



Denman Island Local Trust Committee

Regular Meeting Agenda

Date: May 12, 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. **RISE AND REPORT**

It was reported that at their March 17, 2026 in-camera meeting, the Denman Local Trust Committee adopted their December 16, 2026 in-camera meeting minutes.
5. **REPORTS** 10:05 AM - 10:25 AM
 - 5.1 Trustee Reports
 - 5.2 Chair's Report
 - 5.3 Electoral Area Director's Report
6. **PUBLIC COMMENTS** 10:25 AM - 10:45 AM
7. **MINUTES** 10:45 AM - 10:50 AM
 - 7.1 Local Trust Committee Minutes dated March 17, 2026 - for adoption 4 - 12
 - 7.2 Section 26 Resolutions-Without-Meeting Report - none
 - 7.3 Advisory Planning Commission Minutes - none
8. **BUSINESS ARISING FROM MINUTES** 10:50 AM - 11:05 AM
 - 8.1 Follow-up Action List dated May 6, 2026 13 - 20
9. **DELEGATIONS - none**

10.	APPLICATIONS AND REFERRALS	11:05 AM - 11:25 AM	
10.1	PLDVP20250348 (Forrest) - Staff Report		21 - 64
11.	LOCAL TRUST COMMITTEE PROJECTS	11:25 AM - 12:00 PM	
11.1	Major Project: Denman Housing (Official Community Plan and Land Use Bylaw) Review Project: Bylaw First Reading - Staff Report		65 - 188
11.2	Major Project: Denman Housing (Official Community Plan and Land Use Bylaw) Review Project: 2027/2028 Fiscal Year Business Case - Verbal Update		
~ BREAK 12:00 PM - 12:30 PM ~			
12.	CORRESPONDENCE	12:30 PM - 12:35 PM	
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)		
12.1	Email dated March 23, 2026 from the Agricultural Land Commission regarding Staffing and Budget Pressures		189 - 189
12.2	Letter dated March 24, 2026 from DCA Lands Committee regarding Bylaw Enforcement Notification Bylaw		190 - 190
13.	NEW BUSINESS - none		
14.	STAFF REPORTS	12:35 PM - 12:55 PM	
14.1	2025/26 Annual Report - Approval of the Denman Island's Local Trust Committee Section - Request for Decision		191 - 193
14.2	Highlights of Trust Conservancy January 20, 2026 Board Meeting		194 - 194
14.3	Highlights of Trust Conservancy March 17, 2026 Board Meeting		195 - 195
14.4	Islands Trust Conservancy Report to Trust Council 2025-2026 - 4th Quarter Update		196 - 201
14.5	Applications Report dated May 5, 2026		202 - 211
14.6	Trustee and Local Expense Report dated March, 2026		212 - 212
14.7	Adopted Policies and Standing Resolutions		213 - 224
14.8	First Nations Relationship Building Update		
14.9	Local Trust Committee Webpage		
15.	WORK PROGRAM	12:55 PM - 1:10 PM	
15.1	Active Projects Report dated May 5, 2026		225 - 225

16. UPCOMING MEETINGS

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

17. CLOSED MEETING

1:10 PM - 1:25 PM

17.1 Motion to Close the Meeting

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

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

and that the recorder and staff attend the meeting.

17.2 Recall to Order

17.3 Rise and Report

18. ADJOURNMENT

1:25 PM - 1:25 PM



Denman Island Local Trust Committee

Minutes of Regular Meeting

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

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

Staff Present: Narissa Chadwick, Island Planner (electronic)
Marlis McCargar, Island Planner (electronic)
Warren Dingman, Bylaw Enforcement Manager (electronic)
Emily Bryant, Meeting Administrator (electronic)
Katherine Vogt, Recorder (electronic)

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

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:01 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

The following additions to the agenda were presented for consideration:

- Add Item 12.1: Subdivision Discussion

By general consent, the agenda was approved as amended.

4. REPORTS

4.1 Trustee Reports

Trustee Borthwick reported on the following:

- Attendance at last week's Trust Council meeting during which the proposed Trust budget increase was reduced from 13% to 8.1%;
- Attendance on March 15 at the Denman Community Housing Association's community consultation on affordable housing event held at the Community Hall; it

was discussed that a BC Housing grant has been cut, but that other exciting new funding options which will allow greater local autonomy are being explored.

Trustee Graham reported on the following:

- The Islands Trust Draft Policy Statement referral period is now closed; many comments, letters and survey responses have been received, and these are now online;
- The current iteration of the Policy Statement has gone through the Trust Programs Committee and then the Trust Council Committee of the Whole, which includes all trustees, is going through the document line by line with the best of intentions and competence;
- Trust Programs Committee staff are crafting a report for trustees on the recent responses to the Draft Policy Statement;
- A recent response letter received regarding the Draft Policy Statement, prepared by a lawyer, seems to adopt a tone that may be unnecessarily confrontational.

4.2 Chair's Report

Chair Maude reported on the following:

- The Trust Budget process was primarily affected by uncontrollable outside forces such as the cutting of a provincial grant of \$450,000 that makes up 4.5% of the Trust budget; and the BCGEU staff compensation increases swelling Trust budget costs by 2.8%;
- An 8.1% Trust Budget increase, considering that about 7.1% of it was uncontrollable, is a commendable result of some very hard, excellent, and creative work by many trustees and staff;
- Ministerial approval of the Draft Policy Statement process will not happen this term; but the goal is to have it ready for ministerial response by September 2026, though newly elected trustees may want to re-engage.

4.3 Electoral Area Director's Report

A trustee appreciated that Daniel Arbour, Director, Comox Valley Regional District Area A, had recently attended the Denman Community Housing Association's March 15 event.

5. PUBLIC COMMENTS

The following questions and comments were made by members of the public:

- Harlene Holm asked if the 2023 foreign buyers legislation prohibiting purchases of residential land applies to Denman Island and the wider Trust area; and urged trustees and the Trust Council to advocate to control foreign ownership; and noted that the legislation is very hard to interpret
 - The chair suggested that a letter to Trust Council from the Local Trust Committee be drafted so that foreign ownership issues could be put on their agenda;
 - The planner indicated that the "Foreign Buyer Ban" only applies to metropolitan areas.
- A member of the public expressed the opinion that, regarding the amended Draft Policy Statement, the Island Trust's legal determination that the term "amenity" includes people is a legal stretch and a form of legalese

- The chair responded that the Islands Trust is often bound to give legal interpretation to complex issues as a response to others’ legal opinions;
- The chair read out a portion of the 1974 Islands Trust Policy Statement that speaks of people being a primary concern of the Trust; and spoke on the extensive environmental and conservation achievements in the Trust area;
- A trustee referred to a document: a 1986 piece on the “Object” of the Trust, that speaks of human settlement and the value of rural recreational areas to urban dwellers.
- A member of the public asked about the status of the proposed winery at the northern end of the island and if the recent expressions of interest advertisement for Board of Variance members is to deal with the application
 - The planner responded that the applicant has applied for a retroactive development permit; and that no development variance permit has been applied for. The Board of Variance has set terms, and the call for expressions of interest is not related to the application, but is occurring because the Board’s terms have expired;
 - Trustees noted the distinction between allowable activities on Agricultural Reserve Land (ALR) versus commercially zoned land; and highlighted that there are specific restrictions on housing agricultural tourist accommodations on ALR land;
 - A member of the public added that the recent video put out by the proposed winery applicant was for the purpose of investors, not the community.
- A member of the public proposed that the need for affordable housing on Denman Island may be up to 300 units which is a crisis that could lead to chaos if it is not quickly addressed.
- A member of the public expressed concern that affordable housing proposals were being pushed into already dense areas which could lead to septic and traffic problems for existing residents; and added that Northwest Road was becoming dangerous for pedestrians
 - The chair advised that the siting and use permit process provides a review of septic regulations;
 - A trustee acknowledged the local roads committee advocating for safer road conditions;
 - A trustee spoke on the benefits of clustering affordable housing closer to amenities for reducing the need for vehicle use.

6. MINUTES

6.1 Local Trust Committee Minutes dated January 20, 2026 - for adoption

By general consent, the Local Trust Committee meeting minutes of January 20, 2026 were adopted as presented

6.2 Local Trust Committee Special Meeting Minutes dated February 17, 2026 - for adoption

By general consent, the Local Trust Committee special meeting minutes of February 17, 2026 were adopted

6.3 Local Trust Committee Public Hearing Record for Bylaw Nos. 255, 254 and 250 dated February 17, 2026 - for receipt

Trustees requested the following name corrections to the Item 6.1 Public Hearing Record for Bylaws 255, 254 and 250 dated February 17, 2026:

- On page 3, last paragraph, correct “Hanson” to the correct last name “Hason”

- On page 2, Under item 5, second paragraph, line 1, correct “Isbeister” to the correct last name “Isbister.”

6.4 Local Trust Committee Public Hearing Record for Bylaw Nos. 256 and 257 dated February 17, 2026 - for receipt

6.5 Section 26 Resolutions-Without-Meeting Report - none

6.6 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated March 10, 2026

A trustee noted to planners that an offer of land to the Denman Community housing Society was contingent on a quick rezoning

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS - none

10. LOCAL TRUST COMMITTEE PROJECTS - none

11. CORRESPONDENCE

11.1 K'ómoks First Nation Letter regarding Related Principals Framework

A trustee expressed concern about the potential for excessive application costs, especially for affordable housing groups, associated with Item B.2. of the Islands Trust KFN Staff Engagement Guiding Principles, which states the following:

“2. Use a Development Approval Information Bylaw (DAI) to require a Preliminary Field Reconnaissance (PFR), Archaeological Overview Assessment (AOA) or Archaeological Impact Assessment (AIA) (or all three for complex sites) for rezoning applications where increase in density or intensity of uses is being proposed on the islands. Align requirements with the KFN Cultural Heritage Policy/CHIP process.”

Trustees discussed how Item B.2. seemed misaligned with the K'ómoks First Nation's Area of Potential mapping.

DE-LTC-2026-004

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to consult with K'ómoks First Nation to clarify their recommendation B.2 from the KFN Staff Engagement Guiding Principles and to report back on whether such requirements should apply to all rezoning applications involving increased density or intensity of use, or only to areas of known or potential archaeological significance.

CARRIED

DE-LTC-2026-005

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to draft a letter from the chair to K'ómoks First Nation Chief and Council acknowledging and thanking them for their letter dated February 12, 2026; and that we are requesting staff to incorporate their direction into our project.

CARRIED

12. NEW BUSINESS

12.1 Subdivision Discussion

The planner presented 3 options for future subdivision regulations for trustees to consider, and clarified that “community benefit” included land for conservation, affordable housing, and First Nations; and noted that current subdivision regulations do not require rezoning, but rather have automatically permitted subdivision potential if minimum parcel size and water requirements are met; and suggested that minimum parcel sizes could be waived for community benefit parcels:

- Option 1:
 - Private subdivision, needs rezoning.
 - Community benefit subdivision, no rezoning needed.
- Option 2:
 - Private subdivision only allowed if it includes community benefit (and needs rezoning)
 - Community benefit subdivision, no rezoning needed
- Option 3:
 - Only subdivision allowed is for community benefit
 - No rezoning needed
 - no private subdivision allowed.

Trustees expressed preference for Option 2.

The planner offered that draft policies and regulations for Option 2 would be sent for legal review.

13. STAFF REPORTS

13.1 Amendments to the Denman Island Bylaw & Compliance Policy - Staff Report

Bylaw Enforcement Manager presented the staff report that recommends that trustees adopt the amended policy which would permit unlawful short-term rentals to continue operating for only 45 days after being ticketed, rather than the previously allowed 90 days compliance period; and which would provide for the Regional Planning Manager to act as a screening officer for all disputed bylaw notices.

DE-LTC-2026-006

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee adopt the amended Denman Island Bylaw Compliance and Enforcement Policy attached to this report.

CARRIED

13.2 Short Term Rental Accommodation Act - Principal Residence Requirement Opt-In Update – Briefing

The planner provided trustees an overview of the Principal Residence Requirement Opt-in situation, noting the following:

- All Local Trust Committees were receiving the briefing;
- The Short-Term Rental Accommodation Act includes principal residence requirements, time period rules, rules around legal non-compliance, and licensing and enforcement rules;
- Islands are exempted from the Provincial rules by default unless they decide to opt-in. Salt Spring, Gabriola and Bowen Islands have opted in;
- Provincial rules override local bylaws under the opt-in framework;
- The deadline to opt-in is March 31, 2026, which repeats every year
- Denman Island Land Use Bylaw currently allows home-based guest accommodation within a principal dwelling with time period restrictions and that the owner must live on the property site; it does not allow entire home rentals.

A trustee noted that opting in would allow whole-house rentals without the owner being present in the building, which is currently not permitted on Denman.

Bylaw Enforcement Manager advised that there was no enforcement benefit to local governments to opt-in to the Provincial framework; both the Provincial and the Trust enforcement procedures can deregister and ban operators from advertising on platforms.

By general consent the meeting was recessed at 11:47 am and reconvened at 11:52 am.

13.3 Public Notification Bylaw Amendment - Request for Decision

The planner noted that the proposed amendment was a minor change to the Public Notification Bylaw that provides greater clarity, flexibility, and enforceability regarding local notification publishing requirements.

DE-LTC-2026-007

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee rescind third reading of Bylaw No. 259, cited as “Denman Island Local Trust Committee Public Notification Bylaw No. 259, 2025”.

CARRIED

DE-LTC-2026-008

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee amend Bylaw No. 259, cited as “Denman Island Local Trust Committee Public Notification Bylaw No. 259, 2025” by deleting “in publications locally produced and distributed on Denman Island” and replacing with “in a newspaper that publishes at least once a month on Denman Island”.

CARRIED

DE-LTC-2026-009

It was MOVED and SECONDED,

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

CARRIED

DE-LTC-2026-010

It was MOVED and SECONDED,

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

CARRIED

13.4 Trust Conservancy Report - none

13.5 Applications Report dated March 10, 2026

The planner clarified that the Development Permit Application (DPA) for file PLDP20250268 The Point Road was waiting on a Qualified Environmental Professional (QEP) report from the applicant.

The planner advised the trustee to email the planner assigned to file PLSUP20250260 (Komas Ranch) for an update.

A trustee requested that the “Status” category of the Applications Report be more regularly updated with greater descriptiveness.

- The planner responded that staff were limited to a dropdown menu selection for this category; but a workaround in the comments section may be possible.

Trustees discussed possibilities for the “Foreign Buyer Ban” legislation to be put on the June 2026 Trust Council agenda.

13.6 Trustee and Local Expense Report dated January, 2026

13.7 Adopted Policies and Standing Resolutions

13.8 First Nations Relationship Building Update

13.9 Local Trust Committee Webpage

14. WORK PROGRAM

14.1 Active Projects Report dated March 10, 2026

14.2 Future Projects Report dated March 10, 2026

A trustee noted that under item 1. LUB Amendments-List of Items, that line Item 1. Regarding Temporary Use Permits (TUPs) for Short Term Vacation Rentals (STVR)s is obsolete and should be removed.

DE-LTC-2026-011

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to remove, on the Future Projects Report Denman Island 1. Land Use Bylaw Amendments, item number 1.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, May 12, 2026 at 10:00 a.m. at Denman Activity Centre, 1111 Northwest Road, Denman Island, BC

DE-LTC-2026-012

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff schedule a Special Meeting on April 17, 2026 at 10:00 am on Denman Island.

CARRIED

A trustee noted that the back hall of the Denman Community Hall has internet now and would likely be available for the Special Meeting if needed.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

DE-LTC-2026-013

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)(i) for the purpose of considering:

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

and that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

There was no recall to order.

16.3 Rise and Report

The chair deferred the rise and report to the next regular Local Trust Committee meeting.

17. ADJOURNMENT

By general consent, the meeting was adjourned at 12:31 p.m.

David Maude, Chair

Certified Correct:

Denman Island
Local Trust Committee Minutes
March 17, 2026

DRAFT

8

Katherine Vogt/Recorder

DRAFT

Follow Up Action Report

Denman Island

20-Feb-2024

Progress	Activity	Responsibility	Dates	Status
100%	1 - Draft Housing Action Plan - <i>Completed for May 7th Meeting</i> - Draft Bylaw language for review - <i>Winter 2026</i>	Narissa Chadwick		Completed

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%	<p>2 Regarding DE-RZ-2023.1 (Komas Ranch Ltd.) application:</p> <ol style="list-style-type: none"> 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. 	<p>Margot Thomaidis Nadine Mourao</p>		In Progress
25%	<p>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.</p>	<p>Margot Thomaidis</p>		In Progress
50%	<p>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.</p>	<p>Joe Elliott Margot Thomaidis Renee Jamurat</p>		In Progress

Follow Up Action Report

Denman Island

08-Oct-2024

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 Next steps for completing Denman Island Housing Review Project:</p> <ul style="list-style-type: none"> ·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		Completed

21-Jan-2025

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

Follow Up Action Report

Denman Island

20-May-2025

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

Follow Up Action Report

Denman Island

16-Dec-2025

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

Follow Up Action Report

Denman Island

16-Dec-2025

Progress	Activity	Responsibility	Dates	Status
0%	4 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

20-Jan-2026

Progress	Activity	Responsibility	Dates	Status
100%	1 staff to proceed with the drafting of bylaw amendments for OCP and LUB based on the decisions made at the January 20th meeting.	Marlis McCargar Narissa Chadwick	Target: 17-Mar-2026	Completed

Follow Up Action Report

Denman Island

17-Feb-2026

Progress	Activity	Responsibility	Dates	Status
82%	<p>1 1.Record that Bylaw Nos. 250, 254, and 255 have been given Third Reading.</p> <p>2.Forward Bylaw Nos. 250, 254, and 255 to EC for approval.</p> <p>3.Forward Bylaw No. 255 to the Minister of Housing and Municipal Affairs for approval.</p> <p>4.Upon receipt of Ministerial and EC approvals, return the bylaws to the LTC for final adoption.</p> <p><i>Bylaw 255 sent to Minister on March 12, 2026</i></p>	<p>Marlis McCargar</p> <p>Nadine Mourao</p>		In Progress
79%	<p>2 1.Record that Bylaw Nos. 256 and 257 have been given Third Reading.\n</p> <p>2.Forward Bylaw Nos. 256 and 257 to EC for approval.\n</p> <p>3.Forward Bylaw No. 256 to the Minister of Housing and Municipal Affairs for approval.\n</p> <p>4.Upon receipt of Ministerial and EC approvals, return the bylaws to the LTC for final adoption.</p> <p><i>Bylaw 256 sent to Minister on March 13, 2026</i></p>	<p>Marlis McCargar</p> <p>Nadine Mourao</p>		In Progress

Follow Up Action Report

Denman Island

17-Mar-2026

Progress	Activity	Responsibility	Dates	Status
48%	1 1.Consult with KFN to clarify their recommendation B.2 from the KFN Staff Engagement Guiding Principles on whether such requirements should apply to all rezoning applications involving increased density or intensity of use, or only to areas of known or potential archaeological significance. 2.verbal report back to LTC	Narissa Chadwick		In Progress
100%	2 remove item 1 dated .July 19, 2022 on the Future Projects List re. TUPs for STVRs.	Marlis McCargar		Completed
84%	3 Proposed Bylaw No. 259, cited as 'Denman Local Trust Committee Public Notification Bylaw No. 259, 2025,' was rescinded and then given First, Second, and Third Readings and forwarded to the Islands Trust Executive Committee for consideration of approval. <i>On the May 6, 2026 EC Meeting Agenda</i>	Nadine Mourao		In Progress



File No.: **PL-DVP-2025-0348**
(Forrest)

DATE OF MEETING: May 12, 2026

TO: Denman Island Local Trust Committee

FROM: Ian Cox, Planner 2
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: **Development Variance Permit PL-DVP-2025-0348**
Applicant: Phill Tripp, Commonhouse Design (Agent for owner)
Location: 5465 Lacon Road, Denman Island (PID: 030-773-890)

RECOMMENDATION

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

REPORT SUMMARY

The purpose of this staff report is to introduce Development Variance Permit PL-DVP-2025-0348 (**Attachment 1**) for consideration by the Denman Island Local Trust Committee (LTC). The permit seeks to authorize the siting of a concrete wall structure which will support a fence built atop it, within the interior lot line setback as follows:

Denman Island Land Use Bylaw No. 186 (LUB), PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is requested to be varied in order to:

- reduce the minimum setback from a side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure supporting a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings attached to and forming part of the proposed permit.

Staff recommend issuing the permit under the rationale in the following sections of this report, including that the work is being conducted under a provincial Heritage Branch archaeological permit as well as a K’ómoks First Nation Cultural Heritage Investigation Permit (CHIP).

RATIONALE FOR VARIANCE

The 4-meter long concrete wall footing structure is required to support a fence built atop it, in order to avoid digging and burying conventional fence posts deeply into the ground that would cause unwanted ground disturbance in the particular area of the property. The design and installation is being carried out under a provincial authorization in accordance with the *Heritage Conservation Act (HCA)* and Heritage Branch, as well as K’ómoks First Nation’s own CHIP process. The structure consists of a small L-shaped concrete base held down with the fill that is being brought on to cover the entire site. The design is a solution to address BC provincial and K’ómoks First Nation archaeological concerns and processes rather than something which the applicant themselves initially proposed.

BACKGROUND

See staff report for [DE-SUP-2020.3](#) relating to archaeology concerns for the construction of the residence, including a covenant request which the LTC considered in May 2025. Site context information for the property is included in **Attachment 2**.

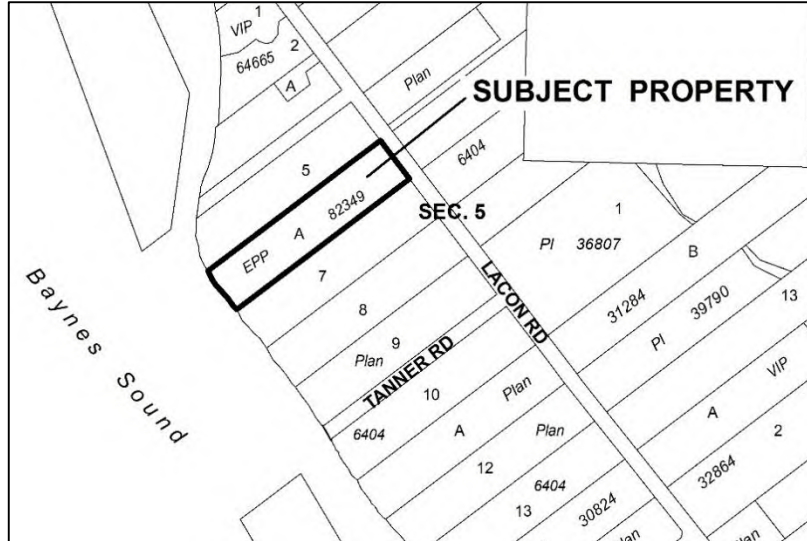


Figure 1 – Subject Property Map



Figure 2 – Air photo prior to development (2024)

The scope of development on the property includes:

- Proposed principal residence as authorised by siting and use permit DE-SUP-2020.3 (**Attachment 3**)
- Proposed retaining wall/fence base structure within the interior lot line setback – the subject of this DVP

The draft DVP is included as **Attachment 1**, and the Public Notice that was circulated to neighbouring property owners is included as **Attachment 4**.

ANALYSIS

Policy/Regulatory

A site context analysis is provided in **Attachment 2**. The regulations that pertain to this application are summarized below.

Denman Island Land Use Bylaw No. 186:

The subject property is zoned Residential (R1) in the LUB. Single family residential is a permitted use in that zone and the existing dwelling complies with the LUB regulations. However, the proposed fence and concrete footing wall structure combination does not comply with Section 3.3, RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, which requires a 3.0 meter setback from an interior lot line for buildings and structures. Fences are exempt from the regulation, but because the fence will be built on top of the concrete footing akin to a retaining wall, the whole structure requires relaxation of the setback.

Intent of Regulations Being Varied

Interior lot line setbacks are designed to ensure that buildings and structures are sufficiently distanced from property lines, promoting safety, privacy, aesthetics, and maintaining a consistent development pattern within the neighbourhood.

Figure 3 below shows the proposed residence as authorised by DE-SUP-2025.3 and a K’ómoks CHIP, and the location of the driveway, fill areas, and the fence/retaining wall structure in the setback that is the subject of this DVP.

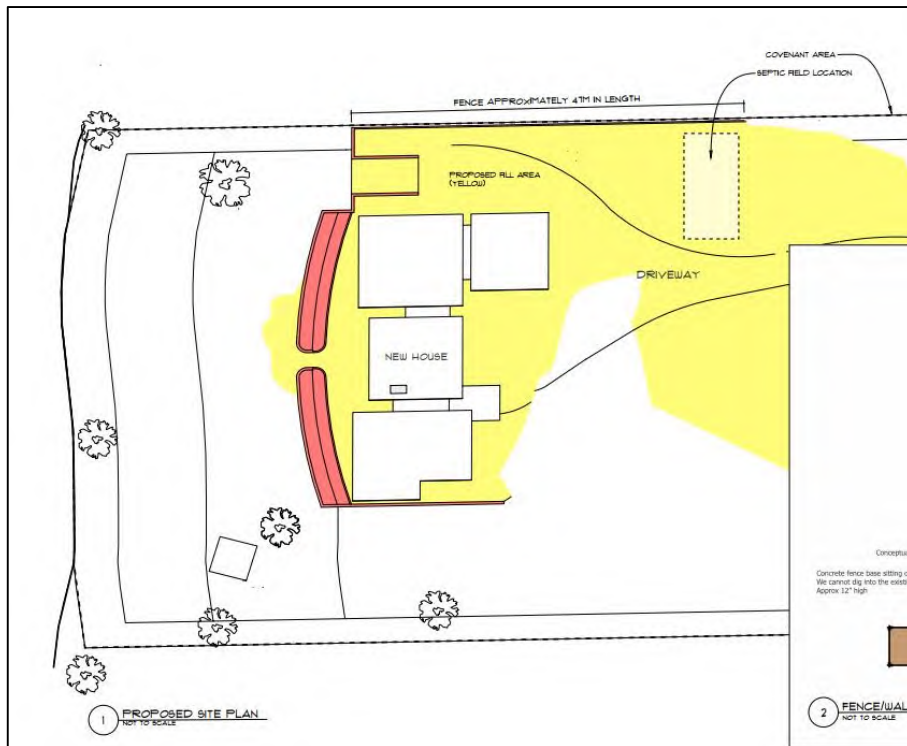


Figure 3 – Fence wall and residence location

Impacts to Neighbouring Properties

The property owner whose lot line is common with the one along which the fence will be constructed, contacted staff by telephone to discuss the application and raised two points which were addressed as follows.

- 1) **Overall height of the fence:** The applicant has requested only a relaxation of the horizontal setback, not for vertical height, and to staff knowledge, intends to construct the fence in compliance with the maximum height for fences in the bylaw which is 2.0 meters from finished grade.
- 2) **Neighbouring Owner Comment:** There is an above ground water line very close to the shared property boundary. If the LTC grants the 0.0 lot line setback as requested, there is a risk that the water line could be damaged during construction, since the applicant would likely need access across the property boundary to complete the installation. The applicant would need to obtain neighbour's permission for this access and the DVP does not itself authorize access to any other property other than the one under application.

In the first matter, the onus is with the applicant to comply with the fence height regulation in the LUB. In the second, staff suggest that the water line issue could be mitigated via co-operation between the two property owners since work on property lines is essentially a civil matter.

Consultation

Notification

Public notification of the DVP was sent out on April 2026 in accordance with statutory requirements. (**Attachment 4**). At the time of writing this report, staff have discussed the application with one neighbouring property owner who expressed the concerns listed in the above section of this report. No other written or verbal public comments have been received from owners or tenants in response to the notice.

First Nations

At the time the Application was submitted, the Applicant was made aware of the possibility that the lot may contain previously unrecorded archaeological material protected under the *HCA*. If such material is encountered during development, all work should cease and the provincial Archaeology Branch should be contacted immediately, as a *Heritage Conservation Act* permit may be needed before further development is undertaken. Provincial Chance Find Procedures¹ are in place and must be followed.

The K'ómoks First Nation Archaeology & Referrals Department has confirmed that a CHIP is required for any ground disturbance and the applicant has received instructions from the Nation's archeologist through that process as well as from the provincial Heritage Branch under the *HCA*.

Rationale for Recommendation

Staff are recommending approval of the variance request, as noted on page 1 of this report in the draft resolution.

¹ <https://islandstrust.bc.ca/document/province-of-bc-archaeology-chance-find-procedure/>

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation on page 1 of this report:

1. Request further information

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

That the Denman Island Local Trust Committee request further information prior to making a decision on application PLDVP20250348 [specify information requested].

2. Amend the permit

The LTC may choose to amend the permit. If this option is chosen, the LTC should first pass a resolution to amend the permit accordingly and then render a decision on issuance.

3. Deny the application

The LTC may deny the application. The applicant will not receive a refund of the DVP application fee, since a staff report has been brought forward for LTC consideration. If this alternative is selected, the LTC must state the reasons for denial. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee deny application PLDVP20250348 for the following reasons [specify reasons].

NEXT STEPS

Should the LTC concur with the recommendation on page 1 of this report, staff will proceed to issue the Development Variance Permit as drafted in **Attachment 1**.

Submitted By:	Ian Cox, Planner 2	May 4, 2026
Concurrence:	Renée Jamurat, RPP MCIP	May 5, 2026

ATTACHMENTS

1. Draft Development Variance Permit (DVP)
2. Site Context
3. DE-SUP-2020.3 (residence)
4. Public Notice

PROPOSED



Islands Trust

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20250348

TO: Thorne Paul Forrest & Lucille Forrest

1. This Development Variance Permit applies to the land described below:

PID: 030-773-890

Legal Description: LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349

2. Pursuant to Section 498 of the *Local Government Act*, the *Denman Island Land Use Bylaw, 2008* is varied as follows:

PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is varied:

- **To reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings.**

3. The proposed development shall be consistent with Schedule “A” – Site Plan and Schedule “B” – Design Concept, attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Denman Island Land Use Bylaw, 2008 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS XXTH DAY OF XX, 202X.

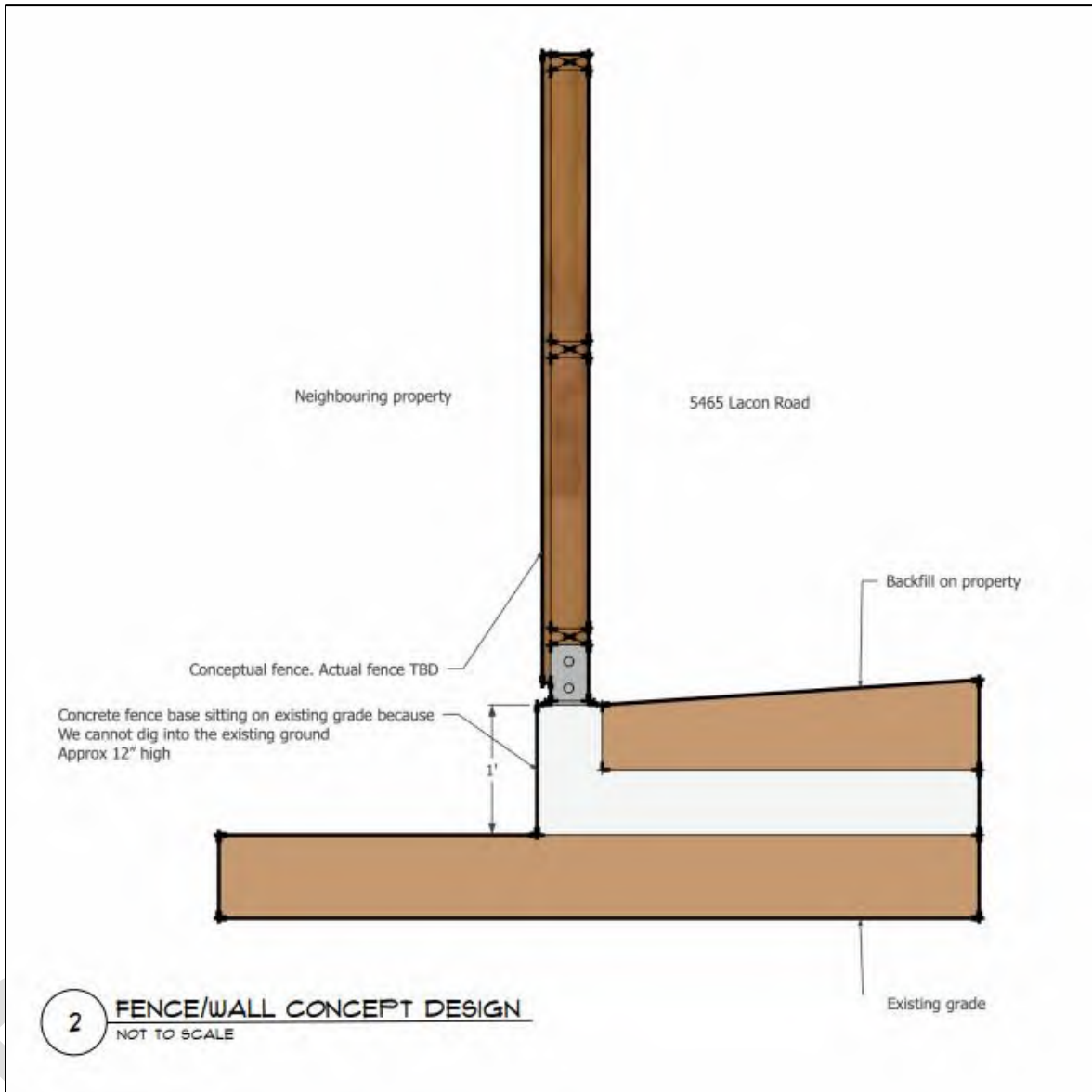
Deputy Secretary, Islands Trust

MMM/DD/YYYY

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XXTH DAY OF XX, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20250348
Schedule "B" – Design Concept**



ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349
PID	030-773-890
Civic Address	5465 Lacon Road, Denman Island

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential/marine

HISTORICAL ACTIVITY

File No.	Purpose	Status
DE-DVP-2017.1	Variance to Section 2.8.2 of LUB	Closed
DE-SUB-2017.1	2 lot subdivision	Closed
DE-SUP-2020.3	SFD	Closed

POLICY/REGULATORY

Official Community Plan Designations	Residential (R1)
Land Use Bylaw Designation	Residential - R1
LUB Regulations	R1 setback regulations: Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy from the rear or side lot line = 3.0 meters. Retaining wall/fence base variance request is to 0.0 meters from the northwest (interior) side lot line.
Covenants	CA7485176 – Denman Local Trust Committee and FLNRO (archaeological covenant) CA7485177 – Denman Local Trust Committee and MOTI (Section 219 flood) CA748518 – Denman Local Trust Committee and MOTI (Section 219 geotechnical) CA8571765 (modification to CA7485177)
Bylaw Enforcement	n/a

SITE INFLUENCES

Islands Trust Conservancy	No ITC owned properties or covenanted areas in the immediate vicinity of the subject lot.
Regional Conservation Strategy	Medium priority for biodiversity conservation and protection in the RCP.
Species at Risk	Masked/secure occurrence

Sensitive Ecosystems	ITC Primary Class – mature forest and sand (shoreline) ITEM – mature forest and littoral (shoreline)
Hazard Areas	n/a
Archaeological Sites	See registered S.219 covenant and authorizations under provincial HCA and K'omoks CHIP issued and/or in progress
Climate Change Adaptation and Mitigation	Commensurate with rural single family residential development pattern.
Shoreline Classification	Sediment Shoreline - Pebble/Sand
Shoreline Data in TAPIS	Surf Smelt/Pacific Sandlance



File No.: DE-SUP-2020.3 (Forrest)

DATE OF MEETING: May 20, 2025
TO: Denman Island Local Trust Committee
FROM: Stephen Baugh, Island Planner
Northern Team
SUBJECT: DE-SUP-2020.3 – Request for Consent pursuant to Covenant
Applicant: Thorne Forrest
Location: 5465 Lacon Road, Denman Island

RECOMMENDATION

- 1. That the Denman Island Local Trust Committee gives written consent pursuant to Section 2 of Covenant CA7485176 for the development proposed in application DE-SUP-2020.3.**

REPORT SUMMARY

This report provides background information on a covenant registered on the property title of 5465 Lacon Road. The covenant is intended to protect a registered archaeological site where the applicant is proposing to construct a dwelling, detached workshop accessory building, a boathouse, septic system, garden beds, retaining walls, and a driveway. Fill would be placed to raise the grade of the lot in the area of the development.

BACKGROUND

A property owner has applied for a siting and use permit at 5465 Lacon Road to construct a new single family home, accessory building, and boathouse. A covenant is registered on title of the subject property restricting development in the covenant area which contains a registered archaeological site. Since the application proposes construction within the covenant area, a request has been made to the Denman Island Local Trust Committee for consent to undertake development proposed as part of the siting and use permit application, DE-SUP-2020.3 (Forrest).

To support their request to the LTC, the applicant has submitted the following information to the LTC:

- Letter outlining their request (Attachment 1);
- Site Plan and Building Plans (Attachment 3);
- Heritage Investigation Permit, issued by the Provincial Ministry (Attachment 4);
- Site Alteration Permit, issued by the Provincial Ministry (Attachment 5); and
- Two Cultural Heritage Investigation Permits, issued by K’omoks First Nation (Attachment 6);

The applicant has noted that the building plans and site plan represent the proposed buildings, but the plans have yet to be finalized and may be adjusted if necessary, such as for engineering purposes or to meet requirements of the Denman Island Land Use Bylaw.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The following OCP policies are relevant to the request from the property owner:

Policy 1 The Local Trust Committee should encourage the preservation and protection of known heritage features and develop regulations as necessary to protect historic buildings, archaeological features and natural heritage features.

Policy 5 The Local Trust Committee should consult with the First Nations before considering bylaw amendments or the issuance of a permit in areas that may have archaeological significance.

Policy 6 Landowners are encouraged to contact the Provincial Archaeology Branch before beginning construction in areas that may have archaeological significance.

Land Use Bylaw:

The Land Use Bylaw regulations will be reviewed to confirm the development complies prior to a Siting and Use Permit being issued for the proposed development. As the final plans have not been submitted, staff have not confirmed that the plans comply with the Denman Island Land Use Bylaw.

Issues and Opportunities

Covenant CA7485176

The owner is requesting that the LTC provide written consent to undertake activities within the covenant area that would otherwise be prohibited. Specifically, the owner is seeking to construct a dwelling, accessory buildings, septic field and driveway, and place fill within the covenant area. Part 2 (excerpt below) of the covenant states that activities are not permitted in the covenant area unless there is written consent from the LTC. It also states that the LTC has absolute discretion with regards to their consent:

2. *The Transferor covenants with the Transferee that they will not:*
 - a. *deposit on the Covenant Area Land or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Covenant Area Land;*
 - b. *remove, destroy, damage, or disturb any Heritage Conservation Act protected archaeological object from the Covenant Area Land;*
 - c. *remove or displace any soil or beach material from the Covenant Area Land; or*
 - d. *construct, erect, or place any building, modular home, mobile home or unit, improvement or structure on the Covenant Area Land;*

or permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.

The covenant is jointly held by the LTC and the Ministry of Forests, Lands and Natural Resource Operations.

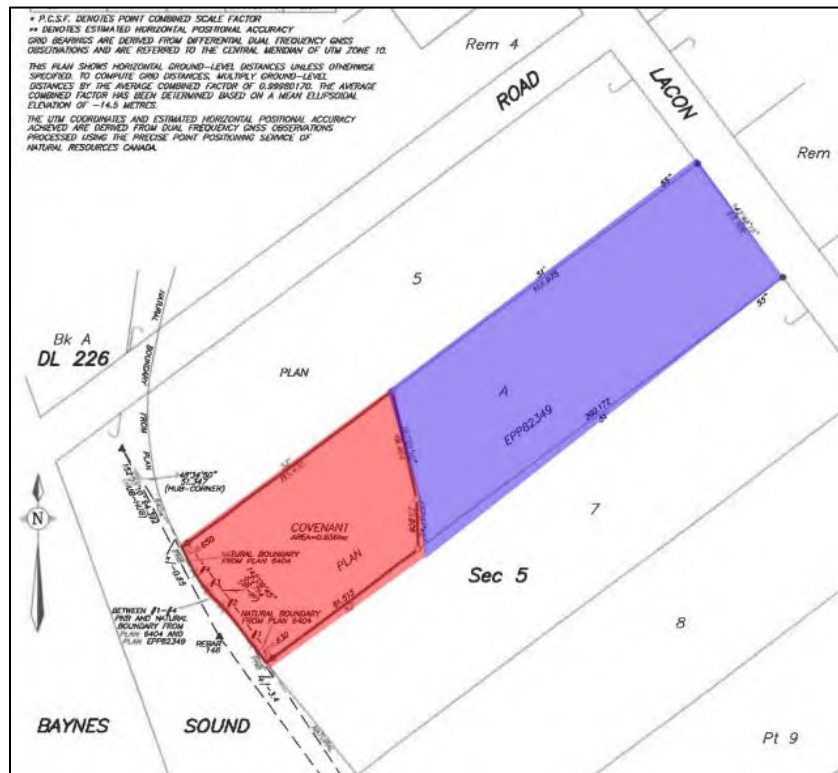


Figure 1 Map of the property (purple and red) with the Covenant Area highlighted in red.

Archaeology Permits

A number of permits related to the development have been received from other agencies including:

- Heritage Investigation Permit, issued by the Province;
- Site Alteration Permit, issued by the Province; and
- Two Cultural Heritage Investigation Permits, issued by K’omoks First Nation.

Rationale for Recommendation

Staff are recommending the LTC grant permission to the owner for the proposed development for the following reasons:

- The applicant has obtained the Heritage Investigation Permit and Site Alteration Permit from the province;
- The applicant has obtained a Cultural Heritage Investigation Permit from K’omoks First Nation for the proposed works; and
- The Siting and Use permit will confirm that the development is complies with the Denman Island Land Use Bylaw.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. Part 3 of Covenant CA7485176 states that the LTC could request information from the owner to be provided at the expense of the owner. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee request that the applicant submit to the Islands Trust [specify information].

2. Withhold Consent

The LTC may withhold consent at their discretion. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee withhold written consent pursuant to Covenant CA7485176 for the development proposed in application DE-SUP-2020.3.

NEXT STEPS

If the recommendation is selected, the resolution will be sent to the owner. Following this, staff will continue to process the Siting and Use Permit application.

Submitted By:	Stephen Baugh, Island Planner	May 8, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 12, 2025

ATTACHMENTS

1. Owner Letter
2. Covenant CA7485176
3. Site Plan and Building Plans
4. Heritage Investigation Permit (HIP) Permit
5. Site Alteration Permit (SAP) Permit
6. Cultural Heritage Investigation Permit (CHIP) Permits

Attachment 1

April 28, 2025

Thorne Forrest

10 Evanscrest Manor NW
Calgary, AB T3P 0Y1

Denman Island Local Trust Committee
C/O Jamie Dubyna, MSc. Pl.
Planner 2, Northern Office
Islands Trust
700 North Road
Gabriola Island, British Columbia V0R 1X3

Denman Island Trust Committee:

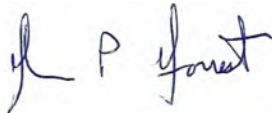
Subject: Proposed Development on Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349. P.I.D: 030-773-890

I am requesting the Denman Island Local Trust Committee provide me with written consent for the proposed development to occur in the Covenant Area Identified on Covenant CA7485176. The development will consist primarily of a three-bedroom home, a detached workshop, a boathouse, retaining walls, septic system, garden beds and the placement of fill to raise the grade of the lot.

The building site within the covenant area was chosen based on a few criteria. First, our desire to live in close proximity to the ocean. Second, being able to utilize the former house site that is already leveled and mostly cleared of trees. Finally, the site is close to the existing distribution powerline already serving the waterfront homes along Lacon Road.

To support this request, all applicable archaeological permits have been obtained, including the SAP and HIP from the province of BC along the CHIP from the K'omoks First Nation. Thank you in advance for your consideration of this matter. Please feel free to contact me at (403) 471-8965 or thorne4est@hotmail.com if you have concerns or require further clarification.

Sincerely,



Thorne P. Forrest

Attachment 2

May-06-2019 11:42:36.005

CA7485176

FORM C (Section 233) CHARGE

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 6 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

John Arthur
Davis TQFCXP

Digitally signed by John
Arthur Davis TQFCXP
Date: 2019.05.06
11:14:48 -07'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

JOHN A. DAVIS LAW CORPORATION

Barrister and Solicitor

182 Memorial Avenue, Box 306

PARKSVILLE

BC V9P 2G5

Telephone (250) 248-4148

File No. 12,514 (archaeological cov)

MoTI File No. 2016-05267

Document Fees: \$74.16

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT A, SECTION 5, DENMAN ISLAND, NANAIMO DISTRICT, PLAN EPP82349

STC? YES

Related Plan Number: **EPP82349**

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Sec 219, over part in Plan EPP82350

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

THORNE PAUL FORREST

LUCILLE HELEN FORREST

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

John A. Davis

Barrister & Solicitor

Box 306, 182 Memorial Ave.
Parksville, B.C. V9P 2G5

Execution Date

Y	M	D
18	09	05

Transferor(s) Signature(s)

THORNE PAUL FORREST

LUCILLE HELEN FORREST

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

BRYCE STERLING PIROZZINI

A COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

Expiry date: July 31, 2019

Y	M	D
19	04	12
19	04	12

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA as represented by the MINISTER OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS by its authorized signatory(ies):

Name:
Kirsten Fagervik
Provincial Approving Officer
MoTI File No. 2016-05267

DENMAN LOCAL TRUST COMMITTEE by its authorized signatory(ies):

Name:

Name:

This is an instrument required by the Approving Officer for subdivision Plan EPP82349 creating the condition or covenant entered into under s. 219 of the Land Title Act.

Name:
Kirsten Fagervik
Provincial Approving Officer
MoTI File No. 2016-05267

BRYCE STERLING PIROZZINI

A COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

Expiry date: July 31, 2019

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA as represented
by the MINISTER OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
Parliament Buildings
Victoria BC V8V 1X4

DENMAN LOCAL TRUST COMMITTEE
Suite 200 1627 Fort Street
Victoria BC V8R 1H8

PART 2 – TERMS OF INSTRUMENT

WHEREAS the Land contains a portion of archaeological site DiSe-5 and other unrecorded archaeological sites protected under the provisions of the *Heritage Conservation Act*.

NOW THEREFORE in consideration of the premises and the sum of ONE DOLLAR (\$1.00) now paid by the Transferee to the Transferor, and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the Transferor), the parties agree as follows:

1. In this Part

"Covenant Area Land" means those portions of the Land described in Item 2 of Part 1 of this Instrument containing archaeological sites, that is within the area outlined in heavy black line on the Reference Plan prepared by Evan E. Wind, B.C.L.S. dated April 27, 2018, a reduced copy of which is attached hereto as Schedule A.

2. The Transferor covenants with the Transferee that they will not:

- (a) deposit on the Covenant Area Land or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Covenant Area Land;
- (b) remove, destroy, damage, or disturb any *Heritage Conservation Act* protected archaeological object from the Covenant Area Land;
- (c) remove or displace any soil or beach material from the Covenant Area Land; or
- (d) construct, erect, or place any building, modular home, mobile home or unit, improvement or structure on the Covenant Area Land;

or permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.

3. The Transferor acknowledges and agrees with the Transferee that in order for the Transferee to provide its consent to the Transferor to undertake any of the activities set out in section 2, it may, among other things, require the Transferor to carry out appraisals, inspections, inventories, surveys, studies, analyses and other investigations of the Covenant Area Land and the potential archaeological impact of any such activity on the Covenant Area Land, and the Transferor will carry out all such appraisals, inspections, inventories, surveys, studies, analyses and other investigations at their expense.
4. The Transferor will indemnify and save the Transferee harmless from all actions, causes of action, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance by the Transferor of the covenants set out in sections 2 and 3.
5. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands. It is acknowledged and agreed the Transferor is not liable for a breach of the Transferor's covenants occurring after the Transferor has ceased to be the owner of that part of the Land from which the breach occurs.
6. No term, condition, covenant or other provision or breach of this Agreement will be considered to

have been waived by the Transferee unless such waiver is expressed in writing by the Transferee, and any such waiver is not a waiver of any other term, condition, covenant, or other provision or any other breach of this Agreement.

7. These presents shall enure to the benefit of and be binding upon the parties hereto and upon their respective heirs, executors, administrators, successors and assigns.
8. In this Agreement, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.
9. This Agreement will be interpreted according to the laws of the Province of British Columbia.
10. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference includes a reference to any subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this Agreement are enactments of the Province of British Columbia.
11. If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be considered separate and severable and the remaining parts or sections, as the case may be, will not be affected and will be enforceable to the fullest extent permitted by law.
12. This Agreement will be registered as a charge against the Land pursuant to section 219 of the *Land Title Act*.

REFERENCE PLAN OF PART OF
LOT A, SECTION 5, DENMAN ISLAND
NANAIMO DISTRICT, PLAN EPP82349

PLAN EPP82350

BCGS 92F.047

PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT.
FOR COVENANT PURPOSES

LEGEND

- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- ▲ DENOTES GNSS TRAVERSE HUB FOUND
- x DENOTES UNMARKED MEASURED POINT
- PT DENOTES PART

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:1250

ALL DISTANCES ARE HORIZONTAL GROUND-LEVEL AND ARE SHOWN IN METRES AND DECIMALS THEREOF, UNLESS OTHERWISE INDICATED.

NAD83/CSRS 1997.0 VANCOUVER ISLAND UTM ZONE 10				
GNSS HUB	NORTHING	EASTING	*P.C.S.F.	**E.H.P.A.
REBAR 146	5481706.93	372578.65	0.99980193	0.05
REBAR 147	5483514.39	372658.87	0.99980146	0.06

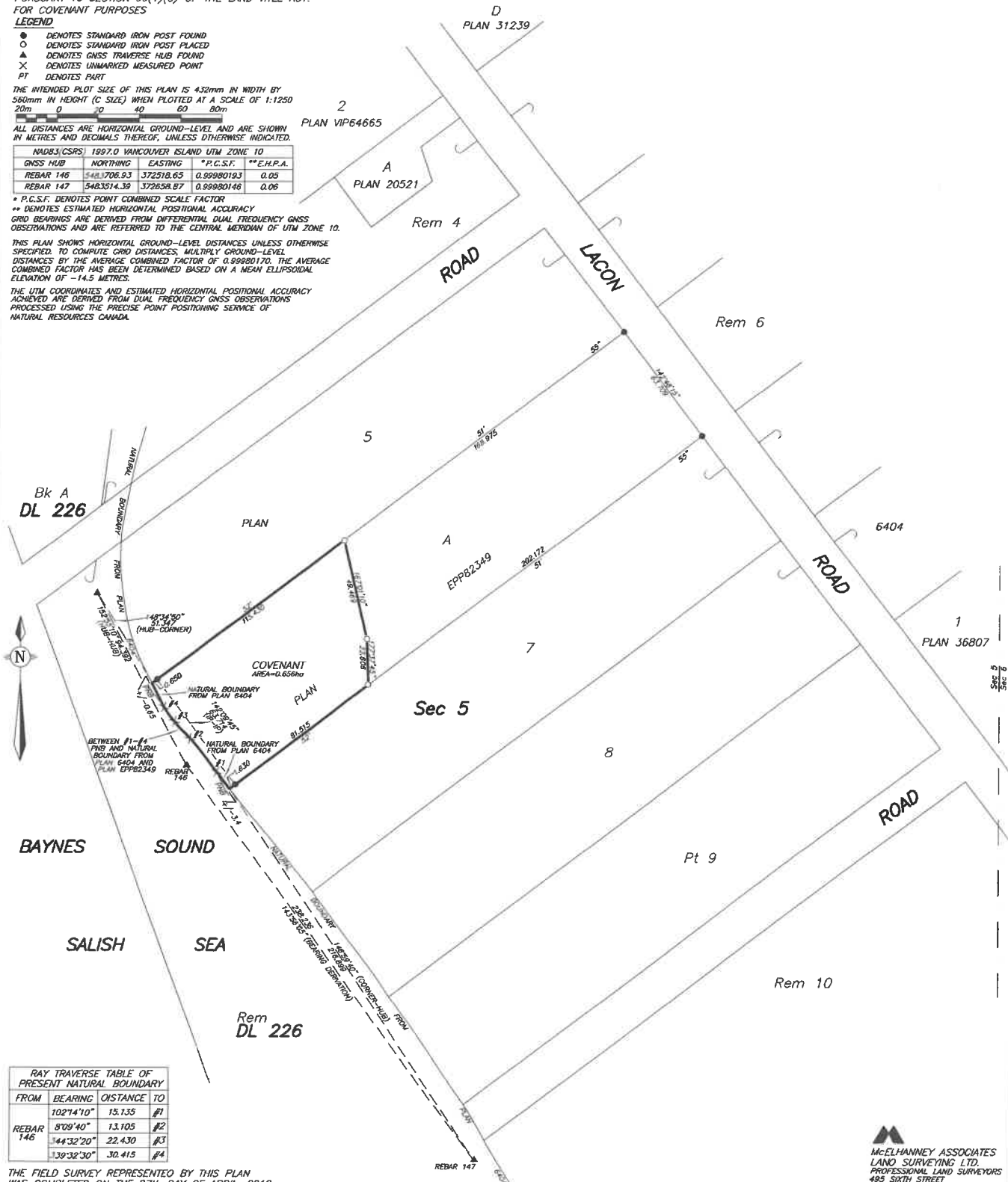
* P.C.S.F. DENOTES POINT COMBINED SCALE FACTOR

** DENOTES ESTIMATED HORIZONTAL POSITIONAL ACCURACY

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.99980170. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON A MEAN ELLIPSOIDAL ELEVATION OF -14.5 METRES.

THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS PROCESSED USING THE PRECISE POINT POSITIONING SERVICE OF NATURAL RESOURCES CANADA.

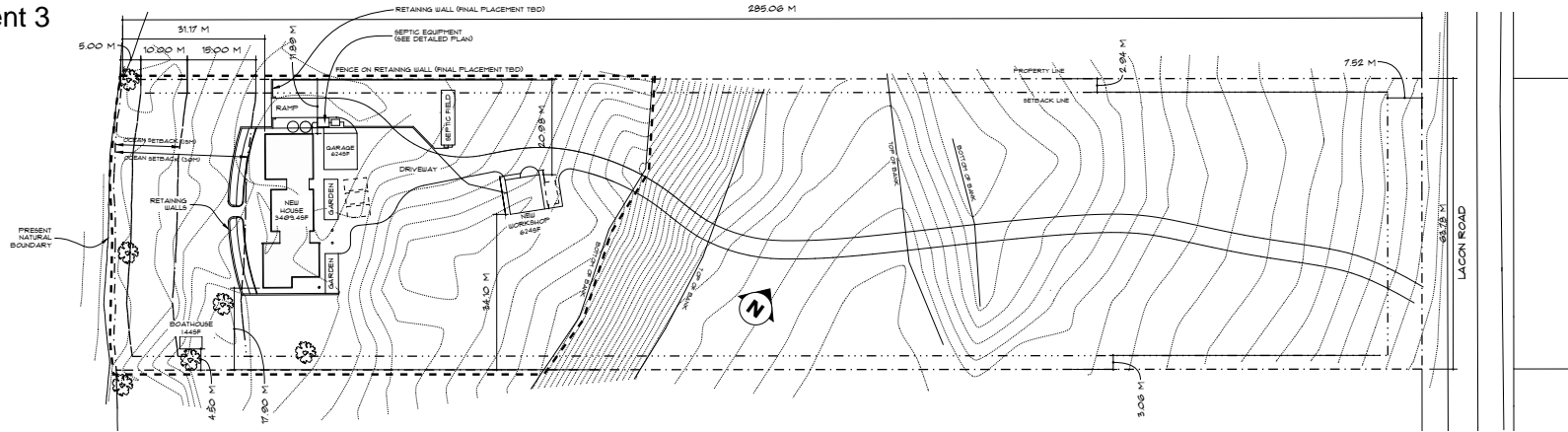


FROM	BEARING	DISTANCE	TO
	102°14'10"	15.135	#1
REBAR 146	8°09'40"	13.105	#2
	344°32'20"	22.430	#3
	339°32'30"	30.415	#4

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 27th DAY OF APRIL, 2018.
EVAN E. WIND, BCLS (954)
THIS PLAN LIES WITHIN THE COMOX VALLEY REGIONAL DISTRICT.

McELHANNNEY ASSOCIATES
LAND SURVEYING LTD.
PROFESSIONAL LAND SURVEYORS
485 SIXTH STREET
COURTENAY, B.C.
V9N 8V4
TEL. (250) 338-5495
FILE 05581 CDV

Attachment 3



1 PROPOSED SITE PLAN
1MM : 500MM

3 SOUTH ELEVATION
1/4" = 1'

4 WEST ELEVATION
1/4" = 1'



2 WORKSHOP FLOOR PLANS
1/4" = 1'



5 SHED ELEVATIONS
1/4" = 1'



6 EAST ELEVATION
1/4" = 1'

7 NORTH ELEVATION
1/4" = 1'

NOTE: ALL DESIGN MATERIAL, INCLUDING DRAWINGS, MODELS, RELATED DOCUMENTS, ETC., REMAINS THE COPYRIGHTED PROPERTY OF COMMONHOUSE DESIGN AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR APPROVAL

FORREST RESIDENCE
5465 LACON ROAD, DENMAN ISLAND BC



#212-2459 Cousins Avenue
Courtenay, BC V9N 3N6
250.871.8765
info@commonhousedesign.com

SCALE: AS NOTED
PROJECTED: 2025
START DATE:
DRAWN: PDT
ISSUED: May 8, 2025
REFERENCE: DENMAN ISLAND LOCAL TRUST COMMITTEE APPLICATION

DRAWING PAGE#
A-1



1 EAST ELEVATION
1/4" = 1'



2 WEST ELEVATION
1/4" = 1'



3 SOUTH ELEVATION
1/4" = 1'



4 NORTH ELEVATION
1/4" = 1'

NOTE: ALL DESIGN MATERIAL, INCLUDING DRAWINGS, MODELS, RELATED DOCUMENTS, ETC., REMAINS THE COPYRIGHTED PROPERTY OF COMMONHOUSE DESIGN, AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR APPROVAL.

FORREST RESIDENCE
5465 LACON ROAD, DENMAN ISLAND BC

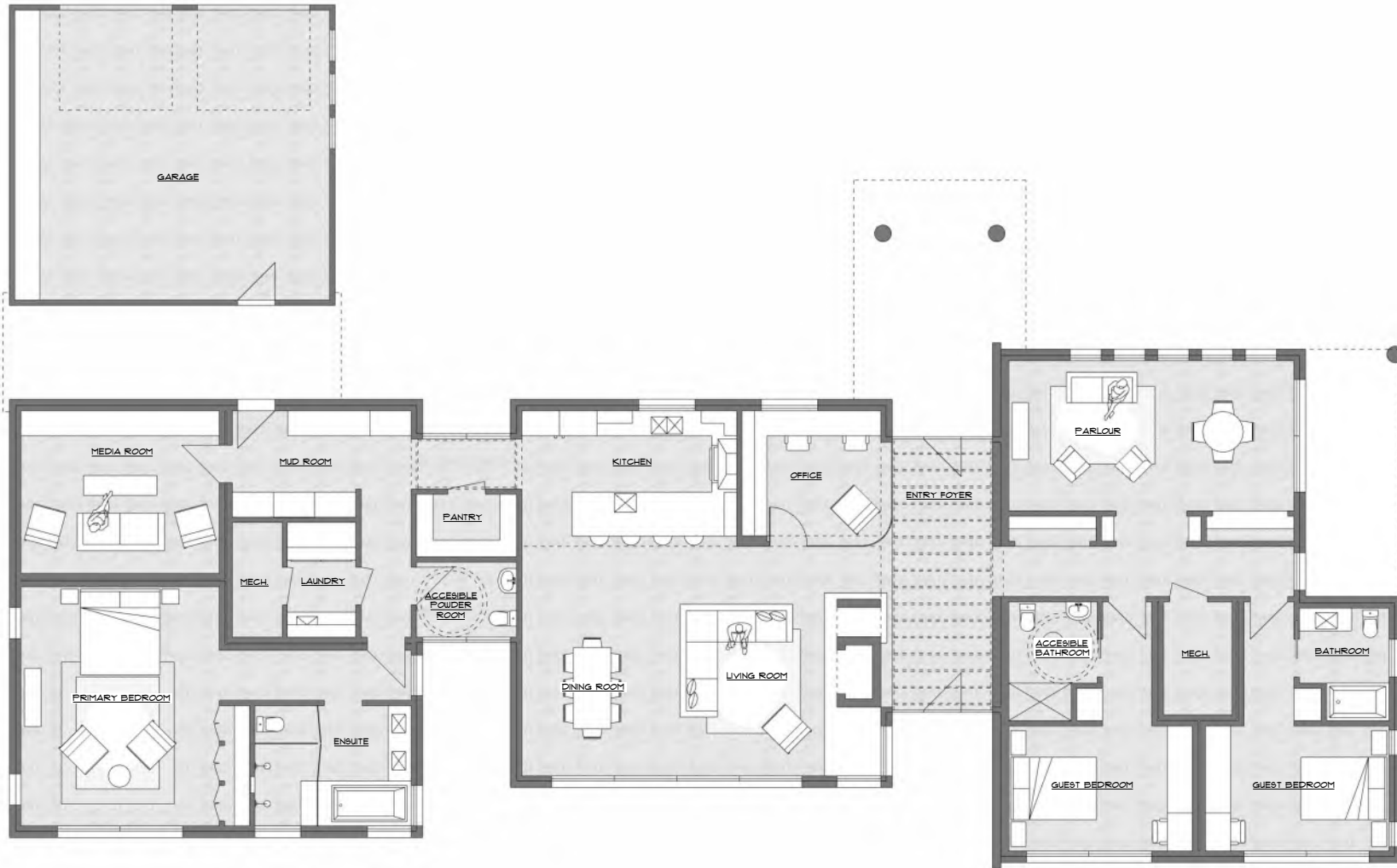


#212-2459 Cousins Avenue
Courtenay, BC V9N 3N6
250.871.8765
info@commonhousedesign.com

SCALE: AS NOTED
PROJECTED: 2025
START DATE:
DRAWN: PDT
ISSUED: May 8, 2025
REFERENCE: DENMAN ISLAND LOCAL TRUST COMMITTEE APPLICATION

DRAWING PAGE#
A-2

NOTE: ALL DESIGN MATERIAL INCLUDING DRAWINGS, MODELS, RELATED DOCUMENTS, ETC., REMAINS THE COPYRIGHTED PROPERTY OF COMMONHOUSE DESIGN AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR APPROVAL



1 MAIN FLOOR PLAN
1/4" = 1"
HOUSE - 34@9.4 SF
GARAGE - 624 SF

FORREST RESIDENCE
5465 LACON ROAD, DENMAN ISLAND BC



#212-2459 Cousins Avenue
Courtenay, BC V9N 3N6
250.871.8765
info@commonhousedesign.com

SCALE: AS NOTED
PROJECTED: 2025
START DATE:
DRAWN: PDT
ISSUED: May 8, 2025
REFERENCE: DENMAN ISLAND LOCAL TRUST COMMITTEE APPLICATION

DRAWING PAGE#
A-3

Attachment 4



January 2, 2025

Permit No. 2022-0157
Application No. 11200-30/21A0299

Philip Whalen
Baseline Archaeological Services Ltd.
556 Harmston Ave
Courtenay, BC V9N 2X5
Email: pwhalen@baselinearchaeological.ca

Re: Amendment 002 to Inspection Permit 2022-0157 - Granted

Dear Philip Whalen:

Further to your request of December 2, 2024, the terms of the enclosed permit have been revised to **extend the expiry date to March 31, 2026**. Please note that as this amendment is administrative in nature, it has not been sent out for comment, but issued directly. Please keep a copy of the amended permit for your records; the original will be retained in the Archaeology Branch permit file.

The results of your inspections are to be presented in a permit report, submitted in both double-sided hard copy and PDF formats, by **March 31, 2026**. Individuals and organizations with knowledge of location, distribution, and significance of archaeological resources in the study area should be contacted where appropriate and documented in the permit report. Please ensure that site inventory forms are submitted separately, and that detailed site access information is not included in the report text. If site forms are included in the report, they will be removed by Branch staff.

Please note that Branch acceptance of permit reports only acknowledges the fulfillment of permit terms and conditions. Such acceptance does not bring with it an obligation by the Branch to accept report recommendations as they relate to impact assessments or impact management requirements.

Should you have any questions regarding this permit, please contact your Permitting Archaeologist, **Ryan S Blackburn**, who can be reached by calling 250-953-3334 or emailing ArchPermitApp@gov.bc.ca.

Please note that the permit number listed above must be referenced in the subject line of all permit-related emails sent to the Archaeology Branch.

Sincerely,



Travis Lutley
Manager – Residential Development
TL/pd/Encl.
pc: See attached Amendment Distribution List

Ministry of Forests
Forest Resiliency and
Archaeology Division
Archaeology Branch

PO Box 9816 Stn Govt Prov
Victoria, BC
V8W 9W3

Telephone: 250-953-3334
Website:
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

✓	DISTRIBUTED TO	ATTENTION	CONTACTED	FILE #
	Philip Whalen	Permit Holder	pwhalen@baselinearchaeological.ca	
	K'omoks First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com	
CL	Nanwakolas Council	Art Wilson	referrals@nanwakolas.com;	
	Qualicum First Nation	Chief Michael Recalma	receptionist.qualicum@shaw.ca; recalmag.qualicum@shaw.ca	
	Snaw-Naw-As First Nation	Katie Bob-Sampson, Tom Bob, cc Treaty	katiesampson_ira@nanoose.org; tbob@nanoose.org; info@temexw.org	
P	Tla'amin First Nation	Denise Smith, Richard Gage	Tla'amin Connect	
	We Wai Kai First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com;	21-604
	Wei Wai Kum First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com	
P	Xwemalhwu First Nation	Chief Darren Blaney	HOMALCO CONNECT PORTAL	



HERITAGE CONSERVATION ACT

HERITAGE INSPECTION PERMIT

AMENDMENT (002)

THIS IS TO CERTIFY that **Philip Whalen** of **Baseline Archaeological Services Ltd.** is hereby authorized to conduct an assessment as described below, subject to the terms and conditions on the back hereof.

Type of activity and location:

Archaeological Impact Assessment of a proposed single family residential construction at 5465 Lacon Rd, Denman Island, (Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349, PID 030-773-890)

All work is to conform with the "Application for Permit" dated June 14, 2021, and the amendment requests dated March 8, 2023, and December 2, 2024.

Disposition of materials collected: **Campbell River Museum**

Issued **May 9, 2022**
Amended (001) **June 19, 2023**
Amended (002) **January 2, 2025**
Expires **March 31, 2026**

Minister of Forests

Per _____
(See back for *Conditions*)

GENERAL TERMS AND CONDITIONS OF PERMIT

1. Permits shall be valid for the term stipulated on the front of the permit unless otherwise suspended or cancelled. Extensions to the term of the permit, or other amendments, will be considered upon submission of an application to the Archaeology Branch at least 45 days prior to the expiry date of the permit.
2. The permit-holder shall provide the Archaeology Branch with one (1) bound copy and one (1) electronic copy in PDF format of a written report, in accordance with the standards required by the Minister, outlining the work carried out under the terms of the permit.
3. The title page of all reports must indicate the name(s) of the copyright owner(s) and, where agreed to, a Grant of License statement completed and signed by the copyright owner(s).
4. A person appointed by the branch may at any time inspect any aspect of a project conducted under the terms of this permit. To further their inspection, the appointee may request field data, or conduct excavations within the study area. Notwithstanding the expiration or earlier termination of the term of the permit this provision will remain and continue in full force and effect.
5. Upon completion of any inspection or investigation involving excavations, the permit-holder shall make reasonable efforts to ensure all sites are restored as nearly as possible to their former condition.
6. The permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
7. Heritage objects and associated materials recovered under authority of the permit may not be sold or exchanged for financial gain. Any other transfer of heritage objects, materials and records, or changes to the conditions identified under the "Disposition of materials collected..." section of the permit, may only be carried out with prior consent of the Minister.
8. The permit-holder shall conform to all requirements that may be imposed by the institution or organization named in the "Disposition of materials collected..." section of the permit.
9. Notwithstanding expiration or earlier termination of the term of the permit, provisions with respect to the "Disposition of materials collected ..." section shall remain and continue in full force and effect.
10. The permit holder shall utilize any site recording forms, formats or systems required by the minister. To fulfill this condition, the site form, mapping, and related documentation must comply with Archaeology Branch directives for site record submission. Failure to submit satisfactory site records will be considered an outstanding obligation, thereby affecting the archaeologists' ability to hold additional permits or obtain amendments.
11. A permit issued under section 12.2(4) does not authorize entry onto land or into a building without the permission of the owner or occupier.
12. For heritage inspection permits, the permit-holder shall submit spatial information (as a shape file in accordance with the standards required by the Minister) of all study areas that were the subject of in-field inspections.
13. The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.
14. Where known, First Nation file numbers will be reference in permit-related correspondence.
15. All negative test areas and areas of potential not subjected to subsurface inspection will be recorded in the field and displayed on maps as polygons; the number of excavated tests (if

applicable) and the approximate dimensions of each area will be listed; shapefiles will be provided to the Branch.

16. Any other conditions that may be specified in the permit.
17. The permit holder will provide electronic copies of any reports produced under this permit to those First Nations with an interest in the study area, unless the parties have agreed to alternate arrangements.

The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.

OTHER CONDITIONS

18. N/A

Attachment 5



April 2, 2025

Permit No. 2023-0226
Application No. 11200-30/21A0300

Philip Whalen
Baseline Archaeological Services Ltd.
556 Harmston Ave
Courtenay, BC V9N 2X5

AND

Mr. Thorne P. Forrest
2321 2nd Ave
Calgary, AB T2N 0H3

Email: pwhalen@baselinearchaeological.ca

Email: thorne4est@hotmail.com

Re: Amendment 002 to Alteration Permit 2023-0226 - Granted

Dear Philip Whalen and Mr. Thorne P. Forrest:

Further to your request of November 19, 2024, the terms of the enclosed permit have been **revised to extend the expiry date to March 31, 2026**. Please keep a copy of the amended permit for your records; the original will be retained in the Archaeology Branch permit file.

The results of your alterations are to be presented in a permit report, submitted in both double-sided hard copy and PDF formats, by **March 31, 2026**.

Should you have any questions regarding this permit, please contact your Permitting Archaeologist, **Ryan S Blackburn**, who can be reached by calling 250-953-3334 or emailing ArchPermitApp@gov.bc.ca.

Please note that the permit number listed above must be referenced in the subject line of all permit-related emails sent to the Archaeology Branch.

Sincerely,

Travis Lutley
Manager – Residential Development
TL/pd/Encl.

pc: See attached Amendment Distribution List

Ministry of Forests

Forest Resiliency and
Archaeology Division
Archaeology Branch

PO Box 9816 Stn Govt Prov
Victoria, BC
V8W 9W3

Telephone: 250-953-3334

Website:

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

✓	DISTRIBUTED TO	ATTENTION	CONTACTED
	Philip Whalen	Permit Holder	pwhalen@baselinearchaeological.ca
	Mr. Thorne P. Forrest	Co-Permittee	thorne4est@hotmail.com
	K'omoks First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com
CL	Nanwakolas Council	Art Wilson	referrals@nanwakolas.com;
	Qualicum First Nation	Chief Michael Recalma	receptionist.qualicum@shaw.ca; recalmag.qualicum@shaw.ca
	Snaw-Naw-As First Nation	Katie Bob-Sampson, Tom Bob, cc Treaty	katiesampson_ira@nanoose.org; tbob@nanoose.org; info@temexw.org
P	Tla'amin First Nation	Denise Smith, Richard Gage	Tla'amin Connect
	We Wai Kai First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com;
	Wei Wai Kum First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com
P	Xwemalhkwa First Nation	Chief Darren Blaney	HOMALCO CONNECT PORTAL



HERITAGE CONSERVATION ACT

ALTERATION PERMIT

AMENDMENT (002)

THIS IS TO CERTIFY that **Philip Whalen** of **Baseline Archaeological Services Ltd.**, and **Mr. Thorne P. Forrest** are hereby authorized to conduct alterations as described below, subject to the terms and conditions on the back hereof.

Type of alteration, archaeological site number(s) and location(s):

Proposed alterations to DiSe-5 for a residential construction at 5465 Lacon Rd, Denman Island.

All work is to conform with the "Application for Permit" dated May 3, 2021, and the amendment requests dated June 20, 2023, and November 19, 2024.

Disposition of materials collected: **Campbell River Museum**

Issued **June 19, 2023**
Amended (001) **August 28, 2023**
Amended (002) **March 31, 2025**
Expires **March 31, 2026**

Minister of Forests

A handwritten signature in black ink, appearing to be "J. P. Forrest", written over a horizontal line.

Per _____
(See back for *Conditions*)

GENERAL TERMS AND CONDITIONS OF PERMIT

1. Permits shall be valid for the term stipulated on the front of the permit unless otherwise suspended or cancelled. Extensions to the term of the permit, or other amendments, will be considered upon submission of a request to the Archaeology Branch at least 45 days prior to the expiry date of the permit.
2. The permit-holder shall provide the Archaeology Branch with one (1) bound copy, if longer than five (5) pages, and one (1) electronic copy in PDF format of a written report outlining the work carried out under the terms of the permit.
3. The title page of all reports must indicate the name(s) of the copyright owner(s) and, where agreed to, a Grant of License statement completed and signed by the copyright owner(s).
4. The permit-holder shall provide the Archaeology Branch with an updated British Columbia Archaeological Site Inventory Form for any site altered under authority of the permit.
5. A person appointed by the Branch may at any time inspect any aspect of a project conducted under the terms of this permit. To further their inspection, the appointee may request field data, or conduct excavations within the study area. Notwithstanding the expiration or earlier termination of the term of the permit this provision will remain and continue in full force and effect.
6. Where a condition for archaeological monitoring of development is attached to the permit, the permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
7. Heritage objects and associated materials recovered under authority of the permit may not be sold or exchanged for financial gain. Any other transfer of heritage objects, materials and records, or changes to the conditions identified under the "Disposition of materials collected..." section of the permit, may only be carried out with prior consent of the Minister.
8. A permit issued under Section 12.4(1) does not authorize the holder of the permit to enter property, or to make any alteration to property, without the permission of the owner or occupier.
9. In the event that human remains are encountered, all work must cease in the vicinity of the remains and the Archaeology Branch and affected indigenous communities must be contacted for direction, unless otherwise provided for in the permit application.
10. Where concurrent archaeological studies are required, per Section 5 of the application, an Eligible Archaeologist, as approved by the Branch, will be retained by the applicant. Any ground-altering activities must be conducted under the direction of the archaeologist.
11. Where known, First Nation file numbers will be reference in permit-related correspondence.
12. The permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
13. The permit-holder shall conform to all requirements that may be imposed by the institution or organization named in the "Disposition of materials collected..." section of the permit.
14. Any other conditions that may be specified in the permit.
15. The permit holder will provide electronic copies of any reports produced under this permit to those First Nations with an interest in the study area, unless the parties have agreed to alternate arrangements.

The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.

OTHER CONDITIONS

16. N/A

Attachment 6



K'ómoks First Nation

K'ómoks First Nation
3330 Comox Rd, Courtenay, BC V9N 3P8

**Cultural Heritage Investigation
PERMIT (CHIP)**

1. Administrative Information

KFN CHIP Number: KFN 2025-40

Permit Holder Name: Owen Grant

Permit Holder
Affiliation: Baseline Archaeological Services

Address: 556 Harmston Avenue
Street Address

<u>Courtenay</u>	<u>BC</u>	<u>V9N 2X5</u>
City	Province	Postal Code

Phone: 250-897-3853 Email owengrant@baselinearchaeological.ca

2. CHIP Details

Site location: 5465 Lacon Road

Borden Number(s) of registered
archaeological site(s): DiSe-5

Activities covered under this KFN CHIP:

Archaeological Impact Assessment by a qualified archaeologist with a KFN monitor in accordance with KFN CHIP. Approved activities for pre-testing locations of planned works:

importing fill, using helical pilings for homeworkshop, and retaining wall construction, and excavating for a septic system and other utilities. 50% SDR required for intact

deposits with 100% screening. 100% screening/raking of disturbed deposits. Shovel testing must occur at all helical piling locations to ensure no Ancestral Remains are

damaged. If Ancestral Remains or Wet Sites are identified KFN must be contacted immediately and cannot be excavated without written consent by KFN.

Repository for any KFN cultural heritage objects or artifacts.

Courtenay District Museum & Archives

Issuance date: March 17th 2025

Expiry date: March 17th 2027

A handwritten signature in black ink, consisting of a large, sweeping initial 'A' followed by a smaller, more complex flourish.

Signatory, Elected Chief

**K'ómoks First Nation Cultural Heritage Investigation Permit (KFN CHIP)
terms and conditions**

- The KFN Cultural Heritage Investigation Permit is valid for two years from the time of issuance. If the project is not complete within two years, an additional KFN Cultural Heritage Investigation Permit will need to be applied for.
- All fieldwork undertaken under this permit will include a KFN Guardian Watchman or KFN Archaeological Monitor for the duration of the fieldwork.
- Projects may require an additional project management fee, in addition to the permit fee, to be paid by the proponent.
- **If human remains are identified as a result of project related activities, the permit holder will immediately cease work, contact KFN, and follow KFN's specific requirements regarding human remains as detailed in the KFN Cultural Heritage Policy.**
- If human remains are removed as a result of project related activities, the proponent will bear the costs associated with reburial.
- Upon completion of fieldwork, the permit holder will make reasonable efforts to restore the physical appearance of the site.
- KFN will have a chance to review and comment upon the penultimate draft of the permit report.
- Upon completion of the project, KFN will be provided one digital and one paper copy of the final report.
- KFN retains the right to terminate this permit if evidence indicates that the permit holder is not acting under the terms and conditions of the permit.



K'ómoks First Nation

K'ómoks First Nation

3330 Comox Rd, Courtenay, BC V9N 3P8

Cultural Heritage Investigation
PERMIT (CHIP)

1. Administrative Information

KFN CHIP Number: KFN 2025-41

Permit Holder Name: Owen Grant

Permit Holder
Affiliation: Baseline Archaeological Services

Address: 556 Harmston Avenue
Street Address

Courtenay BC V9N 2X5
City Province Postal Code

Phone: 250-897-3853 Email owengrant@baselinearchaeological.ca

2. CHIP Details

Site location: 5465 Lacon Road

Borden Number(s) of registered
archaeological site(s): DiSe-5

Activities covered under this KFN CHIP:

Site Alteration (SAP) by a qualified archaeologist with a KFN monitor in accordance with KFN CHIP. Approved activities include importing fill, using helical pilings for home workshop, and retaining wall construction, and excavating for a septic system and other utilities. 50% SDR required for intact deposits with 100% screening. 100% screening/raking of disturbed deposits. Shovel testing must occur at all helical piling locations to ensure no Ancestral Remains are damaged. If Ancestral Remains or Wet Sites are identified KFN must be contacted immediately and cannot be excavated without written consent by KFN.

Repository for any KFN cultural heritage objects or artifacts.

Courtenay District Museum & Archives

Issuance date: March 17th 2025

Expiry date: March 17th 2027

A handwritten signature in black ink, consisting of a large, sweeping initial 'A' followed by a smaller, more fluid signature.

Signatory, Elected Chief

**K'ómoks First Nation Cultural Heritage Investigation Permit (KFN CHIP)
terms and conditions**

- The KFN Cultural Heritage Investigation Permit is valid for two years from the time of issuance. If the project is not complete within two years, an additional KFN Cultural Heritage Investigation Permit will need to be applied for.
- All fieldwork undertaken under this permit will include a KFN Guardian Watchman or KFN Archaeological Monitor for the duration of the fieldwork.
- Projects may require an additional project management fee, in addition to the permit fee, to be paid by the proponent.
- **If human remains are identified as a result of project related activities, the permit holder will immediately cease work, contact KFN, and follow KFN's specific requirements regarding human remains as detailed in the KFN Cultural Heritage Policy.**
- If human remains are removed as a result of project related activities, the proponent will bear the costs associated with reburial.
- Upon completion of fieldwork, the permit holder will make reasonable efforts to restore the physical appearance of the site.
- KFN will have a chance to review and comment upon the penultimate draft of the permit report.
- Upon completion of the project, KFN will be provided one digital and one paper copy of the final report.
- KFN retains the right to terminate this permit if evidence indicates that the permit holder is not acting under the terms and conditions of the permit.



NOTICE
PLDVP20250348
DENMAN ISLAND LOCAL TRUST COMMITTEE

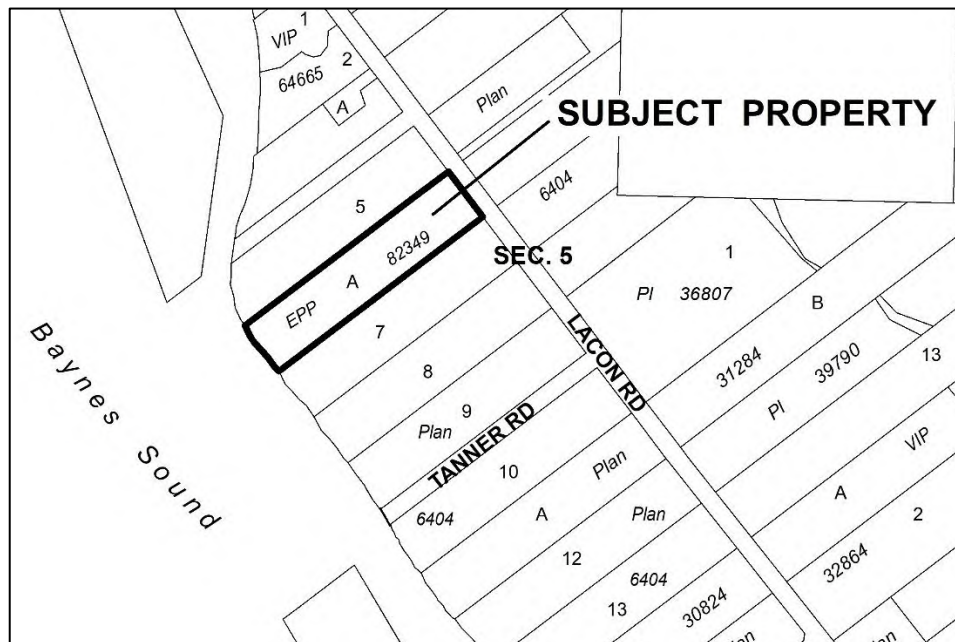
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Denman Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit. The proposed permit seeks to vary the Denman Island Land Use Bylaw, 2008, PART 3 ZONE REGULATIONS, Section 3.3 Residential Zoning Tables, Table 5 – Setbacks, Item 1, in order to:

- **Reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings, attached to and forming part of the proposed permit.**

The property is legally described as:

LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349 (PID: 030-773-890)

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:00 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing April 28, 2026 and continuing up to and including May 11, 2026 and is also available on the Islands Trust website here: <https://islandstrust.bc.ca/island-planning/denman/current-applications/>

Enquiries or comments should be directed to Ian Cox, Planner 2 at (250) 247-2207, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver (604) 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, May 11, 2026.

The Denman Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting starting at **10:00 am, May 12th, 2026, located at the Denman Activity Centre, 1111 Northwest Road Denman Island, BC.**

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

PROPOSED



Islands Trust

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20250348

TO: Thorne Paul Forrest & Lucille Forrest

1. This Development Variance Permit applies to the land described below:

PID: 030-773-890

Legal Description: LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349

2. Pursuant to Section 498 of the *Local Government Act*, the *Denman Island Land Use Bylaw, 2008* is varied as follows:

PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is varied:

- **To reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings.**

3. The proposed development shall be consistent with Schedule “A” – Site Plan and Schedule “B” – Design Concept, attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Denman Island Land Use Bylaw, 2008 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS XXTH DAY OF XX, 202X.

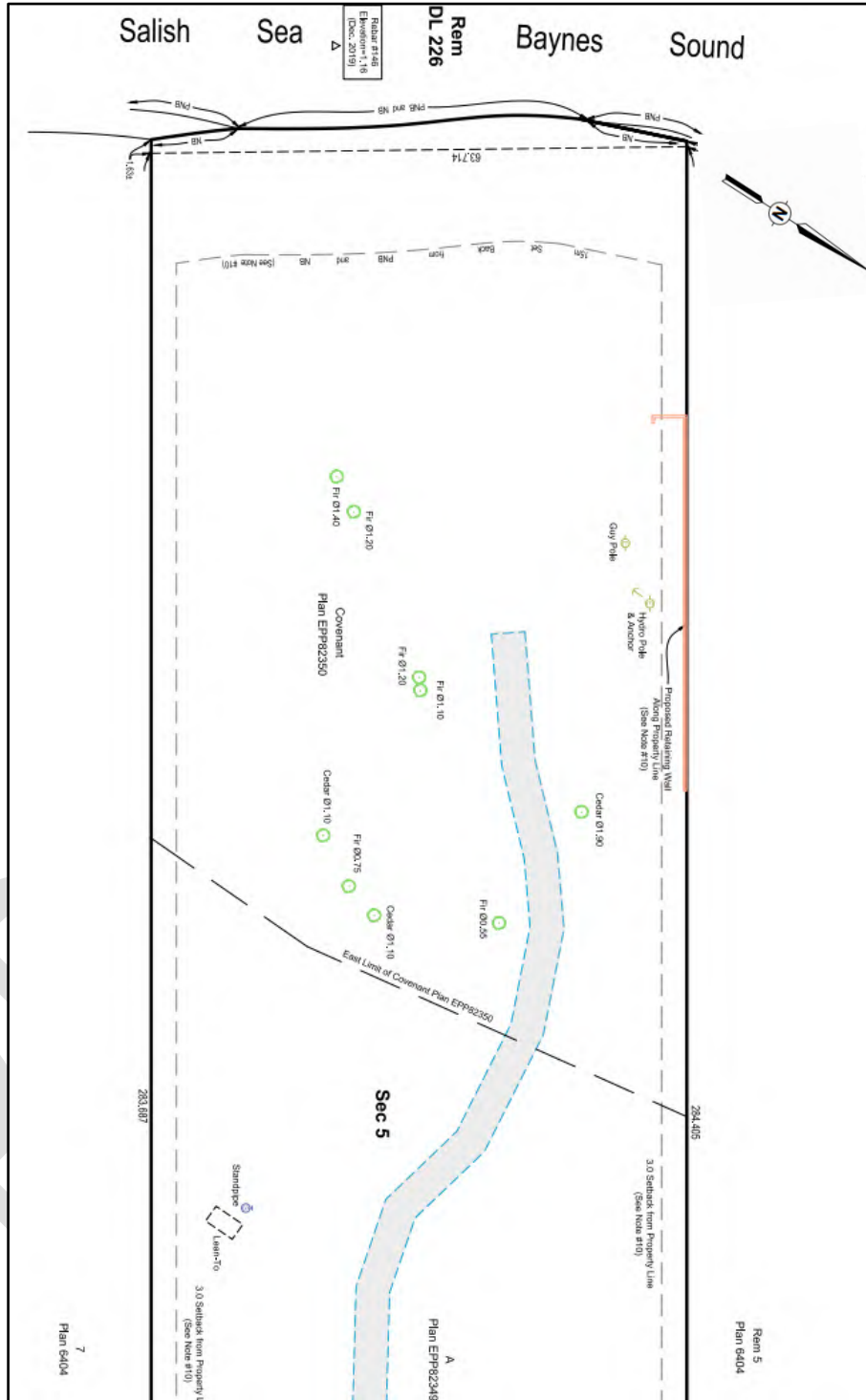
Deputy Secretary, Islands Trust

MMM/DD/YYYY

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XXTH DAY OF XX, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20250348 Schedule "A" – Site Plan



8 4 0 m 4 8 16 24 32

SCALE 1:400
UNLESS OTHERWISE NOTED

Original Drawing Size: (864mm x 560mm)

PLAN ID.: 22110598100-V-SKCH-001 (Update to 05581-SP - Issued 2019-12-18)

McElhenny

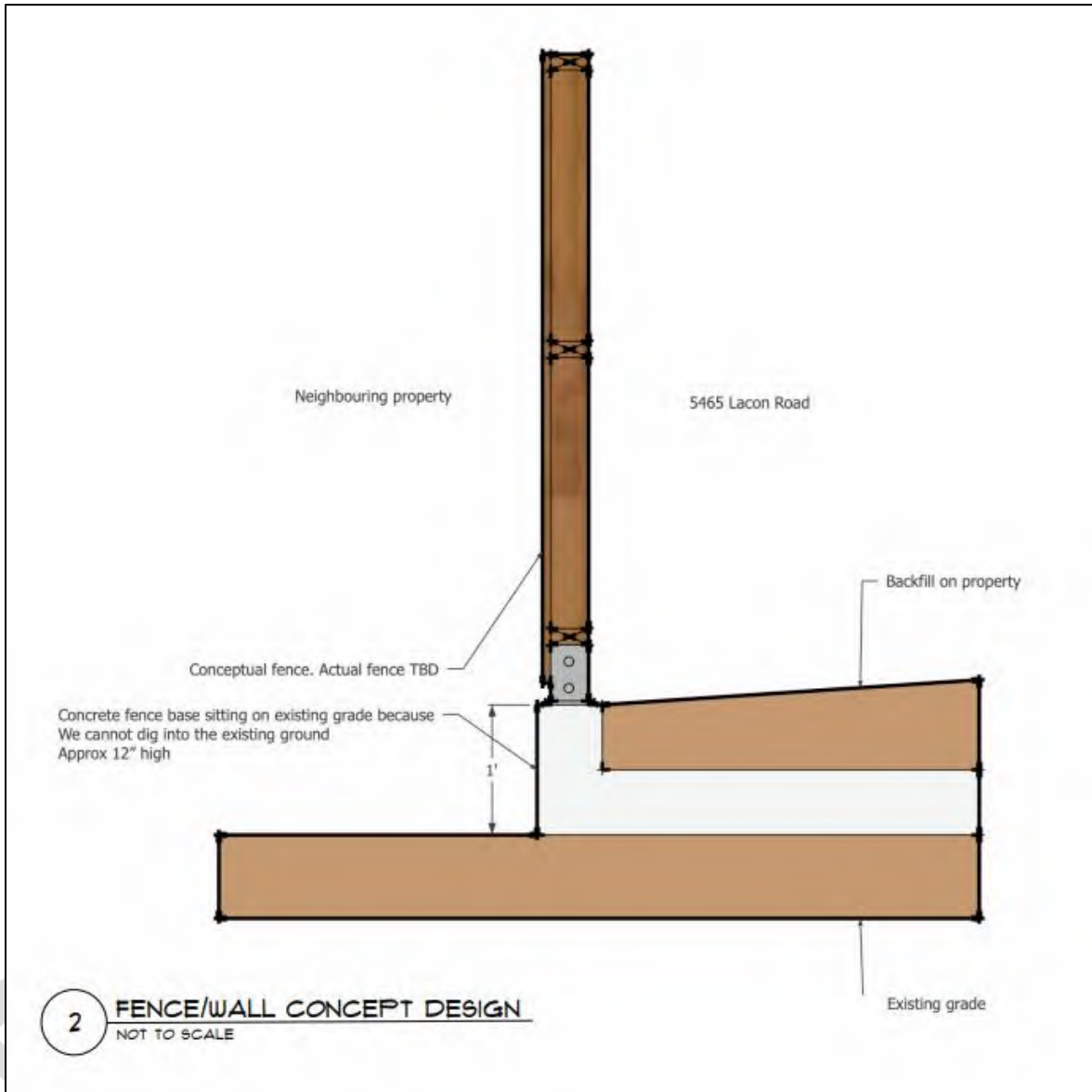
1211 Ryan Road,
Courtenay BC V9N 3R6
Tel.
250-338-5495

THORNE FORREST

SITE PLAN UPDATED TO SHOW PROPOSED RETAINING WALL ON
LOT A, SECTION 5, DENMAN ISLAND, NANAIMO
DISTRICT, PLAN EPP82349
5465 Lacon Road, Denman Island, BC

PROPOSED

**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20250348
Schedule "B" – Design Concept**





File No.: Denman Housing Review

DATE OF MTG: May 12, 2026
TO: Denman Island Local Trust Committee
FROM: Narissa Chadwick, Senior Planner
Local Planning Services
COPY: Marlis McCargar, Islands Planner/ Renée Jamurat, Regional Planning Manager
SUBJECT: Bylaw Nos. 260 and 264 - First Reading

RECOMMENDATION

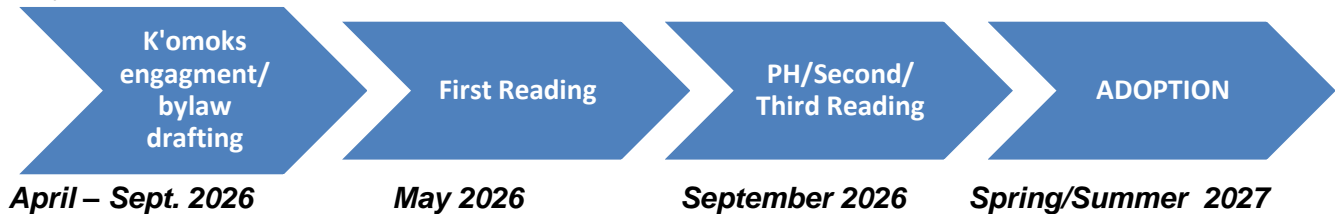
1. That Denman Local Trust Committee Bylaw No.260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”, be read for the first time.
2. That the Denman Local Trust Committee Bylaw No.264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be read for the first time.
3. That the Denman Local Trust Committee Bylaw No.260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and the Denman Local Trust Committee Bylaw No.264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be sent for referral to relevant agencies.
4. That the Denman Island Local Trust Committee request staff to schedule an in-person Community Information Meeting in July 2026 for Bylaw No.260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No.264 cited as “Denman Island Land Use Bylaw No. 264, 2026”.
5. That the Denman Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No.260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No.264 cited as “Denman Island Land Use Bylaw No. 264, 2026” following the close of the referral period.
6. That the Denman Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No.260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and Bylaw No.264 cited as “Denman Island Land Use Bylaw No. 264, 2026”, are not contrary to or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

The purpose of this report is to present proposed Bylaw Nos. 260 (OCP) and 264 (LUB) to the Denman LTC for first reading. These bylaws are related to the Denman Island Housing Review Project.

BACKGROUND

Project Timeline:



The **Denman Housing Review Project** was initiated by the Denman Island Local Trust Committee (LTC) to address the growing need for diverse and affordable housing on Denman Island. Since beginning this work in June 2023, staff and the LTC have completed a comprehensive suite of initiatives including:

- Housing Advisory Planning Committee (HAPC) recommendation analysis
- Preliminary community engagement
- The development of a Housing Action Plan
- Land use bylaw reformatting
- Build-out analysis
- Data mapping
- Engagement with K'ómoks First Nation
- Denman market engagement
- Public workshops
- A survey to refine growth management options

At the April 17, 2026 Denman Island Local Trust Committee special meeting, the LTC reviewed draft bylaw language.

It was **MOVED and SECONDED**

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

DISCUSSION

Through discussion of the draft amendments, the LTC requested several minor revisions to the proposed language and sought clarification on a few topics. These revisions have been incorporated into the proposed bylaws (Attachments 1 and 2). A summary of the changes, along with additional information on the topics identified by the LTC, is provided below.

Minor Changes to Bylaw Amendments Presented at April 17th LTC Meeting:

Section C.4 Climate Change Adaptation and Mitigation - section has been changed to include targets that related directly to actions that can be taken and effectively measured on Denman Island.

Section D.6 The Village – Use and Density: Policy 6 removed

Section D.7 Archeological, Historic and Natural Sites – Policy 8 “Provincial Government” added

Section E.1 Housing:

- Information Note that follows Policy 17 removed
- Policy 28 reference to limitation of 10 units removed
- Policy 28 Step Code requirement removed
- Policy 30 remove maximum floor area 50m²

Section E.2 Economic Activities – Home Occupation policy 11: capture principal dwelling unit components

Land Use Bylaw Definitions-

- Agritourism: removed one of two
- Guest Accommodation: removed “a total of 45 days in any one calendar year”
- Occasional: in reference to markets, change “no more than 45” days to “no more than 52 days”
- Height: change to read “measured from original grade”

Land Use Bylaw General Regulations

- Prohibited in All Zones section 2.2 (a): added term “short-term paying guests”;
- Section 2.17 Home Occupation Regulations / Home Based Guest Accommodation items 21 and 22: “for light meal preparation only” left in regulation.

Additional Information on Specific Topics

Strata Conversion Subdivision for Legacy Land-Shares

The LTC raised questions regarding subdivision and strata options for situations where unrelated individuals share land on which multiple principal dwellings are permitted. In these cases, property owners may wish to transfer individual homes and portions of the land to family members under separate ownership, rather than maintaining communal ownership.

Strata conversion of legacy multi-owner properties can improve legal clarity and make inheritance and future sales much simpler, but it also comes with important downsides that are often overlooked. Breaking a large parcel into strata lots can make managing and conserving sensitive ecosystems less effective and fragmented. Fragmented land ownership can similarly increase the complexity of effectively protecting archaeological sites, shoreline habitat and biodiversity through proliferation of lot specific infrastructure such as trails, fences and gathering areas.

Under the proposed bylaws, a proposal to strata a parcel containing existing single-family dwellings would be prohibited, as strata conversion is treated as a form of subdivision that creates additional residential lots. Although the dwellings already exist, converting them into strata units would result in multiple legally separate residential parcels, which is the type of development the proposed bylaw is intended to prevent.

The proposed subdivision regulations do not include standard residential strata conversions for ownership purposes. As a result, unless the proposal qualifies under one of the limited exceptions, or the bylaw is amended to explicitly allow it, this type of strata conversion would require rezoning.

Even if the subdivision regulations were amended to allow such conversions, Section 242 of the Strata Property Act requires that any strata plan involving previously occupied buildings be approved by an approving authority. Approval is granted only where the building substantially complies with applicable bylaws and the BC Building and Plumbing Codes, which may require significant upgrades for older structures. The approving authority may also consider broader planning factors, including housing tenure, building condition, and long-term maintenance implications, when deciding whether to approve or refuse an application. As a result, strata conversion of existing multi-dwelling or land-share parcels is legally complex, discretionary, and often technically challenging.

Staff Recommendation: Stata subdivision, where land has been communally owned, should not be permitted outright. This type of subdivision, should require rezoning where a community benefit is required in exchange for strata subdivision permission.

Setbacks From the Sea

Concerns have been raised by waterfront property owners regarding the proposed increase in the setback from the natural boundary of the sea from 15m to 30m. Of particular concern is that several waterfront lots could be constrained by the proposed setback, potentially limiting residential development without a variance.

At the request of the LTC, staff identified that 13 existing lots (approximately 3% of waterfront properties) would be entirely affected by this change meaning they would likely need a variance to build or rebuild a structure. While this represents a relatively small number of properties, the impact on those lots may be significant. Many of the 13 lots already contain existing buildings or structures, which would be retain non-conforming structure status. Future development or redevelopment may require a Development Variance Permit (DVP) or Board of Variance (BOV), which have application fees of \$2,057 and \$2381 (2026).

The proposed increase in the setback is intended to better protect the foreshore and coastal marine environment, which are particularly sensitive to disturbance. Shoreline areas provide important ecological functions. A larger setback also responds to projected sea level rise. Locating development further from the natural boundary of the sea reduces long-term risk to structures, minimizes the need for shoreline armoring and supports the ability of coastal ecosystems to adapt over time. Foreshore areas contain cultural and archaeological heritage. Increased setbacks help reduce the likelihood of disturbance to these sites and support the protection of cultural heritage values.

Staff Recommendation: Staff recommend that properties affected by the proposed setback be addressed through the DVP or BOV process. Given the sensitivity of the foreshore area, the variance process allows for site-specific review and enables the LTC and staff to work with property owners to identify appropriate siting and environmental considerations.

To support this approach and provide additional policy guidance, the following Official Community Plan policy is proposed:

The Local Trust Committee may support issuance of a Development Variance Permit to reduce the required 30 m setback from the natural boundary of the sea where the applicant demonstrates that:

- *The required setback would unreasonably constrain a permitted use of the lot, given its size, shape, and topography;*
- *There are no alternative building sites on the lot that would meet the required setback; and*
- *The proposed siting and design minimize impacts to the foreshore and coastal marine environment.*

Approval is not implied and will depend on the specific circumstances of each application and consistency with broader environmental protection objectives in the Denman Island Official Community Plan and Land Use Bylaw.

Requiring Section 219 Covenant for Secondary Suites

The current Land Use Bylaw states that a secondary suite must not be subdivided from the principal dwelling unit. Staff noted that, to effectively implement this regulation, a covenant would need to be registered on title.

To address this, staff have recommended adding Regulation 3.6(1)(f), which requires that, for lots not within the ALR, a secondary suite is only permitted if the owner registers a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Denman Island Local Trust Committee. The covenant must prohibit the registration of a strata plan that would result in the secondary suite being held under separate title.

The LTC requested that staff identify the costs associated with registering such a covenant.

Potential costs are identified below:

Cost Component	Estimated Amount
LTSA registration fee	\$83.82
Legal drafting & filing	\$1,200 – \$2,000
Total	\$1,300 – \$2,000

Costs associated with legal drafting and filing can be minimized through the use of a standard covenant template. A draft template has already been prepared for Gabriola Island and property owners may use this template rather than retaining private legal counsel. In such cases, costs would generally be limited to only the applicable LTSA registration fee.

Max Floor Area Dwelling Size Rationale

A maximum dwelling floor area of 300 m² (approximately 3,300 ft²) has been identified to ensure that residential development remains consistent with the rural character of Denman Island, aligns with environmental and servicing constraints and limits the scale of development. Larger dwellings typically require increased site alteration, greater water and wastewater servicing capacity and can have a more significant environmental footprint. Establishing a maximum floor area helps manage these impacts while maintaining the low-density, rural form of development intended for the area.

Some members of the public have raised concerns regarding the proposed maximum floor area for dwellings, including:

- potential limitations on accommodating multi-generational households;
- potential constraints on incorporating secondary suites for rental purposes; and
- reduced flexibility for rural lifestyles that include space-intensive home-based activities.

While these concerns are acknowledged, the proposed maximum floor area is intended to balance individual flexibility with broader community objectives related to environmental protection, infrastructure limitations, and rural character. The proposed limit is significantly larger than typical dwelling sizes associated with affordable and community-based housing on Denman Island. For example, units within Coho are limited to approximately 140 m² (1500ft²) and 186m² (2000ft²) with secondary suites, if their

rezoning is approving. BC Housing guidelines identify similar dwelling sizes as suitable for long-term residential use.

Unit Type	Minimum Floor Area
Studio	~350 sq ft
1-Bedroom	~500 sq ft
2-Bedroom	~680 sq ft
3-Bedroom	~850 sq ft

In this context, a 300 m² maximum provides substantial flexibility for a range of household types, including larger families, while still establishing an upper limit that is consistent with the intended scale of development for the island.

The Community Survey, developed by Vancouver Island University’s Mount Arrowsmith Biosphere Region Research Institute (MABRRI), was made available to Denman Island residents (owners and renters) in 2022. The survey asked respondents about their level of support for implementing a maximum floor area for dwellings in the Land Use Bylaw to regulate residential uses. Results indicate that 60% of respondents support the implementation of a maximum floor area for dwellings, 21% do not support it, and 19% are neutral. This reflects a majority level of support for introducing a maximum floor area regulation.

The Housing Advisory Planning Commission also recommended establishing a maximum floor area to minimize housing impacts. However, their approach differs slightly in that it proposes a Combined Floor Area (or distributed square footage) framework, which regulates the total built footprint on a lot by applying a maximum combined floor area across all structures.

ANALYSIS

Policy/Regulation

Islands Trust Policy Statement (ITPS):

Staff have determined that the proposed bylaws are not contrary or at variance to the ITPS. The ITPS checklist is contained in Attachment 4.

Official Community Plan:

The addition of housing related policies in the Official Community Plan will provide the opportunity for the LTC to waive the public hearing in cases where rezoning pertaining to residential development is consistent with the OCP.

Land Use Bylaw:

A number of changes are being proposed to the Land Use Bylaw to increase housing options while balancing the preservation and protection of the natural environment.

Consultation

As the project involves OCP amendments, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The bylaws will be sent out on referral to the following agencies and community groups:

Ministry of Housing and Municipal Affairs

Ministry of Transportation and Infrastructure

Agricultural Land Commission
Ministry of Agriculture and Food
School District #71
Comox Valley Regional District

Denman Community Housing Association
Denman Conservancy Association
Hornby Island Local Trust Committee

The bylaws will be sent to the following First Nations:

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Nanwakolas Council
Wei Wai Kum Nation
We Wai Kai Nation
Penelakut Tribe
Snuneymuxw First Nation
Mamalilikulla First Nation
Tla'amin Nation
Tlowitsis Nation
Ts'uubaa-asatx First Nation

Snaw'Naw'As Nation
Stz'uminus First Nation
Te'Mexw Treaty Association
Homalco First Nation (Xwemalhkwu)
K'ómoks First Nation
Qualicum First Nation
Da'naxda'xw First Nation

RATIONALE FOR RECOMMENDATION

Over the past three years the Denman Housing Project has benefitted from input from the Housing Advisory Planning Commission (HAPC) and members of the community. Information has been collected in a variety of ways to inform a Housing Action Plan. Each item in the housing action plan has been addressed through draft policies and regulations that the LTC has had the opportunity to discuss on a number of occasions.

Amendments to the OCP and LUB will provide a framework for increased flexibility to support housing options that address the need for more affordable housing on Denman Island while reducing the potential for more market housing to be developed.

ALTERNATIVES

1. Request additional information from staff before proceeding to first reading.
2. Read bylaws for the first time and request additional information from staff before proceeding to a CIM and Public Hearing.

NEXT STEPS

- Referrals to agencies
- After 90-day referral period is complete, CIM and Public Hearing
- Second and Third reading (September special meeting TBD – possible dates September 14 or 15, 2026)
- Refer to province for approval
- Bylaw adoption

Submitted By:	Narissa Chadwick, Island Planner	April 30, 2026
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Concurrence:	Renee Jamurat, Regional Planning Manager	May 5, 2026
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ATTACHMENTS

1. Proposed bylaw No. 260 (OCP)
2. Proposed bylaw No. 264 (LUB)
3. Project Charter
4. Islands Trust Policy Statement Checklist

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 260

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 185, 2008

The Denman Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”.

2. SCHEDULES

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

3. SEVERABILITY

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

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

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 260**

SCHEDULE 1

The Denman Island Official Community Plan No. 185, 2008, is amended as follows:

1. TABLE OF CONTENTS is amended by renaming “Preamble” to “Planning Context” and by deleting “APPENDIX D DENSITY BANK”.
2. All references in Bylaw No. 185 to any specific provincial ministry are deleted and replaced with “Provincial Government”.
3. SCHEDULE A – POLICIES, CONTENTS is amended by renaming “A History of Denman Island” and replacing it with “Community Context” and renaming “Preamble” and replacing it with “Planning Context”.
4. PART A – DENMAN ISLAND: PAST, PRESENT AND FUTURE is renamed PART A – COMMUNITY CONTEXT
5. PART A is amended by deleting the the existing text in its entirety and replacing it with the following:

“Community Context

This Official Community Plan (Plan) applies to the Denman Island Planning Area (see map 1 and 2). The Plan supports land and water stewardship through land use planning that reflects both the Islands Trust mandate, the community’s values, and recognizes the responsibilities of Indigenous Peoples to their territories

Denman Island is a rural island community situated in Baynes Sound in the Salish Sea, immediately east of Vancouver Island and north of Hornby Island. The island covers approximately 51.03 km² and is part of the Comox Valley Regional District and the Islands Trust.

Connection to the mainland and adjacent islands is provided by regular BC Ferries service from Buckley Bay on Vancouver Island and a ferry link to Hornby Island, shaping daily travel patterns, access to services, economic relationships, and emergency planning considerations.

Governance on Denman Island involves multiple jurisdictions, including the Islands Trust, the Comox Valley Regional District, the Province of British Columbia, Island Health, and School District 71, each with responsibilities that influence land use

planning, infrastructure provision, environmental protection, and community well-being.

Map 1: Denman Local Trust Area



Map 2: Denman Island Planning Area



Natural History

The landscape of Denman Island is rooted in deep geological time. All exposed bedrock on the island, as well as nearby Hornby Island, is sedimentary rock formed during the Late Cretaceous period (approximately 85–68 million years ago) as part of the Nanaimo Group. These sediments were deposited atop a much older foundation of volcanic rocks, limestone, and granites that originated roughly 150–180 million years ago within a travelling microcontinent known as Wrangellia, which eventually fused with North America. Evidence of this ancient basement can be seen today on Texada Island and in the Beaufort Range on Vancouver Island. During the Late Cretaceous, sediments accumulated within the geological Georgia Basin, formed as the land to the east was compressed and thickened by tectonic forces. Pebbles and cobbles embedded within Denman’s conglomerates reflect this history, containing fragments of volcanic and limestone rocks derived from surrounding highlands.

The island’s striking shoreline exposures reveal layers of mudstone, sandstone, and conglomerate deposited in deep marine environments by underwater sediment flows and turbidity currents. Fossils preserved within these rocks demonstrate that the basin was once connected to the global ocean and supported a rich marine ecosystem. Ammonites, clams, snails, crabs, corals, and heart urchins lived along the seafloor, while sharks and large marine reptiles hunted in the waters above. Fossilized driftwood and redwood foliage indicate that forested land was nearby. Around 60 million years ago, tectonic uplift associated with the subduction of the Pacific ocean floor beneath

North America raised the rocks that now form Denman and Hornby islands. Since then, erosion by rivers, waves, and glaciers has gradually shaped the islands into their present form.

Glaciation played a defining role in the more recent landscape. During the last ice age, thick ice sheets flowed south and west from the continental mountains, reaching maximum extent about 15,000 years ago. As the ice retreated, views from places such as Komas Bluffs would have included calving ice fronts and floating icebergs. By about 10,000 years ago, the ice had disappeared, leaving behind glacial erratics—large transported boulders—and extensive deposits of sand and gravel formed by meltwater. These deposits created prominent features such as Komas Bluff, Longbeak Point, Sandy Island, and the Seal Islets.

Following glacial retreat, plants and animals gradually recolonized the island. Many species arrived by flight, swimming, rafting on debris, or crossing temporary land connections to nearby areas, resulting in a smaller but distinctive mix of flora and fauna compared to larger landmasses. Evidence of early human presence in the broader region dates back thousands of years, including archaeological discoveries at Deep Bay. On Denman itself, shell middens along the shoreline, burial cairns on northern islets, petroglyphs on Chrome Island, and earthworks within what is now Boyle Point Park indicate that the island formed part of a well-known and long-used cultural landscape for Indigenous peoples over many generations.

Indigenous History and Context

Denman Island (known as Taystay'ich or Sla-dai-aich in local Indigenous languages) is located within the traditional unceded territory of the Pentlatch people and forms part of the broader ancestral lands of the K'ómoks First Nation, the Qualicum First Nation, and the Tla'amin Nation. For thousands of years, these and other related cultural groups maintained sustainable seasonal and permanent use of Denman's land and surrounding marine waters. Archaeological evidence, including shell middens, village sites, and other cultural features, demonstrates long-standing Indigenous presence and stewardship, particularly in areas such as Henry Bay and along the island's coastline.

The Pentlatch people, whose language and cultural systems were deeply connected to these lands and waters, experienced catastrophic population decline during the 1862 smallpox epidemic. Survivors joined the K'ómoks and other First Nations in the area. While the Pentlatch language ceased to be spoken fluently by the mid-20th century, revitalization efforts are underway. Today, First Nations and Indigenous Governing Bodies continue to exercise cultural, governance, and stewardship responsibilities across its traditional territory, including Denman and Hornby Islands.

Patterns of colonial settlement, reserve allocation, subdivision, residential development, and protected area designation occurred without recognition of Indigenous title and rights. These patterns continue to shape land ownership and land use within the Local Trust Area. This Plan acknowledges this historical and ongoing context and affirms a commitment to advancing reconciliation within the Islands Trust mandate.

On March 14, 2019, Islands Trust Council unanimously adopted the Reconciliation Declaration:

“Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home.

Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.”

Part of the plan area’s heritage includes archaeological sites – the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years. The Plan area contains recorded and non-recorded archaeological sites and due to their sensitive nature, the locations are not identified in this Plan. This Plan acknowledges a historical disregard for and lack of protection of collective heritage of the area for Indigenous Peoples. All archaeological sites are protected by the Provincial Government through the Heritage Conservation Act. This protection applies to all lands and means any person wishing to undertake any land-altering activities must have a provincial heritage permit to alter or develop with an archaeological site.

The Local Trust Committee understands Indigenous Nations’ fundamental values include protecting the lands, waters, and resources that have sustained the Nation since time immemorial. As stewards of the land, Indigenous Governing Bodies expect that development on the island be sustainable and aligned with Indigenous laws and knowledge systems. Particular concern has been expressed regarding access to freshwater, and ensuring that sufficient water exists not only for residents, but also for the flora and fauna that support ecological integrity and cultural continuity.

When updating this Plan in 2026, the Local Trust Committee learned through engagement with K'ómoks First Nation (KFN) that two core principles underlying KFN teachings guide the Nation's approach to cultural heritage:

- Ancestors must be cared for, including maintaining the integrity of burial places and respecting the remains and material evidence of past actions.
- Ancestors care for the living, including safeguarding the well-being of individuals and strengthening knowledge of how ancestors sustained and stewarded the lands and waters within the territory.

The Local Trust Committee also learned that KFN's fundamental values include protecting the lands, waters, and resources that have sustained Indigenous communities since time immemorial. As stewards of the land, KFN expects that development on the islands be sustainable and aligned with Indigenous laws and knowledge systems. Particular concern has been expressed regarding access to freshwater, and ensuring that sufficient water exists not only for residents, but also for the flora and fauna that support ecological integrity and cultural continuity.

Updates to this Plan in 2026 have been undertaken with these principles and values in mind. Future policy development and land use planning decisions are to be approached in a manner grounded in respect for Indigenous interests. This includes the protection and stewardship of ecological systems, cultural heritage, burial places, archaeological sites, and cultural landscapes, as well as consideration of First Nations interests in reconnecting with the lands and marine waters of Denman Island within land use decision-making processes.

The Local Trust Committee plays an important role in advancing this work by integrating cultural heritage protection and ecological conservation into land use planning through strengthened policies, improved site protection, and respectful, ongoing engagement with Indigenous Governing Bodies.

Reconciliation as expressed in this Plan does not alter ownership of private lands or existing legal interests. It guides how land use decisions are approached within the Local Trust Area.

Settler History

The islands now known as Denman and Hornby were first recorded by Europeans in 1791 when Spanish sailors sighted them and named them the Islas de Lerena in honour of Spain's Minister of the Treasury. A year later, George Vancouver, sailing for Great Britain, did not sight the islands, and the Spanish name persisted for nearly

seventy years. In 1860, British Naval surveyor George Richards mapped the islands' shorelines and renamed them Denman and Hornby after British officers. The first European to set foot on Denman Island was likely Joseph William McKay in 1852, who briefly visited the site of the village he called Siklaults while prospecting for coal. Although Indigenous title to the land was not extinguished, European settlement in the Comox Valley began a decade later and extended to Denman Island twelve years after McKay's visit.

European settlers were primarily drawn to Denman Island in the 1860s by agricultural opportunities. Early settlers cleared land for subsistence farming, raising livestock, planting gardens, and harvesting local resources such as fish and deer to support their families. Population growth was slow, reaching roughly 100 residents—mostly Scottish and English immigrants—by the turn of the century. Logging emerged as a second major economic activity, initially serving local mills and later becoming integrated into the broader coastal forest industry, subject to the boom-and-bust cycles characteristic of the region. Farming remained a consistent contributor to the island economy, producing milk, meat, produce, and other commodities for local and regional markets. Other resource-based activities, such as sandstone quarrying, salmon canning, and shell processing, supplemented the island's economy over the decades.

Access to Denman Island improved significantly in the 20th century, with regular ferry service beginning in 1930 and a car ferry link to Hornby Island established in 1954, paving the way for new economic and social changes. Rising urban prosperity and increased automobile access in the mid-20th century led to recreational property development, prompting the provincial government to introduce a "ten-acre freeze" on subdivisions in 1969 to protect rural character and water resources. The social transformations of the 1960s and early 1970s, including the back-to-the-land movement and the arrival of American draft resisters, reshaped the island's demographics and fostered a growing environmental consciousness. These changes contributed to the establishment of the Islands Trust in 1974, reflecting a broader commitment to balancing human activity with the protection of the natural environment on Denman Island and throughout the Gulf Islands.

Today, Denman Island faces challenges related to housing, affordability, and social diversity. The desirability of the island for recreational and retirement properties within the context of increasing property values region wide has driven land prices to levels that are largely inaccessible for low- and moderate-income residents. Many new residents are able to live on the island while working remotely, often in jobs that do not directly provide services to the local community, which can create gaps in the workforce for essential services and local businesses. This dynamic, combined with limited rental availability and the high cost of property, has made it difficult for younger people, families, and those with modest incomes to settle on the island, raising

ongoing questions about equity, community cohesion, and the long-term sustainability of Denman Island's population and economy.

Note: A more detailed account of settler history, previously contained in the 2008 OCP can be found in the Denman Islands Archives: <https://denmanmuseum.ca/wp-content/uploads/2020/09/OCP3.pdf>

Population and Demographics

Denman Island's year-round resident population was 1,391 in 2021, with a median age of approximately 60.8 years, much higher than the British Columbia provincial median of about 42.8 years, reflecting a demographically older community.

While census figures provide a snapshot of the year-round population, seasonal residents and part-time property owners contribute to a larger influx of people during peak summer months. Denman's demographic profile influences housing needs, community services, health care planning, and cultural and recreational activities, and it underscores the importance of accessible, age-friendly amenities and diverse housing options.

Housing and Services Needs

The BC Provincial Government requires all local governments in BC to consider its' most recent Housing Needs Report and housing information when amending OCPs. Based on the Islands Trust Housing Needs Assessment prepared by Urbanics Consultants Ltd in 2025, the projected housing need in the next five years is 109 additional housing units and in the next twenty years is 359 additional housing units. This calculation is based on a portion of growth rate projections for the Comox Valley. Given groundwater limitations and interests in preserving and protecting the environment caution is needed when considering housing targets. Provision of non-market housing should be the focus of additional housing development on the island.

Denman Island in 2026 had approximately 74 vacant residentially zoned lots, however this does not suggest that true housing needs will be adequately addressed if these are built out. A limited rental supply, rising property costs, and a growing proportion of residents on fixed or lower incomes has contributed to housing insecurity. The portion of households that experience core housing need¹ (105 as indicated in 2021 Census), and projected population growth, combined with demographic aging, points to increasing demand for more diverse, accessible, and non-market housing options.

¹ When a private household's housing falls below at least one of the indicator thresholds for housing adequacy, affordability or suitability, and spends 30% or more of its total before-tax income to pay the median rent of alternative local housing that is acceptable (attains all three housing indicator thresholds).

Essential services further shape land use planning decisions. Denman Island relies primarily on groundwater for water supply, which is sensitive to seasonal variation and drought conditions. Many residents supplement their water supply during dry periods. Wastewater services are provided through private septic systems and placing practical limits on development intensity and location.”

6. Section B.1 INTRODUCTION is amended by deleting the existing text in its entirety and replacing it with the following:

“B.1.1 Purpose of this Plan

This Plan works alongside the land use bylaw to shape community informed decisions about how land and marine areas are protected, restored, used and/or developed.

“Land use planning” is a commonly used legal and professional term, though it originates in colonial approaches to land control and ownership that have been harmful to Indigenous Peoples and the natural environment. The term is used in this document to describe the statutory planning framework set out in the Local Government Act and the Islands Trust Act, and Denman Island Trust Committee’s inclusion in the Islands Trust governance structure.

As such, this plan is aligned with Islands Trust object and the Islands Trust Policy Statement, is consistent with the requirements set out in the *Local Government Act*, as well as being grounded in a set of community goals and objectives.

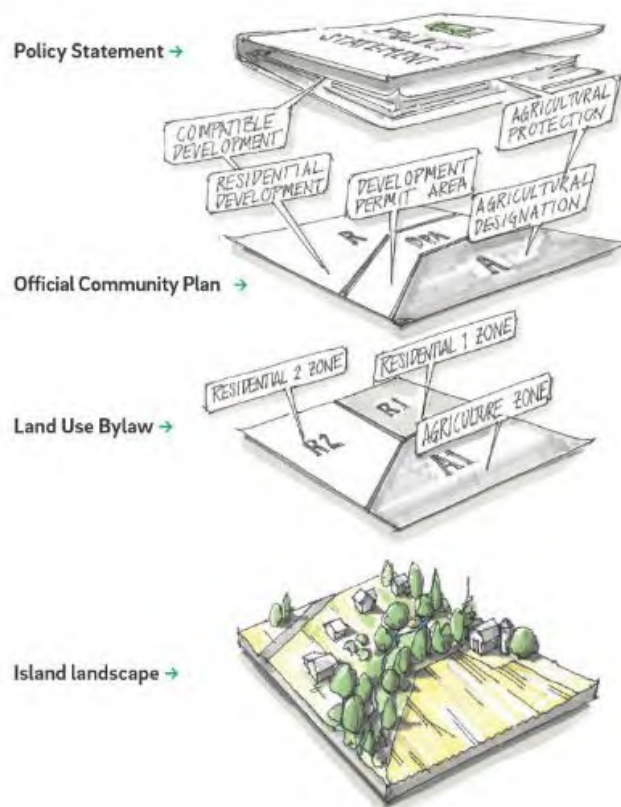
B.1.2 Local Government Act Required Content

The Local Government Act (LGA) governs the process whereby a local government can prepare and adopt an OCP. The LGA outlines policy statements and requirements that the OCP documents and maps must include, as well as policies that the Local Trust Committee may choose to include in the OCP.

Once an OCP has been adopted, all decisions related to planning, subdivision, development, and land use matters must conform to the OCP. In accordance with the LGA, the OCP should be reviewed and updated every five years, incorporating public engagement to ensure that the Plan continues to represent community objectives and addresses important and emerging issues and trends as they evolve over time.

Required content applicable to the Islands Trust Area is as follows:

- Land Use: Statements and map designations identifying the approximate location, amount, type, and density of residential development to meet anticipated housing needs over at least a 20-year period, and the approximate location, amount, and type of present and proposed commercial, industrial, institutional, agricultural, recreational, and public utility land uses.
- Natural Resources, Environment, and Hazard Lands: Identification of the approximate location and area of sand and gravel deposits suitable for future extraction where such



deposits exist, and policies and restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.

- **Infrastructure and Public Facilities:** Identification of the approximate location of present and proposed public facilities, including schools, parks, and disposal sites.
- **Housing:** Policies respecting non-market housing, rental housing, and special needs housing, consideration of the most recent Housing Needs Report when developing or amending the OCP.
- **Climate Change:** Targets for the reduction of greenhouse gas emissions within the plan area, and policies and actions proposed to achieve those targets.
- **Provincial Policy Context:** Consideration of applicable provincial policy guidelines in the development and amendment of the Official Community Plan.

B.1.3 The Islands Trust

In 1974, the Government of British Columbia established the Islands Trust Act to preserve and protect the Islands Trust Area and its unique amenities and environment against unrestrained growth and development. Islands Trust is a federated body responsible for the Trust Area, comprised of 13 major islands, more than 450 smaller islands, and the surrounding waters in the Strait of Georgia and Howe Sound. Islands Trust regulates local land use, works with other levels of government, and, through the Islands Trust Conservancy, protects places of natural or cultural significance. This unique governmental mandate is defined in Section 3 of the Islands Trust Act and is commonly referred to as the “Islands Trust Object.”

B.1.4 Islands Trust Priorities

The “Islands Trust Object” is expressed through the Islands Trust Policy Statement. When this Plan was developed (2024-2026) the themes of Environmental Protection, First Nations Reconciliation, addressing Climate Change and Housing Affordability were also key priorities across the Islands Trust and are described through three declarations of Trust Council.

Environmental Protection - The core object of the Islands Trust, established by British Columbia law, is to “*preserve and protect the Trust Area (islands and waters) and its unique amenities and environment for the benefit of residents of the Trust Area and British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.*” This legislated mandate recognizes the ecological sensitivity of island environments and the importance of long-term stewardship. Land use planning plays a central role in achieving this objective by guiding growth and development in ways that protect ecosystems, freshwater resources, coastal processes, biodiversity, and the natural features that support community well-being and island character.

Climate Change – In 2019 the Islands Trust declared a climate change emergency. Denman Island residents are experiencing the impacts of climate change with increased drought periods and shifts in biodiversity such as the increasing loss of Western Red Cedar

trees. Average global temperatures are now more than 1.4 °C warmer than pre-industrial levels, with the past decade being the warmest on record and recent years among the hottest ever documented; this warming is linked to rising sea levels, more intense weather events, and shifting environmental conditions. The Local Government Act requires all OCPs to contain GHG reduction targets, policies and actions.

First Nations Reconciliation – In 2019, the Islands Trust adopted the *Islands Trust Reconciliation Declaration*, affirming a commitment to advancing reconciliation within its mandate and decision-making processes. From a land use planning perspective for the purposes of this Plan, First Nations reconciliation means planning and managing land in ways that respect First Nations’ enduring relationships to the lands and waters of their territories, acknowledging the past and ongoing impacts of colonial land use systems, supporting and protecting cultural, ecological and archeological values and supporting respectful, collaborative approaches to decision-making. This includes early and meaningful engagement, recognition of Indigenous rights and interests, and the integration of Indigenous knowledge and perspectives into planning processes to help ensure that land use decisions support cultural continuity, stewardship responsibilities, and community well-being.

Housing Affordability – In 2023, the Islands Trust Council declared that a housing equity and workforce shortage crisis exists within the Islands Trust Area, identifying a severe lack of housing options that are accessible and affordable for residents and local workers. This declaration reflects long-standing concerns that the limited supply of diverse housing types, combined with rising property values and rental costs, has made it increasingly difficult for people of many income levels to live and remain in island communities. Multiple housing needs assessments have documented shortages in secure, appropriate, and affordable housing for low-to-moderate income earners, impacting community well-being and economic sustainability across the Trust Area.

B.1.5 Island’s Trust Policy Statement

This Official Community Plan has been prepared and adopted in a manner deemed to be consistent with the Islands Trust Policy Statement in effect at the time of adoption. Section 15 of the Islands Trust Act states that Trust Council must adopt, by bylaw, a Trust Policy Statement that applies to the Islands Trust Area as a whole. The Islands Trust Act specifies that the Policy Statement must be a general statement of the policies of Trust Council to carry out the Islands Trust Object, that it may establish different policies for different parts of the Islands Trust Area. The Policy Statement represents Trust Council’s vision for the preservation and protection of the draft Islands Trust Area and its unique amenities and environment. Details related to the Islands Trust Policy Statement can be found here: <https://islandstrust.bc.ca/programs/islands-2050/>

B.1.6 The Structure of this Plan

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

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

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

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

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

How Was This Plan Created?

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

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

From 2024-2025, the Denman Local Trust Committee engaged in a housing review project which resulted in significant updates to the OCP including an update to the Community Context and Introduction. This was done to create consistency across the Islands Trust Area particularly with the acknowledgement of the rich history of Indigenous settlement on the Islands and stewardship responsibilities in the area.”

7. Section B.3 GUIDING OBJECTIVES is amended by deleting “Guiding Objective – Climate Change Adaptation and Mitigation” and replacing it with:

“To reduce climate-related risks and strengthen the Island’s capacity to adapt to climate change by protecting critical systems, supporting resilient infrastructure, and integrating climate considerations into all land use and development decisions.”

8. Section C.1 LANDS AND FOREST, paragraphs 1 to 6, are amended by deleting them in their entirety and replacing them with the following:

Denman Island supports a rich diversity of terrestrial and marine ecosystems that contribute significantly to the ecological integrity of the region and the well-being of the community. The island contains two lakes, numerous wetlands and creeks, patches of mature and regenerating forest, as well as sand dune and coastal bluff ecosystems. These environments provide habitat for a wide range of species, including critical habitat identified for four endangered species and one threatened species, among them two bat species and three insect species. A conservation breeding program is currently in place for the Taylor's Checkerspot Butterfly due to its sensitivity to habitat change.

A number of ecosystems at risk occur on Denman Island, including Coastal Douglas-fir, Grand Fir, Red Alder, and Western Redcedar forest ecosystems and their associated plant communities. The island's generally flat topography, with gently rolling hills rising to approximately 124 metres above sea level and only about eight percent of land having slopes greater than 20 percent, has influenced historic settlement patterns while also contributing to the distribution of sensitive ecosystems. The Sensitive Ecosystem Inventory (SEI) for East Vancouver Island and the Gulf Islands identifies multiple categories of sensitive ecosystems across the island, many of which are vulnerable to disturbance and fragmentation.

Denman Island's extensive coastline includes several areas recognized as vital habitat for rare plant species and nesting seabirds, including areas north of Komas Bluff, at Denman Point, Whalebone Point, Repulse Point, Chrome Island, and along the south and southwestern shoreline. Beaches suitable for spawning Pacific sand lance and surf smelt are present along the coast, along with extensive eelgrass beds that provide essential marine habitat. Marine waters surrounding the island support fish species such as herring, coho salmon, and bluntnose sixgill shark.

Forested ecosystems across the island vary in age and condition. Older forest stands are particularly important because they provide habitat for species that require mature forest conditions, including birds of prey and specialized plant and animal communities. Larger stands of older forest occur within Boyle Point Park, while smaller patches are distributed throughout the island. Areas of regenerating forest resulting from past harvesting activities also provide important habitat and contribute to long-term ecosystem recovery.

Terrestrial herbaceous ecosystems, including rare coastal grasslands and moss-covered rocky outcrops, occur at Longbeak Point, on Seal Islets and Sandy Islets, and along coastal bluffs, particularly on the southeast coast. These ecosystems support a number of uncommon species and are highly sensitive to disturbance.

Riparian ecosystems surrounding lakes, wetlands, and watercourses provide essential ecological functions, including wildlife habitat, hydrological regulation, and water quality protection. Two of the largest riparian areas occur adjacent to Valens Creek and Beadnell Creek. Seasonally flooded ecosystems are also present in several locations and provide important habitat for wintering waterfowl.

Overall, Denman Island’s ecosystems support a significant number of species identified on federal and provincial lists as endangered, threatened, or at risk. The protection, restoration, and stewardship of these ecosystems are important considerations for land use planning, development decisions, and community sustainability.

9. Section C.2 – FRESHWATER, Freshwater – Policies, Policy 9 is amended by deleting the words “*encourage rainwater collection*” and replacing them with “*require freshwater cisterns*”.
10. Section C.2 – FRESHWATER, Freshwater – Policies is amended by adding a new Policy 10 as follows: Groundwater-fed swimming pools should be discouraged to protect the groundwater resources. Zoning regulations should prohibit the construction or use of swimming pools supplied from groundwater.
11. Section C.2 – FRESHWATER, Advocacy Policies, Advocacy Policy 1 is amended by deleting the words “*Water Management Branch of the Ministry of Environment*” and replacing them with “*Provincial Government*”.
12. Section C.2 – FRESHWATER, Advocacy Policies, Advocacy Policy 3 is amended by deleting the words “*Ministry of Environment and Fisheries and Oceans Canada are*” and replacing them with “*Federal Government is*”.
13. Section C.3 – THE MARINE ENVIRONMENT, - Policies is amended by adding a new Policy after Policy 13 as follows, and renumbering subsequent policies accordingly:

The Local Trust Committee may support issuance of a Development Variance Permit to reduce the required 30 m setback from the natural boundary of the sea where the applicant demonstrates that:

- The required setback would unreasonably constrain a permitted use of the lot, given its size, shape, and topography;
- There are no alternative building sites on the lot that would meet the required setback; and
- The proposed siting and design minimize impacts to the foreshore and coastal marine environment.

Approval is not implied and will depend on the specific circumstances of each application and consistency with broader environmental protection objectives in the Denman Island Official Community Plan and Land Use Bylaw.

14. Section C.4 – CLIMATE CHANGE ADAPTATION AND MITIGATION, is amended by deleting full section and replacing it with:

“British Columbia has established legislated greenhouse gas (GHG) reduction targets under the Climate Change Accountability Act, including a 40% reduction below 2007 levels by 2030, 60% by 2040, and net-zero emissions by 2050. Through the Local Government Act, local governments are required to include GHG reduction targets, policies, and actions in OCPs. While many sources of emission, such as energy supply standards, building codes, and vehicle regulations, are set by senior levels of government, land use planning plays an important role in shaping long-term emissions outcomes.

Climate change is influencing local conditions, with rising temperatures, increasing rainfall variability, and more frequent extreme weather events expected to affect freshwater recharge, coastal processes, ecosystems, and community infrastructure over time. In the Plan Area, the most effective tools available to the Denman LTC for reducing GHG emissions are those related to how land is used and protected. This includes guiding where and how development occurs, supporting compact and complete settlement patterns, protecting forests, wetlands, and other natural areas that store carbon, and encouraging walking, cycling, and shared transportation where feasible.

Through land use policies, this Plan establishes a local framework for climate action that reflects Denman Island's rural character, environmental values, and the Islands Trust mandate to preserve and protect the Island for present and future generations.

Land use planning plays a key role in reducing GHG emissions and building resilience. The following are a set of climate action objectives and target policies to guide land use planning decisions

Guiding Objective

To reduce climate-related risks and strengthen the Island's capacity to adapt to climate change by protecting critical systems, supporting resilient infrastructure, and integrating climate considerations into all land use and development decisions.

Climate Change Adaptation and Mitigation - Objectives

Objective 1: Reduce greenhouse gas emissions by prioritizing development close to amenities and protecting/restoring natural systems and carbon sequestering opportunities.

Objective 2: Direct development away from areas vulnerable to natural hazards and climate-related risks, including wildfire, flooding, and saltwater intrusion.

Objective 3: Ensure housing and development locations consider freshwater availability, climate hazards, and land use practices that enhance community resilience.

Objective 4: Protect and manage forests, wetlands, and other natural features that contribute to climate mitigation, adaptation, and ecological and community resilience.

Objective 5: Support transportation systems that reduce reliance on private automobiles while maintaining Gabriola's rural island character.

Climate Mitigation Target Policies (Reducing GHG Emissions):

POLICY 1: Increase residential development within and close to the village commercial area.

POLICY 2: Increase protection of forests, wetlands, soils, and other ecosystems that store carbon.

POLICY 3: Increase trail development.

POLICY 4: Increase consumption of locally grown food by protecting farmland and supporting local food distribution.

Climate Adaptation Target Policies (Increasing Climate Resilience) :

POLICY 5: Increase protection of natural areas that reduce climate-related risks such as wildfire, flooding, and erosion.

POLICY 6: Increase the number of rainwater catchment systems on the Island.

POLICY 7: Increase protection of watersheds, aquifers, and riparian zones to ensure long-term water supply and quality.

POLICY 8: Increase the integration of Indigenous knowledge and perspectives related to ecosystem health.

POLICY 9: Increase community understanding of climate change by including climate change considerations in all land use decision making.”

15. PART D – THE SOCIAL FABRIC, Table of Contents is amended by inserting a new section titled “*D.5 Subdivision of Land*” and renumbering subsequent sections accordingly.

16. Section D.3 WATER MANAGEMENT, Water Management – Policies is amended by adding the following new policies as the next sequential numbers:

Policy 8 – Land use regulations must require all new residential, commercial, and institutional development incorporates cisterns for freshwater storage, sized to support water needs during prolonged drought conditions.

Policy 9 – Freshwater cisterns must not be included in the calculation of lot coverage.

17. Section D.5 – SUBDIVISION OF LAND is added as follows:

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

The creation of new lots on Denman Island has generally not resulted in affordable or diverse housing. Instead, subdivision has increased land values, encouraged speculation, fragmented larger parcels, and undermined ecological protection and cultural heritage. Development of subdivided lands may also strain groundwater resources and alter Denman Island’s rural character. For this reason, subdivision was amended during the 2024-2026 Denman Housing Review Project to focus on community benefits.

Policy 1 Adopt or amend Land Use Bylaw regulations to restrict or where possible prohibit subdivisions except in accordance with the policies in this Plan.

Policy 2 Subdivision regulations may support lot consolidation or boundary adjustments with no increase in number of lots.

Policy 3 Subdivision may be supported where it is limited to the following purposes, subject to compliance with the Land Use Bylaw:

- a) Boundary adjustment;
- b) Lot consolidation;
- c) Parkland, conservation, or community use dedication;
- d) Heritage conservation purposes, including Indigenous cultural or historical heritage protection;
- e) Utility, infrastructure, or service parcels; and/or
- f) Non-market housing parcels.

Policy 4 Subdivision for uses not identified in Policy 3 is generally not supported. Where such applications are considered, they should demonstrate clear community benefits. Such benefits include:

- the provision of land for preservation of natural environments and ecologically sensitive areas;
- the provision of land to preserve groundwater regions;
- the provision of land to protect archeological sites and other cultural heritage interests;
- the transfer of land to a First Nation or Indigenous governing body, where feasible and mutually agreed, for housing, cultural, conservation, or community purposes;
- the provision of land for community park or public open space;
- the provision of land for community sewage treatment facilities or community water systems;
- the provision of community wells for domestic water supply;
- the provision of fire protection infrastructure, including storage reservoirs;
- the provision of easements or rights of way for utilities or publicly accessible trails;
- the provision of community facility;
- the provision of land for community facility or use;

- the provision of community facility or service in a commercial building;
- the provision of non-market housing; and/or
- the provision of any other amenity which is similar in nature to the foregoing and/or is consistent with the objectives and policies of the OCP.

Policy 5 Land transferred to support the uses in Policy 3 and 4 must be secured through a covenant, restrictive covenant, housing agreement, or other legal instrument registered on title to the parent lot prior to final subdivision approval. These instruments must ensure that, upon subdivision, the resulting lot is restricted to the intended uses.

Policy 6 The minimum lot size for subdivision should be 64 hectares.

Policy 7 Minimum lot size requirements do not apply to uses identified in Policies 3 and 4, except in the case of boundary adjustments and subdivisions intended for residential use.

Policy 8 The minimum lot size for residential use created through subdivision should not be less than 1 hectare.

Policy 9 In evaluating a subdivision, consideration shall be given to the appropriateness of any proposed amenity, regardless of whether a zoning amendment is required, and to the impacts of the proposed use on the subject lot and surrounding lots.

Policy 10 Where land is proposed to be rezoned to allow subdivision for additional private lots or where land is being subdivided for community use involving the construction of buildings and/or infrastructure and/or the use of groundwater the applicant must demonstrate land suitability, including but not limited to:

- a) potable water availability;
- b) wastewater disposal capability;
- c) impacts to sensitive ecosystems;
- d) impacts to species at risk;
- e) impacts to critical habitat;
- f) impacts to groundwater recharge;
- g) hazard lands and geotechnical suitability
- h) visual impacts
- i) proposed new property lines, buildings and structures setback a minimum of 200m from the natural boundary of the seas and recorded archeological sites

Policy 11 Where subdivision supports additional residential density, trail dedications, parkland, or public open space should be designed to connect to existing networks.

Policy 12 In areas where individual septic systems are adversely affecting the environment or the quality of water, subdivision regulations should require a sewer system for new development.

Policy 13 All subdivisions intended to support housing must ensure an adequate water supply, supported by a climate-informed water management plan that demonstrates long-term aquifer sustainability under projected climate change conditions.

18. Section D.5 – THE VILLAGE, The Village – Policies is amended by deleting the subsection titled SUBDIVISION, including Policy 4 and Policy 5 and renumber remaining policies accordingly.
19. Section D.5 – THE VILLAGE, The Village – Policies, subsection USE AND DENSITY is amended by deleting Policy 6 and renumber remaining policies accordingly.
20. Section D.5 – THE VILLAGE, The Village – Policies, subsection USE AND DENSITY, Policy 9 is amended by deleting the words “and such a dwelling could be permitted in the same building as the commercial operation” and replacing them with “as accessory to the commercial use”.
21. Section D.7 – ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES is amended by, in the first paragraph, deleting the words “There are a number of sites on Denman Island worthy of protection and preservation because of their spiritual importance to First Nations people, their historical value to more recent settlers or, in the case of the natural features, some important aesthetic quality. Middens, long abandoned First Nation habitations and petroglyphs remind us of a pre-European presence here.” And replacing them with “Denman Island is rich with both Indigenous cultural history and settler history, both of which need to be protected and preserved. Archaeological evidence, including shell middens and petroglyphs, indicates extensive Indigenous village sites and long-standing use of the land.”
22. Section D.7 – ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES, Guiding Objective is amended by deleting the word “aboriginal” and replacing it with “Indigenous and settler”.
23. Section D.7 – ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES, Archaeological, Historic and Natural Heritage Sites – Policies, Policy 2 is amended by adding the word “cultural” after the word “identified”.
24. Section D.7 – ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES, Archaeological, Historic and Natural Heritage Sites – Policies, Policy 5 is amended by adding the words “and other cultural” after the word “archaeological”.
25. Section D.7 – ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES,

Archaeological, Historic and Natural Heritage Sites – Policies is amended by adding the following new policies as the next sequential numbers:

Policy 7 The Local Trust Committee should protect archeological sites and culturally significant areas through Heritage Conservation Areas, covenants, and other regulatory tools

Policy 8 Cultural artifacts and remains found on lot must be reported to the K’omoks First Nation and the Provincial Government.

26. Section E.1 - HOUSING is amended by, in the second paragraph, deleting the following:

“Limits on these forms of housing are designed to address the possible negative impact of locally increased density. Initiatives to provide opportunities for non-market housing of various kinds are ongoing.”

27. Section E.1 – HOUSING, Guiding Objective is amended by deleting it in its entirety and replacing it with the following:

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

28. Section E.1 – HOUSING, Housing Objectives is amended by deleting Objectives 1 to 4 and replacing them with the following:

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 environmental 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 and support the development of non-market housing and opportunities for seniors to age in place.

29. Section E.1 – HOUSING, Housing – Policies, subsection Subdivision is amended by deleting Policies 1 to 8 in their entirety.

30. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policy 9 in its entirety.

31. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policy 10 and replacing it with the following:

“In the Residential designation, zoning regulations should ensure that development maintains a low-density character. One additional dwelling unit may be permitted by zoning regulations on larger lots where adequate fresh water supply and wastewater treatment are available.”

32. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policy 11 and replacing it with the following:

“In the Rural designation, zoning regulations should ensure that development

maintains a low-density, rural character. Additional dwelling units, such as secondary suites or detached secondary dwellings, may be permitted by zoning regulations only on sufficiently large lots where adequate fresh water supply and wastewater treatment are available.

33. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policy 12 in its entirety.
34. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policies 14 to 16 in their entirety.
35. Section E.1 – HOUSING, Housing – Policies, subsection Use and Density is amended by deleting Policies 19 and 20 in their entirety.
36. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 28 in its entirety.
37. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 29 in its entirety and replacing it with the following:

The Local Trust Committee should consider zoning amendment applications for multi-unit, non-market housing (attached or detached) provided:

- that the proposal is not located in a connectivity area identified on Schedule D;
 - that the proposal is small-scale and rural in character, with building form, density and site layout compatible with the surrounding pattern development;
 - that the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties;
 - that the proposal proves an adequate supply of potable water and an adequate sewage disposal system in accordance with applicable regulations;
 - that the applicants enter into a housing agreement to secure non-market housing with the Local Trust Committee;
 - that any environmentally sensitive areas on the lot are identified and the applicant registers a conservation covenant to protect such areas;
 - that the proposal is subject to a development permit area to guide form and character;
 - that the proposed development will not place undue strain on existing public services and infrastructure; and
 - that residential rental tenure zoning is considered to ensure long-term affordability is maintained in perpetuity.
38. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 30 in its entirety and replacing it with the following:
 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 small dwellings such as, including tiny homes on wheels

or manufactured homes;

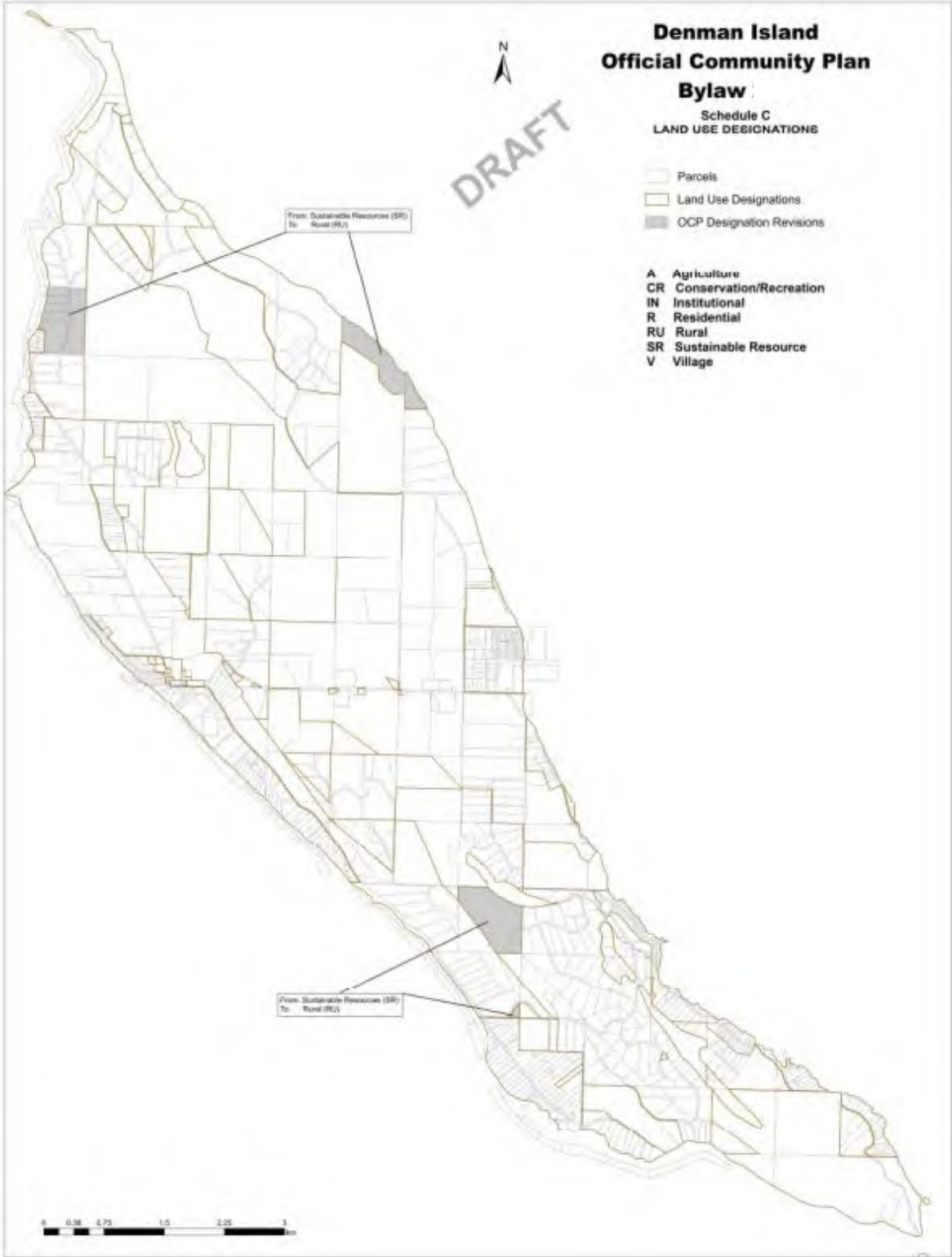
- b) units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent;
 - c) units are anchored to the ground, connected to a source of potable water and connected to an approved wastewater system;
 - d) the overall scale, density and site layout of the development are small-scale and compatible with the surrounding pattern of development;
 - e) the total floor area of units shall not exceed any maximum dwelling floor area for that zone;
 - f) the development is designed as a clustered form to minimize site disturbance and maintain open space;
 - g) communal facilities are provided, such as shared laundry or a common building; and
 - h) the development would not be located in areas containing sensitive ecosystems or of cultural or archaeological significance.
39. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 31 in its entirety.
40. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by adding the following policy, and renumbering subsequent policies accordingly:
- Multi-unit housing either attached or detached can include:
- shared laundry and other buildings
41. Section E.1 – HOUSING, Housing - Advocacy Policies, Advocacy Policy 2 is deleted in its entirety.
42. Section E.2 – ECONOMIC ACTIVITIES, Economic Activities – Policies, subsection Home Occupations is amended by deleting it in its entirety and replacing it with the following:
- “Home-based guest accommodation where permitted as a home occupation should be limited to rooms within a principal dwelling, where the owner or manager of the business is living on the property fulltime.”
43. Section E.2 – ECONOMIC ACTIVITIES, Economic Activities – Policies, subsection Home Occupations is amended by adding the following policy after Policy 11, and renumbering subsequent policies accordingly:
- “Home-based assisted living is permitted as a home occupation.”
44. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies is amended by deleting Policy 12 in its entirety and renumbering subsequent policies accordingly.
45. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies, Policy 13 is amended by adding:
- “protects the land for conservation purposes,” after the words “non-farm use or exclusion”; and

- “including non-market, rental and special needs housing secured with a housing agreement” after the words “essential community service”.
46. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies, Policy 14 is amended by adding a third bullet as follows: “provides land for the purposes of building non market housing secured with a housing agreement”.
 47. Section E.4 – AGRICULTURE AND RESOURCES, Resource - Advocacy Policies is amended by deleting the section heading and replacing it with “Agriculture and Resource - Advocacy Policies”.
 48. SCHEDULE B - PERMITS AND PLAN ADMINISTRATION, CONTENTS is amended by deleting “Appendix D Density Banking”.
 49. SCHEDULE B – APPENDICES, CONTENTS is amended by deleting “Appendix D Density Banking”.
 50. APPENDIX D DENSITY BANKING is deleted in its entirety.
 51. Schedule “C” – Land Use Designations is amended as per Schedule 2, attached to and forming part of this Bylaw.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 260

Schedule 2





**DENMAN ISLAND
LAND USE BYLAW NO. 264, 2026**

**DENMAN ISLAND LOCAL TRUST COMMITTEE
LAND USE BYLAW NO. 264, 2022**

A bylaw to establish regulations and requirements respecting the use of land, including the surface of water, the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land within the Denman Island Local Trust Area.

WHEREAS the Denman Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Denman Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS the Denman Island Local Trust Committee wishes to adopt a Land Use bylaw and other development regulations and to show by map the boundaries of the zones;

AND WHEREAS the Denman Island Local Trust Committee has held a Public Hearing;

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

1. This Bylaw may be cited for all purposes as the “Denman Island Land Use Bylaw No. 264, 2026”.
2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the Denman Island Local Trust Area as shown on Schedule B:
 - (1) Schedule A (Land Use Bylaw Text)
 - (2) Schedule B (Zoning Map)
3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.
4. Bylaw No. 186 cited “Denman Island Land Use Bylaw, 2008” and all of its amendments are repealed.

READ A FIRST TIME THIS ___ DAY OF _____ _____.

READ A SECOND TIME THIS ___ DAY OF _____ _____.

PUBLIC HEARING HELD THIS ___ DAY OF _____ _____.

READ A THIRD TIME THIS ___ DAY OF _____ _____.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
 ___ DAY OF _____ _____.

ADOPTED THIS ___ DAY OF _____ _____.

CHAIR

SECRETARY

SCHEDULE A

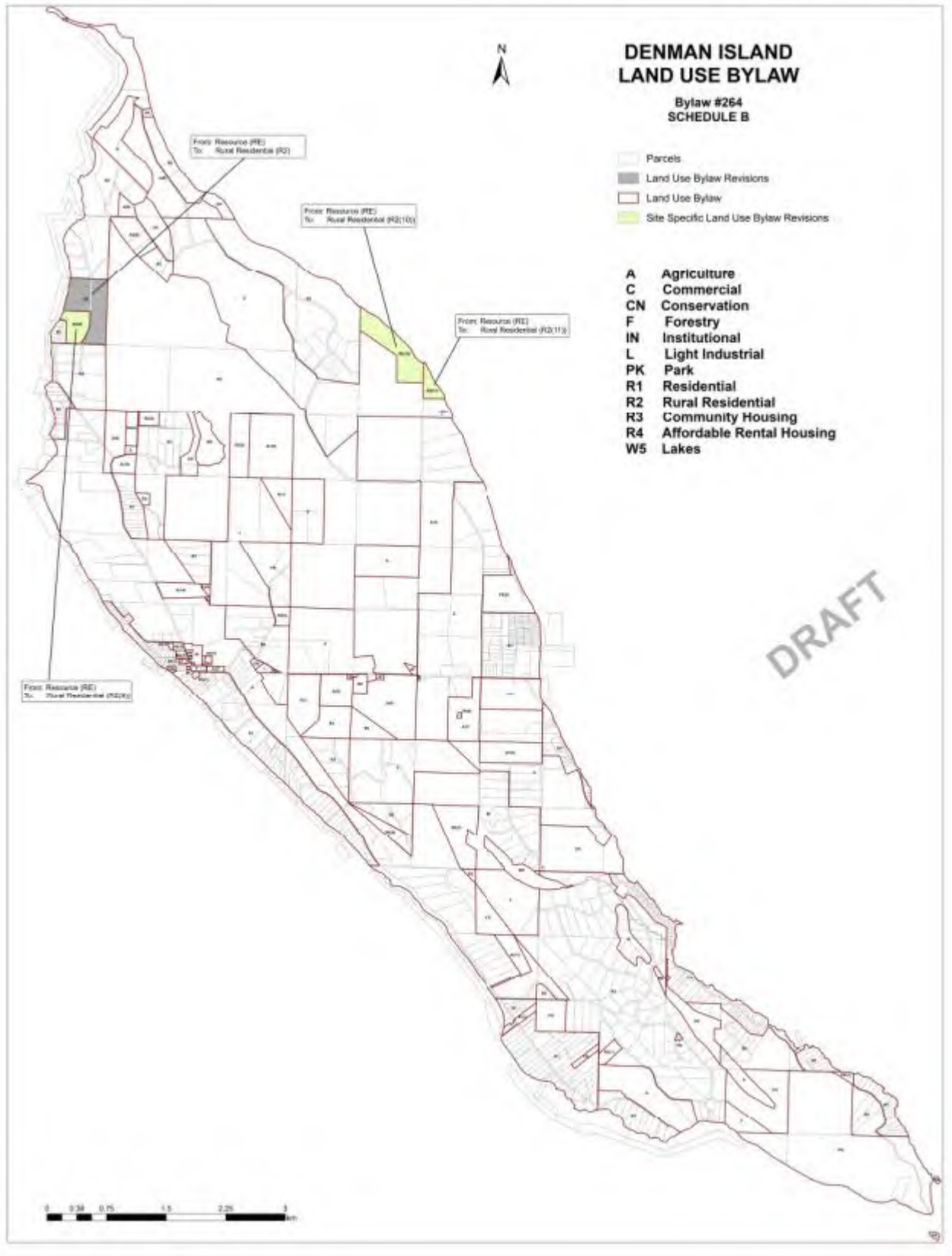
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PART 1 INTERPRETATION

1.1 Definitions

In this Bylaw, unless the context otherwise requires:

accessory means a use, building or structure that is ancillary, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or, where the accessory use, building or structure is located on common property in a bare land strata plan, on a strata lot in the same strata plan;

accessory residential use means a dwelling unit, either in a detached building or within a portion of a building, on the same lot as a non-residential principal use;

access stairway means an outdoor stairway and landings, provided the depth of the landing does not exceed the width of the stairway;

affordable housing dwelling unit means a deed restricted and/or rent controlled *dwelling unit* that is secured by a housing agreement, and is available to persons with medium to low income as defined by housing agreement for the dwelling unit;

agriculture means the use of land, buildings, or structures for the growing, rearing, harvesting, processing, marketing or production of agricultural plants, crops, or livestock;

agri-tourism means a tourist activity, service or facility accessory to the agricultural use of the land that is classified as a 'farm' under the *Assessment Act*, where no permanent facilities are constructed or erected, and includes all listed agri-tourism activities in Section 12.2 of the *Agricultural Land Reserve Use Regulation*;

agri-tourism accommodation means a cabin, tent, or recreational vehicle on an agri-tourism accommodation campground as defined by the *Agricultural Land Reserve Use Regulation*;

alternative dwelling unit means a self-contained structure or vehicle used or intended for residential occupancy. Includes, but is not limited to: recreational vehicles (RVs, travel trailers, tent trailers, motor homes, fifth wheels, park model trailers), tiny homes on wheels and yurts;

armoured ford means a ford of a stream that has been surfaced with material suitable to prevent the use of the ford from causing erosion or other damage to the stream channel;

boathouse means an accessory building or structure used exclusively for storing or sheltering a boat;

breast height means a point on a tree at 1.3 m above the point of germination, measured along the axis of vertical growth;

building means any roofed structure which is used or intended to be used for the shelter, habitation, assembly, or accommodation of people or animals other than wildlife, or for the storage of goods and chattels, and includes mobile homes, wood sheds, garden sheds, tool sheds and outhouses;

cliff means a sloping surface face of soil, rock or other natural material exceeding 15 metres in height, the average slope of which exceeds 48° as measured from a horizontal plane over a horizontal distance of 12 metres;

common house means a building used for the communal daily activities of the residents of the property and includes a kitchen, meeting room, library, laundry facility, and other such facilities but does not include sleeping accommodation and must not be used for sleeping accommodation.”

community kitchen means a shared-use commercial processing area that is agency approved for preparing foods that may be sold elsewhere or for such things as catered functions;

community facility or service means a publicly accessible facility, area, or service secured for community use that supports social, cultural, recreational, educational, or civic purposes, including but not limited to community halls, recreation centres, libraries, or similar gathering places;

community water system means a system for the supply of water serving two or more customers as approved by a public authority;

constructed top width means the width of the relatively level portion of a road, measured between the insides of the ditches, shoulders, cutbanks, or fills;

constructed total width means the width of a road, including the constructed ditches, shoulders, cutbanks, or fills;

covered walkway means a structure that shelters a walking area by a roof or awning and that is connected to a building;

dangerous tree means a tree that is hazardous to human safety because of location or lean, physical damage, overhead hazards, deterioration of the limbs, stem or root system, or a combination of these;

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

derelict vehicle means any vehicle that has been unlicensed for 12 months or more;

domestic chicken coop means a building or structure used for accommodating chickens that are used for non-commercial purposes;

detached secondary dwelling unit means a detached dwelling unit that is accessory to the permitted principal dwelling unit that is limited in floor area;

dwelling unit means a building, or set of rooms in a building, used as a residence, containing an independent cooking, sleeping, and living facilities and designed for occupancy;

engineer means a member of the Association of Professional Engineers and Geoscientists of British Columbia;

feedlot means an outdoor confined area where livestock are concentrated and fed for the purpose of growing or finishing animals for market and where feed is provided other than by grazing;

fill means uncontaminated earth, sand, gravel or any other similar material used, or capable of being used, to raise the contour of the ground surface;

food processing in regards to a home occupation means the creation of packaged food products intended for consumption off-site and excludes take-out restaurants, cafes or similar food service facilities;

front yard means the area of a lot located between the front lot line and the front wall of the building closest to that lot line, and extending the full width of the lot;

forest fungi means naturally growing mushrooms or similar products that may be cultivated using wood products from local trees and excludes mushrooms grown on manure;

forestry means the use of land for the cultivation, management and harvesting of forest resources, including silviculture and the on-site processing of timber harvested from the same lot.

forestry sales mean the sale of lumber, timber, posts, and other similar wood products, but excludes the sale of goods manufactured from these materials;

gouge means an injury to the stem of a tree that penetrates into the sapwood or deeper;

grade means the average elevation of the ground at a distance of 1.0 metre from a building or structure determined by averaging the natural ground elevations at the midpoint of all of the exterior walls prior to any grading, excavation or filling;

gross floor area means the sum of the area of all storeys in a building or structure, measured to the outermost wall surface, excluding eaves and the areas of covered or roofed porches, terraces, decks and cisterns;

ground-based machinery means powered vehicles that move by means of wheels or tracks in contact with the ground, including trucks, skidders, loaders, excavators, backhoes, and tractors;

guest accommodation means a home occupation in which sleeping accommodation is provided to transient paying guests in individual rooms of the principal dwelling unit;

height means the vertical distance to the highest point of the upper roof of a building or structure measured from the grade;

hermitage means a spiritual retreat centre that may also offer educational programs and provides overnight accommodation and meals to guests participating in its programs and activities;

high water mark means the high water mark identified on the plan most recently registered in the Land Title Office, and where there is no such plan, means the natural boundary;

home-based assisted living means a home occupation which provides personal care, supervision, or support to residents in a dwelling;

horticulture means the growing of flowers, fruits, vegetables and other plants and includes the sale of such products when grown by the landowners on their lot;

hydrogeologist means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the Professional Governance Act, Engineers and Geoscientists Regulation;

intensive agriculture means the use of land, buildings and structures by a commercial enterprise or an institution for:

- the confinement of poultry, livestock or fur bearing animals, excluding operations defined as feedlots; or
- the growing of mushrooms, except for forest fungi;

lot means any parcel, block or other area in which land is held or into which it is subdivided, whether under the Land Title Act or the Bare Land Strata Regulations under the *Strata Property Act*;

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

lot line means a legally defined boundary of any lot, and in the case of tenure under the Land Act, a boundary of the lease area;

lot line – edge means any lot line on a lot in the Agriculture zone that abuts a lot in another zone;

lot line – front means the lot line common to the lot and the abutting highway, or access route under the Strata Property Act, and where there is more than one lot line common to a highway or access route, the following rules apply:

- the shortest lot line abutting a highway or access route that is greater than 20.0 metres is the front lot line, except where there are no lot lines greater than 20.0 metres abutting a highway or access in route, in which case the longest line abutting a highway or access route is the front lot line;
- where there are three or more lot lines and one or more of the lot lines is a corner-cut, one of the other lot lines is the front lot line based on the preceding rule;
- where there are more than two lot lines defining a curve, including any tangents making up the curve in a highway or access route, all such lot lines defining the curve must be considered to be one lot line for the purpose of determining the front lot line; and
- where a lot is split by a highway or access road, a front lot line will be determined for each portion of the lot;

lot line - rear means the property line opposite to and most distant from the front lot line, or where the rear portion of the parcel is bounded by intersecting lines, it shall be the point of such intersection;

lot line – exterior side means a lot line not being the front lot line but common to a lot and an abutting highway or access route;

lot line - side means any lot line not being a front lot line, rear lot line or exterior side lot line;

mobile means, in relation to a building, not permanently affixed to the land with the ability to be moved to another location by towing or similar means;

multi-unit dwelling means a building containing two or more dwelling units (excluding a principal dwelling with a secondary suite), each having their own entrance, which may include an entrance from a common interior corridor or an exterior entrance;

natural boundary means:

- with reference to the sea or a lake, the visible high water mark of the lake, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil or rock of the bed of the sea or a lake a character distinct from that of the adjoining upland, in vegetation as well as in the soil or rock;
- with reference to a stream, the normal high water mark of the stream, which is often indicated by the edges of rooted terrestrial vegetation, and a definite change in vegetation and sediment texture, above which soils and terrestrial plants appear undisturbed by recent erosion, and below which the stream banks show signs of scouring or sediment deposition or both;

- with reference to a wetland, the boundary between the wetland and the adjacent upland, where the extent of the wetland is usually indicated by the presence of plants that normally grow in water or water-saturated soils or peat soils, and soils that are water-saturated or show evidence of prolonged water saturation (gleying) within 30 cm of the surface or are peat soils;

occasional:

- in relation to markets means no more than 52 operating days per calendar year, of which no more than 2 may be consecutive;
- in relation to fairs and festivals means no more than 45 operating days per calendar year, of which no more than 7 may be consecutive;
- in relation to woodworking and wood processing means no more than 45 operating days per calendar year, of which no more than 30 may be consecutive;
- in relation to the use of an accessory building, a travel trailer or a vessel for non-commercial accommodation means a total length of stay by an individual of not more than 45 days per calendar year, of which no more than 30 may be consecutive;

obsolete signs means signs that identify a use, building or structure that no longer exists;

panhandle lot means a lot, the configuration of which results in a front lot line that is less than 50% of the average lot width;

passive recreation means non-motorized, outdoor leisure activities which can be carried out with minimal impact to the natural environment including but not limited to hiking, picnicking, horseback riding and bicycling.

permanent sawmill means a sawmill that is attached to the ground or footings or a portable sawmill that is in use on the same property for more than 45 days;

personal services means a use whereby services are provided directly to the physical person or clothing of the consumer, for example, hair cutting, massage therapy, dressmaking, clothing repair, professional health care, and includes the incidental retail sale of goods commonly associated with these uses;

portable sawmill means a sawmill that is transported and removed from the working site by attaching to a motorized vehicle;

principal in relation to use, building or structure means the main or primary use, building or structure;

produce stand means a structure used for the sale of agricultural products where the products being offered for sale have been grown or reared on Denman Island;

pruning means removal of branches in a way that does not jeopardise the vitality of the trees or woody plants being altered;

public authority means a government body that manages some activity or business on behalf of the public;

park means land designated as park on a plan of subdivision filed in the Land Title Office or land designated under the *Park Act* or the *Park (Regional) Act*, and includes playgrounds and playing fields;

pump/utility house means an accessory building or accessory structure that is used only for the purposes of housing a well head, water pumping and purifying devices, and electrical power or communication connection devices;

Qualified wildlife/danger tree assessor means a person who has successfully completed a Wildlife/Danger Tree Assessor's course, and is certified by the Wildlife Tree Committee of British Columbia, or its successor agency, as being qualified to assess wildlife and dangerous trees;

recycling depot means a non-profit facility in which materials are separated and prepared for shipment elsewhere and eventual reuse in a new product;

Registered Professional Biologist means a person who is a professional biologist registered with the Association of Professional Biologists of British Columbia;

Registered Professional Forester means a professional forester as defined in the *Foresters Act*;

removal of vegetation means felling of trees, uprooting of plants, removal of logs, or other large-scale alteration of the plant cover but specifically excludes the pruning of trees for the purpose of: admitting sunlight to an established garden; maintaining a view; mowing or cutting of lawns; and cultivating existing gardens and orchards;

residence means:

- the occupancy or use of a dwelling unit for the permanent domicile or home life of a person or persons; or
- the occasional or seasonal occupancy of a dwelling unit as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner, and for these purposes, owner includes a tenant under a residential tenancy agreement;

and residence does not include guest accommodation use, commercial vacation rental or any occupancy of a dwelling unit by persons entitled to such occupancy under a time share plan as defined in the Real Estate Act or successor legislation;

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

retail sales and rentals means the selling of goods or merchandise directly to the consumer and includes bicycles, scooters, tools, equipment and home entertainment products, but excludes automobiles, recreational vehicles and heavy equipment;

riparian describes the land adjacent to the normal high water level in a stream, lake, or wetland and extending to the portion of land that is directly influenced by the presence of adjacent ponded or channeled water;

school means a school as defined by the *Schools Act* or the *Independent Schools Act* and does not include overnight accommodation or a dormitory;

seasonally flooded agricultural field means land that has been previously modified for agriculture and experiences flooding during part of the year due to its location in a low lying area with poor drainage or with a high water table;

secondary dwelling unit means an attached (secondary suite) or detached secondary dwelling 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 within the principal dwelling unit, having equal or lesser floor area than the principal dwelling unit;

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

setback means the horizontal distance that a building, structure or use must be sited from a specific lot line, building, structure or other specified point;

shellfish aquaculture means the raising of any aquatic invertebrate animal having a shell (for example, oysters, clams, and crabs) for commercial purposes;

sleeping unit means a) a bedroom in a dwelling or b) a tent or recreational vehicle on a campsite used for agri-tourism accommodation;

storey means all areas of a building or structure in which the ceiling is at least one metre above the floor at its lowest point, but excludes crawl spaces;

stream means any natural depression:

- in which water exists at least seven months of the year flowing on a perennial or seasonal basis; and
- in which the continuous channel bed is 0.6 metre or more below the average elevation of the surrounding land; or if the bed or banks of the reach are locally obscured by overhanging or bridging vegetation or soil mats, in which the channel bed is scoured by water or contains observable deposits of mineral alluvium;

but excludes road side drainage ditches on a highway right-of-way;

structure means anything constructed or erected that is fixed to, supported by or sunk into land or water, whether underwater or otherwise, but excludes vehicles, floating vessels, ground-level paving for driveways and vehicle parking, ground-level sidewalks, detached ground-level patios and decks, detached access stairways and boardwalks, power-poles and telecommunication poles;

third party signs means signs advertising business, products, goods or services not provided on the lot on which the sign is located

top of the inner gorge means the boundary between a side-wall slope adjacent to a stream, that has a slope greater than or equal to 60% slope, and an adjacent upland area that has a slope of less than 60%;

utilities means water, sewer, electrical, telephone and similar services where established by a government body or by a company operating under the Utilities Commission Act, and where such use is intended for the local community;

vehicle fuel service means the retail sale of gasoline, propane and diesel fuel;

wetland means a swamp, marsh, bog, or other low lying, poorly drained area where the water table is at, near, or above the surface, or soils are saturated for a sufficient period of time to be the principal determinant of vegetation and soil development; and that has:

- obligate hydrophytic vegetation (water loving plants that grow in standing water or soils that are saturated for all or a major part of the growing season), and
- subhydric or hydric soils, as distinguished by free water or prolonged saturation, evidenced by dull grey gleyed soils that are within 30 cm of the mineral surface or peat soils that are 40 cm or more thick; and

wildlife tree means a tree, live or dead, that has special characteristics that provide valuable habitat for the conservation or enhancement of wildlife, such as a large stem or branches, a hollow trunk, a dead, broken or deformed top, internal decay, or loose or sloughing bark.

1.2 Referencing

- (1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part:	1
Section:	1.1
Subsection:	1.1(1)
Article:	1.1(1)(a)
Clause	1.1(1)(a)(i)

1.3 Units of Measure

- (1) Metric dimensions are used in this Bylaw. Imperial equivalents, where shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

1.4 Information Notes

- (1) Where a paragraph or sentence in this Bylaw is preceded by the words “Information Note”, the contents of the paragraph or sentence are provided only to assist in understanding of the bylaw and do not form a part of it.

PART 2 ADMINISTRATION

2.1 Application

- (1) This Bylaw shall apply to that part of the Denman Island Local Trust Area as shown on Schedule B. Without limiting the foregoing, this includes Denman Island and the areas seaward of its shoreline encompassing all other islands, islets, rocks and reefs, the seabed, and the sea surface, plus any other water surface areas and all air spaces within the boundary shown in Schedule B.

2.2 Conformity

- (1) No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- (4) Any existing lot that is less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- (5) No lot or area may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure illegal or non-conforming.

2.3 Inspection

- (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw, for the purpose of inspecting and determining whether the regulations, prohibitions and requirements are being met.

2.4 Violation

- (1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty as provided in the *Offence Act* and the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 Covenants

- (1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the Local Trust Committee pursuant to Section 219 of the *Land Title Act* in priority to all financial charges and delivered in registerable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

2.7 Owner's Cost

- (1) If any provision of this Bylaw requires a report, study, covenant, plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs.

2.8 Enforcement of Siting Regulations

- (1) Every applicant for a development permit or a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the *lot* of all existing and proposed *buildings, structures* and sewage absorption fields in relation to *lot* and *zone* boundaries, watercourses, wells and the sea, and in relation to other *buildings* on the *lot*, unless the *Local Trust Committee* or the official assigned to provide planning services to the Local Trust Area determines that the provision of such a plan is not reasonably necessary to establish whether the proposed *buildings, structures* and sewage absorption fields comply with the siting requirements of this or any other bylaw.

2.9 Repeal and Replacement

- (1) Where this bylaw refers to other acts or regulations which have been repealed, amended, revised or consolidated, the reference in this bylaw must be construed as being a reference to the substituted enactment relating to the same subject matter. If there are no provisions in the substituted enactments relating to the same subject matter, the former act or regulations are construed as remaining in effect.
- (2) Where this bylaw refers to other government departments, ministries or agencies which have had a change in title or name, the reference in this bylaw must be construed as being a reference to the substituted title(s) or name(s) of the government departments, ministries or agencies relating to the same subject matter.

2.10 Applying to Make Changes to this Bylaw

- (1) The Denman Island Procedures Bylaw specifies how an application to amend this Bylaw should be made.
- (2) The Denman Island Fees Bylaw specifies the fee for making an application to amend this Bylaw.

INFORMATION NOTE: An application to amend this Bylaw can be made to the Denman Island Local Trust Committee. Copies of bylaws can be obtained by contacting the Islands Trust office. The Local Trust Committee will consider prior to and during a Public Hearing, the Official Community Plan, residents' opinions and other information in deciding whether a proposed amendment should be approved. From time to time, the Local Trust Committee may amend this Bylaw as part of the process of implementing the policies of the Official Community Plan, or where there is a specific need.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

The following uses, buildings and structures are permitted in any zone except where specifically prohibited:

- (1) Public utilities, except in the Conservation zone;
- (2) Park, except in the Conservation zone;
- (3) Fence in any land zone;
- (4) Sign; and
- (5) Pump/utility house.

3.2 Prohibited in All Zones

The following uses, buildings and structures are prohibited in every zone:

- (1) The use of an entire dwelling unit for short-term accommodation, vacation rental or for the provision of transient lodging to paying guests is prohibited.
- (2) The construction, installation, or filling of any swimming pool using water drawn from a well or other groundwater source is prohibited.

3.3 Siting and Setback Regulations

Setbacks from Cliffs

- (1) Despite any other regulations, no building may be sited less than 15.0 metres, measured horizontally, from the edge of a cliff.

Setbacks from Streams, Lakes, and Wetlands

- (2) The minimum setback from the natural boundary of a stream, a lake other than Chickadee Lake or Graham Lake, or a wetland is:
 - (a) 30.0 metres for sewage dispersal field;
 - (b) 30.0 metres for buildings and structures associated with agriculture, except for a fence; and
 - (c) 15.0 metres for all other buildings and structures, except for a fence.
- (3) The minimum setback from Chickadee Lake and Graham Lake is 60.0 metres for a sewage dispersal field, and all other buildings and structures, including fencing associated with agriculture or used to accommodate domesticated animals other than household pets.

<p>INFORMATION NOTE: The riparian areas of most streams, lakes and wetlands are designated as a development permit area, as shown on Schedule E of the Official Community Plan.</p>

Setbacks and Elevations from the Sea

- (4) The minimum setback from the natural boundary of the sea is:

- (a) 30.0 metres for a sewage dispersal field;
 - (b) 30.0 metres for buildings and structures, associated with agriculture, except for a fence;
 - (c) 5.0 metres for a boathouse; and
 - (d) 30.0 metres for all other buildings and structures, except for a fence or access stairway.
- (5) The minimum difference in elevation between the underside of the lowest floor in the building or structure and the elevation of the natural boundary of the sea is 1.5 metres, except for a boathouse.
- (6) Where fill is used to attain the elevation required in Regulation 5 of this section:
- (a) the minimum setback distance required in Regulation 4 of this section is measured from the toe of the fill slope to the natural boundary of the sea; and
 - (b) the face of the fill slope must be protected against wave action from floodwaters.

Setback Exemptions

- (7) Despite setback regulations 1 through 6 in Section 3.3 and setback regulations in Part 5 of this Bylaw, the following may be located in setback areas:
- (a) cisterns for the storage of rainwater, provided they do not project more than 1.0 metre into the required setback.

3.4 Height Regulations

- (1) The maximum height of principal buildings and structures located less than 100.0 metres from the natural boundary of the sea is 7.0 metres.
- (2) The maximum height of principal buildings and structures located 100.0 metres or more from the natural boundary of the sea is 9.0 metres.
- (3) A building or structure accessory to a dwelling shall not exceed 6.0 metres in height.
- (4) An accessory building or structure used for agricultural purposes may exceed 6.0 metres in height where the provisions of subsection 3.14(c) apply.
- (5) The maximum height of a pump/utility house located within a setback area is 2.5 metres.
- (6) The maximum height of a boathouse is 4.5 metres.
- (7) The height regulations for buildings and structures specified elsewhere in this Bylaw do not apply to deer fencing, netting supports, trellises, lighting poles, stairways, radio, telecommunications and television antennas, chimneys, flag poles, lightning poles, utility poles, solar collectors, or water storage tanks.

3.5 Principal Dwelling Units

- (1) On lots where a principal dwelling unit exists and a subsequent principal dwelling unit is to be created, the landowner must demonstrate an adequate supply of water for the second or subsequent dwelling unit, according to Section 8.7, proof of water for a subdivision.

3.6 Secondary Suites and Secondary Dwelling Units

- (1) Secondary suites are permitted only on lots in zones where this Bylaw specifically allows them. All secondary suites in permitted zones must comply with the regulations set out below: Either the dwelling unit or secondary suite is occupied by the owner of the property; or by a person responsible for managing the property, including addressing complaints arising from the occupancy of the property;
 - (a) No more than one (1) secondary suite is permitted per principal dwelling unit;
 - (b) The secondary suite shall be contained wholly within a permitted principal dwelling unit;
 - (c) The secondary suite shall have an external access that is separate from that of the principal dwelling;
 - (d) The floor area permitted for a secondary suite is no more than 50% of the floor area of the dwelling unit to a maximum of 90 square metres;
 - (e) One off-street parking space is provided for the exclusive use of the secondary suite; and
 - (f) For lots not within the ALR, a secondary suite shall not be permitted unless the owner has registered a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Denman Island Local Trust Committee. This covenant must prohibit the registration of a strata plan under the *Strata Property Act* or the *Land Title Act* that would result in the secondary suite becoming a separate lot.

- (2) Secondary dwelling units are permitted only on lots in zones where this Bylaw specifically allows them. The following regulations apply to secondary dwelling units where permitted:
 - (a) must have a floor area less than 140 square metres;
 - (b) Must be located no greater than 60 metres from the principal residence;
 - (c) Be connected to an approved sewerage system; and
 - (d) A written plan demonstrating an adequate supply of potable water must be submitted prior to the issuance of any permits for the use.
 - (e) Where water is supplied to a secondary suite or a secondary dwelling unit by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity prior to the issuance of any permits to allow the use.
 - (f) Where water is to be supplied from a surface water body, a water license, issued by the Province, must permit the withdrawal of the required amount of water prior to the issuance of any permits to allow a secondary suite or secondary dwelling unit.

3.7 Accessory Uses, Buildings and Structures

- (1) Accessory buildings and structures may be used for seasonal accommodation for a period not exceeding 90 days in a calendar year and not exceeding 60 consecutive days, except as permitted in the Agriculture (AG).

- (2) Accessory buildings and structures are not to be permitted for overnight accommodation on a lot in the Affordable Rental Housing (R4) Zone.

3.8 Maximum Floor Area of Accessory Structures

- (a) Maximum gross floor area of a pump/utility house located within a setback area is 6.0 m², except in R4 zone where it is 10 m²;
- (b) Maximum gross floor area of a boathouse located within 15.0 metres of the natural boundary of the sea is 30.0 square metres.

3.9 Use of Alternate Dwelling Units

- (1) The use of an alternative dwelling unit as a dwelling is permitted on a lot in the R1, R2, R3, A and F zones, subject to the provisions of this Section.
- (2) Travel trailers may be stored on the lot and used for occasional non-commercial accommodation except on a parcel zoned Affordable Rental Housing (R4).
- (3) A recreational vehicle or other alternative dwelling unit used as a dwelling shall:
 - (a) Be connected to an approved sewage system in accordance with the requirements of the *Public Health Act*;
 - (b) Be provided with a domestic water supply;
 - (c) Comply with the use, density, siting, and setback requirements of this Bylaw for dwellings or accessory dwelling units, as applicable;
 - (d) Not be used for vacation rental or for the accommodation of paying guests;
 - (e) Be considered as a dwelling unit for the purposes of density calculations; and
 - (f) Be on a lot larger than 1.0 hectares and screened from adjacent properties.

3.10 Cistern Requirements

- (a) A Siting and Use permit shall not be issued for a new dwelling unit larger than 93 square metres (1001 square feet) unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 18,000 litres (3959 gallons) is located on the property;
- (b) A Siting and Use permit shall not be issued for a new dwelling unit 90 square metres (968.8 square feet) or smaller unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 13,640 litres (3000 gallons) is located on the property.

3.11 Water Zones

- (1) In the water zones, no building or structure may be used for overnight accommodation.
- (2) In the water zones, a vessel may be used for occasional non-commercial accommodation but shall not be used as a permanent residence.

3.12 Covered Walkways

- (1) Buildings located within 4.0 metres of each other and connected by a covered walkway are deemed to be one building.

3.13 Undersized Lots

- (1) Where a lot exists prior to the effective date of this Bylaw and the lot area does not conform to the minimum lot area established in Part 5 relating to subdivision control, such a lot may be used for any of the uses permitted in the zone in which the lot is situated, subject to all of the other regulations for that zone and provided the provisions of the Public Health Act and relevant regulations have been met.

3.14 Agriculture Buildings and Structures

- (1) An accessory building or structure used for agricultural purposes may exceed 6.0 metres in height where the following apply:

- (a) the building or structure used for agricultural purposes is located in the Agricultural Land Reserve;
- (b) the building or structure used for agricultural purposes is sited a minimum of:
 - i. 10.0 metres from the front or exterior side lot lines
 - ii. 4.5 metres from the rear or side lot line; and
 - iii. 15 metres from an edge lot line.
- (c) the height of the building or structure does not exceed 15.0 metres.

3.15 Fence Regulations

- (1) The height of fences shall not exceed 2.0 metres in any zone, except the Agriculture zone.
- (2) Landscape screens and protective netting or wire used to control animal nuisances are exempt from Subsection 3.15(1).

3.16 Screening Regulations

General Regulations

- (1) Where a landscape screen is required by this Bylaw, it must be provided in the form of:
 - (a) existing vegetation of the required height or
 - (b) a row of drought-tolerant evergreen plants that after three years of growth will attain the required height and provide a continuous, permanent visual screen between the uses being separated.
- (2) The minimum height of a landscape screen is 2.0 metres.
- (3) The minimum depth of a landscape screen is 1.5 metres.
- (4) Landscape screens along a front or exterior side lot line must be unbroken, except to provide for access to or from the lot.
- (5) All agri-tourism accommodation must be screened from view from an adjacent lot by a landscape screen a berm, or fencing.

Landscape Screens

- (6) All commercial, industrial and institutional uses must be screened from view from a lot in the Residential (R1) or Rural Residential (R2) zone by a landscape screen.
- (7) All outdoor storage or use related to a home occupation must be screened from view from an adjacent lot or highway by a landscape screen.
- (8) All works yards, commercial or industrial outdoor storage, or derelict vehicles must be screened from view from an adjacent lot or highway by a landscape screen.
- (9) All uses in the R3 and R4 zones must be screened from adjacent properties with a landscape screen located within the setback area, except that dead trees or trees that pose a safety risk may be extracted from the setback area.

3.17 Home Occupation Regulations

- (1) A home occupation, when permitted in any zone, shall be subject the following.

Permitted Home Occupation Uses

- (2) The following uses, and no other uses, are permitted as home occupations:
 - (a) home-based guest accommodation;
 - (b) artist or artisan studios, including sale of products produced on site;
 - (c) general business offices;
 - (d) professional offices, including health services;
 - (e) personal services;
 - (f) welding shops, including sale of products produced on site;
 - (g) manufacture, repair and assembly of goods;
 - (h) sale of agricultural products produced on-site;
 - (i) trades-person offices including storage of tools of the trade;
 - (j) food processing;
 - (k) automobile repair and maintenance on lots larger than 2.0 hectares; and
 - (l) home-based assisted living.

- (3) Despite regulation 2 of this section, the following uses, and no others are permitted as home occupations in the R4 zone:
 - (a) general business offices
 - (b) professional offices, excluding health services
 - (c) artist or artisan studios

- (4) Notwithstanding 2.4 regulation 3 of this section, the following is prohibited in the R4 zone:
 - (a) on site purchase of any products or services
 - (b) on site attendance of clientele or customers
 - (c) creation of noise which disturbs persons

General Regulations

- (5) Home occupations must be accessory to an active residential use.

- (6) The external appearance of the premises on which the home occupation is operated must retain a residential appearance.

- (7) The maximum combined floor area used for home occupations:
 - (a) on lots less than 1.0 hectare is 60 per cent of the floor area of the dwelling unit in which the home occupations are located; and
 - (b) on lots of 1.0 hectares or larger is 60 per cent of the combined floor area of the dwelling unit and accessory buildings in which the home occupations are located.

- (8) Homebased assisted living is limited to a maximum of three (3) rooms used for the accommodation and care of residents at any one time.

- (9) A daycare is limited to the care at any one time of no more than seven children.

- (10) A home occupation may not produce, store or use hazardous materials, except for household goods and required materials for trades, welding, artistic or health care purposes.

- (11) Only those goods, arts, and crafts produced on the site may be sold from a home occupation.

- (12) The use of a permanent sawmill or portable sawmill as part of a home occupation is prohibited.

Location of Uses

- (13) On lots that are less than 1.0 hectares, the use shall be conducted entirely within a building containing a dwelling unit.
- (14) On lots 1.0 hectares and greater, home occupations may be in the principal dwelling unit and in accessory buildings.

Uses Permitted Outdoors

- (15) Despite regulations 13 and 14 of this section, kilns used exclusively for the home occupation may be freestanding and located outside the dwelling unit.
- (16) Despite regulations 13 and 14 of this section, a play area for a daycare may be permitted outside the dwelling unit.
- (17) Despite regulations 13 and 14 of this section, outdoor storage associated with home occupations involving trades, manufacture repair and assembly of goods or automobile repair and maintenance is permitted provided that the lot coverage of all home occupation activities and related storage does not exceed 10 percent of the lot area.

Number of Employees

- (18) The maximum number of non-resident employees permitted per lot is:
- (a) one on lots less than 1.0 hectare;
 - (b) two on lots of 1.0 ha and less than 2.0 hectares;
 - (c) three on lots of 2.0 ha and less than 3.0 hectares; and
 - (d) four on lots of 3.0 hectares or larger.
- (19) Despite regulation 18 of this section, no non-resident employees are permitted in the R4 zone.

Home-based Guest Accommodation

- (20) Despite regulation 14 of this section, home-based guest accommodation must be contained within the principal dwelling unit only. No accessory buildings or detached secondary dwelling units may be used for this purpose.
- (21) Unless otherwise permitted in Part 5 of this Bylaw, a home-based guest accommodation may have a maximum of three bedrooms, with a maximum of two beds per room, available for transient paying guests.
- (22) Limited cooking facilities for transient paying guests may be provided (e.g., microwave, toaster, small refrigerator).

3.18 Lots Divided by a Zone Boundary

- (1) If a lot is in two or more zones, for the purposes only of the regulations in Part 5 of this Bylaw regarding units per hectare, lot coverage and minimum lot areas, the portions of the lot that have different zoning classifications must be considered as if they were separate lots
- (2) Despite 3.18(1), no more than one dwelling unit is allowed on the lot, unless the zoning regulations allow more than one dwelling in the zoning classification.
- (3) Despite 3.18(1), on lots where the zoning classification permits more than one dwelling unit per lot, the maximum number of dwelling units is the sum of the number of dwelling units that would be permitted in each zoning classification under 3.18(1).

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The Denman Island Local Trust Area is divided into the following zones, the geographic boundaries of which are as shown on the Zoning Map designated as Schedule "B" that forms part of this Bylaw and the regulations for which are set out in Part 5.

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Residential	R1
Rural Residential	R2
Cohousing	R3
Affordable Rental Housing	R4
Agriculture	A
Forestry	F
Commercial	C
Light Industrial	L
Institutional	I
Conservation	CN
Park	PK
Marine Conservation	W1
Marine Service	W2
Aquaculture	W3
Marine Protection	W4
Lakes	W5

4.2 Zone Boundaries

- (1) Except where otherwise specified the zone boundaries, together with any explanatory legends, notations and references in respect thereof, are delineated and described on a computer record compiled by means of geographic information software and a global positioning system (the "Zoning Map").
- (2) The Zoning Map is kept at the Islands Trust Victoria Office and forms part of this Bylaw.

- (3) A generalised diagrammatic representation of the Zoning Map is annexed to this Bylaw as Schedule B. In the event of any conflict or inconsistency between the Zoning Map and Schedule B, the Zoning Map shall govern.
- (4) Where and to the extent only that a zone boundary also forms a boundary of a lot delineated on a plan deposited in the Land Title Office, in the event of conflict or inconsistency between the deposited plan and the Zoning Map the zone boundary shall be conclusively determined by reference to the plan deposited in the Land Title Office.
- (5) In the event of uncertainty regarding the location of the zone boundaries shown on Schedule B, the location shall be determined by the application of the following rules
 - (a) where zone boundaries coincide with lot boundaries, the zone boundary is the lot boundary;
 - (b) where zone boundaries run along a highway or other public way defined under the Highway Act, the zone boundary is the centre line;
 - (c) where zone boundaries and the natural boundary of the sea coincide, the zone boundary is the natural boundary;
 - (d) where zone boundaries coincide with Agricultural Land Reserve boundaries, the zone boundary is the Agricultural Land Reserve boundary; and
 - (e) in all other cases, the zone boundary must be determined by scaling to the centre of the line demarking the zone boundary on the Zoning Map.

PART 5 ZONE REGULATIONS

5.1 Residential (R1) Zone

The purpose of the Residential Zone R1 is to provide regulations for the development of low-density residential areas, characterized by single-family dwellings and accessory uses.

Permitted Principal Uses

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

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other accessory uses are prohibited:
 - (a) *Accessory uses*; buildings and structures;
 - (b) home occupation;
 - (c) *agriculture*;
 - (d) *intensive agriculture and forest fungi* production on lots greater than 2.0 hectares;
 - (e) *agri-tourism* use on a lot classified as a farm under the BC Assessment Act; and
 - (f) *agri-tourism accommodation* on lots larger than 4.0 ha and classified as a farm under the BC Assessment Act where permitted by a Temporary Use Permit.

Density

- (3) One (1) dwelling unit is permitted per hectare on each lot with an area of 1.0 hectare or larger, to a maximum of two (2) dwelling units per lot.
- (4) Despite Section 5.1(3), on a lot less than 1.0 hectare in area, one (1) dwelling unit is permitted.
- (5) One agricultural *produce stand* per lot.

Siting and Size

- (6) The minimum setback for any building or structure, except a fence or pump/utility house is:
 - (a) 7.5 metres from any front lot line;
 - (b) 3.0 metres from any rear or side lot line; and
 - (c) 4.5 metres from any exterior side lot line.
- (7) The minimum setback from all lot lines for *agri-tourism accommodation*, feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except domestic chicken coops.
- (8) The minimum setback from all lot lines for a domestic chicken coop is 3.0 metres.
- (9) The minimum setback for a *produce stand* from the front lot line is 4.5 m, maximum size not exceeding 4.6 square metres (50 square feet) gross floor area.

- (10) The maximum gross floor area of a principal dwelling unit shall not exceed 300 square metres.
- (11) The maximum lot coverage for buildings and structures shall not exceed the percentage of lot area set out below:

Lot Area	Maximum Lot Coverage
Less than 0.6 hectares	15%
0.6 hectares to less than 1.2 hectares	10%
1.2 hectares or greater	5%

Subdivision Lot Area Requirements

- (12) Minimum lot area is 64.0 hectares.

Conditions of Use

- (13) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 8.7(1) apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system.

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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
R1(1)		One accessory dwelling unit is permitted, with a maximum gross floor area of 56.0 square meters, provided it is contained within or attached to the principal dwelling unit on the lot
R1(2)		The only accessory use permitted is residential, in cabins with a maximum gross floor area of 56 square meters, to a maximum of six cabins per lot, and a minimum lot area of 3.75 hectares.
R1(3)		Two dwelling units are permitted providing one is

		limited to a footprint of 18.6 square metres and one storey.
R1(4)		<p>Dwelling units and buildings and structures accessory to dwelling units are not permitted and instead, one (1) affordable housing dwelling unit with a maximum gross floor area of 93 square metres and associated accessory buildings and structures are permitted.</p> <p>Travel trailers are not permitted to be stored on the lot or to be used as a principal dwelling unit. However, a travel trailer may be used on the lot for up to six months during construction of the affordable housing dwelling unit.</p> <p>Home occupation uses are permitted as an accessory use. Homebased guest accommodation, welding shops, including sale of products produced on site, daycare, and automobile repair and maintenance, are not permitted.</p>

5.2 Rural Residential (R2) Zone

The purpose of the Residential Zone R2 is to provide regulations for the development of low-density residential areas, characterized by single-family dwellings on larger lot sizes, along with accessory uses, secondary suites, and additional dwelling units.

Permitted Principal 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

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Accessory uses, buildings and structures;*
 - (b) *secondary suite;*
 - (c) *secondary dwelling units;*
 - (d) home occupation;
 - (e) *agriculture;*
 - (f) *agri-tourism* (on lots classified as a farm under the BC Assessment Act);
 - (g) *agri-tourism accommodation* (on lots larger than 4.0 ha and classified as a farm under the BC Assessment Act, where permitted by a Temporary Use Permit.

Density

- (3) One (1) principal dwelling unit is permitted per 4.0 hectares of lot area, up to a maximum of four (4) principal dwelling units per lot.
- (4) Despite 5.2(3), on a lot less than 4.0 hectare in area, one (1) principal dwelling unit and secondary dwelling unit is permitted.
- (5) One secondary suite is permitted per principal dwelling unit.

Siting and Size

- (6) The minimum setback for any building or structure, except a fence or pump/utility house is:
 - (a) 7.5 metres from any front lot line;
 - (b) 3.0 metres from any rear or side lot line; and
 - (c) 4.5 metres from any exterior side lot line.
- (7) The minimum setback from all lot lines for agri-tourism accommodation, feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except domestic chicken coops.
- (8) The minimum setback from all lot lines for domestic chicken coops is 3.0 metres.
- (9) The minimum setback for a *produce stand* from the front lot line is 4.5 metres, maximum size not exceeding 4.6 square metres (50 square feet) gross floor area.

- (10) The combined maximum gross floor area of a principal dwelling unit and secondary suite, shall not exceed 300m².
- (11) Where an existing principal dwelling unit exceeds 300m², prior to the development of a secondary dwelling unit, the secondary dwelling unit is limited to 90m²
- (12) The maximum lot coverage for buildings and structures shall not exceed the percentage of lot area set out below:

Lot Area	Maximum Lot Coverage
Less than 0.6 hectares	15%
0.6 hectares to less than 1.2 hectares	10%
1.2 hectares or greater	5%

Subdivision Lot Area Requirements

- (13) Minimum lot area is 64.0 hectares.

Conditions of Use

- (14) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 8.7(1) apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

Site-Specific Regulations

- (15) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
R2(1)		a) A kennel accessory to a residential use is also permitted with a minimum setback from all lot lines of 30.0 metres.
R2(2)		a) A riding stable accessory to a residential use is permitted with a minimum setback from all lot lines of 30.0 metres.
R2(3)		a) Two dwelling units are permitted.

R2(4)		a) The minimum lot area per principal dwelling unit is 1.4 hectares
R2(5)		a) The minimum lot area per principal dwelling unit is 3.33 hectares.
R2(6)		a) The maximum density permitted by subdivision is an average of one lot per 5.56ha.
R2(7)		a) The maximum number of dwellings permitted in the R2(7) zone is four.
R2(8)		<p>a) A Siting and Use Permit for a dwelling in the R2(8) zone must be accompanied by written certification from an appropriately qualified professional architect, engineer or energy advisor that the dwelling unit meets or exceeds the applicable requirements of Step 2 of the Energy Step Code in affect at the reference date of this bylaw amendment.</p> <p>b) The maximum number of lots permitted by subdivision in the R2(8) zone is 5.</p> <p>c) The minimum average lot area permitted by subdivision is 2.8 ha.</p>
R2 (9)	PID: 000-457-191	<p>a) The maximum number of principal dwelling units permitted is one.</p> <p>b) One secondary suite is permitted.</p>
R2 (10)	PID: 026-826-399 (portion)	a) The maximum number of dwelling units permitted is one

		b) One secondary suite is permitted.
R2 (11)	PID: 006-657-931 (portion)	a) The maximum number of dwelling units permitted is one b) One secondary suite is permitted.

5.3 Co-housing (R3) Zone

The purpose of the Co-housing Zone R3 is to establish regulations for the development of semi-communal housing areas, consisting of a cluster of private dwellings and shared community spaces, fostering a collaborative and sustainable living environment.

Permitted Principal 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*

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Accessory uses, buildings and structures;*
 - (b) *Common House;*
 - (c) home occupation;
 - (d) *agriculture;*
 - (e) *intensive agriculture and forest fungi* production on lots greater than 2.0 hectares;
 - (f) *agri-tourism* (on lots classified as a farm under the BC Assessment Act); and
 - (g) *agri-tourism accommodation* (on lots larger than 4.0 ha and classified as a farm under the BC Assessment Act, where permitted by a Temporary Use Permit.

Density

- (3) On a lot of 35.0 hectares or greater in area, up to fifteen dwelling units are permitted.

Siting and Size

- (4) The minimum setback for any building or structure, except a fence or pump/utility house is:
 - (a) 30.0 metres from any front lot line;
 - (b) 30.0 metres from any rear or side lot line; and
 - (c) 30.0 metres from any exterior side lot line.
- (5) The minimum setback from all lot lines for domestic chicken coops is 30.0 metres.
- (6) The minimum setback from all lot lines for agri-tourism accommodation, feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops is 30.0 metres.
- (7) The minimum setback for a *produce stand* from the front lot line is 4.5 metres, maximum size not exceeding 4.6 square metres (50 square feet) gross floor area.
- (8) The maximum floor area of a dwelling unit is 139.4 square metres.
- (9) The maximum floor area of a common house is 279 square metres.
- (10) The maximum combined gross floor area of all accessory buildings and structures is 1275 square metres.

Subdivision Lot Area Requirements

- (11) Minimum lot area is 64.0 hectares.

Conditions of Use

- (12) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 8.7(1) apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

5.4 Affordable Rental Housing (R4) Zone

The purpose of the Affordable Rental Housing Zone R4 is to regulate higher-density residential developments in areas suitable for increased population density, with an emphasis on multi-family dwellings. Housing in this zone is designated for residential rental tenure, subject to the registration of a housing agreement.

Permitted Principal 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) *Multi-family Residential Rental Tenure*, subject to registration of Housing Agreement.

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Accessory uses, buildings and structures*;
 - (b) *Common House*;
 - (c) home occupation;
 - (d) *agriculture*; and
 - (e) *intensive agriculture and forest fungi production on lots greater than 2.0 hectares.*

Density

- (3) The maximum lot coverage for buildings and structures is 10%.

Siting and Size

- (4) The minimum setback for any building or structure, except a fence or a pump/utility house is:
 - (a) 10.0 metres from any front lot line;
 - (b) 10.0 metres from any rear or side lot line; and
 - (c) 10.0 metres from any exterior side lot line.
- (5) The minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops is 30.0 metres.
- (6) The minimum setback from all lot lines for domestic chicken coops is 10.0 metres.
- (7) The maximum gross floor area of a pump/utility house located within a setback area is 10 square metres.

Site-Specific Regulations

- (8) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
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Site-Specific Zone	Location Description	Site-Specific Regulations
R4(1)		<ul style="list-style-type: none"> a) The keeping of chickens or other livestock is not permitted. b) The maximum number of affordable dwelling units per lot is 20. c) The maximum combined lot coverage of buildings and structures is 25%. d) The maximum height of principal buildings and structures located 100.0 metres or more from the natural boundary of the sea is 10.0 metres. e) The minimum setback of a free standing photovoltaic solar array or water cistern from any interior lot line is 1.5m. f) The minimum setback of all buildings and structures, except for free standing photovoltaic solar arrays and water cisterns, is 4.0 metres from an exterior lot line and 3.0 metres from an interior lot line. g) The maximum gross floor area of an affordable dwelling unit is 140 m². h) The minimum lot area permitted by subdivision is 1.0 hectare.

		<p>i) The minimum number of automobile parking spaces required is 1.0 per affordable housing unit.</p> <p>j) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.</p>
R4(2)		<p>a) The following uses are not permitted:</p> <ul style="list-style-type: none"> • the keeping of chickens or other livestock; and • the sale of agricultural products, including their storage, processing and direct marketing. <p>b) Multi-family dwelling units are limited to each building containing a maximum of two seniors affordable housing dwelling units, each having its own entrance, which may include an entrance from a common interior corridor or an exterior entrance.</p> <p>c) A Common House is not permitted.</p> <p>d) The maximum number of seniors affordable dwelling units per lot is 8.</p> <p>e) The maximum combined lot coverage of buildings and structures is 25%.</p> <p>f) The minimum setback of buildings or structures, except for a fence or pump/utility house:</p> <ul style="list-style-type: none"> • from the front lot line is 7.5 metres; • from the rear or side lot line is 3 metres; and

		<ul style="list-style-type: none"> • from the exterior side lot line is 3 metres. g) The minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except for domestic chicken coops. h) The minimum setback from all lot lines for domestic chicken coops is 3 m. i) The maximum gross floor area of a seniors affordable dwelling unit is 65 square metres. j) The minimum lot area permitted by subdivision is 0.7 hectares. k) The minimum number of automobile parking spaces required is 1.5 per seniors affordable housing unit, and the minimum number of bicycle parking spaces required is 0.5 per seniors affordable housing unit. l) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.
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5.5 Agriculture (A) Zone

The purpose of the Agricultural Zone is to protect land for agricultural use, preserve farmland within the rural landscape, and promote sustainable food production and horticulture, while allowing for limited residential use.

Permitted Principal 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) *Agriculture*, including intensive agriculture; and
 - (c) *Forestry*.

Permitted Accessory uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) home occupations;
 - (b) Sale of forest products produced on-site, accessory to a principal forestry use;
 - (c) *Secondary suite*;
 - (d) secondary dwelling unit consistent with the *Agricultural Land Reserve Use Regulation*.
 - (e) *agri-tourism* (on lots classified as a farm under the *BC Assessment Act*); and
 - (f) *agri-tourism accommodation* (on lots larger than 4.0 ha and classified as a farm under the *BC Assessment Act* and consistent with the *Agricultural Land Reserve Use Regulation*).

Density

- (3) The minimum lot area per principal dwelling unit outside the Agricultural Land Reserve is 15.0 hectares.
- (4) Only one (1) dwelling unit is permitted per lot, both inside and outside the Agricultural Land Reserve.
- (5) The maximum lot coverage for buildings and structures is:
 - (a) 35% excluding greenhouses;
 - (b) 75% including greenhouses.
- (6) For land within the Agricultural Land Reserve, the total developed area (including buildings, landscaping, sewage disposal, parking, and access for agri-tourism accommodation) must not exceed 1% of the total parcel area.
- (7) For land within the Agricultural Land Reserve, a maximum of one (1) secondary suite or secondary dwelling unit per lot is permitted.

Siting and Size

- (8) The minimum setback for any principal or accessory residential building or structure, except a fence or pump/utility house is:
 - (a) 10.0 metres from any front lot line; and
 - (b) 4.5 metres from any rear, side, or exterior side lot line.

- (9) The minimum setbacks for buildings and structures used for other than residential purposes are:
 - (a) 10.0 metres from any front or exterior side lot line;
 - (b) 15.0 metres from any rear or side lot line; and
 - (c) 15.0 metres from an edge lot line.
- (10) The minimum setback for intensive agriculture from any lot line is 30.0 metres.
- (11) The minimum setback from any lot line for buildings and structures related to a permanent sawmill or wood processing is 100.0 metres.
- (12) The minimum setback from any lot line for a home occupation related to the manufacture, repair, and assembly of goods is 15.0 metres.
- (13) The minimum setback from any lot line for agri-tourism accommodation is 30.0 metres.
- (14) The minimum setback from any lot line for a *produce stand* is 0 metres with a maximum gross floor area of 10 square metres.
- (15) On land in the Agricultural Land Reserve, maximum gross floor area of a dwelling unit is 410 square metres.
- (16) The maximum gross floor area of a building or structure for off-property retail sale of farm products or forestry products is 300.0 square metres.
- (17) The maximum combined lot area used for the operation of permanent sawmills, excluding storage area, is 200.0 square metres.

Conditions of Use

- (18) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 2.19 apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

Subdivision Lot Area Requirements

- (19) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

- 20) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
A(1)		a) The minimum lot area is 64.0 hectares.

A(2)		<ul style="list-style-type: none"> a) In addition to the uses listed in Table 1 of this Section, a restaurant is a permitted principal use. b) A maximum of five rooms may be used for homebased guest accommodation.
A(3)		<ul style="list-style-type: none"> a) A private non-commercial burial site for the use of residents of the property is a permitted accessory use.
A(4)		<ul style="list-style-type: none"> a) The maximum number of dwelling units is one per 15 hectares.
A(5)		<ul style="list-style-type: none"> a) No residential use is permitted. b) Dwelling units and buildings and structures accessory to a constructed dwelling units are not permitted. c) The minimum setback of principal and accessory residential buildings or structures, except a fence, pump/utility house or pit privy from the front, rear, side and exterior side lot lines is 30 m. d) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 13.0 hectares.
A(6)		<ul style="list-style-type: none"> a) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 45.0 hectares. b) The minimum lot area per principal dwelling unit is 45.0 hectares.
A(7)		<ul style="list-style-type: none"> a) Hermitage is a permitted accessory use. b) Mobile accessory buildings for overnight accommodation of people participating in the activities or programs of a

		<p>hermitage on the same lot are permitted.</p> <p>c) Up to eight mobile accessory buildings with a floor area not greater than 10m² each may be used for overnight accommodation of hermitage participants.</p>
A(8)		a) The minimum lot area per principal dwelling unit is 8.4 hectares.
A(9)		<p>a) The minimum lot area per principal dwelling unit is 7.5 hectares.</p> <p>b) If a lot in this zone is subdivided, a total of 4 dwelling units are permitted on the resulting lots.</p>
A(10)		a) The minimum lot area per principal dwelling unit is 14.91 hectares.
A(11)		a) The minimum lot area per principal dwelling unit is 5.25 hectares.
A(12)		a) the minimum lot area per principal dwelling unit is 10.45 hectares.
A(13)		a) The minimum lot area per principal dwelling unit is 1.55 hectares.
A(14)		a) the minimum lot area per principal dwelling unit is 1.55 hectares.
A(15)		a) The minimum lot area is 0.8 hectares.

5.6 Forestry (F) Zone

The purpose of the Forestry Zone is to provide regulations for forestry activities in areas designated for large scale resource use, with limited residential development.

Permitted Principal 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) *Agriculture*, including *intensive agriculture*; and
 - (c) *Forestry*.

Permitted Accessory uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) home occupations;
 - (b) Sale of forest products produced on-site, accessory to a principal forestry use;
 - (c) *Secondary suite*;
 - (d) *secondary dwelling unit*;
 - (e) *agri-tourism* (on lots classified as a farm under the *BC Assessment Act*); and
 - (f) *agri-tourism accommodation* (on lots larger than 4.0 ha and classified as a farm under the *BC Assessment Act*), requires approval by a Temporary Use Permit.

Density

- (3) The minimum lot area per principal dwelling unit outside the Agricultural Land Reserve (ALR) is 64.0 ha.
- (4) Only one (1) dwelling unit is permitted per lot, both inside and outside the Agricultural Land Reserve.
- (5) The maximum lot coverage for buildings and structures is 5%.
- (6) A maximum of one (1) secondary suite and one (1) secondary dwelling unit per lot is permitted.

Siting and Size

- (7) The minimum setback for any principal or accessory residential building or structure, except a fence or pump/utility house is:
 - (a) 10.0 metres from any front lot line;
 - (b) 4.5 metres from any rear, side, or exterior side lot line.
- (8) For buildings and structures used for other than residential purposes, except a fence or pump/utility house the minimum setbacks are:
 - (a) 30.0 metres from any front or exterior side lot line; and
 - (b) 15.0 metres from any rear or side lot line.
- (9) The minimum setback for intensive agriculture from any lot line is 30.0 metres.

- (10) The minimum setback from any lot line for buildings and structures related to a permanent sawmill or wood processing is 100.0 metres.
- (11) The minimum setback from any lot line for a home occupation related to the manufacture, repair, and assembly of goods is 15.0 metres.
- (12) The minimum setback from any lot line for agri-tourism accommodation is 30.0 metres.
- (20) The minimum setback from any lot line for a *produce stand* is 0 metres with a maximum gross floor area of 10 square metres.
- (13) On land in the Agricultural Land Reserve, maximum gross floor area of a dwelling unit is 410 square metres.
- (14) On land outside the Agricultural Land Reserve, the maximum gross floor area of a principal dwelling unit, including any secondary suite located within it, shall not exceed 300 square metres.
- (15) The maximum gross floor area of a building or structure for off-property retail sale of farm products or forestry products is 200.0 square metres.
- (16) The maximum combined lot area used for the operation of permanent sawmills, excluding storage area, is 200.0 square metres.

Conditions of Use

- (17) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 8.7(1) apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

Subdivision Lot Area Requirements

- (18) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

- (19) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
F(1)		a) The minimum lot area permitted by subdivision is 20 ha.

5.7 Commercial (C) Zone

The purpose of the Commercial Zone is to establish regulations for the development of areas designated for commercial activities, ensuring that these uses are compatible with surrounding residential and other land uses.

Permitted Principal 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) *Retail sale and rental*;
 - (c) Restaurant and cafe;
 - (d) *Personal service*;
 - (e) Office; and
 - (f) *Occasional* markets, fairs, and festivals.

Density

- (2) The maximum number of dwelling units per lot is one (1).
- (3) The maximum combined lot coverage of buildings and structures is 40%.

Siting and Size

- (4) The minimum setback for any building or structure, except for a fence or pump/utility house is:
- (a) 7.5 metres from the front lot line;
 - (b) 3.0 metres from the rear or side lot line; and
 - (c) 4.5 metres from the exterior side lot line.

Subdivision Lot Area Requirements

- (5) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

- (6) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
C(1)		a) The following principal uses are also permitted: <ul style="list-style-type: none"> • vehicle fuel service; and • propane sales for domestic purposes.

5.8 Light Industrial (L) Zone

The purpose of the Light Industrial Zone is to provide regulations for areas designated for light industrial activities, including those that may produce minimal environmental impacts and are compatible with adjacent land uses.

Permitted Principal 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) Confectionary manufacturing.

Density

- (2) The maximum number of dwelling units per lot is one (1).
- (3) The maximum combined lot coverage of buildings and structures is 40%.

Siting and Size

- (4) The minimum setback for any building or structure, except for a fence or pump/utility house is:
 - (a) 7.5 metres from the front lot line;
 - (b) 3.0 metres from the rear or side lot line; and
 - (c) 4.5 metres from the exterior side lot line.
- (5) The maximum gross floor area of a building for light industrial uses is 375 square metres.

Subdivision Lot Area Requirements

- (6) The minimum lot area is 64.0 hectares.

5.9 Institutional (IN) Zone

The purpose of the Institutional Zone is to provide regulations for the development and use of community-oriented areas, including institutional, cultural, and recreational facilities.

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) Schools;
 - (b) Religious assembly;
 - (c) *Recycling depot*;
 - (d) Cemeteries;
 - (e) Emergency services;
 - (f) Health care services;
 - (g) Museums;
 - (h) Public assembly;
 - (i) *Occasional* markets, fairs, and festivals;
 - (j) *Passive recreation*;
 - (k) Sports facilities;
 - (l) Public washrooms.

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- a) *Residential*

Density

- (3) The maximum combined lot coverage of buildings and structures is 40%.

Siting and Size

- (4) The minimum setback for any building or structure, except a fence or pump/utility house is:
- (a) 7.5 metres from any front lot line;
 - (b) 3.0 metres from any rear or side lot line; and
 - (c) 4.5 metres from any exterior side lot line.

Subdivision Lot Area Requirements

- (5) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

- (6) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations

IN(1)		a) Highway maintenance yard is a permitted use.
IN(2)		a) Community kitchen is also a permitted use. b) The maximum floor area of a building that may be used for a community kitchen, including storage, is 40.0 square metres.
IN(3)		a) Medical Health Centre is the only permitted use
IN(4)		a) Hermitage is the only permitted use.

5.10 Conservation Zone (CN) Zone

The purpose of the Conservation Zone is to provide regulations for the development and use of protected areas intended for low-impact, community-oriented uses, including passive recreational, cultural, and environmental conservation activities.

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) *Passive recreation.*

Siting and Size

- (2) The maximum height of buildings and structures is 7.0 metres.

Subdivision Lot Area Requirements

- (3) The minimum lot area is 64.0 hectares.

5.11 Park (PK) Zone

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) Parks;
 - (b) Passive recreation.

Density

- (2) The maximum combined lot coverage of buildings and structures is 5%.

Siting and Size

- (3) The maximum height of buildings and structures is 7.0 metres.

Subdivision Lot Area Requirements

- (4) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

- (5) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
PK (1)		a) Boat launching and associated boat launching ramps are permitted.
PK(2)		a) Camping is also a permitted use.

5.12 Marine Conservation (W1) Zone

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) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Marine navigation aids; and
 - (d) Moorage buoys accessory to an adjacent upland residential or park use;

Prohibited Uses

- (2) Despite Section 5.12(1), the use of vehicles and ground-based machinery on the foreshore is prohibited.

5.14 Marine Service (W2) Zone

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) Non-commercial boat anchorage and moorage;
 - (b) Commercial boat anchorage and moorage;
 - (c) Seaplane anchorage and moorage;
 - (d) Marine parks;
 - (e) Ferry terminals;
 - (f) Boat launching;
 - (g) Boat rentals and sales;
 - (h) Marine fuel sales;
 - (i) Take-out food service;
 - (j) Marine navigation aids; and
 - (k) Moorage buoys accessory to an adjacent upland residential or park use.

Siting and Size

- (2) The maximum height of floating structures above the water surface, except for a breakwater, is 10.0 metres.
- (3) The maximum height above the high water mark for buildings and structures fixed to the bed of the sea, except for a breakwater, is 10.0 metres.

5.15 Aquaculture (W3) Zone

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) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Shellfish aquaculture;
 - (d) Marine navigation aids; and
 - (e) Moorage buoys accessory to an adjacent upland residential or park use.

Prohibited Uses

- (2) Despite Section 5.15(1), the use of vehicles and ground-based machinery on the foreshore is prohibited.

Site-Specific Regulations

- (3) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
W3(1)		a) No structures are permitted.

5.16 Marine Protection (W4) Zone

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) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Marine navigation aids;
 - (d) Moorage buoys accessory to an adjacent upland residential or park use.

Prohibited Uses

- (2) Despite Section 5.16(1), the use of vehicles and ground-based machinery on the foreshore is prohibited.

Site-Specific Regulations

- (3) 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 reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
W4(1)		a) Boat launching and boat launching ramps are permitted.

5.17 Lakes (W5) Zone

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) Water reservoir.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

- (1) In the Residential (R1), Rural Residential (R2), Co-housing (R3), and Affordable Rental Housing (R4) zones:
 - (a) Maximum size of any one sign: 0.5 m²;
 - (b) Maximum total sign area per lot: 1.0 m²; and
 - (c) Number of signs permitted: unlimited.
- (2) In the Agriculture (A) and Forestry (F) zones:
 - (a) Maximum size of any one sign: 0.75 m²;
 - (b) Maximum total sign area per lot: 2.0 m²; and
 - (c) Number of signs permitted: unlimited.
- (3) In the Commercial (C) and Light Industrial (L) zones:
 - (a) Maximum size of any one sign: 2.0 m²;
 - (b) Maximum total sign area per business: 2.0 m²; and
 - (c) Maximum number of signs per business: 2
- (4) In the Institutional (IN) zone:
 - (a) Maximum size of any one sign: 2.0 m²;
 - (b) Maximum total sign area per lot: 2.0 m²; and
 - (c) Maximum number of signs per lot: 2
- (5) In the Conservation (CN) and Parks (PK) zones:
 - (a) Maximum size of any one sign: 1.0 m²;
 - (b) Maximum total sign area per lot: 1.0 m²; and
 - (c) Number of signs permitted: unlimited
- (6) In the Marine Aquaculture (W3) zone:
 - (a) Maximum size of any one sign: 0.5 m²;
 - (b) Maximum total sign area per tenure: 1.0 m²; and
 - (c) Maximum number of signs per tenure: 2
- (7) Temporary Real Estate Signs (all zones)
 - (a) Maximum size of any one sign: 1.0 m²;
 - (b) Maximum total sign area per lot: 2.0 m²;
 - (c) Maximum number of signs per lot: 2; and
 - (d) Must be removed within 2 weeks of sale completion.
- (8) In all zones, free standing signs are not considered structures for the purposes of horizontal setback requirements from lot lines or natural features.
- (9) The maximum areas set out in Section 6.1(1) to 6.1(7) refer to the area of one face of a sign.

6.2 Height of Signs

- (1) In all zones, the maximum height of free-standing signs is 3.0 metres.

- (2) In all zones, the maximum height of a sign attached to a building or structure is the same as the maximum height for the building or structure in the applicable zone.

6.3 Prohibited Signs

- (1) Except as permitted in Section 6.1 and 6.2, the following signs are expressly prohibited
- (a) animated signs;
 - (b) illuminated signs;
 - (c) obsolete signs; and
 - (d) third party signs larger than 0.5 square metre regardless of location.

6.4 Exempt Signs

- (1) This bylaw does not apply to the following:
- (a) those approved by a public authority such as directional signs, traffic signs, electoral signs and marine navigational signs;
 - (b) warning signs, such as private property, no trespassing, no vehicles, and no hunting signs provided that such signs are no larger than 0.2 square metres;
 - (c) interpretative signs; and
 - (d) murals, providing the mural is not advertising a product or service.

PART 7 PARKING REGULATIONS

7.1 General Regulations

- (1) Parking spaces are required in accordance with this Section for the establishment or expansion of any use of land, buildings or structures and for the construction of an addition to any buildings or structures.
- (2) If a use is not listed in this section, the number of parking spaces required is to be calculated on the basis of the most similar use listed.
- (3) If more than one use is located on a lot, or parking collectively serves more than one building or use, the total number of parking spaces is the sum of the various classes of uses calculated separately.
- (4) Where the calculation of total required parking spaces results in a fractional number, the nearest whole number above that calculated is the number of total required spaces.

7.2 Location

- (1) All required off-road parking spaces must be located on the lot on which the use, building or structure being served is located, or on an adjoining lot that constitutes a part of the same site or premises and is in the same zone. Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this section.
- (2) Despite Section 7.2(1), required off-road parking spaces may be provided on a nearby lot provided it is within 100 metres of the use, building or structure being served, and provided a restrictive covenant complying with Section 2.6(1) is registered against the lot on which the parking is provided ensuring that the required parking area will remain available for parking in conjunction with such use.
- (3) Where parking areas are located in the front yard they shall not exceed 40 per cent of the area of the front yard.
- (4) Where parking is required, automobile parking spaces for disabled persons must be located adjacent to the main entrance of the building and marked with a sign or symbol identifying each space reserved for such parking.

7.3 Dimensions

- (1) Each automobile parking space must be accessible to a highway by a manoeuvring aisle not less than 7.5 metres in width in the case of 90 degree angle parking and 5.5 metres in width in the case of 60 degree angle parking.
- (2) No parking space may abut a highway such that the use of the parking space necessitates reversing a motor vehicle onto or from a highway.
- (3) Automobile parking spaces must be at least 2.75 metres in width and 6.25 metres in length, exclusive of manoeuvring aisles, and have an unobstructed vertical clearance of at least 2.0 metres. Parallel parking spaces must, despite the foregoing, must have a length of 7.5 metres.

- (4) Despite Section 7.3(3), automobile parking spaces for disabled persons must be a minimum of 3.7 metres in width and 6.25 metres in length, and have an unobstructed vertical clearance of at least 2.0 metres.

7.4 Design Standards

- (1) Where five or more automobile parking spaces are required
 - (a) all parking spaces are to be provided and maintained with a hard, durable surface or with gravel
 - (b) the parking area is to be landscaped and screened from adjacent residential properties.
- (2) The slope of any automobile parking space shall not exceed 10 percent.
- (3) Lighting fixtures for the parking area must be less than 1.0 metre in height and must be directed exclusively at the parking area at illumination levels of 11 lux or less¹.

7.5 Number of Parking Spaces Required

- (1) The minimum number of parking spaces required is as specified in accordance with this section.
- (2) Minimum number of automobile parking spaces is
 - (a) one per one single family residential dwelling unit
 - (b) one per one cabin or accessory residential use
 - (c) two per dwelling unit in a multi-family dwelling

home occupations

- (a) one per two non-resident employees in a home occupation
- (b) one per rental room in a home occupation providing home-based guest accommodation

commercial

- (a) one per 20.0 square metres of gross floor area of a building or structure for a commercial use other than a restaurant, cafe, public docking facility, or vehicle fuel sales
- (b) one per three seats in a restaurant or café
- (c) one per four berths in a public docking facility, plus four per launch ramp or hoist
- (d) four per vehicle fuel service
- (e) one per sleeping unit of agri-tourism accommodation

institutional

- (a) one per 25.0 square metres of gross floor area of a building or structure for a school, community hall, church, social hall, museum use, health care service use, recycling centre or similar use
- (b) one per each employee or volunteer for a fire hall, police station or ambulance station

resource

- (a) one per 30.0 square metres of gross floor area for a building or structure for an industrial, equipment storage, material supply or warehouse use

- (b) one per 15 square metres of gross floor area for a greenhouse, a nursery, farm sales or forestry sales.
- (3) Minimum number of bicycle parking spaces is
- (a) four, or one per 150 square metres of gross floor area for a commercial use, whichever is greatest
 - (b) four, or one per 10 students in a school, whichever is greatest
 - (c) four, or one per 150 square metres of gross floor area for a community hall, church, social hall, museum or other institutional use, whichever is greatest.
 - (d) One per dwelling unit in a multi-family dwelling
 - (e) Four, or one per sleeping unit of agri-tourism accommodation, whichever is greatest
- (4) Of the number of automobile parking spaces required in Section 7.5(2) for commercial or institutional uses, a minimum of one, or one per 50 required parking spaces, whichever is greatest, must be provided for disabled persons.

PART 8 SUBDIVISION REGULATIONS

8.1 General

- (1) Subdivision of land is permitted as authorized under Section 8.2.
- (2) Subdivision permitted under Section 8.2 must not create additional residential lots or increase residential subdivision on any lot, except as explicitly authorized by this Bylaw.
- (3) All subdivision must comply with conditions set out in Section 8.4.
- (4) The minimum lot area for all zones is 64.0 hectares.
- (5) Nothing in this Section prevents the Local Trust Committee from permitting subdivision through a bylaw amendment.

8.2 Permitted Subdivision

- (1) Subdivision is permitted only for the following purposes:
 - (a) Boundary Adjustment
 - i. Realignment of existing lot boundaries where no additional lots are created and the subdivision potential of any lot is not increased.
 - (b) Lot Consolidation
 - i. Consolidation of two or more lots into a single lot
 - (c) Transfer to an Indigenous Governing Body for heritage conservation
 - i. Creation of a lot for transfer to a recognized Indigenous governing body for heritage conservation purpose;
 - (d) Park Dedication
 - i. Creation of a lot to be transferred or dedicated to a local government or public authority for park or public open space purposes;
 - (e) Conservation land Dedication
 - i. Creation of a lot to be transferred or dedicated for environmental conservation, to one of the following:
 - Islands Trust Conservancy;
 - A local government, regional district, provincial or federal park; or
 - A registered charity whose primary purpose is land conservation.
 - (f) Community Use
 - i. Creation of a lot to be transferred to a local government, public authority, or non-profit organization for a community facility or community service.
 - (g) Transfer to an Indigenous Governing Body for housing
 - i. Creation of a lot for transfer to a recognized Indigenous governing body for the purpose of housing.
 - (h) Affordable Housing (Restricted-Use Parcel)
 - i. Creation of a lot to be transferred to a local government, housing authority, or non-profit housing provider for affordable housing purposes, subject to a housing agreement, covenant or other legal mechanism that restricts the lot to affordable housing use.

8.3 Minimum Lot Size Exemption

- (1) The minimum lot size requirements of this Bylaw do not apply to lots newly created or the parent lot under Sections 8.2(c) through 8.2(f).
- (2) Lots created under Sections 8.2(g) and (h) for the purpose of housing must have a minimum lot size of 1 hectare.
- (3) Conditions on Permitted Subdivision
 - (a) No Additional Fee Simple Privately Owned Residential Lots
 - i. Subdivision under Section 8.2 must not create any additional lots intended for market-rate residential use.
 - (b) Securing Intended Use
 - ii. All lots created under Section 8.2 must be secured through a covenant, restrictive covenant, housing agreement, or other legal instrument registered against the parent lot prior to final subdivision approval.
 - iii. The covenant must ensure that the lot is used only for its intended purpose, in accordance with Section 2.6(1).
 - (c) Compliance with Other Regulations
 - i. Subdivision must comply with all other applicable Bylaw regulations, except where a specific exemption is granted under Section 8.3.

8.4 Exceptions

- (1) Regulations 8.5(2) to 8.11 of this section do not apply:
 - (a) to a lot being created solely for the purpose of locating unattended equipment necessary for the operation of a community water or sewerage system, an automatic telephone exchange, an electrical substation, or a similar public service facility or utility, and where no sewage would be generated, provided a covenant complying with Section 2.6(1) restricts the uses on this lot; or
 - (b) to a lot being created for park purposes where such parcel is to be shown as park on the plan of subdivision or for an ecological reserve that does not contain buildings, provided a covenant complying with Section 2.6(1) restricts the uses on this lot; or
 - (c) to a lot being created solely for the purpose of sale or dedication to a conservation agency for conservation purposes, provided a covenant complying with Section 2.6(1) restricts the use of the lot to conservation.
 - (d) to a lot being created for transfer to a recognized Indigenous Governing Body for heritage conservation purposes, provided a covenant complying with Section 2.6(1) restricts the use of the lot to heritage conservation.
 - (e) to a lot being created solely for the purpose of a cemetery
- (2) The minimum area of a lot eligible for subdivision under Section 946 of the Local Government Act outside the Agricultural Land Reserve is 8.0 hectares.

8.5 Compliance with Minimum Lot Area and Minimum Average Lot Area

- (1) Except as provided for in Section 8.12(3), no lot may be created by subdivision that renders an existing use, building or structure non-conforming with respect to a siting or density provision of this Bylaw.
- (2) Except as provided for in regulations 8.12(2) and 8.12(3) of this section, no lot may be created by subdivision that does not comply with the regulations contained in Part 5.

- (3) Every subdivision must comply with the applicable minimum lot area and minimum average lot area specified by this Bylaw and for that purpose, the average lot area is determined by
- Total area of all proposed lots including the remainder**
divided by
Number of Proposed lots including the remainder.

The resulting number must equal or exceed the applicable minimum average lot area or, if there is no minimum average lot area specified, the applicable Minimum lot Area.

- (4) No more than 50 per cent of the total number of lots in the subdivision shall be less than the applicable minimum average lot area.

8.6 Parcels Divided by a Zone Boundary

- (3) Where a lot to be subdivided is split by one or more zone boundaries, a separate calculation of the number of lots permitted shall be made for each portion, and no lot may be created in respect of any fractional areas resulting from such calculation.

8.7 Lot Configuration Regulations

- (1) For any lot created by subdivision, the average width measured between side lot lines is at least one third the average depth measured between the front and rear lot lines, excluding the access strip of panhandle lots. Average depth is calculated by establishing the front and rear lot lines and then taking an average of the distance between the side lot lines, and for the purpose of this calculation the measurements must be taken at intervals not exceeding 20 metres along the length between the rear and front lot lines. This regulation does not apply to common property in a subdivision created under the Bare Land Strata Regulations of the Strata Property Act.
- (2) For any lot created by subdivision, the minimum highway frontage is 20.0 metres, and for a strata title subdivision, the minimum access road frontage is 10.0 metres.

8.8 Proof of Potable Water – Amounts

- (1) Each lot in a proposed subdivision must be supplied with sufficient potable water from a well, surface water supply or community water system to accommodate all uses, buildings and structures permitted on the lot by this Bylaw according to the standards set out in regulations 8.7(2) to 8.7(4) of this section.
- (2) In Residential and Agriculture zones, the minimum amount of potable water that must be provided per day is 1200 litres for each permitted principal residential dwelling unit, secondary dwelling unit or agri-tourism accommodation unless a cistern, subject to Regulation 8.10 of this section, is provided, in which case the minimum is 1000 litres for each permitted principal residential dwelling unit
- (3) In the Commercial zone, the minimum amount of potable water that must be provided per day is 3600 litres for each one hectare of lot area.
- (4) In Public zones, the minimum amount of potable water that must be provided per day is:
- 50 litres for each classroom in a school; and

- 1200 litres per lot for all other institutional uses.

8.9 Proof of Potable Water – Well and Surface Water Certification

- (1) Where a well is proposed as a source of water for a proposed subdivision, the applicant must provide written certification under seal of a professional legally authorized in British Columbia to conduct hydrogeological or water quality assessments, such as a hydrogeologist, geoscientist or engineer:
 - (a) that there is, in respect of each building, structure or use of land permitted by this bylaw, sufficient available groundwater to provide the required amount of potable water on a continuous basis; and
 - (b) that extraction from the groundwater table for that amount of water is not reasonably expected to adversely affect the quantity of water obtainable from any existing well or surface water that is used as a source of water.
- (2) Where a surface water supply is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide proof of a water license that permits the withdrawal of the required amount of water.
- (3) If the applicant proposes to provide potable water from a well or surface water supply on another lot, the applicant must concurrently with the registration of the subdivision plan, register against title on the lot on which the well is located an easement in favour of each lot to which water is provided, and a statutory right-of-way complying with Regulation of Section 2.6 for water supply purposes
- (4) If the required amount of potable water cannot be supplied, as measured at the tap, or if the certification referred to in Regulation 8.8(1) of this section cannot be made, the applicant must:
 - (a) provide a community water system complying with the requirements of Regulation 8.11 of this section, or
 - (b) grant a covenant complying with Regulation of Section 2.6(1) restricting the development of the subdivision to the buildings, structures and uses in respect of which water can be supplied in accordance with regulations 8.7(2) through 8.7(4) and a certification has been made under Regulation 8.8(1) of this section

8.10 Proof of Potable Water – Cisterns

- (1) Where a cistern is required by this Bylaw, the landowner must:
 - (a) provide one or more cisterns with a combined capacity of 8400 litres of potable water; and
 - (b) provide a covenant complying with Regulation of Section 2.6(1) prohibiting use of the property for which proof of potable water is required until cisterns are in place capable of holding the required amount of water.

8.11 Community Water System

- (1) Where a community water system is proposed to serve a subdivision:
 - (a) the community water system must comply in all respects with applicable provincial enactments;
 - (b) the water supply for the community water system must be obtained on Denman Island; and
 - (c) if the water system is to be supplied by a well, the immediate catchment area of the well, as defined by an Engineer, is to be protected from pollution by a covenant in

accordance with Section 2.6(1) prohibiting the installation of sewage dispersal fields or other sanitary facilities.

8.12 Waste Disposal

- (1) For any lot created by subdivision, the applicant must demonstrate the availability of an area of the lot for the installation of a conventional septic tank or package treatment sewage dispersal system with the characteristics required by the Sewerage System Regulation under the Public Health Act.

PART 9 DEVELOPMENT PERMIT GUIDELINES

9.1 Development Permit Area 1: Komas Bluff - Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Komas Bluff development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

- Guideline 1 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.
- Guideline 2 In order to assist the Denman Island Local Trust Committee in determining conditions to be included in a development permit, the applicant will be required to provide, at their own expense, a geotechnical report certified by a professional engineer with experience in geotechnical engineering who is acceptable to the Trust Committee. The report must indicate that the proposed tree cutting, buildings, structures, land alteration, roads, driveways, or other proposed developments would not cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow, sloughing, or water degradation.
- Guideline 3 No permanent building should be permitted in any area subject to sloughing or damage from sloughing.
- Guideline 4 No part of a septic tank, deposit field, or irrigation system should be constructed in any portion of the site that is subject to sloughing or damage from sloughing or in any area containing unstable soil or water which is subject to degradation.
- Guideline 5 Notwithstanding the drainage bylaw provisions or requirements, drainage facilities should be required to divert drainage away from any areas subject to sloughing or damage from sloughing.
- Guideline 6 Trees or other vegetation should be retained or replanted in order to control erosion along the top or the face of the bank.
- Guideline 7 All new lots created by subdivision should provide for suitable building sites in areas not subject to sloughing.
- Guideline 8 Subdivision applications should make provisions for clustering lots in areas away from the hazard area.
- Guideline 9 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- Guideline 10 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 unsafe conditions caused by a contravention of a condition in the development permit (see Appendix B).
- Guideline 11 Development permits issued in Development Permit Area No. 1: Komas Bluff should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.

9.2 Development Permit Area No. 2: Steep Slopes – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Steep Slopes development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

- Guideline 1 A development permit is required as follows:
- (1) Alteration of land by the cutting or removing of trees:
 - (a) on land that:
 - i. is not classified as managed forest land under the *Assessment Act*; and
 - ii. is not the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*; and
 - (b) 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.
- 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.
- Guideline 3 No cutting or removal of trees shall be permitted in this development permit area unless development approval information in the form of an environmental impact assessment is provided by the applicant which indicates that the impact of the cutting or removal of trees is unlikely to have harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats.
- 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
 - (5) other features that contribute to high value wildlife habitat.
- Guideline 5 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- 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).
- 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.

9.3 Development Permit Area No. 3: Lacon Road Coast – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Lacon Road Coast development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

- Guideline 1 A development permit is required as follows:
- (1) Alteration of land by the cutting or removing of trees on land that:
 - (a) is not classified as managed forest land under the *Assessment Act*; and
 - (b) is not the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*.
 - (2) Alteration of land by the development of any impervious surfaces.
 - (3) Alteration of land by the construction of buildings or structures.
- All other land alteration or development is exempt from the requirements of this development permit area.
- 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.
- Guideline 3 In order to assist the Denman Island Local Trust Committee in determining conditions to be included in a development permit, the applicant will be required to provide, at their own expense, a geotechnical report certified by a professional engineer with experience in geotechnical engineering who is acceptable to the Trust Committee. The report must indicate that proposed tree cutting, buildings, structures, land alteration, roads, driveways, or other proposed developments do not cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow, sloughing, or water degradation.
- Guideline 4 No permanent buildings should be permitted in any area subject to sloughing or damage from sloughing.
- Guideline 5 Notwithstanding the drainage bylaw provisions or requirements, drainage facilities should be required to divert drainage away from any areas subject to sloughing or damage from sloughing.
- Guideline 6 Along the top or face of the bank, trees or other vegetation should be retained or replanted in order to control erosion.
- Guideline 7 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
 - (5) other features that contribute to high value wildlife habitat.
- Guideline 8 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- Guideline 9 On receipt of a 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 or unsafe conditions caused by a contravention of a condition in the development permit.
- Guideline 10 Development permits issued in Development Permit Area No. 3: Lacon Road Coast should contain a condition stating that a letter must be submitted by a time specified in the development indicating that the work has been completed in accordance with the terms and conditions of the development permit.

9.4 Development Permit Area No. 4: Streams, Lakes and Wetlands – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Streams, Lakes and Wetlands development permit area shall apply to the Denman Island Local Trust Committee for a development permit.

9.4.1 Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- a) Subdivision of land;
- b) Construction of, addition to or alteration of a building or other structure;
- c) Alteration of land;
- d) Development as that term is defined in the *Riparian Areas Regulation, BC Fish Protection Act*; and
- e) Installation of any structures within a stream or within the natural boundary of a lake.

A separate development permit, or additional development permit conditions in a single permit, may be required or imposed if the development is occurring in another development permit area designated in this plan.

9.4.2. Exemptions

The following activities are exempt from any requirement for a development permit:

- a) works undertaken by a local government or a body established by a local government;
- b) agricultural activities within a seasonally flooded agricultural field that is in the Agricultural Land Reserve as long as it can be determined by site inspection and/or by current orthophoto interpretation that it has been previously modified for agriculture. If it is not possible to make the determination by these means, other historical evidence that agricultural activities have occurred in the subject area within the last 50 years from the date of the application may be acceptable;
- c) the following properties are recognized as containing seasonally flooded agricultural fields and are exempt from requiring a development permit for agricultural activities as long as they remain in the Agricultural Land Reserve:
Lot A, Section 32, Denman Island, Nanaimo District, Plan VIP 61295;
Lot 1, Section 17, Denman Island, Nanaimo District, Plan 43576;
Lot 2, Section 17, Denman Island, Nanaimo District, Plan 43576;
The South East $\frac{1}{4}$ of Section 26, Denman Island, Nanaimo District;
The North West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of Section 22, Denman Island, Nanaimo District; and
The South West $\frac{1}{4}$ of Section 13, Denman Island, Nanaimo District;
- d) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- e) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- f) repair or replacement of a septic field on the same spot;
- g) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;

- h) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing *landscaped area*, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- i) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- j) pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- k) ecological restoration or enhancement projects undertaken or authorized by a public body;
- l) changes in or about a stream authorized under Section 9 of the Water Act;
- m) work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*;
- n) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection,
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow, and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- o) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* and horticulture as defined in the Denman Island Land Use Bylaw 177;
- p) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;
- q) The construction of a private trail if all of the following apply:
 - i. The trail is 1 meter wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious (for example, soil, gravel or wood chips)
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream;
- r) Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared; and
- s) The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 meters squared.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Information Note: Some activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

9.4.3 Guidelines

Prior to undertaking any development activities within the Streams, Lake and Wetlands DPA an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

Guideline 1

In general, all development in this DPA should be undertaken in a manner that minimizes impact on and that restores or maintains the proper functioning condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.

Guideline 2

The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP or riparian buffer recommended by another professional adjacent to a non-RAR applicable watercourse, lake or wetland, and the owner should be required to implement a plan for protecting the SPEA or riparian buffer over the long term through measures that may be implemented as conditions of the development permit.

Guideline 3

Where the QEP or other professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.

Guideline 4

The following guidelines are applicable to floats and associated structures within the development permit area:

- i) floats should not be placed in areas identified as important to fish life processes where installation of a float would compromise the functioning of the processes;
- ii) a ramp or float should not rest on the bed of the water body;
- iii) the use of treated wood in the water body should be avoided;
- iv) floatation material should be contained within a durable shell to prevent disintegration;
- v) pervious surfacing should be used on ramps and floats (e.g. grating or separated boards);
- vi) any areas disturbed during installation should be restored;

- vii) where a float is being replaced, all old materials should be removed from the riparian area.

Guideline 5

If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional’s assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant’s expense and DP conditions may be amended accordingly.

Guideline 6

The Local Trust Committee may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional’s report.”

9.5 Development Permit Area No. 5: Village – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Village development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

Guideline 1

A development permit is required for the following:

- (1) construction or alteration to existing structures if the size of the alteration adds any floor area to the building or structure, or if additional off-street parking is required (according to the Land Use Bylaw);
- (2) modifications to existing buildings and structures that involve replacing the siding or roofing using a different material.

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

Guideline 2

General

- (1) Building heights should be in keeping with local bylaws and surrounding structures. Minor height variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities.
- (2) Building setbacks should be in keeping with local bylaws. Setback variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities; however, setback relaxations will not be considered for property lines abutting the Rural Residential 1 (R1), Rural Residential 2 (R2) and Agriculture (A) zones

INFORMATION NOTE: Setback relaxations from the highway right-of-way resulting in a setback of less than 4.5 metres will be subject to approval by the Ministry of Transportation

- (3) The use of natural materials, such as wood and stone, is encouraged for building finishes and such materials should be capable of blending in with the aesthetic qualities of the natural surrounding.
- (4) The form of the development should incorporate low, small scale building designs with such amenities as public walkways and outdoor open spaces for use by visitors.
- (5) All rooftop mechanical equipment, including but not limited to air conditioning units, communication devices and vents, should be screened from view.

- (6) Vending machines or other product storage areas located outside the building should be screened in such a way that they are not visible from a public right-of-way or an adjacent property.

Guideline 3 Landscaping

- (1) Natural vegetation and trees should be maintained for screening of parking, storage and loading areas and to enhance the privacy and rural character of public open spaces.
- (2) Developments on lots adjacent to residential properties should contain a vegetation buffer of a height and thickness to adequately screen the residential use from the development and any on-site parking. Fences may be considered, but only if it can be demonstrated that a vegetation buffer is not suitable.
- (3) Fencing should be constructed of natural materials and designed to blend with the overall character of the development.
- (4) Landscaping next to the Dora Drinkwater Creek should be left natural.
- (5) If lighting is desirable, it should be designed to illuminate walkway and parking areas for safety purposes. Light fixtures should be low to the ground, incorporate devices to reduce light leakage and designed in such a way so as to not illuminate an adjacent property or right-of-way.

Guideline 4 Signs

- (1) Signage should be grouped and made of materials and be of a character that match the natural materials of the development.
- (2) Neon or internally lit signs should not be permitted, except that a small neon sign that advertises a business as open or closed may be permitted.
- (3) Signs should be located in such a way that they enhance the appearance of the development and are of a scale and height suitable for a pedestrian environment.

Guideline 5 Parking

- (1) Off-street automobile parking should be located away from public open spaces. Parking requirements may be reduced to permit landscaping to meet the objectives of this development permit area.
- (2) Parking access onto any road should be approved by the Ministry of Transportation.
- (3) Parking access should be directed away from non-commercial areas and onto major roads only.
- (4) The use of impermeable parking surfaces is not encouraged to reduce surface water run-off and enhance the appearance of the Village.

9.6 Development Permit Area No. 6: Community Boat Launch – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Community Boat Launch development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

- Guideline 1 The number of access points from the road shall be limited to one to access the community boat launch parking area.
- Guideline 2 The number of access points to the beach area shall be limited to one to access the community boat launch.
- Guideline 3 A 15-metre-wide tree canopy and shrub buffer shall be retained along the shoreline and along property lines fronting road right-of-ways.
- Guideline 4 Construction in this buffer and tree canopy shall be limited to access to the community boat launch.
- Guideline 5 Eagle nesting trees and perch trees shall be protected.
- Guideline 6 Prior to any community boat launch or parking improvements a site plan showing traffic circulation, boat launch parking layout, drainage works and tree canopy and shrub buffer strips should be attached to the development permit application.

9.7 Development Permit Area No. 7: Light Industrial – Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Light Industrial development permit area shall apply to the Denman Island Local Trust Committee for a development permit, and the following guidelines apply.

Guideline 1 A development permit is required for the following:

- (1) construction or alteration to existing structures if the size of the alteration adds any floor area to the building or structure, or if additional off-street parking is required (according to the Land Use Bylaw);
- (2) modifications to existing buildings and structures that involve replacing the siding or roofing using a different material.

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

Guideline 2 General

- (1) Building heights should be in keeping with local bylaws and surrounding structures. Minor height variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities.
- (2) Building setbacks should be in keeping with local bylaws. Setback variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities; however, setback relaxations will not be considered for property lines abutting the Rural or Sustainable Resource designation.

INFORMATION NOTE: Setback relaxations from the highway right-of-way resulting in a setback of less than 4.5 metres will be subject to approval by the Ministry of Transportation and Highways.

- (3) The use of natural materials, such as wood and stone, is encouraged for building finishes and such materials should be capable of blending in with the aesthetic qualities of the natural surrounding.
- (4) The form of the development should incorporate low, small scale building designs with such amenities as public walkways and outdoor open spaces for use by employees and visitors to the business.
- (5) All rooftop mechanical equipment, including but not limited to air conditioning units, communication devices and vents, should be screened from view.
- (6) Storage areas located outside the building should be screened in such a way that they are not visible from a public right-of-way or an adjacent property.

Guideline 3 Landscaping

- (1) Natural vegetation and trees should be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.
- (2) Developments on lots adjacent to residential properties should contain a vegetation buffer of a height and thickness to adequately screen the residential use from the development and any on-site parking. Fences may be considered, but only if it can be demonstrated that a vegetation buffer is not suitable.
- (3) Fencing should be constructed of natural materials and designed to blend with the overall character of the development.
- (4) Landscaping next to a stream, lake or wetland should be left natural. Landscaping should be consistent with the guidelines in Development Permit Area No. 4: Streams, Lakes and Wetlands.

- (5) If lighting is desirable, it should be designed to illuminate walkway and parking areas for safety purposes. Light fixtures should be low to the ground, incorporate devices to reduce light leakage and designed in such a way so as to not illuminate an adjacent property or right-of-way.

Guideline 4 Signs

- (1) Signage should be grouped and made of materials and be of a character that match the natural materials of the development.
- (2) Neon or internally lit signs should not be permitted, except that a small neon sign that advertises a business as open or closed may be permitted in the building.
- (3) Signs should be located in such a way that they enhance the appearance of the development and are of a scale and height suitable for a rural environment.

Guideline 5 Parking

- (1) Off-street automobile parking should be located away from public open spaces. Parking requirements may be reduced to permit landscaping to meet the objectives of this development permit area.
- (2) Parking access onto any road should be approved by the Ministry of Transportation.
- (3) Parking access should be directed away from residential areas and onto major roads only.
- (4) The use of permeable parking surfaces is encouraged to reduce surface water run-off and enhance the rural appearance.

PART 10 TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

Area 1

The Local Trust Committee may issue Temporary Use Permits for barge loading and unloading in only the following **designations shown on Schedule C:**

Water

Residential

Rural

Sustainable Resource.

Objectives

Objective 1 To permit temporary barge loading and unloading

Guidelines

Conditions in the Permit should follow the guidelines below:

Guideline 1 Permits should be issued only to permit barge loading and unloading.

Guideline 2 Permits should be issued for a maximum of 30 days.

Guideline 3 Permits should not be issued for locations that are environmentally sensitive or are located within the vicinity of a wildlife nesting tree.

Guideline 4 Permits should contain conditions addressing the operational plan, including hours and days of operation, to ensure compatibility with neighbouring residences.

Guideline 5 Permits may include, as a condition, the provision of an undertaking by the owner of the affected land to remove and restore land to a condition specified in the permit by a date specified in the permit.

Guideline 6 Permits may include, as a condition, the provision of security to guarantee the performance of the terms of the permit.

Guideline 7 Permits should not be issued without evidence of valid approval from the British Columbia Assets and Land Corporation and the Federal Department of Fisheries and Oceans.

Area 2

The Local Trust Committee may issue Temporary Use Permits for *agri-tourism accommodation* on lands zoned as “R1” (Residential), “R2” (Rural Residential), “R3” (Co-housing), “F” (Forestry) and “RE” (Resource) on a farm classified under the BC Assessment Act as “Farm” over 4 hectares in size. For clarity, Temporary Use Permits are not required for *agri-tourism accommodation* within the “A” (Agriculture) zone if the parcel is within the Agricultural Land Reserve.

Objective

To permit flexibility for the provision of small scale *agri-tourism accommodation* in conjunction with agricultural uses and farm activities that support seasonal economic opportunities for farmers. *Agri-tourism accommodation* in the form of home-based guest accommodation units in the principal dwelling are subject to Section 2.4.

Guidelines

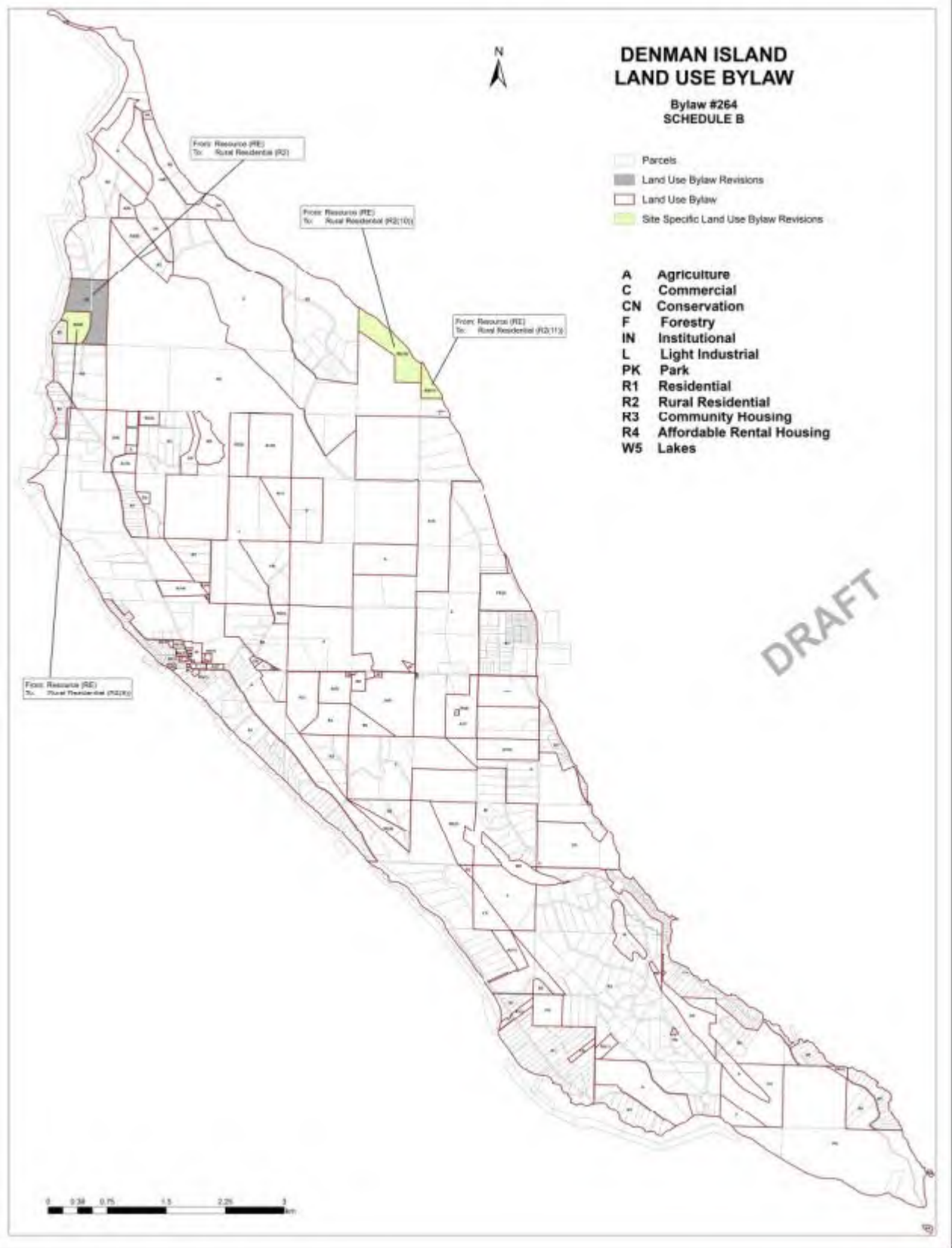
Guideline 1 *Agri-tourism accommodation* is limited to four (4) or fewer *sleeping units* in the form of either seasonal campsites and/or a maximum of one (1) cabin.

Guideline 2 The total developed area for buildings, landscaping, sewage disposal, parking and access for the accommodation must be less than 1% of the total area of the parcel;

Guideline 3 The accommodation should be sited and designed to address:

- Locating the accommodation on poorer agricultural capability soils and away from environmentally sensitive areas;
- The provision of access to the accommodation that avoids conflict with agricultural uses on the farm and adjacent farms;
- Mitigating possible negative impacts using landscape buffers and screening subject to Section 2.7;
- The provision of adequate potable water and sewage disposal;
- The provision of adequate off-road parking; and
- Other requirements deemed necessary by the Local Trust Committee.

SCHEDULE B (ZONING MAP)



Denman Island Housing Review Project (Stage 2 Phase 2) v3 - OPTION 2

Denman Island Local Trust Committee (LTC)

Date: April 17, 2026 (update)

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

Background: Denman Island is experiencing a crisis of housing affordability and availability. The Denman Island LTC initiated a budget request to Trust Council for 2025/26 funding and allocation of staff time to continue the Denman Islands Housing Review Project. A budget of \$12,000 and Regional Planning Team time was allocated to this project for fiscal 2025/26.

Objectives

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

In Scope

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

Out of Scope

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

Workplan Overview

Deliverable/Milestone	Date
First Nations Engagement	Jan 2024 – March 2026
Summer engagement - review of all policy options	July – Sept 2025
K’omoks review of policy direction/draft language	April - June 2026
Milestone: Review of Draft Bylaws	April 2026
Milestone: First Reading of Draft Bylaw	May 12, 2026
CIM/ Referrals	June - August 2026
Public Hearing	September 2026
Milestone: Second/Third Reading	September 2026
Executive Committee Referral	Fall 2026
Ministry Referral (6 -12 months)	Fall 2026
Adoption (depends on Ministry approval timing)	2027 (TBD)

Project Team

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

Budget

Budget Sources:		
2025/26	Consultation	\$5,000
2025/26	Legal Review	\$2,000
2025/26	Communications	\$3,000
	Total	\$12,000



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: DE-BL-260 &264

The following symbols in the table indicate:

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

Explanatory notes are added in bold and italics text

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	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.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

	3.4	Coastal and Marine Ecosystems
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

PART IV: Policies for the Stewardship of Resources

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

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

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities

N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services
POLICY STATEMENT COMPLIANCE		
✓	COMPLIANCE WITH TRUST POLICY	
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:	

Important Message from the Chair

Monday, March 23, 2026 – Please circulate to Mayor & Council/Board & Board Chair, the Chief Administrative Officer or City Manager, and the Director of the Planning and Building Departments.

ALC Staffing and Budget Pressures

This message is provided to advise local governments that the Agricultural Land Commission (ALC) has had to make the difficult decision to reduce staffing levels in order to remain within budget.

This decision follows several years of increasing statutory responsibilities without corresponding, stable funding. In 2019, legislative changes significantly expanded the ALC's mandate, introducing new application, notification, and authorization requirements that the Commission is legally required to administer. Although additional funding was approved in principle at that time, it was later withdrawn, and leaving the ALC to deliver its expanded mandate within its existing budget.

Since that time, the ALC's operating budget has remained essentially flat in real terms, while operating costs and service demands have continued to rise. Over this period, the Commission has faced negotiated wage increases through collective agreements, inflationary pressures, and sustained growth across all functions of the Commission, including application volumes, compliance and enforcement activities, and associated legal costs.

The combined effect of increasing workload and a fixed operating budget has progressively eroded the Commission's ability to maintain staffing levels. While temporary Ministry support helped manage these pressures in prior years, the Commission was advised in January 2026 that it must operate strictly within its approved annual budget, which was confirmed in February to remain unchanged at \$5.5 million for the 2026/27 fiscal year.

Over the past year, the Commission implemented extensive cost-containment measures, including significant reductions to Commissioner expenses, staff travel, office supplies, and general project and meeting expenditures. Despite these efforts, salary and benefit costs now exceed available funding, leaving staffing reductions as the only remaining option to ensure fiscal compliance.

The ALC remains committed to protecting agricultural land and supporting farming in British Columbia. However, continued expansion of statutory responsibilities without commensurate funding directly affects service capacity, processing timelines, and organizational sustainability. While the Commission will continue to prioritize critical and time-sensitive matters wherever possible, some service impacts may be experienced.

Long-term service sustainability depends on stable funding that is aligned with the Commission's legislated mandate. The ALC will continue to work with government to seek funding arrangements that support effective service delivery, and we appreciate the understanding and cooperation of local governments during this period.

Jennifer Dyson
Chair
Provincial Agricultural Land Commission

March 24, 2026

TO: Denman Island Local Trust Committee (LTC)
dagraham@islandstrust.bc.ca
sborthwick@islandstrust.bc.ca
dmaude@islandstrust.bc.ca

FROM: DCA Lands Committee
c/o Patti Willis – [REDACTED]

RE: Bylaw Enforcement Notification Bylaws

Planner McCargar suggested that we write to you. We have been engaged in communication with both Marlis and Warren Dingman. We understand that H.J.T. Holdings Ltd. is applying for a permit for DPA 1 having already engaged in its alteration. When we queried whether there would be a penalty for this, Warren wrote that, "There is currently no penalty that can be assessed for work in a DPA without a permit."

As noted to Marliss, "It begs the question - what's the point of having a DP at all if one can alter it without a permit? (Better to go for forgiveness than permission it seems!)"

Apparently, according to Marliss, some LTCs are amending Bylaw Enforcement Notification Bylaws to include penalties for those who fail to obtain a development permit within a Development Permit Area.

Could you please tell us if the Denman LTC is considering such an amendment to prevent the situation in which we find ourselves relative to H.J.T. Holdings Ltd?

Many thanks.



REQUEST FOR DECISION

To: Denman Island LTC **For the Meeting of:** May 12, 2026
From: Trust Area Services **Date Prepared:** April 7, 2026
SUBJECT: 2025/26 ANNUAL REPORT – APPROVAL OF DENMAN ISLANDS LTC SECTION

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

1 PURPOSE: Local Trust Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2026 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2025/26 Annual Report at its meeting on January 14, 2026.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 2026 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and then Trust Council consideration of approval in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Housing and Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about First Nations relations may be included within committee reports.

OTHER: None.

3 RELEVANT POLICY(S): Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

4 ATTACHMENT(S): Denman Island LTC input to Annual Report (draft)

RESPONSE OPTIONS

Recommendation: That the Denman Island LTC approves the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

Alternative: That the Denman Island LTC approves the attached text for inclusion in the 2025/26 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Housing and Municipal Affairs.

Prepared By: Morgana van Niekerk, A/Communications Specialist

Reviewed By/Date: Renée Jamurat, Regional Planning Manager/ April 7, 2026.

Denman Island Local Trust Committee

The Denman Island Local Trust Committee (Denman LTC) held five regular business meetings in the 2025/26 fiscal year, as well as one Community Information Meeting, two special meetings and one public hearing.

Work for this period focused on advancing the Denman LTC priorities to related to updating the Official Community Plan (OCP) and Land Use Bylaw (LUB), with particular attention to housing policy and First Nations acknowledgment.

Denman LTC advanced these priorities through the following key projects:

Denman Housing Review Project, which included drafting bylaws and progressing policy and regulatory amendments to address local housing needs. Community engagement was conducted to gather input and guide ongoing development of these policies.

From April 1, 2025 to March 31, 2026, the Denman LTC received and considered applications for two development variance permits, three development permits, no liquor and cannabis board referrals, two bylaw amendment applications, and one temporary use permit.

During the same time period staff also reviewed four subdivision referrals.

Another initiative of the Denman LTC for this period was relationship building with the K'omoks First Nation. As part of this process, the Denman LTC reviewed an engagement summary report and began considering the implementation of First Nation recommendations to inform updates to the OCP and LUB.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JANUARY 20, 2026 BOARD MEETING

NOTE: For more detail on Islands Trust Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

- Islands Trust Conservancy (ITC) Board Chair and Vice-Chair elections were held. Trustee Lisa Gauvreau was re-elected by acclamation as Board Chair, and Tanner Timothy | nənqəm was re-elected by acclamation as Board Vice-Chair.
- The ITC Board requested staff to finalize a Conservation Agreement between ITC and Environment and Climate Change Canada and to obtain a signature from the Chair or Authorized Signatory
- The ITC Board requested staff to pursue opportunities for funding from Environment and Climate Change Canada for the continued operation of the ITC Species at Risk Program, beyond March 2026.
- The ITC Board approved the ITC 2028-2032 Five-Year Plan Project Charter and Logic Model to facilitate engagement with First Nations and cooperative development of the Plan.
- The ITC Board accepted the ITC Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Monitoring Report 2025.
- The ITC Board requested staff to bring policy options to the ITC Board at its next meeting to guide allocation of funds of private donations, and provide policy options regarding undirected donations.

Learn more about Islands Trust Conservancy: <https://islandstrust.bc.ca/conservancy/>

Visit the Islands Trust Conservancy Journal: <https://islandstrust.bc.ca/conservancy/the-journal/>

Subscribe for Islands Trust Conservancy updates: <https://islandstrust.bc.ca/subscribe/>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY MARCH 17, 2026 BOARD MEETING

NOTE: For more detail on Islands Trust Conservancy meetings, including recordings and meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

- The ITC Board Chair rose and reported that it has approved spending of up to \$5,000 from the Land Securement budget to support a potential nature reserve securement in the Lasqueti Island Local Trust Area.
- The ITC Board requested staff to allocate undesignated donations received in the 2025-26 fiscal year to the Property Management Fund to support management of Islands Trust Conservancy protected areas.
- The ITC Board requested staff to notify the Lasqueti Island Local Trust Committee that ITC's interests are unaffected by proposed Bylaw No. 107, Lasqueti Island.
- The ITC Board requested staff to notify the Island Planner for Denman Island that approval of Bylaws 256 and 257 is endorsed by the ITC Board on the basis that the proposed bylaws brings the Official Community Plan and zoning into alignment with the conservation purpose of the subject properties and adds another layer of protection from development.
- The ITC Board accepted the conservation proposal submitted by Marilyn Walker to place a Natural Area Protection Tax Exemption (NAPTEP) covenant on approximately 2.5 ha of a Salt Spring Island property.
- The ITC Board requested staff to forward the ITC quarterly update to Trust Council local trust committees, and Bowen Island Municipality for the Conservancy Report agenda item, following its receipt at Trust Council.
- There is a joint Executive Committee/ITC Board meeting on April 15, 2026.
- The next Islands Trust Conservancy Board meeting is May 12, 2026.

Learn more about Islands Trust Conservancy: <https://islandstrust.bc.ca/conservancy/>

Visit the Islands Trust Conservancy Journal: <https://islandstrust.bc.ca/conservancy/the-journal/>

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**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

COMPLETED SINCE LAST REPORT (January - March 2026)	PLANNED FOR FIRST QUARTER 2026-27 (April - June 2026)
1. STRATEGIC PLANNING/ADMINISTRATION/OPERATIONS	
<p>Personnel/Staffing: Continued recruitment for</p> <ul style="list-style-type: none"> • Covenant Management Specialist • Communications Specialist • Administrative Assistant 	<p>Personnel/Staffing: Onboard new</p> <ul style="list-style-type: none"> • Covenant Management Specialist • Communications Specialist • Administrative Assistant
<p>ITC Five-Year Plan development: Developed a logic model and work plan Updated project charter Prepared and delivered engagement letters to First Nations and conservation partners Hosted an Information Session with interested First Nations (Feb. 19th)</p>	<p>ITC Five-year Plan development: Establish cooperative engagement framework and commence engagement with First Nations interested in involvement with development of Five-year Plan</p>
<p>ITC Board support: Hosted January 20th and March 17th ITC Board meetings Hosted January 30th ITC Board special meeting Began re-appointment process for provincially appointed board members Submitted referral response to Trust Council on the draft Policy Statement</p>	<p>ITC Board support: Host May ITC Board meeting Host special ITC Board meeting for ITC audit report findings Continue to support board member re-appointment process</p>
<p>Financial Management Continued to support the Board in reviewing and refining its budget request and business cases through review cycle Submitted revised budget to Committee of the Whole and Trust Council Prep for financial statement process</p>	<p>Financial Management Complete financial statement process and support the annual audit process. Implement budget Begin budget planning for 2027/28</p>
<p>ITC Policies: Continued policy review/update project</p>	<p>ITC Policies: Continue policy review/update project Engage with First Nations on identifying policy gaps and improvements</p>



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2025-2026 - 4th Quarter Update**

<p>SAR Program: Continued negotiation of a conservation agreement between Environment and Climate Change Canada (ECCC)</p> <p>Received a \$26,000 grant from Tree Canada to support the recovery of species and ecosystems at risk at Mt Tuam Protected Area</p> <p>Continued facilitating Species at Risk Program evaluation</p> <p>Completed collation and mapping of ITC SAR data (Co-op student project)</p> <p>Developed and presented a Stewardship Education Webinar on Species at Risk</p> <p>Presented on ITC Species at Risk Program to the Regional Planning Committee in February</p> <p>Co-organized and hosted an in-person meeting for 40 Priority Places Program grant recipients</p> <p>Completed Q3 reporting to funder for ECCC Priority Places Species at Risk Program</p> <p>Investigated SAR monitoring research proposals for 26/27 fiscal year</p> <p>Presentation to ITC Board ‘SAR Program Highlights’ at March meeting</p> <p>Continued collaboration with Planning Services to develop products, training, and support materials about species and ecosystems at risk</p>	<p>SAR Program: Complete final report to ECCC for Species at Risk (SAR) Program</p> <p>Investigate and implement SAR monitoring research proposals for 26/27 fiscal year</p> <p>SAR Program administrative wrap-up</p> <p>Plan with Protected Areas Management Team to prioritize species at risk work post ECCC funding.</p>
<p>Software Updates:</p> <p>Data Management System/GIS: Investigated procurement options for GIS specialist/firm to design a data management system to integrate into existing GIS systems.</p> <p>Field Technology Tools and Applications: Assessed new tools and features and provided feedback to GIS team</p> <p>Securement Applications Portal: Ongoing revisions, staff training, and procedure development for Islands Trust Applications Portal</p>	<p>Software Updates:</p> <p>Data Management System/GIS: Contract GIS specialist/firm to design a data management system to integrate into existing GIS’s systems.</p> <p>Field Technology Tools and Applications: Provide feedback to mapping team about application re-launch</p> <p>Work with mapping team to prepare software and database for 2026 field work season</p> <p>Securement Applications Portal: Ongoing revisions, staff training, and procedure development for the Islands Trust Applications Portal</p>



**ISLANDS TRUST CONSERVANCY
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<p>Other: Attended meeting with Tsawout First Nation (January)</p>	<p>Other: TBD</p>
<p>2. COVENANT AND PROPERTY SECUREMENT PROJECTS</p>	
<p>Conservation Planning Began developing a project plan for Regional Conservation Plan evaluation</p> <p>Collaborated with Planning Services to identify gaps in ecological data and analyses</p> <p>Updated conservation proposal forms with revised waiver of confidentiality, and information about First Nations referrals</p> <p>Continued securement negotiations on ~27 ha of land for ITC nature reserve (1 Galiano, 1 Salt Spring)</p> <p>Continued negotiations on ~2 ha of land for NAPTEP covenants (1 North Pender, 1 Salt Spring)</p> <p>Continued discussions related to enquiries about conservation options for three properties (1 Salt Spring, 1 Hornby, 1 Saturna).</p> <p>Ongoing review of applications for three land donations (Salt Spring, Lasqueti, Denman) and 1 NAPTEP (Salt Spring)</p>	<p>Conservation Planning Prepare project charter for multi-year Regional Conservation Plan evaluation and revision</p> <p>Board review and decision on three conservation proposals.</p> <p>Continue negotiations on existing conservation proposal projects</p>
<p>3. COVENANT AND PROPERTY MANAGEMENT</p>	
<p>Protected Area Monitoring: Presented nature reserve and covenant monitoring results and recommendations from 2025 monitoring season to ITC Board</p> <p>Issued reports with notice of compliance/non-compliance and stewardship recommendations to covenant landholders</p> <p>Collaborated with management groups to address concerns observed on nature reserves</p> <p>Collaborated with covenant co-holders and landholders to address compliance concerns and priority management needs in conservation covenants.</p> <p>Reviewed annual monitoring program and implemented improvements for 2026 season.</p>	<p>Protected Area Monitoring: Continue addressing concerns observed on nature reserves.</p> <p>Continue to collaborate with covenant co-holders and landholders to address compliance concerns and priority management needs in conservation covenants.</p> <p>Commence 2026 monitoring season</p>

As of March 2026, the Islands Trust Conservancy protects 115 conservation properties, 34 nature reserves and 81 covenants (29 of which have NAPTEP certificates)



**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

<p>Protected Area Management Projects: Reviewed annual reports from management groups and contractors implementing management projects in ITC protected areas</p> <p>Finalized list of priority projects for 2026-27</p> <p>Worked with Comox Valley Regional District on Denman Island Cross Island Trail along Lindsay Dickson Nature Reserve.</p>	<p>Protected Area Management Projects: Implement third year of three-year service contracts for management activities in ITC nature reserves.</p> <p>Commence procurement processes for priority projects for environmental monitoring, species-at-risk conservation, ecosystem stewardship, infrastructure maintenance, and other management needs</p> <p>Continue work with Comox Valley Regional District on Denman Island Cross Island Trail along Lindsay Dickson Nature Reserve.</p>
<p>Protected Area Management Planning Archeology assessment contracts in progress for two nature reserves.</p> <p>Continued policy development for management planning, risk management, and signage.</p>	<p>Protected Area Management Planning Archeology assessment contracts in progress for two nature reserves until March 2027.</p> <p>New policies in review for management planning, risk management, and signage.</p>
<p>Technology Improvements: Worked with GIS staff on updates and improvements to FieldMaps app based on user feedback during 2025 field season.</p> <p>Continued to work with GIS staff to ensure all spatial data collected for ITC protected areas can be incorporated and viewed in available mapping applications.</p> <p>Trial Survey123 as a replacement for paper monitoring forms.</p>	<p>Technology Improvements: Complete work with GIS staff to ensure updates to FieldMaps have been made and trialed.</p> <p>Roll out Survey123 for official use in Monitoring Program if trial is successful.</p> <p>Continue to work with GIS staff to ensure all spatial data collected for ITC protected areas can be incorporated and viewed in available mapping applications.</p> <p>Continue to explore remote monitoring solutions and related policy development.</p>
<p>Other: Continued policy review, drafting of new policies, and revision of outdated policies.</p>	<p>Other: Continue policy review/drafting/update.</p>
<p>4. COMMUNICATIONS AND OUTREACH</p>	
<p>NOTE: Support on priority communications projects this quarter was provided by a contractor while the Communications Specialist position is vacant. Many communication-related activities are pending until a new Communications Specialist is onboarded.</p>	
<p>Social Media: Weekly social media posts & engagement across all ITC platforms</p> <p>Launch of strategic giving WillPower campaign for 2026</p>	<p>Social Media: Weekly social media posts & engagement across all ITC platforms - Launch Reflections from the Field in spring 2026 to highlight field work, Winter Heron features on social media</p>



**ISLANDS TRUST CONSERVANCY
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	Ongoing strategic giving WillPower campaign posts
News Releases: None	News Releases: TBD
Publications: Designed and delivered digital & physical ITC Holiday Cards to donors and other key stakeholders Published end-of-year ITC eNews Published Giving Tuesday ITC eNews Issued <i>Caring for Your Conservation Covenant</i> newsletter to covenant landholders ITC FOLKLIFE Ad circulation in next issue of the magazine	Publications: Publish Winter Heron Newsletter Publish Winter ITC eNews
Outreach: None	Outreach: None
Events: None	Events: Host celebration for one new nature reserve and one new NAPTEP covenant on Salt Spring Island
Reports: None	Reports: Prepare for ITC 2025/26 Annual Report
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Donor Relations: Stewardship of donors and advisors (ongoing) Reviewed and updated donor members in contract relationship database Received and processed donations – sent thank you letters and issued charity tax receipts Met with several potential donors interested in legacy giving Tour of S’ul-hween X’pey (Elder Cedar) Nature Reserve with legacy donor	Donor Relations: Stewardship of donors and advisors (ongoing) Receive and process donations – send thank you letters and issue charity tax receipts Follow up with potential donors interested in legacy giving
Strategic Giving: Continued WillPower Campaign seeking bequests of conservation lands or conservation funds Calls with two professional advisors Updated pledged bequests	Strategic Giving: Continue WillPower Campaign seeking bequests of conservation lands or conservation funds Review effectiveness of WillPower Campaign



**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

<p>Fund Management: Continued review of Opportunity Fund Guidelines</p>	<p>Fund Management: Review donation Policy and other fund guidelines Develop Fund Management Policy</p>
<p>Other: Developed draft Opportunity Fund application form Developed grant-needs spreadsheet Researched external grant opportunities (ongoing) Reviewed donation policies and fund guidelines Developed legacy and conservation print ad for Folklife Magazine</p>	<p>Other: Research external grant opportunities (ongoing)</p>



Denman Local Trust Committee

Open Applications

Report

Print Date: May 5, 2026

Agricultural Land Reserve

Application Number	Applicant Name	Date Received	Address	Purpose
PLALR20250304		7/28/2025	4101 PINECREST RD, DENMAN ISL	To permit additional agricultural related activity and sales of apple related products (ALC - #104681)
Planner	Status	Most Recent Completed Activity		
Rob Pingle	Approved	Upload LTC response to ALR Portal		

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20260052	Bradley Alan Hornic	2/6/2026	10225 GREENHILL RD, DENMAN IS	Requested DP approval for detached cabin and additional bedroom (House extension) to the existing dwelling.
Planner	Status	Most Recent Completed Activity		
Margot Thomaidis	Under Review	Generate Complete Application Letter		

Denman

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

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

Denman

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260053	Bradley Alan Hornic	2/6/2026	10225 GREENHILL RD, DENMAN IS	This Development Variance Permit application seeks relief from specific setback and siting requirements under the applicable land use bylaw in order to address existing conditions on a residential property on Denman Island. The variances requested relate to portions of an existing detached cabin and a one-room extension to the principal dwelling that were constructed or modified without permits and that do not fully comply with current setback regulations. No new buildings or expansion of development are proposed. The purpose of the variance application is to enable a practical and proportionate resolution of legacy siting issues, in conjunction with other permitting processes, while maintaining the overall intent of the zoning and planning framework.

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	Under Review	Generate Complete Application Letter

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

Planner	Status	Most Recent Completed Activity
Ian Cox	Local Trust Committee	Email Applicant of LTC Meeting

Denman

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250368	Simon Palmer	9/12/2025	3661 PIERCY RD, DENMAN ISLAND	Application to amend the Land Use Bylaw to create 8 units of affordable housing on the property
Planner	Status	Most Recent Completed Activity		
Marlis McCargar	Under Review	Planning Review		

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250464	Paul Weyer	11/26/2025	4100 PINECREST RD, DENMAN ISL	<p>The 3Ravens Land Co-operative, commonly known as 3Ravens, is intended to be a non-profit affordable housing land share limited equity co-operative with eight households established under the BC Co-operatives Act. It will be financed and managed by Members. There is one existing house, well and approved septic on the property.</p> <p>The properties detailed title information is: Legal Desc: LOT 5, PLAN VIP89027, SECTION 25, NANAIMO LAND DISTRICT, & SEC 30 DENMAN ISLAND PID: 028-639-928 Civic Address: 4100 Pinecrest Rd, Denman Island, BC V0R 1T0</p> <p>We are requesting that the Islands Trust rezone the current 15.16 acre R2 property to a new custom affordable housing zone that has a maximum combined housing and outbuilding footprint, or combined floor area. This custom zone would have eight affordable housing units (including the existing house), regulated by a Housing Agreement held with the Islands Trust, the 3Ravens co-operative, and be on the land title. The land title will be transferred to the 3Ravens non-profit co-operative effective the same date as the Islands Trust approved rezoning of the property from R2 to the new affordable housing custom zone.</p>

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

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

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Local Trust Committee	Record LTC Decision/Update FUAL

Denman

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

Denman

Siting and Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250357	Valerie Rogers	8/29/2025	5470 LACON RD, DENMAN ISLAND	Morning Wood Farm

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

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250456	MAXWELL LEWIS J	11/20/2025	2325 NORTHWEST RD, DENMAN IS	Quonset (Metal Work shop)

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

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

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	In Abeyance	Add Optional Referrals

Denman

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	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
PLSUB20260102	Jeff Dorion	3/10/2026	4791 EAST RD, DENMAN ISLAND,	Subdivision of current lot into two parcels.

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

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250500	Christopher John Po	12/17/2025	1151 NORTHWEST RD, DENMAN IS	

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Add Optional Referrals

Denman

Application Number	Applicant Name	Date Received	Address	Purpose
DE-SUB-2022.2	Olivia Bareham	11/9/2022	0 SWAN RD, DENMAN ISLAND, BC	PIDs: 006-657-931 and 017-541-115 Lot line adjustment. Civic address: 2900 Swan Road, Denman Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Abeyance	Generate Complete Application Letter	

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

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250419	Henning Nielsen	10/28/2025	6900 DANES RD, DENMAN ISLAND	Proposed subdivision of Lot 5, 6900 Danes Road. Subdivision potential was created through rezoning DE-RZ-2021.1
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Administrative Review	Generate and Send Referral Response Form	

Islands Trust

LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending March 2026

615 Denman	Invoices posted to Month ending March 2026	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-615	LTC "Executive Expense on LTC's"	5,329.00	4,045.11	1,283.89
65200-615	LTC - Local Exp - LTC Meeting Expenses	1,760.00	1,930.31	-170.31
65210-615	LTC - Local Exp - APC Meeting Expenses	1,190.00	0.00	1,190.00
65220-615	LTC - Local Exp - Communications	850.00	900.00	-50.00
TOTAL LTC Local Expense		<u>9,129.00</u>	<u>6,875.42</u>	<u>2,253.58</u>
Projects				
73001-615-4025	Denman Housing Review	15,750.00	5,471.08	10,278.92
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>5,471.08</u>	<u>14,278.92</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy/Standing Resolution
1.	June 26, 2018	DE-2018-066	Processing of non-medical cannabis retail license applications	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:</p> <ul style="list-style-type: none"> • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms; o The location of the proposed establishment and the subject site; o The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and o How public comments may be submitted to the Local Trust Committee.
2.	October 9, 2018	DE-2018-096	Application processing	<p>It was MOVED and SECONDED, that the Denman Local Trust Committee direct staff to give priority to processing applications for affordable housing projects until further direction by the Denman Island Local Trust Committee.</p>
3.	November 20, 2018	DE-2018-104	Cannabis License applications	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust</p>

				Committee regular meeting agenda package.
4.	February 7, 2019	DE-2019-012	First Nations Reconciliation	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nations governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights and First Nations' traditional territories within the Islands Trust Area.
5.	June 6, 2019 *Amended January 19, 2021 *Amended July 19, 2022	DE-2019-056 DE-2021-015 DE-2022.072 DE-2022-075	Bylaw enforcement against unlawful dwellings	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution:</p> <p>'The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to temporarily withhold enforcement against unlawful dwellings upon receipt of a written complaint, unless any of the following</p>

				<p>conditions apply:</p> <ul style="list-style-type: none">a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property;b) It appears that there is more than one unlawful dwelling on a lot;c) An unlawful dwelling appears to be larger than 90 square meters; ord) An unlawful dwelling appears to be located within a Development Permit Area; <p>and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time.'</p> <p>And that site inspections for the purpose of gathering information and communication with property owners will continue;</p> <p>And that the Denman Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities.</p>
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6.	May 19, 2020	DE-2020-022	Residential densities See Staff Report dated May 19 th for background	<p>It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, ‘Residential Density Bank’ of the Denman Island Official Community Plan:</p> <p>Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur:</p> <ol style="list-style-type: none"> 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. <p>The baseline density that was permitted by zoning at the time of adoption of the Official Community Plan was 994 densities based on the Subdivision Potential Map 2010; 1026 total densities less 32 from Parks, Institutional and Conservation designations where residential use is not permitted. Five percent of 994 is <u>49 densities</u>. Since adoption of the Official Community Plan on May 15, 2009 the following densities have been utilized:</p> <table border="1" data-bbox="1052 1167 2039 1463"> <thead> <tr> <th>Authorizing Bylaw/Temporary Use Permit</th> <th>Date Utilized</th> <th>Number of Residential Densities Utilized</th> <th>Cumulative Total of Residential Densities Remaining</th> </tr> </thead> <tbody> <tr> <td colspan="3">Baseline Density at time of adoption of the Denman OCP on May, 2009</td> <td>49</td> </tr> <tr> <td>BL 199 (Official Community Plan) BL 200</td> <td>August 15, 2011</td> <td>14</td> <td>35</td> </tr> </tbody> </table>	Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining	Baseline Density at time of adoption of the Denman OCP on May, 2009			49	BL 199 (Official Community Plan) BL 200	August 15, 2011	14	35
Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining													
Baseline Density at time of adoption of the Denman OCP on May, 2009			49													
BL 199 (Official Community Plan) BL 200	August 15, 2011	14	35													

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

				<ol style="list-style-type: none"> 1. There will be proactive monitoring, investigation, and reporting to the Local Trust Committee regarding Short-Term Vacation Rentals on Denman Island. 2. Bylaw Officers will prioritize the investigation of Short-Term Vacation Rentals in the following manner: <ol style="list-style-type: none"> a) There are issues related to health and safety on the property; b) There are written complaints regarding nuisance issues such as noise or parking congestion related to Short-Term Vacation Rental operation; c) There are operations by persons who have not established a residential use on the same property as the Short-Term Vacation Rentals; and d) Accessory buildings or structures are being used as part of a Short-Term Vacation Rental operation. 3. It is understood that home-based guest accommodation home occupations complying with section 2.4 of the Denman Island Land Use Bylaw No. 186 are not interpreted to be Short-Term Vacation Rentals, or commercial vacation rentals, and that those home-based guest accommodations may be operated year around.
11.	March 17, 2026	DE-2026-017	Compliance & Bylaw Enforcement Policy	<p>Bylaw Enforcement Policy No. 1, effective June 4, 2024</p> <p>Bylaw Enforcement Policy No. 1, Amendment 1, adopted March 17, 2026.</p> <p>Purpose</p> <p>To establish policies and procedures for bylaw enforcement in the Denman Island Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., that are within the authority of the Local Trust Committee to enforce, and that will ensure polices and procedures are efficient, transparent, reasonable, and consistent with local community standards.</p> <p>PART A</p> <p>1.0 Application</p> <p>This policy will apply to the Denman Island Local Trust Area and the enforcement of the Denman Island Official Community Plan, No. 185, Denman Island Land Use Bylaw No. 186, and the Denman Island Local Trust Committee Siting and Use Permit Bylaw No. 240, and the use of the Denman Island Local</p>

				<p>Trust Committee Bylaw Enforcement Notification Bylaw No. 232.</p> <p>2.0 Definitions & Abbreviations</p> <p>BEN – bylaw enforcement notice</p> <p>LUB – Land Use Bylaw</p> <p>LTC – Local Trust Committee</p> <p>Minor structure – any structure that does not require a siting and use permit, and that is not located in a development permit area or located within any other environmentally sensitive area</p> <p>SUP – siting and use permit</p> <p>Respondent – a property owner whose property is subject to a bylaw enforcement complaint</p> <p>3.0 References</p> <p>Denman Island Land Use Bylaw No. 186</p> <p>Denman Island Siting and Use Permit NO. 240</p> <p>Denman Island Bylaw Notice Enforcement Bylaw No. 232</p> <p>4.0 Priorities</p> <p>4.1 Enforcement on short-term vacation rentals that have no resident owner or operator on the property are a priority and proactive enforcement is authorized.</p> <p>4.2 Enforcement on non-compliant dwellings will be deferred unless there are contraventions in development permit areas, or other environmentally sensitive areas, or there are concerns about health and safety, or the lack of an approved septic system.</p> <p>5.0 Inspection</p> <p>5.1 At the start of any investigation, Bylaw Enforcement Officers will determine if entry is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands.</p>
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				<p>5.2 If a Respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection is only required to confirm compliance.</p> <p>5.3 If a Respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required.</p> <p>5.4 Bylaw Enforcement Officers will give a minimum of 24 hours notice before conducting a site inspection to gather evidence and they will schedule a mutually agreeable time with the property owner.</p> <p>5.5 If a Respondent has not replied to a notice letter from Bylaw Enforcement regarding arranging a time for a site inspection, or they will not agree to a mutually agreeable time, notice of inspection can be given at the door. There will be no site inspection or gathering of evidence when notice is given at the door.</p> <p>5.6 If Bylaw Enforcement Officers have contact with neighbouring property owners while investigating a complaint, they will advise them of the reason for the contact and that they are not subject to complaint or investigation, and that they are not collecting evidence.</p> <p>5.7 If Bylaw Enforcement Officers discover a bylaw contravention on a neighbouring property during an investigation, and proactive enforcement is authorized for that contravention by either Trust Council Policy, or LTC Enforcement Policy, they will advise the property owner that a file may be opened and that they will receive written notice if a file is opened.</p> <p>6.0 Enforcement Procedures</p> <p>6.1 If a bylaw contravention is confirmed, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply with the relevant bylaw.</p> <p>6.2 Non-compliant short-term vacation rentals will be given a minimum of 45 days to comply with the Land Use Bylaw or cease the use. Failure to comply will result in the issuance of Bylaw Violation Notices.</p> <p>6.3 Bylaw Enforcement Officers can use their discretion to consider any reasonable time to comply request from Respondents but the term cannot be</p>
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				<p>for more than one year.</p> <p>6.4 If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately.</p> <p>6.5 If the Respondent wishes to consider a planning application that will bring the property into compliance, the Bylaw Enforcement Officer will advise planning staff and they will arrange a meeting to discuss the feasibility of such an application.</p> <p>6.6 If there is no agreement on time to comply, a Respondent will be provided written notice that enforcement action will be escalated with reporting to the LTC and this may include a request for legal action or the use of the BEN.</p> <p>7.0 Closing Files</p> <p>7.1 If the identity of the complainant cannot be confirmed during the course of an investigation, the file will be closed.</p> <p>7.2 If it determined that the complainant used a false name to file the complaint, the file should be closed.</p> <p>7.3 If the contravention is for a minor structure that has only received one written complaint from one person, the file should be closed.</p> <p>7.4 If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers can use their discretion to close the file.</p> <p>7.5 If a contravention has been identified that is subject to deferred enforcement by the LTC, the file should be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety.</p> <p>7.6 If the Respondent is financially unable to comply with the LUB or the SUP, the Manager of Bylaw Compliance and Enforcement can use his discretion to close the file.</p> <p>7.7 If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance</p>
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				<p>and Enforcement will use their discretion to close the file unless there is work on a development permit area, or work in an environmentally sensitive area, or there are health and safety concerns.</p> <p>7.8 The LTC will be notified when any file is closed.</p> <p>8.0 Siting and Use Permits</p> <p>8.1 If buildings or structures are discovered during an investigation that do not have a SUP, but the construction is more than 25 years old, enforcement should not proceed unless there are contraventions in environmentally sensitive areas, development permit areas, or there are health and safety concerns.</p> <p>8.2 If new construction is discovered without a written complaint, a file should be opened to investigate, and enforcement should proceed if a SUP is required.</p> <p>9.0 Communications</p> <p>9.1 When a file is opened, Respondents will be advised of the Trust Council Policy that authorized the opening of the file, and if they are subject to proactive enforcement.</p> <p>9.2 Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant.</p> <p>9.3 The Manager of Compliance and Enforcement will communicate with Trustees or the LTC if there are questions or concerns regarding individual files.</p> <p>10.0 Reporting</p> <p>10.1 The LTC will receive regular reporting for open files where investigations have been completed, and the reporting will state whether or not enforcement or legal action of any kind is recommended.</p> <p>10.2 The Manager of Compliance and Enforcement will report to the LTC any concerns, trends, or issues with enforcement on Denman Island that they believe the LTC needs to be aware of.</p> <p>10.3 The Manager of Compliance and Enforcement will maintain the</p>
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				<p>Denman Island Bylaw Compliance and Enforcement Policy and will report to the LTC if amendments are recommended or required.</p> <p>PART B</p> <p>Bylaw Enforcement Notice Bylaw Screening Officer’s Powers and Duties Policy</p> <p>Appointment of Screening Officers</p> <p>Pursuant to section 7.2 of the Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019, (the Bylaw) the persons holding the following positions are appointed as screening officers:</p> <ol style="list-style-type: none"> 1) Regional Planning Manager; 2) Bylaw Compliance and Enforcement Manager; and 3) Bylaw Compliance and Enforcement Assistant. <p>Screening Officer Powers and Duties</p> <p>The powers and duties of the screening officer are contained in section 7.3 of the Bylaw. It is the direction of the Denman Island Local Trust Committee (LTC) that these powers and duties are only exercised in respect to each of the above positions as follows:</p> <ol style="list-style-type: none"> 1) Regional Planning Manager. In respect to Bylaw Violation Notices issued by any Bylaw Officer, including the Manager of Bylaw Compliance and Enforcement, the Regional Planning Manger, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 2) Bylaw Compliance and Enforcement Manager. In respect to Bylaw Violation Notices issued by Bylaw Compliance and Enforcement Officers, only the Bylaw Compliance and Enforcement Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 3) Bylaw Compliance and Enforcement Assistant. In respect to Bylaw Violation Notices issued by the Bylaw Compliance and Enforcement Manager and Bylaw Compliance and Enforcement Officers, the Bylaw Compliance and Enforcement Assistant, acting as Screening Officer, may exercise only those powers and duties in Section 7.3(1) and 7.3(2) of the Bylaw.
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				<p>Authorized Reasons to Cancel Bylaw Violation Notices</p> <p>The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist:</p> <ol style="list-style-type: none"> 1. Voluntary compliance has been achieved. 2. The Bylaw Violation Notice was issued to the wrong person; 3. The Bylaw Violation Notice was not completed properly. 4. It is unreasonable for the person to pay the penalty; 5. An exception specified in the bylaw or related enactment or LTC Standing Resolution exists; 6. A permit exists or has been obtained that authorises the alleged contravention; 7. There is poor likelihood of success at adjudication for the Local Trust Committee the following reasons: <ol style="list-style-type: none"> a. The evidence is inadequate to show a contravention; b. Incorrect information was relied on in issuing the Bylaw Violation Notice; c. The disputant intends to challenge the bylaw with a legal argument that is ill suited to the adjudication process or the legal arguments are too complicated to be decided by an adjudicator. 8. It is not in the public interest to proceed to adjudication for one of the following reasons: <ol style="list-style-type: none"> a. The bylaw has changed since the Bylaw Violation Notice was issued and now authorizes the contravention; b. An LTC resolution has deferred enforcement on the specific contravention; c. The LTC has closed the file. <p>The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.</p>
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Active Projects Report

Denman Island

1. Major Project - Denman 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

Denman Island

**Future Major Project.*

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

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

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

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

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

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

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

5. <i>Develop DPA and HCA</i>	Responsible	Date Received
Explore a Development Permit Area for environmental protection and a DPA or Heritage Conservation Area to support First Nations' review of development proposals affecting archaeological sites, with potential application island-wide or in priority areas.		20-Jan-2026