

Regular Meeting Revised Agenda

Date: November 3, 2020
 Time: 12:30 pm
 Location: Electronic Meeting

Pages

1. CALL TO ORDER 12:30 PM - 12:35 PM

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

2. APPROVAL OF AGENDA 12:35 PM - 12:40 PM

2.1. Electronic Meetings Resolution

That in accordance with *Ministerial Order M192 - Local Government Meetings & Bylaw Process* and *Province of BC Bill 19 - 2020*, Denman Island Local Trust Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and

Therefore in order to meet the principles of openness, transparency and accessibility, This meeting of the Denman Island Local Trust Committee will be held electronically on November 3, 2020, will be live streamed and the public invited to participate in the meeting by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

3. REPORTS 12:40 PM - 12:50 PM

3.1. Trustee Reports

3.2. Chair's Report

3.3. Electoral Area Director's Report

4. TOWN HALL 12:50 PM - 1:00 PM

5. DELEGATIONS - none

6. MINUTES 1:00 PM - 1:05 PM

6.1. Local Trust Committee Minutes dated September 8, 2020 - for adoption

6.2.	Section 26 Resolutions-Without-Meeting Report dated October 26, 2020	15 - 15
6.3.	Advisory Planning Commission Minutes - none	
7.	BUSINESS ARISING FROM MINUTES	1:05 PM - 1:15 PM
7.1.	Follow-up Action List dated October 26, 2020	16 - 22
8.	APPLICATIONS AND REFERRALS	1:15 PM - 2:00 PM
8.1.	DE-RZ-2017.1 (Denman Community Land Trust Association (DCLTA)) - Staff Report	23 - 71
9.	LOCAL TRUST COMMITTEE PROJECTS	2:00 PM - 2:15 PM
9.1.	Projects Review Presentation - for information	
10.	CORRESPONDENCE	2:15 PM - 2:20 PM
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)	
10.1.	Letter dated August 10, 2020 from Association for Denman Island Marine Stewards (ADMIS)	72 - 74
10.2.	Notification for Information from the Comox Valley Regional District Electoral Area Services Committee, dated August 6, 2020 of Development Permits for Shoreline Protection at Coal Hills, Vancouver Island	75 - 105
10.3.	Email dated September 15, 2020 from L. Larkin regarding Request for New Regulations to Protect Our Forests	106 - 106
11.	NEW BUSINESS	2:20 PM - 2:40 PM
11.1.	2021 Local Trust Committee Meeting Schedule - Memorandum for decision	107 - 108
12.	REPORTS	2:40 PM - 3:00 PM
12.1.	Trust Conservancy Report dated July 14, 2020 and October 6, 2020	109 - 113
12.2.	Applications Report dated October 26, 2020	114 - 118
12.3.	Trustee and Local Expense Report dated September, 2020	119 - 119
12.4.	Adopted Policies and Standing Resolutions	120 - 123
12.5.	Local Trust Committee Webpage	
13.	WORK PROGRAM	3:00 PM - 3:10 PM
13.1.	Top Priorities Report dated October 26, 2020	124 - 124

14. CLOSED MEETING

3:10 PM - 3:15 PM

14.1. 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) (m) for the purpose of considering Adoption of In-Camera Meeting Minutes dated July 7, 2020 and August 17, 2020 and that the recorder and staff attend the meeting.

14.2. Recall to Order

14.3. Rise and Report

15. UPCOMING MEETINGS

15.1. Next Regular Meeting Scheduled in (2021) - to be determined

16. ADJOURNMENT

3:15 PM - 3:15 PM



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: September 8, 2020

Location: Electronic Meeting

Members Present: Sue Ellen Fast, Chair
David Critchley, Local Trustee
Laura Busheikin, Local Trustee

Staff Present: Heather Kauer, Regional Planning Manager
Marnie Eggen, Island Planner
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 2
William Shulba, Islands Trust Freshwater Specialist
Vicky Bockman, Recorder

Others Present: Approximately twenty (20) members of the public
Daniel Arbour, Director, Comox Valley Regional District Area A

1. CALL TO ORDER

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

Chair Fast called the meeting to order at 12:30 pm. She welcomed the public, introduced Trustees and staff, and acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

2.1 Electronic Meetings Resolution

DE-2020-045

It was MOVED and SECONDED,

that in accordance with *Ministerial Order M192 - Local Government Meetings & Bylaw Process and Province of BC Bill 19 - 2020*, Denman Island Local Trust Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and therefore in order to meet the principles of openness, transparency and accessibility, meetings of the Denman Island Local Trust Committee will be held electronically over the period September 8 to October 31, 2020, will be live streamed and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

CARRIED

September 8, 2020 Agenda

The following amendments to the agenda were presented for consideration:

- Add item 8.1.1 Letter from Island Health to Denman Housing Association dated September 3, 2020 Re: Rainwater Harvesting System for the Denman Green Affordable Housing project;
- Move item 8.3 DE-DP-2020.1 (Nielsen) Staff Report to before 8.1.

By general consent the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Critchley reported on his attendance at the following:

- Baynes Sound Forum working group where work on the Terms of Reference continues;
- Trust Programs Committee sub-committee meetings where affordable housing in the context of the Trust Policy Statement was considered;
- Community Information Meeting (CIM) regarding the Denman Housing Association (DHA) Denman Green Affordable Housing project;
- Advisory Planning Commission meeting addressing the DHA referral;
- Trust Programs Committee meeting;
- Local Trust Committee (LTC) special *In Camera* meeting.

Trustee Busheikin reported on the following:

- Local Planning Committee meetings working on a variety of regional initiatives;
- Financial Planning Committee meeting;
- Calls from constituents;
- Work continues with the Denman Island COVID Response Network.

3.2 Chair's Report

Chair Fast reported on her attendance at the following:

- CIM regarding DHA's Denman Green Affordable Housing project;
- An Islands Trust Conservancy Board meeting;
- Executive Committee meetings;

and noted that the following meetings are upcoming and will be held electronically:

- Trust Council on September 15-16, 2020;
- Union of British Columbia Municipalities.

3.3 Electoral Area Director's Report

Daniel Arbour, Director, Comox Valley Regional District (CVRD) Area A commented on issues of interest including the following:

- The regularly held meeting including CVRD and Hornby Island and Denman Island Trustees is scheduled for September 21, 2020;
- He has worked with Trustee Busheikin on the COVID response network group and with Trustee Critchley on the Baynes Sound Forum working group;
- The full staff report regarding septic regulation options for improving septic outcomes is now available and he will forward the reports to the LTC Chair to share;

- He will send a briefing on an initiative in partnership with K'ómoks First Nation to extend the sewage system from Courtenay/Comox to Union Bay, and as it relates to Baynes Sound water quality the LTC support may be sought;
- The Cross Island Trail work is proceeding to connect the Denman West ferry terminal via a stairway to a neighbourhood that will avoid the busy hill;
- The pilot cross island bus decision was postponed due to the COVID safety concerns.

4. TOWN HALL

Members of the public commented with the following noted:

- A personal experience of a renter needing to move multiple times was shared; a report has indicated 80 families/individuals in need of affordable housing on Denman Island; many affordable housing projects have been proposed that did not proceed; issues of water catchment as a potable water source or close neighbours will not be concerns for those in need; many who need affordable housing the most are not participating in the meetings on this topic.

Trustee Busheikin declared a potential conflict of interest as she lives next to the site of the proposed Denman Green project and left the meeting at 1:07 pm.

- Regarding the Denman Green affordable housing project: Trustees were encouraged to maintain the preserve and protect mandate; the land should not be rezoned from Forestry for a project with this density; the density transfer for the remainder lot is opposed; adding a total of 25 densities to this area would be unfair to those who moved to Denman Island for the rural lifestyle.

Trustee Busheikin returned to the meeting at 1:10 pm.

- The Denman Community Land Trust Association (DCLTA) has raised funds to purchase the Seniors Affordable Housing project property, however neighbours who are going to be affected by the development have not been consulted; there should be opportunity for addressing their issues of concern prior to rezoning;
- It was unfortunate that the CIM for the Denman Green project concluded before some had a chance to speak; the LTC was encouraged to facilitate Zoom meetings to enable all attending to be identified by name;
- A three-metre setback is necessary for the DCLTA's Pepper Lane seniors' affordable housing project due to the small lot. The smaller setback could address the Firesmart measures with mitigating measures such as a smaller vegetative buffer, native plantings and building surfaces that are more fire resistant; and the LTC was encouraged to consult with the Denman Island Fire Department on this issue;
- The DCLTA Pepper Lane project was supported; however, further development of Agricultural Land Reserve land in the future was opposed.

Trustee Busheikin declared a potential conflict of interest as she lives next to the site of the proposed Denman Green project and left the meeting at 1:15 pm.

- Support was expressed for the DHA Denman Green project as there are many people being employed on Denman Island that are receiving low wages and are in need of affordable housing.

Trustee Busheikin returned to the meeting at 1:17 pm.

- It is crucial for the viability of the DCLTA Pepper Lane project that the LTC continue their support for a three-metre setback that has been indicated in the past.

5. DELEGATIONS - None

6. MINUTES

6.1 Local Trust Committee Minutes dated July 7, 2020 - for adoption

DE-2020-046

It was MOVED and SECONDED,

that Denman Island Local Trust Committee adopt the minutes dated July 7, 2020 as presented.

CARRIED

6.2 Local Trust Committee Community Information Meeting Minutes August 6, 2020 - for adoption

DE-2020-047

It was MOVED and SECONDED,

that Denman Island Local Trust Committee adopt the Community Information Meeting minutes dated August 6, 2020 as presented.

CARRIED

6.3 Section 26 Resolutions-Without-Meeting Report dated August 31, 2020

Received.

6.4 Advisory Planning Commission Minutes dated August 14, 2020 - for receipt

Received.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated August 31, 2020

Received.

7.2 BC Farm Industry Review Board (BCFIRB) Presentation and Question & Answer

Presentation by BCFIRB staff about their independent administrative tribunal and its role in hearing complaints under the *Farm Practices Protection Act*, including those related to shellfish aquaculture.

Kirsten Pedersen, Executive Director and Gloria Chojnacki, Case Manager of BCFIRB conducted a presentation that included information on the following:

- BCFIRB's role and history;

- *Farm Practices Protection (Right to Farm) Act* (FPPA) purpose and criteria for protections to apply;
- Two types of aquaculture defined by the *Fish and Seafood Act* that fall within FPPA/BCFIRB jurisdiction;
- Complaint process, dispute resolution, decisions, appeals and enforcement;
- Their role in the complaint process is to determine whether the farm is following “normal farm practice” which is decided on a case-by-case basis;
- BCFIRB has received two aquaculture related complaints, both in January 2019 with respect to noise, odour, shoreline debris and waterfowl harassment from a single operation.

A question and answer session followed:

- Concerns are continually heard on Denman Island arising from shellfish farming operations such as equipment that has drifted free and rebar spikes endangering public. Would the BCFIRB be an appropriate avenue to address these issues?
 - BCFIRB’s role is limited to hearing specific complaints by specific aggrieved parties against specific activities. Addressing the industry overall would need to be brought to government’s attention.
- Shellfish operations on Denman Island can be intrusive to upland properties. BCFIRB can conduct studies on farm practices; if a number of letters from residents were received regarding ongoing concerns of this nature, could a study be produced to amend practices and create codes of conduct?
 - BCFIRB would consider letters and perhaps consult with the Ministry of Agriculture. It might be questioned if complaints have been filed.
- An annual volunteer beach cleanup occurs on Denman Island that collects about four tonnes of aquaculture industry debris and waste. How could members of the community file a specific complaint if they cannot identify which operator is responsible for the debris?
 - Filing a complaint against each of the operators in an area if they are close together was suggested.
- Would a person filing a complaint due to injury or entanglement with aquaculture debris while swimming, even if not an adjacent land owner, be considered an “aggrieved person” by definition?
 - The complainant would have to be directly impacted; they could file a complaint and an answer to this type of question could be addressed as a preliminary issue.
- Would it be possible to provide a copy of this informative presentation with links for our community’s information?
 - Yes, a copy will be provided to Islands Trust staff.

By general consent the meeting was recessed at 2:15 pm and reconvened at 2:23 pm.

7.3 Aquaculture Complaint Regarding DFO Licence Number 119203

7.3.1 Email response dated August 6, 2020 from Fisheries and Oceans Canada

Trustees discussed possible further action that might be taken to address this response to the LTC’s letter of complaint regarding DFO Aquaculture License Number 119203.

LTC members requested that staff add Shellfish Aquaculture Advisory Committee (SAMAC) and aquaculture issues to the agenda for upcoming joint meeting with CVRD.

8. APPLICATIONS AND REFERRALS

8.3 DE-DP-2020.1 (Nielsen) - Staff Report - for decision

Planner Dubyna presented the Staff Report that asks the LTC to consider a Development Permit (DP) application within Development Permit Area No. 4 – Streams, Lakes and Wetlands (DPA 4), arising from a subdivision referral received from the Ministry of Transportation and Infrastructure (MoTI). It was reported that relevant DPA 4 guidelines have been met.

Henning Nielsen, the applicant, was available to answer questions that arose.

Trustees observed that a stream indicated in the more recently completed RAPR Assessment Map is not reflected in the Islands Trust mapping of Danes Road Lot Layout and proposed that this be brought to the attention of the Islands Trust Mapping Department.

DE-2020-048

It was **MOVED** and **SECONDED**, that Denman Island Local Trust Committee approve issuance of Development Permit DE-DP-2020.1 (Nielsen).

CARRIED

DE-2020-049

It was **MOVED** and **SECONDED**, that Denman Island Local Trust Committee forward a copy of the Qualified Environmental Professional report for Development Permit application DE-DP-2020.1 to the Islands Trust Mapping Department with a request to provide clarity on discrepancies between Figure 1 Danes Road Riparian Areas Protection Regulation Assessment Map and Figure 2 Danes Road Lot Layout, specific to streams.

CARRIED

8.1 DE-RZ-2018.1 (Denman Housing Association) - Staff Report - for decision

Trustee Busheikin declared a potential conflict of interest as she lives next to the site of the proposed Denman Green project and left the meeting at 2:46 pm.

Planner Zupanec presented the Staff Report that recommends the LTC defer consideration of second reading, further amendments to the proposed bylaws, or drafting of a Housing Agreement until the applicant has secured source water approval from Island Health to satisfy requirements for subdivision and future development for 20 units of affordable rental housing.

Simon Palmer, on behalf of the Denman Housing Association, spoke with the following noted:

- The need for affordable rental housing on Denman Island and the length of time this application has been in process was emphasized;

- Reports and assessments, including a water plan, are completed or in process;
- An update on the status of work toward water requirements was given;
- The scale of the project is warranted given that the Islands Trust Housing Needs Assessment determined that 80 units of affordable housing are needed on Denman Island;
- The Islands Trust has recognized that rainwater harvesting should be explored; Island Health is requiring pilot data not because collecting rainwater is unusual or new, but because this would be a first for its use in a multi-family dwelling;
- The LTC was requested to move forward with a Public Hearing to enable DHA to meet funding deadlines; awaiting approval from Island Health could delay the process by 12 months.

A Trustee acknowledged the need and the concerns that have been voiced by the community; and recognized that the water supply is a crucial element of this application with a number of steps needing to be taken before this water source can be approved. The Island Health correspondence notes that approval may not be granted if there are concerns and the Trustee indicated that a consultation with the community will be an important step in the decision making process.

DE-2020-050

It was MOVED and SECONDED,

that Denman Island Local Trust Committee defer further consideration of Proposed Bylaw Nos. 235 and 237 (Official Community Plan) and 236 and 238 (Land Use Bylaw) until the applicant has secured source water approval from Island Health for a primary and back up water supply, to support the application for subdivision and development of 20 units of proposed housing.

Trustees further discussed the motion, noting that this is an ambitious and much needed project; they look forward to the source water approval and awaiting its receipt will ensure the wise use of staff resource; other data such as actual rainfall at that site and Island Health's determination of a minimum quantity of water per person might be valuable information to help inform the decision.

CARRIED

8.1.1 Letter from Island Health to Denman Housing Association

Received.

Trustee Busheikin returned to the meeting at 3:14 pm.

8.2 DE-RZ-2017.1 (Denman Community Land Trust Association) - Staff Report - for decision

Planner Eggen presented the Staff Report that provides analysis of items requested by the LTC and in response to bylaw referrals received; provides an update on the Housing Agreement and Covenant; requests direction on the bylaw referral to the Advisory Planning Commission (APC); and recommends amendments to proposed Bylaw No. 234 in response to bylaw referrals.

She reported that staff recommends no change to the 100 square metre maximum combined gross floor area of all accessory buildings and structures in the R4(2) zone as this is the maximum that Denman Community Land Trust Association (DCLTA) indicated would be sufficient for their project.

Trustees discussed the proposed regulation changes and the following was noted:

- Requiring a Development Permit Area or adding to the Covenant to regulate dark sky measures, rainwater catchment, or to limit impermeable surfaces would delay the project and increase cost; the applicant has indicated their intention to address these issues reasonably and a discussion with the applicant regarding rainwater catchment would be helpful;
- A three-metre setback is supported; although it is not ideal, this is in a high density area with a road nearby and not a location residents would choose for rural character; the Ministry of Agriculture edge planting response might be aimed at a more urban environment so may not be necessary in this situation; and the Fire Chief has commented that the large buffer may not be necessary to implement Firesmart measures given other circumstances in the area;
- The suggested well monitoring continues to be supported as it is not an onerous requirement for the applicant and would have many benefits.

A Trustee suggested that limiting impermeable surfaces might be addressed through amending the proposed lot coverage provision, providing rationale for this approach.

DE-2020-051

It was MOVED and SECONDED,

that Denman Island Local Trust Committee amend proposed Bylaw Nos. 233 and 234 such that ground-level paving for driveways and vehicle parking, ground-level sidewalks, detached ground-level patios and decks, detached access stairways and boardwalks be counted as structures in the provision specific to proposed R4(2) zoning.

A Trustee proposed that this would not be an onerous requirement, would have significant environmental benefit, and would not present a difficulty for the project's current site plan; other Trustees were reluctant to add more restrictions, considered this as being unnecessary, too restrictive and a small benefit in exchange for the staff time that would be required to implement the amendment.

DEFEATED

Trustee Critchley Opposed
Chair Fast Opposed

DE-2020-052

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request staff to prepare a draft version of the proposed Bylaw Nos. 233 and 234 that incorporate the Local Trust Committee's requested changes to date to be considered by the Local Trust Committee prior to a Community Information Meeting.

CARRIED

DE-2020-053

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request staff to prepare a plain language guide/Frequently Asked Questions for proposed Bylaw Nos. 233 and 234 and rezoning application DE-RZ-2017.1 to be considered by the Local Trust Committee before a Community Information Meeting and distributed as an insert in the Islands Grapevine ahead and in support of a Community Information Meeting.

CARRIED

Planner Eggen requested direction as to the LTC's consideration of a referral of DE-RZ-2017.1 to the APC. LTC members did not express support for a referral at this time.

DE-2020-054**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee amend its previous motion DE-2020-008, "that proposed Bylaw Nos. 233 and 234 as amended be referred to the following First Nations, Local Governments and agencies for comment:

a. First Nations:

K'ómoks First Nation, Qualicum First Nation, Tla'amin Nation, Snaw'Naw'As Nation, Te'Mexw Treaty Association, We Wai Kai Nation, Stz'uminus First Nation, Lake Cowichan First Nation, Halalt First Nation, Lyackson First Nation, Penelakut Tribe, Cowichan Tribes, Laich-kwil-tach Treaty Society, Nanwakolas Council, We Wai Kum Nation, Xwemanlhkwu (Homalco) First Nation.

b. Local Governments and Agencies:

Hornby Island Local Trust Committee, Island Health, Denman Advisory Planning Commission, Agricultural Land Commission, Comox Valley Regional District, School District 71, Ministry of Agriculture, and the appropriate fire service."

by removing Denman Advisory Planning Commission.

CARRIED

By general consent agenda items 10.3, 10.4 and 11.1 were moved to follow 8.2

10.3 Letter dated March 26, 2020 from John Davis Law Corporation (on behalf of T. Forrest) regarding request to modify registered floodplain covenant (CA7485177)

Planner Eggen summarized the background for this request to modify the registered floodplain covenant, reporting that staff have reviewed the circumstances and have received written confirmation that MoTI signed off on the modification.

DE-2020-055**It was MOVED and SECONDED,**

that Denman Island Local Trust Committee approve the request from John A. Davis, dated March 26, 2020 to modify paragraph 2(b) of the Terms of Instrument – Part 2 of Covenant CA7481577 registered on Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349 PID 030-773-890, to allow a change to the minimum elevation of a building/structure/modular home from three metres to two metres, and authorizes the Chair and one other member of the Local Trust Committee as signatories to the covenant modification.

CARRIED**10.4 Letter dated August 26, 2020 from T. Forrest regarding request to build within Archaeological Covenanted area (CA7485176)**

Trustees requested additional information be provided to inform a decision on this issue.

DE-2020-056

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request that the applicant (DE-SUP-2020.3) provide supporting documentation in support of their request to build in the covenanted area identified in Archaeological Covenant CA7485176 and request staff to bring back a staff report for Local Trust Committee consideration.

CARRIED**11. NEW BUSINESS****11.1 Denman Island Groundwater Sustainability Strategy - verbal update**

Islands Trust Freshwater Specialist Shulba presented information on a potential Groundwater Sustainability Strategy project for Denman Island. He noted that this project has been proceeding in the Southern Gulf Islands and may be advanced to the Northern Region. He outlined the four phases that would be involved:

- Data and information inventory;
- Groundwater recharge mapping;
- Groundwater availability assessments; and
- Groundwater sustainability planning.

By general consent all remaining topics on the agenda were deferred to the next LTC meeting.

Trustees requested that Regional Planning Manager Kauer make available the PowerPoint presentation for 9.1 for their review prior to the next meeting to allow for consideration of the issues to be discussed at that time.

9. LOCAL TRUST COMMITTEE PROJECTS**9.1 Project Management Presentation - for Information****10. CORRESPONDENCE**

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

10.1 Letter dated August 10, 2020 from Association for Denman Island Marine Stewards (ADMIS)**10.2 Notification for Information from the Comox Valley Regional District Electoral Area Services Committee, dated August 6, 2020 of Development Permits for Shoreline Protection at Coal Hills, Vancouver Island****12. REPORTS****12.1 Trust Conservancy Report dated July 14, 2020**

- 12.2 Applications Report dated August 31, 2020
 - 12.3 Trustee and Local Expense Report dated July, 2020
 - 12.4 Adopted Policies and Standing Resolutions
 - 12.5 Local Trust Committee Webpage
 - 13. WORK PROGRAM
 - 13.1 Top Priorities Report dated August 31, 2020
 - 13.2 Projects List Report dated August 31, 2020
 - 14. CLOSED MEETING - None
 - 15. UPCOMING MEETINGS
 - 15.1 Next Regular Meeting Scheduled for Tuesday, November 3, 2020 at 12:30 pm at -
Location to be determined
 - 16. ADJOURNMENT
- By general consent** the meeting was adjourned at 5:09 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder



Resolutions Without Meetings Log

Denman Island

Resolution Number	Action	Date
2020-010	Carried	21-Oct-2020
That the Denman Island Local Trust Committee authorize the expenditure of \$50.00 from the Trustee Expenses budget to support Trustee Busheikin's attendance at the Vancouver Island and Coastal Communities Climate Leadership Plan Resilience Summit.		

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
1 Amend Bylaw No. 228 (OCP) by replacing item 1.15 Policy 3 (as per Feb. 7, 2019 staff report).	Becky McErlean Marnie Eggen Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
2 Amend Bylaw No. 229 (LUB) for LTC consideration: a. Include TUP and rainwater harvesting collection system requirements for temporary secondary dwellings for immediate family; b. Amend the agri-tourism accommodation TUP guidelines to remove the option for seasonal cabins, and continue to permit seasonal campsites and a maximum of three sleeping units, which includes home-based guest accommodation rooms; c. Reduce the lot line setback for feedlots from 50 m to 30 m. - d Remove the term feedlot e. Add a new defined term, confined livestock area. f. remove agriculture as an accessory use in the R1 zone, while retaining horticulture as an accessory use in this zone; - g remove the term intensive agriculture; h. amend the definition of horticulture to continue to allow the sale of products produced on the lot, and to ensure that the use is accessory to a principal residential use and not tied specifically to a landowner; i. permit the keeping of animals for personal use as an accessory use in the R1, R2, R3 zones. j. Remove horticulture as a permitted use in the A, F, and RE zones, while retaining agriculture as a principal permitted use in these zones.	Becky McErlean Marnie Eggen Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
3 LTC endorsed revised Farm Plan Implementation Project Charter as amended (adding Cannabis Land Use Regulations as an Out of Scope activity).	Marnie Eggen Sonja Zupanec		In Progress

07-Mar-2019

Activity	Responsibility	Dates	Status
1 Request the communication specialist to prepare draft wording for Islands Trust signage at the Buckley Bay terminal, which would consist of a sign 3 feet wide and 4 feet tall and include reference to indigenous territorial acknowledgement, and design elements and graphics. Request referred to Andrew Templeton March 11, 2019. Location of sign has been confirmed. David Critchley will follow up with Andrew on wording - July 2019	Lisa Wilcox		In Progress

04-Jul-2019

Activity	Responsibility	Dates	Status
1 David Marlor to bring forward draft procedures for cell tower application consultation for LTC consideration.	David Marlor		In Progress



Follow Up Action Report

Denman Island

03-Oct-2019

Activity	Responsibility	Dates	Status
1 Staff to follow up with the Farm Industry Review Board (FIRB) to arrange a meeting and a tour as per their letter dated September 25, 2019 and include invitation to the Hornby LTC. <i>2020-09-08 update: presentation held at Denman LTC meeting</i> <i>2020-09-08; to be held at Hornby LTC meeting in 2021. FIRB availability for Tour - summer 2021.</i>	Becky McErlean Marnie Eggen Penny Hawley Wil Cottingham		In Progress

21-Jan-2020

Activity	Responsibility	Dates	Status
1 Trustee Critchley to contact K'omoks First Nation Guardian Watchmen to discuss coordinating a response to Spraying on Tree Island.			In Progress
2 Staff to prepare a draft Water Sustainability Project Charter.	William Shulba		In Progress

19-May-2020

Activity	Responsibility	Dates	Status
1 Staff to amend Bylaw No. 233 by adding the following to item 1.4 Policy 4: 'subject to ALC approval' and fix typo in Bylaw No. 234 item 1.3.	Marnie Eggen		Completed



Follow Up Action Report

Denman Island

19-May-2020

Activity	Responsibility	Dates	Status
2 Re: DE-RZ-2017.1, staff to provide suggestions for regulating the following in the proposed R4(2) zone: mandatory rain water catchment, limiting impermeable surfaces, dark sky measures, replanting disturbed areas with mainly native vegetation, and combined floor area for accessory buildings and structures.	Marnie Eggen		Completed
3 Staff to amend proposed Bylaw No. 234: R4 zone be renamed to "Affordable Rental Housing"; floor area of accessory buildings to be left blank; in R4 & R4(2) allow home occupations: general business offices, professional offices, excluding health services, artist or artisan studios, and prohibit the purchase of any products on the site, employee/clientele/customers attending the property and the creation of noise which disturbs persons.	Marnie Eggen		Completed
4 Staff to prepare amendments to proposed Bylaw No. 234 such that no commercial agriculture or horticulture, or keeping of chickens or other livestock are permitted in the R4(2) zone.	Marnie Eggen		Completed

07-Jul-2020

Activity	Responsibility	Dates	Status
1 Staff to forward the LTC request for a Denman Island OCP and LUB review to be prioritized by LPS to the LPS Director, Executive Committee and Local Planning Services. Trustee Busheikin to provide background.	Marnie Eggen		In Progress



Follow Up Action Report

Denman Island

08-Sep-2020

Activity	Responsibility	Dates	Status
1 LTC approved Development Permit DE-DP-2020.1. Staff to issue.	Becky McErlean Jaime Dubyna Penny Hawley		Completed
2 Staff to forward updated stream information in QEP report for DE-DP-2020.1 to mapping department for their consideration to add to stream mapping data/layers for Denman Island.	Jaime Dubyna		Completed
3 Staff to provide a draft version of proposed bylaw nos. 233 and 234 that incorporate the proposed changes to date to be considered by the LTC prior to a Community Information Meeting.	Marnie Eggen		Completed
4 Staff to prepare a plain language guide/FAQ for proposed bylaw Nos 233 and 234 (DE-RZ-2017.1) to be considered by the LTC prior to a Community Information Meeting and distributed as an insert in the Islands Grapevine ahead of a Community Information Meeting.	Marnie Eggen		In Progress
5 LTC approve request from landowner to modify floodplain covenant CA7481577 registered to PID 030-773-890 to allow a 2m elevation minimum. Staff to inform landowner. LTC Chair and another Trustee to sign the covenant modification.	Becky McErlean Marnie Eggen		Completed
6 Staff to bring back a staff report for LTC consideration regarding DE-SUP-2020.3 and the landowner's request to build in the covenanted area identified in Archaeological Covenant CA7485176.	Jaime Dubyna		In Progress

Follow Up Action Report

Denman Island

08-Sep-2020

Activity	Responsibility	Dates	Status
7 Items 9.1, 10.1, 10.2, 12, and 13 deferred from the September 8 2020 LTC meeting agenda; to be added to their next LTC meeting, November 3rd.	Becky McErlean Heather Kauer		Completed

File No.: DE-RA-2017.1
(Denman Community Land
Trust Association)

DATE OF MEETING: November 3, 2020

TO: Denman Island Local Trust Committee

FROM: Marnie Eggen, Island Planner
Northern Team

COPY: Heather Kauer, Regional Planning Manager

SUBJECT: Rezoning Application for Seniors Affordable Housing Development
Owner/Applicant: Bev Severn (Owner) and Harlene Holm (Agent/Applicant)
Location: 3730 Denman Road, Denman Island (PID 009-708-537)

RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 239 cited as “Denman Island Housing Agreement Bylaw No. 239, 2020” be read a first time.
2. That the Denman Island Local Trust Committee amend Bylaw No. 233, cited as “Denman Island Official Community Plan, 2008, Amendment No.1, 2019” as follows:
 - a. Item 1.4 is amended by adding the text “subject to Agricultural Land Commission approval.” to the end of Policy 4.
 - b. Schedule “2” 1 is amended by removing the text “Parcel M (DD 6601N) of Section 18, Denman Island, Nanaimo District, Except that Part in Plan 24807 (PID 009-708-537)” and replacing it with “Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026)”.
3. That the Denman Island Local Trust Committee Bylaw No. 233 cited as “Denman Island Official Community Plan, 2008, Amendment No.1, 2019” be read a first time, as amended.
4. That the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 233 cited as “Denman Island Official Community Plan, 2008, Amendment No.1, 2019” is not contrary to or at variance with the Islands Trust Policy Statement.
5. That the Denman Island Local Trust Committee amend Bylaw No. 234 cited as “Denman Island Land Use Bylaw, 2008, Amendment No.1, 2019” as follows:
 - a. Adding the word “Rental” between the words “Affordable” and “Housing” in items 1.3, 1.4, 1.10, and 1.12.
 - b. Item 1.3 is amended by removing the word “ADMINISTRATION” and replacing it with “GENERAL REGULATIONS”.

- c. Adding new item 1.5 that amends PART 2 GENERAL REGULATIONS, Section 2.4 Home Occupation Regulations, Permitted Home Occupation Uses by adding new regulations 3 and 4 that limit home occupation uses in the R4 zone to general business offices, professional offices, excluding health services, artist or artisan studios, and prohibits in the R4 zone on site purchase of any products or services, on site attendance of clientele or customers, and the creation of noise which disturbs persons.
 - d. Adding new item 1.6 that amends 1.6 PART 2 GENERAL REGULATIONS, Section 2.4 Home Occupation Regulations, Number of Employees, by adding a new regulation 17 that prohibits non-resident employees in the R4 zone.
 - e. Item 1.18 that amends PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables” Table 6 – Floor Area, line 6 is amended by removing “100 m²” from the R4 column and leaving blank.
 - f. Item 1.20 that amends PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 8 – Site Specific Regulations, by adding Site Specific Zoning Code R4(2) is amended by adding and new line 1 that prohibits the keeping of chickens or other livestock, and the sale of agricultural and horticultural products, including their storage, processing and direct marketing.
 - g. Item 2.3 is amended by removing the text “Parcel M (DD 6601N) of Section 18, Denman Island, Nanaimo District, Except that Part in Plan 24807 (PID 009-708-537)” and replacing it with “Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026)”
6. That the Denman Island Local Trust Committee Bylaw No. 234 cited as “Denman Island Land Use Bylaw, 2008, Amendment No.1, 2019” be read a first time, as amended.
7. That the Denman Island Local Trust Committee request staff to schedule a Community Information Meeting early in the new year, subject to:
- a. staff’s receipt of the signed cost recovery agreement for a restrictive covenant in accordance with the Local Trust Committee resolution DE-2020-025, passed May 19, 2020 for application DE-RZ-2017.1 (DCLTA); and
 - b. consideration of the final draft restrictive covenant by the Local Trust Committee.

REPORT SUMMARY

This staff report delivers amended proposed Bylaw Nos. 233 (OCP) and 234 (LUB) and recommends that the bylaws receive first reading, as amended. It also delivers proposed Bylaw No. 239 for the Housing Agreement and recommends that it receive first reading. Additionally, staff is recommending that a Community Information Meeting be scheduled once the LTC has considered the final draft restrictive covenant.

BACKGROUND

At their September 8, 2020 business meeting, the LTC resolved not to refer proposed Bylaw Nos. 233 and 234 to the Denman Advisory Planning Commission. They also passed the following resolutions:

DE-2020-052

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request staff to prepare a draft version of the proposed Bylaw Nos. 233 and 234 that incorporate the Local Trust Committee's requested changes to date to be considered by the Local Trust Committee prior to a Community Information Meeting.

CARRIED

Changes were made to the proposed bylaws and are discussed in the Analysis section below. Amended Bylaw No. 233 is found in Attachments 2 and 3 (tracked change version), and amended Bylaw No. 234 is found in Attachments 4 and 5 (tracked change version).

DE-2020-053

It was MOVED and SECONDED,

that Denman Island Local Trust Committee request staff to prepare a plain language guide/Frequently Asked Questions for proposed Bylaw Nos. 233 and 234 and rezoning application DE-RZ-2017.1 to be considered by the Local Trust Committee before a Community Information Meeting and distributed as an insert in the Islands Grapevine ahead and in support of a Community Information Meeting.

CARRIED

Staff are preparing a plain language guide/frequently asked questions which will be provided to the LTC for consideration at a future business meeting, ahead of a Community Information Meeting.

Staff reports and associated information for rezoning application DE-RZ-2017.1 (DCLTA) are available on the Islands Trust website under Denman Island, [Current Applications](#).

ANALYSIS

Staff have identified the following issues and opportunities for LTC consideration:

- Pending Restrictive Covenant
- Proposed Bylaw Nos. 233 and 234
- Housing Agreement, Draft Bylaw No. 239
- Proposed Subdivision of Subject Property

Issues and Opportunities

Pending Restrictive Covenant

The restrictive covenant is a significant remaining element to be advanced as a part of this rezoning application prior to a Community Information Meeting. Staff continue to await the applicant's signature of the cost recovery agreement in order to advance the restrictive covenant. The LTC has endorsed the requirement of the restrictive covenant by passing resolution DE-2020-025 at their May 19, 2020 business meeting, requesting to enter into a cost recovery agreement with the applicant/agent in order to have the covenant drafted and/or reviewed by Islands Trust legal counsel.

Staff maintain that a final draft covenant should be considered by the LTC prior to a Community Information Meeting. In doing so, it would afford the LTC the opportunity to consider the details of the covenant, and at the Community Information Meeting, the community would be provided a full understanding of all the elements involved with the rezoning application, one of which is the covenant.

Proposed Bylaw Nos. 233 and 234

Proposed Bylaw Nos. 233 and 234 are amended with changes previously endorsed by the LTC, and the bylaws are found in Attachments 2 and 4, respectively. A tracked changes version of the bylaws are also provided in Attachments 3 and 5, respectively. Besides the LTC requested changes, staff have also included an amendment to both bylaws that update the subject property legal description and Parcel Identifier Number (PID) reference to reflect the lot line adjustment recently registered on the subject property. Staff is recommending that the bylaws be given first reading as amended.

Planning staff have re-reviewed the proposed bylaws against the Islands Trust Policy Statement Directives Only Checklist and concluded that proposed Bylaw No. 233 (OCP), as amended is not contrary to or at variance with the ITPS (ITPS, Attachments 6). Staff maintains that staff are unable to conclude that Draft Bylaw No. 234 (LUB) is not contrary to or at variance with the Islands Policy Statement Directives Only Checklist until such time that the restrictive covenant has substantially advanced.

Housing Agreement, Draft Bylaw No. 239

The draft Housing Agreement for the Seniors Affordable Housing Project is finalized. As verbally reported at the last business meeting, staff have received approval of the agreement by the Agricultural Land Commission (ALC), which is a requirement of the Agricultural Land Reserve exclusion conditions. The LTC has resolved to enter into a Housing Agreement with the applicant/agent, and in accordance with Section 483 of the *Local Government Act* this is undertaken by bylaw and by registration on title.

Staff have prepared a draft administrative Bylaw No. 239 for the Housing Agreement, and is recommending that it be given first reading at this time. Further readings can be considered by the LTC concurrently with further readings of proposed Bylaw Nos. 233 and 234. Registration of the Housing Agreement on the title is best to occur at same time as the anticipated subdivision that would create the strata lot intended for the Seniors' Affordable Housing Project.

Strata Subdivision Referral

Staff have recently received a subdivision referral application from the Ministry of Transportation and Infrastructure for the anticipated two lot strata subdivision on the subject property. The proposed subdivision would create two strata lots and one common property, being the laneway access for both lots. One of the strata lots is intended to be for the Seniors Affordable Housing Project and the other strata lot is intended to remain as a lot in the Agricultural Land Reserve. Staff are currently preparing a referral response to the Ministry.

Staff recommend that there should be reasonable confidence that the subdivision as presented is acceptable to the Ministry, before a Community Information Meeting is held. And it is preferable that the confirmation is received as a Preliminary Layout Approval from the Ministry. A Preliminary Layout Approval is a written conditional approval provided by the Ministry during the subdivision process that confirms that the layout is acceptable with conditions, including those identified by Islands Trust, and that all conditions must be met before final approval is given.

Rationale for Recommendation

Staff have prepared amendments to proposed Bylaw Nos. 233 and 234 as requested by the LTC, and staff are recommending that they be given first reading, as amended as a next step in the bylaw amendment process. Staff is also recommending that proposed Housing Agreement Bylaw No. 239 be given first reading as it is in final draft form and it has received approval by the ALC. Additionally, staff are recommending that a Community Information

Meeting be scheduled after such time that the LTC has considered a final draft restrictive covenant. Staff recommendations are found on Page 1 and of the staff report.

ALTERNATIVES

The LTC may consider the following alternative to the staff recommendations:

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 staff provide the following/that the applicant submit to the Islands Trust [LTC to specify requested information].

NEXT STEPS

Once the Cost Recovery Agreement for the restrictive covenant is received from the applicant/agent, staff will advance work on the covenant and provide a final draft for LTC consideration.

Application Process Steps and Timing

The following timeline outlines the rezoning application process milestones to date along with next steps and approximate timing which may assist in managing applicant and community expectations in how an OCP and LUB amendment application such as this, is processed. Public input may be received by the LTC at any point during the OCP and LUB amendment process up until the end of the public hearing.



Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	October 21, 2020
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	October 23, 2020

ATTACHMENTS

1. Proposed Bylaw No. 239 (Housing Agreement) – for consideration of 1st reading
2. Proposed Bylaw No. 233 (OCP), amended (clean copy) – for consideration of 1st reading
3. Proposed Bylaw No. 233 (OCP), amended (tracked changes)
4. Proposed Bylaw No. 234 (LUB), amended (clean copy) – for consideration of 1st reading
5. Proposed Bylaw No. 234 (LUB), amended (tracked changes)
6. Islands Trust Policy Statement Directives Only Checklists for Bylaw Nos. 233

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 239

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

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*;

AND WHEREAS Section 483 of the *Local Government Act* and Section 29 of the *Islands Trust Act* permit the Local Trust Committee to enter into a housing agreement;

AND WHEREAS the Denman Island Local Trust Committee wishes to enter into a Housing Agreement;

NOW THEREFORE the Denman Island Local Trust Committee enacts in open meeting assembled as follows:

1. Citation

This bylaw may be cited for all purposes as “Denman Island Housing Agreement Bylaw No. 239, 2020”.

2. Any two Trustees of the Denman Island Local Trust Committee are authorized to execute an agreement in the form attached to this Bylaw with Denman Community Land Trust Association.

READ A FIRST TIME THIS _____ DAY OF _____ 20_____

READ A SECOND TIME 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

Housing Agreement and Section 219 Covenant

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

Denman Community Land Trust Association a society incorporated under the laws of the province of British Columbia and having its office at 3900 Lacon Road, 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 the lands situated at _____ Denman Road on Denman Island British Columbia and legally described as:

[Insert Legal Description of Lands]

(the "Lands");

B. The Lands have been rezoned by the Denman Island Local Trust Committee by means of Denman Island Land Use Bylaw 2008 Amendment No. 1, 2019 and Denman Island Official Community Plan, 2008, Amendment No. 1, 2019 has been put in place to permit the development of a seniors' affordable housing project;

C. The Owner intends to rent the units in the housing project, by way of a Tenancy Agreement, at an affordable rate to Qualified Occupants;

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 provide affordable housing on the Lands on the terms and conditions of this Agreement; 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 covenants granted by the Owner to the Trust Committee under Section 219 of the Land Title Act, and as a housing agreement between the Owner and the Trust Committee under Section 483 of the Local Government Act, as follows:

a. **Definitions** – In this Agreement:

“Affordable Dwelling Unit” means a deed restricted or rent controlled Dwelling Unit that is designated as an Affordable Dwelling Unit by this Agreement and is available to Seniors on an affordable basis as set out in this agreement;

“Annual Household Income” means the gross income, as shown on line 150 of their preceding year’s T1 General Income Tax and Benefit returns or an equivalent document produced by the Canada Revenue Agency, of all Qualified Occupants of an Affordable Dwelling Unit combined;

“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;

“Family Member” means a person under the age of 65 years old who lives with and is related to the Tenant through blood or marriage including a person with whom the Tenant is living in a marriage-like relationship;

“Qualified Occupant” means a Senior or Family Member who meets the eligibility criteria for occupancy as set out in Schedule B;

“Residential Tenancy Act” means the most recent version of the British Columbia Residential Tenancy Act;

“Senior” means a person 65 years of age or older;

“Schedule B” means that Schedule B annexed hereto or any variation thereof made by the Owner that does not contradict any of the terms in the balance of this Agreement;

“Tenant” means a Senior who has entered into a Tenancy Agreement;

“Tenancy Agreement” means an agreement between a landlord and a tenant respecting possession of an Affordable Dwelling Unit, use of common areas and services and facilities, and includes a licence to occupy an Affordable Dwelling Unit.

- b. **Agreement over the Lands** – Pursuant to section 219 of the Land Title Act and section 483 of the Local Government Act, the Owner covenants and agrees that:
- i. the Lands must not be used and no building or structure may be constructed on the Lands except in accordance with any permit issued for the Lands by the Local Trust Committee and this Agreement;
 - ii. it will design and construct not less than eight Dwelling Units on the Lands provided that construction may, at the sole discretion of the Owner, proceed in stages;
 - iii. all Dwelling Units located on the Lands will be used only as Affordable Dwelling Units pursuant to the terms of this Agreement;
 - iv. it will maintain the Affordable Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands; and
 - v. the Affordable Dwelling Units will only be used and occupied by Qualified Occupants as a permanent, principal, and sole residence pursuant to a Tenancy Agreement.
- c. **Affordable rental housing eligibility** – The Owner covenants and agrees that Affordable Dwelling Units will only be occupied in accordance with the following criteria:
- i. the Owner will only select Tenants in accordance with the Tenant Selection Procedure set out in Schedule B;
 - ii. prior to entering into a Tenancy Agreement, the Owner will ensure that each Qualified Occupant who will reside in an Affordable Dwelling Unit meets the applicable criteria set out in Schedule B;
 - iii. the Affordable Dwelling Units will only be occupied by Qualified Occupants whose Annual Household Income has not, in any of the previous three years, exceeded 120% of the most recently published before tax Low Income Cut-offs, for rural areas and with a family size that corresponds with the number of Qualified Occupants residing in an Affordable Dwelling Unit, as determined and published from time to time by Statistics Canada or its successor in function. If Statistics Canada discontinues the publication of the Low Income Cutoff, the Owner may substitute a similar monetary amount based upon available statistical information (adjusted to economic circumstances on Denman Island) which estimates the minimum income required to meet basic living needs and which, for example, may include reference to the CMHC Core Needs Income Threshold.;
 - iv. an Affordable Dwelling Unit will not have more than two total occupants, and if the Affordable Dwelling Unit has two occupants, the composition of the occupants shall be:
 - 1) two Seniors related through blood or marriage or that have a marriage-like relationship; or
 - 2) one Senior and one Family Member.

v. only Seniors shall be parties to an Affordable Dwelling Unit's Tenancy Agreement, that is, a Family Member shall not be a Tenant; and

vi. a Tenancy Agreement for an Affordable Dwelling Unit will identify each Qualified Occupant who will be residing in an Affordable Dwelling Unit.

d. **Tenancy** – The Owner covenants and agrees to:

i. include in every Tenancy Agreement for an Affordable Dwelling Unit a term:

- 1) requiring the Tenant and each permitted occupant of the Affordable Dwelling Unit to comply with this Agreement;
- 2) entitling the Owner to terminate the Tenancy Agreement if the Tenant or a permitted occupant of the Affordable Dwelling Unit fail to comply with this Agreement;
- 3) entitling the Owner to terminate the Tenancy Agreement if the Affordable Dwelling Unit is made available as a short-term vacation rental; and
- 4) entitling the Owner to terminate the Tenancy Agreement if the Affordable Dwelling Unit is occupied by a person or persons other than the Qualified Occupants identified in the Tenancy Agreement;

ii. not consent to the subletting of an Affordable Dwelling Unit or an assignment of a Tenancy Agreement governing an Affordable Dwelling Unit;

iii. deliver to the Trust Committee a true copy of every Tenancy Agreement entered into in respect of any Affordable Dwelling Unit within 10 days of any request to do so; and

iv. specify in every Tenancy Agreement the existence of this Agreement and the occupancy restrictions applicable to the Unit, and provide to each Tenant, upon their request, a copy of this Agreement.

e. **Rental rates** - The Owner covenants and agrees that it will:

i. not charge any Tenant a rent for an Affordable Dwelling Unit, exclusive of utilities, that on an annual basis is greater than 30% of the Annual Household Income of all Qualified Occupants of the Affordable Dwelling Unit; and

ii. not require a Tenant under a Tenancy Agreement to pay any extra charges or fees for use of septic services or property taxes. For clarity, this limitation does not apply to cablevision, telecommunications, laundry, or gas or electricity utility fees or charges. For metered water, each Affordable Dwelling Unit located on the Lands will be allocated a share of the usage permitted under a water licence issued by the Ministry of Forests, Lands, Natural Resource Operations, and Rural

Development. A Tenant will be required to pay a penalty if their consumption exceeds their allocation.

- f. **Order to Comply** - If the Owner is in default of the performance or observance of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with this 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 on the notice of default provided to the owner by the Trust Committee.
- g. **Statutory Declaration from Owner** – The Owner shall deliver to the Trust Committee by the end of June of each year, a completed statutory declaration, substantially in the form attached as Schedule A sworn by the Owner, in relation to the Units. The Owner irrevocably authorizes the Trust Committee to make inquiries it considers necessary and reasonable in order to confirm compliance with this Agreement.
- h. **Management** – The Owner covenants and agrees to furnish good and efficient management of 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, subject to the notice provisions of the Residential Tenancy Act and subject to the concurrent delivery of such a notice to the Society.
- i. **No Transfer** – The Owner must not transfer the Lands, other than to another non-profit organization or society incorporated under the Society Act, having as its objective the management of affordable housing. The Local Trust Committee must approve any transfer prior to its finalization.
- j. **Society Standing** – The Owner must maintain its standing as a society under the Society Act, and must not amend its Constitution in any manner that would prevent, or adversely affect, the ability of the Owner to perform its obligations under this Agreement.
- k. **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 Unit. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Trust Committee's Land Use Bylaw, as amended from time to time.
- l. **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.
- m. **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.

- n. **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.
- o. **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.
- p. **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.
- q. **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.
- r. **Arbitration** – Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the Commercial Arbitration Act of British Columbia.
- 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 housing 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 and Termination** – 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.

ii. **Interpretation** – In this Agreement:

i. the word "enactment" has the meaning given in the Interpretation Act on the reference date of this Agreement;

ii. reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;

iii. reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

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.

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SCHEDULE "A"

OWNER'S STATUTORY DECLARATION

CANADA, PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF A HOUSING AGREEMENT WITH THE DENMAN ISLAND LOCAL
TRUST COMMITTEE ("Housing Agreement")

I, _____, _____, Denman Island, BC, declare that:

1. I am the _____ [director, officer, employee] of the Denman Community Land Trust Association, the Owner of the land known as Pepper Lane, Denman Road, Denman Island, legally described as: *[Insert Legal Description of Lands]* (the "Lands").
2. The terms in this declaration have the same meaning as those defined in the Housing Agreement.
3. I make this declaration to the best of my personal knowledge.
4. This declaration is made pursuant to the Housing Agreement registered against the Lands.
5. For the period from _____ to _____, the Affordable Dwelling Units were used only by Qualified Occupants meeting all eligibility requirements of the Housing Agreement, including, without limitation, the restrictions on Annual Household Income.
6. At no time during the last year were any of the Affordable Dwelling Units used as a short-term vacation rental or sublet.
7. The rental amounts charged for the Affordable Dwelling Units were in compliance with the Housing Agreement.
8. I acknowledge and agree to comply with all of the Owner's obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. 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.

DECLARED BEFORE ME at _____, British Columbia, this _____ day of _____, 20____.

A Commissioner for taking Affidavits
Columbia

Signature of person making declaration in British

SCHEDULE B

DENMAN COMMUNITY LAND TRUST ASSOCIATION TENANT SELECTION PROCEDURE FOR PEPPER LANE

1. A vacancy for an Affordable Dwelling Unit at Pepper Lane shall be advertised by Denman Community Land Trust Association (“the Owner”) in at least two editions of one or more publications circulated on Denman Island.
2. Only Seniors, that is, persons 65 years of age and over (to a maximum of 2 such persons) may apply for an Affordable Dwelling Unit and become “Tenants” by entering into a tenancy agreement.
3. Where the applicant consists of only 1 Senior, 1 additional person who is under 65 years of age and related to the Senior (a “Family Member”) may occupy an Affordable Dwelling Unit, but a Family Member may not enter into a tenancy agreement for, or become a tenant of, an Affordable Dwelling Unit. However, where a tenancy agreement comes to an end due to the Tenant’s death or voluntary surrender of that agreement, any Family Member who then meets all the age, income, asset and other requirements herein will be offered the opportunity to enter into a new lease for that Affordable Dwelling unit on similar terms
4. Quiet, friendly pets weighing less than 30 pounds may be allowed at Pepper Lane if specifically approved in writing by a tenant selection committee which in exercising its discretion shall take into account, among other things, the number and kind of pets already in residence.
5. Smoking is prohibited inside all Affordable Housing Units. Tenants may smoke outside at Pepper Lane provided the smell cannot be detected in or nearby any of the other Affordable Housing Units.
6. Applicants must meet the following financial requirements:
 - i) the combined gross annual income of the applicant(s) and any Family Member for the previous three years must not exceed 120% of the Before Tax Low Income Cutoff for Rural Areas for 1 or 2 persons, as applicable, as determined by Statistics Canada* or its successor agency;
 - ii) the aggregate household assets of the applicant(s) must not exceed \$60,000. Similarly, the aggregate household assets of the Family Member must not exceed \$60,000 (These limits shall be adjusted annually beginning in 2021 based on the Consumer Price Index rate of inflation for Victoria as calculated by Statistics Canada). Assets included for valuation are: cash, funds on deposit, stocks, bonds, term deposits, annuities, mutual funds, equity in a business or real estate, RRSPs and RRIIFs. Assets excluded for valuation are: personal jewelry, furniture, a vehicle for personal use, bursaries and scholarships, and trade tools for employment.
7. Applicants shall obtain from the Owner such application form as it may prescribe from time to time and in returning the completed form to the Owner shall include verification of the financial information above required, including:

- i) copies of the 3 most recent years' Notice of Assessment from Canada Revenue Agency;
- ii) a statement of assets included for valuation as detailed in section 6 ii) above.

8. Applicants who meet these financial qualifications shall be referred to a tenant selection committee which shall be composed of not less than five people appointed by the directors of the society. The committee members need not be affiliated with the Owner but must be residents of Denman Island who have been such for not less than three years. Where possible, the committee will include two members nominated by two other charitable societies on Denman Island (one nominee per society) and a retired or practicing physician. Committee members must not be related to, or close friends with, any of the people who are then applying for a tenancy.

9. The committee shall screen applicant(s) and any Family Member to determine those who meet the following mandatory requirements:

- i) the applicant(s) and any Family Member must be capable of independent living with little or no assistance with the activities of daily living and must not require provision of on-site medical or nursing care;
- ii) the applicant(s) must have been primarily resident on Denman Island for at least the two years preceding the consideration of the application;
- iii) the applicant(s) must have provided satisfactory references to establish that they would be responsible Tenant(s), i.e. would pay rent promptly, cause no damage, and create no nuisance; and
- iv) any Family Member must provide satisfactory references to establish that they would be a responsible occupant i.e. would cause no damage and create no nuisance.

10. From the qualified applicants, the committee will select the Tenant(s) after due consideration of the following criteria:

- i) the length of the applicant's and any Family Member's connection to Denman Island;
- ii) the contribution of the applicant and any Family Member to Denman Island through paid or volunteer work;
- iii) the degree of unsuitability of the applicant's present housing;
- iv) the degree of suitability of the personal characteristics of the applicant and any Family Member to the type of accommodation and living arrangement offered at Pepper Lane; and
- v) all things being equal between competing applicants, to meet the needs of as many as possible, preference shall be given to a couple over a single applicant.

11. Upon selecting Tenant(s), the committee shall:

i) promptly advise all qualified applicants of their decision;

ii) maintain a waiting list of those qualified applicants still seeking residence at Pepper Lane.

* If Statistics Canada discontinues the publication of the Low Income Cutoff, the Owner may substitute a similar monetary amount based upon available statistical information (adjusted to economic circumstances on Denman Island) which estimates the minimum income required to meet basic living needs and which, for example, may include reference to the CMHC Core Needs Income Threshold.

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 233

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN, 2008

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

1. That the Denman Island Local Trust Committee Bylaw No. 185 cited as “Denman Island Official Community Plan, 2008” is amended as shown on Schedules “1,” “2,” and “3” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Denman Island Official Community Plan, 2008", Amendment No. 1, 2019”.

READ A FIRST TIME THIS	21 ST	DAY OF	JANUARY	, 2020
READ A SECOND TIME THIS	xx	DAY OF		, 20xx
READ A THIRD TIME THIS	xx	DAY OF		, 20xx
PUBLIC HEARING HELD THIS	xx	DAY OF		, 20xx
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	xx	DAY OF		, 20xx
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS		DAY OF		, 20XX
ADOPTED THIS		DAY OF		, 20XX

Chair

Secretary

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 233

Schedule “1”

1. Schedule “A” – Official Community Plan Policy Document of the Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008” is amended as follows:
 - 1.1. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Objectives is amended by adding the following new objective following the text of Objective 4:
“Objective 5 To protect and enhance the supply and quality of rental housing for low income households.”
 - 1.2. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 1 is amended by adding the following sentence to the end of the first sentence: “except for lots created for the purpose of allowing multi-family affordable housing.”
 - 1.3. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 3 is amended by replacing it in its entirety with the following:

“Policy 3 In the Sustainable Resource designation, the size of new lots for forestry uses that are created by subdivision may not be less than 64 hectares.”
 - 1.4. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, is amended by adding the following new Policy 4 after Policy 3 and renumbering subsequent Policies chronologically:

“Policy 4 In the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the purpose of allowing multi-family affordable housing subject to Agricultural Land Commission approval.”
 - 1.5. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 9 is replaced in its entirety with the following:
“In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following:
 - The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw; and
 - Multi-family affordable housing through the completion of a successful rezoning application.”
 - 1.6. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 10 is amended by changing “Policy 29” to “Policy 30”.
 - 1.7. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 10 is amended by adding “28, 29, or” after the word “Policy” and before the number “30.”
 - 1.8. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 27 is replaced in its entirety with the following:

“Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.”

- 1.9. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 28 is amended by adding an additional bullet to the end of the list that reads: “that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity.”

DENMAN ISLAND LOCAL TRUST COMMITTEE

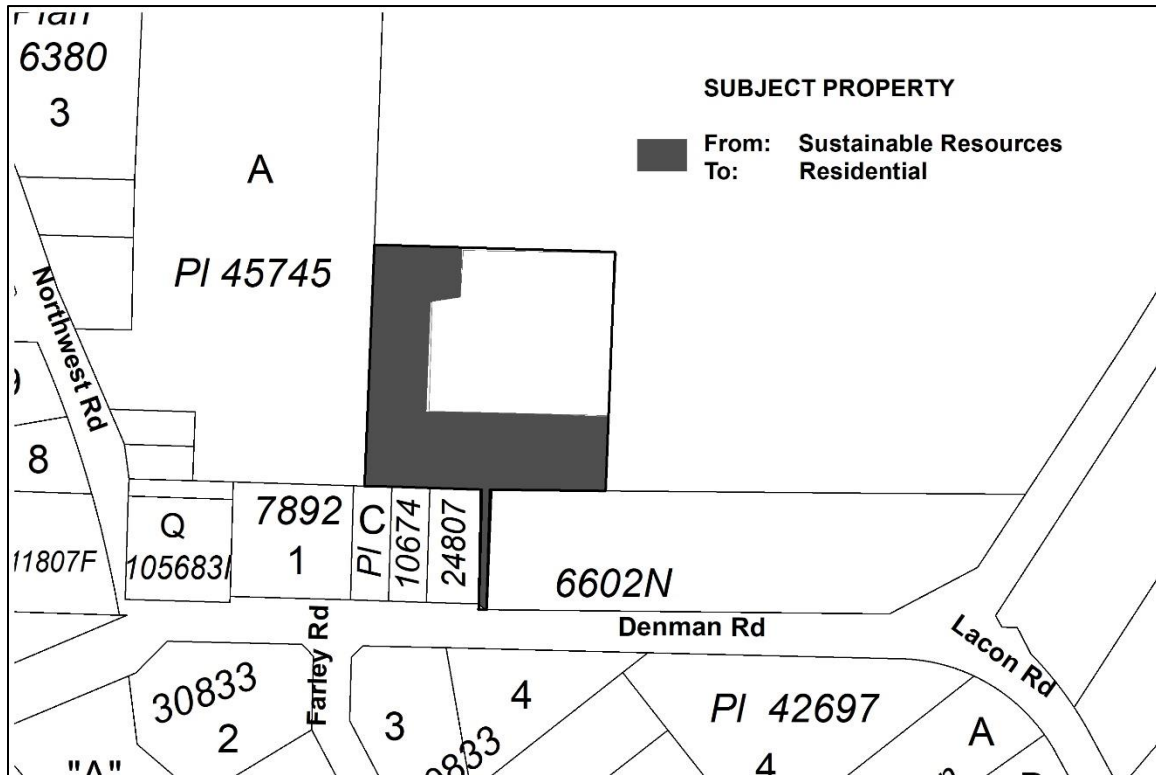
BYLAW NO. 233

Schedule "2"

1. Schedule "C" – Land Use Designations of the Denman Island Local Trust Committee Bylaw No. 185, cited as "Denman Island Official Community Plan, 2008" is amended by changing the designation of ~~Parcel M (DD 6601N) of Section 18, Denman Island, Nanaimo District, Except that Part in Plan 24807 (PID 009-708-537)~~ Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "C" of Bylaw No. 185 as are required to effect this change.

Plan No. 1 – CONCEPTUAL PLAN ONLY

Final plan to be inserted prior to bylaw adoption, subject to receipt of Preliminary Layout Approval of future 2 - 3 lot subdivision



PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 233

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN, 2008

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

1. That the Denman Island Local Trust Committee Bylaw No. 185 cited as “Denman Island Official Community Plan, 2008” is amended as shown on Schedules “1,” “2,” and “3” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Denman Island Official Community Plan, 2008", Amendment No. 1, 2019”.

READ A FIRST TIME THIS	21 ST	DAY OF	JANUARY	, 2020
READ A SECOND TIME THIS	xx	DAY OF		, 20xx
READ A THIRD TIME THIS	xx	DAY OF		, 20xx
PUBLIC HEARING HELD THIS	xx	DAY OF		, 20xx
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	xx	DAY OF		, 20xx
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS		DAY OF		, 20XX
ADOPTED THIS		DAY OF		, 20XX

Chair

Secretary

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 233

Schedule “1”

1. Schedule “A” – Official Community Plan Policy Document of the Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008” is amended as follows:
 - 1.1. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Objectives is amended by adding the following new objective following the text of Objective 4:
“Objective 5 To protect and enhance the supply and quality of rental housing for low income households.”
 - 1.2. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 1 is amended by adding the following sentence to the end of the first sentence: “except for lots created for the purpose of allowing multi-family affordable housing.”
 - 1.3. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 3 is amended by replacing it in its entirety with the following:

“Policy 3 In the Sustainable Resource designation, the size of new lots for forestry uses that are created by subdivision may not be less than 64 hectares.”
 - 1.4. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, is amended by adding the following new Policy 4 after Policy 3 and renumbering subsequent Policies chronologically:

“Policy 4 In the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the purpose of allowing multi-family affordable housing subject to Agricultural Land Commission approval.”
 - 1.5. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 9 is replaced in its entirety with the following:
“In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following:
 - The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw; and
 - Multi-family affordable housing through the completion of a successful rezoning application.”
 - 1.6. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 10 is amended by changing “Policy 29” to “Policy 30”.
 - 1.7. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 10 is amended by adding “28, 29, or” after the word “Policy” and before the number “30.”
 - 1.8. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 27 is replaced in its entirety with the following:

“Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.”

- 1.9. PART E FAMILIES AND INDIVIDUALS, E1 – HOUSING, Housing Policies, Policy 28 is amended by adding an additional bullet to the end of the list that reads: “that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity.”

DENMAN ISLAND LOCAL TRUST COMMITTEE

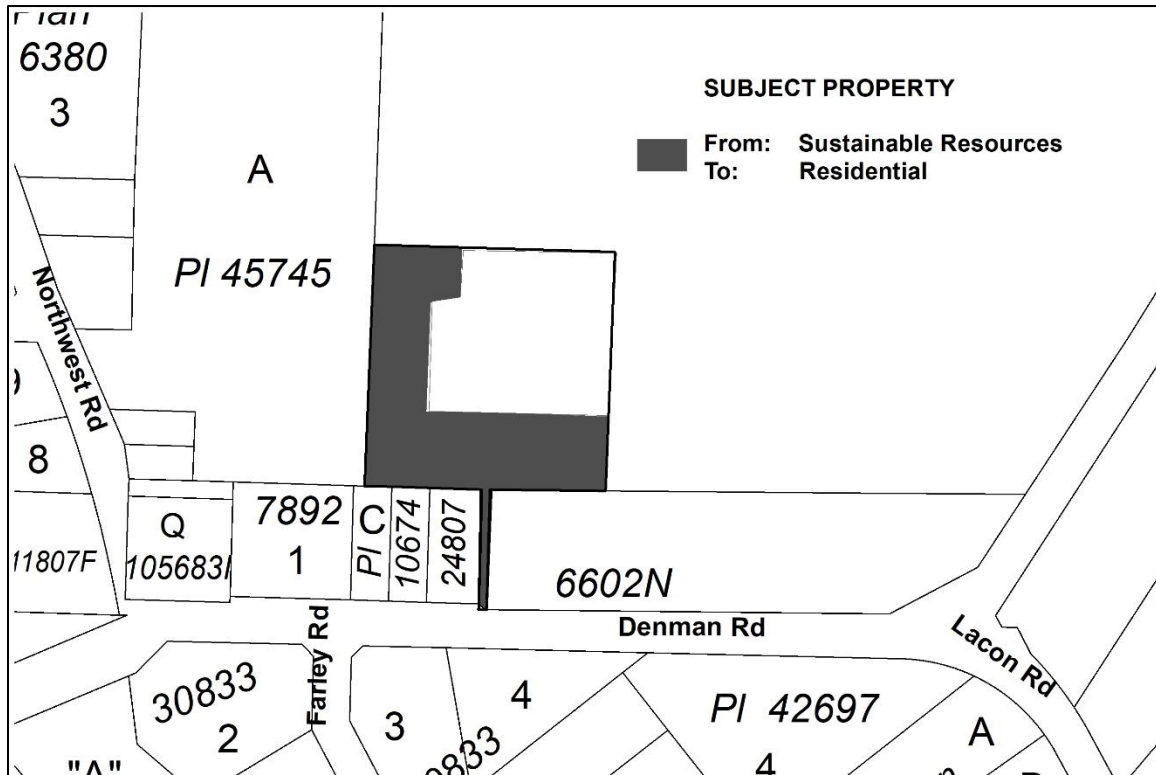
BYLAW NO. 233

Schedule "2"

1. Schedule "C" – Land Use Designations of the Denman Island Local Trust Committee Bylaw No. 185, cited as "Denman Island Official Community Plan, 2008" is amended by changing the designation of Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "C" of Bylaw No. 185 as are required to effect this change.

Plan No. 1 – CONCEPTUAL PLAN ONLY

Final plan to be inserted prior to bylaw adoption, subject to receipt of Preliminary Layout Approval of future 2 - 3 lot subdivision



PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 234

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”.

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 21ST DAY OF JANUARY , 2020

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20____

READ A SECOND TIME 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. 234**

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 replacing the definition of "lot coverage" with the following:

"lot coverage means the percentage of the total area of the lot covered by buildings and structures including roof overhangs but excluding cisterns connected to a building for the purposes of rainwater harvesting and collection."
 - 1.2 PART 1 ADMINISTRATION, Section 1.1 Definitions is amended by adding the following definitions in alphabetical order:

"dwelling, multi-family means a building containing two or more dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance;

dwelling unit, seniors affordable housing means a deed restricted and/or rent controlled dwelling unit that is secured by a housing agreement, and is available to seniors on an affordable basis as defined by a housing agreement.

dwelling unit, single family means a building containing one dwelling unit;

residential rental tenure means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit;"
 - 1.3 PART 2 GENERAL REGULATIONS, Section 2.1 **Accessory Buildings and Structures**, 10 is amended by adding the words "and the use is not permitted on a parcel in the 'Affordable Rental Housing (R4) Zone'." after the word "Bylaw".
 - 1.4 PART 2 GENERAL REGULATIONS, Section 2.1 **Travel Trailers**, 11 is amended by adding the words "except on a parcel zoned 'Affordable Rental Housing (R4)'" after the word "accommodation".
 - 1.5 PART 2 GENERAL REGULATIONS, Section 2.4 **Home Occupation Regulations, Permitted Home Occupation Uses** is amended by adding the following new regulations 3 and 4 after regulation 2 and by making such consequential numbering alterations to effect this change:

"3 Despite regulation 2 of this section, the following uses, and no others are permitted as home occupations in the R4 zone:

 - general business offices
 - professional offices, excluding health services
 - artist or artisan studios"

4 Notwithstanding 2.4 regulation 3 of this section, the following is prohibited in the R4 zone:

- on site purchase of any products or services
- on site attendance of clientele or customers
- creation of noise which disturbs persons"

- 1.6 PART 2 GENERAL REGULATIONS, Section 2.4 **Home Occupation Regulations, Number of Employees** is amended by adding the following new regulation 17 after regulation 16 and by making such consequential numbering alterations to effect this change:

"Despite regulation 16 of this section, no non-resident employees are permitted in the R4 zone."

- 1.7 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by removing:

- "one per one single family residential use"

And replacing it with:

- "one per one single family residential dwelling unit"

- 1.8 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by adding another bullet:

- "two per dwelling unit in a multi-family dwelling"

- 1.9 PART 2 GENERAL REGULATIONS, Section 2.5, Parking Regulations, Number of Parking Spaces Required, 17, Minimum number of bicycle parking spaces is amended by adding another bullet:

- "one per dwelling unit in a multi-family dwelling"

- 1.10 PART 2 GENERAL REGULATIONS, Section 2.6 Signs Regulations, Permitted signs, 1 is amended by adding "Affordable Rental Housing (R4)" after "(R3)".

- 1.11 PART 2 GENERAL REGULATIONS, Section 2.7 Screening Regulations, Landscape Screens, 8 is amended by removing "R3 zone" and replacing with "R3 and R4 zones".

- 1.12 PART 3 ZONE REGULATIONS, Section 3.1 Creation of Zones, 1, Zone Classification, Zoning Code, **Residential Zones** is amended by adding "Affordable Rental Housing R4".

- 1.13 PART 3 ZONE REGULATIONS, Section 3.3 "Residential Zoning Tables", Table 1 – Permitted Uses is deleted in its entirety and replaced with:

Table 1 - Permitted Uses		R1	R2	R3	R4
Principal Uses					
1	Residential	✓	✓	✓	
2	Residential Rental Tenure subject to registration of housing agreement				✓
3	Parks	✓	✓	✓	✓
4	Utilities	✓	✓	✓	✓

Accessory Uses

5	Home occupation uses listed in Section 2.4 accessory to a principal residential use	✓	✓	✓	
6	Forest fungi production accessory to a residential use, on lots 2.0 ha or larger	✓	✓	✓	✓
7	Horticulture and agriculture, other than intensive agriculture, accessory to a principal residential use	✓	✓	✓	✓
8	Occasional wood working and wood processing using wood obtained from the lot and accessory to a principal residential use	✓	✓	✓	
9	Generation of electricity from non-polluting renewable sources and accessory to a principal residential use	✓	✓	✓	✓
10	Secondary suites and secondary dwelling units		✓		

*Secondary dwelling units must be approved through a Temporary Use Permit

1.14 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 2 – Permitted Buildings and Structures is deleted in its entirety and replaced with:

Table 2 - Permitted Buildings and Structures		R1	R2	R3	R4
1	Single family dwelling units	✓	✓	✓	
2	Multi-family dwelling units				✓
3	Buildings and structures accessory to a constructed single family dwelling unit	✓	✓	✓	
4	Buildings and structures accessory to a constructed multi-family dwelling unit				✓
5	Buildings and structures to accommodate horticulture, agriculture and sale of horticultural and agricultural products	✓	✓	✓	✓
6	Buildings and structures for parks and utilities	✓	✓	✓	✓
7	Pit privies	✓	✓	✓	
8	Fences	✓	✓	✓	✓
9	Signs, subject to Section 2.6	✓	✓	✓	✓
10	Portable sawmill accessory to a residential use, to accommodate occasional wood working and wood processing	✓	✓	✓	
11	Buildings and structures for the generation of electricity from non-polluting renewable sources	✓	✓	✓	✓
12	Common house			✓	✓

1.15 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 3 – Density of Uses, Buildings and Structures is deleted in its entirety and replaced with:

Table 3 - Density of Uses, Buildings and Structures		R1	R2	R3	R4
--	--	-----------	-----------	-----------	-----------

1	Minimum lot area per principal single family dwelling unit	1.0 ha	4.0 ha	n/a	n/a
2	Despite line 1 of this table, maximum number of single family dwelling units on lots less than the minimum area shown in line 1 of this table	1	1	n/a	n/a
3	Subject to line 1 of this table, maximum number of dwelling units per lot	5	n/a	15	
4	Maximum combined lot coverage of buildings and structures	25%	25%	n/a	10%
5	Maximum number of buildings or structures for the generation of electricity from non-polluting sources	1	1	1	3

1.16 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 4 – Height is deleted in its entirety and replaced with:

Table 4 – Height		R1	R2	R3	R4
1	Maximum height of principal buildings and structures				
	located less than 100.0 metres from the natural boundary of the sea	7.0 m	7.0 m	7.0 m	7.0 m
	located 100.0 metres or more from the natural boundary of the sea	9.0 m	9.0 m	9.0 m	9.0 m
2	Maximum height of buildings and structures				
	accessory to a residential use	6.0 m	6.0 m	6.0 m	6.0 m
	used exclusively for agriculture	15.0 m	15.0 m	15.0 m	15.0 m
3	Maximum height of a fence, excluding deer netting	2.0 m	2.0 m	2.0 m	2.0 m
4	Maximum height of a pump/utility house located within a setback area	2.5 m	2.5 m	2.5 m	2.5 m
5	Maximum height of a boathouse	4.5 m	4.5 m	4.5 m	4.5 m

1.17 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 5 – Setbacks is deleted in its entirety and replaced with:

Table 5 - Setbacks		R1	R2	R3	R4
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				
	from the front lot line	7.5 m	7.5 m	30.0 m	10.0 m
	from the rear or side lot line	3.0 m	3.0 m	30.0 m	10.0 m
	from the exterior side lot line	4.5 m	4.5 m	30.0 m	10.0 m
2	Minimum setback from all lot lines for pit privies, feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops	8.0 m	8.0 m	30.0 m	30.0 m
3	Minimum setback from all lot lines for domestic chicken coops	3.0 m	3.0 m	30.0 m	10.0 m

1.18 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 6 – Floor Area is deleted in its entirety and replaced with:

Table 6 - Floor Area		R1	R2	R3	R4
1	Maximum gross floor area of a pump/utility house located within a setback area	6.0 m ²	6.0 m ²	6.0 m ²	10.0 m ²
2	Maximum gross floor area of a boathouse located within 15.0 metres of the natural boundary of the sea	30.0 m ²	30.0 m ²	n/a	n/a
3	Maximum gross floor area of a single family dwelling unit	n/a	n/a	139.4 m ²	n/a
4	Maximum gross floor area of a dwelling unit in a multi-family dwelling	n/a	n/a	n/a	
5	Maximum gross floor area of a common house	n/a	n/a	279 m ²	n/a
6	Maximum combined gross floor area of all accessory buildings and structures	n/a	n/a	1275 m ²	

1.19 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 7 – Subdivision is deleted in its entirety and replaced with:

Table 7 - Subdivision		R1	R2	R3	R4
1	Maximum density permitted by subdivision is an average of one lot per	1.0 ha	4.0 ha	35.0 ha	
2	Minimum lot area permitted by subdivision, subject to the regulations in 2.8	1.0 ha	2.0 ha	35.0 ha	

1.20 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 8 – Site Specific Regulations is amended by adding a new R4(2) Site Specific Zoning Code:

Table 8 - Site Specific Regulations

The regulations listed in tables 1 through 7 of this section apply to the land identified on Schedule B (the Zoning Map) by the site specific zoning code listed below on the left, except as varied by the relevant site specific regulation listed in this Table (Table 8)

Site Specific Zoning Code	Site Specific Regulations
R4(2)	- Despite line 7 of Table 1 of this Section, the following is not permitted: - the keeping of chickens or other livestock; - the sale of agricultural and horticultural products, including their storage, processing and direct marketing; - Despite line 2 of Table 2 of this Section, multi-family dwelling units are limited to each building containing a maximum of two seniors affordable housing dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance. - Despite line 12 of Table 2 of this Section, a Common House is not permitted. - Despite line 3 in Table 3 of this Section, the maximum number of seniors affordable dwelling units per lot is 8. - Despite line 4 in Table 3 of this Section, the maximum combined lot coverage of buildings and structures is 25%.

- 6 Despite line 1 in Table 5 of this Section, the minimum setback of buildings or structures, except for a fence or pump/utility house
 - from the front lot line is 7.5 m
 - from the rear or side lot line is 3 m
 - from the exterior side lot line is 3 m
- 7 Despite line 2 in Table 5 of this Section, the minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except for domestic chicken coops is 8.0 m.
- 8 Despite line 3 in Table 5 of this Section, the minimum setback from all lot lines for domestic chicken coops is 3 m.
- 9 Despite line 4 in Table 6 of this Section, the maximum gross floor area of a seniors affordable dwelling unit is 60 m².
- 10 Despite Table 7 of this Section, the minimum lot area permitted by subdivision is 0.8 hectares.
- 11 Despite regulations 16 and 17 of Section 2.5, the minimum number of automobile parking spaces required is 1.5 per seniors affordable housing unit, and the minimum number of bicycle parking spaces required is 0.5 per seniors affordable housing unit.
- 12 Despite regulations 9, 12, and 15 in Section 2.8, the applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.

1.21 PART 3 – ZONE REGULATIONS, Section 3.4 – “Resource Zoning Tables”, Table 8 – Site Specific Regulations is amended by adding a new A(15) Site Specific Zoning Code:

Table 8 - Site Specific Regulations

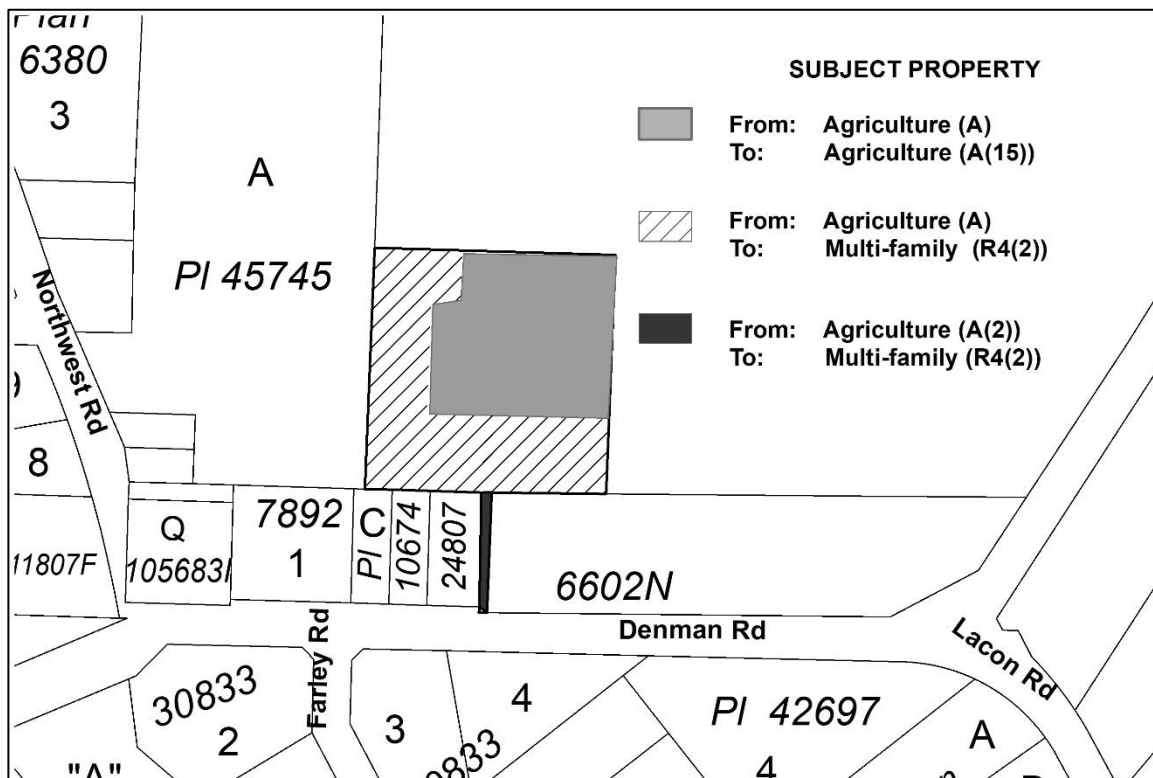
The regulations listed in tables 1 through 7 of this section apply to the land identified on Schedule B (the Zoning Map) by the site specific zoning code listed below on the left, except as varied by the relevant site specific regulation listed in this Table (Table 8)

Site Specific Zoning Code	Site Specific Regulations
A(15)	1 Despite Table 7 of this Section, the minimum lot area is 0.8 hectares.

2. Schedule “B” of Denman Island Land Use Bylaw, 2008 is amended as follows:
 - 2.1. Schedule “B” – North Sheet is amended by changing the name “North Sheet” to “North Map”.
 - 2.2. Schedule “B” – South Sheet is amended by changing the name “South Sheet” to “South Map”.
 - 2.3. Schedule “B” – North Map, is amended by changing the zoning classification of Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026) as shown on Plan 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.

Plan No. 1 – CONCEPTUAL PLAN ONLY

Final plan to be inserted prior to bylaw adoption, subject to receipt of Preliminary Layout Approval of future 2 - 3 lot subdivision



PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 234

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”.

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 21ST DAY OF JANUARY , 2020

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20____

READ A SECOND TIME 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. 234**

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 replacing the definition of "lot coverage" with the following:

"lot coverage means the percentage of the total area of the lot covered by buildings and structures including roof overhangs but excluding cisterns connected to a building for the purposes of rainwater harvesting and collection."

1.2 PART 1 ADMINISTRATION, Section 1.1 Definitions is amended by adding the following definitions in alphabetical order:

"dwelling, multi-family means a building containing two or more dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance;

dwelling unit, seniors affordable housing means a deed restricted and/or rent controlled dwelling unit that is secured by a housing agreement, and is available to seniors on an affordable basis as defined by a housing agreement.

dwelling unit, single family means a building containing one dwelling unit;

residential rental tenure means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit;"

1.3 PART 2 ~~ADMINISTRATION~~GENERAL REGULATIONS, Section 2.1 **Accessory Buildings and Structures**, 10 is amended by adding the words "and the use is not permitted on a parcel in the 'Affordable Rental Housing (R4) Zone'." after the word "Bylaw".

1.4 PART 2 GENERAL REGULATIONS, Section 2.1 **Travel Trailers**, 11 is amended by adding the words "except on a parcel zoned 'Affordable Rental Housing (R4)'" after the word "accommodation".

1.5 PART 2 GENERAL REGULATIONS, Section 2.4 **Home Occupation Regulations, Permitted Home Occupation Uses** is amended by adding the following new regulations 3 and 4 after regulation 2 and by making such consequential numbering alterations to effect this change:

"3 Despite regulation 2 of this section, the following uses, and no others are permitted as home occupations in the R4 zone:

- general business offices
- professional offices, excluding health services
- artist or artisan studios"

4 Notwithstanding 2.4 regulation 3 of this section, the following is prohibited in the R4 zone:

- on site purchase of any products or services
- on site attendance of clientele or customers
- creation of noise which disturbs persons"

1.6 PART 2 GENERAL REGULATIONS, Section 2.4 Home Occupation Regulations, Number of Employees is amended by adding the following new regulation 17 after regulation 16 and by making such consequential numbering alterations to effect this change:

"Despite regulation 16 of this section, no non-resident employees are permitted in the R4 zone."

1.51.7 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by removing:

- "one per one single family residential use"

And replacing it with:

- "one per one single family residential dwelling unit"

1.61.8 PART 2 GENERAL REGULATIONS, Section 2.5 Parking Regulations, Number of Parking Spaces Required, 16, **residential** is amended by adding another bullet:

- "two per dwelling unit in a multi-family dwelling"

1.71.9 PART 2 GENERAL REGULATIONS, Section 2.5, Parking Regulations, Number of Parking Spaces Required, 17, Minimum number of bicycle parking spaces is amended by adding another bullet:

- "one per dwelling unit in a multi-family dwelling"

1.81.10 PART 2 GENERAL REGULATIONS, Section 2.6 Signs Regulations, Permitted signs, 1 is amended by adding "Affordable Rental Housing (R4)" after "(R3)".

1.91.11 PART 2 GENERAL REGULATIONS, Section 2.7 Screening Regulations, Landscape Screens, 8 is amended by removing "R3 zone" and replacing with "R3 and R4 zones".

1.101.12 PART 3 ZONE REGULATIONS, Section 3.1 Creation of Zones, 1, Zone Classification, Zoning Code, **Residential Zones** is amended by adding "Affordable Rental Housing R4".

1.111.13 PART 3 ZONE REGULATIONS, Section 3.3 "Residential Zoning Tables", Table 1 – Permitted Uses is deleted in its entirety and replaced with:

Table 1 - Permitted Uses		R1	R2	R3	R4
Principal Uses					
1	Residential	✓	✓	✓	
2	Residential Rental Tenure subject to registration of housing agreement				✓
3	Parks	✓	✓	✓	✓
4	Utilities	✓	✓	✓	✓

Accessory Uses

5	Home occupation uses listed in Section 2.4 accessory to a principal residential use	✓	✓	✓	
6	Forest fungi production accessory to a residential use, on lots 2.0 ha or larger	✓	✓	✓	✓
7	Horticulture and agriculture, other than intensive agriculture, accessory to a principal residential use	✓	✓	✓	✓
8	Occasional wood working and wood processing using wood obtained from the lot and accessory to a principal residential use	✓	✓	✓	
9	Generation of electricity from non-polluting renewable sources and accessory to a principal residential use	✓	✓	✓	✓
10	Secondary suites and secondary dwelling units		✓		

*Secondary dwelling units must be approved through a Temporary Use Permit

1.121.14 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 2
– Permitted Buildings and Structures is deleted in its entirety and replaced with:

Table 2 - Permitted Buildings and Structures		R1	R2	R3	R4
1	Single family dwelling units	✓	✓	✓	
2	Multi-family dwelling units				✓
3	Buildings and structures accessory to a constructed single family dwelling unit	✓	✓	✓	
4	Buildings and structures accessory to a constructed multi-family dwelling unit				✓
5	Buildings and structures to accommodate horticulture, agriculture and sale of horticultural and agricultural products	✓	✓	✓	✓
6	Buildings and structures for parks and utilities	✓	✓	✓	✓
7	Pit privies	✓	✓	✓	
8	Fences	✓	✓	✓	✓
9	Signs, subject to Section 2.6	✓	✓	✓	✓
10	Portable sawmill accessory to a residential use, to accommodate occasional wood working and wood processing	✓	✓	✓	
11	Buildings and structures for the generation of electricity from non-polluting renewable sources	✓	✓	✓	✓
12	Common house			✓	✓

1.131.15 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 3
– Density of Uses, Buildings and Structures is deleted in its entirety and replaced with:

Table 3 - Density of Uses, Buildings and Structures		R1	R2	R3	R4
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DE-BL-234

1	Minimum lot area per principal single family dwelling unit	1.0 ha	4.0 ha	n/a	n/a
2	Despite line 1 of this table, maximum number of single family dwelling units on lots less than the minimum area shown in line 1 of this table	1	1	n/a	n/a
3	Subject to line 1 of this table, maximum number of dwelling units per lot	5	n/a	15	
4	Maximum combined lot coverage of buildings and structures	25%	25%	n/a	10%
5	Maximum number of buildings or structures for the generation of electricity from non-polluting sources	1	1	1	3

1.141.16 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 4 –
Height is deleted in its entirety and replaced with:

Table 4 – Height		R1	R2	R3	R4
1	Maximum height of principal buildings and structures				
	located less than 100.0 metres from the natural boundary of the sea	7.0 m	7.0 m	7.0 m	7.0 m
	located 100.0 metres or more from the natural boundary of the sea	9.0 m	9.0 m	9.0 m	9.0 m
2	Maximum height of buildings and structures				
	accessory to a residential use	6.0 m	6.0 m	6.0 m	6.0 m
	used exclusively for agriculture	15.0 m	15.0 m	15.0 m	15.0 m
3	Maximum height of a fence, excluding deer netting	2.0 m	2.0 m	2.0 m	2.0 m
4	Maximum height of a pump/utility house located within a setback area	2.5 m	2.5 m	2.5 m	2.5 m
5	Maximum height of a boathouse	4.5 m	4.5 m	4.5 m	4.5 m

1.151.17 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 5 –
Setbacks is deleted in its entirety and replaced with:

Table 5 - Setbacks		R1	R2	R3	R4
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				
	from the front lot line	7.5 m	7.5 m	30.0 m	10.0 m
	from the rear or side lot line	3.0 m	3.0 m	30.0 m	10.0 m
	from the exterior side lot line	4.5 m	4.5 m	30.0 m	10.0 m
2	Minimum setback from all lot lines for pit privies, feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops	8.0 m	8.0 m	30.0 m	30.0 m
3	Minimum setback from all lot lines for domestic chicken coops	3.0 m	3.0 m	30.0 m	10.0 m

1.161.18 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 6 – Floor Area is deleted in its entirety and replaced with:

Table 6 - Floor Area		R1	R2	R3	R4
1	Maximum gross floor area of a pump/utility house located within a setback area	6.0 m ²	6.0 m ²	6.0 m ²	10.0 m ²
2	Maximum gross floor area of a boathouse located within 15.0 metres of the natural boundary of the sea	30.0 m ²	30.0 m ²	n/a	n/a
3	Maximum gross floor area of a single family dwelling unit	n/a	n/a	139.4 m ²	n/a
4	Maximum gross floor area of a dwelling unit in a multi-family dwelling	n/a	n/a	n/a	
5	Maximum gross floor area of a common house	n/a	n/a	279 m ²	n/a
6	Maximum combined gross floor area of all accessory buildings and structures	n/a	n/a	1275 m ²	100 m²

1.171.19 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 7 – Subdivision is deleted in its entirety and replaced with:

Table 7 - Subdivision		R1	R2	R3	R4
1	Maximum density permitted by subdivision is an average of one lot per	1.0 ha	4.0 ha	35.0 ha	
2	Minimum lot area permitted by subdivision, subject to the regulations in 2.8	1.0 ha	2.0 ha	35.0 ha	

1.181.20 PART 3 ZONE REGULATIONS, Section 3.3 “Residential Zoning Tables”, Table 8 – Site Specific Regulations is amended by adding a new R4(2) Site Specific Zoning Code:

Table 8 - Site Specific Regulations

The regulations listed in tables 1 through 7 of this section apply to the land identified on Schedule B (the Zoning Map) by the site specific zoning code listed below on the left, except as varied by the relevant site specific regulation listed in this Table (Table 8)

Site Specific Zoning Code	Site Specific Regulations
R4(2)	<u>1</u> Despite line 7 of Table 1 of this Section, the following is not permitted: <u>the keeping of chickens or other livestock;</u> <u>the sale of agricultural and horticultural products, including their storage, processing and direct marketing;</u> <u>12</u> Despite line 2 of Table 2 of this Section, multi-family dwelling units are limited to each building containing a maximum of two seniors affordable housing dwelling units, each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance. <u>23</u> Despite line 12 of Table 2 of this Section, a Common House is not permitted. <u>34</u> Despite line 3 in Table 3 of this Section, the maximum number of seniors affordable dwelling units per lot is 8. <u>45</u> Despite line 4 in Table 3 of this Section, the maximum combined lot coverage of buildings and structures is 25%.

- ~~56~~ Despite line 1 in Table 5 of this Section, the minimum setback of buildings or structures, except for a fence or pump/utility house
- from the front lot line is 7.5 m
 - from the rear or side lot line is 3 m
 - from the exterior side lot line is 3 m

- ~~67~~ Despite line 2 in Table 5 of this Section, the minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except for domestic chicken coops is 8.0 m.

- ~~78~~ Despite line 3 in Table 5 of this Section, the minimum setback from all lot lines for domestic chicken coops is 3 m.

- ~~89~~ Despite line 4 in Table 6 of this Section, the maximum gross floor area of a seniors affordable dwelling unit is 60 m².

- ~~910~~ Despite Table 7 of this Section, the minimum lot area permitted by subdivision is 0.8 hectares.

- ~~1011~~ Despite regulations 16 and 17 of Section 2.5, the minimum number of automobile parking spaces required is 1.5 per seniors affordable housing unit, and the minimum number of bicycle parking spaces required is 0.5 per seniors affordable housing unit.

- ~~1112~~ Despite regulations 9, 12, and 15 in Section 2.8, the applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.

~~1.191.21~~ PART 3 – ZONE REGULATIONS, Section 3.4 – “Resource Zoning Tables”, Table 8 – Site Specific Regulations is amended by adding a new A(15) Site Specific Zoning Code:

Table 8 - Site Specific Regulations

The regulations listed in tables 1 through 7 of this section apply to the land identified on Schedule B (the Zoning Map) by the site specific zoning code listed below on the left, except as varied by the relevant site specific regulation listed in this Table (Table 8)

Site Specific Zoning Code	Site Specific Regulations
A(15)	1 Despite Table 7 of this Section, the minimum lot area is 0.8 hectares.

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

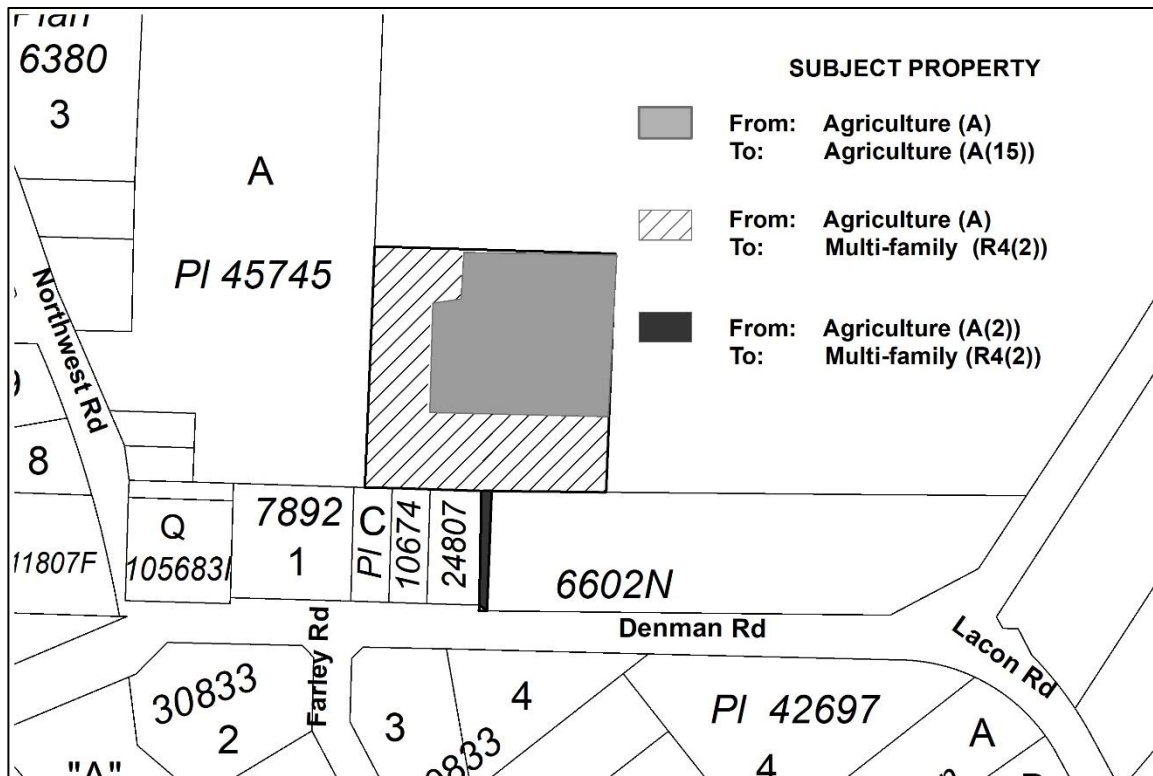
2.1. Schedule “B” – North Sheet is amended by changing the name “North Sheet” to “North Map”.

2.2. Schedule “B” – South Sheet is amended by changing the name “South Sheet” to “South Map”.

2.3. Schedule “B” – North Map, is amended by changing the zoning classification of ~~Parcel M (DD-6601N) of Section 18, Denman Island, Nanaimo District, Except that Part in Plan 24807 (PID 009-708-537)~~ **Lot A Section 18 Denman Island Nanaimo District Plan EPP68031 (PID 031-102-026)** as shown on Plan 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.

Plan No. 1 – CONCEPTUAL PLAN ONLY

Final plan to be inserted prior to bylaw adoption, subject to receipt of Preliminary Layout Approval of future 2 - 3 lot subdivision



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: DE-RZ-2017.1 (DCLTA)

File Name: Bylaw No. 233 (OCP)

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

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

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

To

The Honorable Bernadette Jordan

Minister of Fisheries and Oceans and the Canadian Coast Guard

cc Allison Webb, Director, Aquaculture Management Division, Pacific Region

MP Gord Johns, NDP Fisheries Critic

BC MLA Sheila Malcolmson, Parliamentary Sec'y for Environment

Cory Frank, Manager, K'omoks First Nation Guardian Watchmen

Jim Russel, Exec.Director, BC Shellfish Growers Assn

Chris Marrie Aquaculture Environmental Operations

Daniel Arbour Electoral Area A Rep. Comox Valley Regional District

David Critchley Denman Island Trustee, Islands Trustees

Laura Busheikin Denman Island Trustee, Islands Trustees

From

Dorrance Woodward

Chair, Association for Denman Island Marine Stewards

August 10, 2020

DFO and the Shellfish Industry need a long-term plan for cleaning up their own plastic pollution if they are to actually be sustainable and recover their social license.

The Association for Denman Island Marine Stewards,(ADIMS) was deeply concerned to read that the BC Shellfish Growers Association(BCSGA) had recently received \$350,000 from the Fisheries and Oceans Canada (DFO) to pay them to clean up this industry's own plastic debris over a two year period. Shockingly, it will only cover the deep water areas below their own rafts, but not the industry debris which litters our shores!

Our home, Denman Island, forms the eastern shore of Baynes Sound, which is the epicentre of shellfish growing in BC. This decision concerns us because tonnes of plastic debris from the industry continually wash up on our shores, compelling us to organize volunteer beach cleanups and do what we can to prevent additional microplastic contamination.

Why would DFO fund BCSGA to clean up its own lost gear, instead of taking action, as the regulator, to ensure that growers take care of this problem without cost to the taxpayers?

It's always been ADIMS' position that the industry should clean up its own lost gear. Similarly, it's always been our position that DFO should enforce its own regulations, and pursue a relationship of respect and compliance between itself and the shellfish growers. We expect that DFO and the Province would also require that growers respect the needs of both the marine ecosystem and local residents by removing their toxic debris from our waters.

When we met with Jim Russell, executive director of BCSGA, we found we were all in agreement regarding who is responsible for cleaning up lost gear - the growers - and what DFO should be doing as regulator – monitoring and enforcement.

We discussed the two year grant itself, which is exclusively for submerged ghost gear, meaning gear coming from the rafts, or netting swept off inshore tenures. The \$350,000 matches growers' costs, who will have to cover the expense of divers. Growers will pay 50% of cleanup costs.

We believe this grant will only account for a small part of the industry's plastic debris problem as we witness it from Denman's shores.

More importantly: this grant will not fund the development of a model for growers to take responsibility for their lost gear in the future. Will DFO just keep on paying growers to clean up their own mess?

For the last 10 years, DFO has not routinely monitored or enforced this clear violation of the Fisheries Act. This industry's lost gear constitutes a well-recognized threat to fish and fish habitat by depositing toxic plastic debris into critical salmon and herring spawning and nursery habitat. This decade of under staffing and under budgeting for basic regulatory functions can only be viewed as a policy decision, for which the Minister is responsible.

By allowing the shellfish growing industry to continue as a publicly visible plastics polluter of our oceans and shores, DFO has become an enabler of the current shellfish aquaculture practices and complicit in the industry's loss of social license. Shellfish aquaculture used to call itself sustainable, and highlighted the pristine waters of Baynes Sound. There is an army of witnesses, who can attest that neither of those industry claims can be made at this time.

DFO must step up as the regulator, and work with this industry to comprehensively address its plastic debris failings and adoption of a model for real and continued

sustainability. We all need Baynes Sound waters to be pristine-- for the sake of the shellfish aquaculture industry, the environmentally sensitive and diverse marine and fore-shore ecosystems, and the present and future generations of islanders who live and work along its waters.

Sincerely,

Dorrance Woodward
Chair, ADIMS

DATE: August 6, 2020**FILE:** 3060-20/DP 3A 20
3060-20/DP 4A 20**TO:** Chair and Directors
Electoral Areas Services Committee**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer*R. Dyson***RE:** **Development Permit (Shoreline Protection) – Coal Hills, Island Highway (West Fraser Mills Ltd. and Province of British Columbia); That part of Lot 1 District Lot 154, Nanaimo District, Sections 31 and 32, Township 1 and District Lot 28, Nelson District, Plan EPP15507 as shown on Plan EPP56910, PID 030-110-254; Block B, District Lot 155, Nanaimo District, No PID****Purpose**

To consider Development Permits (DPs) under the Shoreline Protection Devices Guidelines related to the proposed land alterations to the shoreline at the Union Bay Coal Hills site (Appendices A, B and C).

Recommendations from the Chief Administrative Officer:

1. THAT the Board approve Development Permit DP 3A 20 (Union Bay Coal Hills) on property described as That part of Lot 1 District Lot 154, Nanaimo District, Sections 31 and 32, Township 1 and District Lot 28, Nelson District, Plan EPP15507 as shown on Plan EPP56910, PID 030-110-254, for the development of shoreline protection devices;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

2. THAT the Board approve Development Permit DP 4A 20 (Union Bay Coal Hills) on property described as Block B, District Lot 155, Nanaimo District for the development of shoreline protection devices;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

Executive Summary

- The applicants are seeking to conduct remediation work on the Union Bay Coal Hills to address acid rock drainage and metal leaching. The project involves covering the site with a liner that prevents drainage through the stockpile. Shoreline protection devices would help anchor the liner, prevent escape of waste rock, and provide the edge of the liner with protection from erosive forces.
- Alterations to the shoreline require a Development Permit under the shoreline protection devices guidelines. When land alteration involves hardening of the shoreline, the Development Permit can only be approved by the Comox Valley Regional District (CVRD) Board (Board).

- Following the recommendations of Qualified Professionals who evaluated alternative hard and soft shore approaches, the proposed shoreline protection devices involve replacing the existing shoreline with rip rap on the eastern side (due to its orientation against the prevailing wind and wave direction) and western side (due to steep slopes on the site and the immediacy of the neighbour across the watercourse). The alterations to the northern side would use soft shore approaches to create a more natural beach.
- The Area A Advisory Planning Commission (APC) recommended approval of the DP as proposed.
- Staff recommends issuance of the DP on the basis that the scope of work will protect the natural environment and its ecosystems and protect the liner from hazardous conditions.

Prepared by:

Concurrence:

Concurrence:

*J. MacLean**S. Smith*

 Jodi MacLean, RPP, MCIP
 Rural Planner

 Ton Trieu, RPP, MCIP
 Manager of Planning Services

 Scott Smith, RPP, MCIP
 General Manager of
 Planning and Development
 Services Branch
Government Partners and Stakeholder Distribution (Upon Agenda Publication)

Applicant	✓
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Background/Current Situation

The subject properties (Figures 1 and 2) are the site of the Union Bay Coal Hills: an abandoned stockpile of carbonaceous waste rock, along the shores of Baynes Sound and Washer Creek (Hart Creek) left over from a former coal washing and port facility. It is a Contaminated Site as defined by the *Contaminated Sites Regulation* and has been prioritized for remediation under the Ministry of Forests, Lands, Natural Resource Operations and Rural Development’s Crown Contaminated Sites Program. The applicants are seeking to conduct remediation work to address acid rock drainage and metal leaching from the site by capping the stockpile with a bituminous geomembrane liner, shoreline protection devices and a rainwater management system that would prevent drainage through the stockpile.

The scope of project work involves the following:

- Clearing and grubbing the surface of the stockpile;
- Grading and compacting to lower slopes and create level pathways and trenches;
- Install the bituminous geomembrane liner, anchored in the trenches;
- Install shoreline protection devices;
- Cover liner with geotextile filter, drainage rock, and soil; and
- Vegetate with native grasses (Figure 3).

The shoreline protection devices are proposed to be composed of (1) rip rap along the eastern and western sides and (2) a re-graded sand/cobble beach with anchored logs on the north side. Because this will involve land alterations along the shoreline for the purposes of preventing the erosion of both the land and the geomembrane liner, a development permit is required.

Development Permit

In accordance with Section 83 of the Official Community Plan (OCP), Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014”, a proposal to harden a

shoreline, including replacement and/or maintenance of an existing hard shoreline requires board approval of the DP. The guidelines require such an application to include a professional report addressing the necessity of the proposed alterations, an evaluation of potential negative impacts to the natural environment and adjacent properties, a biophysical assessment and a landscape plan.

Objectives and Guidelines

It is the objective of these DP guidelines to encourage shoreline resiliency by following soft shore (e.g. “Greenshore”) principles:

- Conserve or restore natural coastal or riparian processes (e.g. sediment transfer);
- Maintain habitat function and diversity;
- Prevent pollutants from entering the aquatic or riparian environment; and
- Avoid or reduce cumulative impacts on the shoreline environment, including coastal or riparian processes.

Soft shore measures typically involve re-grading the foreshore/backshore areas to allow for a more gradual dissipation of wave energy and the use of large woody debris (such as anchored logs) and vegetative plantings to assist in energy absorption and to contribute nutrients and habitat for aquatic life. Hardened shorelines (e.g. vertical walls, sloped revetments, etc.) will often deflect wave energy to unprotected openings, reduce space for habitat, and interrupt natural coastal processes (e.g. sediment transport, spawning, etc.).

The DP guidelines state that proposals to harden a shoreline, including replacement and/or maintenance of an existing hard shoreline with similar hard design elements shall require board approval of the development permit.

Application

According to the application (Appendices A, B and C), the acid rock drainage and metal leaching is the result of rainwater draining through the stockpile. The shoreline protection measures along the edges of the Coal Hills are required for the purposes of protecting the edges from erosive forces and for containing the waste rock within the property. These shoreline measures were originally designed with rip rap revetment, but to address the DP guidelines the applicant commissioned a study to review potential soft shore alternatives. The report prepared by Paul Hoo, P.Eng., of Moffat & Nichol, found opportunity for soft shore measures on the northern facing shoreline. The report characterizes this north-facing shoreline as being subject to less wave action (relative to the eastern facing shoreline) due to its orientation relative to waves and currents and as a receiving environment for some sediment from Washer Creek (Hart Creek). Here, the report recommends creating a cobble beach with a layer of sand and pea-sized rock, which is suitable for forage fish habitat, supplemented with anchored logs and vegetated sand dunes (predominately American dune grass, *Leymus mollis*).

However, the report ruled out soft shore measures on the eastern facing shoreline due to its orientation relative to prevailing wind direction, waves and longshore current. Soft shore measures here would necessitate a significant amount of fill to create a long, low-grade beach. However, to maintain the recommended level of safety with that area's longshore sediment transport, the beach would require continual interventions to supplement additional fill that is not being sufficiently replenished.

On the western side, along the banks of Washer Creek (Hart Creek), the report identifies evidence of erosion due to high flows and meandering nature of the watercourse. In order to keep the capped stockpile in such proximity to the river/shore line where steep slopes exist, combined with the immediacy of the neighbouring lot across the river, the report concludes that soft shore measures

would not be possible and recommends maintaining the existing creek flow cross section supplemented with a rip rap revetment.

Information requirements

In accordance with the information requirements of the DP guidelines, the applicants have submitted several reports prepared by qualified professionals at Keystone Environmental, Moffat & Nichol, and Geopacific Consulting Engineers that address designs and impacts of the shoreline protection measures.

The rip rap structure (Figure 4) would consist of large boulders (~1.5 metre sized) laying overtop of smaller boulders (at least 0.7 metres) underground, itself laying on top of a geotextile fabric. This design allows the rip rap structure to be keyed into the beach to inhibit movement and scour. It would reach a maximum height of 4.8 metres above sea level (measured from the geodetic datum), in accordance with the calculated designated flood level (accounting for sea level rise to 2100 and a 1-in-200 year storm surge), at an approximately 1.75H:1V to 3H:1V slope. To ensure long term stability under static and seismic conditions, a report was submitted titled *Riprap Stability Assessment* prepared by Kevin Bodnar, P.Eng. of Geopacific Consulting Engineers.

The softshore measures being taken on the northern side would follow a Green Shores-style approach. It would re-grade a foreshore area to a more gradual slope with cobble underlying a thin layer of sand and pea gravel. Vegetated sand dunes would be placed between the higher high water large tide level and the designated flood level, on top of the cobble and against anchored logs (Figure 4). According to the qualified professionals, this design would both prevent pollutants from entering the aquatic environment and be suitable for forage fish spawning.

A Biophysical Assessment prepared by Dave Langill, R.Bio., and Warren Appleton, R.P. Bio., of Keystone Environmental was submitted. This report identifies the habitat values of the entire project area, potential impacts and recommended mitigation and offsetting measures. First, to add habitat values to the entire site, the report provides recommendations for planting of a native seed grass mixture (predominately fescue and oatgrass with some yarrow and camas) over top of the bituminous geomembrane liner – plantings here must be restricted to those with root depths less than 0.4 metres (Figure 3). Second, in the shoreline protection devices, dune grass would be planted on the sand dunes and in parts of the rip rap where gaps between rocks can be filled with sand. Third, due to the impact of the proposed work and as a restoration measure, the report recommends the construction of 660 square metres of intertidal marsh (predominately Pickleweed, Seashore saltgrass and Seaside plantain) near the outlet of the creek.

Rainwater Management is addressed in a report prepared by Thuy Wong, P.Eng., of Keystone Environmental. Surface water will be accommodated with swales along the level pathways. Water that infiltrates through the vegetation and soil will be accommodated by longitudinal French drains, a perimeter toe drain and outfalls in the rip rap, designed to accommodate a 1-in-100 year, 24-hour storm event (accounting for an expected 21% precipitation increase due to climate change).

Keystone Environmental also submitted a Post-Construction Monitoring Plan. The plan recommends reviewing the shoreline protection areas every year in early spring. The soft shore measures are dynamic (expected to shift) but should be reviewed for signs of scour and log displacement. The rip rap should be reviewed for signs of scour, stone displacement, settling, material accumulation and unwanted vegetation growth. Additional monitoring recommended to occur, periodically as prescribed by the Qualified Professionals, in relation to the project includes visual inspections of the soil cover for signs of erosion and stability and to eliminate undesirable vegetation; air quality monitoring at venting locations (in the rip rap areas); water quality samplings

to review acidity, dissolved metals and sulphate; and documenting the change in the intertidal iron-stained area.

Construction and phasing

The DP guidelines require consideration of how the project will be constructed. Shoreline protection devices that extend onto the foreshore requires authorizations from Fisheries and Oceans Canada (DFO) and Ministry of Forests, Lands and Natural Resource Operations and Rural Development (FLNR). Because the scope of the proposed work involves alterations of foreshore and leaves rip rap straddling both sides of the shoreline, the applicants are concurrently applying to DFO and FLNR for all relevant permits and approvals, including those under the *Fisheries Act*, *Water Sustainability Act*, and the *Wildlife Act*. Should anticipated approvals be received, the work is scheduled to commence March 2021 with re-grading of the stockpile and installation of the liner. The installation of the shoreline protection devices is expected to occur in fall 2021.

Policy Analysis

Sections 488(1) and 490 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) allow a local government to designate DPAs and establish guidelines within the OCP for numerous purposes, including for the protection of the natural environment, its ecosystems and biological diversity, and the protection of development from hazardous conditions. Section 491(1) and (2) specifies that this type of DP may specify areas of land that must remain free of development, except in accordance with any conditions contained in the permit; specified natural features or areas to be preserved, protected, restored or enhanced; require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features; and require protection measures, including that vegetation or trees be planted or retained in order to (i) preserve, protect, restore or enhance fish habitat or riparian areas, (ii) control drainage, or (iii) control erosion or protect banks. Pursuant to Bylaw No. 337, development on commercial and industrial lots requires the DP relating to form and character. Pursuant to Bylaw No. 337, land alterations or construction on shorelines requires the DP relating to shoreline protection devices.

Options

The Board could approve or modify the draft DPs (Appendices B and C). The Board may decline to issue the DP if it is found to not be consistent with the DP guidelines. Given the above discussion, planning staff recommends approval of the DP.

Financial Factors

Applicable fees have been collected for these two applications under the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.”

Legal Factors

This report and the recommendations contained herein are in compliance with the LGA and CVRD bylaws.

Regional Growth Strategy Implications

The subject properties is designated as a Settlement Nodes in the Regional Growth Strategy (RGS), Bylaw No. 120, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010”. The area beyond the shoreline (i.e. the foreshore) is outside of the boundaries of the RGS. It is among the objectives of the RGS to frame environmental protection and policies around the principles of precaution, connectivity and restoration.

Intergovernmental Factors

The subject properties are owned by FLNR and they have assigned Keystone Environmental Ltd. to act as agent for the purposes of this application. The agents are applying concurrently for requisite authorizations from FLNR and DFO

Interdepartmental Involvement

This DP has been circulated to internal departments for review and comments. No concerns were identified.

Citizen/Public Relations

Public notification is not required for a DP application. On July 14, 2020, the Area A APC reviewed this application; the APC recommended approval of proposal, as proposed, citing “The ‘soft shore’ option would have a more drastic negative effect on the sea floor as it would have to extend out a long way to be effective; and the proposed work (capping and armouring) will allow the area to be opened up for safe public use as parkland, while protecting aquatic life from future leaching.”

Attachments: Appendix A – “Application summary prepared by Keystone Environmental”
Appendix B – “Development Permit 3A 20”
Appendix C – “Development Permit 4A 20”

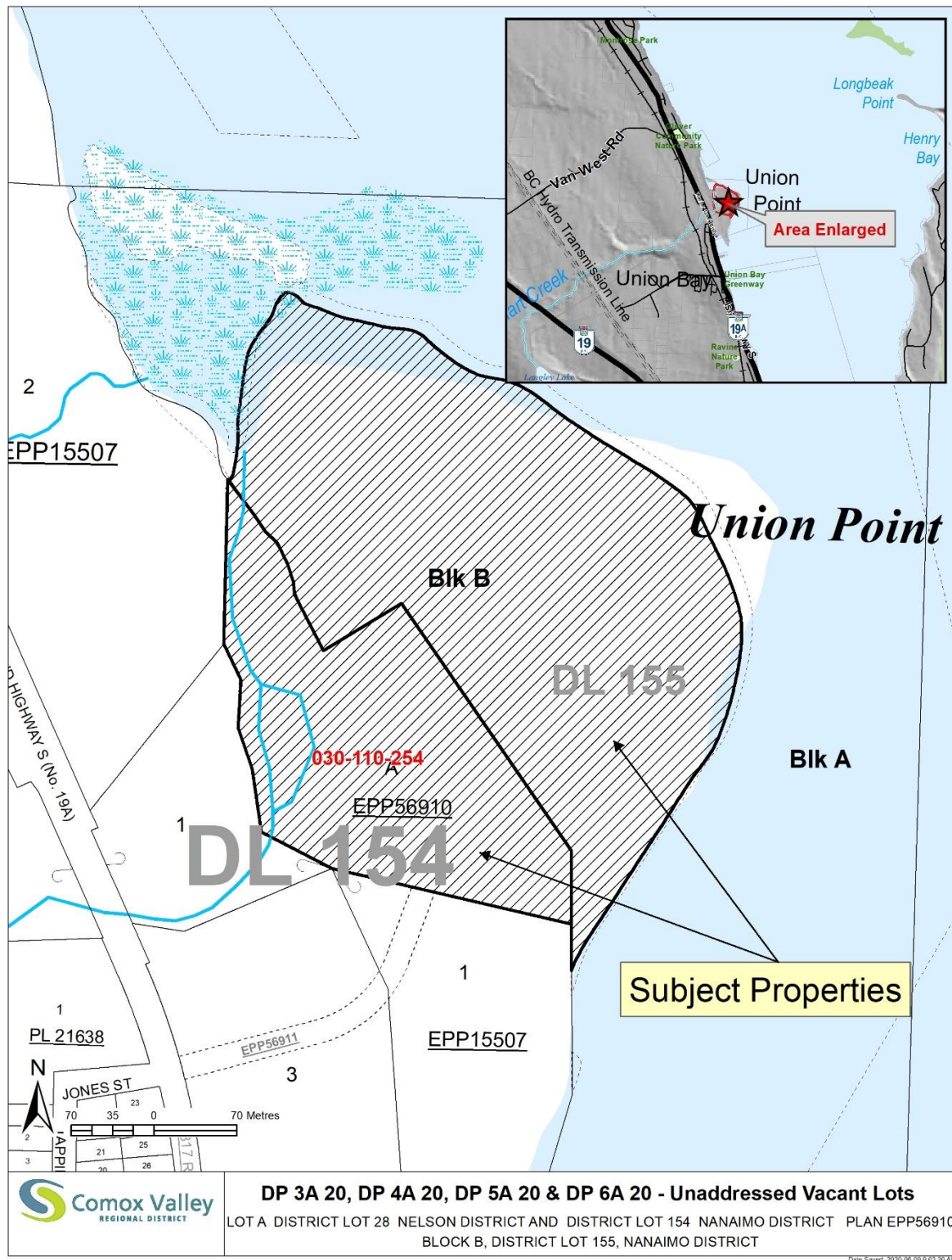


Figure 1: Subject Properties

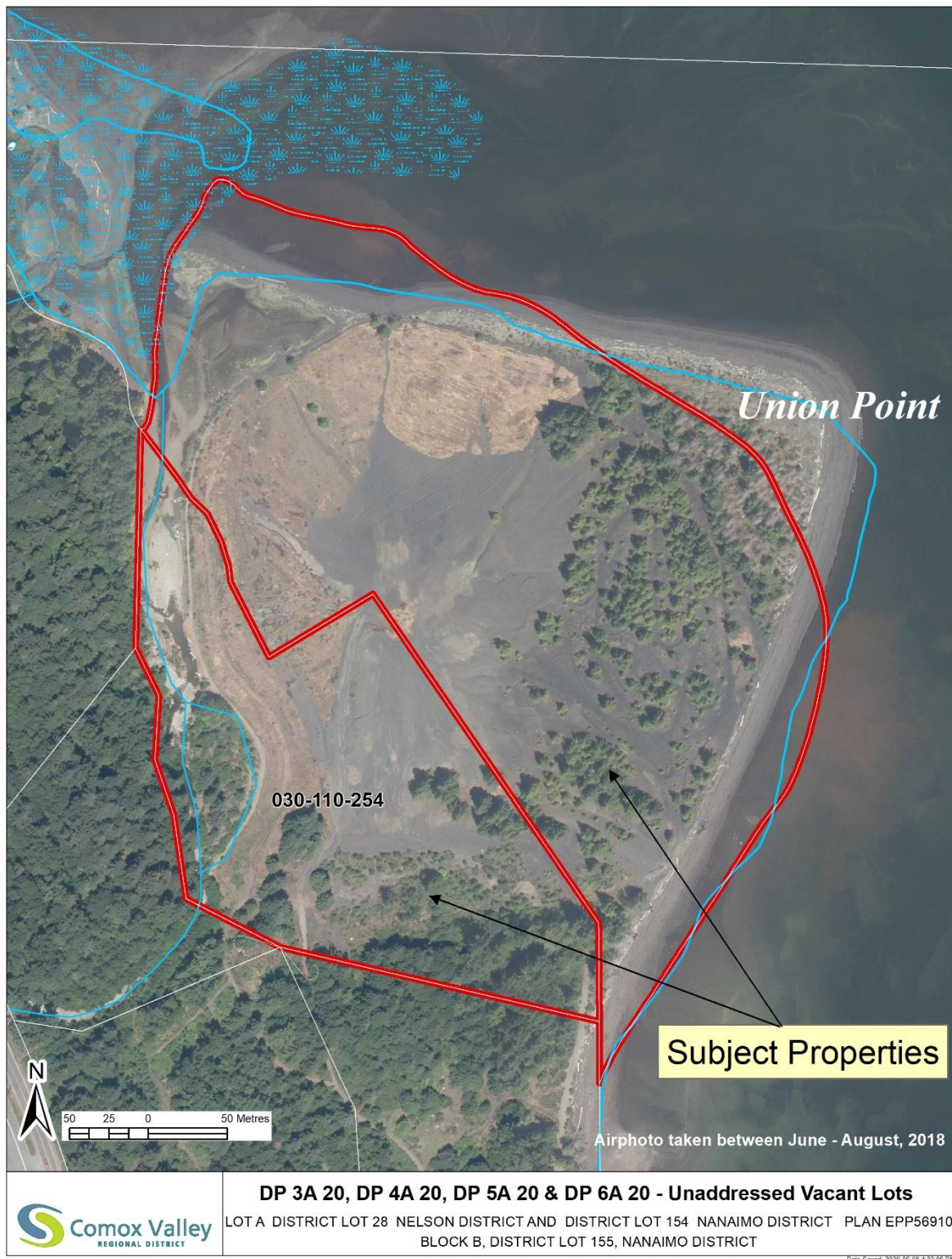


Figure 2: Air Photo

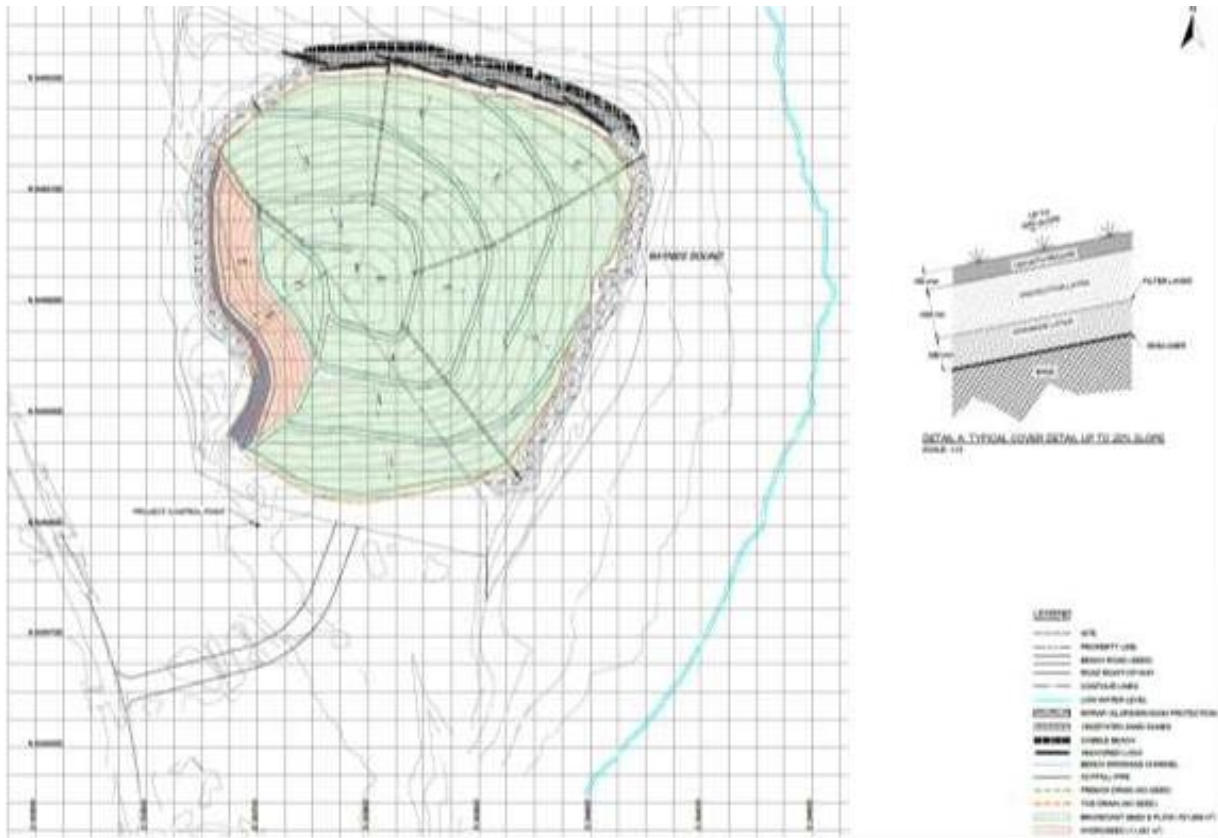


Figure 3: Proposed Final Site Plan

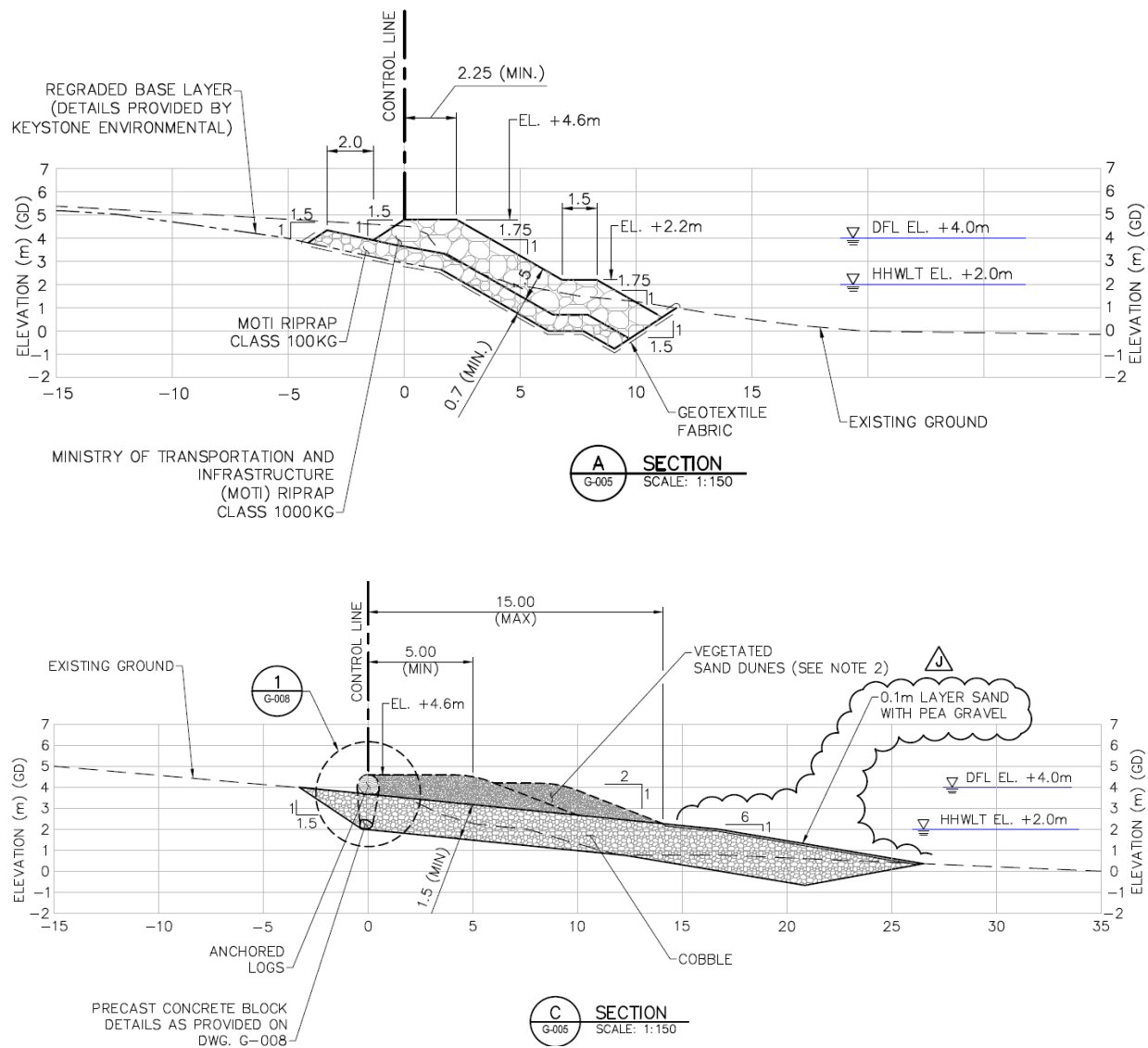


Figure 4: Example Cross-sections illustrating Rip Rap design (A) and Softshore design (C)



May 13, 2020

Ms. Brianne Labute
Policy and Planning Analyst
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Dear Ms. Labute:

**Re: Supporting Documents for Development Permit Application
Remediation Works for Union Bay Coal Pile
Union Bay, BC
Our Project No.: 13470**

Please find attached the supporting documents for the Development Permit (DP) application for the Remediation Works of the Union Bay Coal Pile in Union Bay, BC (the Site), in accordance with the requirements of the Rural Comox Valley Official Community Plan (Bylaw No.337).

The legal plan for the Site is attached to this letter as Attachment H. The title certificates for the Site is attached to Attachment I. The letter of appointment from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR), the registered owner of the Site, is attached in Attachment K. A Site Profile already exists for the site (current Site ID No. 23289, formerly filed under Site ID No. 4291, Victoria/Regional File: 26250-20/4291). The attached Site Registry Report in Attachment J was obtained on January 16, 2020.

The Cumberland coal mine developed Union Bay as a port for processing mined coal. Cumberland transported the rock and low-grade coal as slurry down a metal lined flume, which settled out at the end of Union Point to form the existing Coal Pile. Cumberland deposited approximately one million cubic metres of low-grade coal and rock on the near shore and intertidal zone at Union Bay. The Coal Pile occupies approximately 13 hectares of Crown Lease land. Environmental investigations found the discharge from the Coal Pile to the marine environment contained acidity, sulphate, various dissolved metals and other elements, and toxicity testing of groundwater and seep water indicated high toxicity to marine organisms tested (i.e., fish, sand dollars, sea urchins and mussels) with iron being the primary toxicant.

The purpose of the Remediation Works is to achieve improvement of the receiving environmental conditions surrounding the Coal Pile. Improvement of these conditions is anticipated to be achieved by reducing infiltration of precipitation through the Coal Pile with the installation of an engineered cover, consisting of low-permeability bituminous geomembrane (BGM) liner and vegetated soil cover and vegetated geocell in areas of steeper slopes.

The nature and development of the remediation works are complex. The overall design of the remediation works is presented in the attached report titled “*Detail Design Plan, Remediation Works, Union Bay Coal Pile, Union Bay, BC*” (Attachment A). Additional supporting documents are also attached as required under Bylaw No. 337.

As defined in Bylaw No. 337, the proposed Remediation Works at the Site fall under three DP areas:

- Aquatic and riparian habitat – the proposed remediation works is located within 30 m of Hart Creek and Baynes Sound.
- Shoreline protection devices – the proposed remediation works includes installation of shoreline protection devices to protect the engineered cover along Hart Creek and Baynes Sound.
- Steep slopes area (hazardous conditions) – a portion of the remediation works is located on an area with greater than 30% slope for a vertical distance of more than 3 m.

The following sections are presented to guide the CVRD in finding the relevant information for the development permit application process for these particular DP areas.

1. AQUATIC AND RIPARIAN HABITAT DEVELOPMENT PERMIT AREA REQUIREMENTS

Requirements	Document Reference	Notes
Biophysical Assessment		
Site Plan	Attachment B: Biophysical Assessment Appendix A Drawing 20-13470-CVRD-01	
Project Description	Attachment B: Biophysical Assessment Section 2, Section 8	Project refers to coal pile remediation works described in Section 2; additional habitat offsetting works described in Section 8.
Development Alternatives	Attachment B: Biophysical Assessment Section 2	Green Shores™ soft shoreline approaches used where possible.
Sensitive Feature Inventories	Attachment B: Biophysical Assessment Section 4.5 Section 9 and Appendix E	Sensitive features include the Hart Creek riparian zone and vegetated buffer. Critical habitat not identified at Site.
Assessment of Impacts	Attachment B: Biophysical Assessment Section 5	
Measures to Preserve / Protect / Enhance	Attachment B: Biophysical Assessment Section 6	
Erosion and Sediment Control Measures	Attachment B: Biophysical Assessment Section 6 and Appendix F Attachment A: Detail Design Plan Appendix A: CEMP Section 5.6 and Appendix A and Appendix F, Section 313800	
Planting Plan	Attachment B: Biophysical Assessment Section 9 and Appendix A	
Detailed riparian area assessment	Attachment B: Biophysical Assessment Appendix E	Applies to non-tidal portions of Hart Creek.
Post-Construction Recommendations	N/A	To be provided within 60 days of Project completion

Requirements	Document Reference	Notes
Site Design		
Site Design	Attachment B: Biophysical Assessment Section 2 and Appendix A	
Vegetation Buffer		
Landscape / Planting Plan	Attachment B: Biophysical Assessment Section 9 and Appendix A	
Buffer around sensitive features	Attachment B: Biophysical Assessment Section 9 and Appendix A	
Replanting to separate sensitive habitat from development	Attachment B: Biophysical Assessment Section 9 and Appendix A	
Removal of invasive from buffer	Attachment B: Biophysical Assessment Section 9 and Appendix A	
Retention of large woody debris	Attachment B: Biophysical Assessment Section 9	
Rainwater treatment pond and engineered wetlands	N/A	Remediation works do not include treatment pond or engineered wetlands.
Site Drainage Plan		
Site Drainage Plan	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14 to 20	Surface runoff will be collected and conveyed via lateral surface swales, longitudinal sub-surface piping (French drains), and perimeter sub-surface piping (toe drains) to the discharge points. The swales will incorporate detention features such as vegetation and check dams in order to decrease discharge flow rates to the receiving watercourse and environment. Infiltrated flows will be detained and conveyed through the Drainage Layer which will be connected to the longitudinal and perimeter sub-surface piping to the discharge points.

Requirements	Document Reference	Notes
Driveways, parking areas, and pathways	N/A	No proposed driveways, parking areas, and pathways are included in the remediation work. Access road to the Site was constructed in 2019 and will be completed in 2020.
Contour alterations	Attachment A of this letter – Detail Design Plan – Drawings 18-13470-04 through 18-13470-06.	The grading plan has been developed to limit coal pile disturbance and subsequently reduce the buried unspent coal exposure to the atmosphere. Therefore, the grading plan profile will be generally consistent with the existing coal pile profile, which is a parabolic dome, with an off-centred apex. The total area to be graded, as delineated by the black dashed outline in Dwg 18-13470-05, is approximately 111,200 square meters. Approximately 75% of this area will require minor grading (less than ± 1 m elevation adjustment).
Impervious surface area	Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD) – Section 5 Pre and Post Remediation Condition Numerical Model	The Remediation Works does not incorporate hard, impervious surface, such as asphalt pavement or concrete. Although the BGM liner is placed to reduce the infiltration of precipitation through the Coal Pile, the remediation plan includes absorbent landscaping above the liner to provide flow quantity control. This absorbent landscaping includes 900mm of vegetated soil cover, which provides stormwater retention through the Cover System, such as evaporation-transpiration and interflow.

2. SHORELINE PROTECTION DEVICES

Requirements	Document Reference	Notes
BCLS Recent Survey		
BCLS recent survey	Attachment G of this letter – Drawing 20-13470-DP-01	
Detailed Design of the Shoreline Protection Devices		
Necessity of the proposed devices	Attachment F of this letter – Union Bay Coal Pile Green Shores Design	The east facing shoreline is exposed to significant wave action from Baynes Sound and is recommended to be a riprap structure. Significant wave heights along the east shoreline are estimated to range from 0.92 m to 1.57 m in a 200-year storm event. The largest waves during a storm will be between 1.8 and 3.1 metres in height. Wave action of this magnitude categorizes as a severe wave exposure. Only a manmade structure or shore protection, e.g., in the form of large rock would be able to withstand this level of wave exposure. The north shoreline is slightly more resilient to wave action than the eastern shoreline due largely to the direction of wave approach to shore. The shoreline profile is very wide and flat in this area and receives much of the coarser sediments from Hart Creek, which helps offset loss of sediments due to wave erosion. During storm conditions and high-water levels due to storm surge and/or high tides, the wave exposure along the northern shoreline can be nearly as severe as for the eastern shoreline. The recommended solution that can provide a stable protection of the shoreline is a cobble beach type protection. For the west side of the coal pile, Hart Creek meanders along the toe of the coal pile, at times located nearby the limits of the property to the west of the pile. Observed site conditions along Hart Creek indicate the impact of high creek flows have eroded the existing banks. For the Hart Creek shoreline, evaluation of soft shoreline design alternatives also considered the level of design and associated maintenance and repair. Due to the close proximity of the creek to the adjacent property to the west, it is recommended that shoreline improvement would be located such that the existing creek flow cross sectional area be maintained.

Requirements	Document Reference	Notes
Evaluation of potential negative impacts to environment and adjacent properties, mitigation recommendations	Attachment F of this letter – Union Bay Coal Pile Green Shores Design	
Description of construction details, materials, methods	Attachment A of this letter – Detail Design Plan – Section 5.3 Slope Protection Plan Attachment A of this letter – Detail Design Plan – Drawings G-001 through G-008 Attachment A of this letter – Detail Design Plan – Appendix F – Sections 310516, 313710, and 313800	The shore protection design incorporates soft shore (i.e., Green Shore) principles. The northern portion of the Coal Pile includes anchored logs, vegetated sand dunes, and a cobble beach area. The eastern and western sides of the Coal Pile require rip rap based on the environmental loads and effects; however, the voids of the rip rap will be planted.
Inspection details of the proposed works to be conducted by an engineer qualified to carry out shoreline protection device design (during construction)	Attachment A of this letter – Detail Design Plan – Drawings G-002 and G-003	
Inspection details of the proposed works to be conducted by an engineer qualified to carry out shoreline protection device design (post-construction)	Attachment E – Post-construction Monitoring Plan – Attachment 2 Moffatt & Nichol Post Construction Monitoring of Shoreline Protection	
Biophysical Assessment (see Section 1 Aquatic and Riparian Habitat Development Permit Area Requirements)		
Landscape Plan (see Section 1 Aquatic and Riparian Habitat Development Permit Area Requirements)		

Requirements	Document Reference	Notes
Archaeological Assessment		
Archaeological Assessment	Attachment C of this letter - Archaeological Impact Assessment Attachment C of this letter - Archaeological Investigations at DjSf-25 and DjSf-26	
Post Development Compliance Report		
Post Development Compliance Report	N/A	Post Development Compliance Report will be prepared at the completion of the works

3. STEEP SLOPES DEVELOPMENT PERMIT AREA (HAZARDOUS CONDITIONS)

Requirements	Document Reference	Notes
Site Survey		
Site Survey	Attachment A of this letter – Detail Design Plan – Drawings 18-13470-02	
Slope Analysis	Attachment G of this letter – Drawing 20-13470-DP-02	
Geotechnical Report		
Existing surface and subsurface conditions (soil depths, groundwater levels, depth to rock)	Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Geotechnical Report (February 25, 2020) – Section 4 Subsurface Conditions	
Existing surface and subsurface conditions (slope stability)	Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Geotechnical Report (February 25, 2020) – Section 5.2 Slope Stability Analysis Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Revised Slope Stability (June 1, 2018) Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Revised Slope Stability (November 22, 2018)	
Suitability for reuse of existing soils and rock including optimal moisture content, maximum angle of repose	Attachment D of this letter - Field Density Report Nuclear Densometer Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Geotechnical Report (February 25, 2020) – Section 5.2 Slope Stability Analysis	

Requirements	Document Reference	Notes
Hazards (Liquefaction)	Attachment A of this letter – Detail Design Plan – Appendix G Geopacific Geotechnical Report (February 25, 2020) – Section 5.3 Liquefaction Analysis Attachment A of this letter – Detail Design Plan – Appendix C Densification	Gravel columns are proposed for ground densification at the north and east ends of the Coal Pile due to the presence of potentially liquefiable sands. A ground densification analysis was completed to determine the required width of the densification (“seismic berm”) to mitigate lateral spread and to provide a densification specification, indicating densification methods and performance requirements. The Contractor will densify the soils beneath the specified areas to a minimum Electronic Piezo-Cone Penetration Tip Resistance (qc). The performance specification allows a Contractor to specify the gravel column spacing, diameter, and equipment requirements that they require to achieve the performance specification. The specification indicates that ground improvement is required from 1 metre below finished grade to a depth of -10 metre geodetic elevation. From 0 to 1 m below finished grade, beach sand will be placed.
Hazards (Storm surge, sea level rise, creek run-off, waves)	Attachment A of this letter – Detail Design Plan – Appendix E Moffatt & Nichol Shoreline Protection Design – Section 2.7	The proposed shoreline protection is designed to protect the toe of the engineered cover from erosion due to the creek run-off, tidal and wave actions.
Potential impacts of development	Remedial Options Feasibility Report, Union Bay Waste Coal Pile, Union Bay, BC – Sections 9.5 Cover Only	Document reference available upon request Based on a one-dimensional numerical modelling, the engineered cover will reduce infiltration through the coal pile to less than 1% of the mean annual precipitation (baseline condition 515 mm/year) and reduce iron concentration on the foreshore area (baseline average of 233 mg/L) to less than 5 mg/L in 2 years.
Erosion control and mitigation measures during construction	Attachment A of this letter – Detail Design Plan – Appendix A CEMP – Section 5.6 and Appendix A Erosion and Sediment Control Plan	

Requirements	Document Reference	Notes
Erosion control and mitigation measures after construction	Attachment E of this letter - Post-Construction Monitoring Plan – Sections 2.1 and 2.2	
Recommendations for safety, site protection, development and mitigation	Attachment A of this letter – Detail Design Plan – Appendix F – Sections 013523, 013526, and 015713	
Recommendations for vegetation protection, enhancement or retention	Attachment E of this letter - Post-Construction Monitoring Plan – Sections 2.1.3	
Siting plan for buildings and other structures, utilities, services and impervious surfaces	N/A	Remediation works do not include proposed buildings or other structures, utilities, services and impervious surfaces
Plans and analyses for watercourse channelling and drainage systems	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14 to 20 Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD)	Remediation works do not include proposed watercourse channelling.
Measures to safeguard adjacent properties and structures	Attachment A of this letter – Detail Design Plan – Appendix F – Sections 013526 and 015713	
Grading Plan		
Existing topography	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-02	
Proposed topography and limit of grading	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-09	
Cross sections	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-10	
Cut and fill areas	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-05	

Requirements	Document Reference	Notes
Rainwater Management Plan		
Water quality characteristics of proposed flows and suggestions of appropriate methods to deal with any quality concerns	Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD) – Section 2.2 Quality Control Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14 to 20	Quality control will be provided through the implementation of a vegetated cover, check dams, sub-surface piping, and armouring (riprap protection) at inlet and discharge points. Swales will be vegetated, and check dams will be placed every 25 m to slow the runoff down prior to entering the longitudinal French drains. These swales provide water quality improvements through infiltration and filtering.
Catchment areas	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-13	
Flow routes	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14	
Drainage capacities	Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD) – Appendix A Summary of Stormwater Calculations	
Designated flood level	Attachment A of this letter – Detail Design Plan – Appendix E - Moffatt & Nichol Shoreline Protection Design – Section 2.7.7	
Quality Constraints	Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD) – Section 2.2 Attachment A of this letter – Detail Design Plan – Appendix A CEMP – Section 5.6 and Appendix A Erosion and Sediment Control Plan Attachment A of this letter – Detail Design Plan – Appendix F – Section 313800	Minimal change to stormwater quality under the proposed conditions (total suspended solids source loading, pH, or additional contaminants) is anticipated compared to existing conditions. Quality control will be provided through the implementation of a vegetated cover, check dams, sub-surface piping, and armouring (riprap protection) at inlet and discharge points. Prior to the start of construction of the remediation and until the vegetation has fully established, erosion and sediment control measures should be implemented to provide quality control.

Requirements	Document Reference	Notes
Hydraulic Constraints	Attachment A of this letter – Detail Design Plan – Appendix H Stormwater Management Detail Design (SWMDD) – Section 2.1	The quantity control measure will maintain existing drainage patterns where possible and will control the peak post-remediation stormwater flows for the 1-in-100-year design storm. The stormwater management strategy to provide quantity control is to use absorbent landscaping which provides stormwater retention through the Cover System, such as evaporation-transpiration and interflow. The proposed remediation works includes absorbent landscaping within a 900 mm Cover System. Surface runoff will be collected and conveyed via lateral surface swales, longitudinal sub-surface piping (French drains), and perimeter sub-surface piping (toe drains) to the discharge points. The swales will incorporate detention features such as vegetation and check dams in order to decrease discharge flow rates to the receiving watercourse and environment. Infiltrated flows will be detained and conveyed through the Drainage Layer which will be connected to the longitudinal and perimeter sub-surface piping to the discharge points. The stormwater management infrastructure has been designed to meet the 1-in-100-year, 24-hour storm event. Based on the effects of climate change the design of the stormwater management infrastructure, swales, French drain, toe drain, and outfalls can convey the increase in flow due to climate change. The proposed stormwater management infrastructure are located above the designated flood level plus 0.8 m of free board. When and if the wave action or flood level exceeds the outfall elevation, the water will inundate the outfall pipe. This will likely cause the backup of water in the toe drain system. This backup is temporary in nature and under severe storm events, most of the water will be draining off the surface onto the riprap.

Requirements	Document Reference	Notes
Rainwater routing using piped and open systems	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14	
Rainwater controls for infiltration or groundwater recharge	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14	On slopes less than 20%, infiltration of rainwater will be limited to 900 mm below final grade, above the BGM liner, and will not contribute to groundwater recharge. Rainwater that infiltrates through the soil cover above the BGM liner will be directed towards the French drains and discharged through one of the outfalls. On slopes greater than 20%, infiltration of rainwater will be limited within the geocell above the BGM liner and will not contribute to groundwater recharge. The surface runoff and infiltrated rainwater in this area will discharge to the riprap to Hart Creek.
Impacts of irrigation on short/long term stability of slopes	N/A	Occasional irrigation with water spray truck may be conducted within the first 60 days of seeding. Irrigation will be carried out to avoid dry periods of five days or greater and ensure sufficient watering to prevent grass and underlying growing medium from drying out (saturate to 100 mm soil depth). Water used for irrigation purposes will be controlled to prevent water ponding or runoff that may erode soils. This short-term irrigation is not expected to impact the stability of any slope. Long-term irrigation is not planned for the Site.
Protection of drainage swales and major event flow routes	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-17 and 18	The following measures will be put in place to protect drainage swales from erosion: Swales will be vegetated The average swale slope is 2%, which resulted in a maximum stormwater flow velocity of 0.76 m/s in the swale Check dams will be placed every 25 m along the swales French drain and toe drain trench will be filled with drain rocks for protection.

Requirements	Document Reference	Notes
Proposed roof and footing drains for individual lots, on-site treatment or connections to storm sewers	Attachment A of this letter – Detail Design Plan – Section 5.2.2	The remediation works will not include any roof or footing drains, on-site treatment, nor connections to storm sewers. A 300 mm thick granular drainage layer will be placed immediately above the BGM liner. The drainage layer is continuous throughout the proposed cover and will follow the proposed contours of the cover material. A different configuration using geocells will be installed on areas with slopes exceeding 20%. Swales along the bench road are designed to break the flow along the slope of the coal pile, on and below the surface of the cover material. Precipitation that infiltrates through the absorbent landscaping and enters the drainage layer will encounter the bottom of the swale and bench road. Due to preferential pathways, the water in the drainage layer at the bench road, will likely follow the swale slope towards the French drain. The drainage layer is directly connected to the French drain. This design will minimize the inundation of the downhill portions of the drainage layers.
Proposed means of controlling short term erosion	Attachment A of this letter – Detail Design Plan – Appendix A CEMP – Section 5.6 and Appendix A Erosion and Sediment Control Plan Attachment A of this letter – Detail Design Plan – Appendix F – Section 313800	For short-term erosion protection, the site Contractor is required to develop a site-specific Erosion and Sediment Control (ESC) plan for the various stages of remediation works that meet the requirements of the construction environmental management plan (CEMP). The objective of the ESC is to minimize sediments from migrating from the Coal Pile. The ESC plan will be required to clearly outline the applicable regulations, construction timing, monitoring requirements, Contractor responsibilities with respect to sampling, maintenance, mitigation measures and decommissioning.
Proposed means of controlling long-term erosion (engineered cover system)	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-23 Vegetation and Seeding Plan	Most of the surface of the cover system will be vegetated for long-term erosion protection. The areas that are not vegetated include the French drain and toe drain trenches that are filled with drain rocks and along the shoreline.

Requirements	Document Reference	Notes
Proposed means of controlling long-term erosion (shoreline)	Attachment A of this letter – Detail Design Plan – Drawing G-001 through G-008	For shoreline protection, the northern portion of the Coal Pile includes anchored logs, vegetated sand dunes, and a cobble beach area. The eastern and western sides of the Coal Pile require rip rap based on the environmental loads and effects; however, the voids of the rip rap will be planted.
Hydrogeological considerations (existing condition)	Remedial Options Feasibility Report, Union Bay Waste Coal Pile, Union Bay, BC – Section 3	Document reference is available upon request. Discussion on site climate, geology, hydrogeology, tidal influence, groundwater flow models, Hart Creek flows, groundwater chemistry, delineation, and groundwater geochemistry were presented in the document reference.
Monitoring of groundwater regimes	Attachment E of this letter – Post-construction Monitoring Plan – Section 2.3 Intertidal Stain Area Monitoring	Monitoring of the groundwater regime will initially be conducted by visual inspection of the spatial extent of the iron staining. If staining appears to be increasing in size, groundwater monitoring program will be implemented on a semi-annual basis. Contingency measures will be considered if condition continue to worsen after 5 to 10 years.
Energy dissipation into existing ravines at source and down slope where concentration or erosion may occur	Attachment A of this letter – Detail Design Plan – Drawing 18-13470-14 and 20 Attachment A of this letter – Detail Design Plan – Drawing G-001 through G-008	Surface runoff discharge over the cover system will be directed to five outfall locations. The down-gradient area of these outfalls is protected by riprap.

We trust that this is the information you require at this time. Should you have any questions, please contact the undersigned.

Sincerely,

Keystone Environmental Ltd.

Dave Langill, R.P.Bio.
Biologist

Richard Johns, P.Eng.
Department Head, Engineering

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ATTACHMENTS:

- Attachment A: Detail Design Plan, Remediation Works, Union Bay Coal Pile, Union Bay, BC
- Attachment B: Biophysical Assessment, Union Bay Coal Pile Remediation Project, Union Bay, BC
- Attachment C: Archeological Works
- Attachment D: McElhanney Field Density Report Nuclear Densometer
- Attachment E: Post-Construction Monitoring Plan
- Attachment F: Union Bay Coal Pile Green Shores Design
- Attachment G: Drawings
- Attachment H: Legal Plan
- Attachment I: Land Title Certificates
- Attachment J: Site Registry
- Attachment K: FLNR Letter of Appointment

DP 3A 20

TO: Her Majesty the Queen in Right of the Province of British Columbia as Represented by the Ministry of Forests, Lands and Natural Resource Operations

1. This Development Permit (DP 3A 20) is issued subject to compliance with all of the bylaws of the Comox Valley Regional District applicable thereto, except as specifically varied or supplemented by this permit for the **purposes of installation of shoreline protection devices and related land alterations.**

2. This Development Permit applies to, and only to, those lands within the Comox Valley Regional District described below:

Legal Description: That part of Lot 1 District Lot 154, Nanaimo District, Sections 31 and 32, Township 1 and District Lot 28, Nelson District, Plan EPP15507 as shown on Plan EPP56910

Parcel Identifier (PID): 030-110-254 **Folio:** 771.10821.030

Civic Address: unaddressed lot along Island Highway

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:

- i. THAT development shall take place in accordance with the Detail Design Plan prepared by Keystone Environmental, attached as Schedule B;
 - ii. THAT development shall take place in accordance with the Biophysical Assessment and Riparian Area Report Assessment Report prepared by Warren Appleton, R.P.Bio., Dave Langill, R.P.Bio., and Richard Johns, P.Eng., of Keystone Environmental, attached as Schedule C;
 - iii. AND THAT the Post-Construction Monitoring Plan, attached as Schedule D and prepared by Keystone Environmental, be implemented.
4. This Development Permit (DP 3A 20) shall lapse if construction is not substantially commenced within two (2) years of the Comox Valley Regional District Board's resolution regarding issuance of the development permit (see below). Lapsed permits cannot be renewed; however, a new application for a second development permit can be applied for in order to complete the remainder of the work.
5. This Development Permit is **not** a Building Permit.

CERTIFIED as the **DEVELOPMENT PERMIT** issued by resolution of the board of the Comox Valley Regional District on _____.

Jake Martens
Deputy Corporate Legislative Officer

Certified on _____

Attachments: Schedule A – “Subject Property”
Schedule B – “Detail Design Plan”
Schedule C – “Biophysical Assessment and Riparian Area Report Assessment
Report”
Schedule D – “Post-Construction Monitoring Plan”

To view the schedules, please visit the following [FTP link](#).

DP 4A 20

TO: Her Majesty the Queen in Right of the Province of British Columbia as Represented by the Ministry of Forests, Lands and Natural Resource Operations

1. This Development Permit (DP 4A 20) is issued subject to compliance with all of the bylaws of the Comox Valley Regional District applicable thereto, except as specifically varied or supplemented by this permit for the **purposes of installation of shoreline protection devices and related land alterations.**

2. This Development Permit applies to, and only to, those lands within the Comox Valley Regional District described below:

Legal Description: Block B, District Lot 155, Nanaimo District

Parcel Identifier (PID): Folio: 771.27069.000

Civic Address: unaddressed lot along Island Highway

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:

- i. THAT development shall take place in accordance with the Detail Design Plan prepared by Keystone Environmental, attached as Schedule B;
 - ii. THAT development shall take place in accordance with the Biophysical Assessment and Riparian Area Report Assessment Report prepared by Warren Appleton, R.P.Bio., Dave Langill, R.P.Bio., and Richard Johns, P.Eng., of Keystone Environmental, attached as Schedule C;
 - iii. AND THAT the Post-Construction Monitoring Plan, attached as Schedule D and prepared by Keystone Environmental, be implemented.
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Jake Martens
Deputy Corporate Legislative Officer

Certified on _____

Attachments: Schedule A – “Subject Property”
Schedule B – “Detail Design Plan”
Schedule C – “Biophysical Assessment and Riparian Area Report Assessment
Report”
Schedule D – “Post-Construction Monitoring Plan”

To view the schedules, please visit the following [FTP link](#).

From: [REDACTED]
Sent: Tuesday, September 15, 2020 9:54 AM
To: northinfo <northinfo@islandstrust.bc.ca>
Subject: request for new regulations to protect our forests

To Denman LTC,

I am a resident of Denman Island and have just witnessed the clear cutting of the 3 acre lot that myself and my family live next to. It has been absolutely devastating. So many big beautiful 150 year old trees wiped out along with all the wildlife that had made its home there. The trees have been shipped out logging truck after logging truck off of Denman, so the wood isn't even being used to build homes here. Although its too late for this particular lot I would like to put in a request that the LTC takes further measures to put in some protection for the forests here. I am appalled that this is still permitted on Denman. This should not be allowed within the Islands Trust whose mandate is to preserve and protect the natural eco-systems! I understand that we all want light and gardens and a home site, however I would suggest that only a portion of our properties should be permitted to be developed. In this day and age where forests are disappearing at ridiculous rates due to fires and de-forestation, we need to do what needs to be done to protect what is left. I understand that creating new regulations is a huge process, however the time is now to get this process rolling.

Thank you for your time,
Sincerely,
Lisa Larkin

MEMORANDUM

File No.: 3026-10 (LTC General –
Meeting Logistics)

DATE OF MEETING: November 3, 2020
TO: Denman Island Local Trust Committee
FROM: Heather Kauer, Regional Planning Manager
Northern Team
SUBJECT: 2021 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. That the Denman Island Local Trust Committee schedule its regular business meetings on the following dates in 2021: January 19, March 16, May 4, July 6, September 7, and November 2.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2021. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for meetings. Meeting details will be advertised in accordance with legislated notification requirements.

Submitted By:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	October 16, 2020
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ATTACHMENT

1. Tentative 2021 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2021 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 19	January 21	-	January 29	-	-	-
	-	-	February 4	-	February 1	February 9	-
	March 16	March 4	-	March 26	-	-	-
	-	April 8	April 1	-	April 6	April 13	April 21
	May 4	May 13	May 27	May 21	-	-	-
	-	June 17	-	-	June 21	June 1	-
	July 6	July 29	July 22	July 16	-	-	-
	-	-	-	-	August 9	August 3	-
	September 7	September 9	September 30	-	-	September 28	-
	-	October 21	-	October 8	October 4	-	-
	November 2	November 25	November 4		-	November 16	November 10
	-	-	-	December 10	December 6	-	-
Total	6	9	6	6	6	6	2
Start Time							
-In Person	10:30 am	10:30 am	10:30 am	11:30 am	11:00 am	9:30 am	10:00 am
-on Zoom	10:00 am	10:30 am	10:30 am	10:00 am	9:30 or 10 am	9:30 am	10:00 am
Location if in person	Denman Activity Centre	Gabriola Arts & Heritage Centre	TBD	New Horizons	Judith Fisher Centre	Thetis Community Centre	TBD

Key Dates

Stat Holidays	Jan. 1; Feb. 15; Apr. 2, Apr. 5; May 24; Jul. 1; Aug. 2; Sep. 6; Oct. 11; Nov. 11; Dec. 25,26
Trust Council	March 9-11, June 8-10, Sept 21-23 Nov 30 - Dec 1-2 (all tentative)
Executive Committee	Jan 13, Feb 3, Feb 24, Mar 24, Apr 14, May 5, May 26, Jun 23, Jul 14, Aug 4, Sep 8 Oct 6, Oct 27, Nov 17, Dec 15
Financial Planning Committee	TBD
Islands Trust Conservancy	Mar 30, May 25, Jul 13, Oct 5, Nov 23 (tentative)
Trust Programs Committee	TBD
Local Planning Committee	TBD
SD 79 (Cowichan) Spring Break	Mar 15-26
SD 46 (Sunshine Coast) Spring Break	Mar 15-26
SD 68 (Nanaimo) Spring Break	Mar 13-28
SD 71 (Comox) Spring Break	Mar 22-Apr 1
AVICC Conference	April 16-18
LGMA Conference	June 15-17
UBCM Conference	Sept. 14-17



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality July 14, 2020

Islands Trust Conservancy Board News

The Islands Trust Conservancy Board endorsed proposed adjustments to the 2020 annual monitoring program for nature reserves and conservation covenants due to the COVID-19 pandemic.

The Board and the Executive Committee shared a liaison meeting, July 14, 2020 and discussed:

- Working with the Province, including potential changes to Natural Area Protection Tax Exemption Program (NAPTEP) legislation and a Provincial funding request
- Working with Trust Council, including work associated with the Climate Change Emergency Declaration, ITC Budgets and ITC work towards a strategic charitable giving program
- Other items as per the agenda at <http://www.islandstrustconservancy.ca/about-us/meetings/>

The liaison meeting occurs annually as per Islands Trust policy.

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of ITC. The ITC continues to work towards 4 long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

Islands Trust Acting Senior Policy Advisor presented a brief overview of the Climate Action Plan (CAP) currently in development by the Climate Policy Working Group (CPWG). The CPWG supports joint collaboration and communication between Trust Area Services, Local Planning Services and ITC for incorporating climate change into policy guidance. Resources will be used from both Trust Area Services and Islands Trust Conservancy.

Goal 2 – Strong relationships with First Nations

The ITC Board considered ways to advance engagement with First Nations through considerations in all of its land management and acquisition decisions.

Goal 3 – Protection of core conservation areas

Property Management

Staff are conducting a reduced monitoring season to accommodate travel restrictions due to COVID-19.

The ITC Board approved conservation covenant management plans for Winter Wren Wood on Denman Island (see island updates below).

Land Acquisition and Covenants

The ITC Board approved the transfer of 3.4 ha of land on Keats Island which will become the Sandy Beach Nature Reserve. This will be the ITC's 30th Nature Reserve and was a requirement of rezoning as directed by the Gambier Island Local Trust Committee.

The ITC approved a small covenant on Salt Spring Island which will provide a buffer area for the Lower Mount Erskine Nature Reserve which is managed by the ITC.

Goal 4 – A strong voice for nature conservation

The Board directed staff to prepare a histogram showing the size distribution of Island Trust Conservancy nature reserves and covenants.

Activities by Local Trust Area/Island Municipality

Denman – The Board approved the Denman Conservancy Association's update of the Management Plan for Winter Wren Wood dated April 18, 2020 with the recommendation that the Denman Conservancy seek assistance from ITC staff or First Nations such that the property management becomes inclusive of climate change and reconciliation.

Gambier – The Board directed the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, for the transfer of Sandy Beach. The Board directed staff to bring recommendations to the Board regarding the use of the required \$12,000 contribution from the Convention of Baptist Churches.

Salt Spring – The Board authorized the Chair to sign a conservation covenant over a small area adjacent to the Lower Mount Erskine Nature Reserve which is managed by ITC.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality October 6, 2020

Islands Trust Conservancy Board News

In accordance with *Ministerial Order M192 – Local Government Meetings & Bylaw Process* and *Province of BC Bill 19 – 2020*, the Islands Trust Conservancy cannot conduct public in-person meetings at this time. In order to meet the principles of openness, transparency, and accessibility, meetings of the Board will be held electronically over the period August 26 to October 31, 2020. They will be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

Board and Staff Updates:

- ITC Board noted the resignation of appointed member Hammond. New appointment are delayed due to the BC election, but a notice of appointment has been provided to the Crown Agencies and Board Resourcing Office to fill the position.
- ITC welcomed back Corlynn Strachan as its Administrative Assistant, extending farewell to Alexandra Trifonidis who acted in the position for the last two years.
- ITC Manager, Jennifer Eliason, on temporary assignment since July 2018, has taken a permanent position with BC Parks as a Senior Parks and Protected Areas Planner. Next steps for filling the position of ITC Manager are being considered.

The ITC Board received a presentation from Shauna Doll, Gulf Islands Forest Conservation Project Coordinator, from the Raincoast Conservation Foundation, which included recommendations for policy reform to protect endangered forests and habitats within the Islands Trust Area.

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of ITC. The ITC continues to work towards 4 long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

The ITC is working on a Memorandum of Understanding with Islands Trust and the Martin Conservation Decisions Lab at the University of British Columbia to partner on data acquisition and analysis.

Goal 2 – Strong relationships with First Nations

Reflecting the intent of UNDRIP, TRCC, and the [ITC Reconciliation Declaration](#), ITC Board approved the removal of “Canada’s” from the ITC tagline so that the tagline reads “Protecting islands in the Salish Sea”, and revised its vision statement as follows:

The Islands Trust Conservancy vision is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.

ITC Board directed staff to complete an ITC Reconciliation Action Plan that incorporates actions identified in Goal 2 of the Regional Conservation Plan.

Goal 3 – Protection of core conservation areas

ITC has received \$597,000 in funding from Environment and Climate Change Canada (ECCC) for the Species at Risk (SAR) Program and is in the final stages of negotiating the Contribution Agreement which will extend until March 31, 2023. Organizational implications include the addition of a SAR Program Coordinator and Summer Co-op position as well as funding for:

- SAR surveys and monitoring
- Restoration of critical habitat
- SAR outreach materials and events
- Costs associated with land securement
- Engagement and work with First Nations

Funding cannot be used for land purchase.

ITC Board considered its fall intake for the Opportunity Fund, a grant program for hard to fundraise costs associated with land conservation.

Goal 4 – A strong voice for nature conservation

The Board approved a proposed 2021/22 Budget and forwarded it to Financial Planning Committee for Islands Trust budget planning. Staff noted that they are considering options for socially responsible investing, and are planning to move ITC funds into impact investments. The Board requested more information about this move for its November meeting.

Covenant Management and Outreach Specialist briefed the Board on completion of the 2020 forest outreach campaign, where letters and NAPTEP brochures were mailed to landowners to encourage conservation.

Activities by Local Trust Area/Island Municipality

Bowen – ITC Board awarded a \$5,000 Opportunity Fund grant to the Bowen Island Conservancy for conservation work on Bowen Island.

ITC removed danger trees at the Singing Woods Nature Reserve.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Denman – ITC is working with the Denman Conservancy Association to remove invasive species and manage trails in the Morrison Marsh, Lindsay Dickson, Inner Island and Valens Brook Nature Reserves.

Gabriola – ITC is working with the Gabriola Land and Trails Trust to do trail maintenance in the Elder Cedar Nature Reserve and install signage at the Coats Millstone Nature Reserve. Invasive species removal is happening at the Elder Cedar Nature Reserve and at a covenant area.

Galiano – Restoration work is being done and monitored at the Trincomali Nature Sanctuary.

Gambier/Keats – ITC will receive \$12,000 from the Convention of Baptist Churches as a required contribution related to the transfer of the Sandy Beach property to ITC. The ITC Board directed staff to create a Property Management Fund with \$10,000 and use the remaining \$2,000 to finalize the conservation covenant for the land.

Lasqueti – The ITC is working in partnership with the Lasqueti Island Nature Conservancy on restoration of wetland and riparian habitat at a pond on the Salish View Nature Reserve. Restoration work is also ongoing at the Mount Trematon and John Osland Nature Reserves.

North Pender/Sidney Island – Staff continue to work in collaboration with Parks Canada, First Nations, FLNRORD and the Sallas Strata on the Sidney Island Ecological Restoration Project.

Salt Spring – the owners of land adjacent to the Lower Mount Erskine Nature Reserve have met all the requirements to covenant their land and staff are proceeding with covenant registration. Invasive species management is occurring on the McFadden Creek and Lower Mount Erskine Nature Reserves and in two covenant areas.

Thetis – ITC Board reviewed bylaws 108 and 109 and noted that its interests were unaffected. ITC is working with the Thetis Island Nature Conservancy to manage invasive species and provide signage in the Fairyslipper Forest Nature Reserve. Species at Risk surveys are also ongoing in the Fairyslipper and Moore Hill Nature Reserves.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
DE-ALR-2018.1	Kirk, JARRAH	05-Nov-2018	PID: 027-381-447 Cider production from other sources. Civic address: 1100 Lacon Road, Denman Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 30-Jun-2020

Planner completed review of Water License referral from FLNRORD.

Status Date: 28-Jan-2020

No change in status. Planner awaiting submission of requested information, pursuant to LTC resolution 2019-025.

Status Date: 30-Aug-2019

No change in status.

Development Permit

File Number	Applicant Name	Date Received	Purpose
DE-DP-2020.2	0743668 BC Ltd.	10-Sep-2020	PID: 005-242-193 Building SFD & garage. Civic address: 3676 Denman Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 18-Sep-2020

Applications received September 10; Followed up requesting further documentation; Received Sept 15; file opened and assigned.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2017.1	Denman Community Land Trust Association Planner: Marnie Eggen	12-Sep-2017	PID: 009-708-537 Create two lots for affordable housing for seniors. Civic address: 3730 Denman Road, Denman Island, BC
Planning Status			
Status Date: 18-Aug-2020 Draft housing agreement finalized. Forwarded to ALC for approval.			
Status Date: 17-Jun-2020 Awaiting Applicant signature on Cost Recovery Agreement for Restrictive Covenant			
Status Date: 16-Jun-2020 Awaiting Applicant review of draft housing agreement.			
File Number	Applicant Name	Date Received	Purpose
DE-RZ-2018.1	Denman Housing Association (Snyder & Terry) Planner: Sonja Zupanec	01-Oct-2018	PIDs: 009-704-523 (Snyder) and 006-657-290 (Terry) Rezoning to change number of allowed dwellings
Planning Status			
Status Date: 25-Aug-2020 CIM held (electronically). APC meeting held August 2020. Report to LTC for September 2020 LTC meeting.			
Status Date: 05-Jun-2020 Executive Committee to meet July 2020 to review the applicant's proposed water supply for consistency with EC resolution from Jan 2020.			
Status Date: 21-Jan-2020 Draft bylaws to amend OCP and LUB to implement DPA8 given 1st reading and direction to send out bylaw referrals			



Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.12	Tait, Dorothy	03-Sep-2020	PID: 025-742-671 Building three bay garage and expanding existing shop. Civic address: 2024 Scott Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 15-Oct-2020

Planner review complete

Status Date: 09-Sep-2020

File opened and assigned

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.13	Law, Fred & Sheila	03-Sep-2020	PID: 028-639-936 Constructing primary and secondary dwellings. Civic address: 4150 Pinecrest Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 21-Sep-2020

New drawings being prepared by applicant

Status Date: 09-Sep-2020

File opened & assigned

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.14	0743668 BC Ltd.	10-Sep-2020	PID: 005-242-193 Building SFD and garage. Civic address: 3676 Denman Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 18-Sep-2020

Applications received September 10; Followed up requesting further documentation; Received Sept 15; file opened and assigned.

**Applications****Siting and use Permit**

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.15	Earth Club Factory	05-Oct-2020	PID: 009-708-189 Installing roof over dining patio due to covid. Civic address: 3806 Denman Road, Denman Island, BC.

Planner: Bronwyn Sawyer**Planning Status****Status Date:** 09-Oct-2020

File opened and assigned. \$20 balance owing, will pay be EFT.

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.16	Baker, Dorian	30-Sep-2020	PID: 028-819-209 Building various accessory buildings. Civic address: 3980 Park Road, Denman Island, BC.

Planner: Bronwyn Sawyer**Planning Status****Status Date:** 09-Oct-2020

File opened and assigned.

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.3	Etienne Design - Jessica Booth	16-Mar-2020	PID: 030-773-890 New SFD, workshop with guest accommodation, garage & boat house. Civic address 5465 Lacon Road, Denman Island, BC

Planner: Jaime Dubyna**Planning Status****Status Date:** 26-Aug-2020

Applicant submitted request to LTC regarding covenant CA7485176 requirements. Applicant correspondence to be added to Sept. 8 DE LTC meeting agenda.

Status Date: 24-Aug-2020

Advised applicant to submit a letter to the Denman LTC regarding covenant CA7485176 requirements.

Status Date: 13-Aug-2020

File reassigned



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2020.1	0736800 BC Ltd. - Grant Thornton Ltd.	29-Jul-2020	PIDs: 026-826-445 and 006-660-614 Three lot subdivision. Civic address: 4201 Park Road and 3980 Park Road, Denman Island, BC.
Planner: Jaime Dubyna			
Planning Status			
Status Date: 28-Aug-2020			
File opened and assigned.			

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2020.2	Denman Community Land Trust Association (Harlene Holm)	30-Sep-2020	PID: 031-102-026 2 lot subdivision. Civic address:3730 Denman Road, Denman Island, BC.
Planner: Marnie Eggen			
Planning Status			
Status Date:			

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending September 2020

615 Denman	Invoices posted to Month ending September 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	289.00	180.58	108.42
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	3,906.00	1,521.81	2,384.19
65210-615	LTC - Local Exp - APC Meeting Expenses	405.00	283.05	121.95
65220-615	LTC - Local Exp - Communications	250.00	325.00	-75.00
65230-615	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>4,855.00</u>	<u>2,129.86</u>	<u>2,725.14</u>
Projects				
73001-615-4112	Denman Ferry Signage	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>1,000.00</u>	<u>0.00</u>	<u>1,000.00</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy/Standing Resolution
1.	June 26, 2018	DE-2018-056	Proactive enforcement of Short-term Vacation Rentals	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: "That Bylaw Enforcement staff undertake proactive enforcement of Short-term Vacation Rentals on Denman Island".
2.	June 26, 2018	DE-2018-066	Processing of non-medical cannabis retail license applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - 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.
3.	October 9, 2018	DE-2018-096	Application processing	It was MOVED and SECONDED, that the Denman Local Trust Committee direct staff to give priority to processing applications for affordable housing projects until further direction by the Denman Island Local Trust Committee.
4.	November 20, 2018	DE-2018-100	Bylaw enforcement on	It was MOVED and SECONDED,

			unlawful STVRs	that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee direct Bylaw Enforcement to use the following priority in dealing with unlawful short-term vacation rentals (STVRs): 1. Unlawful STVRs that have been the subject of substantiated complaints; 2. Unlawful STVRs that are operated by persons who normally do not reside on Denman Island; 3. Unlawful STVRs operated by persons who do not reside on the same property as the STVR; 4. Unlawful STVRs operated by persons who reside on the same property as the STVR.
5.	November 20, 2018	DE-2018-104	Cannabis License applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust Committee regular meeting agenda package.
6.	February 7, 2019	DE-2019-012	First Nations Reconciliation	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including

				and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nations governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights and First Nations' traditional territories within the Islands Trust Area.
7.	June 6, 2019	DE-2019-056	Bylaw enforcement against unlawful dwellings	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: "The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to pursue enforcement against unlawful dwellings upon receipt of a written complaint, if any of the following conditions apply: a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property; b) It appears that there is more than one unlawful dwelling on a lot; c) An unlawful dwelling appears to be larger than 90 square meters; or d) An unlawful dwelling appears to be located within a Development Permit Area. and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time."
8.	May 19, 2020	DE-2020-022	Residential densities See Staff Report dated May 19 th for background	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, 'Residential Density Bank' of the Denman Island Official Community Plan:

				Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur: a. The Denman Official Community Plan ‘Residential Density Bank’ in Appendix D has last added or transferred to the bank on <u>January 31, 2017</u> and has a cumulative total of residential densities of <u>14</u>; b. The Denman Official Community Plan Housing Policy 11 in Section E.1 allows for a residential density increase of approximately <u>5 percent</u> beyond that permitted by existing zoning at the time of adoption of the Official Community Plan on May 15, 2009 to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under Temporary Use Permit and site specific zoning amendment applications under Policy 29 of Section E.1. The baseline density that was permitted by zoning at the time of adoption of the Official Community Plan was 994 densities based on the Subdivision Potential Map 2010; 1026 total densities less 32 from Parks, Institutional and Conservation designations where residential use is not permitted. Five percent of 994 is <u>49 densities</u>. Since adoption of the Official Community Plan on May 15, 2009 the following densities have been utilized: <table><tr><th>Authorizing Bylaw/Temporary Use Permit</th><th>Date Utilized</th><th>Number of Residential Densities Utilized</th><th>Cumulative Total of Residential Densities Remaining</th></tr><tr><td colspan="3">Baseline Density at time of adoption of the Denman OCP on May, 2009</td><td>49</td></tr><tr><td>BL 199 (Official Community Plan)</td><td>August 15, 2011</td><td>14</td><td>35</td></tr><tr><td>BL 200 (Land Use Bylaw)</td><td></td><td></td><td></td></tr><tr><td>BL 204 (Land Use Bylaw)</td><td>September 24, 2013</td><td>1</td><td>34</td></tr><tr><td>DE-TUP-2016.2</td><td>March 31, 2017</td><td>1</td><td>33</td></tr></table>	Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining	Baseline Density at time of adoption of the Denman OCP on May, 2009			49	BL 199 (Official Community Plan)	August 15, 2011	14	35	BL 200 (Land Use Bylaw)				BL 204 (Land Use Bylaw)	September 24, 2013	1	34	DE-TUP-2016.2	March 31, 2017	1	33
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DE-TUP-2016.2	March 31, 2017	1	33																									

Top Priorities Report

Denman Island

1. *Denman Island Farm Plan Implementation*

Incorporate Bylaw 223 considerations (agriculture, intensive agriculture, feedlot definitions)

Responsible

Marnie Eggen
Sonja Zupanec

Dates

2. *Signage at Ferry Terminal*

Responsible

Lisa Wilcox
Marnie Eggen

Dates

Rec'd: 21-Jan-2020

3. *Cannabis Land Use Regulation*

Review of land use regulations with respect to cannabis production and retail sales.

Responsible

Heather Kauer

Dates

Rec'd: 20-Nov-2018



Projects Report

Denman Island

1. *Protected Area Network*

Responsible

Date Received

Undertake planning for a Protected Area Network on Denman Island

15-Mar-2011

2. *Alternative Energy*

Responsible

Date Received

Consider regulations governing wind towers and Ocean Loop Geo-Exchange Systems.
Monitor recommendation from Trust Council.

15-Aug-2011

3. *Dwelling Floor Area Regulation*

Responsible

Date Received

Consider regulations to limit the gross floor area of a dwelling

25-Oct-2011

4. *Climate Change*

Responsible

Date Received

Consider climate change adaptation and mitigation measures

25-Oct-2011

5. *Development Procedures Review*

Responsible

Date Received

Review and update Development Procedure Bylaw No. 71

11-Dec-2012

6. *Alternative Dispute Resolution*

Responsible

Date Received

To be considered as part of the enforcement tool kit, possibly in cooperation with the
Hornby Island Local Trust Committee

26-May-2015



Projects Report

Denman Island

7. *Denman Village Plan*

Responsible

Date Received

Undertake a Denman Downtown Village Neighbourhood Plan; the plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; addressing of water and septic concerns; and consideration of Denman Community Design Charrette Final Report Jan 2018 recommendations.

26-May-2015

8. *Travel trailers*

Responsible

Date Received

LUB amendments and enforcement policies regarding the use of travel trailers

07-Mar-2017

9. *Occasional use of accessory buildings*

Responsible

Date Received

Amend LUB definition of the term occasional in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days per year regardless of who is staying there

07-Mar-2017

10. *Greenshores Workshop*

Responsible

Date Received

01-May-2018

11. *Incorporate the Regional Conservation Plan into land use planning.*

Responsible

Date Received

To foster preservation and protection of the Denman Island Ecosystems (based on the Islands Trust Conservancy Report, dated July 17, 2018)

07-Aug-2018

Projects Report

Denman Island

12. *Facilitating affordable, attainable and seniors housing.*

Responsible

Date Received

Secondary suites review and consideration of further opportunities to support housing options. Consideration of DCLTA and Northern Housing Needs Assessment report recommendations.

20-Nov-2018

13. *Coastal Douglas-fir protection*

Responsible

Date Received

Implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Island Trust Tool Kit (2018).

07-Feb-2019

14. *naming and recognition/traditional place name for Denman Island on Local Trust Committee meeting agendas*

Responsible

Date Received

Reference Staff Report dated November 7, 2019

07-Nov-2019

15. *Temporary Use Permits*

Responsible

Date Received

To support the development of Temporary Use Permits for short-term vacation rentals and other uses.

09-Oct-2018