



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: January 20, 2026
Time: 10:00 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

- | | | |
|---|---------------------|---------|
| 1. CALL TO ORDER | 10:00 AM - 10:05 AM | |
| "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. TERRITORIAL ACKNOWLEDGEMENT | | |
| 3. APPROVAL OF AGENDA | | |
| 4. REPORTS | 10:05 AM - 10:25 AM | |
| 4.1 Trustee Reports | | |
| 4.2 Chair's Report | | |
| 4.3 Electoral Area Director's Report | | |
| 5. PUBLIC COMMENTS | 10:25 AM - 10:45 AM | |
| 6. MINUTES | 10:45 AM - 10:50 AM | |
| 6.1 Local Trust Committee Special Meeting Minutes dated June 26, 2025 - for adoption | | 3 - 7 |
| 6.2 Local Trust Committee Minutes dated December 16, 2025 - for adoption | | 8 - 20 |
| 6.3 Section 26 Resolutions-Without-Meeting Report - none | | |
| 6.4 Advisory Planning Commission Minutes - none | | |
| 7. BUSINESS ARISING FROM MINUTES | 10:50 AM - 11:05 AM | |
| 7.1 Follow-up Action List dated January 13, 2026 | | 21 - 27 |
| 8. DELEGATIONS - none | | |
| 9. APPLICATIONS AND REFERRALS | 11:05 AM - 11:25 AM | |

~ BREAK 11:25 AM - 11:55 AM ~

- 10. LOCAL TRUST COMMITTEE PROJECTS** 11:55 AM - 2:00 PM
- 10.1 Major Project: Denman Housing (Official Community Plan and Land Use Bylaw)
Review Project Update - Staff Report 81 - 133
- 11. CORRESPONDENCE - none**
(Correspondence received concerning current applications or projects is posted to the LTC webpage)
- 12. NEW BUSINESS - none**
- 13. STAFF REPORTS** 2:00 PM - 2:15 PM
- 13.1 Trust Conservancy Report - none
- 13.2 Applications Report dated January 13, 2026 134 - 142
- 13.3 Trustee and Local Expense Report dated November, 2025 143 - 143
- 13.4 Adopted Policies and Standing Resolutions 144 - 154
- 13.5 First Nations Relationship Building Update
- 13.6 Local Trust Committee Webpage
- 14. WORK PROGRAM** 2:15 PM - 2:30 PM
- 14.1 Active Projects Report dated January 13, 2026 155 - 155
- 14.2 Future Projects Report dated January 13, 2026 156 - 157
- 15. UPCOMING MEETINGS**
- 15.1 Next Regular Meeting Scheduled for Tuesday, March 17, 2026 at 10:00 a.m. at
Denman Activity Centre, 1111 Northwest Road, Denman Island, BC
- 16. ADJOURNMENT** 2:30 PM - 2:30 PM



Denman Island Local Trust Committee

Minutes of Special Meeting

Date: June 26, 2025

Location: Electronic Meeting

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

Staff Present: Narissa Chadwick, MCIP, RPP, Island Planner
Marlis McCargar, Island Planner
Chloe Straw, Meeting Administrator
Katherine Vogt, Recorder

Others Present: There were no members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 3:32pm.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. BUSINESS ITEMS

4.1 Major Project: Denman Housing (Official Community Plan and Land Use Bylaw) Review Project - Denman Island Housing Phase 2 Community Engagement Topics - Staff Report

The Planner presented the staff report that provides trustees with an updated timeline for upcoming public engagement activities and outlines draft discussion options for future engagement on the following housing topics: Density Bank; Floor Area and Lot Coverage Limits; Small Unit Detached Clustered Housing; and Increasing Permission for Secondary Dwellings.

The Planner noted that collaboration materials from the Denman Island Conservancy would not be ready in time for the farmer's market engagement scheduled for July 26, 2025; but that current information materials could suffice; and the Conservancy material could be presented in September.

- A trustee suggested placing a notice of the upcoming farmer's market day engagement in the grapevine two weeks prior to the event; and offered to post a staff-drafted notice in two community Facebook groups.
- A trustee expressed preference for Saturday, September 20, 2025 as a possible date for an additional Community Engagement.
- Trustees agreed that the term "workshop" should not be used to describe future events.

The Planner reviewed attachment 1 of the staff report: Denman Housing Engagement Info: Density Bank," which explains how the density bank functions and provides a staff recommended option: replacement of the density bank with more stringent Official Community Plan (OCP) policies and zoning regulations; improvement of the existing density bank.

Trustees noted the following:

- Possibilities for integrating the administration of housing agreements with the approval process for affordable housing projects.
- Support for replacing the density bank while retaining the density transfer policy to continue supporting conservation.
- Concerns about the disappearance of densities under the proposed replacement option.
 - Planner clarified that the banking of densities would be discontinued, but the density transfer policy would still allow direct transfers between properties.
- Recognition that many community members are attached to the density bank, and that eliminating it could face public resistance. It may be preferable to retain and improve the existing system.
- The density bank could be put in the Land Use Bylaw and populated with the current 7 densities, future potential conservation densities, and densities that are specific to affordable housing based on the past 20 years of housing needs assessments.
- The 5% Density Bank policy is being exceeded with Additional Dwelling Units (ADU)s on agriculture, resource, and R2 lands. It was recommended that this policy be considered separately from the broader density bank discussion.

The Planner noted the following:

- The Denman Housing Advisory Commission had previously recommended removal of the density bank.
- Traditional subdivision policies did not consider coastal sensitivities such as heritage values, sea level rise, and erosion.

Trustees agreed that the following questions regarding the density bank would be appropriate for future community input:

1. Do you support policies that set a percentage target for certain types of housing instead of an overall density cap? *For example, a target that 30% of new housing be affordable or attainable.*
2. If the density bank were removed, what alternative tools or policies would you want in place to effectively control growth and promote affordable housing?

3. Do you support removing subdivision potential; or removing it only on land that may not be suitable for subdivision for the following reasons: heritage values, sea level rise, saltwater intrusion, or erosion?

The Planner reviewed Attachment 2 of the staff report: Denman Housing Engagement Info: Lot Coverage and Floor Area Restrictions, noting that currently Denman has a 25% maximum lot coverage restriction for all residential lots, and no floor area restrictions. Planners are proposing a reduced lot coverage of 5 to 15%, depending on lot size; and a 250 square meters maximum for principal dwellings, to initiate community discussion.

There was some discussion of existing maps identifying large areas of Denman Island as potentially unsuitable for subdivision, which could be shared with the public.

Trustees agreed that the following questions on lot coverage and floor area restrictions were suitable for future public engagement:

1. Do you think the proposed lot coverage limits (e.g. 5%, 10% or 15%) are reasonable? Why or why not?
2. Is a maximum floor area appropriate for homes on Denman; or should the maximum floor area be determined by the size of the lot? If not, what would you suggest and why?
3. Would you support using both lot coverage and floor area limits together to more effectively manage building size and land use? (For example, a house could be limited to no larger than 250m² and also must stay within 10% lot coverage.)

The Planner reviewed Attachment 3 of the staff report: Denman Housing Engagement Info: Cluster Housing, noting that currently there is unsustainable dispersed housing units potential on R2 lots which could be made more sustainable by containing them into clusters as Mayne Island has done with the Flexible Housing model; and, that there are approximately 150 lots that could still be developed on Denman but that perhaps half of them may be environmentally or heritage unsuitable, which could allow clustered housing on the remainder suitable lots with no net increase in density.

Trustees determined that the following public engagement questions on cluster housing would be suitable:

1. Could cluster housing replace subdivision as a means of enabling a different approach to density?
2. What are your thoughts about cluster housing in terms of environmental impact, affordability, and water usage?

The Planner reviewed Attachment 4 of the staff report: Denman Island Housing Engagement: Secondary Dwelling Units, clarifying that the definition of secondary dwelling units on Denman was being updated to include both attached and detached units; and acknowledging the confusion regarding that many agencies use the term Accessory Dwelling Units (ADU)s to describe both attached secondary suites and detached units.

- A trustee recommended using the term “additional dwelling unit” for separate buildings; and “secondary suites” for attached ones.
- A trustee noted that regulations still apply to secondary suites regardless of a Temporary Use Permit (TUP).
- A trustee suggested that a process for compliance for existing illegal dwellings is a need that could be addressed in a future project.

Trustees determined that the following public engagement questions on secondary dwelling units would be suitable:

1. Do you support allowing secondary dwelling units without requiring a Temporary Use Permit (TUP) in zones where they are currently permitted with a TUP?
2. Would you support the option for either attached or detached secondary units in the Land Use Bylaw.

Trustees determined that it would be suitable to ask members of the public the following additional question:

1. Do you think it makes sense to add the 200 m K’omoks First Nations coastline archaeological potential zone to the areas deemed unsuitable for further development?

DE-LTC-2025-043

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the proposed direction related to the following four topics: density bank; floor area and lot coverage limits; small unit detached clustered housing; and increasing permission for secondary dwellings as discussed at the Special Denman Island Local Trust Committee meeting of June 26, 2025.

CARRIED

DE-LTC-2025-044

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee endorse the revisions to the engagement plan timeline as discussed at the June 26, 2025 meeting of the Denman Island Local Trust Committee.

CARRIED

DE-LTC-2025-045

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to arrange for the next Local Trust Committee meeting, scheduled for July 15, 2025 at 10:00 am, to be held electronically.

CARRIED

5. ADJOURNMENT

By general consent the meeting was adjourned at 5:49 p.m.

David Maude, Chair

Certified Correct:

Katherine Vogt, Recorder



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: December 16, 2025

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

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

Staff Present: Clare Frater, Director, Trust Area Services (electronic)
Marlis McCargar, Island Planner (electronic)
Narissa Chadwick, Island Planner (electronic)
Warren Dingman, Bylaw Compliance and Enforcement Manager (electronic)
Rob Pingle, Planning Technician (electronic)
Nadine Mourao, Legislative Clerk (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 12 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:03 am.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. REPORTS

4.1 Trustee Reports

Trustee Borthwick reported attendance at the December Trust Council meeting and highlighted budget discussions and the presentation given by Brody Guy, Chief Administrative Officer of the Islands Coastal Economic Trust.

Trustee Graham reported attendance at Trust Council and noted work will continue to be done through Financial Planning Committee to address the anticipated budget increase prior to adoption in March.

4.2 Chair's Report

Chair Maude reported the following:

- Trust Council approved financial sponsorship of the rezoning application fee for PLRZ20250368 (Denman Community Housing Society) in the amount of \$1592;
- Attended Trust Council and highlighted budget discussions and the presentation by Hannah Rabinovitch, Director of the BC Housing Policy Branch about opting-in to the principal residence requirements of the *Short-Term Rental Act*;
- The draft Trust Policy Statement is in the referral process and members of the public can continue to provide feedback through the survey or public comments sessions during Local Trust Committee meetings.

4.3 Electoral Area Director's Report - none

5. PUBLIC COMMENTS

Four members member of the public spoke to a letter sent to local Trustees regarding the Apartheid Free Community (AFC) campaign and noted the campaign is province-wide and asks local councils and municipalities to take a stand on ongoing genocide in Palestine. They requested the that the Local Trust Committee align with other BC municipalities and sign the Apartheid Free Communities Pledge declaring the Denman Island Local Trust Area an apartheid-free community, support the call on the Government of Canada to enact a two-way arms embargo with Israel, support reforms to the Gaza Temporary Resident Visa Program, support the boycott concerning contracting policies to exclude corporations complicit in human rights violations, and recognize and address anti-Palestinian racism as a distinct form of racism.

A Trustee noted support of anti-apartheid movements and indicated that there is a point in the agenda during which they will respond to the request for support.

By general consent correspondence regarding the Apartheid Free Community campaign was added to the agenda as item 10.8.

6. MINUTES

6.1 Local Trust Committee Minutes dated July 15, 2025 - for adoption

The following amendments to the minutes were presented for consideration:

On page 5 of the minutes in resolutions DE-2025-047, 049, 050, and 051 change all references to Lasqueti Island to Denman Island, correct the bylaw number to Bylaw 258, and the cited bylaw number to Bylaw No. 248, 2025.

By general consent, the Denman Island Local Trust Committee meeting minutes of July 15, 2025 were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated December 4, 2025

Received for information.

6.3 Advisory Planning Commission Minutes – none

A Trustee asked when the Advisory Planning Commission (APC) selection process was changed and the Planner replied the APC Bylaw for Denman was adopted in 2019 which replaced a bylaw from 1987.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated December 4, 2025

Received for information.

8. DELEGATIONS

8.1 Rezoning 15.2-acre R2 Property to a New Affordable Housing Zone

The delegation spoke to an application they have put forward to rezone their 15-acre property to an affordable housing zone for eight dwelling units regulated by a Housing Agreement held with the Islands Trust. They read a letter from 3Ravens to the Local Trust Committee that was included as part of the agenda.

8.2 Denman Community Housing Society regarding an Official Community Plan Amendment for a Future Affordable Housing Site

The delegation provided a presentation regarding rezoning the Emcon works yard, noted the works yard is leased to Mainroad until 2033 and rezoning would set aside a location for affordable housing in the future, and the offer from Emcon will allow the community to secure a parcel for future affordable housing through an amendment to the Official Community Plan.

8.3 Association for Denman Island Marine Stewards regarding Encroachment on the Marine Conservation Area on Denman Point

The delegation spoke to concerns about an application made to the Provincial Government to expand an aquaculture operation which currently encroaches on the Marine Conservation Area at Denman Point and the following comments were noted:

- Aquaculture rafts would impact the marine conservation zone;
- The province will be making a referral to the Local Trust Committee;
- There was a bylaw enforcement action initiated on January 21, 2020 and they would like to know the results of the investigation;
- The expansion is outside of the current lease area, has already happened, and the operator is retroactively asking for the expansion to be approved;
- A complaint has also been made to the Department of Fisheries and Oceans.

The Planner advised that a Crown lease referral would be sent to staff for response and if the area encroaches into the Marine Conservation zone staff would note that a rezoning would be required to permit the use.

The Chair stated the delegate should not assume the Province will send a referral prior to approving the application, asked the Planner to inform the Local Trust Committee if a referral comes forward, and suggested the delegate consider making a bylaw complaint to enable a bylaw compliance and enforcement investigation.

By general consent Aquaculture Expansion in Marine Conservation Zone was added to the agenda as new business at item 11.1.

9. APPLICATIONS AND REFERRALS

9.1 PL-RZ-2024-0055 (Denman Conservancy) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The Local Trust Committee gave first and second reading to proposed Bylaw Nos. 256 and 257 to amend the Official Community Plan and Land Use Bylaw to rezone the subject parcels from Forestry and Resource Extraction to Conservation and Environmental Protection;
- Referral responses have been received and have been summarized in the report;
- K'omoks First Nation expect the referral to go before their Council in the near future.

The applicant was in attendance and noted preference for an electronic Community Information Meeting combined with a Public Hearing.

Discussion ensued and the Planner stated the Local Trust Committee had already passed a resolution to schedule a Community Information Meeting and Public Hearing and staff will proceed to do so.

9.2 DE-RZ-2024.1 (Triple Rock Land Cooperative) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The rezoning application seeks an additional four dwelling units to permit a total of 19 dwelling units and associated secondary suites regulated by a Housing Agreement;
- The Local Trust Committee has given first and second readings to proposed Bylaw No. 255 and 254 and second reading to proposed Bylaw No. 250;
- A withdrawal from the density bank is required to permit the additional four dwelling units;
- The report summarizes referral responses received and K'omoks First Nation will be considering the referral during their January 29 meeting;
- Amendments to Bylaw No. 254 (Housing Agreement), as outlined in the staff report, should be considered prior to giving second reading and a Community Information Meeting and Public Hearing be scheduled.

Discussion ensued and the following comments were noted:

- It is necessary to have a Public Hearing for the Official Community Plan amendment and Density Bank extraction components of the project;
- The provincial message is that a public hearing is not to be held for affordable housing projects; however, an amendment to the Official Community Plan requires a one to be held;
- There are two different mechanisms to use for density including the Density Bank and Policy 12 in which there are 7 densities remaining;
- Some revisions to the proposed housing agreement have been identified based on the referral response from the Agricultural Land Commission;
- the Local Trust Committee had already passed a resolution to schedule a Community Information Meeting and Public Hearing.

DE-2025-051

It was MOVED and SECONDED

that Denman Island Local Trust Committee Bylaw No. 254 cited as “Denman Island Housing Agreement Bylaw No. 254, 2025” be read a second time, as amended.

CARRIED

9.3 PL-ALR-2025-0304 (Pawlowski) - Staff Report

The Planning Technician spoke to the staff report and highlighted the following:

- The application seeks to include land that is currently zoned Rural Residential (R2) in the Agricultural Land Reserve (ALR);
- The subject property is 4.6 hectares in size and was removed from the ALR in 2009 through subdivision that resulted in no loss of ALR land and no increase in density;
- Returning the property into the ALR would increase the total ALR land on the island and not impact the total density;
- The applicant is operating a cidery on the subject property and including the land in the ALR would allow ability to provide agri-tourism in the form of a tasting room under the applicable zoning;
- The Local Trust Committee is to decide if it wishes to forward the inclusion application to the Agricultural Land Commission for consideration with, or without, additional comments or recommendations.

Discussion ensued and the following comments were noted:

- Moving land back into the Agricultural Land Reserve is the most expedient method of moving this application forward;
- Permitting a tasting room within a home-based business model was considered but did not meet all requirements of a home-based business.

DE-2025-052

It was MOVED and SECONDED

that the Denman Island Local Trust Committee supports application PLALR20240304 for inclusion of land in the Agricultural Land Reserve and directs staff to forward the application to Agricultural Land Commission for further consideration.

CARRIED

9.4 PL-RZ-2025-0368 (Denman Community Housing Society) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The application proposes amendments to the Official Community Plan and Land Use Bylaw to rezone a portion of the subject property from Institutional to R4 Community Housing to permit the development of up to eight units of affordable housing units near Denman Village;
- The units would be owned and managed by the Denman Community Housing Society which has signed a Memorandum of Understanding with the property owner, Emcon.

- Under the Memorandum of Understanding the Denman Community Housing Society would acquire a portion of the property from the current owner (Emcon) for the purpose of developing the housing units with the transfer of title contingent upon completion of the required Official Community Plan and Land Use Bylaw amendments;
- Key considerations of the development project are outlined in the staff report;
- Two other properties on Denman Island have been rezoned with one to permit eight seniors' affordable housing units and another to permit 20 affordable housing units and to date neither site has proceeded to development;
- Densities for those rezonings were drawn from the Density Bank and count toward the overall density cap and these unused densities remain tied up; therefore, limiting the availability of density for other proposals that may be ready to proceed with construction;
- The proposal would use both the Density Bank and Policy 12 to provide the 8 densities required;
- Adequate ground water supply to support the development is available from the Emcon well located off the subject property and an easement will be required;
- The adjacent lot that has been zoned to permit 20 affordable housing units is owned by the same applicant and could also be a water source;
- Two concurrent applications are necessary to achieve the intended result of permitting affordable housing including a Development Variance Permit application to vary the minimum lot size for the remainder parcel to permit the subdivision to proceed and a Subdivision Referral application to allow the parcel to be subdivided enabling 0.3 hectares portion of the property to be transferred to the Housing Society.

The applicant was in attendance and provided a presentation which highlighted the following:

- Subdivision, rezoning, and water licence applications are in progress;
- The subdivision referral to Islands Trust was done on September 5;
- They have a joint water use agreement with Emcon;
- An environmental assessment has been completed;
- They anticipate financing the project through community donations and a commercial mortgage;
- They will be conducting their own community information in late January;

Trustees had no questions for the Planner or applicant.

DE-2025-053

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008, to enable application PL-RZ-2025-0368 (Denman Community Housing Society).

CARRIED

DE-2025-054

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend Denman Island Land Use Bylaw, 2008, to enable application PL-RZ-2025-0368 (Denman Community Housing Society).

CARRIED

DE-2025-055

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for PL-RZ-2025-0368 (Denman Community Housing Society) to submit the following to the Local Trust Committee prior to a public hearing being considered/scheduled:

- a. Confirmation from a qualified professional that the subject property PID 000-252-069, have adequate conditions to support community sewage treatment or other approved systems, compliant with the BC Sewerage System Regulation under the *Health Act* for the proposed increase in density;
- b. a copy of the provincial water license intended to supply water to the 8 units of affordable rental housing;
- c. a water management plan based to address:
 - i. peak and expected water demand calculations;
 - ii. water conservation commitments to exceed BC Building Code requirements;
 - iii. minimum onsite storage capacity for potable, non-potable and fire suppression and types of storage being considered;
 - iv. emergency considerations should temporary demand be greater than designed storage or well capacity;
 - v. proposed plan for irrigation and grey-water re-use;
 - vi. proposed groundwater monitoring and reporting; and
 - vii. proposed stormwater management.

CARRIED

DE-2025-056

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request the applicant for PL-RZ-2025-0368 (Denman Community Housing Society) enter into a cost recovery agreement with the Islands Trust for the purposes of drafting:

- a. a housing agreement for 8 units of affordable rental housing; and
- b. a restrictive covenant for water conservation, groundwater monitoring and to ensure all buildings meet BC Energy Step Code Level 2, or other energy-efficiency measures identified.

CARRIED

DE-2025-057

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to send an early referral of PL-RZ- 2025-0368 (Denman Community Housing Society) to K'omoks First Nation.

CARRIED

DE-2025-058

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to send an early referral of PL-RZ-2025-0368 (Denman Community Housing Society) to the Denman Island Fire Department and Islands Trust Freshwater Specialist for comment.

CARRIED

9.5 Trust Council Bylaw 183 - Policy Statement Referral – Briefing

The briefing noted the initial referral response deadline of October 10 had been extended to February 5 to accommodate scheduled community engagement sessions.

9.6 Trust Council Bylaw No. 183 - Policy Statement Referral – Memorandum

Trustees had no questions or comments.

DE-2025-059

It was MOVED and SECONDED

that the Denman Island Local Trust Committee respond to the Islands Trust Council that interests are unaffected by Bylaw No. 183.

CARRIED

9.7 Referral Response to Comox Valley Regional District regarding Proposed Regional Growth Strategy Minor Amendment

Received for information.

The meeting was recessed for a break at 12:10 p.m. and reconvened at 12:40 p.m.

10. CORRESPONDENCE

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

10.1 Email dated July 11, 2025 from E. Johnston regarding Pre-Zoning Request for Housing Co-op at 5400 Northwest Road

Received for information.

10.2 Email dated July 17, 2025 from P. Deschenes regarding The Snag Rezoning

Received for information.

10.3 Email dated August 6, 2025 from B. Branfireun regarding Denman Island Siting and Use Concern

The correspondence was received for information and a Trustee noted the Bylaw Compliance and Enforcement Manager responded to the correspondent.

10.4 Email dated August 6, 2025 from R. Day regarding Snag Housing Co-op Proposal Update and Statement of Support

Received for information.

10.5 Email dated August 18, 2025 from L. Gardner regarding In Support of the Snag!

Received for information.

10.6 Letter dated August 29, 2025 from Denman Community Housing Society regarding Rezoning of Works Yard

Received for information.

10.7 Email dated November 25, 2025 from P. Weyer regarding The Snag Housing Co-op Proposal – Support

Received for information.

10.8 Correspondence submitted to the Local Trust Committee regarding the Apartheid Free Community Campaign.

The Local Trust Committee received staff advice on the subject and it was noted that Trustees can individually support causes; however, the Local Trust Committee has a limited legislative role to preserve and protect using the authority granted to it but does not have a role in advocating international issues. Trustees thanked the speakers for bringing the issue forward.

11. NEW BUSINESS – none**11.1 Aquaculture Expansion in Marine Conservation Zone**

The Bylaw Compliance and Enforcement Manager provided the Local Trust Committee background information on why the previous bylaw enforcement file had been put into abeyance and noted if further clarity on jurisdiction to proceed with enforcement was needed then the Local Trust Committee should consider requesting a legal opinion.

DE-2025-060**It was MOVED and SECONDED**

that the Denman Island Local Trust Committee request staff prepare a report on the bounds of our jurisdiction regarding Marine Aquaculture Zones, and their enforceability.

CARRIED

12. STAFF REPORTS**12.1 Draft 2026/27 Denman Island Local Trust Committee Annual Meeting Schedule - Request for Decision**

Due to the large number of meetings scheduled following swearing in at Trust Council, the November 16, 2026 meeting will be held electronically.

DE-2025-061**It was MOVED and SECONDED**

that Denman Island Local Trust Committee approve their April, 2026 to March, 2027 Meeting Schedule as amended,

CARRIED

12.2 Denman Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 258 Final Adoption - Request for Decision

The Local Trust Committee Meeting Procedures Bylaw No. 197 has been given first, second, and third reading and is coming back to the Local Trust Committee for adoption.

DE-2025-062

that the Denman Island Local Trust Committee Bylaw 258, cited as “Denman Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 258, 2025” be adopted.

CARRIED

12.3 Public Notification Bylaw - Request for Decision

The Request for Decision was summarized and the following points highlighted:

- The Community Charter establishes the requirements for publishing public notice where public notices are required by the *Local Government Act* and includes a default requirement and an option to adopt an alternative means of bylaw;
- The default public notification is by publication in two editions of a newspaper once each week for two consecutive weeks.;
- A draft bylaw has been prepared for Public Notification that is based on the model approved by Trust Council which includes publication on the Islands Trust website and social media account;
- Should the Local Trust Committee choose to adopt their own bylaw they must consider that the means of publication are reliable, suitable, and accessible.

Discussion ensued and the following comments were noted:

- There are a number of local publications and only one publishes weekly;
- The language can be broad such as using a print newspaper without indicating a specific publication;
- It is the intention of the Local Trust Committee to add a third means of notification to the bylaw.

DE-2025-063

It was MOVED and SECONDED

that public notification draft bylaw no 259 to be amended by adding a third bullet to read “in publications locally produced and distributed on Denman Island”

CARRIED

DE-2025-064

It was MOVED and SECONDED

that the Denman Local Trust Committee considers that the notification methods in draft Bylaw 259 as amended are reliable, suitable and accessible for the Denman Local Trust Area.

CARRIED

DE-2025-065

It was MOVED and SECONDED

that the Denman Local Trust Committee give Bylaw No. 259, cited as
“Denman Local Trust Committee Public Notification Bylaw No. 259, 2025”,
First Reading.

CARRIED

DE-2025-066

It was MOVED and SECONDED

that the Denman Local Trust Committee give Bylaw No. 259, cited as
“Denman Local Trust Committee Public Notification Bylaw No. 259, 2025”,
Second Reading.

CARRIED

DE-2025-067

It was MOVED and SECONDED

that the Denman Local Trust Committee give Bylaw No. 259 cited as
“Denman Local Trust Committee Public Notification Bylaw No. 259, 2025”,
Third Reading.

CARRIED

DE-2025-068

It was MOVED and SECONDED

that the Denman Local Trust Committee forward Bylaw No. 259 cited as
“Denman Local Trust Committee Public Notification Bylaw No 259, 2025” to
the Islands Trust Executive Committee for consideration of approval.

CARRIED

12.4 Trust Conservancy Report - none

12.5 Applications Report dated December 9, 2025

Received for information.

12.6 Trustee and Local Expense Report dated October, 2025

Received for information.

12.7 Adopted Policies and Standing Resolutions

Received for information.

12.8 First Nations Relationship Building Update - none

12.9 Local Trust Committee Webpage - none

13. WORK PROGRAM

13.1 Active Projects Report dated December 4, 2025

Received for information.

13.2 Future Projects Report dated December 4, 2025

Received for information.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Major Project: Denman Housing (Official Community Plan and Land Use Bylaw) Review Project: Business Case for 2026/27 Fiscal Year - Staff Report

The Planner summarized the staff report and noted that the project is scheduled to complete during the current term and the business case reflects potential budget required for engagement.

DE-2025-069

It was MOVED and SECONDED

that the Denman Island Local Trust Committee endorse the attached 2026 – 2027 Business Case and that staff forward the business case to the relevant committees and to Trust Council.

CARRIED

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

The Planner summarized the staff report and indicated a larger report will be coming forward at the January meeting.

A Trustee noted they would like to focus the January discussion on the following suggestions:

- Pending endorsement from the K'omoks First Nation regarding a 200-metre setback from the ocean allowing subdivision outside of that 200-metre range and prohibiting further densification of the shoreline;
- The current lot coverage allowance states 25% coverage island wide and they would like to see coverage reduced and scaled to property size;
- Suggestion to limit maximum floor area to 300 square metres;
- Do not make cluster housing a condition for additional density approval;
- Consider additional dwellings on a case-by-case basis according to the needs of the applicant, the geography of the property, and the natural impact of the proposed buildings;
- Look at spot zoning using a checklist for minimum requirements against specific criteria rather than pre-zoning;
- Create an application for legalization of existing non-conforming dwellings while ensuring there is not an undue environmental impact;
- Discontinue use of temporary use permits;
- Requirement for rainwater catchment for all new dwellings;
- Permit accessory dwelling units including tiny homes, yurts, and trailers;
- Allow secondary suites in all zones with further details to be provided regarding requirement for water licensing;
- Allow room rentals in all zones except Conservation, Park, R4 Community Housing, and Water zones;
- Eliminate the Resource (RE) zone and rezone those properties to something more appropriate for current use.

DE-2025-070

It was MOVED and SECONDED

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

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, January 20, 2026 at 10:00 a.m. at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

16. CLOSED MEETING

16.1 Motion to Close the Meeting

DE-2025-071

It was MOVED and SECONDED

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

- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:58 p.m.

16.2 Recall to Order

The meeting was recalled to order at 2:15 p.m.

16.3 Rise and Report

Chair Maude will rise and report adoption of the March, 2025 in-camera meeting minutes at the next regular business meeting.

17. ADJOURNMENT

By general consent, the meeting was adjourned at 2:16 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Follow Up Action Report

Denman Island

20-Feb-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 - Draft Housing Action Plan - <i>Completed for May 7th Meeting</i> - Draft Bylaw language for review - <i>Winter 2026</i>	Narissa Chadwick		In Progress

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 1.request the applicant for DE-RZ-2023.1 to submit the following information to the Local Trust Committee regarding sewerage waste disposal on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320): - Sewage disposal filings for each sewage disposal system on the subject properties; and A comprehensive sewage disposal plan for each dwelling/building site on each of the subject properties. 2.request the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.) to submit the following information to the Local Trust Committee regarding the existing water quality and quantity on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320): a) Source of potable water for each building site; b) Distribution of potable water to each building site; c) Any historic or current water quality tests for existing potable water sources supplying the building sites; d) Any additional sources of water for irrigation (non-potable); AND That this information be forwarded to the Islands Trust Freshwater Specialist for comment. 3.That the Denman Island Local Trust Committee request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) submit a post-impact Preliminary Field Reconnaissance prepared by a qualified professional, in consultation with K'ómoks First Nation.	Margot Thomaidis		In Progress

Follow Up Action Report

Denman Island

04-Jun-2024

Progress	Activity	Responsibility	Dates	Status
51%	2 Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application: 1.prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008 (OCP), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.). 2.prepare a draft bylaw to amend the Denman Island Land Use Bylaw, 2008 (LUB), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.). 3.confirm that the draft bylaw includes designation of part of the Northern parcel and part of the Eastern parcel (PIDs 000-211-338 and 023-096-438) as 'Conservation/Recreation' in the OCP and 'Conservation (CN)' in the LUB. (staff N.Mourao) 4.confirm that the draft bylaw includes designation of Site Specific Rural Residential zones in the LUB to permit the existing residential density on each of the subject properties.	Margot Thomaidis Nadine Mourao		In Progress
25%	3 Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application, request staff to report back on the options and implications of establishing a shoreline protection Development Permit Area for the subject properties related to DE-RZ-2023.1.	Margot Thomaidis		In Progress
50%	4 Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application, request staff to engage with K'ómoks First Nation regarding their interest in formalizing access to Longbeak Point through a pedestrian trail on the Western and Northern parcels.	Joe Elliott Margot Thomaidis Renee Jamurat		In Progress

Follow Up Action Report

Denman Island

08-Oct-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 Next steps for completing Denman Island Housing Review Project: ·reformat for LUB ·consider adding permission for dwelling units in Institutional and Community Zones ·draft language for alternative dwelling units ·review domestic water systems ·expand secondary suites and ADUs ·cistern requirement ·explore lot coverage maximum and flexible zoning	Narissa Chadwick		In Progress

21-Jan-2025

Progress	Activity	Responsibility	Dates	Status
25%	1 DE-RZ-2023.1 (Komas Ranch Ltd.) ·Request staff to prepare draft bylaw language to amend the Denman Island OCP, to introduce a new site-specific Heritage Conservation Area ·Endorsed the draft Terms of Reference letter and directed staff to forward it to the applicant, with a final deadline of December 31, 2025 to provide additional information requested in support of the application. ·Request staff to develop a draft restrictive covenant in consultation with the applicant for application for LTC consideration. ·Enter into a cost recovery agreement, if necessary, with the applicant allowing Islands Trust legal counsel to review a draft restrictive covenant	Margot Thomaidis		In Progress

Follow Up Action Report

Denman Island

08-May-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Integrate the OCP technical amendments and the First Nations Acknowledgement update into the Denman Housing Review Project, and provide an updated project charter reflecting these changes. <i>See Project Charter dated: December 16, 2025</i>	Narissa Chadwick		Completed

20-May-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 Research and outline feasible options for transferring the administration of Housing Agreements to a non-profit on behalf of the LTC. Determine the cost of a standard Housing Agreement template. Present these findings to the LTC for consideration as part of the OCP project.	Marlis McCargar Narissa Chadwick		In Progress

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Locate the 1987 APC Bylaw and forward it to LTC to clarify when the APC transitioned from general elections to appointments.	Marlis McCargar		Completed
100%	2 Schedule a combined electronic CIM and PH for DE-PL-2025-0055 and DE-RZ-2024.1 in February, during regular working hours. <i>Scheduled for Feb 17 at 10am</i>	Lisa Millard Marlis McCargar Nadine Mourao		Completed
100%	3 Make amendments to Denman Island Housing Agreement Bylaw No. 254, which was read a second time, as amended.	Marlis McCargar Nadine Mourao		Completed
0%	4 Staff to prepare draft bylaws to amend the OCP and LUB to enable application PL-RZ-2025-0368 (Denman Community Housing Society). Leg Clerk to generate bylaw numbers and template.	Marlis McCargar Nadine Mourao		In Progress
0%	5 Applicant for PL-RZ-2025-0368 (Denman Community Housing Society) to submit: a) confirmation from a qualified professional that can support compliant community sewage treatment or other approved systems under the BC Sewerage System Regulation for the proposed density; and b) a copy of the provincial water licence intended to supply the 8 affordable rental units.	Marlis McCargar		In Progress

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
0%	6 Applicant for PL-RZ-2025-0368 (Denman Community Housing Society) to submit a water management plan addressing: i) peak and projected water demand; ii) water conservation measures exceeding BC Building Code requirements; iii) minimum onsite storage for potable, non-potable, and fire suppression uses, including storage types; iv) emergency measures for demand exceeding storage or well capacity; v) irrigation and grey-water reuse; vi) groundwater monitoring and reporting; and vii) stormwater management.	Marlis McCargar		In Progress
0%	7 Prepare Cost recovery agreement and LSR for the preparation of: a) a housing agreement for 8 units of affordable rental housing; and b) a restrictive covenant for water conservation, groundwater monitoring, and compliance with BC Energy Step Code Level 2 or other identified energy-efficiency measures.	Marlis McCargar		In Progress
0%	8 send early referral of PL-RZ-2025-0368 (Denman Community Housing Society) to K'omoks First Nation	Joe Elliott Marlis McCargar Nadine Mourao		In Progress
0%	9 Send an early referral of PL-RZ2025-0368 (Denman Community Housing Society) to the Denman Island Fire Department	Marlis McCargar		In Progress
100%	10 Send a referral of PL-RZ-2025-0368 (Denman Community Housing Society) to and Islands Trust Freshwater Specialist for comment.	Marlis McCargar William Shulba		Completed

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
0%	11 The Denman LTC responded to the Islands Trust Council that interests are unaffected by Bylaw No. 183.	Clare Frater Jason Youmans Nadine Mourao		In Progress
0%	12 Bylaw Enforcement Manager to prepare a report outlining the limits of IT's jurisdiction over marine aquaculture zones and the enforceability of related regulations.	Warren Dingman		In Progress
100%	13 Approved the April 2026-March 2027 meeting schedule, as amended, with the November 2026 meeting to be held electronically.	Lisa Millard Shalini Nakai		Completed
0%	14 Denman Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 258, 2025 was adopted.	Nadine Mourao		In Progress
0%	15 Amended Draft Bylaw No. 259 to read: "iii. in publications locally produced and distributed on Denman Island."	David Marlor Nadine Mourao		In Progress
0%	16 The Denman Island Local Trust Committee considers that the notification methods in Draft Bylaw 259, as amended, are reliable, suitable, and accessible for the Denman Local Trust Area. Proposed Bylaw No. 259, cited as "Denman Local Trust Committee Public Notification Bylaw No. 259, 2025," was given First, Second, and Third Readings and forwarded to the Islands Trust Executive Committee for consideration of approval.	David Marlor Nadine Mourao		In Progress

File No.: PLDP20250156
X-Ref: PLSUP20250151

DATE OF MEETING: January 20, 2026
TO: Denman Island Local Trust Committee
FROM: Ian Cox, Planner 2
Northern Team
SUBJECT: Development Permit Application, PLDP20250156
Applicant: Brittany Smith (Agent)
Location: 1840 Hilberry Lane, Denman Island

RECOMMENDATION

1. That the Denman Island Local Trust Committee approve issuance of Development Permit PLDP20250156.

REPORT SUMMARY

This application presents a retroactive development permit for consideration by the LTC related to construction of an existing single-family dwelling and a power shed within Development Permit Area 2 – Steep Slopes (DPA 2), on a 3.3-hectare parcel located at 1840 Hilberry Lane. Staff recommend approval since the development is consistent with the DPA 2 Guidelines; certain of them are no longer applicable due to the retroactive nature of the application, but have been addressed via the Impact Assessment and Restoration Plan report provided by the applicant, authored by ROE Environmental Ltd. (**Attachment 1**).

BACKGROUND

The property contains a single-family dwelling and power shed/utility shed that were constructed without the required siting and use permit (SUP) and development permit (DP) for work within Development Permit Area 2 – Steep Slopes (DPA 2). No new development is proposed at this time. This permit addresses changes that occurred within the DPA between 2016 and 2018, including construction of an approximately 120 m² residence, a power shed, and vegetation clearing on the slope to the west of the house. According to the applicant's project memo included in the application materials, "No other buildings exist on the property... [and] the use of building[s] is residential. Currently there is no well or septic", however a proposed, future septic system location is shown on the site plan attached as Schedule "A" to the proposed DP.

This application is not a result of bylaw enforcement action, but rather was submitted after staff identified the requirement for the DP via review of a Siting and Use Permit (SUP) that is on hold pending approval of the DP.

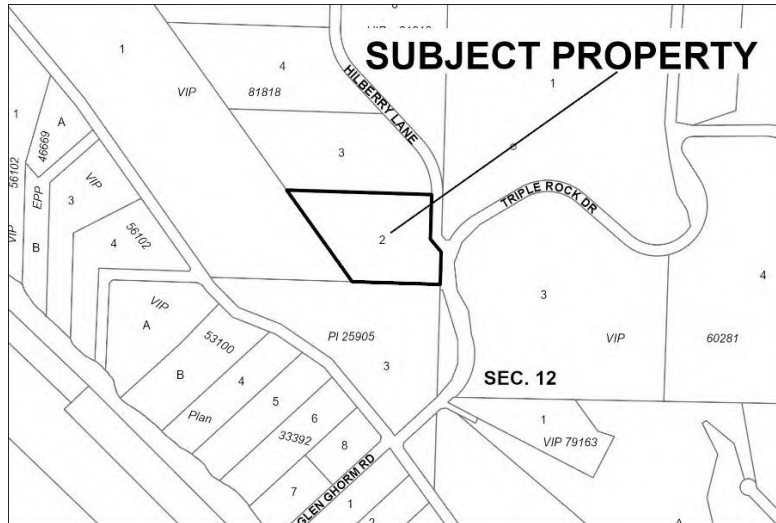


Figure 1 - Subject property location

ANALYSIS

Islands Trust Policy Statement:

The following Islands Trust Policy Statement directive policies are relevant to this application and are addressed through DPA2 – Steep Slopes:

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

These objectives are met via the application and the conditions of the proposed DP which are taken from the information provided in the professional ROE Report.

Official Community Plan:

The constructed dwelling, power shed, and area intended for the future septic system and water cisterns are located within DPA 2 that is designated in the Denman Island OCP Bylaw No.185 (OCP) for the protection of the natural environment, its ecosystems and biological diversity. The DPA is characterized by slopes greater than 60 percent which may be susceptible to landslides, and is an area conducive to the development of uncommon plant communities such as stands of undisturbed old forest with large trees, plant communities with a high degree of diversity, and high-value wildlife habitats. The objectives of DPA 2 are:

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

Land Use Bylaw:

The subject property is zoned Rural Residential (R2) in the Denman Island Land Use Bylaw No. 86 (LUB) and the existing residence and accessory power/utility shed conform with the LUB regulations for setbacks, maximum

height, etc. for buildings and structures. **Figure 2** shows the property and the location of the DPA in relation to it with the approximate location of the subject structures. **Attachment 2** provides comprehensive site context information.



Figure 2 – DPA 2 location on subject property – orange pin denotes approximate location of structures

Prior to undertaking any development, subdivision or land alteration, an owner of a property within DPA 2 must apply to the LTC for a development permit pursuant to Section 4.2 of the LUB:

Development Permit Area No. 2: Steep Slopes – Guidelines

Guideline 1 A development permit is required as follows:

1. Alteration of land by the cutting or removing of trees:

i. on land that:

- is not classified as managed forest land under the Assessment Act; and
- is not the subject of a valid and subsisting woodlot license or tree farm license under the Forest Act; and

ii. where the quantity cut or removed from the land is to exceed four trees smaller than 30 cm dbh* and one tree equal to or larger than 30 cm dbh per parcel in any period of five consecutive calendar years.

2. Development of any impervious surfaces.

3. Construction of buildings or structures.

All other land alteration or development is exempt from the requirements of this development permit area.

** dbh means the diameter at breast height measured outside the bark around the trunk of the tree at 1.3 meters above the point of germination;*

Issues and Opportunities

DP applications are assessed on specific bylaw guidelines which exist to guide proposed development to achieve the objectives of a given DPA. Typically, professional reports are required with applications in order to inform permit conditions. The reports contain a description of the project, state any recommendations and conditions that should be met by and during the development, and provide professional information related to the DPA

objectives and Guidelines to be reviewed by staff. In this way, professional reports form the basis of the DP review, inform the permit conditions, and give advice that is specific to the proposed development scope and location.

The applicant has provided such a professional report as required by DPA Guideline 3 by ROE Environmental Ltd. The guidelines for DPA 2 are contained within Section 4.2 of the LUB and staff's assessment of how they have been addressed and met by the application are provided in **Attachment 3**.

Impact Assessment and Recommendations

The applicant initially provided a geotechnical slope hazard assessment report by Lewkowich Engineering Associated Ltd. under the understanding that this was the correct professional report required to meet the DPA Guidelines. Staff subsequently clarified the correct type of environmental report needed, after which the applicant submitted the ROE Impact and Restoration Plan. The geotechnical report is provided in **Attachment 4** for reference, but is not directly relevant to the assessment of how the application meets the DPA Guidelines since it is not specifically required by them. The report provides the following in its conclusion:

4.1 Local Government Conformance Statement

a. From a geotechnical point of view, and provided the recommendations in this Report are followed, the land is considered safe for the use intended (defined for the purposes of this Report as a single-family residential structure), with the probability of a geotechnical failure resulting in property damage of less than:

- i. 2% in 50 years for geotechnical hazards due to seismic events, including slope stability; and,*
- ii. 10% in 50 years for all other geotechnical hazards.*

The relevant Impact Assessment and Restoration Plan report by ROE Environmental Ltd. (March 16, 2023) provides a retroactive assessment of changes to the subject property and makes recommendations for the restoration and enhancement of the site.

The professional report recommendations include:

- The steep slope area already supports a mix of regenerating native vegetation, including young arbutus and Douglas-fir trees, as well as native shrubs and groundcover species such as Nootka rose, creeping snowberry, and dull Oregon grape. Restoration planting is not considered necessary at this time, given the presence of regenerating native species and the slope's apparent capacity for natural recovery.
- Since portions of the slope have been colonized by Scotch broom, invasive species removal and management are recommended [following best practices] to prevent further spread and to allow native vegetation to establish naturally.
- Degrading garden bed structures located on the slope may be removed to promote natural re-vegetation.
- No additional clearing should occur within the Steep Slope DPA without a new assessment of the proposed works, and all native vegetation on the slope west of the house should be allowed to re-naturalize to further stabilize the slope and enhance habitat quality.
- Although active planting is not strictly necessary, selective enhancement planting could be considered in localized areas at the property owner's discretion to accelerate the natural recovery process. Recommended native shrubs include Nootka rose, snowberry, and ocean spray. Additional low-growing

species such as yarrow (*Achillea millefolium*), dull Oregon grape, and salal could be planted to provide ground cover, further stabilize soils, and limit opportunities for Scotch broom re-establishment.

These recommendations have been incorporated into the proposed permit conditions in **Attachment 5**.

Consultation

Public consultation and notification are not required for DP applications. Community input is received at the time that DPA Guidelines are developed and included in OCP policy and land use regulations contained in zoning bylaws.

First Nations

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

Rationale for Recommendation

Staff advise that the guidelines for DPA2 are satisfied through the application and professional recommendations and measures included in the proposed DP and as such, recommend the LTC issue the permit as found on page 1 of this report unless it considers that the guidelines have not been met for specific reasons.

ALTERNATIVES

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

1. Deny the application

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

That the Denman Island Local Trust Committee deny application PLDP20250156 for the following reasons [insert reasons].

2. Approve Permit with condition(s)

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

That the Denman Island Local Trust Committee approve issuance of Development Permit PLDP20250156 conditional upon [insert additional conditions].

NEXT STEPS

If the LTC concurs with the staff recommendation on page 1 of this report, the DP and SUP will be issued.

Submitted By:	Ian Cox, Planner 2	January 8, 2026
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Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	January 9, 2026
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ATTACHMENTS

1. ROE Environmental Ltd. Impact Assessment and Restoration Plan
2. Site Context
3. DPA Guidelines
4. Lewkowich Engineering Ltd. Geotechnical Assessment Report
5. Proposed Development Permit

To:	Brittany Smith (Proponent)	Date:	November 6, 2025
From:	Chloe Howarth, R.P.Bio. Caitlin O'Neill, R.P.Bio.	Pages:	19
Cc:	Islands Trust Planning Department	Project:	6001

RE: IMPACT ASSESSMENT AND RESTORATION PLAN – 1840 HILBERRY LANE, DENMAN ISLAND, BC

This letter report prepared by Current Environmental Ltd. describes the outcomes of a reconnaissance level survey to determine the current biophysical state and impact of works within the Islands Trust *Development Permit Area No. 2: Steep Slopes* that occurred at 1840 Hilberry Lane on Denman Island, BC, and provides recommendations for restoration and protection of the steep slopes habitat.

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1. INTRODUCTION

This letter report is intended to inform the Islands Trust of the current biophysical state of the subject property at 1840 Hilberry Lane on Denman Island. There is an Islands Trust *Development Permit Area (No. 2: Steep Slopes)* on the subject property relating to a steep cliff band/slope that runs along the western side of Denman Island. The property owners previously developed the property with a single-family residence and some associated clearing around the residence within the DPA on their property, without an environmental assessment. The Denman Island Land Use Bylaw 186¹ requires that an environmental impact assessment be conducted indicating that “the impact of the cutting or removal of trees is unlikely to have harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats,” ahead of tree removal within the Steep Slopes DPA. As such, this report serves as a retroactive impact assessment and restoration plan, pursuant to Bylaw 186.

Specific objectives of this report include the following:

1. Identify impacts to sensitive ecological features within the Steep Slopes DPA and throughout the subject property.
2. Identify potential for rare occurrences of wildlife, plants, and plant communities in and around the subject site that may have been impacted by proposed work.
3. Discuss opportunities for sensitive habitat protection and/or restoration as needed.

2. BACKGROUND

The subject property is a 3.3-hectare parcel located at 1840 Hilberry Lane on Denman Island within Islands Trust Area (Figure 1). The property bears the PID 026-824-370 and is approximately centred at 49° 31' 21"N 124° 47' 25"W. The subject property is zoned Rural Residential (R2). Land use immediately surrounding the subject property is characterized by R2 properties to the north and south, an Agriculture (A) zoned property to the west, Hilberry Lane to the east, with Forestry (F) zoned properties across Hilberry Lane to the east.

The subject property slopes approximately southwest toward the western property line, with a steep slope running north to south through the middle of the property and relatively flatter zones adjacent to Hilberry Lane in the east at the top of the slope, and along the eastern property line at the base of the slope. Development on the subject property includes a primary dwelling in the eastern portion of the lot at the top of the steep slope, an accessory building in the northeastern corner of the lot in a relatively flat zones, and an access driveway providing access from Hilberry Lane to the east. An area to the west of the house on the steep slope, and within the Islands Trust *Development Permit Area No. 2: Steep Slopes* (hereafter DPA), has been cleared of trees to provide a view.

¹ Islands Trust. (2024). Denman Island Land Use Bylaw. Bylaw No. 186, 2008. Accessed from: <https://islandstrust.bc.ca/document/denman-ltc-land-use-bylaw-no-186/>

2.1 DEVELOPMENT WITHIN THE STEEP SLOPES DPA

No new development going forward is proposed within the Islands Trust Steep Slopes DPA or on the subject property more broadly. This assessment addresses changes that occurred within the DPA without a development permit. These changes include the construction of a ~120 m² house (largely outside of the DPA, but with some overlap along the western edge of the structure; Photo 1 & Photo 2), and vegetation clearing on the slope to the west of the house within the DPA (Photo 3 & Photo 4). The total cleared area within the DPA is approximately 1360 m² of the total 18,678 m² portion of the DPA on the subject property. Clearing and house construction primarily occurred between 2016 and 2018.



FIGURE 1. LOCATION OF THE SUBJECT PROPERTY (OUTLINED IN RED) ON DENMAN ISLAND WITHIN THE COMOX VALLEY REGIONAL DISTRICT AND ISLANDS TRUST AREA. SOURCE: [CVRD IMap](#).

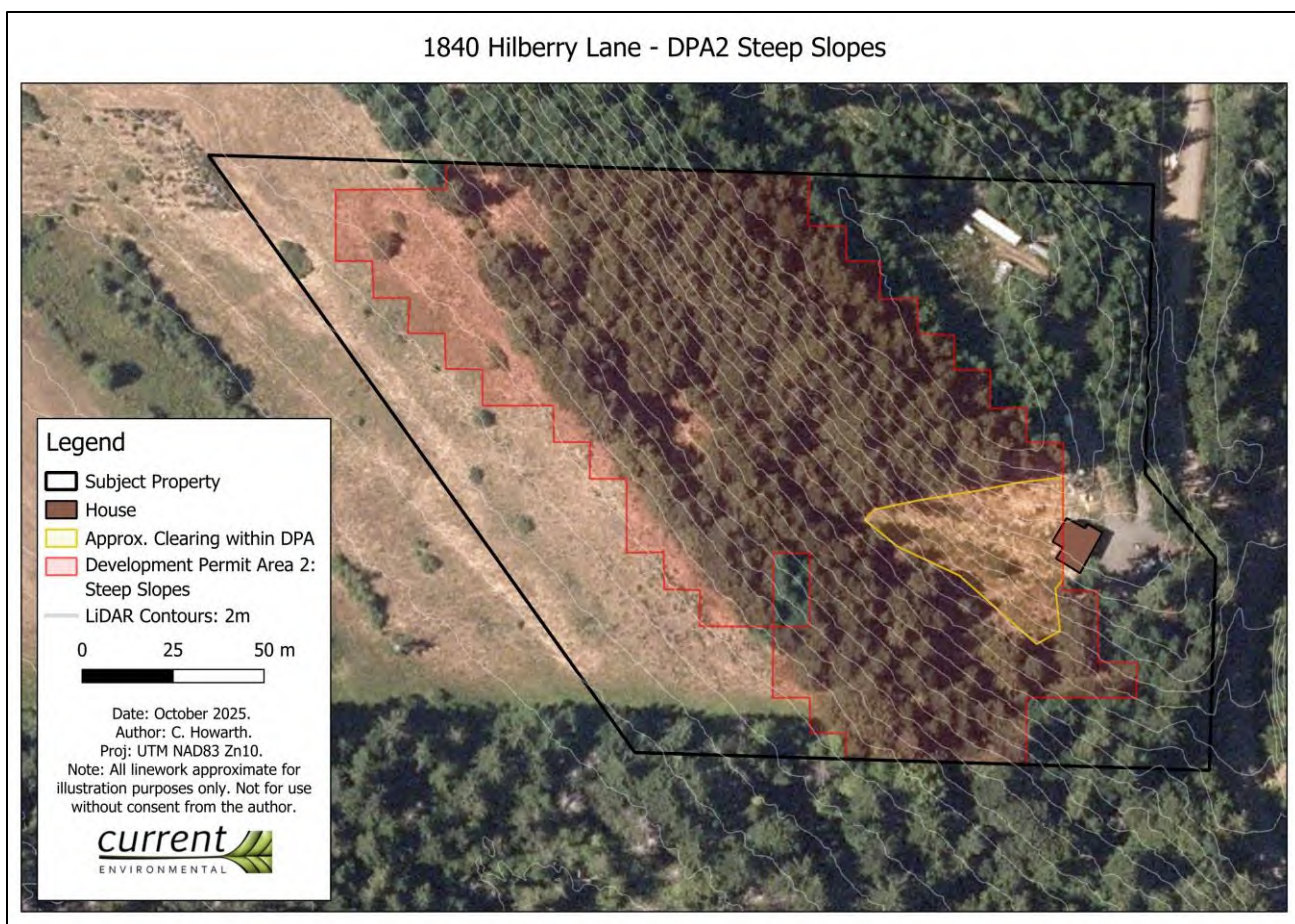


FIGURE 2. OVERVIEW MAP SHOWING 2 M CONTOUR LINES AND LOCATION OF THE STEEP SLOPES DPA IN RELATION TO THE 2016 HOUSE (GRAY) AND CLEARED AREA (YELLOW) ON THE SUBJECT PROPERTY, WHICH WERE COMPLETED WITHOUT A DEVELOPMENT PERMIT.

3. METHODOLOGY

3.1 BACKGROUND REVIEW

Background information on Environmentally Sensitive Areas (ESAs) located within or in proximity to the subject property was obtained from the following sources:

1. Comox Valley Regional District (CVRD) iMap²
2. Islands Trust Sensitive Ecosystem Mapping: Denman Island³

² Comox Valley Regional District (2025). CVRD iMap 2.2. Accessed from: <https://mapviewer.imaptoo.ca/secure/>

³ Denman Island Ecosystems Mapping. (2001). Islands Trust. Accessed from: <https://islandstrust.bc.ca/mapping-resources/mapping/denman/>

3. BC Conservation Data Centre iMap and Ecosystems Explorer⁴
4. Sensitive Ecosystems Inventory (SEI)⁵
5. Wildlife Tree Stewardship Atlas (WiTS)⁶
6. Great Blue Heron (GBHE) Management Team Atlas⁷
7. Habitat Wizard⁸
8. Sensitive Habitat Inventory Mapping (SHIM)⁹
9. LiDAR Portal BC¹⁰
10. Aerial imagery

3.2 FIELD ASSESSMENT

A ground-level assessment of aquatic/terrestrial habitats and species was conducted on October 20, 2025. The focus of this field assessment was in and around the areas where vegetation clearing and new construction occurred in 2016-2018 and the overlap with the Steep Slopes DPA. However, as part of the biophysical assessment, the entire property was scanned to ensure that all Environmentally Sensitive Areas (ESAs) on the property were inventoried. The following sections provide additional detail on specific inventory methods.

3.2.1 Watercourses and Wetlands

Methodologies employed for the classification and delineation of watercourses and wetlands was based primarily on standards adapted from the *BC Riparian Areas Protection Regulation* (2019), *Wetlands of British Columbia – A Guide to Identification*¹¹ (MacKenzie, 2004), *The Canadian Wetland Classification System* (Warner, 1997), *Indicator Plants of Coastal British Columbia* (Klinka 1989), and the *Resources Inventory Committee of British Columbia Reconnaissance (1:20,000) Fish and Fish Habitat Inventory: Standards and Procedures Version 1.1* (March 1999).

The US Army Corps of Engineers wetland delineation methodology, and specifically the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0, 2010)*¹² was used as guidance in assessing wetlands on site as needed. Provincial LiDAR layers were projected in GIS Mapping ahead of the site visit to help guide the field assessment of wetlands and watercourses on site; however, all ESAs on site were ground-truthed during the field assessment.

⁴ B.C. Conservation Data Centre: CDC iMap (2025). Ministry of Environment, Victoria, B.C. Accessed from: <http://maps.gov.bc.ca/ess/hm/cdc/>

⁵ Sensitive Ecosystems Inventory (2025). Georgia Basin Habitat Atlas. Accessed from: <https://cmnmaps.ca/GBHA/>

⁶ Wildlife Tree Stewardship (WiTS) Program (2025). Nest Tree Report. The Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/wits/>

⁷ Great Blue Heron (GBHE) Management Team (2025). The Community Mapping Network. Accessed from: <http://cmnmaps.ca/GBHE/>

⁸ Ministry of Environment and Climate Change (2025). Habitat Wizard. Accessed from: <https://maps.gov.bc.ca/ess/hm/habwiz/>

⁹ Sensitive Habitat Inventory Mapping Atlas (2025). Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/SHIM/>

¹⁰ LidarBC. (2025). Province of British Columbia. Accessed from: <https://lidar.gov.bc.ca/pages/download-discovery>

¹¹ MacKenzie, W.H., and J. R. Moran. (2014). *Wetlands of British Columbia: A Guide to Identification*. BC Ministry of Forests.

¹² US Army Corps of Engineers: Engineer Research and Development Center. (2010). *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*.

3.2.2 Terrestrial Habitat and Species

Survey methods for terrestrial elements or Environmentally Sensitive Areas (ESAs) were directed in part by those outlined in *Develop with Care – Environmental Objectives, Best Management Practices and Requirements for Land Developments*¹³ and the *Field Manual for Describing Terrestrial Ecosystems*¹⁴. Vegetation on the subject property was identified with the assistance of *Plants of Coastal British Columbia*¹⁵ and *E-Flora BC: Electronic Atlas of the Flora of BC*¹⁶.

Provincial LiDAR layers were projected in GIS Mapping ahead of the site visit to help guide the field assessment of steep slopes habitat on site; however, all ESAs on site were ground-truthed during the field assessment.

3.2.3 Avian Habitat

An office-based assessment of avian habitat and nesting on the subject property was completed using the *Wildlife Tree Stewardship Atlas*¹⁷ and the *Great Blue Heron Atlas*¹⁸. The on-site assessment was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*¹⁹.

3.2.4 Species and Ecosystems at Risk

An office-based assessment of Species and Ecosystems at Risk occurrences on the subject property was completed using the *CDC BC Species and Ecosystems Explorer*²⁰. The on-site assessment of species and ecosystems at risk was completed concurrent with the other inventory efforts mentioned above and was based primarily on the methods outlined in *Environmental Best Management Practices for Urban and Rural Land Development*.

4. RESULTS

The following sub-sections describe the findings of the background review and site assessment conducted on October 20, 2025, and are intended to provide a comprehensive description of the physical and biological conditions of the *DPA2 – Steep Slopes* assessment area affecting the subject property. Discussion on how

¹³ BC Ministry of Environment. (2012). Accessed from: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

¹⁴ BC Ministry of Environment Lands and Parks and BC Ministry of Forests - Research Branch, 2010.

¹⁵ MacKinnon, A., & Pojar, J. (2004). *Plants of Coastal British Columbia Including Washington, Oregon & Alaska*. Lone Pine Pub.

¹⁶ *Electronic Atlas of the Flora of British Columbia*. (2023). Lab for Advanced Spatial Analysis, Department of Geography, University of British Columbia, Vancouver. Accessed from: <https://linnet.geog.ubc.ca/biodiversity/eflora/index.html>

¹⁷ Wildlife Tree Stewardship (WiTS) Program (2025). Nest Tree Report. The Community Mapping Network. Accessed from: <http://www.cmnmaps.ca/wits/>

¹⁸ Great Blue Heron (GBHE) Management Team (2025). The Community Mapping Network. Accessed from: <http://cmnmaps.ca/GBHE/>

¹⁹ BC Ministry of Environment. (2012). Accessed from: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

²⁰ B.C. Conservation Data Centre: CDC iMap (2025). Ministry of Environment, Victoria, B.C. Accessed from: <http://maps.gov.bc.ca/ess/hm/cdc/>

these findings influence the development are provided in the Discussion/Recommendations section of the report (Section 5).

4.1 WATERCOURSES AND WETLANDS

There is no aquatic habitat affecting the subject property.

4.2 TERRESTRIAL HABITAT AND SPECIES

The subject property is located within the Coastal Douglas-fir Moist Maritime (CDFmm) biogeoclimatic subzone. Intact terrestrial habitat on the subject property consists of a mixture of early seral stage second growth Douglas fir (*Pseudotsuga menziesii*) forest in areas that were logged in the early 2000s , and areas of older mature forest composed of a canopy of Douglas fir, western red cedar (*Thuja plicata*), bigleaf maple (*Acer macrophyllum*), and arbutus (*Arbutus menziesii*), with an understory (where present) of dull Oregon grape (*Mahonia nervosa*), western sword fern (*Polystichum munitum*), salal (*Gaultheria shallon*), and red huckleberry (*Vaccinium parvifolium*), with some Nootka rose (*Rosa nutkana*) and snowberry (*Symphoricarpos albus*) along forest edges (Photo 5 & Photo 6).

Cleared areas on the subject property (largely located on the steep slope) are beginning to re-naturalize, as the property owners have not converted the areas to manicured lawns or gardens (Photo 7). Regenerating species include a mix of natives such as dull Oregon grape, creeping snowberry (*Gaultheria hispidula*), trailing blackberry (*Rubus ursinus*), tall Oregon grape (*Mahonia aquifolium*), and Nootka rose, and invasives including well-established Scotch broom (*Cytisus scoparius*), with smaller amounts of foxglove (*Digitalis purpurea*), oxeye daisy (*Leucanthemum vulgare*), and Himalayan blackberry (*Rubus armeniacus*). Young arbutus and Douglas fir are also beginning to grow within the cleared areas on the steep slope (Photo 8).

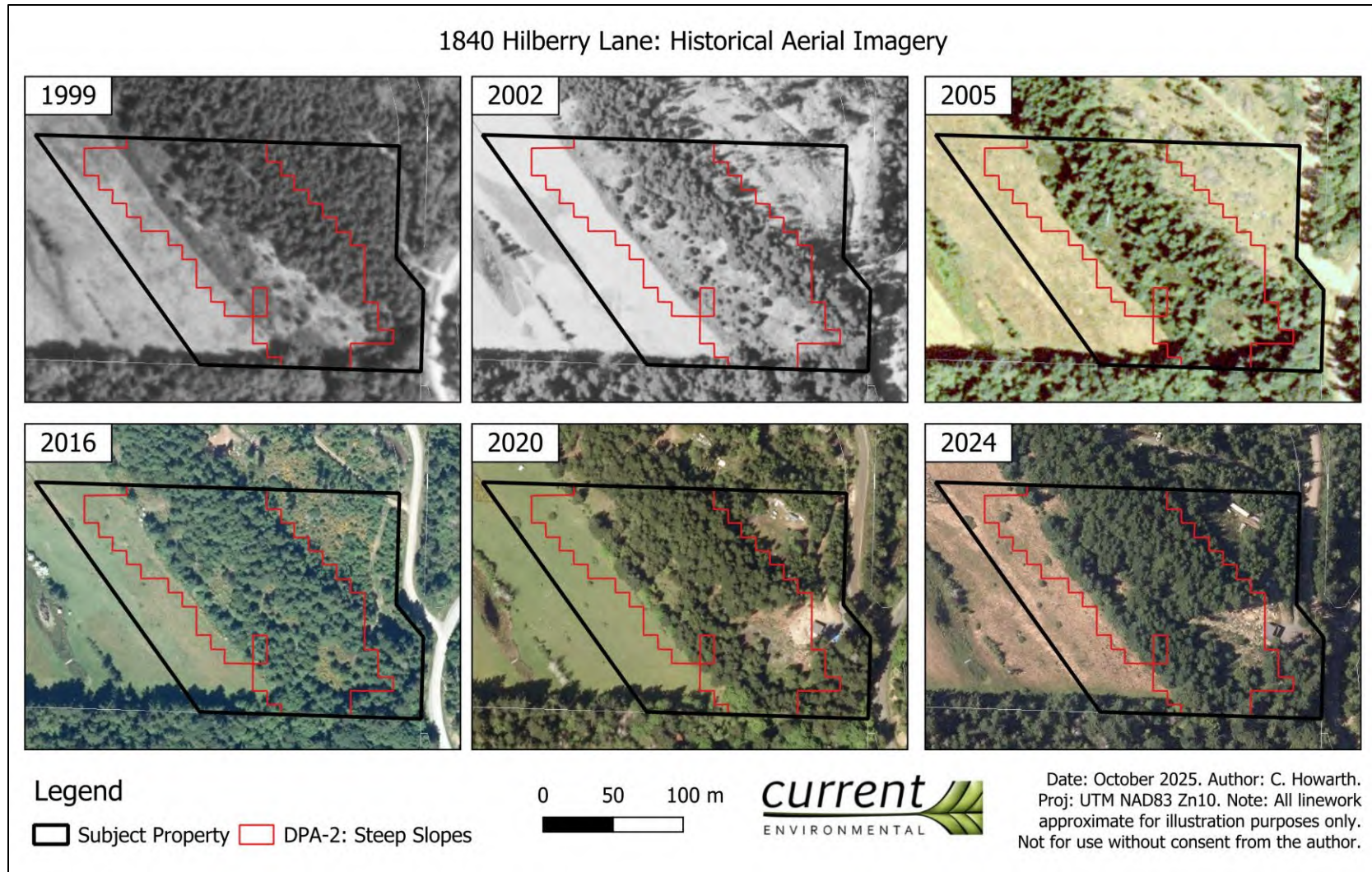


FIGURE 3. HISTORICAL AERIAL IMAGERY OF THE SUBJECT PROPERTY SHOWING AREAS WHERE LOGGING OCCURRED IN THE EARLY 2000s, AND CLEARING ASSOCIATED WITH DEVELOPMENT ON THE SUBJECT PROPERTY BETWEEN APPROXIMATELY 2016 AND 2018.

4.2.1 Sensitive Ecosystem Inventory

Sensitive Ecosystem Inventory (SEI) mapping for Denman Island²¹ identifies two SEI polygons in close proximity to the subject property (Figure 4). Polygon 4296, located immediately to the south of and slightly overlapping the southeastern corner of the subject property, consists of approximately 50% mature coniferous forest (Douglas-fir–salal, structural stage 6), 30% young forest (Douglas-fir–salal, structural stage 5), and 20% non-sensitive road surface. Polygon 4517, located to the southwest of the subject property, is composed of approximately 60% non-sensitive rural residential area and 40% mature coniferous forest (Douglas-fir–salal, structural stage 6). The vegetation on the subject property is generally consistent with these SEI polygons, as it contains a mixture of mature and young Douglas-fir–salal forest.

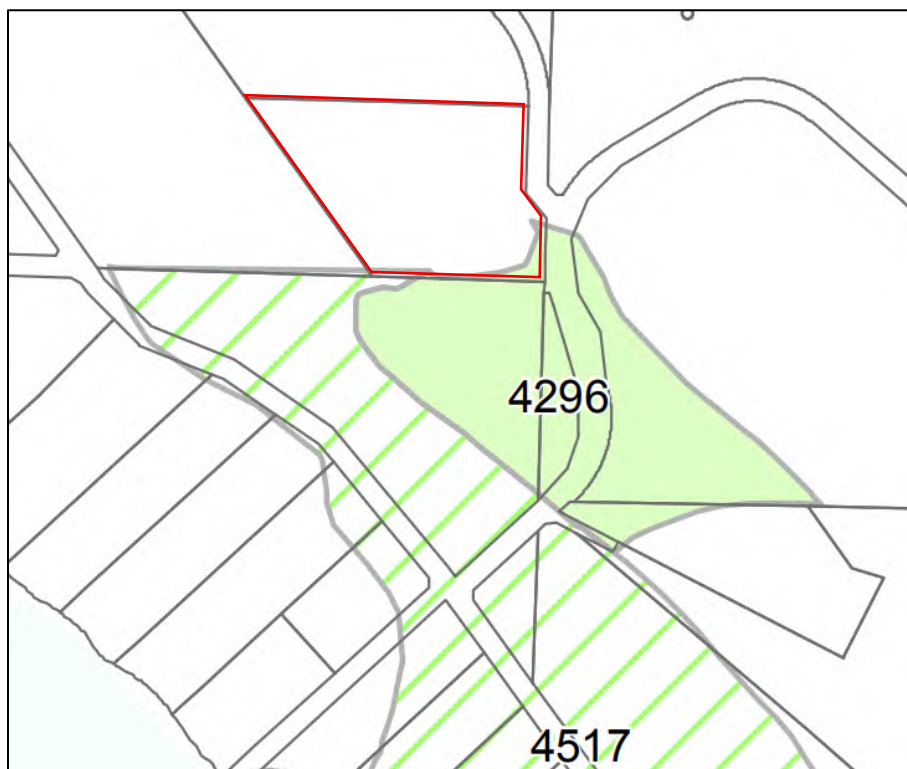


FIGURE 4. SENSITIVE ECOSYSTEM INVENTORY (SEI) POLYGONS LOCATED WITHIN AND ADJACENT TO THE SUBJECT PROPERTY (OUTLINED IN RED). SOURCE: [DENMAN ISLAND SENSITIVE ECOSYSTEM MAPPING](#).

4.2.2 Steep Slope Habitat

The steep slope habitat on the subject property has a slope ranging between 20-30%, with shale-dominated soils (Photo 9). Vegetation on the steep slope is consistent with that described in under terrestrial habitat (Section 4.2).

²¹ Denman Island Ecosystems Mapping. (2001). Islands Trust. Accessed from: <https://islandstrust.bc.ca/mapping-resources/mapping/denman/>

A few wooden garden beds are located mid-way down the steep slope within the cleared area, which appear not to have been used for several years (Photo 10). Other than these garden beds, no development is located on the steep slope (the house is in a relatively flat area, with the house slightly overlapping the steep slope DPA).

4.3 AVIAN HABITAT

There are no confirmed occurrences of avian nesting on the subject property. The nearest identified bald eagle (*Haliaeetus leucocephalus*) nest (BAEA-106-418 'NE Komas Swan') is located approximately 260 m northeast of the subject property, and another (BAEA-106-410 'SW Glen') is located approximately 450 m southwest of the subject property (Figure 5). The nearest identified great blue heron (*Ardea herodias*) nest (GBHE-106-004 'Filongley South') is located approximately 2.2 km northeast of subject property on the east side of Denman Island. No raptor or migratory bird nests were identified during the October 20, 2025, site visit.

4.4 SPECIES AND ECOSYSTEMS AT RISK

According to BC Conservation Data Centre, there are no other known species at risk occurrences within 200 m of the subject property. There are occurrences of the provincially red-listed Edith's Checkerspot, *taylori* subspecies (*Euphydryas editha taylori*) 350 m south and 970 m northeast of the subject property, and occurrences of the blue-listed coastal wood fern (*Dryopteris arguta*) approximately 540 m west and southwest of the subject property along the western coastline of Denman Island (Figure 6). As noted in Section 4.3, the nearest identified provincially blue-listed great blue heron nest (GBHE-106-004) is approximately 2.2 km to the northeast. No species or ecosystems at risk were identified on the subject property during the October 20, 2025, site visit.



FIGURE 5. NEAREST KNOWN BALD EAGLE NESTS (BAEA-106-418 TO THE NORTHEAST AND BAEA-106-410 TO THE SOUTHWEST) IN RELATION TO THE SUBJECT PROPERTY (APPROXIMATE DISTANCE OF 260 M AND 450 M, RESPECTIVELY). SOURCE: [WILDLIFE TREE STEWARDSHIP ATLAS](#).

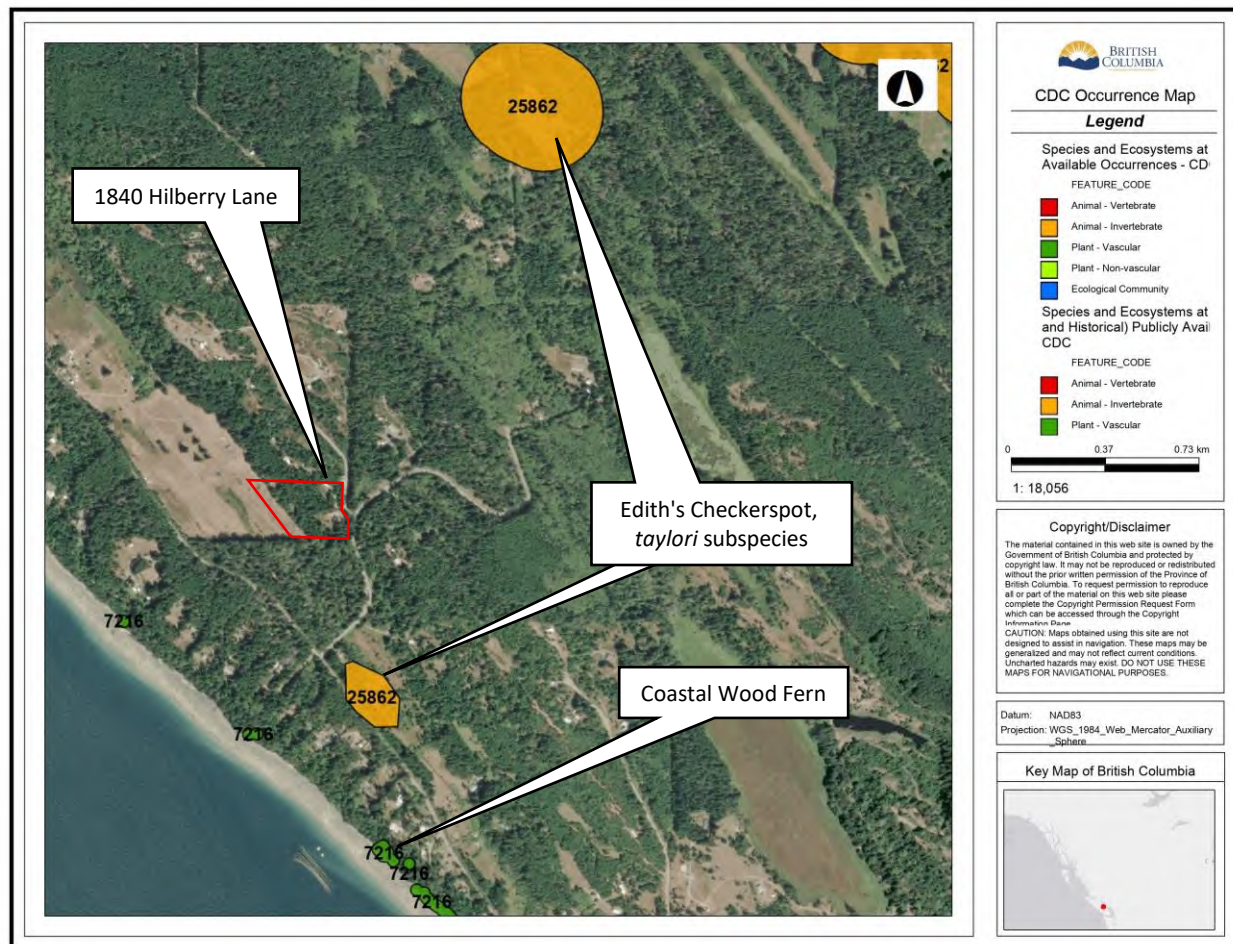


FIGURE 6. MAP SHOWING CDC OCCURRENCES OF SPECIES AND ECOSYSTEMS AT RISK IN RELATION TO THE SUBJECT PROPERTY. SOURCE: [CDC iMap](#).

5. DISCUSSION/RECOMMENDATIONS

The main Environmentally Sensitive Area (ESA) that requires consideration on the subject property is the unique terrestrial habitat located on the steep slopes area. The following sections provide guidance on protecting this ESA.

5.1 STEEP SLOPES: PROTECTION, RESTORATION, AND ENHANCEMENT

As per the Denman Island Official Community Plan Bylaw No. 185 (2024 version), the Steep Slopes DPA on Denman Island was given environmental consideration (in addition to geotechnical consideration) as these areas were classed as environmentally sensitive by Silva Ecosystem Consultants Ltd. in the report “*An Ecosystem-based Assessment of Denman Island*”. Many of these steep slopes on Denman Island face west or south-west and have nutrient-rich groundwater discharge, which is conducive to the development of

uncommon plant communities. Additionally, these areas often contain stands of undisturbed large trees, a high diversity of tree species, a high diversity of understory plants, and high wildlife value habitats.

As per the results section of this report, the steep slopes on the subject property had previously been selectively logged in the early 2000s. The remaining forest is a mix of new growth and older trees but is not considered undisturbed old forest. Although not considered a provincially rare ecosystem, the steep slopes on the subject property do have a high diversity of understory plants and contain regionally unique tree species such as arbutus. The steep slopes on the subject property also provide moderate to high wildlife habitat value, especially as they connect to the primarily undisturbed adjacent steep slopes areas, serving as a wildlife corridor. The impacts to this habitat on the subject property are discussed below, as well as the recommendations for restoration and enhancement to protect this habitat moving forward.

5.1.1 Impacts to Steep Slope Habitat

As previously described, clearing has occurred within the steep slope habitat on the subject property immediate downslope of the dwelling built in 2018. The cleared area appears to have largely been left to re-naturalize since clearing, other than the garden beds.

The historic plant community within the cleared area is suspected to have been consistent with the surrounding uncleared forest. As previously described, the intact forest on the subject property's steep slope habitat is a mixture of mature and younger coniferous forest, consistent with nearby Douglas-fir–salal SEI polygons.

5.1.2 Protection and Restoration of Steep Slope Habitat

The steep slope area already supports a mix of regenerating native vegetation, including young arbutus and Douglas-fir trees, as well as native shrubs and groundcover species such as Nootka rose, creeping snowberry, and dull Oregon grape. Restoration planting is not considered necessary at this time, given the presence of regenerating native species and the slope's apparent capacity for natural recovery. Since portions of the slope have been colonized by Scotch broom, invasive species removal and management are recommended to prevent further spread and to allow native vegetation to establish naturally. Degrading garden bed structures located on the slope may be removed to promote natural re-vegetation. No additional clearing should occur within the Steep Slope DPA without a new assessment of the proposed works, and all native vegetation on the slope west of the house should be allowed to re-naturalize to further stabilize the slope and enhance habitat quality.

Best management practices for Scotch broom removal include conducting removal activities before seed pods mature, typically in late spring to early summer, to prevent seed dispersal. Younger plants should be hand-pulled when soils are moist, which facilitates root removal while minimizing soil disturbance, or cut at the base. Mature plants can be cut close to the ground, and efforts should be made to avoid excessive digging that could disturb the seed bank or increase erosion risk. Flowering or seeding material should be removed from the site to prevent re-establishment. Follow-up monitoring should be conducted annually to identify and remove any new seedlings until the native plant community becomes well established. Throughout the

process, soil disturbance should be minimized, and existing native vegetation and coarse woody debris should be retained.

Although active planting is not strictly necessary, selective enhancement planting could be considered in localized areas at the property owner's discretion to accelerate the natural recovery process. Recommended native shrubs include Nootka rose, snowberry, and ocean spray. Additional low-growing species such as yarrow (*Achillea millefolium*), dull Oregon grape, and salal could be planted to provide ground cover, further stabilize soils, and limit opportunities for Scotch broom re-establishment.

6. CONCLUSION

Environmental constraints affecting development at 1840 Hilberry Lane are limited to the Steep Slopes Development Permit Area (DPA) located west of the existing residence. While historic clearing has occurred within this area, associated with construction of the residence in the late 2010s, the slope now supports natural regeneration of native species including young arbutus, Douglas-fir, and a range of native shrubs and groundcovers. The area shows strong potential for continued natural recovery if protected from further disturbance.

To support and accelerate native vegetation re-establishment, invasive species removal, particularly of Scotch broom, should be undertaken in accordance with best management practices outlined in Section 5.1.2. Removal of degrading garden bed structures on the slope is also recommended. No additional clearing or development should occur within the Steep Slopes DPA without a new environmental impact assessment to confirm that proposed works will not negatively affect slope stability or ecological values.

If these recommendations are implemented, the site is expected to continue recovering naturally, resulting in increased native plant cover, reduced erosion risk, and improved long-term habitat quality within the steep slope area. It is our professional opinion that any harmful effects of the development will be mitigated through the ongoing regeneration of vegetation as described throughout this report.

7. CLOSURE

We trust this assessment has satisfied the requirement to determine the impacts of the development on the steep slopes habitat at 1840 Hilberry Lane, Denman Island, BC.

Please contact the undersigned with any questions or concerns.

Sincerely,



CHLOE HOWARTH, R.P.BIO. AND CAITLIN O'NEILL, R.P.BIO.
CURRENT ENVIRONMENTAL LTD.

PHOTOS



PHOTO 1. VIEW SOUTH OF THE HOUSE THAT WAS CONSTRUCTED ON THE SUBJECT PROPERTY IN 2016.



PHOTO 2. VIEW SOUTHWEST OF THE HOUSE THAT WAS CONSTRUCTED ON THE SUBJECT PROPERTY IN 2016, SHOWING THE TRANSITION TO STEEP SLOPE HABITAT, WHERE VEGETATION CLEARING OCCURRED BETWEEN 2016 AND 2018.



PHOTO 3. VIEW WEST FROM A ROCKY OUTCROP TO THE NORTHEAST OF THE HOUSE LOOKING OUT TOWARD THE HOUSE AND THE STEEP SLOPE.



PHOTO 4. VIEW EAST FROM THE WESTERN EXTENT OF THE CLEARING, LOOKING UPSLOPE TOWARDS THE HOUSE.



PHOTO 5. VIEW OF A VETERAN ARBUTUS TREE TO THE NORTH OF THE HOUSE ON THE SUBJECT PROPERTY AT THE EDGE OF THE CLEARING.



PHOTO 6. VIEW OF TYPICAL SECOND GROWTH FOREST ON THE SUBJECT PROPERTY, WITH A CANOPY DOMINATED BY DOUGLAS FIR AND AN UNDERSTORY OF DULL OREGON GRAPE AND SALAL.



PHOTO 7. ARBUTUS GROWING ON THE STEEP SLOPE AREA, WHICH APPEARS TO HAVE BEEN RETAINED DURING CLEARING. SCOTCH BROOM, WHICH IS GROWING IN ABUNDANCE ON THE STEEP SLOPE CLEARED AREA, IS ALSO VISIBLE.



PHOTO 8. VIEW OF YOUNG ARBUTUS (LEFT) AND DOUGLAS FIR (RIGHT) OBSERVED GROWING THROUGHOUT THE CLEARED STEEP SLOPE AREA.

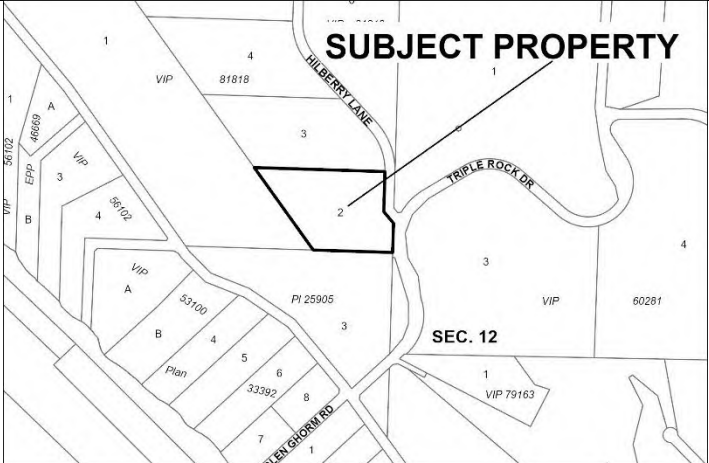


PHOTO 9. SOILS ON THE STEEP SLOPE ARE PRIMARILY SHALE-DOMINATED.



PHOTO 10. VIEW NORTHEAST OF STEEP SLOPE AREA WITH DEGRADED GARDEN BEDS VISIBLE.

LOCATION

Legal Description	LOT 2 SECTION 12 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP81818
PID	026-824-370
Civic Address	1840 Hilberry Lane, Denman Island
Lot Size	3.33 ha (8.23 acres)
Location	

LAND USE

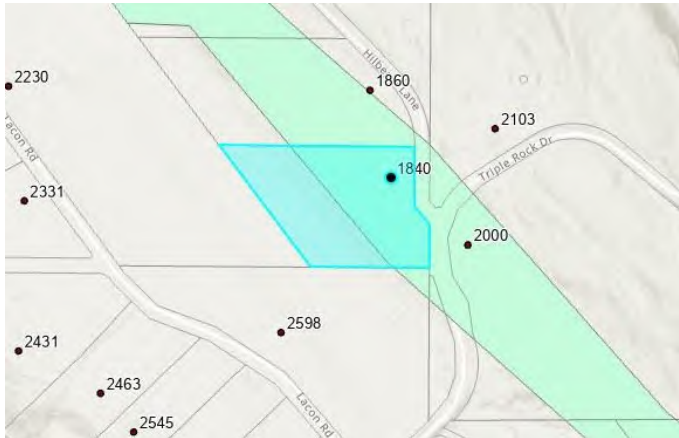
Current Land Use	Rural Residential
Surrounding Land Use	Agriculture, Residential, Forestry

HISTORICAL ACTIVITY

File No.	Purpose
DE-SUB-2004.2	Closed: Approved subdivision to create 6 lots from 2
PLSUP20250151	Open: Companion SUP application to this DP

POLICY/REGULATORY

Official Community Plan Designations	Rural - RU Sustainable Resources – SR Agriculture - A Development Permit Area No. 2 (DPA2) – Steep Slopes (indicated in green in map below)
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Land Use Bylaw	Denman Island Land Use Bylaw No. 186, 2008 - Rural Residential (R2)
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Therefore referral to ITC for comment is not required
Regional Conservation Plan	The Regional Conservation Plan 2018-2027 estimated importance of habitat composition in the are of the subject property ranges from low to medium. Appendix II of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition as Low-Medium on the subject property.
Species at Risk	None Mapped
Sensitive Ecosystems	DPA2 is designated as a development permit area for the protection of the environment, its ecosystems and biological diversity. Large portion of the property is mapped within Schedule D of the OCP as a Visually Sensitive Area. Small section of property outside of development area is within mapped Primary Rare Mature Forest Ecosystem in the Denman Island Sensitive Ecosystem Mapping. Small section of property outside of development area is within mapped Primary Seasonally Flooded Sensitive Ecosystem in Denman Island Sensitive Ecosystem Mapping.
Hazard Areas	DPA2 is mapped as a steep slope area.
Archaeological Sites	No archaeology sites or potential are mapped within 100m of the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology

	Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.] Property does not fall within KFN's Area of High Archaeological Potential (AOP).
Climate Change Adaptation and Mitigation	Increased residential density in this rural part of the island would lightly increase GHG emissions.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A
Groundwater Vulnerability	According to Islands Trust mapping, approximately half of the property on the west side has a classification of "Moderate" Aquifer Vulnerability to Saltwater Intrusion and the eastern half has a classification of "Moderately Low." Adjacent properties to the east generally have a "Moderately Low" classification and adjacent properties to the west, the seaward side, generally have a classification of "Moderately High."

DEVELOPMENT PERMIT AREA NO. 2 (DPA 2): STEEP SLOPES

Guideline	Complies	Planner Comments
Guideline 1 A development permit is required as follows: - Alteration of land by the cutting or removing of trees: - on land that: - is not classified as managed forest land under the Assessment Act; and - is not the subject of a valid and subsisting woodlot license or tree farm license under the Forest Act; and - where the quantity cut or removed from the land is to exceed four trees smaller than 30 cm dbh and one tree equal to or larger than 30 cm dbh per parcel in any period of five consecutive calendar years. - Development of any impervious surfaces. - Construction of buildings or structures. All other land alteration or development is exempt from the requirements of this development permit area.	Yes	Construction of a building or structure (even retroactively) triggers the requirement for a development permit.
Guideline 2 Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply.	N/A	Property does not contain any other development permit areas.
Guideline 3 No cutting or removal of trees shall be permitted in this development permit area unless development approval information in the form of an environmental impact assessment is provided by the applicant which indicates that the impact of the cutting or removal of trees is unlikely to have	Yes – applicant has provided Impact Assessment Report	Trees have already been cut and removed, likely over 5 years ago. There are no adjacent marine areas. Geotechnical slope hazard assessment confirms that development has had no significant impact on groundwater and that no drainage draws or watercourses exist on or in the vicinity of the property. The impact of the tree removal 5 years ago on the sensitive ecosystems identified on the property (see Attachment 2: Site Context) are unknown. Environmental Impact Assessment to

harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats.		assess the impact on “uncommon or endangered plants or plant communities, and high value wildlife habitats” was requested and provided. Conditions for native vegetation retention and invasive species removal have been included in the proposed DP.
Guideline 4 Cutting or removing of trees should be done in accordance with a plan certified by a Registered Professional Forester or Registered Professional Biologist to maintain, enhance, or restore a well-developed forest ecosystem that includes: 1. a diversity of native tree species, 2. presence of large old trees, 3. diverse community of native understory plants, 4. any uncommon or endangered plants or plant communities that may be present, and other features that contribute to high value wildlife habitat.	Yes/NA	Impact Assessment by Registered Professional Biologist addresses retention and restoration but not originally provided due to retroactive nature of application.
Guideline 5 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.	TBD/NA	Not recommended since restoration planting is not considered necessary according to the Impact Assessment Report. Condition added for QEP follow-up monitoring and report letter to Islands Trust 1 year from issuance. The LTC may require if desired.
Guideline 6 On receipt of a final report or written request, as stipulated in the development permit, the local trust committee shall return the security, minus any amount required to correct any damage to the natural environment caused by a contravention of a condition in the development permit (see Appendix B).	TBD/NA	See above. The LTC may require if desired.
Guideline 7 Development permits issued in Development Permit Area No. 2: Steep Slopes should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.	Yes	Included as condition of proposed permit.

GEOTECHNICAL SLOPE HAZARD ASSESSMENT

Single-Family Residence
1840 Hilberry Lane
Denman Island, BC

Legal Address:
Lot 2, Plan VIP81818, Section 12, Nanaimo
Land District, Denman Island,
PID: 026-824-370

Prepared For:
Brittany Smith
Brittany_guillo@hotmail.com

February 25, 2025

File No.: E3934.01
Revision No.: 00
Prepared by:
Walter B. Rathbun, P.Eng.
Reviewed by:
Chris Hudec, M.A.Sc., P.Eng.

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Permit to Practice Number 1001802



DISCLAIMER

1. Lewkowich Engineering Associates Ltd. (LEA) acknowledges that this report, from this point forward referred to as “the Report,” may be used by Islands Trust as a precondition to the issuance of a development and/or building permit(s), and that this Report and any conditions contained in the Report may be included in a restrictive covenant under Section 56 of the Community Charter and registered against the title of the property at the discretion of the RDN.
2. This Report has been prepared in accordance with standard geotechnical engineering practice solely for and at the expense of the Client, Brittany Smith. We have not acted for or as an agent of the Islands Trust in the preparation of this Report.
3. The conclusions and recommendations submitted in this Report are based upon information from relevant publications, a visual site-assessment of the property, anticipated and encountered subsurface soil conditions, current construction techniques, and generally accepted engineering practices. No other warranty, expressed or implied, is made. If unanticipated conditions become known during construction or other information pertinent to the structure(s) becomes available, the recommendations may be altered or modified in writing by the undersigned.
4. This Report was authored, to the best of our knowledge at the time of issuance, with considerations for local requirements specific to the Authority Having Jurisdiction (AHJ) and their standards for the preparation of such reports, the 2024 British Columbia Building Code (BCBC), and current engineering standards. Updates to municipal bylaws, policies, or requirements of the AHJ, or updates to the BCBC and/or professional practice guidelines may impact the validity of this Report.
5. This Report has been prepared by Mr. Walter B. Rathbun, P.Eng., and reviewed by Mr. Chris Hudec, M.A.Sc., P.Eng. Messrs. Rathbun and Hudec are both adequately experienced and are also members in good standing with the Engineers and Geoscientists of British Columbia (EGBC).



EXECUTIVE SUMMARY

1. The following is a brief synopsis of the property, assessment methods, and findings presented in the Report. The reader must read the Report in its entirety; the reader shall not rely solely on the information provided in this summary.
2. The subject property, 1840 Hilberry Lane, Denman Island, BC, from this point forward referred to as “the Property,” is located on Denman Island off the east coast of Vancouver Island, within the jurisdictional boundaries of Islands Trust. At the time of this Report, the Property is developed with a previously constructed single-family residence.
3. LEA has been retained to complete a slope hazard assessment for the Property. The slope hazard assessment included a desktop review of available information for the site and nearby areas, and a visual site reconnaissance documenting soil and/or bedrock conditions on the Property. Our assessment determined that the primary geotechnical hazard identified relates to the stability of a predominantly bedrock slope.
4. The slope assessment concludes the SFR is considered safe for the use intended, with no further risk reduction methods recommended.

List of Abbreviations Used in the Report

Abbreviation	Title
BCBC	British Columbia Building Code
DPA	Development Permit Area
EGBC	Engineers and Geoscientists of British Columbia
FCL	Flood Construction Level
GD	Geodetic Elevation
IT	Islands Trust
LEA	Lewkowich Engineering Associates Ltd.
RDN	Regional District of Nanaimo
SFR	Single Family Residence
SLS	Serviceability Limit State
ULS	Ultimate Limit State



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1.0 INTRODUCTION

1.1 General

- a. As requested, LEA has carried out a geotechnical assessment with respect to a previously constructed single family residence at 1840 Hilberry Lane, Denman Island, BC. This Report provides a summary of our findings and recommendations.

1.2 Background

- a. At the time of this Report, the Property was developed with an existing single-family residence near the crest of a steep slope. We understand the residence has been constructed using conventional construction methods, including cast-in-place concrete pad footings on sandstone bedrock supporting a wood-framed superstructure.
- b. A topographic site plan, LEA Drawing E3934-01, shows the approximate location and conditions on the Property.

1.3 Assessment Methodology

- a. This assessment included a site reconnaissance by LEA personnel on October 20, 2024. A subsurface investigation was not carried out as part of our assessment.
- b. A desktop review of relevant background information including registered covenants on title, aerial photographs, published geology mapping, well lithology information, and topography was completed during the preparation of this Report. A complete list of sources of information used in the preparation of this report can be found in the references section.
- c. This assessment was prepared with consideration of the referenced EGBC Professional Practice Guidelines for Landslide Assessments in British Columbia¹. Please find attached EGBC Appendix D Landslide Assurance Statement.

1.4 Covenant Review

- a. As part of this assessment, we have reviewed the legal title of the Property relative to any restrictive covenants registered on title that may impact the conclusions or recommendations made in this Report. There are no restrictive covenants of a geotechnical nature that impact the existing SFR structure.

2.0 SITE CONDITIONS

2.1 Physical Setting

- a. The Property is located on Denman Island within the jurisdictional limits of Islands Trust, and is identified with the following civic and legal address:
 - i. Lot 2, Plan VIP81818, Section 12, Nanaimo Land District, Denman Island; PID: 026-824-370.
- b. The Property is located on the east-central side of Denman Island, near the intersection of Triple Rock Road and Hilberry Lane. The Property is an irregularly-shaped, sloped lot on the east side of Hilberry Lane. The Property location is shown below in Figure 2.1.



Figure 2.1 – Location plan of subject property (outlined in red)².

- c. The Property is zoned for Rural Residential (RU) as well as eastern portions within Sustainable Resource (SR) zoning designations. The Property is bordered to the north by similarly zoned residential properties, to the east by Hilberry Lane, to the south by Triple Rock Road, and to the west by farm land.

2.2 Terrain and Features

- a. The topography of the Property is generally characterized by a ridgeline which forms much of the central topographic ridge of Denman Island. The ridge is fairly consistent throughout central portions of the

island, trending in a southeast to northwest orientation with a southwest aspect, and only local variations in shape depending on the weathering of underlying geological structure. Triple Rock Road switchbacks to upland areas in a more moderately inclined portion of this ridgeline.

- b. Entering from the driveway access off Hilberry Lane, topography is rolling to moderately sloped throughout northeast portions of the Property, with multiple shallow bedrock outcroppings visible along the Property entrance and upper portions of the Property. The ridgeline is relatively moderately sloped to rolling, steepening to a defined and uniform slope that trends towards the northwest from north-central portions of the Property.
- c. The SFR is located in central eastern portion of the Property along the crest of the ridgeline, with a setback of approximately 5.0m from the northwest pad footing of the house footprint at its closest approach. In the vicinity of the SFR footprint, total grade changes range from an estimated 2-3m, with the high point of the house in northeast side of the SFR, sloping down to pad footings supporting a roof partially covering a deck. The bedrock slope behind the SFR was sloped predominantly at an estimated 25-35°, with portions near the crest of the slope at or near 45°. Approximately 2-3m separates the northern corner of the house from the toe of this lesser bedrock slope, with no overhanging rock-blocks or boulders at risk of sliding or toppling observed.
- d. Based on available LiDAR data³, below the SFR, slope angles range from 10-15° below the southeast corner of the residence to 21° below the northwest corner, with a notable increase towards the northwest, increasing to 33° in northern portions of the Property beyond the SFR. Topographic relief below the house ranges from 5m to a natural bench in the slope towards the southeast, to 35-40m to more moderately sloped farmland to the southwest. Total vertical relief across the property is approximately 49m as shown in the attached site plan.
- e. Upper portions of the Property appear more terraced, exposing bedrock surfaces that are generally rounded, with “steps” ranging up to 1.0m in height. The upper portions of the slope are comprised of more fractured/weathered bedrock, with tabular and semi-rounded sandstone bedrock boulders exposed with patchy overburden soils. The slope below the SFR is mostly vegetated with grass and low-lying shrubs. The bedrock slope above the SFR is partially vegetated, with sparse bare areas where limited soil cover has inhibited soil moisture retention for vegetative growth. Young to moderately sized Douglas Fir and Arbutus trees cover most of the Property that hasn’t already been cleared. No drainage draws or watercourses were observed on or in the vicinity of the Property, nor were there any signs of recent erosion or sloughing of slopes.
- f. Photo 2.2.1 below shows the slope crest conditions near the southeast corner of the SFR.



Photo 2.2.1 – Slope conditions at crest of slope, looking approximately northwest.

- g. Terrain analysis using available topographic contours from publicly available LiDAR survey information⁴ shows no recent global (full slope height) scale landslide features such as scarps, tension cracks, or significant rockfall debris or talus deposits. Large boulders are visible along the bedrock slope above the residence. The weathered bedrock in this area is indicative of more isolated and episodic toppling mechanisms that have occurred since the most recent glaciation event. Driving factors for these more surficial instabilities include freeze/thaw cycles, root wedging from trees, and seismic events.
- h. The above measurements and distances are estimates based on approximate measurements taken in the field during our site review and a review of satellite imagery and available topographic information.

2.3 Regional Geology

- a. Surficial geology for the area⁴ is classified as either bare bedrock or varied stony, sandy, loamy, and clayey marine veneer deposits, commonly less than 1.5m in thickness.
- b. Bedrock geology for the area⁵ is classified as part of the Upper Cretaceous age Nanaimo Group, typically consisting of boulder, cobble, and pebble conglomerate, coarse to fine sandstone, siltstone, shale, and/or coal.
- c. According to available references⁴, De Courcy Formation is known to be a ridge forming unit in the geographic vicinity, with thick bedded sandstone and coarse conglomerate, and largely makes up the

ridgeline along the spine of Denman Island. As shown in Figure 2.3.1 below, discontinuity measurements across Dodd's Narrows in the Cable Bay area of Vancouver Island generally follow the limbs of the anticline.



Figure 2.3.1 – From *Geology of Denman and Hornby Islands, British Columbia*⁶. Red circle denotes approximate location of SFR.

- d. Nearby measurements of structure in the sandstone indicates bedding strikes in a northwest direction, dipping towards the northeast at an angle of 17° measured from horizontal according to mapping. Observations gathered during our site review confirms these conditions, with strike in the northwest direction, dipping towards the northeast as indicated in the mapping. Available mapping also included measurements taken in the vicinity of the Property of interpreted primary (occurring during initial rock formation/compaction) and secondary fractures which develop after rock has formed due to tectonic forces or stress redistributions in the rock. These primary and secondary fractures appear to be consistent with fracture characteristics observed during the site review.

2.4 Bedrock Conditions

- a. The observed natural bedrock conditions are generally consistent with published surficial geology mapping with regard to the sandstone formations. Bedrock outcrops were observed directly from outcrops on the upper plateau of the Property and by visual observations of the drone photographs of the steep marine

bluff.

- b. The bedrock can be described as moderately strong to strong, well cemented, light brown to grey, fine to medium grained sandstone. The bedrock along the slope is generally comprised of alternating deposits of thickly bedded sandstone which are exposed along the length of the slope. In general, aperture of rock jointing/fractures on the slope face is tight, with minor to minimal separation along joints, and due to the gentle grades, no visibly loose fragments or overhanging rock fragments/blocks were observed.
- c. In terms of the overall rock mass structure, the most prominent sets of discontinuities include sub-horizontal bedding planes (dipping into the slope), and at least two joint sets orthogonal and sub-vertical to bedding as indicated in the mapping. Joint spacing on visible outcroppings was typically widely spaced, and persistent, with a massive (rocks displaying homogeneity in texture), blocky shape creating tabular or rectangular blocks. Nanaimo formation sandstones such as the De Courcy Formation are considered to have strong intact rock strengths. Instabilities when present are typically a result of shale or shaley interbeds which are more common to the unit below the De Courcy Formation. Shale is often lower in intact rock strength, erodes easily in comparison to sandstone, and can cause tensile failure of the overlying sandstone as it erodes and undermines the sandstone. Photos of the rock conditions as observed during the site review are presented in Photos 2.4.1 and 2.4.2 below.



Photo 2.4.1 – Front entrance of SFR and bedrock exposures looking approximately northwest.



Photo 2.4.2 – Pad footing on southern side of SFR on sandstone bedrock.

- d. There were no signs of large scale structurally adverse geological features such as faults, shear zones, or zones of highly weathered and or fractured rock, nor were there any signs of tension cracks or instabilities along the crest of the slope.
- e. Nearby groundwater well installation records were also reviewed for an overview of lithology in the area. WTN 87674 located approximately 400m north of the Property documented a thin layer of overburden overlying approximately 60ft (18m) of sandstone, overlying shale to 300ft (90m). WTN 83416 at 1001 Triple Rock Road located approximately 200m northeast of the Property indicated a profile of 3ft (1.0m) of weathered sandstone bedrock, overlying 11ft (3.4m) of brown sandstone, overlying 16ft (4.9m) of shaley sandstone, overlying 20ft (6.1m) of grey sandstone, overlying 30ft (9.1m) of shaley sandstone. The nearby well lithologies appear to be consistent with lower portions of the DeCourcy Formation as shown in the referenced mapping, with notable absence of Conglomerate.

2.5 Groundwater Conditions

- a. There were no signs of groundwater seepage observed during the site review. Groundwater flows in bedrock occur predominately along interconnected natural discontinuities (joints) because of the low primary hydraulic conductivity of the intact rock. We expect permeability and flow will vary in the vertical and horizontal direction given the competent sandstone beds and persistent bedding planes typical to the

DeCoursey Formation.

2.6 Aerial Photo Review

- a. Available aerial photographs⁶ were reviewed between the years 1968 to the most recent in 2014. It appears Triple Rock Road was initially built between 1980 and 1991. Following 1991, based on available Google Earth Imagery, the area was logged, with several acreages along Hilberry Lane north and northwest of the Property visible starting in 2008.
- b. The Property it appears was cleared or partially cleared in the vicinity of the SFR by October 2018, with another clearing due north of the location of the SFR in 2019. The house is visible in aerial photos by 2022.

3.0 CONCLUSIONS AND RECOMMENDATIONS

3.1 Rock Slope Stability and Building Setback

- a. The bedrock slope overall is considered to be in a stable condition. There were no visual signs of potential global / full slope height instability, tension cracks, toe erosion, faulting/shear zones, or continuous adversely oriented discontinuities near the SFR location. There was no evidence of any recent accumulation of rockfall or talus deposits along the slope. The lack of these indicators suggests the frequency of destabilizing rockfall events can be considered low.
- b. The stability of the slope overall is believed to be governed by its bedded geological structure: the strong intact strength of the sandstone beds and of weaker planes or beds which may be adversely oriented with respect to the slope face. The referenced mapping included measurements of structure on or near the subject Property. The shear strength of bedded sedimentary deposits are often anisotropic, wherein strength can vary substantially depending on the direction of loading with respect to planes of weakness or bedding in the rock mass. The slope is made up of shallow to moderately dipping, thickly bedded, strong sandstone inclined into (perpendicular to) the direction of the slope. This structural condition is considered favourable for stability given larger, deeper-seated failure surfaces would require shearing through multiple intact beds and generally across the bedding planes (the direction of typically highest shear strength). This interpretation is confirmed by the presence of moderate second growth trees, soil development on the slope, and the lack of indications of recent rock slope instability.
- c. We do expect the natural processes of erosion from seismic events, rainfall, wind, and stress relief may result in relatively small scale surficial rock slope instability. We do not expect small scale failures to significantly affect the overall global stability within the lifetime of the SFR provided our recommendations are followed.

- d. LEA considers the existing setback of the house at its closest approach (5.0m) from the crest of the bedrock slope sufficient for long term building support. We consider future regression of the slope unlikely to occur in any significant amount over a typical design life of the SFR of 50 years. This as a result of the relatively erosion resistant sandstone bedrock observed throughout the building area. As a result of this present condition and assessment of the stability, we believe the risk of a global failure resulting in damage to the property over the design life to be low. We recommend this 5m setback is included on a survey plan of the Property along with the surveyed crest of slope and existing house footprint.
- e. Non-critical landscaping elements, such as gazebos, patio areas, decks, sheds, etc, may be sited closer than this setback, with the understanding that the potential for loss of support for structures attributed to instability increases as the distance to the crest diminishes. Any future permanent structure or addition encroaching on the 5.0m setback will require updated recommendations from a qualified geotechnical engineer. Active (tensioned) anchor systems may be required in this case. The Property owner and any future owners shall be made aware of the risks involved in construction within the 5.0m setback distance, with notice by means of a restrictive covenant registered on title.

3.2 Slope Maintenance

- a. It should be noted that landslides can also occur due to human activity or by failure of infrastructure in the vicinity of the subject Property (buried civil servicing including water mains and or storm/sanitary sewer systems).
- b. Minimizing infiltration of water into the slope and setback zone is essential to reducing the risk of slope movement. It is important that water is not directed to or does not pond near the crest of slope. The effect of groundwater in the rock mass reduces shear resistance due to the buildup of pore pressures within discontinuities, or frost wedging. Because of this, we recommend stormwater is directed down the slope in a solid PVC pipe, or to a suitable outfall location such as existing natural drainage draws. Stormwater outfall locations should be included with energy attenuation measures such as 6" rip-rap to minimize erosion of soil and/or vegetative cover.
- c. Surface water flow across the slope from precipitation events, collected stormwater, or any other drainage system must be prevented from flowing in a concentrated manner down the slope. The concentrated discharge of collected stormwater can lead to erosion, earth movement, or slope failure.
- d. The prevalence of steep natural slopes on Vancouver Island maintaining their stability is contingent on maintaining dense vegetative cover on slopes. The Property owner and future property owners should consider recommendations from a professional arborist or landscape architect on native plantings to

encourage re-growth of vegetation to ensure long-term stability of the slope, as required.

- e. The existing vegetation cover on the slope should be maintained. The steep slope should not be cleared of vegetation, although select pruning, spiraling, topping, or limbing of trees as directed by a qualified tree professional or arborist is permissible, subject to local bylaws and in some cases geotechnical review. Generally, trees should only be cut if their roots are undermined by slope regression or if there are any large, severely leaning trees. Preserve a healthy vegetated buffer zone adjacent to cleared / landscaped areas for runoff attenuation which will assist in maintaining stability of surficial cover.
- f. Disposal of fills, yard waste, organic debris or excavation spoils shall not be discharged or dumped onto the slope or placed along the slope crest, as disposal of debris can prohibit plant growth, load the slope face, and lead to surficial slope failures.

3.3 Foundation Drainage and Stormwater Management

- a. Runoff from paved areas, roof drains, and any perimeter foundation drains should be collected and piped to be discharged through solid UV resistant conduit to the base of slope. The conduit should be anchored to the slope to prevent rupture and should include flexible couplings and a tear-away connection at or near the building. The conduit should be discharged at the toe of slope into a dispersion chamber, armoured splash pad, or an approved outlet area where erosion can be managed. The conduit must be regularly inspected for leakage and blockages by current and future property owners, and immediately repaired if required.
- b. Any stormwater infiltration measures (rock pits or similar) should be located outside of the recommended slope setback area and at a minimum horizontal distance of 5.0m from any structure. LEA can provide a detailed Stormwater Management Plan under separate cover if required.

4.0 CONCLUSIONS

4.1 Local Government Conformance Statement

- a. From a geotechnical point of view, and provided the recommendations in this Report are followed, the land is considered safe for the use intended (defined for the purposes of this Report as a single-family residential structure), with the probability of a geotechnical failure resulting in property damage of less than:
 - i. 2% in 50 years for geotechnical hazards due to seismic events, including slope stability; and,
 - ii. 10% in 50 years for all other geotechnical hazards.

4.2 Geotechnical and Quality Assurance Statement

- a. The 2024 BCBC requires that a geotechnical engineer be retained to provide Geotechnical Assurance services in the design and construction of buildings. Geotechnical Assurance services include review of the geotechnical components of the plans and supporting documents, and responsibility for field reviews of these components during construction.

4.3 Acknowledgements

- a. Lewkowich Engineering Associates Ltd. acknowledges that this Report may be requested by the building inspector (or equivalent) of IT as a precondition to the issuance of a building or development permit. It is acknowledged that the Approving Officers and Building Officials may rely on this Report when making a decision on application for development of the land. We acknowledge that this Report has been prepared solely for, and at the expense of the Brittany Smith.
- b. We have not acted for or as an agent of the IT in the preparation of this Report. We acknowledge the IT and the Approving Officer(s) are authorized users of this Report. We acknowledge that this Report may be registered against the title of the Property as a restrictive covenant.

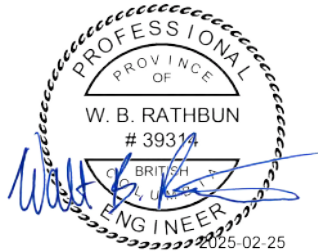
4.4 Limitations

- a. The conclusions and recommendations submitted in this Report are based upon a visual site reconnaissance and desktop study including current construction techniques, and generally accepted engineering practices. The nature and extent of variations in geological deposits may not become evident until construction or further investigation. If unanticipated conditions become known during construction or other information pertinent to the development become available, the recommendations may be altered or modified in writing by the undersigned.

5.0 CLOSURE

- a. Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact us at your convenience.

Respectfully Submitted,
Lewkowich Engineering Associates Ltd.



Walter B. Rathbun, P.Eng.
Geotechnical Engineer

February 24, 2025

Chris Hudec, M.A.Sc., P.Eng.
Senior Project Engineer

6.0 ATTACHMENTS

1. LEA Drawing E3934-01 – Topographic Site Plan
2. EGBC Appendix D Landslide Assurance Statement.

7.0 REFERENCES

1. EGBC document titled "Landslide Assessments in British Columbia," Version 4.1, March 1, 2023.
2. Islands Trust, web portal (<https://webmap.rdn.bc.ca/Html5Viewer/?viewer=Public>), accessed October 2023.
3. Google Earth®
4. LidarBC – Open Lidar Data Portal, Data Acquisition Date: 2019, accessed April 2024.
5. Geology of Denman and Hornby Islands, British Columbia; B.C. Geological Survey Branch, Unpublished M.Sc. Thesis of D. Katnick, 2001, Simon Fraser University.
6. BC Ministry of Energy and Mines, Geological Survey Branch "Geology of the Nanaimo Harbour Area, Nanaimo Coalfield, British Columbia" Open File 1998-07, Sheet 4 of 6. C.G. Cathyl-Bickford, G.L. Hoffman.
7. Doe N. (2000). "Sandstone and Shale – Gabriola's Origins". Shale: Journal of the Gabriola, Historical and Museum Society, No.1, pp26-35.



Legend Subject Property Property Lines Contour 1m 5m Note: 1. LiDAR contours show pre-construction topography.	PROJECT NAME 1840 Hilberry Lane, Denman Island, BC	Drawing No. E3934-01		LEA Lewkowich Engineering Associates Ltd.
	DRAWING TITLE Topographic Site Plan	Date: 2025-02-12	Drawn By: TA	
	LEGAL DESCRIPTION Lot 2, Plan VIP81818, Section 12, Nanaimo Land District, Denman Island, PID: 026-824-370	Lidar Aquisition Date: 2019 Coordinate System: NAD 1983 CSRS UTM Zone 10N Vertical Datum: CGVD 2013 0 20 40 Meters		

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Notes: This statement is to be read and completed in conjunction with the Engineers and Geoscientists BC *Professional Practice Guidelines – Landslide Assessments in British Columbia* ("the guidelines") and the current *BC Building Code (BCBC)*, and is to be provided for Landslide Assessments (not floods or flood controls), particularly those produced for the purposes of the *Land Title Act*, *Community Charter*, or *Local Government Act*. Some jurisdictions (e.g., the Fraser Valley Regional District or the Cowichan Valley Regional District) have developed more comprehensive assurance statements in collaboration with Engineers and Geoscientists BC. Where those exist, the Qualified Professional is to fill out the local version only. Defined terms are capitalized; see the Defined Terms section of the guidelines for definitions.

To: The Approving Authority (or Client)

File No.: E3934.01

Islands Trust

Date: February 25, 2025

700 North Road, Gabriola Island, BC V0R 1X3

Jurisdiction/name and address

With reference to (CHECK ONE):

- ☐ A. *Land Title Act* (Section 86) – Subdivision Approval
- ☒ B. *Local Government Act* (Sections 919.1 and 920) – Development Permit
- ☒ C. *Community Charter* (Section 56) – Building Permit
- ☐ D. Non-legislated assessment

For the following property (the "Property"):

Lot 2, Plan VIP81818, Section 12, Nanaimo Land District, Denman Island; PID: 026-824-370

Civic address of the Property

The undersigned hereby gives assurance that they are a Qualified Professional and a professional engineer or professional geoscientist who fulfils the education, training, and experience requirements as outlined in the guidelines.

I have signed, authenticated, and dated, and thereby certified, the attached Landslide Assessment Report on the Property in accordance with the guidelines. That report must be read in conjunction this statement.

In preparing that report I have:

[CHECK TO THE LEFT OF APPLICABLE ITEMS]

- ☒ 1. Collected and reviewed appropriate background information
- ☒ 2. Reviewed the proposed Residential Development or other development on the Property
- ☒ 3. Conducted field work on and, if required, beyond the Property
- ☒ 4. Reported on the results of the field work on and, if required, beyond the Property
- ☒ 5. Considered any changed conditions on and, if required, beyond the Property
- 6. For a Landslide Hazard analysis or Landslide Risk analysis, I have:
 - ☒ 6.1 reviewed and characterized, if appropriate, any Landslide that may affect the Property
 - ☒ 6.2 estimated the Landslide Hazard
 - ☒ 6.3 identified existing and anticipated future Elements at Risk on and, if required, beyond the Property
 - ☒ 6.4 estimated the potential Consequences to those Elements at Risk
- 7. Where the Approving Authority has adopted a Level of Landslide Safety, I have:
 - ☐ 7.1 compared the Level of Landslide Safety adopted by the Approving Authority with the findings of my investigation
 - ☐ 7.2 made a finding on the Level of Landslide Safety on the Property based on the comparison
 - ☐ 7.3 made recommendations to reduce Landslide Hazards and/or Landslide Risks

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

8. Where the Approving Authority has **not** adopted a Level of Landslide Safety, or where the Landslide Assessment is not produced in response to a legislated requirement, I have:

- ☒ 8.1 described the method of Landslide Hazard analysis or Landslide Risk analysis used
- ☒ 8.2 referred to an appropriate and identified provincial, national, or international guideline for Level of Landslide Safety
- ☒ 8.3 compared those guidelines (per item 8.2) with the findings of my investigation
- ☒ 8.4 made a finding on the Level of Landslide Safety on the Property based on the comparison
- ☒ 8.5 made recommendations to reduce Landslide Hazards and/or Landslide Risks

☐ 9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections

Based on my comparison between:

[CHECK ONE]

- ☐ the findings from the investigation and the adopted Level of Landslide Safety (item 7.2 above)
- ☒ the appropriate and identified provincial, national, or international guideline for Level of Landslide Safety (item 8.4 above)

Where the Landslide Assessment is not produced in response to a legislated requirement, I hereby give my assurance that, based on the conditions¹ contained in the attached Landslide Assessment Report:

A. SUBDIVISION APPROVAL

☐ For subdivision approval, as required by the *Land Title Act* (Section 86), "the land may be used safely for the use intended"

[CHECK ONE]

- ☐ with one or more recommended additional registered Covenants
- ☐ without an additional registered Covenant(s)

B. DEVELOPMENT PERMIT

☒ For a development permit, as required by the *Local Government Act* (Sections 488 and 491), my report will "assist the local government in determining what conditions or requirements it will impose under subsection (2) of [Section 491]"

[CHECK ONE]

- ☒ with one or more recommended additional registered Covenants
- ☐ without an additional registered Covenant(s)

C. BUILDING PERMIT

☒ For a building permit, as required by the *Community Charter* (Section 56), "the land may be used safely for the use intended"

[CHECK ONE]

- ☒ with one or more recommended additional registered Covenants
- ☐ without any additional registered Covenant(s)

¹ When seismic slope stability assessments are involved, Level of Landslide Safety is considered to be a "life safety" criteria, as described in Commentary JJJ of the *National Building Code of Canada (NBC) 2015*, Structural Commentaries (User's Guide – NBC 2015: part 4 of division B). This states:

"The primary objective of seismic design is to provide an acceptable level of safety for building occupants and the general public as the building responds to strong ground motion; in other words, to minimize loss of life. This implies that, although there will likely be extensive structural and non-structural damage, during the DGM (design ground motion), there is a reasonable degree of confidence that the building will not collapse, nor will its attachments break off and fall on people near the building. This performance level is termed 'extensive damage' because, although the structure may be heavily damaged and may have lost a substantial amount of its initial strength and stiffness, it retains some margin of resistance against collapse."

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Walter B. Rathbun, P.Eng.
Name (print)

February 25, 2025
Date

2351B Rosewall Crescent
Address

Courtenay, BC V9N 8R9

250-334-0384
Telephone

wrathbun@lewkowich.com
Email



(Affix PROFESSIONAL SEAL and signature here)

The Qualified Professional, as a registrant on the roster of a registrant firm, must complete the following:

I am a member of the firm Lewkowich Engineering Associates Ltd.
(Print name of firm)

with Permit to Practice Number 1001802
(Print permit to practice number)

and I sign this letter on behalf of the firm.



**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20250156**

TO: JEFFREY ALLAN HILBERRY

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

PID: 026-824-370

LOT 2 SECTION 12 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP81818

2. Whereas the subject area as described above lies within "Development Permit Area No. 2: Steep Slopes" designated under the Denman Island Official Community Plan Bylaw No. 185, 2008 this development permit is issued under Denman Island Land Use Bylaw No. 186, 2008 that authorizes the construction and siting of:

- one existing single-family dwelling,
- one existing power/utility shed accessory building,
- one septic system/dispersal field and water cistern servicing area, and
- one residential driveway,

in accordance with the location and dimensions as shown on Schedule 'A' attached to and forming part of this permit.

3. This permit is subject to the following conditions:

- a. There shall be no development or land alteration except as in accordance with Schedule "A" – Site Plan.
- b. Invasive species removal of scotch broom shall be performed according to the following best practices and within one year from the issuance of this permit (January 20, 2027):
 - Removal activities shall be conducted before seed pods mature in late spring to early summer in order to prevent seed dispersal.
 - Younger plants should be hand pulled when soils are moist to facilitate root removal while minimizing soil disturbance, or cut at the base.
 - Mature plants should be cut close to the ground and efforts should be made to avoid excessive digging that could disturb the seed bank or increase erosion risk.
 - Flowering or seeding material must be removed from the site to prevent re-establishment of the species.
 - Soil disturbance must be minimized, and existing native vegetation and coarse woody debris shall be retained.
 - No additional clearing or development shall occur within DPA 2 without a new environmental impact assessment to confirm that proposed any works will not negatively affect slope stability or ecological values.

- c. The existing, degrading garden bed structures on the slope shall be removed or relocated to the satisfaction of the QEP.
 - d. Follow-up monitoring shall be conducted by a Qualified Environmental Professional (QEP) at the property owner's expense, one year from the date of issuance of this permit (by January 20, 2026) to assess the efficacy of removal activities and recommend any additional measures ensure the long-term establishment of the native plant communities on the property.
 - e. A report by the QEP shall be provided in the form of a letter acceptable to Islands Trust in order to complete fulfillment of the conditions of this permit.
- 4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
 - 5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
 - 6. This permit does not relieve the applicant from complying with the provisions of the Denman Island Official Community Plan Bylaw No. 185, 2008 and the Denman Island Land Use Bylaw No. 187, 2008, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS 3rd DAY OF OCTOBER, 2023.

Deputy Secretary, Islands Trust

January XX, 2026

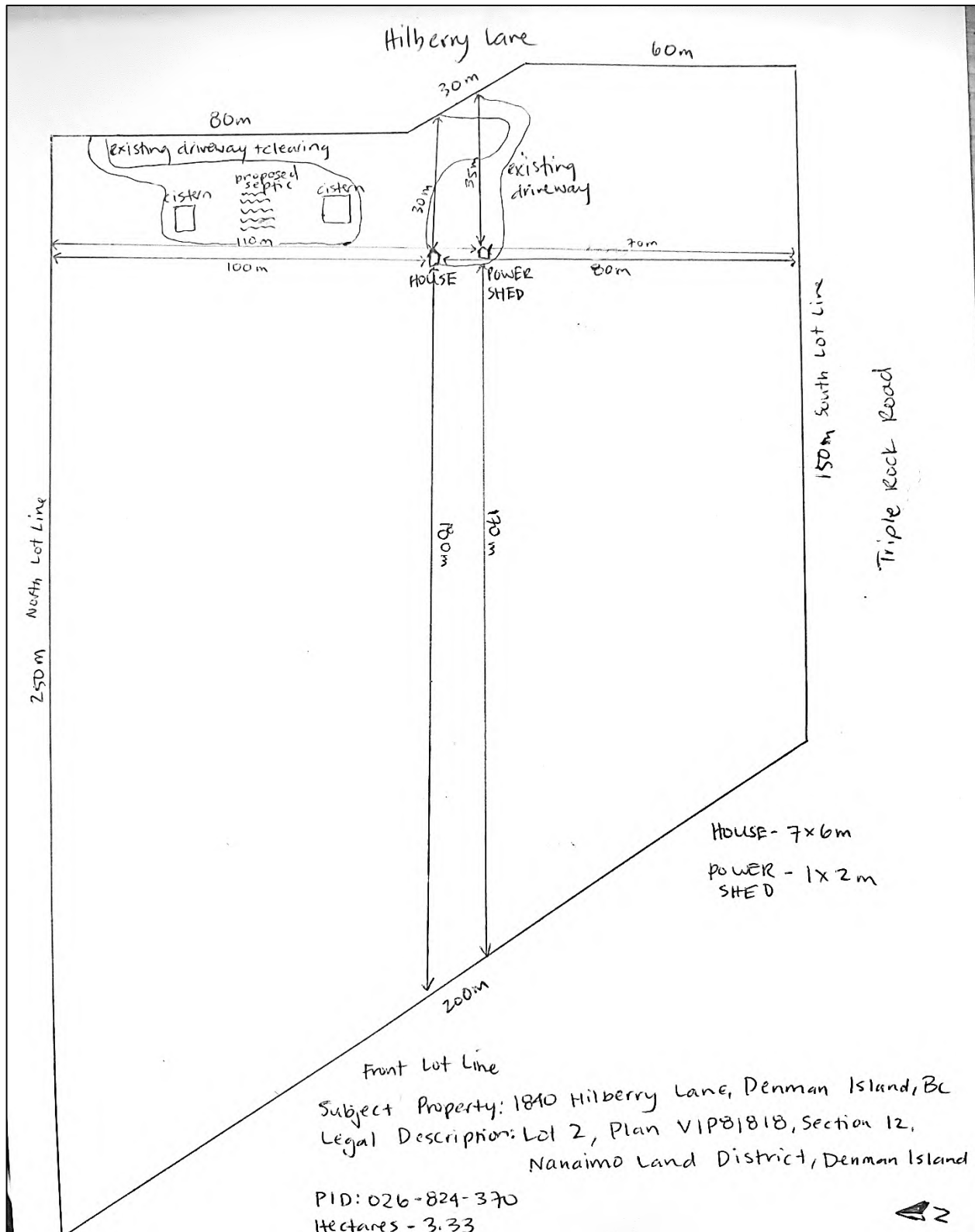
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE XX DAY OF January, 2028, THIS PERMIT AUTOMATICALLY LAPSES.

DENMAN ISLAND LOCAL TRUST COMMITTEE

PLDP20250156

Schedule "A" – Site Plan



File No.:

DATE OF MEETING: January 20, 2026

TO: Denman Island Local Trust Committee

FROM: Narissa Chadwick, Senior Planner
Local Planning Services

COPY: Marlis McCargar, Islands Planner/ Renee Jamurat, Regional Planning Manager

SUBJECT: Housing Review – Options Related to Density for Decision

RECOMMENDATION

1. That the Denman Island Local Trust Committee request staff to proceed with the drafting of bylaw amendments based on decision made at the January 20th meeting as follows: (list decisions made).

REPORT SUMMARY

The purpose of this report is to present to the LTC options for housing policy topics that have not yet been decided on by the LTC, in order to assist the LTC in advancing amendments to the OCP and LUB to address housing needs. Options include the redistribution of dwelling density and the expansion of housing options.

BACKGROUND

The proposed policy options presented in “Denman Island Housing Options Discussion Report”, provided in Attachment 2, build on previous LTC discussions and respond to community feedback as well as input from K’omoks First Nations. They align with the Islands Trust “preserve and protect” mandate and consider community values identified through the community engagement process.

Attachment 1 provides a summary of the options provided in the report. This table was presented to the LTC at the December 2025 LTC meeting. The following timeline, based on the revised project charter, endorsed at the December 2025 LTC meeting is identified below.

Project Timeline:



Rationale for Recommendation

The recommendation will help advance the project to First Reading.

ALTERNATIVES

- Request staff schedule public engagement on specific topics.
- Request staff forward the full report or specific options to the HAPC or APC for review.
- Request staff forward the full report or specific options to the Denman Conservancy, the Denman Community Housing Society or other relevant community organizations for review.
- Delay decisions until response from the K’omoks Chief and Council on guiding principles is received – this would require requesting staff schedule a special meeting after January 22nd once response from K’omoks has been recieved.

Note that any additional referrals will push timelines forward and challenge the ability for the project to be completed by the end of the local election term.

NEXT STEPS

If the recommendations are supported, staff will:

- Draft bylaw amendments for first reading.

Submitted By:	Narissa Chadwick RPP MCIP, Island Planner	January 9, 2026
Concurrence:	Renee Jamurat, RPP MCIP, Regional Planning Manager	January 9, 2026

ATTACHMENTS

1. Options Summary Table
2. Discussion Report
3. Map of Proposed Changes to Zoning
4. Density Comparison Table
5. Draft Policy Language

AMENDMENT TRACKING TABLE

ACTION	STATUS
GOAL 1: Incorporate FN Interests in Land Use Decision Making – RECONCILIATION	
Update FN background	
GOAL2: Update Information to Inform Housing Projects (Basic Bylaw Updates)	
Update population projections based on needs assessment	To be updated in first draft.
New definitions	To be updated in first draft
Reformat Land Use Bylaw Regulations	Completed
Housekeeping Updates	To Be updated in first draft
Amendment to housing Objectives	Options provided in discussion report
Goal 3: Diversify Housing Options – LAND USE	
Remove TUP requirement for ADUs	Options provided discussion report
Eliminate or update Density Bank	Options provided discussion report
Permit Dwelling Units in Community Service zone	Draft language approved
Permit Alternative Types of units (RVs, Yurts etc.)	Draft language approved.
Limiting Vacation Rental Permission to BnB	Draft Language approved
Expand secondary suite permissions	Options provided discussion report
Permit reduction of min parcel size to facilitate land for donation to NGO/Govt	Draft language approved
OCP Policies to support home based assisted living	Draft language approved with amendments
OCP policies to support tiny home villages	Options provided discussion report
Allow for variations in housing that support shared facilities (e.g. podhouse)	To be updated in first draft
Expansion of Accessory Dwellings Unit permission	Options provided discussion report
Allow Multiple Dwelling Units with Max Combined floor area (Flexible Housing)	Options provided discussion report
Additional dwelling units if land is conserved/housing agreement is in place	Options provided discussion report
Policy to allow exclusion from the Agricultural land reserve for affordable and special needs housing	Draft language approved
Minimize Environmental Impact	
Require freshwater cisterns for all new builds	Draft language approved
Implement maximum combined floor area for multiple dwellings	Options provided discussion report
Reduce lot coverage	Options provided discussion report
Prohibit Groundwater fed swimming pools	Draft language approved
Adding policies to support development variance for proof of water for cooperatives requires input from a freshwater specialist	To be updated in first draft

APPENDIX 1: Denman Housing Review -Options for Discussion

The following table summarizes options identified in a full staff report to be presented to the Denman Local Trust Committee in January 2026.

Priority actions have been identified with and **X**. These serve to increase housing options and consider environmental and cultural heritage protection without making any significant changes to permitted lots or principle dwellings.

Denman Housing Review – Options for Discussion		Priority Actions
WHY?	Component #1 – Housing Objectives <i>Set vision and goals for addressing housing need while protecting the environment and acknowledging First Nations interests.</i>	
	2.1/2.2 Revised Housing Objectives: Values identified thorough project engagement include: • Preservation and Protection of the Environment • Community Diversity (requires a range of housing types) • Addressing First Nations Interests	X
WHAT type of density will be supported? WHERE will dwelling permission exist?	Component #2 – Density Bank, Subdivision, Base Density <i>Updates to how development potential is measured and distributed</i>	
	DRAFT LANGUAGE NOT YET APPROVED (discussed in report)	
	3.1 Removal of Density Bank - replace with policy framework guiding housing and development consistent with community values and environmental protection.	X
	3.2 Subdivision Limits – Allow new subdivision only for: creation of parks and protected areas, First Nations cultural heritage protection, seniors, special needs, affordable or attainable housing, community service needs.	
	3.3 Density Changes – Reduction of max dwellings permitted where multiple dwellings are currently permitted. • R2 Zone: Reduce max dwellings to 4 per lot (currently 1 per 4 ha) • R1 Zone: Limit to 2 dwellings within 200 m of shoreline (currently 1 per ha)	
	• RE to R2 Conversion: Replace redundant RE zoning with R2; apply R2 density beyond 200 m from shoreline (adds 3 principle dwellings)	X
	DRAFT LANGUAGE APPROVED	
	Permit dwelling units in Community Service Zone (LTC to determine which properties)	
	Permit alternative types of units (RVs, Yurts etc.)	
	Allow reduced min parcel size for land donation to NGO/Govt	
	OCP Policies to support home based assisted living	
	Allow ALR exclusion for affordable and special needs housing	
	Allow housing with shared facilities (e.g. podhouse); language to be updated in first bylaw draft	
	Component #3 – Secondary Dwellings Units <i>Expand permissions for more diverse housing forms and tenure.</i>	
	DRAFT LANGUAGE NOT YET APPROVED (discussed in report)	
	4. 1 Update secondary dwelling related definitions - clarify and support consistency across the Islands Trust bylaws	X

	4.2 Remove TUP requirement for secondary dwelling units –secondary suites or detached secondary units can proceed without a TUP (linked to 4.4)	X
	4.3 R2 Secondary Suites – Permit secondary suites in all principal dwellings (in R2 zone) within existing building footprints.	X
	4.4 Secondary suite or detached secondary unit on F and R2 lots – Allow either a secondary suite or detached secondary unit on all F lots, and on R2 lots where one principle dwelling and one secondary suite is currently permitted (lots <4ha).	X
	4.5 Secondary units on suitable R1 lots – Permit on R1 lots close to town with sufficient water (cluster of ~13 lots along Northwest Rd).	
	4.6 Accessory Residential Units in Institutional Zone –Draft language approved; locations to be confirmed.	X
HOW can additional dwellings be accommodated ?	Component #4 Density Bonus for Community Benefit <i>Link modest density increases with community benefits.</i>	
	DRAFT LANGUAGE NOT YET APPROVED (discussed in report)	
	5.1 Density Bonus Policy – Allow additional unit(s) without rezoning when a portion of land is dedicated to affordable housing, conservation or First Nations interests. Replaces the TUP approach.	
	Component #5 Rezoning Flexibility and Flexible Housing <i>Encourage community-led and innovative housing models.</i>	
	DRAFT LANGUAGE NOT YET APPROVED (discussed in report)	
	6.1 Increase rezoning flexibility – Minor OCP changes to support attainable/affordable housing; including options that do not require a housing agreement.	X
	6.2 Flexible Housing Zone –OCP policies enabling multiple units within a maximum combined floor area (no housing agreement)	
	Component #6 Additional Regulatory Controls <i>Support environmental and cultural heritage protection.</i>	
	DRAFT LANGUAGE NOT YET APPROVED (discussed in report)	
	7.1/7.2 Reducing Lot Coverage and Floor Area – Reduce lot coverage and set floor area maximums.	
	8. Development Permit Area – Environmental and cultural heritage protection, septic system oversight and siting requirements. Can be informed by model DPA work.	
	DRAFT LANGUAGE APPROVED	
	Cistern Requirements for New Builds	
	Limit Vacation Rental Permission to B&Bs	
	Prohibit groundwater fed swimming pools	
	Policies to support proof of water for cooperative housing (requires input from a freshwater specialist)	

Denman Island Housing Options Discussion Report



Conventional RURAL HOUSING
(CURRENTLY ALLOWED IN ZONING)



RURAL SUBDIVISION
(CURRENTLY ALLOWED IN ZONING)



RURAL CLUSTER HOUSING
(COULD BE ALLOWED IN ZONING)

December 4, 2025

1. Introduction

1.1 Background

Addressing housing need on Denman Island has been a topic of ongoing discussion and planning for decades. Launched in June 2023, the current phase of the Denman Island Housing Review Project focuses on improving housing diversity and affordability and has involved extensive analysis, engagement, and policy development. Key work to date includes:

- Housing Advisory Planning Commission (HAPC) analysis and recommendations;
- Preparation of a Housing Action Plan based on evaluation of HAPC recommendations;
- Draft reformatting of the Land Use Bylaw;
- A build-out analysis; and
- Draft bylaws on TUPs and the density bank (not adopted due to community concerns).

In addition, staff have been engaging with K'omoks First Nation to identify their land use interests, introduced new mapped data to the LTC, collaborated with the Denman Conservancy Association on mapping, and led community engagement activities. These activities include attendance at summer market, community presentation and a growth management workshop, and a focused public survey on dwelling density.

To date, the Denman LTC has endorsed draft bylaw language for several Housing Action Plan actions (see Table 1).

Project Timeline:



1.2 Purpose and Scope of Report

This report brings together a series of interrelated housing policy topics that have not yet been discussed formally by the LTC, in order to assist the LTC in advancing necessary amendments to the OCP and LUB to address housing needs. Options include the redistribution of dwelling density and the expansion of housing options.

The proposed policy directions build on previous LTC discussions and respond to community feedback and input from K'omoks First Nations. They align with the Islands Trust “preserve and protect” mandate and with the community values identified through the community engagement process.

1.3 Community Values

The engagement process has identified three foundational community values:

Preservation and Protection of the Environment – this includes the protection of sensitive ecosystems and ecological process that support both the natural environment and community needs (e.g. watershed protection).

Community Diversity - providing housing options that support a diversity of ages, income levels, vocations and services.

Addressing First Nations Interests – this project has involved significant engagement with K’omoks First Nations. Addressing First Nations concerns and interests has been a top priority for this project.

1.4 First Nations Engagement

Through engagement with K’omoks First Nation (KFN) staff, key interests related to development of any kind (including housing) have been identified. These are included in a draft engagement summary that was previously shared with the Denman Island LTC. K’omoks Chief and Council will be discussing these at their January 22nd meeting. Interests related to housing are identified below:

- **Respect for Rights and Heritage:** Housing related policies to respect KFN cultural heritage, ancestral sites, and reconciliation commitments, avoiding infringement on culturally significant areas.
- **Archaeological and Cultural Protections:** Developments near heritage sites to comply with the KFN Cultural Heritage Impact Policy (CHIP) and include field assessments (PFR, AOA, AIA). A 200 m buffer for more critical analysis of archeological potential and ecological impact and related protections, which could include a Heritage Conservation Area of Development Permit Areas, should be considered.
- **Environmental Protections:** Housing to avoid or mitigate impacts on streams, watercourses, shorelines, and sensitive ecosystems. Development Permit Areas (DPAs) and green design strategies should be considered to help guide construction and site management.
- **Location and Density:** Housing should be sited away from sensitive cultural and ecological areas, with approvals informed by biophysical inventories and KFN consultation.

1.5 Community Feedback

Below is a high-level summary of community feedback, organized under key themes, gathered through multiple engagement processes since 2022, including the Mount Arrowsmith Biosphere Region Research Institute (MABRR) process, the Housing Advisory Planning Commission (HAPC) report, the 2025 community workshop in September, a community survey (~40 responses), and additional letters and informal conversations with community members. The list below reflects the main themes heard. Some specific interests or perspectives may not be fully captured; the raw data can be provided to the LTC upon request.

- **Protecting the Environment and Rural Character**
 - Prevent ecosystem fragmentation and preserve green space.
 - Maintain modest building footprints and avoid overdevelopment.
 - Ensure water availability and septic capacity before adding density.
 - Prefer clustered housing to minimize land disturbance.
- **Ensuring Housing Affordability and Long-Term Security**
 - Create affordable, non-market, co-op, or co-housing options.
 - Use density tools (bonuses, transfers, clustering) to support affordability.
 - Avoid short-term or insecure housing mechanisms (e.g. TUPs).
 - Support multigenerational living and caregiver housing.
- **Supporting Flexible, Diverse Housing Forms**
 - Allow secondary suites, ADUs, modular units and co-housing.
 - Facilitate shared ownership and cooperative housing models.
 - Enable seniors to age in place and younger residents to stay or return.
- **Fair, Clear, and Efficient Regulatory Processes**
 - Remove or reform density bank policies
 - Clarify rezoning criteria
 - Use standardized language and ensure oversight without excess regulation.
- **Managing Growth Responsibly**
 - Maintain or carefully manage base density levels.
 - Prioritize clustering over subdivision.
 - Ensure development aligns with carrying capacity and resource limits.
 - Concentrate density where environmental impacts are lowest.
- **Maintaining Community Cohesion and Neighbourhood Compatibility**
 - Avoid subdivisions that fragment community or alter rural character.
 - Encourage cluster housing with shared spaces.
 - Address privacy, safety, and compatibility concerns in higher-density forms.

- **Balancing Lot Coverage and Floor Area with Flexibility**
 - Proportional or combined-floor-area approaches rather than strict, uniform caps.
 - Support reasonable limits on large houses while allowing variation based on lot size
 - Reduce density footprints without over-regulating design.

1.6 Data Considerations

Any decisions related to changes in dwelling density on Denman Island requires careful evaluation to support the values and interest identified. Key criteria for consideration, based on available data and mapping, include:

- Sensitive ecosystems and species at risk
- Dominant tree age
- Groundwater recharge potential and watershed resiliency
- Groundwater availability (existing data¹)
- Saltwater intrusion risk and slope stability
- Registered archeological sites and archeological potential
- Proximity to Downtown Denman
- Steep slope hazard potential
- Areas identified as sensitive by the Denman Island Land Conservancy
- Location relative to a 200m shoreline buffer
- Sewage capacity assessed at the lot level.

Throughout this report, references to “suitable land” indicate areas evaluated according to the criteria above.

2. Structure of the Report

This document is organized around six interconnected components (see below) that support the following structured decision-making steps:

Confirming WHY this set of policy options are being explored

- *Community Values*
- *Objective related to community values*

Identifying WHAT (how much, what type) and WHERE (location)

- ***What*** type of residential development should be permitted outright?
- ***Where*** should residential density be permitted outright (suitable land)?
- ***What*** types of residential density should be permitted through rezoning?

¹ Denman Island LTC indicated that they would like bylaws to reflect that domestic water supply can be derived from cisterns. Staff note that in the absence of building permit requirement oversight related to quality of drinking water from wells and rainwater cisterns is very limited

Providing oversight on HOW additional dwellings are accommodated

- Footprint limitations
- Reduced lot coverage
- Cistern requirements

These decision-making steps reflect a values-based pathway for revising Denman Island's housing policies, supporting a range of housing choices while maintaining or enhancing ecological integrity, protecting cultural heritage and preserving rural character.

Housing Options Table – The Table in Appendix 1 organizes policy options into six components. Across all components, land suitability, including proximity to shorelines and Downtown Denman, groundwater availability and quality, ecological impacts, and cultural heritage interests serves as the unifying evaluation criteria. The six components include:

- Housing Objectives
- Density Bank, Subdivision, Base Density
- Secondary Dwellings Units
- Density Bonus for Community Benefit
- Rezoning Flexibility and Flexible Housing
- Additional Regulatory Controls

Priority actions are identified with an X in the table. Alternatives for each action are identified in the corresponding sections in this report. Note that they are not exhaustive and the LTC may identify other alternatives. The priority actions identified serve to increase housing options and consider environmental and cultural heritage protection, without making any significant changes to permitted lots or principle dwellings. They include:

- Revised Housing Objectives
- Removal of Density Bank
- RE to R2 Conversion: Replace redundant RE zoning with R2; apply R2 density beyond 200 m from shoreline only
- Updating secondary dwelling related definitions
- Removing TUP requirements for detached secondary dwelling units
- Permitting secondary suite in all principle dwellings in R2
- Permitting a secondary suite or a detached secondary unit in F, and R2 lots <4ha
- Accessory residential units in institutional zone
- Increasing rezoning flexibility to support attainable and affordable housing options

Subdivision and Buildout Comparison Tables are included in Appendix 2 to identify the difference in buildout numbers between that which is currently permitted and what would result if all of the recommended options are endorsed. The outcome, as illustrated is only a slight difference in number of units:

- If all recommended actions are endorsed the total number of potential dwellings (including secondary suites) will be lower (~1749 current compared to ~1697 + # for institutional zone)

- If only the priority options are supported the number of total potential dwellings will be slightly higher than existing (~1752 + # for institutional zone)

Draft Policy Language corresponding to each action are identified in Appendix 3. Note that not all options have draft policy language, as additional information may be required from the LTC before proceeding. Previous language is included for comparison where possible.

2. Denman Island Housing Goal and Objectives

The proposed revised housing objectives are based on the key values: preservation and protection of the environment, diverse community and addressing First Nations interests.

2.1 Proposed Guiding Objective for Housing

“To support a diversity of housing types and tenures while protecting the natural Environment and rural character, strengthening community resilience and respecting First Nations’ interests.”

2.2 Proposed Housing Objectives:

Staff recommend the following four draft housing objectives which build off existing (see Attachment 3 for comparison to existing objectives):

- “Objective 1** To ensure that housing options support and preserve community diversity, including a range of ages, incomes, and vocations, in support of an inclusive, resilient island community.
- Objective 2** To ensure that housing options are carefully aligned with groundwater availability and sewage disposal capacity, protect groundwater quality, and maintain the island’s rural character and ecological integrity.
- Objective 3** To respect First Nations interests including limiting the impact of residential development to sites of Indigenous cultural significance.
- Objective 4** To encourage, support and provide opportunities for the development of not-for-profit housing and for seniors to age in place.”

Alternatives: The Denman Island LTC can choose to amend any of the above Objectives.

3. Density Bank, Subdivision, and Density Cap (Policy 12)

Denman Island bylaws currently use three distinct tools to manage residential growth: the Density Bank, subdivision, and the Density Cap (established under OCP Policy 12). While all are intended to guide development, they function differently and have often been conflated in past discussions.

- The **Density Bank** manages the allocation of unused residential densities for specific purposes, such as affordable housing or land conservation. It is a storage system. It does not create additional density, but holds unused density that has been donated or transferred.
- **Subdivision** determines how residential densities can be realized on individual parcels of land, impacting buildout potential.
- The **Density Cap** (Policy 12) sets an island-wide limit on total residential units, with a small allowance (~5%) for affordable or special-needs housing, secondary dwelling units via Temporary Use Permit, or site-specific zoning amendments.

The following are recommendations for the Denman LTC's consideration:

3.1 Density Bank

The Density Bank holds unused or transferred residential densities for affordable housing.

Existing Policy:

- Densities are tracked in Appendix D of the OCP.
- Densities can be added via rezoning, subdivision reductions, land donations for conservation or park purposes, or LTC-initiated amendments.
- Transfers of banked densities require LTC approval and must demonstrate that the densities will be used for affordable housing or conservation purposes.

Issues With the Density Bank

- Does not account for secondary suites, underestimating total potential population growth and limiting its usefulness as a planning tool.
- Allocated densities can sit undeveloped for extended periods, preventing other shovel-ready projects from accessing them and tying up potential development. For example, a rezoned lot may remain vacant for years, blocking affordable housing opportunities elsewhere.
- The bank is tracked in the OCP and requires amendments to add or remove densities. In practice, updates have often not occurred, leaving the tracking system out of date and requiring planners to expend significant effort to verify numbers.
- Existing projects may require densities beyond what the bank currently holds, constraining initiatives for affordable housing.

Collectively, these issues demonstrate that the Density Bank no longer functions as an effective tool for guiding growth or supporting affordable housing. It prevents the LTC from responding flexibly to evolving community needs. Removing the bank and replacing it with policies that guide development based on housing need, environmental sensitivity, cultural heritage, and infrastructure capacity would simplify growth management and better align with the Islands Trust mandate to “preserve and protect.”

Recommended Option – Replace the Density Bank with stronger OCP policies and zoning regulations

- Eliminate the density bank and replace it with policies that guide housing and development while reflecting community values and environmental protection.
- New policies should consider groundwater, septic capacity, ecological sensitivity, and cultural heritage.

Alternatives

1. Remove the bank without updating other housing policies: Simplifies administration but may not fully support objectives.
2. Revise the bank based on total potential buildout (including secondary units): Requires staff time to ensure accurate calculations and may remain administratively complex.
3. Maintain the bank under existing OCP policy: Limits density based on current zoning with modest increases for special needs or affordable housing; original buildout numbers would need updating.

3.2 Subdivision to Support Community Values

Subdivision is the legal process of dividing a parcel of land into two or more lots. It is one of the most impactful mechanisms for increasing housing density and shaping settlement patterns. On Denman Island, subdivision potential has historically been allocated without fully accounting for environmental limits, groundwater constraints, cultural heritage, or long-term community values.

Creating new lots rarely generates affordable or diverse housing. Instead, subdivision typically increases land values, encourages speculation, fragments larger parcels, and can undermine ecological protection and cultural heritage. It may also strain groundwater resources and alter Denman Island’s rural character.

Existing Policy

- Under current policies, there is potential for ~150 additional lots on Denman Island.

- Most potential subdivision (~ 90 lots) falls within 200 metres of the shoreline, including areas known to have archaeological and cultural heritage significance.
- Subdivision under existing rules is most likely to produce market-valued housing, rather than affordable or attainable options.

Issues With Existing Subdivision Potential

- Promotes single-family, market-valued housing, contributing little to affordable or diverse housing needs.
- Concentrated in shoreline and culturally sensitive areas, increasing risks to ecological and heritage values.
- Encourages speculation and rising land values, limiting housing affordability.
- Fragmentation of larger parcels can reduce opportunities for ecosystem protection, cultural stewardship, and community-serving land uses.
- Can strain groundwater and rural infrastructure and alter the island's character.

Collectively, these issues show that current subdivision potential does not align with Denman Island's long-term community values or the Islands Trust mandate to "preserve and protect."

LTC Considerations

- Reducing subdivision potential could protect environmental and cultural values while limiting market speculation.
- Opportunities for multiple dwellings on larger parcels could be supported through revised policies.
- The LTC must determine whether to replace minimum lot sizes with evaluation criteria based on community values, environmental protection, and First Nations interests. If not, minimum lot sizes will need to be updated and reconsidered.

Recommended Options – Reduce or Remove Subdivision Potential

- Amend the Denman Island LUB to remove remaining subdivision potential (approximately 150 lots).
- Permit subdivision only through a successful rezoning application.
- Provide density bonus opportunities for additional units (see Section 5).
- Allow rezoning for subdivision only in cases involving:
 - Creation of parks or protected areas
 - First Nations cultural heritage protection
 - Development of seniors, special needs, affordable, or attainable housing by a non-profit, First Nation, or government agency
 - Community service needs
- Assess land suitability for subdivision or housing through the rezoning process, with housing agreements required as conditions of approval where applicable.
- Develop clear guidelines to help expedite eligible rezoning for subdivision applications.

Alternatives

- **Maintain status quo:** Retain existing subdivision potential. Subdivisions would continue to undergo environmental and cultural review but without significant new restrictions.
 - **Restrict Subdivision only within 200 metres of Natural Boundary to the Sea:** Remove subdivision potential in this area to protect sensitive ecosystems and cultural sites (~90).
 - **Support only Parkland and Protected Areas Subdivisions:** Remove all remaining subdivision potential except for conservation purposes. All other subdivision proposals would require an OCP/LUB amendment.
-

3.3 Density Cap (Policy 12)

The Density Cap sets an island-wide limit on total residential units, with a small allowance (~5%) for affordable or special-needs housing, secondary dwelling units via Temporary Use Permit, or site-specific zoning amendments.

Existing Policy:

- Overall residential density on Denman Island should generally not exceed what is permitted by existing zoning as of the OCP's adoption (2009).
- An increase of approximately 5% may be permitted to accommodate:
 - Zoning amendments for special needs and affordable housing
 - Secondary dwelling units approved under Temporary Use Permits
 - Site-specific zoning amendment applications under Policies 27, 28, and 29
- A baseline calculation in 2009 identified 994 residential units permitted under existing zoning, meaning 5% (~49 units) were available island-wide for affordable or special-needs housing. Since adoption, most of these densities have been allocated through rezoning, leaving 7 units remaining.
- Policy 12 does not require an OCP amendment to use these densities, provided the units are secured as affordable housing.

Issues With the Density Cap

- The 5% allowance is arbitrary and lacks clear rationale or supporting analysis.
- Tracking has been inconsistent, creating confusion over how many units remain under the 5% provision.
- Density cap was based on a build out analysis that did not consider secondary suites.
- Previous build out analysis, upon which density cap is based, is not consistent with existing buildout analysis.
- The policy's ceiling applies island-wide rather than at a site-specific level, limiting flexibility.
- Because most of the 5% allocation has already been used, the policy offers minimal remaining practical utility in guiding affordable housing decisions.

Collectively, these issues demonstrate that Policy 12 is no longer an effective tool for managing residential growth or supporting affordable housing. Its arbitrary limits and inconsistent tracking reduce transparency and complicate planning decisions. Removing the Density Cap and replacing

it with policies that guide development based on housing need, environmental constraints, and community values would simplify growth management and better align with the Islands Trust mandate to “preserve and protect.”

Recommended Option – Remove Density Cap

- Eliminate Policy 12 and replace it policies that support affordable housing without relying on an arbitrary island-wide limit.
- New policies should consider groundwater, septic capacity, ecological sensitivity, and cultural heritage, providing flexible, enforceable guidance for future development.

Alternatives

1. **Maintain Policy 12 as-is:** Retains the 5% ceiling but continues to create confusion due to inconsistent tracking and limited remaining units.
 2. **Revise the 5% allowance:** Could increase flexibility for housing but would still rely on an arbitrary, island-wide cap and require ongoing tracking unless the cap is based on housing need or subdivision potential. Use current buildout analysis.
-

3.4 Base Density

Base density refers to the number of dwelling units or lots permitted on a parcel of land under existing zoning regulations, without the use of any density increases such as transfers, bonuses, or rezoning. It represents the residential development potential established through the Official Community Plan (OCP) and Land Use Bylaw (LUB) and is a primary tool for managing the overall scale and pattern of development.

Existing Policy

Important to note is that on Denman subdivision potential, for the most part, is also a reflection of the number of units permitted in the land use bylaw without subdivision. This is referred to dwelling density equal to lots. Secondary suites have not been part of the past base density calculation. For the purpose of this report, secondary suites are considered part of base density, as they function as independent dwelling units.

Existing base densities are identified in the chart on the following page. Appendix 2 compares existing base density to what would result if all of the proposed changes in this report were approved. The highlighted zones in the table on the following page are ones where changes have been proposed as part of this project.

Table 1- Base Density

P = Primary dwelling

S = Secondary Suite

DSDU = Detached Dwelling Unit

DSDU(TUP) = Detached Dwelling Unit with
TUP

Zoning	# of Permitted Dwelling per lot	Staff Comments
Agriculture (A)	P+S+DSDU = 3	This was established through the Farm Plan Implementation work done via Bylaw Nos. 228 and 229 and adopted in 2024.
Commercial (C)	P = 1	No changes have been proposed due to challenges with water availability in Downtown Denman.
Forestry (F)	P+S+DSDU(TUP) = 3	Remain as is for time being. Consider revision at a later date.
Light Industrial (L)	P = 1	Remain as is.
Residential (R1)	1 P per Ha	Staff identified one area in R1 where secondary units could be suitable. This could result in ~13 additional permitted secondary units. See Secondary suite section for discussion. Staff are also recommending a limit of 2 principle dwelling units which would result in a reduction of ~27 principle units, impacting ~13 properties.
Rural Residential (R2)	1 P per 4 Ha 1 S per lot 1 DSDU(TUP) per lot	R2 zoning permits 1 dwelling per 4 ha with no cap, which is inconsistent with existing OCP objectives. Staff recommend setting a max of 4 dwelling. This could result in the reduction of ~25 units impacting ~6 properties.
Community Housing (R3)	15 units built	COHO - Rezoning in progress to permit 4 additional units and secondary suites in all units.
Affordable Rental Housing (R4)	20 units not built as of 2025 8 units not built	Denman Green (20 units not built as of 2025); Pepper Lane (8 units not built as of 2025)
Resource (RE)	1 P + 1S +DSDU(TUP) = 2	Staff has proposed RE be changed to R2. This will result in an addition of 3 units. There are currently 7 RE lots.
Service	TBD	Draft language has been supported by the LTC which would result in X potential units.
Institutional (IN)	P=0	A rezoning application is underway for a 1.16 ha property proposed for subdivision. A 0.3 ha portion would be transferred to DCHS for affordable housing, while the remaining 0.8 ha parcel would retain its Institutional (IN) zoning and continue as a works yard. The owner has also expressed interest in a future OCP redesignation of the remaining parcel to support additional affordable housing (likely in ~10 years), which could be considered as part of this project.

3.3.1 Recommended Options – Principal Units

The options identified below are related to principal units specifically but also address secondary units. It includes proposed limitations to number of total dwellings in the Rural Residential zone as well as changes to the Resource Zone and Industrial Zone. More detailed discussion of secondary unit permission is contained in Section 4.

3.3.1.1 Rural Residential (R2) Limitations

Existing Policy

Properties zoned Rural Residential (R2) fall within the Rural designation in the Denman Island OCP. The OCP specifies that “*in the Rural designation, zoning regulations should generally permit one dwelling unit per lot, including a secondary suite.*” However, the LUB currently permits one dwelling per 4 hectares, with no limit on the total numbers of dwellings, creating an inconsistency with the OCP.

Recommended Option

- Limit maximum number of principal dwellings to four per lot within the R2 zone. This would impact 5 properties and remove permission for 25 principal dwellings (much of this density is within 200m from the shoreline).

LTC Considerations

- Existing dwellings that currently exceed the limit of 4 would be considered legal non conforming.
- Density could still be increased through the density bonus process (see Section 5 “Density Transfer and Density Bonus”).

Alternatives

- **No change:** Retain existing base density in R2. Maximizes housing supply with minimal restrictions.
- **Shoreline specific limit:** Apply the four-dwelling limit only within 200 metres of the shoreline (X properties affected). Additional units can be acquired through density bonus or rezoning. Concentrates development where it has less cultural and environmental impact.
- **Align density with OCP:** Allow one primary unit and one secondary unit in R2, with opportunities for additional units through density bonus or rezoning.
- **Clustering Approach:** Require clustering and maximum combined floor area for multiple units.

3.3.1.2 Residential (R1) Limitations

Existing Policy/Regulation

Properties zoned R1 are in the Residential Designation. The OCP currently permits “one dwelling unit per 1.0 hectares of lot area to a maximum of five”. Secondary dwelling units are not permitted. The majority of R1 zoned lots are located along the shoreline and within areas of sensitive archeological sites. This could indicate that the original designation and zoning was likely retroactive to legalize what existing prior to the adoption of a land use bylaw and did not include First Nations or environmental considerations.

Recommended Option

- Limit maximum number of principal dwellings to two per lot within 200m from the shoreline for the R1 zone. This would impact 11 properties and remove outright permission for ~27 dwellings.
- Existing dwellings that currently exceed the limit of 2 would be legal non conforming.
- Density could still be increased through rezoning or the density bonus process (see Section 5 Density Bonus”).

Alternatives

- **Stronger Limitations:** limit number of dwellings to one per lot on all R1 properties.
- **Archaeological Focus:** Limit only in areas of known archeological sites. This will requirement K’omoks support in sharing archeological mapping

3.3.1. 2 Change ‘Resource’ (RE) to ‘Rural Residential’ (R2)

Staff have identified that the Sustainable Resource designation and corresponding Resource Zone (RE), do not reflect existing land uses. It appears to be an unnecessary anomaly given that agricultural and forestry zones cover relevant activities. Rezoning is recommended to support a future focussed approach that supports restoration and attainable housing opportunity in an area where there is adequate water supply².

Existing Policy/Regulations

The Resource (RE) designation was originally intended to support resource extraction (agriculture, silviculture, and aggregate mining as well as small-scale local value-added wood working and non-timber forest products. There are seven RE properties:

- Six on the northeast side, one on the northwest side;
- Five of the six within 200 metres of the shoreline;
- The northwest property is split-zoned with Agriculture and within the Komasa Bluff DPA.

² Freshwater availability data can be shared with the LTC upon request.

Recommended Option

Specifically considering interests in limiting additional development potential in the 200m buffer from the shoreline the following options are recommended.

Properties –005-809-827, 005-809-235, 005-809-843, 001-012-398, 001-012-401

Option – change zoning to R2 for all properties currently RE

- Surrounding properties are R2.
- Existing intensive agricultural uses (e.g., existing winery) can continue as legal non-conforming.
- Water availability³ and evaluation of other criteria supports the one location where density would be increased by 3 principal dwellings .

Property – 00-457-191

Options – change to site specific in R2 (R2(9))

- Within 200 m of shoreline and high archaeological potential.
- Limit dwellings to current permissions

Property – 026-826-399

Option - Site-specific Agricultural zone maintaining existing density (A(16))

- Within Komas Bluff DPA and 200m from natural boundary form the sea; additional density inappropriate
- Limit dwellings to what is currently permitted.

See Map in Appendix 4 for locations of properties.

Alternatives

- **Rezone all RE properties to conform with R2 zoning.** This will permit 4 units on 001-012-401 and 2 units on 00-457-191.
- **Rezone all RE properties to conform to R2 on the westside of the Island.** 00-457-191 would be permitted to have 2 primary dwellings and 001-012-401 would be permitted to have 4. 026-826-399 would remain the only RE zone and be limited to 1 principal unit and one secondary suite.
- **Maintain existing density on RE properties** but revise zone to reflect existing use and values (eg. Residential and restoration as opposed to resource use)

³ Water mapping data and methodology can be proved to the LTC by the Senior Freshwater Specialist upon request.

3.3.1. 3 Proposed Changed to Institutional Zone

Existing Context

- One subject property is 1.16 ha and currently zoned Institutional (IN); it is located in the Village Area.
- The site functions as a works yard, with a lease in place for approximately 13 more years.
- No land use designations currently support residential use or long-term affordable housing on this parcel.

Proposed Changes (Current Application)

- The application proposes subdivision to create a 0.3 ha lot for transfer to the Denman Community Housing Society (DCHS) for affordable housing.
- The 0.8 ha remainder parcel would retain its IN zoning and continue as a works yard for the duration of the lease.

The following options for LTC consideration is the result of an existing application.

Future Opportunity

- The landowner has expressed preliminary interest in supporting additional affordable housing on the remainder parcel once the lease expires.
- While no formal application has been submitted for the 0.8ha remainder parcel, an option exists to redesignate the remainder parcel in the OCP from Institutional to Residential now to reflect its long-term intended use.
- Such redesignation would not trigger immediate rezoning, but would provide policy clarity and reduce future amendment requirements.

LTC Considerations

- Redesignating the remainder parcel now could support the Housing Review Project's goals by enabling long-term affordable housing capacity.
- Early OCP redesignation may streamline future LUB amendments once the land becomes available for redevelopment.
- Commitment from the landowner to maintain the existing non-expansionary works-yard use during the lease term may help ensure compatibility with current land-use objectives.

Option (not yet recommended)

Redesignate the 0.8 ha remainder parcel in the OCP from Institutional to Residential to reflect its long-term intended use for affordable housing. This would not trigger immediate rezoning or redevelopment but would provide clearer policy direction and support future planning when the works-yard lease expires. This approach aligns with Housing Review Project goals by proactively enabling future affordable housing capacity and simplifying later LUB amendments. While

identified as an option, staff feel like additional analysis is necessary before it would be recommended.

Alternatives

1. **Proceed with only the current subdivision and zoning framework:**

Keep the remainder parcel designated Institutional and address any future affordable housing proposal through a separate OCP/LUB amendment once the lease expires or the LTC receives a formal application.

2. **Require a comprehensive future application:**

Defer any redesignation considerations until the landowner submits a formal proposal following lease expiry.

4. Secondary Dwelling Units

For the purposes of this discussion all secondary dwelling units are being considered a part of base density as they contribute to the draw on the Islands resources and services. How secondary dwelling units are addressed has been a topic of community conversation for decades on Denman Island and has raised a large degree of interest and concern throughout this project. The following options are discussed below:

- Revised definitions
- Removing TUP requirement for detached secondary units;
- Permitting detached secondary units or secondary suites in some areas;
- Permitting secondary suites on suitable R1 lots (creating new R1(8);
- Increase suite size to 50% of the principal dwelling while limiting suites to existing building envelope with combined floor areas (see section 7.2 for recommended maximum).
- Accessory residential units in service zone

4.1 Revise Definitions

In order to provided clarity related to secondary dwelling units (detached and attached) new definitions are proposed. These definitions are intended to be introduced to LTCs across the Islands Trust are to encourage consistency within the Islands Trust as well as with Provincial and Federal definitions.

Existing Denman Land Use Bylaw Definitions

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;

secondary dwelling unit means a dwelling unit, which may be a moveable housing unit, that is accessory to a permitted principal dwelling unit and which is limited in floor area.

secondary suite means an accessory, self-contained dwelling unit, located within a building that is a single real estate entity which otherwise contains a single-family dwelling, and having a lesser floor area than the principal dwelling unit;

Proposed Definitions

Secondary Dwelling Unit (SDU) is a self-contained home with its own kitchen, bathroom, and sleeping area, located on the same lot as the main house.

Secondary Suite is a secondary dwelling unit located within or attached to the main house up to a maximum of 50% of the floor area of the principal dwelling

Detached Secondary Dwelling Unit (DSDU) is a secondary dwelling unit that is not attached to the primary dwelling unit and can include cabins, cottages, modular dwelling, homes on wheels and other forms of housing.

Accessory Residential Unit (ARU) is a dwelling unit (detached or within another building) on the same lot as a non-residential principal use.

Staff note that Provincial, Federal and other local governments tend to use the terms “accessory dwelling unit” and “secondary dwelling unit” interchangeably and secondary suites as well as detached secondary units are considered “accessory dwelling units”. Staff are proposing the use of “secondary dwelling unit” over “accessory dwelling unit” as it is more colloquial and a closer match to existing definitions.

4.2 Remove Requirement for TUP for Detached Secondary Dwelling Units

Removing the requirement for the TUPs for detached secondary units was identified as a key interest in the 2023 Housing Review Recommendations Report as well as in the HAPC report. For this reason, the LTC supported a minor project to expedite this approach. In the absence of other policy measures, the community was not supportive. As a result the remove of the TUP requirement for detached secondary dwelling units was integrated back into the major project.

Existing Policy/Regulation

- One detached secondary dwelling is permitted in the R2, RE and F zones with a Temporary Use Permit (TUP)
- One detached secondary dwelling is permitted in the A zone outright.

Recommended Option

Remove the TUP requirement for DSDUs and establish clear direction on DSDU outright permissions (see “Secondary Suite or DSDU” section).

LTC Considerations:

- TUPs for permanent dwellings is not an effective approach to supporting housing objectives
- Removal of TUP requirement while limiting DSDUs through other policy mechanisms can provide housing flexibility while limiting impact to the environment and cultural heritage interests.

Alternative Options

- Remove TUPs without limits on DSDUs
- Remove TUPs and limit DSDUs to areas beyond the 200m boundary from the shoreline.
- Remove TUPs and allow DSDUs outright only in some zones (e.g. F only)
- Continue to require TUPs for DSDUs

4.3 Permit Secondary Suites in all Principal Dwelling Units in R2

There has been interest expressed on Denman Island and across the Trust Area to increase flexibility of use within existing dwelling structure. The proposed option for secondary suites in this section, and the one below, is to support flexibility that facilitates privacy between two households within the existing building footprint.

Existing Policy

- The land use bylaw permits only one secondary suite per lot in R2.

Proposed Option

- Permit one secondary suite per principal dwelling on lots >4ha (on lots <4ha one secondary suite or DSDU is proposed - see 4.4 for details).
- Secondary suites must be contained within the footprint of the existing house (DVP for variations).

Alternatives

- Identify alternative number of secondary suites permitted on R2 lots (if less than one per principal dwelling)
- Permit one secondary suite or detached secondary unit per principal dwelling on all R2 lots
- Permit secondary suites in R1 zones

4.4 Permit One Secondary Dwelling (Detached or Suite (attached))

Permitting one secondary unit which could be either a secondary suite or a detached secondary unit on lots in R2 which area currently permitted only one principal dwelling unit and one secondary suite (R2<4 hectares) increases flexibility for property owners with limited impact (no increase in number of secondary dwellings). In some cases, this may address the tradition Denman Island “work around” – the “breezeway”.

Allowing secondary suite or DSDU provides an additional level of flexibility to address instances where a separate small unit for a caregiver, a family member or caretaker is required. It also recognizes that there are examples where a mobile or modular unit can be more cost effective than a secondary suite. The LTC is cautioned that in order to limit impact to the land, the DSDU should function like a secondary suite (close proximity to principal dwelling and hooked up to same septic and well).

Current Policy

- One secondary suite is permitted in R2, A, F, and RE zones.
- DSDUs are permitted in R2, RE, and F with a TUP, and in A outright.
- LUB identifies buildings within 4 metres and connected by a covered walkway to be one building, resulting in some “breezeway” units.

Proposed Option

- Permit one secondary dwelling unit (detached or suite) per principal dwelling on:
 - o R2 lots less than 4 hectares in size
 - o F lots and RE (if RE is maintained)
 - o R1(8) (see following section)
- Secondary suites must be contained within the footprint of the existing house (DVP for variations)
- Maximum combined floor area of principal and secondary dwelling units 232m² (note that maximum house size including secondary suite is 186m² for CoHo) for new homes.
- Maximum size of DSDU where there is an existing home is 93m² (1000f²)
- DSDUs must be located no more than 60 metres away from the principal residence with shared well and septic (as per existing LUB to limit development impact).

Additional Considerations:

- Include secondary units (secondary suites and DSDUs) in base density calculation.
- Additional units could be achieved through density bonuses (see next section in report).
- House size can be increased through development variance permit
- In general there was strong public support for expanding secondary dwelling permission balanced with appropriate servicing and environmental protection.

Note: Multiple detached dwellings on one property require a community water system (per Island Health)⁴.

Alternatives

- Permit one secondary suite and one DSDU (=2 secondary units) on R2 lots < 4 hectares .
- Permit one secondary suite or one DSDU per principal dwelling on all lots where secondary suites are currently permitted (R2, F, RE)
- No floor area maximum or different floor area maximum
- No DSDU permitted where maximum combined floor area is already exceeded.
- No DSDU permitted in areas identified by the Denman Island Land Conservancy as being sensitive.
- No DSDU in areas of know or potential archeological sites.
- Permit all detached secondary dwellings units only through density bonus (see section 5. Density Transfer and Density Bonus).
- Do not require, or change, distance from principal dwelling requirement.

4.5 Permit Secondary Units on Suitable R1 Lots

The establishment of the residential designation (R1 Zone) appears to have supported what may have existed previous to zoning being implemented on the Island. The majority of the R1 is within the 200m buffer from the shoreline with a number of properties being within areas of know and potential archeological sites. The majority of these properties are not suitable for additional residential development. As well, it is likely that further development in this area will require detailed archeological study given the high prevalence of known and potential archeological sites.

There is only one cluster of R1 (identified on the map in Attachment 4 as R1(8)) that appears to be suitable for additional density based on distance from known and potential archeological sites, proximity to downtown Denman, availability of ground water (ground water data available upon request by the LTC) and potential impact to the environment.

Existing Policy

Properties in the residential designation (R1 Zone) are not currently permitted to have secondary dwelling units.

Recommended Options:

Extend permission for secondary dwelling units to areas identified as R1(8) on map in Attachment 4. There are 15 R1 lots in this location.

⁴ Premises that are equipped with their own private water supply should have a written potable water management plan (including treatment of water where required). Samples of the water should be tested at a government or accredited laboratory at a frequency deemed necessary by the regulatory authority. Test results for drinking water in most jurisdictions must meet or exceed the minimum health requirements as prescribed in the current publication of the Guidelines for Canadian Drinking Water Quality, published by Health Canada

LTC Considerations:

- The housing APC supported additional dwelling density close to Downtown Denman.

Alternatives

- Permit secondary units on all R1 lots.
- Expand R1(8) beyond staff recommendation.
- Do not expand permissions for secondary dwelling units in R1.

4.6 Accessory Residential Units (ARU)

At a previous LTC meeting, the LTC approved the option of permitting dwelling in the institutional zone.

Existing Policy: Dwelling units are not permitted in the institutional zone. They are permitted in the commercial and light industrial zones.

Recommendation – Permit dwelling units in the institutional zone. This will open up the opportunity for service providers outside the Islands (e.g. school board) to provide housing as well as service providers on the Island (e.g. fire hall) to consider housing if funding opportunities emerge to support rebuilding or revitalization of buildings. LTC to confirm locations.

Alternatives

- Expand dwelling permission to institutional, conservation and park zones
- Expand dwelling permission to institutional and park
- Do not expand dwelling permission to institutional

5. Density Bonus for Community Benefit

This concept is being explored by staff as a potential mechanism to encourage additional community benefits, such as affordable housing, environmental restoration, or other amenities. This section proposes options for introducing density bonusing as a means to acquiring additional density on a lot (without rezoning) while supporting the island's housing objectives.

Existing Policy

- Denman Island does not currently have a formal density bonus policy. However, there is nothing prohibiting density bonus through rezoning.
- Denman does have density transfer policies. Densities are transferred from land designated for protection (e.g., conservation or park purposes) to land intended for affordable or special-needs housing.

Provincial Policy

- Density bonus is authorized under section 482 of the Local Government Act.
- Density bonus policies enable a local government to grant additional density beyond the base zoning (base density) in exchange for community benefits such as affordable housing and conservation or protection of land.
- While density bonus through rezoning is an option, a clear framework for density bonus, particularly as an outright permission, does not exist in Denman bylaws.

Recommended Option

A density bonus approach, as an outright opportunity in zoning (not requiring rezoning for additional unit), be introduced and tied directly to the key values identified through this project: Diverse Community, Environmental Protection and Respecting First Nation's Interests.

- There are examples of how a density bonus approach through rezoning has been used in the Islands Trust Area.
- Density bonus as an outright permission has not yet been implemented in the Islands Trust Area.

Zoning bylaw provisions could allow bonus density of one unit outright (without needing to go through rezoning) where a landowner provides one or more of the following:

- **Affordable Housing:** Construction or transfer of units/land to a non-profit, government, or First Nation, secured by a housing agreement. This could come in the form of donation of land for subdivision or for longterm lease (eg. 100 year). At the May 20th meeting the LTC requested staff identify options for transferring the administration of Housing Agreements to a non-profit. If there is a viable option this may open up the possibility for another approach to providing bonus density for affordable housing.
- **Land Conservation:** Registration of a conservation covenant under Section 219 of the *Land Title Act* to protect ecologically or culturally sensitive areas. Land would need to be of interest to the Denman Land Conservancy or the Islands Trust Land Conservancy.
- **Donation of Land to First Nations:** Transfer or donation of land for cultural, conservation, or community purposes, supporting relationship building and cultural site protection. K'omoks Nation and other First Nations that may have interest in the land would have to be engaged and see value in the donation.

Benefits

- Creates a transparent mechanism linking development to community objectives.
- Would provide opportunity for property owners to have an additional unit having to go through a rezoning process.
- Provides flexibility to address housing, conservation, and reconciliation goals.

- Incentivizes conservation and community benefit while directing growth to appropriate areas.
- Provides a potential pathway to compliance for existing non compliant dwellings
- Strengthens relationships with First Nations.

Alternatives

- Allow more than one unit outright through density bonus (need to determine criteria that would enable multiple units).
 - Only allow density bonus through for one of the identified options (eg. Only for environmental protection)
 - Only allow density bonus only through rezoning
-

6. Rezoning Flexibility

The options introduced in this section focus on increasing rezoning flexibility to support multiple dwelling units on a property. It also identified an area on the Island, based on a number of criteria, where the LTC could consider pre-zoning/proactively zoning for multiple units within a combined maximum floor area (flexible housing). The intent is to support attainable and affordable housing, land sharing, and clustered development while maintaining environmental protection, cultural heritage protection and alignment with groundwater opportunities and limitations.

6.1 Increasing Rezoning Flexibility

Current Policy

The OCP supports rezoning for seniors and affordable housing and encourages clustering.

Recommended Options

Increased flexibility is needed to accommodate a wider range of housing types, including below-market options not captured by current bylaw language (eg. Attainable housing, moderate income, non-market rental). Staff are recommending different approaches for rezoning for 4 or more units and 4 units and below.

1. Rezoning for 4+ Units Permit:

- **Cluster Housing:** - A development form in which several smaller detached or semi-detached dwellings are grouped on a single lot, often sharing common open space and infrastructure. Housing agreements required and floor area limits recommended

- **Small Unit Clustered Housing:** Similar to cluster housing, but focused on small or mobile units (e.g., tiny homes, manufactured homes) with shared facilities. Housing agreements required and floor area limits recommended.

2. Rezoning Under 4 Units

- **Flexible Housing:** Allow rezoning for multiple additional dwelling units within a maximum combined floor area, based on lot size. Would not require housing agreements.
- **Density Bonus:** Allow additional density if specific criteria are met, e.g., conservation covenant registration, affordable housing contributions, or land donation to First Nations (as discussed previously).

Rezoning Evaluation Criteria:

In addition to existing OCP criteria (e.g., water and sewage), additional criteria based on data and mapping staff have access to should be integrated in the evaluation of rezoning applications as well as sitting and use permits and the consideration of any LTC lead rezoning. This includes:

- Sensitive ecosystems and species at risk
- Dominant tree age
- Groundwater recharge potential and watershed resiliency
- Saltwater intrusion risk and slope stability
- Cultural heritage values
- Proximity to Downtown Denman
- Areas identified as sensitive by the Denman Island Land Conservancy
- Location with respect to 200m r from the natural boundary to the sea

Alternatives

- Limit required evaluation criteria.
- Only allow rezoning for affordable housing with a housing agreement.
- Only allow rezoning for affordable housing with a housing agreement and identify specific areas where rezoning for multiple units is permitted

6.2 Flexible Housing Zone

As identified above, the LTC can support updates to OCP policies to allow multiple additional dwelling units (without a housing agreement) within a maximum combined floor area for all units (flexible housing zoning). The LTC can choose to proactively rezone properties that appear to be most suitable for this approach. No properties have been identified at this time.

Existing Policy

- Rezoning for multiple dwellings is only permitted for seniors and affordable housing.

- Denman bylaws already permits multiple dwellings on properties in R1 over 2h and properties in R2 over 4 h (see Base Density section).

Proposed Option

- Include language in draft bylaws to support flexible housing zoning
- Consider creating a flexible housing zone at a later date. The time and analysis needed to identify a location for flexible housing zoning at this time may take time away from drafting bylaws for priority items in this project.

Proposed Maximum Floor Area:

As the intention of flexible housing zoning is to support the development of smaller more affordable units, the increases per size of lot are limited to ~1000 ft² per unit if one considers 2500 as the base maximum for the primary unit (or for the combination of primary unit + secondary unit in R2+ as previously discussed). The total can also be distributed between the total dwellings in different ways.

Table 2 : Proposed maximum combined floor areas

Lot Size	# of Units	Max Combined Floor Area	Comments
<1.0 ha	2	233m ² /~ 2500 ft ²	Same as what has been suggested for secondary units in R1+ = what is proposed as max house size in next section
1.0 -2.0 ha	3	325m ² / 3500 ft ²	2500ft ² base + 1000ft ²
2.0 – 5.0 ha	4	418m ² / 4500 ft ²	2500ft ² base + 2000ft ²
5.0 Ha +	5	511m ² / 5500ft ²	2500ft ² base + 3000ft ²

Additional Considerations:

- The regulations supporting flexible housing zoning can include additional criteria such as clustering or road proximity.
- Properties that appear to have some suitable areas for additional development and other areas that are not as suitable could be split zoned with flexible housing zoning.

Alternative Options:

- Do not include policy in the OCP to support flexible housing zoning
- Request staff identify suitable areas for the LTC to proactively zone for flexible housing.

7. Lot Coverage and Floor Area

Alternative to existing lot coverage as well as floor area maximums were introduced to the Denman community for discussion during the July and September 2025 engagement sessions .

7.1 Lot Coverage

Lot coverage refers to the percentage of a lot's total area that is covered by buildings (the space buildings occupy on the ground).

Existing Policy

- Maximum lot coverage on residential lots is currently set at 25% for R1 and R2 lots and 10% on R4 lots.

Recommendation

The following is based on a review of lot coverage across the Islands Trust Area.

Table X : Proposed Revised Lot Coverage for Denman Island

Lot Size	Lot Coverage	Max Footprint	Approx. House Size (GFA, 2 Storeys)
< 0.6 ha (1.5 acres)	15%	900 m ²	1,800 m ² (19,
1.2 ha (3acres)	10%	1200 m ²	2400m ² (25,833ft ²)
5 ha (12.35 acres)	5%	2500 m ²	5,000 m ² (53,820 ft ²)
10ha (24.70 acres)	5%	5000 m ²	10,000m ² (107,639ft ²)
10ha+	5%	TBD based on size	

Alternatives

Maximum Flexibility – Maintain lot coverage as is (25%)

Medium Flexibility – Increase lot coverage beyond what is proposed but still under 25%

Minimum Flexibility – Increase lot coverage even more than medium flexibility

7.2 Floor Area Recommendations

Floor area refers to the total habitable interior space of all dwelling units on a lot, measured to the exterior face of exterior walls, including primary dwelling(s), secondary suites and additional units where permitted under zoning, but excluding accessory buildings (such as detached garages or sheds not used for habitation)

Existing Policy

- There are no explicit maximum floor area restrictions for homes.

Recommended Options

- Fixed maximum for principal dwelling on all lots (e.g. 250m²/2,690 ft²)
- On a 0.5-acre lot, this corresponds to about 6% lot coverage, reinforcing the importance of footprint limits
- Variances may be granted on a case-by-case basis, subject to review and approval by the LTC.

Alternatives

- Maintain as is with no limit on dwelling size
- Increase permitted dwelling size.
- Floor area limits could vary by zoning or property size (e.g., smaller homes on smaller lots)
- Decrease minimum dwelling size.
- Decrease minimum dwelling size on smaller lots (if this option is chosen, flex housing and combined floor areas for R1(8) should also be revised)

8. Development Permit Area for Environmental and Heritage Protection

The creation of a development permit area for environment protection could be considered as a means of ensuring evaluation of septic and other impacts in the absence of building permit requirements.

Development permit area or heritage conservation area could be considered as a means of supporting the K'omoks interests in having the ability to review development proposals with a focus on impact to archeological sites. The DPA or Heritage Conservation Area (HCA) could encompass the whole island or focus on specific areas (eg. 200m from natural boundary of the sea). If an HCA was to be considered, staff would work with draft guidelines being developed in the context of the Komasa Ranch rezoning application.

Staff requires LTC support before proceeding with this action as part of the Housing Review Project.

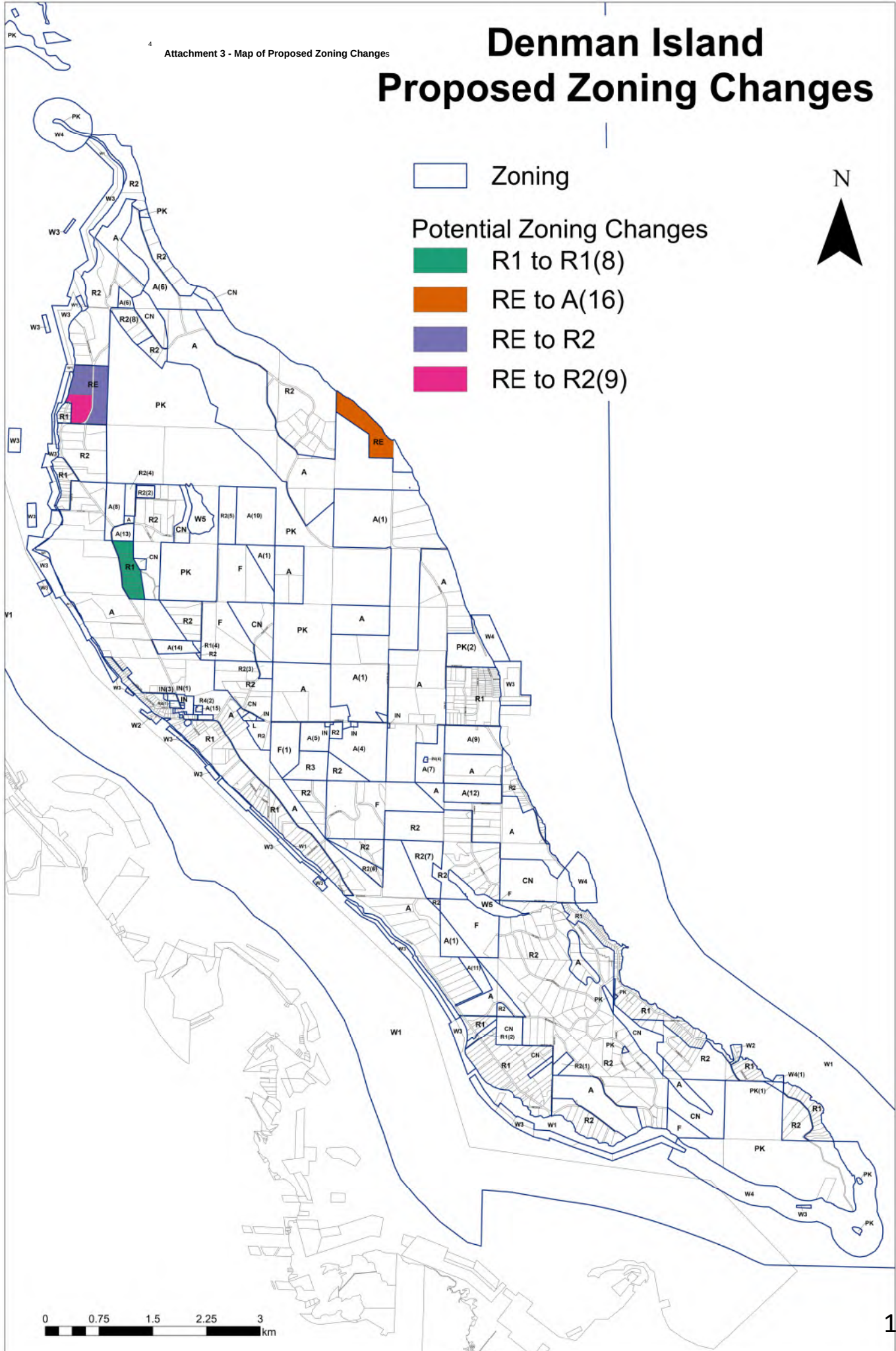
9. Other Considerations

- **Options provided focus on supporting health, stable and legal housing** – staff recognize that these options may not facilitate the ability for all existing non compliant housing to become legal. However, it may provide a path to compliance for some.
- **Legalizing all non compliant dwelling was not a focus** – the LTC decided early in the process that an inventory and creation of a process to bring all non compliant dwelling into compliance would not be part of this project at this time. This could be a next step.

- **All of the options identified above only apply to 30% of the land base** - The majority of the Denman Island is in the Agricultural Land Reserve. At a previous LTC meeting, the LTC approved bylaw language related to the supporting applications for exemption from the Agricultural Land Reserve for affordable housing. The approval of exemptions for the ALR are limited.
- **Intensive agriculture should be removed from R2 zones** – While not directly related to housing, intensive agriculture impacts housing from a water use perspective. Given the amount of agricultural land reserve on Denman, intensive agriculture in R2 is not necessary to support the use on the island .
- **If Housing is Permitted it Doesn't Guarantee it Will be Built** -One of the key concerns that was raised in the context of removing the requirement for TUPs for detached secondary units was that it could lead to a proliferation of secondary dwelling units. This is also a concern for creating flexibility to support different forms of multiple dwelling arrangements. There are a number of factors that suggest that the increase in units would be very slow over time. These factors include:
 - Existing build rates – The rate of legal building on Denman Island can be measured by the number of siting and use permits. There are ~10 siting and use permits for dwellings a year (this point needs to be verified).
 - The cost of housing – It is expensive to built and even to own a tiny home on wheels. One Denman resident provided staff with cost estimates for the modular housing (the most cost effective type of housing) identifying the cost of there home to be \$314/sq ft after factoring in septic, transportation, site work etc (quote form a few years ago).
 - Limited opportunities for funding for housing – there are limited opportunities for funding housing.
- **There are a number of rezoning applications related to housing in process** - Over the course of this project, the LTC has received multiple rezoning proposals related to affordable and attainable housing. These applications are being evaluated by staff using the same objectives and criteria outlined in this report. Their cumulative impacts should be considered within the broader context of community planning and housing capacity. Current and recent applications include:
 - **Coho** – A rezoning application proposing to increase the permitted density on the subject property by four additional units and to allow secondary suites in all dwellings. The current zoning permits 15 dwelling units; the applicant is seeking approval for 19 units plus up to 19 secondary suites.

- **TUP Project** – the LTC determined should not proceed further.
- **Works Yard (DCHS)** – A rezoning application from the Denman Community Housing Society proposing eight rent-controlled, affordable housing units near Denman Village.
- **Komas Ranch** – A rezoning request where no increase in density is proposed.

Denman Island Proposed Zoning Changes



ATTACHMENT 4 – Base Density Comparison between current and proposed (note that #s may not be 100% accurate)

Current Table

Zone (Includes variance)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Principal Dwellings	Total Potential Secondary Suites	Total Potential Detached Secondary Dwelling Units	Total Potential Dwellings without TUP
A	127	16	144	26	170	183	168	168	519
C	10	0	10	0	10	10	0	0	10
F	7	4	11	0	11	11	11	11 (w/ TUP)	22
L	1	0	1	0	1	1	0	0	1
R1	403	28	431	64	495	498	2	1	501
R2	233	25	257	61	318	323	318	318 (w/ TUP)	641
R3	1	0	1	0	1	15	0	0	15
R4	1	1	0	0	1	28	0	0	28
RE	6	0	6	0	6	6	6	6 (w/ TUP)	12
TOTAL	789	74	861	151	1013	1075	505	504	1749

Table with proposed changes (shading identifies impacts base on proposed options)

Zone (Includes variance)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Principal Dwellings	Total Potential Secondary Suites	Total Potential Detached Secondary Dwelling Units *	Total Potential Dwellings
A	127	16	144	0	144	183	168	168	519
C	10	0	10	0	10	10	0	0	10
F	7	4	11	0	11	11	11	(11)	22
L	1	0	1	0	1	1	0	0	1
R1	403	28	431	0	431	471	15	0	486
R2	233	25	257	0	263	308	308	(160)	616
R3	1	0	1	0	1	15	0	0	15
R4	1	1	0	0	0	28	0	0	28
RE (removed - added to R2)	6	0	6	0	6	6	6	6 (w/ TUP)	12
TOTAL	789	74	855	0	855	1027	502		1697

*Numbers in brackets indicates option of detached secondary unit is some areas or secondary suite. Number in bracket is not included in total as it is captured in the “potential secondary suite” value.

Attachment 5 – Density Options Discussion Paper Draft Policy Language

The numbers below correspond with the numbers in the discussion report. Note that some of the draft language is in very draft form and will be working on in more detail ones the LTC has identified their focus.

2. Denman Island Housing Goal and Objectives

Guiding Objective:

To support a diversity of dwelling types and tenures while protecting the natural environment, rural character, community resilience and respecting First Nations' interests.

Objective 1 ~~To ensure housing options preserve human diversity in the community.~~

To ensure that housing options support and preserve community diversity, including a range of ages, incomes, and vocations, in support of an inclusive, resilient island community.

Objective 2 ~~To ensure that housing options are sensitive to ground water availability and sewage disposal capability, guard against contamination of ground water and preserve the rural nature of Denman Island.~~

To ensure that housing options are carefully aligned with groundwater availability and sewage disposal capacity, protect groundwater quality, and maintain the island's rural character and environmental integrity.

Objective 3 ~~To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types.~~

To respect First Nations interests including limiting the impact of residential development to sites of Indigenous cultural significance.

Objective 4 ~~To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their homes~~

To encourage and support the development of not for profit housing and opportunities for seniors to age in place.

3. Density Bank, Subdivision and Base Density

3.1 Density Bank

Density Bank – OCP Policies

The following draft policies were presented to the LTC when the removal of the Density Bank was proposed as a minor project:

Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “A” is amended as follows:

- Table of Contents is amended by deleting “Appendix D Density Banking” in its entirety.

Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “B” is amended as follows:

- SCHEDULE B – PERMITS AND PLAN ADMINISTRATION, CONTENTS is amended by deleting “Appendix D Density Banking” in its entirety.
- APPENDICES, CONTENTS is amended by deleting “Appendix D Density Banking” in its entirety.
- APPENDIX D DENSITY BANKING deleted in its entirety.

Additional related amendments:

Removal of Policy 11:

Policy 11 — ~~The overall residential density on Denman Island should generally not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 29 of this Section. Notwithstanding the foregoing, secondary suites contained within the footprint of conforming dwelling units are not deemed to contribute to density calculations for the purposes of this policy.~~

3.2 Subdivision –

Existing Policy:

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

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

Policy 2 In the Rural designation, the size of new lots created by subdivision may not be less than 2.0 hectares and the average lot size created by subdivision may not be less than 4.0 hectares. In areas where the existing parcel size may have negative impacts on the natural environment, the Local Trust Committee should consider increasing the minimum parcel size and the minimum for the average parcel size in the zoning regulations.

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.

Policy 4 In the Agriculture designation and in the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the purpose of allowing multi-family affordable housing subject to Agricultural Land Commission approval.

INFORMATION NOTE: Subdivision of land in the Agricultural Land Reserve requires the prior approval of the Agricultural Land Commission. Policy 5 In the Agriculture designation and in the Sustainable Resource designation, the lot size averaging provision should not be used.

Policy 6 In the Sustainable Resource designation, parcel sizes should be regulated in such a way as to encourage and enhance the sustainable resource capability of the land.

Policy 7 When developing subdivision regulations for lots adjacent to or encompassing a watercourse, the Local Trust Committee should consider potential negative impact on the watercourse.

Policy 8 In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following.

OCP Policy Option:

Limited Subdivision with Exceptions for Community Benefit

Note:

- Changes to LUB are not included below. These changes will be made after policy direction is endorsed by the LTC.
- Evaluation criteria that could replace minimum lot size is not included. It will be provided following LTC enforcement of policy direction .

- Internal review of policy language is in process. This may result in some changes in the language in the draft bylaw which will be clearly identified by staff at the time.

Subdivision

Further subdivision of land is not supported, unless it results in a clearly defined community benefit in the form of:

- a) permanently affordable housing secured by covenant or housing agreement;
- b) conservation of ecologically sensitive lands through dedication or covenant;
- c) development led by or in partnership with First Nations governments; or
- d) servicing a community need

Subdivision for Specific Community Purposes

Policies in this category support limited, purposeful subdivision:

a) Affordable or Non-Profit Housing

- Subdivision may be considered where it facilitates non-profit, cooperative, or Indigenous housing projects.
- Must be aligned with housing needs assessment and secured via housing agreement.

b) Conservation or Ecological Restoration

- Subdivision may be supported where it results in net conservation benefit, e.g., covenant-secured protection of sensitive areas.
- Cluster development or density transfer may be encouraged to avoid fragmentation.

c) First Nations-Led Development

- Subdivision proposals initiated by or in partnership with First Nations may be supported to enable cultural, residential, or economic uses in alignment with reconciliation goals and ecosystem protection.

d) Servicing a Community Need

- Subdivision proposals that address a specific community need may be considered.

Related changed to existing OCP Policy

Policy 1 ~~In the Residential designation, the size of new lots created by subdivision may not be less than 1.0 hectare. In the residential designation, the size of new lots created by subdivision should consider In areas where the subdivision potential of the existing parcel may have negative impacts on the natural environment, cultural heritage, groundwater availability and access to amenities. the Local Trust~~

Committee should consider increasing the minimum parcel size in the zoning regulations:

- Policy 2** In the Rural designation the size of new lots created by subdivision should consider impacts on the natural environment, cultural heritage, groundwater availability and access to amenities ~~the size of new lots created by subdivision may not be less than 2.0 hectares and the average lot size created by subdivision may not be less than 4.0 hectares. In areas where the existing parcel size may have negative impacts on the natural environment, the Local Trust Committee should consider increasing the minimum parcel size and the minimum for the average parcel size in the zoning regulations:~~
- Policy 3** Consideration may be given to applications to reduce minimum and minimum average lot areas from not-for-profit organizations, government agencies, or First Nations intending to provide affordable housing.

3.3 Base Density Proposed Changes

OCP Policy Options

3.3.1.1 Rural Residential (R2) Limitations

- Policy 10 In the rural designation zoning regulations should generally permit one dwelling unit **and one secondary unit** per 4.0 hectares, **to a maximum of 4** including a secondary suite, provided that the land owner provides the Local Trust Committee with proof of adequate water supply for each dwelling unit without endangering the water supply of adjacent land owners. ~~A secondary dwelling unit may be permitted on a lot if approved by a Temporary Use Permit.~~

Land Use Policy Options

Density

- 1) One (1) dwelling is permitted per 4.0 hectares of lot area **to a maximum of 4.**
- 2) Despite 3.2.3, on a lot less than 4.0 hectare in area, one (1) **principle** dwelling unit **and one secondary dwelling unit** is permitted.
- 3) **.Secondary suites must be contained in principle unit and not alter existing building footprint at the time of building**
- 4) **Detached secondary units shall not be located more than 60 metres away from the principle residence and share well and septic**
- 5) The maximum lot coverage for buildings and structures is **25%.**
- 6) ~~One secondary suite is permitted per lot.~~
- 7) ~~One secondary dwelling unit is permitted per lot.~~

Size

Commented [NC1]: Note that "secondary dwelling unit" refers to secondary suite or detached secondary dwelling

Commented [NC2]: Discussed in 7.2

1) Maximum combined floor are of 232m² (~2500ft²)

3.3.1.2 Changes ‘Resource’ (RE) to ‘Rural Residential’ (R2)

OCP Policy Options

- Removal of Sustainable Resource designation. All lots currently designated SR, excluding XXX , become R2, XXX is designated Agricultural.

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, and the size of new lots for agricultural and other uses that are created by subdivision may not be less than 15 hectares.~~

Commented [NC3]: Staff recommendation is that Sustainable Resource designation be removed and changed to “Rural”. If no change was made Policy 3 would only apply to one lot currently in the sustainable resource designation

Policy 4 ~~In the Sustainable Resource designation, the lot size averaging provision should not be used.~~

Policy 5 ~~In the Sustainable Resource designation, parcel sizes should be regulated in such a way as to encourage and enhance the sustainable resource capability of the land.~~

Land Use Bylaw Options

- Removal of RE zone

Site Specific Zoning in R2

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
R2(9)		Despite XX only one primary dwelling and one secondary dwellings is permitted.

Site Specific Zoning in A

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
A(16)		Despite XX only one primary dwelling and one secondary dwellings is permitted .

4. Secondary Dwelling Units

4.1 Revised Definitions

Secondary Dwelling Unit (SDU) is a self-contained home with its own kitchen, bathroom, and sleeping area, located on the same lot as the main house.

Secondary Suite is a secondary dwelling unit located within or attached to the main house up to a maximum of 50% of the floor area of the principal dwelling

Detached Secondary Dwelling Unit (DSDU) is a secondary dwelling unit that is not attached to the primary dwelling unit and can include cabins, modular dwelling, homes on wheels and other forms of housing.

Accessory Residential Unit (ARU) is a dwelling unit (detached or within another building) on the same lot as a non-residential principal use.

4.2 Removal of TUP Requirement for Detached Dwellings

Land Use Bylaw Amendments:

These amendments were previously presented to the LTC as part of a minor project focussing on removal of TUP requirement.

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

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

Secondary suites are generally permitted within a principal dwelling within these zoning designations.
 - 1.2 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 6 is amended by deleting "by a Temporary Use Permit".
 - 1.3 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 6 b) is amended by deleting the words "unless otherwise approved by the Local Trust Committee as a condition of the

permit” after residence.

- 1.4 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 6 d) is amended by deleting the words “unless otherwise approved by the Local Trust Committee as a condition of the permit” after gallons.
- 1.5 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 1 – Permitted Uses – Accessory Uses is amended by deleting the following asterisk in number 10: “Secondary dwelling units must be approved through a Temporary Use Permit”.
- 1.6 Part 3 – ZONE REGULATIONS, Section 3.4 Resource Zoning Tables – Table 1 – Permitted Uses – is amended by deleting the following words in item 14 “(requires approval by a Temporary Use Permit)”.
- 1.7 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 3 – Density of Uses, Buildings and Structures is amended by adding the following after line 3 “maximum number of secondary dwelling units per lot”, placing the number “1” in the R2 column, placing “n/a” in all other columns, and renumbering accordingly.
- 1.8 Part 3 – ZONE REGULATIONS, Section 3.4 Resource Zoning Tables – Table 3 – Density of Uses, Buildings and Structures is amended by adding the following after line 3 “maximum number of secondary dwelling units per lot”, placing the number “1” in the A, F and RE columns, and renumbering accordingly.
- 1.9 Part 5 – TEMPORARY USE PERMITS, “Area 2”, is deleted in its entirety and is renumbered accordingly.

4.3 Permit One Secondary Dwelling Outright (Detached or Suite (attached))/ 4.4 Permit Secondary Units on Suitable R1 Lots

Section 2 – General Regulations, Section 2.1 Uses, Buildings, and Structures

4. Secondary dwelling units may be permitted, ~~subject to conditions, by Temporary Use Permit on lands zoned as “R2” (Rural Residential), “A” (Agriculture), “F” (Forestry) and “RE” (Resource) and in suitable “R1” (Residential) zones. Secondary suites are generally permitted within these zoning designations without the need for a Temporary Use Permit.~~
5. A secondary suite or detached secondary dwelling unit is permitted on in F, R2 lots under 4hectares and suitable R1 lots.

Commented [NC4]: “secondary dwelling unit” will refer to secondary suite and DSDU

6. A secondary suite is permitted per principle dwelling unit in R2 lots 4hectares and larger.

7 .A secondary suite is permitted within a dwelling unit provided that:

- a) Either the dwelling unit or secondary suite is occupied by the owner of the dwelling unit; or the dwelling unit or the secondary suite is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property;
- b) There is a maximum of one secondary ~~suite~~ dwelling permitted per ~~lot~~; principle dwelling;
- c) The secondary suite is contained within the walls of a permitted dwelling unit;
- ~~d) The secondary suite shall have an external access only which is separate from that of the principal dwelling;~~
- e) The floor area permitted for a secondary suite is no more than ~~40%~~ 50% of the floor area of the dwelling unit ~~to a maximum of 90 square metres;~~
- f) One off-street parking space is provided for the exclusive use of the secondary suite; and
- g) The secondary suite is not subdivided from the principal dwelling unit under the Land Title Act or the Strata Property Act

5. A detached secondary dwelling unit is permitted provided that:

- a) The floor area of the unit is not in excess of 93m² (1000f²);
- b) The unit is not located more than 60 metres from the principal residence unless otherwise approved by the Local Trust Committee ; and
- c) The unit is connected to the same septic and well/water system as the principle dwelling
- d) The unit Includes a rainwater catchment and storage system for a capacity of at least 1,000 gallons unless otherwise approved by the Local Trust Committee .

5. Density Bonus for Community Benefits

The Local Trust Committee supports the introduction of a density bonus approach as a means to advance key community values identified in this Plan, including fostering a diverse and inclusive community, protecting environmental integrity, and respecting and supporting First Nations' interests.

Zoning regulations may establish provisions that permit additional residential density where a landowner provides one or more of the following community benefits, secured through appropriate legal instruments:

- **Affordable Housing:** Construction, dedication, or transfer of dwelling units or land to a non-profit organization, government agency, or First Nation for affordable or special needs housing, secured by a housing agreement under Section 483 of the *Local Government Act*;
- **Land Conservation:** Registration of a conservation covenant under Section 219 of the *Land Title Act* to protect ecologically or culturally significant lands, wetlands, or habitat areas. The Local Trust Committee should consult with the **Denman Island Land Conservancy** and other relevant conservation organizations to identify appropriate areas for protection and long-term stewardship;
- **Contribution to First Nations Interests:** Transfer, donation, or protection of land for cultural, conservation, or community purposes in collaboration with First Nations, to support relationship building, cultural site protection, and shared stewardship.

Density bonuses should be applied in a transparent and equitable manner, linking increases in development potential directly to measurable community benefits. In considering proposals under this policy, the Local Trust Committee will ensure that:

- The proposed bonus density is appropriate to the location, scale, and servicing capacity of the lot;
- Environmental and community impacts are minimized and consistent with the objectives of this Plan; and
- Legal mechanisms are in place to secure the long-term provision and maintenance of the amenity.

This approach is intended to create a clear and flexible framework that supports affordable housing, environmental protection and relationship building with First Nations,

6.1 Increasing Rezoning Flexibility

Non-Profit Housing

- Policy 17 ~~The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing.~~
- Policy 18 ~~The Local Trust Committee should consider amendments to this Plan allowing the Committee to accept and hold for affordable housing purposes, in accordance with the guidelines in Appendix D, any unused residential densities that are relinquished by owners of lots with subdivision potential or available through land sold or given for conservation or park.~~

Commented [n5]: This has been moved to objectives section

Commented [n6]: This is related to the density bank

Policy 19 ~~The Local Trust Committee should review the policies in this section once the final report is available for the Hornby and Denman Island Housing Needs Assessment, with a view to determining whether further opportunities for affordable housing are needed and what form any such opportunities should take.~~

Commented [n7]: This is redundant.

Seniors Housing

Multi – Unit Rezoning

Commented [NC8]: The following includes language from OCP Policy 28.

Affordable, Seniors and Special Needs Housing

Background

Housing affordable to moderate and low income residents of Denman Island has become an increasing issue. This plan seeks to address housing issues through a variety of policies throughout the plan. In keeping with objectives for housing, the policies in this section address criteria related to applications to permit additional density or new uses to provide affordable housing.

Policies

The policies in this section are applicable to lands in any Land Use designation except Agriculture, Conservation/Recreation, Institutional except where otherwise stated.

- Consideration may be given to applications from not-for-profit organizations, government agencies, or First Nations to rezone land to a higher density where the additional density is restricted to housing for moderate and low income persons.
- Such applications shall:
 - a) be limited to a maximum of 10 additional units
 - b) demonstrate sufficient potable water and wastewater disposal capacity
 - c) not be located in areas containing sensitive ecosystems, or within 200m from the natural boundary to the sea;
 - e) minimize site impacts through attached or clustered units
 - f) be managed by a not-for-profit organization, First Nation body, or an agency and rents, prices, or tenure are secured through a housing agreement, and
 - g) be consistent with the amenity zoning or density transfer policies of this plan.
 - h) the proposal is not located in a connectivity area identified on Schedule D;

Commented [NC9]: An indication of available data will be included within the bylaw. Location TBD.

- Sensitive ecosystems and species at risk
- Dominant tree age
- Groundwater recharge potential and watershed resiliency
- Saltwater intrusion risk and slope stability
- Cultural heritage values
- Proximity to Downtown Denman
- Areas identified as sensitive by the Denman Island Land Conservancy

- i) the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties;
 - j) that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;
 - k) that the proposal is designated a development permit area to guide form and character; and
 - l) that the proposed development will not place a strain on existing public services and infrastructure
- Consideration may be given to applications to rezone land in any Land Use Designation in which residential uses are a permitted principal use to permit boarding homes for Special Needs residents or Seniors.
- Consideration may be given to applications in any Land Use Designation in which residential uses are a permitted principal use to rezone land for clustered, small unit housing where:
 - a) units consist of tiny homes, including tiny homes on wheels or manufactured homes
 - b) units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent
 - c) units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system
 - d) units shall not exceed a maximum floor area of 50m²
 - e) the total floor area of units shall not exceed any maximum dwelling floor area for that zone.
 - f) communal facilities are provided, such as laundry or common rooms
 - g) the development would not be located in areas containing sensitive ecosystems or of cultural or archaeological significance
- In addition, permit conditions for the residential use of tiny home on wheels or recreational vehicle shall include measures dealing with the following:
 - a) A tiny home on wheels or recreational vehicle shall be the equivalent of, and alternative to, a principle dwelling or secondary dwelling unit;
 - b) conditions to ensure that the tiny home on wheels or recreational vehicle is connected to a potable domestic water supply and an approved wastewater disposal system; c) conditions related to health and safety;

- d) The tiny home on wheels or recreational vehicle should not be sited in a sensitive ecosystem or hazardous area;
- e) A tiny home on wheels or recreational vehicle should not be sited in a setback;
- f) The tiny home on wheels or recreational vehicle shall be appropriately screened from roads and neighbours; MA-BL-196 6 of 6
- g) The permit should attach a plan requiring the tiny home on wheels or recreational vehicle to be sited in a specified location.”

x.x Small Unit Residential (SUR) (small unit cluster housing)

The purpose of the small unit residential zone is to provide regulations for clusters of small dwellings with shared services and amenities, including tiny home communities.

Permitted Uses

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

- (a) Residential;
- (b) Tiny Homes on Wheels;
- (b) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

- (2) A maximum of 10 Dwelling Units or Tiny Homes on Wheels is permitted per lot.
- (3) Maximum of one accessory office building and one accessory common building is permitted per lot.
- (4) One accessory building is permitted per Dwelling Unit or Tiny Home on Wheels.
- (5) The maximum lot coverage is 20%.

Siting and Size

- (6) The minimum setback for any building or structure, except a fence or pumphouse, shall be:
 - (a) 7.6 metres from any front or rear lot line;
 - (b) 3 metres from any interior side lot line;
 - (c) 4.5 metres from any exterior side lot line.
- (7) The maximum floor area of any Dwelling Unit or Tiny Home on Wheels is 50m²
- (8) The maximum combined floor area of all Dwelling units and Tiny Homes on Wheels per lot is:

(a) On lots having an area less than 0.6 ha (1.5 acres) hectares 232 m2 (2500 square feet).

(b) On lots having an area of 0.6 ha (1.5 acres) or greater, and not exceeding 1.2 hectares (3 acres), 325 m2 (3500 square feet).

(c) On lots having an area of 1.2 ha (3 acres) or greater 436 m2 (4750 square feet).

(9) The maximum floor area of any building accessory to a Dwelling Unit or Tiny Home on Wheels is XX m2

(10) The maximum floor area of an office building is XX m².

(11) The maximum floor area of a common building is XXX m2

Conditions of Use

(12) All Dwelling Units and Tiny Homes on Wheels shall be connected to a community water system and a community wastewater system.

Subdivision Lot Area Requirements (minimum and average lot areas)

(13) No lot having an area less than X hectares shall be created by subdivision in the CR zone.

Site-Specific Regulations

(14) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table x.x

1 2 3

Site-Specific Zone Location Description Site Specific Regulations

1 CR1(a) Legal description (e.g.) Despite x.x(2) above, the maximum number of Dwelling Units and Tiny Homes on Wheels is XX.

New Definition:

“Tiny Home on Wheels” means a small, transportable, permanent dwelling built on a trailer chassis that is designed and intended to be moved from time to time, is not affixed to a permanent

foundation, and meets a minimum CSA standard Z240MH or equivalent, or is constructed to the BC Building Code



Denman Local Trust Committee

Open Applications

Report

Print Date: January 13, 2026

Agricultural Land Reserve

Application Number	Applicant Name	Date Received	Address	Purpose
PLALR20250304		7/28/2025	4101 PINECREST RD, DENMAN ISL	
Planner		Status	Most Recent Completed Activity	
Rob Pingle		Approved	Upload LTC response to ALR Portal	

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250268	Alvin Tsoi	7/10/2025	0 THE POINT RD, DENMAN ISLAND	The proposed development transforms the east upper slope into a vineyard-centric agri-tourism destination, integrating agricultural production with limited residential and visitor-focused activities.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250156	Brittany Briana Smi	4/10/2025	1840 HILBERRY LANE, DENMAN IS	Application for a DP for construction of home and power shed at 1840 Hilberry Lane.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Application Received	Email Applicant of LTC Meeting	

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20250348	Phil Tripp	8/25/2025	0 LACON RD, DENMAN ISLAND, B	This application is to allow for the construction of a small retaining wall along the property line to serve as the base for a fence. Given the archaeological nature of the site, digging in fence posts is not an option. This L-shapde retaining wall will be poured on the surface and secured with fill.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Waiting for Submittals	Add Optional Referrals	

Denman

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250368	Simon Palmer	9/12/2025	3661 PIERCY RD, DENMAN ISLAND	

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240055		5/30/2024	0 PICKLES RD, DENMAN ISLAND,	Proposed OCP and rezoning of 4 parcels from Forestry to Conservation

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Local Trust Committee	Verify Final Review Status

Application Number	Applicant Name	Date Received	Address	Purpose
DE-RZ-2024.1	Bushekin Laura	1/3/2024	5201 DENMAN RD, DENMAN ISLAN	Rezone from 15 to 19 units and allow secondary suites in all main dwellings.

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Local Trust Committee	Email Applicant of LTC Meeting

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
DE-RZ-2023.1	Andrew John	1/1/2023	7676 KOMAS RD, DENMAN ISLAND	to rezone to replace existing land use contract, which expires soon.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Progress Rezoning	Determine Next Steps - PL	

Denman

Siting and Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250119	Angus Hayman	3/14/2025	5791 LACON RD, DENMAN ISLAND	Application to construct a house.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Waiting for Submittals	Planning Review	

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUP-2020.21	Chris Durupt	11/3/2020	6345 HINTON RD, DENMAN ISLAND	PID: 024-068-560 Building greenhouse. Civic address: 6345 Hinton Road, Denman Island, BC
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Submittals	Generate Notice of Revisions	

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUP-2020.22	Chris Durupt	11/12/2020	6351 HINTON RD, DENMAN ISLAND	PID: 017-449-995 Building a pool. Civic address: 6351 Hinton Road, Denman Island, BC.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Submittals	Generate Notice of Revisions	

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250414	Matthew and Sarah	10/18/2025	5825 NORTHWEST RD, DENMAN IS	<Optional, enter comments if required>

Planner	Status	Most Recent Completed Activity
Rob Pingle	Waiting for Revisions	Generate Notice of Revisions

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250357	Valerie Rogers	8/29/2025	5470 LACON RD, DENMAN ISLAND	<Optional, enter comments if required>

Planner	Status	Most Recent Completed Activity
Rob Pingle	Waiting for Revisions	Generate Notice of Revisions

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250456	MAXWELL LEWIS J	11/20/2025	2325 NORTHWEST RD, DENMAN IS	<Optional, enter comments if required>

Planner	Status	Most Recent Completed Activity
Rob Pingle	Under Review	Add Optional Referrals

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250260	Kenneth McLaughlin	7/2/2025	7140 KOMAS RD, DENMAN ISLAND	Proposed 542 Sq. Ft. addition to an existing 1065 Sq. Ft. primary residence to add a bedroom and expanded living room. Proposed new freestanding single car carport (352 Sq. Ft.) / accessory building. Note: please route to Margot Thomaidis, Islands Trust Planner who is familiar with the Komas properties.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Abeyance	Add Optional Referrals	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250502	RANDY LEE CLEVE	12/18/2025	1845 EAST RD, DENMAN ISLAND,	Amended from the Site Disclosure Statement, Section IV.1. "Demolish the existing garage and lean-to shed. Reuse the foundation for a master bedroom addition (with ensuite) to existing log house, interconnected with a corridor built partially on the existing porch foundation and parking slab. Complete minor interior renovations and add 1/2 bath to 2nd story of existing house."
Planner		Status	Most Recent Completed Activity	
Rob Pingle		Administrative Review	Verify Final Review Status	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250151	Brittany Briana Smi	4/8/2025	1840 HILBERRY LANE, DENMAN IS	Application for retroactive permit; in a development permit area of steep slopes region, also applying for septic approval
Planner		Status	Most Recent Completed Activity	
Ian Cox		Administrative Review	Verify Final Review Status	

Denman

Subdivision				
Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2021.2	Mike Hansen	8/13/2021		PID: 006-660-614 - 13 lot subdivision. Civic address: 4201 Park road, Denman Island, BC.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Conditions	Record and File PLR	
Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250419	Henning Nielsen	10/28/2025	6900 DANES RD, DENMAN ISLAND	
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	
Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2022.2	Olivia Bareham	11/9/2022	0 SWAN RD, DENMAN ISLAND, BC	PIDs: 006-657-931 and 017-541-115 Lot line adjustment. Civic address: 2900 Swan Road, Denman Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Abeyance	Generate Complete Application Letter	

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2018.2	Evan Wind	10/19/2018		PID: 000-974-081 5 lot subdivision Civic address: 1300 Farley Road, Denman Island, BC. The parent parcel (000-974-081) went through a natural boundary adjustment with the Surveyor Generals office in 2019 or 2020. This cancelled the original lot and created a new lot with an up to date present natural boundary. The new PID is 030-859-166.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		In Abeyance	Generate Complete Application Letter	

Islands Trust
LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending November 2025

615 Denman	Invoices posted to Month ending November 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-615	LTC "Executive Expense on LTC's"	5,329.00	860.32	4,468.68
65200-615	LTC - Local Exp - LTC Meeting Expenses	1,760.00	378.26	1,381.74
65210-615	LTC - Local Exp - APC Meeting Expenses	1,190.00	0.00	1,190.00
65220-615	LTC - Local Exp - Communications	850.00	600.00	250.00
TOTAL LTC Local Expense		<u>9,129.00</u>	<u>1,838.58</u>	<u>7,290.42</u>
Projects				
73001-615-4025	Denman Housing Review	15,750.00	4,861.87	10,888.13
73001-615-4143	Denman Amend OCP for technical + First Nations updates	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>19,750.00</u>	<u>4,861.87</u>	<u>14,888.13</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

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

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

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

				(Land Use Bylaw)			
				BL 204 (Land Use Bylaw)	September 24, 2013	1	34
				DE-TUP-2016.2	March 31, 2017	1	33
7.	September 27, 2022	DE-2022-097	Model Strategy for Antenna Systems	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the “Model Strategy for Antenna Systems” dated May 3, 2018 prepared by the Local Planning Committee of the Islands Trust, as the Denman Island Local Trust Committee strategy to assess any future potential tower proposals in the Denman Island Local Trust Area.			
8.	January 17, 2023	DE-2023-012	Human Right to Housing	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following Standing Resolution: That the Local Trust Committee acknowledges and affirms its commitment to the human right to housing as laid out by the United Nations Declaration of the Human Right to Adequate Housing.			
9.	November 14, 2023	DE-2023-073	Available Residential Densities	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following Standing Resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, “Residential Density Bank” of the Denman Island Official Community Plan: Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur: a. The Denman Island Official Community Plan “Residential Density Bank” in Appendix D has last added or transferred to the bank on February 7, 2023 and has a cumulative total of residential densities of 7; b. The Denman Island Official Community Plan Housing Policy 11 in Section E.1 allows for a residential density increase of approximately 5 percent beyond that permitted by existing zoning at the time of adoption of the Official Community Plan on May 15, 2009 to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under Temporary Use Permit and site specific zoning amendment applications under Policy 29 of Section E.1			
10.	April 9, 2024	DE-2024-027	Unlawful Short-Term Vacation Rentals (STVRs)	It was MOVED and SECONDED, That the Denman Island Local Trust Committee direct staff to use the following policy in dealing with unlawful Short-Term Vacation Rentals (STVRs), or other forms of commercial vacation rentals:			

				1. There will be proactive monitoring, investigation, and reporting to the Local Trust Committee regarding Short-Term Vacation Rentals on Denman Island. 2. Bylaw Officers will prioritize the investigation of Short-Term Vacation Rentals in the following manner: a) There are issues related to health and safety on the property; b) There are written complaints regarding nuisance issues such as noise or parking congestion related to Short-Term Vacation Rental operation; c) There are operations by persons who have not established a residential use on the same property as the Short-Term Vacation Rentals; and d) Accessory buildings or structures are being used as part of a Short-Term Vacation Rental operation. 3. It is understood that home-based guest accommodation home occupations complying with section 2.4 of the Denman Island Land Use Bylaw No. 186 are not interpreted to be Short-Term Vacation Rentals, or commercial vacation rentals, and that those home-based guest accommodations may be operated year around.
11.	June 4, 2024	DE-2024-053	Compliance & Bylaw Enforcement Policy	Revision No. 1 Purpose To establish policies and procedures for bylaw enforcement in the Denman Island Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., that are within the authority of the Local Trust Committee to enforce, and that will ensure policies and procedures are efficient, transparent, reasonable, and consistent with local community standards. PART A 1.0 Application This policy will apply to the Denman Island Local Trust Area and the enforcement of the Denman Island Official Community Plan Bylaw No. 185, Land Use Bylaw No. 186 and the Denman Island Siting and Use Permit Bylaw No. 240, and the use of the Denman Island Bylaw Enforcement Notification Bylaw No. 232. 2.0 Definitions & Abbreviations BEN – bylaw enforcement notice

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

Denman Island

1. Major Project - Denman Housing (OCP and LUB) Review Project - Stage 2, Phase 2

Responsible

Dates

Activity:

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

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

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

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

Chloe Straw

Rec'd: 19-Jan-2021

Narissa Chadwick

Renee Jamurat

Future Projects Report

Denman Island

1. *LUB Amendments - List of items*

Responsible

Date Received

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

19-Jul-2022

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

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

2. *Update to Development Approval Information Bylaw*

Responsible

Date Received

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

27-Sep-2022

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

Responsible

Date Received

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

06-Jun-2023

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

Responsible

Date Received

Future Projects Report

Denman Island

**Future Major Project.*

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

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

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

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

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

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

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