



Islands Trust

# Denman Island Official Community Plan Bylaw No. 185, 2008

As amended by the  
Denman Island Local Trust Committee

**Consolidated Version: July 24, 2024**

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

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

## CONSOLIDATED BYLAW TEXT AMENDMENTS

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

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 198	Amendment No. 2, 2010	August 3, 2010
Bylaw No. 199	Amendment No.1, 2011	August 15, 2011
Bylaw No. 210	Amendment No. 1, 2014	November 30, 2014
Bylaw No. 212	Amendment No. 2, 2014	May 17, 2016
Bylaw No. 219	Amendment No. 2, 2015	January 31, 2017
Bylaw No. 233	Amendment No. 1, 2019	September 27, 2022
Bylaw No. 241	Amendment No. 1, 2021	February 7, 2023
Bylaw No. 228	Amendment No. 1, 2018	May 7, 2024

## DENMAN ISLAND TRUST COMMITTEE

### BYLAW NO. 185

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#### A BYLAW TO DESIGNATE THE COMMUNITY PLAN FOR DENMAN ISLAND AS THE OFFICIAL COMMUNITY PLAN FOR DENMAN ISLAND

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WHEREAS Section 29 of the *Islands Trust Act* (R.S.B.C. 1996, Chap. 239) gives the Denman Island Trust Committee the power and authority of a Regional District under sections 694 (1) (j) and 723 of the *Local Government Act* and Part 26 of that Act, except Division 10 and sections 937.2, 937.3 and 937.5 to 937.91 of that Part and except section 939; section 242 of the *Strata Property Act*; the *Real Estate Development Marketing Act*; and the *Agricultural Land Commission Act*; and

WHEREAS Section 944 and 948, respectively, of Division (1) of Part 26 of the *Local Government Act* apply to this Committee and authorize it to adopt Official Community Plans and outline procedures for developing and adopting such plans including a public hearing and Ministerial approval; and

WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption; and

WHEREAS Section 945 of the *Local Government Act* lists the subjects that must be addressed in a Plan; and

WHEREAS Section 949(1) of the *Local Government Act* does not commit or authorize the Denman Island Trust Committee to proceed with any project that is specified in the Plan; and

WHEREAS Section 949(2) of the *Local Government Act* requires all bylaws enacted, permits issued, and works undertaken by Denman Island Trust Committee by consistent with the Official Community Plan;

NOW THEREFORE the Denman Island Trust Committee being the Trust Committee having jurisdiction on and in respect of Denman Island in the Province of British Columbia pursuant to the *Islands Trust Act*, R.S.B.C., 1996, Chap. 239, enacts as follows:

1. This bylaw may be cited as the "Denman Island Official Community Plan, 2008".
2. This bylaw shall be applicable to the following areas:  
  
Denman Island, Sandy Island, Chrome Island, Seal Islets and unnamed islets within 1,000 metres of the shoreline of Denman Island and Sandy Island at the natural boundary shown on Schedule "B".
3. Schedules "A", "B", "C", "D" "E" and "F" attached hereto and forming part of this bylaw, are hereby designated as "Denman Island Official Community Plan".

4. The schedules that comprise the "Denman Island Official Community Plan" are as follows:

- Schedule "A" - Official Community Plan Policy Document
- Schedule "B" - Permits and Plan Administration
- Schedule "C" - Land Use Designations
- Schedule "D" - Sensitive Areas
- Schedule "E" - Development Permit Areas, Map 1
- Schedule "E" - Development Permit Areas, Map 2 (North)
- Schedule "E" - Development Permit Areas, Map 2 (South)
- Schedule "F" - Beach Rights-of-way

The "Denman Island Official Community Plan, Bylaw No. 60, 1991" is repealed upon adoption of this Bylaw.

READ A FIRST TIME THIS	26th	day of	June	,2008
PUBLIC HEARING THIS	6th	day of	August	,2008
SECOND PUBLIC HEARING THIS	30th	day of	September	,2008
READ A SECOND TIME THIS	1st	day of	October	,2008
READ A THIRD TIME THIS	1st	day of	October	,2008
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	15th	day of	October	,2008
APPROVED BY THE MINISTER OF COMMUNITY DEVELOPMENT THIS	11th	day of	May	,2009
ADOPTED THIS	15th	day of	May	,2009

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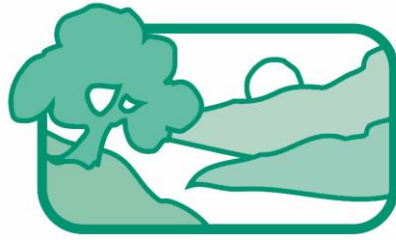
Secretary

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Chairperson

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*Islands Trust*

## **SCHEDULE A - POLICIES**

### **CONTENTS**

Part A	A History of Denman Island
Part B	Preamble
Part C	The Natural Environment
Part D	The Social Fabric
Part E	Families and Individuals

# **PART A - DENMAN ISLAND: PAST, PRESENT AND FUTURE**

The allure of islands is potent. For those drawn to them, islands offer the possibility for energy and imagination to coalesce in ways which seem improbable elsewhere. Not only does personal freedom appear to expand on a small island but also harmonious living and environmental protection seem attainable in a community surrounded by water. For some, just two or three weeks of tranquil isolation annually has a strong appeal. Residents and visitors alike value islands for their separateness and yet, as demonstrated in the short history which follows, geographic separation has not protected Denman Island from the forces of the greater world.

## **Geological Origins**

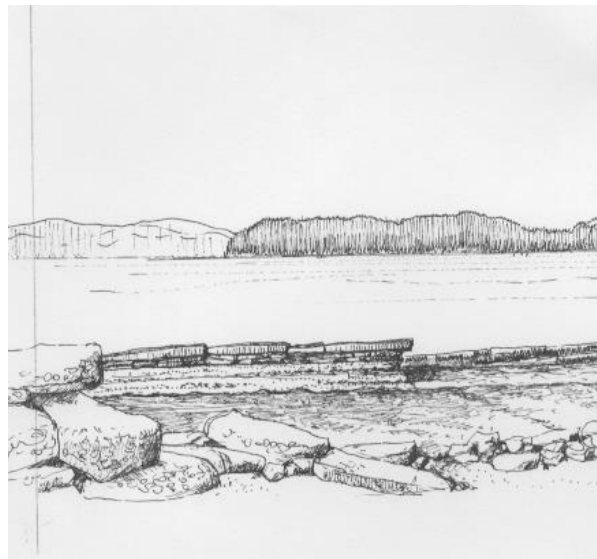
All exposed bedrock on Denman Island, and also on Hornby Island, is of sedimentary origin and is assigned to the Late Cretaceous period, roughly 85 to 68 million years ago on the geologic time scale. These sediments are part of the Nanaimo Group and were laid down on a much older and deeply eroded basement consisting of volcanic rocks, limestone and granites formed mainly during the Triassic Period, about 150 to 180 million years ago. The basement rocks are part of the microcontinent Wrangellia, which travelled as much as 2000 km before docking against North America prior to the Late Cretaceous. Basement rocks are exposed on Texada Island and the Beaufort Range on Vancouver Island.

## **Georgia Basin**

The sediments of the Nanaimo Group were deposited in Georgia Basin (geological, not modern geographic), which came into being in the Late Cretaceous. The basin was depressed by the load of the tectonically thickened Coast Range belt to the east and by the accumulating load of sediments. The pebbles and cobbles of the conglomerates that are abundant on the Island represent volcanics and limestone of the basement, plus the volcanic cap of the Coast Range granite complex.

## **Sedimentary Layers**

The marvellous shoreline outcrops of Denman Island reveal the basin-filling mechanisms in great detail. The offshore mudstones alternate with thin sandstone beds deposited by violent turbidity currents in gently sloping, deep-water fans. These layers are succeeded by thick beds of conglomerate and sandstone that flowed or slid into deep water down significantly steeper slopes.



### Early Sea Creatures



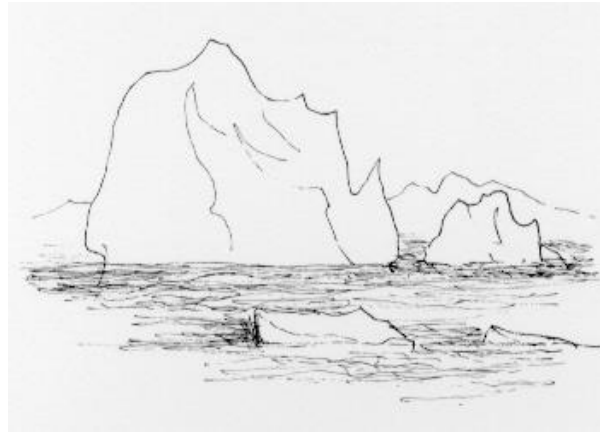
Fossils found in the shales and sandstones now exposed on the Denman Island coastline demonstrate that the Georgia Basin was connected with the world ocean. Collected fossils reveal that the marine environment was inhabited by a variety of creatures, both strange and familiar. Coiled ammonites, their tentacles extended, swam close to the bottom in search of small fish amongst the seaweed. Crabs and lobsters scavenged the bottom around clams, snails, dentalia and small cup corals. Heart urchins furrowed their way through the organic-rich mud, leaving behind characteristic bilobed trails. Fossil teeth demonstrate that the top level predators in this Late Cretaceous environment were pelagic sharks and mosasaurs (sea lizards). Land must have been close to this seaway because fossil driftwood is quite common. Coalified redwood foliage can be found in the central sandstone ridge of the Island.

### Denman Emerges

The rocks of both Denman and Hornby islands are gently deformed. They were raised to their present elevation in the early Tertiary Era, about 60 million years ago, as the Pacific ocean floor was driven beneath North America. Their subsequent history has been one of erosion by rainwater runoff and river, marine and glacial processes, through which they have assumed their present form.

### Ice Covers Denman

The iceages brought ice west and south from the Cordillera, the mountain chain extending the full length of the western edge of the Americas, with maximum glaciation occurring about 15,000 years ago. Very gradually the ice melted back, beginning in the south. Looking out from Komas Bluffs, one would have seen the retreating ice to the left, noisily calving off icebergs, and elsewhere shining blue-tinted bergs afloat on blue water.



### Glacial Deposits

By about 10,000 years ago, the continental ice sheet was gone, and Denman Island again was an exposed land mass. The retreating ice left mysterious 'erratics,' which were sometimes referred to as 'stranger stones.' Erratics are big boulders of 'foreign' rock, especially granite, that have either fallen onto or been picked up by glaciers, while they are high in the mountains, and been carried a long distance by the ice. In this case the erratics were carried from the Cordillera on ice that was

more than one kilometre thick. Once the ice melted, Denman Island became home to many of these exotic rocks. Sand and gravel were also deposited, as the ice melted back and torrents of meltwater flowed out from under the wilting icefront. Thus originated the 'Quadra Sands' which form Komas Bluff, Longbeak Point, Sandy Island and the Seal Islets.



### **Recolonization**

Relatively little time has passed since the glaciers retreated and the climate of the Island warmed. Recolonization by plants and animals occurred gradually, and many modern species that may have inhabited the region prior to glaciation have not returned. At one time Denman Island may have been home to Grizzly bears, porcupines, skunks, and many other small and large mammals, as well as numerous reptiles, amphibians, a host of invertebrates, and plants now restricted to the mainland. Today's fauna and flora represent the assortment of species that have flown, swum or rafted to the Island, or crossed on dry land that may have connected Tree Island and Comox. Like all small islands, Denman Island is home to fewer species than larger, nearby landmasses.

### **Humans Arrive**

Evidence of the earliest human activity in the vicinity of Denman Island was found in a midden at Deep Bay, on Vancouver Island, where archaeologists uncovered stone 'points' believed to have been used to hunt elk and deer in about 3,000 B.C. Subsequent aboriginal occupation of Denman Island is evident in numerous shell middens found along the coastline, most often where creeks empty into the sea. In addition, cairns, indicating burial sites, on the islets off the northern tip of the Island and petroglyphs on Chrome (or Yellow) Island, as well as 'earthworks' or trenches in what is now Boyle Point Park, also suggest that much of Denman Island was familiar territory for native peoples of the area over a considerable period of time.

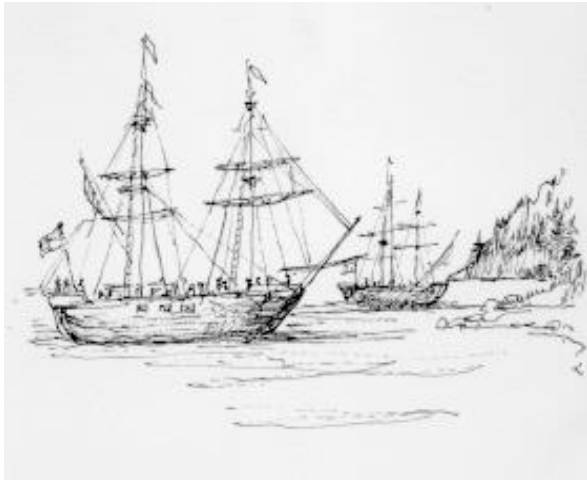


### **The Pentlatch People**

On the west coast of Denman Island, or Sla-dai-aich (also lhaytayich), as it was known by its residents, was one of three villages of the Pentlatch people. Massive intricately carved cedar frames, still evident in 1864, suggest it had once been an extensive and grand settlement before the small-pox epidemic of 1862 took a heavy toll. Those who survived the outbreak in the Denman Island village resettled on Vancouver Island in the Pentlatch settlement located at the junction of the Puntledge and Tsolum rivers. Subsequently, however, their numbers continued to

diminish and the few survivors amalgamated with the Comox people. Eventually, Pentlatch, the language of the original human inhabitants of Denman Island, slipped into history.

### **Sighted by Europeans**



The first Europeans to record their sighting of the islands presently called 'Denman' and 'Hornby' were Spanish sailors who identified them as 'Islas de Larena' in honour of the Minister of the Treasury in the Spanish government of 1791. Largely because George Vancouver failed to see these islands when he sailed in the service of Great Britain the following year, they continued to be referred to as the Islands of Larena for almost 70 years until the Royal Navy surveyor, George Richards, mapped their shorelines in 1860 and renamed them 'Denman' and 'Hornby' after British Naval Officers.

### **Europeans Arrive**

The first non-native to set foot on Denman Island was likely Joseph William McKay, who along with a party of prospectors stopped on Denman Point, site of the village he called 'Siklaults', in October of 1852 and purchased a canoe before extending his search for coal to the Puntledge River. In spite of the fact that, in the intervening years, native title to land in the Comox Valley and adjacent areas was not extinguished, resettlement of the Comox Valley began ten years after McKay's visit and spread to Denman Island twelve years later.

### **European Settlers**

The earliest Europeans attracted to the area in the 1860s were drawn primarily by agricultural opportunities. Open grassy areas in the Comox Valley and on Hornby Island were settled well in advance of heavily treed land on Denman Island, and it was 1874 before the first British immigrants chose the area surrounding the Madigan Marsh to begin farming on this island. [According to Wallace Baikie: "...most of the early settlers came to Denman Island] with the idea of clearing land and making a living off the land. There was little outside money coming in. It was a case of living within one's means. They cleared land, planted gardens and raised cows, sheep, pigs and horses, worked their land with their teams of horses, planted their crops, made their own butter, and butchered their own beef, pork and mutton.... The people lived off the land, catching fish and shooting deer for their own use. The Islanders raised large families and lived plain lives." (Wallace Baikie, *Rolling With the Times*, 1985, p.6)



### **Slow Growth**

Partly because land clearing was a daunting task, the population was slow to grow during the latter part of the Nineteenth Century. Nevertheless, twenty years after the first farm was established, the community totalled about a hundred souls, almost exclusively immigrants from Scotland and England, some after a stint in New Brunswick. Gradually, as the communities of Vancouver Island expanded, a modest demand for lumber developed. Trees, once obstacles to farming on Denman Island, became valued assets, and the second major economic activity of the Island was initiated.

### **Logging**

Although the first logs left Denman Island for a mill in Courtenay in 1878, it was the turn of the century before logging played a central role in the island economy. Henry Bay, an early focal point for logging activity, was a preferred site for several camps over the years, as it provided protective waters where log booms could be formed. In 1925 the Henry Bay Railway Company employed roughly 50 men who intensively logged northern sections of Denman Island. From that time on, logging on the Island was fully integrated into the coastal forest industry, an industry that was characterized by its dependence on the export market. Consequently the major economic activity on Denman Island became subject to the 'boom and bust' cycles that were played out repeatedly throughout the century and are familiar to most coastal communities in the province. Over the past 100 years, countless individuals, numerous partnerships (frequently involving brothers), several self-described 'gyppo' outfits, many companies and even a few international corporations have logged on Denman Island.

### **Farming**



If not the greatest dollar contributor to the local economy, at least the most consistent contribution to the well being of Island residents has been made by farming. From the early days of subsistence agriculture, production attained significant gains early in the last century, when a number of farms produced commodities for export to markets in Cumberland, Courtenay, Nanaimo, Victoria and Vancouver. As early as 1903, Jersey cows were popular on Denman Island, and the rich milk they produced was shipped to the creamery in Comox. Other farm products exported were turnips, potatoes, apples, Christmas trees, corn, lamb, beef, chicken and eggs.

### **Other Economic Activities**

Contributions to the local economy have also been made by numerous enterprises based on resource extraction. The Sandstone Quarry, which formed in 1907, employed as many as 30 men at its peak; a cannery at Deep Bay, which operated between 1917 and 1931, was the source of supplementary income to a number of Denman Island residents familiar with the best local places to catch salmon; and the Northwest Clamshell Plant of New Westminster had a branch operation at Henry Bay in the 1940s, where a few local men crushed shells (from what was likely a midden) for poultry grit. Innumerable saw mills and at least one fish farm have also been active on Denman Island at various times and locations in the past.

### **Island Access**

Prior to the inauguration of regular car ferry service from Vancouver Island in 1930, the Island was served by a variety of passenger vessels operating between Vancouver and Comox. With the retirement of the C.P.R. vessel *Princess Mary* in 1948 and the advent of a car ferry link to Hornby Island in 1954, a new era in our history began.

### **Land Development**

In the decades that followed, steadily rising urban prosperity combined with increased automobile accessibility to create a new industry on many islands in the Strait of Georgia. Quite suddenly, 'recreational property development' took its place alongside agriculture and logging as an important 'land-use' as well as a major contributor to local economies. As a result, a number of small lot subdivisions were completed on many of the islands, including Denman Island, before the provincial government introduced a 'ten-acre freeze' on subdivision in 1969. The freeze was enacted primarily to protect the rural ambience of the islands, as well as the quality and quantity of potable water available to residents and visitors, both present and future. It was to remain in force until a more effective method for dealing with growth could be devised.



### **Islands Trust Founded**

Between the introduction of the 10-acre freeze and the adoption of the *Islands Trust Act* in 1974, many of the islands, Denman Island included, experienced unprecedented population growth spurts that were to have far-reaching social and environmental impacts. The 'back-to-the-land' movement, which flourished among large segments of North American youth of the late 1960s and early 1970s, together with the influx into Canada of Americans opposed to their government's military involvement in Vietnam, not only altered the demographics of islands where they formed sizeable minorities but also had profound impacts on the social and political make-up of these communities. Together these movements were harbingers of an era that witnessed an increasing desire on the part of many citizens of developed countries to reduce human impact on the natural environment. The *Islands Trust Act* of 1974 was, in part, an expression by the government of this emerging sentiment.

### **Population Growth**

Despite the creation of the Islands Trust, the population of the area continued to soar. On Denman Island the population rose by almost 200% in the 22 years following the founding of the Trust, increasing from 350 in 1974 to 1,048 in 1996, while the population across the Trust Area rose by 124%, increasing from 9,933 to 22,261 over the same period. In large part this increase was the consequence of two factors: continued growth of automobile accessibility, specifically, increased ferry service between the lower mainland and Vancouver Island and highway improvements on Vancouver Island; and technological advances, specifically, the fax machine and the internet. These changes made it possible for former urban dwellers to live on Denman Island while earning an income elsewhere and, in addition made it more appealing for those nearing retirement. What were once considered, 'recreational properties' became attractive 'retirement properties.' As a result, the permanent population of the Island experienced another growth spurt in the late 1980s and early 1990s.

### **Population Impact**

Over the last quarter of the Twentieth Century, a rapidly growing human population has had a number of profound consequences for both the social fabric and the natural environment of Denman Island. Because it forms the transportation link for motor vehicles bound for Hornby Island, Denman Island has borne a particularly heavy burden during this period of growth in demand for recreational and retirement properties on both islands. Furthermore, the population

that settled on Denman Island over the course of the last twenty-five years came from relatively diverse backgrounds and moved into a small fairly homogenous and stable community, largely dependent on farming and logging. As new roads were created, land cleared, wells drilled and houses built to accommodate the influx, 'land development' added a third major 'land use' burden to the Island. This not only had its own obvious and direct set of impacts on the natural environment but also had the effect of bringing farming, logging and shellfish growing under scrutiny of a new population with different priorities. The result has been that, in recent years, both the scale and harvesting practices of particular logging and shellfish operations have been the source of considerable community discontent.



### Modern Economy

The major sources of income for employed Island residents are the service sector, which consists mainly of real estate, local stores and the school, and secondly the transportation sector, which consists of ferries and road maintenance.

In recent years, agriculture has shown signs of a renaissance on the island. In addition to several well established apple growers, market gardeners, livestock and hay producers, a number of vineyards are in the early stages of development.

Many residents are self employed, earning incomes in a variety of fields, including, the arts, crafts, construction and small manufacturing. Further, a sizeable number of residents are employed in a variety of fields in the Comox Valley and commute daily to Vancouver Island.

### Denman Today

While Denman Island's population grew at a faster rate than that of both the Trust Area and the Province as a whole between 1974 and 1996; population growth rates in the ten years following have not perpetuated that trend. On the contrary, the population growth rate for Denman Island has been decidedly lower than that for the Trust Area and the Province as a whole. Between 1996 and 2006 Denman Island's population increased by 4.5% [from 1,048 to 1,095] while, over the same period, the growth rate for the Trust Area was 13.9% and for the Province, was 10.4%.

The age distribution of Denman Island's population in 2006 is also noteworthy. As the chart below indicates, between 2001 and 2006, Denman Island's population aged 60 and over increased by the same margin that the population aged 20 to 39 declined: 2.9%.

<b>Population Distribution by Age</b>			
(percentage of whole population)			
Age	Denman Island		British Columbia
	2001	2006	2006
0-19	19.2	19.2	23.2
20-39	14.8	11.9 (31.1%<40yrs)	25.8 (49%<40yrs)
40-59	37.9	37.9	31.3
60 and over	28.1	31.0 (68.9% 40+ yrs)	19.7 (51% 40+ yrs)

Denman Island today is a quiet, peaceful place with a largely rural character and significant natural areas. The total population in 2006 was 1,095. As noted above, the demographics of the Island continue to shift as the proportion of the population over the age of sixty increases while that of those below forty declines. This trend is expected to continue for at least a decade as the island attracts "baby boomers" seeking a rural environment for their retirement years. Under current zoning regulations, a population of slightly more than 2,000 is possible. This number provides a useful reference point for planning for the future and determining an appropriate population size for the Island. Two goals expressed by many islanders are to retain a closely knit community and to remain within the environmental carrying capacity of the island, both of which depend largely on land use and would seem like choices within our control.

### **The Challenge**

History, however, suggests otherwise. Despite their insularity, small island communities have seldom been immune from such seemingly urban phenomena as resource demand fluctuations, or technological change, or population demographic shifts, or even widespread social upheaval. As a consequence land-use trends are usually set in motion by distant events. Denman Island has been no exception: it was resettled, farmed, logged and subdivided in response to forces that originated in a much larger context. To the list of unpredictable urban phenomena that may have profound impacts on island environments and communities must be added the potential impacts of climate change which very likely are to be greater in small island communities than in urban or inland population centres. The Vision Statement and Official Community Plan which follow are, therefore, our best attempts to buffer the delicate natural environment and vital social fabric of this community in advance of an uncertain future, which may well be charted largely by the interaction of remote and complex forces.

The Vision Statement was created in 2008 by a group of volunteers consulting widely with the community. It is new, and may well be modified in coming years. The Official Community Plan, on the other hand, is the latest of a series of bylaws initiated in 1978. Various revisions and additions since that time have resulted in the current version of the Plan.

*Line drawings by Peter Karsten*

## **Vision Statement**

**Denman Island is a small rural island where individuals, the environment, and the community interact in ways that foster mutual health and vitality. We support the mandate of the Islands Trust.**

**We accept the challenge of adapting to climate change and will alter our lifestyles to live more lightly on the land and to substantially reduce our greenhouse gas emissions.**

**We respect and conserve the natural environment. We will protect the ecosystems and their rich biodiversity, including that of the coastal waters.**

**We acknowledge that fresh water is critical to all aspects of life on this island. We will conserve the streams, lakes and wetlands, and encourage the collection and storage of rainwater.**

**We have a long history of farming. We will grow most of our food and encourage small-scale, rural-compatible activities which contribute towards local employment.**

**Islanders historically have been an independent, diverse and creative people with a long history of volunteering for the benefit of the natural environment and the human community. We will be supportive, cooperative and respectful in our interactions. We will use innovative options to promote a diversity of age and financial means within the carrying capacity of the island.**

**Polluting vehicles dominate our thoroughfares. Our roads will increasingly be utilized by pedestrians, bicycles, horses and shared, alternately-powered vehicles moving at an appropriate speed. We will create an extensive network of trails for non-motorized use.**

**We believe that Denman Island can become a model for sustainability and self-sufficiency. All islanders share the privilege and responsibility for realizing this vision.**

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## **PART B - PREAMBLE**

- B.1 Introduction
- B.2 Guiding Principles
- B.3 Guiding Objectives

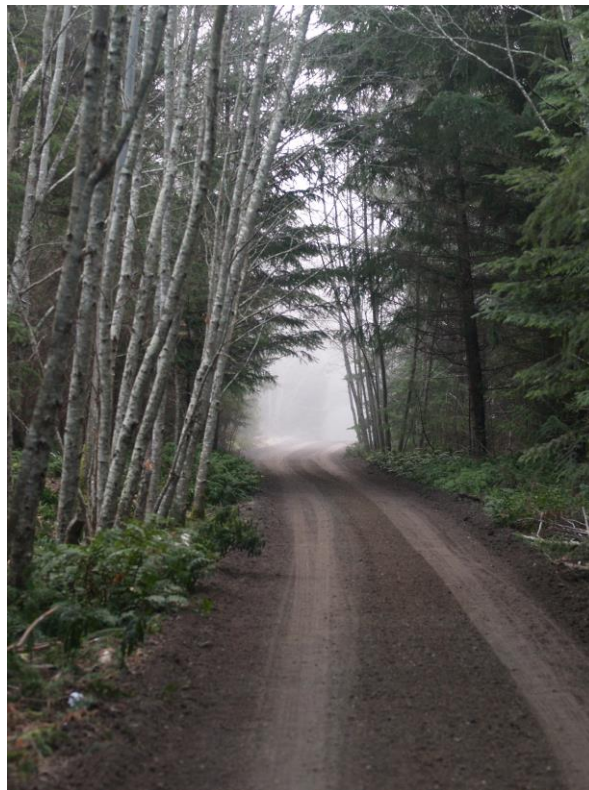


Photo by Andrew Fyson

## B.1 - INTRODUCTION

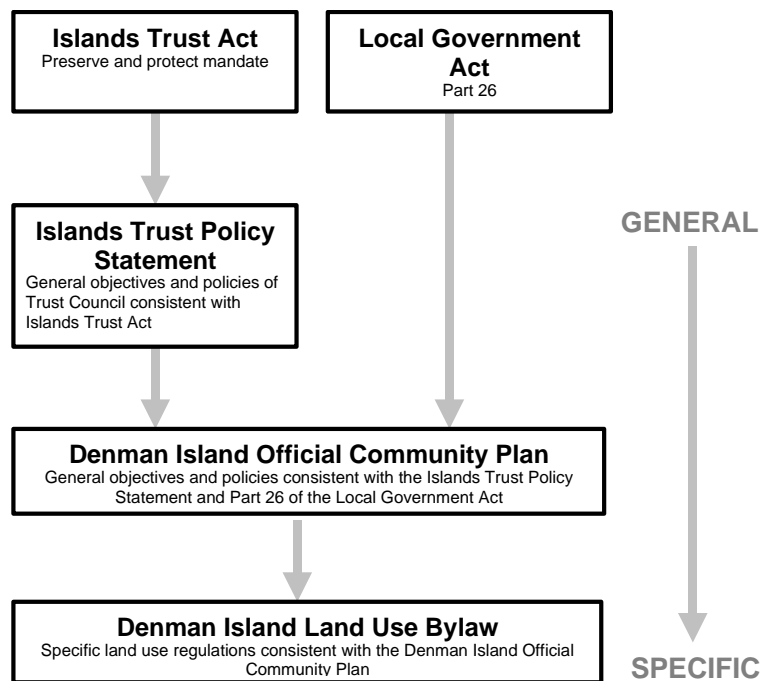
### What is an Official Community Plan?

An Official Community Plan is a general statement outlining the planning goals of a community and the policies that will help the community to reach those goals. The intent of an Official Community Plan is to provide a framework that will guide the elected officials and members of the community in future development and conservation initiatives. Once adopted by Bylaw, the Denman Island Official Community Plan restricts the Denman Island Local Trust Committee to enact only those bylaws and undertake that work which is consistent with the Official Community Plan.

A Local Trust Committee is authorized to adopt an Official Community Plan by the *Islands Trust Act* and the *Local Government Act*. In the Islands Trust Area, an Official Community Plan must be consistent with the Islands Trust Policy Statement, which furthers the Object of the Islands Trust, as stated in Section 3 of the *Islands Trust Act*:

*The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organisations and the government of the Province.*

An Official Community Plan must also address the Provincial Interest as defined in the *Local Government Act*. The graphic below shows how an Official Community Plan fits into the overall planning framework in the Islands Trust.



BL228  
05/2024

This Plan divides the Denman Island Local Trust Area into the following nine land use designations, which are shown graphically on Schedule C. The nine land use designations are:

- Agriculture;
- Conservation/Recreation;
- Crown Lands;
- Institutional;
- Residential;

- Rural;
- Sustainable Resource;
- Village; and
- Water.

These land use designations provide a conceptual framework for future land use decisions in the Denman Island Local Trust Area. Some policies in the Plan affect all land use designations, while other policies apply to only one or several specified land use designations. The permitted uses, density, height and siting of buildings, along with other specific regulations, are contained in the Land Use Bylaw.

This Plan acknowledges the tension between the needs and aspirations of the human community and its desires to protect the natural environment of Denman Island. It represents a vision of the future and suggests ways in which government agencies can co-ordinate their responsibilities with the wishes of the Denman Island islanders.

## How Was This Plan Created?

The first Official Community Plan for Denman Island was created in 1978. New versions presenting various amendments were made between then and 1997, when a major review was undertaken in 1997 involving a community-driven process. The Collective Vision Group then consulted with the community to produce a preamble containing guiding principles and objectives for the Plan. All of this work formed the basis for a first draft of the Plan, which was released in October 1999. Comments received thereafter at meetings and in writing led to a second draft. Following further revisions, the Plan was adopted in 2001.

Another review of this Official Community Plan was undertaken in 2007. The intent was to update the document, correct inaccuracies and introduce new policies on several topics of high interest in the community.

## Terms Used in the Plan

Throughout this Plan, the term “**regulate**” is used. This is a general term referring to the need for an agency or the Local Trust Committee, whichever has jurisdiction, to take an enforceable action that achieves the stated objective. In the case of an agency, that action may be to make a change to their legislation. In the case of the Local Trust Committee that action may be to amend one of its bylaws.

Throughout this Plan, the terms “**rural character**” or “**rural flavour**” are used. These terms are general references to subjective perceptions of island life on Denman. They are intended to act as guides to remind people that Denman Island is first and foremost a rural environment.

Throughout this Plan, the term “**zoning regulations**” is used. This refers to specific regulations that are adopted from time to time by a bylaw of the Local Trust Committee. At the present, all of the zoning regulations for the Island are contained in the Land Use Bylaw.

Throughout this Plan, the term “**zoning amendment**” is used. This refers to a change to the zoning regulations that will permit the use, siting, density or other activity as suggested by the relevant policy. A zoning amendment could be initiated by the Local Trust Committee or it could be initiated by an application from a landowner. Zoning amendments could take the form of adding or deleting wording to an existing zoning regulation, changing zone boundaries or symbols on a map, adding completely new regulations, or any combination thereof.

Throughout this Plan, the term “**existing**” is used. This term refers to a use, structure or building that was legally in existence as of the date of adoption of this Plan.

Except for the Principles of Sustainable Forest Land Use definitions are not used in this Plan. Specific definitions as required will be developed and included in the Land Use Bylaw. Sections 5 and 872 of the *Local Government Act* (formerly the *Municipal Act*) and Section 29 of the *Interpretation Act* contain definitions that apply to this Plan. For other terms and words, standard dictionary meanings are intended to be used unless otherwise noted.

## Design of the Plan

The design of the Plan, as shown in the circle-shaped graphic, illustrates a sentiment, or underlying philosophy, found in many of the comments received during the revision process. This philosophy is that, before we address the objectives for families and individuals in this community, the objectives relating to the natural environment and social fabric of the community must be satisfied. In addition, all objectives pursued in the process of planning for the future must align with the Guiding Principles of this Plan.



## **B.2 - GUIDING PRINCIPLES**

All activities carried out on the Island by residents, landowners, visitors, corporations or Crown agencies should be guided by the following principles.

- BL 198
- |                      |   |
|----------------------|---|
| Guiding Principle 1  | To be good stewards of the natural environment and ecological integrity of the Island; and, in all decisions and regulations concerning use of the land, zoning or development, to take as a first consideration the protection of the natural environment.   |
| Guiding Principle 2  | To respect and support the Object of the Islands Trust; to acknowledge responsibility to preserve and protect the natural beauty and ecological health of the Island for the benefit of the residents, the larger community, and generations to come; and to encourage guests and visitors to respect and honour these same values and standards. |
| Guiding Principle 3  | To recognize that climate change threatens the future of this community, and to implement changes designed to mitigate the negative impacts of climate change, including greenhouse gas emission reduction, and to promote adaptation to these impacts.   |
| Guiding Principle 4  | To recognize that the foreshores, parks and other Crown lands of the Island are part of a common wealth; and to strive to retain public ownership of these areas and to preserve and protect their natural environment.   |
| Guiding Principle 5  | To understand that uncontrolled population growth would constitute an unacceptable threat to the very limited space and resources of the Island; and to recognize that this understanding implies a continued need for a limit on development.  |
| Guiding Principle 6  | To acknowledge that this community finds its strength in the varied gifts and experiences of its members; and, within the framework of a limitation on population, to support and encourage a diverse and self-reliant community.   |
| Guiding Principle 7  | To acknowledge that this community of island dwellers have chosen to accept a level of isolation and inconvenience that island living implies.  |
| Guiding Principle 8  | To retain the privacy, peace and quiet beauty that island living permits; and to discourage air, noise and light pollution.   |
| Guiding Principle 9  | To strive for an increasing level of autonomy in local governance; and to continue to work to provide the amenities, public services and social programs necessary to an island way-of-life.  |
| Guiding Principle 10 | To recognize that all economic activity and development, including farming, forestry and other resource use, should respect the natural environment and the character of the human community.   |
| Guiding Principle 11 | To ensure that tourism is managed in a way that respects our community's foremost function as a home for its residents.   |
| Guiding Principle 12 | To remain a community which values both individual and community rights; and, individually and collectively, to respect differences and preserve a neighbourly community.   |
| Guiding Principle 13 | To state all standards, policies and regulations relating to the Island simply, clearly and unequivocally and administer them fairly, firmly and universally; and to promote public education to make the understanding of this plan a priority.  |

## **B.3 - GUIDING OBJECTIVES**

### **The Natural Environment - Guiding Objectives**

**To identify, preserve and protect the integrity of the natural ecosystems on Denman Island and the adjacent islets including the foreshore and intertidal areas. This objective should be understood to be the highest priority in land use planning.**

#### **Guiding Objective - Lands and Forest**

To maintain, and where necessary restore, the diversity, structure and ecological functions of forests on the Island and protect surviving old growth forest; to avoid the fragmentation of forest blocks; to protect areas of sensitive or unique vegetation and areas which contain the habitat of rare or endangered species; and to retain sufficient natural habitat to ensure the preservation of native species

#### **Guiding Objective - Freshwater**

To preserve, and where necessary restore, watersheds, lakes, wetlands, streams and riparian areas and to retain sufficient natural habitat to ensure the preservation of native species

#### **Guiding Objective - The Marine Environment**

To protect the foreshore, coastal waters and native marine life and to retain sufficient natural habitat to ensure the preservation of native species

#### **Guiding Objective - Climate Change Adaptation and Mitigation**

To reduce greenhouse gas emissions by 33% by 2020 and 85% by 2050 from 2007 levels, and to consider the impacts of climate change in all land use decisions as one means to reach these targets as well as to adapt to climate change impacts

### **The Social Fabric - Guiding Objectives**

**To identify and protect the elements integral to the social fabric of Denman Island, to foster the continuing development of a safe, self-sufficient, vibrant, diverse and harmonious human community and to maintain the rural character of the Island.**

#### **Guiding Objective - Services, Education and Culture**

To support community based fire, ambulance, health and support services, to encourage cultural enrichment and community education facilities and services, and to realise the need for many diverse community activities

#### **Guiding Objective - Transportation and Utilities**

To maintain safe tranquil, scenic roads, to maintain adequate ferry service to Vancouver Island, and to encourage walking and cycling on Island roads and ferries

#### **Guiding Objective - Water Management**

To protect and conserve water resources on the Island

#### **Guiding Objective - Waste Management**

To encourage the reduction, reuse and recycling of solid waste materials and the safe treatment of liquid waste

#### **Guiding Objective - The Village**

To retain the Village area as the commercial and cultural heart of the Island, and make this area safe, convenient and friendly by including such amenities as pathways, a village square and open spaces

#### **Guiding Objective - Archaeological, Historic and Natural Sites**

To provide for the preservation of aboriginal and historic living and building sites, buildings, features and archaeological sites

#### **Guiding Objective - Aesthetics**

To maintain the natural beauty of the Island

## Families And Individuals - Guiding Objectives

**To identify and provide for family and individual needs on Denman Island**

### **Guiding Objective - Housing**

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

### **Guiding Objective - Economic Activities**

To provide for a range of economic activities that respect the natural environment and the character of the human community

### **Guiding Objective - Agriculture**

To preserve agricultural land and encourage farming on land in the Agricultural Land Reserve

### **Guiding Objective - Conservation/Recreation**

To protect land for conservation and recreation purposes

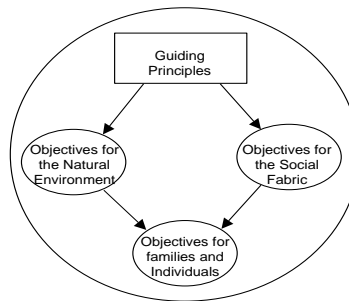
### **Guiding Objective - Resources**

To ensure that land uses involving renewable resources are sustainable and compatible with the small-scale rural character of the Island

### **Guiding Objective - Crown Lands**

To protect Crown land parcels that have clearly defined significant conservation and recreation values

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## PART C - THE NATURAL ENVIRONMENT

- C.1 Lands and Forest
- C.2 Freshwater
- C.3 Marine
- C.4 Climate Change

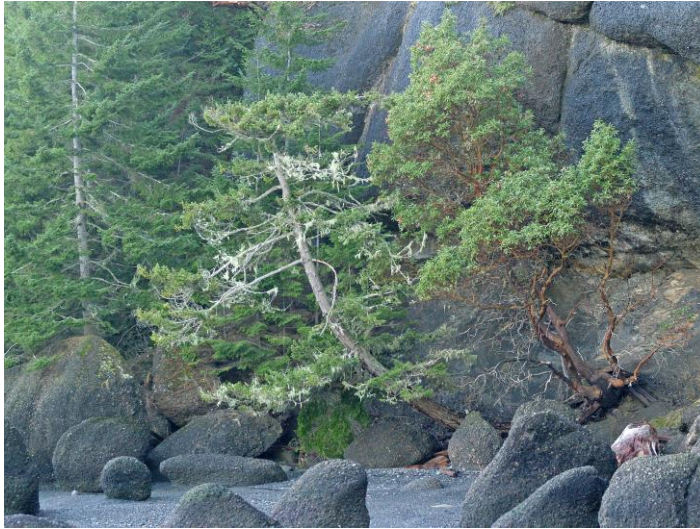


Photo by Andrew Fyson

### Guiding Objective for the Natural Environment

To identify, preserve and protect the integrity of the natural ecosystems on Denman Island and the adjacent islets including the foreshore and intertidal areas. This objective should be understood to be the highest priority in land use planning

**INFORMATION NOTE:** A description and classification of Denman Island wetlands was undertaken in 2000 as part of the Official Community Plan review process. The results of this study are available for information in the report referred to in Appendix A. In addition, a list of vertebrate animals and vascular plants was compiled during 2000 using the results of several studies. This list is available for information in the report referred to in Appendix B.

## **C.1 - LANDS AND FOREST**

Denman Island is generally flat, with gently rolling hills rising to a maximum elevation of 124 metres above sea-level. Only eight percent of the Island has slopes greater than 20 percent. The Sensitive Ecosystem Inventory (SEI) for East Vancouver Island and the Gulf Islands, published in 1998 by the Canadian Wildlife Service of Environment Canada, identifies several sensitive ecosystems categories on Denman Island.

The Island has a long coastline and a few sites have been recognized as vital habitat for rare plant species and nesting seabirds. These significant coastal areas occur north of the Komias Bluff, at Denman Point, at Whalebone Point, at Repulse Point, at Chrome Island, and along the south and southwestern coast of the Island.

Older forested areas are important as they provide habitat for a diversity of species, including birds of prey and plant and animal species that do not occur elsewhere. Older forests are scattered around the Island; larger strands are found within Boyle Point Park. Recent logging has left large areas of recovering, new and young forest. These areas are also important habitat for many plants and animals. Denman Island's various ecosystems are home to a significant number of species identified on federal and provincial lists as endangered or at risk.

Terrestrial herbaceous ecosystems (rare coastal grasslands and coastal moss-covered rocky outcrops) provide habitat for a number of uncommon species. These ecosystems occur at Longbeak Point and on Seal and Sandy Islets, and on a number of coastal bluffs, particularly on the southeast coast of the Island.

Riparian areas (those areas surrounding lakes, creeks and wetlands) provide habitat for a diversity of plants and animals, and breeding grounds for numerous birds, mammal, amphibian and invertebrate species. Two of the largest examples of this type of ecosystem on Denman Island occur adjacent to Valens Creek and Beadnell Creek.

Seasonally flooded areas are vital as they provide habitat for wintering waterfowl. There are five major examples of this type of ecosystem on Denman Island.

### **Guiding Objective**

To maintain, and where necessary restore, the diversity, structure and ecological functions of forests on the Island; to protect surviving old growth forest and avoid the fragmentation of forest blocks; to protect areas of sensitive or unique vegetation and areas which contain the habitat of rare or endangered species; and to retain sufficient natural habitat to ensure the preservation of native species

### **Lands and Forest - Objectives**

- |             |   |
|-------------|---|
| Objective 1 | To maintain, preserve, and restore the Denman Island natural ecosystems, the natural biodiversity and the beauty of the Island to the greatest possible extent                                    |
| Objective 2 | To recognize all the components of Island ecosystems and to respect the natural environment in all community planning   |
| Objective 3 | To maintain undeveloped areas and unique areas in their natural states and to identify and exempt from human use those sites that are most biologically sensitive at particular times of the year |
| Objective 4 | To encourage and support landowners choosing to leave portions of their land in an undisturbed state or to bequeath land for conservation purposes  |

## Lands and Forest - Policies

- Policy 1                    The Local Trust Committee should work with other agencies to preserve and protect all upland, including forest, on Denman Island.
- Policy 2                    Stewardship is encouraged, and zoning regulations and amendments to zoning regulations should be designed to protect sensitive ecosystems and other features identified on Schedule D, and the steep slopes, bluffs, streams, lakes and wetlands, identified as development permit areas on Schedule E.
- Policy 3                    The Local Trust Committee should consider the negative impacts of any proposed zoning amendment that would allow development in proximity to sensitive ecosystems and other features identified on Schedule D, or to the bluffs, streams, lakes and wetlands identified as development permit areas on Schedule E.
- Policy 4                    In all land use designations, provisions should be made by regulation to permit the subdivision of a parcel for the sole purpose of giving or selling a portion of the parcel to a conservation organization or agency. The parcel thus created to be donated or sold should be designated for conservation purposes only. The giving or selling of a parcel of land for conservation purposes may be considered a community amenity and the provisions for density transfer in Appendix C would apply.

**INFORMATION NOTE:** Approval of the Agricultural Land Commission is required for any non-farm use in the Agricultural Land Reserve or for any covenants in the Agricultural Land Reserve. The Commission rarely supports covenants that restrict agriculture.

- Policy 5                    The Local Trust Committee should encourage voluntary stewardship and support groups or individuals providing natural history education programs for residents and visitors.
- Policy 6                    As Denman Island is an area with considerable eagle and heron populations, the Local Trust Committee encourages property owners to protect existing nest and perch trees and rookery sites and provide for future nest trees, and encourages local interest groups to map the location of existing sites and move towards protection of these sites.
- Policy 7                    The Local Trust Committee should be guided by the Principles of Sustainable Forest Land Use in Part G of this Plan when considering any request for amendments to the land use bylaw, when establishing development permit areas, or when developing guidelines for development permit areas.
- Policy 8                    The establishment of tree-cutting set-backs from property boundaries or other preventative measures is encouraged to diminish the potential for “blow-down” on neighbouring properties when landowners create openings in forested areas.
- Policy 9                    Landowners are encouraged to protect forested lands, bluffs, meadows and grasslands through the establishment of conservation covenants or other protective measures. The Local Trust Committee should assist landowners wishing to establish conservation covenants on their land.

**INFORMATION NOTE:** Approval of the Land Reserve Commission is required for any covenant in the Agricultural Land Reserve. The Commission rarely supports covenants that restrict agriculture.

- Policy 11                    Local groups are encouraged to map rock outcrops that are significant for paleontological or other geological values, and the resulting map may be included in this Plan by subsequent amendment.

## Lands and Forest - Advocacy Policies

- Advocacy Policy 1      The taxing authorities are encouraged to reduce the taxes of landowners who establish a conservation covenant on a portion of their property to protect the natural habitat.
- Advocacy Policy 2      Government agencies should discourage the use of chemical biocides in the Denman Island Trust Area.
- Advocacy Policy 3      The Ministry of Environment is encouraged to follow the Principles of Sustainable Forest Land Use in Part G of this Plan when assessing the potential damage on environmentally sensitive areas caused by forestry harvesting.
- Advocacy Policy 4      The Ministry of Environment and the Integrated Land Management Bureau are encouraged:
- to recognize and implement the land use designations and policies of this Plan;
  - to give highest priority to the preservation of natural ecosystems by protecting vacant Crown lands for greenspace and for fish and wildlife habitat;
  - to limit access to vacant Crown lands to trails; and
  - to transfer vacant Crown lands to a conservation agency and establish conservation covenants on these lands.
- Advocacy Policy 5      The Ministry of Environment is encouraged to require practices that reduce the spread of invasive plants.



Photo by Doug Olstead

## **C.2 - FRESHWATER**

Fresh water is a limited resource in the Islands Trust area due to poor storage capacity of the underlying rock formations and relatively small lakes. This problem is compounded by the fact that only 10 to 20 percent of the annual precipitation of 1300 mm falls during the summer months.

Ground water can be obtained from unconsolidated sand and gravel deposits near the surface and from bedrock. Deposits of sand and gravel can contain good accumulations of ground water but these deposits are of limited extent in the Islands Trust area. The underlying bedrock on Denman Island is composed of massive sandstone, thinly bedded shale, and conglomerate, which belong to the sequence of rocks referred to as Nanaimo Group. These sediments of the Nanaimo Group are generally poorly sorted and massive, do not have particularly well developed pore space and lack the permeability required for storage and transmission of ground water. Nevertheless, many wells drilled into the Nanaimo Group bedrock on Denman Island do produce reasonable flows, and these rocks provide a potential source of potable water throughout the Islands Trust area. Wells drilled into bedrock are likely only productive if they encounter conduits, such as shale beds, fractures or bedding planes, which have the permeability capable of transmitting ground water. These irregular aquifers form an interconnected plumbing system, which probably exists throughout the Island. The upper surface of the ground water system, known as the water table, is exposed at surface on the Island where topographic depressions are deep enough to intersect the water table, such as Chickadee and Graham lakes. Recharge of ground water aquifers is provided by precipitation and surface run-off. In many areas, deep ground water tends to have a sulphurous odour or high total dissolved solids, particularly in summer.

Denman Island has two lakes and numerous wetlands and creeks. There are roughly 30 swamps covering approximately 115 hectares plus marshes covering approximately 90 hectares. The largest marsh is Morrison Marsh, which drains from Boyle Point to McFarlane Road. These wetland ecosystems support rare and representative plants as well as providing breeding areas for ducks, songbirds, fish, amphibians and invertebrates, many of which are rare. Island water bodies located on the Pacific flyway of migratory birds are particularly significant in providing over-wintering habitat for coastal waterfowl, including trumpeter swans.

The two Denman lakes are situated in large drainage systems with important surrounding riparian areas. The Graham Lake system supports cut-throat trout and drains the east central area of Denman Island. In its lower reaches, Graham Creek flows through McFarlane Marsh and to the sea near the junction of McFarlane and East roads. Chickadee Lake is connected to the Coho salmon system of Beadnell Creek, draining to the east side of Denman Island at Fillongley Park. Riparian areas are critical sites for a high diversity of plants and animals. In their natural state these areas also help to moderate flooding, to buffer surface water from pollution, and in some cases to actually remove pollutants. The fresh water system of Denman Island is influenced by the Mediterranean climate. High rainfall and consequently high surface water levels and flows occur from October to May. The warm, dry summer period, from June through September, reduces surface water, in some years to levels critical to wildlife and human use.

The human population uses creeks, marshes and lakes for home water supplies, garden irrigation, recreation, and watching of birds and other wildlife. People's enjoyment of their properties is enriched by surface water. Water bodies provide scenic vistas and views of ever-changing wildlife activities, as well as a feeling of sanctuary and peace. Although protection of fresh water for these purposes is important, protection is all the more important to address the impending negative impacts of climate change. Accordingly, Islanders should be encouraged to be judicious in their use of freshwater.

The Water designation, which is shown on Schedule C, includes all lakes on Denman Island.

### **Guiding Objective for Freshwater**

To preserve, and where necessary restore, watersheds, lakes, wetlands, streams and riparian areas and to retain sufficient natural habitat to ensure the preservation of native species

## Freshwater - Objectives

- Objective 1 To protect the quantity and quality of both surface and ground water especially for agricultural purposes
- Objective 2 To maintain the flow of unpolluted fresh water in existing waterbodies so that the natural environment, including both native plant and animal life, is sustained while allowing the use of surplus water, particularly at peak flows, to supply islanders' needs
- 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

## Freshwater - Policies

- 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.
- Policy 4 Residents and visitors to Denman Island should be encouraged to respect the nesting season of water birds and to refrain from activities that might interfere with bird nesting and the rearing of fledglings.
- Policy 5 Fresh water extraction is supported only if there is no detrimental effect on the riparian habitat and a valid water license has been granted by the Ministry of Environment.
- Policy 6 The launching and/or use of powerboats on any fresh water body should be prohibited.
- Policy 7 Landowners are encouraged to landscape their property in a way that promotes ponding of excess water, thus reducing run-off and curtailing the amount of water and sediment entering any watercourse.
- Policy 8 Landowners are encouraged to not use chemical herbicides or other pesticides.
- Policy 9 Zoning regulations should encourage rainwater collection to reduce consumption of groundwater resources; however, adequate controls should be in place to ensure above ground storage tanks are not unsightly.

<p><b>INFORMATION NOTE:</b> Most streams, lakes and wetlands on Denman Island are designated as development permit areas for the protection of the natural environment, ecosystems and biodiversity (see Schedule E).</p>
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## Freshwater - Advocacy Policies

- Advocacy Policy 1 The Water Management Branch of the Ministry of Environment is encouraged to monitor and regulate consumptive water use from surface water bodies on Denman Island.

- Advocacy Policy 2     The Ministry of Environment and conservation organisations are encouraged to acquire marshlands and lakes for conservation purposes.
- Advocacy Policy 3     The Ministry of Environment and Fisheries and Oceans Canada are encouraged to monitor the populations of fish, wildlife and plants in lakes, streams, and wetlands, particularly waterfowl, including trumpeter swans and salmonid fishes.



Photo by Doug Olstead

## **C.3 – THE MARINE ENVIRONMENT**

The marine waters around Denman Island include Baynes Sound to the west, Comox Estuary to the north, Lambert Channel to the east and the Strait of Georgia to the east and south. The shores of Baynes Sound, Henry Bay and Sandy Island are mainly gently sloping beaches of sand, mud, and gravel with some low rocky shores, in contrast with the boulder strewn beaches, sandy bluffs and steep rock exposures of Chrome Island and Lambert Channel. The foreshore (or intertidal) area is defined as the land located between highest and lowest tides.

The marine environment surrounding Denman Island, both intertidal and subtidal, comprises habitats that ensure the existence of rich species diversity. Included are fish, birds, mammals, invertebrates and many plant species, including subtidal eelgrass. This region is the most important site for spawning herring in the Strait of Georgia. Local waters are inhabited by five species of salmon and a variety of other fish, including the six-gilled shark. Baynes Sound is a major site for overwintering seabirds and is within the Pacific flyway of many other migrating birds.

Baynes Sound is second only to the Fraser Valley for bird population and diversity. Resident marine bird species and summer breeding migrants are attracted by the abundant marine food source. For example, Denman and Chrome islands support two cormorant rookeries and many bald eagle nests. Marine mammals such as seals, sealions, whales, dolphins, and porpoises forage around Denman Island, and coastal mammals such as river otters and mink obtain their food primarily from these waters.

Walking the beaches at low tide, islanders experience a rich marine environment. Kelp, red seaweeds, nori, clams, oysters, moon snails, sea stars and other species are exposed, while gobies, blennies, sea cucumbers, porcelain crabs and other marine forms lie sheltered under rocks.

Baynes Sound is a prime area for shellfish aquaculture. Approximately half of the oysters grown commercially in British Columbia are from this relatively small body of water. Other molluscs farmed in Baynes Sound are scallops, mussels and various types of clams. In 2003 the Province adopted the "Baynes Sound Coastal Plan for Shellfish Aquaculture", which is a provincial land use plan promoting sustainable aquaculture.

The Water designation, which is shown on Schedule C, includes all of the marine areas within the Denman Island Trust Committee Area as far west as the 30 metre bathymetric contour off the shore of Vancouver Island.

### **Guiding Objective**

To protect the foreshore, coastal waters and native marine life and to retain sufficient natural habitat to ensure the preservation of native species

### **The Marine Environment - Objectives**

- |             |   |
|-------------|---|
| Objective 1 | To ensure maximum protection of foreshore areas, estuaries, surrounding waters, and native life forms, including bird and animal life, against loss or damage caused by human intrusion   |
| Objective 2 | To minimise pollution from human use of the foreshore, estuaries, surrounding waters and adjacent upland, and to maintain the purity of coastal waters  |
| Objective 3 | To protect undisturbed areas on the foreshore and the surrounding waters, to preserve areas where the herring spawn annually, and to protect, and where necessary restore, important sea duck foraging areas (for example, eelgrass beds) |
| Objective 4 | To protect the natural and scenic values of the coastline that provide the Island with its rural marine character   |

Objective 5	To ensure that use of the foreshore or offshore water does not result in loss or damage to the natural environment
Objective 6	To minimise any negative impacts either of marine uses on adjacent upland or of upland uses on the marine area
Objective 7	To ensure public access to the foreshore and off-shore water
Objective 8	To recognise that aquaculture is a valuable activity in the Trust Area if compatible with maintenance of ecosystems and community character, to support shellfish aquaculture when practiced in a low-impact, environmentally sound manner and to encourage the employment of Island residents in the industry

## The Marine Environment - Policies

### GENERAL

	Policy 1	Foreshore and water areas surrounding Denman Island that have significant scenic and environmental values should be protected.
	Policy 2	Fin-fish aquaculture should not be allowed in the Water designation.
	Policy 3	In the Water designation, zoning regulations should: <ul style="list-style-type: none"><li>• be extended out from Denman Island to the 30 metre bathymetric line off Vancouver Island or mid-channel, whichever is furthest west in Baynes Sound, and elsewhere to the local trust area boundary;</li><li>• protect environmentally sensitive marine sites from development;</li><li>• promote conservation, with the exception of areas used for shellfish aquaculture or transportation as of the date of adoption of this Plan and any areas rezoned for shellfish aquaculture purposes under Policies 14 and 15 of this section; and</li><li>• protect all foreshore fronting provincial and regional parks and all foreshore southward from McFarlane Road to, and including, the caves along East Road.</li></ul>
BL 199	Policy 4	The LTC should, through the use of zoning, the use of setbacks and, where there is supporting mapping, the use of development permit areas: <ul style="list-style-type: none"><li>• Protect the remaining integrity of the foreshore, shoreline, and natural coastal and intertidal processes;</li><li>• Discourage uses that disrupt natural features and processes;</li><li>• Allow for natural erosion and accretion processes, without endangering structures;</li><li>• Encourage owners of shoreline properties to retain, whenever possible, natural vegetation and natural features on areas adjacent to the foreshore; and</li><li>• Discourage filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing facilities.</li></ul>
BL 199	Policy 5	The LTC should only give consideration to permitting structural modification of the shoreline, such as seawalls, where it can be demonstrated to be necessary to support or protect a permitted or existing use or structure. Preference should be given to shoreline protection measures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, anchor

trees, and gravel placement. Shoreline stabilization that interrupts natural processes is discouraged. Native vegetation which helps stabilize banks, reduce erosion and provide habitat should be retained or enhanced.

Policy 6 The Local Trust Committee should encourage any individual or group undertaking a foreshore study to determine sites suitable for the protection of native organisms.

Policy 7 The Local Trust Committee should secure funding for a study that would work towards identifying and establishing one or more marine protected areas that may be included as a subsequent amendment to this Plan.

### **USE AND DENSITY**

Policy 8 In the Water designation, marine navigational aids, mooring buoys and swim platforms for small-scale, non-commercial recreational use may be considered in all water areas surrounding Denman Island, and mooring buoys for aquaculture purposes should be permitted in, and immediately adjacent to, all water areas where aquaculture is a permitted use.

Policy 9 In the Water designation, facilities for ferries, water taxis, fishing boats and pleasure boats should be limited to existing locations. However, zoning regulations may permit public dockage on the foreshore area adjacent to the Denman West and Denman East ferry docks, provided such a use is primarily to serve the residents of Denman Island.

Policy 10 In the Water designation, the Plan recognises the need for occasional barge loading and off-loading; commercial barging may be permitted by temporary use permit.

Policy 11 Zoning regulations should prohibit sewage outflow pipes in all marine areas in the Denman Island Local Trust Area.

Policy 12 In the Water designation, the following should be prohibited:

- private docks;
- filling, excavating, removal or moving of sand, gravel, rock or any other natural deposit, other than for normal aquaculture practices; and
- the use of motorised personal watercraft, (for example, jet ski boats or seadoos), including renting and launching of these personal watercraft.

### **SITING**

Policy 13 The Local Trust Committee should amend the zoning regulations to limit the location, size, and height of structures on the foreshore. Structures that were legally in place on the date of adoption of this Plan should continue to be permitted. Structures for aquaculture uses should be consistent with provincial standards and the *Farm Practices Protection (Right to Farm) Act*; however, for other uses, buildings for storage, habitation or shelter should be prohibited.

Policy 14 All buildings and structures located on adjacent upland should have setbacks sufficient to protect the foreshore and coastal marine environment.

### **ZONING AMENDMENTS**

Policy 15 As part of any zoning amendment application, in the Water designation, the Local Trust Committee may require an environmental impact

assessment, in the event that no other agency has required an environmental assessment.

Policy 16

The Local Trust Committee should consider zoning amendments for a public docking facility that are consistent with the following policies:

- the public docking facility should be of an appropriate scale for the islanders' needs and address the environmental concerns of the area;
- filling, excavating and removal of sand, gravel, rock or any other natural deposit should be minimal;
- the adjacent upland portion of the public docking facility should not impact negatively on the neighbourhood; and
- the Local Trust Committee should establish the public docking facility as a development permit area for the protection of the natural environment.

#### **DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS**

Policy 17

Applicants for a zoning amendment in the Water designation may be required to provide development approval information.

Policy 18

The areas designated Water in this Plan are designated to protect the natural environment and sensitive ecosystems, while allowing for recreational and transportation activities that support the Denman community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that new uses do not harm sensitive natural habitat features and systems, and preserving the rural nature of the local trust area. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Water designation.

### **The Marine Environment- Advocacy Policies**

Advocacy Policy 1

The Ministry of Transportation and Infrastructure and the Water Management Branch of the Ministry of Environment are encouraged:

- to regulate the drainage of upland surface water and the maintenance of septic systems; and
- to recognize the role of vegetation in ditches in protecting the foreshore from contamination and to regulate the removal of this vegetation.

Advocacy Policy 2

Fisheries and Oceans Canada is encouraged:

- to monitor aquaculture practices to ensure compliance with regulations intended to protect the marine environment;
- to protect herring spawning areas; and
- to prohibit discharge of sewage from private and commercial vessels travelling in Baynes Sound or Lambert Channel.

Advocacy Policy 3

The Ministry responsible for agriculture is encouraged:

- to give prior notification to the Local Trust Committee and adjacent upland owners when existing aquaculture tenures come up for renewal;
- to develop, in cooperation with the Denman Island community and the shellfish industry, provincial standards for the guidance of local

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government for shellfish aquaculture through the *Farm Practices Protection (Right to Farm) Act* that encompass aquaculture structures, motor vehicles, noise, lighting, beach litter, and toilet facilities for workers;

- to minimise the excavating, removal or moving of sand, gravel, rock or other natural deposit from the foreshore or the addition of these or other materials to the foreshore; and
- to increase dialogue on aquaculture practices and community interests with the Local Trust Committee through a community engagement program.

Advocacy Policy 4

The British Columbia Shellfish Growers Association is encouraged to develop an educational brochure to inform the public and residents about the shellfish aquaculture industry and the vulnerability of coastal water to pollution.

BL 199

Advocacy Policy 5

The Comox Valley Regional District is encouraged to require sewage pump-out stations for marinas.

## C.4 – CLIMATE CHANGE ADAPTATION AND MITIGATION

On May 29, 2008 Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] received Royal Assent. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for climate change adaptation and mitigation, and to require that local governments include in their official community plans objectives and policies regarding climate change adaptation and mitigation.

BL 198 Most significantly, Bill 27 amended the *Local Government Act*, requiring that all local governments include in their Official Community Plans targets to reduce greenhouse gas emissions and policies and actions to achieve these targets.

The following target, objectives, policies and actions are the first step to ensuring that the reduction of greenhouse emissions specifically and the impact of climate change in general become part of an evaluation process for land use planning on Denman Island. Within the local trust area this target will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations. Further discussion of specific policies and actions relating to climate change mitigation and adaptation may result in this section being modified as additional information becomes available and new initiatives are undertaken.

### Guiding Objective

BL 198 To reduce greenhouse gas emissions by 33% by 2020 and 85% by 2050 from 2007 levels, and to consider the impacts of climate change in all land use decisions as one means to reach these targets as well as to adapt to climate change impacts.

### Climate Change Adaptation and Mitigation - Objectives

Objective 1 To establish the importance of energy efficiency, energy security, greenhouse gas emissions reduction, and carbon cycling in land use, site planning, building design and transportation

Objective 2 To promote the use of renewable energy and the development of renewable energy sources

Objective 3 To work with other agencies, stakeholders and the community to achieve energy conservation and greenhouse gas emissions reduction

BL 198 Objective 4 To support actions to minimise greenhouse gas emissions and to adapt to the impacts of climate change in land use decision-making

### Climate Change Adaptation and Mitigation - Policies

BL 198 Policy 1 The Local Trust Committee should develop methods of determining and assessing the energy efficiency, greenhouse gas emissions, and other climate change impacts of proposed development for use when processing land use applications.

BL 198 Policy 2 The Local Trust Committee should consider energy efficiency attributes, the reduction of greenhouse gas emissions, and climate change adaptation and impacts mitigation in all rezoning applications that propose an increase in density or change of use.

BL 198	Policy 3	The Local Trust Committee should consider giving priority to zoning amendment applications that meet the reduction of greenhouse gas emissions adopted by the Local Trust Committee.
	Policy 4	The Local Trust Committee should support zoning amendment applications for affordable housing that incorporate climate change adaptation and mitigation measures, such as energy efficiency and shared facilities.
BL 198	Policy 5	The Local Trust Committee should review its zoning regulations to ensure that existing provisions encourage the implementation of energy efficiency standards and the reduction of greenhouse gas emissions in new construction.
	Policy 6	The Local Trust Committee should review its development permit area guidelines and, where appropriate, incorporate new provisions to promote energy conservation, water conservation and reduction of greenhouse gas emissions.
	Policy 7	The Local Trust Committee should work with the Trust Fund Board and other conservation organisations to promote land conservation as a cost effective and important climate change mitigation strategy.
	Policy 8	The Local Trust Committee should promote local food production as a significant step to reducing food transportation costs and greenhouse gas emissions.
BL 198	Policy 9	The Local Trust Committee should encourage the generation of renewable non-polluting energy as long as it is on a small scale.
	Policy 10	Landowners erecting structures for the generation of wind energy are encouraged to work with research scientists gathering data on the potential negative environmental impacts of small wind-energy installations.
BL 198	Policy 11	Residents are encouraged to limit the use of fossil-fuel burning engines or generators and to use alternative energy sources where possible.
	Policy 12	Residents are encouraged to incorporate high energy efficiency into building design and construction (for example, through the use of high efficiency windows), and to use carbon-efficient materials in new construction.
	Policy 13	<p>A number of Climate Change Adaptation and Mitigation Policies have been identified by the community that can only be achieved through initiatives resulting from individuals and the community, the actions of other levels of government, technological changes, and changes to land use policies and regulations. The following actions are encouraged to reduce greenhouse gas emissions:</p> <ul style="list-style-type: none"><li>a) The Local Trust Committee should develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when it is processing land use applications. Application checklists should be revised to include climate change mitigation and adaptation criteria, such as energy efficiency, renewable energy and carbon sequestration impacts.</li><li>b) The Local Trust Committee should advocate for signage to be posted in the ferry waiting area indicating that Denman Island is an idle-free zone.</li><li>c) The Local Trust Committee should work with residents and community groups (such as Renewable Energy Denman Island - REDI) to reduce the carbon footprint of Denman Island by supporting initiatives to lower greenhouse gas emissions, focusing on community education, personal awareness, and individual involvement.</li></ul>

- d) The Local Trust Committee should continue its investigation of new methods for electronic meetings and of changes to facilitate virtual meetings that would be open to the public in order to reduce the need for travel and the production of greenhouse gas emissions.
- e) The Local Trust Committee should work with the Province and Comox Valley Regional District on improving transit options for Denman Island. While it is recognized that current population and travel patterns may not warrant a traditional transit system, the availability of public transit at Buckley Bay could be expanded, as could low-intensity transit solutions for Denman Island.
- f) The Local Trust Committee should work with the community to investigate a range of alternative transportation options, including a system of trails for safe travel by foot, bicycle and horse; approved use of electric vehicles; and carpooling and rideshares. It is noted that these actions will require liaison with other agencies.
- g) The Local Trust Committee and the community should continue with discussions on becoming a Transition Island ([www.transitiontowns.org](http://www.transitiontowns.org)).
- h) The Local Trust Committee should encourage the Islands Trust to add a "carbon neutral calculator" to the Islands Trust Climate Wise Islands webpage. Once it is available, the Local Trust Committee should encourage residents to calculate their personal and household greenhouse gas emissions.
- i) The Local Trust Committee should support island food production and processing.

BL 198

## **Climate Change Adaptation and Mitigation - Advocacy Policies**

### **Advocacy Policy 1**

Provincial agencies, if considering changes to infrastructure on the Islands, are strongly encouraged to take a "small footprint" approach to any proposals for park, road, ferry, dock, or infrastructure development.



Photo by Dennis Forsyth

## **PART D - THE SOCIAL FABRIC**

- D.1 Services, Education and Culture
- D.2 Transportation and Utilities
- D.3 Water Management
- D.4 Waste Management
- D.5 The Village
- D.6 Archaeological, Historic and Natural Heritage Sites
- D.7 Aesthetics



Photo by Andrew Fyson

### **Guiding Objective for the Social Fabric**

To identify and protect the elements integral to the social fabric of Denman Island; to foster the continuing development of a safe, self-sufficient, vibrant, diverse and harmonious human community; and to maintain the rural character of the Island

## **D.1 - SERVICES, EDUCATION AND CULTURE**

A number of health professionals practice on Denman Island, including several family physicians who reside on the Island. The Denman and Hornby Community Health Care Society, which has an office on the Island, offers youth and family counselling and some home care services. Denman Island does not have a hospital but there is an ambulance service based on the Island that transports patients to St. Joseph's Hospital in Comox. The ambulance service has the authority to call for emergency ferry service. The soccer field can be used for emergency helicopter service.

Denman Island has its own volunteer fire department operating from a centrally located station on Denman Road. The department has about 20 volunteers, and services the Island with tankers, a new main pumper purchased in 1999, and a compressed air/foam system on a four-wheel drive truck. Several members of the department are also qualified first responders.

The highways maintenance yard, a telephone service building and overnight accommodation for BC Ferries workers are located in the Village area.

There are no RCMP officers permanently stationed on Denman Island. However, during the summer, RCMP from either the Hornby Island office or from Courtenay patrol Denman. In the winter both islands are regularly patrolled by officers from Courtenay.

The Denman Island Community School is located in the Village area on Northwest Road. Constructed in 1990, this school provides instruction for kindergarten to grade 7 students and is part of School District 71. The Community School also provides services for all ages including a computer access centre, activities in the gym, adult education and employment assistance services. Students in grades 8 to 12 travel by bus and ferry to Lake Trail Junior or Vanier Senior Secondary in Courtenay.

The Marcus Isbister Old School Centre on Denman Road houses the Islands Trust Office, the Spinners and Weavers studio, the Denman Conservancy Association meeting room, the Denman Island Women's Outreach Society office, Recycle Centre and the Reusables Store.

The Community Hall in the Village area is used for dances, concerts and public meetings. The Blackberry Lane Pre-school and the Dora Drinkwater Library are located there. The Seniors' Hall, also in the Village area, is mainly used for social events and houses the museum and, in summer, the Art Gallery. The Arts Centre, occupying a restored and renovated heritage house in the Village area, provides a venue for workshops, arts courses, art shows and other arts related activities.

The Institutional designation, which is shown on Schedule C, includes all of the existing emergency services, schools, churches, halls and cemeteries on Denman Island.

### **Guiding Objective**

To support community-based fire, ambulance, health and support services, to encourage cultural enrichment and community education facilities and services, and to realise the need for many diverse community activities

### **Services, Education and Culture - Objectives**

- |             |  |
|-------------|--|
| Objective 1 | To support the provision of emergency services and educational and cultural facilities on Denman Island                        |
| Objective 2 | To support land use for community health facilities and health service provisions  |
| Objective 3 | To permit a variety of institutional uses to meet the social, educational, religious and other needs of the community at large |
| Objective 4 | To locate educational and cultural facilities in such a way as to minimize negative impacts on existing land uses              |

## Services, Education and Culture - Policies

- Policy 1                      Zoning regulations should encourage community events such as seasonal fairs, concerts, art shows, temporary markets and cultural festivals that strengthen the social fabric of the community and fit with the tranquil and rural character of the Island.
- Policy 2                      In the Institutional designation, the size of new lots created by subdivision may not be less than 1.0 hectare, except for lots where the use does not create waste or require a supply of water, in which case smaller lots may be created.
- Policy 3                      In the Institutional designation, zoning regulations should provide for:
- existing institutional uses;
  - adequate emergency services;
  - a range of health related uses serving Denman Island; and
  - other community related institutional uses.
- Policy 4                      In the Institutional designation, zoning regulations:
- should establish sufficient setbacks to protect watercourses on Denman Island, and in the case of fish-bearing streams, setbacks should be adequate to protect the riparian habitat;
  - should establish sufficient setbacks to protect the foreshore and coastal marine environment;
  - should establish setbacks for buildings and structures from lot lines;
  - should provide for screening where a lot line is contiguous with the Rural or Residential designations; and
  - should provide adequate space for parking.
- Policy 5                      Works yards should be adequately screened from adjoining properties and public roads.
- Policy 6                      The provision of a flexible emergency helicopter service should be encouraged.



Photo by Andrew Fyson

## **D.2 - TRANSPORTATION AND UTILITIES**

The layout, design and maintenance of roads impact both the natural environment and the human community. Through-traffic to Hornby Island affects everyone using and living on the cross-island roads. As the road surfaces are widened, vegetation cleared, and ditches and utilities located along the roadside, automotive traffic speeds up, and pedestrians and cyclist can be at risk. To maintain tranquil, scenic rural roads requires cooperation between the Ministry of Transportation and Infrastructure and the local community. Cooperative efforts to alleviate these problems are ongoing with our Hornby Island neighbours.

Walking and cycling are traditional forms of transportation that should be recognized and promoted. Trails form a necessary link between neighbourhoods and destination points, they provide an alternative to the roads for non-vehicular users, and they provide low impact access to many areas where road access is inappropriate. Many trails have been lost due to subdivision and extensive logging and more will be lost unless there is a strong effort to preserve existing trails, re-establish earlier trails and create new ones. The trail system has evolved in such a way as to minimize the negative impact on the environment and property owners. The very roughness is part of the tradition.

British Columbia Ferry Services Inc. provides ferry service to the Island via the Denman West Terminal from Vancouver Island and via the Gravelly Bay Terminal from Hornby Island. A vehicle ferry at each link provides regularly scheduled sailings. Ferry size and usage have increased steadily since the first ferry, with the largest usage occurring during the summer months. Denman Island provides the sole vehicular route to Hornby Island and therefore experiences a "cross-island" traffic load. Limited road width at the approach to each terminal leads to traffic congestion during busy periods. The provision of a queuing lane on the ferry hill at Denman West has helped to reduce congestion and improved safety at that site.

The lack of sheltering coves, the shallow grade tidal flats and the large tidal drop of the Denman shoreline have precluded a marine oriented community. Since the dismantling of the Island's sole public wharf adjacent to the Denman West Terminal in 1992, Denman Island has been without a public wharf. A small number of seasonal moorages have been established by islanders.

Air transportation has never played a significant role on Denman Island. There is no helipad on the Island and the rare circumstances when a helicopter has to land (for example medevac) the community soccer field is used. Floatplanes use the surrounding waters occasionally for recreation and routinely during the herring fishery for spotting. Because floatplanes need shelter when not in service, exposed shorelines make the Island unsuitable as a base for any float plane operation. In addition, inadequate shelter makes the Denman shoreline unsuitable for floatplane anchorage.

For the purposes of this Part, the term utilities means the provision of fixed infrastructure that provides services mainly to islanders. These services include telecommunication and power cables, towers and related infrastructure required to transmit the service.

### **Guiding Objective**

To maintain safe, tranquil, scenic roads, to maintain adequate ferry service to Vancouver Island, and to encourage pedestrian and cyclists on Island roads and ferries

### **Transportation and Utilities - Objectives**

#### **GENERAL**

- |             |  |
|-------------|--|
| Objective 1 | To minimize the negative environmental and social impacts of land and water transportation                               |
| Objective 2 | To maximize local control of transportation policies and to make them appropriate to an island environment and community |
| Objective 3 | To keep transportation systems at an adequate level rather than develop them to accommodate peak use                     |

**ROADS**

- Objective 4 To plan for future land use patterns that encourage transportation networks, consisting of both roads and trails, and serving social, environmental and aesthetic purposes
- Objective 5 To maintain existing Island roads in a manner that preserves roadside flora and avoids alteration or contamination of surface water flows
- Objective 6 To reduce the negative impact of new and upgraded roads on the resource lands (such as the Agricultural Land Reserve)
- Objective 7 To minimize negative traffic impacts on all Denman roads

**TRAILS**

- Objective 8 To develop and maintain new trails for public use
- Objective 9 To improve beach and lake access for public pedestrian use

**MARINE TRANSPORTATION**

- Objective 10 To maintain the ferry service that follows, rather than precedes, community needs
- Objective 11 To achieve ferry service that encourages car pooling, public transport, and non-automotive land transportation

**AIR TRANSPORTATION**

- Objective 12 To limit air service transportation to and from the Island

**UTILITIES**

- Objective 13 To limit the negative impact of utilities on the natural environment and aesthetics of the Island

## **Transportation and Utilities - Policies**

**ROADS**

- Policy 1 A variety of strategies, including agreements with the Ministry of Transportation and Infrastructure, should be considered to promote road standards consistent with the existing rural character of the Island with accordingly low speed limits.
- Policy 2 The Local Trust Committee should proactively oppose the development of any road that exceeds the standards set out in the Letter of Administrative Understanding dated July 18, 1996 between the Islands Trust and the Ministry of Transportation and Infrastructure (formerly Ministry of Transportation and Highway).
- Policy 3 When planning new roads, landowners are encouraged to avoid long straight stretches and when constructing new roads, landowners are also encouraged to minimize the clearing needed to accommodate roads, trails and utilities in order to maintain the rural nature of the island.
- Policy 4 The Local Trust Committee should work with the Ministry of Transportation and Infrastructure:

- to ensure that the Letter of Administrative Understanding provides for maintaining roads at a level in keeping with a rural community; and
- to implement traffic calming methods for all Denman Island roads.

- Policy 5 The Local Trust Committee should work with the Transportation Advisory Planning Commission to relay community wishes with regard to roads to the Ministry of Transportation and Infrastructure.
- Policy 6 When planning new roads, landowners are encouraged to provide the Local Trust Committee with draft proposals prior to any on site work in order to achieve designs that are consistent with these policies.
- Policy 7 The Local Trust Committee should work with Ministry of Transportation and Infrastructure at the time of subdivision to promote road design that reduces negative impacts on environmentally sensitive areas and resource lands and preserves the scenic quality of the area.
- Policy 8 When considering zoning changes, the Local Trust Committee should ensure that the proposed zoning change supports non-automotive transportation.
- Policy 9 When planning new roads, landowners are encouraged to locate the road to one side of the right of way and when constructing new roads, to construct a trail separate from the road surface suitable for pedestrians and other non-motorized forms of transportation.
- Policy 10 When planning new roads, land owners are encouraged wherever possible to follow existing recognisable roads; otherwise, new roads should wherever possible conform to the natural contours of the land to reduce unnecessary cutting and filling.
- Policy 11 The Local Trust Committee should oppose the construction or placement of new roads in areas where road work may undermine cliff-sides or areas that could be damaged by slippage and erosion.

## TRAILS

**INFORMATION NOTE:** Under the Occupiers Liability Act, an individual entering private property to use a recreational trail that is reasonably marked as a recreational trail is deemed to have willingly assumed all risks associated with his or her use of the trail. Landowner are therefore only obliged to ensure they do not create a danger with the intent to harm the individual's person or property or act with reckless disregard to the individual's safety.

- Policy 12 The Local Trust Committee should work with the Comox Valley Regional District at the time of subdivision to provide for trails or linear parks or paths.
- Policy 13 All new trails should be constructed in such a way that negative impacts on the land is minimised and intrusion into environmentally sensitive areas and agricultural land is minimised.
- Policy 14 A trail system that provides a safe and inviting link between neighbourhoods and destination points should be supported. Wherever desirable, trails should be dedicated as parkland at the time of subdivision.
- Policy 15 The development of trails along new and existing roads in the road right-of-way should be supported as a means of providing safe non-vehicular access on Denman Island. A trail system should be constructed that is safe and inviting, that parallels existing and new roads and that does not to alter the rural character of the road.
- Policy 16 Landowners are encouraged to preserve existing trails on their property through covenants or by opening these private trails to the general public by placing signage in appropriate locations.

**INFORMATION NOTE:** Approval of the Agricultural Land Commission is required for any covenant in the Agricultural Land Reserve. The Commission rarely supports covenants that restrict agriculture.

- Policy 17 The Local Trust Committee should support cooperation among local groups, landowners, Comox Valley Regional District and the Ministry of Transportation

and Infrastructure to establish trail policies to be considered as an amendment to this Plan. Such policies should consider:

- multiple uses such as walking and bicycling;
- linkages between residential areas, commercial areas, parks, schools, beaches and ferry terminals;
- access to destinations not serviced by roads; and
- negative impacts on land owners and level of usage.

Policy 18 The use of undeveloped road rights-of-way (including beach rights-of-way) as trails should be supported and their use for private driveways, service corridors or motorized beach access should be discouraged.

Policy 19 The Local Trust Committee should not support the dedication and construction of roads or servicing corridors through conservation or through agricultural land, unless the need for the road clearly outweighs agricultural considerations.

**INFORMATION NOTE:** Approval of the Agricultural Land Commission is required for the dedication of roads in the Agricultural Land Reserve.

### **MARINE TRANSPORTATION**

Policy 20 Prior to the consideration of any zoning amendment application involving marine transportation facilities, the applicant should provide an environmental impact assessment to demonstrate that the proposed development will not harm herring spawning areas, fish nursery areas or other environmental values.

### **AIR TRANSPORTATION**

Policy 21 The Local Trust Committee should support the restriction of float plane facilities in areas fronting rural residential areas, provincial parks and regional parks, and in traditional recreation boating areas.

Policy 22 The establishment of commercially operated airports, airstrips, heliports or helipads on Denman Island is not supported.

### **UTILITIES**

Policy 23 Zoning regulation should permit essential utilities to serve Island residents in all land use designations, except the conservation/recreation designation.

Policy 24 The Local Trust Committee may consider a zoning amendment for a communication tower provided that it benefits Island residents. Such a tower should be located away from residential areas and negative environmental impacts should be considered.

Policy 25 Zoning regulations should permit the generation of electricity using small-scale non-polluting systems.

## **Transportation and Utilities - Advocacy Policies**

### **ROADS**

Advocacy Policy 1 The Ministry of Transportation and Infrastructure is encouraged:

- to consider the objectives of this Plan in decisions regarding road development and maintenance on Denman Island;
- to minimize ditching and manage natural vegetation beside the travelled portion of a road in accordance with the rural character of the Island;

- to create settling ponds in order to protect the foreshore from run-off and conserve surface water;
- to consult with the Local Trust Committee when planning for road maintenance and upgrades and for new roads;
- to promote traffic safety by limiting the speed on roads rather than widening and straightening roads; and
- to use no potentially toxic substances for dust abatement on unpaved roads.

Advocacy Policy 2

The Ministry of Transportation and Infrastructure is encouraged to honour the designation of Scenic/Heritage roads on Denman Island as follows:

- East Road from the north boundary of the Lindsay-Dickson property to Owl Crescent;
- Lake Road and Central Road (from Northwest Road to Pickles Road);
- Pickles Road (from Denman Road to Central Road); and
- Beadnell Road.

**INFORMATION NOTE:** The roads that are designated as scenic/heritage in Advocacy Policy 2 are identified as such in the Amendments made on July 18, 1996 to the Letter of Agreement dated October 20, 1992 between the Islands Trust and the Ministry of Transportation and Infrastructure (formerly Ministry of Transportation and Highways).

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Advocacy Policy 3

The Ministry of Transportation and Infrastructure is encouraged to require access to a body of water at the time of subdivision of a waterfront property unless access would not be advisable due to high ecological significance or topography, in which case the consolidation of the required highway areas in a more suitable area is supported.

**TRAILS**

Advocacy Policy 4

The taxing authorities are encouraged to provide a tax incentive to landowners who volunteer to open trails across their property, provided the landowner registers a covenant on, or otherwise dedicates, the affected land.

Advocacy Policy 5

The Subdivision Approving Officer is encouraged to require adequate dedication at the time of subdivision to permit a trail and road to exist side-by-side.

Advocacy Policy 6

The Ministry of Transportation and Infrastructure is encouraged to retain unused road dedications as natural areas or corridors for use as trails.

**MARINE TRANSPORTATION**

Advocacy Policy 7

British Columbia Ferry Services Inc. is encouraged:

- to consider the land transportation policies of this Plan when developing ferry service policy;
- to maintain ferry service at the levels and vessel capacity being offered at the time of adoption of this Plan and avoid responding to seasonal peaks with larger land-based facilities and larger vessels;
- to consult as needed with the Denman Island community regarding future levels of service, vessel size, scheduling, fares and facilities;
- to develop strategies to manage vehicle traffic demand and diversify traffic loads rather than expand vessels or parking and staging areas;
- to give priority to non-automotive and high-occupancy vehicle traffic in schedules, fares, land and vessel facilities, including bus stopping areas, bicycle racks, pathways, passenger lounges, and priority loading for high occupancy vehicles;

- to give priority loading to emergency services, public transportation, school buses, livestock and perishable commercial agricultural products;
- to address the effects of ferry parking and staging so that the social, aesthetic and commercial functions of the Island are preserved while the negative visual, environmental and social impacts are reduced;
- to revise terminal parking policies to encourage low impact forms of transportation; and
- to revise terminal parking policies to encourage foot traffic.

Advocacy Policy 8 BC Transit, British Columbia Ferry Services Inc. and the Comox Valley Regional District are encouraged to provide an integrated public transit link from Courtenay to Buckley Bay, to Denman Island and across Denman Island.

Advocacy Policy 9 British Columbia Ferry Services Inc., the Ministry of Transportation and Infrastructure and the Comox Valley Regional District are encouraged to examine means to provide overnight secured parking at Buckley Bay as a means of reducing automobile use on Denman Island.

Advocacy Policy 10 The Integrated Land Management Bureau is encouraged to retain land in public ownership adjacent to the Denman West and East ferry terminals for their future use as public docking facilities to serve the residents of Denman Island.

### **AIR TRANSPORTATION**

Advocacy Policy 11 Transport Canada is encouraged to require that airspace users respect the quiet enjoyed by residents and visitors. The Local Trust Committee encourages the Federal Department of Transport and the Department of National Defence to continue to direct paths of aircraft over open water and away from the Island.

### **UTILITIES**

Advocacy Policy 12 Telecommunication, power and other utility companies are encouraged to consult with the community prior to undertaking any major upgrade or modification.



Photo by Andrew Fyson

## **D.3 - WATER MANAGEMENT**

Fresh water on Denman Island is limited, due to the small lakes and limited storage capacity, and is only capable of supporting a sparse population. As surface and ground water is really one interconnected, island-wide system, rather than many isolated bodies of water beneath individual private properties, we are all drawing from the same source. Pumping water from a well, lake or stream will have a negative impact on adjacent areas. If surface water sources, such as Graham Lake or Morrison Marsh, are used for human consumption, the ground water resource in the area surrounding the lake or marsh will be depleted as those bodies of water are merely surface expressions of the ground water system. Available fresh water can be augmented with artificial storage facilities such as cisterns and ponds. Ponds can be particularly useful for agricultural purposes when demand for water is high during dry summer months.

There are no regulations that require the filing of data for each water well, although some data have been filed on a voluntary basis. Nor are there regulations to limit the construction of large capacity wells that would possibly interfere with surrounding wells or cause excessive withdrawal of ground water. Excessive withdrawal of ground water near the ocean could result in salt water intrusion.

Only one surface water Waterworks License is held on Denman Island, namely the Graham Lake Improvement District, which permits removal of 12 million gallons of water from Graham Lake annually. Four water improvement districts, the Kir-nel, Parnell, Fre-Development and Schmidt improvement districts, supply nearby residential properties with ground water. The Village area, which includes the school, a park, and a number of dwellings and businesses, is serviced by water wells.

### **Guiding Objective**

To protect and conserve water resources on the Island

### **Water Management - Objectives**

- |             |   |
|-------------|---|
| Objective 1 | To recognize the importance of fresh water sources including ground water, Chickadee Lake, Graham Lake and the major watercourses and to protect and conserve these resources |
| Objective 2 | To recognize that the supply of potable water is seasonally limited in most areas and to ensure that human activity does not degrade the quality of the ground water resource |
| Objective 3 | To ensure water is available for fire-fighting and agricultural purposes  |
| Objective 4 | To increase the use of rain water as an additional water source   |

### **Water Management - Policies**

- |          |   |
|----------|---|
| Policy 1 | Zoning regulations should specify minimum requirements for water supply for new lots created by subdivision.  |
| Policy 2 | The Local Trust Committee should establish a water subcommittee of the Advisory Planning Commission to explore issues relating to the protection and supply of fresh water. |
| Policy 3 | Landowners are encouraged to create cisterns and ponds for the storage of rain water.   |
| Policy 4 | The Local Trust Committee should support any individual or group implementing an education program directed toward the conservation of Island water supplies.               |
| Policy 5 | The Local Trust Committee should oppose any plan to pipe water from or to Denman Island.  |

- Policy 6                      When considering a zoning amendment application in an area of scarce ground water supply, the Local Trust Committee should consider requiring mitigating measures to conserve water and protect the ground water resource.
- Policy 7                      The Local Trust Committee should secure funding and undertake a ground water study to be included as an amendment to this Plan.

## **Water Management - Advocacy Policies**

- Advocacy Policy 1        The Ministry of Environment is encouraged:
- to require the filing of drill data gathered for each drilled water-well; and
  - to implement ground water legislation to protect water supplies on Denman Island.
- Advocacy Policy 2        The Ministries responsible for transportation, environment and agriculture are encouraged to regulate against inappropriate and unnecessary drainage of land.

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## **D.4 - WASTE MANAGEMENT**

The Waste Management Committee of the Denman Island Residents Association oversees the collection of solid waste by a private contractor. Recyclable waste is handled through either the central Collection Depot or the Reusable Store on Denman Island. Most waste vegetable matter is composted by individual landowners.

Sewage disposal on Denman Island is by individual-lot septic fields, by compostible toilets, or by outhouses. There are no community sewage treatment facilities on Denman Island.

Because the thick quaternary sediments in the Komas Bluff area are very permeable and porous, extra attention would be required to prevent contamination of the ground water by any household septic systems in that area.

### **Guiding Objective**

To encourage the reduction, reuse and recycling of solid waste materials and the safe treatment of liquid waste

### **Waste Management - Objectives**

- |             |  |
|-------------|--|
| Objective 1 | To ensure that waste products do not contaminate surface water or ground water |
| Objective 2 | To encourage effective treatment of waste water                                |

### **Waste Management - Policies**

- |          |  |
|----------|--|
| Policy 1 | The Local Trust Committee should address the potential negative impacts of surface water runoff and septic systems on lakes, streams, wetlands and the sea when considering all zoning amendment applications. |
| Policy 2 | Islanders are encouraged to report all spills of hazardous materials to the Ministry of Environment.   |
| Policy 3 | The Local Trust Committee should encourage the study of a waste water treatment and disposal system for the Village area.  |
| Policy 4 | Zoning regulations should not provide for solid waste landfills.   |
| Policy 5 | Community sewage treatment should be required for any zoning amendment where the sewage disposal capability of a lot is inadequate for the proposed use.   |

### **Waste Management - Advocacy Policies**

- |                   |  |
|-------------------|--|
| Advocacy Policy 1 | The Vancouver Island Health Authority is encouraged: <ul style="list-style-type: none"><li>• to permit newly developed waste water treatment systems of demonstrated efficacy as alternatives to conventional septic disposal systems;</li><li>• to implement further pilot studies on alternate systems for the treatment of waste water; and</li><li>• to require a regular septic-system maintenance program.</li></ul> |
|-------------------|--|

## **D.5 - THE VILLAGE**

Downtown Denman or the "Village area" has been the primary commercial centre since the Island was first settled by non-native people. Sometime in the nineteenth century, the First Nation peoples had a settlement at Denman Point that was called "the village". The use of this term for the commercial centre continues this tradition.

Places of business have come and gone since the turn of the century, as have homes in the area. The Anglican church and the Denman Island General store, both built before 1920, are the oldest and perhaps most appropriate markers for the cultural and commercial centre of the Island. "Downtown Denman" has never truly been a town in the traditional sense, but for decades has fulfilled that role for the Island community.

Development in the Village area is constrained in the same way as in the remainder of the Island, namely that any home or business must provide its own water supply and means of waste disposal. Increasingly strict standards of the Ministry of Health impose an upper limit on the number of businesses or homes that can occupy the current Village area. Thus a "carrying capacity" has been recognized. At some point, increase in business activity must cease, the carrying capacity of the Village area must be increased by the installation of water and waste disposal services, or the Village area must expand to accommodate new enterprises.

Regardless of future limits to development, traffic and safety in the Village area are major concerns. Virtually all vehicle traffic through the Village area is along Northwest Road and Denman Road. A footpath for pedestrian use connects the Community Hall at one end of the Village to the last commercial properties at the other. However, vehicle traffic through an area heavily used by pedestrians creates a hazard. An aim of this Plan is to minimize this problem.

The Village designation, which is shown on Schedule C, includes all existing commercially zoned land on Denman Island, all of which is where Northwest Road meets Denman Road.

### **Guiding Objective**

To retain the Village area as the commercial and cultural heart of the Island, and make this area safe, convenient and friendly by including such amenities as pathways, a village square and open spaces

### **The Village - Objectives**

- |             |  |
|-------------|--|
| Objective 1 | To encourage small retail businesses and cooperatives                                      |
| Objective 2 | To locate commercial land uses in the area designated Village (Downtown Denman)            |
| Objective 3 | To accommodate commercial land uses as necessary to meet the needs of the Island community |
| Objective 4 | To consider the aesthetic character of the Village area in decisions regarding development |

### **The Village - Policies**

#### **GENERAL**

- |          |   |
|----------|---|
| Policy 1 | The Village area should be recognized as the cultural, institutional and commercial centre of Denman Island.  |
| Policy 2 | The Local Trust Committee should support the establishment of a community water system that would address water supply problems in the Village area, and of a community sewage disposal system that would address sewage disposal problems in the Village area. |

Policy 3 In the Village designation, land owners and commercial operators are encouraged to maintain low-level directed lighting that is in keeping with the rural character of Denman Island and that does not unduly illuminate an adjacent lot.

### **SUBDIVISION**

Policy 4 In the Village designation, the size of new lots created by subdivision should not be less than 1.0 hectare.

Policy 5 In the Village designation, boundary adjustments and lot consolidations should be permitted by zoning regulations where they address the ground water availability and sewage disposal capability.

### **USE AND DENSITY**

Policy 6 In the Village designation, zoning regulations should permit the legally existing uses.

Policy 7 In the Village designation, zoning regulations should encourage small retail businesses and cooperatives.

Policy 8 In the Village designation, zoning regulations should be flexible to permit a wide range of mixed commercial uses, providing these uses are sensitive to ground water availability and sewage disposal capability.

Policy 9 In the Village designation, zoning regulations should permit a single family dwelling and such a dwelling could be permitted in the same building as the commercial operation.

Policy 10 In the Village designation, zoning regulations should establish a maximum permitted lot coverage for all buildings and structures.

### **SITING**

Policy 11 In the Village designation, zoning regulations should:

- establish setbacks for buildings and structures from lot lines;
- specify parking lot requirements, including provision of landscaping and screening for various sizes and location of parking;
- accommodate the construction of a structure providing a directory of local businesses on the Island;
- provide for screening where a lot line is contiguous with the Rural or Residential designations; and
- should establish sufficient setbacks to protect the watercourse in the Village area.

**INFORMATION NOTE:** The *Transportation Act* requires a minimum setback from a highway right-of-way of 4.5 metres. Any reduction in this setback requirement must have the approval of the Ministry of Transportation and Infrastructure.

Policy 12 In the Village designation, where practical, on-site parking for new developments should be located behind or beside the building and not in the front yard.

### **ZONING AMENDMENTS**

Policy 13 In the Village designation, zoning amendments should be considered to accommodate commercial uses favoured by the community, as long as these

- uses are sensitive to the ground water availability and sewage disposal capability of the area.
- Policy 14 In recognition of the limited area for expansion of the Village area, the Local Trust Committee may consider zoning amendments to increase existing commercial density in the Village designation, provided concerns regarding the ground water availability and sewage disposal capability are met.
- Policy 15 The Local Trust Committee should only consider applications to accommodate commercial uses favoured by the community provided:
- that the land subject to the zoning amendment is immediately adjacent to the Village area and thus represents an expansion of the existing Village designation;
  - that the expansion does not create a “ribbon” development along Denman Road or Northwest Road;
  - that the proposal is a small-scale development primarily to serve Denman Island residents;
  - that the proposal addresses traffic flow and pedestrian safety including the provision of pedestrian greenspace and walkways to connect with adjacent properties;
  - that the proposal has adequate on-site potable water supply and sewage disposal; and
  - that the property is added to the Commercial development permit area.

#### **DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS**

- Policy 16 Applicants for a zoning amendment in the area designated as Village, or to expand the Village designation in this Plan, may be required to provide development approval information.
- Policy 17 The area designated Village in this Plan is designated to retain the Village area as the commercial heart of the Island, and to make this area safe, convenient and pedestrian friendly. The objectives of the designation of this area as an area within which development approval information may be required include encouraging small retail businesses and cooperatives as well as considering the aesthetic character of the Village area in decisions regarding development. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Village designation or in determining suitable location, uses, density and siting for expanding the Village designation.

### **The Village - Advocacy Policies**

- Advocacy Policy 1 The Ministry of Transportation and Infrastructure is encouraged to work with the local community to develop traffic calming measures for the Village area.
- Advocacy Policy 2 The Vancouver Island Health Authority, Comox Valley Regional District and landowners are encouraged:
- to consider alternative methods of waste water treatment that minimize water use; and
  - to consider rainwater collection.

## **D.6 - ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES**

There are a number of sites on Denman Island worthy of protection and preservation because of their spiritual importance to First Nations people, their historical value to more recent settlers or, in the case of the natural features, some important aesthetic quality. Middens, long abandoned First Nation habitations and petroglyphs remind us of a pre-European presence here. There are also surviving traces of early settlement. These include historic buildings, old farms, hedgerows, the cemetery, an abandoned stone quarry and old logging rail beds. Natural features include exposed fossil beds along the intertidal shoreline, natural caves in sandstone cliffs, and, scattered across the Island, some large first growth trees of several species.

Many of these sites and features are located on private property. While respecting the rights of landowners, the community wishes to make known the value placed on these sites and features and to encourage their preservation and protection.

### **Guiding Objective**

To provide for the preservation of aboriginal and historic living sites, building sites, buildings, features and archaeological sites

### **Archaeological, Historic and Natural Heritage Sites - Objectives**

Objective 1                      To protect sites that contain natural heritage features, archaeological features or historic buildings

### **Archaeological, Historic and Natural Heritage Sites - Policies**

- Policy 1                      The Local Trust Committee should encourage the preservation and protection of known heritage features and develop regulations as necessary to protect historic buildings, archaeological features and natural heritage features.
- Policy 2                      The Local Trust Committee should consider the negative impacts of a zoning amendment application that would allow inappropriate development close to identified heritage features.
- Policy 3                      A Community Heritage Registry should be established, and Island heritage buildings or features that the community identifies as worth conserving should be included.
- Policy 4                      The Local Trust Committee should consider variances to setbacks, heights or parking requirements in the zoning regulations to promote the restoration, enhancement or preservation of a heritage building or feature.
- Policy 5                      The Local Trust Committee should consult with the First Nations before considering bylaw amendments or the issuance of a permit in areas that may have archaeological significance.
- Policy 6                      Landowners are encouraged to contact the Provincial Archaeology Branch before beginning construction in areas that may have archaeological significance.

## D.7 - VIEWSCAPES

Much of the aesthetic appeal of the Islands Trust area is a product of spectacular views. Views may be defined as the landscape one views while on the Island or from afar. The beauty of Denman Island at a large scale is natural and results from the interaction of native vegetation and the physical landscape. Forest cover enhances the beauty of highly visible areas, particularly cliff-tops and ridge-tops. Shorelines that remain treed contribute to this effect.

### Guiding Objective

To maintain the natural beauty of the island

### Viewscapes - Objectives

Objective 1 To preserve the forest vegetation along ridge-tops and cliff-tops and along shorelines

### Viewscapes - Policies

- Policy 1 The Local Trust Committee should work with local groups and government agencies to identify and protect Island views.
- Policy 2 Zoning regulations should be developed to protect Island views.
- Policy 3 Landowners of visually prominent lands are encouraged to retain trees and vegetation to enhance Island views.
- Policy 4 Zoning regulations should limit the height and location of communication towers (see also Section D.2 "Transportation and Utilities").



Photo by Louise Bell

# **PART E - FAMILIES AND INDIVIDUALS**

## **CONTENTS**

- E.1 Housing
- E.2 Economic Activities
- E.3 Conservation/Recreation
- E.4 Resources
- E.5 Crown Lands (Upland)



Photo by Dennis Forsyth

## **Guiding Objective for Families and Individuals**

To identify and provide for family and individual needs on Denman Island

## E.1 - HOUSING

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

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

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

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

The Sustainable Resource designation, which is shown on Schedule C, includes large forested lots on the island in which the existing principal use is locally operated sustainable resources harvesting.

The Agriculture designation, which is shown on Schedule C, includes all of the lands in the Agricultural Land Reserve. The principal use of land in this designation is agriculture.

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## Guiding Objective

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

## Housing - Objectives

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

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## Housing - Policies

### Subdivision

- |          |   |
|----------|---|
| Policy 1 | In the Residential designation, the size of new lots created by subdivision may not be less than 1.0 hectare except for lots created for the purpose of allowing multi-family affordable housing. In areas where the subdivision potential of the existing parcel may have negative impacts on the natural environment, the |
|----------|---|

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Local Trust Committee should consider increasing the minimum parcel size in the zoning regulations.

Policy 2

In the Rural designation, the size of new lots created by subdivision may not be less than 2.0 hectares and the average lot size created by subdivision may not be less than 4.0 hectares. In areas where the existing parcel size may have negative impacts on the natural environment, the Local Trust Committee should consider increasing the minimum parcel size and the minimum for the average parcel size in the zoning regulations.

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Policy 3

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

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Policy 4

In the Agriculture designation and in the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the purpose of allowing multi-family affordable housing subject to Agricultural Land Commission approval.

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

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Policy 5

In the Agriculture designation and in the Sustainable Resource designation, the lot size averaging provision should not be used.

Policy 6

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

Policy 7

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

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Policy 8

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

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

### Use and Density

Policy 9

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

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

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Policy 10

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

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Policy 11

In the Rural designation zoning regulations should generally permit one dwelling unit per lot, including a secondary suite, provided that the land owner provides the Local Trust Committee with proof of adequate water supply for each dwelling unit without endangering the water supply of adjacent land

owners. A secondary dwelling unit may be permitted on a lot if approved by a Temporary Use Permit.

Policy 12

The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 27, 28 and 29 of this Section.

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

Policy 13

Landowners are encouraged to ensure that all dwelling units comply with the building safety and waste disposal regulations found in the B.C. Building Code and the applicable health standards.

Policy 14

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

Policy 15

In the Agriculture designation, unless otherwise permitted by Policy 30, on land in the Agricultural Land Reserve, zoning regulations should permit:

- One principal dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* and the *Denman Land Use Bylaw*; and
- One secondary suite within a principal dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* provided that the land owner provides the Local Trust Committee with proof that adequate water supply and septic (or equivalent) is available for each dwelling unit without endangering the water supply of adjacent land owners; and
- One secondary dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* provided that the land owner provides the Local Trust Committee with proof that adequate water supply and septic (or equivalent) is available for each dwelling unit without endangering the water supply of adjacent land owners; and
- Additional dwellings could be permitted if they are required for full-time farm help and approved by the Agricultural Land Commission."

Policy 16

The Local Trust Committee may approve secondary dwelling units on lands within the "Rural" and "Sustainable Resources" designations through a Temporary Use Permit in order to address housing objectives as defined in the Official Community Plan.

Policy 17

Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space.

Policy 18

The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing.

Policy 19

The Local Trust Committee should consider amendments to this Plan allowing the Committee to accept and hold for affordable housing purposes, in accordance with the guidelines in Appendix D, any unused residential densities that are relinquished by owners of lots with subdivision potential or available through land sold or given for conservation or park.

Policy 20

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

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## Siting

- Policy 21 Land owners and residents are encouraged to maintain low-level directed lighting that is in keeping with the rural character of Denman Island and does not unduly illuminate an adjacent lot.
- Policy 22 Zoning regulations should establish setbacks for buildings and other structures from lot lines, and should establish sufficient setbacks to protect watercourses on Denman Island and to protect development from flooding or other such hazards. In the case of fish-bearing or potential fish-bearing streams setbacks should be adequate to protect the riparian habitat consistent with the *Riparian Area Regulation* under the *Fish Protection Act*.
- Policy 23 Zoning regulations should establish sufficient setbacks to protect the foreshore and coastal marine environment and to protect development from foreshore erosion.
- Policy 24 Zoning regulations should establish sufficient setbacks for septic disposal systems:
- to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and
  - to protect adjacent properties from effluent or odours.
- Policy 25 Zoning regulations should establish maximum setbacks from lot lines for residential use within the Agricultural Land Reserve as guided by the Ministry of Agriculture and Food's Guide to Bylaw Development in Farming Areas to protect the land's agricultural viability.
- Policy 26 Setbacks from lot lines should be sensitive to the nature of the use and its potential negative impact on the neighbouring properties.

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## Zoning Amendments

- Policy 27 The Local Trust Committee should not approve a zoning amendment application that could fragment large areas of forested or agricultural land.
- Policy 28 Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.
- Policy 29 The Local Trust Committee should consider zoning amendment applications for seniors housing provided:
- that the proposal is not located in a connectivity area identified on Schedule D;
  - that the proposal is small-scale;
  - that the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties;
  - that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
  - that the applicants enter into a housing agreement with the Local Trust Committee;
  - that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;

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- that the proposal is designated a development permit area to guide form and character
- that the proposed development will not place a strain on existing public services and infrastructure; and
- that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity; and
- that the proposal is not located within the Agricultural Land Reserve.

The Local Trust Committee should consider zoning amendment applications for affordable housing projects provided:

- that the proposal is not located in a connectivity area identified on Schedule D;
- that the proposal does not impact negatively on adjacent properties;
- that the proposal is small-scale;
- that the proposal is clustered and the siting and height are sensitive to surrounding land uses;
- that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
- that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;
- that the proposed development will not place a strain on existing public services and infrastructure;
- that the proposal is not located within the Agricultural Land Reserve.

The Local Trust Committee should consider zoning amendment applications:

- to bring into conformity dwelling units that were in existence but did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction;
- to bring into conformity dwelling units that were constructed to replace existing dwelling units that did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the replaced dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction; and
- to authorize up to 9 dwelling units on land legally described as The south east ¼ of section 26, Denman Island, Nanaimo District.

Policy 30

Policy 31

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**DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS**

Policy 32 Applicants for a zoning amendment in the Residential or Rural designation in this Plan, may be required to provide development approval information.

Policy 33 The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing

options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations.

## **Housing - Advocacy Policies**

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

## **E.2 - ECONOMIC ACTIVITIES**

This section of the Plan deals with economic activities conducted throughout the Island. Small, locally owned business undertakings are viewed favourably as they contribute to the economic well-being of the Island, help to fulfill the needs of islanders and visitors, and reduce the need for off-island travel.

Except for the ferry service, large ongoing enterprises have never been an important source of employment on the Island. Land-based occupations such as farming and silviculture and smaller endeavours requiring less land are traditional sources of income and are likely to be increasingly important due to climate change. In recent decades arts, crafts, small offices, and other home occupations have been recognized as important to the local economy. Home construction and renovation also provide some employment opportunity as do service industries.

Regardless of their size, home occupations can affect the environment and the local neighbourhoods. This Plan establishes, therefore, categories to distinguish different types of home occupations and regulate their potential negative impact. Problems created by noise, traffic, or deleterious substances merit consideration.

Like all islands in the Islands Trust area, Denman has a special attractiveness for visitors. The natural beauty of the area and the unique character of the community make it a pleasant place to visit. Aside from those features, Denman has no outstanding attribute such as a popular sandy beach, marina, or other attraction that makes it a tourist destination. Most visitors are attracted by special events, artisan studios, or the scenery in general.

Overnight accommodation on the Island is provided by bed and breakfast operations. In addition, there is one small public camping facility. Many visitors to the Island come just for the day and do not stay overnight.

### **Guiding Objective**

To provide for a range of economic activities that respects the natural environment and the character of the human community

### **Economic Activities - Objectives**

- |             |  |
|-------------|--|
| Objective 1 | To encourage a variety of economic activities to support a diverse community, and to provide an environment that supports creation and manufacture of local products and opportunities for self-employment and self-reliance |
| Objective 2 | To minimize the negative impact of economic activities on the neighbourhood  |
| Objective 3 | To encourage employment by permitting small-scale enterprises with more than one employee  |
| Objective 4 | To avoid environmental hazards associated with home occupations  |
| Objective 5 | To promote and support types of tourism that are low impact, environmentally sensitive and educational and that provide local employment   |
| Objective 6 | To discourage large-scale exploitation of timber or mineral resources and industries that create traffic or pollution  |

### **Economic Activities - Policies**

#### **GENERAL**

- |          |  |
|----------|--|
| Policy 1 | Economic undertakings permitted by zoning regulations should be sensitive to the ground water availability and sewage disposal capability of the location. |
|----------|--|

Policy 2	Economic undertakings should be small-scale and designed to meet the needs of residents and visitors, but may include off-island export of goods produced on Denman Island.
Policy 3	The Local Trust Committee should consider the negative impacts of traffic, noise and artificial light on the neighbourhood, when developing regulations regarding economic activities.
Policy 4	Zoning regulations should permit temporary daytime outdoor markets, fairs and community fund-raising events on land in the Village and Institutional designations, provided that such activities are sensitive to the ground water availability and sewage disposal capability of the land.
Policy 5	The Local Trust Committee should consider supporting applications from individuals and groups to funding agencies for research grants and loans for locally operated agricultural enterprises on Denman Island.
Policy 6	The Local Trust Committee encourages applicants applying for zoning amendments to permit new construction to meet or exceed the Canadian Green Building Council certification, or to provide details on green technology alternatives if meeting the certification requirements is not possible.

### **HOME OCCUPATIONS**

Policy 7	The Local Trust Committee should ensure that regulations protect the natural environment from hazardous substances associated with home occupations, as those hazards become known.
Policy 8	Home occupations must be auxiliary to a residential use.
Policy 9	Home occupations should be encouraged but limited to specific uses and to a scale that will have minimum negative impact on neighbouring properties and the natural environment.
Policy 10	<p>When developing zoning regulations for home occupations, the Local Trust Committee should give consideration to parcel size, type of home occupation and negative impact on neighbouring properties as follows:</p> <ul style="list-style-type: none"><li>• On lots less than 1.0 hectare, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than one non-resident employee and should limit the home occupation to the principal dwelling.</li><li>• On lots of 1.0 hectare or larger, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than four non-resident employees and should limit home occupations to the principal dwelling and buildings accessory to a residential use.</li><li>• On lots of 4.0 hectares or larger, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than four non-resident employees.</li><li>• On any lot where outdoor use for a home occupation is permitted, the zoning regulations should require that the outdoor use be adequately screened from adjacent lots or public right-of-way.</li></ul>
Policy 11	Home-based guest accommodation where permitted as a home occupation should be limited to the principal dwelling on the lot regardless of the size of the lot.
Policy 12	Setbacks, parking, floor space and other regulations should be adopted by zoning regulation in recognition and concern of the negative impact on neighbouring properties and the ground water availability and sewage disposal capability.

Policy 13 Uses that could be considered detrimental to the residential character of a neighbourhood should be prohibited as home occupations. These uses include retail sales of products not made on the site, storage, industrial undertakings, and other uses involving high traffic or causing any other disturbance.

### **TOURISM**

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Policy 14 Tourist accommodation should be provided primarily in home-based guest accommodation. Tourist accommodation within the Agricultural Land Reserve must be consistent with the Agricultural Land Reserve Use Regulation and Denman Island bylaws.

Policy 15 The Local Trust Committee should encourage educational tourism, agritours, cultural tours, fairs, festivals, craft markets, garden or studio tours, hiking, biking, kayaking, walking, and low impact nature observation.

Policy 16 Zoning amendments for destination attractions such as casinos, commercial bingo halls, and other gaming facilities, as well as resorts and other recreational attractions like public or private golf courses, amusement parks or waterslides that require major land alteration and high-impact upkeep should not be considered.

Policy 17 The Local Trust Committee could consider a zoning amendment application to permit one international youth hostel, provided:

- that the proposal is not located in a connectivity area identified on Schedule D;
- that the proposal does not impact negatively on adjacent properties;
- that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
- that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas; and
- that the proposed development does not place a strain on existing public services and infrastructure.

### **LIGHT INDUSTRIAL**

Policy 18 The Local Trust Committee may consider a zoning amendment to permit a light industrial use provided:

- that the scale of the light industrial activity is in keeping with the rural character of this Island;
- that the siting and height of the use is sensitive to the surrounding land uses and is located at least 15 metres from any lot line;
- that the use is screened from public roadways and adjacent lots;
- that the use does not emit any unreasonable light, noise or pollution;
- that environmentally sensitive areas on the lot are identified and protected by conservation covenants;
- that there is an adequate supply of potable water and an adequate sewage disposal system; and
- that the development is designated a development permit area to guide the form and character.

Policy 19 The use of alternate technologies for the generation of electric power should be encouraged, provided the alternate technologies are limited to larger lots in the Sustainable Resource designation.

**DEVELOPMENT APPROVAL INFORMATION – CIRCUMSTANCES AND SPECIAL CONDITIONS**

Policy 20 Applicants for a zoning amendment for economic activities in any designation in this Plan may be required to provide development approval information.

Policy 21 The economic activities objectives of this Plan are established to provide for a range of economic activities that respect the natural environment and the character of the human community. The objectives of this Plan for economic activities for which development approval information may be required, include encouraging a variety of economic activities to support a diverse community; providing an environment that supports creation and manufacture of local products and opportunities for self-employment and self-reliance; minimizing the negative impact of economic activities on the neighbourhood; avoiding environmental hazards associated with home occupations; promoting and supporting types of tourism that are low impact, environmentally sensitive and educational and that provide local employment; and discouraging large-scale exploitation of timber or mineral resources and industries that create traffic or pollution. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development of economic activities.



Photo by Roxanna Mandryk

BL199 **E.3 - CONSERVATION/RECREATION**

Denman Island includes many parks and conservation lands and provides numerous opportunities for outdoor recreation, thus contributing to the protection and preservation of sensitive ecosystems and to the education and well-being of residents and visitors of all ages.

The Province holds slightly over 850 hectares in parks on Denman Island, featuring coastal beaches, lakes and open marshes, wetlands, creeks and fish bearing streams, cliffs, lookouts, meadows, mature forests and recovering woodlands. One long-time park includes a campground; most are relatively new. In addition, the Comox Valley Regional District holds four regional parks, one of which includes a boat launch. There is also a community park, which is used for soccer, tennis, and other forms of active recreation. The Islands Trust Fund holds three parcels on Denman Island, all of which are managed as nature reserves. Over its 20 year history, the Denman Conservancy Association has achieved protection for a number of parcels through various means. All of the parks and conservation lands on the Island are available to the public for low-impact activities such as walking, picnicking, bird watching, photography and nature study, and, in certain areas, cycling and horseback riding unless restricted due to conservation or restoration purposes.

The Conservation/Recreation designation, which is shown on Schedule C, includes the existing parks and other Crown land parcels on Denman Island that are managed for conservation and passive recreation.

BL 199 **Guiding Objective**

To conserve Denman Island’s natural ecosystems while at the same time providing passive recreation opportunities which foster an appreciation of the natural environment and provide access to public lands.

BL 199 **Conservation/Recreation - Objectives**

- Objective 1                      To conserve Denman’s biodiversity by protecting sustainable populations of all species native to Denman Island’s Coastal Douglas Fir Biogeoclimatic Zone and their natural habitats.
- Objective 2                      To increase the amount of land designated for parks, conservation lands and/or recreation lands.
- Objective 3                      To acquire and protect parks, conservation lands and/or recreation lands.
- Objective 4                      To provide access to parks, conservation lands and recreation lands.

**Conservation/Recreation - Policies**

- BL199 Policy 1                      Zoning regulations should establish at least two zones within the conservation / recreation land use designation with differing levels of development permitted; one that is appropriate for land managed as a nature or ecological reserve, and another that is appropriate for land managed as a park.

**INFORMATION NOTE:** The Provincial government is exempt from the provisions of local bylaws under Section 14 of the *Interpretation Act*. However, third party tenure operations (that is a lease or license of occupation granted by the Crown) must be consistent with local bylaws.

- BL 199 Policy 2                      In the Conservation/Recreation designation:
  - there should be no subdivision of land;
  - the uses and densities should be restricted to conservation or outdoor recreation and educational programs;
  - the only camping permitted should be in Fillongley Park;

- Zoning regulations should establish that the principal use on land within the conservation/recreation designation is passive recreation.
- zoning regulations should establish setbacks from lot lines for any allowed buildings and structures;
- zoning regulations should establish sufficient setbacks to protect any watercourses and in the case of fish-bearing streams, setbacks should be adequate to protect the riparian habitat;
- zoning regulations should establish sufficient setbacks to protect the foreshore and coastal marine environment; and
- zoning amendments should be undertaken to ensure land is retained for conservation and recreation uses.

Policy 3 The Local Trust Committee should encourage the use of land for conservation purposes. The provision for density transfer in Appendix C of this Plan may apply to the donation or sale of land for the creation of a nature reserve or nature sanctuary.

Policy 4 All land presently in a park that is in a natural state should be retained in that state.

Policy 5 The Local Trust Committee should communicate with the Comox Valley Regional District and the Ministry of Environment to identify potential land for park purposes.

Policy 6 All land designated for future park use on Denman Island should be retained in a natural state as much as possible.

BL 199 Policy 7 The following areas are identified as candidates for future parks and conservation areas, some of which are further identified on Schedule G:

- Chrome Island;
- trails connecting residential areas, commercial areas, schools, parks, beaches and ferry terminals;
- large parcels of undeveloped lands with environmental or cultural values; and
- beach rights-of-way.

Policy 8 The Local Trust Committee should attempt to secure parks in the areas identified in Policy 7 under this section through a zoning amendment, subdivision, or voluntary donation. The donation or sale of a parcel of land for park may be considered a community amenity and the provisions for density transfer in Appendix C may apply.

Policy 9 When land is being subdivided so that park dedication is required under the *Local Government Act*, the Local Trust Committee should require park dedication in accordance with Policy 6 under this section. The Local Trust Committee should require cash-in-lieu in situations where park dedication under Policy 7 is deemed to be inappropriate.

BL 199 Policy 10 This Plan should be amended to add new parks to the Conservation/Recreation designation as they are acquired.

Policy 11 Beach rights-of-way identified on Schedule F should be retained for non-motorised public use.

## Conservation/Recreation - Advocacy Policies

Advocacy Policy 1 The Ministry of Environment is encouraged:

- to restrict the number of camping sites at the Fillongley campground to that existing on January 1, 2000; and
- to close all Island parks to hunting.

Advocacy Policy 2

The Ministry of Environment and the Integrated Land Management Bureau are encouraged:

- to honour the wishes of this community to retain land in the Conservation/Recreation designation; and
- to protect the ecological uniqueness of the Seal Islets in Sandy Island Marine Park by limiting the uses and prohibiting overnight camping.

Advocacy Policy 3

The Ministry of Environment and the Comox Valley Regional District are encouraged:

- to use Denman Island residents to manage their parks;
- in their regulation of parks on the Island, to limit recreational activities to those compatible with the rural nature of the Island and without potential adverse impacts on the natural environment or the social fabric; and
- to consider conflicts between types of uses (for example, cyclist and pedestrians) in the management plans for their parks.

BL 199

Advocacy Policy 4

The Comox Valley Regional District is encouraged to work collaboratively with the Denman Island local Trust Committee to acquire parkland in areas identified in Policy 7 under this section. They are also encouraged to consider the priorities identified in its Parks and Greenways Master Plan for Denman (see Schedule G) when making parkland acquisitions.

BL 199

Advocacy Policy 5

The Islands Trust Fund, Ministry of Environment, and the Denman Conservancy Association are encouraged to acquire and protect land for conservation purposes as identified in Policy 7.

Advocacy Policy 6

The Ministry of Transportation and Infrastructure is encouraged:

- to dedicate unopened road access to water bodies and to the foreshore as parkland, excluding any motor vehicle access; and
- to maintain unopened road allowances in their natural state and discourage alteration by adjacent land owners.

BL228  
05/2024

## E.4 – AGRICULTURE AND RESOURCES

Forty-six percent of Denman Island is designated as Agricultural Land Reserve (ALR). The ALR is relatively uninterrupted and is largely concentrated along the central and eastern coast of the Island from Mallard Road up to Henry Bay. On the western coast of the Island, a narrow strip of ALR extends from McFarlane Road to just past Scott Road, north of Denman Point (but excludes the residential area on the central coast). Properties within the ALR are subject to the *Agricultural Land Reserve Act*, which is intended to protect the supply of agricultural land and encourage farming.

Several other large land parcels, although logged in the late 1990s, are considered suitable for future silviculture. Most of these lots, part of the former Forest Land Reserve (FLR), are located in north-central Denman.

There are two active sand and gravel pits on Denman Island located northeast of Chickadee Lake. Although the Crown parcel at the Bill Mee Park is classified provincially as a gravel reserve, it was intended for storage of gravel for highway works, if needed, rather than for an active gravel pit. Gravel resources on the Island may be limited and could be exhausted in the not-too-distant future. It should be noted that the Ministry of Transportation and Infrastructure has been importing road gravel to the Island for some years.

BL228  
05/2024

The Agriculture designation, which is shown on Schedule C, includes all land in the Agricultural Land Reserve. The principal use of land in this designation is agriculture.

The Sustainable Resource designation, which is shown on Schedule C, includes all large lot forest lands. The principal use in this designation is forestry.

BL228  
05/2024

### Guiding Objective

To ensure that land uses involving renewable resources are sustainable and compatible with the small-scale rural character of the Island and that the Agricultural Land Reserve is protected for farming use.

BL228  
05/2024

### Agriculture and Resource Objectives

- |             |  |
|-------------|--|
| Objective 1 | To protect the Agricultural Land Reserve for farming   |
| Objective 2 | To encourage diverse agricultural activities including the marketing and promotion of locally grown products |
| Objective 3 | To promote employment through agricultural activities that have minimal negative environmental impact        |
| Objective 5 | To foster sustainable use of resources   |

BL228  
05/2024

### Agriculture and Resource Policies

**INFORMATION NOTE:** Any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified a “mineral” under the *Mineral Tenure Act* or a “mine” under the *Mines Act*, are not land uses and therefore are not restricted by any terms or conditions in Official Community Plans (or bylaw) so long as the Ministry of Energy, Mines and Petroleum Resources or other appropriate provincial agency manages the activities and land for that purpose.

BL228  
05/2024

Policy 1                      The Agriculture designation should apply to all lands in the Agricultural Land Reserve and the principal use of land within this designation should be agriculture.

Policy 2                      The Local Trust Committee supports the consolidation of parcels in the Agricultural Land Reserve.

Denman Island Official Community Plan, 2008

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Policy 3	Subdivision regulations for parcels in the Agricultural Land Reserve should avoid the creation of panhandle lots.
Policy 4	Zoning regulations should permit agri-tourism use on land in the Agricultural Land Reserve when consistent with the Agricultural Land Reserve Use Regulation and on lots where agriculture or horticulture are a permitted use.
Policy 5	Zoning regulations should permit an amount of agri-tourism accommodation on land in the Agricultural Land Reserve that is more limited than the criteria set forth in the Agricultural Land Reserve Use Regulation.
Policy 6	The Local Trust Committee should support agricultural processing uses and facilities on non-Agricultural Land Reserve land, subject to rezoning.
Policy 7	The Local Trust Committee should only support applications for exclusion of land from the Agricultural Land Reserve where there is a significant benefit for the greater community of Denman Island.
Policy 8	In the Sustainable Resource designation: <ul style="list-style-type: none"><li>• the principal uses should be agriculture and silviculture; and</li><li>• zoning regulations may permit small-scale local value-added wood working industries and the development of non-timber forest products on land with silviculture as a principal use-</li></ul>
Policy 9	All farm uses defined in the <i>Agricultural Land Commission Act</i> for land in the Agricultural Land Reserve should be permitted.
Policy 10	Zoning regulations should establish sufficient setbacks to ensure that livestock waste does not enter lakes, streams, wetlands or the sea.
Policy 11	Known existing and potential sand and gravel deposits are at the site of the Bill Mee Park located near Boyle Point Park, and the gravel pit located northeast of Chickadee Lake.
Policy 12	The Local Trust Committee should support the inclusion of land within the Agricultural Land Reserve.
Policy 13	The Local Trust Committee should only support an application for non-farm use or exclusion of land from the Agricultural Land Reserve if the proposed non-farm use or exclusion provides for an essential community service or amenity which cannot reasonably be located on land outside of the Agricultural Land Reserve and for which the community need clearly outweighs the loss to agriculture.
Policy 14	The Local Trust Committee should only support an application for non-farm use or subdivision on land in the Agricultural Land Reserve if the proposed non-farm use or subdivision is consistent with zoning regulations and either: <ul style="list-style-type: none"><li>• allows an activity that supplements the farm income and does not decrease the farming capability of the property; or</li><li>• protects the land for conservation purposes.</li></ul>

**DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS**

<div data-bbox="34 1614 155 1701" style="border: 1px solid black; padding: 2px;">BL228 05/2024</div> Policy 15	Applicants for a zoning amendment in the Agriculture designation and Sustainable Resource designation in this Plan may be required to provide Development Approval Information.
<div data-bbox="34 1787 155 1873" style="border: 1px solid black; padding: 2px;">BL228 05/2024</div> Policy 16	The areas designated Agriculture and Sustainable Resource in this Plan are designated to ensure that land uses involving renewable resources are sustainable and compatible with the small-scale rural character of the Island. The objectives of the designation of this area as an area within which development approval information may be required, include protecting the Agricultural Land Reserve; encouraging diverse agricultural activities;

promoting employment through agricultural activities that have minimal negative environmental impact; promoting local employment through sustainable, ecologically sensitive silvaculture; and fostering sustainable use of resources. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Agriculture and Sustainable Resource designation.

## **Resource - Advocacy Policies**

- Advocacy Policy 1      The Ministry of Forests and Range is encouraged to enact forest management requirements on private lands on Denman Island in compliance with the Principles of Sustainable Forest Land Use in Part G of this Plan.
- Advocacy Policy 2      The Agricultural Land Commission is encouraged to honour the guiding principles and objectives of this Plan and the relevant protocol agreements with the Islands Trust when considering applications.

## E.5 - CROWN LANDS (UPLAND)

Although Denman enjoys less Crown upland than most major islands in the Islands Trust Area, and perhaps because of this fact, islanders treasure Denman's Crown Lands. These parcels are significant for their contribution to the preservation of habitats and ecosystems and their contribution to surface and ground water, as well as for their recreational and aesthetic values. Although there no longer are extensive stands of "Old Growth Forest" on Denman, most stands on Crown Land are classed as either "Older Forest" (>100 yr) or "Older Second Growth" (60 – 100 yr) and support much of what remains of the mature Coastal Douglas Fir community. The extensive logging on island in the late 1990s heightened the importance of these stands in providing connectivity and strengthened islanders' will to preserve these important undisturbed areas.

Several Crown upland parcels are classified as "encumbered," while the remaining ones are "unencumbered" or "vacant." Encumbered Crown Lands on Denman include one regional park and two provincial parks, a quarter section at the south end of the island designated as a gravel reserve, three parcels held by the Islands Trust Fund for conservation purposes, a wet parcel west of Chickadee Lake held by the Ministry of Transportation and Infrastructure, several small lots held by utility-related agencies, and numerous rights-of-way leading from roads to the foreshore (commonly called "beach rights-of-way" and shown on Schedule F).

Six Denman parcels are classified as unencumbered Crown Lands, varying from heavily treed quarter sections to a small rocky island off the east side of Boyle Point. The "Denman Island Vacant Crown Land Profiles" prepared in 2004 provides detailed information on these parcels. Included are two quarter sections in the northern half of the island, one of which is within the Agricultural Land Reserve, plus an associated water body known locally as Beaver Pond; a small one-hectare lot behind the Big Hill where sandstone was quarried at the start of the twentieth century; a 16-hectare parcel near the intersection of McFarlane and Lacon roads crossed by Valens Brook; a sliver of water-covered land of about two hectares at the north end of Morrison Marsh; and Eagle Rock, a half-hectare rocky outcrop that looks from Boyle Point across Lambert Channel at Norris Rocks and Hornby Island beyond.

The Crown Lands (Upland) designation, which is shown on Schedule C, includes all Crown Land.

### Guiding Objective

To protect Crown land parcels that have clearly defined significant conservation and recreation values

### Crown Lands - Objectives

- |             |   |
|-------------|---|
| Objective 1 | To protect Crown lands from inappropriate development   |
| Objective 2 | To ensure maximum protection of Crown land, retaining forest cover on the large parcels and protecting areas containing forests, rare plant species, bird and animal habitat, wetlands and fish bearing streams |

### Crown Lands - Policies

- |          |   |
|----------|---|
| Policy 1 | In the Crown Land designation, zoning regulations should allow the uses permitted on the date of adoption of this Plan. |
|----------|---|

<p><b>INFORMATION NOTE:</b> The Provincial government is exempt from the provisions of local bylaws under Section 14 of the <i>Interpretation Act</i>. However, third party tenure operations (that is a lease or license of occupation granted by the Crown) must be consistent with local bylaws.</p>
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- |          |   |
|----------|---|
| Policy 2 | In the Crown Lands designation: <ul style="list-style-type: none"><li>• zoning regulations should establish setbacks from lot lines for any allowed buildings and structures;</li></ul> |
|----------|---|

- zoning regulations should establish sufficient setbacks to protect any watercourses and in the case of fish-bearing streams, setbacks should be adequate to protect the riparian habitat; and
- zoning regulations should establish sufficient setbacks to protect the foreshore and coastal marine environment.

Policy 3                   The Local Trust Committee should consider the Islands Trust Crown Land Profiles for Denman Island and scientific information from other sources when responding to Crown Land referrals and formulating a position on the disposition of Crown Land.

Policy 4                   The Local Trust Committee should not consider applications for the use of Crown lands not within the Agricultural Land Reserve for agricultural purposes due to the large amount of land suitable for agriculture on Denman Island and the scarcity of Crown land on Denman Island.

## **Crown Lands - Advocacy Policies**

Advocacy Policy 1       Integrated Land Management Bureau is encouraged to consider the Crown Land Profiles and honour the wishes of and work with the Denman Island community to protect land in the Crown Lands designation.

Advocacy Policy 2       The Ministry of Environment is encouraged to close vacant Crown land on the Island to hunting.



Photo by Louise Bell



*Islands Trust*

## **SCHEDULE B - PERMITS AND PLAN ADMINISTRATION**

### CONTENTS

Part F	Development Permits
Part G	Sustainable Forest Land Use
Part H	Other Permits
Part I	Plan Administration
Part J	Appendices
	Appendix A Wetlands Report
	Appendix B Vascular Plant and Vertebrate Animal Species List
	Appendix C Density Transfer
	Appendix D Density Banking

## **PART F - DEVELOPMENT PERMIT AREAS**

### **DEVELOPMENT PERMIT DESIGNATIONS AND DEVELOPMENT APPROVAL INFORMATION**

- Policy 1 Pursuant to the Section 919.1 of the *Local Government Act* a community plan may designate development permit areas for one or more of the following:
- a. protection of the natural environment, its ecosystems and biological diversity;
  - b. protection of development from hazardous conditions;
  - c. protection of farming;
  - d. revitalization of an area in which a commercial use is permitted;
  - e. establishment of objectives for the form and character of intensive residential development;
  - f. establishment of objectives and the provision of guidelines for the form and character of commercial, industrial or multi-family residential development;
  - g. in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region.
  - h. establishment of objectives to promote energy conservation;
  - i. establishment of objectives to promote water conservation; and
  - j. establishment of objectives to promote the reduction of greenhouse gas emissions.
- Policy 2 Pursuant to the Section 920.01 of the *Local Government Act* a community plan may do one or more of the following:
- i. specify circumstances in which development approval information may be required;
  - ii. designate areas for which development approval information may be required;
  - iii. designate areas for which, in specified circumstances, development approval information may be required.
- Policy 3 In the event that a parcel of land is subject to more than one development permit area, only one development permit, containing conditions based on all the relevant guidelines in all applicable development permit areas, will be required.

## **DEVELOPMENT PERMIT AREA NO. 1: KOMAS BLUFF**

### **Category:**

The area indicated on Schedule E as Development Permit Area No. 1: Komasa Bluff is designated a development permit area according to Section 919.1 (1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

### **Area:**

Development Permit Area No. 1: Komasa Bluff shown on Schedule E.

### **Justification:**

In 1980 the Resource Analysis Branch of the Ministry of Environment conducted a reconnaissance study and identified bank instability in the area referred to as the Komasa Bluff. Sloughing was confirmed by detailed site inspection. The majority of the area was classified as active or inactive, with relatively little classified as stable. Past logging and road construction have already demonstrated that this area is prone to landslides and other forms of erosion. The area has subdivision potential.

### **Objectives:**

The objectives of this development permit area are as follows:

1. To protect areas of unstable terrain from increased risk of slope failure and/or erosion due to cutting or removal of trees and other development

<b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 1: Komasa Bluff are in the Land Use Bylaw.
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## **DEVELOPMENT PERMIT AREA NO. 2: STEEP SLOPES**

Note for Informational Purposes Only: This development permit area is intended to apply to land with slopes of 60 percent or greater.

### **Category:**

The area indicated on Schedule E as Development Permit Area No. 2: Steep Slopes is designated a development permit area according to Section 919.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity. The area is also designated a development approval information area according to Section 920.01(c) of the *Local Government Act*.

### **Area:**

Development Permit Area No. 2: Steep Slopes shown on Schedule E.

### **Justification:**

The development permit area is classed as environmentally sensitive by Silva Ecosystem Consultants Ltd in the report "*An Ecosystem-based Assessment of Denman Island*". This area is characterized by slopes greater than 60 percent and areas of shallow soils (less than 50 cm deep over bedrock). Slopes greater than 60 percent may be unstable and prone to landslides, especially if subject to logging or road construction. Additionally, this area is characterized by conditions conducive to the development of uncommon plant communities, including slopes that face west or south-west and areas of nutrient-rich groundwater discharge. Other characteristics warranting protection are stands of undisturbed old forest with large trees; plant communities with a high diversity of trees species, including broad-leaved species, and a high diversity of understory plants; and high value wildlife habitats.

### **Objectives:**

The objectives of this development permit area are as follows:

1. To protect the natural environment, its ecosystems and biological diversity from adverse impacts of land alteration
2. To retain large old trees for their ecological and habitat value

**INFORMATION NOTE:** Development Permit Area Guidelines for Development Permit Area No. 2: Steep Slopes are in the Land Use Bylaw.

## **DEVELOPMENT PERMIT AREA NO. 3: LACON ROAD COAST**

### **Category:**

The area indicated on Schedule E as Development Permit Area No. 3: Lacon Road Coast is designated a development permit area according to Section 919.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity, and Section 919.1(1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

### **Area:**

Development Permit Area No. 3: Lacon Road Coast shown on Schedule E.

### **Justification:**

The development permit area is a southwest facing coastal slope that could be unstable and prone to landslides and other forms of erosion, especially after logging and road construction. Regardless of stability, the south and south-west facing slopes can support botanically unique forest communities, including relatively uncommon species and plant associations. Other characteristics warranting protection are stands of undisturbed old forest with large trees; plant communities with a high diversity of tree species, including broad-leaved species, and a high diversity of understory plants; and high value wildlife habitats.

### **Objectives:**

The objectives of this development permit area are as follows:

1. To protect areas of unstable terrain from increased risk of slope failure and/or erosion due to development
2. To protect the natural environment, its ecosystems and biological diversity from adverse impacts of land alteration
3. To retain large old trees for their ecological and habitat value

<p><b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 3: Lacon Road Coast are in the Land Use Bylaw.</p>
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## **DEVELOPMENT PERMIT AREA NO. 4: STREAMS, LAKES AND WETLANDS**

### **Category**

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the Local Government Act, for the protection of the natural environment, its ecosystems and biological diversity.

The Streams, Lakes and Wetlands DPA is designated as an area for which development approval information may be required as authorized by Section 920.01 of the Local Government Act. Development approval information in the form of a report from a qualified environmental professional (QEP) or another qualified professional may be required.

Terms used in this section that are defined in the Riparian Areas Regulation, BC Fish Protection Act (RAR) are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

### **Area:**

Development Permit Area No. 4 includes all land designated on Schedule E of this plan as being within the Stream, Lakes and Wetlands DPA. This DPA includes minor and major streams and wetlands, and watercourses and lakes designated as "RAR applicable" and "Non-RAR". See 'Measurement of RAR and Non-RAR Development Permit Areas' below for explanation of the differentiation between RAR and non-RAR applicable areas.

### **Justification:**

Riparian areas are important because they include ecosystems that support a disproportionately high number of vascular plant, moss, amphibian and small mammal species for the area they occupy.

This development permit area includes streams, lakes, and wetlands that have been identified as important fish, wildlife, and plant habitats and as water supplies for rural and residential use. Trees and shrubs shade streams, preventing high water temperatures that can be harmful to fish and other aquatic animals and providing cover that enables fish to avoid predators. Mature trees along streams provide a source of large organic debris that maintains pools and cascades used by fish. Plant roots and ground-covering vegetation stabilize stream banks and help to maintain high water quality by filtering sediments and pollutants throughout a drainage system. Riparian and aquatic habitats are unique and necessary to many species of plants and animals. Land use practices including land clearing, logging, road building, construction of buildings and structures, and location of septic systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Denman Island.

It is the Object of the Islands Trust to "Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or

degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the province of British Columbia's Fish Protection Act requires that local governments establish regulations to protect riparian areas. This designation is intended, in part, to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

**Objectives:**

The objectives of this development permit area are as follows:

1. To honour provincial designations of certain lands as for agricultural purposes
2. To protect the biological diversity and habitat values of riparian and aquatic ecosystems
3. To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation
4. To prevent the degradation of existing and future water supplies on Denman Island
5. To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas
6. To prevent water pollution

**Measurement of RAR and Non-RAR Development Permit Areas**

The Streams, Lakes and Wetlands Development Permit Area includes the following:

1. All riparian assessment areas related to the areas identified on schedule E as "RAR-applicable" streams, major wetlands, and lakes, as the term "streams" is defined in the Riparian Areas Regulation, which include any of the following that provide fish habitat:
  - a watercourse, whether it usually contains water or not;
  - a pond, lake, river, creek or brook; and
  - a ditch, spring or wetland that is connected by surface flow to something referred to in the two previous bullets.

and consisting of the surface of the water body and:

- a) for a watercourse, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank;
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;
  - d) for a lake, wetland or other water body, 30 m around the water body measured from the high water mark of the water body;
  - e) for a ditch, a 5 metre strip on both sides of the ditch measured from the high water mark.
2. Other watercourses and wetlands, identified on Schedule E as "Non-RAR" applicable streams and minor wetlands, consisting of the surface area of the water body and a riparian area consisting of:

- a) for a minor stream, a 10 metre strip on both sides of the of the watercourse, measured from the high water mark;
- b) for a minor wetland, 10 m around the water body measured from the top of bank of the water body;

and Schedule E shall be so interpreted. The designation and delineation of Development Permit Area No. 4 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies may need to be determined on a site-specific basis by a qualified environmental professional or a surveyor.

### **Development Approval Information**

Development Permit Area No. 4 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the Local Government Act. Development approval information in the form of a report from a qualified environmental professional (QEP) or another professional may be required due to special conditions and the objectives described above.

<p><b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 4: Streams, Lakes and Wetlands are in the Land Use Bylaw.</p>
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## **DEVELOPMENT PERMIT AREA NO. 5: COMMERCIAL**

### **Category:**

The area indicated on Schedule E as Development Permit Area No. 5: Village is designated a development permit area according to Section 919.1(1)(e) of the *Local Government Act* to establish the form and character of commercial, industrial and multi-family housing. The area is also designated a development approval information area according to Section 920.01(c) of the *Local Government Act*."

### **Area:**

Development Permit Area No. 5, as shown on Schedule E.

### **Justification:**

Commercial development on the Island is needed to service a growing permanent population, although a full range is not necessary due to the proximity of the Island to the Courtenay retail service area. To ensure the quiet rural lifestyle of the Island is maintained, the form and character of development should fit with the rural character of the Island.

### **Objective:**

The objectives of this development permit area are as follows:

1. To ensure that commercial development is small scale in keeping with the rural character of Denman Island

<b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 5: Commercial are in the Land Use Bylaw.
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## **DEVELOPMENT PERMIT AREA NO. 6: COMMUNITY BOAT LAUNCH**

### **Category:**

The area indicated on Schedule "E" as Development Permit Area No. 6: Community Boat Launch is designated a development permit area according to Section 919.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity along the shoreline and along lot boundaries.

### **Area:**

Development Permit Area No. 6 as shown on Schedule 'E'.

### **Justification:**

The shrub and tree canopy along the shoreline and lot boundaries has important buffers and scenic values. An objective of the development permit area is to maintain the natural values and avoid degradation of those values by minimizing the encroachment of community boat launch parking and roads.

<p><b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 6: Commercial Boat Launch are in the Land Use Bylaw.</p>
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## **DEVELOPMENT PERMIT AREA NO. 7: LIGHT INDUSTRIAL**

### **Category**

The area indicated on Schedule E as Development Permit Area No. 7: Light industrial is designated a development permit area according to Section 919.1(1)(e) of the *Local Government Act* to establish the form and character of commercial, industrial and multi-family housing. The area is also designated a development approval information area according to Section 920.01(c) of the *Local Government Act*.

### **Area**

Development Permit Area No. 7: Light Industrial shown on Schedule E.

### **Justification**

Light industrial development on the Island is needed to service a growing permanent population, although a full range is not necessary due to the proximity of the Island to the Courtenay. To ensure the quiet rural lifestyle of the Island is maintained, the form and character of development should comply with the following guidelines.

### **Objective:**

The objectives of this development permit area are as follows:

1. To ensure that light industrial development is in keeping with the tranquil rural lifestyle of Denman Island

<b>INFORMATION NOTE:</b> Development Permit Area Guidelines for Development Permit Area No. 7: Light Industrial are in the Land Use Bylaw.
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## **PART G – PRINCIPLES OF SUSTAINABLE FOREST USE<sup>1</sup>**

The Denman Island Local Trust Committee will be guided by the following Principles of Forest Land Use in consideration of any request for amendment to the land use bylaw, in establishing development permit areas, and in developing guidelines for development permit areas

### **PRINCIPLES OF SUSTAINABLE FOREST LAND USE**

The forests of Denman Island constitute an ecosystem worthy of protection. The island is part of the Coastal Douglas-fir biogeoclimatic zone, an area of southwestern British Columbia whose biotic community is unique in the world. Forests of the Coastal Douglas-fir zone have been heavily modified by logging and land clearing. As a result, the remaining forests have an essential role to play in conserving the biodiversity of British Columbia.

All life takes its sustenance from ecosystems and thus depends on the integrity of productive ecosystems. So also does the long-term viability of the economy. In consideration of these facts and reflecting the values and choices of the Denman Island community, the Denman Island Local Trust Committee recognizes an obligation to protect the integrity of forest ecosystems of Denman Island.

These principles define sustainable forest use and ecological integrity for Denman Island. The island as a whole is considered a forest landscape. However, it is understood that part of the Denman Island landscape will continue to support non- forest uses such as agriculture and settlement.

All forest uses must be sustainable, that is, they must be within the recovery capacity of the forest ecosystem and must not deplete the diversity, integrity or productivity of the forest ecosystem. As well, to meet the needs of the Denman Island community and of the province generally, all forest uses should maintain the cultural, aesthetic and heritage values of the forest and preserve the opportunity for a variety of forest uses.

### **ECOLOGICAL PRINCIPLES:**

Principle 1      Maintaining Ecosystem Integrity - Sustainable use of forests depends on maintaining the ecological integrity of forest ecosystems, that is, maintaining functioning self-sustaining ecosystems. The key requirements for maintaining ecosystem integrity are outlined in principles 2 to 7 in this Section.

The more human activities cause conditions and processes to differ from those of a natural forest, the more these activities are likely to damage the ecological integrity of the forest. The challenge of sustainable forest use is to find ways of using the forest that pose an acceptably low level of risk to ecosystem integrity.

Principle 2      Ecological Limits - Maintaining ecosystem integrity requires that the intensity and frequency of human activities, including the extraction of forest products, not exceed the capacity of the forest to support the activities over long periods of time. Every forest ecosystem has limits to its ecological capacity to support human uses. For some ecosystems, these limits are so low that, in a practical sense, no extraction is sustainable.

Principle 3      Ecological Integrity of Forest Stands - The ecological integrity of a forest stand is most likely to be maintained if human alterations of the stand maintain or, where necessary and feasible, restore the following characteristics in a condition similar to those likely to have occurred due to natural processes:

- diversity of forest structure and composition;
- soil productivity and diversity, in terms of physical, chemical, and biotic properties, and
- hydrologic function.

- Principle 4 Ecological Integrity of the Forest Landscape - The ecological integrity of the forest landscape is most likely to be maintained if the following characteristics are maintained or, where necessary and feasible, restored:
- aquatic and wetland ecosystems in natural condition;
  - all native biodiversity;
  - the full range of natural habitats in the forest landscape, including old growth forests, in proportions similar to those typical of a natural forest landscape; and
  - connectivity of forest habitats sufficient for the dispersal needs of native species.
- Principle 5 Invasive Non-native Species - Protection of native biodiversity may include measures to reduce or eliminate invasive non-native species.
- Principle 6 Natural Disturbances and Recovery - Agents of natural disturbance, such as fire, disease, and insects, are important elements of forest ecosystems, as are the natural processes of recovery from disturbance, such as soil development and the regeneration and growth of plants.
- Protection of native biodiversity is most likely to be achieved if natural disturbances are allowed to proceed without interference. However, forest fires and other natural disturbances that threaten vital human interests are controlled on Denman Island. Where actual processes are not maintained, it may be appropriate for management activities to emulate the historical role of natural disturbances in creating habitats for native species.
- Principle 7 Reserve Areas - Native biodiversity is most likely to be preserved if adequate areas are designated as reserves in which natural ecosystems are allowed to develop without extractive uses or other intensive activities.

#### **PLANNING AND MANAGEMENT PRINCIPLES**

- Principle 8 Ecosystem Priority - The first requirement of sustainable forest use is to maintain and, where necessary and feasible, restore the ecological integrity of the forest ecosystem. Therefore, sustainable use starts by defining what elements of forest stands and landscapes should be maintained or restored, before deciding what resources may be used.
- Principle 9 Precautionary Principle - In cases where knowledge of the effects of activities is inadequate, it is better to proceed cautiously, preferring to err on the side of protecting ecosystem integrity.
- Principle 10 Learning - Sustainable forest use requires the assimilation of new knowledge and understanding, and their application in plans and activities. Valuable insights can be obtained through a variety of approaches which are within the constraints of the principles of sustainable use.
- Principle 11 Ecosystem-based Planning and Monitoring - Sustainable use of forests requires planning before activities are undertaken and requires ongoing monitoring and evaluation to ensure that all activities meet the goals of sustainable use and ecosystem integrity.
- Principle 12 Time Frame - Planning for sustainable forest use requires a long-term perspective, that is, consideration of processes that occur over hundreds of years.
- Principle 13 Stands and Landscapes - Sustainable use of forests requires that human activities be planned and their effects evaluated to maintain and, where necessary and feasible, restore the ecological integrity of forest stands and forest landscapes.

Some aspects of ecosystem integrity, such as soil productivity, are properties of individual forest stands. Others, such as the availability of habitat for a broad range of

native species, must be considered from a perspective encompassing the whole forest landscape.

Principle 14 Restoration - In cases where some vital aspect of an ecosystem has been lost or damaged due to previous human use, sustainable forest use may require restoration of ecological integrity. In most cases, restoration is best accomplished through natural processes acting over time with little or no additional intervention.

**IN THE INTERPRETATION OF THE PRINCIPLES OF SUSTAINABLE FOREST USE, THE FOLLOWING DEFINITIONS APPLY:**

**Biodiversity** - the diversity of life, including genetic diversity within species, diversity of species, and diversity of ecological communities and ecosystems. Biodiversity also encompasses the diversity of ecological processes (functions).

**Connectivity** - the extent to which areas of habitat are linked or accessible so that organisms can move freely between them. Connectivity depends on the degree of proximity between habitat areas, and the extent to which intervening areas are hospitable to dispersing organisms.

**Ecological Integrity** - the soundness or wholeness of the ecosystem in terms of its structure, function and composition. Ecological integrity does not preclude disturbance or change, provided the capacity of the ecosystem for recovery and self-renewal remains intact.

**Ecosystem** - a functional unit consisting of all the living organisms in a given area, and all the non-living elements of their environment, linked together through nutrient cycling and energy flow. The fundamental properties of an ecosystem are its structure, composition and function. An ecosystem can be of any size (a log, pond, field, forest stand or landscape, or the Earth's biosphere). Change over time is an inherent property of ecosystems.

**Forest Composition** - the diversity and abundance of the living and non-living components of the forest, especially the diversity and abundance of all species.

**Forest Function** - the various processes that take place in the forest. Some major ecological functions in a forest are:

- photosynthesis and the flow of energy through the food web;
- soil processes, including decomposition;
- the capture, cycling, and release of nutrients,
- the capture, cycling, and release of water;
- the activities of living organisms, such as feeding, migration, reproduction, growth, and death;
- genetic change in populations (evolution).

**Forest Landscape** - a predominantly forested area, consisting of an aggregation of stands and other ecosystems with some repeating pattern of occurrence, and bounded by some feature of landform, drainage, etc., that unites the area into an ecological unit. Forest landscapes are typically defined ranging from 1,000 to 20,000 hectares in area. Denman Island can be considered as a forest landscape.

**Forest Stand** - a forest area relatively uniform in terms of soil, topography, microclimate, and vegetation. Forest stands are typically defined ranging from 0.25 to 20 hectares in extent.

**Forest Structure** - the spatial arrangement of the living and non-living components of the forest (such as the crowns and stems of live trees of all sizes, dead trees (snags), down logs, understory plants, and soil structure).

**Hydrologic Function** - the capacity to intercept precipitation and admit water into the soil without undue erosion or soil displacement, to store water in the soil and allow subsurface movement of water through the soil and into deeper groundwater storage, to produce a moderated flow of water from streams flowing out of the forest, and to produce water of high quality suitable for the habitats of aquatic organisms and for human consumption.

**Natural Forest** - a forest that is subject to little or no alteration by human activities. In practice, few examples of natural forest are available for Denman Island. The "natural forest" is partly a hypothetical concept, whose properties must be inferred from available examples and evidence. Second growth forests that regenerated and developed naturally after logging can be considered as semi-natural forests, with many properties of natural forests, given their young age.

**Natural Disturbance** - a natural event that significantly alters conditions in the forest over a relatively short period of time. Common examples include wild fires, windstorms, snow storms, tree diseases, or insect infestations.

**Restoration** - active measures or natural processes which restore or re-create some aspect of a natural ecosystem that has been lost or damaged due to previous human use.

**Sustainable Use** - use that is capable of being maintained indefinitely, without depleting the diversity, integrity, or productive capacity, of the system in question.

## **PART H - OTHER PERMITS**

### **H.1 - SITING AND USE PERMITS**

**INFORMATION NOTE:** In most jurisdictions, once zoning regulations have been enacted, any new building or structure placement is checked against the zoning regulations by the building inspector. Because there is no building inspection service on Denman Island, the use, size, height and placement of all buildings and structures must be approved through the Siting and Use Permit Process. The use of Siting and Use Permits is a special power given to the Denman Island Local Trust Committee by Section 31 of the *Islands Trust Act*. As the name suggests, on application of a landowner, Islands Trust staff assess the proposed development in respect of the zoning regulations and development permit area designations.

While this section of the Official Community Plan is not required, it is included to provide information to the community and agencies on Siting and Use Permits. Specific requirements for Siting and Use Permits are in the Denman Island Siting and Use Permit Bylaw.

BL 199

## H.2 - TEMPORARY USE PERMITS

BL 210

**INFORMATION NOTE:** 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.

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

## **PART I - PLAN ADMINISTRATION**

### **I.1 - ADMINISTRATION**

#### **Authority**

- Rule 1                   The Chief Administrative Officer of the Islands Trust or such other officer appointed by the Denman Island Local Trust Committee shall administer the provisions of this Bylaw.
- Rule 2                   The Denman Island Local Trust Committee is given authority to create and adopt an Official Community Plan under the provisions of the *Local Government Act* and the *Islands Trust Act*.
- Rule 3                   The Plan applies to that area of the Denman Island Local Trust Area under the *Islands Trust Act* shown on Schedule C.
- Rule 4                   The precise location of symbols and boundaries shown on most maps will be legally defined by land use bylaws enacted over time by the Local Trust Committee. The precise boundaries of development permit areas are shown on Schedule E.
- Rule 5                   Any mention of proposed public facilities on private lands is to be considered a broad objective only.
- Rule 6                   Where matters are outside the jurisdiction of the Local Trust Committee, this Plan contains broad community objectives in the form of Advocacy Policies. These policies show where the Local Trust Committee encourages others to take actions to further the objectives of the Plan. This Plan cannot and does not represent a commitment from other agencies to act according to community objectives.
- Rule 7                   Most of this Plan is non-regulatory. It guides the future land use decisions of the Local Trust Committee and provides advice and information to other levels of government. Only those policies contained in Schedule B with respect to development permit areas have any direct regulatory effect on individual properties.

#### **Effect of the Official Community Plan**

- Rule 8                   Section 884 of the *Local Government Act* specifies that:  
"An Official Community Plan does not commit or authorize a municipality, regional district (includes a Local Trust Committee pursuant to the *Islands Trust Act*) or improvement district to proceed with any project that is specified in the Plan."

and

"All bylaws enacted or works undertaken by council, board or greater board (includes a Local Trust Committee pursuant to the *Islands Trust Act*), or by the trustees of an improvement district, after the adoption of an Official Community Plan shall be consistent with the Plan."

## Implementation

- Rule 9                      Once an Official Community Plan is adopted, a number of steps are available to the Local Trust Committee for implementation of the policies and recommendations including:
- Consultation with the Community
  - Regulatory Bylaws
  - Development Permits
  - Other Permits
  - Covenants
  - Co-ordination with Other Government Agencies
- Rule 10                     This Plan may be amended by the Denman Island Local Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit an application in compliance with bylaws of the Local Trust Committee that addresses fees and procedures.
- Rule 11                     The Local Trust Committee may initiate a review of the Plan at any time. The Plan should be reviewed in its entirety at least once every five years from the adoption date.

## Severability

- Rule 12                     If any section, subsection, sentence, clause, phrase, plan, map, diagram, table, schedule, or other graphic material or any part thereof of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

## Structure

- Rule 13                     The Plan is arranged according to the following structure:
- Schedule A contains general objectives and policies of land use planning. The policies suggest actions that the Local Trust Committee could initiate to achieve the objectives of the Plan. The policies also suggest how the Local Trust Committee could respond to applications and referrals.
  - Schedule B contains the justification and objectives for development permit areas and the Principles of Sustainable Forest Use.
  - Schedule C contains the land use designations maps. Policies relating to the specific designations are in Schedule A.
  - Schedule D contains the sensitive areas map. This map is referred to in Schedule A.
  - Schedule E contains the development permit area maps. These maps are referred to in Schedule A and Schedule B.
  - Schedule F contains the beach rights-of-way map.
  - There are several appendices attached to this Plan. They are referred to in either Schedule A or Schedule B.

## Interpretation

- Rule 14 Words and phrases defined in Part I apply in the interpretation of the Principles of Sustainable Forest Land Use in Part F. Definitions of words set out in sections 5 and 872 of the "Local Government Act" and Section 29 of the *Interpretation Act* also apply to this Plan.
- Rule 15 The boundaries of the Land Use Designations shown on Schedule C, environmentally sensitive areas shown on Schedule D, and development permit areas shown on Schedule E of this Plan, together with any explanatory legends, notations and references in respect thereof, are delineated and described on the "Designation Map", "Sensitive Areas Map" and the "Development Permit Map" respectively.
- These maps consist of a computer record compiled by means of geographic information software and global positioning system.
  - The Designation Map, Sensitive Areas Map and Development Permit Map are kept at the Islands Trust Victoria Office. The Designation Map, Sensitive Areas Map and Development Permit Map form part of this Plan.
  - A generalized diagrammatic representation of the Designation Map is annexed to this Bylaw as Schedule C. In the event of any conflict or inconsistency between the Designation Map and Schedule C, the Designation Map shall govern.
  - A generalized diagrammatic representation of the Sensitive Areas Map is annexed to this Bylaw as Schedule D. In the event of any conflict or inconsistency between the Sensitive Areas Map and Schedule D, the Sensitive Areas Map shall govern.
  - A generalized diagrammatic representation of the "Development Permit Map" is annexed to this Bylaw as Schedule E. In the event of any conflict or inconsistency between the Development Permit Map and Schedule E, the Development Permit Map shall govern.
  - Where and to the extent only that a boundary also forms a boundary of a parcel delineated on a plan deposited in the Land Title Office, the boundary shall in the event of conflict or inconsistency between the deposited plan and the interpretation of the Designation Map, Sensitive Areas Map or Development Permit Map shall be conclusively determined by reference to the plan deposited in the Land title Office.
- Rule 16 In the event of uncertainty regarding the location of the development permit area boundaries shown on Schedule E , the location must be determined by the application of the following rules:
- where the development permit area boundary is a measurement from the natural boundary of a stream, lake or wetland, the development permit area boundary is determined by measuring horizontally upland from the natural boundary of the stream, lake or wetland and in case of discrepancy between the boundary representation on Schedule E and the measured boundary, the measured boundary shall prevail;
  - where development permit area boundaries coincide with lot boundaries, the development permit area boundary is the same as the lot boundary;
  - where development permit area boundaries run along a highway or other public way defined under the Highway Act, the development permit area boundary is the same as the centre line;
  - where development permit area boundaries and the natural boundary of the sea coincide, the development permit area boundary is the same as the natural boundary;

- where development permit area boundaries coincide with Agricultural Land Reserve boundaries, the development permit area boundary is the same as the Agricultural Land Reserve boundary; and
- in all other cases, the development permit area boundary must be determined by scaling to the centre of the line demarking the development permit area boundary on Schedule E.

## I.2 - ENFORCEMENT

### Enforcement

- Policy 1                      The Local Trust Committee should examine use of Municipal Ticketing as a means of establishing fines to enforce its bylaws.
- Policy 2                      The Local Trust Committee should assist landowners in understanding how its bylaws affect specific land uses and explain options such as development variance permits where available and applicable to these land uses.

**INFORMATION NOTE:** Bylaw enforcement on Denman Island is carried out in accordance with the policies of Islands Trust Council, which among other things state that:

- "a bylaw investigation is undertaken only in response to verbal or written complaints of a violation by any person;
- all verbal and written complaints are directed to the Bylaw Enforcement Officer, who will then visit the property to investigate;
- if a violation exists, a full investigation will be undertaken and the property owner will be asked to cease activity or construction immediately;
- legal action may be initiated if a violator fails to take appropriate voluntary action such as submitting an application, giving notice of eviction for tenants, or ceasing illegal activity to achieve compliance within the time frame; and
- the Local Trust Committee or local trustees are not involved in any way with the sanctioning of an investigation, making a decision on who shall be investigated or assessing a complaint."



Islands Trust

## **APPENDICES**

### **CONTENTS**

Appendix A	Wetlands Report
Appendix B	Vascular Plant and Vertebrate Animal Species Lists
Appendix C	Density Transfer
Appendix D	Density Banking

## **APPENDIX A WETLANDS REPORT**

Prepared by Harvey Janszen. This report is available for viewing at the Islands Trust Office and the Dora Drinkwater Library on Denman Island.

## **APPENDIX B VASCULAR PLANT AND VERTEBRATE ANIMAL SPECIES LISTS**

Prepared by Jenny Balke. This report is available for viewing at the Islands Trust Office and the Dora Drinkwater Library on Denman Island.

## APPENDIX C DENSITY TRANSFER

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

### Policies

- Policy 1 The Local Trust Committee may consider applications for density transfer for conservation and park purposes only. Eligible situations are listed below:
- dedication of land for a park
  - donation of land for conservation purposes
  - sale of land for conservation purposes

### Guidelines for Density Transfer

- Guideline 1 Transfer of residential density should only be considered for the eligible situations listed under Policy 1 of this Appendix.
- Guideline 2 The original parcel on which the land is being protected under Policy 1 of this Appendix is referred to as the parent parcel.
- Guideline 3 The parcel of land to be given or sold to a conservation organization or dedicated as park is referred to as the protected parcel.
- Guideline 4 The parcel of land to which the density is being transferred is referred to as the receiving parcel.
- Guideline 5 Density transfer to permit the provision of land under Policy 1 of this appendix should result in no net overall increase in residential density.
- Guideline 6 Calculation of the number of residential densities will be based on the area of the protected parcel divided by the minimum average lot size for the zone in which the protected parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).
- Guideline 7 In the event the above calculation results in a fraction, the number may be rounded up to the nearest whole number provided that by rounding the number up there is no net increase in residential density on the parent parcel.

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

- Guideline 8 Applications that affect land in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission.

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- Guideline 9 Where the protected parcel is intended for conservation, the density transfer is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.
- Guideline 10 Where the protected parcel is intended as park, the density transfer is conditional on the relevant government agency agreeing to accept the protected parcel for a park and the Local Trust Committee considering the protected parcel suitable for park purposes.
- Guideline 11 The minimum lot size for the receiving parcel resulting from density transfer zoning amendments in any designation is 1.0 hectare, provided adequate potable water and sewage disposal capacity is demonstrated.
- Guideline 12 Applicants for a density transfer zoning amendment that includes sensitive areas shown on Schedule D or in a development permit area shown on Schedule E may be required to provide Development Approval Information for the special conditions outlined in Guideline 13 of this Appendix.
- Guideline 13 The areas shown on Schedule D and the development permit area for the protection of the natural environment shown on Schedule E are environmentally sensitive areas in which development is not encouraged. Development Approval Information may be required to help the Local Trust Committee determine appropriate uses, density and siting of development resulting from a density transfer zoning application.
- Guideline 14 The protected parcel must be secured in perpetuity for conservation or park either by dedication or the registration of a covenant that restricts the use of the protected parcel to conservation or park.
- Guideline 15 Density transfer zoning applications should be consistent with all other policies of this Plan.

## APPENDIX D DENSITY BANKING

In this Plan, density banking refers to a process wherein unused residential densities are held by the Local Trust Committee for an unlimited time and for a specified purpose. Donation of one or more densities takes place through a successful bylaw amendment application that records the densities in this Appendix. Utilisation of one or more densities requires a similar amending bylaw.

### Eligible Donors and Recipients

Policy 1 The Local Trust Committee may add unused residential densities to the Density Bank:

- from a rezoning application that removes residential density from lots that have subdivision potential, provided the lot retains at least one residential density;
- from an application to donate land to a conservation agency or organisation for conservation purposes or dedicated as park; and
- from a Local Trust Committee initiated zoning amendment that results in unused residential densities.

BL 199 Policy 2 The Local Trust Committee may consider applications for transfer of banked densities providing the land receiving the densities will be used for affordable housing and a suitable mechanism is in place ensuring this use is maintained over time. For the purpose of the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental assistance; and entry level ownership opportunities.

### Guidelines for Residential Density Banking

- Guideline 1 Residential densities resulting from a rezoning pursuant to Policy 1 of this Appendix, will be added to the Residential Density Bank (below) by an amendment to the Official Community Plan.
- Guideline 2 Residential densities from the Residential Density Bank (below) that are transferred pursuant to Policy 2 of this Appendix will be deleted from the Residential Density Bank below by an amendment to the Official Community Plan.
- Guideline 3 Residential densities listed in the Residential Density Bank (below) are residential dwelling units as defined by the Land Use Bylaw.
- Guideline 4 Calculation of the number of residential densities will be based on the area of the protected parcel divided by the minimum average lot size for the zone in which the protected parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).
- Guideline 5 In the event the above calculation results in a fraction, the number may be rounded up to the nearest whole number provided that by rounding the number up there is no net increase in residential density on the parent parcel.

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

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hectares is donated or sold, one additional density will be given as the remaining 7.9 hectares would only have potential for 3 residential dwellings.

- Guideline 6 Applications that affect land in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission.
- Guideline 7 Where the protected parcel is intended for conservation, the transfer of residential densities to the Residential Density Bank is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.
- Guideline 8 Where the protected parcel is intended as park, the transfer of residential densities to the Residential Density Bank is conditional on the relevant government agency agreeing to accept the protected parcel for a park and the Local Trust Committee considering the protected parcel suitable for park purposes.
- BL 199 Guideline 9 Applications for transfer of banked densities for affordable housing must include details of the criteria for residents of the housing as well as demonstrate a need for the type of affordable housing on Denman Island.

**Residential Density Bank**

Authorising Bylaw	Date Added to or transferred from the Bank	Legal Description	Number of residential dwelling units added or deleted	Cumulative Total of residential dwelling units in the bank
199	August 15, 2011	Lot A, Section 21, Plan VIP55499, Denman Island, Nanaimo District	+1	1
199	August 15, 2011	Lot 1, Section 21, Plan 35639, Denman Island, Nanaimo District	+1	2
199	August 15, 2011	Lot A, Section 21, Plan VIP60286, Denman Island, Nanaimo District	+1	3
199	August 15, 2011	The southwest ¼ of Section 14, except the northerly 40 acres and part in Plan VIP70081, Denman Island, Nanaimo District	+9	12
199	August 15, 2011	Parcel D (DD 4069N) of Section 26, Denman Island, Nanaimo District	+1	13
219	January 31, 2017	Lot 17, Section 6, Denman Island, Nanaimo District, Plan 6404 (6080 Lacon	+1	14

		Road)		
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