



## DenmanIsland Local Trust Committee

### Special Meeting Agenda

Date: May 7, 2024  
Time: 2:00 pm  
Location: Electronic Meeting

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#### Pages

- |     |                                                                                                                                                 |                   |         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------|
| 1.  | <b>CALL TO ORDER</b>                                                                                                                            | 2:00 PM - 2:05 PM |         |
|     | “Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.” |                   |         |
| 2.  | <b>APPROVAL OF AGENDA</b>                                                                                                                       |                   |         |
| 3.  | <b>BUSINESS ITEMS</b>                                                                                                                           | 2:05 PM - 4:00 PM |         |
| 3.1 | Bylaw Nos. 228 (OCP) and 229 (LUB) Adoption - Staff Report                                                                                      |                   | 2 - 19  |
| 3.2 | Major Project: Denman Housing Review Project - Review of Process Options - Staff Report                                                         |                   | 20 - 36 |
| 4.  | <b>ADJOURNMENT</b>                                                                                                                              | 4:00 PM - 4:00 PM |         |

File No.: 6500-20  
(Denman Farm Regulations  
Review)

DATE OF MEETING: May 7, 2024  
TO: Denman Island Local Trust Committee  
FROM: Marlis McCargar, Island Planner  
Northern Team  
SUBJECT: Bylaw Nos. 228 (OCP) and No. 229 (LUB) – Adoption

## RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 228, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2018”, be adopted.
2. That the Denman Island Local Trust Committee Bylaw No. 229, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2018”, be adopted.

## REPORT SUMMARY

This report provides background information on proposed bylaws Nos. 228 and 229 and recommends that the bylaws be given final adoption. All LTC conditions have been met for these proposed bylaws.

All relevant background information and staff reports pertaining to this application are posted to the Islands Trust current [projects webpage](#).

## BACKGROUND

Both Bylaw Nos. 228 (OCP) and 229 (LUB) were given 1st reading (May 2018) and were presented at a Community Information Meeting (August 2, 2018) and a facilitated community workshop (April 24, 2019). Extensive referral responses from the Advisory Planning Commission and Growers and Producers Alliance were received and incorporated into the proposed bylaws at that time. The project was then put on hold due to planning staff resources being redirected to other Denman Island projects and applications.

The project was revitalized in September 2021. However, during the time the project was on hold the Agriculture Land Commission (ALC) was actively reviewing and updating their provincial policies. It was determined that a small number of amendments were required for Proposed Bylaw Nos. 228 and 229, in order to align with the provincial requirements and recent community feedback.

Community engagement including a mail out, a Community Information meetings (April 2022 and July 2022), APC meetings and a community questionnaire were conducted with the help of Upland Consulting. At the September 27, 2022 Regular LTC Meeting, due to the amount of time that had passed since 1<sup>st</sup> reading was given and for clarity, 1<sup>st</sup> reading was rescinded on both Bylaw Nos. 228 and 229. The bylaws received 1<sup>st</sup> reading on October 6, 2022.

Re-referrals were sent out to agencies and First Nations in November 2022 and the deadline for referral feedback was set for February 2023. The LTC considered the referral feedback in June 2023 and made some minor amendments based on the responses. Both Bylaw Nos. 228 and 229 received 2<sup>nd</sup> reading on June 6, 2023.

A Public Hearing date was set for November 2023; however, due to an error in referring to one of the First Nations, it was postponed. The Public Hearing was rescheduled for February 13, 2024. Post Public Hearing some minor amendments were made to both bylaws and they were given 2<sup>nd</sup> reading, as amended on February 13, 2024.

Proposed bylaws Nos. 228 and 229 have been through Public Hearing, passed third reading, passed Executive Committee approval and recently obtained approval from the Minister of Municipal Affairs. The next step is for the LTC to grant final adoption

The following resolutions were passed at the February 13, 2024 LTC meeting:

**DE-2024-012**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 228, cited as 'Denman Island Official Community Plan, 2008, Amendment No. 1, 2018' and proposed Bylaw No. 229, cited as 'Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2018,' be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

**CARRIED**

**DE-2024-013**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee Bylaw No. 228, cited as 'Denman Island Official Community Plan, 2008, Amendment No. 1, 2018' be forwarded to the Minister of Municipal Affairs for approval.

**CARRIED**

***Summary of Proposed Bylaws***

Bylaw 228 (OCP Amendment) - amending the OCP to re-designate all lands within the Agricultural Land Reserve (ALR) to a new 'Agriculture' designation and adding several new policies supporting agriculture uses consistent with the Agricultural Land Commission regulations and policies.

Bylaw 229 (Land Use Bylaw Amendment) – amending the LUB to regulate dwellings in the ALR, agritourism use and agritourism accommodation, and to update several definitions and setback regulations.

**ALTERNATIVES:**

**1. Request more information.**

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

**NEXT STEPS**

If the LTC concurs with the staff recommendations, staff will consolidate and update the OCP and LUB to reflect the policy and regulatory changes.

|               |                                                    |                |
|---------------|----------------------------------------------------|----------------|
| Submitted By: | Marlis McCargar, Island Planner                    | April 23, 2024 |
| Concurrence:  | Renée Jamurat, RPP MCIP, Regional Planning Manager | April 25, 2024 |

#### **ATTACHMENTS**

1. Proposed Bylaw No. 228 (OCP)
2. Proposed Bylaw No. 229 (LUB)

# PROPOSED

## DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 228

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

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Official Community Plan Bylaw, 2008, Amendment No. 1, 2018”.

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

READ A FIRST TIME THIS 6<sup>TH</sup> DAY OF OCTOBER , 2022

READ A SECOND TIME THIS 13<sup>TH</sup> DAY OF FEBRUARY , 2024

PUBLIC HEARING HELD THIS 13<sup>TH</sup> DAY OF FEBRUARY , 2024

READ A THIRD TIME THIS 13<sup>TH</sup> DAY OF FEBRUARY , 2024

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS  
28<sup>TH</sup> DAY OF FEBRUARY , 2024

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS  
11<sup>TH</sup> DAY OF APRIL , 2024

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ , 20XX

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Chair

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Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 228**

**Schedule 1**

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

- 1.1 Part B – PREAMBLE, Section B.1 – INTRODUCTION, Subsection – What is an Official Community Plan? is amended by deleting the word “eight” and replacing it with “nine” in each instance it appears and adding the word “Agriculture” as a bullet point before “Conservation/Recreation”.

- 1.2 Part B– PREAMBLE, Section B.3 – GUIDING OBJECTIVES, Subsection – Families and Individuals – Guiding Objectives is amending by adding the following text directly before “Guiding Objective – Conservation/Recreation”:

“Guiding Objective – Agriculture

To preserve agricultural land and encourage farming on land in the Agricultural Land Reserve”

- 1.3 Part C – THE NATURAL ENVIRONMENT, Section C.3 – THE MARINE ENVIRONMENT, Subsection- The Marine Environment- Advocacy Policies, Article - Advocacy Policy 3 is amended by replacing “The Ministry of Agriculture and Lands” with “The Ministry responsible for agriculture”.

- 1.4 Part D – THE SOCIAL FABRIC, Section D.3 – WATER MANAGEMENT, Subsection - Water Management- Advocacy Policies, Article - Advocacy Policy 2 is amended by replacing “The Ministry of Transportation and Infrastructure, Ministry of Environment and the Ministry of Agriculture and Land” with “The Ministries responsible for transportation, environment and agriculture”

- 1.5 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING is amended by deleting the fifth paragraph in its entirety and replacing it with:

“The Sustainable Resource designation, which is shown on Schedule C, includes large forested lots on the island in which the existing principal use is locally operated sustainable resources harvesting.

The Agriculture designation, which is shown on Schedule C, includes all of the lands in the Agricultural Land Reserve. The principal use of land in this designation is agriculture.”

- 1.6 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, Article - Policy 4 is amended by adding the words “Agriculture designation and in the” before the word “Sustainable”.

- 1.7 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, Article - Policy 5 is amended by adding the words “Agriculture designation and in the” before the word “Sustainable”.

- 1.8 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Use and Density, Article - Policy 15 is amended by deleting the policy in its entirety and replacing it with:
- “In the Agriculture designation, unless otherwise permitted by Policy 30, on land in the Agricultural Land Reserve, zoning regulations should permit:
- One principal dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* and the *Denman Land Use Bylaw*; and
  - One secondary suite within a principal dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* provided that the land owner provides the Local Trust Committee with proof that adequate water supply and septic (or equivalent) is available for each dwelling unit without endangering the water supply of adjacent land owners; and
  - One secondary dwelling per lot consistent with the *Agricultural Land Reserve Use Regulation* provided that the land owner provides the Local Trust Committee with proof that adequate water supply and septic (or equivalent) is available for each dwelling unit without endangering the water supply of adjacent land owners; and
  - Additional dwellings could be permitted if they are required for full-time farm help and approved by the Agricultural Land Commission.”
- 1.8a Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Use and Density, Article Remove the “Information Note” located between Policy 17 and Policy 18.
- 1.8b Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Use and Density, Article - siting – an additional Policy is added after Policy 24: Zoning regulations should establish maximum setbacks from lot lines for residential use within the Agricultural Land Reserve as guided by the Ministry of Agriculture and Food’s Guide to Bylaw Development in Farming Areas to protect the land’s agricultural viability.
- 1.8c Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Use and Density, Article - zoning – an additional provision is added to Policy 28: that the proposal is not located within the Agricultural Land Reserve.
- 1.8d Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Use and Density, Article - zoning – an additional provision is added to Policy 29: that the proposal is not located within the Agricultural Land Reserve.
- 1.8e Part E – FAMILIES AND INDIVIDUALS, Section E.2 – ECONOMIC ACTIVITIES, Subsection – Policies, Tourism – the following text is added to Policy 14 after the word “accommodation”. Tourist accommodation within the Agricultural Land Reserve must be consistent with the Agricultural Land Reserve Use Regulation and Denman Island bylaws.
- 1.9 Part E – FAMILIES AND INDIVIDUALS, Section E.4 is amended by changing the section title to “AGRICULTURE AND RESOURCES”.

- 1.10 Part E – FAMILIES AND INDIVIDUALS, Section E.4 is amended by deleting the fourth paragraph in its entirety and replacing it with:

“The Agriculture designation, which is shown on Schedule C, includes all land in the Agricultural Land Reserve. The principal use of land in this designation is agriculture.

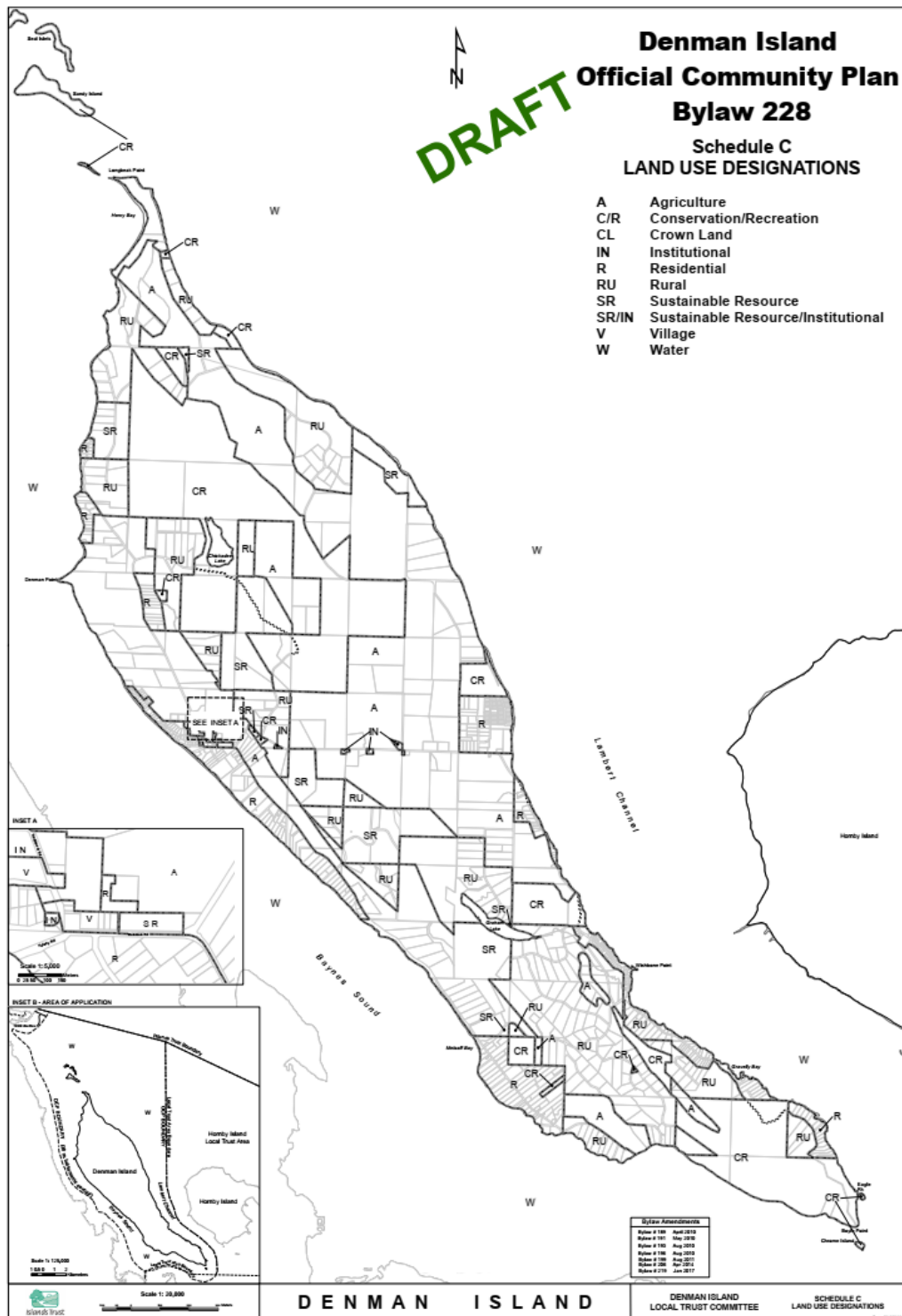
The Sustainable Resource designation, which is shown on Schedule C, includes all large lot forest lands. The principal use in this designation is forestry.”

- 1.11 Part E – FAMILIES AND INDIVIDUALS, Section E.4 – AGRICULTURE AND RESOURCES, Subsection - Guiding Objective, is amended by inserting the words “and that the Agricultural Land Reserve is protected for farming use.” after the word “Island”.
- 1.12 Part E – FAMILIES AND INDIVIDUALS, Section E.4 – AGRICULTURE AND RESOURCES, Subsection - “Resource – Objectives” is amended by renaming “Resource – Objectives” to “Agriculture and Resource Objectives”.
- 1.13 Part E – FAMILIES AND INDIVIDUALS, Section E.4 - AGRICULTURE AND RESOURCES, Subsection - Agriculture and Resource Objectives, Article – Objective 1 is amended by adding the words “for farming” after “Reserve”.
- 1.14 Part E – FAMILIES AND INDIVIDUALS, Section E.4 - AGRICULTURE AND RESOURCES, Subsection – “Resource – Policies” is amended by renaming “Resource – Policies” to “Agriculture and Resource Policies”.
- 1.15 Part E – FAMILIES AND INDIVIDUALS, Section E.4 - AGRICULTURE AND RESOURCES, Subsection – Agriculture and Resource Policies is amended by adding the following policies preceding Policy 1 and renumbering subsequent policies in this subsection accordingly:
- “Policy 1 The Agriculture designation should apply to all lands in the Agricultural Land Reserve and the principal use of land within this designation should be agriculture.

- Policy 2      The Local Trust Committee supports the consolidation of parcels in the Agricultural Land Reserve.
- Policy 3      Subdivision regulations for parcels in the Agricultural Land Reserve should avoid the creation of panhandle lots.
- Policy 4      Zoning regulations should permit agri-tourism use on land in the Agricultural Land Reserve when consistent with the *Agricultural Land Reserve Use Regulation* and on lots where agriculture or horticulture are a permitted use.
- Policy 5      Zoning regulations should permit an amount of agri-tourism accommodation on land in the Agricultural Land Reserve that is more limited than the criteria set forth in the *Agricultural Land Reserve Use Regulation*.
- Policy 6      The Local Trust Committee should support agricultural processing uses and facilities on non-Agricultural Land Reserve land, subject to rezoning.
- Policy 7      The Local Trust Committee should only support applications for exclusion of land from the Agricultural Land Reserve where there is a significant benefit for the greater community of Denman Island.”
- 1.16      Part E – FAMILIES AND INDIVIDUALS, Section E.4 - AGRICULTURE AND RESOURCES, Subsection – DEVELOPMENT APPROVAL INFORMATION – CIRCUMSTANCES AND SPECIAL CONDITIONS:
- (a)      Article – Policy 8 is amended by adding the words “Agriculture designation and” before “Sustainable Resource designation”; and,
- (b)      Article – Policy 9 is amended by removing the words “area designated Sustainable Resource” and replacing with “areas designated Agriculture and Sustainable Resource” and adding the word “Agriculture and” before “Sustainable Resource designation”.
- 1.17      Part H – OTHER PERMITS, Section H.2 – TEMPORARY USE PERMITS, INFORMATION NOTE is amended by removing the words “Section 921 of”.
2.      Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “C” is amended as per Schedule 2, attached to and forming part of this Bylaw.

**DENMAN ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 228**

## Schedule 2



## A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

## 1. Citation

**DENMAN ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 229**

**Schedule 1**

1. Schedule "A" of Denman Island Land Use Bylaw, 2008, is amended as follows:
  - 1.1 Part 1 - ADMINISTRATION, Section 1.1 – Definitions is amended by deleting "*agriculture*" and replacing with:
    - i. "*agriculture* means the use of land, buildings, or structures for the growing, rearing, harvesting, processing, marketing or production of agricultural plants, crops, or livestock."
    - ii. "*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;"
  - 1.2 Part 1 - ADMINISTRATION, Section 1.1 – Definitions is amended by deleting "'feedlot'" in its entirety
  - 1.3 Part 1 - ADMINISTRATION, Section 1.1 – Definitions is amended by inserting the following new definitions in alphabetical order:

*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) a bedroom or other area used as a bedroom within an agri-tourism accommodation cabin or b) a tent or recreational vehicle on an agri-tourism accommodation campground as defined by the *Agricultural Land Reserve Use Regulation*.

*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.

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

- 1.4 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 4 is amended by deleting the paragraph in its entirety and replacing with:

Secondary dwelling units may be permitted, subject to conditions, by Temporary Use Permit on lands zoned as “R2” (Rural Residential), “A” (Agriculture), “F” (Forestry) and “RE” (Resource), and on properties in the Agricultural Land Reserve without a Temporary Use Permit.

Secondary suites are generally permitted within a principal dwelling within these zoning designations.

- 1.5 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 5 is amended by deleting the following information note in its entirety:

“INFORMATION NOTE: Any residence approved by the Agricultural Land Commission for farm help within the ALR does not require a Temporary Use Permit.”

- 1.6 Part 2 – GENERAL REGULATIONS, Section 2.2 – General Height Regulations, Subsection 2.2.1 is amended by adding the words “deer fencing, netting supports, trellises,” before the word “radio”.

- 1.7 Part 2 – GENERAL REGULATIONS, Section 2.3 – General Setback Regulations, Subsection 2.3.2 - Setbacks from Streams, Lakes and Wetlands is deleted in its entirety and replaced with:

“The minimum setback from the natural boundary of a stream, a lake other than Chickadee Lake or Graham Lake, or a wetland is:

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

The minimum setback from Chickadee Lake and Graham lake is 60.0 metres for a sewage disposal field, alternate sewage system, and all other buildings and structures, including fencing associated with agriculture or used to accommodate domesticated animals other than household pets.”

- 1.8 Part 2 – GENERAL REGULATIONS, Section 2.3 – General Setback Regulations, Subsection 2.3.3 -Setbacks and Elevations from the Sea is deleted in its entirety and replaced with:

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

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

- 1.9 Part 2 – GENERAL REGULATIONS, Section 2.5 – Parking Regulations, Subsection 2.5.16 is amended by adding, under Commercial, the following bullet:
- One per sleeping unit of agri-tourism accommodation
- 1.10 Part 2 – GENERAL REGULATIONS, Section 2.5 – Parking Regulations, Subsection 2.5.17 is amended by adding the following bullet:
- Four, or one per sleeping unit of agri-tourism accommodation, whichever is greatest
- 1.11 Part 2 – GENERAL REGULATIONS, Section 2.7 – Screening Regulations – General Regulations, is amended by adding the following item after 4:
5. All agri-tourism accommodation must be screened from view from an adjacent lot by a landscape screen, a berm, or fencing.
- 1.12 Part 3 – ZONE REGULATIONS, Section 3.1 – Creation of Zones, Subsection 3.1.1 is amended by replacing the heading “Resource Zones” with “Agriculture and Resource Zones”.
- 1.13 Part 3 – ZONE REGULATIONS, Section 3.3 – Table 1 – Permitted Uses – Accessory Uses is amended by replacing item 7 with:
7. Horticulture and agriculture, accessory to a principal residential use
- 1.14 Part 3 – ZONE REGULATIONS, Section 3.3 – Table 1 – Permitted Uses – Accessory Uses is amended by adding the following item after number 10:
11. Intensive agriculture on lots greater than 2.0 hectares.
- 1.15 Part 3 – ZONE REGULATIONS is amended by removing the words “, excluding deer netting” from the following tables:

Section 3.3 – Residential Zoning Tables, Table 4 – Height, Subsection (3)  
 Section 3.4 – Resource Zoning Tables, Table 4 – Height, Subsection (4)  
 Section 3.5 – Commercial and Light Industrial Zoning Tables, Table 4 – Height, Subsection (3)  
 Section 3.6 – Community Zoning Tables, Table 4 – Height, Subsection (2)

- 1.16 Part 3 – ZONE REGULATIONS, Section 3.3 – Residential Zoning Tables, Table 1 – Permitted Uses, Subsection – Accessory Uses is amended by adding the following new subsections:

| Table 1 – Permitted Uses |                                                                                                                                                      | R1 | R2 | R3 |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| “11                      | Agri-tourism use on a lot classified as a farm under the BC Assessment Act”                                                                          | ✓  | ✓  | ✓  |
| 12                       | 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 | ✓  | ✓  | ✓  |

- 1.17 Part 3 – ZONE REGULATIONS, Section 3.3 – Residential Zoning Tables, Table 2 – Permitted Buildings and Structures

| Table 2 – Permitted Buildings and Structures |  | R1 | R2 | R3 |
|----------------------------------------------|--|----|----|----|
|----------------------------------------------|--|----|----|----|

|    |                                                                                                           |   |   |   |
|----|-----------------------------------------------------------------------------------------------------------|---|---|---|
| 13 | One agricultural produce stand per lot, not exceeding 4.6 square metres (50 square feet) gross floor area | ✓ | ✓ | ✓ |
|----|-----------------------------------------------------------------------------------------------------------|---|---|---|

1.18 Part 3 – ZONE REGULATIONS, Section 3.3 – Residential Zoning Tables, Table 5 – Setbacks, is amended by adding the following to line 2 after pit privies:

2. agri-tourism accommodation

1.19 Part 3 – ZONE REGULATIONS, Section 3.3 – Residential Zoning Tables, Table 5 – Setbacks, is amended by adding the following item following number 3:

| Table 5 – Setbacks |                                                            | R1   | R2   | R3   |
|--------------------|------------------------------------------------------------|------|------|------|
| 4                  | Minimum setback for produce stands from the front lot line | 4.5m | 4.5m | 4.5m |

1.20 Part 3 – ZONE REGULATIONS, Section 3.3 – Residential Zoning Tables, Table 9 Conditions of Use, is added as follows:

| Table 9 – Conditions of Use |                                                                                                                                                                                                                                                                                                                                                                                                                                     | R1 | R2 | R3 |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| 1.                          | On Agricultural Land Reserve lots where a secondary dwelling 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 2.8 and proof from a qualified professional that the agri-tourism accommodation or dwelling is connected to an approved sewerage system apply. | ✓  | ✓  | ✓  |

1.21 Part 3 – ZONE REGULATIONS, Section 3.4 Resource Zoning Tables is amended by replacing “Resource Zoning Tables” with “Agriculture and Resource Zoning Tables”.

1.22 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 1 – Permitted Uses, Subsection 3.4.12 is deleted in its entirety and replaced with the following:

| Table 1 – Permitted Uses |                                                                                                                                                                                           | A | F | RE |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----|
| “12                      | Secondary suite                                                                                                                                                                           | ✓ | ✓ | ✓  |
| 13                       | Secondary dwelling unit consistent with <i>the Agricultural Land Reserve Use Regulation</i>                                                                                               | ✓ |   |    |
| 14                       | Secondary dwelling unit (requires approval by a Temporary Use Permit)                                                                                                                     |   | ✓ | ✓  |
| 15                       | Agri-tourism on a lot classified as a farm under the BC <i>Assessment Act</i>                                                                                                             | ✓ | ✓ | ✓  |
| 16                       | Agri-tourism accommodation on lots larger than 4.0 ha and classified as a farm under the BC <i>Assessment Act</i> and consistent with the <i>Agricultural Land Reserve Use Regulation</i> | ✓ | ✓ | ✓  |
| 17                       | Agri-tourism accommodation on a lot classified as a farm under the BC <i>Assessment Act</i> (requires approval by a Temporary Use Permit)”                                                |   | ✓ | ✓  |

1.23 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 2 – Permitted Buildings and Structures, Subsection 3.4.7 is amended by renumbering accordingly and deleting in its entirety and replacing it with:

**Table 2 – Permitted Buildings and Structures**

|   |                                                                                                                                                                                                                                                                               | <b>A</b> | <b>F</b> | <b>RE</b> |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|-----------|
| 7 | “On land in the Agricultural Land Reserve, a secondary dwelling unit in accordance with the <i>Agricultural Land Reserve Use Regulation</i> ”                                                                                                                                 | ✓        | ✓        | ✓         |
| 8 | “On land in the Agricultural Land Reserve, four (4) or fewer sleeping units for agri-tourism accommodation in the form of either seasonal campsites and/or a maximum of one (1) cabin on a property over 4 ha and must be classified under the BC Assessment Act as “Farm”. ” | ✓        |          |           |

- 1.24 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 3 – Density of Uses, Buildings and Structures and the Information Note are deleted in their entirety and replaced with:

**“Table 3 - Density of Uses, Buildings and Structures**

|    |                                                                                                                                                                                                                        | <b>A</b>          | <b>F</b>          | <b>RE</b>         |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|
| 1. | Minimum lot area per principal single family dwelling unit on land outside the Agricultural Land Reserve                                                                                                               | 15.0ha            | 64.0 ha           | 15.0 ha           |
| 2. | Despite line 1 of this table, maximum number of single family dwelling units on lots less than the minimum area shown in line 1 of this table                                                                          | 1                 | 1                 | 1                 |
| 3. | Subject to line 1 of this table, maximum number of dwelling units per lot                                                                                                                                              | n/a               | 1                 | 1                 |
| 4. | Maximum lot coverage by buildings and structures                                                                                                                                                                       |                   |                   |                   |
|    | • excluding greenhouses                                                                                                                                                                                                | 35%               | 5%                | 10%               |
|    | • including greenhouses                                                                                                                                                                                                | 75%               | 5%                | 10%               |
| 5. | On land in the Agricultural Land Reserve, the total developed area for buildings, landscaping, sewage disposal, parking and access for agri-tourism accommodation must be less than 1% of the total area of the parcel | ✓                 | n/a               | n/a               |
| 6. | On land in the Agricultural Land Reserve, maximum number of single family dwellings per lot                                                                                                                            | 1                 | 1                 | 1                 |
| 7. | On land in the Agricultural Land Reserve, maximum gross floor area of a single family dwelling unit                                                                                                                    | 410m <sup>2</sup> | 410m <sup>2</sup> | 410m <sup>2</sup> |
| 8. | On land in the Agricultural Land Reserve, maximum number of secondary suites per lot (subject to 2.1.(4) and 2.1(5))                                                                                                   | 1                 | 1                 | 1                 |
| 9. | On land in the Agricultural Land Reserve maximum number of secondary dwelling units per lot”                                                                                                                           | 1                 | 1                 | 1                 |

- 1.25 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 3 – Density of Uses, Buildings and Structures – add a note that: the cumulative footprint of all dwellings (principal dwellings including any secondary suite and secondary dwelling) must not exceed 500 m<sup>2</sup>.

- 1.26 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 3 – the Information Note at the bottom of Table 3 is removed.

- 1.27 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 4 – Height, Subsection 3 is amended by adding the words “except for buildings and structures used solely as silos or grain bins, on land in the Agricultural Land Reserve” after the word “use”.
- 1.28 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 4 – Height, Subsection 4 is amended by removing the fence height restriction for “A” Agriculture and replacing with “N/A”.
- 1.29 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 5 – Setbacks, is amended by adding a new subsection as follows:

| Table 5 - Setbacks |                                                                                                                | A     | F     | RE     |
|--------------------|----------------------------------------------------------------------------------------------------------------|-------|-------|--------|
| “7                 | Minimum setback from any lot line for agri-tourism accommodation”                                              | 30.0m | 30.0m | 30.0m” |
| 8.                 | Minimum setback from any lot line for a produce stand with a gross floor area no greater than 10m <sup>2</sup> | 0m    | 0m    | 0m     |

- 1.30 Part 3 – ZONE REGULATIONS, Section 3.4 – “Agriculture and Resource Zoning Tables”, Table 9 – Conditions of Use, is added as follows:

| Table 9 – Conditions of Use                                                                                                                                                                                                                                                                                                                                                                                                            | A | F                                                                                    | RE                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1. On Agricultural Land Reserve lots where a secondary dwelling 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 2.8 and proof from a qualified professional that the agri-tourism accommodation or dwelling is connected to an approved sewerage system apply. | ✓ | ✓<br><br>*Agri-tourism accommodation must be approved through a Temporary Use Permit | ✓<br><br>*Agri-tourism accommodation must be approved through a Temporary Use Permit |

- 1.31 Part 5 – TEMPORARY USE PERMITS, “Area 2”, Subsection – Guidelines, is amended

#### Area 2

The Local Trust Committee may issue Temporary Use Permits for secondary dwelling units on lands zoned as “R2” (Rural Residential), “F” (Forestry) and “RE” (Resource). For clarity, Temporary Use Permits are not required for secondary dwellings within the “A” (Agriculture) zone if the parcel is within the Agricultural Land Reserve so long as they are consistent with the *Agricultural Land Reserve Use Regulation*.

**Objective**

To permit secondary dwelling units where considered appropriate to address housing objectives as defined in the Official Community Plan.

**Guidelines**

- Guideline 1**            Upon application, Temporary Use Permits may be considered for all parcels of land zoned as “R2” (Rural Residential), “F” (Forestry) and “RE” (Resource) by the Denman Island Land Use Bylaw.
- Guideline 2**            Compliance with the requirements of the “Secondary Suites and Accessory Dwellings” regulations of Part 2, “General Regulations”, is a condition of approval.
- Guideline 3**            Applications for Temporary Use Permits may be referred to the Advisory Planning Commission, which may be requested to provide an opportunity for public input to be received and considered in preparing its recommendations.
- Guideline 4**            Where approvals are required from other agencies, these should be obtained prior to the issuing of a Temporary Use Permit.
- Guideline 5**            The general conditions for issuing a Temporary Use Permit are as follows:
- a) Adequate off-road parking should be provided;
  - b) There should be adequate provision for approved waste disposal before consideration is given by the Local Trust Committee;
  - c) Water supply should be addressed so as to not create negative impacts upon existing common water sources; and
  - d) Other requirements that the Local Trust Committee may consider appropriate.

- 1.32    Part 5 – TEMPORARY USE PERMITS is amended by adding the following new headings and Subsections after “Area 2”:

**“Area 3**

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.”

DATE OF MEETING: May 7, 2024  
TO: Denman Island Local Trust Committee  
FROM: Narissa Chadwick  
Local Planning Services  
COPY: Marlis McCargar, Island Planner  
Renée Jamurat, Regional Planning Manager  
SUBJECT: Housing Review Project – Review of Process Options

## RECOMMENDATION

1. That the Denman Island Local Trust Committee endorse the Project Charter, dated May 7, 2024 for the Housing Related Temporary Use Permit Review Project as a minor project.
2. That the Denman Island Local Trust Committee endorse the Denman Island Housing Action Plan as shown in Attachment 5 of this staff report dated May 7, 2024.
3. That the Denman Island Local Trust Committee endorse the revised project charter for Phase 2 of Stage 2 of the Denman Island Housing Review Project based on the process recommended in the May 7, 2024 staff report.

## REPORT SUMMARY

The purpose of this report is to:

- Provide a review on the status of the Denman Island Housing Review Project;
- Provide the Denman Island Housing Action Plan draft for review and endorsement;
- Present a recommended process for next Phase of the Housing Review Project which focusses moving forward with bylaw amendments efficiently without compromising early and effective First Nations engagement, and effective analysis of environmental and other impacts related to increasing density of residential use; and
- Provide revised project charters which support the recommended process for moving forward with bylaw amendments related to this project.

## BACKGROUND

The Denman Island Housing Review Project was initiated in 2022 to address housing need, a key concern for Denman residents over two decades. Stage 1 of the project involved public engagement facilitated by a consultant and resulted in a number of recommendations which are provided in the [Denman Island Housing Review Recommendations Report](#). As identified in the Project Charter for Stage 2 (see Attachment 1), the project involves:

Phase 1 - Public engagement with a focus on identifying and prioritizing options for OCP and LUB amendments  
Phase 2 - Writing, reviewing and adopting OCP and LUB amendments.

### **Stage 2 Phase 1**

The Denman Island Housing Review Project (Stage 2 Phase 1) was initiated in July 30, 2023 and has now concluded. The purpose of this phase, as identified in the original project charter (see Attachment 1), was to engage the Denman Island Housing Advisory Planning Commission (HAPC); housing groups on Denman Island; and community members to identify options for updates to the Denman Island Official Community Plan and Land Use Bylaw that focus on addressing housing need. The entirety of the active community engagement was facilitated through the HAPC. The LTC also held an information session after receiving the “Denman Island Housing Advisory Planning Commission Final Report”.

On November 14, 2023 the Denman Island LTC received the “[Denman Island Housing Advisory Planning Commission Final Report of November 3, 2023](#)” as well as the guide to the report and requested staff schedule a special meeting to provide an analysis and recommendations. February 20, 2024 a special meeting was scheduled to discuss [staff analysis of the HAPC report](#). The following resolutions were passed at the February 20, 2023 special meeting:

#### **DE-2024-021**

*That the Denman Island Local Trust Committee request staff to develop an action plan to inform draft bylaws regarding the Housing Review.*

**Status:** A draft Denman Island Housing Action Plan can be found in Attachment 5. This plan identifies goals, objectives and the actions the Denman Island LTC at the February 20, 2023 meeting, supported. This Action Plan will help guide the project and could be used as a public communications and engagement tool. The plan identifies options that can be implemented as part of this project as well as those that are outside the scope of this project. Additional staff resources, if not already assigned, may need to be allocated to items outside the scope of this project. The LTC can choose to add to or take away from the list of actions at any time in the project.

#### **DE-2024-022**

*That the Denman Island Local Trust Committee request staff to begin drafting bylaws relating to options identified in the February 20, 2024 Special Meeting Staff Report.*

**Status:** Staff have reviewed the list of potential bylaw options in detail. As a means of moving ahead efficiently, without compromising effective analysis of existing data and early and respectful First Nations engagement, the bylaw options have been divided into four streams. Staff are recommending that each stream advance at different times. Appendix 4 identifies the four streams. The revised project charter (Attachment 2) is based on this approach. Providing clear and specific direction related to amendment options at this stage can minimize the need to revise or abandon bylaws the LTC may later decide they no longer support once additional information is considered, ultimately increasing the ability of staff to work efficiently to move the project forward.

## DE-2024-023

*That the Denman Island Local Trust Committee request staff to schedule a special meeting to review the Suitable Land Analysis Mapping Tool (SLA).*

**Status:** The suitable land analysis (SLA) mapping for Denman has not yet been completed due to staff changes. It is a priority for Planning Services. Suitable Land Analysis mapping is anticipated to be available in June for both Gabriola and Denman SLA. The special meeting related to the Suitable Land Analysis will be scheduled as soon as possible.

As described above, bylaw amendment options have been placed into four streams. The suitable land analysis mapping is connected to the “Options Requiring More Analysis” stream. This stream includes bylaw amendments related to increases in density (e.g. expansion of permission for accessory dwelling units and secondary suites).

### **Stage 2, Phase 2**

Stage 2 of the Denman Island Housing Review project is now entering Phase 2. As identified in the revised Project Charter (Attachment 2), the focus of Phase 2 of Stage 2 is to advance policy and regulatory amendments that focus on increasing permitted number of housing units in order to address housing need while preserving and protecting the natural environment. Trust Council has approved \$15,000 for the continuation of this work in fiscal 2024/25. An additional \$16,000 from the previous fiscal year (2023/24) has been provided to the K’omoks Nations to support their engagement in the project.

Steps have been taken toward engaging with the K’omoks Nation over the past year. This has included developing a capacity agreement to help facilitate K’omoks engagement on this project. Staff will be working with the K’omoks in the coming months to identify their interests. This work is a strong step forward with respect to engaging early and respectfully. This work is anticipated to help facilitate the efficient review and approval of OCP amendments by the Province. A K’omoks engagement report is anticipated to be prepared by Spring of 2025 (timing is based on experience with other engagement processes). As the Province has indicated, they are not willing to approve Islands Trust OCP bylaws that do not demonstrate early and effective engagement with First Nations.

The Denman Islands Housing Stage 2, Phase 2 revised project charter (Attachment 2) identifies three bylaw amendment streams. A fourth bylaw amendment stream (minor projects) is supported by the project charter related to the removal of temporary use permits (TUPs) for accessory dwelling units (ADUs). The proposed project process is designed to support effective First Nations engagement, and the use of existing data to provide an analysis of areas where land is more or less suitable for an increase in density and intensity of land use without compromising the timing of amendments that may not require detailed analysis and engagement. The process streams are identified below. The bylaw amendment options associated with each of these are identified in both Attachment 4 and Attachment 5:

#### **1. Housing Phase 2A: Land Use Amendments that Require Limited Analysis**

The amendment options in this stream are land use bylaw amendment that do not require OCP amendments and may not require detailed analysis and community engagement. The LTC may identify items in this stream that require more analysis and engagement. If so, items can be moved to the Major 2C stream or be addressed through another minor project to enable the amendments to proceed efficiently. Land Use Bylaw amendments do not require provincial approval so can be approved by the LTC much sooner than OCP amendments.

## **2. Housing Phase 2B: OCP Amendments that Require Limited Analysis**

There are a number of options for OCP amendments that are minor in nature or may not require extensive analysis. As with those identified in the “Housing Phase 2A” stream, if there are options that appear to require more detailed engagement and analysis the LTC can request that these be moved to the Major 2C stream or be addressed as a minor project.

## **3. Housing Phase 2C: Options that Require More Detailed Analysis**

The bylaw amendment options in this stream are those that require detailed analysis of existing data, consideration of First Nations and further community engagement. Amendment options that involve increasing density on a wider scale (e.g. expansion of permissions for secondary suites and accessory dwelling units) fall into this stream. The LTC can choose to include or remove items from this stream. Staff caution that without effective analysis and engagement of First Nations the bylaws may not be fully supported by the community or approved by the Province.

If there are topics identified in the “Housing Phase 2A” or “Housing Phase 2B” stream that are identified by the K’omoks or the Denman community to require more detailed analysis, the LTC can choose to include these in the Housing Phase 2C stream. If items in this stream accumulate, the LTC may choose to have these topics addressed as a minor project. The LTC can also choose to move items in “Housing Phase 2C” into “2B” or “2A”.

## **4. Minor Projects**

Moving elements of the larger project forward as a minor project provides an opportunity to “fast-track” focused amendments and dedicate more staff and financial resource to the project. At the moment there is only one project “Housing Related TUP Review” identified in this stream. More details about advancing focussed amendments through minor projects are provided below.

### Advancing Focussed Amendments Through Minor Projects

Staff are recommending the LTC support elements of this project being “fast-tracked” through minor projects. One minor project and one major project can move forward concurrently thereby increasing staff capacity to move amendments related to housing forward at a faster pace. Minor projects are focussed. The Island Planner typically undertakes minor projects. Minor project budgets are separate from the major project budget. Up to \$5000 can be used to support a minor project without having to request funding from Trust Council. A Major project is a larger project with multiple aspects and takes longer to complete than a minor project. Members of the Regional Planning Team support major projects. Staff time and project budget for major projects need to be approved by Trust Council.

The LTC has approved the development of a project charter to support the removal of Temporary Use Permits (TUP) as a minor project. The community engagement work that was done during Stage One of the Denman Housing Review Project and the recent work by the Denman Island Housing APC has identified that there is clear support for removing the need for a Temporary Use Permit for Accessory Dwelling Units. A second project charter is contained in Attachment 3 related to the removal of the Temporary Use Permit (TUP) requirement for Accessory Dwelling Units (ADUs).

Removal of the TUP requirement may bring a number of ADUs into compliance and/or potentially encourage the development of more. Given this, as part of this minor project, the LTC will need to make a decision as to whether they want to remove or revise the Residential Density Bank policies. Revising the Density Bank would

require analysis of options. However, if the residential density bank is removed as part of the minor project, the development of an alternative density bank option could be addressed as a minor project following the TUP project or be included in the Major 2C stream. The reason for this is that the development of an alternative density bank option will required analysis and identification of options.

As Stage 2, Phase 2 of the Denman Housing Review Project moves forward, and depending on how fast the first associated minor project is completed, as previously identified, other focussed amendments could be completed as minor projects.

### **Draft Project Implementation Timeline**

The draft timeline below, while subject to change, is provided to give a sense of time of each element of the project. This timing is reflected in the project charters (Attachments 2 and 3). Timing related to First Nations engagement and Provincial Approval cannot be exactly determined.

| Spring 2024                                                                      | Summer 2024                                                                                              | Fall 2024                                                                                                                                                                                             | Winter 2024/25                                             | Spring 2025         | Summer 2025 | Fall 2025 |
|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------|-------------|-----------|
| <b>Minor Project : Options to Advance Immediately as Minor Project</b>           |                                                                                                          |                                                                                                                                                                                                       |                                                            |                     |             |           |
| Project Charter (TUP)                                                            | Draft Bylaws                                                                                             | Bylaw readings<br>EC Approval                                                                                                                                                                         | Provincial referrals??                                     |                     |             |           |
| <b>Housing Phase 2A: Land Use Bylaw Amendments Requiring Limited Analysis</b>    |                                                                                                          |                                                                                                                                                                                                       |                                                            |                     |             |           |
| Project Charter                                                                  | LUB reformat<br>Issues Exploration<br>Engage Community?                                                  | Draft Bylaws<br>Referrals                                                                                                                                                                             | Bylaw readings<br>LTC Approval                             |                     |             |           |
| <b>Housing Phase 2B: OCP Amendments Requiring Limited Analysis</b>               |                                                                                                          |                                                                                                                                                                                                       |                                                            |                     |             |           |
| Project Charter                                                                  | Issues Exploration<br>Engage Community?<br>Legal review                                                  |                                                                                                                                                                                                       | Draft Bylaws<br>Bylaw readings<br>EC Approval<br>Referrals | Provincial referral |             |           |
| <b>Housing Phase 2C: Options Requiring More Detailed Analysis and Engagement</b> |                                                                                                          |                                                                                                                                                                                                       |                                                            |                     |             |           |
| Project Charter                                                                  | Suitable Land Analysis<br><br>Issues Exploration<br>Draft Options (e.g. flexible housing/ density bonus) | Detailed First Nations Engagement (estimated understanding of interest by Spring 2025)<br>Identify areas suitable for additional density<br>Community Engagement where needed<br>Provincial Referrals |                                                            |                     |             |           |

### **Rationale for Recommendation**

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

- This topic has been identified in Stage 1 of this project as well as in the HAPC's report as being of significant interest to the community.
- Given the volume of other bylaw amendments and the potential need for further analysis and public engagement anticipated as part of this project, having the TUP requirements for ADUs move forward as a minor project will advance the related bylaw changes at a faster rate.

***Re: That the Denman Island Local Trust Committee endorse the Denman Island Housing Action Plan.***

- The Denman Island Housing Action Plan draft provides a framework for implementing the options and measures.
- Endorsing the Action Plan provides clear direction to staff.

- The Action Plan can serve as a communication tool for the community, non-profit housing groups, Comox Valley Regional District (CVRD), and senior government identifying focal points of housing related actions for Denman Island.

***Re: That the Denman Island Local Trust Committee endorse the revised project charter for Phase 2 of Stage 2 of the Denman Island Housing Review Project based on the process recommended in the May 7, 2024 staff report.***

- Endorsement of the revised project charter for the Denman Island Housing Review Project is required in order for staff to move forward with the proposed change in process.
- The revised project charter reflects staffs analysis of the most efficient way to move forward with the project in a way that considers First Nations input and analysis of existing data informing the suitability of land as it relates to increases in density and intensity of land use.

## **ALTERNATIVES**

### **1. Combine the removal of the TUPs for ADU project with the elements of Stream 2A (Land Use Amendments the Require Limited Engagement)**

This would enable some additional land use bylaw amendments to advance with the removal of the TUP for ADUs project. If choosing this option staff encourage the LTC to consider if there are options that they may want to remove as they may require additional analysis or community engagement. For example, legalizing existing housing on a site specific basis will require individuals to identify their interests in being included. The communications related to this will take time. There may also be property owners that want to be included at the last minute which could delay the other amendments. Establishing floor area maximums, if controversial, is also a topic that may require more time. These could be considered as separate minor projects of be added to Stream 2C.

### **2. Request staff to gather community feedback on the Draft Housing Action Plan.**

Staff could design a public process to collect community feedback on the Draft Housing Action Plan. This process could be facilitated online through the Imagine Comox Valley website or through other means. The purpose of this process would be to provide information to the community and gather information that may not already have been shared. This process can happen in parallel to the minor project, major project stream 2A and 2B as well as the scoping, analysis and First Nations engagement involved with stream 2D. Information gathered may help identify additional options to be considered or identify options that the community have issue with that may require targeted engagement.

### **3. Request staff advance the writing of all bylaws without suitable land analysis and First Nations engagement**

Staff could move forward with writing the bylaws without the suitable land analysis mapping tool and without engaging the K'omoks in a comprehensive way. Staff caution that the lack of detailed analysis related to substantial increases in density could be challenged by the First Nations. This kind of challenge can hold back a project by months to years. The suitable land analysis, which brings together all the data on Denman Island that is currently available within the Islands Trust, it provides a focus for discussions with the K'omoks Nation in addition to providing the LTC with the opportunity for data informed discussions related to trade-offs.

**NEXT STEPS**

If the staff recommendations are endorsed by the LTC, staff will:

- Continue working with the K’omoks Nation;
- Begin to draft amendments related to the removal of the TUP requirement for ADUs as a minor project;
- Identify where items in stream 2A and 2B require further input from the LTC;
- Begin to draft bylaws related to stream 2A and 2B;
- Schedule a workshop with the LTC to review the suitable land analysis mapping once available; and
- Begin analysis of items in stream 2C.

|               |                                          |                |
|---------------|------------------------------------------|----------------|
| Submitted By: | Narissa Chadwick RPP, Island Planner     | April 25, 2024 |
| Concurrence:  | Renee Jamurat, Regional Planning Manager | April 25, 2024 |

**ATTACHMENTS**

1. Denman Housing Review Project (Stage 2 Phase 1 & 2) Project Charter (Original)
2. Denman Housing Review Project (Stage 2 Phase 2 Revised) Project Charter
3. Housing Related TUP Review Project Charter
4. Denman Housing Review Project Options Charts
5. Denman Housing Review Project Housing Action Plan (Draft)

## Denman Island Housing Review Project (Stage 2 Phase 1&2)- Charter v1

Denman Island Local Trust Committee (LTC)

Date: July 30, 2023 (update)

**Purpose:** **Phase 1** – Engaging the Denman Island Housing Advisory Planning Commission (HAPC), housing groups on Denman Island and community members to identify updates to the Denman Island Official Community Plan and Land Use Bylaw to increase housing options that address housing need **Phase 2**- 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:** Low diversity of housing types on Denman Island and low rental vacancy are the prominent housing challenges on Denman Island. The Denman Island LTC initiated a budget request to Trust Council for 2023/24 funding and allocation of staff time to address housing needs through amendments to the OCP and LUB. A budget of \$18,000 and Regional Planning Team time was allocated to this project for fiscal 2023/24. Of this, \$6,000 has been allocated to legal review and \$12,000 to the development of communication and educational information/community information meeting(s) and public hearing.

### 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

- Public engagement to identify housing options;
- Consideration of the environmental implications of housing options; and
- Amendments to the OCP and the LUB to increase housing number of permitted housing units to address housing need.
- Identify advocacy policies and other Action Plan items

### Out of Scope

- Review of Development Permit Areas.
- Amendment of policies outside of the OCP and LUB

## Workplan Overview

| Deliverable/Milestone                                 | Date               |
|-------------------------------------------------------|--------------------|
| <b>Phase 1</b>                                        |                    |
| Project initiation                                    | July 2023          |
| First Nations engagement                              | June – Dec. 2023   |
| Review and prioritization of housing options by HAPC  | July – Nov. 2023   |
| Public engagement                                     | Oct. – Dec. 2023   |
| Suitable Land and Build Out Analysis                  | June – August 2023 |
| <b>Phase 2</b>                                        |                    |
| Housing Action Plan/ Bylaw Drafting                   | Jan. – June 2024   |
| Public Engagement/ First Nations Consultation         | Jan.- June 2024    |
| Legal Review/ CIM                                     | June – Sept. 2024  |
| First Reading/referrals                               | Oct. 2024          |
| Second Reading/Public Hearing/Third Reading/EC review | Oct. – Dec. 2024   |
| Ministry Approval of bylaws                           | TBD                |
| Bylaw approval                                        | TBD                |

## Project Team

|                                      |                  |
|--------------------------------------|------------------|
| Regional Planning Manager            | Renée Jamurat    |
| Regional Planning Team Member        | Narissa Chadwick |
| Planning Team Assistant              | Chloë Straw      |
| GIS Tech                             | Jackie O'Neil    |
| Housing Advisory Planning Commission | As Appointed     |

## Budget

| Budget Sources: |                 |                 |
|-----------------|-----------------|-----------------|
| 2023/24         | Engagement/Comm | \$12,000        |
|                 | Legal Review    | \$6,000         |
|                 | <b>Total</b>    | <b>\$18,000</b> |
|                 |                 |                 |

## ATTACHMENT 2

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

Denman Island Local Trust Committee (LTC)

Date: May 2024, 2024 (update)

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

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

**Objectives**

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

**In Scope**

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

**Out of Scope**

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

**Workplan Overview**

| Deliverable/Milestone                                                     | Date                      |
|---------------------------------------------------------------------------|---------------------------|
| <b>Phase 2A – Land Use Bylaw Amendments Requiring Limited Analysis</b>    |                           |
| First Nations Engagement                                                  | Jan 2024 – April 2025     |
| Draft Bylaws/ Community Engagement where required                         | May 2024- July 2024       |
| Bylaw Referral/Readings                                                   | July -Oct 2024            |
| LTC Approval                                                              | December 2024             |
| <b>Phase 2B – OCP Amendments Requiring Limited Analysis</b>               |                           |
| First Nations Engagement                                                  | Jan 2024 – April 2025     |
| Draft Bylaws/ Community Engagement where required                         | May –Sept. 2024           |
| Legal Review/ CIM                                                         | October/November 2024     |
| Bylaw Reading/ EC Approval                                                | Dec 2024 – Jan. 2025      |
| Provincial Referral                                                       | February 2025             |
| <b>Phase 2C – Options Requiring More Detailed Analysis and Engagement</b> |                           |
| First Nations Engagement                                                  | Oct. – Dec. 2024          |
| Suitable Land Analysis                                                    | June 2024                 |
| Draft Options/Community Engagement where required                         | June 2024 – November 2024 |
| Draft Bylaws                                                              | February 2025             |
| Understanding of FN Interests/Bylaw readings/ CIM                         | March- May 2025           |
| Provincial Referral                                                       | May 2025                  |

**Project Team**

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

**Budget**

| <b>Budget Sources:</b> |                  |                 |
|------------------------|------------------|-----------------|
| 2023/24                | FN Engagement    | \$16,000        |
| 2024/25                | Legal Review     | \$7,000         |
| 2024/25                | Community Engage | \$3,000         |
| 2024/25                | TBD              | \$5,000         |
|                        | <b>Total</b>     | <b>\$32,000</b> |

# Housing Related TUP Review – Project Charter v1

Denman Island LTC

Date: May 7, 2024

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

**Background:** *A Housing Review Project to address housing need has been Denman Island LTC's Top Priority project since 2022. On April 9, 2024, the Denman Island LTC was provided with a staff report identifying options for a minor project; the LTC chose to advance a small and important piece of the housing work ahead of the major project. This Project Charter is based on the recommendation to support a limited review with no public engagement process.*

## Objectives

- To review options to remove the existing TUP regulations and policies for accessory dwelling units (ADUs).
- Amend the Denman OCP and LUB with regards to the TUP requirement for ADUs.
- Consider options to remove the residential density bank to accommodate additional ADUs

## In Scope

- Amendments to the OCP and LUB that include:
  - Removal of TUP regulations for secondary dwellings
  - Elimination of residential density bank

## Out of Scope

- OCP and LUB amendments not related to the use of TUPs for secondary dwellings.
- Revising the residential density bank

## Workplan Overview

| Deliverable/Milestone                                                                          | Date             |
|------------------------------------------------------------------------------------------------|------------------|
| Project initiation                                                                             | April 9, 2024    |
| LTC endorses project charter                                                                   | May 7, 2024      |
| Staff to prepare two draft bylaws (1 OCP; 1 LUB)                                               | Summer 2024      |
| Draft bylaws presented to LTC for consideration of 1 <sup>st</sup> and 2 <sup>nd</sup> reading | Summer 2024      |
| Referrals                                                                                      | Summer 2024      |
| CIM/Public Hearing, 3rd reading and forward to EC and Ministry                                 | Fall 2024        |
| Bylaw adoption                                                                                 | Fall/Winter 2024 |
| Bylaw consolidation, post bylaw adoption communications                                        | Winter 2024      |

## Project Team

|                                                  |                                                       |
|--------------------------------------------------|-------------------------------------------------------|
| Island Planner                                   | Project Manager                                       |
| Regional Planning Manager                        | Project Sponsor                                       |
| Island Planner – Regional Planning Team          | Planning & Technical Support (limited)                |
| OAA, PTA, LC                                     | Admin Support                                         |
|                                                  |                                                       |
|                                                  |                                                       |
| <b>RPM Approval:</b><br>Name of RPM<br>Date: xxx | <b>LTC Endorsement:</b><br>Resolution #:<br>Date: xxx |

## Budget

| Budget Sources: |                    |        |
|-----------------|--------------------|--------|
| Fiscal          | Item               | Cost   |
| 2024-25         | CIM/Public Hearing | \$1000 |
| 2024-25         | Legal Review       | \$1500 |
|                 |                    |        |
|                 |                    |        |
|                 |                    |        |
|                 |                    |        |
|                 |                    |        |
|                 | Total              | \$2500 |

## **ATTACHMENT 4: Bylaw Amendment Process Categories and Related Options**

**Table 1 - Housing Phase 2A: Land Use Amendments that Require Limited Analysis and Engagement**

| <b>Topic</b>                                                                                   | <b>Considerations</b>                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reformatting Land Use Bylaw Zoning Regulations                                                 | <ul style="list-style-type: none"> <li>- Current format is very difficult to update in current state</li> <li>- Current format challenged legal interpretation in past</li> <li>- Need consistency Trust Wide</li> </ul> |
| Permit dwelling units in community service zone                                                | <ul style="list-style-type: none"> <li>- Consider which areas (e.g. school zone for a school board/PAC supported teacher's residence)</li> </ul>                                                                         |
| Explicitly permit alternative forms of housing as ADUs                                         | <ul style="list-style-type: none"> <li>- To include RVs, yurts, etc.</li> <li>- Review existing travel trailer regulations</li> </ul>                                                                                    |
| Legalize existing dwellings on a site specific basis                                           | <ul style="list-style-type: none"> <li>- Properties would need to be identified.</li> <li>- A process for identifying to be developed.</li> </ul>                                                                        |
| Consistency with ALR Regulations                                                               | <ul style="list-style-type: none"> <li>- Review to ensure that recent changes are consistent</li> </ul>                                                                                                                  |
| Ensure that vacation rental permissions are restricted to Bed and Breakfast type accommodation | <ul style="list-style-type: none"> <li>- Relates to previous legal review</li> </ul>                                                                                                                                     |
| Permit secondary suites in all zones where residential use is permitted                        | <ul style="list-style-type: none"> <li>- Limit to lots in water service areas as part of this phase</li> <li>- Further expansion as part of Major 2C (table 3)</li> </ul>                                                |
| Cistern requirements for new builds                                                            | <ul style="list-style-type: none"> <li>- Can look at other LTCs for models</li> <li>- Will involve some analysis</li> </ul>                                                                                              |
| Review definitions to ensure consistency with OCP and LUB                                      | <ul style="list-style-type: none"> <li>- Can be done throughout the process</li> </ul>                                                                                                                                   |
| Review existing site specific exemptions in light of other changes (e.g. TUP)                  | <ul style="list-style-type: none"> <li>- There are a number of site specific zones in the Denman LUB. Some of these may be redundant if ADUs are permitted outright.</li> </ul>                                          |
| Floor Area maximums for dwellings                                                              | <ul style="list-style-type: none"> <li>- Can advance if not controversial</li> <li>- May require public consultation</li> </ul>                                                                                          |
| Impervious surface maximums                                                                    | <ul style="list-style-type: none"> <li>- Can advance if not controversial</li> <li>- May require public consultation</li> </ul>                                                                                          |
| Make existing multi-family zoning more flexible                                                | <ul style="list-style-type: none"> <li>- Denman Green, Pepper Lane ?, CoHo (currently going through rezoning)</li> </ul>                                                                                                 |

**Table 2 – Housing Phase 2B: OCP Amendments that Require Limited Analysis and Engagement**

| <b>Topic</b>                                                                                                 | <b>Comments</b>                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Include policies related to ALR exclusion in the OCP                                                         | <ul style="list-style-type: none"> <li>- Exclusions must be initiated by the LTC. The OCP can include guidelines.</li> <li>- The LTC may want to include the farming community in identifying guidelines</li> </ul> |
| Expand subdivision permission if land is being donated to not-for profit/gov/FN for housing                  | <ul style="list-style-type: none"> <li>- Can focus on zone type or multiple</li> </ul>                                                                                                                              |
| Allow subdivision only if a portion of land is being donated to not-for profit/gov/FN for affordable housing | <ul style="list-style-type: none"> <li>- This may be controversial</li> <li>- Community Engagement</li> </ul>                                                                                                       |

|                                                                                                                    |                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Permit development variances for proof of water for cooperatives (like Coho) if community is collecting rainwater* | <ul style="list-style-type: none"> <li>- Coho has demonstrated a co-operative approach to collecting and sharing alternative water supply.</li> <li>- OCP policies can include flexibility and guidance supporting this type of approach.</li> </ul> |
| Ensure OCP Policies support home-based assisted living and tiny home villages                                      | <ul style="list-style-type: none"> <li>- Minor language amendment</li> </ul>                                                                                                                                                                         |
| Allow variations in housing that support shared facilities                                                         | <ul style="list-style-type: none"> <li>- May include new definition</li> </ul>                                                                                                                                                                       |
| Changing references to “the Village” to “Downtown Denman”                                                          | <ul style="list-style-type: none"> <li>- Technical amendment</li> </ul>                                                                                                                                                                              |
| Minor updates                                                                                                      | <ul style="list-style-type: none"> <li>- Includes outdated references</li> </ul>                                                                                                                                                                     |

\*This topic has been recently added by staff

### **Major C: Options Requiring More Detailed Analysis and Engagement**

| <b>Topic</b>                                                                                                                                                                                                                                                                                                                                              | <b>Comments</b>                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Expand Permissions for ADUs to include: <ul style="list-style-type: none"> <li>- Expanding ADU as a permitted use beyond A, F, RE, R2 zones</li> <li>- Including options for additional units within a limited combined floor area (flexible housing)</li> <li>- Density bonus option re: conservation of land and housing agreement potential</li> </ul> | <ul style="list-style-type: none"> <li>- Suitable Land Analysis (SLA) recommended</li> <li>- Detailed First Nations engagement recommended</li> <li>- Work related to the SLA and FN engagement can be done concurrent to the development of options. Timing will depend on the pace of the other phases of the project.</li> </ul> |
| Expanding permission for secondary suites beyond existing an water service areas                                                                                                                                                                                                                                                                          | <ul style="list-style-type: none"> <li>- SLA recommended</li> <li>- Detailed First Nations engagement recommended</li> </ul>                                                                                                                                                                                                        |

### **Minor Projects**

| <b>Topic</b>             | <b>Considerations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Removal of TUPs for ADUs | <ul style="list-style-type: none"> <li>- There is much public support</li> <li>- Would advance ahead of other housing work</li> <li>- Removing the density bank can be part of the work related to the TUP project</li> <li>- If LTC choses to revise the density bank this work is recommended to be done as a separate minor project which would follow the TUP project. The density bank could be removed and then revised or revised without removing first.</li> </ul> |

# Denman Island Housing Action Plan (Draft) - May 2024

## Introduction

Denman Island is experiencing a crisis of housing affordability and availability that has already caused many residents to leave the community. Over the decades, land use regulations on Denman Island created housing stock that is almost exclusively composed of single family dwellings. With limited rental stock and rising purchase prices, accessing housing on Denman Island has become less accessible for those who do not already own property.

The limited housing options on Denman Island have been a prominent topic of discussion for over 20 years. In that time, numerous studies have been undertaken to understand housing need. Work undertaken by the Housing Advisory Planning Commission (HAPC) in Winter 2024 as a part of the Denman Island's Housing Review Project identified a suite of land use planning measures, tools, and advocacy opportunities geared toward increasing housing options and legalizing existing living situations where appropriate while preserving and protecting the natural environment.

This Action Plan identifies objectives and provides corresponding policy, regulatory, and strategic measures aligned with eight overarching goals emerging from the Denman Island HAPC 2024 report and other input provided to and supported by the Denman Local Trust Committee (LTC) to date. The Draft Housing Action Implementation List, a key part of the Housing Action Plan, provides a framework for monitoring implementation progress on options that the LTC has identified support for, with the flexibility for updates as needed. The land use-focused actions identified in this plan are the main focus of the Denman Island Housing Review Project.

This Action Plan serves as a plan for implementing measures and strategies to address the housing challenge on Denman Island within the framework of the Denman Island Housing Review Stage 2, Phase 2 (2023-2025). It also offers a comprehensive tracking and monitoring mechanism and serves as a succinct representation for community members, non-profit housing groups, Comox Valley Regional District (CVRD) and senior government, illustrating the focal points of housing-related actions providing insights into potential areas of involvement and collaboration.

## Goals

### Goal 1: Update Information to Inform Housing Projects

The collection of information that may inform housing projects on Denman Island now and into the future are in process. The extent to which this information is used to inform housing projects on the Island is a Local Trust Committee (LTC) decision. Related objectives are as follows:

**Update Housing Needs Information:** Updating housing needs assessments every five years is now a requirement of the Provincial Government. The Province provided the Islands Trust with funding to do this work in 2024. This work will begin once the Province has provided direction on the required content of housing needs assessments. This work will be managed by a member of the Islands Trust Regional Planning team and will not impact the timing of Denman's Housing Review Project.

**Use Suitable Land Analysis:** Integrating diverse data sources, this mapping tool aids the LTC in making informed decisions regarding density increases, considering factors such as environmental protection, fire safety, water recharge, saltwater intrusion and terrain suitability. Water Balance assessment data and other data can be added to the suitable land analysis, when available. The LTC can determine the existing data they would like to use and the weight of that data to inform decision making related to increasing the density and intensity of land use.

## Goal 2: Incorporate First Nations Interests in Land Use Decision Making

Working with the K'omoks, and other First Nations, on all projects related to increasing density and intensity of land use is an important step forward with respect to reconciliation. This work is also anticipated to help facilitate efficient review and approval of OCP amendments by the Province. One key objective related to this goal is to:

**Foster Early and Respectful First Nations Engagement:** Proactive engagement with First Nations is essential for effective collaboration and reconciliation. Initiated by staff and supported by the LTC's approval of funding and a capacity agreement, this engagement process aims to produce a comprehensive report by Spring 2025, aligning with provincial expectations for meaningful Indigenous consultation.

## Goal 3: Diversify Housing Options – Land-Use

Increasing housing options has been identified by the Denman HAPC and the LTC as a key focus for increasing housing access and affordability on Denman Island. This is a key focus of Denman Island's Housing Review process. Related objectives include:

**Streamline Land-Use Regulations :** Actions related to this objective include removing temporary use permit (TUP) requirements for accessory dwelling units (ADUs) and making changes to OCP policy and land use regulations to increase flexibility in type of house. As well as facilitate easier access to donated land for not for profit and government organizations.

**Expand Housing Options:** Actions related to this objective include a variety of options such as permitting alternative dwelling types and expanding permission for secondary suites and accessory dwelling units. Expanding permissions for multiple accessory dwelling units within a maximum floor area or in exchange for land preserve is also include in the list of actions.

## Goal 4: Minimize Environmental Impact on Land – Land-Use

The preservation and protection of the environment is a core value of the Islands Trust and something that is well respected by the Denman Island community. The Housing Action Plan includes actions identified by the HAPC that support environmental interests. The use of suitable land analysis to identify areas where development may have higher impact on environmental protection will also help inform decisions related to minimizing environmental impact. Related objectives include:

**Utilize Available Data for Informed Decision Making:** Suitable land analysis provides the opportunity to use all available data related to environmental interests to identify areas that are more or less suitable for additional density from an environmental impacts perspective. This analysis can be complemented by/complement local knowledge.

**Protect and Preserve Ecosystems and Freshwater Resources:** Cistern requirements for new builds are one option identified to reduce the draw on freshwater resources. Reducing lot coverage and considering the suitability of land from an ecological and freshwater sustainability perspective will help contribute to protecting groundwater recharge as well as protecting other ecological values.

## Goal 5: Implement Affordability Measures – Affordability Controls

"Ensuring affordability" is a key interest of the APC. Given that the Local Trust Committee's jurisdiction is limited to land use, ensuring affordability is a challenging task for the LTC. Housing agreements are one land use planning tool available to ensure affordability over time. In the Islands Trust Area, this tool is primarily used to ensure affordability with multi-family developments owned by not-for-profit organizations. Expanding the use of housing agreements to single units

owned by private property owners will require the Islands Trust and/or the Comox Valley Regional District (CVRD) to consider administrative support needs. Related advocacy policies can be included in the OCP. A related objective identified by the HAPC is:

**Allow Additional Units in Exchange for a Community Amenity (Affordable Housing of Conservation of Land):** Denman Island has already used a “density bonus” approach in 2008 where 505.3 hectares of land was protected in exchange for 31 units. This approach could be explored for smaller lots. Policies can be created to allow additional units if they are rented affordably. However, administrative support is required to ensure that the units are rented affordably over time.

#### Goal 6: Address Bylaw Enforcement Issues Related to Housing

Islands Trust Council has directed the Regional Planning Committee to review the recommendations of the Ombudsperson’s Report on Bylaw Enforcement Policies and Practices and recommend amendments to policies. For specific local issues, the LTC could meet with bylaw staff to discuss options. Related objective:

**Bylaw Enforcement on Housing Related Matters is Appropriate:** In addition to the work being done at the Islands Trust Wide level, the Denman LTC, at their November 14, 2023 LTC meeting, requested regular reporting from the Bylaw Compliance & Enforcement Manager so that the Local Trust Committee can review and prioritize enforcement and enforcement resources.

#### Goal 7: Provide Education and Engagement on Building Costs/Options/Environmental Alternatives

Education and engagement actions are outside the scope of land use project work. However, they have been included in Denman Island’s Housing Action Plan as they could be addressed at the LTC level as a minor project, or at the Trust Wide level and/or in cooperation with the CVRD. Related advocacy policies can be added to the OCP. Related Objective:

**Educational Resources Related to Housing Costs and Alternatives Available to Community:** The kind of information identified by the HAPC to be useful to the community include: information on building costs, water capture, and alternative building options.

#### Goal 8: Advocate for Support for Infrastructure Needs

This goal recognizes that the housing needs on Denman Island cannot be fully supported through land use changes only. Affordability of housing is tied to the cost of water access (wells and rainwater catchment) and sewage disposal (septic system) in addition to the costs to build. The OCP can include advocacy policies to support the following objectives:

**Secure Financial and Policy Support for Water Access and Septic System Development** – This includes financial support for cistern purchase and septic installation or expansion of regional water and sewage services as well as policy support for alternative systems such as greywater recycling and small water system sharing.

**Secure Financial Support to Build Housing:** Advocacy related to this can be directed to the Islands Trust to take on a broader advocacy role. Advocacy can also be directed to the agencies that have sources of funding that could be directed toward the supporting housing for Denman Island.

## Attachment 4: Draft Denman Island Housing Action Implementation Plan

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

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

I – Information

M – Minor Project

P – Phase 2

IT – Islands Trust Responsibility

BL – Bylaw Enforcement

ED – Education

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

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