



Denman Island Local Trust Committee

Special Meeting Agenda

Date: April 17, 2026
Time: 10:00 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 10:00 AM - 10:05 AM
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”
2. **TERRITORIAL ACKNOWLEDGEMENT**
3. **APPROVAL OF AGENDA**
4. **BUSINESS ITEMS** 10:05 AM - 1:00 PM
 - 4.1 **Major Project: Denman Housing (Official Community and Land Use Bylaw) Review** 2 - 106
Project - Draft Official Community Plan and Land Use Bylaw for Review - Staff Report
5. **ADJOURNMENT** 1:00 PM - 1:00 PM



DATE OF MEETING: April 17, 2026

TO: Denman Island Local Trust Committee

FROM: Narissa Chadwick, Senior Planner
Local Planning Services

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

SUBJECT: Draft OCP Bylaw and Land Use Bylaw for Review

RECOMMENDATION

1. That the Denman Island Local Trust Committee endorse the revised project charter.
2. That the Denman Island Local Trust Committee request staff to present draft bylaws for First Reading based on decisions made at the April 17th, 2026 Denman LTC meeting.

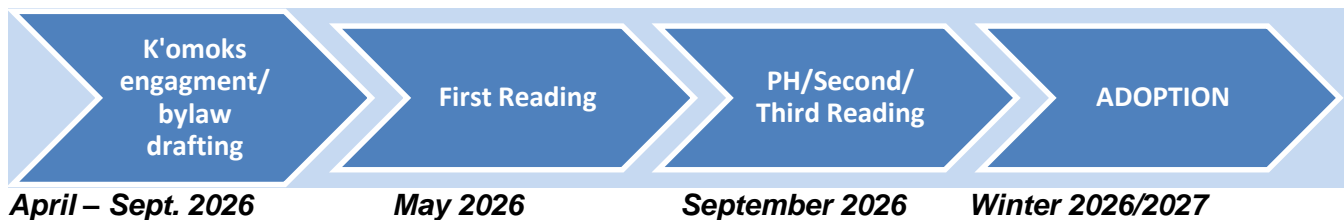
REPORT SUMMARY

The purpose of this report is to provide the Denman Local Trust Committee with a revised project charter and draft bylaw language for the Official Community Plan and Land Use Bylaw, supporting the decision made regarding the Denman Island Housing Review Project at the January 20th Denman Local Trust Committee meeting.

BACKGROUND

At the January 20, 2026 Denman Island Local Trust Committee meeting, the LTC reviewed policy options presented by staff in the “Denman Island Housing Options Discussion Report”. As requested by the LTC, staff have drafted bylaw amendments based on the LTC’s discussion. These draft amendment are provided in Attachment 3 (OCP) and Attachment 4 (LUB). A revised project charter, reflecting the updated project timeline below, is included in Attachment 1.

Project Timeline:



DISCUSSION

The Tracking Table in Attachment 2 provides a list of bylaw amendments corresponding to the relevant Goals in the Denman Housing Action Plan and each action that has evolved over the course of this project. Each of the actions are reflected in track changes in the OCP (Attachment 3) and LUB (Attachment 4), as discussed at the January 20, 2026 LTC meeting.

Note: The OCP document includes the relevant sections of the existing OCP where draft amendments have been made. The LUB document is presented in full as substantial work was done to update the format.

In addition to the actions under each goal, a category for “additional amendments/housekeeping” has been included. This section addresses items identified by staff for updating. Outstanding questions for the LTC are highlighted in comments throughout each document.

The following provides brief context related to the actions addressed by the bylaws.

Update of OCP Community Context in order to:

- Include maps of the planning area;
- Reduce the existing community context and settler history (existing can be formatted and provided on the OCP webpage);
- Include a section on Indigenous history and context (still needs to be reviewed by K’omoks FN);
- Update population and demographics; and
- Include reference to the housing needs assessment as required by the Province.

Preamble in the OCP was updated in order to:

- Provide planning context consistent with new OCPs across the Islands Trust Area; and
- Include reference to the 2026 update related to the Housing Review Project.

OCP housing objectives updated

- To reflect goals in the Housing Action Plan and the corresponding draft amendments.

Density Bank Eliminated – The previous density bank has been removed and replaced by policies that reduce the density currently permitted by:

- Requiring subdivision to occur through rezoning; and
- Reducing the number of principal units on larger lots in R1 and R2 zones.

As a result, the base density projection, even after allowing additional permissions for secondary dwelling units, is close to 100 units lower than under the previous regulations. This reduction represents development potential that could still be realized through future rezonings, effectively recovering some of the growth capacity that existed prior to the bylaw amendments.

Note: The LTC have clarified that secondary suites are not considered a unit of density and therefore, have not been included in this calculation. The change in density calculations are contained in Attachment 3.

Subdivision only through rezoning where there is a community benefit

Policies currently out for legal review designed to:

- Permit subdivision for fee simple privately owned lots only through rezoning; and
- Permit subdivision only when there is a community benefit (e.g. environmental/heritage conservation, community service, affordable housing, transfer of land to First Nation).

Facilitate easier subdivision of land for community benefit

- Permit reduction of min. parcel size to facilitate land for donation to non-profit organization, First Nations or government.

Updates to secondary unit permissions

OCP and LUB changes to:

- Remove requirement for TUP for Detached Secondary Dwelling Units (DSDU);
- Permitting secondary suite and DSDU in R2 under 4 hectares and Forestry zoned lots;
- Clarifying 1 secondary suite per principal dwelling unit in R2; and
- Revised outdated site-specific zones.

Zoning Changes

- Change of RE to R2 to address antiquated zoning;
- Site specific zoning for new R2 (former RE) on 2 lots near the foreshore to prevent number of dwellings to exceed what is currently permitted in these sensitive areas;
- Permitting accessory dwelling units in Institutional zone; and
- Permitting Alternative dwelling units including RVs as permanent dwellings.

Increased Rezoning Flexibility

- Permitting “tiny home villages” – rezoning requirements identified;
- Changing “seniors” to “multi-unit” housing – specific type of housing can be defined in the housing agreement; and
- Permitting housing with shared facilities.

Floor area and lot coverage limits

- Combined floor area limits for principal dwelling and secondary dwelling units;
- Maximum size for secondary dwelling units where there is existing principal unit exceeding maximum dwelling size; and
- Reduced lot coverage limits.

Expanded OCP home occupation

- To support home based assisted living.

Provided clarification regarding Bed and Breakfast accommodation

- Limited to rooms in permanent dwelling; and
- Food preparation equipment permitted.

Exclusion from ALR for affordable housing

- Permits LTC to apply to Agricultural Land Commission for exclusion from ALR for affordable housing. Decision still dependent on ALC.

LUB format was updated

- To remove tables and be consistent with other LTC LUBs; and
- To increase the efficiency for current and future updates.

LUB definitions updated

- To include new definitions referred to in the bylaw amendments and update existing.

Prohibiting groundwater fed swimming pool

- Policy and regulations included despite being difficult to enforce.

Additional Amendments/Housekeeping:

- Reference to “the Province” to replace Ministry names as some Ministry names change frequently;
- Revised setbacks from the boundary of the sea;
- Redesignation of works yard from Institutional to Residential to reflect long-term intended use for housing;
- Intensive agriculture removed from R2 zone;
- Farm plan map amendment;
- Climate change target updated to reflect more realistic target;
- Definition of feedlot added;
- Clarification related to setbacks and septic tanks;
- Updated definition of “qualified professional”;

Note: additional work will be done regarding numbering in the LUB prior to first reading.

RATIONALE FOR RECOMMENDATION

- The revised project charter more accurately reflects the project process than the previous.
- It is important to move to First Reading as the next step in order to have the bylaws move to Third Reading before the end of the LTC term.

ALTERNATIVES

1. The LTC can request that staff make specific changes to the bylaw language before bringing them back for First Reading. In this case the LTC will need to be specific about the changes to be made.
2. The LTC could request staff bring back another draft of the bylaw language before moving to First Reading.
3. The LTC could request specific public engagement before moving to First Reading. Please note that additional engagement will be subject to timing, staff capacity, and costs that can be accommodated within the workplan.

NEXT STEPS

- Engaging K’omoks First Nation in review of draft bylaw language
- First reading for amending bylaws, incorporating new subdivision approach
- After first reading, referrals to agencies
- After 90-day referral period is complete, CIM and Public Hearing
- Second and Third reading (September special meeting TBD)
- Refer to province for approval
- Bylaw adoption

Submitted By:	Narissa Chadwick, RPP MCIP, Island Planner	April 1, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	April 8, 2026

ATTACHMENTS

1. Revised Project Charter
2. Bylaw Amendment Tracking Table
3. Density Comparison Tables
4. Draft OCP bylaw (Redline)
5. Draft LUB bylaw (Redline)

Denman Island Housing Review Project (Stage 2 Phase 2) v3 - OPTION 2

Denman Island Local Trust Committee (LTC)

Date: April 17, 2026 (update)

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

Background: Denman Island is experiencing a crisis of housing affordability and availability. The Denman Island LTC initiated a budget request to Trust Council for 2025/26 funding and allocation of staff time to continue the Denman Islands Housing Review Project. A budget of \$12,000 and Regional Planning Team time was allocated to this project for fiscal 2025/26.

Objectives

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

In Scope

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

Out of Scope

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

Workplan Overview

Deliverable/Milestone	Date
First Nations Engagement	Jan 2024 – March 2026
Summer engagement - review of all policy options	July – Sept 2025
K’omoks review of policy direction/draft language	April - June 2026
Milestone: Review of Draft Bylaws	April 2026
Milestone: First Reading of Draft Bylaw	May 12, 2026
CIM/ Referrals	June - August 2026
Public Hearing	September 2026
Milestone: Second/Third Reading	September 2026
Executive Committee Referral	Fall 2026
Ministry Referral (6 -12 months)	Fall 2026
Adoption (depends on Ministry approval timing)	2027 (TBD)

Project Team

Regional Planning Manager	Renée Jamurat
Regional Planning Team Member	Narissa Chadwick
Planning Team Assistant	Shalini Nakai
Denman Island Planner	Marlis McCargar
GIS Tech	TBD

Budget

Budget Sources:		
2025/26	Consultation	\$5,000
2025/26	Legal Review	\$2,000
2025/26	Communications	\$3,000
	Total	\$12,000

ATTACHMENT 2

Denman Housing Bylaw Amendment Tracking Table – April 17, 2026

ACTION	Status x-ref to bylaw
GOAL 1: Incorporate FN Interests in Land Use Decision Making – RECONCILIATION	
Update FN background	OCP 1.2.1.Indigenous History and Context
Update to “Archeological, Historic and Natural Sites” OCP section	OCP D.7 – changes made to acknowledge indigenous cultural heritage
GOAL 2: Update Information to Inform Housing Projects (Basic Bylaw Updates)	
Update population projections based on needs assessment	OCP1.2.3 Housing and Service Needs - Removal of Policy 20 (Use and Density)
New definitions added	LUB – Definitions added and removed.
Reformat Land Use Bylaw Regulations	LUB - Completed
Amendment to Housing Objectives	OCP – E.1 Housing
Goal 3: Diversify Housing Options – LAND USE	
Density and Use Permissions	
Remove TUP requirement for ADUs (Detached Secondary Dwelling Unit (DSDU))	OCP – Use and Density – Policy 11 LUB – removed in zoning regs and General Regs.
Updated DSDU permissions	OCP – Use and Density – Housing Policy 11 - DSUs permitted in R2 on lots < 4h – Housing Policy 12 & 14 and in zoning LUB - DSDUs and secondary suite permitted in F, A and lots < 4h in R2 LUB – revised site-specific exemptions LUB - max combined floor area, floor area added in zones under “siting and size”
Expand secondary suite permissions	OCP – one secondary suite per unit in R2 permitted - LUB general regs
Eliminate or update Density Bank	OCP – removed from Appendix D - Removed from table of contents - Removed from schedule list - Policy 19 (Use and Density) removed
Subdivision only through rezoning where there is a community benefit	OCP – D.5 Subdivision of Land and subdivision section in Housing Policies (policies under legal review) LUB – general regs – under legal review.
Permit reduction of min parcel size to facilitate land for donation to NGO/Govt	OCP – D.5 Subdivision of Land and subdivision section of Housing Policies (policies under legal review)
Change RE to R2	OCP – Use and Density – Policy 14 – 16 deleted LUB – RE removed, former RE lots incorporated into R2. 2 site specific lots created to limit density in new R2 on shoreline
Permit dwelling units in Institutional Designation	LUB – added residential as a permitted accessory use to IN zone
Permit Alternative Types of units for dwelling (RVs, Yurts etc.)	LUB – General Regulation – 2.9 Use of Alternative Dwelling Units
Limiting Vacation Rental Permission to BnB	OCP- Home Occupation – Policy 11 LUB -General regulation – Home-based guest accommodation
OCP Policies to support home based assisted living	OCP – Policy 12 LUB – consider adding definition, added under Home Occupations

ACTION	Status x-ref to bylaw
Policy to allow exclusion from the Agricultural land reserve for affordable and special needs housing	OCP – E.4 Policy 6 &7
Allowing housing with shared facilities	OCP - E.1 Housing - Policy 29 LUB – relaxed definition of “dwelling unit” to permit use of shared facilities
Reducing outright subdivision permission and requiring a community benefit (amenity)	OCP – D.5 =draft bylaws being reviewed by legal counsel. LUB – subdivision regs in General Regs being reviewed by legal.
Reducing permitted number of dwelling on larger lots in Residential and Rural designation. Permitting one secondary suite per principle dwelling. One secondary suite or DSDU on lots <4h	OCP – Housing Policy 10 – 12 LUB – see zoning regs for R1 and R2.
Increase Rezoning Flexibility	
OCP policies to support “tiny home villages” for mobile and non mobile smaller homes	OCP – Policy 30
Increase rezoning flexibility	OCP - Housing Policy 9 - multi unit (detached and attached)
Changing “seniors” to “multi-unit” housing	OCP – Policy 28
Goal 4: Minimize Environmental Impact on Land	
Require freshwater cisterns for all new builds	OCP – Policy 8 & 9 Local Trust Committee agrees with 18000 litres (5000 gallons) water storage requirement for new builds.
Prohibit Groundwater fed swimming pools	OCP – C.2 Freshwater, Policy 10 LUB – Regulation 2.2 (c)
Reduce lot coverage	LUB – added in zones under “siting and size”
Floor area maximum	LUB – added in zones under “siting and size”
Additional Amendments/Housekeeping	
Update to history portion of OCP	Reduced to focused info with opportunity for longer written background to be formatted and provided on the OCP page.
All references to provincial ministries changed to “the province”	OCP - Changes throughout
Setback from shoreline	General Regs.
Redesignate remainder works yard parcel in the OCP from Institutional to Residential to reflect its long-term intended use for affordable housing	Map amendment
Farm plan map amendment	Map amendment
Climate change targets changed to something more realistic.	OCP – C.4 Climate Change Adaptation and Mitigation
Feedlot definition	Added feedlot definition and amended intensive agriculture definition
Septic tanks setback	no change just clarified that setback applies to disposal fields and septage pits not tanks.
change the “qualified professional” definition to reflect the type of specialist required rather than a sewage disposal specialist.	Definition deleted and zoning regulations specifically reference type of QP needed.

ATTACHMENT 3 – Base Density Comparison between current and proposed (note that #s may not be 100% accurate, margin of error is

low)Current Table (shading indicates changes to density potential calculation based on removal of secondary suites as a unit of density)

Zone (Includes variance)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Principal Dwellings	Total Potential Secondary Suites	Total Potential Detached Secondary Dwelling Units	Total Potential Dwellings without TUP
A	127	16	144	26	170	183	168	168	351
C	10	0	10	0	10	10	0	0	10
F	7	4	11	0	11	11	11	11 (w/ TUP)	11
L	1	0	1	0	1	1	0	0	1
R1	403	28	431	64	495	498	2	1	499
R2	233	25	257	61	318	323	318	318 (w/ TUP)	323
R3	1	0	1	0	1	15	0	0	15
R4	1	1	0	0	1	28	0	0	28
RE	6	0	6	0	6	6	6	6 (w/ TUP)	6
TOTAL	789	74	861	151	1013	1075	505	504	1244

Table with proposed changes (shading identifies impacts based on proposed options and removal of secondary suites as a unit of density)

Zone (Includes variance)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Principal Dwellings	Total Potential Secondary Suites	Total Potential Detached Secondary Dwelling Units *	Total Potential Dwellings
A	127	16	144	0	144	144	168	144	288
C	10	0	10	0	10	10	0	0	10
F	7	4	11	0	11	11	11	11	22
L	1	0	1	0	1	1	0	0	1
R1	403	28	431	0	431	471	15	0	471
R2	233	25	257	0	263	308	308	(160)	308
R3	1	0	1	0	1	15	0	0	15
R4	1	1	0	0	0	28	0	0	28
RE (removed - added to R2)	6	0	6	0	6	6	6	6 (w/ TUP)	12
TOTAL	789	74	855	0	855	1027	502		1,143

*Numbers in brackets indicates option of detached secondary unit is some areas or secondary suite on lots in R2 over 2 hectares.



Denman Island Official Community Plan Bylaw No. 185, 2008

As amended by the
Denman Island Local Trust Committee

Consolidated Version: March 6, 2023

This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

For reference to original bylaw and amendments,
please contact:
Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

Preserving Island communities, culture and environment

TABLE OF CONTENTS

SCHEDULE A - POLICIES	1
Part A - DENMAN ISLAND: PAST, PRESENT and FUTURE	2
PART B - PREAMBLE	11
B.1 - INTRODUCTION.....	12
B.2 - GUIDING PRINCIPLES	15
B.3 - GUIDING OBJECTIVES	16
PART C - THE NATURAL ENVIRONMENT	18
C.1 - LANDS AND FOREST	19
C.2 - FRESHWATER	22
C.3 - THE MARINE ENVIRONMENT.....	25
C.4 - CLIMATE CHANGE ADAPTATION AND MITIGATION.....	30
PART D - THE SOCIAL FABRIC	33
D.1 - SERVICES, EDUCATION AND CULTURE	34
D.2 - TRANSPORTATION AND UTILITIES	36
D.3 - WATER MANAGEMENT.....	42
D.4 - WASTE MANAGEMENT	44
D.5 - THE VILLAGE	45
D.6 - ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES.....	48
D.7 - VIEWSCAPES	49
PART E - FAMILIES AND INDIVIDUALS	50
E.1 - HOUSING.....	51
E.2 - ECONOMIC ACTIVITIES.....	57
E.3 - CONSERVATION/RECREATION	61
E.4 - RESOURCES.....	64
E.5 - CROWN LANDS (UPLAND)	66
SCHEDULE B - PERMITS AND PLAN ADMINISTRATION	68
PART F - DEVELOPMENT PERMIT AREAS	69
DEVELOPMENT PERMIT DESIGNATIONS AND DEVELOPMENT APPROVAL INFORMATION.....	69
DEVELOPMENT PERMIT AREA NO. 1: KOMAS BLUFF	70
DEVELOPMENT PERMIT AREA NO. 2: STEEP SLOPES	71
DEVELOPMENT PERMIT AREA NO. 3: LACON ROAD COAST.....	72
DEVELOPMENT PERMIT AREA NO. 4: STREAMS, LAKES AND WETLANDS.....	73
DEVELOPMENT PERMIT AREA NO. 5: COMMERCIAL.....	76
DEVELOPMENT PERMIT AREA NO. 6: COMMUNITY BOAT LAUNCH	77
DEVELOPMENT PERMIT AREA NO. 7: LIGHT INDUSTRIAL.....	78
PART G - PRINCIPLES OF SUSTAINABLE FOREST USE.....	79
PART H - OTHER PERMITS	83
H.1 - SITING AND USE PERMITS.....	83
H.2 - TEMPORARY USE PERMITS.....	84
PART I - PLAN ADMINISTRATION	85
I.1 - ADMINISTRATION.....	85
I.2 - ENFORCEMENT.....	89
APPENDICES.....	90
APPENDIX A WETLANDS REPORT	91
APPENDIX B VASCULAR PLANT AND VERTEBRATE ANIMAL SPECIES LISTS	92
APPENDIX C DENSITY TRANSFER	93
APPENDIX D DENSITY BANKING.....	95



Islands Trust

SCHEDULE A - POLICIES

CONTENTS

Part A	Community Context
Part B	Planning Context
Part C	The Natural Environment
Part D	The Social Fabric
Part E	Families and Individuals

1.2 Community Context

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

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

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

Governance on Denman Island involves multiple jurisdictions, including the Islands Trust, the Comox Valley Regional District, the Province of British Columbia, Island Health, and School District 71, each with responsibilities that influence land use planning, infrastructure provision, environmental protection, and community well-being.

Add maps here : Denman Island and Denman as it relates to Vancouver Islands and Islands Trust area

Natural History

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

The island's striking shoreline exposures reveal layers of mudstone, sandstone, and conglomerate deposited in deep marine environments by underwater sediment flows and turbidity currents. Fossils preserved within these rocks demonstrate that the basin was once connected to the global ocean and supported a rich marine ecosystem. Ammonites, clams, snails, crabs, corals, and heart urchins lived along the seafloor, while sharks and large marine reptiles hunted in the waters above. Fossilized driftwood and redwood foliage indicate that forested land was nearby. Around 60 million years ago, tectonic uplift associated with the subduction of the Pacific ocean floor beneath North America raised the rocks that now form Denman and Hornby islands. Since then, erosion by rivers, waves, and glaciers has gradually shaped the islands into their present form.

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

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

1.2.1 Indigenous History and Context

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

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

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

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

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

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

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

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

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

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

- Ancestors must be cared for, including maintaining the integrity of burial places and respecting the remains and material evidence of past actions.
- Ancestors care for the living, including safeguarding the well-being of individuals and strengthening

Denman Island Official Community Plan, 2008

knowledge of how ancestors sustained and stewarded the lands and waters within the territory.

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

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

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

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

1.2.2 Settler History

The islands now known as Denman and Hornby were first recorded by Europeans in 1791 when Spanish sailors sighted them and named them the *Islas de Lerena* in honour of Spain's Minister of the Treasury. A year later, George Vancouver, sailing for Great Britain, did not sight the islands, and the Spanish name persisted for nearly seventy years. In 1860, British Naval surveyor George Richards mapped the islands' shorelines and renamed them Denman and Hornby after British officers. The first European to set foot on Denman Island was likely Joseph William McKay in 1852, who briefly visited the site of the village he called *Siklaults* while prospecting for coal. Although Indigenous title to the land was not extinguished, European settlement in the Comox Valley began a decade later and extended to Denman Island twelve years after McKay's visit.

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

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

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

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

1.2.2 Population and Demographics

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

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

1.2.3 Housing and Services Needs

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

Denman Island in 2026 had approximately 74 vacant residentially zoned lots, however this does not suggest that true housing needs will be adequately addressed if these are built out. A limited rental supply, rising property costs, and a growing proportion of residents on fixed or lower incomes has contributed to housing insecurity. The portion of households that experience core housing need ¹ (105 as indicated in 2021 Census), and projected population growth, combined with demographic aging, points to increasing demand for more diverse, accessible, and affordable housing options.

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

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

Vision Statement

Denman Island is a small rural

island where individuals, the environment, and the community interact in ways that foster mutual health and vitality. We support the mandate of the Islands Trust.

We accept the challenge of adapting to climate change and will alter our lifestyles to live more lightly on the land and to substantially reduce our greenhouse gas emissions.

We respect and conserve the natural environment. We will protect the ecosystems and their rich biodiversity, including that of the coastal waters.

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

We have a long history of farming. We will grow most of our food and encourage small-scale, rural-compatible activities which contribute towards local employment.

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

Polluting vehicles dominate our thoroughfares. Our roads will increasingly be utilized by pedestrians, bicycles, horses and shared, alternately-powered vehicles moving at an appropriate speed. We will create an extensive network of trails for non-motorized use.

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

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PART B - PREAMBLE

- B.1 Introduction
- B.2 Guiding Principles
- B.3 Guiding Objectives



Photo by Andrew Fyson

B.1 - INTRODUCTION

1.1.1 Purpose of this Plan

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

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

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

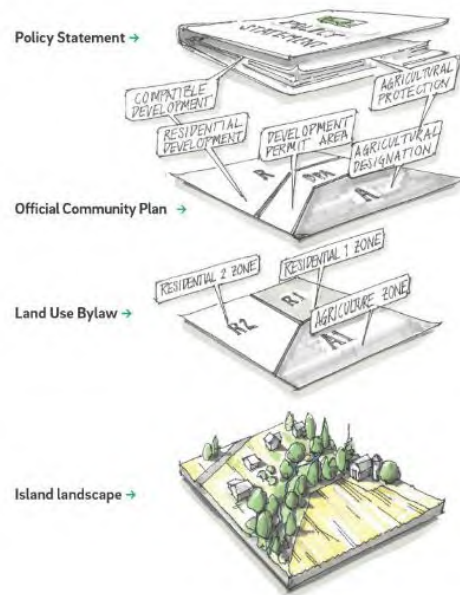
1.1.2 Local Government Act Required Content

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

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

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

- Land Use: Statements and map designations identifying the approximate location, amount, type, and density of residential development to meet anticipated housing needs over at least a 20-year period, and the approximate location, amount, and type of present and proposed commercial, industrial, institutional, agricultural, recreational, and public utility land uses.
- Natural Resources, Environment, and Hazard Lands: Identification of the approximate location and area of sand and gravel deposits suitable for future extraction where such deposits exist, and policies and restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.
- Infrastructure and Public Facilities: Identification of the approximate location of present and proposed public facilities, including schools, parks, and disposal sites.
- Housing: Policies respecting affordable housing, rental housing, and special needs housing, consideration of the most recent Housing Needs Report when developing or amending the OCP.
- Climate Change: Targets for the reduction of greenhouse gas emissions within the plan area, and policies and actions proposed to achieve those targets.



- Provincial Policy Context: Consideration of applicable provincial policy guidelines in the development and amendment of the Official Community Plan.

1.1.2 The Islands Trust

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

1.1.3 Islands Trust Priorities

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

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

Climate Change - In 2019 the Islands Trust declared a climate change emergency. Denman Island residents are experiencing the impacts of climate change with increased drought periods and shifts in biodiversity such as the increasing loss of Western Red Cedar trees. Average global temperatures are now more than 1.4 °C warmer than pre-industrial levels, with the past decade being the warmest on record and recent years among the hottest ever documented; this warming is linked to rising sea levels, more intense weather events, and shifting environmental conditions. The Local Government Act requires all OCPs to contain GHG reduction targets, policies and actions. In this Plan these are provided with each set of goals and objectives.

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

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

1.1.4 Island's Trust Policy Statement

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

The Structure of this Plan

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

- Conservation/Recreation;
- Crown Lands;
- Institutional;
- Residential;
- Rural;
- Sustainable Resource;
- Village; and
- Water.

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

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

How Was This Plan Created?

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

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

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

PART C - THE NATURAL ENVIRONMENT

- C.1 Lands and Forest
- C.2 Freshwater
- C.3 Marine
- C.4 Climate Change



Photo by Andrew Fyson

Guiding Objective for the Natural Environment

To identify, preserve and protect the integrity of the natural ecosystems on Denman Island and the adjacent islets including the foreshore and intertidal areas. This objective should be understood to be the highest priority in land use planning

INFORMATION NOTE: A description and classification of Denman Island wetlands was undertaken in 2000 as part of the Official Community Plan review process. The results of this study are available for information in the report referred to in Appendix A. In addition, a list of vertebrate animals and vascular plants was compiled during 2000 using the results of several studies. This list is available for information in the report referred to in Appendix B.

C.1 - LANDS AND FOREST

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

Commented [NC1]: Input from Island Trust biologist

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

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

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

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

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

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

Lands and Forest - Advocacy Policies

C.2 - FRESHWATER

Freshwater - Policies

- Policy 1 The protection and retention of riparian and aquatic habitat is encouraged.
- Policy 2 Adequate setbacks should be maintained to discourage development encroachment on riparian habitat and reduce pollution of this habitat.
- Policy 3 The protection of land along the margins of lakes, streams and wetlands is encouraged at the time of subdivision through the use of covenants or other protective mechanisms.
- Policy 4 Residents and visitors to Denman Island should be encouraged to respect the nesting season of water birds and to refrain from activities that might interfere with bird nesting and the rearing of fledglings.
- Policy 5 Fresh water extraction is supported only if there is no detrimental effect on the riparian habitat and a valid water license has been granted by the ~~Ministry of Environment~~ Provincial Government .
- Policy 6 The launching and/or use of powerboats on any fresh water body should be prohibited.
- Policy 7 Landowners are encouraged to landscape their property in a way that promotes ponding of excess water, thus reducing run-off and curtailing the amount of water and sediment entering any watercourse.
- Policy 8 Landowners are encouraged to not use chemical herbicides or other pesticides.
- Policy 9 Zoning regulations should ~~encourage~~ require rainwater collection-freshwater cisterns to reduce consumption of groundwater resources; however, adequate controls should be in place to ensure above ground storage tanks are not unsightly.
- Policy 10 Groundwater-fed swimming pools should be discouraged to protect the groundwater resources. Zoning regulations should prohibit the construction or use of swimming pools supplied from groundwater.

INFORMATION NOTE: Most streams, lakes and wetlands on Denman Island are designated as development permit areas for the protection of the natural environment, ecosystems and biodiversity (see Schedule E).

Freshwater - Advocacy Policies

- Advocacy Policy 1 The ~~Water Management Branch of the Ministry of Environment~~ Province is encouraged to monitor and regulate consumptive water use from surface water bodies on Denman Island.

- Advocacy Policy 2 The ~~Ministry of Environment~~ **Provincial Government** and conservation organisations are encouraged to acquire marshlands and lakes for conservation purposes.
- Advocacy Policy 3 The ~~Ministry of Environment and Fisheries and Oceans Canada~~ are **Federal Government** is encouraged to monitor the populations of fish, wildlife and plants in lakes, streams, and wetlands, particularly waterfowl, including trumpeter swans and salmonid fishes.

C.3 THE MARINE ENVIRONMENT

Changes limited to Ministry names changed to "Provincial Government"

The Marine Environment- Advocacy Policies

C.4 – CLIMATE CHANGE ADAPTATION AND MITIGATION

Only the context and suggested change is included.

Guiding Objective

To reduce greenhouse gas emissions by ~~33% by 2020 and 82.5%~~ by 2050 from 2007 levels, and to consider the impacts of climate change in all land use decisions as one means to reach these targets as well as to adapt to climate change impacts.

Commented [NC2]: Changed to something more realistic (was 85%)

PART D - THE SOCIAL FABRIC

- D.1 Services, Education and Culture
- D.2 Transportation and Utilities
- D.3 Water Management
- D.4 Waste Management
- D.5 Subdivision of Land
- D.6 The Village
- D.7 Archaeological, Historic and Natural Heritage Sites
- D.8 Aesthetics



Photo by Andrew Fyson

Guiding Objective for the Social Fabric

To identify and protect the elements integral to the social fabric of Denman Island; to foster the continuing development of a safe, self-sufficient, vibrant, diverse and harmonious human community; and to maintain the rural character of the Island

D.1 - SERVICES, EDUCATION AND CULTURE

No changes

D.2 - TRANSPORTATION AND UTILITIES

Changes limited to Ministry names changed to "Provincial Government"

D.3 WATER MANAGEMENT

Fresh water on Denman Island is limited, due to the small lakes and limited storage capacity, and is only capable of supporting a sparse population. As surface and ground water is really one interconnected, island-wide system, rather than many isolated bodies of water beneath individual private properties, we are all drawing from the same source. Pumping water from a well, lake or stream will have a negative impact on adjacent areas. If surface water sources, such as Graham Lake or Morrison Marsh, are used for human consumption, the ground water resource in the area surrounding the lake or marsh will be depleted as those bodies of water are merely surface expressions of the ground water system. Available fresh water can be augmented with artificial storage facilities such as cisterns and ponds. Ponds can be particularly useful for agricultural purposes when demand for water is high during dry summer months.

There are no regulations that require the filing of data for each water well, although some data have been filed on a voluntary basis. Nor are there regulations to limit the construction of large capacity wells that would possibly interfere with surrounding wells or cause excessive withdrawal of ground water. Excessive withdrawal of ground water near the ocean could result in salt water intrusion.

Only one surface water Waterworks License is held on Denman Island, namely the Graham Lake Improvement District, which permits removal of 12 million gallons of water from Graham Lake annually. Four water improvement districts, the Kir-nel, Parnell, Fre-Development and Schmidt improvement districts, supply nearby residential properties with ground water. The Village area, which includes the school, a park, and a number of dwellings and businesses, is serviced by water wells.

Guiding Objective

To protect and conserve water resources on the Island

Water Management - Objectives

- | | |
|-------------|---|
| Objective 1 | To recognize the importance of fresh water sources including ground water, Chickadee Lake, Graham Lake and the major watercourses and to protect and conserve these resources |
| Objective 2 | To recognize that the supply of potable water is seasonally limited in most areas and to ensure that human activity does not degrade the quality of the ground water resource |
| Objective 3 | To ensure water is available for fire-fighting and agricultural purposes |
| Objective 4 | To increase the use of rain water as an additional water source |

Water Management - Policies

- | | |
|----------|---|
| Policy 1 | Zoning regulations should specify minimum requirements for water supply for new lots created by subdivision. |
| Policy 2 | The Local Trust Committee should establish a water subcommittee of the Advisory Planning Commission to explore issues relating to the protection and supply of fresh water. |

Denman Island Official Community Plan, 2008

- Policy 3 Landowners are encouraged to create cisterns and ponds for the storage of rain water.
- Policy 4 The Local Trust Committee should support any individual or group implementing an education program directed toward the conservation of Island water supplies.
- Policy 5 The Local Trust Committee should oppose any plan to pipe water from or to Denman Island.
- Policy 6 When considering a zoning amendment application in an area of scarce ground water supply, the Local Trust Committee should consider requiring mitigating measures to conserve water and protect the ground water resource.
- Policy 7 The Local Trust Committee should secure funding and undertake a ground water study to be included as an amendment to this Plan.
- Policy 8 Land use regulations must require all new residential, commercial, and institutional development incorporates cisterns for freshwater storage, sized to support water needs during prolonged drought conditions.
- Policy 9 Freshwater cisterns must not be included in the calculation of lot coverage.

Water Management - Advocacy Policies

D.4 - WASTE MANAGEMENT

No substantive changes. Ministry names changed to "Provincial Government".

D.5 SUBDIVISION of LAND

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

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

- POLICY 1** Adopt or amend Land Use Bylaw regulations to restrict or where possible prohibit subdivisions except in accordance with the policies in this Plan.
- POLICY 2 Subdivision regulations may support lot consolidation or boundary adjustments with no increase in number of lots.
- POLICY 3 Subdivision may be supported where it is limited to the following purposes, subject to compliance with the Land Use Bylaw:
- a) Boundary adjustment;
 - b) Lot consolidation;
 - c) Parkland, conservation, or community use dedication;
 - d) Heritage conservation purposes, including Indigenous cultural or historical heritage protection;
 - e) Utility, infrastructure, or service parcels; and/or
 - f) Affordable or non-market housing parcels.
- POLICY 4 Additional residential subdivision for private ownership will be evaluated based on consistency with the objectives of this Plan and the Land Use Bylaw, including consideration of environmental capacity and community benefit. Such benefits may include, where appropriate and feasible:
- the provision of land for preservation of natural environments and ecologically sensitive areas;
 - the provision of land to preserve groundwater regions;
 - the provision of land to protect archeological sites and other cultural heritage interests;
 - the transfer of land to a First Nation or Indigenous governing body, where feasible and mutually agreed, for housing, cultural, conservation, or community purposes;
 - the provision of land for community park or public open space;
 - the provision of land for community sewage treatment facilities or community water systems;
 - the provision of community wells for domestic water supply;
 - the provision of fire protection infrastructure, including storage reservoirs;
 - the provision of easements or rights of way for utilities or publicly accessible

Denman Island Official Community Plan, 2008

- trails;
 - the provision of community facility;
 - the provision of land for community facility or use;
 - the provision of community facility or service in a commercial building;
 - the provision of non market or affordable housing; and/or
 - the provision of any other amenity which is similar in nature to the foregoing and/or is consistent with the objectives and policies of the OCP.
- POLICY 5 Land Use Bylaw regulations should establish minimum parcel sizes and subdivision standards that implement this Plan, including:
- a general minimum parcel size;
 - exemptions for parcels created for public benefit purposes identified in Policy 4; and
 - reduced minimum parcel sizes only where justified by affordable housing, conservation, or community benefit objectives secured through legal agreements.
- POLICY 6 The Land Use Bylaw should establish a minimum parcel size framework that:
- generally discourages residential subdivision below X hectares; and
 - permits smaller parcel sizes only where explicitly provided for through zoning provisions for affordable housing, conservation, or community benefit uses secured through legal agreements.
- POLICY 7 If a Land Use Bylaw provision allows a smaller parcel area for land for parkland, cultural heritage conservation, ecological conservation, community use or affordable housing, it should also require a covenant, restrictive covenant, housing agreement, or other legal instrument ensuring that upon creation the lot will be used only for the intended purposes.
- POLICY 8 In evaluating a subdivision, whether or not a zoning amendment is required to permit the subdivision, consideration shall be given to the appropriateness of the proposed amenity that would be donated and the implications for the parcel and adjoining parcels of permitting the intended use.
- POLICY 9 Where land is proposed to be rezoned to allow subdivision for additional private lots or where land is being subdivided for community use involving the construction of buildings and/or infrastructure and/or the use of groundwater the applicant must demonstrate land suitability, including but not limited to:
- i. potable water availability;
 - ii. wastewater disposal capability;
 - iii. impacts to sensitive ecosystems;
 - iv. impacts to species at risk;
 - v. impacts to critical habitat;
 - vi. impacts to groundwater recharge;
 - vii. hazard lands and geotechnical suitability
 - viii. visual impacts
 - ix. proposed new property lines, buildings and structures setback a minimum of 200m from the natural boundary of the seas and recorded archeological sites
- POLICY 10 Where subdivision supports additional residential density, trail dedications, parkland, or public open space should be designed to connect to existing networks.
- POLICY 11 In areas where individual septic systems are adversely affecting the environment or the quality of water, subdivision regulations should require a sewer system for new

Commented [MM3]: Placeholder. Waiting on GIS data for minimum parcel size

development.

POLICY 12 All subdivisions for the purposes of supporting housing must ensure that water supply is provided for through designs that are supported by a climate-informed water management plan demonstrating long-term aquifer sustainability under expected changes to climate conditions.

D.6 - THE VILLAGE

Downtown Denman or the "Village area" has been the primary commercial centre since the Island was first settled by non-native people. Sometime in the nineteenth century, the First Nation peoples had a settlement at Denman Point that was called "the village". The use of this term for the commercial centre continues this tradition.

Places of business have come and gone since the turn of the century, as have homes in the area. The Anglican church and the Denman Island General store, both built before 1920, are the oldest and perhaps most appropriate markers for the cultural and commercial centre of the Island. "Downtown Denman" has never truly been a town in the traditional sense, but for decades has fulfilled that role for the Island community.

Development in the Village area is constrained in the same way as in the remainder of the Island, namely that any home or business must provide its own water supply and means of waste disposal. Increasingly strict standards of the Provincial Government Ministry of Health impose an upper limit on the number of businesses or homes that can occupy the current Village area. Thus a "carrying capacity" has been recognized. At some point, increase in business activity must cease, the carrying capacity of the Village area must be increased by the installation of water and waste disposal services, or the Village area must expand to accommodate new enterprises.

Regardless of future limits to development, traffic and safety in the Village area are major concerns. Virtually all vehicle traffic through the Village area is along Northwest Road and Denman Road. A footpath for pedestrian use connects the Community Hall at one end of the Village to the last commercial properties at the other. However, vehicle traffic through an area heavily used by pedestrians creates a hazard. An aim of this Plan is to minimize this problem.

The Village designation, which is shown on Schedule C, includes all existing commercially zoned land on Denman Island, all of which is where Northwest Road meets Denman Road.

Guiding Objective

To retain the Village area as the commercial and cultural heart of the Island, and make this area safe, convenient and friendly by including such amenities as pathways, a village square and open spaces

The Village - Objectives

- | | |
|-------------|--|
| Objective 1 | To encourage small retail businesses and cooperatives |
| Objective 2 | To locate commercial land uses in the area designated Village (Downtown Denman) |
| Objective 3 | To accommodate commercial land uses as necessary to meet the needs of the Island community |
| Objective 4 | To consider the aesthetic character of the Village area in decisions regarding development |

The Village - Policies

GENERAL

Denman Island Official Community Plan, 2008

- Policy 1 The Village area should be recognized as the cultural, institutional and commercial centre of Denman Island.
- Policy 2 The Local Trust Committee should support the establishment of a community water system that would address water supply problems in the Village area, and of a community sewage disposal system that would address sewage disposal problems in the Village area.
- Policy 3 In the Village designation, land owners and commercial operators are encouraged to maintain low-level directed lighting that is in keeping with the rural character of Denman Island and that does not unduly illuminate an adjacent lot.

SUBDIVISION

- Policy 4 In the Village designation, the size of new lots created by subdivision should not be less than 1.0 hectare
- Policy 5 In the Village designation, boundary adjustments and lot consolidations should be permitted by zoning regulations where they address the ground-water availability and sewage disposal capability.

USE AND DENSITY

- Policy 6 In the Village designation, zoning regulations should permit the legally existing uses.
- Policy 7 In the Village designation, zoning regulations should encourage small retail businesses and cooperatives.
- Policy 8 In the Village designation, zoning regulations should be flexible to permit a wide range of mixed commercial uses, providing these uses are sensitive to ground water availability and sewage disposal capability.
- Policy 9 In the Village designation, zoning regulations should permit a single family dwelling as accessory to the commercial use and such a dwelling could be permitted in the same building as the commercial operation.
- Policy 10 In the Village designation, zoning regulations should establish a maximum permitted lot coverage for all buildings and structures.

SITING

- Policy 11 In the Village designation, zoning regulations should:
 - establish setbacks for buildings and structures from lot lines;
 - specify parking lot requirements, including provision of landscaping and screening for various sizes and location of parking;
 - accommodate the construction of a structure providing a directory of local businesses on the Island;
 - provide for screening where a lot line is contiguous with the Rural or Residential designations; and
 - should establish sufficient setbacks to protect the watercourse in the Village area.

INFORMATION NOTE: The *Transportation Act* requires a minimum setback from a highway right-of-way of 4.5 metres. Any reduction in this setback requirement must have the approval of the Provincial Government Ministry of Transportation and Infrastructure.

- Policy 12 In the Village designation, where practical, on-site parking for new developments should be located behind or beside the building and not in the front yard.

Commented [NC4]: To be addressed in subdivision section. Exceptions in lot size for community benefit. Boundary adjustments and lot consolidations will be permitted outright everywhere with lot size minimums for boundary adjustments.

Commented [NC5]: What is the purpose of this policy? Is it to allow non-conforming uses to rezone to the existing use?

ZONING AMENDMENTS

- Policy 13 In the Village designation, zoning amendments should be considered to accommodate commercial uses favoured by the community, as long as these uses are sensitive to the ground water availability and sewage disposal capability of the area.
- Policy 14 In recognition of the limited area for expansion of the Village area, the Local Trust Committee may consider zoning amendments to increase existing commercial density in the Village designation, provided concerns regarding the ground water availability and sewage disposal capability are met.
- Policy 15 The Local Trust Committee should only consider applications to accommodate commercial uses favoured by the community provided:
- that the land subject to the zoning amendment is immediately adjacent to the Village area and thus represents an expansion of the existing Village designation;
 - that the expansion does not create a “ribbon” of development along Denman Road or Northwest Road;
 - that the proposal is a small-scale development primarily to serve Denman Island residents;
 - that the proposal addresses traffic flow and pedestrian safety including the provision of pedestrian greenspace and walkways to connect with adjacent properties;
 - that the proposal has adequate on-site potable water supply and sewage disposal; and
 - that the property is added to the Commercial development permit area.

DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

- Policy 16 Applicants for a zoning amendment in the area designated as Village, or to expand the Village designation in this Plan, may be required to provide development approval information.
- Policy 17 The area designated Village in this Plan is designated to retain the Village area as the commercial heart of the Island, and to make this area safe, convenient and pedestrian friendly. The objectives of the designation of this area as an area within which development approval information may be required include encouraging small retail businesses and cooperatives as well as considering the aesthetic character of the Village area in decisions regarding development. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Village designation or in determining suitable location, uses, density and siting for expanding the Village designation.

The Village - Advocacy Policies

- Advocacy Policy 1 The **Provincial Government** Ministry of Transportation and Infrastructure is encouraged to work with the local community to develop traffic calming measures for the Village area.
- Advocacy Policy 2 The Vancouver Island Health Authority, Comox Valley Regional District and landowners are encouraged:
- to consider alternative methods of waste water treatment that minimize water use; and
 - to consider rainwater collection.

D.7 - ARCHAEOLOGICAL, HISTORIC AND NATURAL SITES

Denman Island is rich with both Indigenous Cultural History and Settler History, both of which need to be protected and preserved. There is archeological evidence, including shell middens and petroglyphs, of expansive Indigenous village sites and Indigenous use of the land dating back hundreds of years. There are a number of sites on Denman Island worthy of protection and preservation because of their spiritual importance to First Nations people, their historical value to more recent settlers or, in the case of the natural features, some important aesthetic quality. Middens, long abandoned First Nation habitations and petroglyphs remind us of a pre-European presence here. There are also surviving traces of early settlement. These include historic buildings, old farms, hedgerows, the cemetery, an abandoned stone quarry and old logging rail beds. Natural features include exposed fossil beds along the intertidal shoreline, natural caves in sandstone cliffs, and, scattered across the Island, some large first growth trees of several species.

Many of these sites and features are located on private property. While respecting the rights of landowners, the community wishes to make known the value placed on these sites and features and to encourage their preservation and protection.

Guiding Objective

To provide for the preservation of ~~aboriginal~~ Indigenous and settler historic living sites, building sites, buildings, features and archaeological sites.

Archaeological, Historic and Natural Heritage Sites - Objectives

Objective 1 To protect sites that contain natural heritage features, archaeological features or historic buildings

Archaeological, Historic and Natural Heritage Sites - Policies

- Policy 1 The Local Trust Committee should encourage the preservation and protection of known heritage features and develop regulations as necessary to protect historic buildings, archaeological features and natural heritage features.
- Policy 2 The Local Trust Committee should consider the negative impacts of a zoning amendment application that would allow inappropriate development close to identified cultural heritage features.
- Policy 3 A Community Heritage Registry should be established, and Island heritage buildings or features that the community identifies as worth conserving should be included.
- Policy 4 The Local Trust Committee should consider variances to setbacks, heights or parking requirements in the zoning regulations to promote the restoration, enhancement or preservation of a heritage building or feature.
- Policy 5 The Local Trust Committee should consult with the First Nations before considering bylaw amendments or the issuance of a permit in areas that may have archaeological and other cultural significance.
- Policy 6 Landowners are encouraged to contact the Provincial Archaeology Branch before beginning construction in areas that may have archaeological significance.
- Policy 7 The Local Trust Committee should protect archeological sites and culturally significant areas through Heritage Conservation Areas, covenants, and other regulatory tools.
- Policy 8 Cultural artifacts and remains found on lot must be reported to the K'omoks First Nation.

PART E - FAMILIES AND INDIVIDUALS

CONTENTS

- E.1 Housing
- E.2 Economic Activities
- E.3 Conservation/Recreation
- E.4 Resources
- E.5 Crown Lands (Upland)



Photo by Dennis Forsyth

Guiding Objective for Families and Individuals

To identify and provide for family and individual needs on Denman Island

E.1 - HOUSING

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cern that growth and development of Denman Island could produce an accompanying sharp rise in land prices and could lead to a decrease in the diversity of the population in coming years. Comments submitted during the development of this Plan expressed a desire for a wide range of housing options to limit this possibility. As a result, this Plan introduces alternatives to the current land use pattern. Nonetheless, single family lots will continue to make up the majority of the land base on Denman Island.

This community acknowledges the need for affordable and special needs housing to maintain a diverse population in the face of rising land prices and to encourage seniors to remain on the Island. ~~Limits on these forms of housing are designed to address the possible negative impact of locally increased density. Initiatives to provide opportunities for affordable housing of various kinds are ongoing.~~

The Residential designation, which is shown on Schedule C, includes the smaller lot subdivisions on the Island in which the existing principal use is single family residential.

The Rural designation, which is shown on Schedule C, includes the predominantly larger lots on the Island in which the existing principal use is single family residential.

The Sustainable Resource designation, which is shown on Schedule C, includes all of the large forested and agriculture lots on the Island, in which the existing principal use is locally operated sustainable resource harvesting.

Guiding Objective

~~To encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community~~

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

Housing - Objectives

- Objective 1 To ensure that housing options support and preserve community diversity, including a range of ages, incomes, and vocations, in support of an inclusive, resilient island community
- Objective 2 To ensure that housing options are sensitive to ground water availability and sewage disposal capability, guard against contamination of ground water and preserve the rural nature of Denman Island.
To ensure that housing options are carefully aligned with groundwater availability and sewage disposal capacity, protect groundwater quality, and maintain the island's rural character and environmental integrity
- Objective 3 To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types.
To respect First Nations interests including limiting the impact of residential development to sites of Indigenous cultural significance.
- Objective 4 To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their homes
To encourage and support the development of not for profit housing and opportunities for seniors to age in place.

Objective 5 To protect and enhance the supply and quality of rental housing.

Housing - Policies

Subdivision

Subdivision is the legal process of dividing a parcel of land into two or more lots. It is one of the most impactful mechanisms for increasing housing density and shaping settlement patterns. On Denman Island, subdivision potential has historically been allocated without fully accounting for environmental limits, groundwater constraints, cultural heritage, or long-term community values. Creating new lots rarely generates affordable or diverse housing. Instead, subdivision typically increases land values, encourages speculation, fragments larger parcels, and can undermine ecological protection and cultural heritage. It may also strain groundwater resources and alter Denman Island’s rural character. For this reason, outright subdivision permission was removed during the 2024-2026 Denman Housing Review Project.

Policy 1 Subdivision is generally prohibited except as expressly permitted in this Plan or through rezoning.

Policy 2 Subdivision may be permitted outright for lot consolidation or boundary adjustments (no increase in number of lots).

The remaining policies for this section are currently out for legal review exploring the LTC’s interest in:

- Removing barriers to subdivision for community benefit (eg. environmental and cultural heritage protection, affordable housing, community service and First Nations land transfer)
- Requiring rezoning in order to subdivide
- Requiring a community benefit in order to subdivide

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

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

Policy 3 In the Sustainable Resource designation, the size of new lots for forestry uses that are created by subdivision may not be less than 64 hectares.

Policy 4 In the Sustainable Resource designation, the size of new lots for agriculture and other uses that are created by subdivision may not be less than 15 hectares, except for lots created for the

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rural Land Commission approval.

INFORMATION NOTE: Subdivision of land in the Agricultural Land Reserve requires the prior approval of the Agricultural Land Commission.

Policy 5 In the Sustainable Resource designation, the lot size averaging provision should not be used.

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

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

Use and Density

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

- Multi-unit affordable housing, attached or detached, through the completion of a successful rezoning application.
- The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw, and

Commented [NC6]: I don't think this needs to be here as it is in zoning and would be legal non conforming.

Policy 9 In the Residential and the Rural designation, the principal use should be single family residential with the exception of the following:

- The existing cabins on the R1(2) zoned parcel and the rental accommodation on the two R1(1) zoned parcels as permitted by the Denman Island Land Use Bylaw, and
- Multi-family affordable housing through the completion of successful rezoning application.

Commented [NC7]: Same as above

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Policy 10 In the Residential designation, unless otherwise permitted by Policy 28, 29 or 30, zoning regulations should permit ensure that development maintains a low-density character. One additional dwelling unit may be permitted by zoning regulations on larger lots where adequate fresh water supply and wastewater treatment are available. one dwelling unit per 1.0 hectare of lot area to a maximum of five two dwelling units, provided that the land owner provides the Local Trust Committee with proof that adequate water supply is available for each dwelling unit without endangering the water supply of adjacent land owners. One dwelling unit should be permitted on lots that are less than 1.0 hectare in area.

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Policy 11 In the Rural designation, zoning regulations should generally permit one ensure that development maintains a low-density, rural character. Additional dwelling units, such as secondary suites or detached secondary dwellings, may be permitted by zoning regulations only on sufficiently large lots where adequate fresh water supply and wastewater treatment are available. principle dwelling unit per lot, including a including a secondary suite per 4 hectares to a maximum of four per lot, provided that the land owner provides the Local Trust Committee with proof of adequate water supply for each dwelling unit without endangering the water supply of adjacent land owners. A secondary dwelling unit may be permitted on a lot if approved by a Temporary Use Permit. On lots 4 hectares or less one secondary suite or detached secondary

Commented [MM8]: The specifics are in the zoning regulations for R1 and R2 zones.

Denman Island Official Community Plan, 2008

	u n i t e d s t r u c t u r e	Policy 13 Landowners are encouraged to ensure that all dwelling units comply with the building safety and waste disposal regulations found in the B.C. Building Code and the applicable health standards.
Policy 14		In the Sustainable Resource designation, zoning regulations should permit one dwelling including a secondary suite per parcel.
Policy 15		In the Sustainable Resource designation, unless otherwise permitted by Policy 29, on land in the Agricultural Land Reserve: <ul style="list-style-type: none"> • one dwelling could be permitted per the minimum lot area permitted by Subdivision; and • additional dwellings could be permitted if they are required for full-time farm help.
Policy 16		The Local Trust Committee may approve secondary dwelling units on lands within the "Rural" and "Sustainable Resources" designations in order to address housing objectives as defined in the Official Community Plan.
Policy 17	o l	Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space.

INFORMATION NOTE: A secondary dwelling unit on land in the Agricultural Land Reserve requires the approval of the Agricultural Land Commission.

Policy 18		The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing.
Policy 19		The Local Trust Committee should consider amendments to this Plan allowing the Committee to accept and hold for affordable housing purposes, in accordance with the guidelines in Appendix D, any unused residential densities that are relinquished by owners of lots with subdivision potential or available through land sold or given for conservation or park.
Policy 20		The Local Trust Committee should review the policies in this section once the final report is available for the Hornby and Denman Island Housing Needs Assessment, with a view to determining whether further opportunities for affordable housing are needed and what form any such opportunities should take.

Siting

Policy 21		Land owners and residents are encouraged to maintain low-level directed lighting that is in keeping with the rural character of Denman Island and does not unduly illuminate an adjacent lot.
Policy 22		Zoning regulations should establish setbacks for buildings and other structures from lot lines, and should establish sufficient setbacks to protect watercourses on Denman Island and to protect development from flooding or other such hazards. In the case of fish-bearing or potential fish-bearing streams setbacks should be adequate to protect the riparian habitat consistent with the <i>Riparian Area Regulation</i> under the <i>Fish Protection Act</i> .

Denman Island Official Community Plan, 2008

p	o	protect the foreshore and coastal marine environment and to protect development from foreshore erosion.
Policy 24	l i c y 2 3	Zoning regulations should establish sufficient setbacks for septic disposal systems: <ul style="list-style-type: none"> • to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and • to protect adjacent properties from effluent or odours.
Policy 25	Z o n i n g	Setbacks from lot lines should be sensitive to the nature of the use and its potential negative impact on the neighbouring properties.

Zoning Amendments

Policy 26	g u l	The Local Trust Committee should not approve a zoning amendment application that could fragment large areas of forested or agricultural land.
Policy 27	a t i o n s	Applicants applying for a zoning amendment prior to 2032 for new single family or multi-family dwellings should be required to meet or exceed BC Energy Step Code Level 2 standards for new construction, either by way of a site specific amenity zone or by way of a restrictive covenant registered on title.
Policy 28	s h o u l d e s t a b l i s h s u f f i c i e n t s e t b a c k s t o p	The Local Trust Committee should consider zoning amendment applications for seniors multi-unit, non market housing (attached or detached), including seniors housing, provided: <ul style="list-style-type: none"> • that the proposal is not located in a connectivity area identified on Schedule D; • that the proposal is limited to 10 units; • that the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties; • that the proposal proves an adequate supply of potable water and an adequate sewage disposal system; • that the applicants enter into a housing agreement with the Local Trust Committee; • that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas; • that the proposal is designated a development permit area to guide form and character • that the proposed development will not place a strain on existing public services and infrastructure; and • that residential rental tenure zoning is considered to ensure affordability is maintained in perpetuity. • that the proposed development will not place a strain on existing public services and infrastructure. <p>Multi-unit housing either attached or detached can include:</p> <ul style="list-style-type: none"> • shared laundry and other buildings • shared kitchen • shared bathroom facilities
Policy 29		

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Commented [NC9]:
Step 1–2 are now “reserved” and barely exceed base BC Building Code requirements, while Step 3 represents a meaningful improvement in energy efficiency. New single-family and multi-family homes without a Step Code adoption are only required to meet the BC Building Code minimums. For meaningful outcomes, the policy should consider Step 3 as the target rather than Step 2.

Commented [NC10]: “seniors” removed to make more flexible

~~P~~ Policy 30 Consideration may be given to applications in any Land Use Designation in which residential uses are a permitted principal use to rezone land for clustered, small unit housing where:

- ~~a)~~ units consist of tiny homes, including tiny homes on wheels or manufactured homes
- ~~b)~~ units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent
- ~~c)~~ units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system
- ~~d)~~ units shall not exceed a maximum floor area of 50m²
- ~~e)~~ the total floor area of units shall not exceed any maximum dwelling floor area for that zone.
- ~~f)~~ communal facilities are provided, such as laundry or common rooms
- ~~g)~~ the development would not be located in areas containing sensitive ecosystems or of cultural or archaeological significance

~~Policy 30~~ The Local Trust Committee should consider zoning amendment applications:

- ~~to bring into conformity dwelling units that were in existence but did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction;~~
- ~~to bring into conformity dwelling units that were constructed to replace existing dwelling units that did not comply with the policies in this Plan at the time of its adoption on May 15, 2009, provided that the applicant provides written evidence, to the satisfaction of the Denman Island Local Trust Committee, that the replaced dwelling units were constructed prior to the date of adoption of this Plan in accordance with the land use bylaw in effect at the time of construction; and~~
- ~~to authorize up to 9 dwelling units on land legally described as The south east ¼ of section 26, Denman Island, Nanaimo District.~~

Commented [NC11]: Redundant as work was done to create necessary site specific zoning

DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

~~Policy 30~~ Applicants for a zoning amendment in the Residential or Rural designation in this Plan, may be required to provide development approval information.

~~Policy 31~~ The areas designated Residential and Rural in this Plan are designated to encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community. The objectives of the designation of this area as an area within which development approval information may be required, include ensuring that housing options are sensitive to ground water availability and sewage disposal capability; guarding against contamination of ground water; preserving the rural nature of the Island; ensuring that housing options preserve human diversity in our community; supporting the establishment of affordable housing, rental opportunities and special needs housing; and providing the opportunity for Island seniors to remain in the community, especially in their own or their families' homes. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Residential and Rural designations.

E.2 - ECONOMIC ACTIVITIES

HOME OCCUPATIONS

- Policy 7 The Local Trust Committee should ensure that regulations protect the natural environment from hazardous substances associated with home occupations, as those hazards become known.
- Policy 8 Home occupations must be auxiliary to a residential use.
- Policy 9 Home occupations should be encouraged but limited to specific uses and to a scale that will have minimum negative impact on neighbouring properties and the natural environment.
- Policy 10 When developing zoning regulations for home occupations, the Local Trust Committee should give consideration to parcel size, type of home occupation and negative impact on neighbouring properties as follows:
- On lots less than 1.0 hectare, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than one non-resident employee and should limit the home occupation to the principal dwelling.
 - On lots of 1.0 hectare or larger, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than four non-resident employees and should limit home occupations to the principal dwelling and buildings accessory to a residential use.
 - On lots of 4.0 hectares or larger, where residential is a permitted principal use, the home occupation zoning regulations should permit not more than four non-resident employees.
 - On any lot where outdoor use for a home occupation is permitted, the zoning regulations should require that the outdoor use be adequately screened from adjacent lots or public right-of-way.
- Policy 11 Home-based guest accommodation where permitted as a home occupation should be limited to **rooms within a principal dwelling, where the owner or manager of the business is living on the property fulltime.**~~on the lot regardless of the size of the lot.~~
- Policy 12 Home-based assisted living is permitted as a home occupation.**
- Policy ~~13~~² Setbacks, parking, floor space and other regulations should be adopted by zoning regulation in recognition and concern of the negative impact on neighbouring properties and the ground water availability and sewage disposal capability.
- Policy ~~14~~³ Uses that could be considered detrimental to the residential character of a neighbourhood should be prohibited as home occupations. These uses include retail sales of products not made on the site, storage, industrial undertakings, and other uses involving high traffic or causing any other disturbance.

TOURISM

LIGHT INDUSTRIAL

DEVELOPMENT APPROVAL INFORMATION – CIRCUMSTANCES AND SPECIAL CONDITIONS

- Policy 20 Applicants for a zoning amendment for economic activities in any designation in this Plan may be required to provide development approval information.
- Policy 21 The economic activities objectives of this Plan are established to provide for a range of economic activities that respect the natural environment and the character of the human community. The objectives of this Plan for economic activities for which development approval information may be required, include encouraging a variety of economic activities to support a diverse community; providing an environment that supports creation and manufacture of local products and opportunities for self-employment and self-reliance; minimizing the negative impact of economic activities on the neighbourhood; avoiding environmental hazards associated with home occupations; promoting and supporting types of tourism that are low impact, environmentally sensitive and educational and that provide local employment; and discouraging large-scale exploitation of timber or mineral resources and industries that create traffic or pollution. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development of economic activities.



Photo by Roxanna Mandryk

E.3 - CONSERVATION/RECREATION

No substantive changes. Changes from Ministry names to "Province".

E.4 - RESOURCES

Forty-six percent of Denman Island is designated as Agricultural Land Reserve (ALR). The ALR is relatively uninterrupted and is largely concentrated along the central and eastern coast of the Island from Mallard Road up to Henry Bay. On the western coast of the Island, a narrow strip of ALR extends from McFarlane Road to just past Scott Road, north of Denman Point (but excludes the residential area on the central coast). Properties within the ALR are subject to the *Agricultural Land Reserve Act*, which is intended to protect the supply of agricultural land and encourage farming.

Several other large land parcels, although logged in the late 1990s, are considered suitable for future silviculture. Most of these lots, part of the former Forest Land Reserve (FLR), are located in north-central Denman.

There are two active sand and gravel pits on Denman Island located northeast of Chickadee Lake. Although the Crown parcel at the Bill Mee Park is classified provincially as a gravel reserve, it was intended for storage of gravel for highway works, if needed, rather than for an active gravel pit. Gravel resources on the Island may be limited and could be exhausted in the not-too-distant future. It should be noted that the ~~Ministry of Transportation and Infrastructure~~ Provincial Government has been importing road gravel to the Island for some years.

The Sustainable Resource designation, which is shown on Schedule C, includes all land in the Agricultural Land Reserve and large-lot forest lands. The principal uses of land in this designation are forestry and agriculture.

Guiding Objective

To ensure that land uses involving renewable resources are sustainable and compatible with the small-scale rural character of the Island

Resource - Objectives

- | | |
|-------------|--|
| Objective 1 | To protect the Agricultural Land Reserve |
| Objective 2 | To encourage diverse agricultural activities including the marketing and promotion of locally grown products |
| Objective 3 | To promote employment through agricultural activities that have minimal negative environmental impact |
| Objective 5 | To foster sustainable use of resources |

Resource - Policies

INFORMATION NOTE: Any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified a "mineral" under the *Mineral Tenure Act* or a "mine" under the *Mines Act*, are not land uses and therefore are not restricted by any terms or conditions in Official Community Plans (or bylaw) so long as the Ministry of Energy, Mines and Petroleum Resources or other appropriate provincial agency manages the activities and land for that purpose.

- | | |
|----------|---|
| Policy 1 | In the Sustainable Resource designation: <ul style="list-style-type: none">the principal uses should be agriculture and silviculture; andzoning regulations may permit small-scale local value-added wood working industries and the development of non-timber forest products on land with silviculture as a principal use. |
| Policy 2 | All farm uses defined in the <i>Agricultural Land Commission Act</i> for land in the Agricultural Land Reserve should be permitted. |

Denman Island Official Community Plan, 2008

Policy 3	Zoning regulations should establish sufficient setbacks to ensure that livestock waste does not enter lakes, streams, wetlands or the sea.
Policy 4	Known existing and potential sand and gravel deposits are at the site of the Bill Mee Park located near Boyle Point Park, and the gravel pit located northeast of Chickadee Lake.
Policy 5	The Local Trust Committee should support the inclusion of land within the Agricultural Land Reserve.
Policy 6	The Local Trust Committee should only support an application for non-farm use or exclusion of land from the Agricultural Land Reserve if the proposed non-farm use or exclusion protects the land for conservation purposes , provides for an essential community service, including non-market, affordable, rental and special needs housing secured with a housing agreement , or amenity which cannot reasonably be located on land outside of the Agricultural Land Reserve and for which the community need clearly outweighs the loss to agriculture
Policy 7	The Local Trust Committee should only support an application for non-farm use or subdivision on land in the Agricultural Land Reserve if the proposed non-farm use or subdivision is consistent with zoning regulations and either: <ul style="list-style-type: none">• allows an activity that supplements the farm income and does not decrease the farming capability of the property; or• protects the land for conservation purposes; or• provides land for the purposes of building non market housing secured with a housing agreement

DEVELOPMENT APPROVAL INFORMATION - CIRCUMSTANCES AND SPECIAL CONDITIONS

Policy 8	Applicants for a zoning amendment in the Sustainable Resource designation in this Plan may be required to provide Development Approval Information.
Policy 9	The area designated Sustainable Resource in this Plan are designated to ensure that land uses involving renewable resources are sustainable and compatible with the small-scale rural character of the Island. The objectives of the designation of this area as an area within which development approval information may be required, include protecting the Agricultural Land Reserve; encouraging diverse agricultural activities; promoting employment through agricultural activities that have minimal negative environmental impact; promoting local employment through sustainable, ecologically sensitive silvaculture; and fostering sustainable use of resources. Development approval information may be required to help the Local Trust Committee to determine appropriate uses, density and siting of development in the Sustainable Resource designation.

Resource - Advocacy Policies

Advocacy Policy 1	The Ministry of Forests and Range Provincial Government is encouraged to enact forest management requirements on private lands on Denman Island in compliance with the Principles of Sustainable Forest Land Use in Part G of this Plan.
Advocacy Policy 2	The Agricultural Land Commission is encouraged to honour the guiding principles and objectives of this Plan and the relevant protocol agreements with the Islands Trust when considering applications.

E.5 - CROWN LANDS (UPLAND)

No substantive changes. Changes from Ministry names to "Province".



SCHEDULE B - PERMITS AND PLAN ADMINISTRATION

CONTENTS

Part F	Development Permits
Part G	Sustainable Forest Land Use
Part H	Other Permits
Part I	Plan Administration
Part J	Appendices
	Appendix A Wetlands Report
	Appendix B Vascular Plant and Vertebrate Animal Species List
	Appendix C Density Transfer
	Appendix D Density Banking



APPENDICES

CONTENTS

Appendix A	Wetlands Report
Appendix B	Vascular Plant and Vertebrate Animal Species Lists
Appendix C	Density Transfer
Appendix D	Density Banking

Attachment 5 - Draft Land Use Bylaw

1.1 Definitions

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

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

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

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

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

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

agri-tourism accommodation means a) a bedroom or other area used as a bedroom within an

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~*dwelling unit* means a building, or set of rooms in a building, used as a residence, containing an independent cooking, sleeping, and living facilities and designed for occupancy. building, containing a single set of cooking facilities, and used or intended to be used, as a residence by an individual or a group of individuals living together in common occupancy;~~

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

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

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

Commented [MM1]: Ministry of Ag definition

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

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

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

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

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

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

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

BL242
02/2023

BL229
05/2024
"Feedlot"
deleted

grade means the average elevation of the ground at a distance of 1.0 metre from a building or structure determined by averaging the finished elevations at the midpoint of all of the exterior walls;

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

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

guest accommodation means ~~a home occupation in which sleeping~~ accommodation ~~and a morning meal are~~ ~~is~~ provided ~~for a fee to the travelling public to transient paying guests in individual rooms of the principal dwelling unit. Guests may stay, for a total length of stay of not more than~~ ~~maximum of~~ 6 consecutive weeks and a total of 45 days in any one calendar year;

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

BL 194

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

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

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

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

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

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

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

Commented [MM2]: From N. Pender bylaw. To address "qualified professional" issue in proof of water regs and ROWP.

Commented [MM3]: Clarifies the definition of Intensive Agriculture to ensure feedlots are clearly excluded. This is related to a housekeeping amendment.

BL 234
09/2022

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

BL 242
02/2023

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

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

BL 200

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

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

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

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

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

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

BL 194

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

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

BL 211

Moveable housing unit means a dwelling unit capable of being moved from location to location which does not require a permanent foundation;

Commented [NC4]: Not used in bylaws

natural boundary means:

- with reference to the sea or a lake, the visible high water mark of the lake, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil or rock of the bed of the sea or a lake a character distinct from that of the adjoining upland, in vegetation as well as in the soil or rock;
- with reference to a stream, the normal high water mark of the stream, which is often indicated by the edges of rooted terrestrial vegetation, and a definite change in vegetation and sediment texture, above which soils and terrestrial plants appear undisturbed by recent erosion, and below which the stream banks show signs of scouring or sediment deposition or both;
- with reference to a wetland, the boundary between the wetland and the adjacent upland, where the extent of the wetland is usually indicated by the presence of plants that normally grow in water or water-saturated soils or peat soils, and soils that are water-saturated or show evidence of prolonged water saturation (gleying) within 30 cm of the surface or are peat soils;

occasional:

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

Commented [MM5]: Consider amending, if LTC wants to use 90 days for accessory building accommodation.

open land recreation means hiking or temporary camping with no associated permanent structures, for which no fees are collected and where the maximum number of camping sites used in any 12 month period shall not exceed 1 per 5 hectares of the land;

Commented [MM6]: there is no mention of this term anywhere else in the LUB.

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

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

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

Commented [MM7]: Passive recreation has two definitions. Staff suggest deleting one below as this one combines both versions.

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

BL229
05/2024

BL 200

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

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

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

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

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

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

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

passive recreation means walking, hiking, and similar non-invasive activities

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

Qualified professional, in relation to providing proof of potable water under Section 2.8 of this Bylaw, means a professional as defined in the British Columbia Sewerage System Regulation under the *Health Act*;

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

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

BL229
05/2024

Commented [MM8]: Addressed what type of professional in the zoning regulations as this was very specific, but QP in the zoning regs referred to many professions

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

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

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

residence means:

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

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

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

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

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

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

BL 195 *seasonally flooded agricultural field* means land that has been previously modified for agriculture and experiences flooding during part of the year due to its location in a low lying area with poor drainage or with a high water table;

BL 211 *secondary dwelling unit* means an *attached* (secondary suite) or *detached* secondary dwelling unit; ~~which may be a moveable housing unit;~~ that is accessory to a permitted principal dwelling unit and which is limited in floor area;

BL234
09/2022
BL242
02/2023

BL 211

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

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

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

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

BL229
05/2024

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

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

stream means any natural depression:

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

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

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

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

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

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

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

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

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

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

Denman Draft Subdivision Regulations for Review (March 16/2026)

1 ADMINISTRATION

1.1 Definitions

In this Bylaw, unless the context otherwise requires:

INSERT

1.2 Jurisdiction

[insert]

2 GENERAL REGULATIONS

2.1 Permitted in All Zones

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

- a) Public utilities, except in the Conservation zone;
- b) Park, except in the Conservation zone;
- c) Fence in any land zone;
- d) Sign; and
- e) Pump/utility house.

2.2 Prohibited in All Zones

- a) The use of a dwelling unit for vacation rental or for the accommodation of paying guests is prohibited.

~~b) Accessory buildings and structures are not to be used for overnight accommodation other than on an occasional basis, except as permitted elsewhere in this Bylaw and the use is not permitted on a parcel in the "Affordable Rental Housing (R4) Zone."~~

~~b)c) The construction, installation, or filling of any swimming pool using water drawn from a well or other groundwater source is prohibited.~~

~~c)d) Overnight accommodation is prohibited in water zones, no building or structure may be used for overnight accommodation.~~

Commented [NC1]: Addressed in Accessory Buildings and Structures part of the bylaw

2.3 General Height Regulations

- a) The maximum height of principal buildings and structures located less than 100.0 metres from the natural boundary of the sea is 7.0 metres.
- b) The maximum height of principal buildings and structures located 100.0 metres or more from the natural boundary of the sea is 9.0 metres.
- c) A building or structure accessory to a dwelling shall not exceed 6.0 metres in height.
- d) An accessory building or structure used for agricultural purposes may exceed 6.0 metres in height where the provisions of subsection 2.13.1(c) apply.

- e) The maximum height of a pump/utility house located within a setback area is 2.5 metres.
- f) The maximum height of a boathouse is 4.5 metres.
- g) The height regulations for buildings and structures specified elsewhere in this Bylaw do not apply to deer fencing, netting supports, trellises, lighting poles, stairways, radio, telecommunications and television antennas, chimneys, flag poles, lightning poles, utility poles, solar collectors, or water storage tanks.

2.4 Density of Uses, Buildings and Structures

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

2.5 Siting and Setback Regulations

Setbacks from Cliffs

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

Setbacks from Streams, Lakes, and Wetlands

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

Commented [MM2]: Housekeeping: The current wording is ambiguous about which components of a sewage system must meet setbacks; the proposed change clarifies that the 30 m setback applies to disposal fields or septage pits, not tanks or other system components.

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

Setbacks and Elevations from the Sea

- d) The minimum setback from the natural boundary of the sea is:
 - i. 30.0 metres for a sewage disposal field or ~~alternate sewage disposal system~~septage pit;
 - ii. 30.0 metres for buildings and structures, associated with agriculture, except for a fence;
 - iii. 5.0 metres for a boathouse; and
 - iv. ~~15.30.0~~ 30.0 metres for all other buildings and structures, except for a fence or access stairway.

Commented [MM3]: A 30 metre setback from the natural boundary of the sea is intended to mitigate risks associated with coastal erosion and sea level rise, protect sensitive shoreline and fish habitat and conserve cultural heritage within the coastal environment.

- e) The minimum difference in elevation between the underside of the lowest floor in the building or structure and the elevation of the natural boundary of the sea is 1.5 metres, except for a boathouse.
- f) Where fill is used to attain the elevation required in Regulation 7 of this section:
 - i. the minimum setback distance required in Regulation 6 of this section is measured from the toe of the fill slope to the natural boundary of the sea; and
 - ii. the face of the fill slope must be protected against wave action from floodwaters.

Setback Exemptions

- g) Despite setback regulations 1 through 5 in Section 2.3 and setback regulations in Part 3 of this Bylaw, the following may be located in setback areas:
 - i. tanks cisterns for the storage of rainwater, provided they do not project more than 1.0 metre into the required setback.

2.6 Principal Dwelling Units

- a) On lots where a principal dwelling unit exists and a subsequent principal dwelling unit is to be created, the landowner must demonstrate an adequate supply of water for the second or subsequent dwelling unit, ~~as per the rules for proving water for a subdivision according to in~~ Section 2.19, proof of water for a subdivision.

2.7 Secondary Suites and **Secondary Dwelling Units**

~~4- Secondary suites are permitted only on lots in zones where this Bylaw specifically allows them. All secondary suites in permitted zones must comply with the regulations set out below: A secondary suite is permitted within a dwelling unit provided that:~~

- a) Either the dwelling unit or secondary suite is occupied by the owner of the dwelling unit property; or by a person responsible the dwelling unit or the secondary suite is occupied by a person other than the owner who has responsibility for managing the property, including dealing with addressing complaints of arising from the neighbours arising from the occupancy of the property;
- b) No more than one (1) secondary suite is permitted per lot principle dwelling unit;
- c) The secondary suite is shall be contained wholly within the walls of a permitted principal dwelling unit;
- d) The secondary suite shall have an external access that is separate from that of the principal dwelling;
- e) The floor area permitted for a secondary suite is no more than 540% of the floor area of the dwelling unit to a maximum of 90 square metres;
- f) One off-street parking space is provided for the exclusive use of the secondary suite; and

~~g) The secondary suite is not subdivided from the principal dwelling unit under the Land Title Act or the Strata Property Act. For lands lots outside not within the ALR, a secondary suite shall not be permitted on a lot unless the owner has registered a restrictive covenant under Section 219 of the Land Title Act in favour of the Denman~~

Commented [MM4]: This regulation is effectively moot, as anyone can deposit a strata subdivision plan without local government review, provided it complies with provincial regulations. To address this, we would need to require a covenant at the time a SUP is issued for each secondary suite, in order to prevent unintended stratification

Island Local Trust Committee. This covenant must prohibit the registration of a strata plan under the *Strata Property Act* or the *Land Title Act* that would result in the secondary suite becoming a separate lot.

Commented [MM5]: Sample new wording to prevent subdivision of secondary suites.

2. ~~Secondary dwelling units are permitted only on lots in zones where this Bylaw specifically allows them. The following regulations apply to secondary dwelling units where permitted~~ ~~allowed on lots where expressly permitted a:~~ Where permitted by a Temporary Use Permit a secondary dwelling unit shall:

- a) ~~Not have a~~ must have a floor area ~~less than~~ ~~in excess of~~ 140 square metres;
- b) ~~Must~~ ~~Shall~~ not be located ~~no greater~~ ~~more~~ than 60 metres from the principal residence ~~unless otherwise approved by the Local Trust Committee as a condition of the permit;~~
- c) Be connected to an approved sewerage system; and
- d) ~~Include a rainwater catchment and storage system for a capacity of at least 1,000 gallons~~ ~~unless otherwise approved by the Local Trust Committee as a condition of the permit.~~

Commented [NC6]: This is preexisting in general regulation. Does LTC want to keep it?

Commented [NC7]: Cisterns addressed in general regs. Does LTC want smaller cistern requirement for secondary units?

~~e)d)~~ A written plan demonstrating an adequate supply of potable water must be submitted prior to the issuance of any permits for the use.

~~f)e)~~ Where water is supplied to a secondary suite or a secondary dwelling unit by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity prior to the issuance of any permits to allow the use.

~~f)f)~~ Where water is to be supplied from a surface water body, a water license, issued by the Province, must permit the withdrawal of the required amount of water prior to the issuance of any permits to allow a secondary suite or secondary dwelling unit.

2.8 Accessory Buildings and Structures

- a) Accessory buildings and structures ~~may be used for seasonal accommodation for a period not exceeding 90 days in a calendar year and not exceeding 60 consecutive days, each except as permitted in the Agriculture (AG) zone~~ ~~are not to be used for overnight accommodation other than on an occasional basis~~ ,
- b) ~~Accessory buildings and structures are not to be permitted for overnight accommodation on a lot in the Affordable Rental Housing (R4) Zone.~~

Commented [MM8]: Staff suggest: No accessory building or structure may contain a dwelling unit or be used for overnight accommodation under any circumstances.

Commented [MM9]: •Occasional basis defined in LUB as: in relation to the use of an accessory building, a travel trailer or a vessel for non-commercial accommodation means a total length of stay by an individual of not more than 45 days per calendar year, of which no more than 30 may be consecutive;

This new regulation would be increasing that 45 days.

2.9 Use of Alternative Dwelling Units

1. The use of an alternative dwelling unit as a dwelling is permitted on a lot in the R1, R2, R3, A and F zones, subject to the provisions of this Section.
2. Travel trailers may be stored on the lot and used for occasional non-commercial accommodation except on a lot zoned Affordable Rental Housing (R4).
3. A recreational vehicle or other alternative dwelling unit used as a dwelling shall:

- a. Be connected to an approved sewage system in accordance with the requirements of the *Public Health Act*;
- b. Be provided with a domestic water supply;
- c. Comply with the use, density, siting, and setback requirements of this Bylaw for dwellings or accessory dwelling units, as applicable;
- d. Not be used for vacation rental or for the accommodation of paying guests;
- e. Be considered as a dwelling unit for the purposes of density calculations; and
- f. Be on a lot larger than 1.0 hectares and screened from adjacent properties.

2.10 Cistern Requirements

- a. A Siting and Use permit shall not be issued for a new dwelling unit larger than 93 square metres (1001 square feet) unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 18,000 litres (3959 gallons) is located on the property.
- b. A Siting and Use permit shall not be issued for a new dwelling unit ~~903 square metres (968.8 square feet)(1001 square feet)~~ or smaller unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 13,640 litres (3000 gallons) is located on the property

Commented [MM10]: Ask LTC about adding requirement for secondary suites

Commented [MM11]: OCP policy already encourages this. Capacity is based on what has been used on Mayne and North Pender Islands.

2-x Travel Trailers

- ~~1. In all zones except Affordable Rental Housing (R4), travel trailers may be stored on a lot and used for occasional, non-commercial accommodation.~~
- ~~2. A travel trailer, bus or similar vehicle may be used as a principal dwelling unit or as a secondary dwelling unit approved by a Temporary Use Permit on any lot where a single family dwelling is a permitted building provided that it:~~
 - ~~• is on a lot larger than 1.0 ha or is screened from adjacent properties;~~
 - ~~• is connected to an approved sewage disposal system; and~~
 - ~~• is considered a dwelling unit for the purpose of residential density calculations.~~

2-92.11 Water Zones

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

2-102.12 Covered Walkways

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

2-142.13 Undersized Lots

1. Where a lot exists prior to the effective date of this Bylaw and the lot area does not conform to the minimum lot area established in Part 3 relating to subdivision control, such a lot may be used for any of the uses permitted in the zone in which the lot is situated, subject to all of the other regulations for that zone and provided the provisions of the [Public Health Act](#) and relevant regulations have been met.

2-142.14 Agriculture Buildings and Structures

1. An accessory building or structure used for agricultural purposes may exceed 6.0 metres in height where the following apply:
 - a. the building or structure used for agricultural purposes is located in the Agricultural Land Reserve;
 - b. the building or structure used for agricultural purposes is sited a minimum of:
 - 10.0 metres from the front or exterior side lot lines
 - 4.5 metres from the rear or side lot line; and
 - 15 metres from an edge lot line.
 - c. the height of the building or structure does not exceed 15.0 metres.

2-132.15 Fences

1. The height of fences shall not exceed 2.0 metres in any zone, except the Agriculture zone.
2. Landscape screens and protective netting or wire used to control animal nuisances are exempt from [Subsection 3.8\(1\)](#).

Commented [MM12]: check section reference "general height regs"

2-142.16 Screening Regulations

General Regulations

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

Landscape Screens

6. All commercial, industrial and institutional uses must be screened from view from a lot in the Residential (R1) or Rural Residential (R2) zone by a landscape screen.

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

2-152.17 Home Occupation Regulations

1. A home occupation, when permitted in any zone, shall be subject to regulations 2 to 16 of this section.

Permitted Home Occupation Uses

2. The following uses, and no other uses, are permitted as home occupations:
 - a) home-based guest accommodation
 - b) artist or artisan studios, including sale of products produced on site
 - c) general business offices
 - d) professional offices, including health services
 - e) personal services
 - f) welding shops, including sale of products produced on site
 - g) manufacture, repair and assembly of goods
 - h) sale of agricultural products produced on-site
 - i) trades-person offices including storage of tools of the trade
 - j) food processing
 - [k\) automobile repair and maintenance on lots larger than 2.0 hectares](#)
 - ~~k)~~ [home-based assisted living](#)
3. Despite regulation 2 of this section, the following uses, and no others are permitted as home occupations in the R4 zone:
 - a) general business offices
 - b) professional offices, excluding health services
 - c) artist or artisan studios
4. Notwithstanding 2.4 regulation 3 of this section, the following is prohibited in the R4 zone:
 - a) on site purchase of any products or services
 - b) on site attendance of clientele or customers
 - c) creation of noise which disturbs persons

General Regulations

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

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

8. ~~Consider adding: Homebased assisted living is limited to the care at any one time of no more than X people.~~

~~8-9.~~ A daycare is limited to the care at any one time of no more than seven children.

~~9-10.~~ A home occupation may not produce, store or use hazardous materials, except for household goods and required materials for trades, welding, artistic or health care purposes.

~~10-11.~~ Only those goods, arts, and crafts produced on the site may be sold from a home occupation.

~~11-12.~~ The use of a permanent sawmill or portable sawmill as part of a home occupation is prohibited.

Location of Uses

~~12-13.~~ On lots that are less than 1.0 hectares, the use shall be conducted entirely within a building containing a dwelling unit.

~~13-14.~~ On lots of 1.0 hectares or larger and greater, home occupations may be in the principal dwelling unit and in accessory buildings.

Uses Permitted Outdoors

~~15.~~ Despite regulations 10 and 11 of this section, kilns used exclusively for the home occupation may be freestanding and located outside the dwelling unit,

~~14-16.~~ Despite regulations 10 and 11 of this section, and a play area for a daycare may be permitted outside the dwelling unit.

~~15-17.~~ Despite regulation 10 and 11 of this section, outdoor storage associated with home occupations involving trades, manufacture repair and assembly of goods or automobile repair and maintenance is permitted provided that the lot coverage used collectively by all home occupation activities and related storage does not exceed 10 per-cent of the lot area including areas for the storage of vehicles, equipment and materials used in the home occupation.

Number of Employees

~~16-18.~~ The maximum number of non-resident employees permitted per lot is:

- a) one on lots less than 1.0 hectare;
- b) two on lots of 1.0 ha and less than 2.0 hectares;
- c) three on lots of 2.0 ha and less than 3.0 hectares; and

Commented [MM13]: Limit of number of clients? 2 or 3?

d) four on lots of 3.0 hectares or larger.

~~17-19.~~ Despite regulation 16 of this section, no non-resident employees are permitted in the R4 zone.

Home-based Guest Accommodation

~~18-20.~~ Despite Regulation ~~11-143~~ of this section, home-based guest accommodation must be contained within the principal dwelling unit only. No accessory buildings or detached secondary dwelling units may be used for this purpose.

~~19-~~ Unless otherwise permitted in Part 3 of this Bylaw, a home-based guest accommodation home occupation providing home-based guest accommodation shall may have no more than a maximum of three bedrooms, with a maximum of two beds each per room, which may be rented available for to transient paying guests. ~~Rental of the entire dwelling unit is prohibited.~~

~~20-21.~~ ~~Meats~~ Meats may be served to transient paying guests. may be served to transient paying guests in a home occupation providing home-based guest accommodation.

~~21-22.~~ Limited cooking facilities for transient paying guests may be provided for light meat preparation only (e.g., microwave, toaster, small refrigerator). ~~A second set of cooking facilities may be provided in a residence which provides home-based guest accommodation, in accordance with the provisions of this bylaw, to allow for transient paying guests to prepare their own meals.~~

~~2-162.18~~ Parking Regulations

General Regulations

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

Location

5. All required off-road parking spaces must be located on the lot on which the use, building or structure being served is located, or on an adjoining lot that constitutes a part of the same site or premises and is in the same zone. Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this section.
6. Despite Regulation 5 of this section, required off-road parking spaces may be provided on a nearby lot provided it is within 100 metres of the use, building or structure being served, and

provided a restrictive covenant complying with Regulation 4 of Section 1.2 is registered against the lot on which the parking is provided ensuring that the required parking area will remain available for parking in conjunction with such use.

7. Where parking areas are located in the front yard they shall not exceed 40 per cent of the area of the front yard.
8. Where parking is required, automobile parking spaces for disabled persons must be located adjacent to the main entrance of the building and marked with a sign or symbol identifying each space reserved for such parking.

Dimensions

~~9.~~ Each automobile parking space must be accessible to a highway by a manoeuvring aisle not less than 7.5 metres in width in the case of 90 degree angle parking and 5.5 metres in width in the case of 60 degree angle parking.

~~9-10.~~ ~~→~~ No parking space may abut a highway such that the use of the parking space necessitates reversing a motor vehicle onto or from a highway.

~~10-11.~~ Automobile parking spaces must be at least 2.75 metres in width and 6.25 metres in length, exclusive of manoeuvring aisles, and have an unobstructed vertical clearance of at least 2.0 metres. Parallel parking spaces must, despite the foregoing, must have a length of 7.5 metres.

~~11-12.~~ Despite Regulation 10 of this section, automobile parking spaces for disabled persons must be a minimum of 3.7 metres in width and 6.25 metres in length, and have an unobstructed vertical clearance of at least 2.0 metres.

Design Standards

~~12-13.~~ Where five or more automobile parking spaces are required

- a) all parking spaces are to be provided and maintained with a hard, durable surface or with gravel
- b) the parking area is to be landscaped and screened from adjacent residential properties.

~~13-14.~~ The slope of any automobile parking space shall not exceed 10 per-cent.

~~14-15.~~ Lighting fixtures for the parking area must be less than 1.0 metre in height and must be directed exclusively at the parking area at illumination levels of 11 lux or less¹.

Number of Parking Spaces Required

~~15-16.~~ The minimum number of parking spaces required is as specified in accordance with regulations 16 to 18 of this section

~~16-17.~~ Minimum number of automobile parking spaces is

residential

- a) one per one single family residential dwelling unit
- b) one per one cabin or accessory residential use
- c) two per dwelling unit in a multi-family dwelling

home occupations

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

commercial

- a) one per 20.0 square metres of gross floor area of a building or structure for a commercial use other than a restaurant, cafe, public docking facility, or vehicle fuel sales
- b) one per three seats in a restaurant or café
- c) one per four berths in a public docking facility, plus four per launch ramp or hoist
- d) four per vehicle fuel service
- e) one per sleeping unit of agri-tourism accommodation institutional
- a) one per 25.0 square metres of gross floor area of a building or structure for a school, community hall, church, social hall, museum use, health care service use, recycling centre or similar use
- b) one per each employee or volunteer for a fire hall, police station or ambulance station resource
- a) one per 30.0 square metres of gross floor area for a building or structure for an industrial, equipment storage, material supply or warehouse use
- b) one per 15 square metres of gross floor area for a greenhouse, a nursery, farm sales or forestry sales.

~~17~~**18.** Minimum number of bicycle parking spaces is

- a) four, or one per 150 square metres of gross floor area for a commercial use, whichever is greatest
- b) four, or one per 10 students in a school, whichever is greatest
- c) four, or one per 150 square metres of gross floor area for a community hall, church, social hall, museum or other institutional use, whichever is greatest.
- d) One per dwelling unit in a multi-family dwelling
- e) Four, or one per sleeping unit of agri-tourism accommodation, whichever is greatest

~~18~~**19.** Of the number of automobile parking spaces required in Regulation 16 of this section for commercial or institutional uses, a minimum of one, or one per 50 required parking spaces, whichever is greatest, must be provided for disabled persons.

2.19 Subdivision Regulations

1. [General](#)

- a. [Subdivision must not create additional residential lots or increase residential subdivision on any lot, except as explicitly authorized by this Bylaw.](#)

2. [Exemptions](#)

a. Exemptions from Minimum Lot Size

The following lots are exempt from minimum lot size, but must comply with all other applicable regulations of this Bylaw unless otherwise specified:

i. Lot Consolidation

- Consolidation of two or more lots into a single lot.

ii. Public, Conservation and Community Use Lots

- Creation of a lot to be used for one of the following purposes:
 - park or public open spaces;
 - environmental conservation; or
 - community facilities or community services.
- Such lots may be transferred or dedicated to a local government, public authority, non-profit organization, or other appropriate entity.

iii. Heritage Conservation Lots

- Creation of a lot to be used for heritage conservation purposes, including lands of cultural or historical significance.

iv. Affordable Housing Dwelling Unit Lots

- Creation of a lot to be used for affordable housing purposes, secured by a housing agreement, covenant, or other legal mechanism that restricts the use of the lot to affordable housing.
- The lot must have a minimum area of 1.0 hectare.
- Such lots may be transferred to a First Nation or another appropriate entity.

b. Exemptions from Subdivision Regulations

The following are exempt from Section 2.19.3 of the Bylaw. This exemption applies only to the lot being created for the specified purpose and does not exempt any other lot within the subdivision.

i. Utility Lots

Creation of a lot solely for unattended equipment necessary for public utilities or services where no sewage is generated.

ii. Park, Conservation and Community Use Lots

Lots described in Section 2.19.2(a)(iii), where no buildings are permitted.

iii. Heritage Conservation Lots

Lots described in Section 2.19.2(a)(iv), where development is restricted to conservation purposes.

iv. Cemetery Lots

Creation of a lot to be used solely as a cemetery. No buildings or structures shall be permitted except those directly related to cemetery operations.

c. Use Restriction

A lot created under Sections 2.19.2(a)(iii), 2.19.2(a)(iv), 2.19.2(a)(v), or 2.19.2(b)(ii) to (iv) must be subject to a covenant, housing agreement, or other instrument registered on title that restricts the use of the lot to the purpose for which it was created.

3. Boundary Adjustments

The realignment of existing lot boundaries between two or more lots is permitted, provided that:

- a. No additional lots are created;
- b. No lot is increased in area such that it could, without the boundary adjustment, be subdivided into more lots than would otherwise be permitted under this Bylaw; and
- c. No lot size is below 1.0 hectare.

4. Subdivision Compliance

- a. Except as provided in Section 2.19.2, no subdivision may:
 - render an existing use, building, or structure non-conforming; or
 - create a lot that does not comply with the regulations in Part 3.

Compliance with Minimum Lot Area and Minimum Average Lot Area

- ~~1.~~ Except as provided for in Regulation 21 of this section, no lot may be created by subdivision that renders an existing use, building or structure non-conforming with respect to a siting or density provision of this Bylaw.
- ~~2.~~ Except as provided for in regulations 20 and 21 of this section, no lot may be created by subdivision that does not comply with the regulations contained in Part 3.
- ~~3.~~ Every subdivision must comply with the applicable minimum lot area and minimum average lot area specified by this Bylaw, and for that purpose, the average lot area is determined by
- ~~4.~~ Total area of all proposed lots including the remainder
- ~~5.~~ divided by
- ~~6.~~ Number of Proposed lots including the remainder.
- ~~7.~~ 1. The resulting number must equal or exceed the applicable minimum average lot area or, if there is no minimum average lot area specified, the applicable Minimum lot Area.
- ~~8.~~ No more than 50 per cent of the total number of lots in the subdivision shall be less than the applicable minimum average lot area.

Parcels Divided by a Zone Boundary

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

Lot Configuration Regulations

~~9-2.~~ For any lot created by subdivision, the average width measured between side lot lines is at least one third the average depth measured between the front and rear lot lines, excluding the access strip of panhandle lots. Average depth is calculated by establishing the front and rear lot lines and then taking an average of the distance between the side lot lines, and for the purpose of this calculation the measurements must be taken at intervals not exceeding 20 metres along the length between the rear and front lot lines. This regulation does not apply to common property in a subdivision created under the Bare Land Strata Regulations of the Strata Property Act.

~~10-3.~~ For any lot created by subdivision, the minimum highway frontage is 20.0 metres, and for a strata title subdivision, the minimum access road frontage is 10.0 metres.

Proof of Potable Water – Amounts

~~11-4.~~ Each lot in a proposed subdivision must be supplied with sufficient potable water from a well, surface water supply or community water system to accommodate all uses, buildings and structures permitted on the lot by this Bylaw according to the standards set out in regulations 59 to 71 of this section.

~~12-5.~~ In Residential and ~~Resource-Agriculture~~ zones, the minimum amount of potable water that must be provided per day is 1200 litres for each permitted principal residential dwelling unit, ~~secondary dwelling unit or agri-tourism accommodation~~ unless a cistern, subject to Regulation ~~17-12~~ of this section, is provided, in which case the minimum is 1000 litres for each permitted principal residential dwelling unit

~~13-6.~~ In the Commercial zone, the minimum amount of potable water that must be provided per day is 3600 litres for each one hectare of lot area.

~~14-7.~~ In Public zones, the minimum amount of potable water that must be provided per day is:

- 50 litres for each classroom in a school; and
- 1200 litres per lot for all other institutional uses.

Proof of Potable Water – Well and Surface Water Certification

~~15-8.~~ Where a well is proposed as a source of water for a proposed subdivision, the applicant must provide written certification under seal of a ~~professional legally authorized in British Columbia to conduct hydrogeological or water quality assessments, such as a hydrogeologist, geoscientist or engineer.qualified professional:~~

- that there is, in respect of each building, structure or use of land permitted by this bylaw, sufficient available groundwater to provide the required amount of potable water on a continuous basis; and
- that extraction from the groundwater table for that amount of water is not reasonably expected to adversely affect the quantity of water obtainable from any existing well or surface water that is used as a source of water.

~~16~~-9. Where a surface water supply is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide proof of a water license that permits the withdrawal of the required amount of water.

~~17~~-10. If the applicant proposes to provide potable water from a well or surface water supply on another lot, the applicant must concurrently with the registration of the subdivision plan, register against title on the lot on which the well is located an easement in favour of each lot to which water is provided, and a statutory right-of-way complying with Regulation 4 of Section 1.2 for water supply purposes

~~18~~-11. If the required amount of potable water cannot be supplied, as measured at the tap, or if the certification referred to in Regulation ~~12~~-8 of this section cannot be made, the applicant must:

- a) provide a community water system complying with the requirements of Regulation ~~18~~-12 of this section, or
- b) grant a covenant complying with Regulation 4 of Section 1.2 restricting the development of the subdivision to the buildings, structures and uses in respect of which water can be supplied in accordance with regulations ~~9~~-5 through ~~11~~-7 and a certification has been made under Regulation ~~12~~-8 of this section

Proof of Potable Water – Cisterns

~~19~~-12. Where a cistern is required by this Bylaw, the landowner must:

- a) provide one or more cisterns with a combined capacity of 8400 litres of potable water; and
- b) provide a covenant complying with Regulation 4 of Section 1.2 prohibiting use of the property for which proof of potable water is required until cisterns are in place capable of holding the required amount of water.

Community Water System

~~20~~-13. Where a community water system is proposed to serve a subdivision:

- a) the community water system must comply in all respects with applicable provincial enactments;
- b) the water supply for the community water system must be obtained on Denman Island; and
- c) if the water system is to be supplied by a well, the immediate catchment area of the well, as defined by an Engineer, is to be protected from pollution by a covenant in accordance with Regulation 4 of Section 1.2 prohibiting the installation of sewage disposal fields or other sanitary facilities.

Waste Disposal

~~21~~14. For any lot created by subdivision, the applicant must demonstrate the availability of an area of the lot for the installation of a conventional septic tank or package treatment sewage disposal system with the characteristics required by the Sewerage System Regulation under the [Public Health Act](#).

Covenant Against Further Subdivision and Development

~~22~~15. Where:

- a) a subdivision is proposed that yields the maximum number of lots permitted by the applicable minimum average lot area specified in Part 3; and
- b) one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot area the applicant must grant a covenant complying with Regulation 4 of Section 1.2 in respect of every such lot prohibiting further subdivision of the lot.

~~23~~16. Where:

- a) a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable minimum average lot area specified in Part 3; and
- b) one or more of the lots being created have areas equal to or greater than twice the applicable minimum average lot area the applicant must grant a covenant complying with Regulation 4 of Section 1.2 in respect of every proposed lot prohibiting further subdivision of the lot so that the potential number of lots is no greater than the number of lots that would have been created if the previous subdivision had created the maximum number of lots permitted by the applicable minimum or average lot area specified in Part 3.

~~24~~17. Where the approval of a bare land strata plan creates common property on which this Bylaw would permit construction of a principal building, if the common property were a lot, the applicant must grant a covenant complying with Regulation 4 of Section 1.2 in respect of the common property prohibiting the further subdivision of the common property, the construction of any principal buildings on the common property, and the disposition of the common property separately from the strata lots.

3.1 Residential Zone (R1)

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

Permitted Principal Uses

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

Permitted Accessory Uses

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

Density

- 3) One (1) dwelling unit is permitted per hectare on each lot with an area of 1.0 hectare or larger, to a maximum of ~~five-two (52)~~ dwelling ~~units~~ per lot.

~~4)~~ 4) Despite Section 3.1.3, on a lot less than 1.0 hectare in area, one (1) dwelling unit is permitted.

~~4)~~—

~~5) The maximum lot coverage for buildings and structures is 25%.~~

~~6)5)~~ 6)5) One agricultural *produce stand* per lot.

Siting and Size

- ~~7)6)~~ 7)6) The minimum setback for any building or structure, except a fence or pump/utility house is:
- (a) 7.5 metres from any front lot line;
 - (b) 3.0 metres from any rear or side lot line; and
 - (c) 4.5 metres from any exterior side lot line.

~~8)7)~~ 8)7) The minimum setback from all lot lines for agri-tourism accommodation, feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except domestic chicken coops

8) The minimum setback from all lot lines for a domestic chicken coop is 3.0 metres.

9) The minimum setback for a *produce stand* from the front lot line is 4.5 m, maximum size not exceeding 4.6 square metres (50 square feet) gross floor area.

10) The maximum gross floor area of a principal dwelling unit shall not exceed 300 square metres.

11) The maximum lot coverage for buildings and structures shall not exceed the percentage of lot area set out below:

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

Subdivision Lot Area Requirements

12) Minimum lot area is 1.0 hectare.

~~12) The minimum average lot area is 1.0 hectare.~~

Conditions of Use

13) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 2.8-19 apply and confirmation must be provided by an ~~proof from a qualified professional~~ authorized person, as defined in the Sewerage System Regulation, that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system. ~~apply.~~

Site Specific Regulations

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

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
R1(1)		One accessory dwelling unit is permitted, with a maximum gross floor area of 56.0 square meters, provided it is

		contained within or attached to the principal dwelling unit on the lot
R1(2)		The only accessory use permitted is residential, in cabins with a maximum gross floor area of 56 square meters, to a maximum of six cabins per lot, and a minimum lot area of 3.75 hectares.
R1(3)		Two dwelling units are permitted providing one is limited to a footprint of 18.6 square metres and one storey.
R1(4)		<p>Single family Dwelling units and buildings and structures accessory to single family dwelling units are not permitted and instead, one (1) affordable housing dwelling unit with a maximum gross floor area of 93 square metres and associated accessory buildings and structures are permitted.</p> <p>Travel trailers are not permitted to be stored on the lot or to be used as a principal dwelling unit. However, a travel trailer may be used on the lot for up to six months during construction of the affordable housing dwelling unit.</p> <p>Home occupation uses are permitted as an accessory use. Homebased guest accommodation, welding shops, including sale of products produced on site, daycare, and automobile repair and maintenance, are not permitted.</p>

3.2 Residential Zone (R2)

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

Permitted Principal Uses

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

Permitted Accessory Uses

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

Density

- 3) One (1) dwelling unit is permitted per 4.0 hectares of lot area, up to a maximum of four (4) dwelling units per lot.
- 4) Despite 3.2.3, on a lot less than 4.0 hectare in area, one (1) dwelling unit and secondary dwelling unit (secondary suite or detached secondary unit) is permitted.
- ~~5) 1) _____ The maximum lot coverage for buildings and structures is 25%.~~
- ~~6) 5) _____ One secondary suite is permitted per lot principal dwelling unit.~~
- ~~7) _____ One secondary dwelling unit is permitted per lot.~~

Siting and Size

- ~~8) 6) _____~~ The minimum setback for any building or structure, except a fence or pump/utility house is:
 - (a) 7.5 metres from any front lot line;
 - (b) 3.0 metres from any rear or side lot line; and
 - (c) 4.5 metres from any exterior side lot line.

~~9)7)~~ The minimum setback from all lot lines for agri-tourism accommodation, feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except domestic chicken coops.

~~10)8)~~ The minimum setback from all lot lines for domestic chicken coops is 3.0 metres.

9) The minimum setback for a *produce stand* from the front lot line is 4.5 metres, maximum size not exceeding 4.6 square metres (50 square feet) gross floor area.

10) The combined maximum gross floor area of a principal dwelling unit and secondary suite, shall not exceed 300m².

11) Where an existing principle dwelling unit exceeds 300m², prior to the development of a secondary dwelling unit, the secondary dwelling unit is limited to 90m²

~~The maximum gross floor area of a principal dwelling unit, including any secondary suite located within it, shall not exceed 300 square metres.~~

12) The maximum lot coverage for buildings and structures is 25%, shall not exceed the percentage of lot area set out below:

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

Subdivision Lot Area Requirements

~~11)13)~~ Minimum lot area is ~~2.0X~~ hectares.

~~12) The minimum average lot area is 4.0 hectares.~~

Conditions of Use

~~13)14)~~ On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 2.8-19 apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, proof from a qualified professional that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

Site-Specific Regulations

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

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
R2(1)		a) A kennel accessory to a residential use is also permitted with a minimum setback from all lot lines of 30.0 metres.
R2(2)		a) A riding stable accessory to a residential use is permitted with a minimum setback from all lot lines of 30.0 metres.
R2(3)		a) Two dwelling units are permitted.
R2(4)		a) The minimum lot area per principal single family dwelling unit is 1.4 hectares
R2(5)		a) The minimum lot area per principal single family dwelling unit is 3.33 hectares.
R2(6)		a) The maximum density permitted by subdivision is an average of one lot per 5.56ha.
R2(7)		a) The maximum number of single family dwellings permitted in the R2(7) zone is four.
R2(8)		a) A Siting and Use Permit for a dwelling in the R2(8) zone must be accompanied by written certification from an appropriately

		<p>qualified professional architect, engineer or energy advisor that the dwelling unit meets or exceeds the applicable requirements of Step 2 of the Energy Step Code in affect at the reference date of this bylaw amendment.</p> <p>b) The maximum number of lots permitted by subdivision in the R2(8) zone is 5.</p> <p>c) The minimum average lot area permitted by subdivision is 2.8 ha.</p>
R2 (9)	PID: 000-457-191	<p>a) The maximum number of principle dwelling units permitted is one.</p> <p>b) One secondary suite is permitted.</p>
R2 (10)	PID: 026-826-399 (portion that is RE)	<p>a) The maximum number of dwelling units permitted is one</p> <p>b) One secondary suite is permitted.</p> <p>c) _____</p>

3.3 Co-housing (R3)

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

Permitted Principal Uses

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

Permitted Accessory Uses

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

- 11) Minimum lot area is 35.0 hectares.

Conditions of Use

- 12) On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for providing water for a subdivision in **Section 2.8-19** apply and **confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, proof from a qualified professional** that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

3.4 Affordable Rental Housing Zone (R4)

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

Permitted Principal Uses

- 15) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) *Multi-family Residential Rental Tenure*, subject to registration of Housing Agreement.

Permitted Accessory Uses

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

Density

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

Siting and Size

- 18) The minimum setback for any building or structure, except a fence or a pump/utility house is:
- (b) 10.0 metres from any front lot line;
 - (c) 10.0 metres from any rear or side lot line; and
 - (d) 10.0 metres from any exterior side lot line.
- 19) The minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture, except domestic chicken coops is 30.0 metres.

20) The minimum setback from all lot lines for domestic chicken coops is 10.0 metres.

21) The maximum gross floor area of a pump/utility house located within a setback area is 10 square metres.

Site-Specific Regulations

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

Column 1 Site-Specific Zone	Column 2 Location Description	Column 3 Site-Specific Regulations
R4(1)		<ul style="list-style-type: none"> a) The keeping of chickens or other livestock is not permitted. b) The maximum number of affordable dwelling units per lot is 20. c) The maximum combined lot coverage of buildings and structures is 25%. d) The maximum height of principal buildings and structures located 100.0 metres or more from the natural boundary of the sea is 10.0 metres. e) The minimum setback of a free standing photovoltaic solar array or water cistern from any interior lot line is 1.5m.

		<p>f) The minimum setback of all buildings and structures, except for free standing photovoltaic solar arrays and water cisterns, is 4.0 metres from an exterior lot line and 3.0 metres from an interior lot line.</p> <p>g) The maximum gross floor area of an affordable dwelling unit is 140 m².</p> <p>h) The minimum lot area permitted by subdivision is 1.0 hectare.</p> <p>i) The minimum number of automobile parking spaces required is 1.0 per affordable housing unit.</p> <p>j) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.</p>
R4(2)		<p>a) The following uses are not permitted:</p> <ul style="list-style-type: none"> • the keeping of chickens or other livestock; and • the sale of agricultural products, including their storage, processing and direct marketing. <p>b) Multi-family dwelling units are limited to each building containing a</p>

		<p>maximum of two seniors affordable housing dwelling units, each having its own entrance, which may include an entrance from a common interior corridor or an exterior entrance.</p> <p>c) A Common House is not permitted.</p> <p>d) The maximum number of seniors affordable dwelling units per lot is 8.</p> <p>e) The maximum combined lot coverage of buildings and structures is 25%.</p> <p>f) The minimum setback of buildings or structures, except for a fence or pump/utility house:</p> <ul style="list-style-type: none"> • from the front lot line is 7.5 metres; • from the rear or side lot line is 3 metres; and • from the exterior side lot line is 3 metres. <p>g) The minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except for domestic chicken coops.</p> <p>h) The minimum setback from all lot lines for domestic chicken coops is 3 m.</p> <p>i) The maximum gross floor area of a seniors affordable dwelling unit is 65 square metres.</p> <p>j) The minimum lot area permitted by subdivision is 0.7 hectares.</p> <p>k) The minimum number of automobile parking</p>
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		<p>spaces required is 1.5 per seniors affordable housing unit, and the minimum number of bicycle parking spaces required is 0.5 per seniors affordable housing unit.</p> <p>l) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.</p>
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3.5 Agriculture Zone (A)

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

Permitted Principal Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Residential*;
 - (b) *Agriculture*, including intensive agriculture; and
 - (c) *Forestry*.

Permitted Accessory uses

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

Density

- 3) The minimum lot area per principal dwelling unit outside the Agricultural Land Reserve is 15.0 hectares.
- 4) Only one (1) dwelling unit is permitted per lot, both inside and outside the Agricultural Land Reserve.

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

Siting and Size

- 8) The minimum setback for any principal or accessory residential building or structure, except a fence or pump/utility house is:
 - (a) 10.0 metres from any front lot line; and
 - (b) 4.5 metres from any rear, side, or exterior side lot line.
- 9) The minimum setbacks for buildings and structures used for other than residential purposes are:
 - (c) 10.0 metres from any front or exterior side lot line;
 - (d) 15.0 metres from any rear or side lot line; and
 - (e) 15.0 metres from an edge lot line.
- 10) The minimum setback for intensive agriculture from any lot line is 30.0 metres.
- 11) The minimum setback from any lot line for buildings and structures related to a permanent sawmill or wood processing is 100.0 metres.
- 12) The minimum setback from any lot line for a home occupation related to the manufacture, repair, and assembly of goods is 15.0 metres.
- 13) The minimum setback from any lot line for agri-tourism accommodation is 30.0 metres.
- 14) The minimum setback from any lot line for a *produce stand* is 0 metres with a maximum gross floor area of 10 square metres.
- 15) On land in the Agricultural Land Reserve, maximum gross floor area of a dwelling unit is 410 square metres.
- 16) The maximum gross floor area of a building or structure for off-property retail sale of farm products or forestry products is 300.0 square metres.
- 17) The maximum combined lot area used for the operation of permanent sawmills, excluding storage area, is 200.0 square metres.

Conditions of Use

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

Subdivision Lot Area Requirements

19) The minimum lot area is ~~15.0~~ hectares.

Site-Specific Regulations

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

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
A(1)		a) The minimum lot area is 64.0 hectares.
A(2)		a) In addition to the uses listed in Table 1 of this Section, a restaurant is a permitted principal use. b) A maximum of five rooms may be used for homebased guest accommodation.
A(3)		a) A private non-commercial burial site for the use of residents of the property is a permitted accessory use.
A(4)		a) The maximum number of dwelling units is one per 15 hectares.
A(5)		a) No residential use is permitted. b) Single family d Dwelling units and buildings and

		<p>structures accessory to a constructed single family dwelling units are not permitted.</p> <p>c) The minimum setback of principal and accessory residential buildings or structures, except a fence, pump/utility house or pit privy from the front, rear, side and exterior side lot lines is 30 m.</p> <p>d) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 13.0 hectares.</p>
A(6)		<p>a) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 45.0 hectares.</p> <p>b) The minimum lot area per principal single family dwelling unit is 45.0 hectares.</p>
A(7)		<p>a) Hermitage is a permitted accessory use.</p> <p>b) Mobile accessory buildings for overnight accommodation of people participating in the activities or programs of a hermitage on the same lot are permitted.</p> <p>c) Up to eight mobile accessory buildings with a floor area not greater than 10m² each may be used for overnight accommodation of hermitage participants.</p>
A(8)		<p>a) The minimum lot area per principal single family dwelling unit is 8.4 hectares.</p>
A(9)		<p>a) The minimum lot area per principal single family</p>

		dwelling unit is 7.5 hectares. b) If a lot in this zone is subdivided, a total of 4 dwelling units are permitted on the resulting lots.
A(10)		a) The minimum lot area per principal single family dwelling unit is 14.91 hectares.
A(11)		a) The minimum lot area per principal single family dwelling unit is 5.25 hectares.
A(12)		a) the minimum lot area per principal single family dwelling unit is 10.45 hectares.
A(13)		a) The minimum lot area per principal single family dwelling unit is 1.55 hectares.
A(14)		a) the minimum lot area per principal single family dwelling unit is 1.55 hectares.
A(15)		a) The minimum lot area is 0.8 hectares.

3.6 Forestry Zone (F)

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

Permitted Principal Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Residential*;
 - (b) *Agriculture*, including *intensive agriculture*; and
 - (c) *Forestry*.

Permitted Accessory uses

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

- (a) home occupations;
- (b) Sale of forest products produced on-site, accessory to a principal forestry use;
- (c) Secondary suite;
- (d) secondary dwelling unit, ~~requires approval by a Temporary Use Permit;~~
- (e) *agri-tourism* (on lots classified as a farm under the *BC Assessment Act*); and
- (f) *agri-tourism accommodation* (on lots larger than 4.0 ha and classified as a farm under the *BC Assessment Act*), requires approval by a Temporary Use Permit.

Density

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

Siting and Size

- 7) The minimum setback for any principal or accessory residential building or structure, except a fence or pump/utility house is:
 - (a) 10.0 metres from any front lot line;
 - (b) 4.5 metres from any rear, side, or exterior side lot line.
- 8) For buildings and structures used for other than residential purposes, except a fence or pump/utility house the minimum setbacks are:
 - (a) 30.0 metres from any front or exterior side lot line; and
 - (b) 15.0 metres from any rear or side lot line.
- 9) The minimum setback for intensive agriculture from any lot line is 30.0 metres.
- 10) The minimum setback from any lot line for buildings and structures related to a permanent sawmill or wood processing is 100.0 metres.
- 11) The minimum setback from any lot line for a home occupation related to the manufacture, repair, and assembly of goods is 15.0 metres.
- 12) The minimum setback from any lot line for agri-tourism accommodation is 30.0 metres.
- 20) The minimum setback from any lot line for a *produce stand* is 0 metres with a maximum gross floor area of 10 square metres.

13) On land in the Agricultural Land Reserve, maximum gross floor area of a dwelling unit is 410 square metres.

~~13)14)~~ On land outside the Agricultural Land Reserve, the maximum gross floor area of a principal dwelling unit, including any secondary suite located within it, shall not exceed 300 square metres.

~~14)15)~~ The maximum gross floor area of a building or structure for off-property retail sale of farm products or forestry products is 200.0 square metres.

~~15)16)~~ The maximum combined lot area used for the operation of permanent sawmills, excluding storage area, is 200.0 square metres.

Conditions of Use

~~16)17)~~ On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for providing water for a subdivision in Section 2.6-19 apply and confirmation must be provided by an authorized person, as defined in the Sewerage System Regulation, ~~proof from a qualified professional~~ that the agri-tourism accommodation or dwelling unit is connected to an approved sewerage system apply.

Subdivision Lot Area Requirements

~~17)18)~~ The minimum lot area is 64.0 hectares.

Site-Specific Regulations

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

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

3.7 Resource Zone (RE)

The purpose of the Resource Zone RE is to manage the use of land for a mix of resource activities, including agriculture, forestry, and residential use in areas with moderate to large lot sizes.

Permitted Principal Uses

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

Residential;

Agriculture, including intensive agriculture; and

Forestry;

Permitted Accessory uses

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

home occupation;

Sale of forest products produced on-site, accessory to a principal forestry use;

Secondary suite;

secondary dwelling unit, requires approval by a Temporary Use Permit;

agri-tourism (on lots classified as a farm under the BC Assessment Act); and

agri-tourism accommodation (on lots larger than 4.0 ha and classified as a farm under the BC Assessment Act, requires approval by a Temporary Use Permit.

Density

The minimum lot area per principal dwelling unit outside the Agricultural Land Reserve (ALR) is 15.0 ha.

Only one (1) dwelling unit is permitted per lot, both inside and outside the Agricultural Land Reserve.

The maximum lot coverage for buildings and structures is 10%.

A maximum of one (1) secondary suite or one (1) secondary dwelling unit per lot is permitted.

Siting and Size

The minimum setback for any principal or accessory residential building or structure, except a fence or pump/utility house is:

10.0 metres from any front lot line; and

4.5 metres from any rear, side, or exterior side lot line.

For buildings and structures used for other than residential purposes, except a fence or pump/utility house the minimum setbacks are:

30.0 metres from any front or exterior side lot line; and

15.0 metres from any rear or side lot line.

The minimum setback for intensive agriculture from any lot line is 30.0 metres.

The minimum setback from any lot line for buildings and structures related to a permanent sawmill or wood processing is 100.0 metres.

The minimum setback from any lot line for a home occupation related to the manufacture, repair, and assembly of goods is 15.0 metres.

The minimum setback from any lot line for agri-tourism accommodation is 30.0 metres.

The minimum setback from any lot line for a produce stand is 0 metres with a maximum gross floor area of 10 square metres.

On land in the Agricultural Land Reserve, maximum gross floor area of a dwelling unit is 410 square metres.

The maximum gross floor area of a building or structure for off-property retail sale of farm products or forestry products is 200.0 square metres.

The maximum combined lot area used for the operation of permanent sawmills, excluding storage area, is 200.0 square metres.

Conditions of Use

On Agricultural Land Reserve lots where a secondary dwelling unit or agri-tourism accommodation use is to be created, there must be an adequate supply of water, and sewage disposal capacity, for the use, and for this purpose the rules for proving water for a subdivision in Section 2.8 and proof from a qualified professional that the agri-tourism accommodation or dwelling is connected to an approved sewerage system apply.

Subdivision Lot Area Requirements

The minimum lot area is 15.0 hectares.

3.8 Commercial (C)

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

Permitted Principal Uses

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

- (a) Residential;
- (b) Retail sale and rental;
- (c) Restaurant and cafe;
- (d) Personal service;
- (e) Office; and
- (f) Occasional markets, fairs, and festivals.

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

- 5) The minimum lot area is ~~1.0~~ hectares.

Site-Specific Regulations

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

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

3.9 Light Industrial (L)

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

Permitted Principal Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Residential*;
 - (b) Confectionary manufacturing.

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

- 6) The minimum lot area is ~~2.0X~~ hectares.

3.10 Institutional (IN)

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

Permitted-Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) ~~Public education~~Schools;
 - (b) Religious assembly;
 - (c) *Recycling depot*;
 - (d) Cemeteries;
 - (e) Emergency services;
 - (f) Health care services;
 - (g) Museums;
 - (h) Public assembly;
 - (i) *Occasional* markets, fairs, and festivals;
 - (j) *Passive recreation*;
 - (k) Sports facilities;
 - (l) Public washrooms.

Permitted Accessory Uses

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

- d) The minimum lot area is ~~1.0~~ hectare.

Site-Specific Regulations

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

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

Commented [NC1]: Is it being used as a hermitage?

3.11 Community Zone (CN)

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

Permitted Uses

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

Siting and Size

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

Subdivision Lot Area Requirements

- 3) The minimum lot area is 64.0 hectares.

3.12 Community Zone (PK)**Permitted Uses**

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

- 4) The minimum lot area is 64.0 hectares.

Site-Specific Regulations

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

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

3.13 Water Zone (W1)

Permitted Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Marine navigation aids; and
 - (d) Moorage buoys accessory to an adjacent upland residential or park use;

Prohibited Uses

The regulations listed here are intended to be applied in conjunction with the provisions Section 3.13.1 “Permitted Uses” in order to provide additional guidance and clarity on acceptable implementation actions and practices associated with the permitted uses.

- 2) Despite Section 3.15.1, the use of vehicles and ground-based machinery on the foreshore is prohibited.

3.14 Water Zone (W2)

Permitted Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Non-commercial boat anchorage and moorage;
 - (b) Commercial boat anchorage and moorage;
 - (c) Seaplane anchorage and moorage;
 - (d) Marine parks;
 - (e) Ferry terminals;
 - (f) Boat launching;
 - (g) Boat rentals and sales;
 - (h) Marine fuel sales;
 - (i) Take-out food service;
 - (j) Marine navigation aids; and
 - (k) Moorage buoys accessory to an adjacent upland residential or park use.

Siting and Size

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

3.15 Water Zone (W3)

Permitted Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Shellfish aquaculture;
 - (d) Marine navigation aids; and
 - (e) Moorage buoys accessory to an adjacent upland residential or park use.

Prohibited Uses

The regulations listed here are intended to be applied in conjunction with the provisions Section 3.15.1 “Permitted Uses” in order to provide additional guidance and clarity on acceptable implementation actions and practices associated with the permitted uses.

- 2) Despite Section 3.15.1, the use of vehicles and ground-based machinery on the foreshore is prohibited.

Site-Specific Regulations

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

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

3.15 Water Zone (W4)

Permitted Uses

- 1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Non-commercial boat anchorage and moorage;
 - (b) Marine parks;
 - (c) Marine navigation aids;
 - (d) Moorage buoys accessory to an adjacent upland residential or park use.

Prohibited Uses

The regulations listed here are intended to be applied in conjunction with the provisions Section 3.15.1 “Permitted Uses” in order to provide additional guidance and clarity on acceptable implementation actions and practices associated with the permitted uses.

- 2) Despite Section 3.15.1, the use of vehicles and ground-based machinery on the foreshore is prohibited.

Site-Specific Regulations

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

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

3.16 Water Zone (W5)

Permitted Uses

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