



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: November 15, 2016
Time: 10:30 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

	Pages
1. CALL TO ORDER	10:30 AM - 10:35 AM
<i>"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."</i>	
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:35 AM - 10:50 AM
4. COMMUNITY INFORMATION MEETING - none	
5. PUBLIC HEARING - none	
6. MINUTES	10:50 AM - 11:00 AM
6.1 Local Trust Committee Minutes dated October 18, 2016	3 - 9
6.2 Section 26 Resolutions-Without-Meeting - none	
6.3 Advisory Planning Commission Minutes - none	
6.4 Marine Advisory Planning Commission Minutes - none	
7. BUSINESS ARISING FROM MINUTES	11:00 AM - 11:30 AM
7.1 Follow-up Action List dated Novmeber 3, 2016	10 - 12
8. DELEGATIONS	
9. CORRESPONDENCE	
(Correspondence received concerning current applications or projects is posted to the LTC webpage)	

10.	APPLICATIONS AND REFERRALS	11:30 AM - 11:50 AM	
10.1	Bylaw No. 221 - Fees Bylaw Amendment - Staff Report		13 - 21
	That the Denman Island Local Trust Committee Bylaw No. 221 cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016", be adopted.		
10.2	Bylaw Housekeeping - Staff Report - to be distributed		
11.	LOCAL TRUST COMMITTEE PROJECTS	11:50 AM - 12:15 PM	
11.1	Farm Plan Implementation - Staff Report		22 - 29
12.	BREAK	12:15 PM - 12:30 PM	
13.	REPORTS	12:30 PM - 1:00 PM	
13.1	Work Program Reports		
13.1.1	Top Priorities Report dated November 3, 2016		30 - 30
13.1.2	Projects List Report dated November 3, 2016		31 - 32
13.2	Applications Report dated November 3, 2016		33 - 38
13.3	Trustee and Local Expense Report dated September, 2016		39 - 39
13.4	Adopted Policies and Standing Resolutions - none		
13.5	Local Trust Committee Webpage		
13.6	Chair's Report		
13.7	Trustee Reports		
13.8	Electoral Area Director's Report		
13.9	Trust Fund Board Report		
14.	NEW BUSINESS		
15.	UPCOMING MEETINGS		
15.1	Next Regular Meeting Scheduled for Tuesday, January 31, 2017 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC		
16.	TOWN HALL	1:00 PM - 1:10 PM	
17.	CLOSED MEETING - none		
18.	ADJOURNMENT	1:10 PM - 1:10 PM	



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: October 18, 2016

Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

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

Staff Present: Ann Kjerulf, Regional Planning Manager
Rob Milne, Island Planner
Vicky Bockman, Recorder

Others Present: Approximately four (4) members of the public - am
Approximately two (2) members of the public - pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:50 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, in particular the K'omoks First Nation. She welcomed the public and introduced Local Trustees, staff and recorder.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 9.0 Move to follow 6.1
- 14.2 Comox Valley Regional District (CVRD) Meeting Discussion
- 17.1 Add "s.90(1)(c) for the purpose of considering Labour Relations"

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Barbara Mills, speaking for the Association for Denman Island Marine Stewards (ADIMS), expressed concern that Local Trust Committee (LTC) consideration of Bylaw 207 is important to the protection of forage fish habitat and requested that there not be a lengthy delay in work on this initiative. She provided her speaking notes for the record.

Edi Johnston commented that there has been a bylaw enforcement complaint registered regarding driving in the W1 zone and asked if the LTC would be acting to protect the area's archeological site and foreshore.

Chair Morrison responded that the LTC is working on the issue.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated September 20, 2016

By general consent the minutes were adopted.

9. CORRESPONDENCE

9.1 Letter dated September 22, 2016 from Hornby Denman Community Health Care Society regarding Transportation Committee

Bill Engleson, Chair Hornby & Denman Community Health Care Society, described transportation concerns that affect students, seniors and commuters of both Denman and Hornby Islands. He suggested that this is a complex subject that might be addressed through consideration of updating the Transportation section of the Official Community Plan (OCP) and a strategy that involves co-ordination of organizations such as the LTC, local transit authority, Ferry Advisory Committee, and the school district to expand the transportation system.

Trustees discussed the issue and the following was noted:

- The LTC can establish a Transportation Advisory Commission (TAC) with specific terms of reference;
- A TAC might be helpful in conducting annual meetings with Emcon Services and providing input on other possible transportation initiatives such as electric charging stations or reviewing speed limits; and
- A review of the OCP Transportation section and co-ordination through multi-stakeholder meetings to create a transportation strategy might be larger in scope than that of a TAC and considered as a LTC project.

Trustee Critchley offered to work with the speaker to review issues and possible next steps and will report back to the LTC.

6.2 Section 26 Resolutions-Without-Meeting - none

6.3 Advisory Planning Commission Minutes - none

6.4 Marine Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated October 6, 2016

Planner Milne presented updates on the Housekeeping Project.

Regional Planning Manager Kjerulf provided an update on the status of the Community to Community initiative and suggested that the LTC Chair might become involved as a next step. Chair Morrison offered to contact Islands Trust Senior Intergovernmental Policy Advisor, Fiona MacRaild, to discuss options for furthering the activity.

7.2 Special Events Regulation – Memorandum

Regional Planning Manager Kjerulf presented the Memorandum, explaining options for special event regulation.

Trustees discussed the concerns, jurisdictional authorities and options that include possible coordination with use of CVRD Special Events Permits. They suggested that the topic might be discussed at the upcoming CVRD meeting prior to determination of a direction to pursue on this issue.

7.3 Fees Bylaw Amendment (Bylaw No. 221) - Staff Report

Regional Planning Manager Kjerulf advised that the Staff Report addresses harmonization of fees in companion applications for Siting and Use Permits (SUP) and Temporary Use Permits (TUP) and recommends current fees be reviewed to ascertain whether they are appropriate or in need of updating.

Trustees discussed the application process and the following was noted:

- Trustees asked if the application forms could be combined to streamline the process for TUP and SUP applications;
- Regional Planning Manager Kjerulf advised that the applications have separate requirements;
- Trustees requested that Planners recommend to the applicants that they complete both the TUP and SUP applications concurrently where applicable; and
- Trustees requested that future TUP and SUP applications be presented at the same LTC agenda for their consideration.

DE-2016-064

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee review the Directives Only Policy Checklist and confirm by resolution that the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 221 cited as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2016-065

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 221 cited as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016” be read a first time.

CARRIED

DE-2016-066

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 221 cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016" be read a second time.

CARRIED

DE-2016-067

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 221 cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016" be read a third time.

CARRIED

DE-2016-068

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 221 cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Regional Planning Manager Kjerulf pointed out that as fees have not been updated for quite some time that the LTC might consider reviewing those fees in relation to their actual cost. She commented that alternatively, it might be possible to request that Financial Planning Committee (FPC) develop a model fees bylaw that could be utilized Trust-wide.

Trustees discussed the need to gather information prior to initiating fee changes. They suggested that as a first step they might request that the FPC consider developing a process for automatic fee increases based on Consumer Price Index changes.

DE-2016-069

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request that the Financial Planning Committee investigate initiating automatic application fee increases based on the Consumer Price Index or a similar measure on a Trust-wide basis.

In speaking to the motion, a Trustee noted that the Financial Planning Committee might suggest other methods to consider in this matter.

CARRIED

- 8. **DELEGATIONS - none**
- 10. **APPLICATIONS AND REFERRALS - none**
- 11. **LOCAL TRUST COMMITTEE PROJECTS - none**
- 12. **REPORTS**

12.1 Work Program Reports

12.1.1 Top Priorities Report dated October 6, 2016

Received.

12.1.2 Projects List Report dated October 6, 2016

Received.

12.2 Applications Report dated October 6, 2016

Received.

12.3 Trustee and Local Expense Report dated August, 2016

Received.

12.4 Adopted Policies and Standing Resolutions - none

12.5 Local Trust Committee Webpage

There were no changes requested.

12.6 Chair's Report

Chair Morrison reported on her attendance at the following:

- The Union of BC Municipalities (UBCM) convention;
- As a member of Executive Committee (EC), she met with Ministry of Transportation;
- A Gambier Island meeting;
- The Howe Sound Forum; and
- She will be attending an upcoming EC acting as a LTC (Ballenas-Winchelsea) meeting.

12.7 Trustee Reports

Trustee Busheikin reported on the following:

- She attended a Denman Island Residents Association meeting;
- She held Trustee Office Hours;
- She attended a Ferry Advisory Committee meeting; and
- She met informally with members of ADIMS to discuss concerns.

Trustee Critchley reported on the following:

- He had many discussions with community members by telephone and email; and
- He had a discussion with a CVRD Senior Planner regarding Baynes Sound and suggested that this might be a topic for the CVRD meeting.

12.8 Electoral Area Director's Report – none.

12.9 Trust Fund Board Report, September, 2016

Chair Morrison provided a brief report on recent Trust Fund Board activities.

13. BREAK – none.

14. NEW BUSINESS

14.1 2017 Local Trust Committee Meeting Schedule - for discussion

Trustees reviewed and endorsed the tentative 2017 LTC meeting schedule.

DE-2016-070

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2017: January 31, March 7, May 2, June 6, August 1, October 3, and November 14.

CARRIED

By general consent agenda item 14.2 was moved to follow 17.3.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, November 15, 2016 at 10:30 am at the Denman Seniors Centre, 1111 Northwest Road, Denman Island, BC

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

16. TOWN HALL

Edi Johnston asked who will be preparing the agenda for the upcoming CVRD meeting and which Trustees will be attending.

A Trustee responded that there have been several conversations regarding the agenda, with both parties making suggestions for topics to discuss; and noted that both Trustees will be attending.

Edi Johnston asked if during the recent UBCM convention it had been requested that a member of the LTC be appointed to a seat on the Fisheries and Oceans Canada Shellfish/Aquaculture Advisory Committee.

Chair Morrison replied that the topic was discussed and that she will respond to the speaker once she has her research notes from the meeting.

17. CLOSED MEETING

17.1 Motion to Close the Meeting

DE-2016-071

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1) (c) (d) and (i) for the purpose of considering: adoption of *In-Camera* meeting minutes dated September 20, 2016, labour relations, and receipt of advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 12:21 pm.

17.2 Recall to Order

The meeting was recalled to order at 12:45 pm.

17.3 Rise and Report

Chair Morrison reported that in the Closed Meeting the LTC adopted the minutes from the *In-Camera* meeting of September 20, 2016 and received legal counsel.

14.2 Comox Valley Regional District Meeting Discussion

Trustees determined that no further discussion on this topic was necessary as various discussion items had been suggested previously in the agenda.

18. ADJOURNMENT

By general consent the meeting was adjourned at 12:47 pm.

Susan Morrison, Chair

Certified Correct:

Vicky Bockman, Recorder

Follow Up Action Report

Denman Island

20-Jan-2015

Activity	Responsibility	Target Date	Status
that staff work on the Housekeeping Project as their time permits	Rob Milne		On Going

12-Jan-2016

Activity	Responsibility	Target Date	Status
Staff to examine the topic of Special Events bylaws and their frequency and nature on other Gulf Islands.	Miles Drew Ann Kjerulf	18-Oct-2016	Done

19-Apr-2016

Activity	Responsibility	Target Date	Status
Monitor Regional District of Nanaimo Electoral Area H Official Community Plan Review and report to LTC about pertinent issues and opportunities to participate	Rob Milne		On Going
1. To organize a CIM with presentations on eelgrass beds and forage fish habitat and if possible a presentation from the BC Shellfish Growers Association and the Komoks First Nation on aquaculture practices and future plans.	Rob Milne David Critchley Laura Busheikin Ann Kjerulf	05-Jul-2016	On Going
2. Staff to contact Komoks FN in regard to participation in CIM			
3. Staff to engage a facilitator for aquaculture CIM if required			

Follow Up Action Report

05-Jul-2016

Activity	Responsibility	Target Date	Status
Application RZ-DE-2015.1 (Pandesign) Bylaw Nos. 219 & 220 received third readings; Executive Committee approved bylaws on July 27. Bylaw 219 pending ministerial approval.	Becky McErlean Rob Milne		Done
Staff to inquire into the processing of Schedule B submissions for affordable housing projects pursuant to housing agreements.	Rob Milne		On Going
New mapping for Graveyard Cr. (Schmidt-Schweda) (non-RAR) and Cicero Slough Creek (RAR applicable) to be added to DPA 4 as minor streams.	Rob Milne		On Going

20-Sep-2016

Activity	Responsibility	Target Date	Status
DE-DVP-2016.1 (Lundberg) approved with conditions.	Becky McErlean Marnie Eggen Penny Hawley	31-Jan-2017	On Going
Staff to prepare a report recommending potential bylaw amendments to implement Farm Plan policy and regulatory recommendations.	Rob Milne	11-Oct-2016	On Going
DE-TUP-2016.1 (Williams) approved with conditions.	Becky McErlean Penny Hawley Teresa Rittmann	31-Jan-2017	On Going
DE-TUP-2016.1 (Lundberg) denied.	Becky McErlean Marnie Eggen Penny Hawley	31-Oct-2016	Done

Follow Up Action Report

18-Oct-2016

Activity	Responsibility	Target Date	Status
2017 meeting schedule adopted as presented.	Becky McErlean Penny Hawley Wil Cottingham		Done
Request the Financial Planning Committee investigate initiating automatic application fee increases based on the Consumer Price Index or a similar measure on a Trust-wide basis.	Teresa Rittemann Ann Kjerulf	15-Nov-2016	On Going



DATE OF MEETING: November 15, 2016

TO: Denman Island Local Trust Committee

FROM: Teresa Ritemann, Planner 1
Northern Office

SUBJECT: Bylaw No. 221 to amend the Denman Island Local Trust Committee Fees Bylaw No. 181, 2007

RECOMMENDATION

1. That the Denman Island Local Trust Committee adopt Bylaw No. 221, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016.”

REPORT SUMMARY

LTC gave three readings to Bylaw No. 221 at the October 18th meeting. The bylaw was also found to be in compliance with the Islands Trust Policy Statement Directives Only Checklist and forwarded to Executive Committee (EC) for approval. At their meeting on October 26th, EC passed the following resolution (draft):

“That the Executive Committee approve Denman Island Local Trust Committee Bylaw No. 221, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016” under Section 24 of the Islands Trust Act.”

Staff are recommending that the Denman Island Local Trust Committee (LTC) adopt Bylaw No. 221.

NEXT STEPS

Following adoption, Bylaw No. 221 would be consolidated with the Denman Island Local Trust Committee Fees Bylaw, 2007 and posted to the LTC website. Staff also intend to report to Financial Planning Commission pursuant to the LTC’s separate October 18, 2016 resolution concerning the potential for automatic fee increases tied to cost of living:

“That the Denman Island Local Trust Committee request that the Financial Planning Committee investigate initiating automatic application fee increases based on the Consumer Price Index or a similar measure on a Trust-wide basis.”

Submitted By:	Teresa Ritemann Planner 1	November 1, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 4, 2016

ATTACHMENTS

1. Proposed Bylaw No. 221
2. Islands Trust Policy Statement Directives Only Checklist

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 221

A BYLAW TO AMEND THE DENMAN ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2007

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Denman Island Local Trust Committee, being the 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. Citation:

This bylaw may be cited for all purposes as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016”.

2. Denman Island Local Trust Committee Bylaw No. 181, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007” is amended as shown on Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 18TH DAY OF OCTOBER, 2016

READ A SECOND TIME THIS 18TH DAY OF OCTOBER, 2016

READ A THIRD TIME THIS 18TH DAY OF OCTOBER, 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

26TH DAY OF OCTOBER, 2016

ADOPTED THIS _____ DAY OF _____, 201X

Chair

Secretary

Denman Island Local Trust Committee

Bylaw No. 221

Schedule 1

1. Part 3, **Application Fees**, Section 3.1, **TABLE 2 – Permits**, is deleted in its entirety and replaced with the following:

TABLE 2 – Permits	
Column 1	Column 2
Development Permits	
1. Development Permit (protection areas)	\$440
2. Development Permit (form and character areas)	\$660
3. Development Permit amendment	\$165
Development Variance Permits	
4. Development Variance Permit (residential)	\$715
5. Development Variance Permit (commercial, industrial, or institutional)	\$935
Temporary Use Permits	
6. Temporary Use Permit (commercial and industrial uses)	\$1,100
7. Temporary Use Permit (other than commercial and industrial uses)	\$440
8. Temporary Use Permit renewal	\$165
Siting and Use Permits	
9. Siting and Use Permit	\$220
Companion Applications	
10. Development Permit in combination with a companion application for a Development Variance Permit (residential)	\$770
11. Development Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
12. Siting and Use Permit in combination with a companion application for a Development Variance Permit (residential)	\$715
13. Siting and Use Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935

14.	Siting and Use Permit in combination with a companion application for a Development Permit (protection area)	\$550
15.	Siting and Use Permit in combination with a companion application for a Development Permit (form and character areas)	\$660
16.	Siting and Use Permit in combination with a companion application for a Temporary Use Permit (commercial and industrial uses)	\$1,100
17.	Siting and Use Permit in combination with a companion application for a Temporary Use Permit (other than commercial and industrial uses)	\$440



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No: Draft Bylaw No. 221, Amendment No. 1, 2016 (to amend the Fees Bylaw No. 181, 2007)

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 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.

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.
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		
N/A	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.
N/A	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.
N/A	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.
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:

DATE OF MEETING: November 15, 2016

TO: Denman Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Team

SUBJECT: Denman Farm Plan Implementation

RECOMMENDATION

1. **THAT the Denman Island Local Trust Committee endorse the revised Denman Island Farm Plan Implementation Project Charter v3 dated November 4, 2016 [as amended].**
2. **THAT the Denman Island Local Trust Committee refer the list of proposed Official Community Plan and Land Use Bylaw amendments to the Advisory Planning Commission for comment.**

REPORT SUMMARY

The purpose of this report is to provide the Local Trust Committee (LTC) with potential Official Community Plan (OCP) and Land Use Bylaw (LUB) amendments to implement the Denman Island Farm Plan, including recommendations 11, 13 and 14, and align with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. A revised project charter is presented for LTC consideration and endorsement with amendments as required.

BACKGROUND

The following is a chronology of recent LTC resolutions pertaining to Denman Farm Plan implementation:

Meeting Date	Resolution
January 12, 2016	DE-2016-004 that the Denman Island Local Trust Committee move from the Projects List the item regarding the Farm Plan Implementation to the Top Priorities List and add to it as an activity "Include consideration of limiting commercial agriculture and horticulture in high density small lot neighbourhoods" and remove from the Top Priorities List Item 5 regarding Medical Marihuana.
March 15, 2016	DE-2016-018 that the Denman Island Local Trust Committee direct staff to prepare a Project Charter for consideration of the Local Trust Committee which prioritizes implementation of Recommendations 13 and 14 and those sections of Recommendation 11 that pertain to the Official Community Plan and Land Use Bylaw of the Denman Island Farm Plan and outlines a corresponding public consultation process.
May 21, 2016	DE-2016-035 that the Denman Island Local Trust Committee request staff to advertise for expressions of interest in a Steering Committee for Farm Plan Implementation.
September 20, 2016	DE-2016-061 that the Denman Island Local Trust Committee request staff to prepare a staff report on Farm Plan Implementation presenting options for process given that we do not have a steering committee, and providing comments on which items in Farm Plan sections 11, 13 and 14 could be prioritized. <i>(Discussion following the resolution indicated a preference to address items that are "feasible, legal or technical in nature".)</i>

The most recent resolution represents an alternative to the course of action originally recommended by staff, that implementation of the Farm Plan be guided by an advisory steering committee comprised of community stakeholders, due to an insufficient number of responses to the call for volunteers to sit on this committee.

Relevant report references include the following:

- [Denman Island Farm Plan](#)
- [Denman Island Official Community Plan](#)
- [Denman Island Land Use Bylaw](#)
- [Agricultural Land Commission Act](#)
- [Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)
- [Farm Practices Protection \(Right to Farm\) Act](#)
- [Ministry of Agriculture Guide to Edge Planning](#)
- [ALC Guide to Bylaw Development in Farming Areas](#)
- [Ministry of Agriculture Discussion Paper - Regulating Temporary Farm Worker Housing in the ALR](#)
- [Ministry of Agriculture Discussion Paper – Regulating the Siting and Size of Residential Uses in the ALR](#)
- [Index of ALC Policies](#) (e.g. Agritourism Accommodation, Farm Product Processing, Farm Retail Sales, Additional Residences for Farm Help Accommodation, Lease of a portion of ALR for farm use)

ANALYSIS

Policy/Regulatory:

The LTC may exercise its authority as granted through the *Local Government Act* to adopt Official Community Plans and land use bylaws to plan for and regulate farm and non-farm activities within the local trust area, which encompasses lands within the Agricultural Land Reserve (ALR). The Denman Island Farm Plan represents the culmination of community input to help inform the OCP and LUB.

As requested by the LTC, staff have reviewed the Denman Farm Plan to identify potential OCP and LUB amendments to address recommended action items that are “feasible, legal or technical in nature”. In addition to recommendation sets 11, 13, and 14, staff have also highlighted recommendation 5 as it relates to the LTC’s land use authority. Staff have summarized potential OCP and LUB amendments and associated considerations in the table attached to this report (Attachment 1).

Issues and Opportunities:

Farm vs. Non-farm Uses

Local governments have the ability to regulate but not prohibit farm uses identified in Part 2, s. 2 of the ALR Use, Subdivision and Procedure Regulation. Part 2, s.3(1) non-farm uses are permitted unless prohibited by local government. Part 2, s.3(4) uses are non-farm uses which are permitted and must not be prohibited by local government and now includes gathering for events.

Farm Accommodation

Notably, in addition to a secondary suite permitted under s. 3(1), residential accommodation may be provided either in (a) on manufactured home, up to 9 m in width, for use by a member of the owner’s immediate family, OR (b) accommodation that is constructed above an existing building on the farm and that has only a single level. Provision (b) is new and staff recommend that the LTC consider amending the Denman Island LUB to allow accommodation above an existing (detached) building on the farm as either an alternative to OR in addition to a permitted secondary suite in the ALR. Gabriola Island LTC is currently considering a similar LUB amendment.

Temporary Farm Worker Housing

Temporary Farm Worker Housing (TFWH) is deemed a Farm Use and is a permitted in the ALC. LTC does, however, have the ability to regulate and the Ministry of Agriculture Discussion Paper on TFWH provides examples of how this use has been regulated by other local governments.

Agritourism Accommodation

The ALR Use, Subdivision and Procedure Regulation makes provision for seasonal agritourism accommodation on a parcel classified as a farm under the Assessment Act. This is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or bed and breakfast bedrooms, and the total developed area for buildings, landscaping and access for the accommodation is limited to 5% of the parcel. Staff recommend that greater flexibility be provided in the zoning to accommodate seasonal campsites or RV pads in lieu of bed and breakfast rooms inside the principal dwelling. It is suggested that the number be limited to four, which is fairly conservative but provides an opportunity to “test the waters” without having to go through a cumbersome TUP process or rezoning.

Limiting Agriculture on Small Lots outside the ALR

When Farm Plan Implementation was added to the Top Priorities List, LTC added “*Include consideration of limiting commercial agriculture and horticulture in high density small lot neighbourhoods*” to this priority. Staff advise against consideration of LUB amendments at this stage as this would involve removing a permitted use from one or more zones as opposed to adding to the range of permissible uses.

Feasible, Legal or Technical Bylaw Amendments:

Staff have reviewed the list of potential amendments and believe that all are feasible. However, certain amendments require more in-depth review and consultation due to their complexity. At this stage, staff advise against LTC considering an increase to minimum lot sizes as this involves a discussion of density, which is generally challenging. Staff also advise against creating an Agricultural Enterprise Zone as considerable stakeholder consultation is needed to confirm the feasibility of such a zone, where such a zone would be located, and who would be involved in operationalizing the zone. Staff further advise against reviewing existing Development Permit Areas (DPAs) because the Farm Plan was not specific about the challenges of DPAs with respect to farming. Staff also advise against consideration of designating new development permit areas and guidelines until such time as a focused consultation take place on both the benefits and challenges of DPAs.

Staff recommend that the LTC proceed with the following amendments:

OCP Amendments

- Add an OCP policy concerning farm help accommodation on land in the ALR;
- Add an OCP policy to support agritourism accommodation on land in the ALR;
- Designate TUP areas for agritourism accommodation on land in the ALR;
- Designate TUP areas for processing uses and facilities on non ALR land;
- Add an OCP policy regarding LTC consideration of subdivision proposals within the ALR;
- Add an OCP policy to support “occasional markets, fairs and festivals” in the W2 zone;
- Add an OCP policy that reinforces agriculture as the priority use for ALR and other agricultural lands;
- Add an OCP policy to discourage panhandle lots;
- Add an OCP policy to support subdivision to consolidate farm parcels in the ALR;
- Add an OCP policy to support a requirement for landscape screening/buffering of trails;
- Add an OCP policy regarding “no net loss” of ALR land;
- Add an OCP policy to support ALC applications to benefit farming or the greater community;
- Amend the OCP to include a policy to support alternative land tenure agreements;

LUB Amendments

- Add farm processing and storage as principal uses in the Light Industrial (L) zone (subject to conditions);
- Add farm help accommodation accessory to a principal farm use in the ALR (subject to conditions);
- Add a height exemption for silos and grain bins;
- Add farm home plate provisions (to cluster residential uses and avoid sterilization of farm land);
- Add “Occasional markets, fairs and festivals” as a permitted use in the LUB W2 zone;
- Amend the LUB definition of agriculture to include “farm operation”;
- Amend the LUB in permit road side farm stands in setback areas (subject to conditions);
- Amend the LUB to include subdivision regulation to prohibit creation of panhandle lots;
- Amend the LUB to include landscape screening/buffering requirements for trails adjacent to ALR land;

DAI Amendments

- Amend the Development Approval Information bylaw to include criteria for new TUPs

Consultation:

The LTC was previously unable to establish a steering committee to lead Denman Island Farm Plan implementation due to an insufficient number of responses to the call for volunteers. Alternative recourse was to defer to staff to undertake this process. Staff recommend proceeding with the OCP and LUB amendments deemed to be “feasible, legal or technical in nature” as noted above.

At this early stage, staff recommend conducting a community survey to solicit input on proposed amendments and referring proposed amendments to the Advisory Planning Commission (APC). The survey may be delivered online and in a paper-based format (either through Canada Post bulk mail or through the Grapevine). Subsequent to an analysis of survey and APC input, staff would endeavour to prepare draft bylaws for LTC consideration of first reading and referral to agencies and First Nations. A community information meeting is also contemplated prior to further readings or a public hearing on proposed bylaw amendments. A draft Project Charter is attached to guide consultation.

Rationale for Recommendations:

Recommendations are noted on page 1 of the report and are geared toward the development of OCP and LUB amendments. These are substantiated both by the multi-year Denman Island Farm Plan process and resulting Plan recommendations, and also by recent legislative changes to support the viability of farming in the ALR.

Alternatives:

1. Request further information

The LTC may request additional information rather than proceeding with the staff recommendations. If selecting this alternative, the LTC should describe the rationale for this request. A resolution to this effect may be worded, *“That the Denman Island Local Trust Committee request that supplemental information be provided by staff with respect to [insert topics].”*

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager, Northern Team	November 4, 2016
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ATTACHMENTS

1. Table of Potential OCP and LUB Amendments
2. Draft Project Charter v 3



TABLE OF POTENTIAL OFFICIAL COMMUNITY PLAN AND LAND USE BYLAW AMENDMENTS

Recommendation/Action	Amendment/Considerations
5. ESTABLISH FACILITIES TO SUPPORT PROCESSING AND STORAGE OF FARM PRODUCTS	
a) Encourage the development of processing, warehousing and distribution facilities for local agriculture.	• Add farm product processing and storage as permitted principal uses in the Light Industrial (L) zone • Consider conditions of use respecting groundwater protection, waste and wastewater disposal, and impacts related to traffic and noise
11. UNDERTAKE A REVIEW OF ADDITIONAL HOUSING ON FARMLAND	
a) Allow secondary suites in principal single family dwellings in agricultural areas including zones A and R2.	• Supported by OCP Housing Policy 11 • Secondary Suites already permitted in A and R2 zones
b) Adopt a policy that the LTC may consider zoning regulations permitting additional accommodation for farm help, provided the accommodation is necessary for farm purposes, provides cooking and washing facilities, and is temporary in nature, limited in size, and consistent with the recommendations of the Regional Agrologist. This accommodation may include, but is not limited to commercial camping facilities.	• Add an OCP policy concerning farm help accommodation • Amend LUB to include farm help accommodation (as a permitted accessory use to a principal farm use) subject to conditions of use • Staff advise against mixing commercial camping with farm help accommodation as these are distinct uses • Note, bonafide farm help accommodation within the ALR does not require a temporary use permit
c) Adopt a policy that agritourism accommodation may be permitted as an accommodation outside of the primary dwelling. The LTC may consider applications for rezoning or temporary use permit that would permit agritourism accommodation, provided that: • the use is accessory to working farm operations; • the use is on agriculturally designated land that is in the ALR or has farm tax status; • the application is consistent with ALC policies; • the working farm will continue in operation and will not be adversely affected; • potable water of sufficient quantity for both farming and non-farming use is available; • sewage disposal facilities are suitable; • on-site parking is adequate; • the impact of increased traffic on adjacent roadways is considered; • the environmental impact of the proposal is considered; and • the impact on adjacent properties is addressed.	• Add an OCP policy to support agritourism accommodation • Staff recommend (as an alternative to a cumbersome temporary use permit process), amending the LUB to allow either four bedrooms in the principal dwelling (as a bed and breakfast) or four campsites/RV pads. This can also be subject to minimum lot size requirements, setbacks and buffers to mitigate potential conflict with neighbouring uses. Anything beyond this (4) could be considered for rezoning or temporary use permit (TUP). • TUP areas may be designated for agritourism accommodation either in the OCP or LUB • For TUPs, LTC needs to identify specific locations or zones where agritourism accommodation would be permissible • For TUPs, DAI bylaw should be amended to include development approval information for temporary use permits for agritourism accommodation.
13. IMPLEMENT ZONING UPDATES THROUGH THE LAND USE BYLAW	
a) Allow Temporary Use Permits to be issued for a variety of agricultural purposes (i.e. mobile abattoir, processing facilities, etc.)	• Processing is permitted in the ALR subject to ALR Use, Subdivision and Procedure Regulation 2(2)(c); if this process applies also outside the ALR, then a TUP process is appropriate • See above; temporary use permit areas may be designated for either in the OCP or LUB • LTC needs to identify specific locations or zones where



		such uses would be permissible • DAI bylaw should be amended to include development approval information for temporary use permits for processing uses and facilities
b)	Allow Temporary Use Permits to be issued for agritourism accommodation.	• See above;
c)	Establish an Agricultural Enterprise Zone, outside the ALR, where comprehensive zoning could be used to encourage agricultural related businesses and services, including support services and value added production. This Zone could include light industrial or commercial agricultural businesses for processing; therefore, situation outside of the ALR is necessary to prevent development of impermeable surfaces on ALR land.	• See above; Light Industrial zone can be amended to include agricultural processing options; • Add OCP policy to support development of an Agricultural Enterprise Zone • Requires considerable stakeholder input/motivation to determine specific location for and implement such a zone (not recommended at this stage)
d)	Increase height provisions for silos and grain bins of up to 41 m.	• Amend LUB to include a height exemption for silos and grain bins (current height limit is 15 m in A zone)
e)	Off-street parking should not have to be covered by impermeable surfaces such as hard surfaces or packed gravel for direct farm sales.	• N/A; LUB does not require off-street parking to be covered by impermeable surfaces
f)	Consider changing the approach to minimum lot sizes in the Agriculture zone. Since the ALC does not require a minimum lot size for subdivision in the ALR, the following provision could be inserted: <i>Notwithstanding the minimum lot size standards and land use policies cited in the OCP or the Zoning Bylaw, the Local Trust Committee may, after due consideration, not authorize an application to the Agricultural Land Commission</i>	• Amend the OCP, not the LUB, to include a policy concerning subdivision of ALR land (which must be authorized by resolution of the LTC before a decision can be made by the ALC)
g)	Regulate the conversion of farmland within and outside the ALR for non-farm uses.	Potential options include: • Review and consider increasing minimum lot size provisions for farmland (using BC Assessment Authority data to identify farms outside the ALR) • Adopt farm home plate provisions in LUB • Designate a Development Permit Area (DPA) for the purpose of protecting agriculture - a DPA for agricultural protection may include guidelines such as requiring that residential uses be clustered or sited on soils least suited to agricultural production
h)	Include provisions that make roadside stands, small scale marketing and processing, and agricultural education and research permitted uses.	
i)	Create an amendment to allow a produce stand and/or farmers market to be established in zone W2 at the Denman Community Dock site.	• Add "Occasional markets, fairs and festivals" as a permitted use in the LUB W2 zone • Consider adding a supporting policy to the OCP
14. AMEND THE OFFICIAL COMMUNITY PLAN		
a)	Elaborate on the current OCP policy 1 under E.4 Resources stating "In the Sustainable Resource designation: the principal uses should be agriculture and silviculture..." to include a general statement that further	• Add OCP Policy



	recognizes agriculture as the priority use for ALR and other agriculturally designed lands ...	
b)	Review the definition of agriculture with a view to amending it to reflect the definition of “farm operation” in the <i>Farm Practices Protection (Right to Farm) Act</i> .	• Amend LUB definition of agriculture to include “farm operation” as defined by the FPPA OR “farm use” as defined by the ALC Act (and includes Farm Operation). • Note, both definitions would include growing mushrooms (currently captured under “intensive agriculture”)
c)	Include road side farm stands as an allowable structure in setback areas.	• This would require an amendment to the LUB not the OCP • Requires consultation with Ministry of Transportation and Infrastructure who require a 4.5 m setback from public roadways
d)	Include a policy that discourages the creation of panhandle lots within the ALR because of the withdrawal of land from farm production for a driveway area.	• Amend OCP to discourage panhandle lots • Amend LUB to include subdivision regulation to prohibit creation of panhandle lots • May use a DPA for agricultural protection with a guideline limiting the area of land used for non-farm uses
e)	Adopt a policy to support proposals for consolidation of two or more agricultural lots into a single larger parcel which may be more viable for agricultural purposes and will contribute to conserving the long-term agricultural character of the community.	• Amend OCP to support subdivision to consolidate parcels within the ALR
f)	Include provisions for the separation and buffering of trails from adjoining agricultural areas and for early consultation with affected landowners. Roads and corridor routes, including recreational trail systems through the ALR require ALC approval.	• Amend OCP to include policy to require landscape screening/buffering of trails adjacent to land in the ALR • Amend LUB to include landscape screening/buffering requirements for trails adjacent to land in the ALR • May use a DPA for agricultural protection with a guideline requiring a landscaped buffer on non ALR land (as per Ministry of Agriculture Guide to Edge Planning)
g)	The LTC could consider adopting “no net loss” policies to farmland quality and quantity where proposed exclusions would have to be matched by inclusions of a similar or larger sized property located specifically on Denman Island with a similar or greater agricultural potential.	• Amend OCP to include “no net loss policy” • Consider OCP policy specific to exclusion and non-farm use applications “where local farming or the greater community would benefit” (similar policy is included in the Salt Spring OCP)
h)	Review DPAs and amend where necessary to ensure that agricultural uses in the ALR are not effectively prohibited as a consequence of protecting other values.	• Requires detailed staff review of existing DPAs prior to recommending amendments
i)	Conduct a review of the existing OCP policies regarding non-farm use and subdivisions within the ALR with a view to clarifying and strengthening the intent of the policies in order to enable staff and trustees to better evaluate each proposal against the agricultural goals of the community.	See above: • Amend OCP to include “no net loss policy” • Consider OCP policy specific to exclusion and non-farm use applications “where local farming or the greater community would benefit” (similar policy is included in the Salt Spring Island OCP)
j)	Establish a policy to support alternative land tenure agreements on farmland such as leasehold subdivisions for producers who wish to lease their land for longer than 3 years.	• Amend OCP to include policy to support alternative land tenure agreements • Lease of a farm or part of a farm is now considered a farm use by the ALC if the leased land is used only for one or more farm uses (and does not include residential use)

Denman Island Farm Plan Implementation - Charter v3

Date: November 4, 2016

Purpose *The purpose of this project is to implement actions under recommendations 11, 13 and 14 of the Denman Island Farm Plan to inform the development of bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw.*

Background *The process of developing the Denman Island Farm Plan began in of 2009 and the Plan was endorsed by the Denman Island Local Trust Committee in June 2012. In January 2016, Farm Plan Implementation was added to the LTC Top Priorities List.*

Objectives

- To prepare bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw, which implement Farm Plan Recommendations 11, 13, 14 and which align with the ALC Act and Regulation.
- To conduct meaningful engagement of community members and other stakeholders in the development of policies and regulations to implement the Farm Plan.

In Scope

- Community survey
- Community information meeting prior to second reading or public hearing of bylaws
- Project webpage

Out of Scope

- Farm Plan recommendations not related to LTC authority
- OCP or LUB amendments concerning minimum lot sizes or removal of agriculture as a permitted use on small lots
- Creation of an Agricultural Enterprise Zone
- Review and amendment of existing development permit areas
- Designation of new develop-

Workplan Overview

Deliverable/Milestone	Date
Adoption of Project charter	November 15, 2016
Community survey development	December 2016 —January 2017
Community survey	February 2017
Development draft OCP and LUB bylaw amendments and conduct community information meeting	March 2017
Presentation of revised bylaws to LTC	March 2017
Public hearing	April 2017

Project Team

Island Planner (To be determined)	Project Manager
Ann Kjerulf Regional Planning Manager	Project Sponsor

RPM Approval:

Ann Kjerulf

Date: Nov. 4, 2016

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source: Denman LTC Projects

Fiscal	Item	Cost
2016-2017	Committee survey; advertising; CIM	\$2,500
2017-2018	Public hearing	\$1,000
	Total	\$2,500

Top Priorities

Denman Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Relationship building with Komoks First Nation	April 19, 2016: LTC to seek UBCM funding for a Community to Community (C2C) Forum		Rob Milne Mike Richards	
2	Denman Island Farm Plan Implementation	Include consideration of limiting commercial agriculture and horticulture in high density small lot neighbourhoods.		Rob Milne	
3	Marine Issues	April 19, 2016: LTC to continue stakeholder consultation to discuss beach/driving access to aquaculture facilities	03-Mar-2015	Laura Busheikin Rob Milne David Critchley	

**Projects****Denman Island**

Description	Activity	R/Initiated
A Protected Area Network on Denman Island		15-Mar-2011
Housekeeping project	1. Land Use Bylaw definition of intensive agriculture; remove "and excluding feedlots". 2. Formatting of Agriculture definition	15-Aug-2011
Regulations governing wind towers and Ocean Loop Geo-Exchange Systems.	Monitor recommendation from Trust Council.	15-Aug-2011
Regulation limiting the gross floor area of a dwelling		25-Oct-2011
Regulations to promote greenhouse gas emissions reduction.		25-Oct-2011
Review and Update of Development Procedures Bylaw No. 71		11-Dec-2012
DCLTA Rural Affordable Housing Project Final Report dated June 20, 2013	Consideration of recommendations	22-Oct-2013
Review of LUB in consideration of the new Federal Marihuana for Medical Purposes Regulation	Review the Staff Report dated April 28, 2014.	15-Jul-2014
Alternative Dispute Resolution	To be considered as part of the enforcement tool kit, possibly in cooperation with the Hornby Island Local Trust Committee	26-May-2015
Downtown Village Neighbourhood Planning	The plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; and addressing of water and septic concerns.	26-May-2015
Review effectiveness of Secondary Suites and Cottages bylaw.		12-Jan-2016
Review regulatory mechanisms for supporting affordable, attainable and seniors housing		19-Apr-2016

Projects

Denman Island

Description	Activity	R/Initiated
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Islands Trust

Print Date: November 3, 2016

Applications

Agricultural Land Reserve

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

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2006.2	Stoneman, Daniel/Debra Planner: Courtney Simpson	31-Aug-2006	The use of presently cleared areas within the Komass Bluff permit area for agricultural use.
Planning Status			
Status Date: 04-Apr-2011 No change: waiting for info from applicant.			
Status Date: 04-Feb-2010 No change			
Status Date: 01-May-2009 No change			

File Number	Applicant Name	Date Received	Purpose
DE-DP-2011.2	Day, Ella Planner: Marnie Eggen	21-Mar-2011	For barn sited within DP #1: Komass Bluff
Planning Status			
Status Date: 29-Jul-2013 File passed on to Bylaw enforcement			

Applications

Status Date: 05-Oct-2012

Letter sent to applicant re: further info required

Status Date: 01-Nov-2011

Awaiting info from applicant

File Number	Applicant Name	Date Received	Purpose
DE-DP-2013.1	Stoneman, Daniel & Debra	17-Jun-2013	
Planner: Courtney Simpson			
Planning Status			
Status Date: 16-Jul-2013			
Staff report to July 16 LTC meeting. LTC resolved to not issue permit but to amend 1999 development permit.			
Status Date: 16-Jul-2013			
Staff preparing development permit amendment			
Status Date: 24-Jun-2013			
Planner Reviewing File			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2011.1	Day, Ella	13-May-2011	Barn on property line
Planner: Marnie Eggen			
Planning Status			
Status Date: 29-Jul-2013			
no change; file passed on to bylaw enforcement			
Status Date: 09-Nov-2012			
BCLS survey confirms barn sited on lot line; Applicant intends to apply for lot line adjustment			
Status Date: 05-Oct-2012			
Letter sent to applicant requesting further information otherwise issue will be transfered over to bylaw enforcement			

File Number	Applicant Name	Date Received	Purpose
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**Applications**

DE-DVP-2016.1 Citizen Design Build 21-Mar-2016 variance to setbacks from Streams, Lakes and Wetlands
 Inc. 40m from Graham Lake to buildings and structures and sewage disposal field
 15m from stream to sewage disposal field

Planner: Marnie Eggen

Planning Status

Status Date: 04-May-2016

Planner reviewing

Rezoning

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

Planner: Rob Milne

Planning Status

Status Date: 08-Sep-2016

Amending OCP Bylaw referred to MCSCD for review and approval.

Status Date: 21-Apr-2015

LTC consideration of staff report. Resolution for staff to prepare draft bylaws for May 26, 2015 LTC meeting.

Siting and use Permit

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

Planner: Courtney Simpson

Planning Status

Status Date: 08-Jan-2009

On hold pending outcome of court case

File Number	Applicant Name	Date Received	Purpose
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Applications

DE-SUP-2009.14 Day, Jean Ella 02-Nov-2009 2900 SWAN RD

One 26 foot high barn.

Planner: Marnie Eggen

Planning Status

Status Date: 30-Jun-2011

On hold until outcome of DP and DVP.

Status Date: 03-Mar-2011

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

Status Date: 20-Jan-2011

Applicant submitted partial application

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2014.10	Stoneman, Daniel & Debra	29-Sep-2014	Residence, Garage, Chicken House, Beach Stairs, Woodshed

Planner: Rob Milne

Planning Status

Status Date: 03-Nov-2014

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

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2016.10	Etienne de Villiers	22-Aug-2016	PID: 025-451-651. 1780 Scott Road, Denman Island. Remodel and add guest cabin for studio and office.

Planner: Linda Prowse

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2016.11	Kirk, JOHN	29-Sep-2016	PID: 027-381-447 1100 Lacon Road, Denman Island, BC. To build on building for fruit processing with residence loft above.

Planner: Linda Prowse

Planning Status

Applications

Status Date:

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2016.3	Citizen Design Build Inc.	21-Mar-2016	1 proposed Single Family Dwelling to replace existing 1 Home office 1 Workshop to replace existing shed 1 Temporary Use Secondary Dwelling (Guest House)

Planner: Marnie Eggen

Planning Status

Status Date: 04-May-2016

On hold until LTC consideration of DVP and TUP applications

Subdivision

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

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Nov-2016

No change in status

Status Date: 15-Mar-2016

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

Status Date: 06-Jan-2016

Applicant has submitted a DP application. Staff conducted site visit on 5-Jan. Staff Report to be written and aim to appear on 15-Mar LTC agenda.

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

Planner: Rob Milne

Applications

Planning Status

Status Date:

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
DE-TUP-2016.1	Citizen Design Build Inc.	21-Mar-2016	for secondary dwelling for potential accommodation for the owner's relatives currently residing on Denman. Designed with to suit special needs housing.

Planner: Marnie Eggen

Planning Status

Status Date: 04-May-2016

Planner reviewing

File Number	Applicant Name	Date Received	Purpose
DE-TUP-2016.2	WILLIAMS, CRAIG	01-Jun-2016	PID: 000-876-283 Constructing a one bedroom & den cabin. Civic address: 8900 Owl Crescent.

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Nov-2016

LTC approved TUP at 20-Sept meeting. Planner awaiting confirmation from applicant regarding sewage. Then can issue the TUP. Applicant will also be applying for an SUP for the dwelling.

Status Date: 01-Sep-2016

Planner completed staff report. To appear on agenda for LTC consideration 20-Sept-2016

Status Date: 14-Jun-2016

More information requested via email to applicant

Islands Trust
 LTC EXP SUMMARY REPORT F2017
 Invoices posted to Month ending September 2016

615 Denman	Invoices posted to Month ending September 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	750.00	572.53	177.47
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	4,500.00	1,928.13	2,571.87
65210-615	LTC - Local Exp - APC Meeting Expenses	600.00	378.10	221.90
65220-615	LTC - Local Exp - Communications	500.00	7.27	492.73
65230-615	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>6,100.00</u>	<u>2,313.50</u>	<u>3,786.50</u>
Projects				
73001-615-4011	Denman Agriculture Plan	6,500.00	0.00	6,500.00
73001-615-4062	Denman First Nations Relations	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>8,000.00</u>	<u>0.00</u>	<u>8,000.00</u>