



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: June 23, 2026
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. TERRITORIAL ACKNOWLEDGEMENT	
3. APPROVAL OF AGENDA	
4. REPORTS	10:05 AM - 10:25 AM
4.1 Trustee Reports	
4.2 Chair's Report	
4.3 Electoral Area Director's Report	
5. PUBLIC PARTICIPATION	10:25 AM - 10:45 AM
6. MINUTES	10:45 AM - 10:50 AM
6.1 Local Trust Committee Special Meeting Minutes dated April 17, 2026 - for adoption	4 - 6
6.2 Local Trust Committee Minutes dated May 12, 2026 - for adoption	7 - 15
6.3 Section 26 Resolutions-Without-Meeting Report - none	
6.4 Advisory Planning Commission Minutes - none	
7. BUSINESS ARISING FROM MINUTES	10:50 AM - 11:05 AM
7.1 Follow-up Action List dated June 16, 2026	16 - 23
8. DELEGATIONS	11:05 AM - 11:10 AM
8.1 The Concerned Denman Island Group regarding Development on Agricultural Land Reserve Land Purchased by Corporate Interests	24 - 25

9.	APPLICATIONS AND REFERRALS	11:10 AM - 12:20 PM
9.1	Bylaw 256 and 257 Adoption (PL-RZ-2024-0055) - Staff Report	26 - 40
9.2	Bylaw 255, 254 and 250 Adoption (DE-RZ-2024.1) - Staff Report	41 - 57
9.3	PL-DP-2025-0268 (HJT Agricultural Development Co. Ltd.) - Staff Report	58 - 109
9.4	PL-RZ-2025-0464 (3Ravens) - Preliminary Staff Report	110 - 156
9.5	DE-RZ-2023.1 (Komas Ranch) - Staff Report	157 - 203
9.6	PL-DP-2026-0052 and PL-DVP-2026-0053 (Hornick) - Staff Report	204 - 260

~ BREAK 12:20 PM - 12:50 PM ~

10.	LOCAL TRUST COMMITTEE PROJECTS	12:50 PM - 12:55 PM
10.1	Major Project: Denman Island Housing Review (Official Community Plan and Land Use Bylaw) Project - Verbal Update	

11. CORRESPONDENCE - none
 (Correspondence received concerning current applications or projects is posted to the LTC webpage)

12. NEW BUSINESS - none

13.	STAFF REPORTS	12:55 PM - 1:15 PM
13.1	Bylaw Enforcement Notification Bylaw No. 232 Amendment - Staff Report	261 - 264
13.2	Public Notification Bylaw Amendment No. 259 Final Adoption - Staff Report	265 - 268
13.3	Trust Conservancy Report - none	
13.4	Applications Report dated June 16, 2026	269 - 277
13.5	Trustee and Local Expense Report dated April, 2026	278 - 278
13.6	Adopted Policies and Standing Resolutions	279 - 290
13.7	First Nations Relationship Building Update	
13.8	Local Trust Committee Webpage	

14.	WORK PROGRAM	1:15 PM - 1:30 PM
14.1	Active Projects Report dated June 16, 2026	291 - 291
14.2	Future Projects Report dated June 16, 2026	292 - 293

- 14.3 Upcoming Protocol Meeting with Comox Valley Regional District with Hornby and Denman Local Trust Committees - Verbal Update

15. UPCOMING MEETINGS

- 15.1 Next Special Meeting to hold a Community Information Meeting Scheduled for Saturday, July 11, 2026 at 2:00 p.m., at Denman Community Hall, 1196 Northwest Road, Denman Island, BC
- 15.2 Next Regular Meeting Scheduled for Monday, August 24, 2026 at 10:00 a.m. at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

16. CLOSED MEETING 1:30 PM - 1:45 PM

- 16.1 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)(f) for the purpose of considering:

- 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.

- 16.2 Recall to Order
- 16.3 Rise and Report

17. ADJOURNMENT 1:45 PM - 1:45 PM



Denman Island Local Trust Committee Minutes of Special Meeting

Date: April 17, 2026
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

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

Staff Present: Narissa Chadwick, Senior Planner
 Marlis McCargar, Island Planner
 Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 33 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:00 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

4.1.1 Public Question and Answer Session

By general consent the agenda was approved as amended.

4. BUSINESS ITEMS

4.1 Major Project: Denman Housing (Official Community and Land Use Bylaw) Review Project - Draft Official Community Plan and Land Use Bylaw for Review - Staff Report

The Planner summarized the project process to date and noted next steps include anticipated first reading in May which will trigger the referral process and further community engagement and input.

The Local Trust Committee reviewed the draft language and the following comments were noted:

- Tracking table contains inaccurate use of < and > (greater than / less than)
- Section C.4 Climate Change Adaptation and Mitigation Guiding Objective: language developed for the Gabriola Official Community Plan related to addressing sea water rise, salt water intrusion, and erosion can be added

- Section D.6 The Village – Use and Density: remove policy 6
- Section E.1 Housing:
 - Remove Information Note that follows Policy 17
 - Policy 28 remove reference to limitation of 10 units
 - Policy 28 remove Step Code requirement
 - Policy 30 remove maximum floor area 50m²
- Section E.2 Economic Activities – Home Occupation policy 11: capture principal dwelling unit components
- Land Use Bylaw Definitions:
 - Agritourism: there are two definitions;
 - Guest Accommodation: remove “a total of 45 days in any one calendar year”;
 - Occasional: in reference to markets, change “no more than 45” days to “no more than 52 days”;
 - Height: measured from original grade.
- Land Use Bylaw General Regulations
 - Prohibited in All Zones section 2.2 (a): add term “short-term paying guests”;
 - Section 2.5 (d) Setbacks and Elevations from the Sea: the Planner will look at the total number of lots that would automatically require a variance due to lot size;
 - Section 2.7 (g) Secondary Suites and Secondary Dwelling Units: the Planner will bring back information on costs associated with registering a covenant to prohibit a strata plan;
 - Section 2.17 Home Occupation Regulations / Home Based Guest Accommodation items 21 and 22: leave in “for light meal preparation only”.
- Land Use Bylaw Subdivision Regulations: The Planner will come back with potential options of subdivision or strata to address situations in which unrelated individuals have shared land in which there are several permitted principal dwellings and said individuals might wish to leave homes and property to other family members under individual ownership scenarios.

The meeting was recessed for a break at 11:26 a.m. and reconvened at 11:35 a.m.

4.1.1 Public Question and Answer Session

Members of the public asked questions and made comments about the following topics:

- The terms septic pit and sewer system should be changed to industry standard terms
- The 60-metre distance between residences sited on one property is not always feasible based on lot configuration
- Affordable housing can not be developed on land within the Agricultural Land Reserve
- Alternative dwelling units can not be developed on land within the Agricultural Land Reserve but property owners could have up to four

temporary use sites, such as camping sites, associated with a permitted agritourism operation

- RVs and trailers connected to water and septic systems would not be considered unlicensed derelict vehicles
- All caps on dwelling sizes and setback requirements are subject to variance applications
- Rainwater catchment is not the same as freshwater catchment
- A definition of non-market housing should be included
- The definition of affordable housing should be expanded beyond that provided by the Canadian Housing and Mortgage Corporation.

A Trustee reiterated that further engagement, including a Community Information Meeting and Public Hearing, would be undertaken following first reading of the proposed bylaws.

DE-2026-014

It was MOVED and SECONDED

that the Denman Island Local Trust Committee endorse the revised project charter.

CARRIED

DE-2026-015

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to present draft bylaws for First Reading based on decisions made at the April 17th, 2026 Denman LTC meeting.

CARRIED

5. ADJOURNMENT

By general consent the meeting was adjourned at 12:06 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: May 12, 2026
Location: Denman Activity Centre
 1111 Northwest Rd, Denman Island, BC

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

Staff Present: Narissa Chadwick, Senior Planner (electronic)
 Marlis McCargar, Island Planner
 Ian Cox, Planner 2 (electronic)
 Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
 Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 4 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:00 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. RISE AND REPORT

It was reported that at their March 17, 2026 in-camera meeting, the Denman Local Trust Committee adopted their December 16, 2025 in-camera meeting minutes.

5. REPORTS

5.1 Trustee Reports

Trustee Graham reported attendance at a recent Trust Programs Committee.

Trustee Borthwick reported attendance at a recent Regional Planning Committee meeting.

5.2 Chair's Report

Chair Maude reported upcoming attendance at a Committee of the Whole meeting to discuss feedback received on the draft Trust Policy Statement.

5.3 Electoral Area Director's Report - none

6. PUBLIC COMMENTS

A member of the public spoke to the affordable housing emergency and noted Trustees were elected to deal with the issue during their term and encouraged them to move forward with the draft amendments to the Official Community Plan and Land Use Bylaw.

7. MINUTES

7.1 Local Trust Committee Minutes dated March 17, 2026 - for adoption

By general consent, the Local Trust Committee meeting minutes of March 17, 2026 were adopted.

7.2 Section 26 Resolutions-Without-Meeting Report - none

7.3 Advisory Planning Commission Minutes - none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated May 6, 2026

The Planner provided an update and the report was received for information.

9. DELEGATIONS - none

10. APPLICATIONS AND REFERRALS

10.1 PLDVP20250348 (Forrest) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit to reduce the minimum side lot line setback from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure supporting a fence on the subject property;
- The concrete wall structure is being installed in order to avoid digging and burying conventional fence posts causing problematic ground disturbance related to archaeological concerns in the area;
- The work is being conducted under a provincial Heritage Branch archaeological permit and a K'ómoks First Nation Cultural Heritage Investigation Permit (CHIP).

Discussion ensued and the following clarifications were provided:

- It is the understanding of staff that the purpose of the fence is to create privacy between the subject property and the neighbouring property;
- The archaeology permits look as though they may not be current to date and the onus of applying for an extension is on the property owner.
- Staff clarified that Islands Trust has received confirmation from K'ómoks archaeology about development on the property through the CHIP process.

DE-2026-016
It was MOVED and SECONDED

that the Denman Island Local Trust Committee approve issuance of PL-DVP-2025-0348 (Forrest).

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Major Project: Denman Housing (Official Community Plan and Land Use Bylaw) Review Project: Bylaw First Reading - Staff Report

Proposed Bylaw Nos. 260 and 264 to amend the Official Community Plan and Land Use Bylaw were presented to the Local Trust Committee for consideration of first reading.

The Planner indicated information that had been requested by the Local Trust Committee during the previous Local Trust Committee meeting was summarized in the staff report. Discussion ensued and the following comments were noted:

- Strata conversion subdivision would not be permitted through the draft bylaws and legacy land-share owners would need to go through a rezoning process;
- It is uncertain if the Local Trust Committee could be the approving authority for a strata subdivision or if the Ministry of Transportation and Transit would remain the definitive authority;
- The Local Trust Committee would prefer to bring the topic of setbacks to the natural boundary of the sea forward as a minor project and consider placing it on the Future Projects list rather than moving forward on it as part of the current bylaw amendment project;
- There is agreement to use a standard template for a Section 219 Covenant to ensure a secondary suite can not be subdivided from a principal dwelling unit;
- The Local Trust Committee agrees that establishing a maximum floor area for a dwelling is reasonable and there is ability to apply for a variance.

Discussion ensued on further amendments to draft Bylaw No. 260 to amend the Official Community Plan and the following changes and corrections were noted:

- Page 5, second last paragraph, last sentence: correct spelling of “much”;
- Page 5, second last paragraph, last sentence: change word “with” to “within”;
- Page 6, third paragraph, last sentence: “Particular concern has been...” is duplicated in the last paragraph on page 5 and one instance should be removed;
- Page 7, last paragraph, first sentence: remove comma between housing, affordability
- Page 8, second to last paragraph, last sentence: correct spelling of first word to “provision”;
- Page 8, second to last paragraph, last sentence: add space between markethousing (market housing);
- Page 13, fifth paragraph, first sentence: change 2024-2025 to 2022-2026;
- Page 14, second paragraph, first sentence: add space between red and cedar and remove dash between Douglas-fir;
- Page 15, point 10, last sentence: remove words “or use”;

- Page 15, point 9: do not delete “encourage rainwater collection” and change the wording to read “encourage rainwater collection and require freshwater cisterns”;
- Page 16, objective 5: change Gabriola to Denman;
- Page 16: remove policy 1, in policy 3 change “increase trail development” to “encourage trail development”, and policy 4 remove words “consumption of”;
- Page 17, last paragraph: change 2024-2026 to 2022-2026;
- Page 22, number 38(a): remove word “including”;
- Page 22, number 37 seventh bullet: remove entire bullet point that refers to form and character;
- Page 23, (g): change word “are” to “may be”;
- Maps in the final version should be high resolution;
- Photographs and drawing should be attributed to those that contributed them;

Discussion ensued on further amendments to draft Bylaw No. 264 to amend the Land Use Bylaw and the following changes and corrections were noted:

- Page 16, section 2.3: change words “at any reasonable time” to “as per policy”;
- Page 21, section 3.10: (a) refers to 93 square metres and (b) refers to 90 square meters;
- Page 35, section Density (3): change from 15 dwellings to 19 dwelling once the bylaw is adopted.

The meeting was recessed for a break at 11:48 p.m. and reconvened at 12:49 p.m.

DE-2026-017

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to incorporate the necessary housekeeping, grammatical, and formatting amendments to draft Bylaws Nos. 260 and 264, as discussed at the May 12, 2026 Local Trust Committee Meeting.

CARRIED

DE-2026-018

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff amend draft Bylaw No. 260, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”, as follows:

- Item 9. Section C.2 – Freshwater, Freshwater Policies, Policy 9
Add the words “*and require freshwater cisterns*” after “*encourage rainwater collection*”.
- Item 10. Section C.2 – Freshwater, Freshwater Policies
Add new Policy 10 as follows:
“*Groundwater-fed swimming pools should be discouraged to protect groundwater resources. Zoning regulations should prohibit the construction of swimming pools supplied from groundwater.*”
- Item 13. Section C.3 – Marine Environment, Policies
Delete in its entirety and renumber subsequent policies accordingly.

- Item 14. Section C.4 – Climate Change Adaptation and Mitigation, and renumber policies accordingly.
 - Delete Policy 1: *“Increase residential development within and close to the village commercial area.”*
 - In Policy 3, delete “increase” and replace with “encourage”
 - In Policy 4, delete the words “consumption of”
- Item 37. Section E.1 – Housing, Housing Policies, subsection Zoning Amendments
Delete bullet 7 in Policy 29 in its entirety.
- Item 38(g)
Remove the word “are” and replace with “may be”.

CARRIED

DE-2026-019

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff amend draft “Denman Island Land Use Bylaw No. 264, 2026” as follows:

- Section 2.3 – Inspection (1)
Delete the words “at any reasonable time” and replace with “as per policy”.
- Section 3.3(4)(b)
Delete 30 metres and replace with 15 metres.
- Section 3.10 – Cistern Requirements (a)
Delete “larger than 93 square metres (1,001 square feet)” and replace with “90 square metres (968.8 square feet)”.
- Section 8.10(1)(a)
Delete “8,400 litres” and replace with “18,000 litres”.

CARRIED

DE-2026-020

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to prepare a template for a Section 219 Land Title Act restrictive covenant in favour of the Denman Island Local Trust Committee, requiring that any secondary suite be permitted only where a covenant is registered prohibiting subdivision or stratification of the secondary suite.

CARRIED

DE-2026-021

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”, be read for the first time.

CARRIED

DE-2026-022

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be read for the first time.

CARRIED

DE-2026-023

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and the Denman Island Local Trust Committee Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be sent for referral to relevant agencies.

CARRIED

DE-2026-024

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to schedule an in-person Community Information Meeting in July 2026 for Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026”.

CARRIED

DE-2026-025

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” following the close of the referral period.

CARRIED

DE-2026-026

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026”, are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

**11.2 Major Project: Denman Housing (Official Community Plan and Land Use Bylaw)
Review Project: 2027/2028 Fiscal Year Business Case - Verbal Update**

The Planner stated staff will be drafting a business case for the 2027/2028 fiscal year which will be on the agenda for the June meeting.

12. CORRESPONDENCE

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

12.1 Email dated March 23, 2026 from the Agricultural Land Commission regarding Staffing and Budget Pressures

Received for information.

12.2 Letter dated March 24, 2026 from DCA Lands Committee regarding Bylaw Enforcement Notification Bylaw

The Bylaw Compliance and Enforcement Manager noted the Local Trust Committee had indicated concerns about recent work done in a Development Permit Area without a permit and they confirmed a penalty can be added to Bylaw Enforcement Notification Bylaw to add a penalty.

DE-2026-027

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to prepare a report on including Development Permit Areas in Schedule A Bylaw Enforcement Notice bylaw.

CARRIED

13. NEW BUSINESS - none

14. STAFF REPORTS

14.1 2025/26 Annual Report - Approval of the Denman Island's Local Trust Committee Section - Request for Decision

DE-2026-028

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee approves the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

CARRIED

14.2 Highlights of Trust Conservancy January 20, 2026 Board Meeting

Received for information.

14.3 Applications Report dated May 5, 2026

Received for information.

14.4 Trustee and Local Expense Report dated February, 2026

Received for information.

14.5 Adopted Policies and Standing Resolutions

Received for information.

14.6 First Nations Relationship Building Update - none

14.7 Local Trust Committee Webpage - none

15. WORK PROGRAM

15.1 Active Projects Report dated May 5, 2026

Received for information.

15.2 Future Projects Report dated May 5, 2026

Received for information.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Tuesday, June 23, 2026 at 10:00 a.m. at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

17. CLOSED MEETING

17.1 Motion to Close the Meeting

DE-2026-029

It was MOVED and SECONDED

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

- (a)personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

and that the recorder and staff attend the meeting.

CARRIED

The meeting was recessed at 1:22 p.m.

17.2 Recall to Order

The meeting was recalled to order at 1:25 p.m.

17.3 Rise and Report

Chair Maude rose and reported adoption of the March 17, 2026 in-camera meeting minutes and that George Buvyer, Kathryn Berge, and Rosa Telegus were appointed to serve on the Denman Board of Variance for a three-year term commencing May 12, 2026 and ending May 12, 2029.

18. ADJOURNMENT

By general consent, the meeting was adjourned at 1:26 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

DRAFT

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	<p>1</p> <p>1. 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.</p>	Margot Thomaidis		In Progress
75%	<p>2</p> <p>Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application:</p> <p>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.).</p> <p>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.).</p> <p>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.</p> <p>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.</p>	<p>Margot Thomaidis</p> <p>Nadine Mourao</p>		In Progress
100%	<p>3</p> <p>Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application, 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.</p>	Margot Thomaidis		Completed

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
100%	4 Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application, 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.	Joe Elliott Margot Thomaidis Renee Jamurat		Completed

21-Jan-2025

Progress	Activity	Responsibility	Dates	Status
25%	1 DE-RZ-2023.1 (Komas Ranch Ltd.) <ul style="list-style-type: none"> ·Request staff to prepare draft bylaw language to amend the Denman Island OCP, to introduce a new site-specific Heritage Conservation Area ·Endorsed the draft Terms of Reference letter and directed staff to forward it to the applicant, with a final deadline of December 31, 2025 to provide additional information requested in support of the application. ·Request staff to develop a draft restrictive covenant in consultation with the applicant for application for LTC consideration. ·Enter into a cost recovery agreement, if necessary, with the applicant allowing Islands Trust legal counsel to review a draft restrictive covenant 	Margot Thomaidis		In Progress

Follow Up Action Report

Denman Island

20-May-2025

Progress	Activity	Responsibility	Dates	Status
0%	<ol style="list-style-type: none"> 1 Research and outline feasible options for transferring the administration of Housing Agreements to a non-profit on behalf of the LTC. Determine the cost of a standard Housing Agreement template. Present these findings to the LTC for consideration as part of the OCP project. 	Marlis McCargar Narissa Chadwick		In Progress

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
0%	<p>1 Staff to prepare draft bylaws to amend the OCP and LUB to enable application PL-RZ-2025-0368 (Denman Community Housing Society). Leg Clerk to generate bylaw numbers and template.</p>	<p>Marlis McCargar Nadine Mourao</p>		In Progress
50%	<p>2 Applicant for PL-RZ-2025-0368 (Denman Community Housing Society) to submit:</p> <ul style="list-style-type: none"> a) confirmation from a qualified professional that can support compliant community sewage treatment or other approved systems under the BC Sewerage System Regulation for the proposed density; and b) a copy of the provincial water licence intended to supply the 8 affordable rental units. 	<p>Marlis McCargar</p>		In Progress
100%	<p>3 Applicant for PL-RZ-2025-0368 (Denman Community Housing Society) to submit a water management plan addressing:</p> <ul style="list-style-type: none"> i) peak and projected water demand; ii) water conservation measures exceeding BC Building Code requirements; iii) minimum onsite storage for potable, non-potable, and fire suppression uses, including storage types; iv) emergency measures for demand exceeding storage or well capacity; v) irrigation and grey-water reuse; vi) groundwater monitoring and reporting; and vii) stormwater management. 	<p>Marlis McCargar</p>		Completed

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
51%	<p>4 Prepare Cost recovery agreement and LSR for the preparation of:</p> <ul style="list-style-type: none"> a) a housing agreement for 8 units of affordable rental housing; and b) a restrictive covenant for water conservation, groundwater monitoring, and compliance with BC Energy Step Code Level 2 or other identified energy-efficiency measures. 	Marlis McCargar		In Progress

17-Feb-2026

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 1.Record that Bylaw Nos. 250, 254, and 255 have been given Third Reading.</p> <ul style="list-style-type: none"> 2.Forward Bylaw Nos. 250, 254, and 255 to EC for approval. 3.Forward Bylaw No. 255 to the Minister of Housing and Municipal Affairs for approval. 4.Upon receipt of Ministerial and EC approvals, return the bylaws to the LTC for final adoption. <p><i>Bylaw 255 sent to Minister on March 12, 2026</i></p>	<p>Marlis McCargar</p> <p>Nadine Mourao</p>		Completed
100%	<p>2 1.Record that Bylaw Nos. 256 and 257 have been given Third Reading.\n</p> <ul style="list-style-type: none"> 2.Forward Bylaw Nos. 256 and 257 to EC for approval.\n 3.Forward Bylaw No. 256 to the Minister of Housing and Municipal Affairs for approval.\n 4.Upon receipt of Ministerial and EC approvals, return the bylaws to the LTC for final adoption. <p><i>Bylaw 256 sent to Minister on March 13, 2026</i></p>	<p>Marlis McCargar</p> <p>Nadine Mourao</p>		Completed

Follow Up Action Report

Denman Island

17-Mar-2026

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 1.Consult with KFN to clarify their recommendation B.2 from the KFN Staff Engagement Guiding Principles on whether such requirements should apply to all rezoning applications involving increased density or intensity of use, or only to areas of known or potential archaeological significance.</p> <p>2.verbal report back to LTC</p>	Narissa Chadwick		Completed
100%	<p>2 Proposed Bylaw No. 259, cited as 'Denman Local Trust Committee Public Notification Bylaw No. 259, 2025,' was rescinded and then given First, Second, and Third Readings and forwarded to the Islands Trust Executive Committee for consideration of approval.</p> <p><i>On the May 6, 2026 EC Meeting Agenda</i></p>	Nadine Mourao		Completed

Follow Up Action Report

Denman Island

12-May-2026

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 Incorporate housekeeping, grammatical, and formatting amendments to draft Bylaws Nos. 260 and 264, as discussed at the May 12, 2026 LTC meeting.</p> <p>Amend draft Bylaw No. 260 to:</p> <ul style="list-style-type: none"> ·Require freshwater cisterns. ·Add a policy discouraging groundwater-fed swimming pools. ·Delete Section C.3 Marine Environment policies and renumber accordingly. ·Revise climate change policies in Section C.4. ·Delete Policy 29, bullet 7. ·Replace "are" with "may be" in Item 38(g). <p>Amend draft Land Use Bylaw No. 264 to:</p> <ul style="list-style-type: none"> ·Revise inspection wording in Section 2.3. ·Reduce setback in Section 3.3(4)(b) from 30 metres to 15 metres. ·Revise cistern threshold in Section 3.10(a) from 93 m² to 90 m². ·Increase cistern capacity requirement in Section 8.10(1)(a) from 8,400 litres to 18,000 litres. 	<p>Marlis McCargar Narissa Chadwick</p>	<p>Target: 15-May-2026</p>	<p>Completed</p>
0%	<p>2 Prepare a Section 219 restrictive covenant template, based on the Gabriola model, requiring that secondary suites may only be permitted where subdivision or stratification of the suite is prohibited by covenant.</p>	<p>Narissa Chadwick</p>		<p>In Progress</p>

Follow Up Action Report

Denman Island

12-May-2026

Progress	Activity	Responsibility	Dates	Status
100%	3 Schedule a Public Hearing for Bylaw No.260 and Bylaw No.264 on September 15. Book Community Hall or Activity Centre Gym.	Dede MacLean Lisa Millard Marlis McCargar Nadine Mourao Narissa Chadwick	Target: 15-Sep-2026	Completed
100%	4 staff to schedule an in-person Community Information Meeting on July 11 for Bylaw No.260 and Bylaw No.264.	Dede MacLean Lisa Millard Marlis McCargar Nadine Mourao Narissa Chadwick	Target: 11-Jul-2026	Completed
100%	5 Send referrals for Bylaw No.260 and Bylaw No.264. Referral agencies and First Nations listed in May 12, 2026 staff report.	Marlis McCargar Nadine Mourao Narissa Chadwick	Target: 19-May-2026	Completed
100%	6 Bylaw No.260 and Bylaw No. 264 given first reading. Update readings in bylaw.	Marlis McCargar Nadine Mourao Narissa Chadwick	Target: 19-May-2026	Completed
100%	7 Bylaw staff to prepare a staff report on including DPAs in schedule A of the BEN bylaw.	Warren Dingman		Completed
100%	8 Appoint Kathryn Berge, George Buvyer, and Rosa Telegus to serve on the Denman Board of Variance for a three-year term commencing May 12, 2026 and ending May 12, 2029	Shalini Nakai		Completed

Denman Island delegation from Concerned Denman Islanders June 23, 2026

Re 2325 Northwest Road, Denman Island, Lot 1, Section 20, Denman Island, BC,
Nanaimo District Plan 10951, PID 003-475-514, Roll #07355000

Property Description:

This is a 35-acre property on Northwest Rd, with 1000 ft of Baynes Sound shoreline zoned Agricultural Land Reserve. It is a historic producing farm for over 100 years with significant First Nation's Archeological interest.

New Corporate owners: The property was sold privately in June 2025 by BC Elks to a numbered Corporation #1540096 BC LTD. Samia Harris listed as sole director of the corporation.

A Non-Profit Society was registered in Aug 2025 (**Camp Denman Society**) # **S0083320** (non-Charitable status). Property appears to be sold to a # company then will be leased to the nonprofit.

Property Plans: website: Denman Camp.com, shows plans to operate a Digital AI-assisted multi studio campus (music, art, dance, film) to accommodate all ages, including food services. Construction commenced in fall 2025, with main building converted to studios, plus large deck expansion. Seven Large glamping style tents are being built on platforms on cement pad foundations with many more under construction less than 30ft along neighbouring adjacent property lot line. They are approx. 30 ft X 16 ft that will sleep up to 6 people) with underground power, heat, AC, and digital services. There have also been large power upgrades including 2 transformers with combined 1200-amp services, a large new septic system installation, significant road upgrades and tree removal, approx 40-50 ft anchored raft/dock installed in W1 Conservation Water.

Komoks First Nations (KFN) completed a Cultural Heritage Investigation (CHIP) last fall with two new Areas of Potential (AOPs) identified where works should not be conducted without further provincial and KFN permits.

Community Group Concerns: This community supported Elkhaven for decades, so were surprised and shocked that Elkhaven was sold privately with out any consultation or transparency. This new development appears to be at a totally inappropriate scale of expansion, indeed a scale never seen before on Denman. There seems an imminent danger to the water resources for adjacent farms and local families, and a breach of Trust bylaws to protect privacy, and prevent intrusion and negative impacts on adjacent properties.

Despite assurances that this will be "Denman style", there have been multiple community complaints submitted to Island Trust and other agencies re concerns of the impacts to the very essence of our community.

Nonconforming Use Claim: The property owners are claiming 'legal non-conforming use' because they have registered a 'NPO Society'. This claim should not provide 'free reign' for expansion without valid permits, setbacks or consideration regarding shared aquifer resources. The footprint and activities should match the previous activities and respect the Trusts mandate to preserve and protect ALR now in the future.

Questions:

1. Has the Trust completed an onsite investigation of the property? What is the timeline process?
2. Has the 'legal nonconforming use' claim been investigated & referred to Trust Lawyers for a legal opinion?
3. Will the Trust take into legal consideration our limited island resources specifically our Water Supply, which our farms and families rely on? Has there been adequate studies done around water usage, which is the most important issue especially for residents whose water source comes directly from the aquifer along Northwest Rd. Given the vast amount of water that will likely be needed to manage the various

planned accommodations, camps, programs, workshops, and staff living on this property, the threat to our existing water supply appears imminent.

Immediate requests:

- We request that our Trust place a ‘cease and desist’ order on any further construction of accommodation units or buildings until a legal investigation and decision is completed, and that our Trustees do everything within their purview to call for an immediate halt in development of the Camp Denman ventures until a legal opinion is obtained, and a comprehensive plan is presented around water management.
- We ask that the Trust lawyers examine the owners claim of ‘nonconforming use’ claim and provides us clarification re ‘allowable uses and activities’ with the aim of preventing negative impacts to the surrounding farmland, the environment and the community.
- We request that the Islands Trust work with the other agencies and the Denman Island community to ensure that any development adheres to existing environmental regulations as well as water, health, and safety standards, and protects and preserves this precious Agricultural Land.

In Closing: There is not a person on this island that does not support both children’s programs as well as economic development to support our local families. Denman Islanders embraced the children’s camp at ElkHaven for decades and everyone here continues to support children’s programs and activities.

However, All property owners are required to abide by Island Trust zoning bylaws and regulations. To make an exception for one corporate owner just to create ‘employment’ is not justifiable. The property owners must make required application for change of zoning or get the required permits and follow due process as required by all property owners. Putting our local water resources at risk, and allowing commercial campground development of Agricultural Land Reserve would be a total breakdown of Islands Trust’s mandate to preserve and protect as legislated by the BC Government.

The residents of this community are sending a clear message to the province of BC that any development on Denman must be at an appropriate scale and adhere to Island Trust zoning bylaws and regulations, regardless of the legal expense or length of process involved to ensure that all property owners are treated equally.

A brief history:

The Ormiston family developed the property into a model farm between 1891-1960s. It was later subdivided and 35-acre parcel sold to BC Elks in the late 1950’s. It was used as a holiday site for Elk Lodge members, then later, developed into Elkhaven Children’s Camp and managed by ‘The Elks Recreational Children’s Camp Society’ with a mandate to provide a free retreat camp for NPO Children’s Groups with some allowance for FN and other NPO Groups. The camp was free ‘by donation only’ with no private events allowed. Sleeping arrangements were clustered in the main building, with occasional scouting groups ‘roughing it’ in tent at an appropriate scale and distance (re setbacks required by Island Trust).

File No.: PL-RZ-2024-0055
(Denman Conservancy)

DATE OF MEETING: June 23, 2026

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Office

SUBJECT: LUB Amendment Application to Rezone Four Parcels to Conservation

Applicant: Steven Carballeira on behalf of the Denman Conservancy Association

Location: PID 006-639-771; 006-657-656; 023-005-424; 023-005-432
Denman Island

RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025”, be adopted.
2. That the Denman Island Local Trust Committee Bylaw No. 257 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025”, be adopted.

REPORT SUMMARY

The purpose of this staff report is to present Bylaw No. 256 (OCP Amendment) and No. 257 (LUB Amendment) to the Denman Island Local Trust Committee (LTC) for consideration of adoption. If adopted, these bylaws propose to re-designate the land use and rezone four parcels of land from forestry to conservation.

BACKGROUND

The LTC held a Public Hearing for Bylaw No. 256 and No. 257 on February 17, 2026, gave the proposed Bylaws Third Reading and forwarded them to Islands Trust Executive Committee, and Bylaw No. 256 to the Minister for approval. The Bylaws have been approved by Executive Committee on February 25, 2026 and Bylaw No. 256 was approved by the Minister of Housing and Municipal Affairs on May 12, 2026.

Summary of Proposed Bylaws

Bylaw No. 256 Bylaw No. 256 will amend the Denman Island Official Community Plan (OCP) to re-designate four parcels from “Sustainable Resource” to “Conservation/Recreation”. The amendment also adds four residential units to the Density Bank.

Bylaw No. 257 will amend the Denman Island Land Use Bylaw (LUB) to rezone three parcels and the Forestry portion of a fourth parcel from Forestry (F) to Conservation (CN) to reflect their use as

protected natural areas. The other half of this split parcel, which is designated as Agriculture and lies within the ALR, will remain zoned Agriculture (A), in accordance with ALC direction.

RATIONALE FOR RECOMMENDATIONS

The recommendations to adopt the bylaws are supported because:

- The proposed bylaws have been determined to be consistent with the Islands Trust Policy Statement by the LTC;
- A Public Hearing was held in accordance with legislative requirements; and
- Executive Committee and the Minister have approved the bylaw.

ALTERNATIVES:

1. Request more information.

The LTC can defer consideration of bylaw adoption until such a time that the applicant has submitted additional information. If this option is considered it may significantly delay final adoption as new information may be subject to legislative requirements for an additional public hearing.

2. Proceed no further.

The LTC could choose to proceed no further with the proposed bylaws, this option would conclude the application without amending the OCP or LUB.

Next Steps

If the LTC concurs with the staff recommendations, staff will consolidate and update the OCP and LUB to reflect the policy and regulatory changes. The applicant can conclude the covenant discharge process.

Submitted By:	Marlis McCargar, Island Planner	May 29, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 1, 2026

ATTACHMENTS

1. Proposed Bylaw No. 256 (OCP)
2. Proposed Bylaw No. 257 (LUB)

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 256**

SCHEDULE 1

1. That the Residential Density Bank table of Appendix D, “Density Banking” be amended by the addition of a new entry, in sequential order, which reads as follows:

Authorising Bylaw	Date Added to or transferred from the Bank	Legal Description	Number of residential dwelling units added or deleted	Cumulative Total of residential dwelling units in the bank
2XX	[date of adoption]	<p>The east 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District</p> <p>The west 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District except that part in plan VIP78186</p> <p>Lot A, Section 21 Denman Island, Nanaimo District, Plan VIP60286</p> <p>Lot B, Section 21 Denman Island, Nanaimo District, Plan VIP60286</p>	+4	<p>4 + 7 = 11</p> <p>(*as per standing resolution #2023-073)</p> <p>(* Final cumulative totals will be reconciled upon adoption of all relevant bylaws.)</p>

2. Schedule C [Land Use Designations Map] is amended by changing the land use designations as follows:

- a) On portions of land legally described as THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT the land use designation is changed:

from a split “Sustainable Resource” and “Agriculture” designation to a split “Conservation/Recreation” and “Agriculture” designation;

as shown on Appendix No. 1 attached to and forming part of this bylaw.

- b) On portions of land legally described as THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 the land use designation is changed:

- from a “Sustainable Resource” designation to
“Conservation/Recreation”;

- as shown on Appendix No. 2 attached to and forming part of this bylaw.

- c) On portions of land legally described LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:

- from a “Sustainable Resource” designation to
“Conservation/Recreation”;

- as shown on Appendix No. 3 attached to and forming part of this bylaw.

- d) On portions of land legally described as LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:

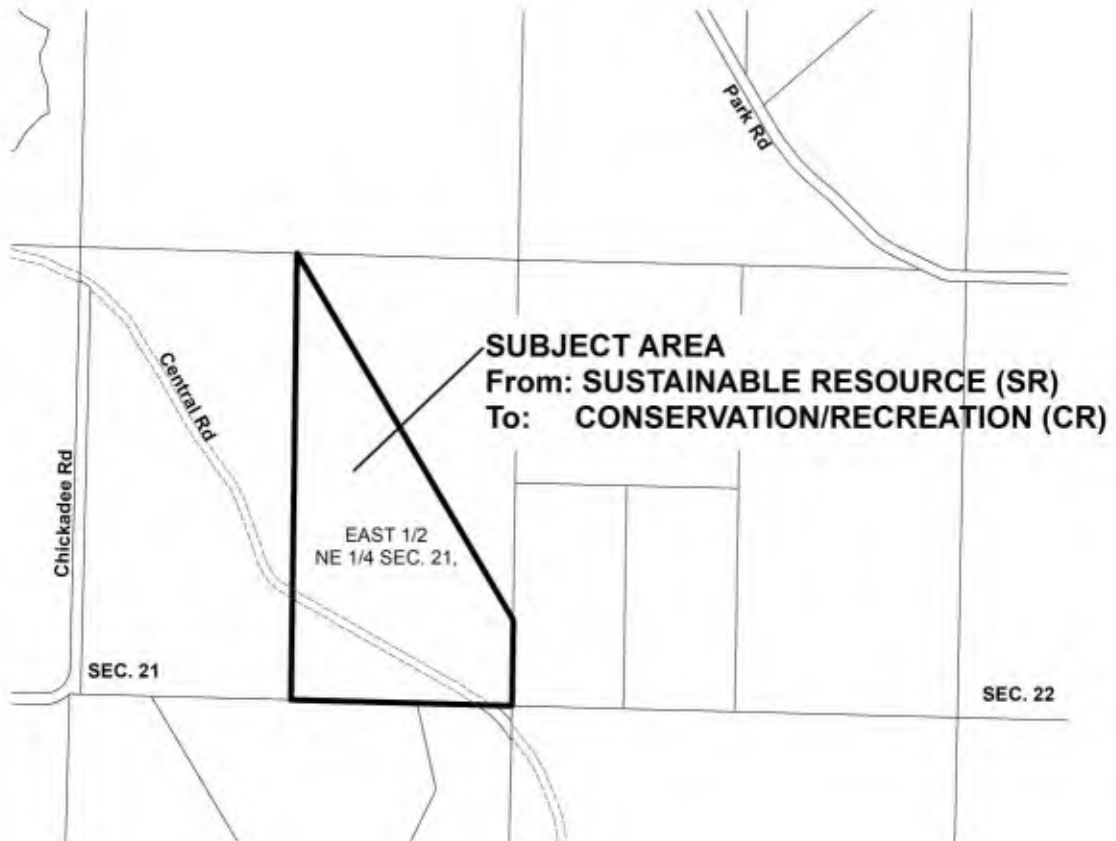
- from a “Sustainable Resources” designation to
“Conservation/Recreation”;

- as shown on Appendix No. 4 attached to and forming part of this bylaw.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

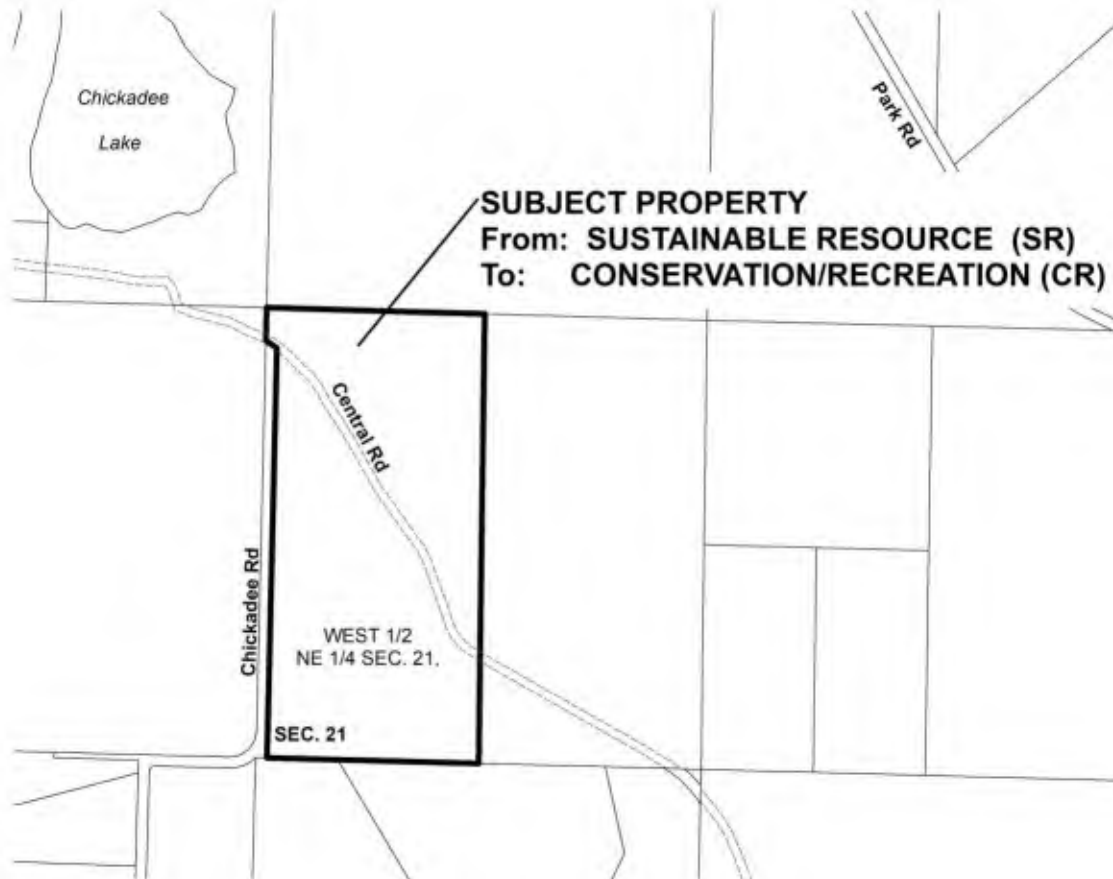
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

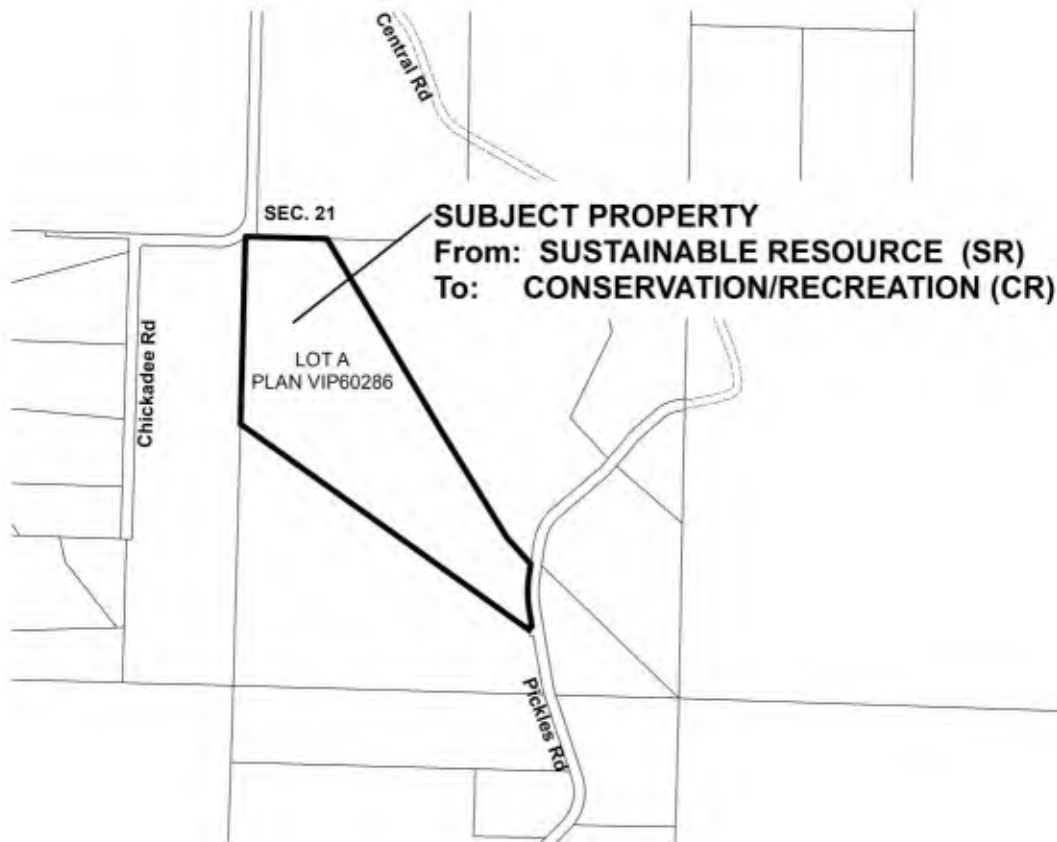
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

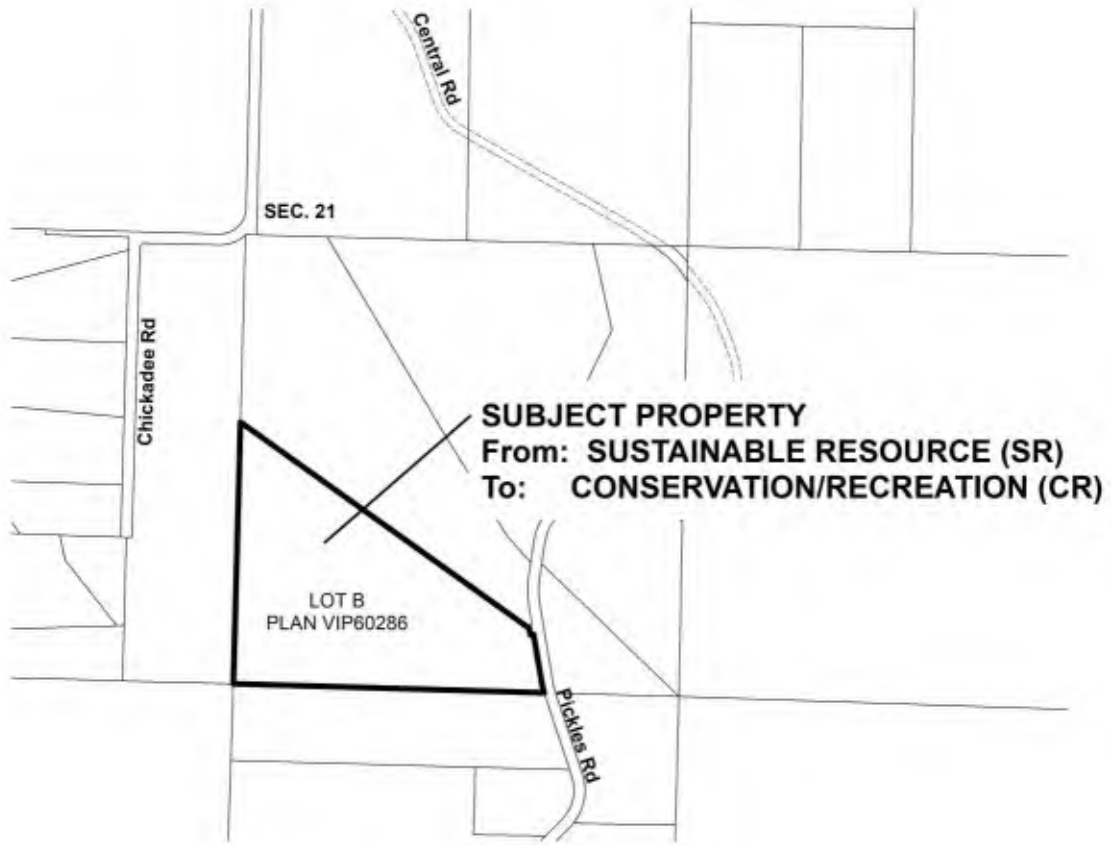
Appendix No. 3



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

Appendix No. 4



**DENMAN ISLAND LOCAL TRUST
COMMITTEE BYLAW NO. 257**

Schedule

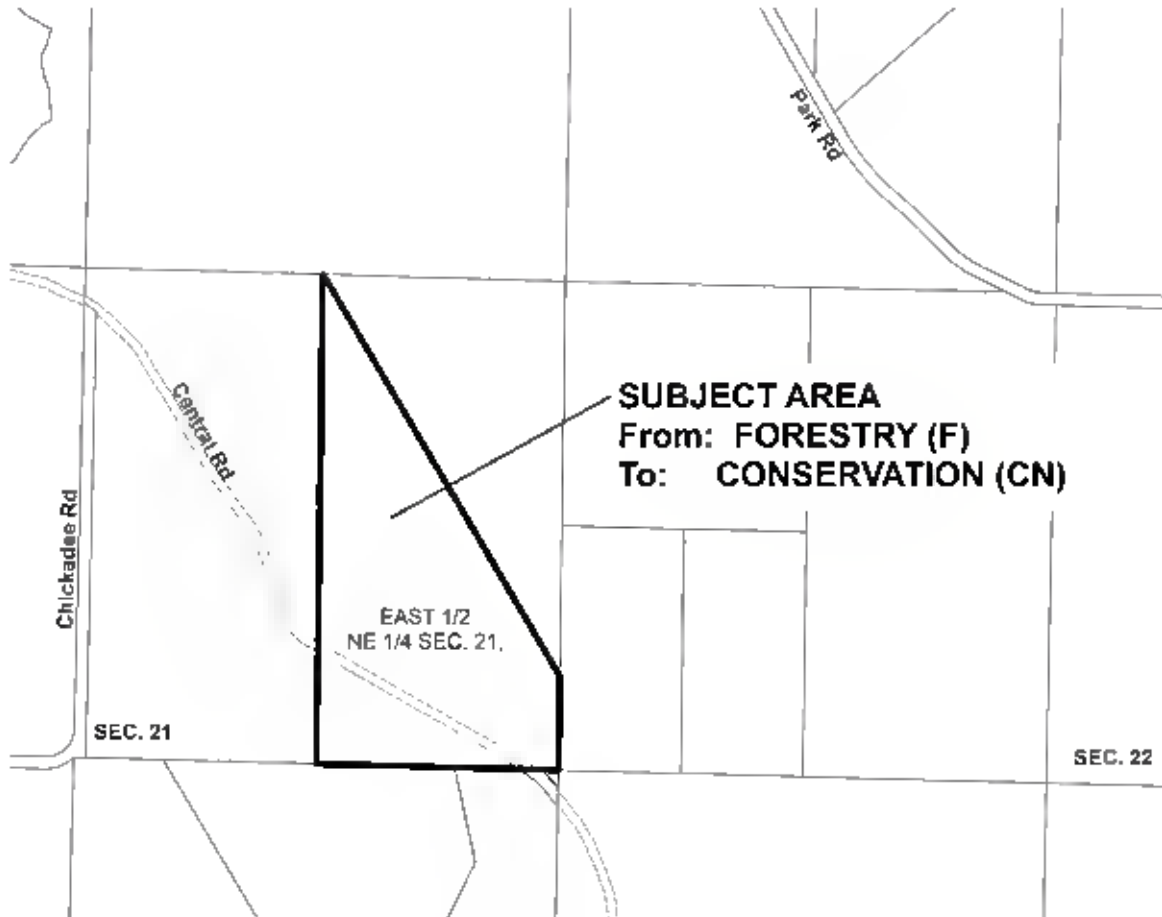
1

1. Schedule “B” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 Schedule “B” – North Map, is amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT (PID 006-639-771) as shown on Appendix No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.2 Schedule “B” – North Map, is amended by changing the zoning classification of PID 006-657-656 THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 as shown on Appendix No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.3 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-424 LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.4 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-432 LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 4 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

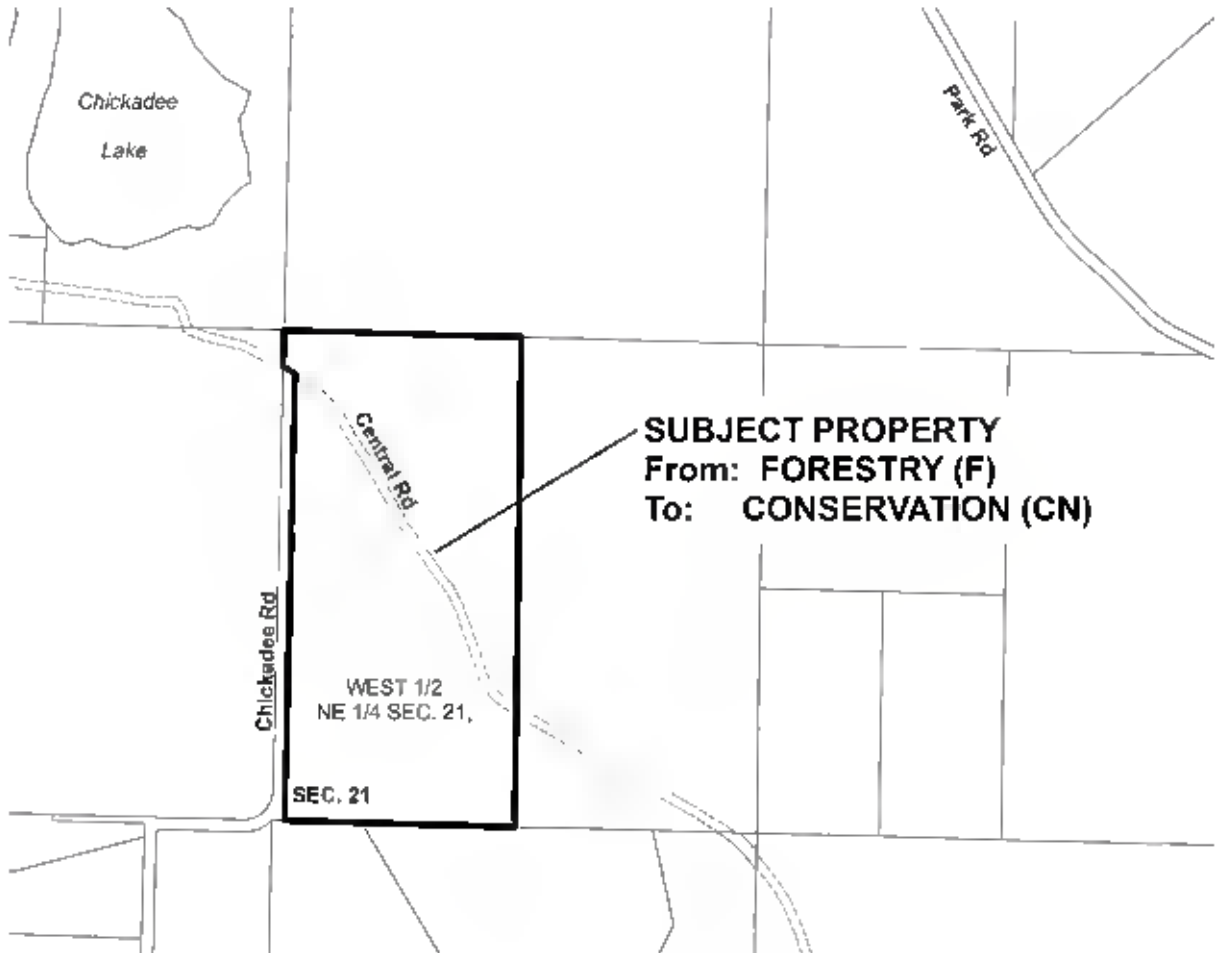
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 220

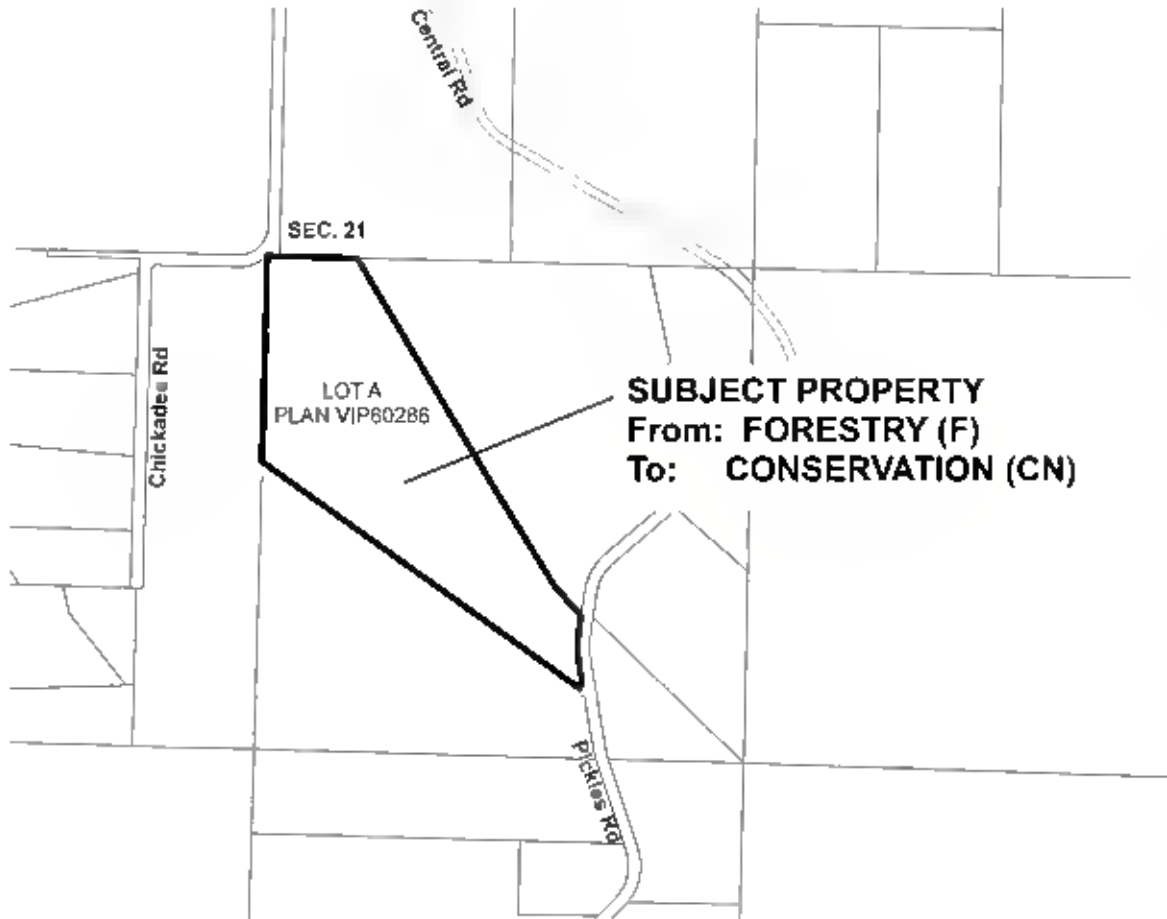
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

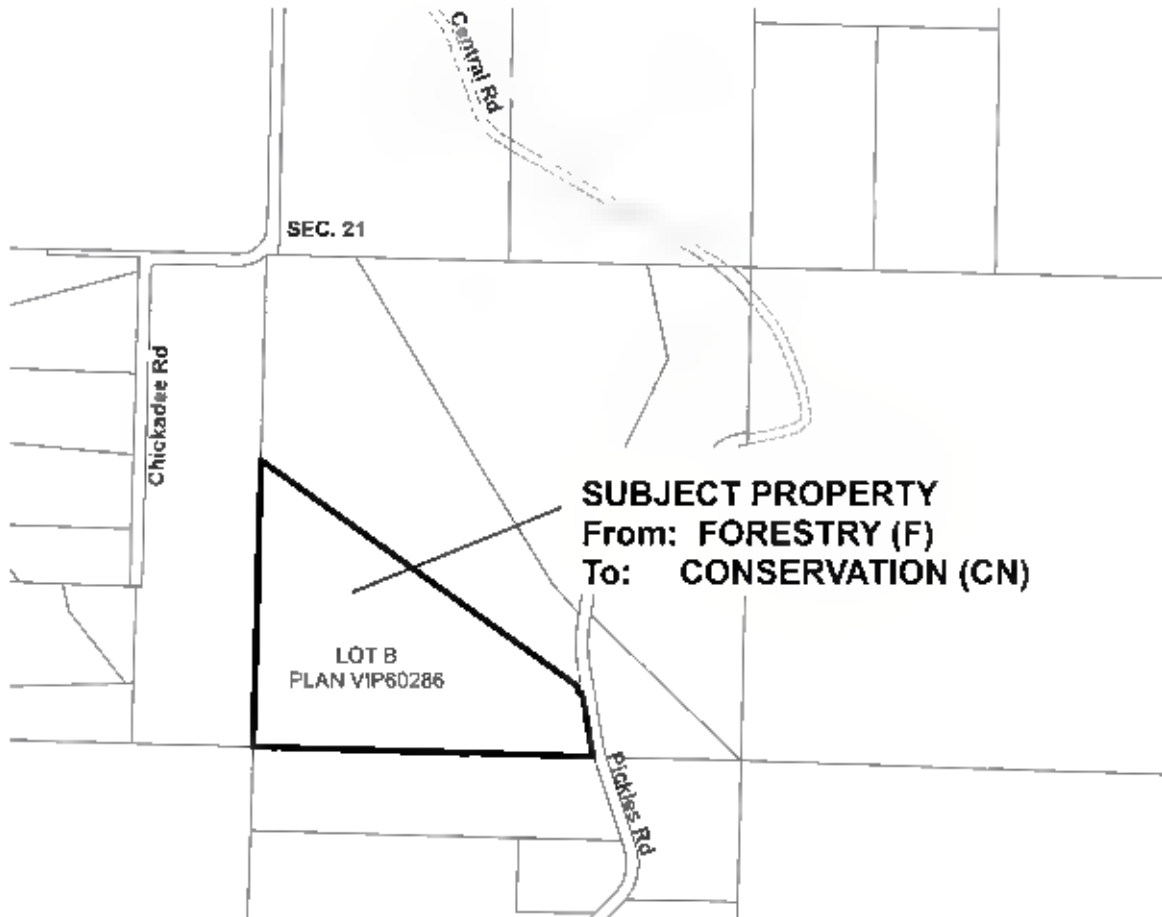
Appendix No. 3



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

Appendix No. 4



File No.: DE-RZ-2024.1 (Triple Rock Land Cooperative)

DATE OF MEETING: June 23, 2026

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Office

SUBJECT: DE-RZ-2024.1 (Triple Rock Land Cooperative)

Applicant: Laura Busheikin on behalf of Triple Rock Land Cooperative

Location: 5201 Denman Road, Denman Island
PID 028-101-677

RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 255 cited as “Denman Island Official Community Plan, 2008, Amendment No. 2, 2025”, be adopted.
2. That the Denman Island Local Trust Committee Bylaw No. 250 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2024”, be adopted.
3. That the Denman Island Local Trust Committee Bylaw No. 183 be rescinded and discharged from title upon registration of Housing Agreement Bylaw No. 254.
4. That the Denman Island Local Trust Committee Bylaw No. 254 cited as “Denman Island Housing Agreement Bylaw No. 254, 2025”, be adopted.
5. That the Denman Island Local Trust Committee require the applicant for DE-RZ-2024.1 to provide confirmation to the LTC that the housing agreement has been registered at the Land Title Office, by August 24, 2026.

REPORT SUMMARY

The purpose of this staff report is to present Bylaw No. 255 (OCP Amendment), No. 250 (LUB Amendment) and Bylaw No. 254 (Housing Agreement) to the Denman Island Local Trust Committee (LTC) for consideration of adoption. If adopted, these bylaws will rezone 5201 Denman Road to permit an additional four units, withdraw four densities from the OCP density bank, permit secondary suites in all units, and increase the maximum permitted floor area for outbuildings to support additional units.

BACKGROUND

The LTC held a Public Hearing for Bylaw No. 255, No. 254 and No. 250 on February 17, 2026, gave the proposed Bylaws Third Reading and forwarded them to Islands Trust Executive Committee, and Bylaw No. 255 to the Minister for approval. The Bylaws have been approved by Executive Committee on February 25, 2026 and Bylaw No. 255 was approved by the Minister of Housing and Municipal Affairs on May 12, 2026.

Summary of Proposed Bylaws

Bylaw No. 255 will amend the Denman Island Official Community Plan (OCP) to withdraw four densities from the density bank to enable an increase in residential units on the subject property by four.

Bylaw No. 254 proposes to authorize the LTC to enter into a new housing agreement with the owner of the subject lands. The proposed agreement will regulate the occupancy and affordability of the residential units, including associated secondary suites. The agreement will also establish monitoring and reporting requirements to ensure ongoing compliance.

Bylaw No. 250 will amend the Denman Island Land Use Bylaw (LUB) to support additional residential capacity and associated accessory development on the subject property. Specifically, the proposed amendments would:

- Increase the number of permitted residential units on the subject property by four (4) units.
- Permit secondary suites within all residential units.
- Increase the maximum permitted gross floor area for single-family dwellings from 139.4 m² to 186 m² to accommodate the inclusion of secondary suites.
- Increase the maximum permitted floor area for outbuildings from 1,275 m² to 2,174 m² to address ongoing operational needs and to support the additional secondary suites.

Discharge of Existing Housing Agreement (Bylaw No. 183)

Housing Agreement Bylaw No. 183 must be rescinded to ensure that there is no duplication or conflict between housing agreement instruments registered on title. Housing Agreement Bylaw No. 254 is intended to replace and update the existing agreement by establishing revised terms the subject property. Rescinding Bylaw No. 183 upon registration of Bylaw No. 254 ensures that only one housing agreement remains in effect for the property.

RATIONALE FOR RECOMMENDATIONS

The recommendations to adopt the bylaws are supported because:

- The proposed bylaws have been determined to be consistent with the Islands Trust Policy Statement by the LTC;
- A Public Hearing was held in accordance with legislative requirements; and
- Executive Committee and the Minister have approved the bylaw.

ALTERNATIVES:

1. Request more information.

The LTC can defer consideration of bylaw adoption until such a time that the applicant has submitted additional information. If this option is considered it may significantly delay final adoption as new information may be subject to legislative requirements for an additional public hearing.

2. Proceed no further.

The LTC could choose to proceed no further with the proposed bylaws, this option would conclude the application without amending the OCP or LUB.

Next Steps

If the LTC concurs with the staff recommendations, staff will consolidate and update the OCP and LUB to reflect the policy and regulatory changes. The applicant can conclude the covenant discharge process.

Submitted By:	Marlis McCargar, Island Planner	June 1, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 1, 2026

ATTACHMENTS

- 1. Proposed Bylaw No. 255 (OCP)
- 2. Proposed Bylaw No. 254 (Housing Agreement)
- 3. Proposed Bylaw No. 250 (LUB)

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 255

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 185, 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. 2, 2025”.

2. SCHEDULES

Denman Island Official Community Plan Bylaw No. 185, 2008 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS 20th DAY OF MAY, 2025

PUBLIC HEARING HELD THIS 17th DAY OF FEBRUARY, 2026

READ A SECOND TIME THIS 20th DAY OF MAY, 2025

READ A THIRD TIME THIS 17th DAY OF FEBRUARY, 2026

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
25th DAY OF FEBRUARY, 2026

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS
12th DAY OF MAY, 2026

ADOPTED THIS _____ DAY OF _____, 20__

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 255**

SCHEDULE 1

Appendix “D” of the Denman Island Official Community Plan No. 185, 2008, is amended as follows:

1. That the Residential Density Bank table of Appendix D, “Density Banking” be amended by the addition of a new entry, in sequential order, which reads as follows:
- 2.

Authorising Bylaw	Date Added to or transferred from the Bank	Legal Description	Number of residential dwelling units added or deleted	Cumulative total of residential dwelling units in the bank
255	[date of adoption]	Lot A, Section 17 Denman Island, Nanaimo District, Plan VIP87456	-4	7 – 4 = 3 (*as per standing resolution #2023-073) (* Final cumulative totals will be reconciled upon adoption of all relevant bylaws.)

Housing Agreement

THIS AGREEMENT DATED FOR REFERENCE THE ____ DAY OF ____, 20__ is BETWEEN:

TRIPLE ROCK LAND COOPERATIVE, a cooperative incorporated under the laws of the province of British Columbia and having its office at 5201 Denman Rd, Denman Island, B.C., V0R 1T0.

(the “Owner”);

AND:

DENMAN ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*, having an office at 2 Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

(the “Trust Committee”)

WHEREAS:

- A. The Owner is the registered owner of those Lands situated on Denman Island and legally described as PID: 028-101-677, Lot A Section 17 Denman Island Nanaimo District Plan VIP87456 (the “Lands”);
- B. The Owner is an association constituted under the Cooperative Association Act, SBC 1999, c. 28 and has as its sole object the creation of a co-operatively owned and managed affordable housing community on Denman Island;
- C. The Owner applied to the Denman Island Local Trust Committee for a rezoning of the Lands by means of Denman Island Land Use Bylaw, _____ to permit the development of 19 co-operative housing units with secondary suites, accessory buildings, and a common house on the area of the Lands that is zoned R3 pursuant to the Denman Island Land Use Bylaw (the “R3 Land”) and, for certainty, this Agreement does not contemplate or authorize residential development on any other part of the Lands;
- D. The Trust Committee may, pursuant to Section 29 of the Islands Trust Act and Section 483 of the Local Government Act, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands;
- E. Section 219 of the Land Title Act permits the registration of a covenant of a negative or positive nature in favour of the Trust Committee in respect of the use of land or construction on land;
- F. The Owner and the Trust Committee wish to enter into this Agreement to ensure Cooperative Housing Units remain affordable according to the terms and conditions set out in this Agreement to have effect as both a covenant under section 219 of the Land Title Act and a housing agreement under section 483 of the Local Government Act; and
- G. The Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner

has duly authorized the execution of this Agreement.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by the Trust Committee to the Owner, the receipt of which is acknowledged by the Owner, and in consideration of the promises exchanged below, the Trust Committee and the Owner agree, as a housing agreement between the Owner and the Trust Committee under section 483 of the Local Government Act, and as a covenant under section 219 of the Land Title Act, as follows:

a. Definitions – in this Agreement:

- (1) “Co-operative Housing Unit” means a Primary Housing Unit and may include a Secondary Suite;
- (2) “Co-operative member” means a member of the Triple Rock Land Cooperative or another cooperative approved by the Denman Island Local Trust Committee;
- (3) “Co-operative Rules and policies” means the rules and policies of the Triple Rock Land Cooperative or another cooperative approved by the Denman Island Local Trust Committee;
- (4) “CPI” means the all-items consumer price index for Victoria, British Columbia published by Statistics Canada;
- (5) “Dwelling Unit” means one or more rooms in a building, containing a single set of cooking facilities, and used or intended to be used, as a residence by an individual or a group of individuals living together in common occupancy;
- (6) “Family Member” means a person who lives with and is related to the Co-operative member by blood, adoption, marriage (including a marriage-like relationship). It also includes a chosen family member, an individual with whom the member shares a close, long-standing, family-like relationship, regardless of legal or biological ties;
- (7) “Primary Housing Unit” means a single detached Dwelling Unit occupied as a residence by at least one Co-operative member; and
- (8) “Secondary Suite” means a Dwelling Unit located within the same building as, and having a lesser floor area than, a Primary Housing Unit.

b. Agreement over the Lands:

1. Pursuant to section 219 of the *Land Title Act* and Section 483 of the *Local Government Act*, the Owner covenants and agrees that:
 - a. The Lands must at all times be used and occupied in compliance with all statutes, laws, regulations, orders of any authority having jurisdiction, and this Agreement; and
 - b. If a building is demolished or is otherwise replaced, this Agreement shall continue to apply to the Lands and the construction on the Lands shall be subject to the requirements of this Agreement.
2. The Owner covenants and agrees with the Trust Committee that, in perpetuity:

- a. the R3 Land must not be used, and no building or structure may be constructed on the Lands, other than for 19 Co-operative Housing Units, a common house, and non-residential accessory buildings and structures as defined in this Agreement and the Denman Island Land Use Bylaw, and any home-based business permitted by the Denman Island Land Use Bylaw;
 - b. the Lands must not be used and no building or structure may be constructed on the Lands except in accordance with any Siting and Use Permit issued by the Denman Islands Local Trust Committee; and
 - c. the Lands shall not be subdivided by subdivision plan, strata plan or otherwise howsoever.
- c. Dissolution of the Co-operative** - If on the winding up or dissolution of the Owner, any property remains after the satisfaction of all its debts and liabilities and the costs, expenses and charges of the winding up, that property must not be paid to or distributed among the Co-operative members; and must be given or transferred to an institution:
- a. that has as its object the co-operative ownership and management of affordable housing on Denman Island; and
 - b. that has been chosen by the Co-operative members and approved by the Trust Committee at or before the time of dissolution.
- d. Occupancy of Primary Housing Units**
1. No Primary Housing Unit shall be occupied by any person who is not a Co-operative member, a family member of such a member, the guest of such a member, a tenant or roommate of a Co-operative member approved by the Owner pursuant to the Co-operative Rules and policies, a caregiver of the Co-operative member, or a person whose membership in the Owner is under consideration by the Owner pursuant to the Co-operative Rules and policies.
 2. Every Primary Housing Unit shall have a Co-operative member as its primary occupant, except when a Co-operative member is on a temporary leave-of-absence as permitted by the Co-operative Rules and policies.
 3. Co-operative members shall have the Primary Housing Unit as their principal residence.
 4. Primary Housing Units may not be used for any form of vacation rental, including short-term vacation rentals.
- e. Pricing of Co-operative membership shares and Housing Units**
1. The purchase price of a membership share in the Owner may not exceed the acquisition price of the share, plus the lesser of: any increase in the annual average CPI from the year in which the share was acquired to the year in which it is transferred, and 2% annually.
 2. The purchase price of a Co-operative Housing Unit upon any sale of the Co-operative Housing Unit in connection with a transfer of shares in the Owner may not exceed the depreciated replacement cost of the Co-operative Housing Unit, as determined by a member of the Appraisal Institute of Canada who is at arm's length from each Co-operative

member and furthermore may be limited to a maximum value (a cap) as determined by policies set by the Owner.

f. Occupancy and Affordability of Secondary Suites

1. Occupancy of Secondary Suites is limited to caregivers and family members of the Co-operative member who is the main occupant of the Primary Housing Unit to which the Suite is attached, Co-operative members, people applying for Co-operative membership, and people volunteering for or otherwise actively involved with and committed to the Co-operative. Occupants of Secondary Suites must be approved by the Owner.
2. The amount of rent charged for Secondary Suites must be at least 20% less than the average comparable market rent charged for a similar unit or rental arrangement on Denman Island, or, in the absence of Denman Island data, in the Comox Valley in which case any comparables should be adjusted to reflect the likely discount or increase for Denman as compared to the Comox Valley.
3. Secondary Suites may not be used for any form of vacation rental, including short-term vacation rentals.

g. Monitoring and Reporting to the Local Trust Committee - The Owner must deliver to the Trust Committee within six weeks of the transfer of any shares in the Owner and the closing of any sale of a Co-operative Housing Unit a completed statutory declaration, substantially in the form attached as Schedule A, sworn by a director of the Owner and the Co-operative member transferring shares and attaching a copy of the share transfer agreement, the agreement of purchase and sale for the Co-operative Housing Unit, and the certification of a member of the Appraisal Institute of Canada who is at arm's length from each Co-operative member, as to the depreciated replacement cost of the Co-operative Housing Unit, assessed no more than 15 months prior to the date of the purchase and sale of the Co-operative Housing Unit.

h. Order to Comply - If the Owner is in default of the performance or observation of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with the Agreement within the time stated in the notice. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Trust Committee, within the time stated in any Notice of Default provided to the Owner by the Trust Committee.

i. Management – The Owner covenants and agrees to furnish good and efficient management of the Lands and shared infrastructure on the Lands. If and when the Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Trust Committee may authorize its representatives to inspect the Lands at any reasonable time with reasonable notice to the Owner, subject to the notice provisions of the *Residential Tenancy Act*.

j. No Transfer - The Owner must not transfer the Lands, other than to an association constituted under the *Cooperative Association Act* or other non-profit association incorporated under the *Societies Act*, having as its object the co-operative ownership and management of affordable housing on Denman Island.

k. Cooperative Standing – The Owner must maintain its standing as a co-operative under the

Cooperative Act or as a society under the *Societies Act*, as applicable, to ensure the ongoing occupancy and affordability objectives set out in this Agreement, and must not amend its memorandum of association, co-operative rules of association, constitution, or bylaws, as applicable, in any manner that would prevent, or adversely affect, the ability of the Owner to perform its obligations under this Agreement.

- l. Specific Performance of Agreement** - The Owner agrees that the Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement, in view of the public interest in restricting the occupancy of the Co-operative Housing Units. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Denman Island Land Use Bylaw, as amended from time to time.
- m. Assignment** - The Owner acknowledges that the Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and in that event, any reference in this Agreement to the Trust Committee shall be interpreted as a reference to that party provided that the Trust Committee has so advised the Owner.
- n. Indemnity** - The Owner shall indemnify and save harmless the Trust Committee and each of its elected officials, officers, directors, employees, and agents from and against all claims, demands, actions, loss, damage, costs, and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, including breaches of this Agreement.

This clause will survive the termination of this Agreement.

- o. Release** - The Owner releases and forever discharges the Trust Committee and each of its elected officials, officers, directors, employees, and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or causes of action arising out of the performance by the Owner of its obligations under this Agreement, or the enforcement of this Agreement.

This clause will survive the termination of this Agreement.

- p. Trust Committee Powers Unaffected** - This Agreement does not limit the discretion, rights, duties or powers of the Trust Committee under any enactment or the common law, impose on the Trust Committee any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Lands, or relieve the Owner from complying with any enactment.
- q. No Public Law Duty** - Wherever in this Agreement an act, determination, consent, approval or agreement of the Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice shall have any application.
- r. No Waiver** - No condoning, excusing or overlooking by the Trust Committee of any default under this Agreement, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the Trust Committee of any subsequent default or of

the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the Trust Committee.

- s. **Notice on Title** - The Owner acknowledges and agrees that this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement under Section 483 of the *Local Government Act* and agrees that the Owner will register a notice of this Agreement against title to the Lands.
- t. **Covenant Runs with the Land** - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Trust Committee in accordance with section 219 of the Land Title Act in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.
- u. **Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.
- v. **Amendment** - This Agreement may not be modified or amended except by bylaw of the Trust Committee, upon an agreement in writing between the Trust Committee and the Owner.
- w. **Notices** - Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be deemed to be received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.
- x. **Enurement** - This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.
- y. **Remedies Cumulative** - The remedies of the Trust Committee specified in this Agreement are cumulative and are in addition to any remedies of the Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.
- z. **Severability** - Each covenant and agreement contained in this Agreement is, and shall be construed to be, a separate and independent covenant or agreement and the breach of any such covenant or agreement by the Owner shall not discharge or relieve the Owner from its obligations to perform. If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

- aa. Joint and Several** - In the case of more than one Owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.
- bb. Included Words** - Wherever the singular or the masculine is used in this Agreement, it shall be deemed to include the plural or the feminine, or the body politic or corporate, where the context or the parties so require.
- cc. Governing Law** - This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.
- dd. Joint Venture** – Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Trust Committee or give the Owner any authority or power to bind the Trust Committee in any way.
- ee. Time of Essence** -Time is of the essence in this Agreement.
- ff. Further Assurances** - The parties shall execute and do all such further deeds, acts, things and assurances as they reasonably require to carry out the intent of this Agreement.
- gg. Priority** - The Owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this Agreement.
- hh. Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"

DENMAN ISLAND LOCAL TRUST COMMITTEE

FORM OF STATUTORY DECLARATION

CANADA) IN THE MATTER OF A HOUSING
) AGREEMENT with the Denman Island
PROVINCE OF BRITISH COLUMBIA) Local Trust Committee ("Housing
) Agreement")

I, _____, of _____, British Columbia, do solemnly declare:

1. That I am a member of the Triple Rock Land Co-operative or its successor in title to land legally described as PID: 028-101-677, Lot A Section 17 Denman Island Nanaimo District Plan VIP87456 (the "Lands"), and make this declaration to the best of my personal knowledge.
2. The terms in this declaration have the same meaning as those defined in the Housing Agreement registered against the Lands.
3. This declaration is made pursuant to the Housing Agreement in respect of the Co-operative Housing Unit with the address _____
4. On the _____ day of, 20____ I entered into an agreement to transfer one or more shares in the owner of the Land's Co-operative Housing Unit, a true copy of which is attached to this declaration, to _____ for a total purchase price of \$_____ and no other consideration whatsoever.
5. Pursuant to an agreement of purchase and sale that will close on the _____ day of _____ 20____ of which a true copy is attached to this declaration, I intend to transfer all of my right and title in the Co-operative Housing Unit to _____ for a total purchase price of \$_____ and no other consideration whatsoever.
6. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

SWORN BEFORE ME at _____, in)
the Province of British Columbia, this _____)
day of _____ 20____.)
))
) _____)
) Signature of person making declaration)
A Commissioner for Taking Affidavits for)
British Columbia)

I, _____, of _____, British Columbia do solemnly declare:

1. That I am a director of Triple Rock Land Co-operative or its successor in title to land legally described as the South West ¼ of Section 17, Denman Island, Nanaimo District, except that Part in Plan 14174 and Plan VIP77481, and make this declaration to the best of my personal knowledge.
2. That Paragraphs 5 and 6 of the Statutory Declaration of _____ set out above correctly disclose the amount of consideration in respect of the share transfer and ownership transfers described in those paragraphs.
3. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

SWORN BEFORE ME at _____, in _____)
The Province of British Columbia, this _____)
Day of _____, 20____.)

A Commissioner for Taking Affidavits for
British Columbia

)
)
)
) _____
) Signature of person making declaration

Attached:

- Share transfer agreement
- Agreement of purchase and sale for the Co-operative Housing Unit
- A certification of a member of the Appraisal Institute of Canada who is at arm's length from each Co-operative member as to the depreciated replacement cost of the Co-operative Housing Unit, assessed no more than one year prior to the date of the purchase and sale of the Unit

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 250

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. 2, 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 8TH DAY OF OCTOBER , 2024

READ A SECOND TIME THIS 20TH DAY OF MAY , 2025

PUBLIC HEARING HELD THIS 17TH DAY OF FEBRUARY , 2026

READ A THIRD TIME THIS 17TH DAY OF FEBRUARY , 2026

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

 25TH DAY OF FEBRUARY , 2026

ADOPTED THIS _____ DAY OF _____ , 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 250**

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 renumber accordingly.
 - 1.2 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 5 is amended by deleting “A secondary suite is permitted within a dwelling unit provided that:” and replacing it with “Where regulations in Part 3 permit a secondary suite within a dwelling unit, a secondary suite is permitted provided that:”
 - 1.3 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 1 – Permitted Uses is amended by deleting “and secondary dwelling units” and the note “Secondary dwelling units must be approved through a Temporary Use Permit” in line item 10 and in the R3 column, adding a check mark.
 - 1.4 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 1 – Permitted Uses is amended by adding “secondary dwelling units” and the note “Secondary dwelling units must be approved through a Temporary Use Permit” as a line item following number 10 and in the R2 column adding a check mark, and renumber accordingly.
 - 1.5 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 3 – Density of Uses, Buildings and Structures, line item 3 and in the R3 column, is amended by replacing the number “15” with the number “19”.
 - 1.6 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 6 – Floor Area is amended by adding an additional line item after number 3 that states “Maximum gross floor area of a building with a single family dwelling unit and a secondary suite” and adding “186 m²” in the R3 column, and renumber accordingly.
 - 1.7 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 6 – Floor Area is amended by deleting “1275 m²” in line item 6 and in the R3 column, and replacing it with “2174 m²”.



STAFF

REPORT

File No.: PL-DP-2025-0268

DATE OF MEETING: June 23, 2026

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar
Northern Team

SUBJECT: Development Permit Application, PL-DP-2025-0268 – Development Activities within DPA1
Applicant: H.J.T Agricultural Development Co. Ltd.
Location: 7000 The Point Rd., Denman Island (PID: 006-662-307)

RECOMMENDATION

1. That the Denman Island Local Trust Committee defer issuance of development permit PL-DP-2025-0268 pending receipt of the following information by September 21, 2026:
 - a. A restoration plan prepared by a Qualified Environmental Professional (QEP), Registered Professional Biologist (RPBio), Professional Engineer (P.Eng.), Professional Landscape Architect (BCSLA) or member of BC Landscape and Nursery Association (BCLNA) identifying all areas where vegetation has been removed or significantly altered as a result of tree cutting activities. The plan shall demonstrate how vegetation will be re-established and maintained to achieve long-term erosion control along the top and face of the bank. The plan shall include planting specifications, implementation and monitoring requirements and may include appropriate protective measures such as irrigation, replacement planting, fencing, and/or deer browse protection, where required; and
 - b. A cost estimate for all proposed restoration works, installation, monitoring, and professional inspection activities.
2. That the Denman Island Local Trust Committee require security in an amount equal to 125% of the estimated cost of implementing the restoration plan, including installation, monitoring, replacement planting, and any associated protective measures, to be provided in the form of either a certified cheque or an auto-renewing irrevocable letter of credit, on or before October 21, 2026.

REPORT SUMMARY

The Denman Island Local Trust Committee (LTC) is asked to consider a Development Permit (DP) application that is being sought retroactively for development activities (tree removal) that have occurred within Development Permit Area 1 (DPA 1) – Komias Bluff.

The applicants retained Professional Engineer Nathaniel Tougas (P.Eng) of Coast Geotechnical Consulting Ltd. to prepare and submit a preliminary geotechnical assessment, dated April 2, 2026. The assessment provides a reconnaissance-level geological and geotechnical review based on a desktop assessment and field observations. The report evaluates site conditions, geology and geomorphology, slope stability and erosion processes, the effects of recent tree clearing within the Development Permit Area, drainage and development siting considerations and identifies recommendations for additional investigation.

Staff find that the geotechnical assessment generally addresses site conditions relevant to the objectives of the Development Permit Area guidelines; however, the report does not adequately address Guideline 6, which requires that trees or other vegetation be retained or replanted in order to control erosion along the top and face of the bank. Staff recommend that consideration of the application be deferred pending receipt of a restoration plan that addresses the requirements of DPA 1, Guideline 6.

In addition, Guideline 9 states that the LTC may require financial security in an amount acceptable to the LTC. The amount of security is typically informed by the cost estimate for the required restoration works, consistent with the authority under [Section 502](#) of the *Local Government Act* (LGA) to secure completion of landscaping and restoration activity. The submitted cost estimate will be required to establish the basis for determining the appropriate amount of security.

BACKGROUND

The subject property is located within the Agricultural Land Reserve (ALR) and is subject to Development Permit Area (DPA) designations, including a DPA 1: Komas Bluff and DPA 4: Streams, Lakes and Wetlands. The 57.5 ha (142 acres) subject property, as shown in Figure 1, is located in north Denman Island.

This file is a result of bylaw enforcement following complaints that tree cutting had occurred within DPA 1 without prior issuance of a Development Permit. To staff's knowledge, no development has occurred within DPA 4.

To date, the only known works undertaken on the property consist of vegetation removal and land clearing. The area affected is located within the DPA 1 and measures approximately 1.7 hectares (4.2 acres). The clearing took place on the upper, gentler portion of the site inland of the bluff crest, rather than on the steep coastal bluff slopes themselves. The applicant estimates that approximately 180 to 200 trees were removed. No buildings or structures have been constructed within the DPA. No additional development within the DPA is currently before LTC as part of this application.

The applicant has previously described broader long-term agricultural development concepts for the property, including establishment of a vineyard as the primary agricultural use, residential accommodation and agri-tourism and winery-related uses. These concepts are not part of the current enforcement matter and would be subject to applicable zoning regulations and required approvals, including Development Permits where applicable.

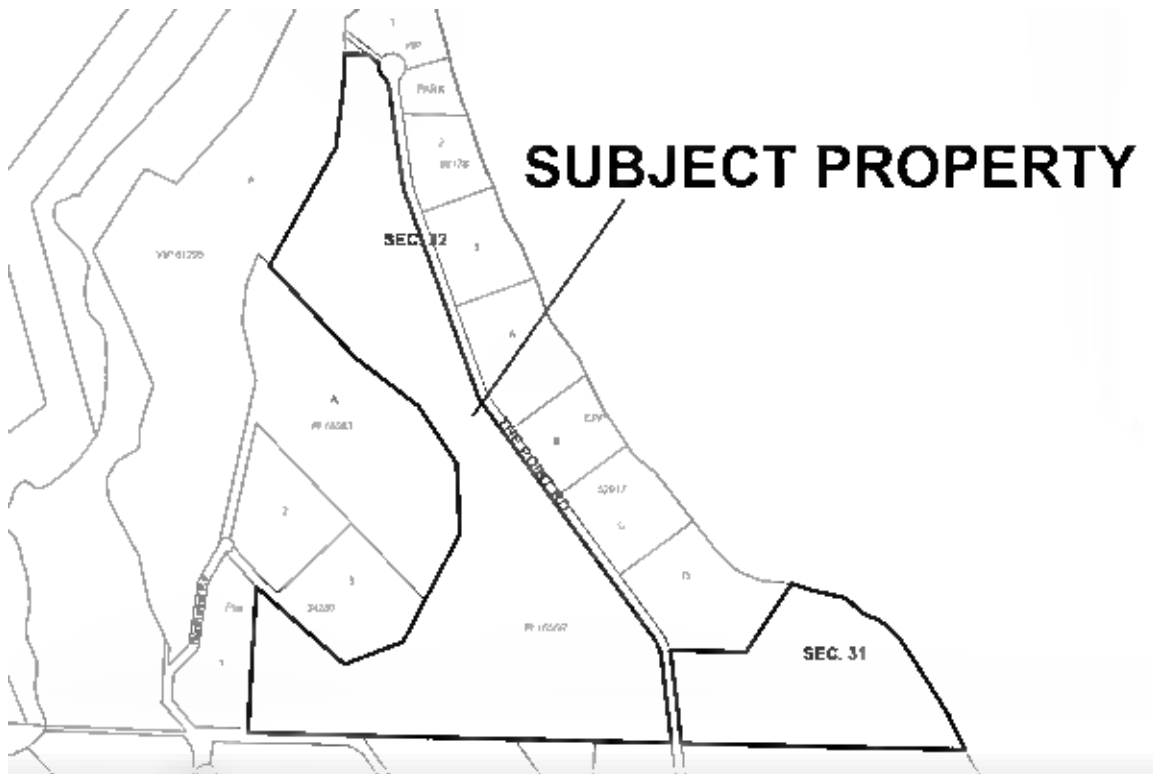


Figure 1 – Subject Property Map

Information about the subject property is contained within Attachment 1 – Site Context. Applicable DP guidelines are included in Attachment 2. The preliminary geotechnical assessment is in Attachment 3 and the draft DP in Attachment 4.

ANALYSIS

Islands Trust Policy Statement:

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application and are addressed through DPA 1:

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.*

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*

Official Community Plan:

The subject property is currently split designated Agriculture and Conservation/Recreation in [Schedule C](#) of the Denman Island Official Community Plan (OCP) Bylaw No. 185 and is located within DPA 1 and DPA 4.

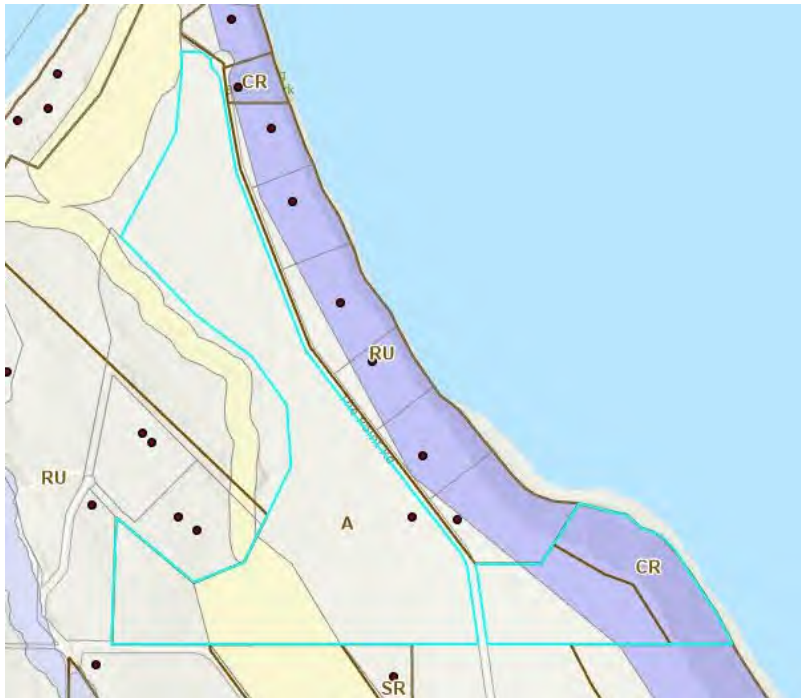


Figure 3: Location of DPA 1 covering a portion of subject property (shown in purple)

Land Use Bylaw:

The subject property is currently zoned Agriculture (A6) and Conservation (CN) under [Schedule B](#) of the Land Use Bylaw (LUB).

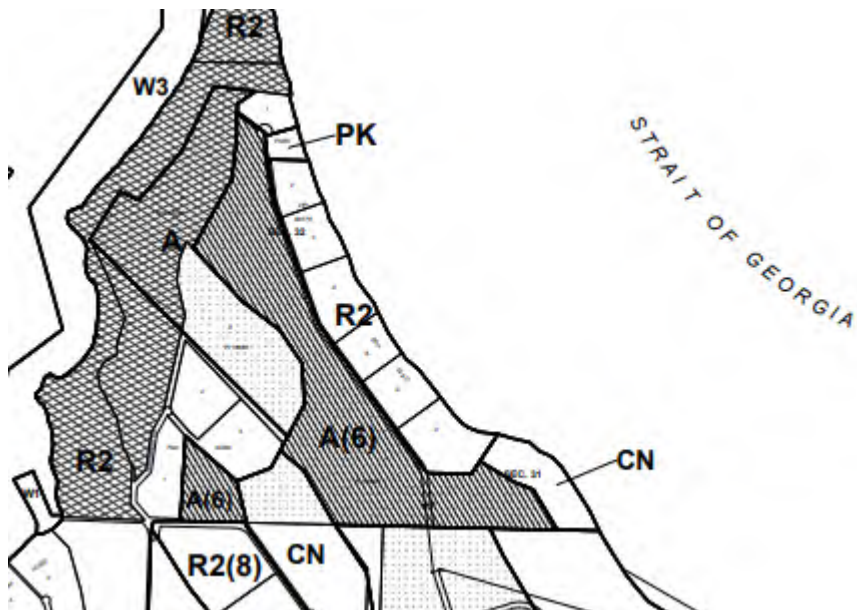


Figure 4: Zoning Map

Prior to undertaking any development, subdivision or land alteration, an owner of a property within DPA 1 must apply to the LTC for a development permit pursuant to Section 4.1 of the LUB. The guidelines for DPA1 are contained within Section 4.1 of the LUB. Staff's assessment of how the applicable DPA1 guidelines have been addressed in the application are provided in Attachment 2.

Issues and Opportunities

Preliminary Geotechnical Assessment

The Geotechnical Assessment report by Coast Geotechnical Consulting Ltd. (April 2, 2026) was submitted in support of the application to address DPA requirements related to slope stability, erosion hazard and vegetation removal within the DPA 1.

The applicable DPA 1 (Guideline 2) requires that a geotechnical report, prepared by a qualified professional engineer, demonstrate that proposed tree cutting and/or development will not result in erosion, land slip, rock fall, mud flow, sloughing, or water degradation.

The assessment provides a reconnaissance-level evaluation of site conditions based on desktop review and field observations. It identifies that the subject property is located within a coastal bluff environment subject to erosion processes and shallow slope instability in sandy soils.

It is not clear from the assessment whether the full 1.7 hectare (4.2 acre) area was disturbed. The report states that tree clearing occurred within a 1.7 hectare portion of the DPA but does not quantify the area actually cleared (see Attachment 5). The applicant estimates that approximately 180 to 200 trees were removed.

The assessment indicates that the site contains existing geotechnical constraints associated with natural bluff processes. The report concludes that the recent tree clearing did not appear to initiate the primary instability mechanisms affecting the bluff; however, it has reduced vegetative cover and increased susceptibility to surface erosion within the cleared area.

The report also identifies an opportunity for erosion mitigation through retention or restoration of vegetation, particularly within areas of recent clearing, to support slope stability and reduce exposure of surficial soils. As such, staff are recommending that the applicant submit a restoration plan to address this concern.

Vegetation Restoration

DPA 1, Guideline 6 requires that trees and other vegetation be retained or replanted to control erosion along the top and face of the bank.

The submitted information is insufficient to demonstrate compliance with this requirement. A restoration plan is recommended to set out planting, implementation and monitoring measures necessary to achieve long-term erosion control. The plan will also inform permit conditions and the calculation of financial security under Guideline 9 and Section 502 of the LGA.

Additionally, the submitted preliminary geotechnical assessment recommends that vegetation be retained or restored to support erosion control and reduce further exposure of surficial sand within the recent tree clearing area.

Requirement for Security as condition of the DP:

Under Section 502 of the LGA a local government can require, as a condition of issuance of a land use permit, that the applicant for the permit provide security to the local government in an amount stated in the permit. The applicant can choose the form of security, either an (auto-renewing) irrevocable letter of credit or a certified cheque. The amount of security will be based on 125% of the estimated cost of implementing the restoration plan, including installation, monitoring, replacement planting and associated protective measures.

Financial security is recommended to ensure completion of the vegetation restoration works required to satisfy DPA 1, Guideline 6. This ensures the LTC can secure completion of the works should the applicant fail to do so.

The draft Development Permit includes provisions for collecting security, timelines for completion, monitoring and release of security (Attachment 4).

Consultation

A community information meeting and/or public consultation and notification are not required for development permit applications.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff provide the Islands Trust Chance Find Protocol and provincial Archaeological Branch guidelines on the Heritage Conservation Act directly to applicants upon receipt of all applications. In addition, staff provide information on the K'ómoks First Nation Cultural Heritage Policy and Cultural Heritage Investigation Permit (CHIP) process where applicable for both the Denman and Hornby Local Trust Area.

Rationale for Recommendation

Staff recommend deferral because the submitted materials do not provide sufficient information to assess compliance with DPA Guideline 6 regarding vegetation replanting for erosion control, nor is there sufficient information to establish appropriate permit conditions or determine the amount of financial security that may be required pursuant to Guidelines 9 and 10.

Refer to the formal recommendations, included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC decision must be accompanied by reasons. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee deny application PL-DP-2025-0268 for the following reasons [insert reasons provided by LTC].

2. Approve Permit without financial security

The LTC may wish to approve issuance of the permit with conditions. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee approve issuance of Development Permit PL-DP-2025-0268, with the following conditions....”

NEXT STEPS


If the LTC resolves to defer the DP application, staff will await submission of the restoration plan and cost estimate. Following receipt and review of the submitted information, staff will bring forward a report to the LTC with recommendations regarding the required restoration works and the amount of financial security to be posted in accordance with Guideline 9 and section 502 of the LGA.

Submitted By:	Marlis McCargar, Island Planner	June 5, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 11, 2026

ATTACHMENTS

- 1. Site Context
- 2. DPA Guidelines
- 3. Preliminary Geotechnical Assessment
- 4. Draft Development Permit
- 5. Site Plan

LOCATION

Legal Description	SECTION 31 AND PART OF SECTION 32, DENMAN ISLAND, NANAIMO DISTRICT, THE WHOLE OF SAID LAND BEING THE AREA SHOWN OUTLINED IN RED ON PLAN 1656-R, EXCEPT THAT PART OF SECTION 32 INCULDED IN PLAN 16663 AND EXCEPT PART IN PLAN VIP61295, VIP87982 AND VIP88176
PID	006-662-307
Civic Address	7000 The Point Road, Denman Island, BC
Lot Size	57.5 ha (142.07 acres)
Location	 <p>The map shows the coastline of Denman Island with several land parcels outlined in red. Key geographical features labeled include Henry Bay to the west, Morning Beach Park to the east, and the Denman Island Protected Area to the south. The subject property is a large parcel along the coast, bounded by the red outline.</p>


LAND USE

Current Land Use	Agricultural / Vacant Land
Surrounding Land Use	Residential, agricultural uses, and conservation areas surround the subject property.

HISTORICAL ACTIVITY

File No.	Purpose
DE-ALR-2009.1	Inclusion/exclusion of land from ALR. Approval with subjects from ALC.
DE-DP-2010.2	Subdivision for 6 residential lots with 1 park remainder for agriculture and conservation.
DE-RZ-2009.1	Reassignment of land use designations and zoning for future development with no net increase to density.
DE-SUB-2010.1	7 lot subdivision approved July 14, 2010

POLICY/REGULATORY

<p>Official Community Plan Designations</p>	<p>Denman Island Official Community Plan Bylaw No. 185, 2008 –A: Agriculture (A) and C/R (Conservation/Recreation)</p> <p>Development Permit Area No. 4: Non-RAR Applicable Streams Lakes, and Wetlands (indicated in the below map in yellow).</p> <p>Adjacent to, and partially within, Development Permit Area No. 1: Komas Bluff (indicated in the below map in dark purple)</p> 
<p>Land Use Bylaw</p>	<p>Denman Island Land Use Bylaw No. 186, 2008 – Split zoned A(6): Agriculture and CN: Conservation</p>

	
<p>Other Regulations</p>	<p>The majority of the subject property is within the Agricultural Land Reserve (ALR) (demonstrated on the map below). The applicant must be aware of ALR Regulations and comply with all requirements outlined by the ALC.</p> 
<p>Covenants</p>	<p>FA132367 – Denman Conservancy Association for (Komas Bluff Covenant) FB342741 – Denman Conservancy Association (Danes Creek North Conservation Covenant) CA8409521 – Agricultural Land Commission Covenant</p>

	CA8409520 – Easement FB421123 – Easement FB342743 – Statutory Right of Way (Denman Conservancy Association) FA132369 – Statutory Right of Way (Denman Conservancy Association)
Bylaw Enforcement	DE-BE-2024.2 – Works within a Development Permit Area without permit. (active)

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands trust Conservancy Board (ITC) – owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Referral to ITC for comment is not required.
Regional Conservation Strategy	The Regional Conservation Plan 2018-2027 estimated importance of habitat composition in the are of the subject property ranges from medium to high. Appendix II of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition as High on the subject property.
Species at Risk	The southeastern area of the subject property identifies a species at risk area for vertebrate animals as well as a critical habitat area for the little brown myotis, northern myotis, and Taylor’s Checkerspot.
Sensitive Ecosystems	The subject property is classified as the following: Primary: Sand Secondary: Mature Forest with a small portion as wetland Tertiary: Cliff
Hazard Areas	N/A
Archaeological Sites	According to provincial information, all coastal areas including the Denman Island Local Trust Area are identified as having the potential to contain recorded or unrecorded areas of archaeological and cultural significance. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and the BC Archaeology Branch should be contacted immediately as <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The proposal indicates the inclusion of a vineyard, winery, house, guest house, outdoor wine tasting area and Agri-tourism houses. The additional density and structures to the property will increase GHG

	emissions from visitors accessing the site and processing of agricultural products.
Shoreline Classification	The shoreline adjacent to the subject property identifies the coast line as sand/cobble with boulder/cobble beach.
Shoreline Data in TAPIS	Portions of the shoreline adjacent to the property are identified as having flat, patchy eelgrass presence and dense eelgrass meadows. Alongside this, Surf Smelt and Pacific Sandlance have been identified as potential spawning habitat along the adjacent shoreline and a key habitat for sea ducks.
Groundwater Vulnerability	Islands Trust mapping indicates that while the majority of the subject property is classified as “ High ” Aquifer Vulnerability to Saltwater Intrusion, there are a few smaller parts of the property of “ Moderately High ” and “ Moderate/Moderately Low ” vulnerability. Surrounding properties have varying degrees of vulnerability ranging from “ Moderately Low ” to “ High/Moderately High ”.

ATTACHMENT 2 – DEVELOPMENT PERMIT AREA GUIDELINES

DPA1 – KOMAS BLUFF

Guideline	Complies	Planner Comments
<p><i>Guideline 1</i> Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply</p>	yes	Property is in more than one DPA; however, work was only done in DPA 1.
<p><i>Guideline 2</i> In order to assist the Denman Island Local Trust Committee in determining conditions to be included in a development permit, the applicant will be required to provide, at their own expense, a geotechnical report certified by a professional engineer with experience in geotechnical engineering who is acceptable to the Trust Committee. The report must indicate that the proposed tree cutting, buildings, structures, land alteration, roads, driveways, or other proposed developments would not cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow, sloughing, or water degradation.</p>	yes	<p>The Geotechnical Assessment report by Coast Geotechnical Consulting Ltd. (April 2, 2026) provides reconnaissance-level information regarding existing site conditions and the effects of recent vegetation removal/tree cutting.</p> <p>The report indicates that the tree cutting did not appear to initiate slope instability; however, it may have increased surface erosion susceptibility by reducing vegetative cover and ground protection.</p>
<p><i>Guideline 3</i> No permanent building should be permitted in any area subject to sloughing or damage from sloughing.</p>	n/a	No buildings are proposed as part of this application
<p><i>Guideline 4</i> No part of a septic tank, deposit field, or irrigation system should be constructed in any portion of the site that is subject to sloughing or damage from sloughing or in any area containing unstable soil or water which is subject to degradation</p>	n/a	
<p><i>Guideline 5</i> No part of a septic tank, deposit field, or irrigation system should be constructed in any portion of the site that is subject to sloughing or damage from sloughing or in any area containing unstable soil or water which is subject to degradation</p>	n/a	
<p><i>Guideline 6</i> Trees or other vegetation should be retained or replanted in order to control</p>	yes	The submitted materials do not currently include sufficient information regarding proposed replanting measures, staff recommends that the applicant submit

<p>erosion along the top or the face of the bank.</p>		<p>a detailed restoration plan for review (by Sept 23, 2026) prior to DP issuance. The plan should demonstrate how vegetation will be established and maintained to achieve long-term erosion control.</p> <p>At a minimum, the submission should include:</p> <ul style="list-style-type: none"> a) A restoration plan prepared by a qualified professional that demonstrates how vegetation will be established and maintained to control erosion along the top and face of the bank. The plan shall include planting specifications, implementation and monitoring requirements, and any recommended protective measures, such as fencing, deer browse protection, erosion control measures, irrigation, or replacement planting b) A cost estimate for all proposed restoration works, installation, and professional inspection activities; and c) Confirmation that both the plan and cost estimate have been prepared by a qualified professional who is a member in good standing of the BC Society of Landscape Architects (BCSLA) or the BC Landscape and Nursery Association (BCLNA). <p>The submission of this information is necessary to allow the LTC to assess compliance with the DPA guidelines and determine the amount of financial security that may be required.</p>
<p><i>Guideline 7</i> All new lots created by subdivision should provide for suitable building sites in areas not subject to sloughing.</p>	<p>n/a</p>	
<p><i>Guideline 8</i> Subdivision applications should make provisions for clustering lots in areas away from the hazard area.</p>	<p>n/a</p>	
<p><i>Guideline 9</i> Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee</p>		<p>Prior to DP issuance, the applicant shall provide financial security in an amount equal to 125% of the estimated cost of the fencing, planting, and deer browse protection works, in the form of either a certified cheque or an auto-renewing irrevocable letter of credit, to ensure completion of the approved restoration works.</p> <p>The security is intended to ensure compliance with vegetation restoration plan within the DPA.</p>
<p><i>Guideline 10</i> On receipt of a final report or written request, as stipulated in the development permit, the local trust</p>		<p>The security shall be released upon receipt of a final report from the qualified professional confirming that the approved works have been completed in accordance with the DP, less any amount required to</p>

<p>committee shall return the security, minus any amount required to correct any unsafe conditions caused by a contravention of a condition in the development permit (see Appendix B).</p>		<p>remedy deficiencies or contraventions of permit conditions.</p>
<p><i>Guideline 11</i> Development permits issued in Development Permit Area No. 1: Komas Bluff should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.</p>		<p>The applicant shall submit a letter prepared by a qualified professional who prepared the restoration plan, confirming that all restoration works have been completed in accordance with the terms and conditions of this DP.</p>

H.J.T. Agri. Dev. Co. LTD
Sent via email to: ken@hjtholding.com

April 2, 2026
Project No. 26-1473

Attn: Zhong Quan He (Ken Ho)

Re: **Preliminary Geotechnical Assessment for Recent Tree Clearing
Located at 7000 The Point Road, Denman Island, BC**

EXECUTIVE SUMMARY

Based on desktop review and field reconnaissance, the Komas Bluff portion of the land is affected by coastal-erosion-driven retrogression, shallow translational instability in Quadra Sand, localized seepage-related instability, surficial erosion of exposed sand, and limited windthrow-related disturbance near the bluff crest.

The recent clearing within DPA 1 did not appear to be the root cause of the observed bluff instability; however, it appears to have reduced natural vegetative resilience and increased the susceptibility of exposed surficial materials to rilling and erosion.

No immediate life-safety concern requiring prompt emergency action was identified within the accessible cleared area during the reconnaissance; however, the bluff face, toe and shoreline were not directly inspected, and any future development proposed near the crest would require additional geotechnical investigation and detailed landslide hazard/risk assessment.

1.0 INTRODUCTION

Coast Geotechnical Consulting Ltd. (Coast Geotechnical) was retained by H.J.T. Agri. Dev. Co. LTD to complete a preliminary geotechnical assessment of recent tree clearing of the land at 7000 The Point Road, Denman Island, BC. A geotechnical assessment is required to support a retroactive development permit application required by Islands Trust for development within Development Permit Area No. 1 (DPA 1 – Komas Bluff). The purpose of this preliminary reporting is to provide a reconnaissance-level geological and geotechnical assessment report based on desktop review and field observations.

This report has been prepared for our client, for their use, and for the use of others on their project team for the specific purpose noted above; however, it remains the property of Coast Geotechnical Consulting Ltd. Use of this report is subject to the conditions outlined in the Important Information and Limitations of this Report section, which forms an integral part of the document.

2.0 SCOPE AND BASIS OF ASSESSMENT

The signed *Proposal for Preliminary Geotechnical Assessment* dated February 25, 2026 indicates that Task C is to describe site geology and geomorphology in the context of Komas Bluff, identify relevant slope and erosion processes affecting the property, provide a professional opinion regarding whether the clearing has materially increased slope instability or erosion risk, provide high-level guidance regarding development siting considerations, and identify whether additional investigation is warranted.

Consistent with the proposal, this work is reconnaissance level only (Class 0 per Engineers and Geoscientists BC landslide assessment guidance) and is not a detailed landslide assessment. No drilling, piezometer installation, topographic survey, limit-equilibrium stability modelling, laboratory testing, or shoreline or toe inspection was completed as part of this phase. Accordingly, this report should not be relied upon to establish final building setbacks or to confirm that any specific building site is safe for the intended use without additional investigation.

3.0 BACKGROUND INFORMATION REVIEWED

This preliminary assessment was based on the following background information:

- *Denman Island Trust Committee Development Procedure Bylaw No. 71, 1992 and Denman Island Official Community Plan Bylaw No. 185, 2008*
- *State of Title Certificate* by BC Land Title & Survey Authority dated 5th of August, 2021
- Topographic, cadastral, and DPA data by Islands Trust (n.d.)
- aerial imagery dated 1980–2024
- groundwater wells by BC Water Resources dated 1995–2015
- prior geotechnical reports by LEA dated 2015–2018 and Westrek Geotechnical dated 2022
- Client *preliminary design plan* dated January 16, 2026 and clarification email dated March 3, 2026

4.0 REGULATORY AND PROJECT CONTEXT

The land lies within Development Permit Area No. 1: Komas Bluff. The applicable development procedure bylaw requires a geotechnical report from a professional engineer indicating what activities or forms of land alteration may be undertaken on the portion of land subject to the development permit application, together with a scaled map showing property lines, proposed works, areas subject to sloughing or damage from sloughing, and planting, retention, or removal of vegetation relevant to erosion control.

Client correspondence in the project file indicates that, within the DPA 1 area, trees and gravel paths for planting had been cleared, that no buildings had yet been approved for construction there, and that the broader planning drawing reflects a preliminary future concept only. This report has therefore been written primarily to address the observed clearing and preliminary land-development implications rather than to evaluate any final engineered building layout.

5.0 LAND DESCRIPTION AND FIELD RECONNAISSANCE CONDITIONS

5.1 Land Description & Relevant DPA 1 Portion

The subject land has a civic address of 7000 The Point Road on Denman Island, BC. The Parcel Identifier (PID) is 006-662-307. The legal description is

SECTION 31 AND PART OF SECTION 32, DENMAN ISLAND, NANAIMO DISTRICT, THE WHOLE OF SAID LAND BEING THE AREA SHOWN OUTLINED IN RED ON PLAN 1656-R, EXCEPT THAT PART OF SECTION 32 INCLUDED IN PLAN 16663 AND EXCEPT PART IN PLAN VIP61295, VIP87982 AND VIP88176.

The *State of Title Certificate* indicates covenants and statutory right of ways in favour of Denman Conservancy Association and Agricultural Land Commission, but no geotechnical-related restrictions.

The relevant DPA 1 portion of the land where recent tree clearing occurred measures approximately 17,000 m² and comprises a bench and landward gentle slope situated inland of the Komas Bluff crest, with steep coastal bluff slopes descending toward the coastline to the east and northeast. Relief across the land is approximately 90 m elevation on the upper bench to approximately 40 m elevation near The Point Road to the west, and to 0 m elevation at the ocean to the east and northeast.

5.2 Field Reconnaissance Conditions

The field reconnaissance was completed by Nathaniel Tougas with Anthony Chui on March 26, 2026, between approximately 10:30 and 14:30. Weather during the site visit was about 7°C, cloudy, and windy, with northeast winds of about 24 km/h. Strong winds had also occurred on March 24, 2026.

Accessible areas during the reconnaissance were limited to the gentle slope landward of, and the flat bench adjacent to, the top of bluff. The steep unstable slope below the bluff top and the coastline far below were not safely accessible and were therefore not directly inspected. Shoreline and toe conditions remain undetermined in this phase.

Ground visibility was moderate because of forest duff cover and fallen trees. Health and safety constraints included the potential for windthrow and falling trees. Observations near the bluff top were therefore completed cautiously, remaining near mature trees and with the site contact present.

6.0 SITE GEOLOGY AND GEOMORPHOLOGY

The Komas Bluff setting is associated with coastal erosion-driven retrogression, shallow translational failures in Quadra Sands, seepage-related instability, and localized surficial erosion. Quadra Sands formed part of the glacial deposits left during retreat of the continental ice sheet, and these sands form Komas Bluff.

Field exposures observed during the reconnaissance were predominantly Poorly Graded SAND with Gravel (SPg), interpreted as Quadra Sand. The material was predominantly medium sand with minor gravel, light brown, and predominantly dry except in one localized wet mid-slope area. Apparent density was predominantly dense based on picket testing. No additional layers below the organic soil were observed in the accessible exposures.

6.1 Observed Landform and Slope Morphology

The landform at Komas Bluff reflects glacial deposition, coastal erosion, and landsliding, and consists of a top bench with steep bluff breaks descending toward the east and northeast. Concave mid-slope sectors were noted in some areas.

Based on field observations, upper slope gradients near the crest are approximately 41° to greater than 54°. Mid-slope gradients are interpreted from the elevation contours to be about 60% to 70%, and lower slopes about 30% to 40%.

The bench above the crest area includes a cleared portion set back approximately 80 m from the crest at the southeast side and about 20 m at the northeast corner—in other words, the observed tree vegetation buffer is approximately 80 m to 20 m wide (see attached plan). Retained young-to-mature coniferous trees remain within the vegetative buffer. No direct development disturbance to the crest was noted, except one instance of a fallen tree near the northeast corner.

Mid-slope conditions include many exposed faces and scarps or rupture surfaces between treed ridges. Toe and shoreline conditions remain undetermined in this phase because the shoreline and toe were not directly inspected.

7.0 RELEVANT SLOPE AND EROSION PROCESSES

7.1 Reconnaissance-Level Hazard Mechanisms Identified

The land is affected by coastal-erosion-driven retrogression, shallow translational instability within Quadra Sand, localized seepage-related instability, surficial erosion of exposed Quadra Sand, and localized windthrow-related disturbance near the bluff crest.

Arcuate crest features, long crowns and headscarps, exposed scarps, shallow displaced material, concave slope sectors, and localized seepage collectively indicate an active or historically active bluff-hazard environment along Komas Bluff. Upper slope angles locally exceeding about 45° and the presence of exposed rupture surfaces indicate shallow instability within surficial sand deposits. One localized seepage area was observed on the mid-slope, with sword fern vegetation indicators and seepage within or below a runout or scar channel. Active rilling of exposed Quadra Sand was observed in the recent clearing area, and minor rills and small open channels were also noted on planar cleared surfaces. A recently fallen mature tree near the bluff crest and younger or smaller toppled trees along the crest indicate localized windthrow-related disturbance in exposed crest areas.

7.2 Delineated Landslide Hazard and Erosion Features

Based on the desktop review, field reconnaissance, and the hazard features drawn up on the associated plan, the DPA 1 portion of the land may be divided into three preliminary landslide-hazard zones and one recent tree-clearing erosion-susceptibility area.

HIGH LANDSLIDE HAZARD Area—The Komas Bluff area subject to active landsliding is designated High Landslide Hazard. This area includes the bluff crest break, steep bluff slopes, and landslide-affected terrain showing scarps, crowns, exposed rupture surfaces, displaced material, and other evidence of ongoing or past slope instability. This area is **subject to active landsliding**, retrogressive slope recession, and potential damage from additional disturbance. Development is not recommended in this area.

MODERATE LANDSLIDE HAZARD Area—The bench area between the Komas Bluff crest and a boundary tracing the 90 m contour to about mid-property and then extending to the high north property-line corner is designated Moderate Landslide Hazard. This area is considered **subject to damage from sloughing** because of its proximity to the active bluff system and potential interaction with ongoing retrogression, shallow instability, seepage influence, or future crest recession. Development within this area should only be considered following further landslide hazard and risk assessment.

LOW LANDSLIDE HAZARD Area—The gentle slope between the Moderate Landslide Hazard area and the west property line is designated Low Landslide Hazard. Based on the reconnaissance completed, this area is not interpreted to be materially affected by the active bluff-hazard features observed farther east and northeast. Development in this area is recommended in principle, and **no further geotechnical hazard assessment is required** for landslide hazard purposes, provided development remains outside the Moderate and High Landslide Hazard areas and does not introduce adverse drainage or grading effects toward the bluff.

RECENT TREE CLEARING (within DPA 1) Area—The recent tree-clearing area overlaps portions of the Moderate and Low Landslide Hazard areas and is **subject to increased surficial erosion** susceptibility because

of reduced vegetation and ground cover. This area is not interpreted as defining a separate landslide-hazard zone in itself; however, it is relevant to erosion management because exposed Quadra Sand was observed to be susceptible to rilling and surface erosion where cover has been removed.

7.3 Evidence of Instability or Adverse Ground Behaviour

A long crown is present approximately 20 m northeast of the north clearing extent and is estimated to be more than 30 years old based on tree stem diameter. Tension cracking was inferred at one crown where pistol-butted mature trees were present. Debris-flow or debris-slide remnants, exposed scars, and quasi-stable displaced materials were also observed below main scarps. These observations indicate that instability processes pre-date the recent clearing and are part of the natural or long-term evolution of the bluff system.

The reconnaissance did not include excavation, probing of the bluff face, or direct shoreline inspection. Therefore, the depth of observed failures, the degree of toe erosion currently active, and the present groundwater regime remain undetermined at reconnaissance level.

8.0 EFFECTS OF RECENT TREE CLEARING WITHIN DPA 1

The recent clearing did not appear to be the root cause of the observed slope instability. The observed scarps, arcuate crowns, concave depletion zones, seepage expressions, and evidence of older instability collectively indicate an established bluff-hazard setting that predates the recent clearing activity.

That said, the clearing has reduced natural vegetative resilience within the affected portion of DPA 1. The clearing was not causal, but it decreased natural resilience to landsliding and erosion by reducing vegetative buffer and ground cover. This interpretation is consistent with the active rilling observed in exposed Quadra Sand within the clearing area and with the general expectation that vegetation removal increases susceptibility to shallow erosion while reducing the beneficial effects of root reinforcement and related capillary suction, rainfall interception, and evapotranspiration.

In our opinion, the clearing likely did not materially initiate the principal bluff-instability mechanisms affecting Komas Bluff, but it did increase erosion susceptibility within the Recent Tree Clearing area and modestly increased vulnerability of exposed surficial materials to ongoing natural erosional processes. In the portions of the clearing area that overlap the Moderate Landslide Hazard area, the reduction in cover is of greater geotechnical concern because those areas remain subject to potential damage from sloughing and future bluff recession. In the portions overlapping the Low Landslide Hazard area, the principal effect of the clearing is interpreted to be increased surficial erosion susceptibility rather than materially increased landslide hazard.

This preliminary opinion may be refined if toe conditions, shoreline erosion rates, surveyed crest offsets, or subsurface and groundwater information indicate stronger coupling between the cleared area and active bluff failure surfaces than was recognizable during the walkover.

9.0 DRAINAGE AND DEVELOPMENT SITING CONSIDERATIONS

9.1 Surface Drainage

Existing drainage on the cleared area was observed as minor rills on planar surfaces and small open channels, with most water apparently infiltrating the granular soil. A concentrated mid-slope flow path was observed in one area on the bluff. Driveway-side ditches with hay bales and small rock check dams were present. No

drainage concerns specifically attributable to previous tree clearing were identified, but bare ground, minor rutting, and slightly altered runoff pathways were noted.

Pending further land development design, a prudent interim objective is to prevent concentrated runoff from being directed toward the crest or onto unstable upper slope areas. Any future grading, paving, roof drainage, irrigation, or service trenching within DPA 1 should be reviewed in relation to crest setback and runoff routing once a defined development footprint is available.

9.2 Development Siting Implications

The preliminary landslide-hazard zoning developed for this report provides a practical basis for reconnaissance-level siting guidance.

No development is recommended within the High Landslide Hazard area on Komas Bluff, as this area is subject to active landsliding and ongoing bluff-hazard processes.

Development within the Moderate Landslide Hazard area should only be considered following further landslide hazard and risk assessment. For this reason, any proposed building sites on the bench within DPA 1, particularly those closest to the bluff crest near the northeast corner of the client's preliminary design plan, should be assumed to require further geotechnical assessment and may need to be relocated further landward depending on the outcome of that work.

Development within the Low Landslide Hazard area is recommended in principle, and no further geotechnical hazard assessment is required for landslide hazard purposes for development confined to that area. This opinion does not remove the need for normal geotechnical input if required for other purposes such as site preparation, earthworks, drainage, retaining elements, seismic site classification, foundations, or servicing.

At this land-development stage, no final habitable-building setback should be inferred from this preliminary geotechnical assessment report. High-level siting guidance is therefore as follows: avoid development in the High Landslide Hazard area; restrict development in the Moderate Landslide Hazard area pending further landslide hazard and risk assessment; and direct development preferentially toward the Low Landslide Hazard area where practicable. Vegetation should be retained or restored where practicable in order to support erosion control and reduce further exposure of surficial sand, especially within the Recent Tree Clearing area.

Across all hazard zones, the forms of land alteration most likely to remain acceptable in principle are limited, low-intensity works that do not load the crest, concentrate drainage toward unstable slopes, or remove additional stabilizing vegetation without geotechnical review. Within the Recent Tree Clearing area, erosion-control and revegetation considerations are important because exposed surficial sand is susceptible to rilling and surface erosion in the absence of cover. Any proposal for buildings, retaining structures, major grading, roadworks, deep service installation, stormwater discharge, or irrigation infrastructure within or near the bluff-influenced area should be considered subject to additional investigation and design-phase geotechnical assessment where applicable.

10.0 ADDITIONAL INVESTIGATION AND FURTHER WORK

Generally, **additional investigation is warranted where development is proposed within the Moderate Landslide Hazard area** or otherwise close enough to the bluff that crest position, slope geometry, seepage conditions, or erosion processes could materially affect siting and risk.

- 1) A **topographic survey** is recommended to define the actual crest position, slope geometry, and development offsets, and to support preparation of cross-sections and any future stability modelling. This work is required where setback from the crest is material to a development decision.
- 2) **Drilling and sampling** are recommended where a detailed geotechnical or landslide assessment is required, in order to characterize subsurface stratigraphy, density, strength parameters, and the presence and depth of any underlying units or bedrock.
- 3) **Piezometer installation or groundwater monitoring** is recommended where seepage is evident or where stability analyses would be sensitive to groundwater assumptions. The purpose of this work would be to determine groundwater elevations and the seasonal influence of seepage on slope performance.
- 4) A **detailed landslide hazard and risk assessment**, including slope stability and erosion assessment, is required for any development proposed within the Moderate Landslide Hazard area or otherwise near the bluff. The purpose of that work would be to evaluate static and, if required, seismic stability, confirm hazard and risk to proposed development, and establish defensible setbacks and hazard-management recommendations.

11.0 LIMITATIONS OF THIS PRELIMINARY GEOTECHNICAL ASSESSMENT

This report is intentionally conservative where investigation was not conducted.

Because the lower slope, toe and shoreline were not directly investigated, no opinion is provided here on active marine toe erosion rates, present beach protection needs, or the stability implications of shoreline processes beyond the reconnaissance-level interpretation noted above.

This report is for preliminary planning and DPA support purposes only and should be read in full, including the stated limitations. It should not be used as a substitute for a detailed geotechnical investigation or Class 1 or higher landslide assessment where those are required.

12.0 CONCLUSION

In summary, the accessible portions of the Komas Bluff area at 7000 The Point Road display reconnaissance-level evidence of an active or historically active bluff hazard environment involving retrogressive coastal bluff processes, shallow sand-slope instability, localized seepage influence, and surficial erosion of exposed Quadra Sand.

For preliminary planning purposes, the DPA 1 portion of the land has been delineated into High, Moderate, and Low Landslide Hazard areas, together with a Recent Tree Clearing area relevant to erosion management. No development is recommended within the High Landslide Hazard area. Development within the Moderate Landslide Hazard area should only be considered following further landslide hazard and risk assessment. Development within the Low Landslide Hazard area is recommended in principle, with no further geotechnical hazard assessment required for landslide hazard purposes for development confined to that area.

The recent clearing within DPA 1 does not appear, on the basis of this preliminary reconnaissance, to have initiated the principal instability mechanisms affecting Komas Bluff; however, it has reduced surface resilience and increased erosion susceptibility where vegetation and ground cover were removed. Further work is

warranted before any final siting decision is made for development proposed within the Moderate Landslide Hazard area or otherwise near the bluff crest.

13.0 CLOSURE

Coast Geotechnical has conducted this geotechnical assessment for the specific purpose identified in this report. This report is intended solely for our client and authorized users, and we accept no responsibility for other uses. Should you require further clarification or additional details, please contact us.

Prepared By:



Nathaniel Tougas, P.Eng., PMP®
Geotechnical Project Engineer

Reviewed by:

Zach Henry, P.Geo.
Senior Project Geologist

On behalf of:

Coast Geotechnical Consulting Ltd.

Permit to Practice #: 1001639

APPENDICES:

- Important Information and Limitations of this Report
- Field Reconnaissance Photos by NT dated March 26, 2026

ATTACHMENTS:

1. Dwg No. G-1—Field Reconnaissance Plan
2. Dwg No. G-2—Preliminary Geotechnical Hazard Assessment Plan

IMPORTANT INFORMATION AND LIMITATIONS OF THIS REPORT

Standard of Care

Coast Geotechnical Consulting Ltd. (Coast Geotechnical) has prepared this report in a manner consistent with that level of care ordinarily exercised by members of the engineering and science professions currently practicing under similar conditions in the jurisdiction in which the services are provided, subject to the limits and physical constraints applicable to this report. No other warranty, expressed or implied, is made.

Basis and Use of the Report

This report has been prepared for the specific site, design objective, development and purpose described to Coast Geotechnical by the client. The factual data, interpretations and recommendations pertain to a specific project as described in the report and are not applicable to any other project or site location. Any change of site conditions, purpose, development plans or if the project is not initiated within eighteen months of the date of this report may alter the validity of the report. Coast Geotechnical cannot be responsible for use of this report, or portions thereof, unless Coast Geotechnical is requested to review and, if necessary, revise the report.

The information, recommendations, and opinions expressed in this report are for the sole benefit of the Client. No other party may use or rely on this report or any portion thereof without Coast Geotechnical's express written consent. If the report was prepared to be included for a specific permit application process, then upon the reasonable request of the Client, Coast Geotechnical may authorize in writing the use of this report by the regulatory agency as an Approved User for the specific and identified purpose of the applicable permit review process. Any other use of this report by others is prohibited and is without responsibility to Coast Geotechnical. The report, all plans, data, drawings, and other documents as well as all electronic media prepared by Coast Geotechnical are considered its professional work product and shall remain the copyright property of Coast Geotechnical, who authorizes only the Client and Approved Users to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. The Client and Approved Users may not give, lend, sell, or otherwise make available the report or any portion thereof to any other party without the express written permission of Coast Geotechnical. The Client acknowledges that electronic media is susceptible to unauthorized modification, deterioration, and incompatibility and therefore the Client cannot rely upon the electronic media versions of Coast Geotechnical's report or other products.

The report is of a summary nature and is not intended to stand alone without reference to the instructions given to Coast Geotechnical by the Client, communications between Coast Geotechnical and the Client, and to any other reports prepared by Coast Geotechnical for the Client relative to the specific site described in the report. To properly understand the suggestions, recommendations, and opinions expressed in this report; reference must be made to the whole of the report. Coast Geotechnical cannot be responsible for use of portions of the report without reference to the entire report.

Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for guidance of the Client in the design of the specific project. The extent and detail of investigations, including the number of boreholes, necessary to determine all the relevant conditions which may affect construction costs would normally be greater than has been carried out for design purposes. Contractors bidding on, or undertaking the work, should rely on their own investigations as well as their own interpretations of the factual data presented in the report with respect to how subsurface conditions may affect their own work. This includes but is not limited to proposed construction techniques, schedule, safety, and equipment capabilities.

Soil, Rock, and Groundwater Conditions

Classification and identification of soils, rocks, and geologic units have been based on commonly accepted methods employed in the practice of geotechnical engineering and related disciplines. Classification and identification of the type and condition of these materials or units involves judgement, and boundaries between different soil, rock, or geologic types or units may be translational rather than abrupt. Accordingly, Coast Geotechnical does not warrant or guarantee the exactness of the descriptions, associated soil characteristics or parameters.

Special risks occur whenever engineering or related disciplines are applied to identify subsurface conditions and even a comprehensive investigation, assessment, sampling, and testing program may fail to detect all subsurface conditions. The

environmental, geological, geotechnical, geochemical, and hydrogeological conditions that Coast Geotechnical interprets to exist between and beyond sampling points may differ from those that actually exist. In addition to soil variability, fill of variable physical and chemical composition can be present over portions of the site or on adjacent properties. The professional services retained for this project include only geotechnical aspects of the subsurface conditions at the site, unless otherwise specifically stated and identified in the report. The presence or implication(s) of possible surface and/or subsurface contamination resulting from previous activities or uses of the site and/or resulting from the introduction onto the site of materials from off-site sources are outside the terms of reference for this project and have not been investigated or addressed.

Soil and groundwater conditions shown in the factual data and described in the report are the observed conditions at the time of their determination or measurement. Unless otherwise noted, those conditions form the basis of the recommendations in the report. Groundwater conditions may vary between and beyond reported locations and can be affected by annual, seasonal, and meteorological conditions. The condition of the soil, rock, and groundwater may be significantly altered by construction activities (traffic, groundwater level lowering, pile driving, blasting etc.) on the site or on adjacent sites. Excavation may expose the soils to changes due to wetting, drying, or frost. Unless otherwise indicated the soil must be protected from these changes during construction.

Follow-Up and Construction Services

The details known at the time of submission are included in Coast Geotechnical's report. Coast Geotechnical should be retained to review the any changes to the final design, project plans, and documents prior to construction – to confirm that they are consistent with the intent of Coast Geotechnical's report.

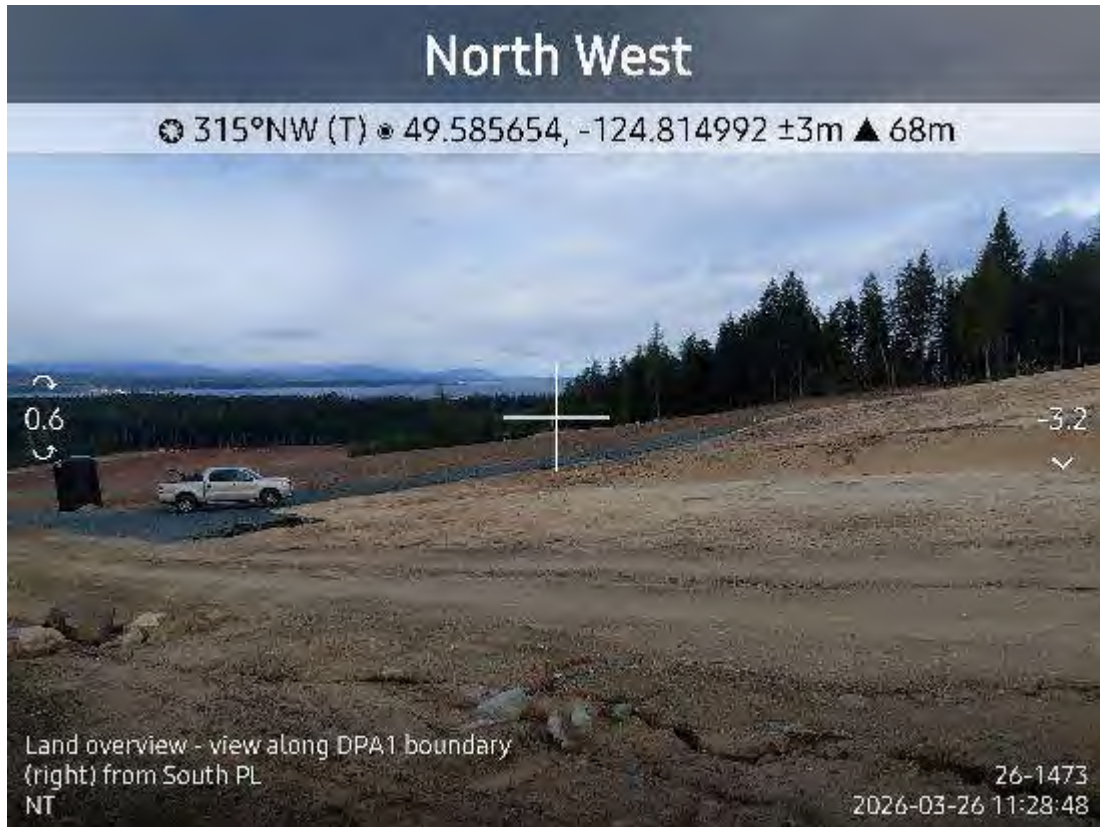
During construction, Coast Geotechnical should be retained to perform sufficient and timely observations of encountered conditions to confirm and document that the subsurface conditions do not materially differ from those interpreted conditions considered in the preparation of Coast Geotechnical's report and to confirm and document that construction activities do not adversely affect the suggestions, recommendations, and opinions contained in Coast Geotechnical's report. Adequate field review, observation, and testing during construction are necessary for Coast Geotechnical to be able to provide letters of assurance, in accordance with requirements of many regulatory authorities. In cases where this recommendation is not followed, Coast Geotechnical's responsibility is limited to interpreting accurately the information encountered at the borehole locations, at the time of their initial determination or measurement during the preparation of the Report.

Changed Conditions and Drainage

Where conditions encountered at the site differ significantly from those anticipated in this report, either due to natural variability of subsurface conditions or construction activities, it is a condition of this report that Coast Geotechnical be notified of any changes and be provided with the opportunity to review or revise the recommendations within this report. Recognition of changed soil and rock conditions requires experience and it is recommended that Coast Geotechnical be employed to visit the site with sufficient frequency to detect if conditions have changed significantly.

Drainage of subsurface water commonly requires either temporary or permanent installations for the project. Improper design or construction of drainage or dewatering can have serious consequences. Coast Geotechnical takes no responsibility for the aspects of drainage unless specifically involved in the detailed design and construction monitoring of the system.

FIELD RECONNAISSANCE PHOTOS

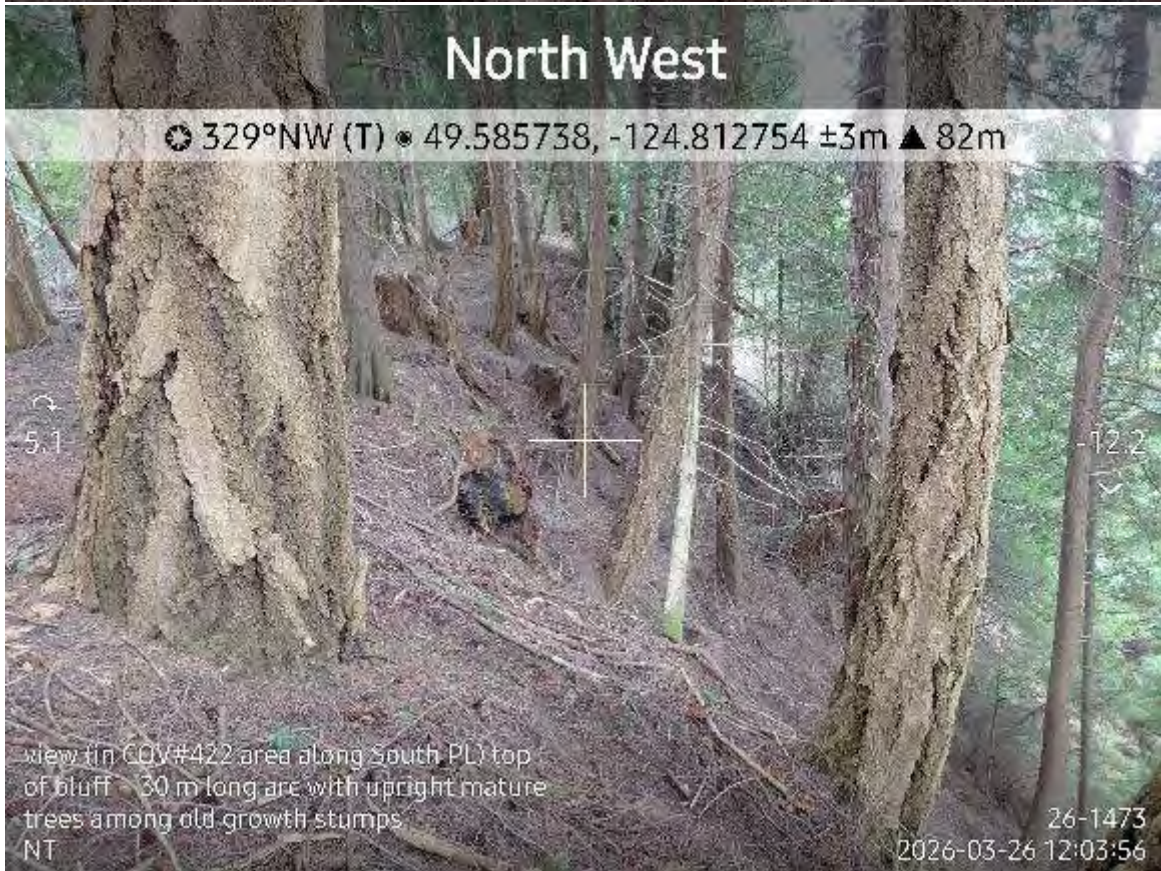


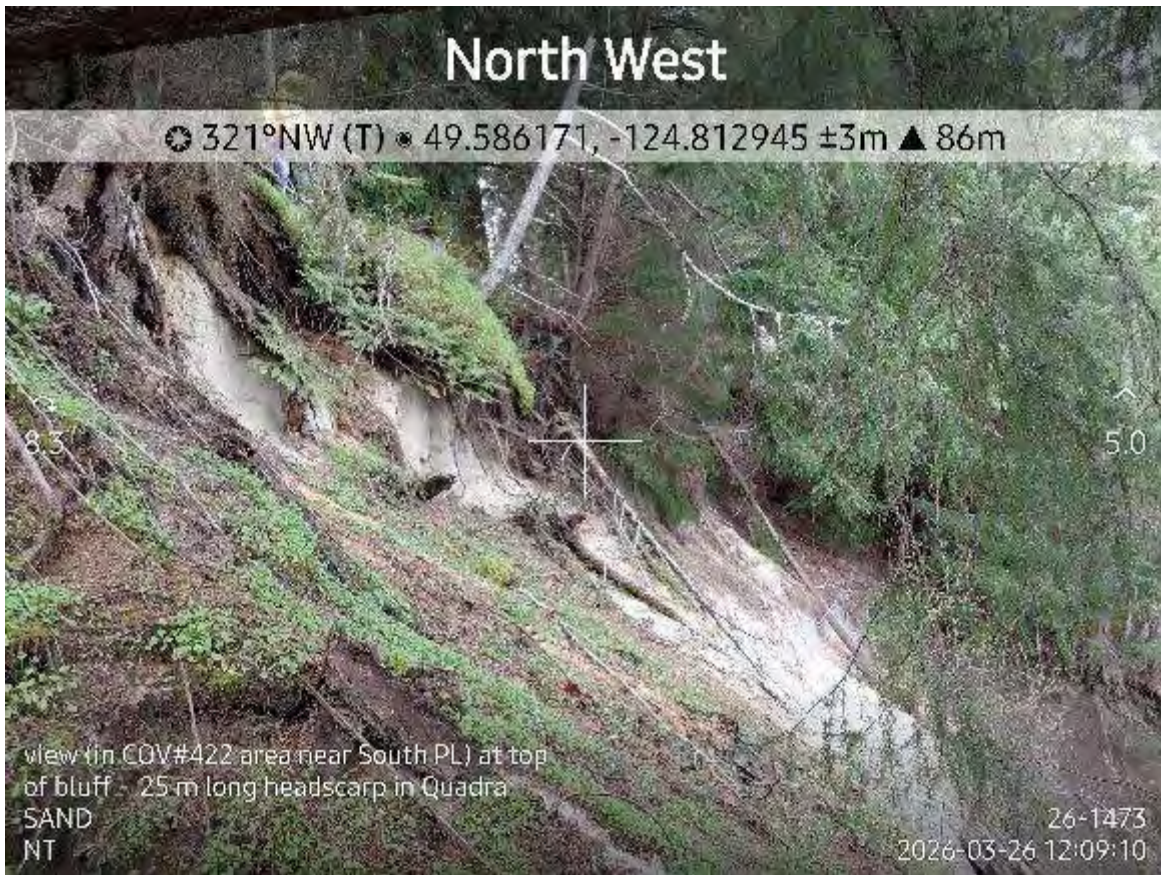


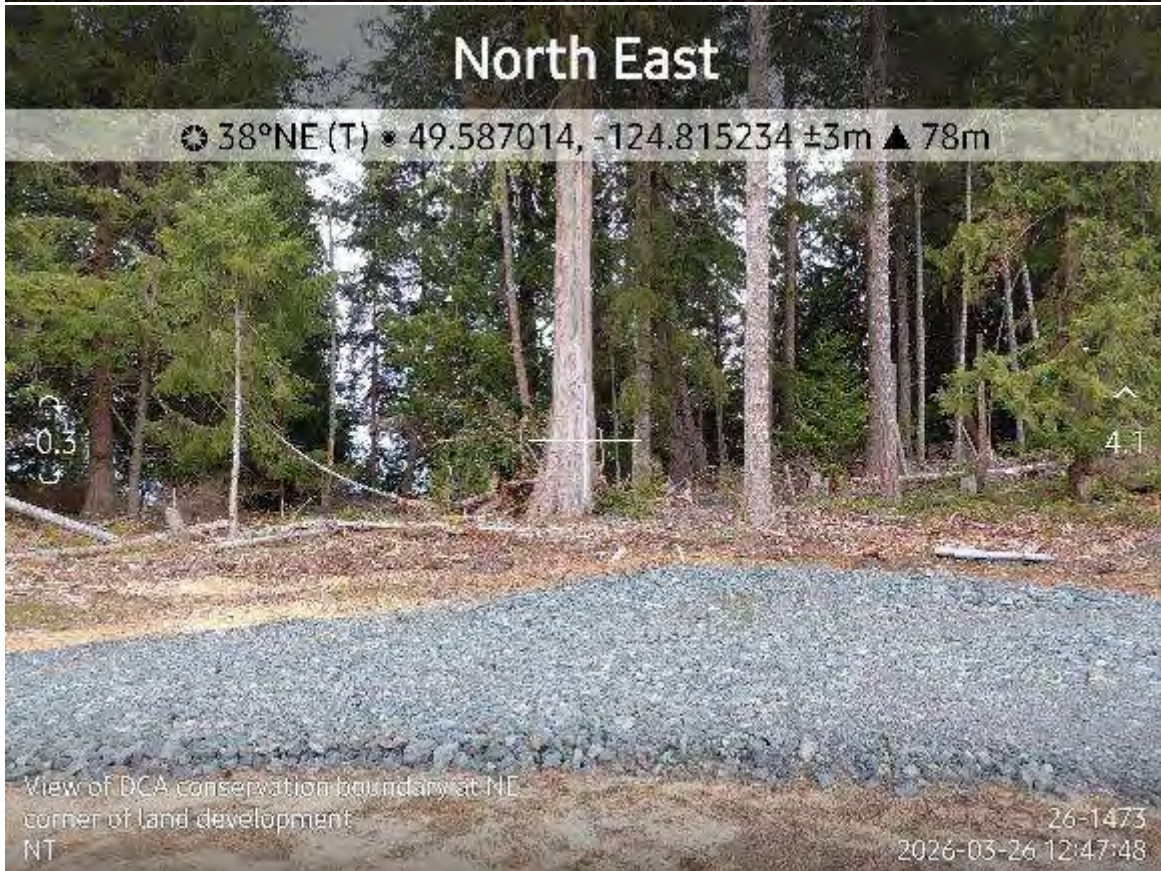












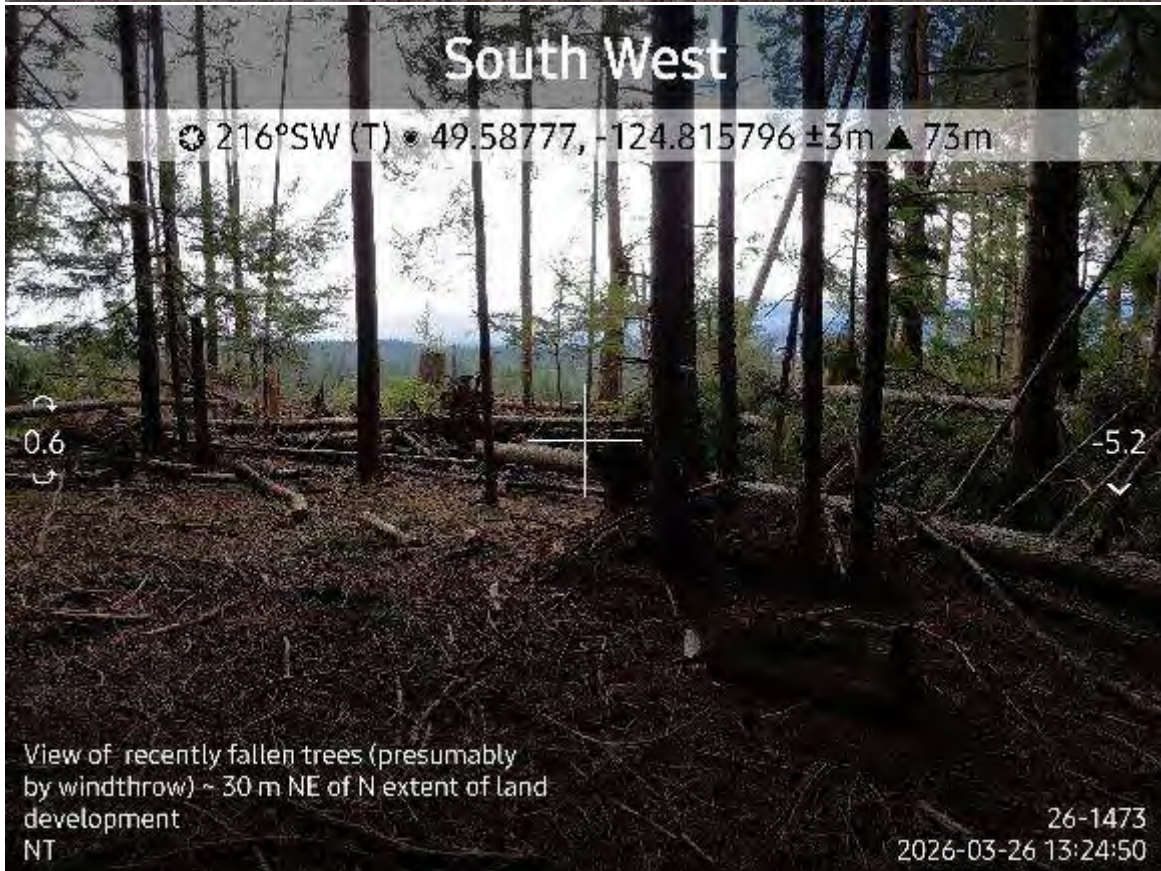


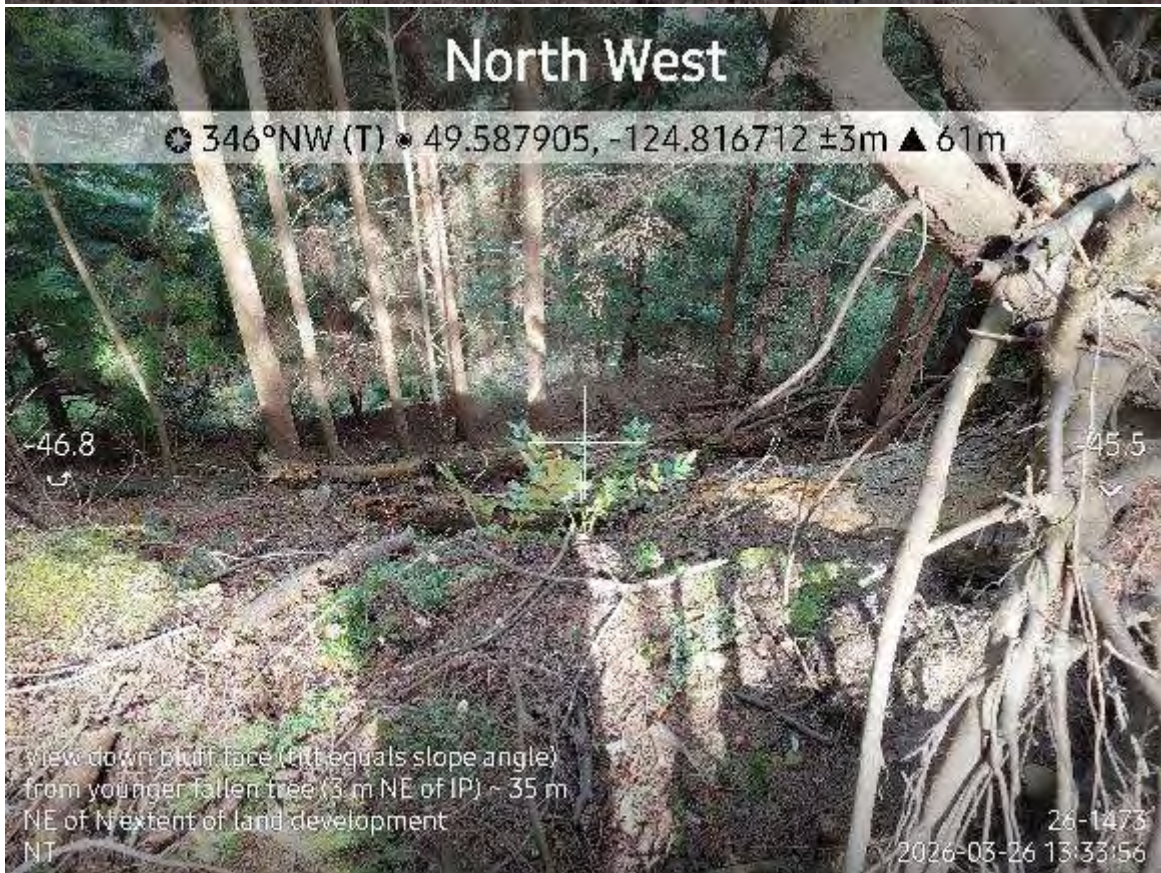
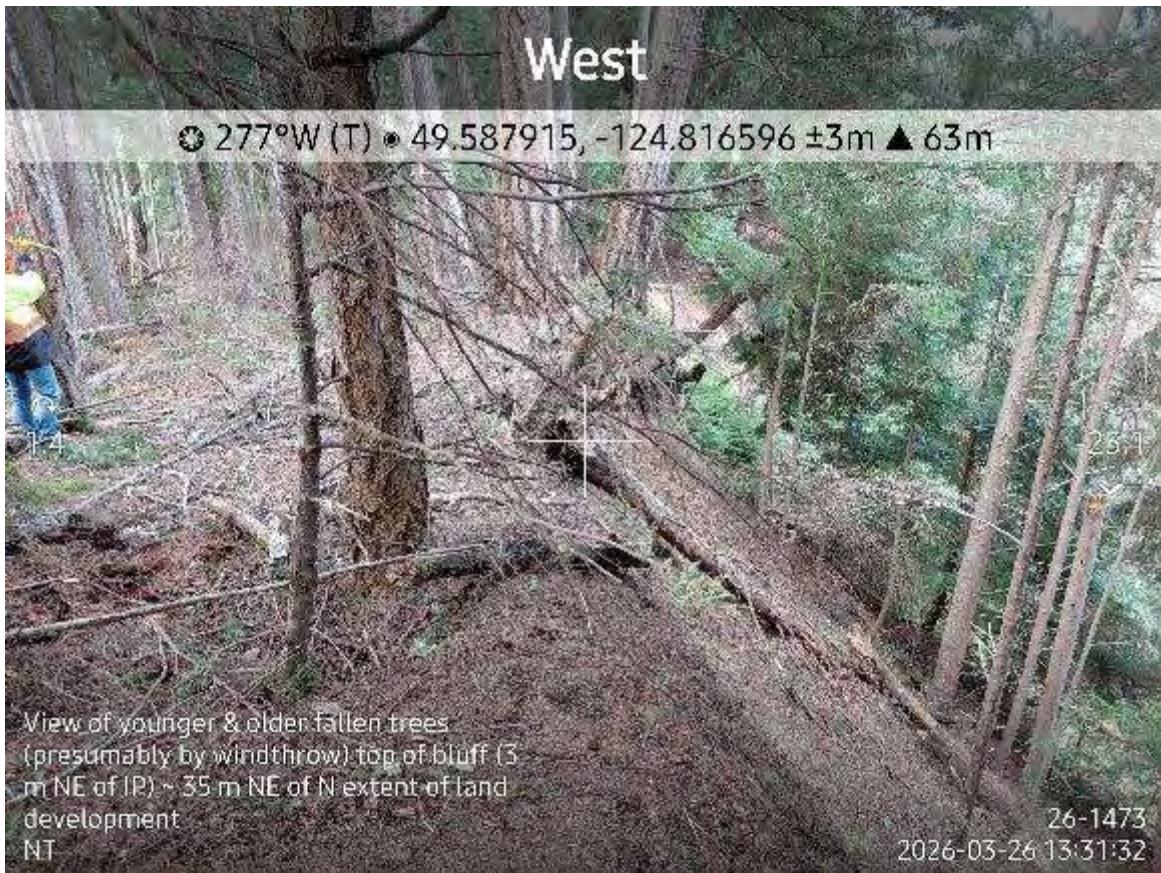




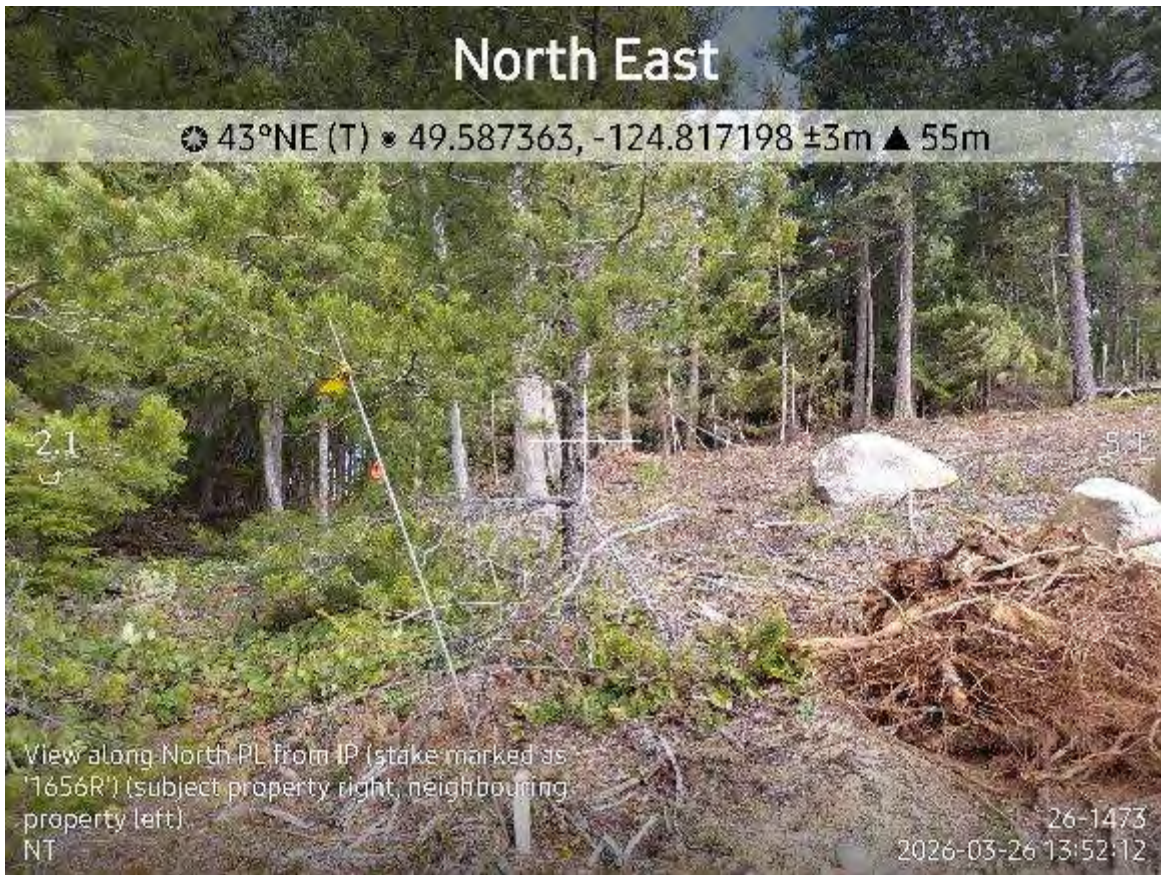






















Islands Trust

**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20250268**

TO: H.J.T. Agricultural Development Co. Ltd.

1. This Development Permit (the "Permit") applies to the land described as:

PID: 006-662-307

**SECTION 31 AND PART OF SECTION 32, DENMAN ISLAND, NANAIMO DISTRICT,
THE WHOLE OF SAID LAND BEING THE AREA SHOWN OUTLINED IN RED ON PLAN
1656-R, EXCEPT THAT PART OF SECTION 32 INCULDED IN PLAN 16663 AND
EXCEPT PART IN PLAN VIP61295, VIP87982 AND VIP88176**

2. Whereas the subject area as described above lies within "Development Permit Area No. 1: Komas Bluff" designated under the Denman Island Official Community Plan Bylaw No. 185, 2008 this development permit is issued under Denman Island Land Use Bylaw No. 186, 2008 and pertains solely to:

- the retroactive authorization of tree removal previously undertaken within the hatched area shown on Schedule 'A'

For certainty, this permit authorizes only the retroactive tree removal identified on Schedule 'A'. Any other proposed works shown on Schedule 'A', including the proposed fence, are not approved or authorized by this permit.

3. This permit is subject to the following conditions:

- a. Schedule 'A' is included solely to identify the location and extent of the tree removal that occurred prior to issuance of this permit. No approval or authorization is granted for any other works, structures or land alterations shown on Schedule "A".
- b. Vegetation restoration shall be undertaken in accordance with the restoration plan, attached to and forming part of this permit, within one year of issuance of this permit [date].
- c. Follow-up monitoring shall be conducted by a Qualified Environmental Professional (QEP) at the property owner's expense one year following completion of restoration works to assess the effectiveness of vegetation restoration and identify any additional measures required to support long-term erosion control and vegetation establishment.
- d. A letter prepared by a Qualified Environmental Professional (QEP) shall be submitted to the Local Trust Committee by [date], confirming that the works

required under this permit have been completed in accordance with the restoration plan attached to and forming part of this permit.

- e. Prior to issuance of this permit, the owner shall provide financial security in an amount equal to 125% of the estimated cost of implementing the restoration plan, including installation, monitoring, replacement planting, and reporting requirements, in a form acceptable to the Local Trust Committee.
 - f. Upon receipt of the QEP letter required under Condition 3(d), and confirmation that the works required under this permit have been completed to the satisfaction of the Local Trust Committee, the security provided pursuant to Condition 3(e) shall be returned, less any amount required to remedy unsafe conditions or outstanding deficiencies resulting from non-compliance with this permit.
- 4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
 - 5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
 - 6. This permit does not relieve the applicant from complying with the provisions of the Denman Island Official Community Plan Bylaw No. 185, 2008 and the Denman Island Land Use Bylaw No. 187, 2008, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE
THIS Xth DAY OF [month], 202X.

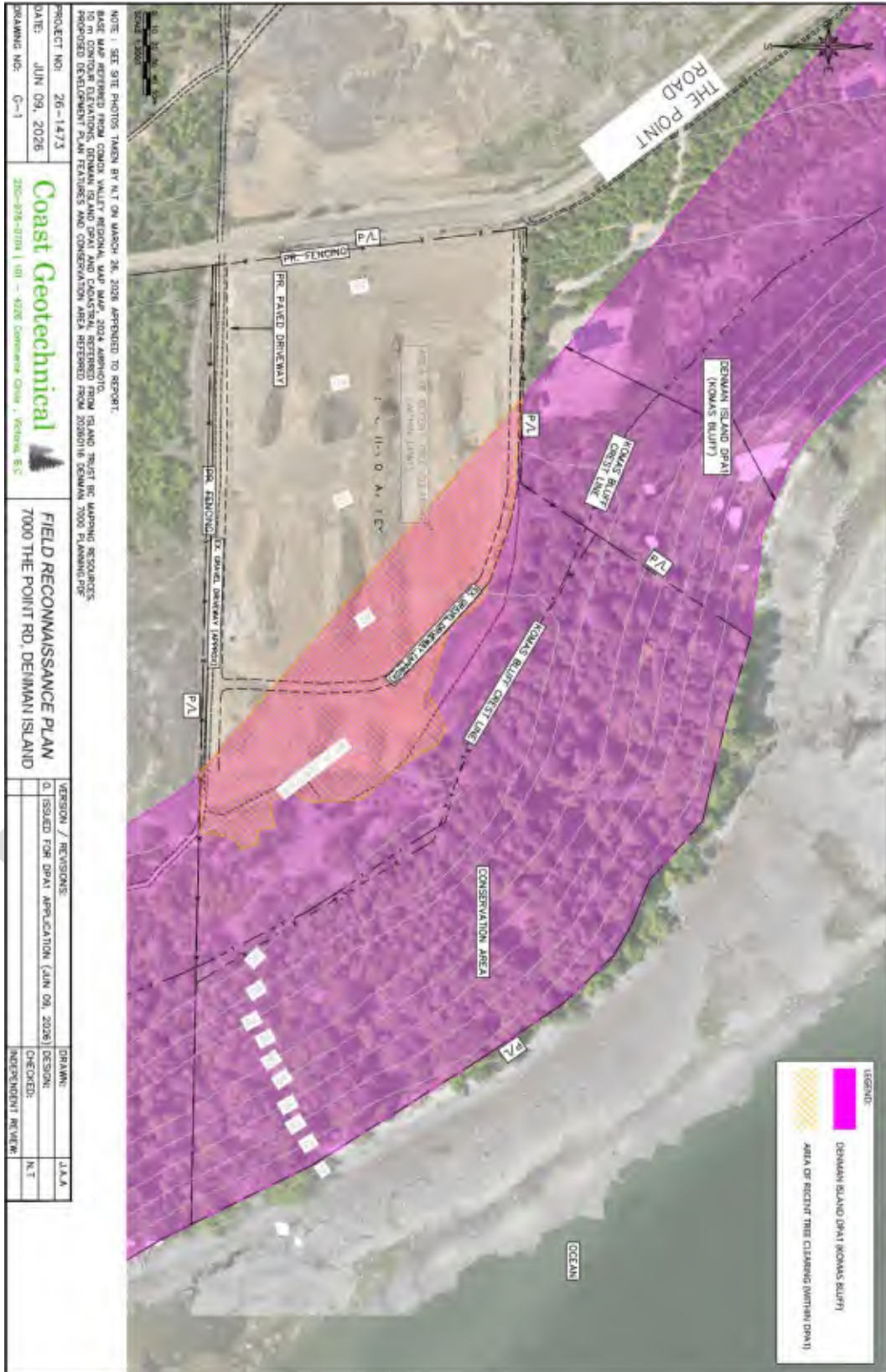
Deputy Secretary, Islands Trust

Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE Xth DAY OF [month], 202X,
THIS PERMIT AUTOMATICALLY LAPSES.

**DENMAN ISLAND LOCAL TRUST COMMITTEE
PLDP20250268**

Schedule "A" – Site Plan



NOTE: SET SITE PHOTOS TAKEN BY N.T. ON MARCH 26, 2026 APPROVED TO REPORT.
 BASED MAP REFERRED FROM COAST VALLEY REGION, MAP DATE 2024 APPROXIMATE.
 TO M. COASTAL ELEVATIONS, DENMAN ISLAND DPRA1 AND COASTAL REFERRED FROM 2020/01/16 DENMAN 7000 PLANNING PDF
 PROPOSED DEVELOPMENT PLAN FEATURES AND CONSERVATION AREA REFERRED FROM 2020/01/16 DENMAN 7000 PLANNING PDF

PROJECT NO: 26-1473
 DATE: JUN 09, 2026
 DRAWING NO: G-1

Coast Geotechnical
 250-878-8100 | 881 - 4228 Cornerbrook Circle, Victoria, B.C.

FIELD RECONNAISSANCE PLAN
 7000 THE POINT RD, DENMAN ISLAND

VERSION / REVISIONS:		DRAWN:	
0	ISSUED FOR DPRA APPLICATION (JUN 09, 2026)	J.M.A.	
		CHECKED:	N.T.
		INDEPENDENT REVIEW:	

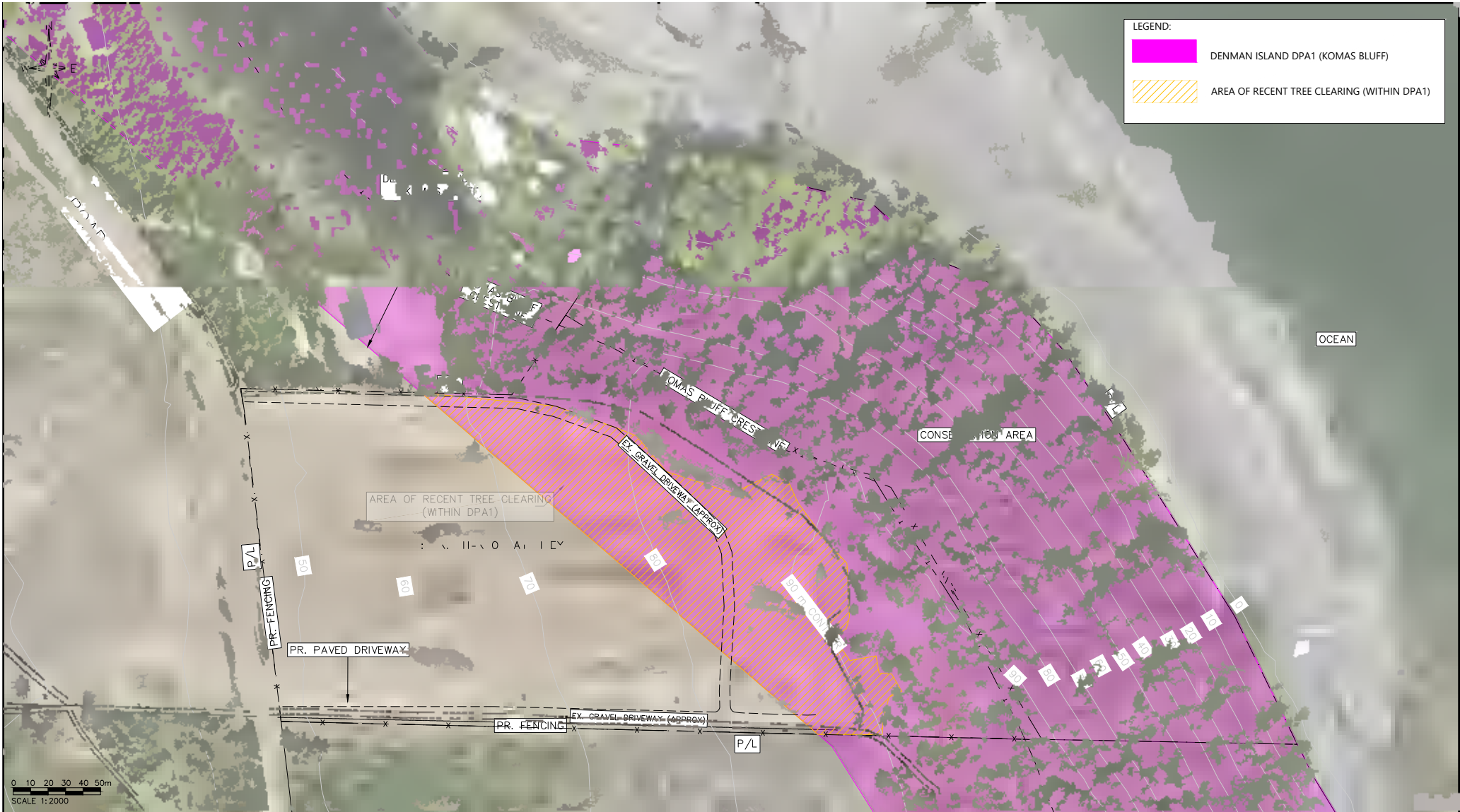
DENMAN ISLAND LOCAL TRUST COMMITTEE

PLDP20250268

Schedule “B” – Restoration Plan

[insert once received]

DRAFT



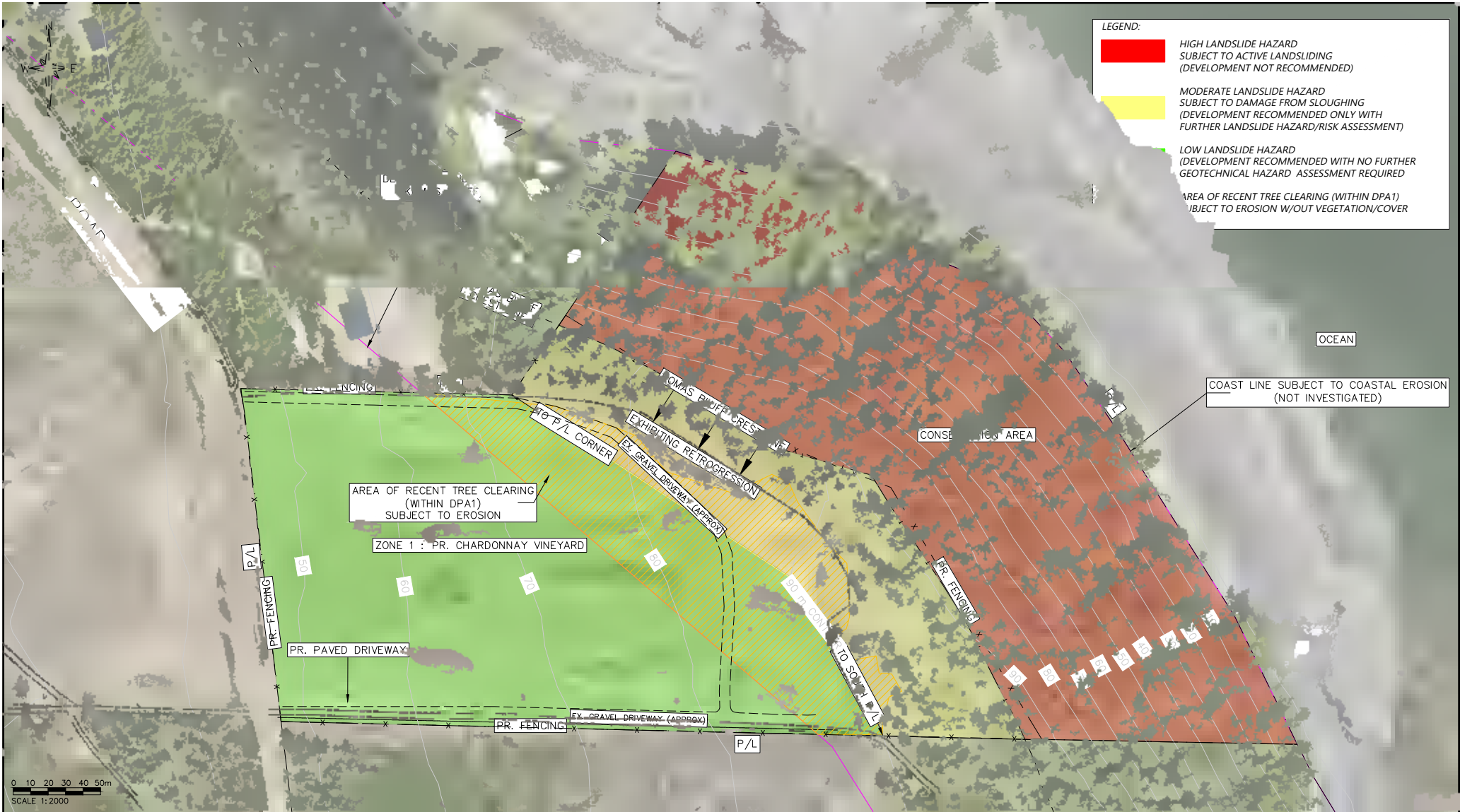
NOTE : SEE SITE PHOTOS TAKEN BY N.T ON MARCH 26, 2026 APPENDED TO REPORT.
 BASE MAP REFERRED FROM COMOX VALLEY REGIONAL MAP I MAP, 2024 AIRPHOTO.
 10 m CONTOUR ELEVATIONS, DENMAN ISLAND DPA1 AND CADASTRAL REFERRED FROM ISLAND TRUST BC MAPPING RESOURCES.
 PROPOSED DEVELOPMENT PLAN FEATURES AND CONSERVATION AREA REFERRED FROM 20260116 DENMAN 7000 PLANNING.PDF

PROJECT NO: 26-1473
 DATE: JUN 09, 2026
 DRAWING NO: G-1

Coast Geotechnical 
 250-978-0704 | 101 - 4226 Commerce Circle , Victoria, B.C

FIELD RECONNAISSANCE PLAN
 7000 THE POINT RD, DENMAN ISLAND

VERSION / REVISIONS:	DRAWN:	J.A.A
0. ISSUED FOR DPA1 APPLICATION (JUN 09, 2026)	DESIGN:	
	CHECKED:	N.T
	INDEPENDENT REVIEW:	



NOTE : SEE SITE PHOTOS TAKEN BY N.T ON MARCH 26, 2026 APPENDED TO REPORT.
 BASE MAP REFERRED FROM COMOX VALLEY REGIONAL MAP I MAP, 2024 AIRPHOTO.
 10 m CONTOUR ELEVATIONS, DENMAN ISLAND DPA1 AND CADASTRAL REFERRED FROM ISLAND TRUST BC MAPPING RESOURCES.
 PROPOSED DEVELOPMENT PLAN FEATURES AND CONSERVATION AREA REFERRED FROM 20260116 DENMAN 7000 PLANNING.PDF

PROJECT NO: 26-1473
 DATE: JUN 09, 2026
 DRAWING NO: C-2

Coast Geotechnical 
 250-978-0704 | 101 - 4226 Commerce Circle, Victoria, B.C.

**PRELIMINARY GEOTECHNICAL
 HAZARD ASSESSMENT PLAN**
 7000 THE POINT RD, DENMAN ISLAND

VERSION / REVISIONS:	DRAWN:	J.A.A
0. ISSUED FOR DPA1 APPLICATION (JUN 09, 2026)	DESIGN:	N.T
	CHECKED:	Z.H
	INDEPENDENT REVIEW:	

File No.: PL-RZ-2025-0464
(3Ravens Cooperative)

DATE OF MEETING: June 23, 2026

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Team

SUBJECT: Application to amend the OCP and LUB to allow for additional density
Applicant: Tara Parkinson and Paul Weyer
Location: 4100 Pinecrest Road, Denman Island
PID 028-639-928

RECOMMENDATION

1. That the Denman Island Local Trust Committee defer preparation of a draft bylaw to amend Denman Island Land Use Bylaw, 2008 to rezone LOT 5, SECTIONS 25 AND 30, DENMAN ISLAND, NANAIMO DISTRICT PLAN VIP89027 until Bylaw Nos. 260 and 264 receive Third Reading.
2. That the Denman Island Local Trust Committee request the applicant for PL-RZ-2025-0464 (3Ravens) to submit the following to the Local Trust Committee prior to First Reading of a proposed land use amendment bylaw being considered:
 - a) 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;
 - b) A Water Management Plan prepared and sealed by a qualified professional to demonstrate the adequacy of potable water quality and quantity for the proposed density:
 - i. water demand calculations for the proposed development;
 - ii. rainfall and water supply assumptions, including roof catchment area calculations;
 - iii. a water balance analysis demonstrating year-round supply reliability;
 - iv. minimum onsite storage capacity and location for fresh water; and
 - v. treatment, maintenance plan and delivery system for potable water;
 - c) A Fire Suppression Plan to address:
 - i. water needs and types of storage being considered; and
 - ii. emergency considerations should temporary water demand be greater than designed storage or well capacity.
3. That the Denman Island Local Trust Committee request the applicant for PL-RZ-2025-0464 (3Ravens) enter into a cost recovery agreement with the Islands Trust for the purposes of drafting a housing agreement, ecological protection covenant and any additional covenants required to secure LTC direction.

4. That the Denman Island Local Trust Committee request staff prepare for LTC consideration a housing agreement, ecological protection covenant, and any associated covenants necessary to secure LTC-supported environmental, housing, and site design objectives.
5. That the Denman Island Local Trust Committee request that the applicant for PL-RZ-2025-0464 (3Ravens) submit a conceptual site plan, prior to First Reading, illustrating approximate building envelopes, accessory structures, common house, cistern and fire suppression storage, wastewater system locations, access and emergency vehicle circulation, and delineation of environmental protection areas, buffers, and no-build areas, to demonstrate that the proposed density can be accommodated on the site.

REPORT SUMMARY

The staff report provides the Denman Island Local Trust Committee (LTC) with a preliminary overview of the proposal; identifies land use planning issues associated with the application; and seeks direction from the LTC on next steps.

This application proposes amendments to the Denman Island [Land Use Bylaw](#) (LUB) and possibly OCP to permit seven additional dwelling units on the subject property. The property currently has one dwelling unit. Under the existing zoning, one additional secondary dwelling unit could be permitted through a Temporary Use Permit. The applicant is requesting a total of eight dwelling units on the property.

The applicant has provided a comprehensive summary document as part of the bylaw amendment application (Attachment 5). The application addresses a number of OCP policies (Attachment 4).

Staff recommends the LTC request the information specified by the OCP policies identified in this report.

Additionally, staff recommends the LTC defer preparation of the draft bylaws until the Housing Review Project (proposed Bylaw Nos. 260 and 264) receive third reading, to provide greater certainty regarding the LTC's direction on housing policy, regulations, and density.

BACKGROUND

The application proposes to amend the LUB to increase the number of dwelling units permitted 4100 Pinecrest Road. The applicant has provided a summary of their intended changes as part of the bylaw amendment application (Attachment 5).

All relevant background information and public correspondence are posted to the [Islands Trust applications page](#).

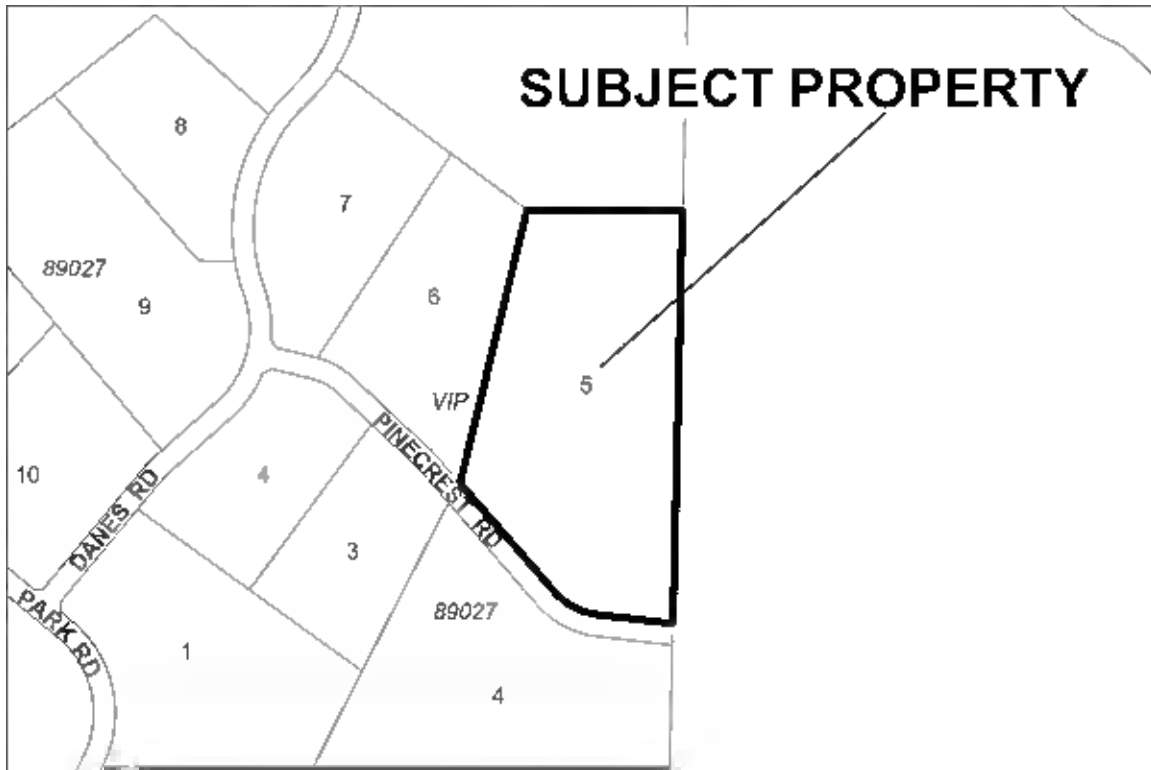


Figure 1: Subject Property Map – 4100 Pinecrest Road, Denman Island

Table 1. Subject Property Details

Property	Parcel Area	Existing OCP Designation	Existing LUB Zoning	Current Maximum Density (# dwellings)	Proposed Maximum Density (# dwellings)
PID 028-639-928 4100 Pinecrest Rd	6.14 ha	Rural (R) (no change required)	R2 (change required)	1	8

3Ravens Site and Concept Plan

The proposed concept site plan for the 3Ravens Land Share Non-Profit Affordable Housing Co-operative is included in Attachment 2. The applicant is proposing the following features as part of the project:

- Seven additional single family dwellings, each with a maximum floor area of 111.5m² (1200ft²)
- One common House with a maximum floor area of 46.5m² (500ft²)
- Accessory buildings (including both common and individual accessory buildings such as workshops, greenhouses and sheds) with a maximum combined total floor area of 580.6m² (6250ft²)

- Rainwater harvesting and collection systems for potable and non-potable water use, including storage, treatment and distribution
- Composting toilets and greywater management systems for all new dwelling units
- Membership eligibility criteria to include individuals without existing property ownership and within the bottom one-third for Canadian wealth. Members will also be required to live on Denman Island. Member homes are proposed to be priced within an affordability threshold (as outlined on page 6 of the submitted Supporting Document in Attachment 5).
- Environmental stewardship measures.

Applicant Project Rationale

The following section presents a summary of the information provided by the applicant.

The applicant proposes a non-profit affordable housing land-share co-operative intended to provide affordable homeownership opportunities for Denman residents who may otherwise be unable to enter the housing market. The proposal would establish seven additional dwelling units and a small common house within previously disturbed areas of the property, clustered near existing infrastructure to minimize environmental impacts and servicing costs. The applicant states that the project will operate as a self-managed co-operative community based on shared governance and stewardship principles.

The applicant further indicates that the development will incorporate sustainability measures, including restricted dwelling sizes, composting toilets, rainwater collection systems, greywater treatment, energy-efficient construction and potential renewable energy installations. The applicant states that approximately two-thirds of the property will remain protected as natural and wildlife habitat areas and that the project will provide stable, long-term affordable housing while maintaining a low overall site coverage (2.7% lot coverage).

Community Outreach

During 2025, the applicants conducted community outreach, including site visits to another cohousing-type development on Denman, meetings with local organizations and stakeholders and distribution of information packages to neighbours (Attachment 6).

ANALYSIS

Policy/Regulatory

A comprehensive site context analysis is provided in Attachment 1. There are a number of Islands Trust policies, OCP policies and LUB regulations that are pertinent to the consideration of this proposal, detailed in Attachments 3 and 4 and summarized as follows.

Islands Trust Policy Statement:

Staff note that an ITPS Checklist (Directives Only) will be completed at the time that draft bylaw amendments are presented to the LTC. Attachment 3 outlines Islands Trust Policy Statement (ITPS) directive policies that are relevant to the application for early consideration by the LTC in order to identify any incongruencies or additional clarity needed at this early stage.

Official Community Plan:

Attachment 4 of this report provides a comprehensive overview of relevant OCP policies related to this application. The subject property is designated as 'Rural' in the OCP and, depending on timeline, will not require an OCP amendment.

There are several policies in the OCP that are applicable to the application, including addressing climate change, transportation, water management, waste management and housing needs. A number of OCP policies support this proposal in principle (Section C.4 Climate Change Adaptation and Mitigation and E.1 Housing Policies); still, there are policies that are not addressed by the application and additional information is recommended to support the application.

Land Use Bylaw:

The subject property requires rezoning with site specific regulations to address density, accessory uses and floor area. The proposed zone would also include provisions prohibiting strata subdivision. Staff recommend prohibiting strata subdivision in the zoning to ensure the development remains consistent with the intended co-housing model. Strata subdivision could enable fragmentation of ownership into individually marketable units.

Covenant:

A covenant may be registered on title to secure long-term environmental, servicing and design commitments that go beyond zoning regulations. This would ensure that key elements of the proposal are secured in perpetuity rather than reliant on voluntary compliance.

The applicant identifies the retention and protection of approximately two-thirds of the site as ecological, regrowth, and wildlife areas, preservation of existing trees and minimal outdoor lighting. The proposal also references green building technologies and sustainability measures, as well as servicing considerations such as water supply and storage.

If requested by the LTC, a covenant could be prepared to secure:

- Long-term protection and management of retained natural and ecological areas;
- Tree retention and protection measures;
- Buffer areas adjacent neighbouring lands;
- Dark-sky compliant outdoor lighting standards;
- Green building and energy efficiency requirements; and
- Cistern storage requirements.

Housing Agreement:

A housing agreement will be required to ensure the affordability of the development is protected in perpetuity.

Issues and Opportunities

Staff have identified the following preliminary issues and opportunities, discussed in more detail below and in Attachment 3 (Relevant OCP policies):

- Detailed Concept Plan
- Density
- Wastewater Systems
- Groundwater Management
- Rainwater Collection/Harvesting

Detailed Concept Plan

The site plan submitted by the applicant (Attachment 3) provides a general outline of proposed building areas; however, the layout is basic and does not clearly illustrate building envelopes, accessory structures, or servicing infrastructure. At this stage, additional detail is required to adequately assess the feasibility of the proposed development, particularly in relation to rainwater systems, cistern placement and environmental protection areas (e.g. tree retention clusters, buffers, etc.).

Staff recommend that the applicant provide a conceptual site plan illustrating approximate building envelopes, accessory building locations, cistern and water storage locations (including fire suppression storage), access and emergency vehicle circulation and delineation of environmental protection and no-build areas. The plan should also identify servicing infrastructure, including water distribution and wastewater system locations and environmental buffers, to demonstrate that the proposed density can be accommodated while maintaining proposed ecological and servicing commitments.

Density

The applicant proposes an additional seven dwelling units above the density currently permitted on the subject property.

Under the current OCP, there are two mechanisms that support the requested increase in density for affordable housing:

- Policy 12 (Housing – Policies, Use and Density); and
- the Density Bank established under Appendix D.

However, the LTC is considering Proposed Bylaw Nos. 260 and 264, which would remove both Policy 12 and the Density Bank and replace them with a policy-based approach to density. While these bylaws received first reading in May 2026, they have not yet proceeded through public hearing or received third reading (anticipated September 15, 2026).

As the proposed bylaws have not been adopted, this application must currently be evaluated under the existing OCP and LUB. Under which, there are seven densities remaining under Policy 12 and seven densities remaining in the Density Bank. Staff note that there is another in-stream rezoning application requesting allocation of eight density units from these same sources. Collectively, the two applications request 15 density units, while only 14 density units remain available under the current framework. Using density units from Policy 12 does not require an OCP amendment while drawing from the Density Bank does require an OCP amendment.

Should the LTC request staff to prepare bylaws at this time, the bylaws would need to be drafted based on the existing OCP and LUB, including consideration of Policy 12 and/or the Density Bank. If Proposed Bylaw Nos. 260 and 264 are subsequently adopted, the draft bylaws would require substantial revision to align with them.

Given the ongoing consideration of Proposed Bylaw Nos. 260 and 264, staff recommend deferring preparation of draft bylaws for this application until completion of the public hearing process and the LTC's consideration of third reading for Proposed Bylaw Nos. 260 and 264 in September 2026. At that stage, staff will have greater certainty regarding the applicable OCP and LUB and can prepare draft bylaws accordingly.

LTC Direction:

- Request staff prepare amendment bylaws under the current OCP and Land Use Bylaw framework;

or

- Request staff hold the application in abeyance pending the LTC's consideration of third reading of Proposed Bylaw Nos. 260 and 264.

Wastewater Systems

The applicant proposes to use composting toilets as the primary sewerage system for the seven additional units. Composting toilets are considered a form of onsite sewerage system and are subject to applicable provincial requirements, including the requirement that installation and use be designed and overseen by an Authorized Person, with necessary documentation submitted to Island Health.

As per OCP Section D.4 Waste Management Policy 5, community sewage treatment should be required for any zoning amendment where the sewage disposal capability of a lot is inadequate for the proposed use. At this time, the applicant has not provided a report prepared by a qualified professional confirming the feasibility of using composting toilet systems to service the proposed density on the subject property. As a result, staff are unable to confirm whether the proposed system is appropriate or sufficient for long-term servicing of the proposed development.

Further information is required from a qualified professional to demonstrate that the proposed systems can adequately and reliably support the development at full build-out, including confirmation that the system can be implemented and operated safely and sustainably without adverse impacts to the environment or neighbouring properties.

LTC Direction: Staff recommend requesting further information from a qualified professional regarding the feasibility of accommodating wastewater systems for up to 7 additional units.

Groundwater Management

As per OCP Section D.3 Water Management Policy 6, the LTC should consider implementing measures to conserve water and protect groundwater resources in areas with limited groundwater supply. OCP Section E.1 Housing policy 29 states that the LTC should require affordable housing proposals to demonstrate an adequate potable water supply.

The groundwater supply status in the area of the proposed density increase is currently unknown. The applicant has provided a well record from 2011; however, no pump test or hydrogeological assessment has been submitted. The applicant indicates that groundwater would only be used for the existing dwelling and potentially for garden irrigation.

Staff will work directly with Islands Trust Fresh Water Specialist to review available information and assess potential groundwater considerations for the site.

Rainwater Collection/Harvesting

OCP Section C.2 Freshwater Policy 9 stipulates that zoning regulations should encourage rainwater collection. Section D.3 Water Management Policy 6, stipulates that zoning changes should require mitigating measures to conserve water. The applicant has indicated that rainwater harvesting, treatment, storage, and distribution will be the only fresh water supply for the proposed residential dwellings. Draft zoning regulations or a covenant for all permitted dwelling units can include specific requirements for minimum cistern capacity, water treatment, maintenance plan, etc. at the time a Siting and Use Permit is requested.

Additional information is required to assess the feasibility and long-term reliability of the proposed water supply system. Staff recommend that the applicant provide a Water Management Plan prepared by a qualified professional with expertise in potable water systems. The plan should demonstrate that the

proposed development can provide a safe and reliable potable water supply under normal operating conditions and during periods of peak demand or reduced rainfall.

At a minimum, the Water Management Plan should address:

- Projected water demand for all proposed dwelling units;
- Rainfall assumptions and water balance calculations;
- Roof catchment areas and anticipated rainwater collection volumes;
- Minimum cistern and water storage capacity requirements;
- Water treatment and distribution systems required to achieve potable water standards;
- Operations, monitoring, and maintenance requirements;
- Emergency and contingency measures in the event of system failure, drought, or temporary demand exceeding available storage capacity; and
- Water storage requirements for fire suppression.

The report should include written certification from the qualified professional that the proposed systems are capable of providing a sustainable potable water supply for the intended development.

LTC Direction: is needed to determine whether submission of a Water Management Plan should be required as part of the rezoning process and/or secured through zoning regulations or a covenant.

Timeline

The timeline for this application will depend on how the LTC requests staff to proceed.

If draft bylaws are prepared following the LTC's consideration of Bylaw Nos. 260 and 264 and those bylaws are adopted as proposed, the application will not require an OCP amendment. In that circumstance, the LTC would not be required under the Local Government Act to consider consultation with affected persons, organizations, and authorities and would not be required to hold a public hearing. However, the LTC may still wish to undertake additional consultation as a matter of good planning practice and relationship building and may provide direction to staff accordingly.

Alternatively, the LTC may choose to request that staff prepare draft bylaws under the existing OCP and LUB. Depending on the density available in Policy 12 and the Bank, an OCP amendment may be required. Should an OCP amendment be required, the Local Government Act would require the LTC to consider consultation opportunities with persons, organizations, and authorities it considers may be affected by the proposed amendment and a public hearing would be required.

Decision to Not Hold a Public Hearing

The LTC is prohibited from holding a Public Hearing under Sections 464(3) of the *Local Government Act* that states:

A local government must not hold a public hearing on a proposed zoning bylaw if

- a) an official community plan is in effect for the area that is the subject of the zoning bylaw,*
- b) the bylaw is consistent with the official community plan,*
- c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and*

- d) *the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.*

Protocols

Protocols and agreements exist and are relevant to the consultation/engagement process for this file specifically with the K'ómoks First Nation, Comox Valley Regional District and adjacent (Hornby Island) LTC.

Community Feedback

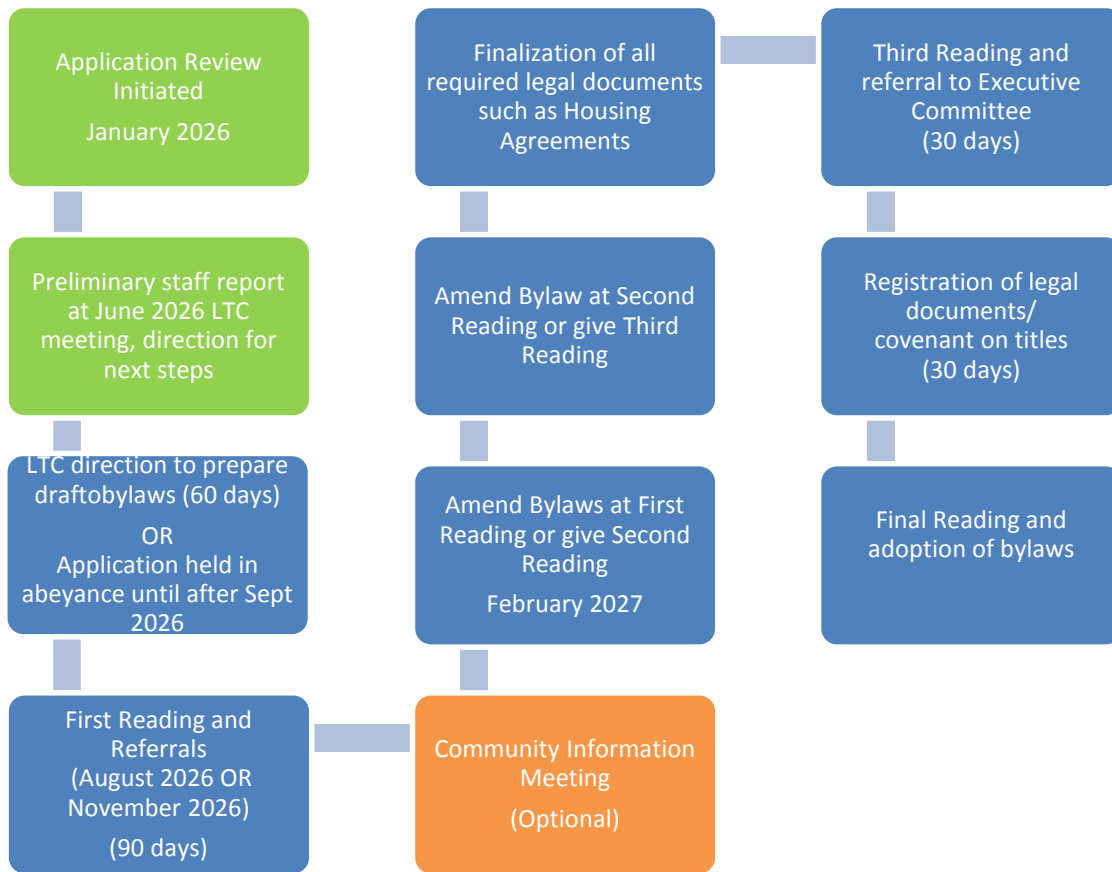
The LTC has received a number of submissions both in support of and in opposition to the proposed rezoning. Supportive comments generally reference the need for affordable housing options, broader housing need, the relatively low impact of the proposed development and the importance of providing affordable housing opportunities in a variety of locations throughout the community. Concerns raised include traffic, neighbourhood character, servicing capacity, noise and light pollution and the subject property's distance from amenities.

The LTC and staff review all correspondence and will continue to consider it as part of the application review process. All public correspondence received to date is available on the Island Trust website at: <https://islandstrust.bc.ca/island-planning/denman/current-applications/> .

Public input will continue to be collected and considered throughout the review process.

Application Process Steps and Timing

The following process steps and approximate timelines may assist in managing applicant and community expectations in how a LUB amendment application such as this, can be processed:



Rationale for Recommendation

Staff recommend deferring preparation of the draft bylaws until the Housing Review Project bylaws (Bylaw Nos. 260 and 264) receive third reading, to provide greater certainty regarding the LTC's direction on housing policy, density and regulations.

Staff also recommend that the applicant provide additional information prior to bylaw preparation, including confirmation of suitable onsite wastewater capacity, a Water Management Plan, a conceptual site plan and enter into a cost recovery agreement, housing agreement and associated covenants.

ALTERNATIVES

1. 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 that the applicant submit to the Islands Trust [insert report, study, etc.].

2. Request staff prepare draft bylaws

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 5 SECTIONS 25 AND 30 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP89027

The LTC may choose to request staff prepare a draft bylaw using the existing OCP and LUB. Staff note that if Proposed Bylaw Nos. 260 and 264 are subsequently adopted, the draft bylaw will require revision and re-referral to align with the updated OCP and LUB.

3. Receive for information

The LTC may receive the report for information

NEXT STEPS

Should Council move forward with staff recommendations, staff will advise the applicant of the required next steps and supporting submissions and will work with the applicant to advance the preparation of the housing agreement and covenants.

Submitted By:	Marlis McCargar, Island Planner	June 10, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 10, 2026

ATTACHMENTS

1. Site Context
2. Concept Site Plan
3. Relevant ITPS Policies
4. Relevant OCP Policies
5. 3Ravens Supporting Document
6. Community Outreach Package

ATTACHMENT #1 – SITE CONTEXT

FILE NO.: PL-RZ-2025-0464 (3RAVENS)

LOCATION

Legal Description	LOT 5 SECTIONS 25 AND 30 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP89027
PID	028-639-928
Civic Address	4100 Pinecrest Rd, Denman Island
Size	6.14 hectares (15.18 acres)


LAND USE

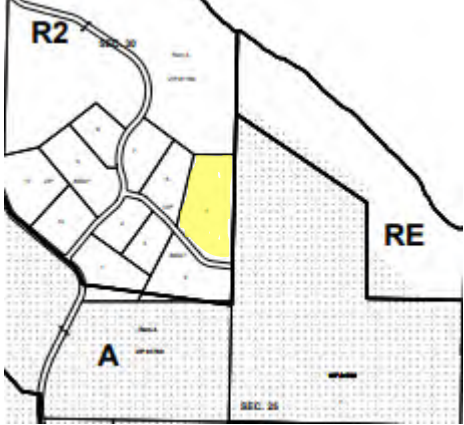
Current Land Use	Residential
Surrounding Land Use	Vacant forested, agriculture (ALR), residential

HISTORICAL ACTIVITY


File No.	Purpose


POLICY/REGULATORY

Official Community Plan Designations	<p>Rural (RU) No DPAs</p> 
Land Use Bylaw	Rural Residential (R2)

	
Other Regulations	None.
Covenants	None.
Bylaw Enforcement	None.

SITE INFLUENCES

Regional Conservation Strategy	
Species at Risk	<p data-bbox="553 871 1299 907">Small portion of foothill sedge habitat in the southwest corner</p> <div data-bbox="553 940 818 1423">  </div> <ul data-bbox="605 1430 1461 1533" style="list-style-type: none"> • IT mapping indicates the potential presence of foothill sedge on the subject property. However, the applicant has advised that the species has not been identified during their site investigations.

Sensitive Ecosystems	 <p>IT mapping identifies a small area of mature forest in the southeast corner of the property. The applicant has noted that the mapped area is not consistent with the site’s known logging history, including harvesting activities that occurred in the 1990s. During staff’s site visit, no mature forest was observed in this location; however, the mapping discrepancy has not been further assessed.</p>
Hazard Areas	None mapped.
Archaeological Sites	<p>No archaeological sites are noted within the property or within 100 metres. Property not located within 200m of shoreline.</p> <p>Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.</p>
Climate Change Adaptation and Mitigation	No anticipated climate-change induced hazards on the proposed development.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



ATTACHMENT 3 – ITPS POLICIES PL-RZ-2025-0464 (3RAVENS)

ISLANDS TRUST POLICY STATEMENT-

ITPS Policy	Complies	Planner Comments
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.	YES	Adjacent to ALR property
4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure: <ul style="list-style-type: none"> • 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. 	Pending receipt of additional information from the applicant	Proposed new development to operate with rainwater catchment only. LTC can request a water management plan that outlines rainwater collection methods (storage, treatment, maintenance and delivery system). The LTC can request the rainwater harvesting system plans be certified by an ASSE-certified designer, professional engineer or geoscientist
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.	YES	Proposed new development to operate with rainwater catchment only.
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.	YES	Through a Housing Agreement and co-operative ownership structure, the model is intended to provide an alternative form of home ownership and may improve housing attainability relative to conventional market ownership.
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.	YES	While a small portion of the property is identified on Islands Trust sensitive ecosystem mapping as mature forest, the applicant advises that the site was previously logged in the late 1990s. The applicant is currently undertaking restoration and forest management activities, including planting native species and managing invasive plants, with the goal of maintaining and enhancing the undeveloped forested areas of the property. LTC can explore an ecological covenant to secure long-term protection and management of retained natural

ITPS Policy	Complies	Planner Comments
		and ecological areas; tree retention and protection measures; and buffer areas adjacent neighbouring lands
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.	Pending LTC decision.	The LTC is currently considering amendments to the OCP and LUB that would eliminate the density bank and replace it with a policy-based approach to density. While the proposed bylaws have received 1 st reading, they have not yet been adopted. Accordingly, this application is being evaluated under the OCP and LUB current policies and regulations, under which there is insufficient available density to support the proposal.
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.	Partially Complies	The subject property is located approximately 10km from the village and residents would rely on private vehicles for many daily trips. However, the applicant has indicated that bicycle parking will be provided, members will explore car-share opportunities and the Denman bus is available on a call-in basis and may be incorporated into a regular route in the future. These measures may help reduce automobile dependency, although the rural location of the property presents challenges to fully achieving the policy objective.
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.	YES	Proposed development provides an opportunity for LTC and K'omoks First Nation consideration.
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.	YES	The proposal would support the development of a non-profit limited-equity housing co-operative, providing an alternative housing ownership model and contributing to housing diversity within the community.
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.	YES	Proposal seeks to address community's current and projected housing requirements for affordable housing.

ATTACHMENT 4 –OCP POLICIES PL-RZ-2025-0464 (3RAVENS)

DENMAN ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 185, 2008

OCP Objective/Policy	Complies	Planner Comments
<p>C.2 Freshwater Policy 9 - Zoning regulations should encourage rainwater collection to reduce consumption of groundwater resources; however, adequate controls should be in place to ensure above ground storage tanks are not unsightly.</p>	<p>Yes and pending further application review</p>	<p>The proposal would rely on rainwater harvesting systems to supply water to all new dwellings, which aligns with the policy objective of reducing groundwater use. One cistern per dwelling is proposed to be provided by the co-operative; however, system design, installation, operation, maintenance, and any additional storage capacity would be the responsibility of individual members.</p> <p>Consideration may be given through the rezoning process to securing rainwater harvesting requirements for all dwellings.</p> <p>Additional information is required regarding storage capacity, treatment requirements, potable water provision, maintenance responsibilities and the visual impact of any above-ground storage tanks.</p> <p>The existing drilled well would continue to serve the existing dwelling and community gardens. A 2021 water quality test indicated results within drinking water guidelines and previous testing in 2011 found the well sufficient to serve the existing single-family dwelling.</p>
<p>C.4 Climate Change Policy 2 - The Local Trust Committee should consider energy efficiency attributes, the reduction of greenhouse gas emissions, and climate change adaptation and impacts mitigation in all rezoning applications that propose an increase in density or change of use.</p>	<p>Yes and pending further application review</p>	<p>The proposed seven units are clustered within or adjacent to the existing developed area, with access to existing road, driveway and electrical infrastructure, and in proximity to the proposed common house.</p> <p>The proposed building sites are located in previously cleared or logged areas and are situated near existing electrical infrastructure, reducing servicing requirements.</p> <p>The proposal includes composting toilets, rainwater harvesting, and greywater systems, as well as limits on dwelling and accessory building floor areas, which support reduced resource consumption and a more compact form of development.</p>

		<p>The existing development operates under a sustainability-focused model, including reduced water use, a common garden for local food production, habitat preservation, and waste management practices. Shared facilities in the common house include laundry and shower amenities.</p> <p>Energy efficiency standards for new construction may be secured through the rezoning process.</p>
<p>C.4 Climate Change Policy 4 - The Local Trust Committee should support zoning amendment applications for affordable housing that incorporate climate change adaptation and mitigation measures, such as energy efficiency and shared facilities.</p>	<p>Yes</p>	<p>The proposal supports an alternative non-profit limited-equity co-operative housing model and includes shared facilities such as a common house and garden. The development incorporates climate adaptation and mitigation measures including rainwater harvesting, composting toilets, and greywater systems, and promotes a compact development form.</p> <p>Through the rezoning process, consideration may be given to securing key aspects of the proposal through a combination of zoning provisions, covenants, and a housing agreement.</p>
<p>D.2 Transportation and Utilities Policy 8 - When considering zoning changes, the Local Trust Committee should ensure that the proposed zoning change supports non-automotive transportation.</p>	<p>Pending LTC direction</p>	<p>The proposed zoning change provides limited support for non-automotive transportation due to the rural location of the property; however, the applicant has identified measures such as bicycle parking and use of the Denman bus.</p> <p>The rezoning process may secure requirements for non-automotive transportation, such as bicycle parking.</p>
<p>D.3 Water Management Policy 6 -When considering a zoning amendment application in an area of scarce ground water supply, the Local Trust Committee should consider requiring mitigating measures to conserve water and protect the ground water resource.</p>	<p>Pending LTC direction</p>	<p>The applicant proposes that all additional dwellings will be supplied entirely by rainwater catchment systems and therefore, will not increase demand on groundwater resources. However, consideration should be given to requiring additional supporting information, including a groundwater assessment report to confirm site conditions and potential impacts.</p> <p>Consideration should also be given to requiring a water management plan outlining rainwater collection, storage, treatment, maintenance, and distribution systems. The design of the rainwater harvesting system may be required to be prepared or certified by a qualified professional (e.g., ASSE-certified designer, professional engineer, or professional geoscientist) to ensure long-term functionality and reliability.</p>

<p>D.4 Waste Management Policy 5 - Community sewage treatment should be required for any zoning amendment where the sewage disposal capability of a lot is inadequate for the proposed use.</p>	<p>Yes and pending further application review</p>	<p>The proposal indicates that all residential toilets would be composting toilets; however, no wastewater system report has been provided to confirm overall sewage disposal capability for the site.</p> <p>Additional information is required to confirm whether each building site can accommodate sewage and greywater disposal for up to seven additional dwellings and common house, including system design and capacity for each.</p>
<p>E.1 Housing Policy 8 - In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following:</p> <ul style="list-style-type: none"> • The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw; and • Multi-family affordable housing through the completion of a successful rezoning application. 	<p>Yes</p>	<p>Based on this policy, an OCP designation amendment may not be required provided the proposal is supported through rezoning and is consistent with other applicable Rural policies.</p>
<p>E.1 Housing Policy 12 - The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 27, 28 and 29 of this Section.</p> <p>Notwithstanding the foregoing, secondary suites contained within the footprint of conforming dwelling units are not deemed to contribute to density calculations for the purposes of this policy.</p>	<p>Pending LTC direction</p>	<p>The proposal includes seven additional units, which may be supported through a combination of the remaining 5% density allocation and available density bank, subject to confirmation and securing of the units through a housing agreement.</p> <p>Staff note that one in-stream application is already seeking allocation of 8 densities from the remaining Policy 12 and density bank. If allocated, this would leave 6 densities available for other applications.</p> <p>The LTC is currently considering amendments to the OCP and LUB that would eliminate the density bank and Policy 12 and replace it with a policy-based approach to density. While the proposed bylaws have received 1st reading, they have not yet been adopted. Accordingly, this application is being evaluated under the OCP and LUB current policies and regulations, under which there is insufficient available density to support the proposal.</p>
<p>E.1 Housing Policy 17 - Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space.</p>	<p>Yes</p>	<p>Applicant's site plan attempts to cluster new housing to the south end of the property.</p>
<p>E.1 Housing Policy 18 - The Local Trust Committee should encourage the</p>	<p>Yes, partially</p>	<p>The proposal does not establish a non-profit land trust; however, it supports the policy objective of promoting alternative housing</p>

establishment and work of non-profit land trusts for affordable housing.		models that may contribute to long-term housing affordability.
<p>E.1 Housing Policy 24 - Zoning regulations should establish sufficient setbacks for septic disposal systems:</p> <ul style="list-style-type: none"> to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and to protect adjacent properties from effluent or odours. 	Pending further application review	<p>The applicant proposes composting toilets for each dwelling, with maintenance and management to be the responsibility of co-operative members. Individual greywater treatment systems are proposed for each dwelling, to be designed and installed by a ROWP in accordance with Ministry of Health standards.</p> <p>However, no supporting professional reports or system designs have been submitted to confirm site-specific feasibility, sizing, or suitability of the proposed systems. Additional information is required regarding the feasibility of the proposed wastewater systems and their ability to accommodate up to seven additional dwellings.</p>
E.1 Housing Policy 26 - Setbacks from lot lines should be sensitive to the nature of the use and its potential negative impact on the neighbouring properties.	Yes	Setbacks from lot lines will be addressed through the zoning regulations.
E.1 Housing Policy 27 - The Local Trust Committee should not approve a zoning amendment application that could fragment large areas of forested or agricultural land.	Yes	The property is not in the ALR. The proposal does not involve fragmentation of forested areas, and a portion of existing trees is proposed to be retained.
<p>E.1 Housing Policy 30 - The Local Trust Committee should consider zoning amendment applications for affordable housing projects provided:</p> <ul style="list-style-type: none"> that the proposal is not located in a connectivity area identified on Schedule D; that the proposal does not impact negatively on adjacent properties; that the proposal is small-scale; that the proposal is clustered and the siting and height are sensitive to surrounding land uses; that the proposal proves an adequate supply of potable water and an adequate sewage disposal system; that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas; that the proposed development will not place a strain on existing public services and infrastructure. 	Yes and pending further application review	<p>Connectivity: The proposal is not located within a designated connectivity area.</p> <p>Adjacent impacts: Potential impacts on adjacent properties would be addressed through zoning regulations and concerns raised through public consultation will be considered in the review of the application.</p> <p>Scale and form: The building sites are clustered and the individual dwelling footprints are relatively small in scale (1200ft²). However, the overall density is higher than found in the surrounding rural residential area.</p> <p>Water supply: Adequate potable water supply has not yet been demonstrated; the proposal relies on rainwater harvesting and additional information is required.</p> <p>Sewage: No wastewater report has been provided; additional information is required to confirm adequate sewage disposal capacity.</p> <p>Environment: No environmentally sensitive areas noted.</p>

		Infrastructure: No known impacts on existing services.
E.1 Housing Policy 33 - The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations.	YES	The OCP supports a range of housing forms within the Rural designation, including affordable housing and increased housing diversity, and contemplates the use of rezoning to determine appropriate density, siting, and servicing.
E.2 Economic Activities Policy 6 - The Local Trust Committee encourages applicants applying for zoning amendments to permit new construction to meet or exceed the Canadian Green Building Council certification, or to provide details on green technology alternatives if meeting the certification requirements is not possible.	Pending LTC direction	Applicant has not provided details on green technology or green building. The LTC can request that new building meet or exceeds Canadian Green Building Council certification or other green technology alternatives. For example, the LTC can request a restrictive covenant registered on title for compliance with BC Energy Step Code.
Appendix D Density Banking Policy 2 - The Local Trust Committee may consider applications for transfer of banked densities providing the land receiving the densities will be used for affordable housing and a suitable mechanism is in place ensuring this use is maintained over time. For the purpose of the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental	Pending LTC decision	7 densities remaining in the density bank. Staff note that one in-stream application is already seeking allocation of 8 densities from the remaining Policy 12 and density bank. If allocated, this would leave 6 densities available for other applications. The LTC is currently considering amendments to the OCP and LUB that would eliminate the density bank and Policy 12 and replace it with a policy-based approach to density. While the proposed bylaws have received 1 st reading, they have not yet been adopted. Accordingly,

assistance; and entry level ownership opportunities.		this application is being evaluated under the OCP and LUB current policies and regulations, under which there is insufficient available density to support the proposal.
Appendix D – Density Banking, Policy 2 - The Local Trust Committee may consider applications for transfer of banked densities providing the land receiving the densities will be used for affordable housing and a suitable mechanism is in place ensuring this use is maintained over time. For the purpose of the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental assistance; and entry level ownership opportunities	YES	The proposal includes a limited-equity co-operative ownership model which may provide more attainable home ownership opportunities relative to conventional market ownership. A housing agreement would be required to secure long-term tenure and affordability.
Appendix D – Density Banking, Guideline 9 Applications for transfer of banked densities for affordable housing must include details of the criteria for residents of the housing as well as demonstrate a need for the type of affordable housing on Denman Island.	Pending further application review	<p>The applicant proposes a limited-equity housing co-operative with pricing linked to median income levels.</p> <p>While the proposal is intended to support long-term affordability, staff have not yet undertaken a detailed review of the proposed model. Consideration will be required regarding how pricing is established, adjusted over time and secured through a housing agreement. These matters will be addressed through subsequent stages of the application process should the rezoning proceed.</p>

3Ravens Land Share Non-Profit Affordable Housing Co-operative: Rezoning Supporting Document

Purpose: create a custom affordable housing zone for seven additional densities for a non-profit affordable housing land share co-operative



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Land Acknowledgement: 3Ravens respectfully acknowledges that the property, and all of inner island, is within the traditional, unceded, and treaty territories of Peoples of the K’ómoks First Nation, the Coast Salish and Kwakwaka’wakw First Nations, who have stewarded and kept these lands and waters since time immemorial. We honour their deep, ongoing relationship with the land, plants and animals, including ravens.



Introduction

The 3Ravens Land Co-operative, commonly known as 3Ravens, is intended to be a non-profit affordable housing land share limited equity co-operative with eight households established under the *BC Co-operatives Act*. It will be financed and managed by Members. There is one existing house, well and approved septic on the property.

The properties detailed title information is:

Legal Desc: LOT 5, PLAN VIP89027, SECTION 25, NANAIMO LAND DISTRICT, & SEC 30 DENMAN ISLAND

PID: 028-639-928

Civic Address: 4100 Pinecrest Rd, Denman Island, BC V0R 1T0

We are requesting that the Islands Trust rezone the current 15.16 acre R2 property to a new custom affordable housing zone that has a maximum combined housing and outbuilding footprint, or combined floor area. This custom zone would have eight affordable housing units (including the existing house), regulated by a **Housing Agreement** held with the Islands Trust, the 3Ravens co-operative, and be on the land title. The land title will be transferred to the 3Ravens non-profit co-operative effective the same date as the Islands Trust approved rezoning of the property from R2 to the new affordable housing custom zone. About 83% of the R2 lot will be common shared property.

The original intention behind the purchase of the property from receivership, back in early 2019, was for the creation of an affordable housing land share on Denman Island. The founders hope to be able to see this through to completion while still able to effect affordable housing change for Denman Island. We are trying to ensure that the property is left in perpetuity in the best possible configuration for Denman Island affordable housing. 3Ravens is planning to give affordable home owning options to those existing Denman residents in the bottom third of the Canadian wealth distribution that do not own any other property, and currently have no hope or opportunity of owning.

This will be a land share very similar to others on Denman Island such as Coho Landing/Triple Rock. There are many well trodden footsteps to follow with Denman's deep history of land shares. Providing affordable housing is a social justice, and a moral and ethical imperative, and is at the core of 3Ravens' mandate.

3Ravens, the non-profit affordable housing land share co-operative will operate as a self-managed "village" based on principles of reciprocity, living lightly on the land, and balancing collective values and practices with individual self-determination. Decisions will be made by consensus and the Members will work together to

plan, problem-solve, create policy, manage finances, and build and maintain buildings and infrastructure.

The proposed seven new units are within or adjacent to the area already developed, and are clustered together and near electrical, road, and driveway access, and to the proposed small common house. All seven house locations are in previously clear-cut logged areas from the late 1990s, and are all located close to existing transformers to minimize costs. The project mandates that the seven new homes (up to an averaged 900sqft, marked by A - G hexagons on map) include composting toilets, rainwater catchment, approved greywater systems and a property limit on floor area of dwellings and outbuildings, using an environmentally sustainable approach to increased density. *See map insert to the right, or the full-page version in Appendix A.*



There are no riparian areas, environmentally sensitive features, sensitive ecosystems, steep slopes, standing or running water on the land. The property is more than 350m away, at the closest point on our NE corner, from the high tide line. The Komas Bluffs are more than 300m away from this same point.

Intentional communities, and land sharing are not for everyone. 3Ravens will be for those community Members that want an investment in shared community living, but are not looking for a home as a financial investment.

3Ravens will provide stable, affordable housing for eight Denmanite households who otherwise would be reliant on the unpredictable, perilous, often times unpermitted, and practically unaffordable rental market. 3Ravens will enhance the vibrancy, sustainability, and diversity of Denman; offering more opportunities for truly affordable housing at a time when this is so direly needed. If rezoning is approved, the project is “shovel-ready” for new units.

Executive Committee Fee Sponsorship Request

We are requesting as part of this application that the Denman LTC recommend to the Islands Trust Executive Committee (EC) to approve a development application fee sponsorship for this affordable housing rezoning application. We are also requesting that the Islands Trust not pass along any internal legal fees to 3Ravens.

Geology and Topology of 3Ravens - Quadra Sands

3Ravens, or 4100 Pinecrest Rd, lies upon about 350' of sand and gravel, called the Quadra Sands. On Denman, this extends on the East side of the island from north of Fillongey to the tip (including Tree/Sandy Island).

Quadra Sands are glacial deposits found around the Georgia Strait, including, as further examples: Quadra Island, Comox Bluffs, Savary Island, Thormanby Islands, Sidney Island, and UBC Bluffs. On Denman Island, our Quadra Sands, is dated to be about 30000 years old. These glacial deposits are composed of sand and gravel. As most of the wells in our area in the Quadra Sands go down about 200', the water quality is exceptional, as it

is fully sand filtered. The only official water supplier on Denman is "Denman Water" located on "The Point" Road, in the Quadra Sands.

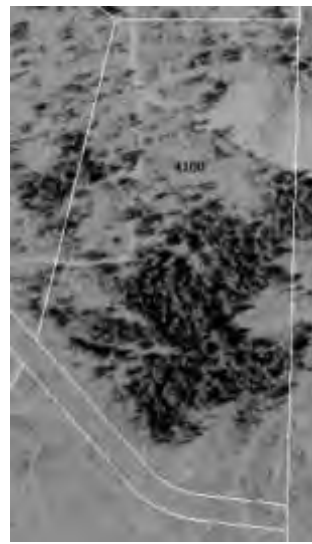
The land is 92m above sea level near Pinecrest Rd, and is around 75m above sea level at the Northern end. The 60+ year old coniferous wooded area through the middle of the property has a gently sloping hill to the North.

Property's History over last 40 Years

The 3Ravens property was heavily logged in the late 1990s, as was most of northern Denman Island. This particular property was the largest, and the least logged of the R2 properties in the Parklands Phase 1 Development, with about 33% coverage of older growth (about 60+ years old). See below for the two related orthophotos from 2002. The property's driveways reused old logging roads, recently logged areas, and clearings as much as possible, minimizing any unnecessary disturbance of the recovering ecosystem.



2002 Orthophoto – Neighbourhood



2002 Orthophoto – 3Ravens Lot

Wildlife and Nature

The property, like most of the Denman northlands, was pretty devastated by the clear-cut logging of the 1990s. There is about 2cm of topsoil on the surface, on top of the Quadra Sands which are ~30000 years old.

There were over 30 wood slash piles, some of them huge, left from the previous logging which were crushed and buried into the ground, keeping more organics for the local ecosystem.

As Denman is over-populated by the local deer, by a factor of more than 100x the normal pre-colonist density of 11, many plants and the whole ecosystem were being ravaged, and certain plants were being preferentially consumed. To aid in the ecosystem recovery, we installed a deer fence around the entire 15.2 acres in 2022. It lies on the property line over 3 sides, and is about 1' east of the west property line. There are two person gates, and two driveway gates.

3Raven has about 1/3 of the property covered by 60+ year old mixed conifer forest. We are planning on keeping another 1/3 of the remainder protected as well. Regrowth has been substantial. The West side of the property between the property line and the driveways will be protected, and be a buffer for the neighbours.

We have many birds, including ravens, Sooty Grouse, Killdeer, eagles, Barred owls, Nighthawks, Downy Woodpeckers, and all other normal Denman birds. We have many animals, including garter snakes, red squirrels, raccoons, mice, voles, tree frogs, newts and lizards, and more. We hear sea lions during the spring herring spawn, and at other times.

We have been encouraging pollinators by planting 3 different types of clover, and also other flowers that self propagate and handle the sand and summer drought. We have installed a bat condo and created 200' wildlife corridors with grass, trees, and brush. We have installed many bird houses. Having a flourishing ecosystem, and rejuvenating the property, is a core focus of 3Ravens.



Trees and EcoSystem Restoration

The whole property, and the main older protected forest were never replanted after logging, so there is a refreshing diverse mixture of conifers (Douglas Fir, Hemlock, Cedar, White and Shore Pines, Noble Fir, etc.), and other evergreens (Arbutus), and a few deciduous trees.

We have a garden forest of newly planted fruit and nut trees at the very North End of the property, and these include apple, pine nut, hazel nut, cherry, chestnut, and other local trees, all purchased from the 3 local Denman nurseries, or gleaned from Denman. This food forest is mostly intended to provide food and shelter opportunities for the local wildlife.

Since the fence was installed in 2022, hundreds of Arbutus have revealed themselves, and even more have sprouted, as the deer were eating them (and Douglas Fir and Cedar) preferentially. We have planted 33 local Garry Oak seedlings in a targeted Garry Oak/Arbutus re-growth area just south of the initial house. We have some deciduous and evergreen bushes, Cascara tree regrowth, and some Black Cotton Wood tree volunteers from the Comox Valley. The ecosystem regrowth is remarkable, here on the Quadra Sands in the Northlands.

We are expecting the older protected area, and the newly protected 25+ year old regrowth areas to keep on growing and flourishing. We will keep on removing any invasive plants, and will deal with dangerous dead trees as time and occasions arise. For the most part, all trails through the protected areas are former deer trails, and their minimal size has been maintained. We hope to keep our precious forest lush, green, and for future biodiversity. Protected areas and trails are part of the common property for all 3Ravens Members.

Eco Living Intent of the Land Share

The 3Ravens founders in the initial Member home have a focus of environmental stewardship, and so does 3Ravens. The initial Members have grid-tied solar, one electric vehicle, well insulated efficient home, fully heated by mini-split heat pump, heat pump ventless dryer, 4' roof overhang for winter sun/summer shade, for a NetZero+ home. Their [solar](#) install covers more than their energy use over the entire year, include the energy for their vehicle. Fossil fuel use has been minimized, and we provide grid support and energy back to the grid over the year, supporting our neighbours and Denman. Using only electricity results in a much quieter life.

3Ravens' Members, will preserve, protect and enhance the nature that is already here, by keeping ~2/3 of the property in protected, regrowth, and wildlife areas. We also minimize any outdoor lighting protecting the night sky, and nature from unnecessary lights.

3Ravens will try to preserve the environment, and the exceptional clean air we have in the local neighbourhood by endorsing grid-tied electrical methods for heating and cooling houses, and will promote heat pumps as the preferred heating method for homes (instead of burning wood or fossil fuels). The initial Members have Denman's only known online Air Quality Monitoring system, with latest uploaded data [here](#).

3Ravens will be targeting everyone to have well insulated homes, situated for winter solar gain, and shielded from the summer sun.

Under 3Ravens housing Member approval, a portion of the monies from each of the new seven Member Shares will potentially be used to build any common buildings or needed infrastructure. 3Ravens will also provide one cistern for each Member out of the common budget. 3Ravens will use existing grants from BC Hydro and governments for insulation and heat pumps, and may consider funding any needed remainders so that all permanent homes will use heat pumps and be well insulated. Heating well insulated and situated homes via heat pumps will keep our collective carbon footprint down, as well as costs, and reduce and/or eliminate any need to burn wood or propane for normal heating purposes. 3Ravens may provide a portion of a cost-effective NetZero+ grid-tied solar install for each Member, if funds are available via the seven new Member Shares.

Land and Housing Purchase Price for Members for True Affordability

The pricing for 3Ravens is intended to ensure affordability using first principles. Once operating under the **Housing Agreement**, the property will be off the property market, never to be resold or subdivided. If the co-operative 3Ravens is dissolved, all assets must be transferred to another BC housing co-operative established under the *Act*, keeping all Members and the property for truly affordable housing in perpetuity.

We are targeting affordable pricing by replicating land and house prices when housing was truly affordable; back in the late 1960s and early 1970s. We use Canada census information for 3Ravens Member Share pricing, and for home resale. This method effectively decouples land and house pricing from the property market, and ties it to the local individual median after tax income, hopefully presenting a practical land ownership reality. It would be a just and equitable island if every property on Denman was priced relative to a 5.5 multiple of median income.

We will be pricing Member Shares ("the land attached to the home") at 1 x Denman individual median after-tax income ("**Median**"), and the maximum value for a home's value at 4.5 x **Median**. The average size of each new Member's land area is .3 acres (1215.1 sqm).

We will use Canada's latest Denman census data, and then bring any previous years' numbers forward by adding in published BC cost of living increases. Canada's census is done every 5 years, and the last one was done in 2021, but used income data from 2020. The Denman Island **Median** in 2020 was \$30,200. The BC cost of living increase from 2021 to 2024 is 14.5%, so we would use \$34,579C as the updated **Median** for last year (2024), as we do not have any published accurate information for BC in 2025.

For an example of pricing in October 2025, this would mean pricing for a Member Share would be $1 \times \$34,579C$ or \$34,579, maximum home value would be $4.5 \times \$34,579C$ or \$155,605.50, and the combined maximum home and share value would be $5.5 \times \$34,579$ or \$190,184.50. This method of land and house price evaluation fully disconnects 3Ravens from the property market, and relates the pricing the **Median** income, a more realistic and ongoing truly affordable metric for housing.

As well, 3Ravens will have a **Rules of Association**. This is not within the jurisdiction of the LTC, but since the **Rules of Association** are attached to the **Housing Agreement** and play a key role in ensuring affordability, it needs to be included with this rezoning, and also put on title.

Financing Options for New Members

Mortgage financing for land shares is normally more difficult through traditional banks. The local Credit Union, *First Credit Union*, or *Van City*, may be able to assist. As well, if financing is needed by future Members to purchase a Member Share or for a small infrastructure project, the 3Ravens' Members may decide to provide a loan for a portion of the initial Member Share price if funds are available and reserves are met. If RRSPs are available to potential Members, they generally can be used for First Time Homebuyers for affordable housing.

Amenity to Community

3Ravens is 15.2 acres and located at 4100 Pinecrest Rd, in R2 zoning, and has a NetZero+ house with solar, portable shelter, two sheds, and is fully fenced. The BC assessment value, as of July 1st 2024 for this property is \$1.108M. The current owners will be paying for all rezoning costs including co-operative creation, legal fees, consulting fees, Islands Trust fees and costs, and any other related costs, currently ballpark estimated to be ~\$25,000. With the land transfer, they will have 1 Member Share out of the 8 total, and will potentially be able to sell their Member Share and home value at the $5.5 \times \text{Median}$, or using the pricing formula calculation from the previous section above, \$190,184.50.

The amenity to the Denman Island community would then be \$917,815 plus all costs for the rezoning process and non-profit co-operative costs (estimated to be ~\$25,000), or ~85% of the property value. This estimated \$942,815.50 amenity is our donation to the Denman Island community, for affordable housing in perpetuity.



Proposed New Uses

In the new custom affordable housing zone, we are requesting the following changes to house and accessory building limits:

House Floor Area Limits:

- seven more single family homes, with a total **combined floor area** of no more than 6300sqft (780.4 m²)
 - this averages to 900sqft (83.6 m²) floor area per new home
 - **maximum floor area** for a new Member home is 1200sqft (111.5 m²)
- existing house floor area will be limited to current size of 1570sqft (145.9 m²)
- total **potential maximum combined floor area** for all eight homes is 7870sqft (731.1 m²)

Accessory Building (outbuilding) Floor Area Limits:

- **maximum floor area** for the common house is 500sqft (46.5 m²)
- **maximum floor area** for all other common outbuildings (greenhouse, workshop, etc) is 1000 sqft (92.9 m²)
- **maximum floor area** for all outbuildings for each new Member is 750sqft (69.7 m²)
- total potential **maximum floor area** for all outbuildings for all **new seven Members** is 5250sqft (487.7 m²)
- **existing house is limited** to its current outbuilding size (two sheds, shelter, outhouse) 1056 sqft (98.1 m²)
- **maximum potential floor area** for all outbuildings (existing, common, new Members) is 7806 sqft (725.2 m²)

Please note that lot coverage would be 2.4% if both potential maximums were fully used. As the current house will now be fully limited, and there is a wealth cap on all new Members (i.e. targeting people with no property and in bottom 3rd of Canadian wealth), and Members' homes will only be paid out to a potential maximum of 4.5 x **Median** income, there is an extremely high probability that the likely buildout will be significantly lower than the potential.

For example, the current maximum potential home payout would be \$155,605.50, which will restrict, and be considered, when new Members build their home. Using a low estimate for sq ft cost of \$400 (if using a local builder), this would result in a 389 sqft home, and this cost would have to include land clearing costs, electrical work, plumbing, composting toilets, greywater system, and rainwater collection system. Given the cost disparity for affordable housing, most if not all of the new Members will be building their own homes using their own labour, or bringing in a used home.

For payouts, the 4.5 x **Median** formula will not include any outbuilding costs, and is only for the Member's home, which will reduce outbuildings as they are not part of the payout formula if a Member leaves.

Regulatory Amendments Requested

Official Community Plan Consistent

We believe that the OCP is consistent and inline with the proposed 3Ravens custom land share affordable housing zone, and no changes are required for this application.

Land Use Bylaw Custom Rezoning Requested

The land use bylaw would be amended to create a new custom affordable housing zone for the property 4100 Pinecrest Rd, similar to the R3 zone for Coho/Triple Rock. This type of affordable land share was in recommendations 2, 3, and 5 in the Nov2023 Housing Advisory Planning Commission (HAPC) report.

Water and Sewage Infrastructure

Water: All of the new seven homes will rely 100% on rainwater. Each household is responsible for their own catchment, filtration, and treatment system. The co-operative provides one cistern per home and Members can add more storage capacity if needed. Homes have an opportunity to increase catchment surface by also collecting from outbuildings. There is considerable combined expertise on rainwater catchment and treatment on Denman, and we will all help each other with design, construction, and maintenance.

The property does have an existing drilled well, which provides high quality water, as we are located in the Quadra Sands, a 350' deep area in the North East of Denman that are glacial deposits, comprised of sand and gravel. The well water is capacity tested and is more than sufficient for eight homes (4 times the daily volume required). **This well is only used by the initial residence** and will not be used by the seven new Member homes. The well may also be used to water potential future community gardens, and for future common buildings, if that is what the Members want to happen, but cisterns may also be used if preferred by the Members.

3Ravens Rainwater Catchment Information

3Ravens is committed to the use of rainwater catchment for all seven future household needs, both inside and outside each home.

Reasons for this policy:

- Protect groundwater and the health of the ecosystem
- Encourage a culture and mindset of careful resource use
- Encourage communal rather than individual activities (gardening, laundry, meals)
- Avoid the costs, environmental impacts, potential for personal conflict, and ongoing administration needs connected to building a communal water system
- Support adaptability to varying household sizes and a changing climate by adding or removing storage and catchment capacity

Overview

For the seven additional homes, we will be following the wonderful working example at Coho, which has been functioning well for 15 years. Some Members at Coho have at times bought water, but this practice is reducing as households add cisterns and/or catchment surfaces, and as common facilities and activities increase.

Like Coho, we are expecting that the 3Ravens project will be a complex organism of interrelated parts—the water catchment system is dependent on other elements of the project being in place. These may include garden and orchard expansion and shared laundry and shower facilities in a common house.

Details

We are expecting that we will have similar water use numbers as Coho, which are:

- Average water use per household: 14 gallons/day (winter)/44 (summer)
- Average water use per resident: 8 gallons/day (winter)/26 gallons/day (summer)
- Average water use per resident (average over the year): 15.5 gallons/day

Provincial average per person (average over the year): 82 gallons/day

(<https://waterplanninglab.sites.olt.ubc.ca/files/2016/03/BC-Municipal-Water-Survey-2016.pdf>)

Each new Home will be provided one cistern from the common budget, and otherwise is responsible for their whole system, including filtration and maintenance. Households use composting toilets (which they are responsible for), which cuts down household water use by approximately 1/3, according to standard estimates.

Precipitation: The property has a good weather station, with data uploaded to 3 online weather station sites including [weather underground](#). The average precipitation between 2021 and 2024 is 826mm annually. We live in a sub-Mediterranean climate zone, like much of the south east of Vancouver Island and gulf islands. We have dry summers, and wet winters with some snow.

Sewage: Each of the new seven homes will use a composting toilet, which will be in the Islands Trust custom bylaws. The existing home has a ROWP designed and installed septic system (to the north of the house).

Maintenance of composting toilets and proper treatment of the resulting material is the responsibility of the co-operative Member resident in the home. Each of the seven new homes will have a greywater treatment septic system designed by an ROWP professional, and will be in accordance with Ministry of Health standards. Each treatment system will have its own dispersal field on the land connected to the home.

Feasibility of Seven Additional Wastewater Systems

Each of the seven new homes will use a septic professional for the greywater system design and implementation. The general design may include a 2-chamber septic/pump tank, with an in-ground dispersal field. The first chamber of the tank is used for settlement and the second is used for additional settlement and pumping to the pressurized dispersal field nearby. Tanks are sized in accordance with the BC Manual of Composting Toilet and Greywater Practice. The dispersal fields are designed consistent with the current Sewerage System Standard Practice Manual, Version 3.

The dispersal fields will range in size, depending on the soil characteristics and the daily flow from the dwelling. Generally speaking, the fields will consist of two or three PVC laterals with drilled orifices of specific diameter, placed on top of aggregate that is approximately 15 to 20 centimetres (cm) deep. These PVC lines are used to uniformly spread the effluent over the entire field area at every dose.

The systems will be socially controlled. That is, when a specific level of effluent is reached in the tank, a pump cycle occurs which transfers effluent from the tank to the dispersal field. The specific level in the tank is calculated for an 8 dose/day frequency, based on the Daily Design Flow.

The property is on the Quadra Sands, glacial deposits of sand and gravel that extends 350'. Percolation is excellent. For the existing house's septic field, the first 2' is in use (not the full length), due to high percolation.

3Ravens will limit use for all new homes to composting toilets, and this will be part of the bylaws. This will reduce the overall use of water for the dwelling. This, in turn, reduces the size of the tanks and dispersal fields necessary to safely treat and disperse the greywater.

Additionally, using the in-ground wastewater system model, which returns the treated water to the ground, where it is polished by the soil and returned to the local aquifer, the overall impact of water use is greatly reduced. All wastewater fields will exceed required distances from other wells and other septic fields.

Additional dwellings being proposed for the site can be serviced by greywater systems that will safely treat and disperse the effluent back into the environment. A certified maintenance provider is recommended to be contracted who will regularly inspect and, if necessary, repair the greywater systems on the site. Regular maintenance is critical for safe, sustainable operation of wastewater systems.

Uses of Land and Buildings on Adjacent Properties

The property directly to the east (formerly *Ella's Enchanted Forest*) is ~375+ acres (zoned ALR), and the ~135 acres property to the north, Parklands Phase 2 (zoned R2), are both owned by the same individual.

3Ravens is the largest R2 property of the Parklands Phase 1 development at 15.2 acres, and was "Lot 5". Other adjacent properties to the west and south of Parklands Phase 1 are all zoned R2, and are used for single family dwellings, gardens, and farming.

We are intending to have a protected buffer area between the driveways and the R2 property to the west. Pinecrest Rd extends past the cul-de-sac, and has a 20m unused road margin to the east property line. Pinecrest Rd's 20m road margin provides a buffer for the R2 southern neighbours.

Community, Fire Department, and Neighbour Outreach

We have been meeting and discussing land sharing on our property more broadly with many different community members as part of our input into the Housing Advisory Planning Commission when they met through 2023.

During 2025, we have met with community members to receive input on an acceptable Denman land share, replicating Coho with 3Ravens' tweaks. Coho was very supportive of this rezoning application. As of 26Nov2025, we have held at least 15 site visits this year which include a tour and discussion of the property and the 3Ravens rezoning proposal. We will continue to provide information and reach out to others in the community and try to get in touch with all neighbours.

The Fire Department Chief will be visiting 3Ravens on Friday, Nov. 28th 2025, and we will provide any feedback. We have met with DCHS for their input, who have given their verbal support, and are attempting more contact with other Denman organizations. Continued outreach to neighbours and the greater Denman community will be a core focus for the entire rezoning period, and beyond.

Feedback to date from most individual community members has been very positive. We have reassured many community members that 3Ravens will have no commercial activities, secondary suites, or short-term vacation

rentals. Use of rainwater, composting toilets, and approved greywater septic systems also allay concerns about ground water use and protection. No subdivision forever, and 3Ravens holding the land as a non-profit co-operative with Housing Agreement are positively received. Having a fenced property with protected areas that are buffers for neighbours were well received. Having an eco focus, minimizing burning, and ensuring that 3Ravens will be quiet, rural, and considerate of neighbours was also well received. Lastly, the focus on true affordability, and detaching pricing from the property market has been exceptionally well received and lauded.

Reasons in Support of Proposed Rezoning

Denman Island's housing needs are urgent and varied, as evidenced by the Islands Trust Northern Region Housing Needs Assessment and many other studies. The housing crisis is rampant in most of BC and Canada and shows no signs of abating.

Regarding Denman Island, the Northern Region Housing Needs Assessment says *"Based on the population projections, there could be a need for potentially 165 residential units in the next 25 years. ...Based on the population growth projected for 165 units and 48% need for affordable rental, Denman Island now requires up to 80 affordable housing units. This translates into three to four units per year."*

No new affordable housing has been built on Denman since the report was released seven years ago in 2018. This rezoning application would create seven more units of affordable housing, and eight in total with the existing initial home. Eight Members is the minimum effective working size for limited equity non-profit land share affordable housing co-operatives.

Denman's Housing Advisory Planning Commission (HAPC) Nov 2023 report stated the 2021 Canadian census found 16.7 % of Denman households to be in core housing need. 16.7% of Denmans Island's 881 households - is equal to 147 households in core need. This was all using census data, which likely was quite under reported for any disadvantaged groups, like renters in unpermitted suites.

At the public Denman Community Housing Society (DCHS) meeting in 2025, they highlighted that about 180 housing units are needed right now on Denman, as there are many Denmanites found in unhealthy, unaffordable, unsafe, poorly heated dwellings, possibly combined with non-potable or no water, and no power.

If 3Ravens rezoning goes forward, there would be no institutional barriers to moving ahead—no need to subdivide, finalize land purchase, get grants, etc. There is no mortgage or debt on the property. Time would be needed for the lengthy 3Ravens membership process, but nothing stands in the way of moving forward with the Islands Trust rezoning. When the rezoning is approved, the land will be transferred from the present owners to the 3Ravens co-operative.

There will be established committees and guidelines for membership and infrastructure, as we will be replicating Coho's existing and proven strategies. The Northern Region Housing Needs Assessment recommends that LTCs *"support the efforts of not-for-profit organizations to increase the amount of safe, secure, appropriate, affordable housing on their islands"* (page 131). This rezoning application provides an opportunity to do that.

FAQs

1. How will water, sewage, electricity, and vehicle access be provided to new homes?

Water will be provided for the seven new homes via rainwater catchment only. The rainwater used eventually makes its way back into the Quadra Sands aquifer after being treated in the greywater septic systems. Each new home will have at least one cistern.

Sewage will be minimal, due to the use of composting toilets and the consistent practice of water conservation which accompanies reliance on water catchment. Each of the seven new homes will have a greywater treatment system. Environmental impact exists because space must be cleared for dispersal fields. However, these are small (approx. 26 m² per house) and are in areas that would likely be cleared to let in light and minimize fire risk for the homes, and within previously logged areas.

Electricity comes along Pinecrest Road and is distributed through overhead existing lines, and all hydro poles at the front of the property in the road margin already have transformers, thus reducing costs to Members.

Vehicle access is already in place and no new main driveway accesses or gates need to be created. Pinecrest Rd is built to Ministry of Transportation and Transit's highway standard. The existing fence gates and driveways on the property will be used, and any small specific home access driveways will be minimized.

2. Why were the new homes and common house placed in their indicated locations?

The new homes (and common house) were all sited in mostly cleared, and formerly logged areas (ie 25 year old regrowth), minimizing new tree removal. New driveway accesses will be off the existing driveways, have the lowest possible electrical connection costs, and the distance between the grey water septic and well will be more than required by code.

The total electrical connection cost for the seven new home locations and the common house would be less than for one home location in the cleared area near the existing home. This remote location would also have other added costs for trenching and sheds. Keeping all costs low as possible ensures true housing affordability.

The bulk of the Member Share (1x**Median** = \$34,579) will be used for infrastructure for each member (i.e. the costs of the driveway to lot, electrical infrastructure to lot, 1 cistern, 1 heat pump). A portion of this Member Share will also be used for common infrastructure, such as a small common house or irrigation for a community garden. As 3Ravens's bylaws will not allow debt (to ensure affordability by having no interest costs), we have favoured the bulk of a Member's costs for home value (4.5x**Median**=\$155,605.50), and not to unneeded expensive costs (like electrical for remote areas).

3. Why not use the large cleared area around the existing house for all new homes?

For cost portion of the rationale, see answer in question 2 above. The cleared area around the existing house was a prior log-processing site. There is an existing fruit and nut tree garden to the north of the house, and septic field to the north, and a French drain to the east. The community garden is intended to be in the cleared area east of the house, and also south of the house. Using the existing, sunny, cleared area for a community garden which may have irrigation, will mean that Members (with rainwater and cisterns) are likely to clear less around their own Homes for individual gardens.

4. Will the new homes, or 3Ravens, be a commercial enterprise?

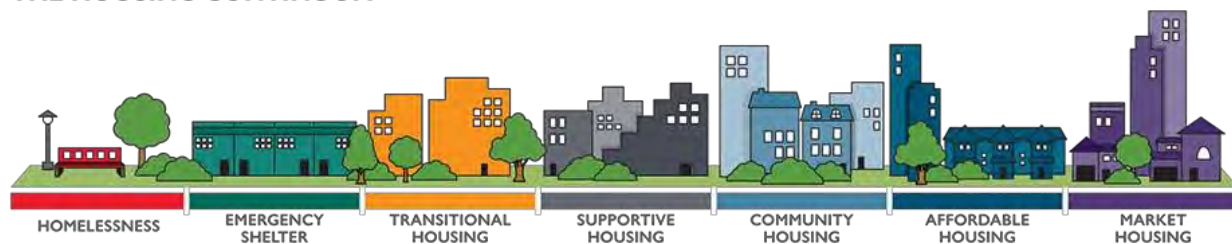
No, we will not be a commercial enterprise. No businesses such as Bed and Breakfasts, Short Term Vacation Rentals, long term suite rentals, secondary suites, or commercial campsites will be allowed. 3Ravens Shares

and homes will be, and must remain, affordable, as designated by 3Ravens policies, by the **Housing Agreement** registered on title, and by the terms of the co-operative's **Memorandum of Association** (registered with the Corporate Registry in Victoria and governed by the BC Co-operative Act), which states that the purpose of 3Ravens is the provision of affordable housing. The whole intention of 3Ravens is to provide affordable housing options to those Denmanites that do not have home ownership as an option. Members may operate certain home-based businesses, which will be defined in the land use bylaws for this custom zone.

5. What role does 3Ravens play in addressing the housing crisis on Denman Island?

3Ravens will provide stable, secure affordable housing as per the “community-housing” category of the Canada Housing and Mortgage Corporation’s continuum of affordability. This meets the housing needs of many people who otherwise would be unable to afford home ownership, but does not meet all housing needs on the island. 3Ravens does not receive any external funding from grants or government programs but will have benefitted from community support, including the initial financial gift of the property to 3Ravens, financial help with the initial start-up, holding land during the rezoning, volunteer labour, and more. Without the Denman community, there would be no 3Ravens... and 3Ravens will reciprocate and help ensure the longevity, diversity, and resiliency of community on Denman Island.

THE HOUSING CONTINUUM



6. Will this proposal use available densities in the density bank?

This proposal will use the seven available densities (as of Nov 2025) from the density bank, **or** use the “5%” source of densities available via OCP E.1 Policy 12.

Neither OCP E.1 Policy 12 nor the density bank have been reviewed in many years, and they do not reflect current housing and density realities (as, for instance, measured in the Islands Trust Housing Needs Assessment for the Northern Region, which itself is out of date). The Denman Island LTC may want to adjust the 5% in OCP E.1 Policy 12 to reflect its own data on housing needs.

7. Why eight members for your limited equity co-operative?

This rezoning application would create seven more units of affordable housing, and eight in total with the existing initial home. Eight Members is the minimum effective working size for limited equity housing co-operatives. This number of active voting Members will ensure that the co-operative is able to operate in perpetuity, including filling all required committees, maintaining BC registration, infrastructure maintenance and upkeep, maintaining financial reserve, needed “volunteer” labour, Members’ resilience, and to keep the land share viable in all respects. Land share co-operatives that do not have enough Members eventually fail.

We have interviewed, spoken with, read, and looked for all working limited equity land share not-for-profit co-operatives. This includes using every available online co-operative and intentional community resource to find working examples. Every co-operative that has survived beyond 20 years has eight or more Members, most have many more, as 8-15 is bare bones, while 20-40 would be a more robust and safer Member range. Intentional Community meta research, from book authors such as Diana Leafe Christian, indicate that eight

Members is the minimum for land share co-operatives to survive. Eight Members will ensure 3Ravens will work for the long-term, and is the minimum viable membership needed.

8. Will the lot coverage ever reach the potential maximum buildout of 2.4% ?

The lot coverage would be 2.4% if all potential maximums for Homes, Common House and Outbuildings, and all Member outbuildings were utilized.

As the current house will be limited, and there is a wealth cap on all new Members (i.e. targeting Denmanites with no property and in bottom 3rd of Canadian wealth), and Members' homes (not outbuildings) will only be paid out to a potential maximum of 4.5 x **Median** income, there is an extremely high probability that the likely buildout, and lot coverage, will be significantly lower than the potential, for both Homes and Outbuildings.

9. Why is 3Ravens a limited equity land share affordable housing not-for-profit co-operative?

This will be a land share very similar in structure to Coho Landing/Triple Rock, which is not only unique on Denman, but is also very successful. Using this specific organizational structure ensures that the property is removed from the market, and will never be subdivided. Even if 3Ravens "fails" under the current Membership, it will be transferred to work under another non-profit co-operative, ensuring affordable housing on the property forever. Limited equity ensures that the pricing for the Member shares and the potential maximum house payout are tied to a truly affordable formula using census derived Denman Median after tax individual income. 3Ravens' formula for limited equity assures ongoing affordability, and removes any ties to market fluctuations. 3Ravens will be for those community Members that want an investment in shared community living, but are not looking for a home as a financial investment. This type of co-operative structure is legislated by the BC Co-operative Act. Lastly, providing affordable housing in perpetuity is a social justice, a moral and ethical imperative, and is at the core of 3Ravens' mandate.

10. Are you an intentional community?

3Ravens, the non-profit affordable housing land share co-operative operates as a self-managed practical eco-village based on principles of reciprocity, living thoughtfully on the land, and balancing collective values and practices with individual self-determination. Decisions are made by consensus and the members work together to plan, problem-solve, create policy, manage finances, and build and maintain buildings and infrastructure, while nourishing and enriching the ecosystem. We are individuals, leading separate lives, but we do live and share co-operatively. We have more of a sense of community than a village, but less than a "commune". We live in separate homes, do not share incomes, and have an affordable housing focus. We do not want urban densities, but we do cluster our homes to promote social interaction, while also enjoying the common land.

11. How do you choose new Members?

Like all co-operatives, the 3Ravens has a membership intake process. Members are chosen via a year-long process that includes educating them on the co-operative, providing options for them to participate, a written application, multiple interviews, and trial periods. The decision process looks at need, support for co-operative goals, experience with groups, contribution to diversity in the group, ability to meet financial needs, connection to Denman Island, ability to work in a consensus process. No one factor is paramount.

We are currently only considering potential Members that already live on Denman, own no other property, and have a wealth under 7x Individual Denman Median After Tax Income, which covers the bottom third of individual wealth in Canada. These criteria will ensure that 3Ravens provides an affordable home ownership opportunity for those that simply have no option, as they have been priced out of the market. The pricing at

3Ravens may be the least expensive option for home ownership that exists on Denman Island, as we are focusing on pricing reflecting true affordability by using a Denman individual median after tax income-based formula.

This process is structured differently than that of other non-land share housing organizations on the island, outside of Coho. This is because 3Ravens will be a self-managed non-profit limited equity co-operative, whereas other groups are societies with charitable status managed by a board of directors. 3Ravens will also be unusual among co-operatives because it will not hire a management and maintenance company and will not hire a contractor for development. Rather, Members do the physical and administrative work of running the co-operative. This is an essential component of affordability and group cohesion. It also allows the co-operative to customize and keep development small-scale. Minimizing monthly fees by doing as much work by Members will also keep our costs down. 3Ravens' bylaws will not allow debt or mortgage to be incurred, eliminating all debt-carrying costs.

For the above reasons, the membership process includes consideration of compatibility with project goals, commitment to the project, and ability to assist in the project. New Members must care for the environment, have a restorative ecosystem focus, care for the 3Ravens project, and will live carefully, ensuring ongoing quiet and peaceful enjoyment for Members, neighbours, and surrounding properties.

Through fostering and putting into practice co-operative land-based practices, 3Ravens is developing skills and capacity for collective, low-impact ways of living. As an example and a skill repository, the co-operative will have a positive impact on the Denman community, supporting various Official Community Plan objectives, such as Guiding Principal 6: *“To acknowledge that this community finds its strength in the varied gifts and experiences of its members; and, within the framework of a limitation on population to support and encourage a diverse and self-reliant community,”* and Guiding Principal #12, especially *“to provide a neighbourly community.”*



OCP Bylaw Rezoning Support

Please find below the OCP sections that support 3Ravens rezoning for our affordable housing land share:

OCP Vision Statement

As an innovative project built and managed by Members on a voluntary basis, and owned and managed co-operatively, 3Ravens fulfills these 3 paragraphs found in our OCP's Vision Statement:

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

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

We believe that Denman Island can become a model for sustainability and self-sufficiency. All islanders share the privilege and responsibility for realizing this vision." [OCP page 10]

Families and Individuals – Guiding Objectives

Guiding Objective – Housing: *To encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community.* [OCP page 17]

C.2 – Freshwater

Policy 9 *Zoning regulations should encourage rainwater collection to reduce consumption of groundwater resources; however, adequate controls should be in place to ensure above ground storage tanks are not unsightly.* [OCP page 23]

C.4 Climate Change Adaptation and Mitigation - Objectives

Objective 1 *To establish the importance of energy efficiency, energy security, greenhouse gas emissions reduction, and carbon cycling in land use, site planning, building design and transportation* [OCP page 30]

Objective 2 *To promote the use of renewable energy and the development of renewable energy sources* [OCP page 30]

C.4 Climate Change Adaptation and Mitigation - Policies

Policy 4: *The Local Trust Committee should support zoning amendment applications for affordable housing that incorporate climate change adaptation and mitigation measures, such as energy efficiency and shared facilities.* [OCP page 31]

E.1 Housing - Guiding Objective: *To encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community.* [OCP page 51]

Objective 1 *To ensure that housing options are sensitive to ground water availability and sewage disposal capability, guard against contamination of ground water and preserve the rural nature of Denman Island* [OCP page 51]

Objective 2 *To ensure housing options preserve human diversity in the community* [OCP page 51]

Objective 3 *To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types [OCP page 51]*

Objective 4 *To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their families' homes [OCP page 51]*

E.1 Housing - Policy 12 *The overall residential density on Denman Island should not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 27, 28, and 29 of this Section. [OCP page 53]*

E.1 Housing - Policy 17 *Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space. [OCP page 53]*

E.1 Housing - Policy 24 *Zoning regulations should establish sufficient setbacks for septic disposal systems: to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and to protect adjacent properties from effluent or odours. [OCP page 54]*

E.1 Housing - Policy 27 *The Local Trust Committee should not approve a zoning amendment application that could fragment large areas of forested or agricultural land. [OCP page 54]*

E.1 Housing - Policy 30 *The Local Trust Committee should consider zoning amendment applications for affordable housing projects provided:*

- *that the proposal is not located in a connectivity area identified on Schedule D;*
- *that the proposal does not impact negatively on adjacent properties;*
- *that the proposal is small-scale;*
- *that the proposal is clustered and the siting and height are sensitive to surrounding land uses;*
- *that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;*
- *that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;*
- *that the proposed development will not place a strain on existing public services and infrastructure;*
- *that the proposal is not located within the Agricultural Land Reserve [OCP page 55]*

E.1 Housing - DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

Policy 33 *The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations. [OCP pages 55-56]*

Housing - Advocacy Policies

Advocacy Policy 1 *The Vancouver Island Health Authority and landowners are encouraged:*

- *to consider, as an alternative, innovative methods of waste water treatment that minimize water use; and*
- *to consider rain water collection as a source of water.* [OCP page 56]

Islands Trust Policy Statement Rezoning Support

The current Islands Trust Policy Statement does not have up-to-date policies on housing. Nothing in the proposed uses is in violation with the current Islands Trust Policy Statement.

The **draft** Islands Trust Policy Statement [29Jul2025 revision] does support this rezoning application through the following:

Directive Policies – Housing

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.11 Suitable Locations for Additional Housing

Identify suitable locations that could support increased density for the development of safe, secure, diverse, and attainable housing.

3.4.12 Housing Diversity

Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities.

3.4.13 Clustered Small Dwelling Units

Support alternatives to conventional single-detached dwellings by establishing policies to permit clusters of small dwelling units in suitable areas.

3.4.14 Floor Area and Lot Coverage Limits

Set floor area and lot coverage limits for residential development to minimize negative environmental impacts, including on land used for agricultural purposes.

3.4.15 Affordable and Special Needs Housing

Prioritize the processing of rezoning applications from non-profit housing providers and public agencies, and the processing of housing agreement bylaws for affordable and special needs housing [Revised Islands Trust Policy Statement page 17]

Transportation and Parking

3Ravens is located away from the main busy tourist traffic roads which is preferred by most Denman residents. From 3Ravens, there are two different ways to get to “downtown”, and both are routinely bicycled. We will ensure that people have parking locations for bicycles at each of their homes. We also have our own electric and manual bicycles.

The Denman Bus will also pick up and drop off people and their bicycles by request, and it is a free service, making 3Ravens even more affordable. If warranted, this part of Denman may become part of the bus route.

The only vehicle at 3Ravens currently is an older electric car, and this type of non-combustion vehicle is

preferred for all future Members. All homes will have sufficient parking spots for vehicles. The Members may consider establishing a local car share, to minimize the overall number of vehicles, and use the ones that we have more effectively.



Summary: *3Ravens* will be a small-scale, ecosystem focused, affordable housing non-profit land share limited equity co-operative operated by its Members. The intent is to provide greatly needed truly affordable housing ownership options, and local supportive community, for lower wealth Denmanites. Please do support this rezoning, as providing affordable housing is a social justice, a moral and ethical imperative, sorely needed on Denman, and is at the core of *3Ravens'* mandate.

Thank you for your consideration.

Appendix A – 3Ravens Map: (A - G hexagons showing new Homes)



Dear Denman Island Trustees, Planners, and Staff:

28Apr2026

We have an update to give on received feedback on the 3Ravens rezoning proposal, as of 28Apr2026.

Denman Community Outreach - Over 2025

We had over 17 site tours with Q&A over 2025. We had hundreds of land share conversations, and numerous emails with the Denman community. We have met with the Denman Fire Chief, as well as members representing the Denman Conservancy, Denman Community Housing Society (DCHS), and Coho Landing Land Share. We also met with a local excavator operator, an electrician, a septic professional, and more. All feedback from these site visits has been helpful, supportive, and positive. Many people want more affordable housing options for Denmanites, and a limited equity land share will provide another good option for some. The DCHS has also provided a letter of support. Each person wished us good luck on this project. We will be continuing community outreach on an ongoing basis, and have an open offer for tours/etc.

Potential Members loved the thoughtfulness, consideration, and placement of the project, and wished it would be happening much quicker, as they are currently in precarious housing, and want to stay in their beloved Denman community.

Neighbourhood Outreach Process for 3Ravens

We wanted to give an update on the local neighbourhood outreach that we have done. We tried to physically meet with all neighbours in the first week of December. We handed everyone a cover letter, as well as our Dec 16th I.T. delegation letter (both are included as attachments). We tried to give a verbal short overview of the project when we handed the info package over, and for most neighbours, this was quite a short conversation. Practically, we wanted our neighbours to have information about our rezoning application before we officially spoke about in our delegation in the Dec 16th LTC meeting, as we thought that would be fair. We encouraged everyone (as per the attached letter) to contact us for more information, to answer questions, or to give feedback directly. We have given several site visits to neighbours as they wanted more information, and these all resulted in letters of support.

For background, our immediate neighbours are:

- 15 nearby neighbours (both R2 and ALR)
- 14 are in Parklands Phase 1
- 2 in ALR do not live here fulltime, and information has been passed to them via email and letter, with no received feedback (or discussion)
 - 1 of these is our neighbour with large lots to east and north

Neighbourhood Household Outreach - Feedback Summary

Here are some quotes below told to us by different neighbours when we visited them door-to-door in the first week of December 2025:

"I like co-ops, and more are needed",

"Because its you two, I support it",

"You have my full support. I like co-ops, and like that people who buy-in will look after their property"

As of 15Dec2025, here were the neighbour's 3Ravens supportive status, as told to us directly:

- 6 *received information*
 - 4 were with physical letter and brief discussion, and 2 were the neighbours that do not live here
- 1 *opposed*
- 2 *supportive, with caveats*
- 1 *supportive*
- 5 *very supportive, no caveats*

No opposing neighbour has phoned, and only one opposing neighbour has emailed us. On 03Dec2025: "*We thought we would be up front and let you know that we will be sending a letter to Island Trust opposing this project. We never would have purchased here if there were 8 neighbours right next door. We bought here knowing what the zoning was, and were aware of the average lot size. In addition, there are a number of logistical issues about the appropriateness of the location for a low income housing project. There is nothing you can add, do or say that would convince us to support it.*"

As of 28Apr2026, two other neighbour households in the "*received information*" category have written a letter opposing 3Ravens. Also, one neighbour household originally in the *very supportive, no caveats* category has reversed their position and written a letter opposing, as well as another neighbour originally in the *supportive, with caveats*. Given our neighbours new positions, we have re-summarized our 3Ravens supportive status here:

- 4 *received information*
 - 2 were with physical letter and brief discussion, and 2 were the neighbours that do not live here
- 5 *opposed*
- 1 *supportive, with caveats*
- 1 *supportive*
- 4 *very supportive, no caveats*

As of 28Apr2026, the Islands Trust has received five supportive letters from neighbours, and five opposed letters from neighbours.

Denman North – The Point and Komas Ranch Neighbourhood Outreach

In the first week of December 2025, we also passed this same neighbour information package to key people in other "local" neighbourhoods in Denman's North, specifically The Point and Komas Ranch, as they might have wanted some information. We have received no feedback from these neighbourhoods.

Respectfully,

3Ravens

Building Affordable Community and Nurturing the Land

Tara Parkinson and Paul Weyer

Denman Island, BC

Dear Friends and Neighbours:

29Nov2025

We wanted to let you know about our plan to ask the Islands Trust (I.T.) for a rezoning on our fully fenced property. See our attached letter to the I.T. for a few more details.

As you may know, the I.T. handles land use zoning for Denman, and is the deciding body for this type of request. They do take community input into account. This rezoning process is not assured, or for the faint of heart. It will take a minimum of 3.5 years, per I.T. staff, and will most likely be decided by future I.T. Trustees. We will be copying and tweaking the Coho model, a local land share success story, for this affordable housing land share non profit co-operative, which we are calling 3Ravens.

There is an incredible need for more affordable housing on Denman. At the public Denman Community Housing Society (DCHS) meeting in 2025, they highlighted that about 180 housing units are needed right now on Denman, as there are many Denmanites found in unhealthy, unaffordable, unsafe, poorly heated dwellings, possibly combined with non-potable or no water, and no power.

If approved, we will eventually find land share Members through a rigorous membership process. Members must care for the environment, have a restorative ecosystem focus, care for the 3Ravens project, and will live carefully and considerately, ensuring ongoing quiet and peaceful enjoyment for Members, neighbours, and surrounding properties. As the reimbursement for a home is tied to Denman median income (see attached letter), we expect that the built homes will be much smaller than the averaged potential maximum of 900sqft.

The two existing driveway gates off of Pinecrest Rd will be used for 3Ravens. Members may use bicycles for travel, and the Denman Bus may pick up and drop off people and their bicycles by request, and it is a free service, making 3Ravens even more affordable. If warranted, this part of Denman may become part of the bus route. The only vehicle at 3Ravens currently is an older electric car, and this type of non-combustion vehicle is preferred for all future Members. The Members may consider establishing a local car share, to minimize the overall number of vehicles, and use the ones that we have more effectively.

We have been looking at land sharing for over 20 years. We are trying to effect affordable housing change on Denman while we still can, for social justice, and as a potential example for others to follow.

We have included the content of a letter to the Denman Island Islands Trust LTC, below. Let us know if you would like more information, or if you have any feedback for us based on this information. If it would help, please do email or give us a call.

Kind Regards,

Tara Parkinson and Paul Weyer

██████████ Denman Island, BC ██████████
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DATE OF MEETING: June 23, 2026
TO: Denman Island Local Trust Committee
FROM: Margot Thomaidis, Planner 2
Northern Team
COPY: Renée Jamurat, Regional Planning Manager
SUBJECT: Komas Ranch Rezoning – Staff Report
Applicant: John Andrew on behalf of Komas Ranch Ltd.
Location: 7161 and 7676 Komas Rd, Denman Island, BC, V0R 1T0
(PIDs 000-211-338, 000-211-320, and 023-096-438)

RECOMMENDATION

That the Denman Island Local Trust Committee has reviewed Draft Bylaw No. 252, cited as “Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025” and Draft Bylaw No. 253, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025” and requests the Applicant provide the following information regarding DE-RZ-2023.1 (Komas Ranch Ltd.):

- a. **The total number of existing accessory dwellings:**
 - i. **greater than 37.2 square metres (400 square feet) in floor area; and**
 - ii. **smaller than 37.2 square metres (400 square feet) in floor area.**
- b. **Confirmation explaining how the proposed the rezoning application will address any non-conforming dwellings.**
- c. **A final Building Site Plan to be included in Draft Bylaw No. 253.**

REPORT SUMMARY

The purpose of this staff report is to present the Denman Island Local Trust Committee (LTC) with status updates regarding the file; introduce draft Bylaw Nos. 252 (OCP) and 253 (LUB) for information, and request additional technical information from the Applicant to inform the draft Bylaws prior to First Reading.

BACKGROUND

A rezoning application was submitted in December 2023 for the three subject properties which are approximately 20.5, 27.1, and 29.3 hectares in size. Previous Staff Reports are posted to the applications page on the website. The applicant seeks to rezone the properties from Rural Residential (R2) to a new Site-Specific zone and new Land Use Designation to replace the use and density permissions in a historic Land Use Contract, which expired in June 2024.

The following table includes all LTC resolutions passed to-date regarding this application, as well as staff comments regarding the status of each LTC direction.

Table 1. Application Status

LTC Resolution and Direction	Status as of June 10, 2026 and Next Steps
<p>DE-2024-035: 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.).</p>	<p>STATUS: COMPLETED Staff have drafted bylaws to amend the OCP and LUB to align as closely as possible with the historic Land Use Contract while modernizing specific elements of the zoning regulations. See Attachments 1 and 2. See staff analysis below and a Summary Table comparing the LUC provisions from 1978 and the Draft LUB in Attachment 3.</p>
<p>DE-2024-036: 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.).</p>	
<p>DE-2024-037: 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.</p>	
<p>DE-2024-038: 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.</p>	
<p>DE-2024-039: 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.</p>	<p>STATUS: COMPLETED Received from the Applicant August 2024 with additional updates June 2026.</p> <p>Some existing septic fields are located within 30 metres of the natural boundary of the sea, as indicated on the site survey provided by the Applicant. A summary table of possible non-compliance and non-conformity is provided in Attachment 4. Staff recommend the non-compliant siting of septic fields be dealt with on a case-by-case basis as each of the systems require replacement in the future, or should environmental or public health concerns arise.</p>
<p>DE-2024-040: 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-</p>	<p>STATUS: PENDING FURTHER DIRECTION FROM LTC Received from the applicant August 2024.</p> <p>The Land Use Contract required that the owners provide proof of water in an amount of 300 gallons per day per dwelling unit before dwelling unit construction. Since 1978 when the LUC was adopted, there are no records on file of proof of water prior to</p>

<p>211-320):</p> <p>a) Source of potable water for each building site;</p> <p>b) Distribution of potable water to each building site;</p> <p>c) Any historic or current water quality tests for existing potable water sources supplying the building sites;</p> <p>d) Any additional sources of water for irrigation (non-potable)</p>	<p>constructing new dwellings. The LTC may decide to request proof of water and/or a water management plan prior to rezoning approval. See further analysis in Attachment 3.</p>
<p>DE-2024-041: 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.</p>	<p>STATUS: IN PROCESS</p> <p>Options and analysis are outlined in Attachment 5.</p> <p>A shoreline DPA for just the subject properties is not recommended at this time, due to the existing shoreline setbacks and riparian Development Permit Areas that already apply to the properties.</p>
<p>DE-2024-042: 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.</p>	<p>STATUS: COMPLETED</p> <p>Applicant has confirmed that a NAPTEP Covenant will not be pursued.</p> <p>Staff recommend a Section 219 restrictive covenant be registered on title for environmental protection in this sensitive mature forest area.</p> <p>See staff comments regarding DE-2025-004 below.</p>
<p>DE-2024-043: 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.</p>	<p>STATUS: COMPLETED</p> <p>K’ómoks First Nation have identified interest in accessing Longbeak Point for cultural heritage and traditional land use practices/purposes. KFN and the Owners may enter into an agreement to allow the Nation access to these areas, at the request of the LTC.</p> <p>Formalized <i>public</i> access through the property to Longbeak Point is not recommended as part of this application.</p>
<p>DE-2024-044: 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 <i>Heritage Conservation Act</i>.</p>	<p>STATUS: IN PROCESS</p> <p>Report to the LTC on January 21, 2025 provided information about implementing a Heritage Conservation Area, and asked for LTC direction to begin drafting an HCA. Staff drafted a Heritage Conservation Area; however, upon review, it was found not to be capable of addressing archaeological protection concerns.</p> <p>A Section 219 restrictive covenant has been identified as an alternative tool for protection, instead of a Heritage Conservation Area. Through the registration of a legal agreement on title, this would create additional requirements regarding archaeological site and heritage conservation, prior to development or land alteration. The LTC may request that this type of covenant be registered on title prior to adoption, once draft bylaws are given First Reading. See staff analysis under the ‘Issues and Opportunities’ section below.</p>

<p>DE-2024-045: 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.</p>	<p>STATUS: INCOMPLETE The applicant has not provided a Preliminary Field Reconnaissance, citing that this request is out of scope. This information is still necessary to inform a Section 219 restrictive covenant.</p>
<p>DE-2024-046: That the Denman Island Local Trust Committee request 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 (Xwemalhkwa); 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.</p>	<p>STATUS: COMPLETED Early referral period is complete. See a summary of early referral feedback below.</p> <p>Additional referral period to be completed after First Reading.</p>
<p>DE-2025-002: That the Denman Island Local Trust Committee request staff to prepare draft bylaw language to amend the Denman Island Official Community Plan, 2008 (OCP), to introduce a new site-specific Heritage Conservation Area for the subject properties at PIDs 000-211-338, 000-211-320, and 023-096-438, application DE-RZ-2023.1 (Komas Ranch Ltd.) including draft objectives, exemptions, and guidelines.</p>	<p>STATUS: COMPLETED Staff drafted a Heritage Conservation Area; however, upon review, it was found not to be capable of addressing archaeological protection concerns. See above comments regarding DE-2024-044.</p>
<p>DE-2025-003: That the Denman Island Local Trust Committee endorse the draft Terms of Reference letter and direct staff to forward it to the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.), with a final deadline of December 31, 2025 to provide additional information requested in support of the application.</p>	<p>STATUS: INCOMPLETE and PENDING ADDITIONAL LTC DIRECTION A Terms of Reference letter outlining the detailed requirements was endorsed by the LTC on January 21, 2025.</p> <p>The Applicant has not provided a Preliminary Field Reconnaissance to date, citing that this request is out of scope of the rezoning application. This information is still necessary to inform a Section 219 restrictive covenant.</p>
<p>DE-2025-004: That the Denman Island Local Trust Committee request staff to develop a draft restrictive covenant in consultation with the applicant for application DE-RZ-2023.1 (Komas Ranch Ltd.) for Local Trust Committee consideration.</p>	<p>STATUS: PENDING ADDITIONAL LTC DIRECTION The LTC previously requested a restrictive a covenant to prohibit tree and vegetation removal and land alteration on part of the northern parcel. Staff shared a sample standard ecosystem protection covenant with the Applicant and they have expressed the following concerns:</p>

	<ul style="list-style-type: none"> • <i>The covenant would effectively eliminate the Owners' use of the land.</i> • <i>Owners would not be able to remove any dead fall trees and other fire hazards.</i> • <i>Owners would not be able to practice forestry improvements.</i> • <i>No removal of diseased trees or maintenance of private trails through the forests - all with the threat of \$15,000 fines for violations.</i> • <i>There is no justification for such onerous demands, which would expose the Owners to significant additional fire risk and liability, as well as unreasonably limit the use of their land.</i> <p>A final draft covenant template will be prepared by staff and shared with the Applicant, for further review, before being presented to the LTC for consideration prior to final adoption of Bylaws.</p>
<p>DE-2025-005: That the Denman Island Local Trust Committee enter into a cost recovery agreement, if necessary, with the applicant allowing Islands Trust legal counsel to review a draft restrictive covenant for application DE-RZ-2023.1 (Komas Ranch Ltd.).</p>	<p>STATUS: PENDING ADDITIONAL LTC DIRECTION Staff will return to the LTC with a draft Cost Recovery Agreement, when necessary, for both covenant requests.</p>

ANALYSIS

Islands Trust Policy Statement:

The proposal appears inconsistent with the following Islands Trust Policy Statement (ITPS) policies:

- 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.
- 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 instream uses.
- 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.

Table 1 staff comments and draft Bylaw Nos. 252 and 253 have been prepared to address these inconsistencies.

Official Community Plan:

Draft bylaw No. 252 (Attachment 1) would amend the Denman Island Official Community Plan (OCP) No. 185 by re-designating portions of the subject properties from Rural (RU) to a new land use designation, Rural Comprehensive (RC). In addition, the following new policies would be added to the HOUSING section of the OCP:

Policy 2.1 In the Rural Comprehensive designation, subdivision shall only be permitted for parkland dedication or ecological conservation uses.

Policy 11.1 In the Rural Comprehensive designation density may not exceed a maximum total of 20 single family dwelling units and 20 accessory guest dwelling units. Regulations may specify the following in order to minimize potential negative impacts, while encouraging stewardship of the ecological integrity, unique cultural heritage, and rural character of Komasa Ranch:

- a) Areas where no development may occur.*
- b) The location of any new development as a means to:
 - i. maintain unique rural character and natural beauty;*
 - ii. minimize road and driveway expansion;*
 - iii. minimize forest and ecosystem fragmentation;*
 - iv. protect groundwater and recharge areas;*
 - v. minimize impact to cultural heritage including archeological sites; and*
 - vi. ensure that development is located in areas which are suitable to support the intended use.**
- c) The approximate location and type of existing and proposed common use facilities and buildings such as: water supply, sewage disposal, fire protection, access, transportation and utility infrastructure; and shared recreation and meeting areas and facilities.*
- d) The approximate location and type of existing and proposed protected conservation areas, sensitive ecosystems and habitat, significant natural features, significant cultural heritage features, areas of extensive mature forest, lands hazardous to development, or land with no future development potential.*

Land Use Bylaw:

Draft Bylaw No. 253 (Attachment 2) would amend the Denman Island Land Use Bylaw (LUB), 2008 by rezoning portions of the subject properties from Rural Residential (R2) to a new rural zone – Rural Comprehensive 1 (RC1). The proposed amendments would generally allow a maximum of 20 principal dwelling units as well as 20 accessory guest dwelling units no greater than 37.2 square metres (400 square feet) in floor area, under specific conditions and replacing what the Land Use Contract historically permitted.

Issues and Opportunities

Land Use Contract 1978 vs. Draft Bylaw No. 253

The purpose of the application is to ‘replace’ the provisions of the Land Use Contract from 1978 with modern land use planning tools such as zoning, covenants, rights of way or easements. Staff have made annotations in the Draft Bylaw No. 253 (Attachment 2) where modernized use, density, siting, setback, or other development regulations and conditions are being proposed.

A detailed table comparing the provisions in the Land Use Contract from 1978 to the Draft Bylaw No. 253 is provided in Attachment 3. This table also provides an analysis of other local government tools that may be used to fully ‘replace’ all provisions of the Land Use Contract, including:

- Statutory Rights of Way with the Comox Valley Regional District to replace historic public access provisions; and
- A Section 219 covenant to protect 14 hectares of sensitive ecosystem.

The LTC has already requested a Section 219 covenant for the protection of 14 hectares of sensitive ecosystem on the northern parcel, and staff recommend the LTC confirm any additional agreements and covenants that would be necessary to advance this application at the time of First Reading.

Non-compliance and non-conformity

It is unclear whether all of the existing development at Komax Ranch complied with the historic Land Use Contract and the underlying zoning regulations at the time of development. The site surveys provided by the Applicant indicate a number of buildings and structures in the lot line setback and natural boundary setback areas. Some of these buildings and structures could be considered ‘non-conforming’ because previous Land Use Bylaw setback and siting regulations may have been more permissive. Others may actually be non-compliant because they were constructed without permits or they do not align with the issued permits. A summary of all buildings and structures and potential non-compliance and non-conformity issues has been provided in Attachment 4.

Namely, there are a number of septic fields located in the 30-metre setback to the natural boundary of the sea. Land Use Bylaws applicable to Denman Island have required that septic fields be located at least 30 metres from the natural boundary or high-water mark of the sea since at least August of 1972, beginning with the *Regional District of Comox - Strathcona – Denman Island Zoning Bylaw 1972* – adopted August 21, 1972.

These non-conformity and non-compliance issues are not an impediment to the LTC approving the rezoning application, but the Applicant and the LTC should understand the required process to address these issues in the future. Approval of the rezoning application will not grant the Owners the authority to expand, replace, or reconstruct buildings and structures in the setback areas. Staff do not recommend allowing any buildings and structures in the setbacks in perpetuity through this rezoning, and recommend the applicant address them in the future on a case-by-case basis through variance application if there are bylaw compliance and enforcement actions or public health and safety concerns.

Guest Dwellings and Secondary Dwellings

Table 10, Section 3b) of the draft Bylaw No. 253 provides for a maximum combined total of 20 accessory guest dwelling units. Two guest dwellings no greater than 37.2 square metres (400 square feet) in gross floor area have been constructed on building sites 2 and 15 according to the survey provided by the Applicant. An additional five accessory secondary dwellings greater than 37.2 square metres in floor area appear to have been constructed on building sites 7, 11, 14, 18, and 20 according to the survey provided by the Applicant. The Applicant has not confirmed whether they would like to legalize these larger

accessory dwellings as part of the rezoning process. They are not considered non-conforming because they were never permitted under the Land Use Contract.

If the LTC adopts zoning to 'replace' the LUC to allow what was previously permitted, including a maximum of 20 accessory guest dwellings no greater than 37.2 square metres (400 square feet) in gross floor area, these larger accessory dwellings will not be legal and will be considered non-compliant. **Recommendation #1 on page 1 of this report recommends the LTC request information from the Applicant confirming the total number of guest and accessory dwellings, and confirm how they would like to address the existing larger accessory dwellings through this rezoning application, before staff complete draft Bylaws.**

Archaeological Site Protection

Early in the rezoning review, staff identified archaeological site and cultural heritage protection as a high priority due to historic instances of land alteration in archaeological sites without permits.

The LTC directed staff to draft a Heritage Conservation Area but upon drafting and review, it was found not to be capable of adequately addressing archaeological site protection concerns expressed by K'ómoks First Nation. The Heritage Conservation Area was initially considered an effective tool to regulate development in areas of high archaeological potential. Yet the purpose of the Heritage Conservation Area would only be to conserve 'intangible' cultural heritage (not archaeological sites) and cannot address actual archaeological site protection beyond what the *Heritage Conservation Act* already addresses.

A Section 219 restrictive covenant has been identified as an alternative tool for protection, instead of a Heritage Conservation Area. Through the registration of a legal covenant on title, this would create additional requirements regarding heritage protection and conservation, prior to development and/or land alteration. The LTC may request that this type of covenant be registered on title prior to adoption, once draft Bylaws are given First Reading.

Consultation

Agencies

Early referral was sent to the Comox Valley Regional District (CVRD) as well as the BC Archaeology Branch in August 2024. No response was received from the CVRD. Staff spoke with the BC Archaeology Branch and confirmed the following information regarding the *Heritage Conservation Act* permitting process:

- BC Archaeology Branch recommends conducting an Archaeological Impact Assessment to fully understand the impacts to recorded and unrecorded archaeological sites prior to development, or as an appropriate and fulsome approach to post-impact assessment. If there is no proposed ground disturbance or development as a result of the rezoning application, an AIA is not required.
- A Preliminary Field Reconnaissance (PFR), as well as a 'desktop' Archaeological Overview Assessment (AOA) are not BC Archaeology Branch regulated forms of assessment and can offer only limited information. While they can indicate the presence of certain archaeological features, they cannot delineate site boundaries, sub-surface features and do not involve sub-surface testing.
- Preliminary studies can determine areas of high archaeological potential which may require further study prior to ground disturbance in the future.
- It would be at the cost of the Applicant/Owners to hire a qualified professional to perform a PFR and a 'desktop' AOA as part of the rezoning.

First Nations

Early referral was sent to First Nations on August 8 and 9, 2024. All responses are compiled in Attachment 6. No responses were received from Qualicum First 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; Lyackson First Nation; or Penelakut Tribe. A summary of all referral comments and responses is provided in the table below. Referrals will be sent again after the draft Bylaws are given First Reading.

First Nation	Summary of referral responses as of May 2026
K'ómoks First Nation	<p>Early engagement has been ongoing with K'ómoks First Nation. See Attachment 6 for a letter addressed to the LTC from Chief Nicole Rempel dated April 14, 2025. This was originally shared with the LTC on May 20, 2025 as part of an application update and is summarized as follows:</p> <ul style="list-style-type: none"> • <i>The property known as “Komas Ranch” is one of KFN’s ancestral village and cemetery sites. The tangible remains of KFN’s village are up to 5 meters deep, representing thousands of years of continuous occupation by KFN’s Pentlatch Ancestors.</i> • <i>KFN has very few records of (archaeological) cultural heritage at Komas Ranch due to more than 80 years of development without legally-required archaeological documentation or analysis.</i> • <i>Every ground alteration on this site (i.e., every building, septic tank, road, ditch, trail, and borrow pit) has illegally and permanently erased tangible records of KFN’s cultural heritage.</i> • <i>In March 2024, KFN learned that the only property owner on Komas Ranch to apply for a provincial archaeological permit (legally required for ground alterations in an archaeological site) breached the terms of the permit, excavating KFN’s archaeological village and cemetery with no archaeological documentation or analysis, and no cultural workers on site.</i> • <i>They have yet to learn the extent of this damage and how many of their Ancestors’ burials were desecrated since there has been no opportunity for archaeologists to access the site to analyze the damage, nor for their cultural workers to perform funerary rites for Ancestors whose burials were disturbed by this act.</i> <p><i>As a small gesture of reconciliation for decades of illegal erasure of KFN’s history and desecration of their ancestral cemetery, they have asked the Islands Trust/Local Trustees to seek a Preliminary Field Reconnaissance (PFR) of Komas Ranch as a condition of the rezoning process.</i></p>
Tsu'uubaa-asatx First Nation	<p><i>Generally defer to the First Nation(s) whose traditional territory fronts this area.</i></p> <p><i>Should Ts'uubaa-asatx Nation identify greater interests in the future they retain the right to revise this assessment.</i></p>
Cowichan Tribes	<p><i>Given the location, Cowichan Tribes has no comments at this time and will defer to those communities closer to Denman Island.</i></p>
Tla'amin Nation	<p><i>Application is for an area outside of Tla'amin Nation’s core territory.</i></p>

	<i>Defer to the directly affected Nation(s) and support their decision making.</i>
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Rationale for Recommendations

Staff have presented early, annotated versions of the draft OCP and LUB amending bylaws, and identified the necessary information required from the Applicant to confirm site details and complete the draft Bylaws, prior to recommending First Reading. Staff recommendation is on Page 1.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. 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.

That the Denman Island Local Trust Committee request that the Applicant for DE-RZ-2023.1 (Andrew) submit to the Islands Trust_____.

2. Deny the application

That the Denman Island Local Trust Committee proceed no further with application DE-RZ-2023.1 (Andrew).

NEXT STEPS

Upon LTC direction, staff will continue to work with the Applicant to obtain information in order to complete Draft Bylaw Nos. 252 and 253 and return to the LTC for consideration of First Reading.

Submitted By:	Margot Thomaidis, Planner 2	June 10, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 15, 2026

ATTACHMENTS

- 1. Draft Bylaw No. 252 (OCP)
- 2. Draft Bylaw No. 253 (LUB), Annotated
- 3. Land Use Contract 1978 Provisions and Local Government Tools
- 4. Summary of Non-conformity and Non-compliance
- 5. Shoreline Development Permit Area Options and Analysis
- 6. Referral Responses up to May 2026

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DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

ATTACHMENT 1

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 185, 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 Bylaw No. 185, 2008, Amendment No. 1, 2025”.

2. SCHEDULES

Denman Island Official Community Plan Bylaw No. 185, 2008 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252**

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 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING is amended by adding the following directly after the fourth paragraph:

“The Rural Comprehensive designation, shown on Schedule C, includes portions of three lots commonly referred to as “Komas Ranch”. The area was the subject of a Land Use Contract from 1978-2024, and is currently governed by a corporate homeowner share cooperative agreement. The Rural Comprehensive designation includes residential, nature conservation, and common area uses.”

- 1.2 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, is amended by adding a policy after Policy 2

“Policy 2.1 In the Rural Comprehensive designation, subdivision shall only be permitted for parkland dedication or ecological conservation uses.”

- 1.3 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, is amended by adding a policy after Policy 11

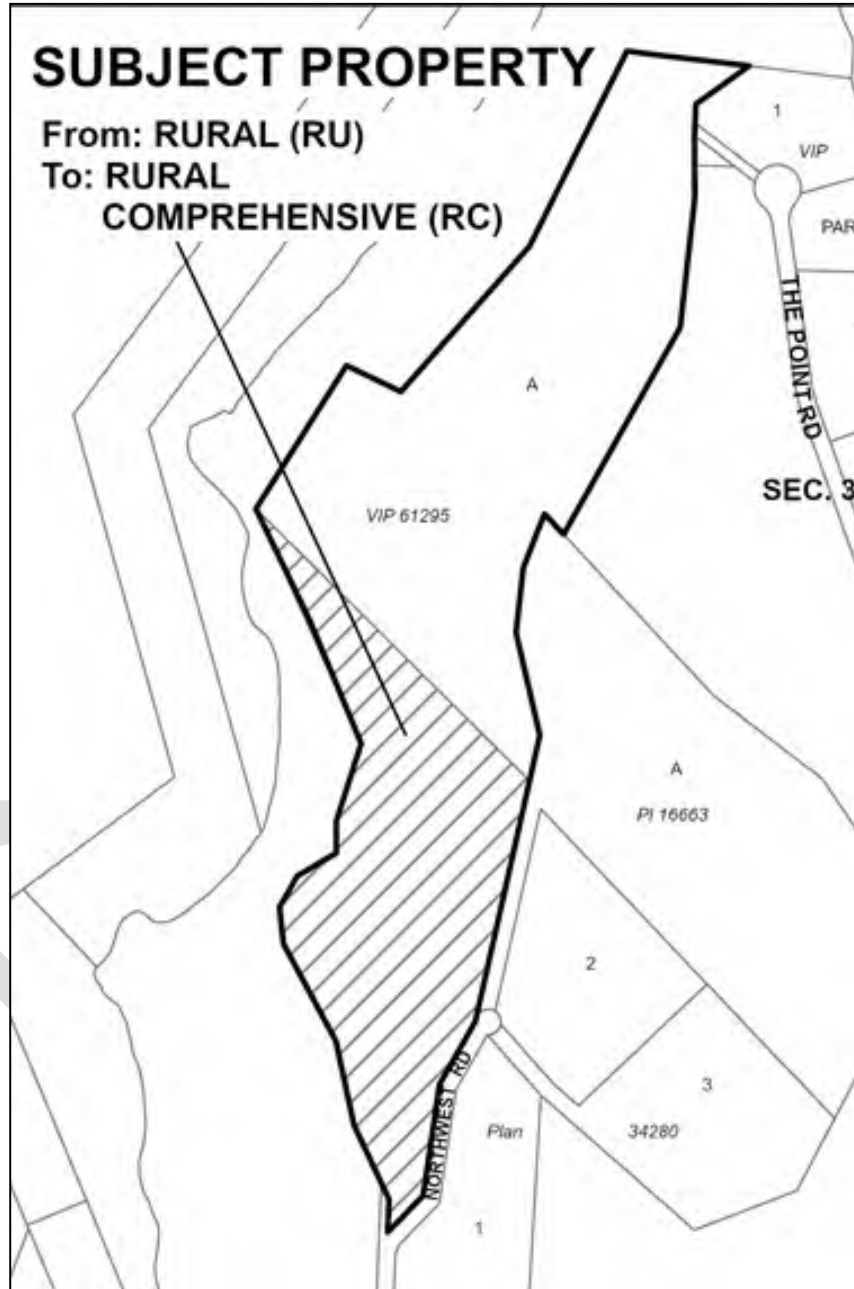
Policy 11.1 In the Rural Comprehensive designation density may not exceed a maximum total of 20 single family dwelling units and 20 accessory guest dwelling units. Regulations may specify the following in order to minimize potential negative impacts, while encouraging stewardship of the ecological integrity, unique cultural heritage, and rural character of Komas Ranch:

- a) Areas where no development may occur.
- b) The location of any new development as a means to:
 - i. maintain unique rural character and natural beauty;
 - ii. minimize road and driveway expansion;
 - iii. minimize forest and ecosystem fragmentation;
 - iv. protect groundwater and recharge areas;
 - v. minimize impact to cultural heritage including archeological sites; and

- vi. ensure that development is located in areas which are suitable to support the intended use.
 - c) The approximate location and type of existing and proposed common use facilities and buildings such as: water supply, sewage disposal, fire protection, access, transportation and utility infrastructure; and shared recreation and meeting areas and facilities.
 - d) The approximate location and type of existing and proposed protected conservation areas, sensitive ecosystems and habitat, significant natural features, significant cultural heritage features, areas of extensive mature forest, lands hazardous to development, or land with no future development potential.”
2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “C” [Land Use Designation Map] is amended by changing the land use designations as follows:
- a) On portions of land legally described as LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 the land use designation is changed:
 - from a split “Rural” and “Agriculture” designation to a split “Rural Comprehensive” and “Agriculture” designation;
 - as shown on Attachment 1 attached to and forming part of this Bylaw.
 - b) On portions of land legally described as SECTION 33, NANAIMO LAND DISTRICT, DENMAN ISLAND the land use designation is changed:
 - from a split “Rural” and “Conservation/Recreation” designation to split “Rural Comprehensive” and “Conservation/Recreation” designation;
 - as shown on Attachment 2 attached to and forming part of this Bylaw.
 - c) On portions of land legally described as SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016 the land use designation is changed:
 - from “Rural” designation to “Rural Comprehensive” designation;
 - as shown on Attachment 3 attached to and forming part of this Bylaw.

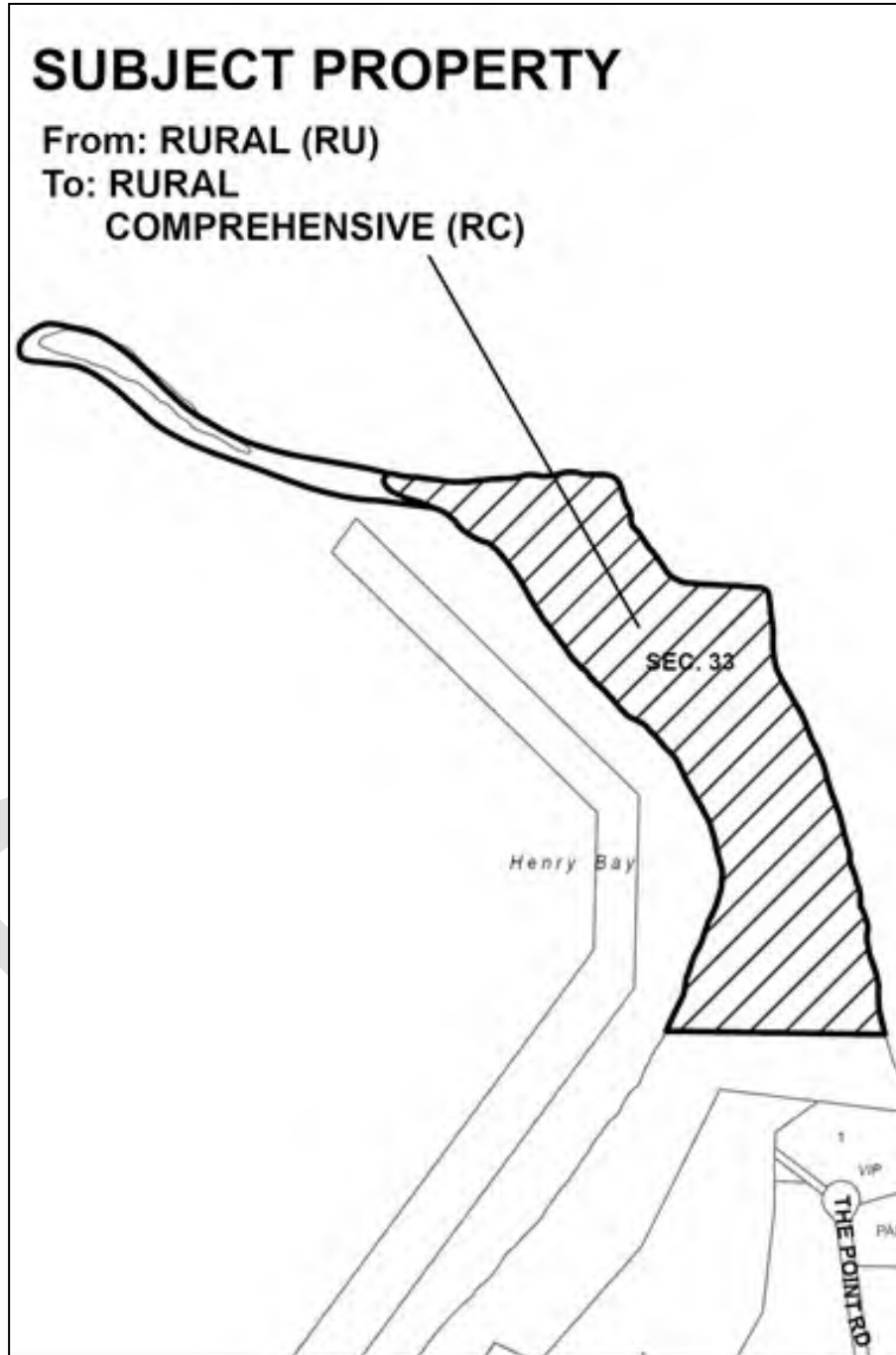
DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 1



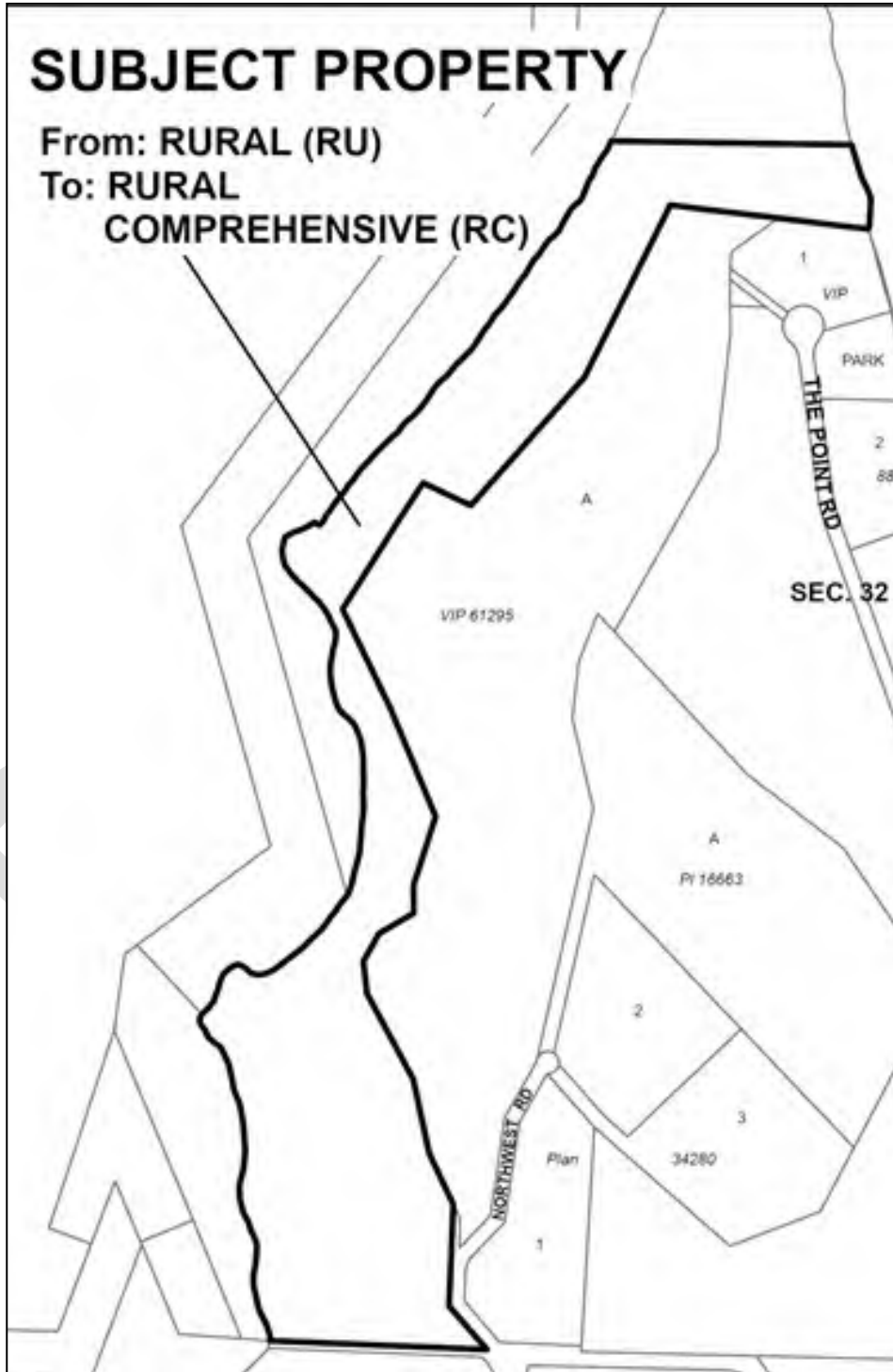
DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 2



DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 3



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**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 253**

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

The Denman Island Local Trust Committee, being the Local 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, 2025”.

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.

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 253**

Schedule 1

1. Schedule “A” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 PART 1 – ADMINISTRATION, Section 1.1 – Definitions, is amended by adding a new definition after the definition of “*guest accommodation*”, as follows:

“guest dwelling unit means a dwelling within an accessory building for use exclusively by temporary, nonpaying guests of the resident family, having a maximum floor area no greater than 37.2 square metres (400 square feet).”
 - 1.2 PART 2 – GENERAL REGULATIONS, Section 2.6 – Signs Regulations, Subsection 1, is amended by removing the ‘and’, and adding after ‘Affordable Rental Housing (R4)’:

, and Rural Comprehensive One (RC1)
 - 1.3 PART 2 – GENERAL REGULATIONS, Section 2.7 – Screening Regulations, Subsection 5 is amended by removing the ‘or’ and replacing it with a comma, and adding after ‘Rural Residential (R2)’:

, or Rural Comprehensive One (RC1)
 - 1.4 PART 3 – ZONE REGULATIONS, Section 3.1 – Creation of Zones, Subsection 1, is amended by adding a new Residential Zone Classification and Zoning Code after Affordable Rental Housing R4 as follows:

Rural Comprehensive One RC1
 - 1.5 PART 3 – ZONE REGULATIONS, Section 3.3 – “Residential Zoning Tables”, is amended by adding a new Table directly after Table 9:

Table 10 – Rural Comprehensive One Zoning Regulations

The regulations listed in Tables 1 through 9 of this section do not apply to the land identified in Schedule B by the Rural Comprehensive One (RC1) zoning code.

INFORMATION NOTE: The purpose of the Rural Comprehensive One Zone is to permit the historical uses and density on portions of three lots on Denman Island generally known as “Komas Ranch”. Any land use planning application for the lots zoned Rural Comprehensive One must conform to the maximum permitted density specified in the RC1 Zone.

1. Permitted Uses

The following uses are permitted in the RC1 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

Principal Uses

- a) Residential
- b) Parks
- c) Utilities
- d) Passive recreation
- e) Conservation

Accessory Uses

- f) *Guest dwelling unit* accessory to principal residential use
- g) Home occupation uses listed in Section 2.4 accessory to a principal residential use
- h) Horticulture and agriculture, accessory to a principal residential use;
- i) Wood working and wood processing accessory to a principal residential use
- j) Access roads
- k) Common recreation facilities
- l) Informational signs and interpretive structures

2. Permitted Buildings and Structures

- a) Single family dwelling unit
- b) *Guest dwelling unit* accessory to a permitted single family dwelling unit on the same lot
- c) Buildings and structures accessory to a constructed single family dwelling unit on the same lot
- d) Buildings and structures to accommodate horticulture, agriculture and sale of horticultural and agricultural products
- e) Buildings and structures to accommodate common recreation facilities, parks, and utilities
- f) One agricultural produce stand per lot, not exceeding 4.6 square metres (50 square feet) gross floor area

3. Density of Uses, Buildings and Structures

- a) The maximum combined total number of single family dwelling units permitted across all parcels in the RC1 zone shall not exceed twenty (20).
- b) The maximum combined total number of accessory *guest dwelling units* permitted across the three lots in the RC1 zone shall not exceed twenty (20), subject to the conditions of use in Table 10, Section 8.
- c) A maximum of seventeen (17) single family dwelling units are permitted within SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND

Commented [MT1]: This section permits outright what the Land Use Contract used to permit in terms of density of single-family dwellings and accessory guest dwellings. There is one extra density in the A zoned/ALR portion of the property which is not included in the proposed RC1 zone. 21 total existing dwellings – 20 in Rural Comprehensive 1 (RC1) zone and one in Agriculture (A) zone.

Commented [MT2]: Applicant to confirm number of existing guest dwelling units.

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26016, and a maximum of three (3) single family dwelling units are permitted within SECTION 33 DENMAN ISLAND NANAIMO DISTRICT.

- d) Single family dwelling units, accessory residential uses, buildings, and structures must be sited entirely within Building Sites One (1) through Twenty (20) as shown on Schedule A-1.
- e) Buildings and structures are not permitted on SECTION 33 DENMAN ISLAND NANAIMO DISTRICT outside the boundaries of Building Sites One (1), Two (2), and Three (3) as shown on Schedule A-1, except for informational signs and interpretive structures associated with passive recreation, park, and conservation uses.
- f) Buildings and structures are not permitted on LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 in the RC1 zone, except for buildings and structures to accommodate utilities and/or common recreation facilities.
- g) Maximum combined lot coverage of all buildings and structures in the RC1 zone is 5 percent.

Commented [MT3]: Northernmost lot – conservation covenant is also being requested for this area.

Commented [MT4]: There are a few accessory residential structures on this lot associated with Building Sites #10 and #13 – shed, two septic fields, well connection.

Commented [MT5]: LUB currently allows 25% lot coverage, but staff recommend reducing it due to the larger size of the lots. The current level of development is well below 5% lot coverage so this will allow for flexibility to increase lot coverage slightly while keeping with large lot rural character.

Commented [MT6]: Same as the existing underlying R2 zoning. Unknown whether there are height compliance issues with the existing buildings and structures.

4. Height

- a) Maximum height of principal buildings and structures is 7.0 metres if located less than 100 metres from the natural boundary of the sea, and 9.0 metres if located 100 metres or more from the natural boundary of the sea
- b) Maximum height of buildings and structures accessory to a residential use is 6.0 metres
- c) Maximum height of a fence is 2.0 metres
- d) Maximum height of a pump/utility house located within a setback area is 2.5 metres
- e) Maximum height of a boathouse is 4.5 metres

Commented [MT7]: Same as existing setbacks in the underlying R2 zone, with the addition of regulating the location of private roads and accesses.

Some Building Sites contain structures or sewage disposal fields that do not meet setback requirements. A detailed table of setback non-conformity AND non-compliance has been prepared.

Staff do not recommend allowing these structures in setbacks in perpetuity, and will advise the LTC to process them on a case-by-case basis through BOV or DVP if there are bylaw complaints or public health and safety issues in the future (for septic fields, etc.).

5. Setbacks and Siting

In addition to Subsections 1-5 in Section 2.3, the following setbacks apply:

- a) Minimum setbacks for buildings and structures, except for a fence or pump/utility house, are:
 - 7.5 metres from the front lot line
 - 3.0 metres from the rear or side lot line
 - 4.5 metres from the exterior side lot line
- b) Minimum setback for feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres from all lot lines
- c) Despite Article 3.3.1.5(b), the minimum setback for a domestic chicken coop is 3.0 metres from all lot lines
- d) Minimum setback for *produce stands* is 4.5 metres from the front lot line
- e) Private access roads must be located as shown on Schedule A-1

Commented [MT8]: Replaces Section 5(a) of the Land Use Contract

6. Floor Area

- a) Maximum floor area of a single-family dwelling unit is 300 m²

Commented [MT9]: Max. floor areas will limit large house expansions while still allowing flexibility for Owners to expand their single-family dwellings in the future.

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- b) Maximum floor area of a *guest dwelling unit* is 37.2 m²
- c) Maximum floor area of a pump/utility house located within a setback area is 6.0 m²
- d) Maximum floor area of a boathouse located within 15.0 metres of the natural boundary of the sea is 30.0 m²
- e) Maximum total combined area of all common recreational facility buildings and related structures is 750 m²

7. Subdivision

- a) No subdivision is permitted within the RC1 zone except in compliance with Subsection 2.8.19.

8. Conditions of Use

- a) On building sites where a principal *dwelling* or *guest dwelling unit* is to be constructed, there must be an adequate supply of water, and sewage disposal capacity for the use, and for this purpose the rules for providing water for a subdivision in Section 2.8 and proof from a qualified professional that the principal *dwelling* or *guest dwelling* is connected to an approved sewerage system apply.
- b) A siting and use permit shall not be issued for construction of a new building to be used as a *dwelling unit* or a *guest dwelling unit* on a building site as shown in Schedule A-1 in the RC(1) zone unless a building on the same site is equipped with a rainwater catchment system and cisterns for the storage of rainwater with a minimum storage capacity of 18,000 litres.
- c) [Insert additional water or septic requirements and conditions here]

Commented [MT10]: This aligns with the guest dwelling floor area permitted by the Land Use Contract. The LUC did not define 'guest dwelling' so there is an opportunity to do so now. This would not legalize all of the existing 'guest dwellings', since at least five appear larger than 37.2 square metres in floor area according to the site surveys provided by the Applicant.

Commented [MT11]: Same as the existing R2 zoning, but this could be changed if the LTC wishes to restrict structures in the 15 m setback to the natural boundary of the sea, instead.

Commented [MT12]: The applicant has identified the need for flexibility to upgrade the existing tennis court in the common area. Tennis court is 703 m² in area.

Commented [MT13]: Similar to current Land Use Bylaw - ALR secondary dwelling conditions under Section 3.3 – Table 9.

DRAFT

DE-BL-253

Schedule A-1 – Komas Ranch

BUILDING SITE PLAN for LOT A SECTION 32 VIP61295, SECTION 32 EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016, and SECTION 33 DENMAN ISLAND NANAIMO DISTRICT



Commented [MT14]: An updated, clearer building site plan should be provided by the Applicant.

2. Schedule “B” of Denman Island Land Use Bylaw, 2008, is amended as follows:

Schedule “B” – North Map, is amended by removing “Site Specific – Land Use Contract #267” from the map and changing the zoning classification of parts of the split-zoned LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 (PID 023-096-438), parts of the split-zoned SECTION 33 DENMAN ISLAND NANAIMO DISTRICT (PID 000-211-338), and SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016 (PID 000-211-320) as shown on Appendix No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.

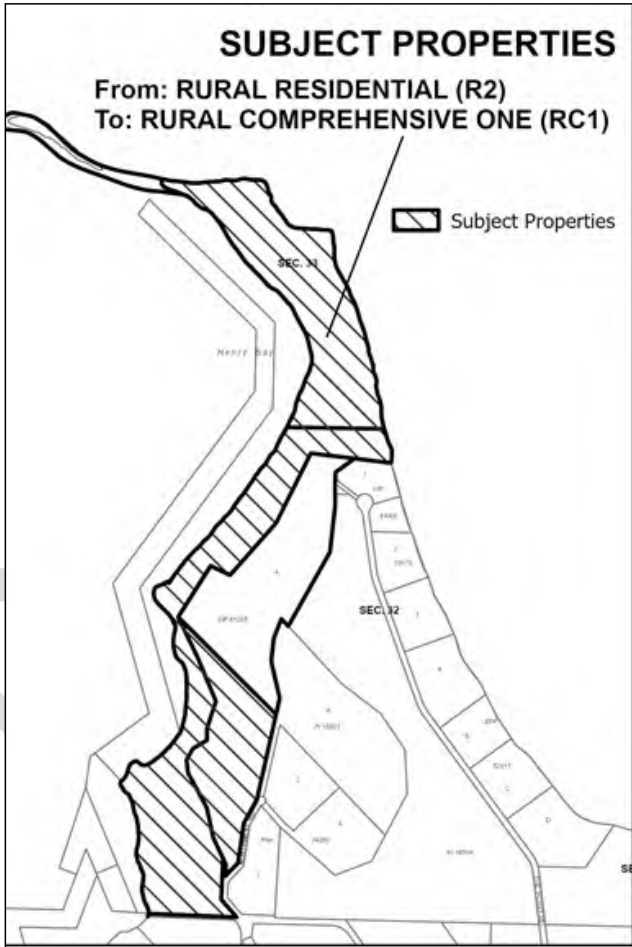
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DE-BL-253

DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 253

Appendix No. 1



ATTACHMENT 3 – DE-RZ-2023.1 (KOMAS RANCH LTD.)

Komas Ranch – Expired Land Use Contract Provisions and Proposed Land Use Planning Tools

1978 Land Use Contract Provision (Expired June 2024)	Land Use Planning Tools to Address
<p>1. INTERPRETATION <i>Excepting those words defined herein, all definitions of words and phrases contained in the By-laws of the Regional District shall apply to this Land Use Contract, and to the Schedules attached hereto.</i></p>	<p>NO ACTION REQUIRED Existing Denman Island Land Use Bylaw Section 1.1 – Definitions continues to apply to the Komas Ranch properties now that the LUC is expired. The LUC referred to the definitions in the by-laws of the Regional District, and after those were repealed, the bylaws of the Islands Trust would have applied.</p>
<p>2. OWNERS <i>The Owners are the registered owners of an estate in fee simple in all singular that certain parcel or tract of land and premises herein referred to as the said lands, and more particularly described in Schedule “B” attached hereto.</i></p>	<p>NO ACTION REQUIRED There are currently 42 Owners registered on title and each own a share of the fee simple land of the three separate legal parcels, and a share of the Company (Komas Ranch Ltd). The Company, which is wholly owned and controlled by the Owners, was granted a Management Contract with respect to the lands at the time of Land Use Contract creation.</p>
<p>3. ROADS <i>The Company undertakes to construct private roads as necessary, with the location of such roads to be subject to the approval of the Regional District.</i></p>	<p>OCP/LAND USE BYLAW AMENDMENT The draft OCP Bylaw 252 proposes a new <i>Policy 11.1 PART E – FAMILIES AND INDIVIDUALS</i> which addresses minimizing road and driveway expansion and regulations that may specify the approximate location and type of existing and proposed transportation infrastructure. Komas Road is a gated private access road to each of the building sites. The applicant has not provided information about whether the location of private roads have received the approval of the Regional District prior to construction. The Applicant has not indicated plans to expand private roads in the future.</p>

**1978 Land Use Contract Provision
(Expired June 2024)**

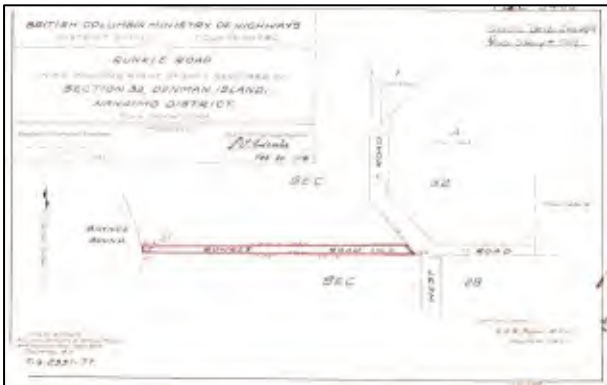
Land Use Planning Tools to Address

4. PARKLAND

a) The Owners undertake to dedicate to public use one acre of the said lands as outlined in red on the plan attached and forming Schedule “A” hereto, for the sole purpose of providing public access to the beach.



1978 Komas Ranch Right-of-way - Runkle Rd.



4. PARKLAND

b) The untreed area of Longbeak Point, as shown in red on the plan attached and forming Schedule “A” hereto, shall remain

Statutory Right of Way (SROW)

A Statutory Right of Way (SROW) between the Owners and the Comox Valley Regional District would be required to ‘replace’ this provision in the Land Use Contract.

The LTC may request a SROW as part of the rezoning process, as long as the CVRD agrees to it. This would align with the application as proposed and would ‘replace’ this LUC provision. The LUB cannot regulate whether land is used for public access.

A public access right-of-way to the beach along Runkle Road 6 metres (20 ft) in width at the western end and 15 metres (50 ft) in width at the eastern end formally expired when the LUC expired. But it is not the only way to access the beach from this area; there is an additional 10-metre right-of-way beside this one, registered at the time of subdivision of the parcel directly south of Komas Ranch. Therefore, public beach access still exists in this area, but it is now only 10 metres instead of 16 to 25 metres in width. The Applicant has confirmed that beach access is very difficult along this right-of-way due to steep topography, and a pedestrian trail or road has not been built or cleared. Public access to the beach in this neighbourhood is common from Gladstone Way to the south, instead.

Statutory Right of Way (SROW)

This area is zoned Park (PK) in the LUB and designated Conservation/Recreation (CR) in the OCP. The Land Use Bylaw cannot replace the provisions for public access. A Statutory Right of Way (SROW)

**1978 Land Use Contract Provision
(Expired June 2024)**

Land Use Planning Tools to Address

unoccupied and the Owners and the Company undertake to hold and maintain the said untried area of Longbeak Point solely for the use, benefit and enjoyment of the public, subject to the following conditions:

- (i) No fires shall be permitted in the area at any time.***
- (ii) No overnight camping will be permitted.***
- (iii) No man-made or artificial facilities will be installed or erected in the area.***

between the Owners and the Comox Valley Regional District is required if Longbeak Point is to remain accessible to the public in the future and managed as such. The LTC may request a SROW as part of the rezoning process, so long as the Owners, the CVRD and the K'ómoks First Nation agree to it.

Longbeak Point is a popular public kayaking destination. It is also a significant cultural heritage site for the K'ómoks First Nation.

Formal public access to this portion of the property was extinguished when the LUC expired in June 2024. However, the Owners may continue to voluntarily allow public access by not enforcing trespass law, or by formally registering an agreement on title through Statutory Right of Way.

4. PARKLAND

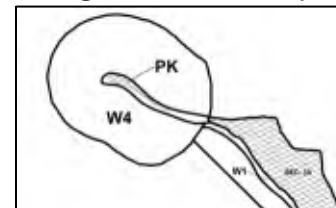
c) The Owners or the Company may from time to time make regulations subject to the approval of the Regional District for the maintenance, protection and enhancement of the said untried area of Longbeak Point.

d) Representatives of the Owners or the Company may enforce the restrictions set out in sub-paragraphs 4(b)(i) through 4 (b) (iii) hereof, and any regulations promulgated under sub-paragraph 4(c) hereof. Such enforcement shall include, but not be limited to, authority to erect signs and post notices in the said untreed area of Longbeak Point.

NO ACTION REQUIRED

The Applicant has not provided information about whether the Owners have made regulations for the maintenance, protection and enhancement of this area. The Owners have maintained the area for public access while the LUC was in effect.

The underlying zoning of the sandy portion of Longbeak Point is 'Park (PK)' which allows for park, passive recreation, and utilities uses. There are no proposed changes to the zoning of this area as part of this application.



4. PARKLAND

e) The Owners and the Company shall retain in a natural state the treed section of Longbeak Point north of the proposed building site 1 as shown in green on the plan attached to and forming Schedule “A” hereto.

OCP/LAND USE BYLAW AMENDMENT and RESTRICTIVE COVENANT

Proposed *Table 10, Section 3(e)* of the draft LUB would prohibit buildings and structures in this area of the lot, except for informational signs and interpretive structures associated with passive recreation, park, and conservation uses. Zone regulations alone cannot prohibit tree removal and a conservation/nature protection covenant would be required to continue to regulate this area to be left in a ‘natural state’.

An approximately 14-hectare area remains undeveloped because of this provision in the LUC. This parcel contains large areas of undisturbed mature and older forest ecosystem, as well as a bluff/cliff ecosystem on the eastern half which is included in Development Permit Area 1 – Komas Bluff. This area is a good candidate for continued preservation and protection and the Applicant appears amenable to continuing to retain the area in a natural state.

This area also includes a walking trail used by the property owners to access Longbeak Point. At one point, members of the public may have used this trail with permission from the Owners.

The LTC previously requested a restrictive a covenant to prohibit tree and vegetation removal and land alteration in this area for the above reasons. Staff shared a sample standard ecosystem protection covenant with the Applicant and they have expressed the following concerns:

- The covenant would effectively eliminate their use of the land.
- Owners would not be able to remove any dead fall trees and other fire hazards.
- Owners would not be able to practice forestry improvements.
- No removal of diseased trees or maintenance of private trails through the forests - all with the threat of \$15,000 fines for violations.

**1978 Land Use Contract Provision
(Expired June 2024)**

Land Use Planning Tools to Address

- There is no justification for such onerous demands, which would expose the Owners to significant additional fire risk and liability, as well as unreasonably limit the use of their land.

The LTC may consider requesting that staff prepare a restrictive ecosystem protection covenant template that allows the Owners to continue to safely maintain the area, while still prohibiting tree or vegetation removal or land alteration.

5. PERMITTED USES

The Owners and the Company may occupy the said lands for the following purposes:

a) The construction of private roads as necessary, with the location of such roads to be subject to the approval of the Regional District.

OCP/LAND USE BYLAW AMENDMENT

The draft OCP bylaw proposes *Policy 11.1 PART E – FAMILIES AND INDIVIDUALS* which addresses minimizing road and driveway expansion and regulations that may specify the approximate location and type of existing and proposed transportation infrastructure. The Applicant has not indicated plans to expand the existing private roads and driveways in the future.

Proposed *Table 10, Section 5e)* along with *Schedule A-1* of the draft LUB could specify the location of private roads at Komas Ranch.

b) Construction of single family dwelling units to a maximum number of twenty.

OCP/LAND USE BYLAW AMENDMENT

Proposed *Table 10, Section 3a)* of the Draft Land Use Bylaw provides for a maximum combined total of 20 single-family dwelling units.

c) For each single family dwelling unit, the construction of one guest dwelling with a maximum gross floor area of four hundred square feet.

OCP/LAND USE BYLAW AMENDMENT

Proposed *Table 10, Section 3b)* of the draft LUB provides for a maximum combined total of 20 accessory guest dwelling units.

Two guest dwellings no greater than 37.2 square metres (400 square feet) in gross floor area have been constructed on building sites 2 and 15 according to the site survey provided by the Applicant. An additional five accessory dwellings larger than 400 square feet appear to have been built out on building sites 7, 11, 14, 18, and 20 according to the survey provided by the Applicant.

1978 Land Use Contract Provision (Expired June 2024)	Land Use Planning Tools to Address
	<p>The Applicant has not confirmed whether they would like to legalize these larger accessory dwellings as part of the rezoning process.</p> <p>If the LTC adopts zoning to ‘replace’ the LUC to allow what it used to allow, including a maximum of 20 accessory guest dwellings no greater than 400 square feet in gross floor area, these larger accessory dwellings will not be made legal and will be considered non-compliant. They are not non-conforming because they have never been permitted by the Land Use Bylaw or the Land Use Contract.</p>
<p>d) Construction of customary accessory structures, including but not restricting the generality of the foregoing, garage, workshop, greenhouse, boathouse, storage sheds and common recreation facilities.</p>	<p>OCP/LAND USE BYLAW AMENDMENT</p> <p>Proposed <i>Table 10, Section 2c)</i> of the draft LUB permits buildings and structures accessory to a constructed single-family dwelling unit on the same lot. <i>Sections 2d) and 2e)</i> permit other accessory buildings and structures to accommodate horticulture, agriculture, common recreation facilities, parks, and utilities.</p>
<p>6. RESTRICTIONS</p> <p>a) All buildings shall be sited as indicated on the Plan attached and forming Schedule “A” hereto.</p>	<p>OCP/LAND USE BYLAW AMENDMENT</p> <p>Proposed <i>Schedule A-1</i> in the draft LUB shows a Building Site Plan which was submitted by the Applicant. An updated Building Site Plan which clearly indicates the proposed building sites, common areas, conserved or protected areas, and existing/proposed private roads, etc. should be provided by the Applicant prior to final Bylaw adoption.</p>
<p>6. RESTRICTIONS</p> <p>b) The siting of all buildings, including guest dwellings, shall be subject to the approval of the Planning Department of the Regional District.</p>	<p>LAND USE BYLAW AMENDMENT</p> <p>Proposed <i>Table 10, Section 5</i> of the draft LUB addresses setback and siting requirements. These are the same as the underlying Rural Residential (R2) zoning which currently applies. The underlying Regional District and subsequent Denman Island land use regulations concerning siting, setbacks, and height have continuously applied to the properties while the LUC was in effect.</p>

1978 Land Use Contract Provision (Expired June 2024)	Land Use Planning Tools to Address
<p>6. RESTRICTIONS c) The siting and number of dwellings shall in all cases be subject to the approval of the Local Medical Health Officer, and any variation in such siting as required by statute shall not be deemed to require an amendment to this contract.</p>	<p>NO ACTION REQUIRED The draft LUB will be referred to Island Health Authority after First Reading, for review for compliance with the <i>Public Health Act</i>.</p>
<p>6. RESTRICTIONS d) The Owners and the Company shall provide proof that potable water in a minimum amount of three hundred gallons per day per dwelling unit is available to each unit.</p>	<p>LAND USE BYLAW AMENDMENT Proposed <i>Table 10, Section 8 – Conditions of Use</i> in the draft LUB addresses potential water and septic requirements for future dwelling and accessory guest dwelling construction. Additional water or septic requirements may be added to the draft LUB at the LTC’s discretion.</p>
<p>7. PROHIBITIONS No subdivision except that solely for the public use or purposes shall be permitted within the area covered by the Land Use Contract.</p>	<p>OCP/LAND USE BYLAW AMENDMENT Proposed <i>Table 10, Section 7 – Subdivision</i> of the draft LUB prohibits subdivision except under specific circumstances as outlined in Subsection 2.8.19 of the existing Denman LUB.</p>
<p>8. COMPLIANCE WITH BYLAWS The Owners and the Company shall comply with the terms and conditions of the By-laws and Regulations of the Regional District and any amendments hereto.</p>	<p>NO ACTION REQUIRED The existing <i>Denman Island Land Use Bylaw, 2008, Section 1.3 – Compliance</i> applies to the lands and ensures that the Bylaw is enforced.</p>
<p>9. INSPECTION The employees of the Regional District from time to time, and at all reasonable times, may enter upon the lands to carry out all necessary inspections to ensure that the land</p>	<p>NO ACTION REQUIRED Existing <i>Denman Island Land Use Bylaw, 2008 Section 1.3 – Compliance</i> applies to the lands and ensures that the Bylaw is enforced.</p>

1978 Land Use Contract Provision (Expired June 2024)	Land Use Planning Tools to Address
<i>is used and developed in accordance with the provisions of this Agreement.</i>	
10. REGISTRATION <i>This Agreement shall be construed as running with the land, and shall be registered in the Land Registry Office by the Regional District pursuant to the provisions of Section 798A and Section 702A(4) of the “Municipal Act”.</i>	NO ACTION REQUIRED <i>Sections 1.2 – Jurisdiction and 1.3 – Compliance in the Denman Island Land Use Bylaw, 2008 apply to the properties.</i>
11. CONSENT <i>The Regional District will permit the Owners and the Company to develop the said lands upon the terms and conditions herein contained.</i>	NO ACTION REQUIRED <i>Sections 1.2 – Jurisdiction and 1.3 – Compliance in the Denman Island Land Use Bylaw, 2008 apply to the properties.</i>
12. BINDING AGREEMENT <i>THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their heirs, executors and assigns.</i>	NO ACTION REQUIRED

ATTACHMENT 4 – DE-RZ-2023.1 (KOMAS RANCH LTD.)

Komas Ranch Buildings and Structures: Non-compliance, Non-conformity, and Issued Permits

Site #	Address (Komas Rd.)	Single Family Dwelling Floor Area (m ²)	Guest Dwelling Floor Area (m ²)	Acc. Buildings? (m ²)	Decks (m ²)	Non-compliance, Non-conformity, issued Siting and Use Permits, and Other Notes
1	8607	157.00	None	56.00 (Garage) 21.00 (Woodshed) 3.15 (Sauna)	110.30 (Deck) 13.15 (Gazebo)	<p>Non-compliance or non-conformity:</p> <ul style="list-style-type: none"> Attached dwelling deck is 10.7 m from natural boundary of the sea (NBS). Sauna is less than 10.0 m from NBS. (Both must be at least 15.0 m from NBS). Sewage disposal field is 24.68 m from NBS. (Must be at least 30.0 m from NBS). <p>Permit: DE-SUP-1993.18 (Addition to dwelling).</p>
2	8471	163.00	32.13 (Cabin)	23.81 (Boat Shed) 20.34 (Shed) 15.50 (Wood shed)	181.39 (House deck) 15.28 (Cabin deck)	<p>Non-compliance or non-conformity:</p> <ul style="list-style-type: none"> Dwelling is 12.73 m from the natural boundary of the sea (NBS). Attached deck is 0.2 m from NBS. Cabin is 12.75 m from NBS. Cabin deck is 9.5 m from NBS. (All must be at least 15.0 m from NBS).
3	8335	306.88	None	106.54 (Workshop) 96.72 (Boat House and attached Woodshed) 45.52 ('New Slab') 19.77 (Water Tank House) 16.38 (Woodshed) 4.00 (Outhouse)		<p>Non-compliance:</p> <ul style="list-style-type: none"> 'New slab' and 'water tank house' located across property line between PIDs 000-211-338 and 000-211-320. (Must be at least 3.0 m from side lot line). Pit privy/outhouse located 1.2 m from side lot line. (Must be at least 8.0 m from all lot lines). <p>Permit: DE-SUP-2021.14 (Dwelling and accessory building).</p>
4	None	277.16	None	18.29 (Shed)	69.30 (Dwelling deck)	<p>Non-compliance:</p> <ul style="list-style-type: none"> Sewage disposal field is 23.87 m from NBS, sited on the common beach access route. (Must be at least 30.0 m from NBS). <p>Permit:</p>

Site #	Address (Komas Rd.)	Single Family Dwelling Floor Area (m ²)	Guest Dwelling Floor Area (m ²)	Acc. Buildings? (m ²)	Decks (m ²)	Non-compliance, Non-conformity, issued Siting and Use Permits, and Other Notes
						DE-SUP-2011.21 (Addition to dwelling).
5	None	222.00	None	100.00 (Boat house)	101.40	<p>Non-compliance or non-conformity:</p> <ul style="list-style-type: none"> Dwelling deck is 13.9 m from NBS. (Must be at least 15.0 m from NBS). <p>Permits: DE-SUP-2016.4 (Addition to existing dwelling) DE-SUP-2018.20 (Garage)</p>
6	8221	254.53	None	29.89 (Shack with deck) 23.09 (Shed) 3.00 (Pump house)	105.58 79.04 (Dwelling decks)	
7	7865, 8005, 8105	184.13		43.26 ('Jean's Cabin') 39.80 (Workshop) 121.87 (Studio) 16.95 (Woodshed) 1.50 1.50 3.86 8.06 9.45 2.68 (Sheds/OHs)	48.35 (Dwelling) 31.10 (Studio) 6.00 (Studio) 54.00 (Cabin)	<p>Non-conformity:</p> <ul style="list-style-type: none"> Jean's cabin (built 1930s) appears to be 12.4 m from the NBS. (Must be at least 15.0 m from NBS if rebuilt or extended). Jean's cabin exceeds maximum 400 square foot guest dwelling limit. <p>Possible non-compliance:</p> <ul style="list-style-type: none"> "Studio" is considered a separate building (covered walkway greater than 4.0 metres in length) and appears to be an additional dwelling. Survey does not confirm whether the studio is used as a dwelling or contains a kitchen. Three potential dwellings on the building site, where only one plus a 400 sq. ft. guest dwelling was historically permitted. <p>Permits: DE-SUP-1995.10 (Studio addition to dwelling) DE-SUP-2014.6 (Addition to studio – bathroom)</p>
8	7761	122.78	None		102.90 (Dwelling Deck)	<p>Non-conformity:</p> <ul style="list-style-type: none"> Log retaining structure (built in ~1974) is sited beyond NBS. <p>Notes:</p> <ul style="list-style-type: none"> Workshop, outhouse, and greenhouse are located on a different property than the dwelling, PID 023-096-438. <p>Permit: DE-SUP-2010.10 (One dwelling and one accessory storage shed).</p>

Site #	Address (Komas Rd.)	Single Family Dwelling Floor Area (m ²)	Guest Dwelling Floor Area (m ²)	Acc. Buildings? (m ²)	Decks (m ²)	Non-compliance, Non-conformity, issued Siting and Use Permits, and Other Notes
9	7725	96.21	None		67.40 (Dwelling deck)	Non-compliance or non-conformity: <ul style="list-style-type: none"> Septic field located approximately 25 metres from the natural boundary of a riparian Development Permit Area creek. (Must be sited 30.0 m from the NB)
10	7621	132.92 57.90 (addition)	None	21.55 (Wood Shed) 2.89 (Outhouse)	87.41	Notes: <ul style="list-style-type: none"> Sewage disposal field and well are located on the adjacent property, PID 023-096-438. Permit: DE-SUP-1997.17 (Addition to residential dwelling)
11	7585	54.78		60.00 ('Studio') 34.79 (Barn) 21.08 (Boat House) 12.48 (Wood shed) 2.00 (Outhouse) 3.35 (Electric Shed)	98.28	Non-compliance: <ul style="list-style-type: none"> Guest dwelling labelled "Studio" exceeds the maximum 37.2 square metre (400 square foot) guest dwelling floor area permitted by DE-SUP-1991.26. Notes: <ul style="list-style-type: none"> Sewage disposal field is located on adjacent property (PID 023-096-438) in the "Common Area". Permits: DE-SUP-1991.26 (Guest dwelling and utility shed) DE-SUP-1992.3 (Woodshed)
12	7501	93.87	None	45.29 (Shop) 7.24 (Shed)	39.03	Permits: DE-SUP-2010.2 (Dwelling unit and accessory garage) DE-SUP-2015.10 (Studio)
13	7495	76.23	None	23.97 (Shed) 7.86 (Wood Shed)	72.00	Notes: <ul style="list-style-type: none"> Septic field is located on the adjacent property, PID 023-096-438. Permit: DE-SUP-1997.35 (Residential dwelling, guest cabin, boathouse, and workshop)
14	7397, 7411	104.4 (Dwelling with covered patio)		60.00 (Cabin) 10.15 (Shed) 9.56 (Shed) 11.78 (Shed) 3.07 (Composting Toilet)	53.63 (Deck adjacent to NBS) 5.9 (Cabin porch)	Non-compliance or non-conformity: <ul style="list-style-type: none"> 60 m² cabin is too large to be considered a guest dwelling.

Site #	Address (Komas Rd.)	Single Family Dwelling Floor Area (m ²)	Guest Dwelling Floor Area (m ²)	Acc. Buildings? (m ²)	Decks (m ²)	Non-compliance, Non-conformity, issued Siting and Use Permits, and Other Notes
15	7315	201.15 (Dwelling)	37.00 (Cabin)	30.88 (Shed) 7.73 (Gazebo) 6.16 (Shed) 1.28 (OH) 4.49 (Well house)	64.60 (Dwelling deck)	<p>Non-compliance or non-conformity:</p> <ul style="list-style-type: none"> Sewage disposal system appears to be less than 30.0 m from the natural boundary of the sea. (Must be at least 30 m from NBS). Gazebo is 6-7 m from the NBS. (Must be at least 15.0 m from the NBS). <p>Permits: DE-SUP-1994.9 (400 square foot guest dwelling). DE-SUP-2010.6 (Main residence and woodshed)</p>
16	7161	124.55 (Dwelling)		96.36 ('Structure') 41.96 (Shed with wood shed) 17.53 (Adjacent to NBS) 3.92 (Wellhouse) 1.53 (2.0 m from NBS) 2.88 ('Box') 1.28 (Outhouse)	144.00 (Dwelling deck) 33.00 (Structure deck) 27.72 (Covered walkway)	<p>Non-compliance:</p> <ul style="list-style-type: none"> Attached dwelling deck and hot tub are within 7.4 m from the natural boundary of the sea. (Must be at least 15.0 m from the NBS). Unlabeled structures shown on the site survey 0.0-2.0 m from the natural boundary of the sea. (Structures must be at least 15.0 m from the NBS).
17	7140	101.15	None	37.79 (Bike Boat Shed) 11.71 (Shed) 17.69 (Shed) 1.28 (Outhouse) 14.29 (Treehouse)	53.66 (Dwelling Deck) 101.73 (Covered Dwelling Deck) 8.97 (Deck next to NBS)	<p>Non-compliance or non-conformity:</p> <ul style="list-style-type: none"> Deck attached to dwelling is located 9.8 m from the natural boundary. (Must be at least 15.0 m from NBS). <p>Permit: DE-SUP-2011.9 (Permit existing dwelling)</p>
18	7101	230.78 (Dwelling)		39.92 (Cottage) 35.13 (Shed) 15.93 (shed) 1.45 (shed) 22.98 (Green house)	16.65 (Deck built into embankment)	<p>Notes:</p> <ul style="list-style-type: none"> "Cottage" is slightly oversized by about 3.0 square metres. Maximum 37.2 m² guest dwelling permitted in historic Land Use Contract. <p>Permits: DE-SUP-1997.34 (Residential dwelling) DE-SUP-2002.8 (House) DE-SUP-2010.7 (Woodshed, garden shed, boat shed)</p>

Site #	Address (Komas Rd.)	Single Family Dwelling Floor Area (m ²)	Guest Dwelling Floor Area (m ²)	Acc. Buildings? (m ²)	Decks (m ²)	Non-compliance, Non-conformity, issued Siting and Use Permits, and Other Notes
19	7053	193.77	None	73.15 (Garage) 21.18 (Shed) 18.86 (Shed)	17.00 (Deck attached to embankment)	Permit: DE-SUP-2004.15 (Residential dwelling and garage).
20	7051, 7001	226.00 (Dwelling)		60.00 (Suite) 99.35 (Shop and Wood shed) 31.70 (RV Shelter) 15.56 (Shed) 7.97 (Shed) 1.18 (Outhouse)	38.10 (Covered Patio)	Non-compliance: <ul style="list-style-type: none"> Suite exceeds maximum permitted 37.2 square metre (400 square foot) guest dwelling size. Originally permitted by DE-SUP-2013.1 as an addition to the dwelling with a covered walkway. Not permitted in LUC or Denman LUB as it is a separate suite that exceeds the permitted size. Permits: DE-SUP-1998.9 (Single family dwelling) DE-SUP-2003.1 (House and carport) DE-SUP-2013.1 (Addition to dwelling) DE-SUP-2017.6 (Shed/workshop) DE-SUP-2021.13 (Boatshed)
ALR Lot	7676	173.26 (Farm House)	None	58.54 (Barn) 57.11 (Barn) 77.41 (Workshop for Site 8) 6.32 (Greenhouse for Site 8) 1.28 (outhouse/pit privy for Site 8) 9.90 (Shed)	703.00 (Concrete Tennis and Pickle Ball Court)	Non-compliance or non-conformity: <ul style="list-style-type: none"> Old workshop/garage is sited 1.11 m from the side lot line and less than 30.0 m from the natural boundary of the creek. (Must be at least 3.0 m from side lot line, and 30.0 m from the creek's natural boundary). Pit privy is sited 2.22 m from the side lot line. (Must be at least 8.0 m from all lot lines).

ATTACHMENT 5 – DE-RZ-2023.1 (KOMAS RANCH LTD.)

Shoreline Development Permit Area Options and Implications

BACKGROUND:

At their June 4th, 2024 LTC Regular Business meeting, the LTC made the following resolution:

DE-2024-041 It was MOVED and SECONDED

That the Denman 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

OPTIONS:

Before implementing any new regulatory frameworks for the properties as part of the rezoning process, the LTC must determine a shoreline problem to be solved:

- **Are there areas where the marine and foreshore environment has been identified as being particularly sensitive to development impacts?**
- **Are the existing regulatory frameworks protecting sensitive marine and foreshore environments?**
- **Are there existing unpermitted developments/buildings/structures in the setback to the natural boundary of the sea? Are there existing seawalls or other hardscape erosion control structures in sensitive areas?**
- **Are there archaeological sites along the shoreline?**

After determining the existing shoreline issues, the LTC should define a solution category:

- **Land Use Regulation**
- **Education**
- **Advocacy**
- **Relationship-building**

Development Permit Areas for shoreline protection may be applied in areas where the marine and foreshore environment has been identified as being particularly sensitive to development impacts. They may be designated according to Section 488(1)(a) and (b) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity, and for the protection of development from hazardous conditions.

Development Permit Areas are just one of the tools available to the LTC to protect sensitive shoreline environments.

The first step in determining if a Development Permit Area for shoreline protection is appropriate for Komasa Ranch is to gather existing information about the shoreline environment and to consider any existing shoreline zoning regulations in the Denman Island Land Use Bylaw.

EXISTING SHORELINE INFORMATION AND ISSUES

Komas Ranch Shoreline Mapping

A mapping inventory of shoreline ecosystems across the Gulf Islands was conducted in 2011 as part of the Islands Trust Shoreline Mapping Project. The mapping products developed as part of this project communicate vital coastal information, like shoreline types, valued shoreline features and ecologically sensitive shorelines. In addition to serving as a communication tool, the mapping products are intended to serve as a ready base for future shoreline management initiatives and island planning work, including potential development guidelines and shoreline zoning regulations. Shoreline mapping for Denman Island is found here:

<https://islandstrust.bc.ca/document/denman-island-shoreline-mapping/>.

Existing shoreline mapping information is summarized as follows:

- Shoreline types at Komas Ranch consist of a **coastal bluff** on the eastern shores of the northern property (Komas Bluff DPA), **boulders/cobbles** along the northern and parts of the lower western shores, and **pebble/sand** along the western shore and at Longbeak Point on the northern tip.
- Wave exposure is **Medium** for shorelines across the properties, except where it is considered **Low** along the western shores of the northern parcel.
- Watershed sediment inputs into the shoreline system at two points each where watercourses flow to the ocean (a stream and Birkenhead Creek).
- Longbeak Point and some parts of the northern, eastern and western shorelines are **low-lying, soft sediment shorelines** typically associated with high recreational and ecological values. **Salt marsh** habitat is mapped on the northern side of Longbeak Point as well as the estuary where Birkenhead Creek flows to the ocean, and is particularly vulnerable to pollution from land-based activities.
- The western marine area is indicated in [Schedule D – Sensitive Areas](#) of the Denman Island OCP as **important oyster growing area** and the eastern marine area is considered **important herring spawning area**.

Existing Denman Island Land Use Bylaw Shoreline Setback Regulations

The existing LUB regulations permit a limited number of structures in the 15-metre setback to the natural boundary of the sea in residential zones, including an access stairway and a fence. Boathouses (maximum 30 m² in floor area and 4.5 m in height) are permitted within 5 metres of the natural boundary of the sea. All other buildings and structures must be sited at least 15 metres from the natural boundary of the sea. Sewage disposal fields are not permitted within 30 metres of the natural boundary of the sea.

2.3 General Setback Regulations Setbacks and Elevations from the Sea

3 The minimum setback from the natural boundary of the sea is:

- 30.0 metres for a sewage disposal field or alternate sewage disposal system;
- 30.0 metres for buildings and structures, associated with agriculture, except for a fence;
- 5.0 metres for a boathouse; and
- 15.0 metres for all other buildings and structures, except for a fence or access stairway.

4 The minimum difference in elevation between the underside of the lowest floor in the building or structure and the elevation of the natural boundary of the sea is 1.5 metres, except for a boathouse.

5 Where fill is used to attain the elevation required in Regulation 4 of this section:

- *the minimum setback distance required in Regulation 3 of this section is measured from the toe of the fill slope to the natural boundary of the sea; and*
- *the face of the fill slope must be protected against wave action from floodwaters.*

Setback Exemptions

6 Despite setback regulations 1 through 5 in Section 2.3 and setback regulations in Part 3 of this Bylaw, the following may be located in setback areas:

- *tanks for the storage of rainwater, provided they do not project more than 1.0 metre into the required setback.*

structure means:

- *anything constructed or erected that is fixed to, supported by or sunk into land or water, whether underwater or otherwise, but excludes vehicles, floating vessels, ground-level paving for driveways and vehicle parking, ground-level sidewalks, detached ground-level patios and decks, detached access stairways and boardwalks, power-poles and telecommunication poles*

natural boundary means:

- *with reference to the sea or a lake, the visible high water mark of the lake, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil or rock of the bed of the sea or a lake a character distinct from that of the adjoining upland, in vegetation as well as in the soil or rock*

Existing Non-permitted Development in the Setback to the Natural Boundary of the Sea

According to B.C. Land Surveyor plans submitted as part of the rezoning application, multiple buildings, structures, and sewage disposal systems are located in the setback to the natural boundary of the sea. See Attachment 4 for a summary of non-permitted buildings and structures. Though some of these developments may have been built historically when setback requirements were more relaxed, and they are considered ‘non-conforming’, others were placed in the required setback areas without permits and are non-compliant with land use regulations.

Building Site 8 placed a log retaining structure along the shoreline in approximately 1974, which is considered a non-conforming structure, for example. But sewage disposal fields are located within 30 metres of the natural boundary of the sea on a number of building sites and these are considered non-compliant. The Denman Island Zoning Bylaw, 1972 prohibited sewage disposal fields within 100 feet (30.5 metres) of the high-water mark of any tidal waters, and similar regulations have been in place throughout the duration of the Komas Ranch Land Use Contract from 1977-2024. The natural boundary of the sea may have been slowly eroded over time since the placement of some older

septic fields, resulting in them being closer to the shoreline now than before; however, there has not been any indication in the site survey that the natural boundary of the sea has changed substantially over time.

Archaeological Sites and the Shoreline

Archaeological site and cultural heritage protection is a high priority along the shoreline due to historic instances of land alteration in archaeological sites without permits at Komas Ranch. There are large recorded archaeological sites along the shoreline for both waterfront properties.

A Section 219 restrictive covenant is an effective tool for archaeological site conservation, instead of a shoreline Development Permit Area. Through the registration of a legal covenant on title, this would create additional requirements regarding heritage protection and conservation, prior to development and/or land alteration on any parts of the properties, including in the setback from the natural boundary of the sea.



April 14, 2025

Sam Borthwick and David Graham, Denman Island Trustees
Local Trust Committee

and

Margot Thomaidis, Planner 2
Islands Trust

Re: Preliminary Field Reconnaissance (PFR) of the Komas Ranch Property (DjSf-1 and DjSf-4), on Denman Island

To Whom it May Concern,

We are writing to provide a public statement from the K'ómoks First Nation to support your allyship in protecting our ancestral village site on the Komas Ranch property, Denman Island.

We approve the use of this statement on your **website(s), public meeting agendas, and staff reports:**

“The Islands Trust and Local Trust Committees have been working closely with the K'ómoks First Nation (KFN) to protect our ancestral village and cemetery sites on Hornby and Denman Islands. Our ancestral (archaeological) sites are legally protected, tangible records our history on this land since time immemorial (at least 4,000 years). They have profound cultural, spiritual, and scientific importance not just to our people, but to our collective history on this land.

When sediments within an archaeological site are moved without the **legally-required** archaeological documentation and analysis, part of our history is **permanently erased**. Erasing archaeological “context” (vertical and horizontal associations between cultural materials) permanently eliminates the possibility of learning about the site through archaeological analysis (i.e., what happened at the site and how long ago).

The property known as “Komas Ranch” is one of our ancestral village and cemetery sites, known to our people as *Xélikw'*. In parts of *Xélikw'*, the tangible remains of our village are up to 5 meters deep, representing **thousands of years of continuous occupation** by our Pentlatch Ancestors. We have very few records of our (archaeological) cultural heritage at Komas Ranch due to more than 80 years of development **without any legally-required archaeological documentation or analysis**. With the exception of a few artifacts collected from the surface of the site by archaeologist Charles Borden in the mid-20th century and the installation of a few BC Hydro poles, **every ground alteration on this site** (i.e., every building, septic tank, road, ditch,



3330 Comox Rd., Courtenay BC, V9N 3P8 | Ph: 250.339.4545 | F: 250.339.7053 | E: reception@komoks.ca

trail, and borrow pit) **has illegally and permanently erased tangible records of our cultural heritage.**

In March 2024, we learned that the only property owner on Komas Ranch to apply for a provincial archaeological permit (legally required for ground alterations in an archaeological site) breached the terms of the permit, excavating our archaeological village and cemetery with no archaeological documentation or analysis, and no cultural workers on site.

There is a high likelihood that our Ancestors' burials were disturbed by this illegal act, and thrown in heaps of midden on the property as though they were garbage. We have yet to learn the extent of this damage and how many of our Ancestors' burials were desecrated since there has been **no opportunity for archaeologists to access the site to analyze the damage, nor for our cultural workers to perform funerary rites for Ancestors whose burials were disturbed by this act.**

As a small gesture of reconciliation for decades of illegal erasure of our history and desecration of our ancestral cemetery, we have asked the Islands Trust/Local Trustees to seek a Preliminary Field Reconnaissance (PFR) of Komas Ranch as a condition of the rezoning process. The goals of the PFR are to clarify the recorded boundaries of the archaeological site, and to record archaeological features evident on the surface of the site.

Given the history of development at Komas Ranch in the complete absence of legally-required archaeological permits and associated investigations, this PFR is necessary to provide critical baseline information regarding the archaeological remains on the property. A PFR is the least expensive and time-consuming form of archaeological analysis, consisting of only surface-level surveys and reporting of archaeological materials. A PFR by a local archaeologist should cost no more than \$20,000 (divided by 20 property owners).

Given the long history of settler occupation of Komas Ranch, many owners may also have knowledge of artifacts, ancestral remains, or archaeological features that have been observed here in the past, or may have collections of artifacts from the site. This sort of information is important, and we request that Komas Ranch owners offer any supplemental information they have regarding the archaeological site to the contracted archaeologist.”

Respectfully,

Nicole Rempel
Chief Councillor K'ómoks First Nation

From: Tla'amin Connect <do-not-reply@tlaaminconnect.com>
Sent: Wednesday, September 18, 2024 1:46 AM
To: Nadine Mourao
Cc: itcmail
Subject: [Tla'amin Connect] 2 Updates

1 comment on things you're watching

New Comment

Rachael Sydenham (Tla'amin Nation) posted a comment

ʔimot t^ook^w (Good Day),

Thank you for your submission. This application is for an area outside of Tla'amin Nation's core territory. As such, we will defer to the directly affected Nation(s) and support their decision making.

čéčéha^oéč (Thank you)

Rachael Sydenham, Referrals Coordinator

PROJECT NAME

Komas Ranch DE-RZ-2023.1

ISSUING AGENCY FILE NUMBER(S)

DE-RZ-2023.1

REFERRAL ID

1450

[View this Submission](#)

1 referral's status was changed

Referral Submission Status Changed

Rachael Sydenham (Tla'amin Nation) changed the status of DE-RZ-2023.1 - Komasa Ranch DE-RZ-2023.1 to Complete (Deferred)

PROJECT NAME

Komasa Ranch DE-RZ-2023.1

ISSUING AGENCY FILE NUMBER(S)

DE-RZ-2023.1

ID

1450

STATUS

Complete (Deferred)

[View this on Tla'amin Connect](#)



Ts'uubaa-asatx Nation
313B Deer Lake Road
Lake Cowichan, British Columbia
V0R 2G0
Phone: 250-749-3301
Fax: 250-749-4286

9-Aug-2024 09:54 PDT

Islands Trust
Attn: Becky McErlean

Proposed Decision: L2 - Defer to Other First Nation(s) Marine
Project Name: Komasa Ranch DE-RZ-2023.1
Date Received: 9-Aug-2024
Ts'uubaa-asatx Nations Consultation Spectrum Assessment: Level 2

'Au Si'em:

This area appears to be on/in an area that Ts'uubaa-asatx Nation would recognize as being in close proximity to other First Nation territorial lands. As such, I would categorize this as a Level 2 rights area for Ts'uubaa-asatx Nation. Level 2 identifies that Ts'uubaa-asatx Nation had harvesting, trade and Nation to Nation relations, but not necessarily Title and governing authorities, which would be Ts'uubaa-asatx Nation's highest S.35 interests and would require high end of the Haida spectrum consultation.

However, Level 2, is still considered to be a very high consultation matter as it represents our marine fishing and harvesting areas. Despite this we would generally defer to the First Nation(s) whose traditional territory fronts this area. Should Ts'uubaa-asatx Nation identify greater interests in the future we retain the right to revise this assessment. However, at this time, we defer to any Nation(s) whose title and governing authorities are directly affected.

'Uy' Skweyul,

Monty Horton

Hul'q'umi'num language terms:

'Au Si'em: a term denoting high respect.

'Uy' Skweyul: good day.

From: Natalie Anderson <Natalie.Anderson@cowichantribes.com>
Sent: Tuesday, August 13, 2024 3:59 PM
To: Tracy Fleming; Nadine Mourao
Cc: Margot Thomaidis; Reconciliation
Subject: Re: Denman Local Trust Committee Early Referral - Komas Ranch, Denman Island

Hi Nadine,

Given the location, Cowichan Tribes has no comments at this time and will defer to those communities closer to Denman Island.

Huy ch q'u/Thank you

Huy ch q'u (Thank you),

Natalie Anderson, BA (she/her)

A/ Lead Referrals Coordinator

Lulumexun

Cowichan Tribes

E: natalie.anderson@cowichantribes.com

O: (236) 800-4023 ext. 6015

C: (250) 732-2494

<https://cowichantribes.com>



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>>> Nadine Mourao <nmourao@islandstrust.bc.ca> 8/8/2024 4:23 PM >>>

Dear Natalie and Tracy,

The Denman Island Local Trust Committee (LTC) has requested staff to send early referral of an application, file DE-RZ-2023.1, to amend the Denman Island Official Community Plan (OCP) and Denman Island Land Use Bylaw (LUB) in order to permit the existing residential density and uses on lands commonly referred to as 'Komas Ranch' and located on PIDs 000-211-338, 000-211-320, and 023-096-438 as shown

File No.: PL-DP-2026-0052 and
PL-DVP-2026-0053
(Hornick)
DE-BE-2026.1

DATE OF MEETING: June 23, 2026
TO: Denman Island Local Trust Committee
FROM: Margot Thomaidis, Planner 2
Northern Team
SUBJECT: **Combined Development Variance and Development Permit Application**
Applicant: Bradley Hornick
Location: 10225 Greenhill Rd, Denman Island

RECOMMENDATION

1. That the Denman Island Local Trust Committee approve issuance of Development Permit PL-DVP-2026-0052 (Hornick); and
2. That the Denman Island Local Trust Committee approve issuance of Development Variance Permit PL-DVP-2026-0053 (Hornick).

REPORT SUMMARY

This report is to introduce a combined Development Permit (DP) and Development Variance Permit (DVP) application for consideration by the Denman Island Local Trust Committee (LTC).

The purpose of the DP application is for both retroactive and proposed development within **Development Permit Area No. 2: Steep Slopes (DPA 2)** on the western side of the property at 10225 Greenhill Rd. The DP would permit:

- an existing addition to the single-family dwelling,
- an existing accessory building,
- removal of a small portion of roof overhang and patio which encroach onto the neighbouring property, and
- installation of a new septic system to support the accessory building.

Staff recommend approval since the development is consistent with the DPA 2 Guidelines; some of them are no longer applicable due to the retroactive nature of the application, but have been addressed in the *Impact Assessment and Restoration Plan* provided by the Applicant and prepared by Current Environmental Ltd. (**Attachment 6**).

The purpose of the DVP application is to consider variances to the requirement for any structure to be sited a minimum of 3.0 metres from the rear or side lot line, and for the maximum height of an accessory building to be 6.0 metres. The DVP would allow an existing accessory building, 6.47 metres tall and 133.2 square metres in floor area, to remain 0.0 metres from the side lot line.

Staff recommend approval since there will be little or no potential impacts from granting the variances and the variances do not challenge the intent of the regulations.

BACKGROUND

The subject property is 5.18 hectares (12.8 acres) in size and located at 10225 Greenhill Road as shown on Figure 1. The property contains a single-family dwelling, an accessory building/studio, a septic system and groundwater well, and seven accessory buildings and structures including sheds, a chicken coop, a shop, a hut, and a cistern structure.

The applications are the result of a Bylaw Compliance and Enforcement action for works undertaken in DPA 2 without permits, specifically the construction of an addition to the single-family dwelling unit in 2020, reconstruction of the accessory building on the footprint of an historic garage in 2021, as well as tree and vegetation clearing and land alteration north of the accessory building and partially on the neighbouring property between 2020-2021. Original land clearing on other parts of the property, and construction of the single-family dwelling was completed in the mid-1990s, prior to adoption of the DPA 2: Steep Slope regulations and does not require a Development Permit, but all buildings and structures on the property will require a retroactive Siting and Use Permit.

The accessory building is also located in the side lot line setback area and is above the maximum permitted height, requiring a variance application. The Owners reconstructed the building on the exact foundations and much of the framing of an old garage and assumed that it was meeting bylaw requirements and sited within property boundaries. They did not apply for a Siting and Use Permit and did not hire a surveyor to confirm the property boundary before construction. After construction and subsequent Bylaw Enforcement and Compliance action, they hired a surveyor who confirmed that portions of the roof overhang, cement patio, drainage pipe, and heat pump encroach onto the neighbouring property to the west. The Owners have agreed to correct the mistake and bring the roofline and patio fully within property boundaries, and move the heat pump.

The accessory building was also being used unlawfully as a detached secondary dwelling unit without an approved Temporary Use Permit, and the Owners have since decommissioned the dwelling by removing the cooking facilities and intend only to use it as an accessory building and studio going forward, in compliance with the Denman Island Land Use Bylaw, 2008. If the Bylaw is amended to permit a secondary dwelling unit on the property in the future through the LTC major project, the Owners have said they may consider upgrading the septic system, confirming proof of water, and renting it as a long-term residential rental.

Further information about the subject property is contained within the Site Context and Mapping documents (**Attachments 1 and 2**). The Applicant has provided a narrative letter detailing their rationale including additional site details in support of both applications (**Attachment 3**).

The scope of development and land alteration for the property entails:

Completed (retroactive permission requested):

- construction of a 33.6 m² addition to the single-family dwelling;
- construction of a 133.2 m² accessory building;

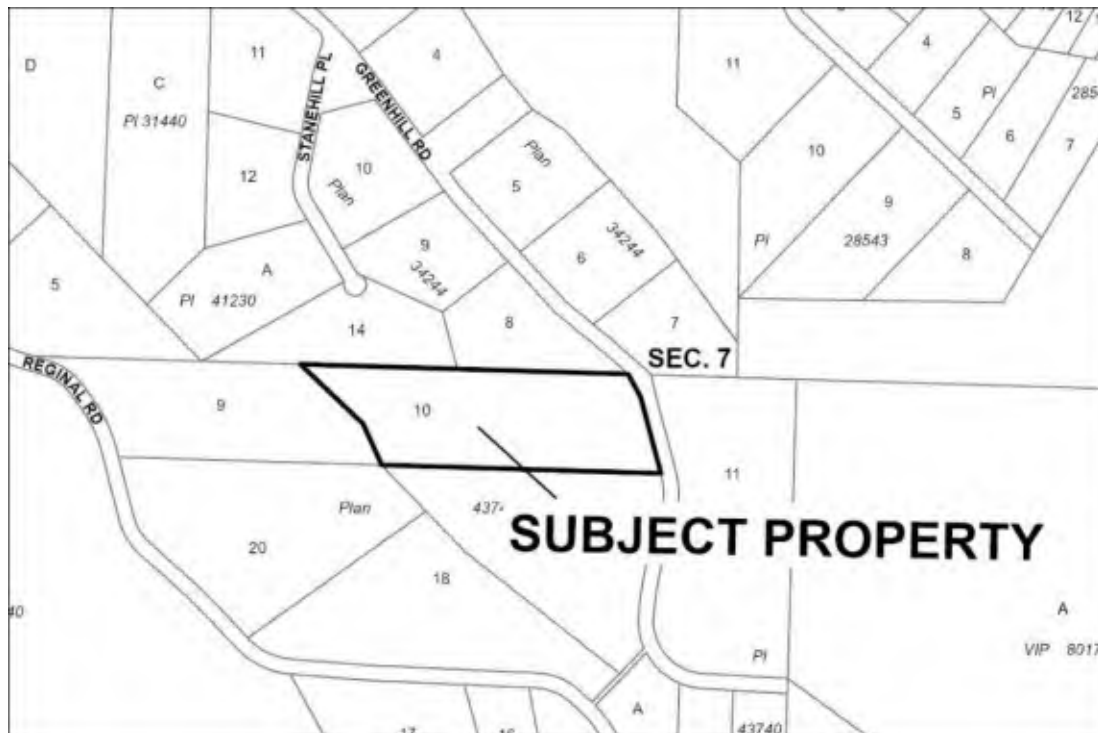
- land clearing, including the cutting of approximately six western red cedar/Douglas-fir trees and other shrubs; and
- infill of a 100 m² area adjacent to the accessory building atop the slope.

Proposed:

- installation of a new septic system including tanks, pipes and a septic field for the accessory building; and
- removal of a portion of the roofline and cement patio of the accessory building and relocation of the heat pump, which encroach beyond the western property boundary.

Pursuant to Section 4.2 of the Denman Island Land Use Bylaw No. 186, 2008 (LUB), a DP is required to be issued by the LTC prior to development occurring within DPA 2. Copies of the DPA 2 Guideline Checklist and proposed DP are **Attachments 4** and **5**. Copies of the Notice and proposed DVP are **Attachments 6** and **7**.

Figure 1 - Subject property



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to these applications:

- 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.*
- 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.*

These applications are compliant with the ITPS. These policies are met via the DP application and the conditions of the proposed DP which are taken from the information provided in the professional *Impact Assessment and Restoration Plan*.

Official Community Plan

The subject property is designated in the Denman Island Official Community Plan (OCP) Bylaw No. 185, 2008 and is located within DPA 2 – Steep Slopes. The DPA is characterized by slopes greater than 60 percent which may be susceptible to landslides, and is an area conducive to the development of uncommon plant communities such as stands of undisturbed old forest with large trees, plant communities with a high degree of diversity, and high-value wildlife habitats. The objectives of this development permit area are:

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

As reviewed the proposed development complies with the objectives of the OCP. These objectives are met via the DP application and the conditions of the proposed DP which are taken from the information provided in the professional *Impact Assessment and Restoration Plan*.

Land Use Bylaw

The subject property is zoned as **Rural Residential (R2)** in the Denman Island Land Use Bylaw No. 186, 2008 (LUB).

The Guidelines for DPA 2 are contained within Section 4.2 of the LUB, and the completed and proposed development complies with applicable development permit area Guidelines as analysed in **Attachment 4**.

The existing development meets all LUB siting and use regulations except for the required variances for the accessory building, including portions of the attached cement patio, roof overhang, and heat pump, per Section 3.3, Tables 4 and 5 of the LUB which require the following:

- *“Minimum setback of buildings or structures, except for a fence, pump/ utility house or pit privy from the rear or side lot line – 3.0 m”; and*
- *“Maximum height of buildings and structures accessory to a residential use – 6.0 m”*

Issues and Opportunities

Development Permit

The following analysis items pertain to the DP application:

Impact Assessment Report and Recommendations

The *Impact Assessment and Restoration Plan* report by Current Environmental Ltd. (March 23, 2026) provides an assessment of previous changes to the subject property as well as proposed development and makes recommendations for the restoration and enhancement of the site.

The professional report assessment and recommendations include:

- The subject property is located within the Coastal Douglas-fir Moist Maritime (CDF mm) biogeoclimatic subzone. Intact terrestrial habitat on the subject property and along the steep slope consists primarily of mature Douglas-fir (*Pseudotsuga menziesii*) forest with western red cedar (*Thuja plicata*) and red alder (*Alnus rubra*) throughout. The mature forest has an established understory of dull Oregon grape (*Mahonia nervosa*), western sword fern (*Polystichum munitum*), salal (*Gaultheria shallon*), and red huckleberry (*Vaccinium parvifolium*), with some Nootka rose (*Rosa nutkana*) and snowberry (*Symphoricarpos albus*) along forest edges.
- Since portions of the property have been colonized by Scotch broom and English holly, invasive species removal and management are recommended [following best practices] to prevent further spread and to allow native vegetation to establish naturally.
- No additional clearing should occur within the Steep Slope DPA without a new assessment of the proposed works, and all native vegetation on the slope west of the developments should be allowed to re-naturalize to further stabilize the slope and enhance habitat quality.
- The 10 m by 10 m forested area north of the accessory building that was previously cleared and filled has potential for restoration planting to provide ground cover, further stabilize soils, and limit opportunities for Scotch broom establishment near the steep slope habitat.
- Soils exposed during the installation of the proposed septic system for the accessory building are also recommended for restoration planting where possible.
- Although active planting is not strictly necessary, selective enhancement planting could be considered in localized areas at the property owner's discretion to accelerate the natural recovery process. Recommended native shrubs include Nootka rose, red flowering currant, red huckleberry, yarrow and dull Oregon grape.

The recommendations have been incorporated into the proposed permit conditions in **Attachment 5**. The report states that if these recommendations are implemented, the site is expected to continue recovering naturally, resulting in increased native plant cover, reduced erosion risk, and improved long-term habitat quality within the steep slope area.

Development Variance Permit

The following analysis items pertain to the DVP application:

Intent of the Regulations being Varied

The intent of the height and setback regulations is to be sensitive to the nature of rural residential use and its potential negative impact on neighbouring property uses, privacy, views, and rural character.

Rationale for the Variances

The rationale for the variance is to enable the existing accessory building to continue to be sited on the location on the property that has the most minimal impact on the DPA 2 area. The accessory building was

reconstructed using the existing foundation and framing of an historic garage on the same footprint, resulting in the least amount of new land alteration and vegetation removal in DPA 2.

Impact on Neighbouring Properties

Given the distance from existing development on the neighbouring property to the west, and the location of the accessory building adjacent to a forested sensitive ecosystem slope, staff anticipates the proposed variances to have little to no impact on neighbouring properties. The portion of the accessory building encroaching into the neighbour's property to the west is not part of the variance request as the LTC cannot legally approve the encroachment, but may only vary the lot line setback requirement up to the property line. The Applicant has been advised that they should discuss the encroachment with the neighbouring property owner(s), or remove all encroaching parts of the building and structures.

Potential Impacts of Granting the Variances

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, each application should be evaluated on its own merits.

Consultation – DVP requests

There is no public or agency consultation regularly associated with a DP application. In addition, there is no statutory notification required.

DVP Notices were circulated to surrounding property owners and residents within 100 metres (**Attachment 6 and 7**). The notification period ends at 4:30 p.m. on June 22, 2026.

To date, no correspondence has been received and any submissions received following the preparation of this staff report will be forwarded to the LTC and reported at the meeting.

First Nations - Both DP and DVP requests

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff provide the Islands Trust Chance Find Protocol and provincial Archaeological Branch guidelines on the *Heritage Conservation Act* directly to applicants upon receipt of all applications. In addition, staff provide information on the K'ómoks First Nation Cultural Heritage Policy and Cultural Heritage Investigation Permit (CHIP) process where applicable for both the Denman and Hornby Local Trust Areas. As reviewed, the DP application and DVP are consistent with respect to LTC Standing Resolutions on reconciliation.

Rationale for Recommendations

In summary, the recommendation on page 1 for the DP proposal is supported since:

- The objectives and specific guidelines of the DPA have been met;
- Implementing and monitoring conditions in the draft DP will ensure the protection of the sensitive ecosystem.

The recommendation on page 1 for the proposed DVP is supported since:

- There are little or no potential impacts from granting the variance; and
- The variances do not challenge the intent of the regulation.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendations:

Development Permit:

1. Deny the application

The LTC may determine that the application as presented does not meet one or more guidelines of DPA 2. If this is the case, the LTC may deny the application. The LTC should indicate which guidelines are not being met and the reasons for this. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee has determined that application PL-DP-2026-0052 (Hornick) as presented on June 23, 2026 does not meet guideline(s) _____ for the following reasons: _____ and the application is denied.

2. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee request that the Applicant for PL-DP-2026-0052 (Hornick) submit to the Islands Trust _____.

Development Variance Permit:

1. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee deny application PL-DVP-2026-0053 (Hornick).

2. 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 that the Applicant for PL-DVP-2026-0053 (Hornick) submit to the Islands Trust _____.

NEXT STEPS

If the LTC resolves to issue the Development Permit and the Development Variance Permit, the permits will be issued and the Applicant may commence with the siting and use permit process and begin installation of the new septic system. The Bylaw Compliance and Enforcement action will be resolved after siting and use permit issuance.

Submitted By:	Margot Thomaidis, Planner 2	June 11, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 11, 2026

ATTACHMENTS

1. Site Context
2. Maps, Plans and Photos
3. Applicant Narrative
4. Development Permit Area Guidelines Checklist
5. Proposed Development Permit
6. Notice
7. Proposed Development Variance Permit

ATTACHMENT 1 – SITE CONTEXT

PL-DP-2026-0052 + PL-DVP-2026-0053

LOCATION

Legal Description	LOT 10, SECTION 7, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 43740
PID	004-360-389
Civic Address	10225 Greenhill Rd, Denman Island
Lot Size	5.18 hectares (12.8 acres)

LAND USE

Current Land Use	Residential; principal dwelling and accessory building
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
DE-SUP-1994.21	None specified.
PL-DP-2026-0052	Development permit application for works completed – Principal dwelling extension and accessory building renovation in DP-2 Steep Slopes. – Under Review
PL-DVP-2026-0053	Development variance permit application for works completed within rear lot line setback areas – accessory building renovations, and patio, roof overhang, and heat pump in setback area. – Under Review
PL-SUP-2026-0054	Siting and use permit for works completed – Principal dwelling extension, accessory building renovation without permits – Under Review

POLICY/REGULATORY

Official Community Plan Designations	<p>Land Use Designation: Rural (RU)</p> <p>DPA? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Development Permit Area No. 2: Steep Slopes</p> <p>Development Permit Area No. 4: RAR Applicable Streams, Lakes and Wetlands</p> <p>Location of buildings and structures which are the subject of the application are within DPA 2 but not within DPA 4.</p>												
Land Use Bylaw	<p>Zoning: Rural Residential (R2)</p> <table border="1"> <thead> <tr> <th>LUB Requirement</th> <th>Proposed</th> <th>Variance Required?</th> </tr> </thead> <tbody> <tr> <td colspan="3">Minimum Setbacks – buildings and structures</td> </tr> <tr> <td>Rear or side lot line = 3.0 m</td> <td>0.0 m</td> <td>YES</td> </tr> <tr> <td colspan="3">Maximum Lot Coverage</td> </tr> </tbody> </table>	LUB Requirement	Proposed	Variance Required?	Minimum Setbacks – buildings and structures			Rear or side lot line = 3.0 m	0.0 m	YES	Maximum Lot Coverage		
LUB Requirement	Proposed	Variance Required?											
Minimum Setbacks – buildings and structures													
Rear or side lot line = 3.0 m	0.0 m	YES											
Maximum Lot Coverage													

25%	<25%	No
Home-based accommodation		
Contained within principal dwelling unit?	Yes	No
No more than three bedrooms?	1 bedroom	No
Accessory to active residential use?	Yes	No
Maximum Building Height		
Principal residential = 9.0 m	<9.0 m	No
Accessory buildings = 6.0 m	6.47 m	YES
Parking		
One per single family residential dwelling unit	1	No
One per rental room in a home-based guest accommodation	1	No

Applicable LUB regulations:

2.4 Home Occupation Regulations

1 A home occupation, when permitted in any zone, shall be subject to regulations 2 to 16 of this section.

Permitted Home Occupation Uses

2 The following uses, and no other uses, are permitted as home occupations

- **home-based guest accommodation**
- artist or artisan studios, including sale of products produced on site
- general business offices
- professional offices, including health services
- personal services
- welding shops, including sale of products produced on site
- manufacture, repair and assembly of goods
- sale of agricultural products produced on-site
- trades-person offices including storage of tools of the trade
- daycare
- food processing
- automobile repair and maintenance on lots larger than 2.0 hectares

Home-based Guest Accommodation


18 Despite Regulation 11 of this section, home-based guest accommodation must be contained within the principal dwelling unit.

19 Unless otherwise permitted in Part 3 of this Bylaw, a home occupation providing home-based guest accommodation shall have no more than three bedrooms, with a maximum of two beds each, which may be rented to transient paying guests.

20 Meals may be served to transient paying guests in a home occupation providing home-based guest accommodation.

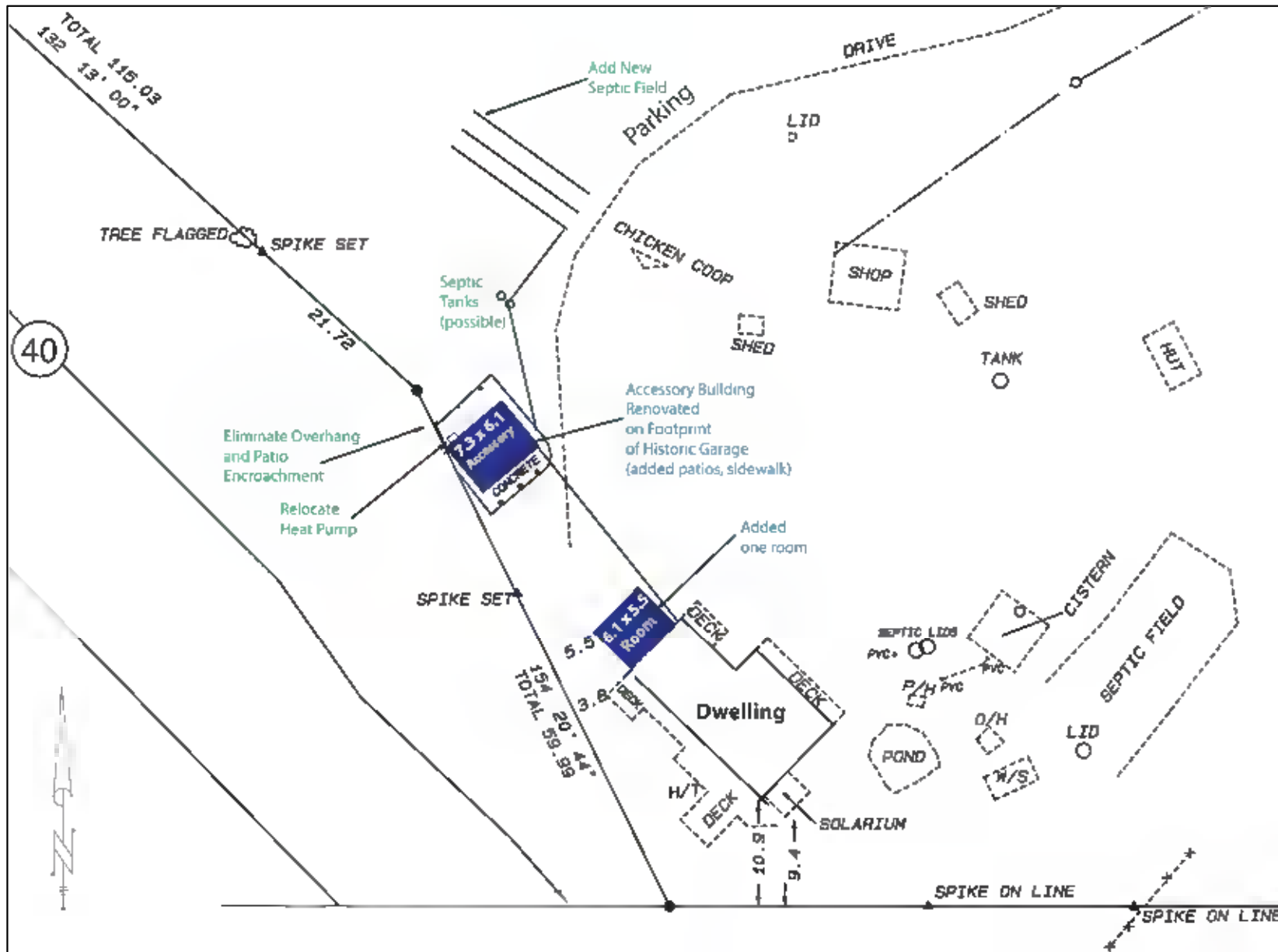
	<p>21 A second set of cooking facilities may be provided in a residence which provides home-based quest accommodation, in accordance with the provisions of this bylaw, to allow for transient paying guests to prepare their own meals.</p> <p>guest accommodation means accommodation provided for a fee to the travelling public, for a total length of stay of not more than 6 consecutive weeks and a total of 45 days in any one calendar year</p> <p>3 ZONE REGULATIONS 3.3 Residential Zoning Tables</p> <p>Table 1 - Permitted Uses Principal Uses 1 Residential ✓ 3 Parks ✓ 4 Utilities ✓</p> <p>Accessory Uses 5 Home occupation uses listed in Section 2.4 accessory to a principal residential use ✓</p> <p>Table 3 - Density of Uses, Buildings and Structures 1 Minimum lot area per principal single family dwelling unit – 4.0 ha 4 Maximum combined lot coverage of buildings and structures – 25%</p> <p>Table 4 – Height 1 Maximum height of principal buildings and structures – 9.0 m 2 Maximum height of buildings and structures accessory to a residential use – 6.0 m</p> <p>Table 5 - Setbacks In addition to regulations 1 to 5 in Section 2.3, the following setbacks apply 1 Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy</p> <ul style="list-style-type: none"> • from the front lot line – 7.5 m • from the rear or side lot line – 3.0 m • from the exterior side lot line – 4.5 m
Other Regulations	Short-Term Rental Accommodations Act
Covenants	Covenant P48162 – Ministry of Environment and Islands Trust: Additional setback and elevation requirements from natural boundary of streams, lakes, wetlands, and the sea.
Bylaw Enforcement	DE-BE-2026.1 – land use violation; building without permits; structures located within required setback areas.

SITE INFLUENCES

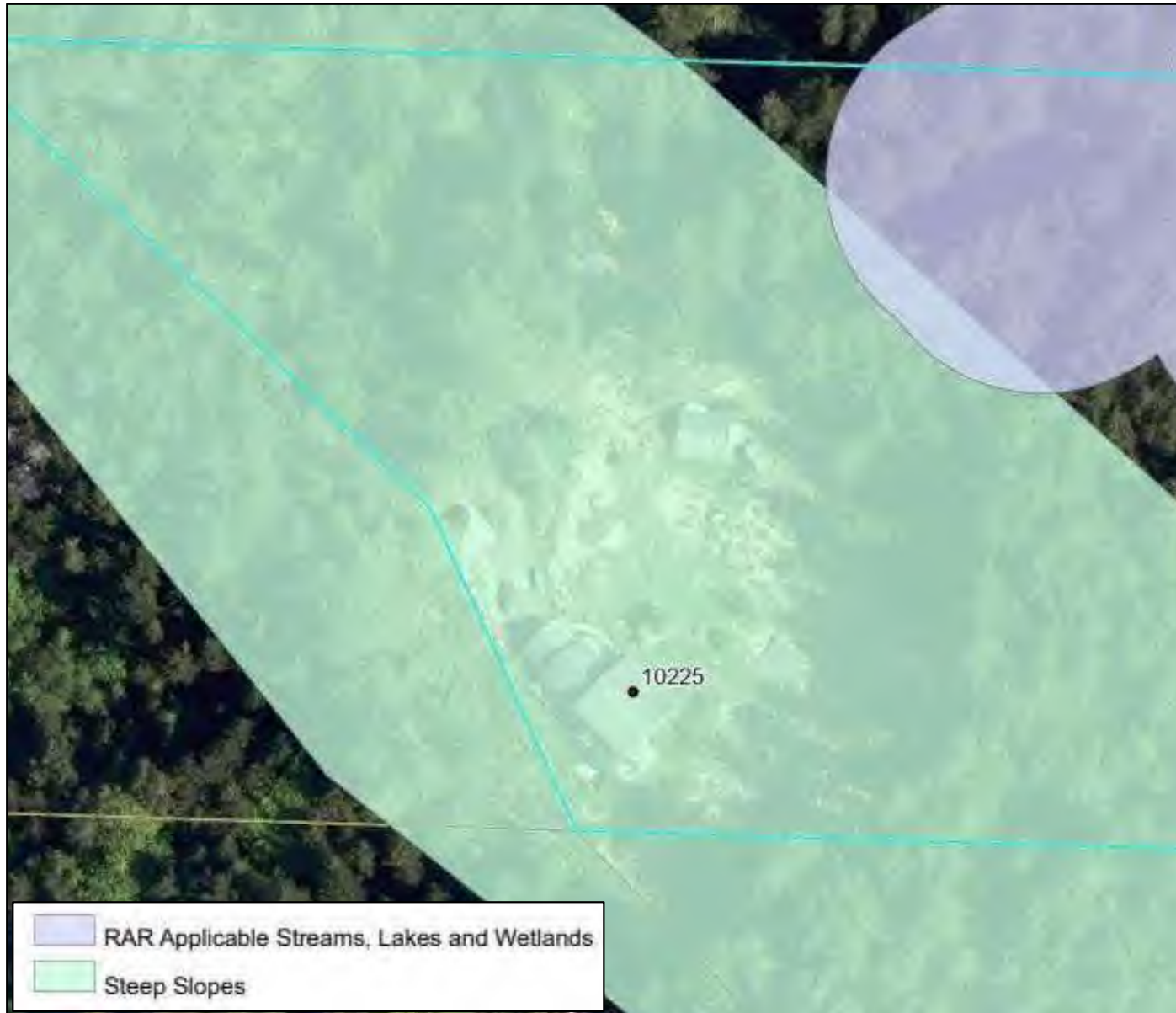
Islands Trust Conservancy	These applications do not directly affect an ITC-owned property or conservation covenant; nor do they directly affect a property adjacent to an ITC-owned property or conservation covenant. They do not pertain to terrestrial or intertidal Crown land located within 100m of an ITC-owned property or conservation covenant. However, the property is located in the vicinity of the Morrison Marsh Nature Reserve and the applications will be shared with Islands Trust Conservancy staff for information.
Regional Conservation Strategy	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition is MEDIUM for this property.
Species at Risk	None mapped.
Sensitive Ecosystems	<p>The subject property is near an area mapped as a Coastal Douglas-fir moist maritime mature forest and wetland/swamp sensitive ecosystem. However, the proposed area of these applications is outside of the mapped mature forest area:</p> 
Hazard Areas	<p>None mapped. Existing development appears adjacent to a mapped steep slope area, and is within Development Permit Area No. 2 – Steep Slopes.</p> <p><i>Impact Assessment and Restoration Plan</i> prepared by Current Environmental Ltd. on March 23, 2026 addresses the impacts of development on steep slope habitat, as well as protection, restoration and enhancement of the habitat as part of the applications.</p>
Archaeological Sites	<p>Remote Access to Archaeological Data (RAAD) does not indicate any recorded archaeological sites on the property or areas of archaeological potential within 100 metres of the subject property.</p> <p>Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is</p>

	encountered during development, all work should cease and the BC Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Staff do not anticipate any greenhouse gas emission changes resulting from approval of the proposed permits. Staff do not anticipate any climate change induced hazards arising from permit approval.
Shoreline Classification	N/A – not waterfront
Shoreline Data in TAPIS	N/A – not waterfront

2.2 SITE PLAN



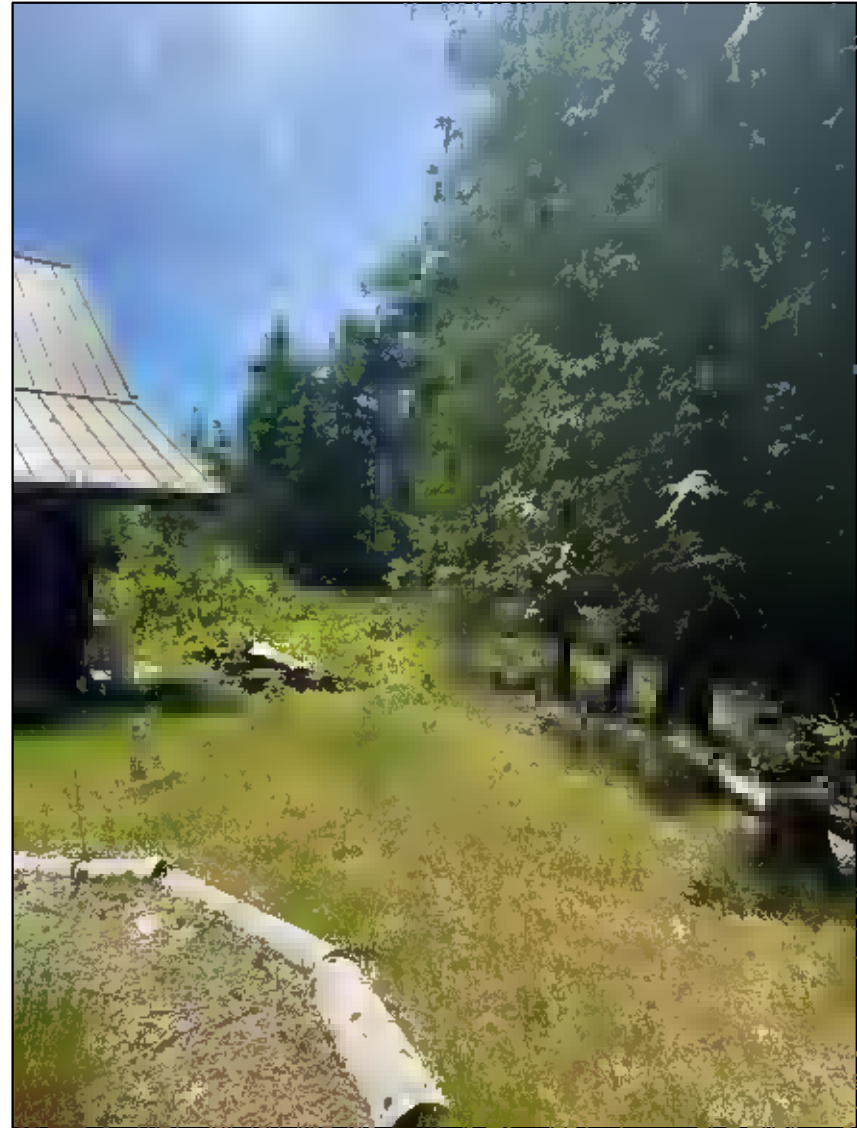
2.3 ORTHOPHOTO & DPA 2: STEEP SLOPES



2.4 STEEP SLOPE CONTOURS



2.5 ACCESSORY BUILDING, CLEARED AREA, AND ADJACENT PROPERTY (FACING SOUTH)



2.6 SINGLE-FAMILY DWELLING – ADDITION



Permit Application Narrative

ATTACHMENT 3

Retroactive Development Permit and Development Variance Permit

Property: 10225 Greenhill Road, Denman Island
Submitted by: Brad Hornick
Application Focus: Existing Accessory Building, one-room extension to the dwelling, associated site works, and related variance matters

1. Purpose and Requested Approvals

This narrative supports an application for a retroactive Development Permit and related Development Variance Permit for 10225 Greenhill Road, Denman Island. The purpose is to regularise completed work within the applicable Islands Trust planning framework.

The application concerns an existing Accessory Building, a one-room extension to the dwelling, and associated site conditions within or near Development Permit Area No. 2: Steep Slopes.

The requested approvals are limited to:

- a retroactive Development Permit to regularise the existing Accessory Building, the one-room extension, and associated site works within or near the applicable Development Permit Area; and
- a Development Variance Permit to address existing siting, setback, and encroachment matters associated with the Accessory Building and related site features.

No new building construction, structural expansion, increase in residential density, change in access, or change in residential use is proposed.

2. Property Context and Existing Development

The property is a rural residential parcel located at 10225 Greenhill Road on Denman Island. It is zoned R2 - Residential Two and is used for residential purposes.

The property contains an existing dwelling, an existing Accessory Building, driveway access, and associated residential and accessory site improvements. No change to driveway or site access is proposed.

The western portion of the property is subject to Development Permit Area No. 2: Steep Slopes. The Accessory Building, one-room extension, and associated site works are located within or near this mapped Development Permit Area.

A survey plan (produced by *Peter Mason*) has been prepared showing property boundaries, existing structures, and relevant dimensions. This information supports the Development Variance Permit by confirming the location of the Accessory Building and related site features in relation to the property boundary.

A garage or accessory structure existed historically on the property and appears on earlier site documentation. The existing Accessory Building was constructed within the footprint of the historic accessory-structure. A sidewalk/patio surface was also added around the Accessory Building for safety and usability.

The one-room extension was constructed onto the dwelling within a previously disturbed driveway area rather than within an intact natural area.

3. Existing and Proposed Uses

The existing use of the property is residential, and the proposed use remains residential.

The dwelling will continue as the residential building on the property. The one-room extension is part of the dwelling. The Accessory Building will remain accessory and subordinate to the residential use of the property.

The Accessory Building is not proposed as a dwelling unit or separate dwelling space. The one-room extension contains no plumbing and does not create a separate dwelling unit.

No commercial, industrial, professional, client-based, or home occupation use is proposed. The application does not propose a new or intensified use, or an increase in residential density associated with either the Accessory Building or the one-room extension.

4. Accessory Building

The Accessory Building is an existing detached accessory structure located near the dwelling. It is incidental and subordinate to the residential use of the property.

The building is presently used as a craft studio and is proposed to remain in an accessory use. It is not intended as a separate dwelling space and does not form the basis for any request for additional residential density.

The work associated with the Accessory Building was completed without the required Development Permit, Siting and Use Permit, or variance. The applicants acknowledge this and recognise that the work should have been reviewed and authorised through the appropriate Islands Trust process before construction.

The applicants have prepared floor plans, written confirmation, and other documentation requested by Islands Trust staff to confirm the building's accessory configuration and use.

At the northwest corner of the Accessory Building, a small triangular portion of the roof overhang and a smaller portion of the sidewalk/patio project beyond the property boundary. The affected portion is limited to the roof overhang and cement patio only; it does not involve the building wall, foundation, or floor area. The proposed cut-back is an obtuse triangular area approximately three feet at its widest point at the outer roof corner, tapering back along the roof edge. The applicants propose to have this minor overhang projection trimmed by a qualified carpenter so the roofline is brought fully within the property boundary, as with a smaller portion of the cement patio.

5. One-Room Extension to Dwelling

The application includes a one-room extension to the dwelling. The extension was constructed without the required permit, and the applicants acknowledge that the work should have been reviewed and authorised through the appropriate Islands Trust process before construction.

The extension is limited in scope. It consists of a single, single-storey room, contains no plumbing, does not create a separate dwelling unit, requires no servicing change, and was constructed within a previously disturbed driveway area.

The extension has been used seasonally as short-term accommodation (Airbnb). It is registered with the Ministry of Housing and Municipal Affairs - Registration # H359817725.) The room is accessed as part of the dwelling and functions as a bedroom within that dwelling, rather than as a self-contained unit.

The purpose of including the extension in this application is to regularise the completed work and ensure that any applicable Development Permit, environmental, siting, or documentation requirements are properly addressed.

6. Boundary, Setback, Encroachment, and Corrective Works

Professional survey review has identified siting and boundary issues associated with the Accessory Building and related site features, including:

- setback non-compliance associated with the Accessory Building;
- a roof overhang at the northwest corner extending beyond the property line;
- a sidewalk/patio concrete area at the same corner extending beyond the property line; and
- related siting matters requiring variance review or corrective work.

The applicants seek to address these matters through the Development Variance Permit process, supported by reasonable corrective measures, including:

- trimming or modifying the roof overhang at the northwest corner of the Accessory Building;
- removing or modifying the sidewalk/patio surface at that corner to bring it within the property boundary;

- relocating the existing heat pump;
- restoring disturbed areas where appropriate; and
- providing updated plans, elevations, photographs, or survey confirmation as requested by Islands Trust staff.

7. Development Permit and Environmental Rationale

The Development Permit is requested retroactively because the Accessory Building, one-room extension, and associated site works are located within or near Development Permit Area No. 2: Steep Slopes.

The Environmental Impact Assessment prepared for this application by the firm *Current Environmental* concludes that “while historic clearing and development has occurred within DPA 2, effects to the steep slope and associated habitat were negligible,” and that the site has strong capacity for continued natural recovery if protected from further disturbance.

The applicants recognise the importance of protecting the steep slope area and are prepared to comply with Development Permit conditions, including:

- avoiding further vegetation clearing within the Steep Slopes Development Permit Area without appropriate review;
- retaining existing native vegetation and coarse woody debris where appropriate;
- protecting the slope edge and adjacent vegetation;
- managing invasive species, including English holly and Scotch broom;
- undertaking native enhancement planting where directed;
- supporting continued natural recovery of previously disturbed areas; and
- implementing additional reasonable environmental conditions recommended through staff review.

Regularising the existing development through a retroactive Development Permit, together with appropriate environmental conditions, provides a practical way to resolve the outstanding permit issue while protecting the environmental values of the property.

8. Servicing, Parking, and Site Intensity

The application does not propose an increase in residential density, a change in residential use, or any new or intensified use.

The Accessory Building is not intended as a dwelling and no kitchen is proposed. The one-room extension contains no plumbing and requires no servicing change.

The applicants intend to retain a qualified wastewater professional to review wastewater servicing for the Accessory Building. Depending on that review, the Development Permit should allow for either registration of a modified existing system or installation of an independent septic system or septic field, if deemed necessary.

Plans for a potential septic system are shown on the site map provided to Islands Trust. The environmental assessment from *Current Environmental* reviewed the potential septic system area and concludes that the work is unlikely to impact steep slope habitat.

Because no additional residential density or new use is proposed, parking and site intensity should be assessed in relation to the existing residential use, the Accessory Building, and the one-room extension as described in this narrative.

9. Planning Rationale

The application is corrective and limited in scope. It seeks to regularise existing development and resolve related siting, setback, encroachment, and Development Permit matters. It does not seek additional residential density, a change in use, a new dwelling unit, or new building construction.

The planning rationale is based on the following:

1. The Accessory Building is accessory and subordinate to the residential use of the property. It is located near the existing developed area and is used as a craft studio.
2. The Accessory Building was constructed primarily within an established accessory-structure footprint, rather than creating an entirely new developed area on the property.
3. The Accessory Building is not proposed as a dwelling. No kitchen is proposed, no additional density is requested, and the building is not intended as a separate dwelling space.
4. The one-room extension is limited in scope. It forms part of the dwelling, consists of a single room, contains no plumbing, creates no separate dwelling unit, requires no servicing change, and was constructed within a previously disturbed area.
5. The application is limited to existing development. No new building construction, structural expansion, new or intensified use, or change to site access is proposed.
6. The environmental impacts are limited and manageable. The environmental assessment concludes that effects on the steep slope and associated habitat are negligible and that the site has strong potential for continued natural recovery.
7. Corrective work can reduce non-compliance. The applicants are prepared to trim or modify roof overhangs, remove or modify concrete or patio surfaces, relocate the heat pump, restore disturbed areas, and provide updated survey or plan information as requested.
8. A variance provides a practical regularisation pathway. The existing structure and related features can be addressed through a Development Variance Permit, supported by accurate survey information, environmental mitigation, and reasonable conditions.

The applicants respectfully submit that the requested Development Permit and Development Variance Permit provide an appropriate and proportionate means of resolving the existing planning issues on the property.

10. Supporting Materials

The following materials are expected to support the application:

- completed Development Permit application form;
- completed Development Variance Permit application form;
- current title search;
- site plan showing existing buildings, property boundaries, setbacks, parking areas, and relevant site features;
- survey information confirming the location of the Accessory Building, one-room extension, and related features;
- floor plan of the Accessory Building;
- photographs of the Accessory Building, one-room extension, and relevant site conditions;
- environmental assessment and restoration plan from Current Environmental;
- description of proposed corrective works;
- servicing confirmation, if required;
- confirmation that the Accessory Building is not intended as a dwelling; and
- any additional information requested by Islands Trust staff.

11. Requested Approval

The applicants respectfully request issuance of:

1. a retroactive Development Permit to regularise the Accessory Building, the one-room extension to the dwelling, and associated site works within or near Development Permit Area No. 2: Steep Slopes; and
2. a Development Variance Permit to address existing siting, setback, and encroachment issues associated with the Accessory Building and related site features.

The applicants request that the application be considered on the basis that the Accessory Building is accessory to the residential use of the property, that the one-room extension forms part of the dwelling, and that the application does not seek additional residential density, a home occupation, or a separate dwelling unit.

The applicants are committed to working constructively with Islands Trust staff to finalise the necessary drawings, variance wording, environmental conditions, servicing confirmation, and corrective measures required to complete the review.

**Denman Island OCP Bylaw No. 185, 2008
Development Permit Area No. 2: Steep Slopes (DPA 2)**

Guideline	Complies?	Staff Comments
<p>Guideline 1: A development permit is required as follows: 1. Alteration of land by the cutting or removing of trees: i. on land that:</p> <ul style="list-style-type: none"> • is not classified as managed forest land under the Assessment Act; and • is not the subject of a valid and subsisting woodlot license or tree farm license under the Forest Act; and <p>ii. where the quantity cut or removed from the land is to exceed four trees smaller than 30 cm dbh and one tree equal to or larger than 30 cm dbh per parcel in any period of five consecutive calendar years.</p> <p>2. Development of any impervious surfaces. 3. Construction of buildings or structures.</p> <p>All other land alteration or development is exempt from the requirements of this development permit area.</p>	<p>Yes</p>	<p>Construction of a building or structure and tree removal (even retroactively) triggers the requirement for a development permit.</p> <p>Application proposes permitting works completed in DPA 2 as follows:</p> <ul style="list-style-type: none"> • Minor clearing atop the slope including removal of six western red cedar/Douglas-fir trees; • Construction of an accessory building on the footprint of an historic garage, including a concrete patio and sidewalk surrounding the building; and • Construction of a new addition to the existing principal dwelling. <p>Application also proposes installation of a new septic system for the accessory building, and removal of part of the roof overhang and cement patio that encroaches onto the neighbouring property.</p>
<p>Guideline 2: Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply.</p>	<p>N/A</p>	<p>Development Permit Area No. 4: Streams, Lakes and Wetlands applies to part of the eastern portion of the property, but does not overlap with the proposed or completed development.</p>

Guideline	Complies?	Staff Comments
<p>Guideline 3: No cutting or removal of trees shall be permitted in this development permit area unless development approval information in the form of an environmental impact assessment is provided by the applicant which indicates that the impact of the cutting or removal of trees is unlikely to have harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats.</p>	<p>Yes</p>	<p>Six trees have already been cut in approximately 2020-2021, with stumps and woody debris left in place. Vegetation below the cleared areas remains intact. There are no adjacent marine areas. The eastern portion of the property contains several vegetated wetlands and ditches, well beyond the extent of the cleared area.</p> <p>The impact of the tree removal on the steep slope habitat is identified in the <i>Impact Assessment and Restoration Plan</i> prepared by Registered Professional Biologists which states that, “Given this work occurred atop of the slope and was minor in nature, there are no anticipated negative impacts to the slope or the ecosystem at large”.</p> <p>Conditions for native vegetation retention, invasive species removal, and replanting have been included in the proposed DP.</p>
<p>Guideline 4: Cutting or removing of trees should be done in accordance with a plan certified by a Registered Professional Forester or Registered Professional Biologist to maintain, enhance, or restore a well-developed forest ecosystem that includes:</p> <ol style="list-style-type: none"> 1. a diversity of native tree species, 2. presence of large old trees, 3. diverse community of native understory plants, 4. any uncommon or endangered plants or plant communities that may be present, and 5. other features that contribute to high value wildlife habitat. 	<p>Yes</p>	<p>The <i>Impact Assessment and Restoration Plan</i> prepared by Registered Professional Biologists addresses restoration of previously disturbed areas as well as retention of trees and shrubs during installation of the proposed septic system:</p> <p><i>“The 10 m by 10 m forested area north of the accessory building that was previously cleared and filled and has potential for restoration planting to provide ground cover, further stabilize soils, and limit opportunities for Scotch broom re-establishment near the steep slope habitat. Soils exposed during the installation the proposed septic system for the accessory building are also recommended for restoration planting where possible. No trees or established shrubs are anticipated for removal or disturbance as a result of the proposed septic works.”</i> (Pg. 11)</p> <p><i>“Since portions of the nearby forest within DPA 2 and DPA 4 have been minorly colonized by English holly and Scotch broom, <u>invasive species removal and management are recommended to prevent further spread and to allow native vegetation to establish naturally. No additional clearing should occur within the Steep Slope DPA without a new assessment of the proposed works, and all native vegetation on the slope west of the developments should be allowed to re-naturalize to further stabilize the slope and enhance habitat quality.</u>”</i> (Pg. 11)</p>
<p>Guideline 5: Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.</p>	<p>TBD by LTC N/A</p>	<p>Not recommended by the <i>Impact Assessment and Restoration Plan</i> due to the minor nature of the proposed development. The LTC may require a security if desired.</p> <p>Condition has been added for QEP follow-up monitoring and report letter to Islands Trust three years from permit issuance.</p>

Guideline	Complies?	Staff Comments
<p>Guideline 6: On receipt of a final report or written request, as stipulated in the development permit, the local trust committee shall return the security, minus any amount required to correct any damage to the natural environment caused by a contravention of a condition in the development permit (see Appendix B).</p>	<p>TBD by LTC N/A</p>	<p>See above. The LTC may require a security if desired.</p>
<p>Guideline 7: Development permits issued in Development Permit Area No. 2: Steep Slopes should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.</p>	<p>Yes</p>	<p>Condition has been added for QEP follow-up monitoring and report letter to Islands Trust two years from permit issuance.</p>



PROPOSED

ATTACHMENT 5

DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PL-DP-2026-0052

To: **Heather D. Neun and Bradley A. Hornick**

1. This Development Permit (the "Permit") applies to:

PID: 004-360-389

LOT 10, SECTION 7, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 43740

2. Whereas the subject area as described above lies within "Development Permit Area No. 2: Steep Slopes" designated under *Denman Island Official Community Plan Bylaw No. 185, 2008*, this development permit is issued under *Denman Island Land Use Bylaw No. 186, 2008* that authorizes the following:

- **an existing accessory building;**
- **an existing addition to the single family dwelling unit;**
- **removal of part of a roof overhang and cement patio structure; and**
- **installation of a septic system including dispersal field,**

in accordance with the location and dimensions as shown in Schedule 'A' attached to and forming part of this permit.

3. The Permit is subject to the following conditions:

3.1 There shall be no development or land alteration except as in accordance with Schedule 'A' – Site Plan.

3.2 All development shall conform to all specific measures to protect and maintain sensitive ecosystems identified within the *Impact Assessment and Restoration Plan*, attached as Schedule 'B'.

3.3 There shall be no tree cutting or shrub removal as a result of the septic system installation.

3.4 The 10 metres by 10 metres cleared area north of the accessory building atop the slope shall be replanted with native shrubs to provide ground cover, such as Nootka rose, red flowering currant, red huckleberry, yarrow and dull Oregon grape two years from the date of issuance of this permit (by June XX, 2028) to the satisfaction of a Qualified Environmental Professional (QEP).

3.5 Invasive species removal of Scotch broom and English holly shall be performed according to the following best practices and within two years from the issuance of this permit (June XX, 2028):

- Conducting removal activities when the plants are blooming (before seed pods mature for Scotch broom), typically in late spring; or in late fall/winter when soils are moist.
- Younger plants should be hand-pulled when soils are moist, which facilitates root removal while minimizing soil disturbance, or cut at the base.
- Mature plants should be cut just below the soil surface, and efforts should be made to avoid excessive digging that could disturb the seed bank or increase erosion risk.
- Flowering or seeding material should be bagged (for smaller volumes) or carefully transported in a covered load (trailer or truck) and removed from the site to prevent re-establishment.
- Follow-up monitoring should be conducted annually to identify and remove any new seedlings until the native plant community becomes well established.
- Soil disturbance should be minimized, and existing native vegetation and coarse woody debris should be retained.
- No additional clearing or development shall occur within DPA 2 without a new environmental impact assessment to confirm that the proposed works will not negatively affect slope stability or ecological values.

3.6 Follow-up monitoring shall be conducted by a Qualified Environmental Professional (QEP) at the property owner's expense, two years from the date of issuance of this permit (by June XX, 2028) to assess the efficacy of invasive removal activities and replanting, and recommend any additional measures to ensure the long-term establishment of the native plant communities on the property.

3.7 A report by the QEP shall be provided in the form of a letter acceptable to Islands Trust in order to complete fulfilment of the conditions of this permit.

4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
6. This permit does not relieve the applicant from complying with the provisions of the *Denman Island Official Community Plan Bylaw No. 185, 2008* and the *Denman Island Land Use Bylaw No. 186, 2008*, nor does it provide permission to construct any works without other lawfully required approvals and permits necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF MONTH, 2026.

Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, 2028,
THIS PERMIT AUTOMATICALLY LAPSES.**

PROPOSED



DENMAN ISLAND LOCAL TRUST COMMITTEE

PL-DP-2026-0052

SCHEDULE 'B'

Impact Assessment and Restoration Plan

Prepared by Current Environmental Ltd.

[Begins on next page]

PROPOSED

1. INTRODUCTION

This letter report is intended to inform the Islands Trust of the current biophysical state of the subject property at 10225 Green Hill Road on Denman Island. There is an Islands Trust *Development Permit Area (No. 2: Steep Slopes)* on the subject property relating to a steep cliff band/slope that runs northwest to southeast in the center of Denman Island. The property owners recently added an attached suite to the existing single-family residence and constructed a detached accessory building, with associated clearing around the residences within the DPA on their property, without an environmental assessment or relevant permits. The Denman Island Land Use Bylaw 186¹ requires that an environmental impact assessment be conducted indicating that “the impact of the cutting or removal of trees is unlikely to have harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats,” ahead of tree removal within the Steep Slopes DPA. As such, this report serves as a retroactive impact assessment and restoration plan, pursuant to Bylaw 186.

Specific objectives of this report include the following:

1. Identify impacts to sensitive ecological features within the Steep Slopes DPA and throughout the subject property.
2. Identify potential for rare occurrences of wildlife, plants, and plant communities in and around the subject site that may have been impacted by proposed work.
3. Discuss opportunities for sensitive habitat protection and/or restoration as needed.

2. BACKGROUND

The subject property is a 12.79-acre parcel located at 10225 Green Hill Road on Denman Island within Islands Trust Area (Figure 1). The property bears the PID 004-360-389 and is approximately centred at 49° 29' 40"N 124° 43' 62"W. The subject property is zoned Rural Residential (R2). Land use immediately surrounding the subject property is characterized by R2 properties to the north, south, and west and Conservation (CN) and Agriculture (A) zoned properties and Green Hill Road to the east.

The subject property is highest at the site of the developments with a steep slope southwest beyond the western property line and a more gradual slope eastward through the remainder of the property. The steep slope exists beyond the western property line, with no steep slopes within the property boundaries (Figure 1). The Islands Trust *Development Permit Area No. 2: Steep Slopes* (hereafter DPA 2) overlaps with the subject property along the western boundary approximately 100 m to 160 m into the property.

Pre-existing development on the subject property prior to recent unpermitted developments includes a dwelling in the western portion of the lot at the top of the steep slope, several accessory buildings to the east of the dwelling, and an access driveway leading east providing access from Green Hill Road.

¹ Islands Trust. (2024). Denman Island Land Use Bylaw. Bylaw No. 186, 2008. Accessed from: <https://islandstrust.bc.ca/document/denman-ltc-land-use-bylaw-no-186/>

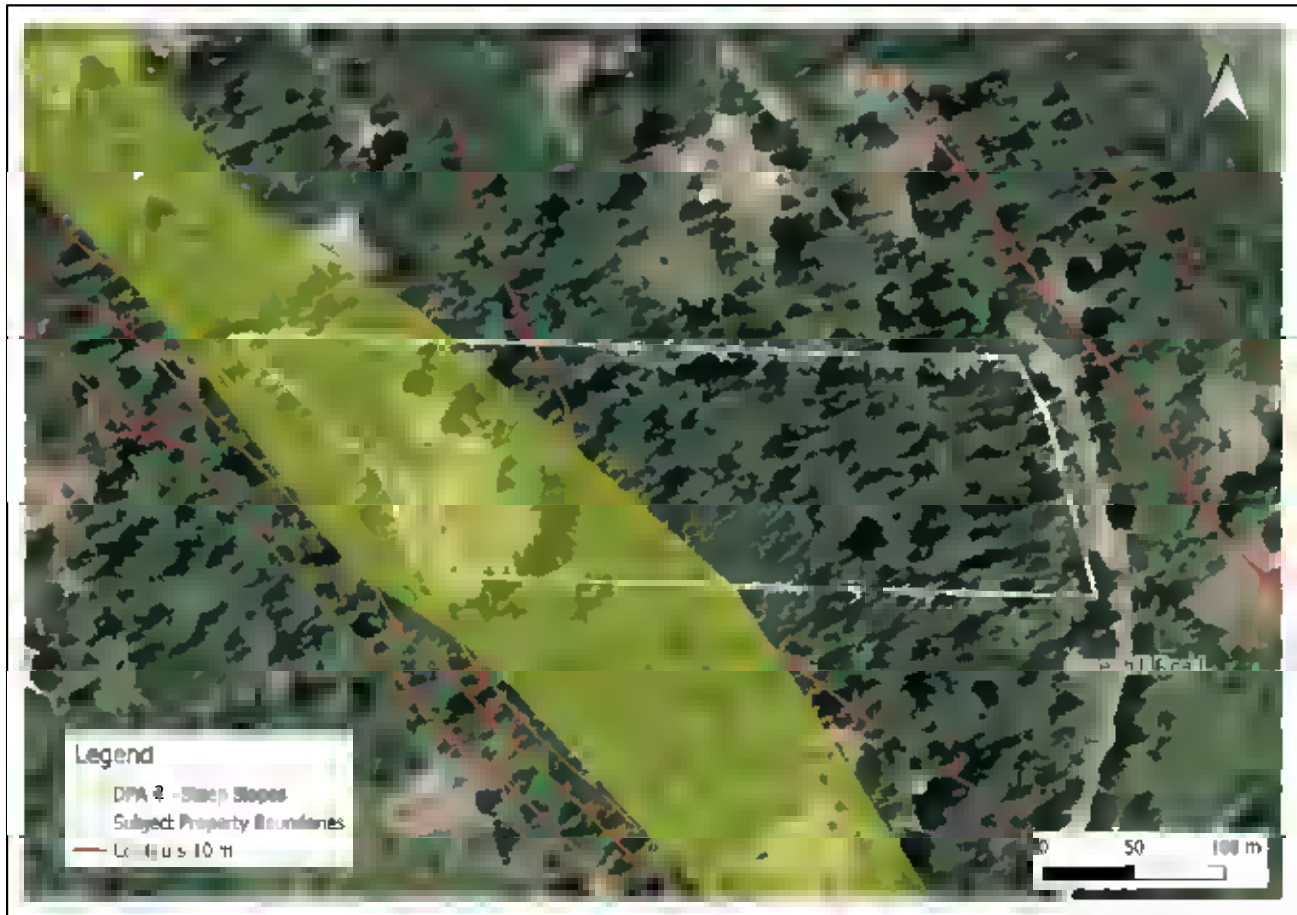


FIGURE 1. LOCATION OF THE SUBJECT PROPERTY ON DENMAN ISLAND WITHIN THE COMOX VALLEY REGIONAL DISTRICT AND ISLANDS TRUST AREA.

2.1 DEVELOPMENT WITHIN THE STEEP SLOPES DPA

This assessment addresses changes that occurred within the DPA without a development permit as well as proposed changes to complete the unpermitted developments. The initial unpermitted developments included the construction of a suite attached to the existing dwelling (2020, photo 1), a detached accessory building on an existing garage footprint (2021, photo 2), and associated land clearing (photo 3) and filling (photo 4).

Additional developments are proposed within DPA 2 (Figure 2) and include:

- 1) Removal of a portion of the roofline of the new accessory building, as it overhangs beyond the western property boundary; and
- 2) Installation of a new septic system for the accessory building, allowing it to be an entirely independent building as required by local building code. The system will be installed below ground, and no healthy, mature trees or tree roots are anticipated or permitted to be disturbed during the installation.



FIGURE 2. OVERVIEW MAP SHOWING THE UNPERMITTED DEVELOPMENTS (RED) AND THE PROPOSED DEVELOPMENTS (GREEN) WITHIN DPA 2 AND THE WESTERN PROPERTY BOUNDARY (WHITE LINE).

3. METHODOLOGY

3.1 BACKGROUND REVIEW

Background information on Environmentally Sensitive Areas (ESAs) located within or in proximity to the subject property was obtained from the following sources:

1. Comox Valley Regional District (CVRD) iMap²
2. Islands Trust Sensitive Ecosystem Mapping: Denman Island³
3. BC Conservation Data Centre iMap and Ecosystems Explorer⁴

² Comox Valley Regional District (2025). CVRD iMap 2.2. Accessed from: <https://mapviewer.imaptoo.ca/secure/>

³ Denman Island Ecosystems Mapping. (2001). Islands Trust. Accessed from: <https://islandstrust.bc.ca/mapping-resources/mapping/denman/>

⁴ B.C. Conservation Data Centre: CDC iMap (2025). Ministry of Environment, Victoria, B.C. Accessed from: <http://maps.gov.bc.ca/ess/hm/cdc/>

4. Sensitive Ecosystems Inventory (SEI)⁵
5. Wildlife Tree Stewardship Atlas (WiTS)⁶
6. Great Blue Heron (GBHE) Management Team Atlas⁷
7. Habitat Wizard⁸
8. Sensitive Habitat Inventory Mapping (SHIM)⁹
9. LiDAR Portal BC¹⁰
10. Aerial imagery

3.2 FIELD ASSESSMENT

A ground-level assessment of aquatic/terrestrial habitats and species was conducted on February 27, 2026. The focus of this field assessment was in and around the areas where vegetation clearing and new construction occurred in 2020-2021 and the overlap with the Steep Slopes DPA 2. However, as part of the biophysical assessment, the entire property was scanned to ensure that all Environmentally Sensitive Areas (ESAs) on the property were inventoried. The following sections provide additional detail on specific inventory methods.

3.2.1 Watercourses and Wetlands

Methodologies employed for the classification and delineation of watercourses and wetlands was based primarily on standards adapted from the *BC Riparian Areas Protection Regulation (2019)*, *Wetlands of British Columbia – A Guide to Identification*¹¹ (MacKenzie, 2004), *The Canadian Wetland Classification System* (Warner, 1997), *Indicator Plants of Coastal British Columbia* (Klinka 1989), and the *Resources Inventory Committee of British Columbia Reconnaissance (1:20,000) Fish and Fish Habitat Inventory: Standards and Procedures Version 1.1* (March 1999).

The US Army Corps of Engineers wetland delineation methodology, and specifically the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0, 2010)*¹² was used as guidance in assessing wetlands on site as needed. Provincial LiDAR layers were projected in GIS Mapping ahead of the site visit to help guide the field assessment of wetlands and watercourses on site; however, all ESAs on site were ground-truthed during the field assessment.

⁵ Sensitive Ecosystems Inventory (2026). Georgia Basin Habitat Atlas. Accessed from: <https://cmnmaps.ca/GBHA/>

⁶ Wildlife Tree Stewardship (WiTS) Program (2026). Nest Tree Report. The Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/wits/>

⁷ Great Blue Heron (GBHE) Management Team (2026). The Community Mapping Network. Accessed from: <http://cmnmaps.ca/GBHE/>

⁸ Ministry of Environment and Climate Change (2026). Habitat Wizard. Accessed from: <https://maps.gov.bc.ca/ess/hm/habwiz/>

⁹ Sensitive Habitat Inventory Mapping Atlas (2026). Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/SHIM/>

¹⁰ LidarBC. (2026). Province of British Columbia. Accessed from: <https://lidar.gov.bc.ca/pages/download-discovery>

¹¹ MacKenzie, W.H, and J. R. Moran. (2014). *Wetlands of British Columbia: A Guide to Identification*. BC Ministry of Forests.

¹² US Army Corps of Engineers: Engineer Research and Development Center. (2010). *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*.

3.2.2 Terrestrial Habitat and Species

Survey methods for terrestrial elements or Environmentally Sensitive Areas (ESAs) were directed in part by those outlined in *Develop with Care – Environmental Objectives, Best Management Practices and Requirements for Land Developments*¹³ and the *Field Manual for Describing Terrestrial Ecosystems*¹⁴. Vegetation on the subject property was identified with the assistance of *Plants of Coastal British Columbia*¹⁵ and *E-Flora BC: Electronic Atlas of the Flora of BC*¹⁶.

Provincial LiDAR layers were projected in GIS Mapping ahead of the site visit to help guide the field assessment of steep slopes habitat on site; however, all ESAs on site were ground-truthed during the field assessment.

3.2.3 Avian Habitat

An office-based assessment of avian habitat and nesting on the subject property was completed using the *Wildlife Tree Stewardship Atlas*¹⁷ and the *Great Blue Heron Atlas*¹⁸. The on-site assessment was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*¹⁹.

3.2.4 Species and Ecosystems at Risk

An office-based assessment of Species and Ecosystems at Risk occurrences on the subject property was completed using the *CDC BC Species and Ecosystems Explorer*²⁰. The on-site assessment of species and ecosystems at risk was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*.

¹³ BC Ministry of Environment. (2014). Accessed from: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

¹⁴ BC Ministry of Environment Lands and Parks and BC Ministry of Forests - Research Branch, 2010.

¹⁵ MacKinnon, A., & Pojar, J. (2004). *Plants of Coastal British Columbia Including Washington, Oregon & Alaska*. Lone Pine Pub.

¹⁶ *Electronic Atlas of the Flora of British Columbia*. (2026). Lab for Advanced Spatial Analysis, Department of Geography, University of British Columbia, Vancouver. Accessed from: <https://linnet.geog.ubc.ca/biodiversity/eflora/index.html>

¹⁷ Wildlife Tree Stewardship (WiTS) Program (2026). Nest Tree Report. The Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/wits/>

¹⁸ Great Blue Heron (GBHE) Management Team (2026). The Community Mapping Network. Accessed from: <http://cmnmaps.ca/GBHE/>

¹⁹ BC Ministry of Environment. (2014). Accessed from: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

²⁰ B.C. Conservation Data Centre: CDC iMap (2026). Ministry of Environment, Victoria, B.C. Accessed from: <http://maps.gov.bc.ca/ess/hm/cdc/>

4. RESULTS

The following sub-sections describe the findings of the background review and site assessment conducted on February 27, 2026, and are intended to provide a comprehensive description of the physical and biological conditions of the *DPA 2 – Steep Slopes* assessment area affecting the subject property. Discussion on how these findings influence the development are provided in the Discussion/Recommendations section of the report (Section 5).

4.1 WATERCOURSES AND WETLANDS

The eastern portion of the subject property is low lying and contains several vegetated wetlands and ditches. These are well beyond the extent of the completed and proposed development and therefore were not thoroughly assessed or mapped during the site level assessment. The wetlands were largely vegetated with little to no standing water evident. Dominant species in the wetlands included slough sedge (*Carex obnupta*), western swordfern (*Polystichum munitum*) and bulrush (*Schoenoplectus spp.*) (photo 6). Open ditches were observed on both sides of the driveway with standing water throughout (photo 7). Flow from the driveway ditches connect to roadside ditches along Green Hill Road and presumably towards Morrison Marsh, approximately 150m east of the subject property driveway. Fish presence in Morrison Marsh and the roadside ditches are unknown.

The aquatic habitats observed on site are within the mapped boundaries of *DPA 4: Streams, Lakes and Wetlands*, which does not overlap with the site of proposed or completed developments.

4.2 TERRESTRIAL HABITAT AND SPECIES

The subject property is located within the Coastal Douglas-fir Moist Maritime (CDFmm) biogeoclimatic subzone. Intact terrestrial habitat on the subject property and along the steep slope consists primarily of mature Douglas fir (*Pseudotsuga menziesii*) forest with western red cedar (*Thuja plicata*) and red alder (*Alnus rubra*) throughout. The mature forest has an established understory of dull Oregon grape (*Mahonia nervosa*), western swordfern (*Polystichum munitum*), salal (*Gaultheria shallon*), and red huckleberry (*Vaccinium parvifolium*), with some Nootka rose (*Rosa nutkana*) and snowberry (*Symphoricarpos albus*) along forest edges.

Mature invasive English holly (*Ilex aquifolium*) was observed frequently throughout the forested areas, especially near forest edges along Green Hill Road and the driveway (photo 8).

4.2.1 Sensitive Ecosystem Inventory

Sensitive Ecosystem Inventory (SEI) mapping for Denman Island²¹ identifies a single SEI polygon which overlaps with the subject property in the southwest corner (Figure 4). Polygon 4446 covers the inland portion of the steep slope, which continues along the shoreline further south. Polygon 4446 consists of approximately

²¹ Denman Island Ecosystems Mapping. (2001). Islands Trust. Accessed from: <https://islandstrust.bc.ca/mapping-resources/mapping/denman/>

80% young coniferous forest (Douglas-fir–salal, structural stage 4), 10% mature coniferous forest (Douglas-fir–salal, structural stage 5) and 10% rock outcrop.

The vegetation on the subject property along the steep slope is generally consistent with this SEI polygon, as it contains a mixture of mature and young Douglas-fir–salal forest.

Unmapped sensitive ecosystems on the subject property include the BC red-listed ecosystem Douglas-fir / dull Oregon-grape (*Pseudotsuga menziesii* / *Mahonia nervosa*) at the upland sites of the property and the BC blue-listed western redcedar / slough sedge (*Thuja plicata* / *Carex obnupta*) throughout the lower lying portions of the property.

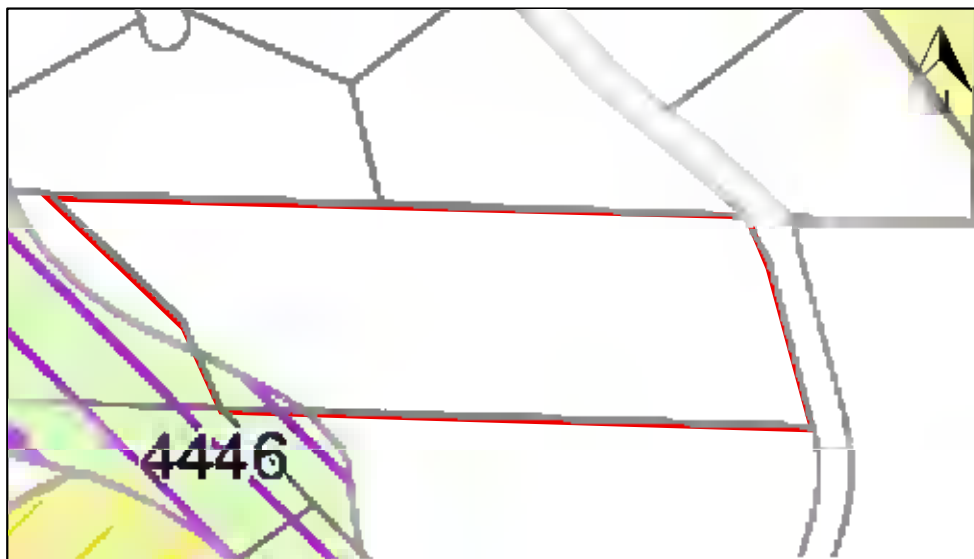


FIGURE 3. SENSITIVE ECOSYSTEM INVENTORY (SEI) POLYGONS LOCATED WITHIN AND ADJACENT TO THE SUBJECT PROPERTY (OUTLINED IN RED). SOURCE: DENMAN ISLAND SENSITIVE ECOSYSTEM MAPPING.

4.2.2 Steep Slope Habitat

The steep slope habitat adjacent to the subject property has a slope ranging between 20-30%, with shale-dominated soils. Vegetation on the steep slope is consistent with that described in under terrestrial habitat (Section 4.2).

The slope exists primarily beyond the western boundary of the subject property, with the developments situated atop the slope. Minor clearing occurred atop the slope which included the removal of six western red cedar/Douglas-fir trees (photo 3) and grubbing of shrubs and infill of an approximately 10 m/10 m area (photo 4). Stumps and woody debris were left in place following the tree clearing. Vegetation below the cleared areas remains intact and appears to be unaffected by the clearing.

4.3 AVIAN HABITAT

There are no confirmed occurrences of avian nesting on the subject property. The nearest identified bald eagle (*Haliaeetus leucocephalus*) nest (BAEA-106-413 'SW Lacon Marsh') is located approximately 660 m southeast of the subject property, and another (BAEA-106-420 'NE Komas N-2') is located approximately 720 m southwest of the subject property (Figure 5). No active great blue heron (*Ardea herodias*) nests were observed or mapped within 2 km of the subject property. No raptor or migratory bird nests were identified during the February 27, 2026, site visit.



FIGURE 4. NEAREST KNOWN BALD EAGLE NESTS IN RELATION TO THE SUBJECT PROPERTY (APPROXIMATE DISTANCE OF 660 M AND 720 M, RESPECTIVELY). SOURCE: [WILDLIFE TREE STEWARDSHIP ATLAS](#).

4.4 SPECIES AND ECOSYSTEMS AT RISK

According to BC Conservation Data Centre, there are no other known species at risk occurrences within 200 m of the subject property. There are occurrences of the provincially blue-listed coastal wood fern (*Dryopteris arguta*) 629 m southwest of the subject property.

Unmapped ecosystems at risk were observed on the subject property during the February 27, 2026 site visit and include the BC red-listed ecosystem Douglas-fir / dull Oregon-grape (*Pseudotsuga menziesii* / *Mahonia nervosa*) at the upland sites of the property and the BC blue-listed western redcedar / slough sedge (*Thuja plicata* / *Carex obnupta*) throughout the lower lying portions of the property.

5. DISCUSSION/RECOMMENDATIONS

The main Environmentally Sensitive Area (ESA) that requires consideration with regards to the completed and proposed development on the subject property is the unique terrestrial habitat located on the steep slopes area. The following sections provide guidance on protecting this ESA.

5.1 STEEP SLOPES: PROTECTION, RESTORATION, AND ENHANCEMENT

As per the Denman Island Official Community Plan Bylaw No. 185 (2024 version), the Steep Slopes DPA on Denman Island was given environmental consideration (in addition to geotechnical consideration) as these areas were classed as environmentally sensitive by Silva Ecosystem Consultants Ltd. in the report “*An Ecosystem-based Assessment of Denman Island*”. Many of these steep slopes on Denman Island face west or south-west and have nutrient-rich groundwater discharge, which is conducive to the development of uncommon plant communities. Additionally, these areas often contain stands of undisturbed large trees, a high diversity of tree species, a high diversity of understory plants, and high wildlife value habitats.

As per the results section of this report, the steep slopes on the subject property do not show signs of historical logging or erosion. The forest is considered a mix of undisturbed young and mature Douglas-fir forest. The ecosystem occurring on the steep slope is a provincially at-risk ecosystem and has a high diversity of understory plants and contain regionally unique tree species such as arbutus. The steep slopes on the subject property also provide moderate to high wildlife habitat value, especially as they connect to the primarily undisturbed adjacent steep slopes areas, serving as a wildlife corridor. The minor impacts to this habitat on the subject property are discussed below, as well as the recommendations for restoration and enhancement to protect this habitat moving forward.

5.1.1 Impacts to Steep Slope Habitat

As previously described, clearing of 6 trees and filling of a 10 m by 10 m area at the top of the steep slope are the main areas of concern with regards to the recent unpermitted developments and proposed developments. Clearing and filling of land has the potential to destabilize slopes and impact the greater ecosystem and available habitat. Given this work occurred atop of the slope and was minor in nature, there are no anticipated negative impacts to the slope or the ecosystem at large.

The historic plant community within the cleared area is suspected to have been consistent with the surrounding uncleared forest. As previously described, the intact forest on the nearby steep slope habitat is a mixture of mature and younger coniferous forest, consistent with nearby Douglas-fir–salal SEI polygons.

The development of the attached suite and accessory building occurred primarily within already cleared and leveled areas with negligible impacts to the natural environment or the unique habitat on the steep slope.

The proposed development is limited to alterations of the roofline of the accessory building and a new septic system west of the accessory building, both unlikely to impact the habitat on the steep slope.

5.1.2 Protection and Restoration of Steep Slope Habitat

No significant impacts to the steep slope were sustained or require restoration. The steep slope occurs beyond the boundaries of the subject property and largely outside of the footprint of unpermitted development.

No further vegetation should be removed or disturbed atop of the slope. The six trees that were removed should remain as is (photo 3), with stumps intact and tree biomass left on the forest floor to continue to provide stability for the slope, habitat for ground-dwelling species and organic inputs.

The 10 m by 10 m forested area north of the accessory building that was previously cleared and filled and has potential for restoration planting to provide ground cover, further stabilize soils, and limit opportunities for Scotch broom re-establishment near the steep slope habitat. Soils exposed during the installation the proposed septic system for the accessory building are also recommended for restoration planting where possible. No trees or established shrubs are anticipated for removal or disturbance as a result of the proposed septic works.

Although active planting is not strictly necessary given the location and small area, selective enhancement planting could be considered at the property owner's discretion to accelerate the natural recovery process. Recommended native shrubs include Nootka rose, red flowering currant, red huckleberry, yarrow and dull Oregon grape.

Since portions of the nearby forest within DPA 2 and DPA 4 have been minorly colonized by English holly and Scotch broom, invasive species removal and management are recommended to prevent further spread and to allow native vegetation to establish naturally. No additional clearing should occur within the Steep Slope DPA without a new assessment of the proposed works, and all native vegetation on the slope west of the developments should be allowed to re-naturalize to further stabilize the slope and enhance habitat quality.

Best management practices for English holly and Scotch broom removal include conducting removal activities when the plants are blooming (before seed pods mature for Scotch broom), typically in late spring. This timing targets the plants when they are putting their energy into flowering and therefore are weakened, and before seed pods develop to reduce the spread of seeds. Younger plants should be hand-pulled when soils are moist, which facilitates root removal while minimizing soil disturbance, or cut at the base. Mature plants can be cut close to the ground, and efforts should be made to avoid excessive digging that could disturb the seed bank or increase erosion risk. Flowering or seeding material should be bagged (for smaller volumes) or carefully transported in a covered load (trailer or truck) and removed from the site to prevent re-establishment. Follow-up monitoring should be conducted annually to identify and remove any new seedlings until the native plant community becomes well established. Throughout the process, soil disturbance should be minimized, and existing native vegetation and coarse woody debris should be retained.

6. CONCLUSION

Environmental constraints affecting development at 10225 Green Hill Road are limited to the Steep Slopes Development Permit Area (DPA 2) located west of the existing residence and Aquatic Habitats (DPA 4) in the eastern portion of the lot. While historic clearing and development has occurred within DPA 2, effects to the steep slope and associated habitat were negligible. The area shows strong potential for continued natural recovery if protected from further disturbance.

To support and accelerate native vegetation re-establishment, invasive species removal, particularly of English holly and Scotch broom, should be undertaken in accordance with best management practices outlined in Section 5.1.2. of this report. Native vegetation planting is recommended at the discretion of the property owner within the cleared areas and proposed cleared areas. Proposed development within DPA 2 includes the alteration of the roofline on the accessory building and the installation of a new septic system in 2026, allowing the accessory building to adhere to local building codes.

No additional clearing or development beyond what is proposed should occur within the Steep Slopes or Aquatic Habitat DPAs without a new environmental impact assessment to confirm that proposed works will not negatively affect slope stability or ecological values.

If these recommendations are implemented, the site is expected to continue recovering naturally, resulting in increased native plant cover, reduced erosion risk, and improved long-term habitat quality within the steep slope area. It is our professional opinion that any harmful effects of the development will be mitigated through the ongoing regeneration of vegetation as described throughout this report.

7. CLOSURE

We trust this assessment has satisfied the requirement to determine the impacts of the development on the steep slopes habitat at 10225 Green Hill Road, Denman Island, BC.

Please contact the undersigned with any questions or concerns.

Sincerely,



MIKALA WHEELER, R.B.TECH.
CURRENT ENVIRONMENTAL LTD.



AND CAITLIN O'NEILL, R.P.BIO.

June 3rd, 2026

PHOTOS

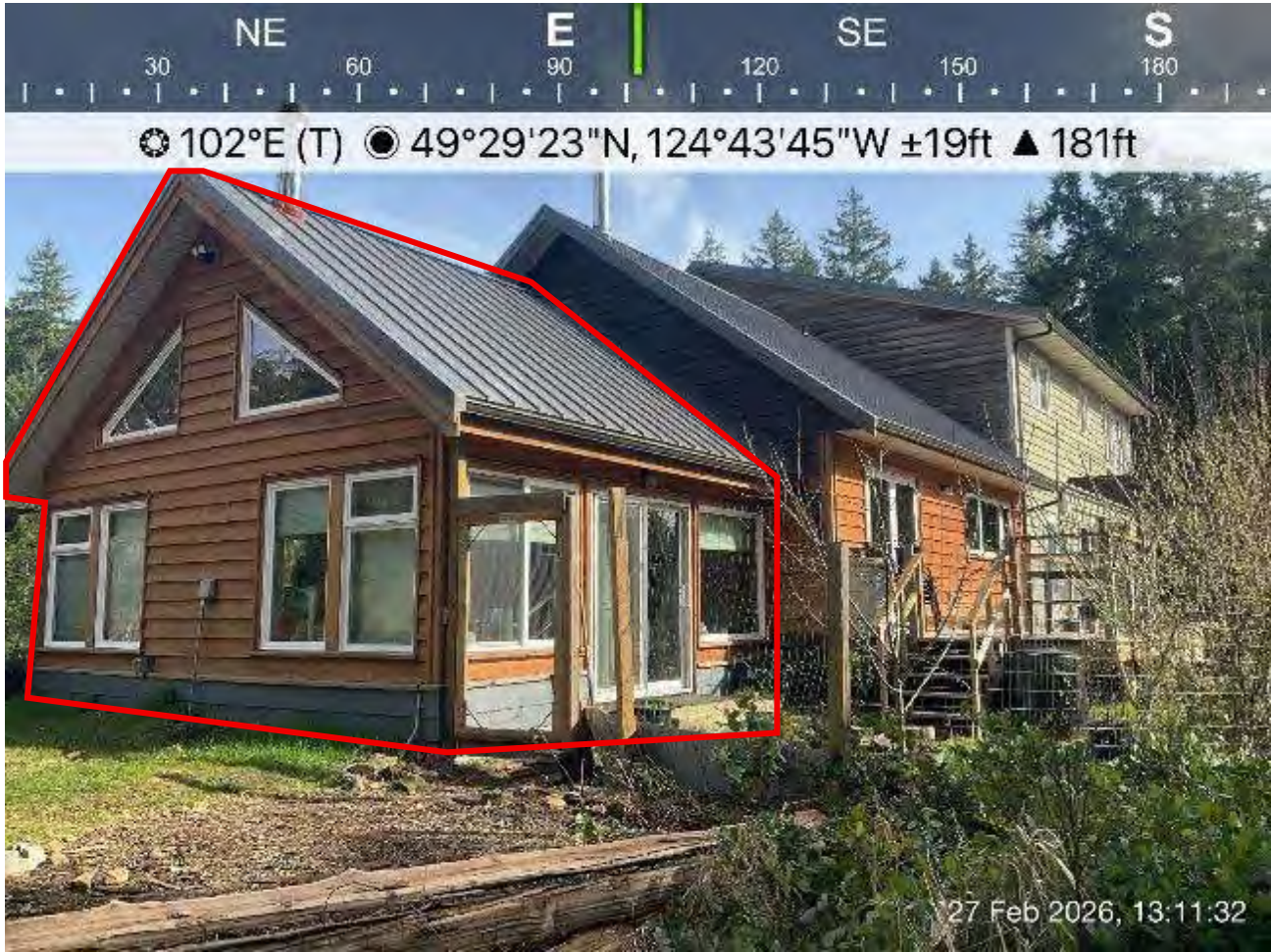


PHOTO 1. VIEW EAST OF THE EXISTING DWELLING WITH THE UNPERMITTED ADDITION HIGHLIGHTED IN RED WITHIN DPA 2.



PHOTO 2. VIEW LOOKING NORTHWEST TOWARDS THE UNPERMITTED ACCESSORY BUILDING, CONSTRUCTED PRIMARILY WITHIN AN EXISTING FOOTPRINT FROM A RELIC GARAGE WITHIN DPA 2.



PHOTO 3. VIEW LOOKING SOUTH FROM WEST OF THE ACCESSORY BUILDING LOOKING AT TREES REMOVED ALONG THE STEEP SLOPE AND WITHIN DPA 2. APPROXIMATELY 6 TREES WERE REMOVED.



PHOTO 4. VIEW LOOKING AT THE REAR OF THE ACCESSORY BUILDING AT UNPERMITTED FILL IN AN APPROXIMATE AREA OF 10M BY 10 M ALONG THE EDGE OF THE STEEP SLOPE AND WITHIN DPA 2.



PHOTO 5. VIEW OF TYPICAL MATURE FOREST ON THE STEEP SLOPE, WITH A CANOPY DOMINATED BY DOUGLAS FIR AND AN UNDERSTORY OF DULL OREGON GRAPE AND SALAL.



PHOTO 6. VIEW OF THE VEGETATED WETLANDS FOUND IN THE EASTERN PORTION OF THE SUBJECT PROPERTY AND WITHIN DPA 4.



PHOTO 7. TYPICAL VIEW OF THE DITCHES ALONG THE DRIVEWAY WITHIN DPA 4.



PHOTO 8. INVASIVE ENGLISH HOLLY (RED ARROW) AND SCOTCH BROOM WERE OBSERVED INFREQUENTLY THROUGHOUT THE FORESTED AREAS AND DEVELOPED AREAS ON THE SUBJECT LOT.



NOTICE
PL-DVP-2026-0053
DENMAN ISLAND LOCAL TRUST COMMITTEE **ATTACHMENT 6**

NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Denman Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit. The proposed permit would vary the *Denman Island Land Use Bylaw, 2008* by:

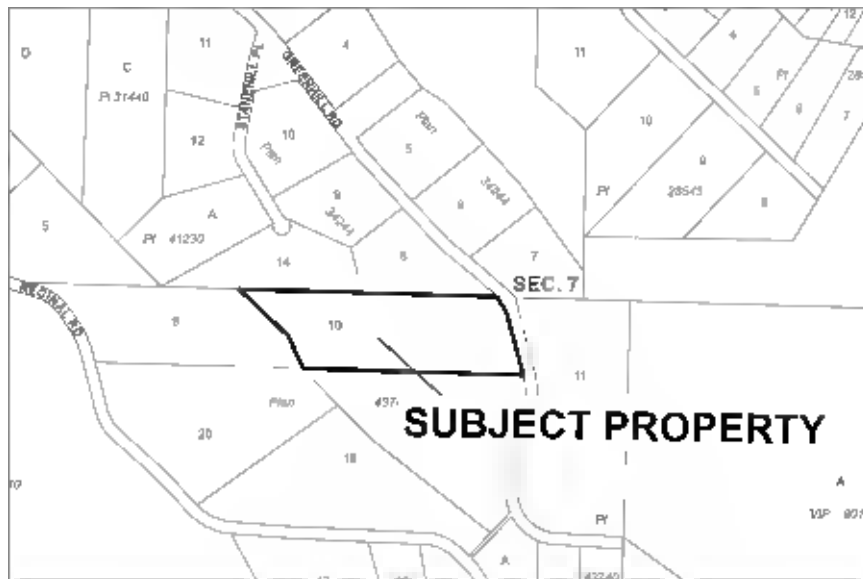
- Reducing the *rear lot line* setback requirement from 3.0 metres to 0.0 metre to permit a 133.2 m² accessory building within the setback area; and
- Increasing the maximum 6.0 metres *height* restriction to 6.5 metres to permit the same 6.5 metre in height accessory building.

The property is located at **10225 Greenhill Rd** and is legally described as:

PID: 004-360-389

LOT 10, SECTION 7, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 43740

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **June 9, 2026** and continuing up to and including **June 22, 2026** and is also available on the Islands Trust website here: <https://islandstrust.bc.ca/island-planning/denman/current-applications/>

Enquiries or comments should be directed to Margot Thomaidis, Planner 2 at (250) 247-2204, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver (604) 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **June 22, 2026**.

The Denman Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting starting at **10:00 am, June 23, 2026, at the Denman Activity Centre, 1111 Northwest Rd, Denman Island, V0R 1T0**.

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

Nadine Mourao, Deputy Secretary



PROPOSED ATTACHMENT 7

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PL-DVP-2026-0053

To: Heather D. Neun and Bradley A. Hornick

1. This Development Variance Permit applies to the land described below:

PID: 004-360-389

Legal Description: LOT 10, SECTION 7, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 43740

2. Pursuant to Section 498 of the *Local Government Act*, the Denman Island Land Use Bylaw, 2008 is varied as follows:

- a) PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 4 – Height, Line 2, “Maximum height of buildings and structures accessory to a residential use”; and
- b) PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Line 1, “Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy from the rear or side lot line” are varied:

To increase the maximum height from 6.0 m to 6.5 m, and to reduce the minimum setback from 3.0 m to 0.0 m to permit an existing 133.2 m², 6.5-m high accessory building as shown on Schedules ‘A’ and ‘B’ attached to this permit.

3. This development shall be consistent with Schedules ‘A’ and ‘B’ which are attached to and form part of this permit. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Denman Island Land Use Bylaw No. 186, 2008" and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF [MONTH], [YEAR].

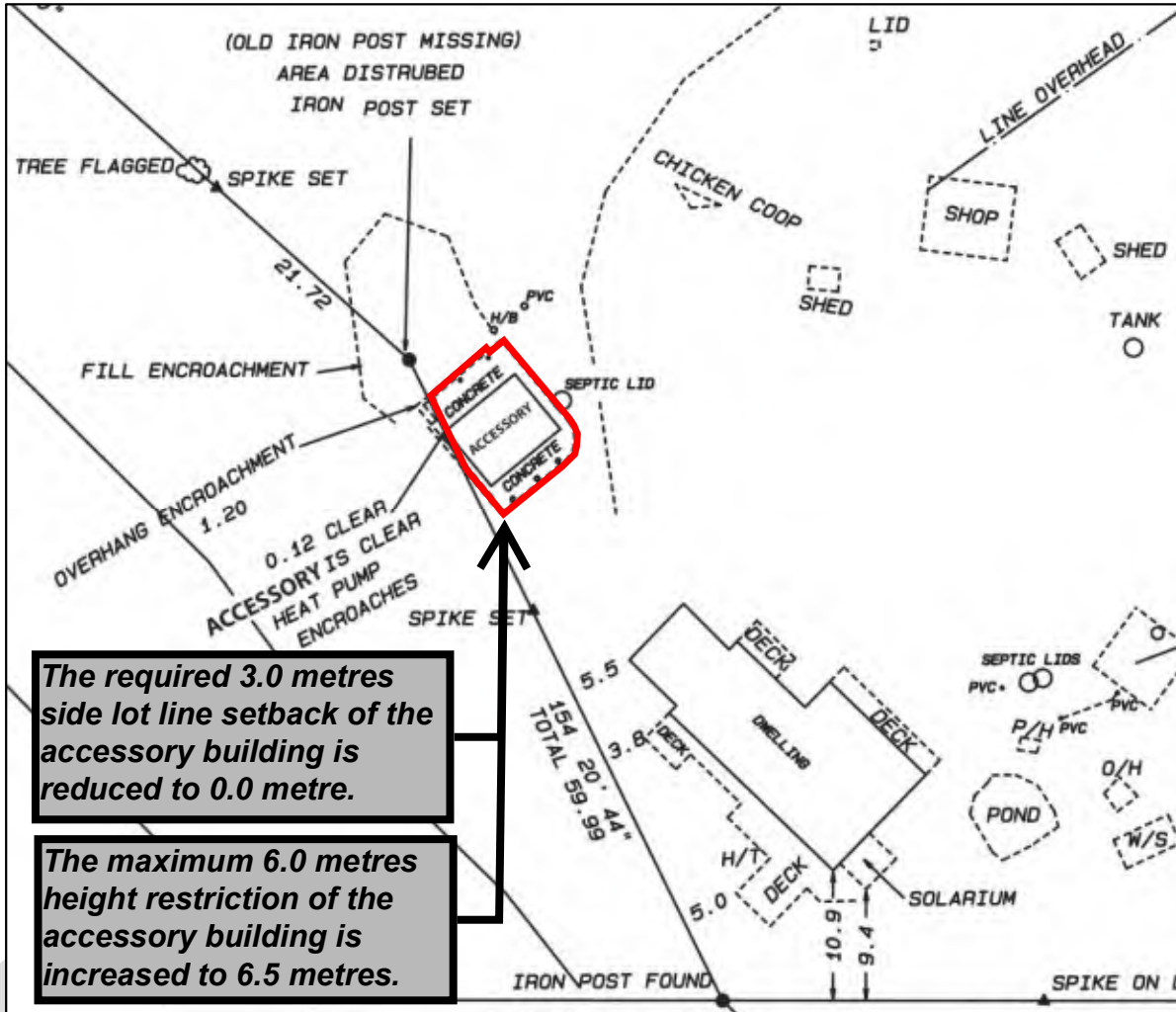
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.

DENMAN ISLAND LOCAL TRUST COMMITTEE
PL-DVP-2026-0053

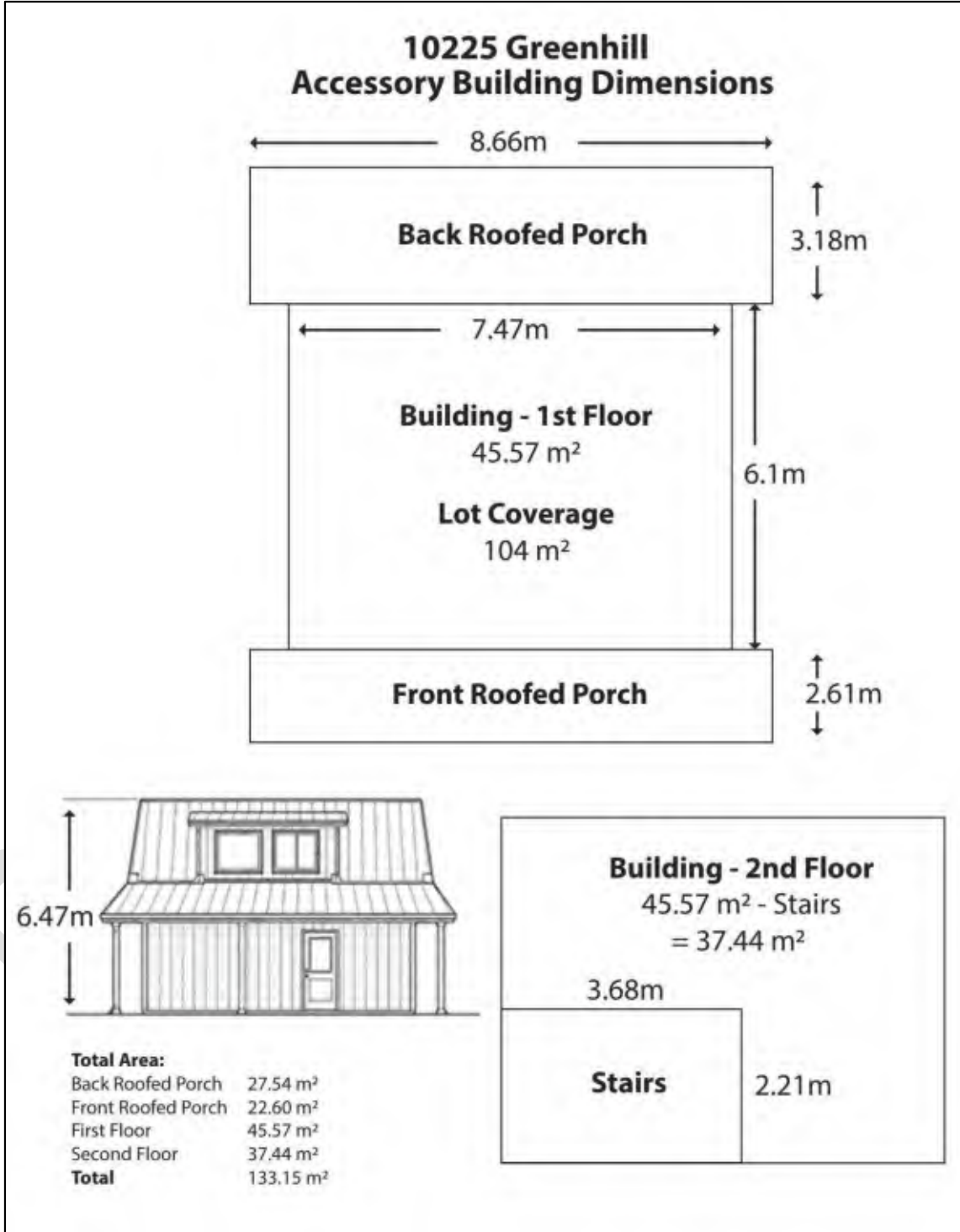
SCHEDULE 'A'
Survey Plan Excerpt



**DENMAN ISLAND LOCAL TRUST COMMITTEE
PL-DVP-2026-0053**

SCHEDULE 'B'

Building and Elevation Plans





STAFF REPORT

Date of Meeting: June 23, 2026 **File No.:** 3900-03; 4050-03

To: Denmand Island Local Trust Committee

From: Warren Dingman, Manager Bylaw Compliance & Enforcement

Re: **Amendment Bylaw No. 265 “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019, Amendment No. 1, 2026”**

RECOMMENDATION:

1. That the Denman Island Local Trust Committee Bylaw No. 265, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No.1, 2026”, be read a first time.
2. That the Denman Island Local Trust Committee Bylaw No. 265, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No.1, 2026”, be read a second time.
3. That the Denman Island Local Trust Committee Bylaw No. 265, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No.1, 2026”, be read a third time.
4. That the Denman Island local Trust Committee Bylaw No. 265, cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No.1, 2026”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The report summarizes the current administrative bylaw amendment for the Denman Island Bylaw Notice Enforcement Bylaw, which includes a \$500 penalty for failing to obtain a development permit when working in a development permit area, and a recommendation that the amended Schedule A be adopted.

BACKGROUND

The Denman Island Local Trust Committee requested amendments to the Bylaw Enforcement Notification Bylaw (BEN) due to public concern about work in development permit areas without permits and the lack of enforcement.

The following resolution was passed on May 12, 2026:

DE-2026-027

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to prepare a report on including Development Permit Areas in Schedule A Bylaw Enforcement Notice bylaw.

There are currently five other Islands Trust Local Trust Committees that have amended their BEN bylaws and adopted a penalty for failing to obtain a development permit before working in a development permit area. This is currently the only means that bylaw staff have to conduct enforcement of the development permit requirement without proceeding with legal action by way of a notice of claim in BC Supreme Court.

BYLAW ENFORCEMENT NOTIFICATION BYLAW

This amendment bylaw would add a \$500 penalty to Schedule A under section 4 of the Land Use Bylaw, which requires a development permit for the seven unique development permit areas on Denman Island.

The current Bylaw Enforcement Notification Bylaw also contains provisions for a compliance agreement for disputed bylaw notices, which encourages voluntary compliance, and the penalty for failing to obtain a development permit would also benefit from this provision. Any disputant would be able to sign a compliance agreement that would require them to obtain the necessary permit and the penalty discount would be 100 percent.

RATIONALE FOR RECOMMENDATION

The amended Schedule A now includes a penalty for work in a development permit area without a permit, and ensures that enforcement can proceed when development is occurring without the required. A compliance agreement is also available to any disputant to encourage voluntary compliance.

Submitted By:	Warren Dingman, Manager Bylaw Compliance & Enforcement	June 04, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 08, 2026

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 265

A BYLAW TO AMEND THE DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT NOTIFICATION BYLAW NO. 232, 2019

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

1. Denman Island Local Trust Committee Bylaw No. 232 cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019” is hereby amended as follows:
 - a. By deleting Schedule A in its entirety and replacing it with a new Schedule A, Contraventions and Penalties, attached to and forming part of this bylaw.

2. This Bylaw may be cited as “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026.

3. SEVERABILITY

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

READ A FIRST TIME THIS DAY OF , 2026

READ A SECOND TIME THIS DAY OF , 2026

READ A THIRD TIME THIS DAY OF , 2026

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF , 2026

ADOPTED THIS DAY OF , 2026

CHAIRPERSON

SECRETARY

DRAFT
SCHEDULE A

DENMAN ISLAND LAND USE BYLAW NO. 186
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	The following fines apply to the contraventions below:					
2.1.2	Non-Permitted Use of Dwelling for Vacation Rental/Paying Guests	\$500.00	\$375.00	\$750.00	Yes	100%
2.3.1	Building within setback of Cliff	\$500.00	\$375.00	\$750.00	Yes	100%
2.3.2	Encroachment into Setback from Natural Boundary of Stream/Lake/Wetland	\$500.00	\$375.00	\$750.00	Yes	100%
2.3.3	Encroachment into Setback from Natural Boundary of the Sea	\$500.00	\$375.00	\$750.00	Yes	100%
2.3.4	Exceed Minimum Difference in Elevation of Building/Structure and Natural Boundary of the Sea	\$500.00	\$375.00	\$750.00	Yes	100%
3.7 Table 1	Non-Permitted Use in Water Zone	\$500.00	\$375.00	\$750.00	Yes	100%
3.7 Table 2	Non-Permitted Building/Structure in Water Zone	\$500.00	\$375.00	\$750.00	Yes	100%
3.7 Table 5	Non-Permitted use of vehicles or machinery on the Foreshore	\$500.00	\$375.00	\$750.00	No	N/A
4.1 – 4.7	Fail to obtain a development permit	\$500.00	\$375.00	\$750.00	Yes	100%

REPORT

File No.: DE BL 259
3900-03

DATE OF MEETING: June 23, 2026

TO: Denman Island Local Trust Committee

FROM: Nadine Mourao, Legislative Clerk
Northern Team

COPY: David Marlor, Director, Legislative and Information Services

SUBJECT: Denman Public Notification Bylaw No. 259 – Final Adoption

RECOMMENDATION

- 1. That the Hornby Island Local Trust Committee Bylaw No. 259, cited as “Denman Local Trust Committee Public Notification Bylaw No. 259, 2025”, be adopted.**

1 PURPOSE:

The purpose of this staff report is to provide the local trust committees with a draft bylaw for Public Notification that is based on the model approved by Trust Council. Essentially adopting the bylaw changes the default requirements from two newspaper advertisements to posting the notice on the website and once in the newspaper.

Note that this bylaw outlines the required legislated notification, however, the LTC may also choose to post on local island information boards and/or local media sources. This would be optional beyond the legislated requirements of this bylaw and up to Trustees’ discretion.

2 BACKGROUND:

The *Community Charter* establishes the requirements for publishing public notice where public notices are required by the *Local Government Act*. The *Community Charter* includes a default requirement, and an option to adopt an alternative means by bylaw.

The default public notification is by publication in two editions of a newspaper once each week for two consecutive weeks, unless another provision for a specific type of notice states otherwise. The newspaper has to circulate local area.

Section 94.2 of the *Community Charter* gives local governments, including local trust committees, the authority to adopt public notice bylaws. If a local trust committee adopts a Public Notice Bylaw, the local trust committee is required to publish notices by all the methods specified in that bylaw. Local trust committees that do not adopt a Public Notice Bylaw are required to continue to follow the default publication rules under Section 94.1 of the *Community Charter*.

When adopting a Public Notice Bylaw, the local trust committees are required to consider the principles of effective public notice (reliable, suitable, and accessible) described by the [Public Notice Regulation](#).

Principles of Effective Public Notice

The Public Notice Regulation establishes the principles that must be considered before a public notice bylaw is adopted; these are:

- Reliable – the publication methods are dependable and trustworthy;
- Suitable – the publication methods work for the purpose for which the public notice is intended; and
- Accessible – the publication methods are easy to access and have broad reach.

In considering the adoption of a Public Notice Bylaw, local trust committees must consider and record, either by a resolution recorded in the minutes, or by preamble whereas clauses in the bylaw, that these principles have been considered.

Considering the three principles (reliable, suitable and accessible) possible methods to publish public notices that are available to local trust committees include:

- Online or print newspaper;
- Islands Trust website;
- Community website or newsletter;
- Islands Trust social media page, such as Facebook; and
- Direct email or mail out.

Each of the above meet the principles set out in the Public Notice Regulation. On-line print newspaper still has the problem of being published infrequently, or not circulated through the entire local trust area. Use of a community website or newsletter is outside the control of Islands Trust and each could be shut-down or modified without Islands Trust input; this could compromise the accessibility and reliability principles. Direct mail or a mail-out would reach all owners and residents; however, it could be expensive and time consuming to undertake.

The two best options with the lowest costs and that meet the principles outlined in the Public Notice Regulation are publishing on the Islands Trust website and publishing on an Islands Trust social media page. These are recommended; however, Trust Council recognizes that there may be other conditions on the islands that may warrant a different method.

At its June 2025 meeting, Trust Council adopted Policy 4.1.16 Model Public Notice Bylaw. This contains the format for such a bylaw and recommends the use of the Islands Trust website and a social media account to post the notices. As these are recommendations, and each local trust committee must consider the reliability, suitability and accessibility of the form of notice for their islands, variation on the recommendation may be considered.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

In addition to the default requirement of newspaper advertising, local trust committees are already posting notices on the website and email notification service. Adoption by local trust committees of a bylaw similar to the model would simplify our administrative processes and reduce costs.

FINANCIAL:

Adoption by local trust committees of a Public Notice Bylaw similar to the model will result in a reduction in costs generally as it will remove the need to advertise in print newspapers.

POLICY:

There are no policy implications

IMPLEMENTATION/COMMUNICATIONS:

Staff post the new bylaw on the Islands Trust website, and staff would be made aware of the new public notification process.

FIRST NATIONS RELATIONS:

There are no First Nations relations implications.

OTHER:

There are no other implications.

4 RELEVANT POLICY(S):

- Section 94 and Section 94.2 of the Community Charter
- Community Charter Public Notice Regulation
- Trust Council Policy 4.1.16 Model Public Notice Bylaw

Recommendation:

That the Hornby Island Local Trust Committee Bylaw No. 259, cited as “Denman Local Trust Committee Public Notification Bylaw No. 259, 2025”, be adopted.

Alternative:

As directed by the Denman Local Trust Committee.

Submitted By:	Nadine Mourao, Legislative Clerk	June 11, 2026
Concurrence:	Renée Jamurat, Regional Planning Manager	June 11, 2026

ATTACHMENTS

1. Proposed Bylaw 259



Denman Local Trust Committee Open Applications Report

Agricultural Land Reserve

Application Number	Applicant Name	Date Received	Address	Purpose
PLALR20250304		7/28/2025	4101 PINECREST RD, DENMAN ISL	To permit additional agricultural related activity and sales of apple related products (ALC - #104681)

Planner	Status	Most Recent Completed Activity
Rob Pingle	Approved	Upload LTC response to ALR Portal

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20260188		4/29/2026	0 SWAN RD, DENMAN ISLAND, BC	

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	Under Review	Generate Complete Application Letter

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20260052	Bradley Alan Hornic	2/6/2026	10225 GREENHILL RD, DENMAN IS	Requested DP approval for detached cabin and additional bedroom (House extension) to the existing dwelling.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250268	Anthony Chui	7/10/2025	0 THE POINT RD, DENMAN ISLAND	The proposed development transforms the east upper slope into a vineyard-centric agri-tourism destination, integrating agricultural production with limited residential and visitor-focused activities.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250156	Brittany Briana Smi	4/10/2025	1840 HILBERRY LANE, DENMAN IS	Application for a DP for construction of home and power shed at 1840 Hilberry Lane.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Approved w/Conditions	Record LTC Decision/Update FUAL	

Denman

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260053	Bradley Alan Hornic	2/6/2026	10225 GREENHILL RD, DENMAN IS	This Development Variance Permit application seeks relief from specific setback and siting requirements under the applicable land use bylaw in order to address existing conditions on a residential property on Denman Island. The variances requested relate to portions of an existing detached cabin and a one-room extension to the principal dwelling that were constructed or modified without permits and that do not fully comply with current setback regulations. No new buildings or expansion of development are proposed. The purpose of the variance application is to enable a practical and proportionate resolution of legacy siting issues, in conjunction with other permitting processes, while maintaining the overall intent of the zoning and planning framework.

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20250348	Phil Tripp	8/25/2025	0 LACON RD, DENMAN ISLAND, B	This application is to allow for the construction of a small retaining wall along the property line to serve as the base for a fence. Given the archaeological nature of the site, digging in fence posts is not an option. This L-shaped retaining wall will be poured on the surface and secured with fill.

Planner	Status	Most Recent Completed Activity
Ian Cox	Approved	Record LTC Decision/Update FUAL

Denman

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250368	Simon Palmer	9/12/2025	3661 PIERCY RD, DENMAN ISLAND	Application to amend the Land Use Bylaw to create 8 units of affordable housing on the property
Planner	Status	Most Recent Completed Activity		
Marlis McCargar	Under Review	Planning Review		

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250464	Paul Weyer	11/26/2025	4100 PINECREST RD, DENMAN ISL	<p>The 3Ravens Land Co-operative, commonly known as 3Ravens, is intended to be a non-profit affordable housing land share limited equity co-operative with eight households established under the BC Co-operatives Act. It will be financed and managed by Members. There is one existing house, well and approved septic on the property.</p> <p>The properties detailed title information is: Legal Desc: LOT 5, PLAN VIP89027, SECTION 25, NANAIMO LAND DISTRICT, & SEC 30 DENMAN ISLAND PID: 028-639-928 Civic Address: 4100 Pinecrest Rd, Denman Island, BC V0R 1T0</p> <p>We are requesting that the Islands Trust rezone the current 15.16 acre R2 property to a new custom affordable housing zone that has a maximum combined housing and outbuilding footprint, or combined floor area. This custom zone would have eight affordable housing units (including the existing house), regulated by a Housing Agreement held with the Islands Trust, the 3Ravens co-operative, and be on the land title. The land title will be transferred to the 3Ravens non-profit co-operative effective the same date as the Islands Trust approved rezoning of the property from R2 to the new affordable housing custom zone.</p>

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240055		5/30/2024	0 PICKLES RD, DENMAN ISLAND,	Proposed OCP and rezoning of 4 parcels from Forestry to Conservation

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Local Trust Committee	Record LTC Decision/Update FUAL

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
DE-RZ-2023.1	Andrew John	1/1/2023	7676 KOMAS RD, DENMAN ISLAND	to rezone to replace existing land use contract, which expires soon.
Planner	Status	Most Recent Completed Activity		
Margot Thomaidis	In Progress Rezoning	Determine Next Steps - PL		

Denman

Siting and Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250357	Valerie Rogers	8/29/2025	5470 LACON RD, DENMAN ISLAND	Morning Wood Farm

Planner	Status	Most Recent Completed Activity
Rob Pingle	Waiting for Revisions	Generate Notice of Revisions

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250456	MAXWELL LEWIS J	11/20/2025	2325 NORTHWEST RD, DENMAN IS	Quonset (Metal Work shop)

Planner	Status	Most Recent Completed Activity
Rob Pingle	Waiting for Revisions	Generate Notice of Revisions

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250260	Kenneth McLaughlin	7/2/2025	7140 KOMAS RD, DENMAN ISLAND	Proposed 542 Sq. Ft. addition to an existing 1065 Sq. Ft. primary residence to add a bedroom and expanded living room. Proposed new freestanding single car carport (352 Sq. Ft.) / accessory building. Note: please route to Margot Thomaidis, Islands Trust Planner who is familiar with the Kommas properties.

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	In Abeyance	Add Optional Referrals

Denman

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2021.2	Mike Hansen	8/13/2021		PID: 006-660-614 - 13 lot subdivision. Civic address: 4201 Park road, Denman Island, BC.

Planner	Status	Most Recent Completed Activity
Stephen Baugh	Waiting for Conditions	Record and File PLR

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20260102	Jeff Dorion	3/10/2026	4791 EAST RD, DENMAN ISLAND,	Subdivision of current lot into two parcels.

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250500	Christopher John Po	12/17/2025	1151 NORTHWEST RD, DENMAN IS	

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Add Optional Referrals

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2022.2	Olivia Bareham	11/9/2022	0 SWAN RD, DENMAN ISLAND, BC	PIDs: 006-657-931 and 017-541-115 Lot line adjustment. Civic address: 2900 Swan Road, Denman Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Abeyance	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2018.2	Evan Wind	10/19/2018		PID: 000-974-081 5 lot subdivision Civic address: 1300 Farley Road, Denman Island, BC. The parent parcel (000-974-081) went through a natural boundary adjustment with the Surveyor Generals office in 2019 or 2020. This cancelled the original lot and created a new lot with an up to date present natural boundary. The new PID is 030-859-166.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		In Abeyance	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250419	Henning Nielsen	10/28/2025	6900 DANES RD, DENMAN ISLAND	Proposed subdivision of Lot 5, 6900 Danes Road. Subdivision potential was created through rezoning DE-RZ-2021.1
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Administrative Review	Generate and Send Referral Response Form	

Islands Trust
 LTC EXP SUMMARY REPORT F2027
 Invoices posted to Month ending April 2026

615 Denman	Invoices posted to Month ending April 2026	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-615	LTC "Executive Expense on LTC's"	6,128.00	0 00	6,128.00
65200-615	LTC - Local Exp - LTC Meeting Expenses	1,800.00	343.66	1,456.34
65210-615	LTC - Local Exp - APC Meeting Expenses	1,210.00	0 00	1,210.00
65220-615	LTC - Local Exp - Communications	870.00	250.00	620.00
TOTAL LTC Local Expense		<u>10,008 00</u>	<u>593.66</u>	<u>9,414.34</u>
Projects				
73001-615-4025	Denman Housing Review	7,000.00	3,045 43	3,954 57
TOTAL Project Expenses		<u>7,000.00</u>	<u>3,045 43</u>	<u>3,954 57</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	<p>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:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms; o The location of the proposed establishment and the subject site; o The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and o How public comments may be submitted to the Local Trust Committee.
2.	October 9, 2018	DE-2018-096	Application processing	<p>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.</p>
3.	November 20, 2018	DE-2018-104	Cannabis License applications	<p>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</p>

				Committee regular meeting agenda package.
4.	February 7, 2019	DE-2019-012	First Nations Reconciliation	<p>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:</p> <p>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:</p> <ul style="list-style-type: none"> 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	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution:</p> <p>'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</p>

				<p>conditions apply:</p> <ul style="list-style-type: none">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; ord) An unlawful dwelling appears to be located within a Development Permit Area; <p>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.'</p> <p>And that site inspections for the purpose of gathering information and communication with property owners will continue;</p> <p>And that the Denman Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities.</p>
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6.	May 19, 2020	DE-2020-022	Residential densities See Staff Report dated May 19 th for background	<p>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:</p> <p>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:</p> <ol style="list-style-type: none"> 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**) 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. <p>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:</p> <table border="1" data-bbox="1052 1170 2043 1461"> <thead> <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> </thead> <tbody> <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> </tbody> </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: a. 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; b. 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.	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:			

				<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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.
11.	March 17, 2026	DE-2026-017	Compliance & Bylaw Enforcement Policy	<p>Bylaw Enforcement Policy No. 1, effective June 4, 2024</p> <p>Bylaw Enforcement Policy No. 1, Amendment 1, adopted March 17, 2026.</p> <p>Purpose</p> <p>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 polices and procedures are efficient, transparent, reasonable, and consistent with local community standards.</p> <p>PART A</p> <p>1.0 Application</p> <p>This policy will apply to the Denman Island Local Trust Area and the enforcement of the Denman Island Official Community Plan, No. 185, Denman Island Land Use Bylaw No. 186, and the Denman Island Local Trust Committee Siting and Use Permit Bylaw No. 240, and the use of the Denman Island Local</p>

				<p>Trust Committee Bylaw Enforcement Notification Bylaw No. 232.</p> <p>2.0 Definitions & Abbreviations</p> <p>BEN – bylaw enforcement notice</p> <p>LUB – Land Use Bylaw</p> <p>LTC – Local Trust Committee</p> <p>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</p> <p>SUP – siting and use permit</p> <p>Respondent – a property owner whose property is subject to a bylaw enforcement complaint</p> <p>3.0 References</p> <p>Denman Island Land Use Bylaw No. 186</p> <p>Denman Island Siting and Use Permit NO. 240</p> <p>Denman Island Bylaw Notice Enforcement Bylaw No. 232</p> <p>4.0 Priorities</p> <p>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.</p> <p>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.</p> <p>5.0 Inspection</p> <p>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.</p>
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				<p>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.</p> <p>5.3 If a Respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required.</p> <p>5.4 Bylaw Enforcement Officers will give a minimum of 24 hours notice before conducting a site inspection to gather evidence and they will schedule a mutually agreeable time with the property owner.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>6.0 Enforcement Procedures</p> <p>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.</p> <p>6.2 Non-compliant short-term vacation rentals will be given a minimum of 45 days to comply with the Land Use Bylaw or cease the use. Failure to comply will result in the issuance of Bylaw Violation Notices.</p> <p>6.3 Bylaw Enforcement Officers can use their discretion to consider any reasonable time to comply request from Respondents but the term cannot be</p>
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				<p>for more than one year.</p> <p>6.4 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.</p> <p>6.5 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.</p> <p>6.6 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.</p> <p>7.0 Closing Files</p> <p>7.1 If the identity of the complainant cannot be confirmed during the course of an investigation, the file will be closed.</p> <p>7.2 If it determined that the complainant used a false name to file the complaint, the file should be closed.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7.7 If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance</p>
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				<p>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.</p> <p>7.8 The LTC will be notified when any file is closed.</p> <p>8.0 Siting and Use Permits</p> <p>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.</p> <p>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.</p> <p>9.0 Communications</p> <p>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.</p> <p>9.2 Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant.</p> <p>9.3 The Manager of Compliance and Enforcement will communicate with Trustees or the LTC if there are questions or concerns regarding individual files.</p> <p>10.0 Reporting</p> <p>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.</p> <p>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.</p> <p>10.3 The Manager of Compliance and Enforcement will maintain the</p>
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				<p>Denman Island Bylaw Compliance and Enforcement Policy and will report to the LTC if amendments are recommended or required.</p> <p>PART B</p> <p>Bylaw Enforcement Notice Bylaw Screening Officer’s Powers and Duties Policy</p> <p>Appointment of Screening Officers</p> <p>Pursuant to section 7.2 of the Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019, (the Bylaw) the persons holding the following positions are appointed as screening officers:</p> <ol style="list-style-type: none"> 1) Regional Planning Manager; 2) Bylaw Compliance and Enforcement Manager; and 3) Bylaw Compliance and Enforcement Assistant. <p>Screening Officer Powers and Duties</p> <p>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:</p> <ol style="list-style-type: none"> 1) Regional Planning Manager. In respect to Bylaw Violation Notices issued by any Bylaw Officer, including the Manager of Bylaw Compliance and Enforcement, the Regional Planning Manger, 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 powers and duties in Section 7.3(1) and 7.3(2) of the Bylaw.
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				<p>Authorized Reasons to Cancel Bylaw Violation Notices</p> <p>The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p>The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.</p>
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Active Projects Report

Denman Island

1. Major Project - Denman Island Housing Review (OCP and LUB) Project - Stage 2, Phase 2

Responsible

Dates

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.

Chloe Straw

Rec'd: 19-Jan-2021

Narissa Chadwick

Renee Jamurat

Future Projects Report

Denman Island

1. <i>LUB Amendments - List of items</i>	Responsible	Date Received
<p>1.Review subdivision requirements for lot line (boundary) adjustments with the goal of simplifying the process and requirements where no new density is created.</p> <p>2.April 4, 2023: Review zoning policies and regulations regarding guest accommodations in the LUB.</p>		19-Jul-2022
2. <i>Update to Development Approval Information Bylaw</i>	Responsible	Date Received
<p>Staff to prepare updates to Development Approval Information BL 149, 2013 and return to LTC for consideration.</p>		27-Sep-2022
3. <i>Land Use Bylaw Map Amendments - "Farm Plan map amendment"</i>	Responsible	Date Received
<p>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.</p>		06-Jun-2023
4. <i>Comprehensive Official Community Plan / Land Use Bylaw</i>	Responsible	Date Received

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.

5. <i>Develop DPA and HCA</i>	Responsible	Date Received
Explore a Development Permit Area for environmental protection and a DPA or Heritage Conservation Area to support First Nations' review of development proposals affecting archaeological sites, with potential application island-wide or in priority areas.		20-Jan-2026