



Denman Island Local Trust Committee Special Meeting Agenda

Date: September 15, 2026
Time: 10:30 am
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

Pages

1. **CALL TO ORDER** 10:30 AM - 10:30 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. **COMMUNITY INFORMATION MEETING - Proposed Bylaw Nos. 260 and 264 - Major Project: Denman Island Housing Review (Official Community Plan and Land Use Bylaw) Review** 10:30 AM - 10:45 AM
 - 4.1 **Planner Presentation**
 - 4.2 **Question & Answer Period**
5. **PUBLIC HEARING - Proposed Bylaw Nos. 260 and 264 - Major Project: Denman Island Housing Review (Official Community Plan and Land Use Bylaw) Review** 10:45 AM - 11:45 AM
 - 5.1 **Recall to Order**
6. **BUSINESS ITEMS** 11:45 AM - 12:30 PM
 - 6.1 **Local Trust Committee Minutes dated August 24, 2026 - for adoption** 2 - 13
 - 6.2 **Major Project: Denman Island Housing Review (Official Community Plan and Land Use Bylaw) Review: Consideration of Third Reading - Post Public Hearing Staff Report** 14 - 130
 - 6.3 **Future Projects Report dated September 10, 2026** 131 - 133
7. **ADJOURNMENT** 12:30 PM - 12:30 PM



Denman Island Local Trust Committee

Minutes of Regular Meeting

Date: August 24, 2026
Location: Denman Activity Centre
1111 Northwest Rd, Denman Island, BC

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

Staff Present: Stefan Cermak, Director, Planning Services (electronic)
Narissa Chadwick, Island Planner (electronic)
Marlis McCargar, Island Planner
Margot Thomaidis, Planner 2
Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 39 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:01 am.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. RISE AND REPORT

During the June 23, 2026 in-camera meeting, the Denman Island Local Trust Committee adopted the May 12, 2026 in-camera meeting minutes.

5. REPORTS

5.1 Trustee Reports

Trustees Graham and Borthwick noted this is the last regular meeting of the term and both thanked their fellow Local Trust Committee members and staff for their support.

5.2 Chair's Report

Chair Maude spoke to time spent as Chair of the Denman Local Trust Committee and thanked Trustees and the community.

5.3 Electoral Area Director's Report - none

6. PUBLIC PARTICIPATION PERIOD

Several members of the public spoke to concerns related to development of the property previously known as Camp Denman and the following comments, questions, and responses were noted:

- Is there any legal documentation or proof that there has been any allowed land use other than Agricultural Land Reserve farm use on the property known as Camp Denman? Current construction on the property exceeds previous use and is damaging agricultural land.
 - The new uses are not permitted and enforcement is proceeding.
- How will Islands Trust respond to the bylaw infraction? What enforcement procedures are being undertaken?
 - The Local Trust Committee can not directly respond as there is an open bylaw enforcement file on the property. The Bylaw Compliance and Enforcement Manager noted the property owners have been informed that the uses are unlawful and are to cease, bylaw infraction notices have been issued for lack of a siting and use permit and for the unlawful float, the notices have been disputed, a screening officer will attend the property and a compliance process will be undertaken. If compliance is not reached the file moves to adjudication followed by potential legal action.
- Can a stop work order be issued?
 - There is no means in which a stop order can be issued as building inspections are not done on Denman Island; therefore, the Regional District has no ability to stop the work through a stop work order.
- The vision for Camp Denman is not appropriate for the community, the property owners are not respecting the land, Islands Trust has a mandate to preserve and protect the island, once the Local Trust Committee permits development they open the door for others, and when a developer ignores the rules, they become harder to enforce.
 - The Local Trust Committee has not endorsed the development.
- If bylaw enforcement can not be done quickly, then permission for others to do what they want is given provided it gets done before it can be stopped.
 - A Trustee noted there are limitations to what is appropriate for the Trustees to say publicly and they can not compromise the process by speaking out of turn or assume legal powers that they do not possess. The community has chosen not to have building permits and one of the risks of allowing a more flexible and less rigid situation comes with consequences of taking away some ability to act swiftly to stop work immediately. The Local Trust Committee is not allowing the development and is doing what they can, through the processes available, to stop it and are equally frustrated; however, they can not be involved with a bylaw enforcement action.
- A member of the public asked if the Agricultural Land Commission (ALC) is aware of the problem and are they able to do anything to stop the work.
 - The ALC has been made aware of the issue but there is no mechanism for joint enforcement. Bylaw Enforcement works cooperatively with ALC staff and engage the ALC when necessary.
- Is there ability to deal with the issue through the Province?

- The Province will not prosecute offences against local government bylaws.
- The property owner pumps water from a well into storage tanks, the well is located close to a neighbouring registered well, and the neighbouring well has commercial water rights. Surrounding farms are concerned about running out of water and have been told they have to pay for a geological water study. What could Islands Trust do to help them, or help pay for a geological ground water study?
 - There is no mechanism for the Local Trust Committee to pay for the study. The new property owners would be required to pay for the study through a rezoning application which they have not submitted.
- If Denman Island was governed by the Comox Valley Regional District would there be greater restrictions, an ability to stop the work, and better water protection?
 - The community agreed to use siting and use permits and not building inspections. Rules and regulations work for those that wish to conform and if one is doing something that is not legal then at the end of the day, once process is followed, it won't be allowed. There is no harm in reaching out to the Regional District with concerns.
- How can the public support the Local Trust Committee in the matter.
 - Bylaw Compliance and Enforcement staff are working on the file and will contact the Agricultural Land Commission again to follow up on the matter.
- Tents are being built close together and might be a fire hazard. Has the fire chief been invited to the site for inspection?
 - If there are fire hazard concerns, they need to be reported.
- Are bylaw enforcement orders and notices public record?
 - The property owner has been informed what uses are permitted and not permitted and what the contraventions are. There are no documents that are made public yet; however, if the matter goes to adjudication the notices become a matter of public record.

A member of the public spoke to the Official Community Plan and Land Use Bylaw project and stated their belief that if second reading is provided there can be no further changes, few community members have attended the meetings resulting in a lack of understanding or knowledge of the changes that are being made such as the density bank being removed. They requested second reading be delayed until after the Public Hearing.

The Planner clarified members of the public have until the close of the Public Hearing to submit any comments or concerns and changes can still be made following second reading.

A member of the public stated the Trustees were elected on the affordable housing issue, changes have made and are coming forward to a Public Hearing on September 15. They noted the project needs to get finished and urged members of the public to support changes that will support affordable housing.

The meeting was recessed for a break at 11:11 a.m. and reconvened at 11:26 a.m.

7. MINUTES

7.1 Local Trust Committee Special Meeting Minutes dated July 11, 2026 - for adoption

By general consent, the Local Trust Committee meeting minutes of July 11, 2026 were adopted.

7.2 Local Trust Committee Minutes dated June 23, 2026 - for adoption

By general consent, the Local Trust Committee meeting minutes of June 23, 2026 were adopted.

7.2 Section 26 Resolutions-Without-Meeting Report dated August 14, 2026

Received for information.

7.3 Advisory Planning Commission Minutes - none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated August 14, 2026

Received for information.

9. DELEGATIONS - none

10. APPLICATIONS AND REFERRALS

10.1 PL-DP-20260188 (Glowacki) - Staff Report

The Planner summarized the staff report and noted the application seeks a Development Permit for retroactive tree removal and proposed construction of a residential dwelling, garage, and septic system within Development Permit Area No. 1 (DPA 1) – Komas Bluff and all Development Permit Area Guidelines have been met.

The applicant was in attendance.

The Local Trust Committee had no questions or comments.

DE-2026-055

It was MOVED and SECONDED

that the Denman Island Local Trust Committee approve issuance of Development Permit PL-DP-2026-0188.

CARRIED

10.2 PL-RZ-2025-0368 (Emcon) - Staff Report

The Planner summarized the staff report and noted the application is being returned to the Local Trust Committee for consideration of First Reading. The application seeks to amend the Official Community Plan (OCP) and Land Use Bylaw (LUB) to rezone a portion of the subject property from Institutional to R4 Community Housing to enable the construction of eight affordable housing units to be owned and managed by the Denman Community Housing Society.

The applicant was in attendance and spoke to concerns regarding the timing of the process and noted the rezoning needs to be completed in order to move forward with other aspects of the project such as government funding.

Discussion ensued and the following comments were recorded:

- Should the Local Trust Committee give second reading of the bylaw at the same time as first reading, they are indicating general concurrence with the bylaw language; however, amendments could still be made following input received at the Public Hearing; and giving second reading at this time does not change the timelines of the process;
- A letter could be submitted to the property owner providing reassurance that the application is supported and proceeding as quickly as possible within timelines dictated by the *Local Government Act* and delays related to upcoming elections.

DE-2026-056

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff, with the Chair's assistance, to draft a letter to the Chief Executive Office of Emcon Services outlining the application process to date and expected potential completion related to application PL-RZ-2025-0368.

CARRIED

DE-2026-057

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 262 cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2026" be read a first time.

CARRIED

DE-2026-058

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 263 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2026" be read a first time.

CARRIED

DE-2026-059

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 262 cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2026" and the Denman Island Local Trust Committee Bylaw No. 263 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2026" be referred to First Nations, Local Governments and agencies for comment.

CARRIED

DE-2026-060

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 262 cited as "Denman Island Official Community Plan, 2008, Amendment No. 2, 2026" be read a second time.

CARRIED

DE-2026-061

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 263 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2026” be read a second time.

CARRIED

10.3 PL-SUB-2025-0419 (Nielson) - Staff Report

The Planner summarized the staff report and noted the application seeks a lot frontage waiver for one lot in a proposed subdivision to have less than a 10% frontage on a highway as required by the *Local Government Act*.

The applicant was in attendance.

The Local Trust Committee had no comments or questions.

DE-2026-062

It was MOVED and SECONDED

that the Denman Island Local Trust Committee exempt Proposed Lot C of LOT 5 SECTION 28 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP105119 of subdivision PL-SUB-2024-0419 (Nielson) from the 1/10 perimeter provision of Section 512 of the *Local Government Act*.

CARRIED

10.4 DE-RZ-2023.1 Komas Ranch Ltd. (Late Item) – Staff Report

The Planner summarized ongoing work on the application and draft Section 219 Covenant as identified in the staff report. They noted the application to amend the Official Community Plan and Land Use Bylaw to align with an expired Land Use Contract is being returned to the Local Trust Committee for consideration of First Reading with a recommendation for further information including a Preliminary Field Reconnaissance and a Water Management Plan.

The applicant was in attendance and spoke to the following:

- The request for a Water Management Plan has been included in the staff report; however, information on all of the wells and water storage capacity had previously been submitted and staff had indicated that no further information on water was required;
- Recent quotes for well testing ranged upwards of \$120,000;
- The Preliminary Field Reconnaissance has been scheduled for September 8 and a report will be submitted when received;
- Maximum site coverage language does not reflect that the property is not made up of individual lots, there are 20 dwellings on one property with tenants in common and each shareholder owns 1/20th of one parcel of land and are provided an area of exclusive use;
- The 5% site coverage allowance should represent the entire property as there are not specific building lots, the lines delineating each “property” have been arbitrarily chosen by the shareholders;
- Adjacent consultation noted in staff report requires consultation with adjacent municipalities and seems like overreach.

Discussion ensued and the following comments were recorded:

- Information on wells and water previously requested has been provided and there is no need to provide a water management plan;
- The Local Trust Committee is not considering new density, the application relates to existing density with no proposed changes, or additions, to existing use;
- One of the conditions of the Land Use Contract was proof of potable water and this specific information has not been provided;
- There is no change in density or intensity and no known problem with water quality or quantity;
- The *Local Government Act* dictates that First Nations, agencies, and other governments are consulted and there is a 90-day period in which a response can be received.

DE-2026-063

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 252, cited as “Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025” be read a first time.

CARRIED

DE-2026-064

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 253 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025” be read a first time.

CARRIED

DE-2026-065

It was MOVED and SECONDED

that the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 252, cited as “Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

DE-2026-066

It was MOVED and SECONDED

that resolution DE-2026-065 “that the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 252, cited as “Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025”, is not contrary to or at variance with the Islands Trust Policy Statement” be rescinded.

CARRIED

DE-2026-067

It was MOVED and SECONDED

that the Denman Island Local Trust Committee has determined that the following information is required to address Islands Trust Policy Statement

Directive 5.6.3 prior to Public Hearing for Bylaw Nos. 252 and 253, cited as “Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025” and “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025”:

- A Preliminary Field Reconnaissance as outlined in the Terms of Reference letter dated January 21, 2025.

CARRIED

DE-2026-068

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff prepare a draft Section 219 restrictive covenant in consultation with the applicant and the K’ómoks First Nation for DE-RZ-2023.1 with the following potential provisions:

- a) Requiring an Archaeological Overview Assessment prior to ground disturbance;
- b) Restricting ground disturbance within a certain number of metres of a specified area or a registered archaeological site; and
- c) Requiring that an Indigenous knowledge-holder or Guardian Watchman is present during development within an area known to contain cultural or archaeological heritage materials or remains.

CARRIED

DE-2026-069

It was MOVED and SECONDED

that the Proposed Bylaw Nos. 252 and 253 be referred to First Nations, Local Governments and agencies for comment.

CARRIED

The meeting was recessed for a break at 1:06 p.m. and reconvened at 1:38 p.m.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Major Project: Denman Island Housing Review (Official Community Plan and Land Use Bylaw): Bylaw Nos 260 and 264 - Staff Report

The Planner noted proposed Bylaw Nos. 260 (Official Community Plan) and 264 (Land Use Bylaw) were being returned to the Local Trust Committee for consideration of Second Reading following recent amendments which reflect the referral responses and community feedback received.

Discussion ensued and the following comments were noted:

- Page 156 of staff report, last full paragraph, last line, add space between words “across” and “their”;
- Page 160 of staff report, first paragraph under Housing and Services Needs, delete the first and second sentences; “
- Page 223 of staff word, section 3.7 (1), add word “zone” after Agricultural (AG);
- K’ómoks First Nation would like to see extended setback from the sea to 30 metres and while a 30-metre setback is appropriate in most instances there are

a few properties in which it is not feasible, if the setback is changed many houses will be put in a legal non-conforming situation;

- The Local Trust Committee can add the setback to the sea discussion to the Future Projects List;
- The statement regarding data centers is out of scope of the project;
- The statement received from the Denman Conservancy should be added into the “Background” on page 185 of the staff report after Housing and Services Needs called “Significance of Denman Island Ecosystems”.

DE-2026-070

It was MOVED and SECONDED

that the Denman Island Local Trust Committee amend Bylaw No. 260, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”, as specified in Attachment 1 of the staff report dated August 24, 2026, and as follows:

- Housing and Services Needs section, delete the words “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.”
- Inserting a section after the Housing and Services and Needs section, Significance of Denman Island Ecosystems: 'Denman Island' ecosystems are globally significant. They are among the rarest, most valuable and most at risk in the world. Human residents and visitors on Denman Island are tasked with the stewardship of these precious species, as well as the network of their critical supportive habitats. Human activities on Denman need to be considered in terms of ensuring the long-term health and survival of these ecosystems.”
- Section E.1 – HOUSING, Housing Objectives, Objective 2: insert the words “quantity and” before the word “quality”.
- Section D.5 – Subdivision of Land, Policy 10: insert the words “the consideration of both site-specific and cumulative impacts of the proposed development on neighbouring properties, groundwater resources, and the wider area:” after the words “including but not limited to:”.
- Section D.5 – Subdivision of Land, Policy 10, a) insert the words “including potential impacts on neighbouring water sources and the risk of saltwater intrusion, where applicable” after the words “potable water availability”.
- Section D.5 – Subdivision of Land, Policy 10, b) insert the words “including potential cumulative impacts on groundwater quality, neighbouring properties, and the wider area” after the words “wastewater disposal capability”

CARRIED

DE-2026-071

It was MOVED and SECONDED

that the Denman Island Local Trust Committee amend Bylaw No. 264, cited as “Denman Island Land Use Bylaw No. 264, 2026” as specified in Attachment 3 of the staff report dated August 24, 2026 and as follows:

- a) PART 3 GENERAL REGULATIONS, Section 3.7 Accessory Uses, Building and Structures, insert the word “zone” after Agriculture.

CARRIED

DE-2026-072

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 260, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026”, be read a second time.

CARRIED

DE-2026-073

It was MOVED and SECONDED

that the Denman Island Local Trust Committee Bylaw No. 264, cited as “Denman Island Land Use Bylaw No. 264, 2026”, be read a second time.

CARRIED

DE-2026-074

It was MOVED and SECONDED

that the Denman Island Local Trust Committee add “critical aquifer protection development permit area” to the top of the future projects list as a Denman Island Housing Review implementation project next step.

CARRIED

DE-2026-075

It was MOVED and SECONDED

that the Denman Island Local Trust Committee add “setback to the natural boundary of the sea” to the second from the top of the future projects list as a Denman Island Housing Review implementation project next step.

CARRIED

12. CORRESPONDENCE

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

13. NEW BUSINESS - none

14. STAFF REPORTS

14.1 Bylaw Enforcement Notification Bylaw No. 265 - Final Adoption - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report and noted Amendment Bylaw No. 265 is being returned to the Local Trust Committee for final adoption following approval by the Executive Committee.

The Local Trust Committee had no questions or comments.

DE-2026-076

It was MOVED and SECONDED

that the Denman Island Local Trust Committee adopt Bylaw No. 265, cited as the “Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026”.

CARRIED

14.2 Trust Conservancy Report - none

14.3 Applications Report dated August 14, 2026

Received for information.

14.4 Trustee and Local Expense Report dated June, 2026

Received for information.

14.5 Adopted Policies and Standing Resolutions

Received for information.

14.6 First Nations Relationship Building Update - none

14.7 Local Trust Committee Webpage - none

15. WORK PROGRAM

15.1 Active Projects Report dated August 14, 2026

Received for information.

15.2 Future Projects Report dated August 14, 2026

Received for information.

16. UPCOMING MEETINGS

16.1 Special Meeting to hold a Community Information Meeting and Public Hearing Scheduled for Tuesday September 15, 2026 at 10:30 a.m. to be held at the Denman Activity Centre Gym, 1111 Northwest Road, Denman Island, BC.

16.2 Next Regular Meeting Scheduled for Monday, November 16, 2026 at 10:00 a.m. to be held electronically via Zoom.

17. CLOSED MEETING

17.1 Motion to Close the Meeting

DE-2026-077

It was MOVED and SECONDED

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

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

and that the recorder and staff attend the meeting.

CARRIED

The meeting was recessed at 2:25 p.m. and adjourned at 2:36 p.m. following the in-camera portion of the meeting.

17.2 Recall to Order

The meeting was not recalled to order.

17.3 Rise and Report

Chair Maude will rise and report adoption of the June, 2026 in-camera meeting minutes at the next regular scheduled meeting.

18. ADJOURNMENT

By general consent, the meeting was adjourned at 2:36p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder



File No.: Denman Island
Housing Review
Project

DATE OF MEETING: September 15, 2026

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Office

COPY: Narissa Chadwick, Island Planner, Mary Storzer, Regional Planning Manager

SUBJECT: Bylaw Nos. 260 and 264 – Consideration of Third Reading

RECOMMENDATION

1. That the Denman Island Local Trust Committee proposed Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be amended as follows:

a. Amend Column 2 “Location Description” of the site-specific table in Section 5.1(14) by inserting:

- i. PID 001-221-671 (LOT 2, SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 30833) and PID 004-153-367 (LOT 11, SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 12330) for the R1(1) zone;
- ii. PID 001-303-066 (LOT 4, SECTION 5, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 6404, EXCEPT THAT PART IN PLAN 20521) for the R1(2) zone;
- iii. PID 008-976-911 (PARCEL NO. 1 (DD 134726I) OF PARCEL "K" (DD 10969N) OF THE SOUTH WEST 1/4 OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT) for the R1(3) zone
- iv. PID 029-262-461 (LOT A SECTIONS 20 AND 21 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP29609) for the R1(4) zone

b. Amend Column 2 “Location Description” of the site-specific table in Section 5.2(15) by inserting:

- i. PID 004-359-551 (LOT 7 SECTION 6 DENMAN ISLAND NANAIMO DISTRICT PLAN 43740) for the R2(1) zone;
- ii. PID 010-312-404 (LOT 1, SECTION 27, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 46460) for the R2(2) zone;
- iii. PID 003-035-697 (LOT D, SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 24474) for the R2(3) zone;
- iv. PID 009-712-330 (PARCEL A (DD 84520I) OF THE SOUTH EAST 1/4 OF SECTION 27, DENMAN ISLAND, NANAIMO DISTRICT); portion of the parcel as shown on Schedule B for the R2(4) zone;
- v. PID 000-184-098 (THE SOUTH EAST 1/4 OF SECTION 26 DENMAN ISLAND NANAIMO DISTRICT); portion of the parcel as shown on Schedule B for the R2(5) zone;

- vi. PID 030-277-876 (LOT 1 SECTION 12 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP73790) and PID 024-907-979 (LOT A SECTION 13 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP71627); portion of the parcel as shown on Schedule B for the R2(6) zone;
 - vii.
 - PID 009-704-523 (THE SOUTH WEST 1/4 OF SECTION 13, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PART IN PLAN VIP71627); portion of the parcels as shown on Schedule B;
 - PID 031-395-856 (LOT 3 SECTION 28 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP105119); PID 032-544-669 (LOT A SECTION 28 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP144583); portion of the parcels as shown on Schedule B;
 - PID 032-544-677 (LOT B SECTION 28 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP144583); portion of the parcels as shown on Schedule B;
 - PID 031-395-872 (LOT 5 SECTION 28 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP105119); portion of the parcel as shown on Schedule B for the R2(7) zone;
 - viii. PID 006-662-307 (SECTION 31 AND PART OF SECTION 32, DENMAN ISLAND, NANAIMO DISTRICT, THE WHOLE OF SAID LAND BEING THE AREA SHOWN OUTLINED IN RED ON PLAN 1656-R, EXCEPT THAT PART OF SECTION 32 INCLUDED IN PLAN 16663 AND EXCEPT PART IN PLAN VIP61295, VIP87982 AND VIP88176); portion of the parcel as shown on Schedule B for the R2(8) zone.
 - ix. PID 000-457-191 (LOT 2, SECTION 28, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 38053) for the R2(9) zone;
 - x. PID 026-826-399 (LOT 1 SECTIONS 25 AND 30 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP81780); portion of the parcel as shown on Schedule B for the R2(10) zone; and
 - xi. PID 006-657-931 (THE FRACTIONAL NORTH WEST 1/4 OF SECTION 24, DENMAN ISLAND, NANAIMO DISTRICT); portion of the parcel as shown on Schedule B for the R2(11) zone.
- c. Amend Column 2 “Location Description” of the site-specific table in Section 5.4(8) by inserting:
- i. PID 000-393-941 (LOT B SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN 36263 EXCEPT PLAN EPP113337) for the R4(1) zone; and
 - ii.
 - PID 031-102-026 (LOT A SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP68031);
 - PID 026-826-399 (LOT 1 SECTIONS 25 AND 30 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP81780); portion of the parcel as shown on Schedule B;
 - PID 006-639-771 (THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT); portion of the parcel as shown on Schedule B;

- PID 006-639-275 (THE NORTH EAST 1/4 OF SECTION 10, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PART IN PLAN VIP89453); portion of the parcel as shown on Schedule B;
 - PID 006-639-411 (THE NORTH EAST 1/4 OF SECTION 17, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THOSE PARTS IN PLANS 14174 AND 17286 AND VIP89491);
 - PID 006-657-818 (THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 23, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP53299);
 - PID 017-541-140 (LOT 4, SECTION 24, DENMAN ISLAND, NANAIMO DISTRICT, PLAN VIP53299);
 - PID 017-541-115 (LOT 1, SECTION 24, DENMAN ISLAND, NANAIMO DISTRICT, PLAN VIP53299);
 - PID 023-982-012 (LOT B SECTION 22 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP65761);
 - PID 017-541-131 (LOT 3, SECTION 24, DENMAN ISLAND, NANAIMO DISTRICT, PLAN VIP53299);
 - PID 006-639-003 (THE WEST 20 CHAINS OF THE NORTH 30 CHAINS OF THE SOUTH WEST 1/4 OF FRACTIONAL SECTION 23, DENMAN ISLAND, NANAIMO DISTRICT);
 - PID 017-541-123 (LOT 2, SECTION 24, DENMAN ISLAND, NANAIMO DISTRICT, PLAN VIP53299) for the R4(2) zone.
- d. Amend Column 2 “Location Description” of the site-specific table in Section 5.5(20) by inserting:
- i.
 - PID 023-982-004 (LOT A SECTION 22 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP65761);
 - PID 009-708-189 (PARCEL L (DD 6602N) OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PARTS IN PLAN 24807 AND PLAN EPP68031); portion of the parcel as shown on Schedule B;
 - PID 012-267-881 (PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, INCLUDED WITHIN DENMAN ROAD AND BEING DESCRIBED AS THE SOUTHERLY 20 FEET OF SAID PARCEL) for the A(1) zone;
 - ii. PID 031-102-026 (LOT A SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP68031) for the A(2) zone;
 - iii. PID 017-337-925 (LOT A SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP68031) for the A(4) zone;
 - iv. PID 028-101-677 (LOT A SECTION 17 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP87456); PID 006-662-307 (SECTION 31 AND PART OF SECTION 32, DENMAN ISLAND, NANAIMO DISTRICT, THE WHOLE OF SAID LAND BEING THE AREA SHOWN OUTLINED IN RED ON PLAN 1656-R, EXCEPT THAT PART OF SECTION 32 INCLUDED IN PLAN 16663 AND EXCEPT PART IN PLAN VIP61295, VIP87982 AND VIP88176) for the A(5) zone;

- v. PID 002-835-975 (LOT 2, SECTION 16, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 24827) for the A(7) zone;
- vi.
 - PID 004-747-500 (THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 27, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PARCELS A AND B AND EXCEPT PART IN PLAN VIP68873);
 - PID 000-560-227 (LOT A, SECTION 16, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 41251);
 - PID 004-526-635 (LOT 1, SECTION 16, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 15630);
 - PID 000-941-051 (LOT 1, SECTION 16, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 41861) for the A(8) zone;
- vii. PID 000-184-098 (THE SOUTH EAST 1/4 OF SECTION 26 DENMAN ISLAND NANAIMO DISTRICT); portion of the parcel as shown on Schedule B for the A(10) zone;
- viii. PID 000-366-820 (LOT 8 SECTION 10 DENMAN ISLAND NANAIMO DISTRICT PLAN 25516) for the A(11) zone;
- ix. PID 009-705-139 (THE NORTH 13 CHAINS OF THE NORTH EAST 1/4 OF SECTION 13, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT THE EAST 20 FEET AND EXCEPT THAT PART IN PLAN 26309); portion of the parcel as shown on Schedule B for the A(12) zone;
- x. PID 000-495-131 (PARCEL B (DD 84521I) OF THE SOUTH EAST 1/4 OF SECTION 27, DENMAN ISLAND, NANAIMO DISTRICT) for the A(13) zone;
- xi. PID 001-077-228 (LOT 1 SECTIONS 20 AND 21 DENMAN ISLAND NANAIMO DISTRICT PLAN 32301 EXCEPT PART IN PLAN EPP29609) for the A(14) zone; and
- xii. PID 031-102-026 (LOT A SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP68031); portion of the parcel as shown on Schedule B and PID 028-101-677 (LOT A SECTION 17 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP87456) for the A(15) zone.
- e. Amend Column 2 “Location Description” of the site-specific table in Section 5.6(19) by inserting:
 - i. PID 006-657-290 (THE SOUTH WEST 1/4 OF SECTION 17, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN 14174, VIP77481 AND VIP87456) and 003-642-127 (PARCEL R (DD 100768I) OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT) for the F(1) zone.
- f. Amend Column 2 “Location Description” of the site-specific table in Section 5.7(6) by inserting:
 - i. PID 003-642-194 (THAT PART OF PARCEL N (DD 5585N) OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, SHOWN OUTLINED IN ORANGE ON PLAN 744R) and PID 000-252-069 (LOT 1, SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 33612) for the C(1) zone.
- g. Amend Column 2 “Location Description” of the site-specific table in Section 5.9(6) by inserting:

- i. PID 000-252-069 (LOT 1, SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 33612) for the IN(1) zone;
 - ii. PID 009-796-100 (THAT PART OF THE NORTH 1/2 OF SECTION 18, DENMAN ISLAND, NANAIMO DISTRICT, SHOWN OUTLINED IN RED ON PLAN DEPOSITED UNDER DD 15501F) for the IN(2) zone;
 - iii. PID 028-011-171 (LOT 1 SECTION 18 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP87089) for the IN(3) zone; and
 - iv. PID 002-835-975 (LOT 2, SECTION 16, DENMAN ISLAND, NANAIMO DISTRICT, PLAN 24827); portion of the parcel as shown on Schedule B for the IN(4) zone.
- h. Amend Column 2 “Location Description” of the site-specific table in Section 5.11(5) by inserting:
 - i. PID 009-704-345 (THE SOUTH WEST 1/4 OF SECTION 2, DENMAN ISLAND, NANAIMO DISTRICT); portion of the parcel as shown on Schedule B for the PK(1) zone; and
 - ii. PID 009-712-224 (THE SOUTH EAST 1/4 OF SECTION 23, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT THAT PART IN PLAN 8118) for the PK(2) zone.
- i. Amend Column 2 “Location Description” of the site-specific table in Section 5.15(3) by inserting:
 - i. As shown on Schedule B for the W3(1) zone.
- j. Amend Column 2 “Location Description” of the site-specific table in Section 5.16(3) by inserting:
 - i. As shown on Schedule B for the W4(1) zone.
- 2. That Denman Island Local Trust Committee proposed Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” be read a third time.
- 3. That Denman Island Local Trust Committee proposed Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be read a third time.
- 4. That the Denman Island Local Trust Committee proposed Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” be forwarded to the Minister of Housing and Municipal Affairs for approval.
- 5. That the Denman Island Local Trust Committee proposed Bylaw No. 260 cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2026” and proposed Bylaw No. 264 cited as “Denman Island Land Use Bylaw No. 264, 2026” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

This is a post-public hearing report supporting next steps for proposed Bylaw Nos. 260 (OCP amendment), and 264 (LUB Amendment). These bylaws are related to the Denman Island Housing Review Project.

Staff are recommending the LTC give Third Reading to Bylaw Nos. 260 and 264, forward Bylaw No. 260 to the Minister of Housing and Municipal Affairs for approval, and forward the Bylaw No. 260 and 264 to Executive Committee for approval.

BACKGROUND

The LTC is considering amendments to the Denman Island Official Community Plan No. 185 (Bylaw 260) and the Denman Island Land Use Bylaw No. 186 (Bylaw 264). The proposed amendments are intended to update housing and land use policies and regulations to better respond to community housing needs while maintaining the environmental, agricultural, cultural, and community values of Denman Island.

The proposed Official Community Plan amendments would:

- update housing objectives to address housing needs while protecting the environment and acknowledging First Nations interests;
- replace the existing density bank policy with a policy framework that guides housing and development in accordance with community values and environmental protection;
- expand policy support for affordable and attainable housing, including alternative housing forms such as RVs and yurts where appropriate;
- support applications to the Agricultural Land Commission for exclusion of land from the Agricultural Land Reserve for affordable housing; and
- provide greater flexibility for subdivision to support parks and protected areas, cultural heritage protection, affordable and attainable housing, seniors' and special needs housing, and community service needs.

The proposed Land Use Bylaw amendments would complement these policy changes by adjusting development regulations, including minimum lot sizes, permitted dwelling densities, secondary dwelling and suite provisions, industrial-zone dwelling permissions, lot coverage and floor area limits, and freshwater storage requirements for new buildings.

Overall, the proposed amendments are intended to provide greater flexibility to address housing and community needs while directing growth and development in a manner that protects Denman Island's environmental and community values.

The LTC gave Bylaw Nos. 260 and 264 First Reading on May 12, 2026 and Second Reading on August 24, 2026. The bylaws were referred to First Nations, agencies and organizations in May 2026 with a 90-day referral period.

A Public Hearing was scheduled for September 15, 2026. A Public Hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading (this may include amendments to alter the bylaws).
2. Send the OCP Bylaw to the Minister for approval.
3. Forwarding of the bylaws to Executive Committee for approval.
4. Final LTC consideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties

also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings; a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Minister and Executive Committee approve the bylaws, the next step for the LTC would be to adopt the bylaw.

SUGGESTED AMENDMENTS TO BYLAW NO. 264 (LUB)

Staff are proposing minor, non-substantive administrative edits to Proposed Bylaw No. 264 to insert missing Parcel Identification Numbers (PIDs) and location descriptions into the site-specific zoning tables.

During the reformatting of the Land Use Bylaw, these property identifiers were inadvertently omitted from Column 2 of the site-specific tables across several zones (Residential, Agriculture and Forestry, Commercial and Institutional, Park, and Water).

Staff confirm that there have been no changes to the site-specific zone boundaries, regulations, or permitted uses from the current Land Use Bylaw. Inserting the PIDs and location descriptions is a housekeeping correction.

Rationale for Recommendation:

Staff are recommending the LTC give Third Reading, and that the Bylaws be forwarded to Executive Committee for approval. The recommendations are supported because:

- All statutory requirements have been completed including the required notification and holding of a Public Hearing consistent with the *Local Government Act*;
- Public, government agency or First Nation concerns raised with the proposed bylaws have been considered by the LTC; and
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption.

ALTERNATIVES

1. Amend the Bylaw(s)

The LTC may amend the bylaws provided the amendments would not alter use or increase density.

That the Denman Island Local Trust Committee proposed Bylaw No. 260 cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2026" be amended as follows:...

That the Denman Island Local Trust Committee proposed Bylaw No. 264 cited as "Denman Island Land Use Bylaw No. 264, 2026" be amended as follows:....

2. Defer Third Reading to the Incoming LTC

The LTC may choose to defer consideration of Third Reading of Bylaw Nos. 260 and 264 to a future meeting of the incoming LTC. This is the final regular meeting of the current LTC before the local election, and the incoming LTC is not expected to begin considering applications and projects until early 2027.

If the LTC chooses this option, no resolution is required at this time. Bylaw Nos. 260 and 264 would be brought forward for consideration by the incoming LTC at a subsequent meeting.

3. Proceed no further

That the Denman Island Local Trust Committee proceed no further with Bylaw Nos. 260 and 264.

NEXT STEPS

If the recommendations are supported:

- Bylaw No. 260 will be sent to the Ministry of Municipal affairs for approval;
- Bylaw No. 260 and Bylaw No. 264 will be sent to Executive Committee for approval; and
- Pending approval from the Minister and EC, Bylaw No. 260 and Bylaw No. 264 will be presented to the LTC for adoption.

Submitted By:	Marlis McCargar, Island Planner	September 3, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	September 3, 2026

ATTACHMENTS

1. Proposed Bylaw No. 260
2. Proposed Bylaw No. 264

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 260

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

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

1. CITATION

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

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	12 th	DAY OF	MAY	20 <u>26</u>
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	24 th	DAY OF	AUGUST	20 <u>26</u>
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

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

SCHEDULE 1

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

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

“Community Context

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

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

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

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

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

Map 1: Denman Local Trust Area



Map 2: Denman Island Planning Area



Natural History

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

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

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

Glaciation played a defining role in the more recent landscape. During the last ice age, thick ice sheets flowed south and west from the continental mountains, reaching maximum extent about 15,000 years ago. As the ice retreated, views from places such as Komag 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 Komag Bluff, Longbeak Point, Sandy Island, and the Seal Islets.

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

Indigenous History and Context

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

The Pentlatch people, whose language and cultural systems are 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 their traditional territories, 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. They reflect the rich histories of Indigenous people on Denman Island since time immemorial.

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 and relevant First Nations’ archaeological permits to alter or develop within an archaeological site.

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

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

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

The Local Trust Committee also learned that KFN's fundamental values include protecting the lands, waters, and resources that have sustained Indigenous communities since time immemorial. As stewards of the land, KFN expects that development on the islands be sustainable and aligned with Indigenous laws and knowledge systems.

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

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

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

Settler History

The islands now known as Denman and Hornby were first recorded by Europeans in 1791 when Spanish sailors sighted them and named them the Islas de Lerena in honour of Spain's Minister of the Treasury. A year later, George Vancouver, sailing for Great Britain, did not sight the islands, and the Spanish name persisted for nearly seventy years. In 1860, British Naval surveyor George Richards mapped the islands' shorelines and renamed them Denman and Hornby after British officers. The first

European to set foot on Denman Island was likely Joseph William McKay in 1852, who briefly visited the site of the village he called Siklaults while prospecting for coal. Although Indigenous title to the land was not extinguished, European settlement in the Comox Valley began a decade later and extended to Denman Island twelve years after McKay's visit.

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

Access to Denman Island improved significantly in the 20th century, with regular ferry service beginning in 1930 and a car ferry link to Hornby Island established in 1954, paving the way for new economic and social changes. Rising urban prosperity and increased automobile access in the mid-20th century led to recreational property development, prompting the provincial government to introduce a "ten-acre freeze" on subdivisions in 1973 to protect rural character and water resources. The social transformations of the 1960s and early 1970s, including the back-to-the-land movement and the arrival of American draft resisters, reshaped the island's demographics and fostered a growing environmental consciousness. These changes contributed to the establishment of the Islands Trust in 1974, reflecting a broader commitment to balancing human activity with the protection of the natural environment on Denman Island and throughout the Gulf Islands.

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

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

Population and Demographics

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

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

Housing and Services Needs

The BC Provincial Government requires all local governments in BC to consider its' most recent Housing Needs Report and housing information when amending OCPs. Given groundwater limitations and interests in preserving and protecting the environment caution is needed when considering future housing capacity. Provision of non-market housing should be the focus of additional housing development on the island.

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

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.

Significance of Denman Island Ecosystems

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).

Denman Island ecosystems are globally significant. They are among the rarest, most valuable, and most at-risk in the world. Human residents and visitors on Denman Island are tasked with the stewardship of these precious species, as well as the network of their critical supportive habitats. Human activities on Denman Island need to be considered in terms of ensuring the long-term health and survival of these ecosystems.

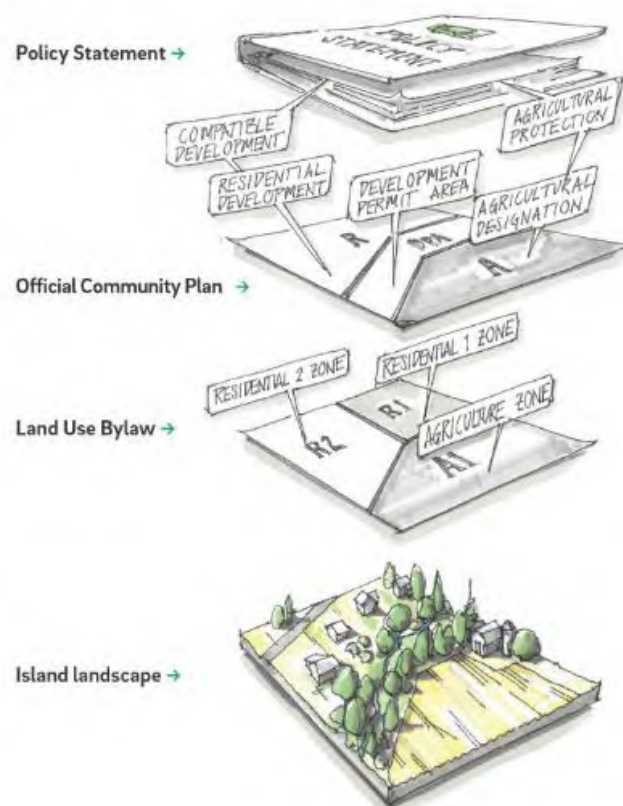
6. Section B.1 INTRODUCTION is amended by deleting the existing text in its entirety and replacing it with the following:

“B.1.1 Purpose of this Plan

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

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

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



B.1.2 Local Government Act Required Content

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

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

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

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

B.1.3 The Islands Trust

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

B.1.4 Islands Trust Priorities

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

Environmental Protection - The core object of the Islands Trust, established by British Columbia law, is to *“preserve and protect the Trust Area (islands and waters) and its unique amenities and environment for the benefit of residents of the Trust Area and British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British*

Columbia.” This legislated mandate recognizes the ecological sensitivity of island environments and the importance of long-term stewardship. Land use planning plays a central role in achieving this objective by guiding growth and development in ways that protect ecosystems, freshwater resources, coastal processes, biodiversity, and the natural features that support community well-being and island character.

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

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

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

B.1.5 Island’s Trust Policy Statement

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

B.1.6 The Structure of this Plan

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

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

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

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

How Was This Plan Created?

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

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

From 2022-2026, the Denman Local Trust Committee engaged in a housing review project which resulted in significant updates to the OCP including an update to the Community Context and Introduction. This was done to create consistency across the Islands Trust Area particularly with the acknowledgement of the rich history of Indigenous settlement on the Islands and stewardship responsibilities in the area.”

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

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

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

Denman Island supports a rich diversity of terrestrial and marine ecosystems that contribute significantly to the ecological integrity of the region and the well-being of the community. The island contains two lakes, numerous wetlands and creeks, patches of mature and regenerating forest, as well as sand dune and coastal bluff ecosystems. These environments provide habitat for a wide range of species, including critical habitat identified for four endangered species and one threatened species, among them two bat species and three insect species.

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

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

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

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

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

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

9. Section C.2 – FRESHWATER, Freshwater – Policies, Policy 9 is amended by adding the words “*and require freshwater cisterns*” after the words “*encourage rainwater collection*”.
10. Section C.2 – FRESHWATER, Freshwater – Policies is amended by adding a new Policy 10 as follows: Groundwater-fed swimming pools should be discouraged to protect the groundwater resources. Zoning regulations should prohibit the construction of swimming pools supplied from groundwater.
11. Section C.2 – FRESHWATER, Advocacy Policies, Advocacy Policy 1 is amended by deleting the words “*Water Management Branch of the Ministry of Environment*” and replacing them with “*Provincial Government*”.
12. Section C.2 – FRESHWATER, Advocacy Policies, Advocacy Policy 3 is amended by deleting the words “*Ministry of Environment and Fisheries and Oceans Canada are*” and replacing them with “*Federal Government is*”.
13. Section C.4 – CLIMATE CHANGE ADAPTATION AND MITIGATION, is amended by deleting full section and replacing it with:

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

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

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

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

Guiding Objective

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

Climate Change Adaptation and Mitigation - Objectives

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

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

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

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

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

Climate Mitigation Target Policies (Reducing GHG Emissions):

POLICY 1: Increase protection of forests, wetlands, soils, and other ecosystems that store carbon.

POLICY 2: Encourage trail development.

POLICY 3: Increase locally grown food by protecting farmland and supporting local food distribution.

Climate Adaptation Target Policies (Increasing Climate Resilience):

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

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

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

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

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

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

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

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

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

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

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

The creation of new lots on Denman Island has generally not resulted in affordable or diverse housing. Instead, subdivision has increased land values, encouraged speculation, fragmented larger parcels, and undermined ecological protection and cultural heritage. Development of subdivided lands may also strain groundwater resources and alter Denman Island’s rural character. For this reason, subdivision was amended during the 2022-2026 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 Consider exempting lot consolidation or boundary adjustments that do not increase the number of lots or subdivision potential from minimum lot size regulations.

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 lots; and/or
- f) Non-market housing lots.

Policy 4 Except where consistent with applicable minimum lot area rules under a land use or zoning bylaw, subdivision for purposes other than those identified in Policy 3 is generally not supported. Zoning amendments to facilitate subdivisions not otherwise supported should generally only be considered if the Local Trust Committee is satisfied that the proposal demonstrates clear community benefits. Such benefits may include:

- the provision of land for preservation of natural environments and ecologically sensitive areas;
- the provision of land to preserve groundwater regions;
- the provision of land to protect archeological sites and other cultural heritage interests;
- the transfer of land to a First Nation or Indigenous governing body, where feasible and mutually agreed, for housing, cultural, conservation, or community purposes;
- the provision of land for community park or public open space;
- the provision of land for community sewage treatment facilities or community water systems;
- the provision of community wells for domestic water supply;
- the provision of fire protection infrastructure, including storage reservoirs;
- the provision of easements or rights of way for utilities or publicly accessible trails or wildlife corridors;
- the provision of community facility;
- the provision of land for community facility or use;
- the provision of community facility or service in a commercial building;
- the provision of non-market housing; and/or
- the provision of any other amenity which is similar in nature to the foregoing and/or is consistent with the objectives and policies of the OCP.

Policy 5 The minimum lot size for subdivision should be 64 hectares.

Policy 6 Minimum lot size requirements do not apply to uses identified in Policies 3 and 4, except in the case of boundary adjustments and subdivisions intended for residential use.

Policy 7 The minimum lot size for residential use created through subdivision should not be less than 1 hectare

Policy 8 Land transferred to support the uses in Policy 3 and 4 must be secured through a covenant, restrictive covenant, housing agreement, or other legal instrument registered on title to the parent lot prior to final subdivision approval. These instruments must ensure that, upon subdivision, the resulting lot is restricted to the intended uses.

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

Policy 10 Where land is proposed to be rezoned to allow subdivision for additional private lots, or where land is being subdivided for community use involving the construction of buildings and/or infrastructure and/or the use of groundwater, the applicant must demonstrate land suitability, including, but not limited to, consideration of both the site-specific and cumulative impacts of the proposed development on neighbouring properties, groundwater resources, and the wider area:

- a) potable water availability, including potential impacts on neighbouring water sources and the risk of saltwater intrusion, where applicable;
- b) wastewater disposal capability, including potential cumulative impacts on groundwater quality, neighbouring properties, and the wider area;
- c) impacts to sensitive ecosystems;
- d) impacts to species at risk;
- e) impacts to critical habitat;
- f) impacts to groundwater recharge;
- g) hazard lands and geotechnical suitability
- h) visual impacts
- i) consideration and mitigation of impacts to cultural heritage for development proposed within 200 metres of the natural boundary of the sea or a recorded archaeological site.

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

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

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

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

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

Policy 8 All archaeological material and artifacts and remains found on a lot or in a public space must be left where they are found immediately reported to the K'ómoks First nation and Provincial Government.

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

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

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

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

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

Objective 1 To ensure that housing options support and preserve community diversity, including a range of ages, incomes, and vocations, in support of an inclusive, resilient island community.

Objective 2 To ensure that housing options are carefully aligned with groundwater availability and sewage disposal capacity, protect groundwater quantity and quality and maintain the island’s rural character and environmental integrity.

Objective 3 To respect First Nations interests including limiting the impact of residential development to sites of Indigenous cultural significance.

Objective 4 To encourage and support the development of non-market housing and opportunities for seniors to age in place.

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

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

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

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

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

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

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

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

- that the proposal is not located in a connectivity area identified on Schedule D;
- that the proposal is small-scale and rural in character, with building form, density and site layout compatible with the surrounding pattern development;
- that the siting and height of the proposal is sensitive to the surrounding land uses and does not impact negatively on adjacent properties;
- that the proposal proves an adequate supply of potable water and an adequate sewage disposal system in accordance with applicable regulations;
- that the applicants enter into a housing agreement to secure non-market housing with the Local Trust Committee;
- that any environmentally sensitive areas on the lot are identified and the applicant registers a conservation covenant to protect such areas;
-
- that the proposed development will not place undue strain on existing public services and infrastructure; and
- that residential rental tenure zoning is considered to ensure long-term affordability is maintained in perpetuity.

37. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 30 in its entirety and replacing it with the following:

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

- a) units consist of small dwellings such as tiny homes on wheels or manufactured homes;
- b) units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent;
- c) units are anchored to the ground, connected to a source of potable water

and connected to an approved wastewater system;

- d) the overall scale, density and site layout of the development are small-scale and compatible with the surrounding pattern of development;
- e) the total floor area of units shall not exceed any maximum dwelling floor area for that zone;
- f) the development is designed as a clustered form to minimize site disturbance and maintain open space;
- g) communal facilities may be provided, such as shared laundry or a common building; and
- h) the development would not be located in areas containing sensitive ecosystems or of cultural or archaeological significance.

38. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by deleting Policy 31 in its entirety.

39. Section E.1 – HOUSING, Housing – Policies, subsection Zoning Amendments is amended by adding the following policy, and renumbering subsequent policies accordingly:

Multi-unit housing either attached or detached can include:

- shared laundry and other buildings

40. Section E.1 – HOUSING, Housing - Advocacy Policies, Advocacy Policy 2 is deleted in its entirety.

41. Section E.2 – ECONOMIC ACTIVITIES, Economic Activities – Policies, subsection Home Occupations is amended by deleting Policy 11 in its entirety and replacing it with the following:

“Home-based guest accommodation where permitted as a home occupation should be limited to rooms within a principal dwelling, where the owner or manager of the business is living on the property fulltime.”

42. Section E.2 – ECONOMIC ACTIVITIES, Economic Activities – Policies, subsection Home Occupations is amended by adding the following policy after Policy 11, and renumbering subsequent policies accordingly:

“Home-based assisted living is permitted as a home occupation.”

43. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies is amended by deleting Policy 12 in its entirety and renumbering subsequent policies accordingly.

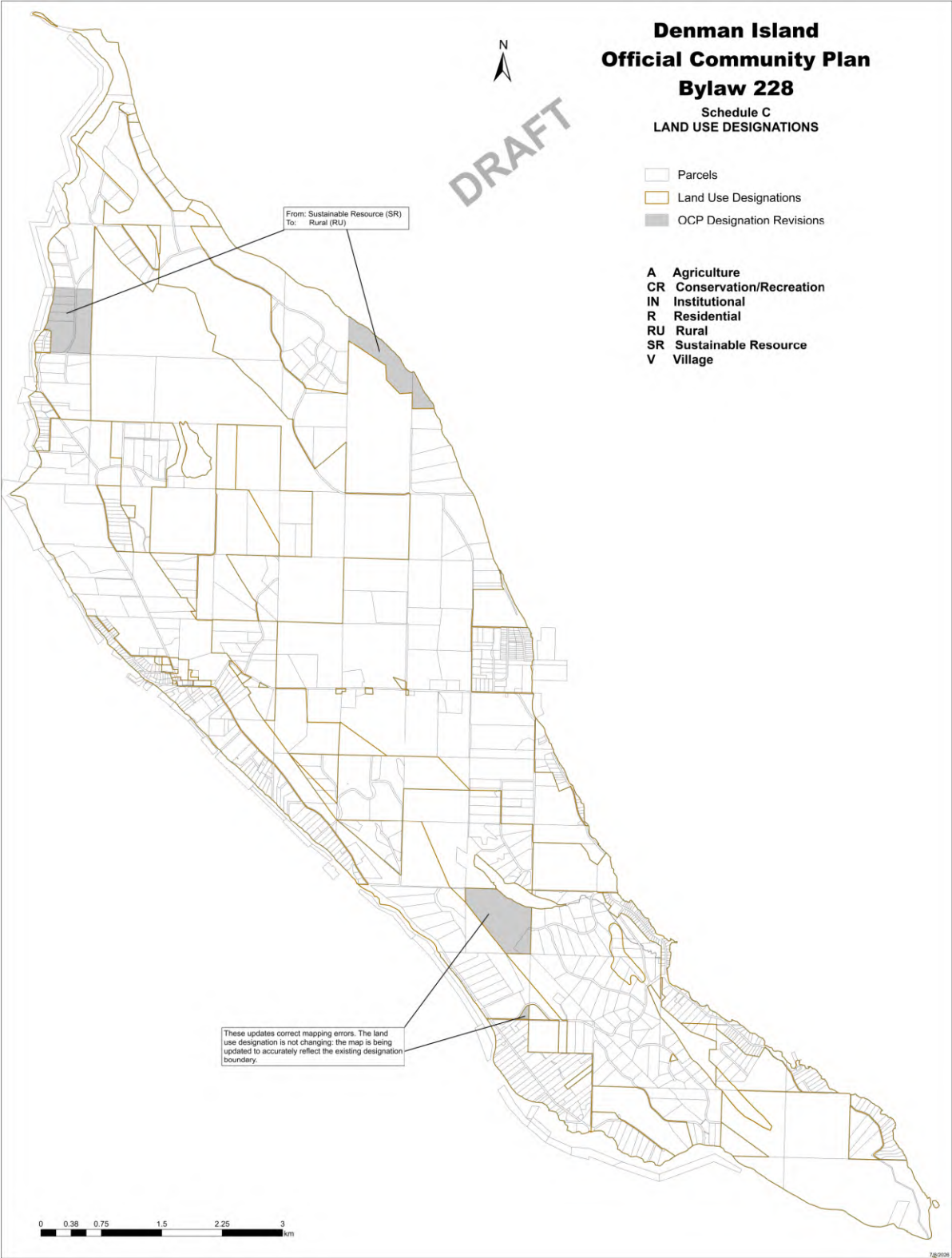
44. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies, Policy 13 is amended by adding:

- “protects the land for conservation purposes,” after the words “non-farm use or exclusion”; and
- “including non-market, rental and special needs housing secured with a housing agreement” after the words “essential community service”.

45. Section E.4 – AGRICULTURE AND RESOURCES, Agriculture and Resource Policies, Policy 14 is amended by adding a third bullet as follows: “provides land for the purposes of building non market housing secured with a housing agreement”.

46. Section E.4 – AGRICULTURE AND RESOURCES, Resource - Advocacy Policies is amended by deleting the section heading and replacing it with “Agriculture and Resource - Advocacy Policies”.
47. SCHEDULE B - PERMITS AND PLAN ADMINISTRATION, CONTENTS is amended by deleting “Appendix D Density Banking”.
48. SCHEDULE B – APPENDICES, CONTENTS is amended by deleting “Appendix D Density Banking”.
49. APPENDIX D DENSITY BANKING is deleted in its entirety.
50. Schedule “C” – Land Use Designations is amended as per Schedule 2, attached to and forming part of this Bylaw.

DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 260
Schedule 2





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

PROPOSED

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

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

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

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

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

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

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

PROPOSED

READ A FIRST TIME THIS 12th DAY OF MAY, 2026.

READ A SECOND TIME THIS 24th DAY OF AUGUST, 2026.

PUBLIC HEARING HELD THIS ____ DAY OF ____.

READ A THIRD TIME THIS ____ DAY OF ____.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
____ DAY OF ____.

ADOPTED THIS ____ DAY OF ____.

CHAIR

SECRETARY

PROPOSED

SCHEDULE A

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1.1 Definitions

In this Bylaw, unless the context otherwise requires:

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

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

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

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

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

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

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

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

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

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

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

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

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

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common house means a building used for the communal daily activities of the residents of the property and includes a kitchen, meeting room, library, laundry facility, and other such facilities. A common house may include sleeping accommodation for occasional non-commercial use by residents and their guests, but must not be used as a separate dwelling unit or for commercial accommodation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

natural boundary means:

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

PROPOSED

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

occasional:

- in relation to markets means no more than 52 operating days per calendar year, of which no more than 2 may be consecutive;
- in relation to fairs and festivals means no more than 45 operating days per calendar year, of which no more than 7 may be consecutive;
- in relation to woodworking and wood processing means no more than 45 operating days per calendar year, of which no more than 30 may be consecutive;
- in relation to the use of an accessory building, a common house, a travel trailer or a vessel for non-commercial accommodation means a total period of occupancy of not more than 90 days per calendar year, of which no more than 60 may be consecutive;

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

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

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

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

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

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

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

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

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

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

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

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

PROPOSED

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

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

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

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

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

residence means:

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

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

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

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

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

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

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

secondary dwelling unit means an attached (secondary suite) or detached secondary dwelling unit that is accessory to a permitted principal dwelling unit and which is limited in floor area;

secondary suite means an accessory, self-contained dwelling unit within the principal dwelling unit, having equal or lesser floor area than the principal dwelling unit;

PROPOSED

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

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

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

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

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

stream means any natural depression:

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

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

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

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

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

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

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

PROPOSED

wetland means a swamp, marsh, bog, or other low lying, poorly drained area where the following three identifiers are present:

- hydrophytic vegetation (plant and moss species that grow in water);
- hydrology; and
- hydric soils.

Wetlands are protected under the Water Sustainability Act and must be classified and/or delineated by a Qualified Professional, being an individual with the requisite training and expertise to identify and delineate wetlands or to assume professional responsibility for a wetland delineation conducted by a team of qualified practitioners;

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

1.2 Referencing

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

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

1.3 Units of Measure

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

1.4 Information Notes

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

2.1 Application

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

2.2 Conformity

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

2.3 Inspection

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

2.4 Violation

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

2.5 Penalty

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

PROPOSED

2.6 Covenants

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

2.7 Owner's Cost

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

2.8 Enforcement of Siting Regulations

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

2.9 Repeal and Replacement

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

2.10 Applying to Make Changes to this Bylaw

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

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

PART 3 GENERAL REGULATIONS **PROPOSED**

3.1 Permitted in All Zones

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

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

3.2 Prohibited in All Zones

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

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

3.3 Siting and Setback Regulations

Setbacks from Cliffs

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

Setbacks from Streams, Lakes, and Wetlands

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

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

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

- (a) 30.0 metres for a sewage dispersal field;
 - (b) 15.0 metres for buildings and structures, associated with agriculture, except for a fence;
 - (c) 5.0 metres for a boathouse; and
 - (d) 30.0 metres for all other buildings and structures, except for a fence or access stairway.
- (5) The minimum difference in elevation between the underside of the lowest floor in the building or structure and the elevation of the natural boundary of the sea is 1.5 metres, except for a boathouse.
- (6) Where fill is used to attain the elevation required in Regulation 5 of this section:
- (a) the minimum setback distance required in Regulation 4 of this section is measured from the toe of the fill slope to the natural boundary of the sea; and
 - (b) the face of the fill slope must be protected against wave action from floodwaters.

Setback Exemptions

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

3.4 Height Regulations

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

3.5 Principal Dwelling Units

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

3.6 Secondary Suites and Secondary Dwelling Units

- (1) Secondary suites are permitted only on lots in zones where this Bylaw specifically allows them. All secondary suites in permitted zones must comply with the regulations set out below:
 - (a) Either the dwelling unit or secondary suite is occupied by the owner of the property; or by a person responsible for managing the property, including addressing complaints arising from the occupancy of the property;
 - (b) No more than one (1) secondary suite is permitted per principal dwelling unit;
 - (c) The secondary suite shall be contained wholly within 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 50% of the floor area of the dwelling unit to a maximum of 90 square metres;
 - (f) One off-street parking space is provided for the exclusive use of the secondary suite; and
 - (g) For lots not within the ALR, a secondary suite shall not be permitted unless the owner has registered a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Denman Island Local Trust Committee. This covenant must prohibit the registration of a strata plan under the *Strata Property Act* or the *Land Title Act* that would result in the secondary suite becoming a separate lot.
- (2) Secondary dwelling units are permitted only on lots in zones where this Bylaw specifically allows them. The following regulations apply to secondary dwelling units where permitted:
 - (a) must have a floor area of less than 140 square metres;
 - (b) Must be located not more than 60 metres from the principal residence;
 - (c) Be connected to an approved sewerage system; and
 - (d) A written plan demonstrating an adequate supply of potable water must be submitted prior to the issuance of any permits for the use.
 - (e) Where water is supplied to a secondary suite or a secondary dwelling unit by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity prior to the issuance of any permits to allow the use.
 - (f) Where water is to be supplied from a surface water body, a water license, issued by the Province, must permit the withdrawal of the required amount of water prior to the issuance of any permits to allow a secondary suite or secondary dwelling unit.

3.7 Accessory Uses, Buildings and Structures

- (1) Accessory buildings and structures may be used only for seasonal accommodation by the owner or their guests, and must not be used for commercial accommodation, for a period not exceeding 90 days in a calendar year and not exceeding 60 consecutive days, except as permitted in the Agriculture (AG) zone.
- (2) Accessory buildings and structures are not to be permitted for overnight accommodation on a lot in the Affordable Rental Housing (R4) Zone.

3.8 Maximum Floor Area of Accessory Structures

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

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3.9 Use of Alternate Dwelling Units

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

3.10 Cistern Requirements

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

3.11 Water Zones

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

3.12 Covered Walkways

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

3.13 Undersized Lots

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

3.14 Agriculture Buildings and Structures

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

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

3.15 Fence Regulations

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

3.16 Screening Regulations

General Regulations

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

Landscape Screens

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

3.17 Home Occupation Regulations

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

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Permitted Home Occupation Uses

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

General Regulations

- (5) Home occupations must be accessory to an active residential use.
- (6) The external appearance of the premises on which the home occupation is operated must retain a residential appearance.
- (7) The maximum combined floor area used for home occupations:
- (a) on lots less than 1.0 hectare is 60 per cent of the floor area of the dwelling unit in which the home occupations are located; and
 - (b) on lots of 1.0 hectares or larger is 60 per cent of the combined floor area of the dwelling unit and accessory buildings in which the home occupations are located.
- (8) Homebased assisted living is limited to a maximum of three (3) rooms used for the accommodation and care of residents at any one time.
- (9) A daycare is limited to the care at any one time of no more than seven children.
- (10) A home occupation may not produce, store or use hazardous materials, except for household goods and required materials for trades, welding, artistic or health care purposes.
- (11) Only those goods, arts, and crafts produced on the site may be sold from a home occupation.

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

Location of Uses

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

Uses Permitted Outdoors

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

Number of Employees

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

Home-based Guest Accommodation

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

3.18 Lots Divided by a Zone Boundary

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

PART 4 ESTABLISHMENT OF ZONES **PROPOSED**

4.1 Division into Zones

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

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

4.2 Zone Boundaries

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

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

5.1 Residential (R1) Zone

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

Permitted Principal Uses

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

Permitted Accessory Uses

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

Density

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

Siting and Size

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

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

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

Subdivision Lot Area Requirements

- (12) Minimum lot area is 64.0 hectares.

Conditions of Use

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

Site Specific Regulations

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

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

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		limited to a footprint of 18.6 square metres and one storey.
R1(4)		Dwelling units and buildings and structures accessory to dwelling units are not permitted and instead, one (1) affordable housing dwelling unit with a maximum gross floor area of 93 square metres and associated accessory buildings and structures are permitted. 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. 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.

5.2 Rural Residential (R2) Zone **PROPOSED**

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

Permitted Principal Uses

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

Permitted Accessory Uses

- (2) The following uses are permitted accessory to a principal use on the lot, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Accessory uses, buildings and structures;*
 - (b) *secondary suite;*
 - (c) *secondary dwelling units;*
 - (d) *home occupation;*
 - (e) *agriculture;*
 - (f) *agri-tourism* (on lots classified as a farm under the BC Assessment Act); 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) One (1) principal dwelling unit is permitted per 4.0 hectares of lot area, up to a maximum of four (4) principal dwelling units per lot.
- (4) Despite 5.2(3), on a lot less than 4.0 hectare in area, one (1) principal dwelling unit and secondary dwelling unit is permitted.
- (5) One secondary suite is permitted per principal dwelling unit.

Siting and Size

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

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

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

Subdivision Lot Area Requirements

- (13) Minimum lot area is 64.0 hectares.

Conditions of Use

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

Site-Specific Regulations

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

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

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

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

The purpose of the Land-Share Housing (R3) Zone is to establish regulations for community-oriented residential development consisting of clustered private dwellings and shared community spaces, with housing affordability and long-term community benefit secured through appropriate legal mechanisms.

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;*
 - (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 nineteen 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 186 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 2174 square metres.

Subdivision Lot Area Requirements

- (11) Minimum lot area is 64.0 hectares.

Conditions of Use

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

5.4 Affordable Rental Housing (R4) Zone

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

Permitted Principal Uses

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

Permitted Accessory Uses

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

Density

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

Siting and Size

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

Site-Specific Regulations

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

Column 1	Column 2	Column 3
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Site-Specific Zone	Location Description	Site-Specific Regulations
R4(1)		a) The keeping of chickens or other livestock is not permitted. b) The maximum number of affordable dwelling units per lot is 20. c) The maximum combined lot coverage of buildings and structures is 25%. d) The maximum height of principal buildings and structures located 100.0 metres or more from the natural boundary of the sea is 10.0 metres. e) The minimum setback of a free standing photovoltaic solar array or water cistern from any interior lot line is 1.5m. f) The minimum setback of all buildings and structures, except for free standing photovoltaic solar arrays and water cisterns, is 4.0 metres from an exterior lot line and 3.0 metres from an interior lot line. g) The maximum gross floor area of an affordable dwelling unit is 140 m². h) The minimum lot area permitted by subdivision is 1.0 hectare.

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		i) The minimum number of automobile parking spaces required is 1.0 per affordable housing unit. j) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.
R4(2)		a) The following uses are not permitted: - the keeping of chickens or other livestock; and - the sale of agricultural products, including their storage, processing and direct marketing. b) Multi-family dwelling units are limited to each building containing a maximum of two seniors affordable housing dwelling units, each having its own entrance, which may include an entrance from a common interior corridor or an exterior entrance. c) A Common House is not permitted. d) The maximum number of seniors affordable dwelling units per lot is 8. e) The maximum combined lot coverage of buildings and structures is 25%. f) The minimum setback of buildings or structures, except for a fence or pump/utility house: - from the front lot line is 7.5 metres; - from the rear or side lot line is 3 metres; and

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		• from the exterior side lot line is 3 metres. g) The minimum setback from all lot lines for feeding troughs, manure piles and buildings and structures for housing animals for agriculture is 8.0 metres, except for domestic chicken coops. h) The minimum setback from all lot lines for domestic chicken coops is 3 m. i) The maximum gross floor area of a seniors affordable dwelling unit is 65 square metres. j) The minimum lot area permitted by subdivision is 0.7 hectares. k) The minimum number of automobile parking spaces required is 1.5 per seniors affordable housing unit, and the minimum number of bicycle parking spaces required is 0.5 per seniors affordable housing unit. l) The applicant must provide proof of a water license that permits the withdrawal of the licensed amount of groundwater.
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The purpose of the Agricultural (A) 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.

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

Conditions of Use

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

Subdivision Lot Area Requirements

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

Site-Specific Regulations

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

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

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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) Dwelling units and buildings and structures accessory to a constructed dwelling units are not permitted. c) The minimum setback of principal and accessory residential buildings or structures, except a fence, pump/utility house or pit privy from the front, rear, side and exterior side lot lines is 30 m. d) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 13.0 hectares.
A(6)		a) The minimum lot area permitted by subdivision, subject to the regulations in Section 2.8 is 45.0 hectares. b) The minimum lot area per principal dwelling unit is 45.0 hectares.
A(7)		a) Hermitage is a permitted accessory use. b) Mobile accessory buildings for overnight accommodation of people participating in the activities or programs of a

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		hermitage on the same lot are permitted. 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.
A(8)		a) The minimum lot area per principal dwelling unit is 8.4 hectares.
A(9)		a) The minimum lot area per principal 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 dwelling unit is 14.91 hectares.
A(11)		a) The minimum lot area per principal dwelling unit is 5.25 hectares.
A(12)		a) the minimum lot area per principal dwelling unit is 10.45 hectares.
A(13)		a) The minimum lot area per principal dwelling unit is 1.55 hectares.
A(14)		a) the minimum lot area per principal dwelling unit is 1.55 hectares.
A(15)		a) The minimum lot area is 0.8 hectares.

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

Permitted Principal Uses

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

Permitted Accessory uses

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

Density

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

Siting and Size

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

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

Conditions of Use

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

Subdivision Lot Area Requirements

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

Site-Specific Regulations

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

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

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

Permitted Principal Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) *Residential*;
 - (b) *Retail sale and rental*;
 - (c) Restaurant and cafe;
 - (d) *Personal service*;
 - (e) Office; and
 - (f) *Occasional* markets, fairs, and festivals.

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

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

Site-Specific Regulations

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

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site-Specific Regulations
C(1)		a) The following principal uses are also permitted: • vehicle fuel service; and • propane sales for domestic purposes.

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

Permitted Principal Uses

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

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

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

Permitted Uses

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

Permitted Accessory Uses

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

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

Site-Specific Regulations

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

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

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

5.10 Conservation Zone (CN) Zone

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

Permitted Uses

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

Siting and Size

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

Subdivision Lot Area Requirements

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

Permitted Uses

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

Density

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

Siting and Size

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

Subdivision Lot Area Requirements

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

Site-Specific Regulations

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

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

Permitted Uses

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

Prohibited Uses

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

5.14 Marine Service (W2) Zone

Permitted Uses

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

Siting and Size

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

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5.15 Aquaculture (W3) Zone

Permitted Uses

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

Prohibited Uses

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

Site-Specific Regulations

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

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

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5.16 Marine Protection (W4) Zone

Permitted Uses

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

Prohibited Uses

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

Site-Specific Regulations

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

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

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.

6.1 Permitted Signs

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

6.2 Height of Signs

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

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

6.3 Prohibited Signs

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

6.4 Exempt Signs

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

PART 7 PARKING REGULATIONS **PROPOSED**

7.1 General Regulations

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

7.2 Location

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

7.3 Dimensions

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

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

7.4 Design Standards

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

7.5 Number of Parking Spaces Required

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

home occupations

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

commercial

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

institutional

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

resource

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

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

8.1 General

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

8.2 Permitted Subdivision

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

8.3 Minimum Lot Size Exemption

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

8.4 Exceptions

- (1) Regulations 8.5(2) to 8.11 of this section do not apply:
 - (a) to a lot being created solely for the purpose of locating unattended equipment necessary for the operation of a community water or sewerage system, an automatic telephone exchange, an electrical substation, or a similar public service facility or utility, and where no sewage would be generated, provided a covenant complying with Section 2.6(1) restricts the uses on this lot; or
 - (b) to a lot being created for park purposes where such parcel is to be shown as park on the plan of subdivision or for an ecological reserve that does not contain buildings, provided a covenant complying with Section 2.6(1) restricts the uses on this lot; or
 - (c) to a lot being created solely for the purpose of sale or dedication to a conservation agency for conservation purposes, provided a covenant complying with Section 2.6(1) restricts the use of the lot to conservation.
 - (d) to a lot being created for transfer to a recognized Indigenous Governing Body for heritage conservation purposes, provided a covenant complying with Section 2.6(1) restricts the use of the lot to heritage conservation.
 - (e) to a lot being created solely for the purpose of a cemetery
- (2) The minimum area of a lot eligible for subdivision under Section 514 of the Local Government Act outside the Agricultural Land Reserve is 8.0 hectares.

8.5 Compliance with Minimum Lot Area and Minimum Average Lot Area

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

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- (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
- $$\frac{\text{Total area of all proposed lots including the remainder}}{\text{Number of Proposed lots including the remainder.}}$$

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

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

8.6 Parcels Divided by a Zone Boundary

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

8.7 Lot Configuration Regulations

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

8.8 Proof of Potable Water – Amounts

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

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

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8.9 Proof of Potable Water – Well and Surface Water Certification

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

8.10 Proof of Potable Water – Cisterns

- (1) Where a cistern is required by this Bylaw, the landowner must:
 - (a) provide one or more cisterns with a combined capacity of 18,000 litres of potable water; and
 - (b) provide a covenant complying with Regulation of Section 2.6(1) prohibiting use of the property for which proof of potable water is required until cisterns are in place capable of holding the required amount of water.

8.11 Community Water System

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

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

8.12 Waste Disposal

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

9.1 Development Permit Area 1: Komass Bluff - Guidelines

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

- Guideline 1 Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply.
- Guideline 2 In order to assist the Denman Island Local Trust Committee in determining conditions to be included in a development permit, the applicant will be required to provide, at their own expense, a geotechnical report certified by a professional engineer with experience in geotechnical engineering who is acceptable to the Trust Committee. The report must indicate that the proposed tree cutting, buildings, structures, land alteration, roads, driveways, or other proposed developments would not cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow, sloughing, or water degradation.
- Guideline 3 No permanent building should be permitted in any area subject to sloughing or damage from sloughing.
- Guideline 4 No part of a septic tank, deposit field, or irrigation system should be constructed in any portion of the site that is subject to sloughing or damage from sloughing or in any area containing unstable soil or water which is subject to degradation.
- Guideline 5 Notwithstanding the drainage bylaw provisions or requirements, drainage facilities should be required to divert drainage away from any areas subject to sloughing or damage from sloughing.
- Guideline 6 Trees or other vegetation should be retained or replanted in order to control erosion along the top or the face of the bank.
- Guideline 7 All new lots created by subdivision should provide for suitable building sites in areas not subject to sloughing.
- Guideline 8 Subdivision applications should make provisions for clustering lots in areas away from the hazard area.
- Guideline 9 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- Guideline 10 On receipt of a final report or written request, as stipulated in the development permit, the local trust committee shall return the security, minus any amount required to correct any unsafe conditions caused by a contravention of a condition in the development permit (see Appendix B).
- Guideline 11 Development permits issued in Development Permit Area No. 1: Komass Bluff should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.

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9.2 Development Permit Area No. 2: Steep Slopes – Guidelines

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

- Guideline 1 A development permit is required as follows:
- (1) Alteration of land by the cutting or removing of trees:
 - (a) on land that:
 - i. is not classified as managed forest land under the *Assessment Act*; and
 - ii. is not the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*; and
 - (b) where the quantity cut or removed from the land is to exceed four trees smaller than 30 cm dbh and one tree equal to or larger than 30 cm dbh per parcel in any period of five consecutive calendar years.
 - (2) Development of any impervious surfaces.
 - (3) Construction of buildings or structures.
- All other land alteration or development is exempt from the requirements of this development permit area.
- Guideline 2 Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply.
- Guideline 3 No cutting or removal of trees shall be permitted in this development permit area unless development approval information in the form of an environmental impact assessment is provided by the applicant which indicates that the impact of the cutting or removal of trees is unlikely to have harmful effects on adjacent marine areas, surface drainage and groundwater, watercourses, uncommon or endangered plants or plant communities, and high value wildlife habitats.
- Guideline 4 Cutting or removing of trees should be done in accordance with a plan certified by a Registered Professional Forester or Registered Professional Biologist to maintain, enhance, or restore a well-developed forest ecosystem that includes:
- (1) a diversity of native tree species,
 - (2) presence of large old trees,
 - (3) diverse community of native understory plants,
 - (4) any uncommon or endangered plants or plant communities that may be present, and
 - (5) other features that contribute to high value wildlife habitat.
- Guideline 5 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- Guideline 6 On receipt of a final report or written request, as stipulated in the development permit, the local trust committee shall return the security, minus any amount required to correct any damage to the natural environment caused by a contravention of a condition in the development permit (see Appendix B).
- Guideline 7 Development permits issued in Development Permit Area No. 2: Steep Slopes should contain a condition stating that a letter must be submitted by a time specified in the development permit indicating that the work has been completed in accordance with the terms and conditions of the development permit.

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9.3 Development Permit Area No. 3: Lacon Road Coast – Guidelines

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

- Guideline 1 A development permit is required as follows:
- (1) Alteration of land by the cutting or removing of trees on land that:
 - (a) is not classified as managed forest land under the *Assessment Act*; and
 - (b) is not the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*.
 - (2) Alteration of land by the development of any impervious surfaces.
 - (3) Alteration of land by the construction of buildings or structures.
- All other land alteration or development is exempt from the requirements of this development permit area.
- Guideline 2 Some properties or portions of properties may be in more than one development permit area; in this case, the guidelines of all development permit areas may apply.
- Guideline 3 In order to assist the Denman Island Local Trust Committee in determining conditions to be included in a development permit, the applicant will be required to provide, at their own expense, a geotechnical report certified by a professional engineer with experience in geotechnical engineering who is acceptable to the Trust Committee. The report must indicate that proposed tree cutting, buildings, structures, land alteration, roads, driveways, or other proposed developments do not cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow, sloughing, or water degradation.
- Guideline 4 No permanent buildings should be permitted in any area subject to sloughing or damage from sloughing.
- Guideline 5 Notwithstanding the drainage bylaw provisions or requirements, drainage facilities should be required to divert drainage away from any areas subject to sloughing or damage from sloughing.
- Guideline 6 Along the top or face of the bank, trees or other vegetation should be retained or replanted in order to control erosion.
- Guideline 7 Cutting or removing of trees should be done in accordance with a plan certified by a Registered Professional Forester or Registered Professional Biologist to maintain, enhance, or restore a well-developed forest ecosystem that includes:
- (1) a diversity of native tree species;
 - (2) presence of large old trees;
 - (3) diverse community of native understory plants;
 - (4) any uncommon or endangered plants or plant communities that may be present; and
 - (5) other features that contribute to high value wildlife habitat.
- Guideline 8 Prior to issuing a development permit, the local trust committee may require security in an amount acceptable to the local trust committee.
- Guideline 9 On receipt of a written request, as stipulated in the development permit, the local trust committee shall return the security, minus any amount required to correct any damage to the natural environment or unsafe conditions caused by a contravention of a condition in the development permit.
- Guideline 10 Development permits issued in Development Permit Area No. 3: Lacon Road Coast should contain a condition stating that a letter must be submitted by a time specified in the development indicating that the work has been completed in accordance with the terms and conditions of the development permit.

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9.4 Development Permit Area No. 4: Streams, Lakes and Wetlands – Guidelines

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

9.4.1 Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- a) Subdivision of land;
- b) Construction of, addition to or alteration of a building or other structure;
- c) Alteration of land;
- d) Development as that term is defined in the *Riparian Areas Regulation, BC Fish Protection Act*; and
- e) Installation of any structures within a stream or within the natural boundary of a lake.

A separate development permit, or additional development permit conditions in a single permit, may be required or imposed if the development is occurring in another development permit area designated in this plan.

9.4.2. Exemptions

The following activities are exempt from any requirement for a development permit:

- a) works undertaken by a local government or a body established by a local government;
- b) agricultural activities within a seasonally flooded agricultural field that is in the Agricultural Land Reserve as long as it can be determined by site inspection and/or by current orthophoto interpretation that it has been previously modified for agriculture. If it is not possible to make the determination by these means, other historical evidence that agricultural activities have occurred in the subject area within the last 50 years from the date of the application may be acceptable;
- c) the following properties are recognized as containing seasonally flooded agricultural fields and are exempt from requiring a development permit for agricultural activities as long as they remain in the Agricultural Land Reserve:
Lot A, Section 32, Denman Island, Nanaimo District, Plan VIP 61295;
Lot 1, Section 17, Denman Island, Nanaimo District, Plan 43576;
Lot 2, Section 17, Denman Island, Nanaimo District, Plan 43576;
The South East ¼ of Section 26, Denman Island, Nanaimo District;
The North West ¼ of the North West ¼ of Section 22, Denman Island, Nanaimo District; and
The South West ¼ of Section 13, Denman Island, Nanaimo District;
- d) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- e) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- f) repair or replacement of a septic field on the same spot;
- g) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;

- h) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing *landscaped area*, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- i) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- j) pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- k) ecological restoration or enhancement projects undertaken or authorized by a public body;
- l) changes in or about a stream authorized under Section 9 of the Water Act;
- m) work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*;
- n) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection,
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow, and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- o) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* and horticulture as defined in the Denman Island Land Use Bylaw 177;
- p) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;
- q) The construction of a private trail if all of the following apply:
 - i. The trail is 1 meter wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious (for example, soil, gravel or wood chips)
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream;
- r) Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared; and
- s) The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 meters squared.

Information Note: For best management practices or manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Information Note: Some activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

9.4.3 Guidelines

Prior to undertaking any development activities within the Streams, Lake and Wetlands DPA an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

Guideline 1

In general, all development in this DPA should be undertaken in a manner that minimizes impact on and that restores or maintains the proper functioning condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.

Guideline 2

The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP or riparian buffer recommended by another professional adjacent to a non-RAR applicable watercourse, lake or wetland, and the owner should be required to implement a plan for protecting the SPEA or riparian buffer over the long term through measures that may be implemented as conditions of the development permit.

Guideline 3

Where the QEP or other professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.

Guideline 4

The following guidelines are applicable to floats and associated structures within the development permit area:

- i) floats should not be placed in areas identified as important to fish life processes where installation of a float would compromise the functioning of the processes;
- ii) a ramp or float should not rest on the bed of the water body;
- iii) the use of treated wood in the water body should be avoided;
- iv) floatation material should be contained within a durable shell to prevent disintegration;
- v) pervious surfacing should be used on ramps and floats (e.g. grating or separated boards);
- vi) any areas disturbed during installation should be restored;

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vii) where a float is being replaced, all old materials should be removed from the riparian area.

Guideline 5

If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and DP conditions may be amended accordingly.

Guideline 6

The Local Trust Committee may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

9.5 Development Permit Area No. 5: Village – Guidelines

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

Guideline 1

A development permit is required for the following:

- (1) construction or alteration to existing structures if the size of the alteration adds any floor area to the building or structure, or if additional off-street parking is required (according to the Land Use Bylaw);
- (2) modifications to existing buildings and structures that involve replacing the siding or roofing using a different material.

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

Guideline 2 General

- (1) Building heights should be in keeping with local bylaws and surrounding structures. Minor height variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities.
- (2) Building setbacks should be in keeping with local bylaws. Setback variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities; however, setback relaxations will not be considered for property lines abutting the Rural Residential 1 (R1), Rural Residential 2 (R2) and Agriculture (A) zones

INFORMATION NOTE: Setback relaxations from the highway right-of-way resulting in a setback of less than 4.5 metres will be subject to approval by the Ministry of Transportation

- (3) The use of natural materials, such as wood and stone, is encouraged for building finishes and such materials should be capable of blending in with the aesthetic qualities of the natural surrounding.
- (4) The form of the development should incorporate low, small scale building designs with such amenities as public walkways and outdoor open spaces for use by visitors.
- (5) All rooftop mechanical equipment, including but not limited to air conditioning units, communication devices and vents, should be screened from view.

- (6) Vending machines or other product storage areas located outside the building should be screened in such a way that they are not visible from a public right-of-way or an adjacent property.

Guideline 3 Landscaping

- (1) Natural vegetation and trees should be maintained for screening of parking, storage and loading areas and to enhance the privacy and rural character of public open spaces.
- (2) Developments on lots adjacent to residential properties should contain a vegetation buffer of a height and thickness to adequately screen the residential use from the development and any on-site parking. Fences may be considered, but only if it can be demonstrated that a vegetation buffer is not suitable.
- (3) Fencing should be constructed of natural materials and designed to blend with the overall character of the development.
- (4) Landscaping next to the Dora Drinkwater Creek should be left natural.
- (5) If lighting is desirable, it should be designed to illuminate walkway and parking areas for safety purposes. Light fixtures should be low to the ground, incorporate devices to reduce light leakage and designed in such a way so as to not illuminate an adjacent property or right-of-way.

Guideline 4 Signs

- (1) Signage should be grouped and made of materials and be of a character that match the natural materials of the development.
- (2) Neon or internally lit signs should not be permitted, except that a small neon sign that advertises a business as open or closed may be permitted.
- (3) Signs should be located in such a way that they enhance the appearance of the development and are of a scale and height suitable for a pedestrian environment.

Guideline 5 Parking

- (1) Off-street automobile parking should be located away from public open spaces. Parking requirements may be reduced to permit landscaping to meet the objectives of this development permit area.
- (2) Parking access onto any road should be approved by the Ministry of Transportation.
- (3) Parking access should be directed away from non-commercial areas and onto major roads only.
- (4) The use of impermeable parking surfaces is not encouraged to reduce surface water run-off and enhance the appearance of the Village.

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9.6 Development Permit Area No. 6: Community Boat Launch – Guidelines

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

- Guideline 1 The number of access points from the road shall be limited to one to access the community boat launch parking area.
- Guideline 2 The number of access points to the beach area shall be limited to one to access the community boat launch.
- Guideline 3 A 15-metre-wide tree canopy and shrub buffer shall be retained along the shoreline and along property lines fronting road right-of-ways.
- Guideline 4 Construction in this buffer and tree canopy shall be limited to access to the community boat launch.
- Guideline 5 Eagle nesting trees and perch trees shall be protected.
- Guideline 6 Prior to any community boat launch or parking improvements a site plan showing traffic circulation, boat launch parking layout, drainage works and tree canopy and shrub buffer strips should be attached to the development permit application.

9.7 Development Permit Area No. 7: Light Industrial – Guidelines

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

Guideline 1 A development permit is required for the following:

- (1) construction or alteration to existing structures if the size of the alteration adds any floor area to the building or structure, or if additional off-street parking is required (according to the Land Use Bylaw);
- (2) modifications to existing buildings and structures that involve replacing the siding or roofing using a different material.

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

Guideline 2 General

- (1) Building heights should be in keeping with local bylaws and surrounding structures. Minor height variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities.
- (2) Building setbacks should be in keeping with local bylaws. Setback variances may be considered if such a variance achieves an objective of this development permit area by providing more outdoor space for landscaping or public amenities; however, setback relaxations will not be considered for property lines abutting the Rural or Sustainable Resource designation.

INFORMATION NOTE: Setback relaxations from the highway right-of-way resulting in a setback of less than 4.5 metres will be subject to approval by the Ministry of Transportation and Highways.

- (3) The use of natural materials, such as wood and stone, is encouraged for building finishes and such materials should be capable of blending in with the aesthetic qualities of the natural surrounding.
- (4) The form of the development should incorporate low, small scale building designs with such amenities as public walkways and outdoor open spaces for use by employees and visitors to the business.
- (5) All rooftop mechanical equipment, including but not limited to air conditioning units, communication devices and vents, should be screened from view.
- (6) Storage areas located outside the building should be screened in such a way that they are not visible from a public right-of-way or an adjacent property.

Guideline 3 Landscaping

- (1) Natural vegetation and trees should be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.
- (2) Developments on lots adjacent to residential properties should contain a vegetation buffer of a height and thickness to adequately screen the residential use from the development and any on-site parking. Fences may be considered, but only if it can be demonstrated that a vegetation buffer is not suitable.
- (3) Fencing should be constructed of natural materials and designed to blend with the overall character of the development.
- (4) Landscaping next to a stream, lake or wetland should be left natural. Landscaping should be consistent with the guidelines in Development Permit Area No. 4: Streams, Lakes and Wetlands.

PROPOSED

- (5) If lighting is desirable, it should be designed to illuminate walkway and parking areas for safety purposes. Light fixtures should be low to the ground, incorporate devices to reduce light leakage and designed in such a way so as to not illuminate an adjacent property or right-of-way.

Guideline 4 Signs

- (1) Signage should be grouped and made of materials and be of a character that match the natural materials of the development.
- (2) Neon or internally lit signs should not be permitted, except that a small neon sign that advertises a business as open or closed may be permitted in the building.
- (3) Signs should be located in such a way that they enhance the appearance of the development and are of a scale and height suitable for a rural environment.

Guideline 5 Parking

- (1) Off-street automobile parking should be located away from public open spaces. Parking requirements may be reduced to permit landscaping to meet the objectives of this development permit area.
- (2) Parking access onto any road should be approved by the Ministry of Transportation.
- (3) Parking access should be directed away from residential areas and onto major roads only.
- (4) The use of permeable parking surfaces is encouraged to reduce surface water run-off and enhance the rural appearance.

PART 10 TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

Area 1

The Local Trust Committee may issue Temporary Use Permits for barge loading and unloading in only the following **designations shown on Schedule C:**

Water

Residential

Rural

Sustainable Resource.

Objectives

Objective 1 To permit temporary barge loading and unloading

Guidelines

Conditions in the Permit should follow the guidelines below:

- Guideline 1 Permits should be issued only to permit barge loading and unloading.
- Guideline 2 Permits should be issued for a maximum of 30 days.
- Guideline 3 Permits should not be issued for locations that are environmentally sensitive or are located within the vicinity of a wildlife nesting tree.
- Guideline 4 Permits should contain conditions addressing the operational plan, including hours and days of operation, to ensure compatibility with neighbouring residences.
- Guideline 5 Permits may include, as a condition, the provision of an undertaking by the owner of the affected land to remove and restore land to a condition specified in the permit by a date specified in the permit.
- Guideline 6 Permits may include, as a condition, the provision of security to guarantee the performance of the terms of the permit.
- Guideline 7 Permits should not be issued without evidence of valid approval from the British Columbia Assets and Land Corporation and the Federal Department of Fisheries and Oceans.

Area 2

The Local Trust Committee may issue Temporary Use Permits for *agri-tourism accommodation* on lands zoned as “R1” (Residential), “R2” (Rural Residential), “R3” (Land-Share Housing), “F” (Forestry) and “RE” (Resource) on a farm classified under the BC Assessment Act as “Farm” over 4 hectares in size. For clarity, Temporary Use Permits are not required for *agri-tourism accommodation* within the “A” (Agriculture) zone if the parcel is within the Agricultural Land Reserve.

Objective

To permit flexibility for the provision of small scale *agri-tourism accommodation* in conjunction with agricultural uses and farm activities that support seasonal economic opportunities for farmers. *Agri-tourism accommodation* in the form of home-based guest accommodation units in the principal dwelling are subject to Section 2.4.

Guidelines

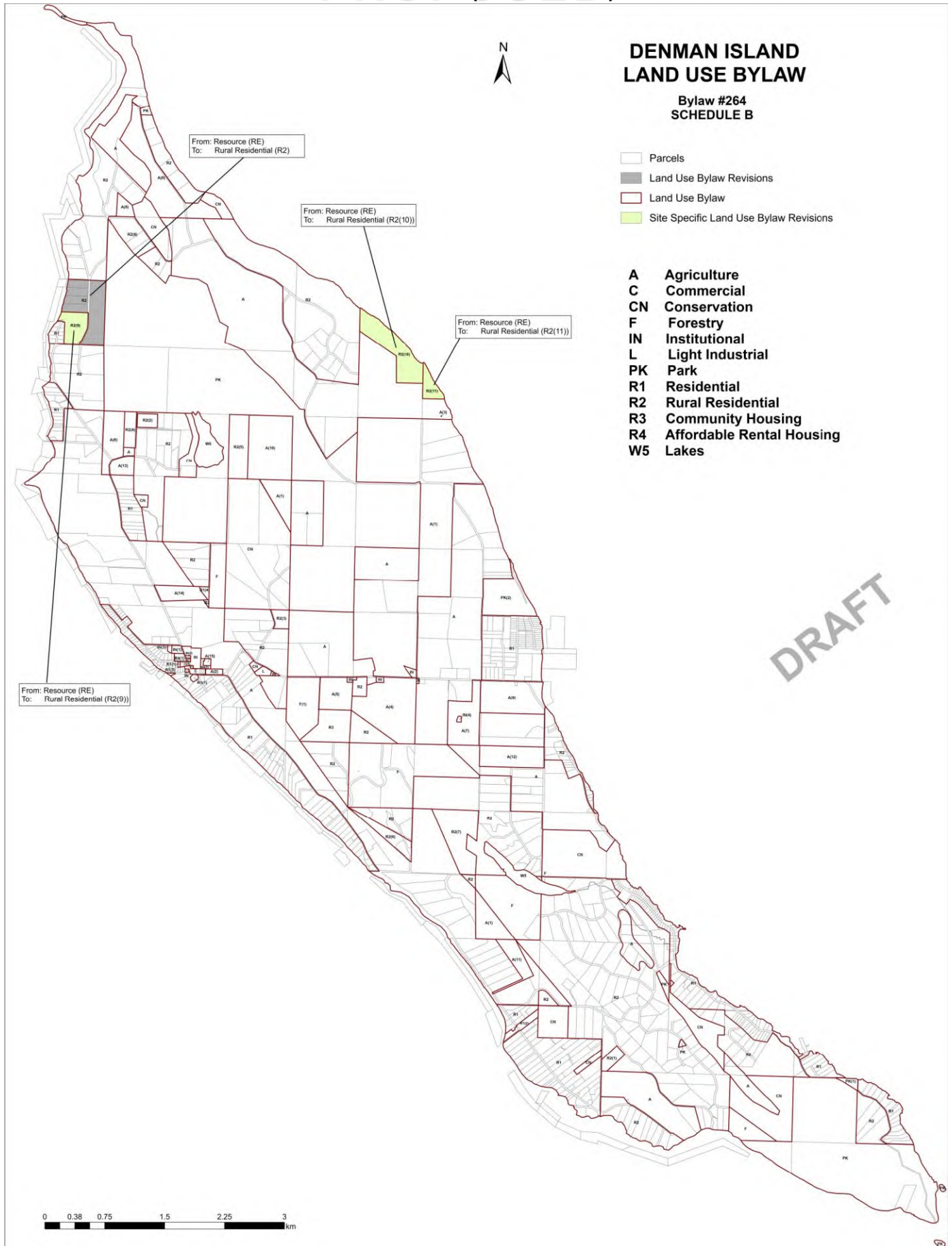
- Guideline 1 *Agri-tourism accommodation* is limited to four (4) or fewer *sleeping units* in the form of either seasonal campsites and/or a maximum of one (1) cabin.

PROPOSED

- Guideline 2 The total developed area for buildings, landscaping, sewage disposal, parking and access for the accommodation must be less than 1% of the total area of the parcel;
- Guideline 3 The accommodation should be sited and designed to address:
- Locating the accommodation on poorer agricultural capability soils and away from environmentally sensitive areas;
 - The provision of access to the accommodation that avoids conflict with agricultural uses on the farm and adjacent farms;
 - Mitigating possible negative impacts using landscape buffers and screening subject to Section 2.7;
 - The provision of adequate potable water and sewage disposal;
 - The provision of adequate off-road parking; and
 - Other requirements deemed necessary by the Local Trust Committee.

PROPOSED

SCHEDULE B (ZONING MAP)



PROPOSED

Future Projects Report

Denman Island

1. LUB Amendments - List of items

Responsible

Date Received

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

19-Jul-2022

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

2. Update to Development Approval Information Bylaw

Responsible

Date Received

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

27-Sep-2022

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

Responsible

Date Received

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

06-Jun-2023

4. Comprehensive Official Community Plan / Land Use Bylaw

Responsible

Date Received

Future Projects Report

Denman Island

**Future Major Project.*

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

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

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

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

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

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

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

5. Develop DPA and HCA

Responsible

Date Received

Explore a Development Permit Area for environmental protection and a DPA or Heritage Conservation Area to support First Nations' review of development proposals affecting archaeological sites, with potential application island-wide or in priority areas.

20-Jan-2026

6. critical aquifer protection development permit area

Responsible

Date Received

Future Projects Report

Denman Island

Implementation steps for the Denman Housing Review Project (Bylaw Nos. 260 and 264).

24-Aug-2026

Refer to staff report dated Aug 24, 2026 for Denman Housing Review Project.

7. 30m Shoreline Setback Assessment

Responsible

Date Received

Implementation steps for the Denman Housing Review Project (Bylaw Nos. 260 and 264).

24-Aug-2026

Explore a 30m building setback from the natural boundary of the sea, considering development constraints, coastal resilience, environmental protection, and the protection of archaeological and cultural resources.