



How Land Use Regulations get Changed

If zoning and other land use regulations are out of date, let's change them.

That makes sense. But how does this actually happen?

The three members of the Denman Island Local Trust Committee are the ones who ultimately make the decision. But there are a lot of other people involved, and many steps to take. Here are the main things that need to happen:

Hearing from everyone who has interests—mainly, community members, other agencies, and First Nations. There are lots of ways this can happen: community meetings, advisory committees, surveys, referrals (sending an information package to another agency for comment), one-on-one conversations, online options, and more. If bylaw amendments are being proposed that change long-standing regulations that have been important to many community members, fulsome conversations need to happen, ideally in a non-polarized way that fosters understanding.

Analysis by planners and other professionals: this can touch on many subjects, such as what specific regulations need to be changed to have the desired effect; what work has been done on the issue in the past; implications for climate change mitigation and adaptation; potential impacts on sensitive ecosystems, aquifers and watersheds; significance for Indigenous rights and cultural heritage; and overlap with other laws and jurisdictions, such as the Agricultural Land Commission and various Provincial and Federal ministries.

Consideration of how the proposed regulatory change fits with the Islands Trust preserve and protect object and with the Islands Trust Policy Statement, the overarching vision document for the whole Trust Area.

A series of legislatively required steps: *First reading* signals an introduction of the proposed amendment and is followed by referrals. *Second reading* is an opportunity to make changes based on feedback. A *public hearing* (a quasi-judicial meeting to hear from all parties) has to happen between first and third readings (usually after second reading). *Third reading* is a final look at the proposal.

After third reading, the draft amendment is sent to the Islands Trust Council Executive for approval. The Executive is a committee of four trustees from across the Trust Area who, in making their decision, ensure that the proposal doesn't violate core Islands Trust policies.

If the amendment involves the Official Community Plan, it is then sent to the Minister of Municipal Affairs for approval. After all this, it comes back to the LTC for adoption.

Outreach to, and consultation with, community members can happen at any time during this process up to the end of the public hearing.

All LTC discussion and decision-making has to take place in public meetings. There are complex regulations about how to advertise and hold these meetings.

All the above takes resources: planner time, administrative staff time, specialized staff time (input from our freshwater specialist, First Nations advisor, mapping department, and others), and a budget for legal review, advertising, hall rental, minute-takers, communications and outreach, and sometimes other items like meeting facilitators and honoraria for Indigenous engagement.

The trigger for a regulatory review is simple: the LTC votes to place the topic on its "Top Priorities List." If resources allow, the top one or two items on this list will proceed.

However, sometimes the resources are just not available. This, unfortunately, has been the case on Denman Island for several years now, creating a frustrating backlog. There are many reasons for this. In particular, staff have been busy processing applications—specifically, the Pepper Lane seniors housing rezoning and the Denman Green affordable housing rezoning. Also, overall, applications of all kinds have risen steeply in the Trust Area over the past year. Local trustees are working on various levels to get things moving. For instance, a Trust-wide review of governance and operations by an independent contractor is underway, with the expectation that it will reveal opportunities for efficiencies. This dovetails with an internal review of the planning department, with similar goals.

Also, the LTC has applied for a grant to move forward with a farming and agriculture review, and is working on a funding request for the 2021/2022 budget to carry out a comprehensive housing review. The budget consultation process will offer an opportunity for Islanders to ask for more resources for proactive planning on our island, if that is what they want. Of course, increased resources means either increased taxes or decreased services in another area, which is something trustees wrestle with every year as we create and adopt a budget.