



A NOTICE OF A BUSINESS MEETING OF **THE DENMAN ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:30 am on Wednesday, May 7, 2014 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 April 1, 2014 – <i>for adoption</i>	1-9	
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 April 28, 2014 - <i>attached</i>	10-11	
6.2	Reconsideration of the Request for the Executive Committee to Arrange a Meeting with the Minister of the Environment regarding Tenures in the Denman Local Trust Area – <i>for consideration</i>		
7.	APPLICATIONS AND PERMITS - <i>none</i>		
8.	DELEGATIONS		
8.1	Erika Bland – Presentation on Community “Foodshed Mapping” Project Outline - <i>attached</i>	12-13	
9.	TOWN HALL DISCUSSION		
10.	CORRESPONDENCE		12:15 pm
	<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	Email dated November 26, 2013 from Glenn and Linda Pollitt regarding Salish Sea Farms Ltd. Applications - <i>attached</i>	14	
10.2	Email dated March 27, 2014 from Rollande and Albert McKinley regarding Geoduck Monoculture - <i>attached</i>	15-16	
10.3	Email dated April 10, 2014 from Brenda Guiled regarding Geoduck Aquaculture Expansion - <i>attached</i>	17	
10.4	Email dated April 14, 2014 from Kent Leotowich regarding Salish Sea Farms Ltd. Tenure - <i>attached</i>	18-24	

10.5	Email dated April 18, 2014 from Shelley McKeachie and Morley McKeachie regarding Draft Department of Fisheries and Oceans Integrated Geoduck Management Plan - <i>attached</i>	25-27	
11.	REPORTS		12:30 pm
11.1	Work Program		
	11.1.1 Top Priorities Report and Projects Report dated April 28, 2014 - <i>attached</i>	28-29	
11.2	Applications Log		
	11.2.1 Report dated April 28, 2014 - <i>attached</i>	30-33	
11.3	Trustee and Local Expenses		
	11.3.1 Final fiscal year-end expenditures to March 31, 2014 - <i>attached</i>	34	
11.4	Policies and Standing Resolutions		
	11.4.1 Report – <i>attached for information</i>	35	
	BREAK		1:00 pm
12.	LOCAL TRUST COMMITTEE PROJECTS		1:15 pm
12.1	Denman Housing Needs		
	12.1.1 Staff Report dated April 22, 2014 - <i>attached</i>	36-50	
12.2	Riparian Areas Regulation Implementation		
	12.2.1 Staff Report dated April 21, 2014 - <i>attached</i>	51-65	
13.	NEW BUSINESS		2:00 pm
13.1	Local Trust Committee Submission for 2013/2014 Annual Report		
	13.1.1 Memorandum dated March 31, 2014 - <i>attached</i>	66	
13.2	Offer from Ministry of Aboriginal Relations & Reconciliation to Arrange Meeting with K'omoks First Nation and Request for Agenda Items – <i>for discussion</i>		
14.	BYLAWS		
14.1	Bylaw No. 210 cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2014". – <i>for consideration of first reading</i>	67-69	
14.2	Bylaw No. 211 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2014" – <i>for consideration of first reading</i>	70-73	
15.	ISLANDS TRUST WEBSITE		
15.1	Denman Pages – <i>for discussion</i>		
16.	NEXT MEETING		
	Tuesday, June 10, 2014 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		3:00 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, April 1, 2014

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
Katherine Vogt, Recorder

Media and Others Present: Approximately three (3) members of the public-am
Approximately two (2) members of the public-pm

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:33 a.m. 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:

- 5.4** Draft Minutes of the Denman Island Marine Advisory Planning Commission of March 17, 2014.
- 10.3** Email from Edina Johnson, co-chair of the Association for Denman Island Marine Stewards, to Bruce Jolliffe regarding rezoning request from Shao Ping Kang.
- 13.2** Bylaw Referral Form from the Hornby Island Trust Area #HO-OCP-2009.1, dated March 24, 2014 regarding review and update of Hornby Bylaw # 104.
- 13.3** Memorandum from the Local Planning Committee to Local Trust Committees regarding Gulf Islands Groundwater Protection – A Regulatory Toolkit, dated March 19, 2014.
- 13.4** Bylaw Referral Form from the Comox Valley Regional District regarding amendments to address implementation of the federal Marijuana for Medical Purposes Regulation, dated March 21, 2014, files # 3350-20/CP 1CV 14 and

3360-20/RZ 1CV 14.

- 13.5** Discussion regarding inviting Department of Fisheries and Oceans regulator, March Klaver, to meet with the Denman Island Local Trust Committee.

By general consent the agenda was approved, as amended.

3. CHAIR'S REPORT

Chair Luckham reported on the recent Trust Council meeting held on Hornby Island, highlighting that there was a zero percent tax increase in the Trust budget and an increase in the surplus account. Trust Council also met with Provincial Treaty Negotiators who provided fruitful answers to questions on the treaty process. He spoke about looking forward to the upcoming meeting of the Association for Vancouver Island Coastal Communities, of which the Islands Trust is a participating member and wherein they meet with other Coastal Regional Districts to talk about common interests. Presently, these interests include derelict vessels and oil tanker traffic.

4. TRUSTEES' REPORT

Trustee Graham reported that he had attended a meeting with the Comox Valley Regional District (CVRD) on February 28, 2014, a yearly meeting scheduled to allow for discussion of common interests between the two governments. He received updates on the CVRD's Official Community Plan review and on Raven Coal which would likely be submitting a revised application to the CVRD sometime in the spring of this year. Trustee Graham was happy to report back to the CVRD that there had been no negative feedback on trails that have been recently completed on Denman Island.

Trustee Graham spoke about attending the recent Trust Council meeting on Hornby Island and the March 11, 2014 ferry protest demonstration at the legislature in Victoria.

Trustee Busheikin reported that she appreciated meeting with the treaty negotiators at the recent Trust Council meeting on Hornby Island in terms of their accepting both questions and feedback from trustees.

Most recently, as a member of the Ferry Advisory Committee, ferry scheduling issues had been a major concern and though nobody on the committee was happy with the final proposed schedule outcome, it was felt that they had negotiated the best schedule possible, given the circumstances. The new schedule will come into effect on April 28, 2014. The big concern for Denman Islander residents was maintaining the 6:40 a.m. ferry run off the island; so, at minimum, the latest night sailing has been eliminated. For Hornby Island, the Friday night late sailing had high priority given that weekend commuters from Victoria and the lower mainland frequently relied on it to get to Hornby for the weekend. In the original plan, the late night Hornby Island sailings had been completely eliminated, but as of a few days ago, it looked as though they would be reinstated in a modified way, with the last late night sailing to Hornby Island being offered at an earlier time than what was the usual 10:00 p.m. sailing. Trustee Busheikin noted how hard Hornby Island Trustee, Tony Law had worked on this issue and how many emails the Ferry Advisory Committee had received about it.

Trustee Busheikin shared that she would be attending the Baynes Sound Conference in Vancouver the following day and was hoping to learn a lot from it.

5. MINUTES

5.1 Local Trust Committee Meeting Minutes dated February 25, 2014

The following amendment to the minutes was presented for consideration:

- Page 3, 5.3, first line: add the acronym (APC) after the last word “draft”.
- Page 3, 5.3, second line: eliminate “that had been inadvertently omitted from the agenda package”.
- Page 4, 6.1, Line 5, last word: change the word “has” to “have”.

By general consent the minutes were adopted, as amended.

5.2 Section 26 Resolutions Without Meeting – None

5.3 Denman Island Advisory Planning Commission Minutes - None

5.4 Denman Island Marine Advisory Planning Commission Draft Minutes – late item

Chair Luckham and Trustees Graham and Busheikin thanked the committee members for their work.

It was discussed that although there were 14 beach accesses around Denman Island, only three of these were deemed problematic by the Denman Island Marine Advisory Planning Commission in terms of allowing for uncontrolled vehicular access to beach areas.

It was proposed that the Denman Island Residents Association would be an appropriate body through which to further this issue, given that they had access to funds through the Comox Valley Regional District.

There was concern expressed that restricting vehicle access could be deemed interference with accepted aquaculture activities on provincial crown land which could precipitate liability issues.

DE-2014-018

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee direct the Marine Advisory Planning Commission to request an invitation to attend a Denman Island Residents Association Parks and Trails Committee meeting to discuss limiting vehicle beach access to Mallard Road (north and south), Hinton Road (north and south), and Denman Road West (north and south) and to report back to the Denman Island Local Trust committee.

CARRIED

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated March 17, 2014

Planner Milne summarized the items on the Follow-up Action List. He noted that the Riparian Areas Regulation (RAR) mapping project was in its analysis stage and could be discussed at the next meeting; there had been some consultation with the Comox Valley Regional District regarding the vehicle control on beaches issue; and the comments brought forth from the most recent Denman Island Advisory Planning Commission meeting had been incorporated into the new Draft Bylaws of the Housing Regulations Review.

It was noted that if two separate residents draw from a single well, that the well would be considered a water system, thereby adding a layer of complexity to ongoing habitation issues.

7. APPLICATIONS AND PERMITS - None

8. DELEGATIONS

8.1 Denman Community Land Trust

There was no spokesperson present for the Denman Island Community Land Trust.

Planner Milne remarked that he had participated in a recent meaningful discussion with the Land Trust group about the possibility of their revising their project to avoid road and subdivision processes. The group was looking at a prospective site and will be doing research over the next while to explore some options that they had not previously been aware of.

9. TOWN HALL DISCUSSION

Edina Johnston asked the following questions:

- If the Denman Island Local Trust Committee (LTC) would be taking any further action on the non-compliant tenures in Henry Bay.

Chair Luckham responded that there would be an *in camera* discussion of this issue later on at the present meeting.

- If the LTC had sent an opposition letter to the Department of Fisheries and Oceans regarding the Integrated Geoduck Management Framework.

Trustees responded that a letter was in progress and, so far, included a policy statement drawn up by senior staff, and a submission from Trustee Tony Law.

- With regard to a recent letter sent by Heinz Dyck (the Chief Negotiator for the K'omok's First Nations Treaty Negotiations) to the Association of Denman Island Marine Stewards, wherein Mr. Dyke referred to the Trust having been engaged prior to the K'omok's agreement in principal and to the Trust having been recently reengaged, where pertinent information on this might be gathered.

Chair Luckham responded that any information regarding this subject would be *in camera*, given that treaty negotiations are still in progress.

- Miriam Cobb asked if the LTC had a timeline for looking at bed and breakfast cooking facilities issues and whether it would be tied into the cottages and suites issues.

Trustees responded that the two issues had been separated and that the issues were on the long list, but that time considerations prevented trustees from putting the matters on a higher priority list. It was noted that the secondary suites issue would need to be settled before the visitor accommodations issue was tackled because the two issues affected each other. It was also noted that a full public consultation process on visitor accommodations could take up to six months.

10. CORRESPONDENCE

10.1 Letter Dated January 14, 2014 from Association for Denman Island Marine Stewards Regarding Participation in the Treaty Negotiation Process

Committee members received the above correspondence. Trustee Graham noted that the LTC was not a part of the treaty negotiation process because it was beyond its scope of jurisdiction. Though some conversation was taking place between the LTC and treaty negotiators, it was limited.

10.2 Emails Dated February 23, 2014 to March 15, 2014 Regarding Aquaculture License of Occupation Application No. 1413722

Committee members received the above correspondence.

10.3 Email Dated March 24, 2014 from Edina Johnston sent to Bruce Jolliffe Regarding the Shao Ping Kang Crown land Tenure Expansion and Associated Proposed Bylaw Amendment 3360-20/RZ 2A 13

Committee members received the above correspondence.

10.4 Letter forwarded from Islands Trust Executive Committee to the Denman Local Trust Committee and dated January 21, 2014 to Islands Trust Council from Association for Denman Island Marine Stewards (ADIMS) regarding Islands Trust participation in the treaty negotiation process

Committee members received the above correspondence.

11. REPORTS

11.1 Work Program

11.1.1 Top Priorities Report and Projects Report dated March 17, 2014

Report was reviewed. Trustee Busheikin requested that greater clarity be maintained in the Priorities and Projects reports by referring to items in terms of their original resolutions, rather than informally rewording them, so that trustees could be kept on track with the original intent of the resolutions.

11.2 Applications Log

11.2.1 Report dated March 17, 2014

Report was received for information.

11.3 Trustee and Local Expenses

11.3.1 Expenses posted to month ending February, 2014

Report was received for information.

11.4 Policies and Standing Resolutions

11.4.1 Report

Report was received for information.

12. LOCAL TRUST COMMITTEE PROJECTS - None

13. NEW BUSINESS

13.1 Eelgrass Mapping for the Denman Island Local Trust Area

13.1.1 Islands Trust Fund Briefing – Memorandum dated March 17, 2014

The memorandum was received for information.

13.1.2 Final Report – Nearshore Eelgrass inventory 2012-2013

The report was received for information.

13.1.3 Eelgrass Presence Denman Island Local Trust Area – Map 10

The map was received for information.

13.2 Bylaw Referral Form from the Hornby Island Trust Area #HO-OCP-2009.1, dated March 24, 2014 Regarding Review and Update of Hornby Bylaw No. 104

Planner Milne noted that the proposed bylaw for Hornby Island was specific to its needs for appropriate local resident habitations.

DE-2014-019

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee advise the Hornby island Local Trust Committee that the interests of the Denman Island Local Trust Committee are not affected by proposed Draft Bylaw No. 104.

CARRIED

13.3 Memorandum from the Local Planning Committee to Local Trust Committees Regarding Gulf Islands Groundwater Protection – A Regulatory Toolkit, dated March 19, 2014

Chair Luckham noted that the Groundwater Report had been posted to the Islands Trust website and that the information it contained would be pertinent to the secondary suites issue.

Trustee Busheikin noted the importance of groundwater issues and expressed interest in creating a groundwater issues folder for public access.

13.4 Bylaw Referral Form from the Comox Valley Regional District Regarding Amendments to Address Implementation of the Federal Marijuana for Medical Purposes Regulation, dated March 21, 2014, files # 3350-20/CP 1CV 14 and 3360-20/RZ 1CV 14

DE-2014-020

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee direct staff to reply to the Comox Valley Regional District in regard to referral No. 3350-20/CP 1 CV 14 and 3360-20/RZ 1CV 14 to say that our interests are not affected by this bylaw.

CARRIED

13.5 Discussion Regarding Inviting Department of Fisheries and Oceans Regulator, March Klaver, to Meet with the Denman Island Local Trust Committee

It was noted that March Klaver, in charge of the implementation and content of regulations overseeing various aquaculture processes, would be meeting electronically with the Trust Council in June, 2014. It was agreed that it would be more appropriate to accommodate the information from that meeting before extending a specific meeting invitation to her. This would allow trustees to be better prepared with targeted and pertinent questions.

14. BYLAWS

14.1 Denman Island Bylaw No 206 cited as “ Denman Island Official Community Plan, 2008, Amendment No. 1, 2013 – for approval

Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008” is amended as follows:

1. Schedule C (Land Use Designations) be amended by changing the land use designation on a portion of land legally described as Lot 1, Sections 20 and 21, Denman Island, Nanaimo District Plan 32301 from Rural to Sustainable Resources as shown on Plan No. 1 attached to and forming part of this bylaw.

DE-2014-021

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt Bylaw No. 206 cited as “Denman Island Official Community Plan 2008, Amendment No. 1, 2013”.

CARRIED

15. CLOSED MEETING

15.1 Motion to Close the Meeting

DE-2014-022

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee closes the next part of the April 1, 2014 business meeting to discuss Marine Advisory Planning Commission Appointments and Consideration of Confidential Information pursuant to Section 90(1)(a) and Section 90(2)(b) of the Community Charter and to discuss other matters relevant to section 90(1)(i) solicitor-client privilege of the Community Charter and that Staff be invited to attend this meeting.

CARRIED

The Committee closed the meeting at 12:00 pm.

16. OPEN MEETING RESOLUTION

The Denman Island Local Trust Committee re-opens this meeting to the public subject to Section 89 of the *Community Charter*.

By general consent the Committee reconvened in open meeting at 12:20 pm.

17. RISE AND REPORT

Rise and Report from Closed Meeting

Chair Luckham reported that while in closed meeting, the Local Trust Committee

reappointed Liz Johnston, Edina Johnston and Robert Wiltshire to the Denman Island Marine Advisory Planning Commission.

18. ISLANDS TRUST WEBSITE

18.1 Denman Page

Trustees requested that the Eelgrass Map and Report be put up on the website on the Denman Pages.

19. NEXT BUSINESS MEETING DATE

The next meeting will take place on Wednesday, May 7, 2014 at 10:30 am at the Denman Seniors Hall, 1111 Northwest Road, Denman Island, BC.

20. TOWN HALL DISCUSSION

- Edina Johnston suggested the possibility of obtaining grants to restore Denman Island salt marshes.

Trustees responded that this was an issue on the Top Priorities List and that Mike Richards, the new Grants Administrator for the Islands Trust, could be directed to look into this.

21. ADJOURNMENT

By general consent the meeting was adjourned at 12:25 pm.

Peter Luckham, Chair

CERTIFIED CORRECT:

Katherine Vogt, Recorder



Islands Trust

Follow Up Action Report w/ Target Date

Denman Island 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. Revised DPA 4 guidelines to move forward in concert with RAR mapping. Presentation on RAR mapping results by Madrone Environmental provided at February 25, 2014 LTC meeting. Mapping undergoing analysis in order to develop an implementation strategy for LTC review	Rob Milne	Jan-22-2013	On Going

Nov-26-2013

No.	Activity	Responsibility	Target Date	Status
1	DE-077-2013 that the Denan Island Local Trust Committee proceed no further with Draft Bylaw No. 207 due to questions regarding legislative authority.	Lisa Webster-Gibson		Done

Feb-25-2014

No.	Activity	Responsibility	Target Date	Status
1	DE-2014-015 that the Denman Island Local Trust Committee direct staff to incorporate Advisory Planning Commission resolutions DEAPC-01-2014 and DEAPC-02-2014 from the Advisory Planning Commission meeting of February 11, 2014 into the draft bylaw regarding housing and send the amended draft bylaw out for early agency referrals.	Rob Milne		Done

Apr-01-2014

No.	Activity	Responsibility	Target Date	Status
1	DE-2014-019 It was MOVED and SECONDED, that the Denman Island Local Trust Committee advise the Hornby island Local Trust Committee the the interests of the Denman Island Local Trust Committee are not affected by proposed Draft Bylaw No. 104.	Rob Milne		Done
1	DE-2014-021 It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt Bylaw No. 206 cited as " Denman Island Official Community Plan 2008, Amendment No. 1, 2013	Lisa Webster-Gibson		On Going
1	It was MOVED and SECONDED, that the Denman Island Local Trust Committee direct staff to reply to the Comox Valley Regional District in regards to referral No. 3350-20/CP 1 CV 14 and 3360-20/RZ 1CV 14 to say that our interests are not affected by this bylaw.	Lisa Webster-Gibson		Done
1	It was MOVED and SECONDED, that the Denman Island Local Trust Committee appoint Liz Johnston, Edina Johnston, and Robert Wiltshire to the Denman Island Marine Advisory Planning Commission.	Becky McErlean		Done

‘FOODSHED MAPPING’: FOSTERING COLLABORATIONS IN AGRICULTURE & CONSERVATION

Islands in the Salish Sea: A Community Atlas (2005) is a powerful portrayal of biocultural diversity (see Maffi 2007) in the Gulf Islands, the result of more than 3000 participants. The atlas attests to the value of community-engaged mapping as a tool “for participatory processes which graphically anchor community development to specifics of place and context” (Lydon 2002:105). This is key, because as Wendell Berry reminds us, “when we include ourselves as parts of the world we are trying to preserve, we can no longer think of the world as ‘the environment’—something out there around us” (1995:75; see also Cronon 1996). Humans actively shape and are shaped by landscapes of which we are part; agricultural ecosystems are sites where this is tangible. It is increasingly recognized that fostering biodiversity takes place not only within protected areas, but also in the agricultural lands that so often surround them (Perfecto et al. 2009). By extension, overall ecosystem health is influenced by the types of agriculture practiced (Chappell and LaValle 2011), and the quality and interconnectedness of a patchwork of distinct landscape types (Perfecto et al 2009).

I aim to create a model for better understanding this patchwork: community-engaged ‘Foodshed Mapping’. A foodshed is a geographical concept akin to watersheds used to describe how food is rooted in and moves through biophysical and political landscapes (Kloppenburger et al. 1996; Feagan 2007). I propose that mapping food systems and ecological processes using ‘foodsheds’ could promote new connections between people, food production, and the ecosystems in which we are embedded. Specifically, I ask: Can showing how food and conservation activities overlap instigate broader alliances between agricultural and conservation interests? Will agricultural ecosystems increasingly be put on the map as potential sites for conserving biodiversity, if we see them in broad ecological contexts? It is my hope that foodshed maps could be a tool for groups with varying agendas to see common ground when making land-use decisions regarding ecologically, economically, and politically intertwined places.

My MA research in the School of Environmental Studies, supervised by Dr. Jessica Dempsey, and guided by the UVic Community Mapping Collaboratory, will combine political ecology, ethnoecology, and cartography/GIS methods. During a 4-month unpaid internship with the Hornby/Denman Grower’s & Producer’s Alliance (HDGPA) on Denman Island, BC, I will compile stories about Denman’s foodshed, documenting the present and historical food regimes that sustain people there. Building a resilient food system and working for ecological conservation are major initiatives on Denman; the HDGPA aims to “demonstrate how agriculture and conservation can become integrated and mutually beneficial” on the island (HDGPA, 2013, online). These facets and my existing relationships with the people there make it an ideal site for this community-engaged study. Following the internship, I will use existing spatial data (ie. topography, soil types watersheds, political boundaries etc.) to contextualize the information I will have gathered through interviewing residents and consulting the Denman Island Farm Plan (2011). I will create an interactive map that depicts Denman’s diverse agro-ecosystems and practices, and their associations with other land-uses such as conservation lands. An online version (including a ‘feedback portal’) will complement the HDGPA website and Local Food Directory. To evaluate its effectiveness, especially in fostering cooperation between groups, I will conduct follow-up surveys (3, 6 and 12 months) after the foodshed map is made public, to determine how and by whom it has been used, and assess how it could be improved.

My thesis project, developing the concept of foodshed mapping, will begin to fill a gap in interdisciplinary research that relates food to issues of place-making and spatial politics (DuPuis and Goodman 2005), by providing a framework for analyzing complex socio-ecological dimensions of food provisioning and conservation landscapes. This augments a growing scholarly arena that aims to document agro-ecological practices in Canada and understand how these practices relate to community food sovereignty (Desmarais et al. 2011). This work will also begin building a spatial framework for future research that measures biodiversity in different types of agro-ecosystems, which Perfecto et al (2009) identify as an important but understudied scientific question.

Selected Bibliography:

- Balmford, A., Green, R. and Phalan, B., 2012. 'What conservationists need to know about farming,' *Proceedings, Biological Sciences/The Royal Society* 279,1739:2714–24.
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- Chappell, M.J., and LaValle, L.A., 2011. 'Food security and biodiversity: can we have both? An agroecological analysis,' *Agriculture and Human Values* 28:3-26.
- Cronon, W., 1996. 'The Trouble with Wilderness: Or, Getting Back to the Wrong Nature,' *Environmental History* 1,1:7-28.
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- Feagan, R., 2007. 'The place of food: mapping out the 'local' in local food systems,' *Progress in Human Geography* 31,1:23–42.
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- Maffi, L., 2007. 'Biocultural Diversity and Sustainability' in Pretty, J., Ball, A., Benton, T., Guivant, J., Lee, D.R., Orr, D., Pfeffer, M., and Ward, H. (eds.) *The SAGE Handbook of Environment and Society*. London: SAGE, pp. 267-278.
- Perfecto, I., Vandermeer, J. and Wright, A., 2009. *Nature's Matrix: Linking Agriculture, Conservation and Food Sovereignty*. London: Earthscan.
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From: glenn pollitt [lgpollitt@uniserve.com]

Sent: November 26, 2013 3:33 PM

To: AuthorizingAgency.Nanaimo@gov.bc.ca

Cc: kathy.evans@gov.bc.ca; bjolliffe@comoxvalleyrd.ca; don.mcrae.mla@leg.bc.ca; john.duncan@parl.gc.ca; gail.shea@parl.gc.ca; march.klaver@dfo-mpo.gc.ca; michelle.manning@dfo-mpo.gc.ca; diana.trager@dfo-mpo.gc.ca; steve.thomson.mla@leg.bc.ca; dennis.chalmers@gov.bc.ca;

David Graham; Laura Busheikin; Peter Luckham

Subject: Opposition to Shalish Sea Farms Ltd. Applications

To: Manager, Aquaculture (MFLNRO)

Re: File #1414124, #1414125, #1414126

Applications within Denman Island Trust Zoning Jurisdiction.

I write to comment principally on the intended devastation of the Denman Island tidal areas as identified by the above tenure applications.

The complex interactions between the myriad of life forms either resident or transient in these areas will be manifestly impacted and/or destroyed by operation of the intended 'farming tenures', if approved.

Obviously these tidal interfaces do not function in isolation from adjacent land, air and sea creatures that will also be negatively impacted.

Decision makers might benefit by reviewing the works of writers such as Rachel Carson, who have explored 'the edge of the sea' in revealing detail.

I'm sure you have been reminded by lots of other writers of the negative impacts on specific fish, birds, molluscs and algae etc., and their important interactions, so I won't comment further.

I sincerely hope that good sense will prevail in the considering of the referenced applications!

Glenn and Linda Pollitt

1796 Dalziel Rd., Denman Island, V0R1T0

From: Rollande McKinley [rollandemckinley@yahoo.ca]
 Sent: March 27, 2014 12:00 PM
 To: Shellfish.Aquaculture@dfo-mpo.gc.ca
 Cc: Elizabeth Johnston; David Graham; Laura Busheikin
 Subject: Geoduck Monoculture

To: Fisheries and Oceans Canada
 Email: Shellfish.Aquaculture@dfo-mpo.gc.ca<<mailto:Shellfish.Aquaculture@dfo-mpo.gc.ca>>
 Senior Coordinator, Shellfish Aquaculture Management: Jennifer Mollins Fisheries Management Branch
 – Pacific Region
 1965 Island Diesel Way Nanaimo BC V9S 5W8
 Fax: 1 250 754-0134

Re: Integrated Geoduck Management Framework- Draft Deadline for comment: April 19, 2014.

To Whom It May Concern:

We are writing as a parents, grandparents and proud residents of British Columbia. In 1987, we bought a property on Denman Island, lured by the pristine waters, organic soil, clean air purified by the beautiful lush forest, sea with ample fish and unspoiled sea shores. Oyster leases were held by families who respected the sea shores; who did not drive on the beaches in fear of destroying the beginning of sea life; who left the beaches/sea shores intact for future generation and yet were able to earn a comfortable living.

Then greed set in. The small family businesses were bought by corporations. The corporations decided that “monocultures” were the way to make money and proceeded to destroy other species in their path. On our beach, we used to have thousands of sea stars - different varieties and colours - a real feast to the eye; sea cucumbers were a common sight; sea pens were a treasure find; etc. Now when we see a sea star, it is a treat. The lease holders felt that all other creatures were a threat to their pocket book, hence their elimination. We witnessed the destruction of sea stars with machetes and a variety of other weapons by the lease holders and their help and reported to to no avail. We witnessed trucks driving on beaches which would destroy marine life and it was reported to no avail.

Monoculture is a threat.

DF0 Management Area 14 N, which includes Baynes Sound & Lambert Channel is the most important and productive herring spawning site in B.C.

Geoduck aquaculture threatens the spawning habitat of herring and other forage fish and the entire food web that depends on them. The area map in the Geoduck Management Framework should ensure that ALL spawning sites in this area have red zone protection. Geoduck growing is a MONOCULTURE industry. It will destroy the beginning of sea life. The PVC tubing will leach out toxins in the ocean and will affect other species.

Islands Trust has a provincially legislated mandate to preserve and protect the Trust islands and their surrounding waters for the benefit of all British Columbians. Industrial geoduck aquaculture clearly violates the Islands Trust mandate, Policy Statement, and local bylaws and, therefore, the Geoduck Management Plan should identify all Trust areas as red zones for geoduck aquaculture.

In the case of First Nations, the DFO Geoduck Management Plan guidelines allow an exception for First Nations geoduck aquaculture in red zones. Geoduck aquaculture should not be allowed in Trust jurisdiction, including red zones and marine protected areas.

Existing aquaculture tenure holders must NOT be allowed to change the species of cultivation on their management plans to geoduck if their tenure is within Islands Trust jurisdiction nor should any tenure within Islands Trust jurisdiction be allowed to cultivate geoduck even if the existing management plan includes geoduck.

When will the take over of our foreshore by large industry stop? Is it only when we will have destroyed our oceans? Totally polluted our sea shores?

Your obligations include to protect our oceans and ensure that the foreshore diversity is not destroyed.

Respectfully,

Rollande and Albert McKinley
Denman Island, BC

CC: Elizabeth Johnson, ADIMS, Denman Island David Graham, Denman Island Trustee Laura Busheikin,
Denman Island Trustee

From: Brenda Guiled <bguiled@ymail.com>

Date: April 10, 2014 at 1:20:36 PM PDT

To: "shellfish.aquaculture@dfo-mpo.gc.ca" <shellfish.aquaculture@dfo-mpo.gc.ca>

Cc: Sheila Malcolmson <smalcolmson@islandstrust.bc.ca>, David Graham <dgraham@islandstrust.bc.ca>, Laura Busheikin <lbusheikin@islandstrust.bc.ca>, Peter Luckham <pluckham@islandstrust.bc.ca>, Tony Law <tlaw@islandstrust.bc.ca>, Andrew Stone <astone@islandstrust.bc.ca>, Brian Crumblehulme <bcrumblehulme@islandstrust.bc.ca>, Gisele Rudischer <grudischer@islandstrust.bc.ca>, Liz Montague <lmontague@islandstrust.bc.ca>, George Grams <ggrams@islandstrust.bc.ca>, Gary Steeves <gsteeves@islandstrust.bc.ca>, Paul Brent <pbrent@islandstrust.bc.ca>, Kate-Louise Stamford <kstamford@islandstrust.bc.ca>, Louise Decario <ldecario@islandstrust.bc.ca>, Jeanine Dodds <jdodds@islandstrust.bc.ca>, Susan Morrison <smorrison@islandstrust.bc.ca>, "Wolfgang C. Duntz" <wduntz@islandstrust.bc.ca>, Mike Jones <mjones@islandstrust.bc.ca>, Peter Johnston <pjohnston@islandstrust.bc.ca>, Ken Hancock <khancock@islandstrust.bc.ca>, Sandy Pottle <spottle@islandstrust.bc.ca>, Pamela Janszen <pjanszen@islandstrust.bc.ca>, Peter Grove <pgrove@islandstrust.bc.ca>, Sue French <sfrench@islandstrust.bc.ca>

Subject: geoduck aquaculture expansion

Reply-To: Brenda Guiled <bguiled@ymail.com>

Dear DFO and Islands Trust trustees:

The focus of this proposed and massive geoduck-rearingm expansion is so hard on geoduck biomass and business opportunities that no other species and their requirements seem to exist. Nor do the requirements of humans other than those involved in this frenzy of expansion.

The Islands Trust "preserve and protect" mandate covers all land zoning, taking into account community needs, where 'community' includes ecosystems as well as people. While the B.C. government oversees inter-tidal and subtidal leases, this same government, through the Islands Trust Act, expects the Trust Area to set a different and higher standard of environmental care than the rest of the B.C. coast.

It behooves Trust, therefore, to make clear that dedicating long lengths of beach to intensive geoduck farming is utterly out of keeping with the intent, implementation, and enforcement of the Islands Trust Act.

Until there is adequate proof that unbridled geoduck aquaculture doesn't disrupt intact ecosystems and damage untold numbers of other species that are critical to the continued well-being of all wild communities on tihs coast, then DFO's plans are incomplete, untrustworthy, and must be delayed until that information is known.

At the very least, the Trust Area must be exempted, to provide a control for comparison purposes over time and for a nursery of untouched, wild geoducks to continue as best they can despite the assault on vast reaches of other geoduck habitat.

Brenda Guiled
Salt Spring Island
250-653-4722

From: Kent Leontowich [<mailto:kleontowich@comoxvalleyrd.ca>]

Sent: April-14-14 2:14 PM

To: Rob Milne

Subject: Salish Sea Farms Ltd. - Tenure file No. 1414126

Dear Mr. Milne,

Please find below a respond from the CVRD to DFO and MoFLNRO on the aforementioned tenure (license of occupation) referral for your information.

Sincerely,

/kl

Kent Leontowich, M.Sc., MCIP, RPP
Rural Planner

Property Services Branch
 Comox Valley Regional District
 600 Comox Road
 Courtenay, BC V9K 2N9
 Phone: 250.334.6041
 Toll Free: 1.800.331.6007
 Fax: 250.334.8156
www.comoxvalleyrd.ca

Visit us at:



ü Please consider the environment before printing this email.

File: 3020-20/1414126 B 13

April 14, 2014

Ministry of Forests, Lands and Natural Resource Operations
4885 Cherry Point Road
Port Alberni, BC V9Y 8E9

Attention: Jeff Hallworth

Dear Mr. Hallworth,

Re: Salish Sea Farms Ltd. – Tenure file No. 1414126
Unsurveyed deep water site located north and east of Denman Island (Comox Bar)

The applicant (Salish Sea Farms Ltd. jointly held by Manatee Holdings and K'omoks First Nation) has submitted a request for a tenure in order to permit a marine hatchery operation that involves seabed culture structures and predator protection netting. The proposed tenure covers an area of approximately 135.7 hectares and is located entirely within the Denman Island Local Trust Area (Figures 1 and 2). It is estimated that 67,850 square metres of sea cucumber nursery bags (0.05 per cent of the total area) (Figure 3) and 301,556 square metres of predator protection netting (22 per cent of the total area) will be utilized in this proposed operation (Figure 4). Approximately 3,350 square metres of cubic vexar mesh bag in bottom (BIB) (0.0025 per cent of the total area) will also be submerged into the substrate for seed protection (Figure 4). All culture activity (*i.e.* sea cucumbers and geoducks) will take place on the sea floor within the subtidal zone (approximately 3.4 metres to 20.0 metres below the low tide line).

Comox Valley Regional District (CVRD) staff recognizes that the Baynes Sound – Denman/Hornby Islands (Electoral Area 'A') abuts the Denman Island Local Trust Area. It is noted that the aforementioned tenure is located entirely within the Islands' Trust jurisdiction. In recognition of this, the CVRD offers the following general comments related to this proposed tenure.

Regional growth strategy (Bylaw No. 120)

The land use designations within Bylaw No. 120, being the "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010" (RGS) do not extend over the surface of the water of the Strait of Georgia, nor the seabed. The RGS recognizes the importance of the aquaculture industry to the K'omoks First Nation and economy of the Comox Valley as highlighted below:

Objective 6-B *"Protect shoreline areas for existing and future aquaculture and associated activities." The RGS states "shoreline and shore area of Baynes Sound and Comox Harbour are already locations with shellfish farm tenures and it is uncertain whether any further tenures or farms can be created. Existing tenures and farms should be protected to ensure no net-loss of farming activity. Additionally, consideration should be made to consider upland aquaculture support facilities."*

Objective 6-B states that aquaculture tenures should be protected from zoning changes that would preclude the continued use of the marine environment for shellfish aquaculture. Objective 6-B supports the aquaculture industry within the Baynes Sound.

CVRD staff encourages the federal (Fisheries and Oceans Canada (DFO)) and provincial (Ministry of Forests, Lands and Natural Resource Operations (MoFLNRO)) governments to consult with the public relative to potential impacts (*i.e.* visual, waste, noise, public access and navigable waters) on adjacent upland property owners (supporting policy 3C-7).

Supporting policy 3C-7 *“Support regional aquaculture industries and collaborate with them on developing foreshore land use and water management policies that protect and steward on-shore and off-shore shellfish beds and marine water quality. Policy development should include community input to address impacts (e.g., visual, waste, noise, public access and navigable waters).”*

Supporting policy 6B-3 *“Where appropriate, encourage the development of shellfish support infrastructure such as processing facilities, production research, and market development.”*

In recognition with supporting policy 6B-3, CVRD staff requests more information related to any future upland support infrastructure (*i.e.* processing facilities) proposed by the applicants given the size of this tenure.

With respect to economic development, section 2.3(5) “Major trends” outlines that the RGS *“should be a framework for local economic development by means of: coordinating regulations; encouraging entrepreneurship; increasing value-added production; and, supporting local businesses so that wealth is maintained and circulated within the valley.”* Section 3.2 “Policy Areas”, Goal 3 “Local Economic Development” encourages *“a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region’s entrepreneurial spirit.”* Goal 3 further states that *“A healthy, strong and diverse local economy is one of the cornerstones of more sustainable and complete communities. Complete communities not only attract new investment and jobs, they also help retain existing jobs, encourage entrepreneurship and create a solid tax base to better support local service delivery.”* Objective 3-A is to *“Support local business retention, development and investment.”* The RGS supports *“creating a positive business-enabling environment through cooperating on policies and procedures that help to support and retain existing businesses and attracts new businesses and investment.”* Supporting policy 3A-1 is to *“Encourage responsible expansion of the economic base of the Comox Valley with the intent of enhancing wealth and employment opportunities.”* Overall, this tenure has the potential to contribute to the economic development of the regional aquaculture industry, and therefore, is supported by the RGS.

Further, the RGS supports the cultural and economic development of the K’omoks First Nation through the expansion of the aquaculture industry. Supporting policy 6B-2 states *“Aquaculture and fisheries are important to the K’omoks First Nation from both a food systems perspective and from a cultural perspective. The interest of the K’omoks First Nation in existing and expanded aquaculture activities should be supported where appropriate.”* Supporting policy 3A-5 is to *“Support economic objectives and initiatives of the K’omoks First Nation, including future economic opportunities, where appropriate, on K’omoks First Nation lands.”* Supporting policy 6B-2 states *“Aquaculture and fisheries are important to the K’omoks First Nation from both a food systems perspective and a cultural perspective. The interest of the K’omoks First Nation in existing and expanded aquaculture activities should be supported where appropriate.”* Supporting policy 3C-7 is to *“Support regional aquaculture industries and collaborate with them on developing foreshore land use and water management policies that protect and steward on-shore and off-shore shellfish beds and marine water quality. Policy development should include input to address impacts (e.g., visual, waste, noise, public access and navigable waters).”* This proposal contributes to the economic development of the K’omoks First Nation and the Comox Valley as a whole, and, therefore, is consistent with the goals, objectives and policies of the RGS.

Official community plan

Bylaw No. 2042 being the “Rural Comox Valley Official Community Plan Bylaw, 1998” (OCP) outlines that the “coastal area” designation only extends 300.0 metres seaward from the highwater mark of the eastern coastal boundary of the OCP planning area (see link below):

<http://www.comoxvalleyrd.ca/assets/Governance/Bylaws/Planning/2042%20Schedule%20'B'%20-%20Rural%20Comox%20Valley%20Official%20Community%20Plan%20Map.pdf>

Policy B.14(a) states “*the economic importance of sustainable aquaculture and fisheries industries to the Comox Valley shall be recognized and supported.*” Policy B.14(b) states that “*the Denman Island Local Trust area includes the area up to the eastern coast of Vancouver Island from Mud Bay to Comox Point (not including municipal boundaries). The Denman Island OCP and zoning bylaw only extend 1,000 metres seaward from the coastline of Denman Island; the coastal area is outside of this area. If the Coastal designation remains for this area, the Islands Trust requires that it be consistent with the Islands Trust Policy Statement and the Object of the Trust.*” Policy B.14(c) outlines that “*the Regional District shall work cooperatively with the Islands Trust, local government and senior government agencies to develop policy for the area extending 300 metres seaward from the high water mark of the eastern coastal boundary of the planning area that falls within the jurisdiction of the Islands Trust.*”

The proposed tenure is located outside of the CVRD’s jurisdiction. Overall, the OCP supports the economic importance of the regional aquaculture industry within Baynes Sound.

Zoning

The CVRD’s zoning powers only extend to the 30.0 metre bathymetric contour adjacent to Denman Island (see following links):

<http://www.comoxvalleyrd.ca/assets/Governance/Bylaws/Planning/2781A%20%20MapA4%2036x24.pdf>
<http://www.comoxvalleyrd.ca/assets/Governance/Bylaws/Planning/2781A%20%20MapA3%20CONSOLIDATED%2027Jul10.pdf>

This proposed tenure is located outside of Bylaw No. 2781 being the “Comox Valley Zoning Bylaw, 2005.”

Should you have any additional questions, please contact Kent Leontowich, rural planner at (250) 334-6041 or by email at kleontowich@comoxvalleyrd.ca.

Sincerely,

A. Mullaly

Alana Mullaly, MCIP, RPP
 Manager of Planning Services
 Property Services Branch

cc: Director Bruce Jolliffe, Baynes Sound – Denman/Hornby Islands (Electoral Area ‘A’)
 Ann MacDonald, general manager of planning and development services
 Leigh Carter, general manager of public affairs and information systems branch
 Scott Pilcher, Fisheries and Oceans Canada
 Rob Milne, Islands Trust
 Richard Hardy, Salish Sea Farms Ltd.

/kl

Comox Valley Regional District

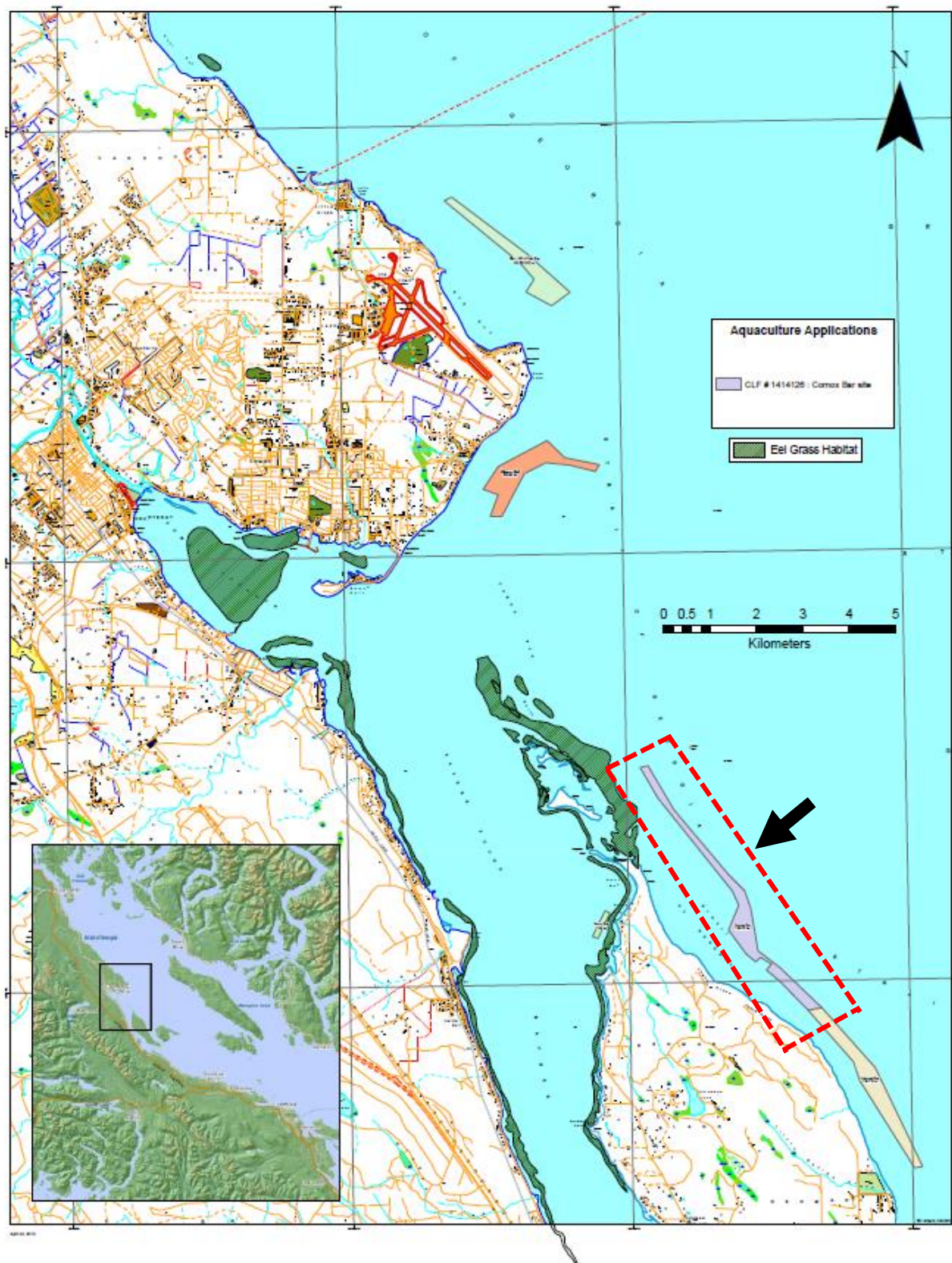


Figure 1: Proposed Comox Bar tenure

Comox Valley Regional District



Figure 2: Proposed tenure area



Government
of Canada

Gouvernement
du Canada

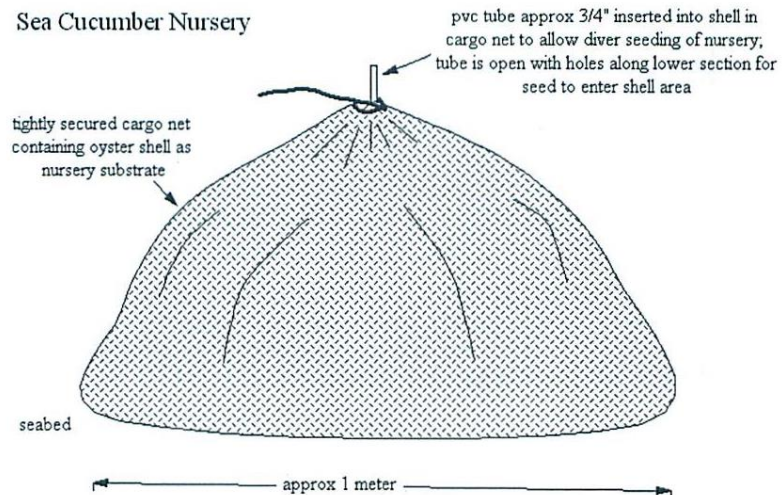
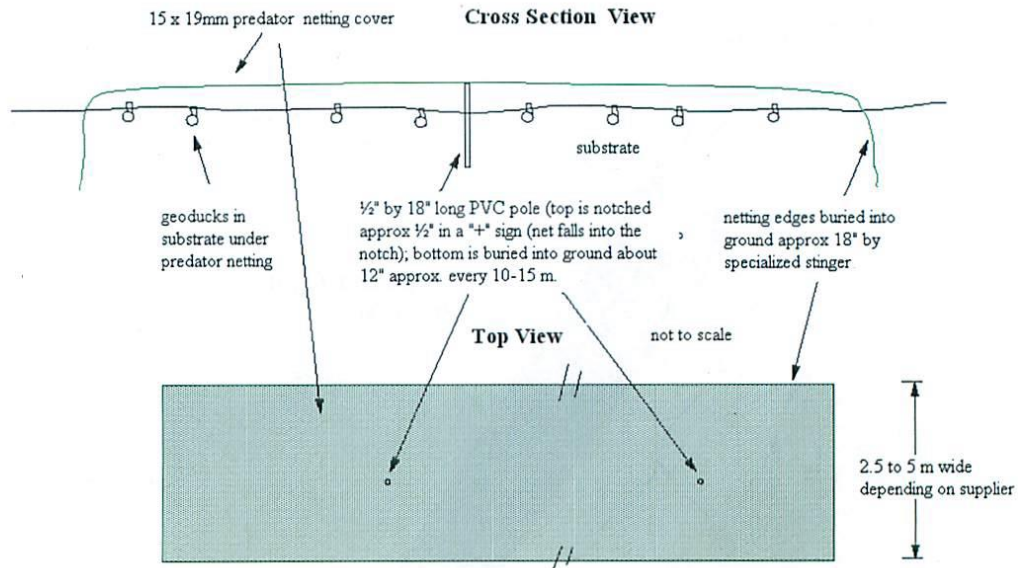


Figure b ii continued. Diagrams showing proposed seabed culture structures. Sea cucumber nursery bag will cover 0.05% of total area.

Figure 3: Sea cucumber nursery structure

Government
of CanadaGouvernement
du Canada

Predator protection netting



Bag in Bottom seed protection (BIB)

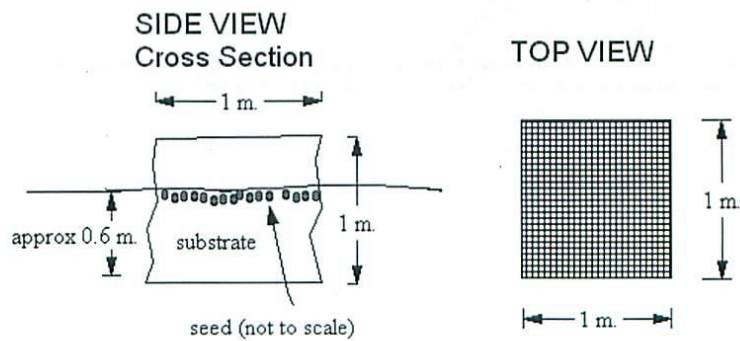


Figure b ii. Diagrams showing proposed seabed culture structures. Predator protection netting will cover product for 2 years of the 9 year cycle so 2 of 9 culture areas will have netting, or up to 22% of total area; BIB protection will cover 0.25% of total area.

Application Version number: DRAFT 1.3

Effective Date: 06-July-2012

12

Figure 4: Proposed predator netting

From: Shelley McKeachie [shelleymckeachie@gmail.com]
Sent: April 18, 2014 9:16 AM
To: XPAC Shellfish Aquaculture
Cc: Sheila Malcolmson; Laura Busheikin; David Graham; Peter Luckham; Rudi.Mayser@gov.bc.ca
Subject: Comments Re: draft DFO Integrated Geoduck Management Plan

Attention:

Fisheries and Oceans Canada

c/o Jennifer Mollins,

Senior Coordinator, Shellfish Aquaculture Management

Fisheries Management Branch – Pacific Region

1965 Island Diesel Way, Nanaimo, BC V9S 5W8 | Fax: 250-754-0391

Please find attached our letter with comments regarding the draft DFO Integrated Geoduck Management Plan.

Best regards,

Shelley & Morley McKeachie

5841 Lacon Rd.
Denman Island, B.C. V0R 1T0
April 17, 2014

Fisheries and Oceans Canada
Jennifer Mollins, Senior Coordinator, Shellfish Aquaculture Management
Email: shellfish.aquaculture@dfo-mpo.gc.ca
Fisheries Management Branch – Pacific Region, 1965 Island Diesel Way Nanaimo BC V9S 5W8

Re: Integrated Geoduck Management Framework- Draft

To Whom It May Concern:

DFO Management Area 14 N, which includes Baynes Sound & Lambert Channel is the most important and productive herring spawning site in British Columbia. Geoduck aquaculture threatens the spawning habitat of herring and other forage fish and the entire food web that depends on them. **The area map in the Geoduck Management Framework should ensure that ALL spawning sites in this area have red zone protection, including from First Nations Treaty settlements with the exception of wild geoduck harvest.**

Islands Trust has a provincially legislated mandate to preserve and protect the Trust islands and their surrounding waters for the benefit of all British Columbians. **Industrial geoduck aquaculture clearly violates the Islands Trust mandate, Policy Statement, and local bylaws and, therefore, the Geoduck Management Plan should identify all Trust areas as red zones for geoduck aquaculture.**

In the case of First Nations, the DFO Geoduck Management Plan guidelines allow an exception for First Nations geoduck aquaculture in red zones. **Geoduck aquaculture should not be allowed in Trust jurisdiction, including red zones, marine protected areas and critical spawning areas such as Lambert Channel.** However, as part of their treaty settlement, First Nations could be offered wild geoduck tenures in red zones that would be subject to the existing wild harvest regulations and oversight. Outside of Trust Island areas, the five hectare tenures allowed in red zones for First Nations should not be approved adjacent to each other because this would allow for a way to create geoduck tenures that are technically limited to 5 ha. but, in reality, are larger than that by virtue of 'stringing them together'.

Due to geoduck aquaculture's incompatibility with many Island's Trust policies and local Official Community Plans, **existing aquaculture tenure holders must not be approved to change the species of cultivation on their management plans to geoduck within Islands Trust jurisdiction.** Additionally, any **tenures within Islands Trust jurisdiction should not be allowed to cultivate geoduck even if the existing management plan includes geoduck.**

The granting of licences of occupation for geoduck aquaculture tenures is under the authority of the BC Provincial Government, Ministry of Forests, Lands and Natural Resources. The BC aquaculture Land Use Operational Policy acknowledges that the riparian rights of waterfront property owners include the unobstructed right of access to and from the upland. The BC Government document (2008) Riparian Rights and Public Foreshore Use in the Administration of Aquatic Crown Land states: Unless the Crown has secured the riparian rights of the adjacent waterfront property, the Ministry will not allow foreshore tenures (on which improvements may be added) in front of privately owned upland. **DFO should not give approval for geoduck aquaculture tenures without confirming that upland**

property owners have been notified and given written permission for such a tenure. This includes in the case of existing tenures that list geoduck on their management plans and existing tenures that apply to add or switch species of cultivation to geoduck.

Yours truly,

Shelley and Morley McKeachie

Cc:

Chair Sheila Malcolmson, Islands Trust

Trustees Busheikin, Graham and Luckham, Local Trust Committee, Denman Island

Rudi Mayser, Manager of Authorizations, Ministry of Forests, Lands and Natural Resources,



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.	Investigate further with regard to alternate measures to address negative impacts of shellfish farming.	Oct-25-2011	Rob Milne	Oct-31-2014	On Going
2	Denman Housing Needs consultation. Review of housing policies with respect to secondary cottages and suites in residential designations.	Draft bylaws were reviewed by the APC at their February 11, 2014 meeting.	Nov-06-2012	Rob Milne	Sep-01-2014	On Going
3	Implementing Riparian Areas Regulations	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
1	DCLTA Rural Affordable Housing Project Final Report dated June 20, 2013	Consideration of recommendations	Oct-22-2013	On Going
1	Review of visitor accommodations regulations.	Focus of the review is to be on allowing the provision of cooking facilities for guests.	Nov-26-2013	On Going



Applications w/ Status - Denman Island Status: Open

Applications

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 Komass 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-2011.2	Ella Day Planner: Marnie Eggen	Mar-21-2011	For barn sited within DP #1: Komass Bluff

Planning Status

Status Date: Jul-29-2013

File passed on to Bylaw enforcement

Status Date: Oct-05-2012

Letter sent to applicant re: further info required

Status Date: Nov-01-2011

Awaiting info from applicant

File Number	Applicant Name	Date Received	Purpose
-------------	----------------	---------------	---------

DE-DP-2013.1

Daniel & Debra Jun-17-2013
Stoneman
Planner: Courtney Simpson

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: Jul-29-2013

no change; file passed on to bylaw enforcement

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

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

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2013.2	Henning Nielsen	Dec-12-2013	

Planner: Linda Prowse

Planning Status

Status Date: Jan-14-2014

PLA with conditions received January 14, 2014

Status Date: Dec-23-2013

Subdivision referral report sent to DILTC, MOTI and applicant.

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2014.1	Henning Nielsen	Feb-04-2014	Davidson Road 2 Lot subdivision

Planner: Marnie Eggen

Planning Status

Status Date: Mar-18-2014

Referral response emailed to MOTI

Siting and use Permit

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

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

Islands Trust
 LTC EXP SUMMARY REPORT F2014
 Invoices posted to Month ending March 2014

11.3.1

615 Denman	Invoices posted to Month ending March 2014	Budget	Spent	Balance
65000-615	LTC "Trustee Expenses"	1,100.00	617.61	482.39
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	2,500.00	3,799.28	-1,299.28
65210-615	LTC - Local Exp - APC Meeting Expenses	1,000.00	242.38	757.62
65220-615	LTC - Local Exp - Communications	500.00	272.84	227.16
65230-615	LTC - Local Exp - Special Projects	2,000.00	1,511.61	488.39
65240-615	LTC - Local Exp - Miscellaneous	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>6,500.00</u>	<u>5,826.11</u>	<u>673.89</u>
Projects				
73001-615-3001	Denman RAR	42,000.00	27,789.97	14,210.03
TOTAL Project Expenses		<u>42,000.00</u>	<u>27,789.97</u>	<u>14,210.03</u>

Denman Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 1, 2012	DE-041-2012	Enforcement Policy on 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.
2.	October 22, 2013	DE-065-2013	Enforcement Policy on Guest accommodation	It was MOVED and SECONDED, that the Denman Island Local Trust Committee renew Standing Resolution No. DE-041-2012 to be extended to December 31, 2014.



STAFF REPORT

Date: April 22, 2014

File No.: 6500-20 (Denman Housing Needs)

To: Denman Island Local Trust Committee
For meeting of May 7, 2014

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

Re: Draft Amending Bylaws to Enable Secondary Suites and Secondary Dwelling Units

PROBLEM / ISSUE:

This project was initiated in May, 2013 to seek, through a public consultation process, options acceptable to the community for the potential use of secondary dwelling units to meet a range of evolving housing needs on Denman Island.

The purpose of this report is to:

- 1) Confirm the status of Bylaw Nos. 210 and 211; and
- 2) Review the process of moving the bylaws forward to adoption.

BACKGROUND:

The housing needs review kicked off with a community information meeting (CIM) on August 25th, 2013 which was primarily focused upon affordable housing. At their October 22, 2013 meeting the LTC gave consideration to the October 3, 2013, "Denman Housing Needs Summary Report of August 25th Community Information Meeting" staff report. Discussion on that report led to a change in focus for the housing needs project and subsequent to that consideration the LTC passed two resolutions as follows:

DE-066-2013

It was **MOVED** and **SECONDED**, that the Denman Island Local Trust Committee give consideration to amendments to the Denman Island Land Use Bylaw to facilitate the creation of secondary suites and secondary dwelling units including the use of moveable units and using Temporary Use Permits (for secondary dwelling units only) as the regulatory tool as part of the solution to the lack of housing options on Denman Island.

DE-067-2013

It was **MOVED** and **SECONDED**, that the Denman Island Local Trust Committee give consideration to amendments to the Denman Island Official Community Plan to allow secondary suites and secondary dwelling units in Rural and Sustainable Resource land designations as part of the draft work on this Top Priority.

At the November 26, 2013 meeting the Local Trust Committee (LTC) gave consideration to a November 7, 2013, staff report which contained preliminary drafts of bylaws intended to allow for a targeted implementation of secondary suites and secondary dwelling units for the consideration of the LTC. At that meeting comments and suggestions for changes were provided by both the LTC and members of the public and the following motion was adopted.

DE-076-2013 It was **MOVED** and **SECONDED**, that the Denman Island Local Trust Committee request staff to bring a revised "Denman Housing needs Consultation Report" and "Draft Bylaws" reflecting changes proposed and discussed at the November 26, 2013 meeting.

At the January 21, 2014 LTC meeting further consideration was given to the draft bylaws to amend the LUB and OCP and the following motion was adopted.

DE-2014-007 It was **MOVED** and **SECONDED**, that the Denman Island Local Trust Committee refer the amended January 21, 2014 draft bylaws of the Housing Regulations Review to the Advisory Planning Commission.

The APC met to review the draft bylaws at their February 11, 2014 meeting. The LTC gave consideration to the APC recommendations at their February 15, 2014 meeting and adopted the following motion.

DE-2014-015 It was **MOVED** and **SECONDED**, that the Denman Island Local Trust Committee direct staff to incorporate Advisory Planning Commission resolutions DEAPC-01-2014 and DEAPC-02-2014 from the Advisory Planning Commission meeting of February 11, 2014 into the draft bylaw regarding housing and send the amended draft bylaw out for early agency referrals.

The intent of the two resolutions was to ensure that all R2 lots qualify for secondary suites and Temporary Use Permits for secondary dwellings and that point 6(a) the draft LUB be changed to 140 square metres and that point 6(b) be changed to 100 metres.

POLICY STATEMENT CHECKLIST:

Section 1.6 of the Policy Statement Implementation Policy holds the primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement resides with each local trust committee.

Staff has assessed the draft LUB and OCP bylaws against the Policy Statement Directives Only Checklist and includes the review as Attachments No. 1 and No. 2. The LTC is requested to pass a formal resolution to indicate agreement with these assessments.

CONSULTATION AND REFERRALS:

As directed through resolution **DE-2014-015**, discussed above, an early referral of the proposed bylaws was sent to a number of First Nations and agencies which are listed below.

<u>Federal Agencies</u> N/A	<u>Regional Agencies</u> Comox Valley Regional District	
<u>Provincial Agencies</u> Ministry of Transportation and Infrastructure- Courtenay Vancouver Island Health Authority Ministry of Forestry Lands and Natural Resource Operations Ministry of Agriculture Agricultural Land Commission BC Assessment Authority	<u>Adjacent Local Trust Committees and Municipalities</u> Hornby Island Local Trust Committee	
<u>Non-Agency Referrals</u> N/A	<u>First Nations</u> Cowichan Tribes Halalt First Nation H'ul'qumi'num Treaty Group K'omoks First Nation Laich-kwil-tach Treaty Society Lake Cowichan First Nation Lyackson First Nation Penelakut Tribe Qualicum First Nation	Sliammon First Nation shishalh (Sechelt) First Nation Snaw'Naw'As Nation Nanwakolis First Nations Stz'uminus First Nation Te'Mexw Treaty Association We Wai Kai Nation Wei Wai Kum First Nation Xwemalhkwa (Homalco) First Nation

SUMMARY OF EARLY REFERRAL RESPONSES

Agency	Response	Synthesis of response
Ministry of Transportation and Infrastructure	Interests unaffected by Bylaw	Interests unaffected
Xwemalhkwa (Homalco) First Nation	At this time we do not object to your proposal. The Homalco First Nation is however, continuing our Land Use Plan our Tradition Use Plan and an Archaeological Overview of our Traditonal Lands. These works are ongoing, we reserve the right to provide further comment as new information becomes available.	Interests unaffected by the Bylaw at this time.
Sliammon First Nation	Approval recommended	Interests unaffected by the Bylaw
Penelakut Tribe	... it is believed that we do not have any opposition at this time to either of these referrals. Penelakut has, in the past travelled in and through the waters surrounding these areas, but in more recent times, have not. We request that should there be any findings that may be of significance, we be notified.	Interests unaffected by the Bylaws at this time.

As noted in this report the housing review process began in early 2013. The issue of housing needs on Denman Island was explored through a CIM held in August and has been discussed in depth at four LTC meetings, three of which focused upon the language of the draft bylaws, the most recent being on February 15, 2014. The draft bylaws have been reviewed by the APC and their recommended changes incorporated and were sent out for early referral to agencies and First Nations. No concerns have been identified through this consultation process. It is the view of staff that the documents are ready for first reading and that the requirements for statutory referral have been fully addressed.

TIMELINES

A project charter for the OCP and LUB review process was prepared and reviewed in 2013. That charter anticipated an early 2014 adoption of those documents. It is now anticipated that will occur in late summer or early fall. An expected timeline is provided in the table below.

Deliverable / Milestone	Target Completion Date
Early First Nations and agency referral of draft bylaws	March, 2014
First reading of bylaws	May 7, 2014
Public hearing	June 9 or 10, 2014
Bylaw amendments as required	June 10 or July 15, 2014
Submission of bylaws to EC and Minister (for OCP)	June or July, 2014
Final adoption	September or October, 2014

STAFF COMMENTS

The issue of housing needs on Denman Island has received considerable discussion and draft bylaws to assist in alleviating this need have been extensively reviewed at four LTC meetings and the bylaws have been reviewed and supported by the APC. The draft bylaws have also been sent to twenty six agencies and First Nations without any concerns or issues having been identified. As such it is the view of staff that the draft bylaws are ready to enter the final stages of community consultation and the statutory process that leads to final adoption as identified above.

RECOMMENDATIONS:

THAT the Hornby Island Local Trust Committee:

1. Give first reading to Bylaw No. 210 cited as the "Denman Island Official Community Plan, 2008, Amendment No. 1, 2014;
2. Review the Directives Only Policies and confirm by resolution that Bylaw No. 210 is not contrary to or at variance with the Islands Trust Policy Statement;

3. Give first reading to Bylaw No. 211 cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2014;
4. Review the Directives Only Policies and confirm by resolution that Bylaw No. 211 is not contrary to or at variance with the Islands Trust Policy Statement;
5. Refer the proposed Bylaw Nos. 210 and 211 to the ALC pursuant to S.883(3)(c) of the LGA; and
6. Direct staff to conduct a Public Hearing for the proposed Official Community Plan and Land Use Bylaws on either June 9 or 10, 2014.

Prepared and Submitted by:

Rob Milne

April 22, 2014

Rob Milne
Island Planner

Date

Concurred in by:

Courtney Simpson

April 24, 2014

Courtney Simpson, MCIP, RPP
Regional Planning Manager

Date

Attachments:

1. Policy Statement Directives Only Checklist for Bylaw No. 210
2. Policy Statement Directives Only Checklist for Bylaw No. 211



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: DE-6500-20
Bylaw No. 210

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTEN T	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address

		opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

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

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

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



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: DE-6500-20
Bylaw No. 211

PURPOSE

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

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Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
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PART IV: Policies for the Stewardship of Resources

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CONSISTENT	NO.	DIRECTIVE POLICY
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	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
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	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
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N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address

		opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

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

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

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

STAFF REPORT

Date: April 21, 2014

File No.: DE-6500-20 (RAR)

To: Denman Island Local Trust Committee
For the meeting of May 7, 2014

From: Rob Milne, RPP, MCIP
Island Planner

Re: Implementation of Provincial Riparian Areas Regulation

PURPOSE

The purpose of this report is provide the Local Trust Committee with background on the provincial Riparian Areas Regulation, the results of watercourse mapping on Denman Island, and options and recommendations for implementing the provincial Riparian Areas Regulation through the attached, revised Project Charter.

BACKGROUND

Implementation of the provincial Riparian Areas Regulation (RAR) is a LTC Top Priority Work Program item.

The RAR was enacted under Section 12 of the *Fish Protection Act* in July 2004 and took effect on March 31, 2006. The objectives of the Act are to:

- (1) Ensure sufficient water for fish;
- (2) Protect and restore fish habitat;
- (3) Improve riparian protection and enhancement; and
- (4) Provide stronger local government powers in environmental planning.

In 2006 Trust Council adopted a resolution directing staff to prepare development permit area provisions to implement the RAR. Local trust committees were also requested to consider amending setback provisions in their Land Use Bylaws as a first step prior to implementing development permit areas. Subsequently, at their August 3, 2010 meeting the Denman Island Local Trust Committee adopted the following resolution:

DE-090-2010 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to a) remove No. 1 of the Top Priorities and b) move "Implementing Riparian Areas Regulations" from the Projects list to #3 on the Priorities List, and renumber the previous items.

The LTC previously give consideration to the issue of implementing the Riparian Area Regulations at their May 1st, July 17th and October 2nd, 2012 meetings.

At the May 1st, 2012 meeting Trustees gave consideration to a staff report which summarized the recommended options and the budget considerations for Riparian Areas Regulation mapping and community consultation on Denman Island. The following motion was adopted.

DE-046-2012 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee direct staff to proceed with:

- establishing a northern working group made of up northern trustees and staff in order to develop community consultation options and education materials for Riparian Areas Regulation implementation; and
- reviewing Development Permit Area 4 and prepare draft wording and mapping for compliance with Riparian Areas Regulation.

Trustees also gave consideration to a staff report regarding Riparian Areas Regulation stream identification of the Morrison Marsh system and the discussion included the contract for the mapping of the system.

At the July 17, 2012 meeting staff presented draft bylaws to amend Development Permit Area No. 4: Streams Lakes and Wetlands and possible communication methods. The following motion was adopted by the LTC.

DE-061-2012 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee:

1. Endorse the Project Charter dated June 26, 2012 as amended;
2. Direct staff to provide a draft Development Approval Information Bylaw;
3. Refer the draft Official Community Plan and Land Use Bylaw amendments to Development Permit Area No. 4 to the Advisory Planning Commission, with the staff report dated July 4, 2012; and
4. Direct staff to report back on the work of the Northern Riparian Areas Regulation Working Group with recommendations for communications for Denman Island.

The APC met on September 5, 2012 to consider the draft Development Permit Area No. 4 Streams, Lakes and Wetlands draft language. Items reviewed by the APC members included the overall number of development permit areas, appropriate setbacks and enforcement protocols.

At the October 17th meeting staff summarized a report regarding Development Permit Area 4 amendments including a discussion on funding. Subsequently the LTC adopted following motion.

DE-065-2012 It was **MOVED** and **SECONDED** that the Denman Island Local Trust Committee request staff to confirm the Riparian Areas Regulation budget of \$5,000 and to explore the possibility of reallocation to mapping

Although Mimulus Biological Consultants did map the Morrison Creek watershed in 2012 it was not until the 2013-14 fiscal year that funding became available to complete the remaining RAR mapping necessary to allow implementation of the regulation.

CURRENT POLICY

Trust Council Strategic Plan:

Goal “A” of the Trust Council Strategic Plan includes- “work to protect the natural environment of islands by:

- Working to protect fish habitat under BC's Riparian Areas Regulation"

Trust Policy Statement:

3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

Official Community Plan: Section C.2 of the OCP contains two objectives and three pertinent policies:

- Objective 3 To protect from disturbance sensitive areas within fresh water environments
- Objective 4 To encourage and support the conservation of wetlands and other freshwater bodies
- Policy 1 The protection and retention of riparian and aquatic habitat is encouraged.
- Policy 2 Adequate setbacks should be maintained to discourage development encroachment on riparian habitat and reduce pollution of this habitat.
- Policy 3 The protection of land along the margins of lakes, streams and wetlands is encouraged at the time of subdivision through the use of covenants or other protective mechanisms.

COMMUNITY CONSULTATION

Community consultation is fundamental to any proposed changes to LTC policies and regulations. However, as the RAR is a provincially legislated requirement, providing for meaningful consultation is challenging as the LTC's options are limited. In order to bring its bylaws into compliance with the provincial regulation, it must amend them to provide a minimal level of protection as prescribed in the provincial regulation. There are limited options in terms of the tools that can be used and the only real choice the LTC has is whether or not to exceed the requirements of the RAR. That being said, it is important that the LTC communicate clearly and effectively the reasons for the potential amendment with potentially affected landowners and the community in general. It should be noted that the current DPA 4 was established through a significant amount of work and interest by local residents with expertise in biology and conservation. This local expertise can, hopefully, continue to be an asset with this current project.

The consultation process should provide adequate opportunities for land owners and the community to determine if their property is affected. The consultation process should also help affected property owners understand the potential impacts upon their property and how bylaws brought forward to bring the Denman Island Local Trust Area into compliance with the RAR may or may not affect current and proposed uses of their property

Experience within the Islands Trust has shown the RAR implementation process to have the potential to be a highly contentious community issue. It presents the LTC and the local community with the challenge of balancing concerns between property rights and providing adequate protection for riparian areas within a legislated structure which allows for limited flexibility in how to provide the mandated protection.

In the original 2012 Project Charter (Attachment 1) little detail is provided for the public outreach portion of the implementation process. The points below provide some insight into possible

options. In the “Deliverables and Milestones” section below staff is recommending a focus on option No. 3 which is reflected in a proposed update of the original charter (Attachment 2). This approach favours the use of a series of smaller one-on-one meetings

There are several approaches the LTC may consider, alone or in combination:

1. Direct contact with owners- for example letters to all owners providing opportunities to individually contact trustees and staff to have questions answered.
2. Information materials and links to on-line information can be provided in letters to landowners.
3. Advertised but informal open-house(s), where affected and interested persons can drop-in and one-on-one ask questions specific to their property and their concerns.
4. Town hall, where all affected and interested persons can attend and hear others' questions and comments, and the answers and responses.

BUDGETARY IMPLICATIONS

No specific project budget has been allocated for the RAR implementation process. However, the anticipated expenses, such as a mail-out, printing of informational material and community meeting opportunities could be funded from the LTC communications budget (\$300) or the LTC special project budget (\$750). Given that all required stream mapping work has now been completed, and the existence of brochures and materials that can be adapted for use in the community consultation process it can be expected that overall costs aside from the statutory public hearing; which is proposed for the 2015/2016 fiscal year; can be kept within this budget.

TIMELINE

As previously noted in this report “Implementing Riparian Area Regulations” was added by resolution to the LTC top priority list as the third priority in 2010. A number of reports were considered in 2012 culminating in the funding and completion of RAR mapping for the Morrison Marsh watershed and in the 2013-14 fiscal year funding became available allowing the completion of the RAR mapping necessary to begin implementation of the regulation. The LTC members will, therefore, find attached to this report a copy of an updated draft project charter which includes a revised timeline to allow for the initiation and implementation of this priority.

An extract of the “Deliverables and Milestones” section of the updated draft charter is included below for review. As may be seen it is proposed to focus upon the important public consultation and education phase and the development of the necessary draft bylaws in the lead up to the Christmas meeting break. The statutory component including formal agency referrals and the public hearing are proposed to follow after the break.

As noted previously the implementation of the RAR has proven to be a potentially contentious issue. The proposed timelines provided in the draft project charter, and provided for convenience below, are intended to ensure that adequate time is provided for community discussion of this important initiative. Making allowance for the time to have that discussion will hopefully relieve any apprehensions that this process is being imposed upon residents without the opportunity to share any concerns, to better understand the value of the process and the constraints imposed upon the Islands Trust by the provincial regulation.

Although bylaws were drafted in 2012 and referred to the APC, in the time since then best practices for development permit areas to implement the RAR in the Islands Trust have

changed, and the timeline below proposes new draft bylaws be presented to the LTC with several changes from those presented in 2012.

Deliverables and Milestones

Deliverable / Milestone	Target Completion Date
Trustee Notebook	June, 2014
Small venue community information and mapping review meetings (4)	Spring/Summer 2014
Report to LTC on consultation (LTC direction to revise draft bylaws)	September 2014
LTC review of draft bylaws to amend OCP and LUB & draft DAI bylaw	December 2014/January 2015
Early First Nations referral of draft bylaws	January 2015
Community Information meeting	February 2015
First reading of bylaws and statutory referrals	March, 2015
Referral comment review	April, 2015
Public hearing	May, 2015
Submission of DAI bylaw to EC	June, 2015
Adopted bylaw amendments	July, 2015
Adoption of DAI bylaw by Trust Council	September, 2015

STAFF COMMENTS

The provincial RAR requires local governments to use their existing land use planning authority to protect fish habitat.

Ministry of Environment documents suggest that local governments apply zoning or use DPAs to implement the RAR. Changes to zoning would establish a setback consistent with the 30 metre RAA. However, there are at least two concerns with the zoning approach:

1. Zoning is inflexible. A setback would regulate the siting of buildings and structures and a landscape strip provision could be established within the RAA to prevent vegetation removal. Any work within the RAA would require a variance and conditions could not be attached to a variance in the manner that they can be included in development permit.
2. Establishing zoning setbacks do not provide the level of certainty for landowners that designating a DPA on a map schedule does.

Conversely, the DPA amendment option would manage land alteration, including vegetation removal, provide a map schedule showing the designated streams and 30 metre DPA, and provide for the flexibility inherent in considering issuance of a development permit, which can attach conditions and include variances.

The Denman Island LTC is obliged to protect riparian areas and has already provided direction to utilize DPAs as part of the RAR implementation process. Draft bylaws were prepared in 2012 and referred to the APC. In the time since then best practices for development permit areas to

implement the RAR in the Islands Trust have changed, and the project charter proposes new draft bylaws be presented to the LTC with several updates to those presented in 2012.

OPTIONS

As noted earlier in this report the implementation of riparian protection through RAR is not discretionary and such protection must meet or exceed the provincial requirements. As such the options available to the LTC are limited to those associated with the implementation of RAR in the Denman Island Local Trust Area. As noted the LTC has already identified the use of development permit areas as one of the tools to implement that protection.

RECOMMENDATIONS

It is the recommendation of staff that:

1. The Denman Island Local Trust Committee review and adopt the revised RAR implementation project charter along with any further amendments deemed to be appropriate.
2. The Denman Island Local Trust Committee direct staff to proceed with the implementation of the riparian area protection priority item as described in the adopted RAR implementation project charter.

Prepared and Submitted by:

Rob Milne

April 22, 2014

RPP, MCIP
Island Planner

Date

Concurred in by:

Courtney Simpson

April 24, 2014

RPP, MCIP
Regional Planning Manager

Date

Attachment: 1) July 25, 2012 Project Charter
2) Draft Revised Project Charter



Islands Trust

Attachment 1

Review of Development Permit Area No. 4: Streams, Lakes and Wetlands Project Charter

Creation Date: June 26, 2012

Last Updated: July 25, 2012

Version: 1.1

	Name	Endorsement Date
Project Sponsor	Chris Jackson	June 27, 2012
Project Manager	Courtney Simpson	July 4, 2012
Local Trust Committee	Denman Island	July 17, 2012

Purpose

This project will improve the protection of fish and fish habitat on Denman Island by improving stream mapping accuracy and amending the Official Community Plan and Land Use Bylaw to come into compliance with the Riparian Areas Regulation (RAR) of the provincial Fish Protection Act.

Background

This project has been initiated by the Denman Island Local Trust Committee (LTC) pursuant to the Islands Trust Council 2008-2011 Strategic Plan objective 1.1 "to identify and protect riparian areas".

A 2008-2009 Trust-wide "Drainage Areas of the Island Trust" project identified 19 watersheds on Denman Island, 5 of which are designated by the Ministry of Environment as supporting fish or having the potential to support fish. In preparation for this project, it was identified that more accurate mapping of these 5 watersheds is necessary in order to become compliant with the RAR.

In the 2011-2012 fiscal year the Denman LTC had sufficient Official Community Plan project budget for one of these watersheds to be mapped, the Morrison Marsh Watershed. There are four remaining watersheds to be mapped, at an estimated cost of \$40,000. There is no budget in the current (2012-2013) fiscal year for this work. The only budget for this project is \$5,000 which is for communications only.

Objectives

- Complete mapping of the four remaining RAR watersheds by a Qualified Environmental Professional in order to identify and map all streams, as defined by the RAR, within these watersheds.
- Amend or adopt a new Development Permit Area No. 4 with new mapping and revised wording if necessary.
- Amend or adopt a new Development Approval Information Bylaw
- Communicate both the process and outcome to the Denman Island community and solicit feedback during development of the deliverables.

Scope

In Scope	Out of Scope
▪ Map 4 remaining RAR watersheds ▪ Amend DPA 4 boundaries to reflect new mapping ▪ Review DPA text to determine if amendments are needed. ▪ Make any necessary amendments to DPA text. ▪ Review DAI to determine what amendments are needed, and make necessary changes. ▪ Communicate and consult with Denman Island community.	▪ Mapping of non-RAR watersheds

Deliverables and Milestones

Deliverable / Milestone	Target Completion Date
Project Charter Endorsed by Regional Planning Manager	June 29, 2012
Draft DPA boundary amendment for Morrison Marsh Watershed to LTC	July 17, 2012
Draft amendments to DPA text to LTC	July 17, 2012
Draft amendments to DAI Bylaw to LTC	October 2, 2012
Stream mapping for 4 remaining RAR streams (budget dependent)	June, 2013
Trustee Notebook	April, 2012
Draft DPA boundary amendments for 4 remaining watersheds to LTC	September, 2013
Public hearing bylaw amendments	November, 2013
Adopted bylaw amendments	February, 2014

First Nations

As with all LTC projects, First Nations with asserted aboriginal rights on Denman Island will be contacted early to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the proposed change. Almost all identified archaeological sites on Denman Island are coastal, with some located at the mouth of streams. It is anticipated that First Nations may have an interest in supporting increased mapping and protection of riparian areas as this may also lead to better protection of archaeological sites from development.

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>Affected property owners</i>	<i>All</i>	• New DPA requirements are not overly onerous • New regulations are understood • Expect clear, proactive communication
<i>Other community members</i>	<i>All</i>	• Understand that new requirements may NOT apply to their property • Overall concern for protection of Denman Island environment without being overly restrictive.
<i>Qualified Environmental Professionals</i>	<i>VIU Natural Resources Extension Program</i>	• That DPA guidelines will be clear and reasonable • That the DAI bylaw will be clear and reasonable
<i>Farmers</i>	<i>Hornby/Denman Growers and Producers Association</i>	• Concern that new regulations will negatively impact agriculture • Expect clear, proactive communication.
<i>BC Parks</i>	<i>TBD</i>	• For the RAR watershed areas within parks, interested in RAR mapping will be done within parks. • Interested in collaboration and cost-sharing.
<i>Ministry of Environment</i>	<i>Marlene Caskey</i>	• That requirements of the RAR are met in the guidelines • That stream mapping is consistent with their identification of RAR watersheds

Project Team Resources

Name	Project Role	Area	Duration	Time
<i>Courtney Simpson</i>	<i>Project Manager</i>	<i>LPS – Northern</i>	<i>All</i>	<i>20 days</i>
<i>Chloe Fox</i>	<i>Advisor</i>	<i>LPS – Northern</i>	<i>All</i>	<i>1-2 days</i>
<i>Mark van Bakel</i>	<i>GIS Coordinator</i>	<i>LPS – Victoria</i>	<i>Mapping only</i>	<i>1-2 days</i>
<i>Jacquie Hill</i>	<i>Public Hearing</i>	<i>LPS – Northern</i>	<i>PH only</i>	<i>1-2 days</i>
<i>Theresa Vieau</i>	<i>Meeting notices & bookings</i>	<i>LPS – Northern</i>	<i>All</i>	<i>1-2 days</i>

Project Governance

Role	Responsibility
Project Champion – David Marlor	Strategic matters at Executive Committee level
Project Sponsor - Chris Jackson	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 – Courtney Simpson	All project management of the project, lead/ direct all project work
Project Team Members	Carry out assigned project tasks

Project Budget

Item	Details	Fiscal 12/13	Fiscal 13/14
Communications		\$5,000	
Mapping	4 remaining RAR watersheds		\$40,000
Public Hearing			\$1,500
Totals		\$5,000	\$41,500

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

- Denman Island Farm Plan project completes on time, allowing this project to move to the top work program priority and staff resources to be adequately allocated.
- Aquaculture project (3rd work program priority) is not moved in front of this project.
- 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 further mapping</i>	M	H	Prepare thorough budget request through RPM, in order to provide LPS director with adequate information for preparing budget information to FPC.
<i>Farm Plan not completed on time</i>	L	L-M	Ensure LTC is aware of consequences of extending timeline on Farm Plan.
<i>Significant public opposition</i>	L	M-H	Ensure communications are early and ongoing. Acknowledge and respect the work done locally on stream mapping and protection in the past.

Attachment 2



Islands Trust

Review of Development Permit Area No. 4: Streams, Lakes and Wetlands Project Charter

Creation Date: June 26, 2012

Last Updated: March 24, 2014

Version: 1.2

	Name	Endorsement Date
Project Sponsor	Courtney Simpson	April 24, 2014
Project Manager	Rob Milne	April 24, 2014
Local Trust Committee	Denman Island	May 7, 2014

Purpose

This project will improve the protection of fish and fish habitat on Denman Island by improving stream mapping accuracy and amending the Official Community Plan and Land Use Bylaw to come into compliance with the Riparian Areas Regulation (RAR) of the provincial Fish Protection Act.

Background

This project has been initiated by the Denman Island Local Trust Committee (LTC) pursuant to the Islands Trust Council 2008-2011 Strategic Plan objective 1.1 "to identify and protect riparian areas".

A 2008-2009 Trust-wide "Drainage Areas of the Island Trust" project identified 19 watersheds on Denman Island, 5 of which are designated by the Ministry of Environment as supporting fish or having the potential to support fish. In preparation for this project, it was identified that more accurate mapping of these 5 watersheds is necessary in order to become compliant with the RAR.

In the 2011-2012 fiscal year the Denman LTC had sufficient Official Community Plan project budget for one of these watersheds to be mapped, the Morrison Marsh Watershed. In the 2013-2014 fiscal year funding became available to complete mapping of the four remaining watersheds. The mapping of these watersheds was contracted to be completed in February of 2014.

Given the lapse of time since the adoption of the original charter in June of 2012 this version, 1.2, may be considered to be a major revision of that original charter.

Objectives

- Complete mapping of the four remaining RAR watersheds by a Qualified Environmental Professional in order to identify and map all streams, as defined by the RAR, within these watersheds.
- Amend or adopt a new Development Permit Area No. 4 with new mapping and revised wording if necessary.
- Amend or adopt a new Development Approval Information Bylaw
- Communicate both the process and outcome to the Denman Island community and solicit feedback during development of the deliverables.

Scope

In Scope	Out of Scope
▪ Map 4 remaining RAR watersheds ▪ Amend DPA 4 boundaries to reflect new mapping ▪ Review DPA text to determine if amendments are needed. ▪ Make any necessary amendments to DPA text. ▪ Review DAI to determine what amendments are needed, and make necessary changes. ▪ Communicate and consult with Denman Island community.	▪ Mapping of non-RAR watersheds

Deliverables and Milestones

Deliverable / Milestone	Target Completion Date
Project Charter Endorsed by Regional Planning Manager	June 29, 2012
Draft DPA boundary amendment for Morrison Marsh Watershed to LTC	July 17, 2012
Draft amendments to DPA text to LTC	July 17, 2012
Draft amendments to DAI Bylaw to LTC	October 2, 2012
Stream mapping for 4 remaining RAR streams	February, 2014
Trustee Notebook	June, 2014
Small venue community information and mapping review meetings (4)	Spring/Summer 2014
Report to LTC on consultation (Resolution to update draft bylaws)	September 2014
LTC review of draft bylaws to amend OCP and LUB & draft DAI	December 2014/January

Deliverable / Milestone	Target Completion Date
bylaws	2015
Early First Nations referral of draft bylaws	January, 2015
Community Information meeting	February 2015
First reading of bylaws and statutory referrals	March, 2015
Referral comment review	April, 2015
Public hearing/bylaw amendments	May, 2015
Submission of OCP and DAI bylaws to EC	June, 2015
Adopted bylaw amendments	July, 2015
Adoption of DAI, OCP and LUB bylaws by Trust Council	September, 2015

First Nations

As with all LTC projects, First Nations with asserted aboriginal rights on Denman Island will be contacted through an early referral of the draft bylaws to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the proposed change. Almost all identified archaeological sites on Denman Island are coastal, with some located at the mouth of streams. It is anticipated that First Nations may have an interest in supporting increased mapping and protection of riparian areas as this may also lead to better protection of archaeological sites from development.

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>Affected property owners</i>	<i>All</i>	• New DPA requirements are not overly onerous • New regulations are understood • Expect clear, proactive communication
<i>Other community members</i>	<i>All</i>	• Understand that new requirements may NOT apply to their property • Overall concern for protection of Denman Island environment without being overly restrictive.
<i>Farmers</i>	<i>Hornby/Denman Growers and Producers Association</i>	• Concern that new regulations will negatively impact agriculture • Expect clear, proactive communication.
<i>Ministry of FLNRO</i>	<i>Maggie Henigman</i>	• That requirements of the RAR are met in the guidelines • That stream mapping is consistent with their identification of RAR watersheds

Project Team Resources

Name	Project Role	Area	Duration	Time
Rob Milne	Project Manager	LPS – Northern	All	20 days
Marnie Eggen	Advisor	LPS – Northern	All	1-3 days
Barb Dashwood	GIS Coordinator	LPS – Victoria	Mapping only	1-2 days
Lisa Webster-Gibson	Public Hearing	LPS – Northern	PH only	1-2 days
Penny Hawley	Meeting notices & bookings	LPS – Northern	All	1-2 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		\$5,000	
Mapping	4 remaining RAR watersheds	Mapping completed as part of a \$31,918 contract with Madrone Environmental for RAR mapping on Denmand and Hornby Islands.	
Public Hearing			\$1,500
Totals		\$5,000	\$1,500

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

- Denman Island Farm Plan project completes on time, allowing this project to move to the top work program priority and staff resources to be adequately allocated.
- Aquaculture project (3rd work program priority) is not moved in front of this project.
- 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 further mapping</i>	M	H	Prepare thorough budget request through RPM, in order to provide LPS director with adequate information for preparing budget information to FPC.
<i>Farm Plan not completed on time</i>	L	L-M	Ensure LTC is aware of consequences of extending timeline on Farm Plan.
<i>Significant public opposition</i>	L	M-H	Ensure communications are early and ongoing. Acknowledge and respect the work done locally on stream mapping and protection in the past.



Memorandum

700 North Road Gabriola Island BC V0R 1X3

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northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date March 31, 2014 File Number 3030-1

To Denman Island Local Trust Committee

From Rob Milne, Island Planner

Re 2013/14 Annual Report submission for Denman Island Local Trust Committee

Submissions to the Islands Trust Annual Report are being requested by the Director of Local Planning Services. Each LTC is being asked to review and endorse draft text of the section reporting on their work over this last fiscal year.

Please note that this year, LTCs are being asked to specify work completed that has contributed to the Strategic Plan and Policy Statement.

Please review the following draft text and indicate any changes or additions you wish to submit for the 2013/14 Annual Report. You are requested to formally **endorse the 2013/14 annual report submission for the Denman Island Local Trust Committee** by resolution.

Denman Island Local Trust Committee

The Denman Island Local Trust Committee held 11 regular business meetings in the 2013-2014 fiscal year. Work continued on addressing the negative impacts of certain aquaculture practices and possible regulatory measures to mitigate these on the Denman Island shoreline. As part of this initiative the Local Trust Committee invited representatives from both DFO and FLNRO to provide public presentations on their agencies respective roles in the tenure issuing and compliance monitoring processes. As well, the MAPC was requested to review the matter of controlling beach access from strategic beach access roads. (*Strategic Plan 1.1, 2.1, 2.4*), (*Policy Statement 3.1.1, 4.5.8*)

Public consultation in 2013 focused on a review of OCP housing policies. This consultation process included a well-attended CIM in the late fall and the outcomes of the process resulted in a focus upon creating greater opportunities to develop attainable housing with a focus upon secondary suites and secondary dwelling units. Draft bylaws to amend the OCP and LUB were developed and reviewed by the APC and were sent out for early referral comments. Also in this period the bylaws necessary to enable the Denman Community Land Trust Association affordable housing project received final approval and all the permits necessary to comment the project were issued. (*Strategic Plan 4.3.1, 4.3.2*), (*Policy Statement 5.8.6*)

A stream mapping and assessment contract was completed for the five remaining RAR applicable watersheds to complete the first necessary step towards complying with the provincial *Riparian Areas Regulation*. A public consultation process is planned for the spring and early summer of 2014. Input from that process will be utilized to review draft amendments to Development Permit Area 4: Streams, Lakes and Wetlands, as well as an accompanying draft Development Approval Information Bylaw. (*Strategic Plan 1.3.3, 3.3*), (*Policy Statement 3.3.2*)

Copy: Courtney Simpson, Regional Planning Manager

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 210

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN, 2008

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

1. That Denman Island Local Trust Committee Bylaw No. 185 cited as "Denman Island Official Community Plan, 2008" is altered as shown on Schedule "A" of this amending bylaw.
2. This Bylaw may be cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2014".

READ A FIRST TIME THIS DAY OF , 2014

PUBLIC HEARING HELD THIS DAY OF , 2014

READ A SECOND TIME THIS DAY OF , 2014

READ A THIRD TIME THIS DAY OF , 2014

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 2014

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

THIS DAY OF , 2014

ADOPTED THIS DAY OF , 2014

SECRETARY

CHAIRPERSON

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 210

Schedule A

Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008” is amended as follows:

1. Section H.2, “Temporary Use Permits” of Part H, “Other Permits” of Schedule B, is amended by the deletion of the paragraph after the text “Information Note” and the insertion of the following text:

“Section 921 of the *Local Government Act* provides that temporary uses may be permitted in areas designated in the Official Community Plan. Upon application by a property owner the Local Trust Committee can issue a Temporary Use Permit through resolution. The permit can allow a use not permitted by the land use bylaw, the conditions of use and the time period. Temporary Use Permits can be issued for a term of up to three years and may be renewed one time only after which applicants may apply for a new Temporary Use Permit for the same use.

Areas and uses designated for the consideration of Temporary Use Permits may be found in the Denman Island Land Use Bylaw.”

2. Policy 10, under “Use and Density” of Part E.1 “Housing” is amended by replacing the existing text with the following:

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

3. Policy 11, under “Use and Density” of Part E.1 “Housing” is amended by and replacing it with a new Policy 11 which reads as follows:

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

Notwithstanding the foregoing, secondary suites contained within the footprint of existing, conforming dwelling units are not deemed to contribute to density calculations for the purposes of this policy.”

4. Policy 13, under “Use and Density” of Part E.1 “Housing” is amended by replacing the existing text with the following:

“In the Sustainable Resource designation, zoning regulations should permit one dwelling including a secondary suite per parcel.”

5. "Use and Density" of Part E.1, "Housing" is amended by inserting a new Policy 15 which reads as follows below and renumbering existing Policy 15 to Policy 16, and deleting existing Policy 16 under "Special Needs and Affordable Housing" of Part E.1, "Housing".

"The Local Trust Committee may approve secondary dwelling units on lands within the "Rural" and "Sustainable Resources" designations through a Temporary Use Permit."

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 211

A bylaw to amend the Land Use Bylaw to allow secondary suites and secondary housing units on lands zoned "R2" (Rural Residential), "A" (Agriculture), "F" (Forestry) and "RE" (Resource).

The Denman Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Denman Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

- 1 Denman Island Land Use Bylaw No. 186, cited as "Denman Island Land Use Bylaw, 2008", is amended as detailed on attached Schedule 'A' of this amending bylaw.
- 2 This Bylaw may be cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2014"

READ A FIRST TIME this _____ day of _____, 2014

PUBLIC HEARING this day of , 2014

READ A SECOND TIME this _____ day of _____, 2014

READ A THIRD TIME this _____ day of _____, 2014

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this _____ day of _____, 2014

ADOPTED this day of , 2014

Chairperson

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 211**

Schedule 'A'

1. Part 1, "Administration", is amended by:

Deleting the existing definitions of "secondary dwelling unit" and "secondary suite" and adding the following definitions in Section 1.1, "Definitions", in alphabetical order:

"Moveable housing unit means a dwelling unit capable of being moved from location to location which does not require a permanent foundation;

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

Secondary dwelling unit means a dwelling unit, which may be a moveable housing unit, that is accessory to a permitted principal dwelling unit and which is limited in floor area;"

2. Section 2.1, "Uses, Buildings and Structures" of Part 2, "General Regulations" is amended by inserting the text, "or as a secondary dwelling unit approved by a Temporary Use Permit" in point 6 after the word "unit" and deleting bullet three.

3. Section 2.1, "Uses, Buildings and Structures" of Part 2, "General Regulations" is amended by the addition of a new section entitled "Secondary Suites and Dwelling Units" as shown below, following regulation 3 of "Principal Dwelling Units" and renumbering the subsequent points.

"4 Secondary dwelling units may be permitted, subject to conditions, by Temporary Use Permit on lands zoned as "R2" (Rural Residential), "A" (Agriculture), "F" (Forestry) and "RE" (Resource). Secondary suites are generally permitted within these zoning designations without the need for a Temporary Use Permit.

- 5 A secondary suite is permitted within a dwelling unit provided that:

- a) Either the dwelling unit or secondary suite is occupied by the owner of the dwelling unit;
- b) There is a maximum of one secondary suite permitted per lot;
- c) The secondary suite is contained within the walls of a permitted dwelling unit;
- d) The floor area permitted for a secondary suite is no more than 40% of the floor area of the dwelling unit to a maximum of 90 square metres;
- e) One off-street parking space is provided for the exclusive use of the secondary suite; and
- f) The secondary suite is not subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.

- 6 Where permitted by a Temporary Use Permit a secondary dwelling unit shall:

- a) Not have a floor area in excess of 140 square metres;

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 211**

Schedule 'A'

- b) Shall not be located more than 100 metres from the principal residence; and
 - c) Be connected to an approved sewerage system.
- 7 A written plan for the supply of water is to be provided that demonstrates an adequate supply of potable water prior to the issuance of any permits to allow the use.
- 8 Where water is supplied to a secondary suite or a secondary dwelling unit by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity prior to the issuance of any permits to allow the use.
- 9 Where water is to be supplied from a surface water body, a water license, issued by the Province, must permit the withdrawal of the required amount of water prior to the issuance of any permits to allow a secondary suite or secondary dwelling unit.
- 4. Table 1 of Section 3.3, "Residential Zoning Tables" of Part 3, "Zoning Regulations", is amended by the addition of a new item 9 under "Accessory Uses" as follow:
 - "9 Secondary suites and secondary dwelling units";and adding a check mark in the R2 column to be accompanied by an asterisked note stating, "Secondary dwelling units must be approved through a Temporary Use Permit".
- 5. Table 1 of Section 3.4, "Resource Zoning Tables" of Part 3, "Zoning Regulation" is amended by the addition of a new item 12 under "Accessory Uses" as follow:
 - "12 Secondary suites and secondary dwelling units";and adding a check mark in the in the "A", "F" and "RE" columns, each to be accompanied by an asterisked note advising that, "Secondary dwelling units must be approved through a Temporary Use Permit".
- 6. Part 5, "Temporary Use Permits", is amended by numbering the existing area as "Area 1" and inserting the following text after that section:

"Area 2

The Local Trust Committee may issue Temporary Use Permits for secondary dwelling units on lands zoned as "R2" (Rural Residential), "A" (Agriculture), "F" (Forestry) and "RE" (Resource).

Objective

To permit secondary dwelling units where considered appropriate to address housing objectives as defined in the Official Community Plan.

Guidelines

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 211**

Schedule 'A'

- Guideline 1 Upon application, Temporary Use Permits may be considered for all parcels of land zoned as "R2" (Rural Residential), "A" (Agriculture), "F" (Forestry) and "RE" (Resource) by the Denman Island Land Use Bylaw.
- Guideline 2 Compliance with the requirements of the "Secondary Suites and Accessory Dwellings" regulations of Part 2, "General Regulations", is a condition of approval.
- Guideline 3 Applications for Temporary Use Permits may be referred to the Advisory Planning Commission, which may be requested to provide an opportunity for public input to be received and considered in preparing its recommendations.
- Guideline 4 Where approvals are required from other agencies, these should be obtained prior to the issuing of a Temporary Use Permit.
- Guideline 5 The general conditions for issuing a Temporary Use Permit are as follows:
- a) Adequate off-road parking should be provided;
 - b) There should be adequate provision for approved waste disposal before consideration is given by the Local Trust Committee;
 - c) Water supply should be addressed so as to not create negative impacts upon existing common water sources; and
 - d) Other requirements that the Local Trust Committee may consider appropriate."