any license or tenure associated with the application.

5. MINUTES

5.1. Local Trust Committee Special Meeting Minutes for a Community Information Meeting dated June 4, 2013

By general consent the minutes were adopted.

5.2. Local Trust Committee Adopted Meeting Minutes of July 16, 2013

The minutes were received for information.

5.3. Local Trust Committee Special Meeting Minutes for a Community Information Meeting dated August 25, 2013

The following amendments to the minutes were presented for consideration:

- Page 1, last line: replace "chosen for further review at a future meeting." with "highlighted by the public as priorities for future discussion."

By general consent the minutes were adopted, as amended.

Trustees requested that the minutes be presented as a preamble to the report on the meeting proceedings which will be prepared by the Planner and placed on the website.

5.4. Section 26 Resolutions Without Meeting dated September 17, 2013

Chair Luckham reviewed the Section 26 Resolutions Without Meeting dated September 17, 2013.

5.5. Denman Island Advisory Planning Commission Minutes – None.

5.6. Denman Island Marine Advisory Planning Commission Draft Minutes – None.

6. BUSINESS ARISING FROM MINUTES

6.1. Follow-up Action List dated September 17, 2013

Planner Milne reviewed the Follow-up Action List dated September 17, 2013.

Chair Luckham acknowledged that item No. 1 under Sep-12-2011, to reschedule the meeting with the K'omoks First Nation, remains an important objective.

Trustee Busheikin noted that the meeting being planned with Integrated Land Management Bureau (ILMB) will act as a precursor to the June 4, 2013 Follow-up Action item regarding meeting with the Department of Fisheries and Oceans. She expressed a desire to attend the meeting with ILMB; however, it was clarified that the initial meeting will include only senior staff with an opportunity for Local Trustee involvement at a future time.

DE-049-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to relate to Integrated Land Management Bureau (ILMB) Islands Trust meeting participants that the Denman Island Local Trust Committee will expect a meeting with ILMB should the tenure/license process not accommodate the desire of the Denman Island Local Trust Committee and Denman community on requiring local government zoning before issuance of license/tenure.

CARRIED

Prior to the vote there was discussion on the motion.

Trustee Graham noted that during Trustee Office Hours, he had been asked to view the iMap BC which records license tenures for the public's benefit. At that time, he observed that in January, 2011 Pentlatch Seafoods had been given a one-year license, as is the process, in order to allow time to obtain local government rezoning. He commented that as of January, 2012 this license would have expired putting the company, which is the subject of a bylaw

enforcement file, in contravention of provincial requirements. He indicated that this example illustrates a flaw in the process that is causing concern on Denman Island.

Trustee Busheikin wanted to ensure that staff conveys the message in a respectful way at the meeting to increase the potential for cooperation in the long run. She observed that the interests of Denman Island are one of a huge network of participants, and that discussions may result in a compromise position. She cautioned that it may be unrealistic to anticipate that our expectations will be entirely met and that if some of the concerns of both parties can be resolved, there is potential for improvement.

Chair Luckham recognized that there is not a broad area-wide interest in this issue, however, indicated that it is important to bring attention to the concern that the law is being broken and that the Ministry's expectations are not being fulfilled. He suggested that meaningful solutions would include a change in the requirements or enforcement of the regulations and noted that local governments need assurance that their concerns will be addressed.

7. APPLICATIONS AND PERMITS

7.1. DE-SUB-2013.1 Denman Community Land Trust Association

7.1.1 Staff Report dated June 11, 2013

Planner Milne summarized the staff report and circulated the subdivision map that was omitted from the report.

DE-050-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee advise the Ministry of Transportation and Infrastructure staff that they support the waiving of the 10% frontage requirement of Section 944 of the *Local Government Act*.

CARRIED

8. DELEGATIONS

The Association for Denman Island Marine Stewards (ADIMS) regarding Geoduck Culture and the Existing Process for Acquiring Shellfish Tenures and Licenses

Shelley McKeachie, Co-Chair of ADIMS read a letter dated September 11, 2013 to Trustees Graham and Busheikin from ADIMS, requesting a resolution be passed addressing flaws in the shellfish tenure application process which allows for the ability for a shellfish tenure applicant to be issued a tenure and license before complying with local zoning. She expressed her appreciation for the action of the Local Trust Committee in this regard by having passed a resolution earlier in the meeting that addresses this issue.

She expressed ADIMS' concern regarding the identified possibility of inter-tidal geoduck cultivation on Denman Island, and requested that the Local Trust Committee consider declaring a moratorium on geoduck aquaculture until such time as a full and independent research study is conducted to assess the impacts of geoduck cultivation and harvest, including the cumulative impacts on the environment and on other stakeholders such as the herring industry.

She presented a series of questions for clarification of position, actions to date and future plans to address the issue, and Trustees responded. She argued that she does not support a strategy that involves compromise in resolving the tenure licensing situation as there is a clearly defined flaw in the zoning process.

Trustees requested that staff ensure that the September 11, 2013 letter is forwarded to ILMB meeting participants.

Edi Johnston, Co-Chair of ADIMS presented a reading of the document: Part 2 of Submission on behalf of ADIMS Delegation, September 24, 2013, addressing concerns regarding inter-tidal geoduck cultivation on Denman Island.

She presented the Local Trust Committee with two petitions for consideration:

1. Urgent Marine Issue: Aquaculture Industry Bypassing Denman Island Zoning Regulations, with 302 signatures; and
2. Request for Action to be Taken to Oppose Foreshore Geoduck Tenures on Denman Island Beaches, with 291 signatures. In conclusion, the Local Trust Committee was asked to take political action and to be a strong voice in this matter.

9. TOWN HALL DISSCUSSION

Dorrie Woodward submitted a letter for the record: Regarding Urgent Marine Issues, advising that mapping to identify important forage fish beaches has not been conducted and expressed concern that making decisions without information puts species at risk. She requested spawning beaches be documented and that zoning be utilized to preserve and protect major unprotected shoreline.

David Critchley proposed a change in the definition of aquaculture be made in the bylaw to exclude geoduck cultivation, and suggested that it be promptly addressed in order to avoid an increase in legally non-conforming situations.

Paule Deschenes presented a series of photographs she took recently documenting an increase in aquaculture rafts and buckets at Henry Bay. She urged the Local Trust Committee to help to stop the industrialization of Denman Island beaches.

Pat McLaughlin asked if the Islands Trust has the legal authority to ask Pentlatch Seafoods to cease and desist their illegal aquaculture operation, and what the consequence would be if they do not.

Trustees responded that this matter is undergoing bylaw enforcement with voluntary compliance being the first step. They pointed out that it is important to uphold the process and to conclude the bylaw enforcement effort to gain compliance.

Other comments from the members of the public included:

- support was expressed for the need to become politically engaged to bring the awareness of issues to a greater level;
- it is an individual's understanding that the shellfish raft array near Millard Road is now licensed for geoduck cultivation and will be adding 20 rafts;
- clarification was provided that the applications referenced in the ADIMS Delegation are both inter-tidal and deep water;
- suggestion was made that consideration might be given to protection of marine areas by designating special areas, such as areas of the unique herring spawn, as heritage sites; and
- the question was asked as to why Denman Island must fight alone when bylaws are being ignored.

Trustees responded that the issue has been brought to Trust Council and is moving forward with the support of the Islands Trust Federation.

By General Consent the meeting was recessed at 12:17 pm for a break and awarding of a Special Enduring Achievement Award presented posthumously to Ana Miriam Leigh. The meeting reconvened at 12:45 pm.

TOWN HALL DISCUSSION (CONTINUED)

Simon Palmer of Denman WORKS! presented a letter dated September 24, 2013 regarding an amendment of Bylaw 186, posing questions relating to cooking facilities in secondary dwellings and inclusion of the issue in the Forum on Suites and Cottages.

Trustees clarified that there needs to be further discussion in order to fully respond; however, noted that as a result of the October 25, 2012 Denman WORKS! community meeting, restrictions were placed on bylaw enforcement for guest accommodations and confirmed that the meeting will be taken into consideration as the discussions continue.

Other comments by members of the public included:

- support was expressed for including consideration of Visitor Accommodations in the review of Denman Island's housing needs. The question was asked if this topic will be referred to the Advisory Planning Commission; Trustees responded that steps have been taken to facilitate the referral if a decision is made to do so.
- concern was expressed about combining the topics of visitor accommodation and affordable housing in the same review as both deserve focused attention and combining the topics would likely lead to the dissatisfaction of both groups and possibly foster opposition to each other;
- concern was expressed that guest accommodation issues are not being addressed when a petition was submitted with nearly 250 signatures requesting bylaw amendments and the focused meeting group was unanimously in favour of amending the bylaw;

- there was support to address the B&B food issues as operators on Denman Island serve ferry crew and there is no other island that does not allow ferry crew to cook in guest accommodations.

10. CORRESPONDENCE

10.1. Letter dated July 11, 2013 from the Association for Denman Island Marine Stewards (ADIMS) regarding Pacific Department of Fisheries and Oceans (DFO) Shellfish Aquaculture Management Advisory Committee Meeting and Geoduck Aquaculture Production and Harvest

Committee members received the above noted letter for information and suggested that the Executive Committee would favourably consider a delegation by ADIMS to Trust Council for presentation of this material.

10.2. Email dated August 15, 2013 from Pat McLaughlin regarding Geoduck Culture

Committee members received the above noted letter for information.

10.3. Letter dated June 18, 2013 to BC Ferry Services Inc. regarding Informal Vehicular Foreshore Access at the Western Denman Island Terminal

Committee members received the above noted letter for information.

10.4. Letter dated July 18, 2013 from BC Ferries regarding Informal Vehicular Foreshore Access at the Western Denman Island Terminal

Committee members received the above noted letter for information and noted that another opportunity to address controlled beach access for reasons of conservation and natural habitat protection for forage fish might be possible at the time of the referral regarding the Denman West Terminal.

10.5. Email dated August 26, 2013 from Noel Villard regarding Oyster Rafts and Geoduck Tenure

Committee members received the above noted letter for information.

10.6. Email dated August 26, 2013 from Pam Bibby regarding Urgent Marine Issue: Aquaculture Zoning Around Denman Island

Committee members received the above noted letter for information.

10.7. Email dated August 26, 2013 from Ken McLaughlin regarding Urgent Marine Issue: Aquaculture Zoning Around Denman Island

Committee members received the above noted letter for information.

10.8. Email dated August 27, 2013 from Louise Bell regarding Housing

Committee members received the above noted letter for information.

10.9. Correspondence from Marilyn Mason regarding Urgent Marine Issue: Aquaculture Industry Bypassing Denman Island Zoning Regulations

Committee members received the above noted letter for information.

10.10. Letter dated September 10, 2013 from BC Ferry Services regarding the Expansion of Denman West Ferry Terminal

Committee members reviewed and discussed the above noted letter, indicating that a response identifying several items of concern that have been expressed by the community would be warranted.

DE-051-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee instruct staff to respond to BC Ferries that the Local Trust Committee advises for the new ferry terminal: retaining the recreation and emergency access community boat launch in its current or other location, minimizing cutting of trees, restricting vehicular access to the beach at the north side, and having fewer queuing lanes if necessary to accommodate community uses.

CARRIED

10.11. Letter dated September 11, 2013 from the Association for Denman Island Marine Stewards regarding the Prevention of Geoduck Aquaculture from Establishing on the Foreshore and Waters of Denman Island

Committee members received the above noted letter for information and clarified that while Islands Trust could advocate for declaring a moratorium on geoduck aquaculture on the shores and waters of Denman Island, it is the Province that has the authority to declare a moratorium.

DE-052-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to draft a letter for the Chair's signature to write and ask Fisheries and Oceans Canada (DFO) to declare a moratorium on geoduck aquaculture on the shores and waters of Denman Island until such time as a full and independent research study is conducted to assess the impacts of geoduck cultivation and harvest, including the cumulative environmental impacts. This research should also include the socio-economic impacts on other stakeholders such as the herring fishery.

CARRIED

Prior to the vote Trustee Busheikin expressed an interest in creating a press release publicizing this action, and to include information regarding aspects of aquaculture that have not received full attention; however, Committee members felt this might be premature.

10.12. Email dated September 13, 2013 from Simon Palmer regarding Bylaw 186

Committee members received the above noted letter for information.

10.13. Email dated September 15, 2013 from Ralph McCuaig regarding “Cooking Up Housing” Session

Committee members received the above noted letter for information.

10.14. Email dated September 18, 2013 from Gillian Wilshire re: Aquaculture

Committee members received the above noted letter for information.

10.15. Email dated September 21, 2013 from Duncan Stewart regarding: Aquaculture Expansion – Denman Island

Committee members received the above noted letter for information.

11. REPORTS

11.1. Work Program Reports

11.1.1. Top Priorities and Projects List Report dated September 17, 2013

Committee members received the above noted report for information.

11.2. Applications Log

11.2.1. Report dated September 17, 2013

The Applications Log was received for information.

11.3. Trustee and Local Expenses

11.3.1. Expenses posted to July 31, 2013

The expenses posted to July 31, 2013 were received.

11.3.2. Expenses posted to August 31, 2013

The expenses posted to August 31, 2013 were received.

11.4. Policies and Standing Resolutions

11.4.1. Report

The Policies and Standing Resolutions report was received for information.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1. Housing Regulations Review

Planner Milne commented that he has reviewed policies and possible strategies including approaches that other islands are pursuing in relation to housing needs. He identified the difficulties surrounding the issue and noted that the tables at the Cooking Up Housing forum were engaged with ideas; however, he did not have a recommendation for how to proceed at this time.

Trustees initiated a round table discussion focused on the Cooking Up Housing forum and Housing Review and the following key points were noted:

Debriefing on the Forum -Trustees Identified Issues:

- numerous difficulties with the meeting format were observed;
- the scope of the topic was not clear;
- a professional facilitator would have been preferable; and
- increased review of preparatory material would have been beneficial.

Options for Next Steps

- there was discussion on the role of affordable housing in the review;
- a review of the density cap was suggested in the discussion on secondary suites and cottages;
- Chair Luckham proposed moving forward by initiating the drafting of the bylaw and utilizing the standard process for consideration of amending bylaws rather than continuing the planned process of two forum meetings. There was debate on the approach.
 - Trustee Busheikin expressed concern that proceeding to draft a bylaw without a second forum as advertised might reduce opportunities for public consultation.
 - Trustee Graham observed that the draft bylaw approach would allow numerous opportunities to hear community views through Local Trust Committee business meetings, Advisory Planning Commission referral and a Public Hearing, and the draft could be adjusted as necessary to reflect input.
 - Trustees discussed the potential for using Temporary Use Permits, possibly with a reduced application fee, as a tool to specify requirements in order to ensure safe and healthy housing.

Discussion followed on a strategy to initiate this process which included requesting staff to bring to a future Local Trust Committee meeting a staff report with options, examples of similar bylaws and types of requirements that could be included in a Temporary Use Permit to move the process forward to a draft bylaw for presentation at a second meeting.

DE-053-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to add to the Community Housing Staff Report an examination of suites and cottages

regulations throughout the Trust, including the use of Temporary Use Permits as a control and the use of mobile units as dwellings.

CARRIED

13. NEW BUSINESS

13.1. 2014-2015 Budget Submissions

13.1.1 Memorandum dated August 1, 2013

Committee members reviewed the Budget Submissions Memorandum.

DE-054-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approve and forward the draft 2014-2015 Local Trust Committee Project Budget submission to Financial Planning Committee as presented.

CARRIED

Prior to the vote, funding for a multi-partner advocacy strategy for aquaculture issues was discussed and it was suggested that this issue might be advanced at the Trust Council level.

13.2. Proposed Meeting Schedule for 2014

DE-055-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee amend the proposed 2014 business meeting schedule to change the June 3 date to June 10.

CARRIED

DE-056-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt the 2014 business meeting schedule as amended.

CARRIED

13.3. Comox Valley Regional District Referral Comments regarding Application for License of Occupation for Shellfish Aquaculture

Committee members reviewed and discussed the above referral comments, noting that expansion of aquaculture in Baynes Sound affects Denman Island.

DE-057-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to comment on Comox Valley Regional District Referral BC File 106585 that our concerns relate to the carrying capacity of Baynes Sound with respect to all aquaculture and the direct effect on west Denman shores of aquaculture industrial debris of approximately two to three tons per year, and cc to Kenneth Albrecht.

CARRIED

13.4. Trust Council Strategic Plan Amendments – Possible Recommendation

Trustee Busheikin commented that a discussion at Trust Council indicated that there would be an opportunity to request advocacy regarding the future of aquaculture activities in the Trust Area. She offered to move forward with this effort and Trustees suggested that she contact the Trust Area Policy Analyst to discuss the topic and formulate the request.

13.5. Denman Community Land Trust Association – Rural Affordable Housing Project Report

Harlene Holm commented that this report was undertaken to explore viable housing options that would allow greater density on Agricultural Land Reserve (ALR) acreages while preserving the intent of the ALR and the rural character of Denman Island. She noted that the process involved background research and meetings with government and agency representatives resulting in a report that identifies a number of possible housing options. She commented that her letter, attached to the agenda as item 13.5.1, submits four recommendations from the report for consideration in the housing policy review. She requested the letter be connected to the report in some manner.

Trustees requested staff to bring the Denman Community Land Trust Association – Rural Affordable Housing Project Report back to a future meeting with potential recommendations for discussion.

DE-058-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee receive the Denman Community Land Trust Association – Rural Affordable Housing Project Report and associated correspondence from Harlene Holm dated August 9, 2013.

CARRIED

13.5.1 Email from Harlene Holm dated August 9, 2013 re: DCLTA's Rural Affordable Housing Project Recommendations

Committee members received the above noted email and it was discussed at agenda item 13.5.

14. BYLAWS

- 14.1. Proposed Bylaw No. 204, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2012”**

DE-059-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt proposed Bylaw No. 204, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2012”.

CARRIED

- 14.2. Proposed Bylaw No. 205 cited as “Denman Island Housing Agreement Bylaw No. 205, 2012”**

DE-060-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt proposed Bylaw No. 205, cited as “Denman Island Housing Agreement Bylaw No. 205, 2012”.

CARRIED

- 14.3. Proposed Bylaw No. 206, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2013”**

Planner Milne reported that proposed Bylaw No. 206 is in the process of referral to the Ministry of Community, Sport and Cultural Development.

- 14.4. DE-DP-2011.1 (DCLTA) Development Permit Application Lot 1**

Planner Milne outlined the proposal to subdivide a 1.24 hectare parcel to allow for the creation of a single family affordable housing unit along with a woodshed and workshop/garage. He advised that as the property is affected by Development Permit Area No. 2, an approved development permit is required both for the proposed subdivision as well as the proposed development.

DE-061-2013

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee issue the Development Permit for DE-DEP-2011.1 P. Brons – Denman Community Land Trust Association in accordance with Schedule A attached to the permit.

CARRIED

15. ISLANDS TRUST WEBSITE

15.1. Denman Page

Chair Luckham advised that any criticisms or suggestions for website issues should be submitted on the website for staff to address.

16. NEXT BUSINESS MEETING DATE

The next meeting of the Denman Island Local Trust Committee will take place on Tuesday, October 22, 2013 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC.

17. TOWN HALL DISCUSSION

There were comments from the public with the following general points noted:

- support was expressed for the suggestion made earlier to consider the exclusion of geoduck cultivation in the bylaw definition of shellfish;
- general questions arose from individuals regarding the bylaw referral process, the status of draft Bylaw No. 207, and potential uses for temporary use permits;
- there was a view presented that guest accommodations are not separate from suites and cottages because of the effect of the density cap; and if the Trust decides an increase in the density is permissible then guest accommodations need to be considered in the allocation of the density increase. It was argued that most B&Bs are not in auxiliary buildings and most are in owner-occupied homes.

18. ADJOURNMENT

By general consent the meeting was adjourned at 3:20 pm.

Peter Luckham, Chair

CERTIFIED CORRECT:

Vicky Bockman, Recorder



Islands Trust

Follow Up Action Report w/ Target Date

Denman Island Sep-12-2011

No.	Activity	Responsibility	Target Date	Status
1	Reschedule the meeting with the K'omoks First Nation. Meeting to be separate from Hornby LTC, but on same day and directly after.	Rob Milne	Oct-25-2011	On Going

Jun-05-2012

No.	Activity	Responsibility	Target Date	Status
1	Add "Discussion of Bylaw Enforcement" to the Denman Island Local Trust Committee business meeting in 18 months time (December, 2013) possibly to coincide with a discussion on affordable housing.	Rob Milne	Dec-01-2013	On Going

Nov-06-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff to write a letter or email to agencies that deal with shellfish aquaculture requesting that when engaging with planning and consultation they invite the Association of Denman Island Marine Stewards to participate.	Aleksandra Brzozowski	Dec-11-2012	On Going

Dec-11-2012

No.	Activity	Responsibility	Target Date	Status
1	Prepare report and amended draft bylaw addressing APC comments for draft DPA 4 guidelines. Recommend to LTC that revised DPA 4 and draft DAI are referred to the APC together. Update Jan 22, 2013: Revised DPA 4 guidelines to move forward in concert with RAR mapping, to take place later in 2013.	Rob Milne	Jan-22-2013	On Going

Feb-26-2013

No.	Activity	Responsibility	Target Date	Status
1	Draft amendments to Land Use Bylaw that serve to restrict structures in W3 and vehicular traffic on shorelines. Bylaw No. 207 out for referral comments.	Rob Milne	Jun-04-2013	Done
1	Assist with planning the 'State of the (Baynes) Sound' conference hosted by Vancouver Island University. Update April 2, 2013: Target date extended due to rescheduling of conference to October 2013. UPDATE- Notified August 19 that conference is indefinitely postponed due to VIU resource/capacity issues.	Rob Milne	Nov-01-2013	On Going

Jun-04-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff to set up a meeting with Department of Fisheries and Oceans aquaculture management personnel regarding aquaculture practices in Baynes Sound	Rob Milne		On Going

Sep-24-2013

No.	Activity	Responsibility	Target Date	Status
1	that the Denman Island Local Trust Committee instruct staff to respond to BC Ferries that the Local Trust Committee advises for the new ferry terminal: retaining the recreation and emergency access community boat launch in its current or other location, minimizing cutting of trees, restricting vehicular access to the beach at the north side, and having fewer queuing lanes if necessary to accommodate community uses.	Rob Milne		Done
1	that the Denman Island Local Trust Committee request staff to draft a letter for the Chair's signature to write and ask Fisheries and Oceans Canada (DFO) to declare a moratorium on geoduck aquaculture on the shores and waters of Denman Island until such time as a full and independent research study is conducted to assess the impacts of geoduck cultivation and harvest, including the cumulative environmental impacts. This research should also include the socio-economic impacts on other stakeholders such as the herring fishery.	Rob Milne		On Going

1	that the Denman Island Local Trust Committee request staff to comment on Comox Valley Regional District Referral BC File 106585 that our concerns relate to the carrying capacity of Baynes Sound with respect to all aquaculture and the direct effect on west Denman shores of aquaculture industrial debris of approximately two to three tons per year, and cc to Kenneth Albrecht.	Rob Milne		Done
1	that the Denman Island Local Trust Committee instruct staff to respond to BC Ferries that the Local Trust Committee advises for the new ferry terminal: retaining the recreation and emergency access community boat launch in its current or other location, minimizing cutting of trees, restricting vehicular access to the beach at the north side, and having fewer queuing lanes if necessary to accommodate community uses.	Rob Milne		Done
1	that the Denman Island Local Trust Committee request staff to relate to Integrated Land Management Bureau (ILMB) Islands Trust meeting participants that the Denman Island Local Trust Committee will expect a meeting with ILMB should the tenure/license process not accommodate the desire of the Denman Island Local Trust Committee and Denman community on requiring local government zoning before issuance of license/tenure.	Courtney Simpson	Oct-28-2013	On Going

From: **Duncan Stewart** <dunc2aatrading@gmail.com>

Date: Sat, Sep 21, 2013 at 8:38 AM

Subject: Aquaculture expansion - Denman Island

To: kenneth.albrecht@gov.bc.ca, Kathy.Evans@gov.bc.ca, lbusheikin@islandstrust.bc.ca, dgraham@islandstrust.bc.ca

To those responsible,

Is it true the most recent offshore lease off the end of Gladstone Way, near Henry Bay, Denman Island did not go thru the process of rezoning from our Islands Trust? If so why? Even if it did I would say approval of this lease shows poor judgement. Right next to a popular anchorage and Sandy Island Marine Park not to mention those waterfront owners who have that to look at for the rest of their time on Denman. We run a successful B+B (Lognest Retreat) - Gladstone Way, Baynes Sound waterfront, facing Union Bay. Unimpeded access to deep water, and a natural view of Baynes Sound is very important to my family and customers. There is very little waterfront left in Baynes Sound where you don't have to look at rafts/buoys, and the associated garbage from the aquaculture industry, just saw a big blue barrel heading south yesterday morning. Come on people enough is enough. Duncan and Susan Stewart.

On Thu, Oct 3, 2013 at 7:50 PM, Duncan Stewart <dunc2aatrading@gmail.com> wrote:

Hi Laura and David,

Thanks for responding. My wife Sue and I were part of the DIMS for quite some time, and helped staved off the first onslaught of aquaculture expansion with the support of our Islands Trust, maybe 10 years ago. I have sent the same e-mails that you have to Ministry people. haven't had a response. For your info that 10 years ago or so the Ministry responsible had approved 500 meters of rafts directly in front of our property. Without the support of DIMS and our Islands Trust that would have happened and I thank them for that. I can't believe that there is still this blatant disregard for the upland owners concerns from the Ministry and the aquaculture industry. We are working people who live here, they don't, perhaps that's part of the problem You are both welcome to our property to better understand our concerns. Duncan and Susan Stewart.

From: Duncan Stewart <dunc2aatrading@gmail.com>

Date: October 8, 2013 at 12:10:31 AM PDT

To: Laura Busheikin <lbusheikin@islandstrust.bc.ca>, David Graham <dgraham@islandstrust.bc.ca>, "Kathy.Evans@gov.bc.ca" <Kathy.Evans@gov.bc.ca>

Subject: Re: Aquaculture expansion - Denman Island

Ok, I'm not sure any of you really understand what is going on. I would really like to meet any of you face to face on the issue of aquaculture expansion on Denman. You are all welcome to look at what might be the last view of an ocean view from the west side of Denman Island without the rafts, buoys, anchor buoys, lines, + nets etc. Thats from our property. sorry not quite correct I can see oyster rafts to the north and scallop buoys to the south from where we are. We have been here for 24 years. This is my home and my wife and I have worked hard to be here. Also in my opinion we pay an unjust amount of land taxes for the same amount of services than my neighbour across the road does based on land value. doesn't seem right when my land is being devalued by an industry who doesn't really give a shit about the upland owners. thankyou. Question. how does our islands trust trustees or whatever you call yourselves get paid. is it from us? Duncan, Susan, Adelaide, Jacob and Amy Stewart.

From: Howard M Stewart [<mailto:hstewart@geog.ubc.ca>]
 Sent: September-25-13 10:28 AM
 To: Laura Busheikin; David Graham; Peter Luckham; Rob Milne
 Subject: LTC and shoreline degradation on Denman Island

Dear Laura, David, Peter, Rob,

Many thanks to all of you for yesterday's LTC session. We look forward to working with you in the future on what is certain to be a long struggle to stop the accelerating degradation of Denman's shorelines.

I didn't want to take up air time yesterday but feel it's important to reply what Laura said about the role of compromise in our shared efforts to halt this degradation. I found her comment a disturbing and misguided variation on a theme I know well.

Like Laura, I've been involved in lots of negotiations. My understanding is that compromise comes mostly at the END of the process, when it is critical for reaching agreement. Compromise is NOT how you start your political struggle however. It is NOT something you do when - as here on Denman - negotiations haven't even begun. Before you compromise, you engage full out in the political struggle, give it everything you've got with as many tactics, resources and allies as you can assemble. Make your arguments well and clearly and powerfully and make sure you listen carefully to theirs. Then, when everything is on the table, do the horse trading you need to reach an agreement. But even then, NEVER compromise without getting something in return. And whatever you do, NEVER start your struggle by compromising. You can be damn sure they won't start that way, so you'd just be giving things away.

I expect you know all this, but I thought it worth reminding the ITC, given what you said yesterday and the fact that we look to the ITC to lead what promises to be a long and difficult struggle to preserve what's left of our already highly COMPROMISED beaches.

All the best,

Howard Stewart
 5346 Chrisman Road (NOT waterfront)

From: Ron Shepherd [rshepherd9397@yahoo.ca]
Sent: September 30, 2013 9:08 AM
To: Laura Busheikin
Cc: David Graham; Shelley McKeachie
Subject: Tenure Violations

Hi Laura... There was some great discussion regarding the shellfish tenures at last Tuesday's meeting. I have another suggestion for an item for the Trustees to tackle. Unfortunately I didn't think of it when the meeting was on or I would have brought it up then.

I understand the need to wait until the bylaw violation process runs its course in Henry Bay however are other tenure violations that could be addressed simultaneously. Shelley told me that fisheries came to the island and noted a number of violations on current shellfish leases. They were to have notified the tenure holders and order compliance with the fisheries regulations. Apparently notices were sent to the tenure holders where violations were noted. Shelley has not been able to get copies of the notices and in discussions with fisheries it does not appear they are willing to enforce their regulations.

Islands Trust should be in contact with fisheries and request that they enforce their existing regulations in the area. This would provide two benefits. The first is it would ensure that existing tenures are being maintained properly and cut down on the pollution and habitat destruction where current operations exist. The second major benefit is it would create a more visible presence for Islands Trust and let fisheries and other interested parties know that Islands Trust has a roll and rights in the waters and will be active in representing the area residents and protecting the environment.

Thanks for your continued support.

Ron

Denman WORKS!

P.O. Box 99, Denman Island BC, V0R 1T0
www.denmanworks.com : denmanworks@gmail.com

Denman Island Local Trust Committee

September 27 2013

Dear Trustees,

Bylaw 186 & Visitor Accommodation Providers

At its September 30 2011 monthly meeting this Society received a request from Hornby Denman Tourist Services Society for assistance in approaching you, the DILTC, with regard to possible Bylaw amendment. This because their members were finding that relevant Bylaws and their questionable enforcement were making it impossible for them to operate reasonably or economically.

Denman WORKS! agreed to help because Visitor Accommodation has long been recognized as the second most important economic driver, after agriculture, on the island and because our Society is tasked with the economic enhancement of Denman Island.

Accordingly we assigned one of our Directors to research Bylaw 186 and develop a number of Bylaw amendment recommendations that we would then pass to DILTC for consideration and further action.

The extract from the Minutes of our December 14 2011 meeting, below, is self-explanatory.

Guest-Related Bylaw Amendment

See attached memo and a copy of the motion found below. M. McKeachie reported on his extensive research into existing guest-related bylaws, and the near impossibility of comprehending them, even for a lawyer. Discussion ensued about rental accommodations, affordable housing/secondary suites, legal non-conforming dwellings, short-term and long term rentals, the recent Hornby Island bylaw amendments for vacation rentals, and the need for Denman Island Trustees to take the initiative to review the bylaws. It was agreed that in the case of vacation rentals there is a need for absent property owners to have an on island contact to deal with noise complaints.

MCKEACHIE/ ANDREW: Whereas the mandate of Denman WORKS! is to support the enhancement of the economic and social health of Denman Island, its residents, businesses and community organizations;

AND WHEREAS amendment of Denman Island Land Use Bylaw 186 is desirable with respect to the provision of rental accommodation with a view to enhancing affordable housing and visitor accommodation

Be it moved:

1. That Denman WORKS! request that the Denman Island Trustees review and amend the Bylaws as under, and, receiving it, work with interested parties and the community to obtain support before Island Trustees for passage of the required amendments.
2. That Bylaw amendments address the following:
 - a. Guest accommodation in secondary suites with “cooking facilities” be permitted when within a principal dwelling unit so long as the premises comply with Water and septic regulations and such other conditions as the Trustees might prescribe;
 - b. Guest accommodation in accessory buildings with cooking facilities be permitted, so long as the premises comply with Water and septic regulations and such other conditions as the Trustees might prescribe;
 - c. Definition of ‘cooking facilities’ in Land Use Bylaw 186;
 - d. Accessory buildings that are currently non-conforming as guest accommodation to be permitted where such exist as of December 1 2011 (or such other date that the Trustees choose) and are subsequently registered with Islands Trust;
 - e. Removal of time limits regarding guest accommodation and accessory building use.

CARRIED

This was forwarded to you and discussed at your January 2012 meeting, the Minutes of which state that you wanted to hear more community opinion, possibly through a forum organized by Denman WORKS!

At our March 21 2012 meeting it was agreed that our Director, Morley McKeachie, author of the Bylaw 186 research, should represent our case for amendment before you at your April 3 2012 meeting. The outcome, in brief, was a moratorium on Bylaw 186 enforcement to provide time for community input on visitor accommodation and to show whether there is interest in having DILTC review Bylaw 186.

To better inform all concerned of the economic contribution of visitors to the island and therefore of the importance of visitor accommodation, Denman WORKS! decided to fund a Visitor Survey which was carried out over the following summer months.

The Survey is available at DenmanWORKS.com under 'E' Articles and Reports in 2012 but the annual economic contribution of visitors to Denman Island may conservatively be stated as being in excess of \$500,000. (Extrapolating from the 77 survey days delivering \$355,740 in revenue to the island and concluding that the remaining 288

days, albeit 'off-season', provide only a further \$144,000, may even be understating the economic contribution of visitors.)

To meet the need for receiving community input on the question, Denman WORKS! hosted a 'Denman Island Visitor Accommodation Bylaw Meeting' on October 25 2012 and employed an off-island professional facilitator to conduct it. His notes are in your files but in summary the 45 attendees (excluding Trustees) unanimously endorsed the Bylaw amendment request in respect of cooking facilities in visitor accommodation and went further in favouring - Short Term Vacation Rentals when the owner or qualified agent is on-island; separate kitchens in caregiver accommodation within primary dwellings; and a number of other broad changes.

Further endorsement of Bylaw amendment was provided by a petition, signed by over 200 Denman residents, of which you have the original, with wording very similar to the Motion reproduced above.

So the people, your constituents have spoken and you, gratifyingly, placed 'housing issues' as one of three tasks on your 'work-plan' for 2013 and no doubt beyond.

But in doing so I would ask, on behalf of not just the visitor accommodation providers but also the many artists, artisans, service providers and others, sometimes hard-pressed to make a living on Denman, that you include in any Bylaw amendment the original request made of you by this Society back in December 2011 and that was arguably the catalyst for your current review.

As you well know, island economies are fragile and your 'preserve' mandate must therefore apply as much to the human beings on this island as to the land itself. Our visitors provide irreplaceable economic benefit to the island as a whole, second only to agriculture, and their accommodation must be both facilitated and encouraged.

Sincerely

Simon Palmer - President



Islands Trust

Top Priorities

Denman Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Review of OCP section C3 with a view to addressing the impacts of shellfish farming on the natural marine environment and residential properties, and review of associated LUB regulations.	Specifically to address: 1. Removal of predator netting from beach 2. Banning driving on the foreshore 3. Banning beach modification. Bylaw No. 207 out for referral comments	Oct-25-2011	Rob Milne	Oct-31-2014	On Going
2	Denman Housing Needs consultation. Review of options to create affordable housing and other housing opportunities.	Consider potential use of secondary dwelling units or other approaches for affordable care giver, special needs, and elder housing and visitor accommodation. Summary report on the October 22 LTC meeting agenda.	Nov-06-2012	Rob Milne	Sep-01-2014	On Going
3	Implementing Riparian Areas Regulation	Mapping of all streams and wetlands on Denman Island and amending DPA 4 to comply with RAR. RFP re-issued October 8th	Aug-03-2010	Rob Milne	Sep-01-2014	On Going



Projects

Denman Island

No.	Description	Activity	Received/Initiated	Status
1	Bylaw amendments to address food security	Consider amendments based on "Exploring Food Security in the Islands Trust Area" final report dated November 16, 2010.	Mar-15-2011	On Going
1	A Protected Area Network on Denman Island		Mar-15-2011	On Going
1	Housekeeping project	1. Land Use Bylaw definition of intensive agriculture; remove "and excluding feedlots". 2. Formatting of Agriculture definition	Aug-15-2011	On Going
1	Regulations governing wind towers and Ocean Loop Geo-Exchange Systems.	Monitor recommendation from Trust Council.	Aug-15-2011	On Going
1	Affordable Housing Strategy		Oct-25-2011	On Going
1	Regulation limiting the gross floor area of a dwelling		Oct-25-2011	On Going
1	Regulations to promote greenhouse gas emissions reduction.		Oct-25-2011	On Going
1	Review and Update of Development Procedures Bylaw No. 71		Dec-11-2012	On Going
1	Review of OCP/LUB regarding implementation of Denman Island Farm Plan.		Apr-02-2013	On Going



Applications w/ Status - Denman Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
DE-ALR-2013.2	Dean Ellis Planner: Linda Prowse	Apr-17-2013	Subdivision in ALR

Planning Status

Status Date: Aug-27-2013

Agricultural Land Commission wrote to applicant asking for further information from applicant and the Islands Trust. Copy of minutes with Denman LTC resolution sent to ALC.

Status Date: Aug-12-2013

Staff report and application sent to Agricultural Land Commission

Status Date: Jul-30-2013

Requested ALC review cheque from Fin. Clerk

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2006.2	Daniel/Debra Stoneman Planner: Courtney Simpson	Aug-31-2006	The use of presently cleared areas within the Komasa Bluff permit area for agricultural use.

Planning Status

Status Date: Apr-04-2011

No change: waiting for info from applicant.

Status Date: Feb-04-2010

No change

Status Date: May-01-2009

No change

File Number	Applicant Name	Date Received	Purpose
DE-DP-2011.1	Denman Community Land Trust Association (Brons) Planner: Courtney Simpson	Mar-15-2011	2016 Northwest Road, Construction of affordable housing dwelling and associated land alteration in DP 2 Steep Slopes. Joint with SUP application DE-SUP-2011.10.

Planning Status

Status Date: May-26-2011

On hold until outcome of forthcoming rezoning application is known.

Status Date: Apr-04-2011

Planner Reviewing

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

Planning Status

Status Date: Nov-01-2011

Awaiting info from applicant

Status Date: Jun-15-2011

On hold until DVP out come.

Status Date: May-27-2011

Barn sited over lot line into owners adjacent property. Applicant will be applying for a variance.

File Number	Applicant Name	Date Received	Purpose
DE-DP-2013.1	Daniel & Debra Stoneman Planner: Courtney Simpson	Jun-17-2013	

Planning Status

Status Date: Jul-16-2013

Staff report to July 16 LTC meeting. LTC resolved to not issue permit but to amend 1999 development permit.

Status Date: Jul-16-2013

Staff preparing development permit amendment

Status Date: Jun-24-2013

Planner Reviewing File

Development Variance Permit

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

Planning Status

Status Date: Nov-09-2012

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

Status Date: Oct-05-2012

Letter sent to applicant requesting further information otherwise issue will be transfered over to bylaw enforcement

Status Date: Jun-05-2012

Met with applicant to clarify application requirements

Rezoning

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2011.1	Denman Community Land Trust Association Planner: Courtney Simpson	Aug-10-2011	Density transfer from density bank or density increase for one unit of affordable housing.

Planning Status

Status Date: Apr-24-2013

Agency / First Nation referrals sent in relation to bylaws

Status Date: Mar-12-2013

Legal review of housng agreement complete

Status Date: Nov-29-2012

Reviewing results of legal review of housing agreement

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2011.5	Steven Carballeira (Graeb/Charles King Medical Inc. (1691 Lacon Rd) Planner: Linda Prowse	Mar-28-2011	to create 2 lots

Planning Status

Status Date: Mar-21-2013

Water quality and quantity tests received as well as final subdivision plan. E-mail sent to MOTI signing off on subdivision

Status Date: Nov-24-2011

Preliminary Layout Approval received

Status Date: May-05-2011

Referral Response sent to MOTI, LTC and applicant

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2013.1	David Critchley	Feb-19-2013	2 lot subdivision 2016 Northwest Road (I. Brons/Denman Community Land Trust)

Planner: Courtney Simpson

Planning Status

Status Date: Jun-13-2013

PLA received

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2006.7	Daniel/Debra Stoneman	Aug-31-2006	Agricultural (including buildings consistent with ALR legislation)

Planner: Courtney Simpson

Planning Status

Status Date: Jan-08-2009

On hold pending outcome of court case

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

Planner: Marnie Eggen

Planning Status

Status Date: Jun-30-2011

On hold until outcome of DP and DVP.

Status Date: Mar-03-2011

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

Status Date: Jan-20-2011

Applicant submitted partial application

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2011.10	Denman Community Land Trust Association (Brons)	Mar-15-2011	2016 NORTHWEST RD one Residence, garage/workshop, wood shed, pump shed. Joint DP application DE-DP-2011.1

Planner: Rob Milne

Planning Status

Status Date: May-26-2011

On hold until outcome of rezoning application is known.

Status Date: Mar-21-2011

Planner Reviewing File

From: Anna Olson
Sent: September-26-13 1:43 PM
To: David Graham; Laura Busheikin; Peter Luckham; Rob Milne; Becky McErlean
Cc: Nancy Roggers
Subject: Denman Expense Report- Sept 13

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2014 Invoices posted to September 30, 2013				
615 Denman	Invoices posted to September 30, 2013	Budget	Spent	Balance
65000 615	LTC "Trustee Expenses"	1,100.00	162.73	937.27
65200 615	LTC Local Exp LTC Meeting Expenses	2,500.00	1,446.87	1,053.13
65210 615	LTC Local Exp APC Meeting Expenses	1,000.00	-	1,000.00
65220 615	LTC Local Exp Communications	500.00	-	500.00
65230 615	LTC Local Exp Special Projects	2,000.00	511.61	1,488.39
65240 615	LTC Local Exp Miscellaneous	500.00	-	500.00
TOTAL LTC Local Expense		6,500.00	1,958.48	4,541.52
TOTAL Project Expense		0.00	0.00	0.00

Anna Olson
 Finance Clerk

Islands Trust
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 Victoria, B.C. V8R 1H8
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 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.

Denman Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 1, 2012	DE-041-2012	Home Based Guest Accommodation	It was MOVED and SECONDED: 1. That as the Denman Island Local Trust Committee intends to review the home based guest accommodation regulations in Bylaw No. 186 bylaw enforcement activity is restricted where the guest accommodation provides the following unlawful facilities: 1. a second set of cooking facilities is provided in a lawful dwelling for the use of guests; 2. accessory buildings are used as bedrooms for guest accommodation provided that no more than three bedrooms exist in total; 2. That despite section 1 and 2 above bylaw enforcement activity will not be restricted if: 1. there are issues related to health, safety, or environmental damage; 2. there is a written complaint about bona fide serious nuisance issues such as noise or parking congestion related to the guest accommodation; 3. That nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Denman Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time without notice; 4. That unless the Denman Island Local Trust Committee extends the effective period on this enforcement policy it expires on December 31, 2012 or when the guest accommodation regulation review is complete, whichever is the sooner. CARRIED
2.	December 11, 2012	DE-081-2012	Home Based Guest Accommodation	It was MOVED and SECONDED that the Denman Island Local Trust Committee renew the Standing Resolution No. DE-041-2012 to be extended until December 31, 2013. CARRIED



STAFF REPORT

Date: October 3, 2013

File No.: 6500-20 (Denman Housing)

To: Denman Island Local Trust Committee
For meeting of October 22, 2013

From: Rob Milne, RPP, M.C.I.P.
Island Planner
Local Planning Services

RE: Denman Housing Needs Summary Report of August 25th Community Information Meeting

PROBLEM / ISSUE:

To identify, through public consultation, a number of key objectives that will inform the review of housing policies in addressing the evolving housing needs of Denman Island.

BACKGROUND:

The Islands Trust Policy Statement (2003) submits that “Most [island residents] feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities” and that “local trust committees and island municipalities shall...address their community’s current and projected housing requirements...”

This project has been initiated by the Denman Island Local Trust Committee (LTC) pursuant to the Islands Trust Council 2008-2011 Strategic Plan objective 4.3 “Use land use planning tools and decisions to improve the availability of affordable/accessible/appropriate housing”.

At their May 8, 2013 meeting the LTC directed staff to “...prepare a proposal for two community meetings about housing needs strategies including proposals for format and communications”. This direction to staff could be considered to be the culmination of a number of initiatives which include the 2002-2003 housing review by the Accessory Dwelling Advisory Committee, the 2007-2008 Advisory Planning Commission review where the LTC directed the APC to review “...current housing options found in the OCP and assess their adequacy with regards to affordability” and a 2008 OCP review. None of these initiatives resulted in increased housing opportunities. The project charter for this current initiative is attached to this report as Appendix 3.

A 2008 ‘Housing needs on Hornby and Denman Island’ report identified “at least 26 renter households and about 42 elder households on Denman Island are living in housing which is unacceptable according to nationally established standards.” The report also highlights that 13.5 percent of households are in housing need with affordability of owning/renting a home as the main barrier. A narrowing age demographic towards older residents, a lack of rental options, and a deficiency of housing models able to accommodate a growing senior population also arose as common themes.

The Denman Local Trust Committee identified affordable housing need as the primary driver for this consultation process, but recognizes that any policy options must be amenable to the community, suited to the Denman Island context, and effective within the jurisdictional framework of the Local Trust Committee.

The issue of additional density on the island has been identified as a critical and challenging question within the community. The Denman Island Official Community Plan (Part E.1 - Housing) states that density should be determined through environmental limits and existing zoning regulations, but that housing should also accommodate diversity (See attached Appendix 1).

To that end a community information meeting was organized for and held on August 25, 2013. The overarching goals of that meeting and the process were:

- To achieve broad and meaningful community participation
- To create a dialogue between the Local Trust Committee and the community whereby community needs and concerns can be effectively addressed
- To facilitate a dialogue where appropriate policy solutions can be evaluated in the local context
- To effectively focus and record dialogue so that it may inform the development of land use bylaws

Scope

The Local Trust Committee members in consultation with staff established the scope of the consultation process as follows below. The intent being that items not “in-scope” would not be addressed as part of this consultation process in order to keep the discussion focused upon approaches and solutions which were considered to be acceptable to the community based upon previous community input.

In Scope	Out of Scope
▪ Secondary suites and/or cottages – including visitor accommodation ▪ Relevant density and population growth concerns ▪ Desirable demographic diversity ▪ Long-term economic sustainability ▪ Affordable Housing Agreements ▪ Multi-unit projects (i.e. co-housing or senior housing) ▪ Reviewing definition of a dwelling unit	▪ Density bank ▪ Density transfer ▪ Short-term vacation rentals ▪ Bed and Breakfast accommodations

Discussion Topic Selection

The purpose of the August 25th meeting was to provide an opportunity where Island residents could come together to share their housing challenges and identify a variety of possible options and solutions for further discussion. To achieve this, the meeting opened with a facilitated session where potentially actionable ideas were gathered from the approximately 50 attendees and placed upon a flip chart. The suggestions collected were:

- Secondary suites
- Sustainable affordability mechanisms
- Density transfer
- Elder housing

- Accessory dwellings
- Lot coverage
- Mortgage helpers
- Room rentals
- Mobile/temporary housing
- Farm worker housing
- Shared land ownership

The participants were then asked to partake in a “dotmocracy” exercise and place each of the three adhesive stickers they had received beside what they felt to be the best potential options for affordable housing solutions. Through this selection process the community members identified five options for further discussion. These were:

- Secondary Suites
- Accessory dwellings
- Sustainable affordability mechanisms
- Moveable housing
- Room rentals

A group of five facilitators comprised of the three Trustees and two Islands Trust staff members then facilitated a discussion of a specific topic listed above with each of the five tables of residents. The discussions took the form of a “SWOT” analysis wherein the strengths, weaknesses, opportunities and threats of each option was explored by those at the table. Upon completion of that process each of the facilitators presented the comments received from all five tables on their specific topic in a plenary session.

After the presentations by the facilitators and some brief questions the attendees were asked to once more place each of three new stickers they were given upon what they felt to be the best options for workable solutions during the refreshment break. After the resumption of the meeting the results were reviewed and there was general consensus that three of the five options were decisively identified as the preferred options for further exploration. These were secondary suites, accessory dwellings and sustainable affordability mechanisms. The community input on these options is discussed in the following section.

Synthesis of Options Input

It should be noted that a full transcript of the comments received from the attendees is attached as Appendix ‘2’ to this report. The follow synthesis of the three options selected by the attendees is provided for convenience and is intended to act as an aid in understanding the comments received. The synthesis is not intended to address every comment made but rather provide a broad generalization or overview of the comments received.

Secondary suites

Strengths

The comments received under this section indicate that the attendees felt quite strongly that this option did support affordable housing with a particular emphasis on its potential for elder housing and intergenerational living. It was also felt to be less onerous both financially and in terms of its impact upon the ground as it does not necessarily require additional onsite structures or infrastructure such as additional driveways and clearing of a property. Other positive aspects noted were that the landlord would be living on the property and that secondary suites were already permitted within the ALR and that they were very “doable” in the short term.

Weaknesses

It was noted that there was no way to guarantee that units would be used for affordable housing if permitted and that there was no guarantee that the landlord would be living on the property. Concerns were noted that it would increase density and might also be used as seasonal housing only.

Opportunities

A number of comments in this section noted that suites could be regulated to address a variety of concerns such as ensuring use for affordable housing as well limiting the use to certain (geographic) areas with controls on lots sizes and conditions as well as servicing standards. It was also noted that permitting suites could allow for the legalization of currently illegal suites subject to their being brought up to a better standard.

Threats

A number of potential threats resulting from allowing suites were identified by the participants. These included pushing up real estate prices and property taxes as well producing too much population growth. The impacts of population growth were seen as more cars, noise, environmental impacts and threats to safety and security.

Analysis

The use of secondary suites as a part of the solution to the issue of affordable housing appears to be very strongly supported. This may be largely due to a shared belief that developing a suite involves the least amount of impact financially, as well as physically, given that a suite would be contained within an existing structure and there would be little need for additional external infrastructure. Other potential benefits such as the support for ageing in place (intergenerational living) and rental income were also noted favourably. This option was also seen as an avenue towards the potential legalization of existing suites.

Notwithstanding the notable level of support for secondary suites concerns were noted with respect to the ability to ensure that any suites created or approved were in fact affordable and not used as seasonal housing. As well, some concern was expressed about the impacts of population growth that might occur as the result of additional housing.

Implementation Factors

There are a number of issues that would need to be addressed in order to allow the implementation of secondary suites. First and foremost is the fact that the current Denman Island LUB does not acknowledge or permit them. Changing this would require the inclusion of a definition of a secondary suite within the bylaw as well as developing guidelines on where and under what conditions secondary suites would be permitted. This would likely involve further public consultation.

It should be noted that secondary suites are regulated under the BC Building Code which provides direction as to the building and servicing standards for their construction and occupancy. The issue of servicing also includes appropriate septic disposal and potable water supply. Inspecting for Code compliance is problematic due to the fact that building inspection services are not currently available on Denman Island.

Another important issue identified by the residents is the desire to ensure the continued affordability of any suites which are supported through amendments to the LUB. At this point in time Denman Island's only experience with mechanisms to ensure ongoing affordability is with a housing agreement which was entered into by the LTC pursuant to Section 905 of the *Local Government Act*.

Accessory Dwellings

Strengths

A number of social benefits such as ageing in place, elder housing opportunities and keeping families together were noted, as well as the potential for keeping schools open by the retention of young families on the island. A number of financial benefits such as helping to subsidize mortgages, less expensive rental opportunities, land sharing and the potential for legalizing currently illegal residences were also noted. A strength was also seen as the provision of more diversity for rental choices as well as more rental units.

Weaknesses

Concern was expressed regarding impacts upon land and water resources through over-densification as well the potential difficulty in regulating accessory dwellings. As well, there was concern about ensuring affordability and possible increases in land values.

Opportunities

Opportunities identified reflected a number of the "Strengths" which were suggested such as rental affordability, generational mix, ageing in place, the benefits of legalization and innovation.

Threats

Concerns mentioned include over-crowding, suburbanization and impacts on neighbours. Also mentioned were concerns about special interest groups, i.e.- well funded individuals or organizations, taking advantage of new housing opportunities as well as poor current regulations.

Analysis

Similarly to secondary suites there seemed to be a notable level of support for accessory dwellings for many of the same reasons such as the social benefits of ageing in place and intergenerational living, as well as the potential benefits of subsidizing a mortgage through rental incomes. An additional benefit was seen in the potential for land sharing through joint land ownership and, as with secondary suites, support for additional accessory dwellings was seen as a possible route to the legalization of existing non-conforming residences. A more permissive approach to the allowance of accessory dwellings was also seen as a way to provide a wider diversity of housing options on the Island.

As is the case with secondary suites there are concerns related to the potential impacts of further "densification" of the Island. These concerns relate to impacts upon land and water resources and increasing land values which could affect residents' ability to purchase homes. There was also an expressed concern about the potential suburbanization of Denman Island and the ability to ensure that any new accessory residences remained affordable.

Implementation Factors

Unlike secondary suites an accessory dwelling is a stand-alone structure and as such it is required to be built from the ground up involving considerably more expenses potentially including a new septic field and some form of driveway access. A challenge with this option may be in motivating a homeowner to go through this expense on the basis of long term ongoing rent controls intended to ensure affordability, in the absence of some form of incentive.

If community support for additional accessory dwellings is contingent upon ensuring their ongoing affordability through some form of rent controls there will be a need to further explore the use of housing agreements and other possible options to make the process as uncomplicated and accessible as possible.

It should be noted that the Denman Island LUB currently allows what could be described as accessory dwellings in the "Resource" zones, based upon an allowance for an additional unit for a defined unit parcel area without a requirement that they be "affordable". As well, accessory dwellings have previously been permitted but in the 1990's the land use bylaw was amended to not allow them.

Sustainable Affordability Mechanisms

Strengths

This option was seen as an opportunity to protect renters and to ensure affordability over time possibly through the use of rent controls or agreements held by a Land Trust and the establishment of a definition of affordability such as rent = <30% of income. It was also seen as a less bureaucratic way to create and allow supply and encourage the use of co-op's and co-housing.

Weaknesses

A number of shortcomings were suggested in relationship to this option. They include the possible difficulty in enacting housing agreements, the lack of a [Islands Trust] housing authority and limited buy-in from property owners. It was also suggested that this approach did not address the issue of the currently inadequate housing supply and the potential cost of administering the agreements. It was also noted that it was difficult to understand how the various possible mechanisms work.

Opportunities

Opportunities were seen as the potential for creating a Denman Housing Authority as well as collaborating with BC Housing. Similar to other options it was also seen as an opportunity to take advantage of existing units [existing non-conforming].

Threats

Stated concerns related to possible difficulty in enforcing agreements as well as a lack of political will to implement agreements. Also mentioned was that the process might be too onerous, affecting buy-in as well as potential unforeseen consequences.

Analysis

Although there was support for the approach that any new housing opportunities be, and remain, affordable the issue of affordability mechanisms was identified as having some significant “weaknesses” and “threats”. These related largely to the perceived challenges of implementing and enforcing agreements to ensure affordability. It was noted that the Islands Trust does not currently have a housing authority therefore requiring the participation of a third party such as a non-profit society to enable the process and monitor compliance. It was also noted that these mechanisms did not, of themselves, create any new housing and might in fact hinder the potential supply due to the lack of buy-in from property owners given that the rental rate for housing on their property would not be under their control.

On the positive side a process to put in place an agreement which established rent controls was seen as an opportunity to protect renters. Overall this discussion and process was seen as an opportunity to explore the creation of a Denman Island Housing Authority and possibly collaborate with BC Housing.

Implementation Factors

The Islands Trust does not currently possess the resources to act as a housing authority to aid in the implementation of housing agreements for affordable housing or monitor such agreements for compliance. In the absence of this organizational capacity there is currently a need to look for third party assistance such as the Denman Housing authority to fill that role.

As well, the discussions on housing needs have focused upon the concept of affordability and the need to ensure affordability in the long term. This was a consistent theme in community feedback when discussing options to address the lack of housing. However, the community has yet to define what affordability means in the Denman Island context. Based upon the feedback from the community at the August 25th meeting it will be necessary to achieve a consensus on the definition of “affordability” in order to successfully address the issue of housing.

ISSUES DISCUSSION:

Roadblocks To Success

Affordability

One of the central themes heard at the August 25th meeting is that any housing units permitted through zoning approvals for secondary suites or accessory dwellings should be affordable and their ongoing affordability ensured through a mechanism such as a housing agreement as is permitted through Section 905 of the *Local Government Act*. However, as noted above, the community has yet to fully define what affordability means in the Denman Island context. It should be noted that Appendix “D” of the Denman Island OCP does provide a definition of affordable housing in the context of density banking where Policy 2 states:

For the purpose of the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental assistance; and entry level ownership opportunities.

This definition takes a broader approach to the concept of affordable housing and does not see all affordable housing as being rent controlled.

Given that the definition of “affordability” can be contextual (i.e., Vancouver vs. Nanaimo vs. Denman Island) there is a need to develop clarity on what affordability means to Denman Island

residents. Does it include the broader interpretation provided in the “Density Banking” guidelines or is limited to the apparent desire that surfaced at the August 25th meeting that all affordable housing be rent controlled? This step is important as the definition, and its consequences, should be clear and transparent rather than a moving target for those applying for the approvals necessary to develop a secondary suite or accessory dwelling. It also provides certainty to the community as to the nature of housing units that are being created, as well as the probable financial feasibility for those who are considering creating such a dwelling unit.

As was also noted earlier in this report one threat identified in the Sustainable Affordability Mechanisms discussions was that these mechanisms did not, of themselves, create any new housing and might in fact hinder the potential affordable housing supply due to the lack of buy-in from property owners given that the rental rate for housing on their property would not be under their ongoing control.

Although seemingly clearly implied by those attending the August 25th meeting the actual question as to whether all new housing in the form of secondary suites and accessory dwellings should be the subject of a rental or other agreement was not asked as a direct question. Housing Objective 3, which limits housing density to that currently permitted by the land use bylaw and Policy 11, which provides for an allowance of a 5% increase in the residential density for special needs and affordable housing make achieving clarity on the definition of “affordable” an important step.

Housing Standards

The 2008 *‘Housing Needs on Hornby and Denman Island’* report identified “at least 26 renter households and about 42 elder households on Denman Island are living in housing which is unacceptable according to nationally established standards.” There is need to ensure that any affordable housing approvals do not result in sub-standard housing. This is made more difficult by the lack of building inspection services on Denman Island.

Legalization and Servicing

Denman and Hornby Islands are two of only three Islands within the Islands Trust where building inspection services are not available. Building inspection is typically mandatory in those areas where the service is available. The building inspection process has as its ultimate goal ensuring the protection of public health and safety. As such the building inspection process is intended to safeguard that all structures meet the *minimum* approvable standard of the BC Building Code. This includes all elements of construction from the foundation up as well as the quality of materials used in the construction and servicing of the structure. The inspection process is also intended to ensure that structures, particularly those used for human habitation, have appropriate services such as potable water and are connected to an approved septic waste disposal system depending upon their use.

It is important to consider this matter thoughtfully as it was suggested several times at the August 25th meeting that increased permissibility of secondary suites and accessory dwellings could provide a pathway to legalize currently non-conforming dwelling units. As noted in the preceding section it has already been established that a significant number of Island residents are living in sub-standards housing. Any such legalization for affordable housing such as has been suggested should require verification that all such dwelling units are brought up to acceptable construction and servicing standards.

Mechanisms and Controls

As discussed above one of the topic areas that those attending the August 25th meeting identified for further community review and discussion was that of sustainable affordability mechanisms. The intent of the suggested mechanisms would be to ensure the ongoing affordability of housing possibly through the use of rent controls. The only mechanism that the Denman Island Local Trust Committee and Island residents have had exposure to to date is that of a housing agreement pursuant to Section 905 of the LGA.

Housing agreements implemented under this section may include terms and conditions regarding the occupancy of housing units such as:

- The form of tenure
- The availability of housing units to classes of persons
- The administration and management of the housing units
- Rents and lease, sale or share prices that may be charged and the rates at which these may be increased over time, in accordance with a formula specified in the agreement.

A housing agreement cannot vary the use of density of a property and may only be amended by bylaw adopted with the consent of the owner.

One of the issues associated with the use of housing agreements is that the Islands Trust does not presently have a housing authority to monitor or manage and enforce them. In the absence of this ability these responsibilities must be borne by a non-profit society who is prepared to take up that responsibility. In the Denman Island example the Denman Community Land Trust Association (DCLTA) has spearheaded a site specific affordable housing initiative and serves in that role. In other words it is a community based initiative supported by the local community and the Local Trust Committee through the bylaw approval process.

At such time as that housing agreement comes into practical use with the completion and rental of the affordable housing unit there will be three parties involved with different roles and responsibilities. This would be typical for any affordable housing agreement utilized by the Denman Island Local Trust Committee to enable affordable housing.

1. The renter who will be responsible for paying their rent on time and abiding to the terms of their rental agreement;
2. The DCLTA (non-profit) who will be responsible for:
 - a. Selecting tenants based upon the criteria identified within the housing agreement;
 - b. Ensuring the tenant abides by the terms of their rental agreement;
 - c. Submitting an annual statutory declaration verifying that the housing unit was occupied by an appropriate tenant and used in compliance with the housing agreement;
 - d. Acting as a property manager; and
 - e. Acting as first contact for any complaints related to the use of the affordable housing unit.
3. The Denman Island Local Trust Committee who shall:
 - a. Monitor and ensure the DCLTA fulfills their obligations as laid out within the housing agreement; and
 - b. Delegate or assign the administration and management of this Agreement to a third party

It should be noted that should the DCLTA, for whatever reasons, cease to exist or cease to fulfill its obligations under the housing agreement, or should the owner of the affordable housing property choose to ignore the conditions of the housing agreement which is registered on title the Islands Trust would assume both for the responsibility for fulfilling the duties of the DCLTA until such time another third party agrees to take that role and for the costs associated with enforcing property owner compliance with the provisions of the housing agreement.

At the time of the writing of this report staff remained unable to identify any additional mechanisms to be utilized in the implementation of affordable housing. It should be noted that the Salt Spring Island LTC which is currently undertaking an initiative to legalize secondary suites decided, after extensive consultation with residents and the Capital Regional District, that using housing agreements was not a practical approach to creating opportunities for rental housing. As well, Mayne Island is moving towards the legalization of secondary suites.

OFFICIAL COMMUNITY PLAN AND LAND USE BYLAW

Official Community Plan

Relevant sections of the Denman Island OCP are attached to this report as Appendix '1'. These include the four housing objectives identified in Section E.1 "Housing", and a number of relevant policies from the same section as well as the two policies contained within the "Development Approval Information" policy section of E.4 "Resources". Also included is information from Appendix "D", "Density Banking".

Housing Objectives

Objective 3 **To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types**

Use and Density

Policy 11 The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, including secondary dwelling units pursuant to Policy 16 or site-specific zoning amendment applications under Policy 29 of this Section.

Special Needs and Affordable Housing

Policy 16 The Local Trust Committee should consider zoning amendment applications for site-specific zoning to allow small secondary dwelling units or secondary suites on lots of two hectare or more that are in the Rural or Sustainable Resource designation provided proof of adequate water is provided.

Policy 19 The Local Trust Committee should review the policies in this section once the final report is available for the Hornby and Denman Island Housing Needs Assessment, with a view to determining whether further opportunities for affordable housing are needed and what form any such opportunities should take.

A review of the housing objectives and policies shows them to be generally supportive of the provision of affordable and special needs housing. However, Objective 3, shown above, does

place constraints on the ability to create other residential housing beyond what is currently permitted by the present land use bylaw.

That objective is moderated by Policy 16 which allows that the LTC can give consideration to zoning amendments for the purpose of creating special needs or affordable housing and Policy 11 which allows for a 5% increase beyond the currently permitted density for special needs and affordable housing.

This aligns with the comments received from residents at the August 25th CIM. However, a consequence of the objective and policies is that in order for the LTC to consider legalization of existing non-conforming secondary suites or secondary residences on properties whose zoning does not currently allow an additional residence a site specific rezoning application would be required. Any consideration of such an application should consider as to whether the structure under application meets or is capable of meeting the minimum acceptable standard for residential use.

It should be further noted that the review of housing policies identified in Policy 19 has not been undertaken subsequent to the 2008 completion of the *Housing Needs on Hornby and Denman Island* study.

Zoning Bylaw

A land use bylaw is the regulatory tool used to both implement and regulate the community vision established in an official community plan (OCP). As such the land use bylaw must contain the appropriate definitions and zoning regulations that will be required to allow secondary suites and accessory residences in accordance with the outcomes arrived at through the current or future public consultation processes and do so with clarity. It must also provide clear definitions for all other residential and other non-residential uses so as to allow the community to clearly understand what is and is not permitted in a zone and the specific conditions of use under which they are permitted. In the absence of this clarity of language a land use bylaw can become ineffective and create unnecessary confusion and frustration.

The *Denman Island Land Use Bylaw, 2008* currently uses six different terms to describe residential uses in its various regulations and land use zones. However, only one of them, *dwelling unit*, is defined in the bylaw. This makes it difficult for residents, and anyone else, to know exactly what might be permitted on a property where these are listed.

How, for instance, is a cabin different from an accessory dwelling unit? For that matter what is an accessory dwelling unit and how is it different from a single family unit and what is the definition of family? On the other hand the land use bylaw does include definitions for “secondary dwelling unit” and “secondary suite” which are not otherwise mentioned in the land use bylaw. The definitions for these uses which are the subject of the current public consultation process are as follow:

Secondary [Accessory] dwelling unit means an accessory dwelling unit or secondary suite that is limited in floor area;

Secondary suite means an accessory dwelling unit that is located in the same building as the principal dwelling unit;

It is strongly suggested that the current lack of residential use definitions be addressed and the two definitions shown above revisited upon the completion of the public consultation process. It is also suggested that any regulations for the various residential uses be reviewed at a point in the future to ensure their clarity and intent.

The OCP policies do advise that small secondary dwelling units or secondary suites should only be considered for lots of two hectare or more that are in the Rural or Sustainable Resource designation provided proof of adequate water is provided. However, the land use bylaw does not currently provide any regulatory guidance with respect to the development of affordable housing. Such matters as height, floor areas, parking requirements, and the permissibility of home occupations are not currently addressed. It is strongly suggested that consideration be given to these matters to establish a set of consistent criteria going forward.

SUMMARY:

The August 25th community information meeting was intended to provide an opportunity to take concrete steps in addressing the need for affordable housing on Denman Island without duplicating past initiatives. The meeting was ultimately successful in providing an opportunity both in identifying options as well narrowing the initial 11 suggested options down to a final three that were chosen by the attendees as being worthy of further consideration and exploration as viable solutions. It should be recognized, however, that some attendees expressed dissatisfaction that short term rentals and B&Bs were not accepted as topics for consideration as a solution to the issue and some of those left shortly after the first portion of the meeting.

Of the three options two dealt with the actual housing form and the third dealt with the issue of mechanisms to ensure long term, ongoing affordability. As noted in the review above there are related matters that need be addressed as part of moving the process forward.

Firstly, there appeared to be tacit understanding or acceptance that any housing opportunities should be approved subject to the use of a tool such as a housing agreement to ensure the long term affordability of the dwelling unit created through rent controls. The commitment to this approach should be confirmed to avoid confusion at a later point in the process. Also given that “affordability” will be one of the most important factors when consider approval of rezoning applications for the purpose of creating affordable housing there will be a need to determine what affordability means in the Denman Island context should this become a required condition of approval.

It should also be noted that at the time of writing this report staff had not been able to identify any other tools aside from the previously discussed Section 905, LGA, housing agreement. In discussions with Islands Trust planning staff in the southern office it was observed that the Salt Spring Island LTC after much public deliberation and consultation with the Capital Regional District decided it was not a practical approach to creating opportunities for rental housing and are not making that a condition of approval for secondary suites. This decision was influenced by the significant amount of resources, financial and otherwise, required in developing housing agreements and securing third parties to monitor and administer the agreements. (It was also recognized that the deed restricted, rent control approach was unlikely to generate the necessary by-in to make this an effective approach to encouraging affordable housing). The Islands Trust does not currently have the capacity to monitor and administer housing agreements and staff has confirmed that the Comox Valley Regional District has no experience or detectable interest in doing so.

In terms of process, and assuming the need for a housing agreement and the presence of a third party non-profit entity which is prepared to sponsor and or administer an affordable housing project through a housing agreement, there will be a number of process steps required.

The steps, in general would be:

1. Identification of an appropriate subject property that is verified as being capable of being adequately serviced both with septic disposal and potable water;

2. Establishing third party sponsorship to monitor and administer the housing agreement;
3. Development of the terms of the rental agreement and plans for the rental accommodation in consultation with Islands Trust staff;
4. Hold a public open house to allow for community review and feedback; and
5. Incorporate feedback as appropriate and submit a “complete” rezoning application with background materials that document the previous steps.

CONCLUSIONS

Given the objectives and policy direction provided by the OCP the options available for creating affordable housing are presently very limited in scope and if the accepted definition of “affordability” forces the need for housing agreements success in this endeavor will be dependent upon finding third parties prepared to be signatories to those agreements and property owners who are prepared commit to the process financially. Given the direction being taken in other Local Trust Areas in moving away from requiring housing agreements in the creation of some housing opportunities it is not clear that this path alone will provide the necessary solution to the issue of housing needs on Denman Island. Given the foregoing there are a number of actions that should be considered in the context of facilitating affordable housing options on Denman Island.

- Work with the community to confirm an appropriate definition of affordability to guide the implementation of affordable housing.
- Determine the role of affordability in the creation of housing opportunities.
- Give consideration to an appropriate set of conditions of use for secondary suites and secondary dwelling units.
- Review the land use bylaw definitions of secondary or accessory dwelling units and secondary suites.
- Consider a review of the various definitions currently used in the land use bylaw in association with housing.
- Consider the approach that secondary suites contained within permitted dwelling units are not considered as contributing to the overall density permitted by the land use bylaw.

Addressing these issues will assist in identifying viable options that have a real chance of addressing the housing challenges on Denman Island. What seems clear is that something has to change in order for this to happen. The OCP and the LUB have provided and continue to provide the opportunity for property owners to develop housing on the basis of a rezoning and a housing agreement. The reality is that this approach has not been effective in providing a solution to the housing issue which strongly suggests that other approaches should be considered. Other LTCs such as Salt Spring Island and Mayne Island also appear to have reached this conclusion. Copies of their proposed bylaws are attached to this report for information.

It should be noted that the Project Charter for this initiative included a second meeting to review the results of the August 25th Community Information Meeting. The timing and focus of that meeting may need to be revisited depending upon the decisions of the Local Trust Committee after their review of this summary report and its recommendations.

RECOMMENDATIONS

It is the recommendation of staff:

THAT the Denman Island Local Trust Committee give consideration to amendments to the Denman Island Land Use Bylaw, such as are being considered for Salt Spring and Mayne Islands to encourage and facilitate the creation of appropriate housing opportunities as part of the solution to affordable housing on Denman Island;

AND FURTHER THAT the Denman Island Local Trust Committee give consideration to amending the Denman Island Official Community Plan to allow secondary suites in other designations than "Rural" and "Sustainable Resource" as deemed appropriate.

Prepared and Submitted by:

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October 9, 2103

Island Planner

Date

Concurred in by:

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October 9, 2013

Date

Appendices:

1. Relevant Denman Island OCP Objectives and Policies
2. Notes from August 25th , 2013 Cooking Up Housing Forum small group discussion
3. Denman Island Consultation on Affordable Housing Strategies - Project Charter
4. Salt Spring Island Draft Bylaw No. 461
5. Mayne Island Draft Bylaw No. 159
6. Mayne Island Draft Bylaw No. 160

Appendix 1

Relevant Denman Island OCP Objectives and Policies

Current OCP Housing Objective and Policies

Excerpt from "Housing" introduction:

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

Guiding Objective

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

Housing - Objectives

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

Use and Density

- Policy 11 The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, including secondary dwelling units pursuant to Policy 16 or site-specific zoning amendment applications under Policy 29 of this Section.*

Special Needs and Affordable Housing

- Policy 16 The Local Trust Committee should consider zoning amendment applications for site-specific zoning to allow small secondary dwelling units or secondary suites on lots of two hectare or more that are in the Rural or Sustainable Resource designation provided proof of adequate water is provided.*

INFORMATION NOTE: A secondary dwelling unit on land in the Agricultural Land Reserve requires the approval of the Agricultural Land Commission.
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- Policy 17 The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing.*

Trust Committee, that the replaced dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction; and

- to authorize up to 9 dwelling units on land legally described as The south east ¼ of section 26, Denman Island, Nanaimo District.

DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

Policy 30 Applicants for a zoning amendment in the Residential or Rural designation in this Plan, may be required to provide development approval information.

Policy 31 The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations.

Density Banking

Policy 2 The Local Trust Committee may consider applications for transfer of banked densities providing the land receiving the densities will be used for affordable housing and a suitable mechanism is in place ensuring this use is maintained over time. For the purpose of the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental assistance; and entry level ownership opportunities.

Guideline 9 Applications for transfer of banked densities for affordable housing must include details of the criteria for residents of the housing as well as demonstrate a need for the type of affordable housing on Denman Island.

Appendix 2

Notes from August 25th , 2013 Cooking Up Housing Forum small group discussion –

Secondary Suites

Strengths

- supports affordable housing and elder housing (many times)
- supports elder housing (several times), aging in place (several times)
- mortgage helper (several times)
- supports intergenerational living (several times)
- not as onerous to create as a cottage/cabin (several times)
- less infrastructure impact than a freestanding unit (ie one driveway, one clearing, one hydro access, possibly one well and septic) (many times)
- housing more people will lead to population growth which is good for the economy and vibrancy (a couple mentions)
- privacy (as compared to people sharing living space in one building)
- makes status quo – that this is going on illegally -- legal (several times) (some people said this was NOT a strength)
- landlord will be on property to deal with any issues
- already allowed in ALR
- could support farming families (a couple mentions)
- doable in the short term and for the short term (flexibility)

Weaknesses

- no way to ensure it gets used for affordable housing or other community needs (many times)
- not appropriate for everyone (noise, privacy, personal space considerations)
- no guarantee landlord will be living on property
- will increase density
- doing it right can be too expensive
- could create seasonal housing only (tenants asked to move out for summer)
- it's hard to define affordable
- will attract low income people who need jobs but our economy does not offer many jobs

Opportunities

- can be regulated with a mechanism to ensure it is used for affordable housing (many, many times)
 - could be limited to certain areas, lots sizes, and/or conditions (several times)
- can create a way for currently existing illegal suites which are substandard to be brought up to a better standard
 - can be subject to regulation to require proof of water, sewage (several times)
 - can be regulated to specify tenants of a certain class (immediate family, caregivers, etc)
 - could be used in conjunction with “lifetime tenancy” option for long-term housing
- creation of these could be made legal for a limited amount of time only; the resulting

suites would remain legal but no more could be created (or instead of time line could be a certain amount) (several people)

- if used for guest accommodation, could help guest accommodation providers to set standards, which could be reflected in Trust regulations
 - would spur us to create a definition of affordability
 - can allow for flexibility in setting rental rates

Threats

- real estate prices will go up
- property taxes will go up
- too much population growth (many mentions) (several people said this wasn't a threat but rather a strength)
- could be built originally for housing but then used for vacation rentals
- more cars
- on small lots, cumulative impacts will be too high
- noise
- threat to safety and security
- environmental impacts
- too many will be created

Plus there was one idea put forward that did not fit the SWOT structure: to change the definition of dwelling unit to reflect that a DU is a space where people live, with no mention of a kitchen

Accessory Dwellings

Strengths

- Diversity [of housing types]
- Subsidizes mortgage
- Alleviates rental problem
- More rental opportunities
- Ageing in place
- Seniors housing opportunities
- Families together
- Breaks with [Island] tradition
- Inexpensive to rent
- Housing security for landowners
- Legalizing doesn't require grants.
- Keeps schools open [retention of young families]
- Public safety [more eyes in the community]
- Opportunities for land sharing
- Opportunities for destination accommodation

Weaknesses

- Capacity [impact] on water and land
- Expensive to build
- Hard to regulate
- Breaks with [Island] tradition
- Over-densification
- Lack of affordability mechanism
- Create a black market [for cheaper illegal housing]
- Increase land values

Opportunities

- Innovation
- Affordability for lower incomes
- Generational mix
- Facilitate ageing in place
- Challenge to [Island] status quo
- Address[es] affordability
- If legalized [illegal dwellings] incentive to make upgrades

Threats

- Over-crowding
- Poor [written] regulations
- Changes [Island] status quo
- Suburbanization
- Special interest groups [taking advantage of new housing opportunities]
- Restrictions on “mobile” residential options
- Impact upon neighbours

Sustainable Affordability Mechanisms

Strengths

- Ensure affordability over time
- Diverse community
- Definition of affordability =<30% income
- Mortgage helper
- Land Trust can hold agreements
- Other mechanisms- protects the renter
- Broadly create/allow supply
- Rent controls
- Less bureaucratic
- Housing authority owns all affordable units
- Co-ops & co-housing

Weaknesses

- Housing agreement difficult to enact
- Lack a local housing authority
- Limited buy-in (lack of owner motivation)
- Does not fully capture affordability
- Difficulty determining need/poverty
- Doesn't address issue of housing supply
- More \$ to administer than covenant
- Cost \$
- Difficult to understand how they work
- Does not address diversity- renter or landlord

Opportunities

- Create a Denman Housing Authority
- Collaboration with BC Housing
- Taking advantage of existing units
- Density
- To challenge land owners to be altruistic not fearful
- Non-paying 2nd

Threats

- Non-compliance (enforcement difficult)
- Unforeseen consequences
- Too onerous = no by-in
- Lack of political will to implement agreement

Moveable Housing

Strengths

- Temporary housing
- Transition housing
- Affordable
- Smaller environmental footprint
- Flexibility (need)
- Demographic diversity
- Home ownership without land ownership
- Choice (affordable)
- Density
- Great instantaneousness

Weaknesses

- Lower adjacent property values (perception)
- Density
- Lack of permanence
- Requires full servicing
- Some not designed for full time use

Opportunities

- IT legal use...family use, special needs use
- Use of TUP (vary conditions)
- Trailer parks
- DP form/character
- Deal with existing sub-standard infrastructure
- Restrictive to larger prop.
- Lot coverage
- Very doable?

Threats

- It never leaves – it may be substandard living
- No distinction to “Reg” dwellings
- Proliferation of “sub-standard”

Room Rentals

Strengths

- Stepping stone
- Build social community infrastructure
- Freedom
- Strengthen economy in the visitor sector
- Build community
- Sustain community
- Elder support
- Affordable
- Small footprint
- Contribute to the whole pie
- Self-regulating

Weaknesses

- Temporary
- Inadequate
- Non-starter [x2]
- Does not address problem (not housing)
- Scale, privacy/control
- Does not p[?] residents
- Not family
- Crowded conditions
- Not for everyone

Opportunities

- Transition
- Emergency
- Private citizen mg.
- Control available
- Income
- Trust/Integ.
- Short term starter
- Autonomy of your own house
- Elder care
- Income supplement
- Singles

Threats

- Safety
- Security limits
- Tourism
- STVR
- Human footprint

Appendix 3



Islands Trust

Denman Island Consultation on Affordable Housing Strategies

Project Charter

Creation Date: May 10, 2013

Last Updated: Thursday, October 10, 2013

Version: 1.2

	Name	Endorsement Date
Project Sponsors	Courtney Simpson	10/10/2013
Project Manager	Rob Milne (Island Planner)	10/10/2013
Local Trust Committee	Denman Island	

Purpose

This project will, through a public consultation process, seek community input on acceptable options for affordable housing for inclusion in a review of Denman Island's housing policies as they impact the supply of affordable housing. This review is intended to inform bylaw amendments that enable a greater supply of affordable housing in advance of the November 2014 trustee elections.

Background

The Islands Trust Policy Statement (2003) submits that "Most [island residents] feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities" and that "local trust committees and island municipalities shall...address their community's current and projected housing requirements..."

This project has been initiated by the Denman Island Local Trust Committee (LTC) pursuant to the Islands Trust Council 2008-2011 Strategic Plan objective 4.3 "Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing".

A 2008 '*Housing needs on Hornby and Denman Island*' report identified "at least 26 renter households and about 42 elder households on Denman Island are living in housing which is unacceptable according to nationally established standards." The report also highlights that 13.5 percent of households are in housing need with affordability of owning/renting a home as the main barrier. A narrowing age demographic towards older residents, a lack of rental options, and a deficiency of housing models able to accommodate a growing senior population also arose as common themes.

The Denman Local Trust Committee identified affordable housing need as the primary impetus for this review, but emphasized that concerns around increased density on the island might create concern by some community members. Objectives

- Develop a communications plan that engages all stakeholders in contributing to the development of affordable housing policies
- Communicate both the process and outcomes to the Denman Island community and solicit feedback during development of the deliverables.
- With the aid of the community identify actionable ideas which are supported by the community that can be used to facilitate the creation of affordable housing.

- Amend the Land Use Bylaw to better facilitate the provision of affordable housing within the framework established by the existing community as informed through the consultative process.

Scope

In Scope	Out of Scope
▪ Two public consultation meetings ▪ One CIM ▪ Secondary suites and/or cottages – including visitor accommodation ▪ Affordable housing agreements ▪ Multi-unit projects (i.e. co-housing or senior housing) ▪ Relevant density and population growth concerns ▪ Desirable demographic diversity ▪ Long-term economic sustainability ▪ Reviewing definition of a dwelling unit ▪ LUB amendments	▪ Density bank ▪ Density transfer ▪ Short-term vacation rentals ▪ Bed and Breakfast accommodations ▪ OCP amendments ▪ More than two public consultation meetings

Deliverables and Milestones

Deliverable / Milestone	Target Completion Date
Public Consultation Meeting 1 (“Needs and Fears”)	August 25, 2013
Staff Report on Meeting 1	October, 2013
Public Consultation Meeting 2	November, 2013
Draft amendments to relevant Land Use Bylaw	January, 2014
Local Trust Committee review of staff recommendations	January, 2014
Open House for public review of proposed bylaw amendments	February, 2014
Public hearing on proposed bylaw amendments	March 2014
Further readings of bylaws and referral to Executive Committee	April, 2014
Adopted bylaw amendments	May, 2014

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>Homeowners</i>	<i>All</i>	• New housing permissions do not threaten rural character • New regulations are clearly understood and accessible • Fair and reasonable regulation • Expect clear, proactive communication
<i>Renters</i>	<i>All</i>	• Greater availability of rental housing to meet housing need

Stakeholder	Represented by	Interests, expectations, concerns
		Solutions that incentivize additional housing rather than penalize users of substandard housing

Project Team Resources

Name	Project Role	Area	Duration	Time
Rob Milne	Project Manager	LPS – Northern	All	20 days
Additional Planner resources	Planning support	LPS – Northern	2-3 days	
Penny Hawley	Meeting notices & bookings	LPS – Northern	All	1-2 days
Seth Wright	Planning support-meeting, materials preparation	LPS – Northern	Initiation of project to first CIM	10 days

Project Governance

Role	Responsibility
Project Champion - David Marlor	Strategic matters at Executive Committee level
Project Sponsor - Courtney Simpson	Ensures project aligns with Trust Council Strategy, provide adequate project resources
Local Trust Committee	Provides support through maintaining the project as a work program priority
Project Manager - Rob Milne	All project management of the project, lead/ direct all project work
Project Team Members	Carry out assigned project tasks

Project Budget

Item	Details	Fiscal 13/14	Fiscal 14/15
Communications	• reproduction • Mail outs • Newspaper advertising	\$200	\$510
Open House & Public Hearing	• Statutory advertising • Venue rentals • Refreshments • Transportation • Display materials preparation	\$250	\$1,500
Totals		\$200	\$2060

Critical Success Factors

- Ongoing support from Sponsors and LTC
- Project is adequately resourced – budget request for further mapping is filled in 2013-14 fiscal
- Project completes on time

Links and Dependencies

- Any new project added to the top priorities list does not move ahead of this project.

Risk Assessment

Risk Description	Prob-ability	Impact	Risk Response Strategy
<i>Budget is not allocated for 2014 consultation meetings</i>	L	H	Prepare thorough budget request through RPM, in order to provide LPS director with adequate information for preparing budget information to FPC.
<i>Public consultation process is not completed on time</i>	L	L-M	Prioritized work load to ensure resources are available for timely project completion.
<i>Significant public opposition</i>	M	M-H	Ensure communications are early and ongoing. Acknowledge and respect public wishes and concerns with appropriate bylaw amendment recommendations..

Appendix 4

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 461

**A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999,
BEING BYLAW NO. 355**

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

1. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999”, is amended:

- 1.1 By adding the following new definition in Section 1.1:

“secondary suite” means an *accessory*, self-contained *dwelling unit*, located within a *building* that otherwise contains a *single-family dwelling*, and having a lesser *floor area* than the *principal dwelling unit*.”

- 1.2 By adding a new Schedule “I” titled “Secondary Suites Map” as shown on attached Plan No. 1, in appropriate alphabetical sequence.

- 1.3 By inserting a new Section 3.15 as follows:

“3.15 SECONDARY SUITES

- 3.15.1 *Secondary suites* are permitted on *lots* that are within or partially within the shaded area on Schedule “I” to this Bylaw.

Information Note: Secondary suites are also permitted on lots within the Agricultural Land Reserve, zoned Agriculture 1 and Agriculture 2 by this Bylaw.

Information Note: Secondary suites that are permitted by these regulations also require a building permit from the Capital Regional District Building Inspection Office to be fully legalized.

- 3.15.2 A *dwelling unit* is permitted to contain a *secondary suite* provided that:

- (1) the *dwelling unit* or the *secondary suite* is occupied by the owner of the *dwelling*; or
- (2) the *dwelling unit* or the *secondary suite* is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas.

- 3.15.3 There is a maximum of one *secondary suite* permitted per *lot*.
- 3.15.4 A *secondary suite* must be contained within the walls of the *building* that contains the *principal dwelling unit*.
- 3.15.5 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.
- 3.15.6 The maximum *floor area* for a *secondary suite* is 90m² (968 ft²).
- 3.15.7 A *secondary suite* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.
- 3.15.8 Where a *lot* is supplied by groundwater, a *building* containing a *secondary suite* must have sufficient available groundwater.

Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.

- 3.15.9 Where a *secondary suite* is supplied by rainwater collection, the rainwater system must be capable of supplying the suite with a sufficient quantity of *potable water*.
- 3.15.10 Where water is to be supplied to a *secondary suite* by a combination of sources, a written plan for the supply of water is to be provided that demonstrates an adequate supply of *potable water*.
- 3.15.11 Where water is supplied to a *secondary suite* by a *community water system*, the operator of the *community water system* must provide written confirmation that it has sufficient capacity to supply the *secondary suite*.
- 3.15.12 Where water is to be supplied from a surface *water body*, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water.

Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity."

And by making consequential numbering alterations to effect this change.

- 1.4 By inserting in Table 1 of Section 5.5 the following new water supply standard for *subdivision*:

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day per lot)
<i>Secondary Suite</i>	1200

- 1.5 By inserting in Table 3 of Section 7.1 the following new parking regulation:

TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
<i>Secondary Suite</i>	1 per unit	0	0

- 1.6 By replacing the words “Subsection 3.1.1 of this Bylaw” in Article 9.9.1(1) with the words “Subsections 3.1.1 and 3.15.1 of this Bylaw”.
- 1.7 By removing the *Information Note* at Subsection 3.11.3.
- 1.8 By amending Article 3.13.8(2) to replace the phrase “*single-family dwelling*” with the phrase “*principal dwelling unit*”.
- 1.9 By removing the *floor area* limit for *secondary suites* in the table at Article 9.1.1(1)(b).
- 1.10 By adding the words “with the exception of *secondary suites*, where permitted” after “Minimum *lot area* required for more than one *dwelling unit* (ha)” in the table at Article 9.9.2 (1).

1.11 By adding the words “with the exception of *secondary suites*, where permitted” after “Maximum number of *dwelling units* per 8 ha” in the table at Article 9.10.2 (1).

2. This Bylaw may be cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2012”.

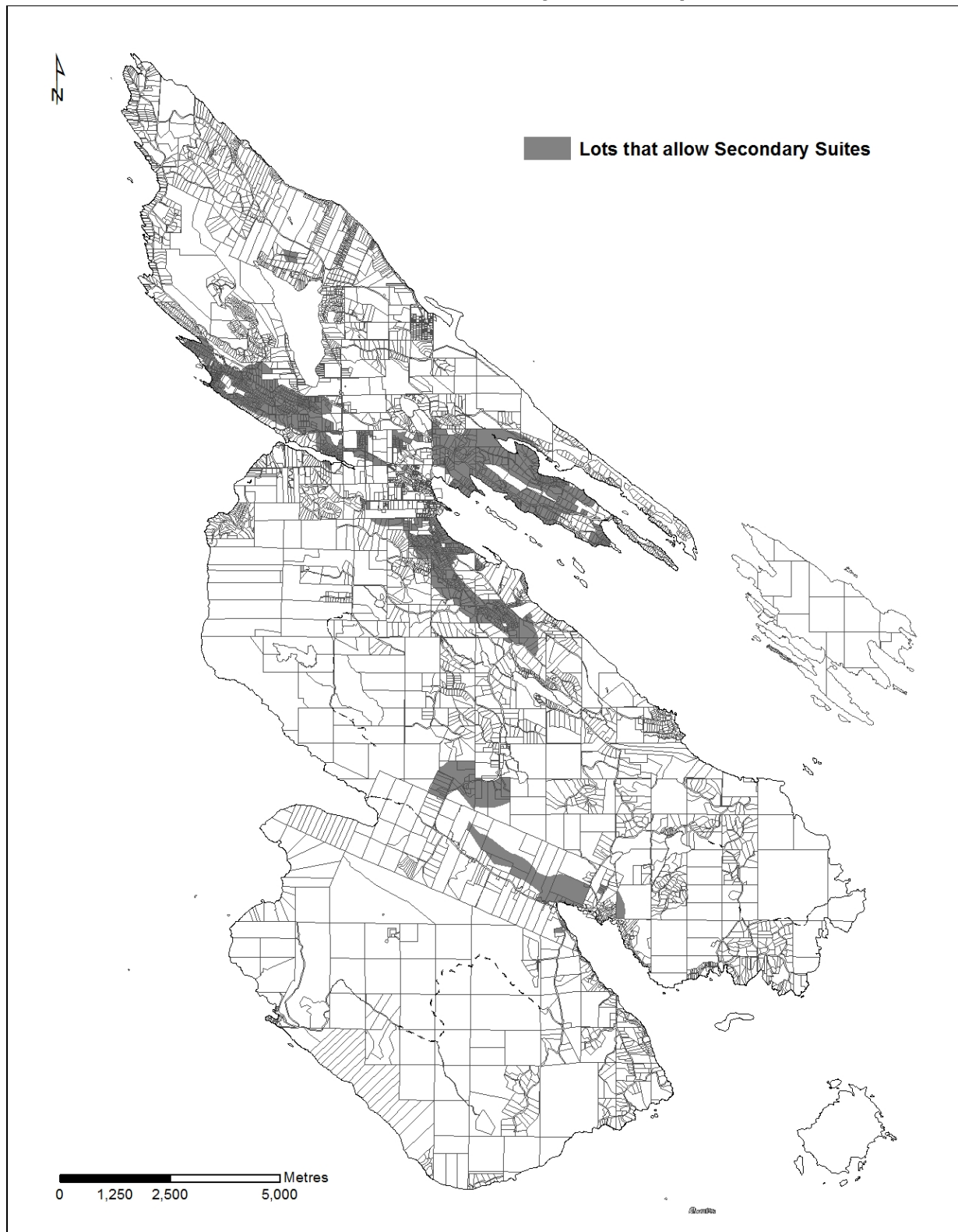
READ A FIRST TIME THIS	5 th	DAY OF	July	, 2012
READ A SECOND TIME THIS	22 nd	DAY OF	November	, 2012
PUBLIC HEARING HELD THIS	25 th	DAY OF	February	, 2013
READ A THIRD TIME THIS	21 st	DAY OF	March	, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	23 rd	DAY OF	April	, 2013
ADOPTED THIS	2 nd	DAY OF	May	, 2013

CHAIR

SECRETARY

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 461**

**Plan No. 1
Schedule "I" Secondary Suites Map**



Appendix 5

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW No. 159

A BYLAW TO AMEND MAYNE ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 144, 2007

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Mayne Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013."

2. SCHEDULES

- a. Schedule A (Policy Document) of Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of

PUBLIC HEARING HELD this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this

ADOPTED this

DEPUTY SECRETARY

CHAIR

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO.

SCHEDULE 1

Schedule A (Policy Document) of Mayne Island Official Community Plan No. 144, 2007 is amended by:

Inserting a new policy after policies 2.1.1.9, 2.1.4.11, 2.1.5.9, 2.2.1.9 as follows:

One secondary suite contained within a dwelling unit shall be permitted on a parcel as an accessory use. The floor area of the secondary suite shall not exceed 90 square metres or 40 per cent of the floor area of the principal dwelling unit. Water catchment and storage systems shall be required for each secondary suite.

Appendix 6

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 160

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW NO. 146, 2008

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

- A. Schedule A of Bylaw No.146, cited as “Mayne Island Land Use Bylaw No 146, 2008” is amended as follows:

1. By adding a new definition to Section 1.1 Definitions as follows:

“secondary suite” means an accessory, self-contained dwelling unit, located within a building that otherwise contains a dwelling unit, having a separate entrance to the outside, and having a floor area not exceeding 60 square metres and 40 per cent of the floor area of the principal dwelling unit.”

2. By adding new subsections to the Settlement Residential, Rural, Upland and Agricultural sections as follows:

Permitted Uses

Secondary Suite

Density

One secondary suite per lot.

Siting and Size

The maximum floor area for a secondary suite is 90 square metres.

3. By adding to 7.4 Off Street Parking Spaces as follows:

<i>Use of Building or Lot</i>	<i>Minimum Number of Parking Spaces Required</i>
<i>Secondary suite</i>	<i>1 per suite</i>

4. By adding a new section 3.13 as follows:

3.13 Water Storage for Secondary Suites

A building permit shall not be issued for any secondary suite unless the dwelling unit containing the suite is equipped with a water catchment system and cistern for the storage of rainwater. Minimum cistern capacity is (3000 gallons).

- B. This bylaw may be cited for all purposes as the “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2 , 2013”.

READ A FIRST TIME THIS
PUBLIC HEARING HELD THIS

DAY OF 20
DAY OF 20

READ A SECOND TIME THIS

DAY OF 20

READ A THIRD TIME THIS

DAY OF 20

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF

20

ADOPTED THIS

DAY OF

20

DEPUTY SECRETARY

CHAIRPERSON



BRIEFING

To: Local Trust Committees
From: Linda Adams
 Chief Administrative Officer

For the Meeting of: (LTC meetings in Oct. and Nov.)
Date prepared: **October 3, 2013**

File No.: **Strategic Plan**

SUBJECT: ISLANDS TRUST COUNCIL STRATEGIC PLAN – LTC INPUT

DESCRIPTION OF ISSUE:

Local Trust Committee input to Islands Trust Council Strategic Plan

BACKGROUND:

At its meeting in September 2013, the Islands Trust Council endorsed the Objectives, Strategies, Activities and Phases (columns 1-3) illustrated in the August 27, 2013 version of its Strategic Plan for 2011-2014 (Attachment 1).

Trust Council also requested Council Committees, Local Trust Committees and the Trust Fund Board to provide recommendations to the Financial Planning Committee and the Executive Committee in November, regarding:

- a. Their projected ability to complete Strategic Plan items on target
- b. Identification of any Strategic Plan items they recommend for amendment, removal or delay
- c. Identification of any items that should be added to the Strategic Plan
- d. Recommendations regarding any new resources that should be included in the annual budget in order to complete Strategic Plan items on target

Trust Council has requested the Financial Planning Committee to use the August 27, 2013 version of the Strategic Plan for the purposes of budget development, after considering recommendations of other Council committees, local trust committees and the Trust Fund Board. It has also requested the Executive Committee to make recommendations in December 2013 regarding amendments to the Strategic Plan for 2011-2014.

The August 27, 2013 version of Trust Council's Strategic Plan is being circulated to Council Committees, local trust committees and the Trust Fund Board as requested.

The Financial Planning Committee will meet on October 30 and November 13 to discuss a first draft of the 2014/2014 annual budget for Trust Council's review in December 2013. Following public consultation in February 2014, Trust Council would then adopt a budget in March 2014 and amend its Strategic Plan, as necessary, in response to the budget it has adopted.

ATTACHMENT(S):

- Attachment 1 - Islands Trust Council Strategic Plan – August 27, 2013
- The Request for Decision material considered by Trust Council's in September 2013 is available in Trust Council's September 2013 Agenda Package (see Item 3.4) at:
<http://www.islandstrust.bc.ca/uploads/meetings/2013/9/93/package/Sept%202013%20Trust%20Council%20Decision%20and%20Information%20Items%20Agenda%20Package.pdf>

AVAILABLE OPTIONS:

Each local trust committee may wish to provide advice to the Financial Planning Committee and the Executive Committee in regards to any items on the Strategic Plan that relate to its operations, specifically:

- a. The local trust committee's projected ability to complete Strategic Plan items on target
- b. Identification of any Strategic Plan items that a local trust committee recommends for amendment, removal or delay
- c. Identification of any items that a local trust committee indicates should be added to the Strategic Plan
- d. Recommendations regarding any new resources that a local trust committee indicates should be included in the annual budget in order to complete Strategic Plan items on target

FOLLOW-UP:

LTCs to consider providing advice to the Executive Committee and the Financial Planning Committee, by resolution, as indicated.

While early advice regarding Strategic Plan items that relate to LTC work would be most helpful, LTCs could also undertake further review and provide input after the December 2013 meeting of Trust Council.

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: David Marlor, Director – Local Planning
Services – October 4, 2013

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Islands Trust

Preserving Island
communities, culture
and environment

Our Provincial Mandate

“to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia”

– Islands Trust Act

Islands Trust Council — Strategic Plan 2011-2014

Adopted September 12, 2012 – updated to September 12, 2013

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and sometimes fragile natural environment of the islands in the Strait of Georgia and Howe Sound, characterized by an exceptional variety of species, have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council has a unique mandate from the province to preserve and protect the amenities and environment of the Islands Trust Area, for the benefit of residents and all British Columbians. It meets quarterly to make decisions about the Islands Trust’s overall policy, advocacy positions, staff resources and budget. Trust Council is made up of the 26 locally-elected trustees who also sit on 12 local trust committees and one island municipality. There they have responsibilities for land use planning and regulatory decisions that are separate from their role at the Islands Trust Council. The current Council was elected for a 3-year term during BC Local General Elections in November 2011. Trustee terms will end in November 2014.

A Strategic Plan for the 2011-2014 term

The Islands Trust Policy Statement is partially implemented through Council’s strategic plan. By identifying goals and developing a plan to achieve them, Council focuses finite resources and measures progress. After extensive review and public input, Trust Council has confirmed the following focus areas for its 2011-2014 term:

Goal A - Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat under BC’s Riparian Areas Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B – Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C – Sustain Island Character and Healthy Communities

The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D – In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness

Shaded text=activities primarily achieved in prior fiscal years or proposed for future fiscal years and subject to future budget decisions;
Italics=changes since last Trust Council meeting

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows:

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal A: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
1 PROTECT the natural environment of islands	1.1 Encourage voluntary stewardship of natural environment	<u>FY 2011/12- 2014/15</u> 1.1.1 Promote community participation in conservation through information sharing and education about private land stewardship options	TFB	Subject to funding in annual budgets or grant funding	By whether the Islands Trust Fund is actively promoting its conservation programs at community events, in publications and online	Ongoing
		<u>FY 2012/13 – 2013/14</u> 1.1.2 Share information about best practices for covenants and NAPTEP with all planning staff	TFB	Funded by base budget	By whether planners have been provided with covenant education opportunities and whether information is available through the Islands Trust Fund website	Website information complete ITF presentation to LPS not started
		<u>FY 2012/13 – 2014/15</u> 1.1.3 Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.	TFB	Funded by program budget in 2013/14 \$22K for eelgrass mapping; \$10K for forage fish mapping Further work subject to 2014/15 budget \$22K for eelgrass mapping; 10K for forage fish mapping	By whether maps of natural and modified environments are available to LTC's and BIM, RDs, local conservancies and other partners	Draft Protected Area Network mapping available; eelgrass mapping completed for Gambier, Thetis, Thetis associated islands (except Valdes) Lasqueti, North Pender, South Pender and Mayne and forage fish habitat mapping completed for North and South Pender; additional eelgrass mapping in progress
		<u>FY 2013/14</u> 1.1.4 Research and develop a pilot landowner contact program in collaboration with a local conservancy	TFB	Subject to external funding	By whether a landowner contact pilot program is implemented	Planning in progress

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		<u>FY 2011/12 - 2014/15</u> 1.1.5 Support island-based land trusts with partnerships, funding and capacity building opportunities	TFB		Funded by base budget and donations	By whether the Opportunity Fund grows by at least 10% per year and by the amount of grants issued	Recent grants awarded to Pender Island Conservancy (\$5,000) and Salt Spring Island Conservancy (\$5,000)
		<u>FY 2013/14</u> 1.1.6 Council workshop regarding invasive species	TFB		Funded by base budget	By whether a Trust Council workshop has been held	Scheduled for Dec/13 Trust Council meeting
		<u>FY 2013/14 - 2014/15</u> 1.1.7 Share information with the public about managing invasive species	TFB		Subject to funding in 2014/15 program budget	By whether information has been shared with the public	In progress. Invasive species control information shared through ITF website and e-newsletter
	1.2 Expand Natural Areas Protection Tax Exemption Program (NAPTEP) program to entire Islands Trust Area	<u>FY 2012/13</u> 1.2.1 Present NAPTEP program to BIM Council for consideration	TFB	BIM***	Funded by base budget	By whether or not BIM has considered participating in the NAPTEP program	Complete. BIM declined for current term
		<u>FY 2013/14</u> 1.2.2 Seek support from Metro Vancouver RD for NAPTEP.	TFB		Funded by base budget	By whether support from Metro Vancouver RD (MVRD) has been sought	Complete
		<u>FY 2013/14 - 2014/15</u> 1.2.3 Launch NAPTEP on the islands in MVRDRD (subject to BIM and MVRD approval)	TFB		Funded by base budget	By whether NAPTEP has been launched on the islands within the MVRD	Complete. Program launched on Gambier LTC islands. BIM declined for current term.
	1.3 Protect fish habitat by implementing Riparian Areas Regulation	<u>PHASE 1 - Identify watersheds</u> <u>FY 2014/15</u> 1.3.1 Identify RAR watersheds on Gambier and Lasqueti	LTCs**		Subject to budget	By whether all RAR watersheds on Gambier and Lasqueti have been identified	Not due Not started
		<u>PHASE 2 - Improve mapping</u> <u>FY 2012/13</u> 1.3.2 Improve mapping of some riparian areas on SSI	LTCs**		Funded by 2012/13 program budget	By whether new mapping of priority riparian areas is complete	Complete
		<u>FY 2013/14</u> 1.3.3 Improve mapping of additional riparian areas on Denman, Hornby and Salt Spring islands	LTCs**		Funded in 2013/14 program budget \$71,000 RAR budget \$30,000 Sci/Tech budget	By whether new mapping of riparian areas is complete	Project planning underway
		<u>FY 2014/15</u> 1.3.4 Improve mapping of additional riparian areas on Gambier, Lasqueti and Salt Spring islands	LTCs**		Subject to budget	By whether new mapping of riparian areas is complete	Not due Not started
		<u>PHASE 3 - Adopt bylaws</u> <u>FY 2012/13 - 2013/14</u> 1.3.5 Adopt new bylaws to implement RAR on selected	LTCs**		Funded by 2013/14 program budget	By whether Gabriola, Mayne and Saturna are RAR compliant through bylaw development	Saturna complete Gabriola, Mayne & Thetis in progress

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		islands (Gabriola, Mayne, Saturna, Thetis)					
		<u>FY 2014/15</u> 1.3.6 Adopt new bylaws to implement RAR on all islands where still required (Ballenas/Winchelsea, Denman, Hornby, and one Salt Spring watershed)	LTCs**		Subject to budget	By whether Ballenas/Winchelsea, Denman, Hornby and one Salt Spring watershed are compliant with RAR through bylaw development	Not due Not started
		<u>FY 2015/16 - ?</u> 1.3.7 Adopt new bylaws to implement RAR on all Lasqueti, Gambier and remainder of Salt Spring)	LTCs**		Subject to budget	By whether all Gambier, Lasqueti and Salt Spring watersheds are compliant with RAR through bylaw development	Not due Not started
	1.4 Establish reliable, adequate and sustainable funding for the Islands Trust Fund	<u>FY 2012/13 – 2013/14</u> 1.4.1 Seek legislative change regarding TFB corporate structure and name	EC	TFB	Funded by base budget	By whether legislative change has been requested	Chair correspondence sent Nov/12. Initial response received Feb/13
		<u>FY 2011/12 – 2014/15</u> 1.4.2 Engage in outreach to expand donor base, develop legacy giving program and secure acquisition funds	TFB*		Partially funded through 2012/13 program budget	By whether the TFB has implemented outreach regarding funding needs and legacy gifts	Information package prepared re Planned Giving
		<u>FY 2014/15</u> 1.4.3 Develop and implement strategy re changes to corporate structure and name	TFB		Subject to 2014/15 program budget	By whether TFB corporate status and name change has been implemented	Not started. Not due unless province makes legislative changes
		<u>FY 2015/16</u> 1.4.4 Review and launch long-term funding strategy	TFB		Subject to 2015/16 program budget	By whether the long-term funding strategy has been reviewed and launched	Not started. Not due unless province makes legislative changes
	1.5 Establish core conservation areas to protect biodiversity priorities	<u>FY 2011/12- 2012/13</u> 1.5.1 Map and prioritize high biodiversity areas and develop a strategy for protection	TFB		Funded by base budget	By whether the TFB has a prioritized high biodiversity areas, and developed a strategy including a funding needs assessment)	Mapping of high priority areas underway
		<u>FY 2011/12 – 2014/15</u> 1.5.2 Protect land with high biodiversity, through acquisition, donation, or conservation covenant	TFB*		Partial funding through base budget; acquisitions funded by donations and external grants	By whether the TFB has protected at least 500 hectares of high biodiversity land in the timeframe of the Regional Conservation Plan 2011-2015	144 hectares protected since 2011
	1.6 Use land use planning tools and decisions to increase protection of special areas	<u>FY 2013/14</u> 1.6.1 Explore model land use planning tools that protect species and ecosystems at risk	LPC		Funded by base budget	By whether a staff report on model land use planning tools has been completed	Not started. Pending provincial working group recommendations. Staff participating on prov. working group.

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		1.6.2 Trustee workshop about protection of special areas	TFB	Funded by base budget	By whether a trustee workshop has been held	Complete
		FY 2011/12 – 2014/15 1.6.3 Develop policy, OCP and LUB amendments that include protective measures for biodiversity	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs and LUBs have been amended to address improved protection of biodiversity	Some reviews underway (details to be confirmed)
	1.7 Reduce greenhouse gas emissions	FY 2012/13 – 2013/14 1.7.1 Include GHG emission reduction targets, policies and actions in all OCPs, as required by LGA	LTCs	Funded by program budget	By whether all OCPs comply with LGA re GHG emissions	18 of 19 comply. Outstanding OCP (Piers Island) on work program for 2013, but work not started
		FY 2012/13 – 2014/15 1.7.2 Use new planning tools (Bill 27) to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term (e.g. as illustrated in Council toolkit Reducing Greenhouse Gases in the Islands Trust Area)	LTCs**/BIM***	Funded in 2013/14 annual budget	By whether LTCs/BIM have used new planning tools to foster reduced GHG emissions from development	Gabriola working on regulations to implement OCP policies
		FY 2012/13 – 2013/14 1.7.3 Develop policy regarding carbon-neutral operations and purchase of carbon credits to balance GHG emissions that cannot be eliminated	FPC	Funded by base budget	By whether Trust Council has adopted a policy	Complete
2. PROTECT coastal and marine ecosystems	2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	FY 2012/13 2.1.1 Develop integrated shoreline and watershed protection mapping for major islands	LPC	Funded by external grants	By whether integrated shoreline and watershed protection mapping has been developed for major islands	Complete
		FY 2013/14 2.1.2 Identify and post updated website links regarding existing shoreline stewardship information	TAS	Funded by base budget	By whether website links have been updated	Complete
		FY 2014/15 2.1.3. Pilot a Green Shores for Homes credit rating incentive system in one LTA	LTCs**	Subject to successful grant application	By whether an LTC has piloted a Green Shores for Homes credit rating incentive system	Not started. Funding not recommended by LPC. Dependent upon grant application. LPC to reconsider in Nov/13
	2.2 Use land use planning tools and decisions to improve protection of coastal areas	FY 2013/14 – 2014/15 2.2.1 Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping	LTCs**	Subject to funding in future program budgets	By whether LTCs have adopted regulatory bylaws	Reviewed by Thetis LTC. Educational program being considered/developed by N Pender, S Pender, Thetis

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?			IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		2.2.2 Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore	LPC/LTCs**			Funded in 2013/14 program budget (\$2000)	By whether mechanisms have been developed	LPC recommends educational approach, not proactive enforcement
	2.3 Participate in planning for National Marine Conservation Area Reserve	FY 2011/12 – 2014/15 2.3.1 Advocate for implementation of the NMCA reserve	EC			Funded by base budget	By whether the EC has continued to actively advocate for implementation of the NMCA reserve	Resolution supported by TC in Dec 2012 Feb 2013 Chair letters to Ministers Lake & Kent
		2.3.2 Participate in NMCA workshops and consultation opportunities	LTCs **	TAS	EC	May require additional funds	By level of participation in NMCA workshops and consultation opportunities	Workshops attended in Aug and Oct No funding proposed in 2013/14 budget. LTCs commenting on boundary details
		Future fiscal years (TBD) 2.3.3 Respond to NMCA implementation steps with complementary activities, as required	LTCs**			May require additional funds	TBD	Not due Not started
	2.4 Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities	FY 2011/12 – 2014/15 2.4.1 Chair correspondence regarding oil spill prevention and response	EC			Funded by base budget	By whether the Chair has sent correspondence to advocate for oil spill prevention and response	2011: 7 letters sent 2012: 1 letters sent 2013: 3 letters sent Related resolutions passed at UBCM 2012 and AVICC 2013 conventions
		2.4.2 Chair participation in hearings related to tanker traffic increases	EC			Funded by base budget	By whether the Chair has participated in hearings related to tanker traffic increase	NEB hearing presentation Aug 2012
		2.4.3 Host local government workshops to raise awareness of gaps in oil spill prevention and response capacity	EC			Funded by base budget	By whether workshops have been held	One workshop held at AVICC. Jan 2013 Chair presentation to Regional District Nanaimo Board. 2013: Chair presentation at San Juan County marine managers workshop
		2.4.4 Participate in mock oil spill exercises to understand gaps in oil spill response capacity	EC			Funded by base budget	By whether participation has taken place	Participation in two exercises in 2012
		FY 2011/12 – 2014/15 2.4.5 Continue to advocate for senior government solutions to derelict vessels	EC			Funded by base budget	By whether the Islands Trust has continued to advocate for derelict vessel solutions	Islands Trust participation on derelict vessel working group is on-going Mar/13 Letter to minister seeking

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
						action on Transport Canada report Organized resolution, clinic and meeting with Minister at UBCM
		<u>FY 2011/12 – 2013/14</u> 2.4.6 Advocate regarding potential impacts of the proposed Raven Coal Mine upon Baynes Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Raven Coal Mine	Complete May/13 BC EAO rejected proposal as submitted
		<u>FY 2012/13 – 2014/15</u> 2.4.7 Advocate regarding potential impacts of the proposed Burnco Gravel Mine upon Howe Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Burnco Gravel Mine	Not started
		<u>FY 2013/14 – 2014/15</u> 2.4.8 Clarify jurisdictional issues related to Islands Trust Area boundary	EC	Funded by base budget	By whether a method to clarify jurisdictional issues has been implemented	Preliminary discussion with ministry staff Initial briefing prepared for EC
	2.5 Advocate for appropriate regulation of aquaculture	<u>FY 2013/14 – 2014/15</u> 2.5.1 Collaborate with Department of Fisheries and Oceans regarding shellfish regulations through local government advisory committee as a pilot project for one LTC (Denman)	LTCs**	Funded in 2013/14 program budget (\$1000)	By whether the Denman Island LTC has collaborated with DFO on a pilot project	Not3.3.Impl started (Denman unsuccessfully sought representation on DFO committee)
	2.6 Advocate for effective regulation of marine sewage	<u>FY 2011/12 – 2014/15</u> 2.6.1 Chair correspondence regarding marine sewage regulation	EC	Funded by base budget	By whether the Chair has written to advocate for regulation of marine sewage	Research and mapping in progress
		2.6.2 Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas (i.e. during rezoning applications)	LTCs**/BIM***	Funded by base budget	By whether OCP policies require sewage pump-outs as a condition of marina development/expansion	No new OCP amendments since adoption of Strategic Plan

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal B: Stewardship of Island Resources...

TC	STRATEGIES	ACTIVITES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
3. PROTECT quality and quantity of water resources	3.1 Encourage understanding and voluntary stewardship of water resources	<u>FY 2013/14</u> 3.1.1 Compile educational materials about water resources done by local groups and identify gaps	TPC	Funded by base budget	By whether the need for new educational materials had been defined.	Complete
		3.1.2 Fill identified gaps with new educational materials about water resources	TPC	Funded by base budget	By whether new educational materials have been created	Not started
		<u>FY 2014/15</u> 3.1.3. Develop an on-going water stewardship program	TPC	Subject to 2014/15 program budget	By whether an on-going water stewardship program has been funded and launched	Not due Not started
	3.2 Advocate for provincial Water Act reform	<u>FY 2011/12 – 2014/15</u> 3.2.1 Continue to participate in Water Act reform consultations	EC	Funded by base budget	By whether participation in Water Act reform has taken place	Not started Pending provincial action
	3.3 Use land use planning tools and decisions to protect water quality and quantity	<u>FY 2013/14</u> 3.3.1 Develop toolkit for use by LTCs/BIM that illustrates options for using planning tools to protect water quality and quantity	LPC	Funded by 2013/14 program budget (\$2500)	By whether a toolkit has been developed	Project charter approved by LPC; Report underway
		<u>FY 2013/14 – 2014/15</u> 3.3.2 Amend OCPs to include new policies for water resource protection	LTCs**/BIM***	Funded in 2013/14 program budget	By whether OCPs have been amended to include new policies about water resource protection	Galiano DAI bylaw adopted - addresses water protection
		3.3.3 Amend LUBs to include new regulations aimed at protection of water quality and quantity	LTCs**/BIM***	Funded in 2013/14 program budget	By whether LUBs have been amended to include new regulations aimed at protection of water quality and quantity	No LUB work begun
		<u>FY 2013/14</u> 3.3.4 Develop model Development Permit Areas that LTCs and BIM may consider in regards to water conservation	LPC	Funded in 2013/14 program budget (\$2500)	By whether model Development Permit Areas have been developed	Not started

TC	STRATEGIES	ACTIVITES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
		<u>FY 2014/15</u> 3.3.5 Adopt new Development Permit Areas to enhance water conservation	LTCs**/BIM***	Subject to funding in 2014/15 program budget	By whether LTCs/BIM have adopted new Development Permit Areas to enhance water conservation	Not due Not started
	3.4 Explore alternative tools for improving watershed management	<u>FY 2012-13</u> 3.4.1. Identify options within the Islands Trust Act for coordination of watershed protection	EC	Funded by base budget	By whether options have been identified	Complete
		<u>FY 2013-14</u> 3.4.2 Consider pilot project for coordination of watershed protection within one LTA	LTCs**	Partially funded by base budget.	By whether a pilot project has been considered	Complete St. Mary Lake Watershed Working Group formed on SSI. June/13 - TC adopted bylaw to delegate some TC coordination and advocacy powers to SSILTC.

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	In Progress – On Target
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	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal C: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
4. ENHANCE community economic sustainability and security	4.1 Create linkages between islands and Regional Districts to share effective and appropriate economic sustainability models	<u>FY 2013/14</u> 4.1.1 Half day session on Trust Area economic sustainability at Dec 2013 Council in Victoria, inviting all EA reps	TPC	Funded by base budget	By whether a joint session has occurred	Sept/12 RD discussion at UBCM breakfast Aug/13 TPC approved project charter
	4.2 Advocate for sustainable, affordable and appropriate ferry	<u>FY 2013/14</u> 4.2.1 Develop and implement research program in support of advocacy program	TPC	Funded in 2013/14 program budget (\$20,000)	By whether a research program has been developed and implemented	Aug/13 TPC approved research program

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
	service	<u>FY 2011/12 – 2014/15</u> 4.2.2 Continue advocacy program regarding ferry fares and service.	EC	Funded by base budget	By whether advocacy actions have been taken in regards to ferry fares and service	Submission sent to Minister Polak Chair meetings with Minister Polak, opposition critics and ferry commissioner
	4.3 Use land use planning tools and decisions to improve the availability of affordable, accessible, appropriate housing (as described in Trust Council's toolkit, Community Housing Toolkit)	<u>FY 2011/12 – 2014/15</u> 4.3.1 Amend OCPs to include affordable housing policies	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs have been amended to include new affordable housing policies	Some OCP reviews underway. Hornby considering OCP amendments to allow secondary suites.
		4.3.2 Amend LUBs to improve availability of affordable housing	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether LUBs have been amended to improve availability of affordable housing	SSI LUB amended to legalize secondary suites in some locations.
		<u>FY 2012/13 – 2014/15</u> 4.4.1 Amend OCPs to include food security and farmland protection policies	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs have been amended to address food security and farmland protection	Included in Gabriola OCP reviews (details to be confirmed)
	4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's 2010 report, Exploring Food Security in the Trust Area)	4.4.2 Amend LUBs to improve food security	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether LUBs have been amended to improve food security	Included in Gabriola LUB review (details to be confirmed)

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Goal D: In cooperation with others...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS ⁺⁺
5. STRENGTHEN relations with First Nations	5.1 Improve consultation / engagement with First Nations during land use referrals	FY 2011/12 – 2014/15 5.1.1 Adopt First Nations Consultation Strategy	TAS	LPS	Funded by 2011/12 program budget	By whether Trust Council has adopted a First Nations Consultation Strategy	First draft to TC Jun/12. Final draft pending LPS capacity to consider financial and staffing implications
		5.1.2 Trustee workshop on working with aboriginal peoples	EC		Funded by 2012/13 program budget	By whether a trustee workshop has been held	Complete
		FY 2012/13 – 2014/15 5.1.3 Implement 'essential' and 'quick start' improvements to land use referral system that do not require additional resources, as identified in FN Consultation Strategy	LPS	TAS	Funded by base budget	By whether all 'essential' and 'quick start' improvements that do not require additional resources have been implemented	2 of 2 'essential' improvements in progress 3 of 8 'quick start' improvements in progress
		FY 2013/14 5.1.4 Identify resource needs for improved FN consultation and engagement	EC		Funded by base budget	By whether the resource needs for improved consultation and engagement has been identified	Not started. Pending completion of First Nations Consultation Strategy
		FY 2014/15 5.1.5 Implement improvements identified in the FN Consultation Strategy as longer term or requiring additional resources	LPS	TAS	Subject to increase in future base budget to support an additional LPS position	By whether all improvements identified in the FN Consultation Strategy as longer term or requiring additional resources have been implemented	Not started Not due
	5.2 Improve consultation / engagement with First Nations during Trust Council's marine and terrestrial protection work	FY 2014/15 5.2.1 Improve consultation and engagement re free Crown grant program	TAS		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Not due. Pending increased staff capacity
		FY 2012/13 – 2014/15 5.2.2 Improve communication and coordination during marine protection advocacy	EC		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Pending staff capacity
6. IMPROVE organizational	6.1 Confirm a fair distribution of Islands	FY 2012/13 6.1.1 Review and amend	FPC		Funded by base budget	By whether Policy 7.2.vi has been amended	Complete

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
cost and operational effectiveness	Trust Services to Bowen Island Municipality	Policy 7.2.vi (Municipal Requisition Cost Allocations)					
		FY 2012/13 – 2014/15 6.1.2 Identify Bowen Island Municipality needs for services provided by Trust Area Services unit	TAS		Funded by base budget	By whether BIM needs for TAS services have been identified	Initial discussion held Sep/12. Chair follow up sent Oct/12 and Jan/13 Awaiting BIM response
		6.1.3 Identify improved opportunities for BIM to access services provided through Trust Area Services unit	TAS		Funded by base budget	By whether opportunities for BIM to access TAS services have been identified	Pending requests from BIM Staff follow up e-mail to CAO sent Jan/13 Awaiting BIM response
		6.1.4 Review budget lines to ensure accurate allocation of costs	FPC		Funded by base budget	By whether budget lines have been reviewed	Staff review of line items underway. Initial discussion at FPC complete. BIM staff contacted for discussion.
		FY 2013/14 6.1.5 Provide additional TAS services to BIM	TAS		Funded by base budget	By whether BIM is accessing additional TAS services as identified	Improved notice of IT items to BIM. Pending requests from BIM. BIM staff invited to training opportunities.
	6.2 Improve cost-recovery from development application fees	FY 2013/14 6.2.1 Develop model fees bylaw for consideration by LTCs	LPC	FPC	Subject to annual program budget	By whether a model bylaw has been developed	TC referred to LPC/FPC before bylaw drafting begins. Not funded in 2013/14 program budget. LPC and FPC recommend 10% fee increase
		FY 2013/14 6.2.2 Consider adoption of amended fees bylaws.	LPC/LTCs**		Funded by base budget	By whether LTCs have adopted amended fees bylaws that improve cost recovery	Not started
	6.3 Prepare Island Trust organization to adapt to the potential incorporation of Salt Spring Island (if province advances a	FY 2013/14 6.3.1 Provide input into provincial study that assesses impact on Islands Trust of the potential incorporation of Salt Spring Island and identifies	EC		Funded and managed by province	By whether input has been provided	In progress. Input into study terms of reference complete. Response to initial info requests from

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
	provincial restructure study for SSI)	alternative adaptation strategies					consultant complete.
		<u>FY 2014/15</u> 6.3.2 Consider options and adopt an adaptation strategy, for Islands Trust to implement in the event of municipal incorporation of Salt Spring Island	FPC	EC	Subject to future budgets	By whether options for an adaptation strategy have been considered and a preferred strategy adopted by Trust Council.	Not started. Not due unless a SSI restructure study is launched and is nearing completion
		<u>FY 2014/15(?) - ?</u> 6.3.3 Implement adopted adaptation strategy	EC		Subject to future budgets	By whether an strategy has been implemented to adapt to incorporation of SSI	Not started Not due unless SSI community passes a referendum to incorporate as a municipality
		<u>FY 2014/15(?)</u> 6.3.4 Review existing IT-MCSCD protocol agreement regarding incorporation of municipalities in the Islands Trust Area	EC		Funded by base budget	By whether the protocol agreement with the ministry has been reviewed and amended	Not started Not due unless a SSI restructure study is launched
	6.4 Review service delivery regarding application processing	<u>FY 2013/14</u> 6.4.1 Consider development and use of a quality management system pilot on Salt Spring Island for processing of development applications	LTC**		Funded in 2013/14 program budget	By whether a quality management system has been considered by the SSILTC for one type of application process	Not started

* subject to decisions of Trust Fund Board

**subject to decisions of local trust committees

***subject to decisions of Bowen Island Municipality

Abbreviations:

AVICC – Assoc. of Vancouver Island Coastal Communities
 BIM – Bowen Island Municipality
 EC – Executive Committee
 FN – First Nations
 FPC – Financial Planning Committee
 FY – Fiscal Year
 IT – Islands Trust
 ITF – Islands Trust Fund
 ITPS – Islands Trust Policy Statement
 LGA – Local Government Act
 LPC – Local Planning Committee

LPS – Local Planning Services
 LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCSCD – Ministry of Community, Sport and Cultural Development
 MVRD – Metro Vancouver Regional District
 NA – Not Applicable
 NEB – National Energy Board
 NAPTEP – Natural Area Protection Tax Exemption Program
 NMCA – National Marine Conservation Area

OCP – Official Community Plan
 ProD – Professional Development
 RAR – Riparian Areas Regulation
 RD – Regional District
 RFD – Request for Decision
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPC – Trust Programs Committee
 UBCM – Union of BC Municipalities

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Visit our website at:
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Colour Key for Middle Column:

Colour	Potential committee / unit / body taking lead for a potential strategy
	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)
	Trust Programs Committee or Trust Area Services staff
	Executive Committee
	Trust Fund Board or Islands Trust Fund staff
	Financial Planning Committee

**** Colour Key for Status Column:**

Colour	Status Description
	Not due to start or awaiting actions of others
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	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target



Islands Trust

Strategic Planning Process (2013-2014)

