



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: August 13, 2024
Time: 10:00 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 10:00 AM - 10:05 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. **APPROVAL OF AGENDA**
3. **REPORTS** 10:05 AM - 10:25 AM
 - 3.1 Trustee Reports
 - 3.2 Chair's Report
 - 3.3 Electoral Area Director's Report
4. **PUBLIC COMMENTS** 10:25 AM - 10:45 AM
5. **DELEGATIONS - none**
6. **MINUTES** 10:45 AM - 10:50 AM
 - 6.1 Local Trust Committee Minutes dated June 4, 2024 - for adoption 4 - 14
 - 6.2 Section 26 Resolutions-Without-Meeting Report - none
 - 6.3 Advisory Planning Commission Minutes - none
7. **BUSINESS ARISING FROM MINUTES** 10:50 AM - 11:05 AM
 - 7.1 Follow-up Action List dated August 2, 2024 15 - 21
8. **APPLICATIONS AND REFERRALS** 11:05 AM - 11:15 AM
 - 8.1 DE-RZ-2024.1 - Proof of Sewage Treatment Capacity for the Triple Rock Land Cooperative/CoHo Landing Rezoning - Verbal Discussion 22 - 24

9.	LOCAL TRUST COMMITTEE PROJECTS	11:15 AM - 11:50 AM	
9.1	Minor Project: Housing Related Temporary Use Permits Review - Staff Report		25 - 41
9.2	Major Project: Denman Housing Review Project - Stage 2 - Memorandum		42 - 45
10.	CORRESPONDENCE	11:50 AM - 11:55 AM	
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)		
10.1	Email dated July 28, 2024 from S. Griffin regarding Denman Island Heritage Designation Bylaw Proposal		46 - 48
11.	NEW BUSINESS - none		
	~ BREAK 11:55 AM - 12:25 PM ~		
12.	STAFF REPORTS	12:25 PM - 12:35 PM	
12.1	Trust Conservancy Report - none		
12.2	Applications Report - none		
12.3	Trustee and Local Expense Report dated June, 2024		49 - 49
12.4	Adopted Policies and Standing Resolutions		50 - 60
12.5	First Nations Relationship Building Update		
12.6	Local Trust Committee Webpage		
13.	WORK PROGRAM	12:35 PM - 12:50 PM	
13.1	Active Projects Report dated August 2, 2024		61 - 61
13.2	Future Projects Report dated August 2, 2024		62 - 63
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for Tuesday, October 8, 2024 at 10:00 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC		
15.	CLOSED MEETING	12:50 PM - 1:50 PM	

15.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(b) for the purpose of considering:

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

and that the Recorder and Staff attend the meeting.

15.2 Recall to Order

16. ADJOURNMENT

1:50 PM - 1:50 PM



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: June 4, 2024
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

Members Present: David Maude, Chair
 David Graham, Trustee
 Sam Borthwick, Trustee

Staff Present: Renée Jamurat, Regional Planning Manager
 Marlis McCargar, Island Planner
 Margot Thomaidis, Planner 2
 Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
 Daniel Schneider, Bylaw Enforcement Officer (electronic)
 Lisa Millard, Recorder (electronic)

Others Present: There were approximately 6 (six) members of the public and 1 (one) member of the media in attendance.

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Maude called the meeting to order at 10:00 a.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions and changes to the agenda were presented for consideration:

- The regular meeting will close to the public and go in-camera following Item 7.1; and
- The order of Items 8.1 and 8.2 will be reversed so that:
 Item 8.1 will now be DE-RZ-2023.1 - Komas Ranch Ltd. - Staff Report
 Item 8.2 will now be DE-RZ-2024.1 - Triple Rock Land Cooperative - Staff Report

By general consent, the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Graham reported the following:

- Attended the committee of the whole meeting for discussion on the Islands Trust Draft Policy Statement; and
- Attended a meeting with Comox Valley Regional District, the Denman Island Local Trust Committee, and the Hornby Island Local Trust Committee to discuss topics of mutual interest and concern.

Trustee Borthwick reported the following:

- Attended the committee of the whole meeting for discussion on the Islands Trust Draft Policy Statement;
- Attended the protocol meeting with the Comox Valley Regional District; and
- Attended a meeting with representatives of the K'omoks First Nation.

3.2 Chair's Report

Chair Maude reported the following:

- Noted that June 5, 2024 is the 50th Anniversary of Islands Trust;
- There will be a Trust Council meeting June 18-20, 2024 being held on Salt Spring Island; and
- Attended the committee of the whole meeting for discussion on the Islands Trust Draft Policy Statement and a period of public engagement is being planned.

3.3 Electoral Area Director's Report - none

4. PUBLIC COMMENTS

- A member of the public stated that they heard that there is a policy that Trustees are not allowed to say anything negative about Islands Trust, in general, including their personal experiences.
 - Trustee Borthwick referred to a recent Denman Island community Facebook discussion about the draft code of conduct and he clarified that it was a draft policy and not finalized yet. He noted that the intent of the policy is not to silence Trustees and they have freedom to express their views. He referred to Roberts Rules of Order that states once a motion has been made by a government body, regardless of one's personal vote for or against, the individual is required to represent it, as the motion carried by the body.
 - Chair Maude stated that if a motion was carried forward and agreed on by the Trustees, but he did not support it, he would be obligated to carry the motion forward with Trust Council.
 - Trustee Graham noted that, at times, the Denman Island Facebook group perpetuates inaccurate information.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Special Minutes dated February 20, 2024 - for adoption

By general consent, the Local Trust Committee meeting minutes of February 20, 2024 were adopted.

6.2 Local Trust Committee Minutes dated April 9, 2024 - for adoption

By general consent, the Local Trust Committee meeting minutes of April 9, 2024 were adopted.

6.3 Local Trust Committee Special Meeting Minutes dated May 7, 2024 - for adoption

By general consent, the Local Trust Committee special meeting minutes of May 7, 2024 were adopted.

6.4 Section 26 Resolutions-Without-Meeting Report - none

6.5 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 24, 2024

A Trustee questioned why the status of February 20, 2024 Activity 1 'preparation of a suitable land analysis draft' was marked as complete. The Planner stated that the status should be "in progress."

DE-2024-034

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(2)(k) for the purpose of considering:

- (k)negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

and that the Recorder, Staff and representatives of the K'omoks First Nation attend the meeting.

CARRIED

The regular meeting was recessed at 10:27 a.m. and recalled to order at 11:20 a.m.

8. APPLICATIONS AND REFERRALS

8.1 DE-RZ-2023.1 - Komas Ranch Ltd. - Staff Report

The Planner summarized the staff report and highlighted the following:

- A Land Use Contract (LUC) was entered into in 1977 and it terminates on June 30, 2024;

- The application proposes to increase the number of allowable single family dwellings on two lots from 9 units up to 20 units with each of the permitted dwellings allowed one accessory guest dwelling no larger than 400 square feet;
- The application also requests a portion of one of the lots be rezoned from Rural to Conservation/Recreation; and
- There is an opportunity for the Local Trust Committee to update zoning as required and to protect cultural heritage sites and areas of sensitive environmental concern.

The Applicant and one of the property owners were present and made the following comments during discussion with the Trustees:

- The original Land Use Contract (LUC) did not have a public trail; however, Komas Ranch has allowed day use public access to the adjacent marine park and boating areas, Morning Beach Park, and Longbeak Point;
- If a trail is established, it would cross private property;
- There is a public park with vehicle parking at Morning Beach Park and access to Longbeak Point is provided from the same public area;
- The Komas Ranch property does not have parkland because the LUC specified that 150 acres remain as undisturbed forest;
- They have not had an opportunity to explore the Natural Area Protection Tax Exemption Program (NAPTEC) as they have just heard about it and do not have sufficient information to comment;
- Komas Ranch was originally an operating farm and the building on the Agricultural Land Reserve portion of the property was housing used for the farm owner and staff and it is currently being used as a low-cost rental housing unit;
- This is being treated as rezoning a piece of land, but it is a hand over from one level of government to another level of government and the owners are seeking a continuation of the use that has already been in place;
- They have complied with the request to do a survey of the land;
- They are being asked to categorize water and septic field capacity and, while they are willing to confirm that each of the properties has a functioning septic system, doing studies on existing properties seems onerous;
- The Province put legislation into place that specified that local governments would take over the administration of LUCs and put rezoning into place by June, 2022 and that property owners were to be notified in writing of the expiry of the contract; however, neither of these requirements have been met; and
- The Local Government Act is clear that the local government was to put rezoning in place, but Islands Trust has put the onus on the property owners to do this;
 - The Planner noted that zoning has been in place on these lots since 2008 and that the language in the local Government Act states that zoning has to be in place by the expiry of the Land Use Contract.

Discussion ensued.

DE-2024-035

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008 (OCP), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.).

CARRIED

DE-2024-036

It was MOVED and SECONDED

That the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Land Use Bylaw, 2008 (LUB), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.).

CARRIED

DE-2024-037

It was MOVED and SECONDED

that the Denman Island Local Trust Committee confirm that the draft bylaw includes designation of part of the Northern parcel and part of the Eastern parcel (PIDs 000-211-338 and 023-096-438) as 'Conservation/Recreation' in the OCP and 'Conservation (CN)' in the LUB.

CARRIED

DE-2024-038

It was MOVED and SECONDED

that the Denman Island Local Trust Committee confirm that the draft bylaw includes designation of Site Specific Rural Residential zones in the LUB to permit the existing residential density on each of the subject properties.

CARRIED

DE-2024-039

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.) to submit the following information to the Local Trust Committee regarding sewerage waste disposal on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320):

- a) Sewage disposal filings for each sewage disposal system on the subject properties; and
- b) A comprehensive sewage disposal plan for each dwelling/building site on each of the subject properties.

CARRIED

DE-2024-040

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.) to submit the following information to the Local Trust Committee regarding the existing water quality and quantity on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320):

- a) Source of potable water for each building site;
- b) Distribution of potable water to each building site;
- c) Any historic or current water quality tests for existing potable water sources supplying the building sites;
- d) Any additional sources of water for irrigation (non-potable); and

that this information be forwarded to the Islands Trust Freshwater Specialist for comment.

CARRIED

DE-2024-041

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to report back on the options and implications of establishing a shoreline protection Development Permit Area for the subject properties.

CARRIED

DE-2024-042

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) to confirm whether or not they will pursue a Natural Area Protection Tax Exemption Program (NAPTEP) covenant to protect an environmentally sensitive portion of the Northern parcel.

CARRIED

DE-2024-043

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to engage with K'ómoks First Nation regarding their interest in formalizing access to Longbeak Point through a pedestrian trail on the Western and Northern parcels.

CARRIED

DE-2024-044

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to report back on the options to formally protect the cultural heritage of the subject properties using all available local government tools, in addition to the Heritage Conservation Act.

CARRIED

DE-2024-045

It was MOVED and SECONDED

That the Denman Island Local Trust Committee request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) submit a post-impact Preliminary Field Reconnaissance prepared by a qualified professional, in consultation with K'ómoks First Nation.

CARRIED

DE-2024-046

It was MOVED and SECONDED

that the Denman Island Local Trust Committee direct staff to send an early referral of the preliminary staff report and application DE-RZ-2023.1 (Komas Ranch Ltd.) to the following groups for comment: K'ómoks First Nation; Qualicum First Nation; Tla'amin Nation; Homalco First Nation (Xwemalhkwu); Wei Wai Kum Nation; We Wai Kai Nation; Nanwakolas Council; Te'Mexw Treaty Association; Snaw'Naw'As Nation; Snuneymuxw First Nation; Halalt First Nation; Stz'uminus First Nation; Tsu'uubaa-asatx First Nation; Lyackson First Nation; Penelakut Tribe; Cowichan Tribes; Comox Valley Regional District; BC Archaeology Branch; Islands Trust Conservancy; and the Islands Trust Senior Intergovernmental Policy Advisor.

CARRIED

DE-2024-047

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to initiate the creation of an Advisory Planning Commission through expressions of interest for the Denman Island Local Trust Committee.

CARRIED

The meeting recessed for a break at 12:15 p.m. and reconvened at 12:45 p.m.

8.2 DE-RZ-2024.1 - Triple Rock Land Cooperative - Staff Report

The Planner summarized the staff report and highlighted the following:

- The current zoning allows for fifteen units and the application seeks to increase the number of units to nineteen and allow secondary suites in all units;
- In 2008, the property was rezoned from Forestry to a new site-specific zone, Co-housing (R3), which permitted 15 (fifteen) affordable units regulated by a housing agreement;
- In 2008, the portion of the property which is in the Agricultural Land Reserve (ALR) was rezoned to a site specific Agriculture (5) zone, which does not permit any dwellings;
- This application would create four new units of affordable housing, as well as potential for up to nineteen affordable secondary suites;

- The applicant plans to use rainwater harvesting;
- There is confirmation the property will support septic use for five additional residences, but information is required regarding septic suitability and capacity for the secondary suites if all were built out; and
- The current minor project is to remove the density bank so this application will not affect density bank calculations.

Discussion ensued and Trustees made the following comments;

- Affordable secondary suites are needed by the community;
- The existing development is already successfully using rainwater catchment and onsite potable water storage; and
- The integrity and history of the development is exemplary.

DE-2024-048

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend Denman Island Land Use Bylaw, 2008 to rezone Lot A, Section 17, Denman Island, Nanaimo District, Plan VIP87456.

CARRIED

DE-2024-049

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for DE-RZ-2024.1 (Triple Rock Land Cooperative) to submit Confirmation from a qualified professional that the subject property has adequate conditions to support wastewater systems, compliant with the BC Sewerage System Regulation under the Health Act for the proposed increase in density to the local trust committee prior to second reading being considered.

CARRIED

DE-2024-050

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for DE-RZ-2021.1 (Triple Rock Land Cooperative) enter into a cost recovery agreement with the Islands Trust for the purposes of vetting an amended housing agreement, which the applicant will provide.

CARRIED

DE-2024-051

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to send an early referral of DE-RZ-2024.1 (Triple Rock Land Cooperative) to the Denman Island Fire Department.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minor Project - Housing Related Temporary Use Permit Review- verbal update

The Planner noted further information will be available at the next meeting.

10. CORRESPONDENCE - none

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

11. NEW BUSINESS

11.1 Annual Reporting Excerpt for Denman Local Trust Area – Memorandum

Add the word “many” before First Nations in the second sentence.

DE-2024-052

It was MOVED and SECONDED

that the Denman Island Local Trust Committee approves the attached amended text for inclusion in the 2023/24 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

CARRIED

12. STAFF REPORTS

12.1 Bylaw Compliance and Enforcement Policy - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report as follows:

- The report provides details of site visits that occurred in January 2024;
- A complaint was received about tree cutting and soil removal within the riparian area around Graham Lake; however, a specific address was not provided;
- The Bylaw Officer attended a few properties and had contact with some residents;
- It was determined that one compromised tree was removed, that there was not a bylaw infraction, and the file was closed;
- Bylaw staff currently follow adopted Trust Council policies for compliance and enforcement, and they receive direction from Local Trust Committees in the form of standing resolutions regarding specific bylaw contraventions;
- The report proposed that a policy document be created for the Denman Local Trust Committee that would direct bylaw staff on specific issues not addressed within the Trust Council policies, including notice of site inspections, time to comply, frivolous complaints, definition of minor contraventions, and the use of discretion; and
- Through the policy document, each Local Trust Committee will be able to establish policy on how bylaw staff are to conduct themselves and when files are to be closed.

Discussion ensued.

DE-2024-053

It was MOVED and SECONDED

that the Denman Island Local Trust Committee adopt the proposed bylaw compliance and enforcement policy as presented.

CARRIED

12.2 Trust Conservancy Report March, 2024

Received for information.

12.3 Trust Conservancy The Heron - Spring Edition

Received for information.

12.4 Applications Report dated May 24, 2024

Received for information.

12.5 Trustee and Local Expense Report dated March, 2024

Received for information.

12.6 Adopted Policies and Standing Resolutions

Received for information.

12.7 First Nations Relationship Building Update

The Regional Planning Manager provided a general update and noted that a leadership meeting occurred between the Denman Island Local Trust Committee and Komoks First Nation and that staff-to-staff conversations are ongoing.

12.8 Local Trust Committee Webpage

No updates at this time.

13. WORK PROGRAM

13.1 Active Projects Report dated May 24, 2024

Received for information.

13.2 Future Projects Report dated May 24, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, August 13, 2024 at 10:00 am at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

15. CLOSED MEETING

15.1 Motion to Close the Meeting

DE-2024-54

It was **MOVED** and **SECONDED**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(2)(b)&(f) for the purpose of considering:

- (b)the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- (f)law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

and that the Recorder and Staff attend the meeting.

CARRIED

The regular meeting recessed at 1:35 p.m.

15.2 Recall to Order

The meeting was recalled to order at 2:01 p.m.

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:02 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Recorder

Follow Up Action Report

Denman Island

25-Jul-2023

Progress	Activity	Responsibility	Dates	Status
66%	1 Actions for the Major Project - Denman Island Housing Review Project (Project Charter, Business Case, Advisory Planning Commission Terms of Reference): 1. Staff to post Project Charter to project website, re: Denman Island Housing Review Project. - <i>complete</i>. 2. Staff note the endorsed amended project charter for the Denman Island Housing Review Project Stage 2, Phase 1 and 2. - <i>complete</i>. 3. Staff note the endorsed amended business case for the Denman Island Housing Review Project Stage 2, Phase 1, 2, and 3. - <i>complete</i>. 4. Staff note the endorsed amended Terms of Reference for the Housing Advisory Planning Commission (HAPC). - <i>complete</i>. 5. Staff note the endorsed amended Engagement Plan for the Denman Island Housing Review Project Stage 2, Phase 1, 2, and 3. 6. Staff to send a letter to First Nations to identify how they would like to be engaged on Denman Island's Housing Review Project. - <i>Completed, engagement ongoing. FN has requested an overall update for all projects from IT and included sharing information on the project. Date to be scheduled.</i> 7. Lead Planner to request the Regional Planning Committee submit a business case to Trust Council regarding water availability assessment and prioritize Denman Island in fiscal 2024/25. <i>Completed</i> 8. Staff to schedule Community Meeting 1 following receipt of the October report from the Housing Advisory Planning Commission. <i>Remove?</i>	Chloe Straw Michelle Backe Narissa Chadwick		In Progress

Follow Up Action Report

Denman Island

14-Nov-2023

Progress	Activity	Responsibility	Dates	Status
100%	1 DE LTC requests regular reporting from the Bylaw Compliance & Enforcement Manager so that the Local Trust Committee can review and prioritize enforcement and enforcement resources, where there is a completed investigation. <i>This is an ongoing requirement and the LTC will see regular reporting from BE.</i>	Warren Dingman	Target: 17-Nov-2023	Completed

20-Feb-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Complete suitable land analysis draft. Schedule meeting with Trustees RE: suitable land analysis. PLANNER UPDATE 07/30 We are still waiting for the data to be ready to share. The meeting won't happen any earlier than September.	Michelle Backe Narissa Chadwick	Target: 08-Oct-2024	In Progress
0%	2 - Draft Housing Action Plan <i>Completed for May 7th Meeting</i> - Draft Bylaw language for review <i>tbc</i>	Narissa Chadwick		In Progress

09-Apr-2024

Progress	Activity	Responsibility	Dates	Status
100%	1 Chair Maude to send an email Hornby Island LTC Chair to gauge interest in joint meeting with Minister regarding ferry and road issues.			Completed

Follow Up Action Report

Denman Island

07-May-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Bylaw 228 and 229 adopted. Staff to consolidate and update the OCP and LUB to reflect the policy and regulatory changes.	Marlis McCargar Nadine Mourao		In Progress

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Send out expressions of interest to initiate the creation of an APC for DE LTA. <i>Advertisement was printed in the Grapevine on June 13 and 20.</i> <i>Deadline extended to July 29.</i>	Chloe Straw Marlis McCargar		Completed
0%	2 1.request the applicant for DE-RZ-2023.1 to submit the following information to the Local Trust Committee regarding sewerage waste disposal on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320): - Sewage disposal filings for each sewage disposal system on the subject properties; and A comprehensive sewage disposal plan for each dwelling/building site on each of the subject properties. 2.request the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.) to submit the following information to the Local Trust Committee regarding the existing water quality and quantity on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320): a) Source of potable water for each building site; b) Distribution of potable water to each building site; c) Any historic or current water quality tests for existing potable water sources supplying the building sites; d) Any additional sources of water for irrigation (non-potable); AND That this information be forwarded to the Islands Trust Freshwater Specialist for comment. 3.That the Denman Island Local Trust Committee request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) submit a post-impact Preliminary Field Reconnaissance prepared by a qualified professional, in consultation with K'ómoks First Nation.	Margot Thomaidis		In Progress

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	3 Send an early referral of the preliminary staff report and application DE-RZ-2023.1 (Komas Ranch Ltd.) to the following groups for comment: ·K'ómoks First Nation; ·Qualicum First Nation; ·Tla'amin Nation; ·Homalco First Nation (Xwemalhwu); ·Wei Wai Kum Nation; ·We Wai Kai Nation; ·Nanwakolas Council; ·Te'Mexw Treaty Association; ·Snaw'Naw'As Nation; ·Snuneymuxw First Nation; ·Halalt First Nation; ·Stz'uminus First Nation; ·Tsu'uubaa-asatx First Nation; ·Lyackson First Nation; ·Penelakut Tribe; ·Cowichan Tribes; ·Comox Valley Regional District; ·BC Archaeology Branch; ·Islands Trust Conservancy; and ·Islands Trust Senior Intergovernmental Policy Advisor.	Joe Elliott Margot Thomaidis Nadine Mourao		In Progress
0%	4 request staff to prepare a draft bylaw to amend Denman Island Land Use Bylaw, 2008 to rezone Lot A, Section 17, Denman Island, Nanaimo District, Plan VIP87456. <i>Target Oct. 08 Meeting to have bylaws drafted for 1st Reading</i>	Marlis McCargar Nadine Mourao		In Progress

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	5 request the applicant for DE-RZ-2024.1 (Triple Rock Land Cooperative) to submit confirmation from a qualified professional that the subject property has adequate conditions to support wastewater systems, compliant with the BC Sewerage System Regulation under the Health Act for the proposed increase in density to the Local Trust Committee prior to Second Reading being considered.	Marlis McCargar		In Progress
0%	6 request the applicant for DE-RZ-2021.1 (Triple Rock Land Cooperative) enter into a cost recovery agreement with the Islands Trust for the purposes of vetting an amended housing agreement, which the applicant will provide.	Marlis McCargar		In Progress
100%	7 request staff to send an early referral of DE-RZ-2024.1 (Triple Rock Land Cooperative) to the Denman Island Fire Department.	Marlis McCargar Nadine Mourao		Completed
0%	8 1.prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008 (OCP), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.). 2.prepare a draft bylaw to amend the Denman Island Land Use Bylaw, 2008 (LUB), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.). 3.confirm that the draft bylaw includes designation of part of the Northern parcel and part of the Eastern parcel (PIDs 000-211-338 and 023-096-438) as 'Conservation/Recreation' in the OCP and 'Conservation (CN)' in the LUB. 4.confirm that the draft bylaw includes designation of Site Specific Rural Residential zones in the LUB to permit the existing residential density on each of the subject properties.	Margot Thomaidis Nadine Mourao		In Progress

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	9 request staff to report back on the options and implications of establishing a shoreline protection Development Permit Area for the subject properties related to DE-RZ-2023.1.	Margot Thomaidis		In Progress
0%	10 request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) to confirm whether or not they will pursue a Natural Area Protection Tax Exemption Program (NAPTEP) covenant to protect an environmentally sensitive portion of the Northern parcel.	Margot Thomaidis		In Progress
0%	11 Request staff to engage with K'ómoks First Nation regarding their interest in formalizing access to Longbeak Point through a pedestrian trail on the Western and Northern parcels.	Margot Thomaidis		In Progress
0%	12 request staff to report back on the options to formally protect the cultural heritage of the subject properties using all available local government tools, in addition to the Heritage Conservation Act.	Margot Thomaidis		In Progress

From: Marlis McCargar
Sent: Thursday, August 1, 2024 11:07 AM
To: Nadine Mourao
Subject: FW: Wastewater treatment at Triple Rock Land Cooperative (aka CoHo Landing) on Denman Island B4 file 1372-01

[Include as supplemental information for item 8.1](#)

Marlis McCargar (she, her, hers)
Island Planner
Islands Trust | T 250-247-2210

From: David Graham <dagraham@islandstrust.bc.ca>
Sent: Thursday, August 1, 2024 10:21 AM
To: Marlis McCargar <mmccargar@islandstrust.bc.ca>; CoHo Landing [REDACTED]
David Maude <dmaude@islandstrust.bc.ca>; Sam Borthwick <sborthwick@islandstrust.bc.ca>
Subject: Re: Wastewater treatment at Triple Rock Land Cooperative (aka CoHo Landing) on Denman Island B4 file 1372-01

Hi Marlis,

Can you add this email from B4 Engineering to our verbal discussion regarding the motion directing COHO to provide proof of suite septic capacity please?

Cheers,

David Graham
Denman Trustee

Hi Laura,

As per your request we have reviewed the onsite septic documentation that you sent to us with respect to this development.

It is our professional opinion that instead of doing broad based extensive soils investigation for the entire property at this time the simplest most logical, and most effective approach would be to wait until someone wants to build a new home or add a secondary suite and then provide the site specific detailed site and soils investigation and design for the proposed new houses septic system at the time of construction.

We can design onsite septic systems for very difficult sites. We are confident that we could design and get VIHA approvals for a septic system for each new house or extra suite proposed for a fee of approximately \$4,000 per design filing submitted to VIHA. Each home owner would then be responsible for only the flows that they generate.

In some cases the existing homes septic system could be expanded and in other cases it would be more economical and logical to install a new system for the new suite.

Another option that could be considered is to install a larger central sewage system that many homes could share. Each home would have a small septic tank and a pump to pump the effluent to the central in ground dispersal area. This option may be more difficult to allocate costs between the exiting and new owners however.

We look forward to the opportunity of working with you on the possible upgrading of the septic systems that may be needed for the future expansion of your development.

If you have any questions or concerns with these recommendations please do not hesitate to call or to send us an email.

cheers
Darryl

Darryl Brizan P.Eng. Principal
B4 Engineering Inc. EGBC PTP # 1001087
4735 Sooke Road, Victoria, BC, V9C4C1
Cell:250-961-5208
DarrylBrizan@B4engineering.com



From: Marlis McCargar
Sent: August 1, 2024 9:36:16 AM
To: CoHo Landing; David Graham; David Maude; Sam Borthwick
Subject: RE: Wastewater treatment at Triple Rock Land Cooperative (aka CoHo Landing) on Denman Island B4 file 1372-01

Hello All,

This can be added to the August 13 agenda for verbal discussion.

Marlis McCargar (she, her, hers)
Island Planner
Islands Trust | T 250-247-2210

From: CoHo Landing [REDACTED]
Sent: Monday, July 29, 2024 4:50 PM

To: David Graham <dagraham@islandstrust.bc.ca>; David Maude <dmaude@islandstrust.bc.ca>; Marlis McCargar <mmccargar@islandstrust.bc.ca>; Sam Borthwick <sborthwick@islandstrust.bc.ca>
Subject: Fwd: Wastewater treatment at Triple Rock Land Cooperative (aka CoHo Landing) on Denman Island B4 file 1372-01

Hi,

I am writing to request that the topic “proof of sewage treatment capacity for the Triple Rock Land Cooperative/CoHo Landing rezoning” be added to the August LTC meeting agenda as a late item.

We are asking that the DILTC revise the request for proof of septic capability for secondary suites, made at the previous LTC meeting. Rather than requiring a sewage system study in advance for the whole project, we ask that the LTC require information about the sewage treatment system on a case-by-case basis at the time the construction of a secondary suite is being contemplated. This is in line with the requirements for secondary suites in other zones. This approach would be more pragmatic and affordable for the TRLC while still ensuring due diligence.

This matter is time sensitive because the decision has significant budget, work-load, and timing implications for the TRLC’s rezoning process.

Regards,

Laura Busheikin

On behalf of the Triple Rock Land Cooperative

File No.: 6500-20
(Denman TUP Review)

DATE OF MEETING: August 13, 2024
TO: Denman Island Local Trust Committee
FROM: Marlis McCargar, Island Planner
Northern Team
SUBJECT: Denman Island TUP Review Project

RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, be read a first time.
2. That the Denman Island Local Trust Committee Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”, be read a first time.
3. That the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 248, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, is not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Denman Island Local Trust Committee request staff to refer Bylaw No. 248 and Bylaw No. 249 to the following agencies and First Nations for comment:

• Cowichan Tribes • Halalt First Nation • Da'naxda'xw/Awaetlala First Nation • Qualicum First Nation • Lyackson First Nation • Penelakut Tribe • Snuneymuxw First Nation • Snaw'Naw'As Nation • Stz'uminus First Nation • Te'Mexw Treaty Association • Tsu'uubaa-asatx First Nation • Tlowitsis First Nation • Homalco First Nation (Xwemalhkwa)	• Tla'amin Nation • Nanwakolas Council • Wei Wai Kum Nation • We Wai Kai Nation • Mamalilikulla First Nation • K'ómoks First Nation • Comox Valley Regional District • School District #71 (Comox Valley) • Hornby Island Local Trust Committee • Ministry of Municipal Affairs and Housing • Denman Fire Department
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5. That the Denman Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw Nos. 248 (OCP) and 249 (LUB).

REPORT SUMMARY

The purpose of this report is to provide draft bylaws for the Denman Island Local Trust Committee (LTC) to consider in order to amend the Temporary Use Permit (TUP) guidelines for secondary dwellings and density bank as part of the LTC Top Priority Major Project – Housing Review. The draft bylaws are attached (Attachments 1 and 2) for the LTC's consideration, and the Islands Trust Policy Statement Checklist is attached (Attachments 3 and 4) for the LTC's review.

Staff are recommending the LTC give the draft bylaws first reading to allow time for amendments based on public input and referral feedback.

BACKGROUND

The Housing Review Project, aimed at addressing housing needs, has been the Denman Island Local Trust Committee's (LTC) top priority since 2022. On April 9, 2024, the Denman Island LTC received a staff report outlining options for a minor project. The LTC decided to advance a small yet significant aspect of the housing work ahead of the major project.

At the May 7, 2024 regular meeting the Denman Island LTC, the following resolution was passed:

DE-2024-031

that the Denman Island Local Trust Committee endorse the Project Charter, dated May 7, 2024 for the Housing Related Temporary Use Permit Review Project as a minor project.

CARRIED

Background information regarding the project and the Project Charter can be found on the Denman Project webpage: <https://islandstrust.bc.ca/island-planning/denman/projects/>

ANALYSIS

Draft Bylaw Nos. 248 and 249

The draft bylaws are attached for the LTC's consideration and the following two topics are included in the bylaw.

1. Removal of Temporary Use Permits for Secondary Dwellings

As per the Denman Island Land Use Bylaw, 2008, Section 2.1.4, secondary dwelling units may be permitted by Temporary Use Permit (TUP) on lands zoned as R2 (Rural Residential), A (Agriculture), F (Forestry), and RE (Resource). There are a total of 37 properties with R2, F and RE zoning. Adhering to Agricultural Land Commission (ALC) regulations, secondary dwellings are permitted outright on Agricultural Land Reserve (ALR) properties zoned A without the need for a TUP. There are a total of 30 properties with A zoning in the ALR. Secondary suites are generally allowed within these zones without the need for a TUP.

Both the [Vancouver Island University \(VIU\) report](#) and [Housing Advisory Committee \(HAPC\) report](#) recommended removing TUP regulations related to secondary dwelling units. TUPs are temporary and do not provide long-term housing solutions. The temporary nature of TUPs and the length of time for the application process may discourage property owners from developing secondary housing, even where the zoning allows for it.

In a community survey regarding the effectiveness of TUPs in addressing housing objectives, over three quarters of the respondents found TUPs ineffective in addressing housing objectives as defined in the OCP.

Since 2008, when the TUP process for secondary dwellings was adopted, there have been only two TUP applications for a secondary dwelling, highlighting the limited uptake in this tool. Removing the need for TUPs for secondary dwellings can increase the available rental housing stock, support long-term housing solutions, simplify and reduce barriers in the administrative processes, and better align with the housing objectives outlined in the OCP as well as the community needs.

Draft Bylaw Nos. 248 and 249 remove all references and regulations related to the TUP process for secondary dwellings.

Removal of Density Bank

The residential density bank in the Denman Island Official Community Plan (OCP) was designed to control residential development by accumulating, storing, and allocating density. However, it has proved administratively complex and requires careful tracking and regulation.

Additionally, the density bank has become obsolete. The Denman Island Farm Regulation Review Project has eliminated the need for Temporary Use Permits (TUPs) for secondary dwellings on Agricultural Land Reserve land, potentially already exceeding the available density in the bank. Permitting ADUs without TUPs would also expand outright density potential.

Draft Bylaw No. 248 removes all references to the residential density bank, simplifying the administrative process and eliminating the need for complex tracking mechanisms.

Islands Trust Policy Statement:

The draft bylaw amendments are consistent with the policy directives of the Policy Statement. The Policy Statement Directives Checklist are included as Attachments 3 and 4 and will need to be endorsed by the LTC if the LTC gives first reading to the draft bylaws. The checklist will then be forwarded to the Executive Committee after third reading of the proposed bylaw No. 248.

Consultation

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. Staff have identified the following agencies and First Nations for referrals:

- Cowichan Tribes
- Halalt First Nation
- Da'naxda'xw/Awaetlala First Nation
- Qualicum First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snuneymuxw First Nation
- Snaw'Naw'As Nation
- Stz'uminus First Nation
- Te'Mexw Treaty Association
- Tla'amin Nation
- Nanwakolas Council
- Wei Wai Kum Nation
- We Wai Kai Nation
- Mamalilikulla First Nation
- K'omoks First Nation
- Comox Valley Regional District
- School District #71 (Comox Valley)
- Hornby Island Local Trust Committee
- Denman Island Fire Department

- Tsu'uubaa-asatx First Nation
- Tlowitsis First Nation
- Homalco First Nation (Xwemalhkwu)
- Ministry of Municipal Affairs and Housing

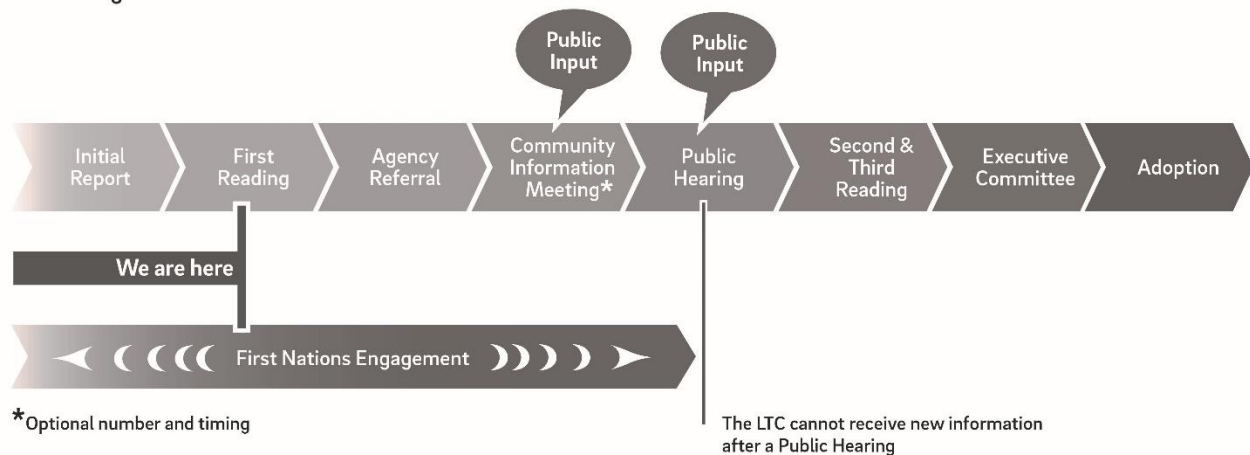
The LTC should consider whether to undertake additional consultation beyond those identified above and direct staff accordingly. The LTC is actively recruiting for the Advisory Planning Commission (APC); however, there is currently no active APC on Denman Island. Once the APC is formed, the LTC may choose to refer draft bylaws.

Statutory Requirements

In accordance with regular statutory requirements, a Public Hearing is required for any bylaw amendment involving an OCP. It is standard Islands Trust practice to hold a Community Information Meeting (CIM) prior to the Public Hearing. Staff recommend scheduling a CIM immediately before the Public Hearing. However, the LTC can also choose to hold a CIM as a standalone meeting, separate from the Public Hearing.

Based on the project charter work plan, a Public Hearing would be tentatively scheduled for late Fall 2024.

Timeline



Rationale for Recommendation

The LTC gave direction to staff to proceed with the minor project based on recommendations made in the April 9, 2024 and May 7, 2024 staff reports. Staff have presented draft bylaws for the LTC's consideration based on their recommendations and the project charter.

ALTERNATIVES

1. Direction to amend the draft bylaws

The LTC may wish to make amendments to the draft bylaws. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee amend draft Bylaw No. 248, cited as the "Denman Island Official Community Plan, 2008, Amendment No. 1, 2024" by...

That the Denman Island Local Trust Committee amend draft Bylaw No. 249, cited as the "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024" by...

2. Give First and Second Readings together

The LTC may wish to give first and second readings of the draft bylaws simultaneously. If selecting this alternative, the LTC should be confident that the bylaws will not require significant changes following public feedback and referrals. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, be read a second time.

That the Denman Island Local Trust Committee Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”, be read a second time.

3. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee request staff to provide further information on...

4. Proceed no further

The LTC may choose to make no amendments to the Denman Island OCP and LUB. The project would be removed from the Top Priority List

NEXT STEPS

Based on direction from the LTC, staff will:

- Proceed with bylaw referrals to First Nations and government agencies.
- Schedule CIM/Public Hearing after the close of the referral response period.

Submitted By:	Marlis McCargar, Island Planner	July 24, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	July 25, 2024

ATTACHMENTS

1. Draft Bylaw No. 248
2. Draft Bylaw No. 249
3. Islands Trust Policy Statement Directive Only Checklist – Bylaw No. 248
4. Islands Trust Policy Statement Directive Only Checklist – Bylaw No. 249

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 248

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

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”.

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

READ A FIRST TIME THIS _____ DAY OF _____, 202X

READ A SECOND TIME THIS _____ DAY OF _____, 202X

PUBLIC HEARING HELD THIS _____ DAY OF _____, 202X

READ A THIRD TIME THIS _____ DAY OF _____, 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS _____ DAY OF _____, 202X

ADOPTED THIS _____ DAY OF _____, 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 248**

Schedule 1

1. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “A” is amended as follows:
 - 1.1 Table of Contents delete “Appendix D Density Banking” in its entirety.
 - 1.2 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Housing – Objectives, Objective 3 is deleted in its entirety.
 - 1.3 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 11 is amended by deleting “if approved by a Temporary Use Permit” after “may be permitted on a lot”.
 - 1.4 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 12 is deleted in its entirety.
 - 1.5 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 16 is amended by deleting “through a Temporary Use Permit” after “designations”.
2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “B” is amended as follows:
 - 2.1 SCHEDULE B – PERMITS AND PLAN ADMINISTRATION, CONTENTS delete “Appendix D Density Banking” in its entirety.
 - 2.2 APPENDICES, CONTENTS delete “Appendix D Density Banking” in its entirety.
 - 2.3 APPENDIX D DENSITY BANKING delete in its entirety.

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 249

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”.

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

READ A FIRST TIME THIS _____ DAY OF _____, 202X

READ A SECOND TIME THIS _____ DAY OF _____, 202X

PUBLIC HEARING HELD THIS _____ DAY OF _____, 202X

READ A THIRD TIME THIS _____ DAY OF _____, 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 202X

ADOPTED THIS _____ DAY OF _____, 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 249**

Schedule 1

1. Schedule “A” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 4 is amended by deleting the paragraph in its entirety and replacing with:

Secondary dwelling units are permitted on lands zoned as “R2” (Rural Residential), “A” (Agriculture), “F” (Forestry) and “RE” (Resource), and on properties in the Agricultural Land Reserve.

Secondary suites are generally permitted within a principal dwelling within these zoning designations.
 - 1.2 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 6 is amended by deleting “by a Temporary Use Permit”.
 - 1.3 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 1 – Permitted Uses – Accessory Uses is amended by deleting the following asterisk in number 10:

“Secondary dwelling units must be approved through a Temporary Use Permit”.
 - 1.4 Part 3 – ZONE REGULATIONS, Section 3.4 Resource Zoning Tables – Table 1 – Permitted Uses – is amended by deleting the following words in item 14 “(requires approval by a Temporary Use Permit)”.
 - 1.5 Part 5 – TEMPORARY USE PERMITS, “Area 2”, is deleted in its entirety and is renumbered accordingly.



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20

File Name: TUP Review Project

Bylaw No. 248

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
	4.2	Forests
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.2	Forests

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20

File Name: TUP Review Project

Bylaw No. 249

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.2.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of native biological resources and habitats.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

MEMORANDUM

File No.: Denman Housing Review
Phase 2

DATE OF MEETING: August 13, 2024
TO: Denman Island Local Trust Committee
FROM: Narissa Chadwick, Local Planning Services
COPY: Renee Jamurat, Regional Planning Manager
SUBJECT: Denman Island Housing Project Update

PURPOSE

This memo provides an update on the Denman Island Housing Project.

This project is currently on track as per the attached Project Charter and Housing Action Implementation Plan that were endorsed by the Denman LTC at their May 7th LTC special meeting. Staff note that timing in project charters is approximate and can differ by a month or more. Since the May meeting staff have been engaged in the following activities:

- Revising housing related definitions
- Preparing the suitable land analysis for presentation to LTC
- Advancing conversations with K'ómoks First Nation staff to determine interests
- Amending bylaws to remove TUP requirement for ADUs and to remove density bank
- Reformatting zoning regulations to support updates to the LUB
- Drafting amendments for Phase 2A amendments, these are amendments that do not require detailed analysis

NEXT STEPS

- Staff will continue to work on Phase 2A amendment drafting
- Staff will continue engagement work with the K'ómoks First Nation
- Staff will schedule a meeting with LTC to review the Suitable Land Analysis (most likely September)
- Staff will begin to explore Phase 2B and 2C amendments

Submitted By:	Narissa Chadwick, RPP, MCIP, Senior Planner	July 24, 2024
Concurrence:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	July 24, 2024

ATTACHMENTS

1. Project Charter
2. Housing Action Implementation Plan

\\islandstrust.local\DFSMain\EDM\12 Long Range Planning\02 DE\6500 LTC Work Program\20 Projects (P)\2023 - Housing Review Phase 2\Staff Reports\2024_07_23\DE_LTC_2024_08_01_staff report.docx

ATTACHMENT 2

Denman Island Housing Review Project (Stage 2 Phase 2)- Charter v1

Denman Island Local Trust Committee (LTC)

Date: May 2024 (update)

Purpose: Advancing policy and regulatory amendments that focus on increasing permitted number of housing units to address housing need while preserving and protecting the natural environment .

Background: Denman Island is experiencing a crisis of housing affordability and availability. The Denman Island LTC initiated a budget request to Trust Council for 2024/25 funding and allocation of staff time to continue the Denman Islands Housing Review Project. A budget of \$15,000 and Regional Planning Team time was allocated to this project for fiscal 2024/25.

Objectives

Amending to the Official Community Plan and Land Use Bylaw to increase the number of permitted housing units to address housing needs of current residents of Denman Island.

In Scope

- First Nations engagement
- Public engagement to identify housing options;
- Amendments to the OCP and the LUB to increase housing number of permitted housing units to address housing need while considering environmental impact
- Identify advocacy policies

Out of Scope

- Development of educational materials
- Engagement in advocacy
- Amendment of policies outside of the OCP and LUB

Workplan Overview

Deliverable/Milestone

Date

Phase 2A – Land Use Bylaw Amendments Requiring Limited Analysis

First Nations Engagement	Jan 2024 – April 2025
Draft Bylaws/ Community Engagement where required	May 2024- July 2024
Bylaw Referral/Readings	July -Oct 2024
LTC Approval	December 2024

Phase 2B – OCP Amendments Requiring Limited Analysis

First Nations Engagement	Jan 2024 – April 2025
Draft Bylaws/ Community Engagement where required	May –Sept. 2024
Legal Review/ CIM	October/November 2024
Bylaw Reading/ EC Approval	Dec 2024 – Jan. 2025
Provincial Referral	February 2025

Phase 2C – Options Requiring More Detailed Analysis and Engagement

First Nations Engagement	Oct. – Dec. 2024
Suitable Land Analysis	June 2024
Draft Options/Community Engagement where required	June 2024 – November 2024
Draft Bylaws	February 2025
Understanding of FN Interests/Bylaw readings/ CIM	March- May 2025
Provincial Referral	May 2025

Project Team

Regional Planning Manager	Renée Jamurat
Regional Planning Team Member	Narissa Chadwick
Planning Team Assistant	Chloë Straw
Denman Island Planner	Marlis McCargar
GIS Tech	TBD

Budget

Budget Sources:

2023/24	FN Engagement	\$16,000
2024/25	Legal Review	\$7,000
2024/25	Community Engage	\$3,000
2024/25	TBD	\$5,000
	Total	\$32,000

Attachment 4: Denman Island Housing Action Implementation Plan (Revised May 7,2024)

Blue – Items Part of Denman Housing Review Stage 2, Phase 2

Green – Items being done at Trust Wide level or require collaboration with CVRD or Province

I – Information

M – Minor Project

P – Phase 2

IT – Islands Trust Responsibility

BL – Bylaw Enforcement

ED – Education

ACTION		Status	Anticipated Timing	
Goal 1: Update information to Inform housing project - INFORMATION				
I1	Update Housing Needs Assessment	To be done as part of IT project	TBD once Provincial direction is provided	
I2	Water Balance Assessment	Waiting for funding allocation	2025/26 fiscal	
I3	Workshop with LTC on Suitable Land Analysis (SLA)	To be Scheduled	June – August 2024	
Goal 2: Incorporate First Nations Interests in Land use Decision Making – RECONCILIATION				
P2A,P2B, P2C	Identify FN Interests with respect to housing options and impacts	Capacity Agreement and funding in place	ongoing	
Goal 3: Diversifying Housing Options – LAND-USE				
M1	Remove TUP requirement for ADUs	Minor Project	Bylaws fall 2024	
M1?	Eliminate or update Density Bank	Minor Project ()?	TBD	
P2A	Reformatting Land Use Bylaw Regulations	Required	Summer 2024	
P2A	Review LUB definitions to ensure consistency with OCP	IT standards being created		
P2A	Review existing site specific exemptions in light of TUP changes	Technical change		
P2A	Permit Dwelling units in community service zone	Explore options	Summer 2024 – primary work (exploring questions that might arise, public engagement as required, FN engagement, bylaw drafting)	
P2A	Consistency with ALC regulations	Technical change		
P2A	Permit Alternative Types of units (RVs, Yurts etc.)	Technical change		
P2A	Legalize housing on a site specific basis	*At May7 meeting, LTC suggested this become a separate project		
P2A	Make existing multi-family zoning more flexible	Technical change		
P2A	Limiting Vacation Rental Permission to BnB	Tech change related to legal review		
P2A	Expand secondary suite permissions into water service areas	Requiring connecting with CVRD		
P2B	Include policies related to ALR exclusion for affordable housing	Technical change, engagement related to conditions recommended		
P2B	Permit reduction of min parcel size to facilitate land for donation to NGO/Govt	*At May 7, 2024 meeting LTC suggested these be removed		
P2B	Permit subdivision (where not currently permitted) in exchange for donation			
P2B	Allow subdivision only if land is donated for affordable housing			
P2B	Add policies to support development variance for proof of water for cooperatives	Dependent on review of existing		
P2B	OCP Policies to support home based assisted living and tiny home villages	Technical change		
P2B	Allow for variations in housing that support shared facilities (e.g. podhouse)	Technical change to support existing?		
P2C	Expansion of Accessory Dwellings Unit permission	SLA and early FN engagement recommended		Summer 2024 -SLA
P2C	Expansion of Secondary Suite Permission (SLA) beyond water service areas	SLA and early FN engagement recommended		Fall/winter 2024 – preliminary work ,

P2C	Allow Multiple Dwelling Units with Max Combined floor area (Flexible Housing)	SLA and early FN engagement recommended; *At May 7,2024 meeting LTC requested tiny homes be considered	amendment option can be drafted before locations identified FN engagement ongoing
P2C	Additional dwelling units if land is conserved/housing agreement is in place	SLA and early FN engagement recommended;	Bylaws 2025
IT1	Expedite Approvals for multi –unit housing rezoning applications	To be done at Trust Wide level as part of Trust Wide Housing Action Plan Implementation	TBD
Goal 4- Minimize the Environmental Impact on Land –LAND-USE			
P2C	Use suitable land analysis to identify areas more suitable for additional density	Suitable land analysis if in process	Summer/Fall 2024
P2C	Implement maximum combined floor area for multiple dwellings	Maximum combined floor area (MCFA) to be discussed, staff to provide options	Fall 2024 – MCFA to be identified
P2A	Reduce lot coverage (to include floor area and impervious surfaces)	Maximum combined floor area to be discussed.	Summer/Fall – draft bylaws
P2A	Cistern requirement for new builds	Cistern size to be discussed, staff to provide options	
Goal 5 – Implement Affordability Measures – AFFORDABILITY CONTROLS			
IT2	Allow additional units if they are being rented affordably	The only way to guarantee affordability into the long-term is through housing agreement. Requires increasing administration of HAs by the Islands Trust or CVRD developing administrative function.	TBD Fall 2024 -Can be included as advocacy policy
Goal 6 – Address Bylaw Enforcement Issues Related to Housing –BYLAW ENFORCEMENT			
BL1	Identify challenges and options to address	Trust Council Bylaw Enforcement Review currently underway	TBD
Goal 7 – Provide Education and Engagement on costs/options/environmental alternatives -EDUCATION			
ED1	Education re: costs to build, water capture and other alternatives	This could be done on a Trust Wide basis, CVRD or as a LTC minor project.	Fall 2024- Can be included as advocacy policy
ED2	Identify opportunities for CVRD to develop education materials	Meet with the CVRD to advance action plan	Fall 2024- Can be included as advocacy policy, meeting with CVRD
Goal 8 – Advocate for Support for Infrastructure Needs – ADVOCACY			
ED1	CVRD expansion of water and sewage services	Meetings with CVRD required	Fall 2024- Can be included as advocacy policy, meeting with CVRD
ED2	Advocate for support for Cistern purchase	Meeting with CVRD and Province required	Fall 2024- Can be included as advocacy policy, meeting with CVRD
ED3	Advocate for Municipal and Regional District Tax (MRDT) to be collected to support affordable housing development	Meeting with CVRD required	
ED4	Advocate to province for additional revenue to support housing	Item in Trust wide Housing Action Plan	Fall 2024- Can be included as advocacy policy
ED5	Advocate to Island Health to support waste disposal alternatives	Item in Trust wide Housing Action Plan	
ED6	Advocate to Province re: small water system sharing	Could be included in Trust wide Housing Strategy Action Plan	TBD re: advancing action

From: Marlis McCargar
Sent: Monday, July 29, 2024 3:10 PM
To: [REDACTED]
Cc: Nadine Mourao
Subject: FW: DE Agenda Correspondence
Attachments: Denman Island Heritage proposal.pdf

Hi Shari,

Thank you for your letter. I suggest adding this to the next Denman Island LTC Agenda as correspondence. You may also want to attend the Denman LTC meeting on Aug 13 to speak to the LTC directly during the “public comments” section of the agenda.

Heritage designation bylaws, passed by local trust committees (LTC), protect properties of significant community value. This legal tool is typically reserved for properties with significant historical or cultural importance. A heritage designation bylaw outlines the property's significance and any maintenance requirements. It is registered with the Province and the Heritage Branch. Once a property/building is designed, any changes to it would require a Heritage Alteration Permit.

Is the owner interested in pursuing a heritage designation?

Regards,

Marlis McCargar (she, her, hers)
Island Planner
Islands Trust | T 250-247-2210

From: Shari Griffin [REDACTED]
Sent: Sunday, July 28, 2024 10:01 PM
To: Marlis McCargar <mmccargar@islandstrust.bc.ca>
Subject: Fwd: new pdf

Hello Marlis,

I was given your name by Sam Borthwick and this is what he sent me. (In red)
Following this message from Sam is another message with an attachment. I’m hoping you will have time to read my letter and hopefully you’ll be able to help me get the ball rolling on my mission before it’s too late.

Thank you very much for your time with my request and I look forward to hearing from you.

Kind regards,
Shari (Isbister) Griffin

Hi Shari,

Thank you very much for your letter, I think there are very few Denman Islanders who have been here for any real length of time who go unaware of the historic legacy of the Isbister clan on this island.

I would certainly support any project that can help the house remain in place, and I think the suggested ideas all have merit. If it is determined that the building needs to move to embody a new role, I would also be keen to support whatever direction that takes.

To the best of my knowledge (although I am a first term Trustee, so I may be mistaken), the designation of heritage status is not solely within our jurisdiction- that being said, our staff are extremely knowledgeable, and can no doubt be an asset in determining next steps.

Marlis McCargar (mmccargar@islandstrust.bc.ca) is our dedicated island planner, and is always my first stop with regards to queries about regulation.

If I can be of further help, please don't hesitate to reach out.

Sam Borthwick, (he, him)

Trustee

Islands Trust

T 250-845-9477 | islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Hi Island Trust Representatives,

Please read the attached document, thanks.

Kind Regards,

Shari (Isbister) Griffin

July 27, 2024

Hello folks,

My husband spoke recently to Kirstin Clausen, the Executive Director of Heritage BC. Ms. Clausen said that normally, designations are done by the owner of the property; if they are not in favour, it can be extremely difficult to do. But there are a few exceptions where it can be done by someone else. In the latter case, having a possible place to “move” the house would be ideal. As there is no housing crisis on Denman as there is in some cities in BC, there is no urgency for development of housing spaces on Denman. For the new owners to build (be it condos or not) they would need to jump several hurdles. One such hurdle is the removal of demolition materials with respect to Waste Management by-laws. Therefore, it could be in the owners’ interest to move the house, as that process may be less expensive. She directed us to the Islands Trust to gather further information. I found your contact info on the Islands Trust website. My hope is that one of you can help with some direction, especially since the sale of the farm goes through in early August.

My grandparents – Thomas and Winnie Isbister – bought a farm on Denman Island where they raised their family (10 children). Their farm is now called Orkney Farm, built in 1897 by Tom Chalmers. The farm (now 127 years old) is one of the few remaining heritage farms on Denman. So many Denman families are attached to their former house – Baikies, Schmidts, and Piercys to name a few. Their names, as well as the Isbister name, are part of the current history as many street names carry their banner.

Thomas was the Justice of the Peace for both Denman and Hornby. He was also the Returning Officer for Federal and Provincial elections and always had to phone the results in. His home had many visitors by those needing signatures to be witnessed on legal documents. This was in addition to being a full-time farmer. Over the years, the farm has produced cream and turnips and had herds of sheep. Also, beef cows were raised there. In 1971, the Elliots, Clarks, and Boothroyds bought the current 75 acres from the Isbisters, and renamed it Orkney Farm in honour of the Isbister heritage from Scotland. There are still orchards of apple and pear trees with varieties such as Grimes Golden, King, Gravenstein, and Bose. The stunning hay barn still exists – over a hundred years old.

In 1907 the BC Government Telegraph Company installed a phone in the house and called it South Denman. Three long rings was the signal. That allowed the agent at Union Bay to send messages to the two agents on Denman – one of which was Winnie Isbister. She, in turn, delivered the telegram to the Denman resident on foot, or by horse and buggy. In 1919, the residents of Denman had their own private telephone company called the Denman Island Rural Telephone Association. This community owned telephone system was the first of its kind in British Columbia. In 1929, when the Isbisters bought the property, Winnie Isbister operated the phone agency to connect Denman’s private line to the Government lines on Hornby Island and Union Bay, and later Courtenay. She operated the system for 30 years.

My father, Thomas Isbister Jr., was instrumental in establishing the electricity for the island, while working for the BC Power Commission in 1957. The Isbister house was also a gathering place for people wanting to get to Hornby Island. They would ask Winnie to phone Albert Savoie to bring his boat over to the Isbister beach where he would pick up the passengers. Many times, people stayed overnight at the Isbisters due to tides or inclement weather. There was no restaurant on Denman, so visiting officials from the school board, cattle dealers, Watkins men, preachers, etc., always knew they could get a meal at the Isbister house. It was unofficially known as Grand Central Station.

Tom & Winnie sold the farm in 1972.

There are now only three of their children surviving – and still enjoying time on Denman: Thomas Isbister Jr., Hazel Isbister Kelly, and Merlie Isbister McGee.

The above information is a brief explanation of the desire to preserve their home, be it where it sits – which is the main goal – or to move it to another space on Denman. There is much more detailed information of my grandparents’ life – while living in the house – and their contributions on Denman, found in Winnie Isbister’s book, *“My Ain Folk”*. (For the record, Thomas and Winnie were the first couple who got married at the Denman Island United Church on the island. Another relative – Marcus Isbister – has the Old School Centre named in his honour.)

Some other thoughts:

- The house could be used as a new Denman Museum site, as the current museum is quite small, and is not able to showcase all the history of Denman;
- If the home is left at its original spot, it could have a caretaker (like the Emily Carr House in Victoria), and it could house summer festivals or events;
- The house could continue to be part of a working farm;
- Ask the new owners (from China) if this heritage designation could occur, as it would an incredibly positive gesture to the Denman Island community.

My hope is to gain some knowledge as to how best to proceed with this application. Any and all help you can provide would be most appreciated.

Respectfully,

Shari “Isbister” Griffin

Islands Trust
LTC EXP SUMMARY REPORT F2025
Invoices posted to Month ending June 2024

615 Denman	Invoices posted to Month ending June 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	200.00	0.00	200.00
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	2,520.00	614.19	1,905.81
65210-615	LTC - Local Exp - APC Meeting Expenses	3,500.00	465.84	3,034.16
65220-615	LTC - Local Exp - Communications	900.00	225.00	675.00
TOTAL LTC Local Expense		<u>6,920.00</u>	<u>1,305.03</u>	<u>5,614.97</u>
Projects				
73001-615-4025	Denman Housing Review	15,000.00	46.98	14,953.02
73001-615-4127	Denman Farming Regulations Review	500.00	0.00	500.00
73001-615-4136	Denman TUP Review	2,500.00	0.00	2,500.00
TOTAL Project Expenses		<u>18,000.00</u>	<u>46.98</u>	<u>17,953.02</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy/Standing Resolution
1.	June 26, 2018	DE-2018-066	Processing of non-medical cannabis retail license applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms; - The location of the proposed establishment and the subject site; - The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - How public comments may be submitted to the Local Trust Committee.
2.	October 9, 2018	DE-2018-096	Application processing	It was MOVED and SECONDED, that the Denman Local Trust Committee direct staff to give priority to processing applications for affordable housing projects until further direction by the Denman Island Local Trust Committee.
3.	November 20, 2018	DE-2018-104	Cannabis License applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust

				Committee regular meeting agenda package.
4.	February 7, 2019	DE-2019-012	First Nations Reconciliation	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nations governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights and First Nations' traditional territories within the Islands Trust Area.
5.	June 6, 2019 *Amended January 19, 2021 *Amended July 19, 2022	DE-2019-056 DE-2021-015 DE-2022.072 DE-2022-075	Bylaw enforcement against unlawful dwellings	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: 'The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to temporarily withhold enforcement against unlawful dwellings upon receipt of a written complaint, unless any of the following

				conditions apply: a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property; b) It appears that there is more than one unlawful dwelling on a lot; c) An unlawful dwelling appears to be larger than 90 square meters; or d) An unlawful dwelling appears to be located within a Development Permit Area; and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time.' And that site inspections for the purpose of gathering information and communication with property owners will continue; And that the Denman Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities.
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6.	May 19, 2020	DE-2020-022	Residential densities See Staff Report dated May 19 th for background	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, ‘Residential Density Bank’ of the Denman Island Official Community Plan: Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur: a. The Denman Official Community Plan ‘Residential Density Bank’ in Appendix D has last added or transferred to the bank on <u>January 31, 2017</u> and has a cumulative total of residential densities of <u>14</u>; (**for accurate density number, see updated resolution from 2023**) b. The Denman Official Community Plan Housing Policy 11 in Section E.1 allows for a residential density increase of approximately <u>5 percent</u> beyond that permitted by existing zoning at the time of adoption of the Official Community Plan on May 15, 2009 to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under Temporary Use Permit and site specific zoning amendment applications under Policy 29 of Section E.1. The baseline density that was permitted by zoning at the time of adoption of the Official Community Plan was 994 densities based on the Subdivision Potential Map 2010; 1026 total densities less 32 from Parks, Institutional and Conservation designations where residential use is not permitted. Five percent of 994 is <u>49 densities</u>. Since adoption of the Official Community Plan on May 15, 2009 the following densities have been utilized: <table><tr><th>Authorizing Bylaw/Temporary Use Permit</th><th>Date Utilized</th><th>Number of Residential Densities Utilized</th><th>Cumulative Total of Residential Densities Remaining</th></tr><tr><td colspan="3">Baseline Density at time of adoption of the Denman OCP on May, 2009</td><td>49</td></tr><tr><td>BL 199 (Official Community Plan) BL 200</td><td>August 15, 2011</td><td>14</td><td>35</td></tr></table>	Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining	Baseline Density at time of adoption of the Denman OCP on May, 2009			49	BL 199 (Official Community Plan) BL 200	August 15, 2011	14	35
Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining													
Baseline Density at time of adoption of the Denman OCP on May, 2009			49													
BL 199 (Official Community Plan) BL 200	August 15, 2011	14	35													

				(Land Use Bylaw)			
				BL 204 (Land Use Bylaw)	September 24, 2013	1	34
				DE-TUP-2016.2	March 31, 2017	1	33
7.	September 27, 2022	DE-2022-097	Model Strategy for Antenna Systems	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the “Model Strategy for Antenna Systems” dated May 3, 2018 prepared by the Local Planning Committee of the Islands Trust, as the Denman Island Local Trust Committee strategy to assess any future potential tower proposals in the Denman Island Local Trust Area.			
8.	January 17, 2023	DE-2023-012	Human Right to Housing	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following Standing Resolution: That the Local Trust Committee acknowledges and affirms its commitment to the human right to housing as laid out by the United Nations Declaration of the Human Right to Adequate Housing.			
9.	November 14, 2023	DE-2023-073	Available Residential Densities	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following Standing Resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, “Residential Density Bank” of the Denman Island Official Community Plan: Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur: - The Denman Island Official Community Plan “Residential Density Bank” in Appendix D has last added or transferred to the bank on February 7, 2023 and has a cumulative total of residential densities of 7; - The Denman Island Official Community Plan Housing Policy 11 in Section E.1 allows for a residential density increase of approximately 5 percent beyond that permitted by existing zoning at the time of adoption of the Official Community Plan on May 15, 2009 to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under Temporary Use Permit and site specific zoning amendment applications under Policy 29 of Section E.1			
10.	November 14, 2023	DE-2023-080	Bylaw Enforcement Give Minimum 24 Hours’ Notice for Site Visits	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt a Standing Resolution that Bylaw Enforcement personnel give a minimum of 24 hours			

				notice before conducting a site visit and that they schedule a time with the property owner.
11.	April 9, 2024	DE-2024-027	Unlawful Short-Term Vacation Rentals (STVRs)	It was MOVED and SECONDED, That the Denman Island Local Trust Committee direct staff to use the following policy in dealing with unlawful Short-Term Vacation Rentals (STVRs), or other forms of commercial vacation rentals: 1. There will be proactive monitoring, investigation, and reporting to the Local Trust Committee regarding Short-Term Vacation Rentals on Denman Island. 2. Bylaw Officers will prioritize the investigation of Short-Term Vacation Rentals in the following manner: a) There are issues related to health and safety on the property; b) There are written complaints regarding nuisance issues such as noise or parking congestion related to Short-Term Vacation Rental operation; c) There are operations by persons who have not established a residential use on the same property as the Short-Term Vacation Rentals; and d) Accessory buildings or structures are being used as part of a Short-Term Vacation Rental operation. 3. It is understood that home-based guest accommodation home occupations complying with section 2.4 of the Denman Island Land Use Bylaw No. 186 are not interpreted to be Short-Term Vacation Rentals, or commercial vacation rentals, and that those home-based guest accommodations may be operated year around.
12.	June 4, 2024	DE-2024-053	Compliance & Bylaw Enforcement Policy	Revision No. 1 Purpose To establish policies and procedures for bylaw enforcement in the Denman Island Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., that are within the authority of the Local Trust Committee to enforce, and that will ensure policies and procedures are efficient, transparent, reasonable, and consistent with local community standards. PART A 1.0 Application This policy will apply to the Denman Island Local Trust Area and the

				enforcement of the Denman Island Official Community Plan Bylaw No. 185, Land Use Bylaw No. 186 and the Denman Island Siting and Use Permit Bylaw No. 240, and the use of the Denman Island Bylaw Enforcement Notification Bylaw No. 232. 2.0 Definitions & Abbreviations BEN – bylaw enforcement notice LUB – Land Use Bylaw LTC – Local Trust Committee Minor structure – any structure that does not require a siting and use permit, and that is not located in a development permit area or located within any other environmentally sensitive area SUP – siting and use permit Respondent – a property owner whose property is subject to a bylaw enforcement complaint 3.0 References Denman Island Land Use Bylaw No. 186 Denman Island Siting and Use Permit NO. 240 Denman Island Bylaw Notice Enforcement Bylaw No. 232 4.0 Priorities 4.1 Enforcement on short-term vacation rentals that have no resident owner or operator on the property are a priority and proactive enforcement is authorized. 4.2 Enforcement on non-compliant dwellings will be deferred unless there are contraventions in development permit areas, or other environmentally sensitive areas, or there are concerns about health and safety, or the lack of an approved septic system. 5.0 Inspection 5.1 At the start of any investigation, Bylaw Enforcement Officers will determine if entry is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands. 5.2 If a Respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection is only required to confirm compliance. 5.3 If a Respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required. 5.4 Bylaw Enforcement Officers will give a minimum of 24 hours notice
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				before conducting a site inspection to gather evidence and they will schedule a mutually agreeable time with the property owner. 5.5 If a Respondent has not replied to a notice letter from Bylaw Enforcement regarding arranging a time for a site inspection, or they will not agree to a mutually agreeable time, notice of inspection can be given at the door. There will be no site inspection or gathering of evidence when notice is given at the door. 5.6 If Bylaw Enforcement Officers have contact with neighbouring property owners while investigating a complaint, they will advise them of the reason for the contact and that they are not subject to complaint or investigation, and that they are not collecting evidence. 5.7 If Bylaw Enforcement Officers discover a bylaw contravention on a neighbouring property during an investigation, and proactive enforcement is authorized for that contravention by either Trust Council Policy, or LTC Enforcement Policy, they will advise the property owner that a file may be opened and that they will receive written notice if a file is opened. 6.0 Enforcement Procedures 6.1 If a bylaw contravention is confirmed, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply with the relevant bylaw. 6.2 Bylaw Enforcement Officers can use their discretion to consider any reasonable time to comply request from Respondents but the term cannot be for more than one year. 6.3 If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately. 6.4 If the Respondent wishes to consider a planning application that will bring the property into compliance, the Bylaw Enforcement Officer will advise planning staff and they will arrange a meeting to discuss the feasibility of such an application. 6.5 If there is no agreement on time to comply, a Respondent will be provided written notice that enforcement action will be escalated with reporting to the LTC and this may include a request for legal action or the use of the BEN. 7.0 Closing Files 7.1 If the identity of the complainant cannot be confirmed during the course of an investigation, the file will be closed.
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				7.2 If it determined that the complainant used a false name to file the complaint, the file should be closed. 7.3 If the contravention is for a minor structure that has only received one written complaint from one person, the file should be closed. 7.4 If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers can use their discretion to close the file. 7.5 If a contravention has been identified that is subject to deferred enforcement by the LTC, the file should be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety. 7.6 If the Respondent is financially unable to comply with the LUB or the SUP, the Manager of Bylaw Compliance and Enforcement can use his discretion to close the file. 7.7 If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance and Enforcement will use their discretion to close the file unless there is work on a development permit area, or work in an environmentally sensitive area, or there are health and safety concerns. 7.8 The LTC will be notified when any file is closed. 8.0 Siting and Use Permits 8.1 If buildings or structures are discovered during an investigation that do not have a SUP, but the construction is more than 25 years old, enforcement should not proceed unless there are contraventions in environmentally sensitive areas, development permit areas, or there are health and safety concerns. 8.2 If new construction is discovered without a written complaint, a file should be opened to investigate, and enforcement should proceed if a SUP is required. 9.0 Communications 9.1 When a file is opened, Respondents will be advised of the Trust Council Policy that authorized the opening of the file, and if they are subject to proactive enforcement. 9.2 Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant. 9.3 The Manager of Compliance and Enforcement will communicate with Trustees or the LTC if there are questions or concerns regarding individual
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				files. 10.0 Reporting 10.1 The LTC will receive regular reporting for open files where investigations have been completed, and the reporting will state whether or not enforcement or legal action of any kind is recommended. 10.2 The Manager of Compliance and Enforcement will report to the LTC any concerns, trends, or issues with enforcement on Denman Island that they believe the LTC needs to be aware of. 10.3 The Manager of Compliance and Enforcement will maintain the Denman Island Bylaw Compliance and Enforcement Policy and will report to the LTC if amendments are recommended or required. PART B Bylaw Enforcement Notice Bylaw Screening Officer's Powers and Duties Policy Appointment of Screening Officers Pursuant to section 7.2 of the Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, (the Bylaw) the persons holding the following positions are appointed as screening officers: 1) Regional Planning Manager; 2) Bylaw Compliance and Enforcement Manager; and 3) Bylaw Compliance and Enforcement Assistant. Screening Officer Powers and Duties The powers and duties of the screening officer are contained in section 7.3 of the Bylaw. It is the direction of the Denman Island Local Trust Committee (LTC) that these powers and duties are only exercised in respect to each of the above positions as follows: 1) Regional Planning Manager. In respect to Bylaw Violation Notices issued by the Bylaw Compliance and Enforcement Manager, only the Regional Planning Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 2) Bylaw Compliance and Enforcement Manager. In respect to Bylaw Violation Notices issued by Bylaw Compliance and Enforcement Officers, only the Bylaw Compliance and Enforcement Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 3) Bylaw Compliance and Enforcement Assistant. In respect to Bylaw Violation Notices issued by the Bylaw Compliance and Enforcement Manager and Bylaw Compliance and Enforcement Officers, the Bylaw Compliance and Enforcement Assistant, acting as Screening Officer, may exercise only those
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				powers and duties in Section 7.3(1) and 7.3(2) of the Bylaw. Authorized Reasons to Cancel Bylaw Violation Notices The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist: 1. Voluntary compliance has been achieved. 2. The Bylaw Violation Notice was issued to the wrong person; 3. The Bylaw Violation Notice was not completed properly. 4. It is unreasonable for the person to pay the penalty; 5. An exception specified in the bylaw or related enactment or LTC Standing Resolution exists; 6. A permit exists or has been obtained that authorises the alleged contravention; 7. There is poor likelihood of success at adjudication for the Local Trust Committee the following reasons: a. The evidence is inadequate to show a contravention; b. Incorrect information was relied on in issuing the Bylaw Violation Notice; c. The disputant intends to challenge the bylaw with a legal argument that is ill suited to the adjudication process or the legal arguments are too complicated to be decided by an adjudicator. 8. It is not in the public interest to proceed to adjudication for one of the following reasons: a. The bylaw has changed since the Bylaw Violation Notice was issued and now authorizes the contravention; b. An LTC resolution has deferred enforcement on the specific contravention; c. The LTC has closed the file. The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.
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Active Projects Report

Denman Island

1. Major Project - Denman Housing Review Project - Stage 2

Activity:

Targeted public engagement with First Nations, residents, external agencies and local organizations to update the Official Community Plan and Land Use Bylaw with policies and regulations to strengthen housing options and affordability on the island.

Update July 20, 2023 - Stage 2 of the project involves:

Phase 1- Public engagement with a focus on identifying and prioritizing options for OCP and LUB amendments.

Phase 2 - Writing, review and adoption of OCP and LUB amendments.

Responsible

Dates

Chloe Straw

Rec'd: 19-Jan-2021

Narissa Chadwick

Renee Jamurat

2. Minor Project - Housing Related TUP Review

Activity:

The purpose of this minor project is to remove Denman Island's Temporary Use Permit policies and regulations related to accessory dwelling units (ADUs). This project will also explore eliminating the residential density bank as removing the TUP requirement for ADUs will potentially draw more housing units than are available in the bank.

Responsible

Dates

Marlis McCargar

Rec'd: 07-May-2024

Future Projects Report

Denman Island

1. *LUB Amendments - List of items*

Responsible

Date Received

1. July 19, 2022: TUPs for STVRs: To support the development of Temporary Use Permits for short-term vacation rentals and other uses.

19-Jul-2022

2. Review subdivision requirements for lot line (boundary) adjustments with the goal of simplifying the process and requirements where no new density is created.

3. April 4, 2023: Review zoning policies and regulations regarding guest accommodations in the LUB.

2. *Update to Development Approval Information Bylaw*

Responsible

Date Received

Staff to prepare updates to Development Approval Information BL 149, 2013 and return to LTC for consideration.

27-Sep-2022

3. *Land Use Bylaw Map Amendments - "Farm Plan map amendment"*

Responsible

Date Received

Regarding Denman Island Local Trust Committee Bylaw No. 229, cited as 'Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2008', make map amendments to the Denman Island Land Use Bylaw to align with the Denman Island OCP land use designations. Refer to the Staff Report on the LUB Amendment Bylaw dated June 6, 2023.

06-Jun-2023

4. *Comprehensive Official Community Plan / Land Use Bylaw*

Responsible

Date Received

Future Projects Report

Denman Island

**Future Major Project.*

1.July 19, 2022: *Protected Area Network: Undertake planning for a Protected Area Network on Denman Island*

2.July 19, 2022: Climate Change: Consider climate change adaptation and mitigation measures.

3.July 19, 2022: Regional Conservation Plan: Incorporate the Regional Conservation Plan into land use.

4.July 19, 2022: Shoreline Protection: Implement recommendations from the 2022 Model Bylaw Report.

5.July 19, 2022: Forest Ecosystems: forest ecosystem protection including the implementation of the Islands Trust coastal douglas fir and associated ecosystem protection toolkit and consider measures to protect garry oak ecosystems.

6.July 19, 2022: Freshwater: consider Islands Trust freshwater strategy recommendations.

7.July 19, 2022: Denman Downtown Village Neighbourhood Plan.
