

File No.: DE-RZ-2023.1

(Komas Ranch Ltd.)

DATE OF MEETING: August 24, 2026

TO: Denman Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

SUBJECT: Application to amend the OCP and LUB to align with historic Land Use Contract
Applicant: John Andrew on behalf of Komas Ranch Ltd.
Location: 7161 and 7676 Komas Rd, Denman Island, BC, V0R 1T0
(PIDs 000-211-338, 000-211-320, and 023-096-438)

RECOMMENDATION

1. That 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.
2. That 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.
3. That the Denman Island Local Trust Committee has determined that the following information is required to address Islands Trust Policy Statement Directives 4.4.2, 4.4.3, and 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) A Preliminary Field Reconnaissance as outlined in the Terms of Reference letter dated January 21, 2025; and
 - b) A Water Management Plan outlining for each dwelling: the water sources, water quality, well construction details, recharge and protection areas, and proposed water-conservation measures.
4. 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.

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

REPORT SUMMARY

The staff report introduces draft bylaws to amend the Denman Island Official Community Plan (OCP) and Land Use Bylaw (LUB) to rezone portions of PIDs 000-211-338, 000-211-320, and 023-096-438 from Rural Residential (R2) to a new Site-Specific zone and new Land Use Designation to replace the use and density permissions in a historic Land Use Contract, which expired in June 2024.

At the LTC Regular Business meeting held June 23, 2026, staff introduced the draft bylaws to the LTC while identifying remaining issues and opportunities. The LTC requested information from the applicant regarding the number of guest dwellings and a final Site Plan in order to complete preparation of draft bylaws. Staff is recommending that the draft OCP and LUB Amendment bylaws in Attachments 1 and 2 of this report be given First Reading as presented. All relevant reports and background information are posted to the [Islands Trust applications page](#).

BACKGROUND

A complete table of all LTC resolutions passed as of June 10, 2026, including staff comments regarding the status of each LTC direction was provided in the previous [Staff Report](#) to the LTC at their June 23, 2026 Regular Business Meeting. The following table provides updates only for the LTC resolutions and directions that are still in progress or have changed since that meeting. It also provides updates regarding the two new resolutions passed by the LTC at the June 23 meeting.

Table 1. Application Status

LTC Resolution and Direction	Status as of August 10, 2026 and Next Steps
DE-2024-035: That the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008 (OCP), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.).	STATUS: COMPLETED Staff have drafted bylaws to amend the OCP and LUB to align as closely as possible with the historic Land Use Contract while modernizing specific elements of the zoning regulations. See Attachments 1 and 2, and further analysis of changes below. See the previous staff report dated June 23, 2026 for detailed planner comments and analysis regarding the Draft Bylaws at that time.
DE-2024-036: That the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Land Use Bylaw, 2008 (LUB), to proceed with application DE-RZ-2023.1 (Komas Ranch Ltd.).	
DE-2024-037: That the Denman Island Local Trust Committee confirm that the draft bylaw includes designation of part of the Northern parcel and part of the Eastern parcel (PIDs 000-211-338 and 023-096-438) as 'Conservation/Recreation' in the OCP and 'Conservation (CN)' in the LUB.	

DE-2024-038: That the Denman Island Local Trust Committee confirm that the draft bylaw includes designation of Site Specific Rural Residential zones in the LUB to permit the existing residential density on each of the subject properties.	
DE-2024-040: That the Denman Island Local Trust Committee request the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.) to submit the following information to the Local Trust Committee regarding the existing water quality and quantity on the Northern and Western parcels (PIDs 000-211-338 and 000-211-320): a) Source of potable water for each building site; b) Distribution of potable water to each building site; c) Any historic or current water quality tests for existing potable water sources supplying the building sites; d) Any additional sources of water for irrigation (non-potable)	STATUS: PENDING FURTHER DIRECTION FROM LTC The LTC may decide to request proof of water and/or a water management plan be provided prior to Public Hearing, in order to meet Islands Trust Policy Statement policy directives regarding water quality and quantity. See further analysis below and Recommendation 3(b) of this Report.
DE-2024-041: That the Denman Island Local Trust Committee request staff to report back on the options and implications of establishing a shoreline protection Development Permit Area for the subject properties.	STATUS: COMPLETED Staff provided preliminary options and analysis to the LTC in the June 23, 2026 report. A shoreline DPA for the subject properties is not recommended at this time, due to the existing shoreline setbacks and riparian Development Permit Areas that already apply to the properties.
DE-2024-044: That the Denman Island Local Trust Committee request staff to report back on the options to formally protect the cultural heritage of the subject properties using all available local government tools, in addition to the <i>Heritage Conservation Act</i>.	STATUS: IN PROGRESS Report to the LTC on January 21, 2025 provided information about implementing a Heritage Conservation Area, and asked for LTC direction to begin drafting an HCA. Staff drafted a Heritage Conservation Area; however, upon review, it was found not to be capable of addressing archaeological protection concerns. A Section 219 restrictive covenant has been identified as an alternative tool for protection, instead of a Heritage Conservation Area. Through the registration of a legal agreement on title, this would create additional requirements regarding archaeological site protection and heritage conservation, prior to development or land alteration. The LTC may request that this type of covenant be registered on title prior to adoption, once draft bylaws are given First Reading. See staff analysis under the ‘Issues and Opportunities’ section below.
DE-2024-045: That the Denman Island Local Trust Committee request the applicant of DE-RZ-2023.1 (Komas Ranch Ltd.) submit a post-impact Preliminary Field Reconnaissance	STATUS: INCOMPLETE The applicant has not provided a Preliminary Field Reconnaissance.

prepared by a qualified professional, in consultation with K'ómoks First Nation.	
DE-2025-003: That the Denman Island Local Trust Committee endorse the draft Terms of Reference letter and direct staff to forward it to the applicant for DE-RZ-2023.1 (Komas Ranch Ltd.), with a final deadline of December 31, 2025 to provide additional information requested in support of the application.	STATUS: COMPLETED A Terms of Reference letter outlining the detailed requirements was endorsed by the LTC on January 21, 2025 and sent to the applicant. The applicant has not provided a Preliminary Field Reconnaissance. Staff recommend the LTC continue to request this information prior to Public Hearing, as it is necessary to inform a Section 219 restrictive covenant.
DE-2025-004: That the Denman Island Local Trust Committee request staff to develop a draft restrictive covenant in consultation with the applicant for application DE-RZ-2023.1 (Komas Ranch Ltd.) for Local Trust Committee consideration.	STATUS: IN PROGRESS The LTC requested a restrictive a covenant to prohibit tree and vegetation removal and land alteration on part of the northern parcel. A final draft conservation covenant is being prepared by staff and shared with the applicant, for further review, before being presented to the LTC for consideration prior to Public Hearing.
DE-2025-005: That the Denman Island Local Trust Committee enter into a cost recovery agreement, if necessary, with the applicant allowing Islands Trust legal counsel to review a draft restrictive covenant for application DE-RZ-2023.1 (Komas Ranch Ltd.).	STATUS: IN PROGRESS Staff will return to the LTC with a draft Cost Recovery Agreement, when necessary, for legal review of both draft covenants prior to Public Hearing.
DE-2026-044 That the Denman Local Trust Committee request staff to draft a letter of understanding stating that the completion of a Preliminary Field Reconnaissance report will satisfy the Local Trust Committees' heritage protection requirements for the purposes of the rezoning process of DE-RZ-2023.1 (Komas Ranch Ltd.).	STATUS: NOT WITHIN LTC AUTHORITY Although staff do not foresee the need for additional archaeological studies as part of the rezoning application process, such as an Archaeological Impact Assessment or an Archaeological Overview Assessment, providing written confirmation that no further archaeological information will be requested fetters the LTC's decision-making authority and is <i>ultra vires</i>. The Terms of Reference letter, endorsed by the LTC on January 21, 2025 provides clarity about the level of detail requested from the applicant regarding the Preliminary Field Reconnaissance.
DE-2026-045 That the Denman Island Local Trust Committee has reviewed Draft Bylaw No. 252, cited as "Denman Island Official Community Plan Bylaw No. 185, Amendment No. 1, 2025" and Draft Bylaw No. 253, cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025" and requests the Applicant provide	STATUS: COMPLETED The applicant provided information in July 2026. Staff recommend that rather than limiting "guest dwellings" to 37.2 square metres, the rezoning permit what other Residential zones in the Denman LUB currently permit, and allow for an accessory building to be used for non-paying guest accommodation on a limited basis each calendar year. These accessory buildings may not contain any cooking facilities, or be used as dwelling units.

the following information regarding DE-RZ-2023.1 (Komas Ranch Ltd.): a. The total number of existing accessory dwellings: i. greater than 37.2 square metres (400 square feet) in floor area; and ii. equal to or smaller than 37.2 square metres (400 square feet) in floor area. b. A final Building Site Plan to be included in Draft Bylaw No. 253.	Staff are also recommending limiting the overall floor area of all combined accessory buildings on each Building Site to 200 m², and this has been included in the Draft Bylaw No. 252 in Attachment 2. A draft Building Site Plan is now included in the Draft Bylaw No. 252. Details of this Site Plan may change before Public Hearing.
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ANALYSIS

Issues and Opportunities

Staff have identified the following outstanding issues and opportunities, addressed in more detail below:

- Bylaws Inconsistent with Islands Trust Policy Statement
- Summary of Draft Bylaw No. 252 (OCP)
- Summary of Draft Bylaw No. 253 (LUB)
- Restrictive Covenants

Bylaws Inconsistent with the Islands Trust Policy Statement

The following ITPS directive policies have not yet been addressed through this application:

4.4.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:*

- *neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,*
- *water quality is maintained, and*
- *existing, anticipated and seasonal demands for water are considered and allowed for.*

4.4.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of instream uses.*

Staff comments: The application is not seeking an increase in residential or other land use density. The applicant has provided basic information about sources of potable and non-potable water for each of the twenty Building Sites, which has been shared with the Islands Trust Senior Freshwater Specialist. The applicant has shared that water has not historically been an issue for the Owners, for 50 years. All Building Sites have either a shallow dug well or a drilled well, or both. According to the applicant, some Building Sites have low water supply, though they have not provided information about which sites and how water quantity issues have been addressed at those sites. Water quality information is still not known for all 20 dwellings.

The historic Land Use Contract from 1977 permitted up to 20 dwelling units; however, it also contained the following condition concerning water supply: “6.d) *The Owners or the Company shall provide proof that potable water in a minimum amount of three hundred gallons per day per dwelling unit is available to each unit*”. No historic records exist on file of proof of water for the dwelling units at Komas Ranch, and this requirement does not align with modern provincial or professional standards for proof of water.

To address these Policy Directives, **staff recommend the LTC request a Water Management Plan** prepared by a qualified professional, prior to second reading, outlining for each dwelling: the water sources, water quality, well construction details, recharge and protection areas, and proposed water-conservation measures. This provides applicants, staff, and the LTC with a clear understanding of how water will be preserved and protected, and whether the existing use is sustainable.

5.6.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.

Staff comments: Archaeological site and cultural heritage protection is a high priority for the application due to historic instances of land alteration in archaeological sites without permits. A Section 219 restrictive covenant has been identified as a way to address the preservation and protection of heritage value and character of historic coastal settlement patterns and remains. Through the registration of a legal covenant on title, this would create additional requirements regarding heritage protection and conservation, prior to future development and/or land alteration. The Preliminary Field Reconnaissance would be used to inform the covenant. See recommendations 3(a) and 4 of this Report.

The Islands Trust Policy Statement checklist (ITPS) finds that the proposed Bylaw Nos. 252 and 253 are not in compliance with the Trust Policy for the reasons identified above (see Attachment 3). The checklist can be returned to the LTC for consideration at second reading upon review of further information regarding a Water Management Plan and an archaeological protection covenant.

Summary of Draft Bylaw No. 252 (OCP)

Draft bylaw No. 252 (Attachment 1), if adopted, would amend the Denman Island Official Community Plan (OCP) No. 185 by re-designating portions of the subject properties from Rural (RU) to a new land use designation, Rural Comprehensive (RC). The purpose of the designation is to minimize potential negative impacts of the existing use and density of the property, while encouraging stewardship of the ecological integrity, unique cultural heritage, and rural character of Komas Ranch.

Summary of Draft Bylaw No. 253 (LUB)

Draft Bylaw No. 253 (Attachment 2) would amend the Denman Island Land Use Bylaw (LUB), 2008 by rezoning portions of the subject properties from Rural Residential (R2) to a new rural zone – Rural Comprehensive 1 (RC1). The proposed amendments would allow, under specific conditions relating to siting and setback, location, lot coverage, floor area, and height, etc.:

- a maximum of 20 principal dwelling units and accessory residential uses located across 20 building sites (not legal parcels);
- common areas where shared recreational facilities, utilities, and access roads may be located; and
- conservation areas where no development may take place.

Draft Bylaw No. 253 would also restrict the total floor area of single family dwellings to 300 m² and the total combined floor area of all accessory buildings for each of the 20 Building Sites to 150 m².

Restrictive Covenants

Two separate Section 219 restrictive covenants are recommended prior to bylaw adoption. The LTC has already given direction that one conservation covenant be drafted to secure the historic conservation area on PID 000-211-338. Staff recommend the LTC give direction to draft an additional Section 219 restrictive

covenant for future protection of cultural and archaeological heritage present on all parcels. Potential covenant provisions could include, but are not limited to:

- Requiring an Archaeological Overview Assessment prior to ground disturbance;
- Restricting ground disturbance or buildings within a certain number of metres of a registered archaeology site; and
- Requiring that an Indigenous knowledge-holder or Land Guardian is present during development if ground disturbance is proposed in a specified location known to contain cultural or archaeological heritage materials or remains.

The scope and content of the Section 219 covenant will be determined prior to public hearing, in consultation with K'ómoks First Nation and the applicant and based on the LTC's direction.

Consultation

As this application proposes an amendment to the official community plan, the LTC is required to conduct a consultation process per Sections 475 and 476 of the *Local Government Act* and involves a set of referrals that are independent of any public hearing process. Specifically, the LTC should consider whether consultation is required with the following groups:

- the board of the regional district
- the board of any regional district that is adjacent to the area covered by the plan;
- the council of any municipality that is adjacent to the area covered by the plan;
- first nations;
- boards of education, greater boards and improvement district boards;
- the Provincial and federal governments and their agencies.

Following first reading of the bylaws staff recommend referrals to First Nations, provincial agencies, adjacent local governments and select referral agencies as detailed in the recommendations on page 1 of this report.

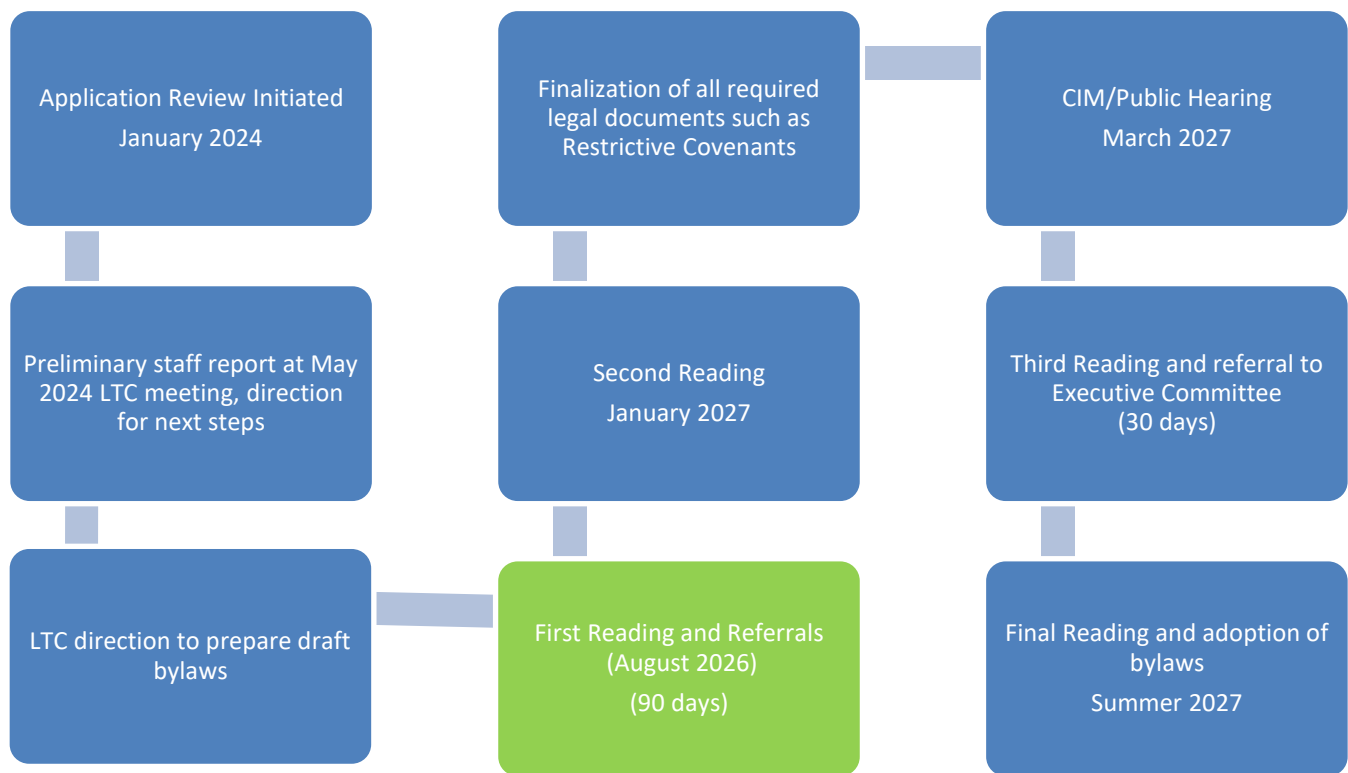
Early engagement with K'ómoks First Nation has been ongoing and has identified priorities for archaeological and cultural heritage protection. Engagement with the Nation will continue after First Reading.

Staff also recommend a community information meeting as part of the review process, subsequent to the receipt of referral responses and in advance of a public hearing being scheduled. Significant changes to the bylaw (either as a requirement of the LTC, or by the applicant) that necessitate further referrals or community meetings or application complexities may require more involved consultation.

Application Process Steps and Timing

The following process steps and approximate timelines may assist in managing applicant and community expectations in how an OCP and LUB amendment application such as this, can be processed.

The timing for second reading is anticipated for January 2027. This timing reflects the 2026 local government election cycle and the absence of regular LTC meetings in the fall of 2026. Following the election, the new LTC is expected to be sworn in at its first meeting on November 16, 2026. However, it is staff's understanding that applications will likely not be considered at that meeting, as it will primarily be dedicated to orientation and onboarding of the new LTC. As a result, the next available opportunity for LTC consideration of the application is anticipated to be January 19, 2027.



Rationale for Recommendation

Draft bylaws have been prepared to amend the OCP and LUB to align with and modernize the previous provisions of a historic Land Use Contract. Staff recommend First Reading in order to advance formal consultation with First Nations, agencies and governments. Staff also recommend advancing information requests in order to satisfy compliance with the Islands Trust Policy Statement, and directing staff to begin drafting a second Section 219 covenant for the protection of archaeological and cultural heritage. The staff recommendations are found on page 1 of this report.

ALTERNATIVES

1. Direction to amend the draft bylaws

The LTC may wish to make amendments to the draft bylaws. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee amend draft Bylaw No. 252, cited as the “Denman Island Official Community Plan No. 185, Amendment No. 1, 2025” by...

That the Denman Island Local Trust Committee amend draft Bylaw No. 253, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025” by...

2. Proceed no further

The LTC can choose this alternative at any stage in a bylaw amendment application. If this alternative is selected the application will proceed no further. The following resolution is recommended:

That the Denman Island Local Trust Committee proceed no further with application DE-RZ-2023.1 for the following reasons [insert LTC rationale].

NEXT STEPS

Should the LTC concur with the staff recommendations, bylaw referrals will be sent out requesting a response within 90 days of the date on the referral. Staff will draft the Section 219 restrictive covenants and await further information from the applicant prior to second reading.

Submitted By:	Margot Thomaidis, Planner 2	August 13, 2026
Concurrence:	Renée Jamurat, RPP MCIP, RPM	August 19, 2026

ATTACHMENTS

1. Draft Bylaw No. 252 (OCP)
2. Draft Bylaw No. 253 (LUB)
3. ITPS Policy Directive Checklist

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 252

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

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

1. CITATION

This Bylaw may be cited for all purposes as “Denman Island Official Community Plan Bylaw No. 185, 2008, Amendment No. 1, 2025”.

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	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
READ A SECOND TIME THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
PUBLIC HEARING HELD THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
READ A THIRD TIME THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>
ADOPTED THIS	<u> </u>	DAY OF	<u> </u>	20 <u> </u>

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252**

SCHEDULE 1

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

- 1.1 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING is amended by adding the following directly after the fourth paragraph:

“The Rural Comprehensive designation, shown on Schedule C, includes portions of three lots commonly referred to as “Komas Ranch”. The area was the subject of a Land Use Contract from 1978-2024, and is currently governed by a corporate homeowner share cooperative agreement. The Rural Comprehensive designation includes residential, nature conservation, and common area uses.”

- 1.2 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, is amended by adding a policy after Policy 2

“Policy 2.1 In the Rural Comprehensive designation, subdivision shall only be permitted for parkland dedication or ecological conservation uses.”

- 1.3 Part E – FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection Housing – Policies, Subdivision, is amended by adding a policy after Policy 11

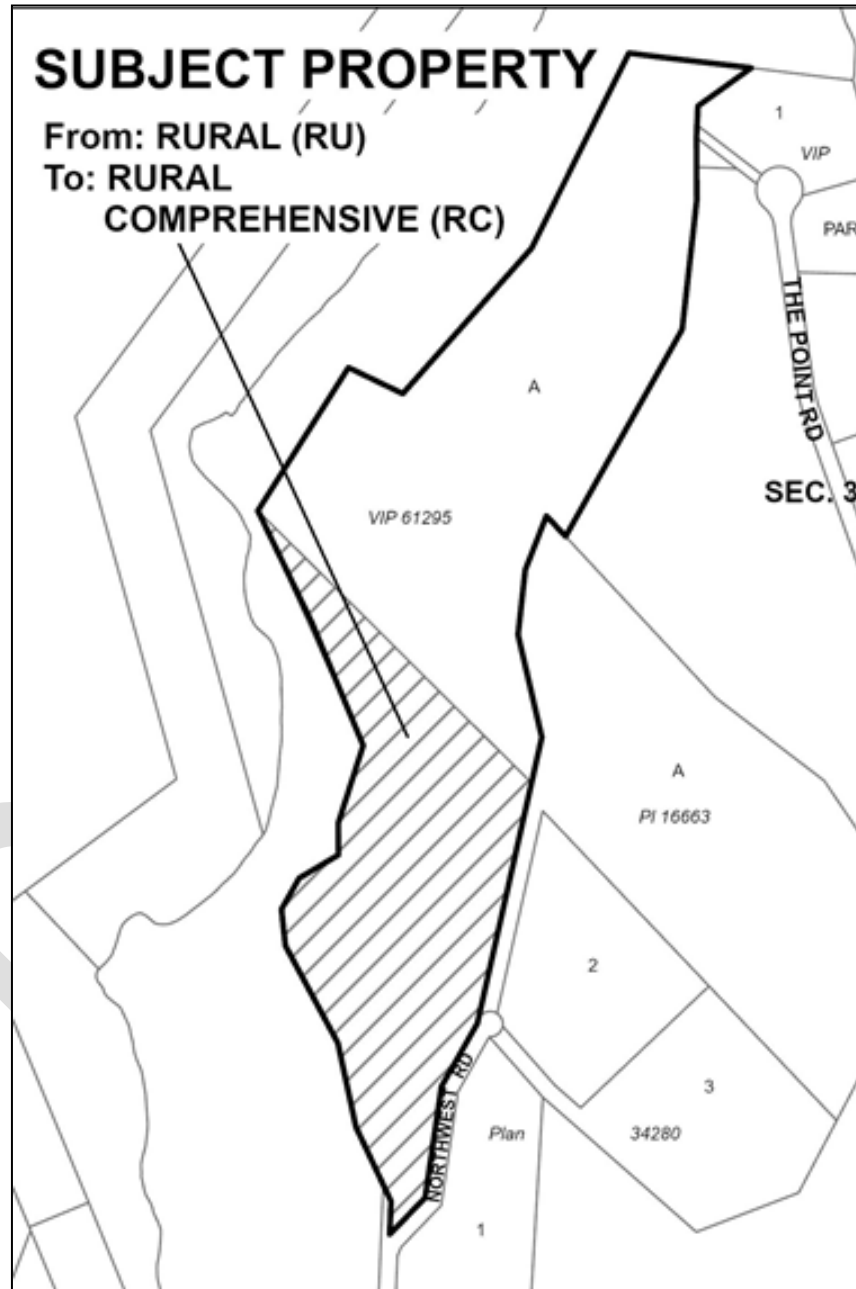
Policy 11.1 In the Rural Comprehensive designation density may not exceed a maximum total of 20 single family dwelling units. Regulations may specify the following in order to minimize potential negative impacts, while encouraging stewardship of the ecological integrity, unique cultural heritage, and rural character of Komas Ranch:

- a) Areas where no development may occur.
- b) The location of any new development as a means to:
 - i. maintain unique rural character and natural beauty;
 - ii. minimize road and driveway expansion;
 - iii. minimize forest and ecosystem fragmentation;
 - iv. protect groundwater and recharge areas;
 - v. minimize impact to cultural heritage including archeological sites; and

- vi. ensure that development is located in areas which are suitable to support the intended use.
 - c) The approximate location and type of existing and proposed common use facilities and buildings such as: water supply, sewage disposal, fire protection, access, transportation and utility infrastructure; and shared recreation and meeting areas and facilities.
 - d) The approximate location and type of existing and proposed protected conservation areas, sensitive ecosystems and habitat, significant natural features, significant cultural heritage features, areas of extensive mature forest, lands hazardous to development, or land with no future development potential.”
- 2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “C” [Land Use Designation Map] is amended by changing the land use designations as follows:
 - a) On portions of land legally described as LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 the land use designation is changed:
 - from a split “Rural” and “Agriculture” designation to a split “Rural Comprehensive” and “Agriculture” designation;
 - as shown on Attachment 1 attached to and forming part of this Bylaw.
 - b) On portions of land legally described as SECTION 33, NANAIMO LAND DISTRICT, DENMAN ISLAND the land use designation is changed:
 - from a split “Rural” and “Conservation/Recreation” designation to split “Rural Comprehensive” and “Conservation/Recreation” designation;
 - as shown on Attachment 2 attached to and forming part of this Bylaw.
 - c) On portions of land legally described as SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016 the land use designation is changed:
 - from “Rural” designation to “Rural Comprehensive” designation;
 - as shown on Attachment 3 attached to and forming part of this Bylaw.

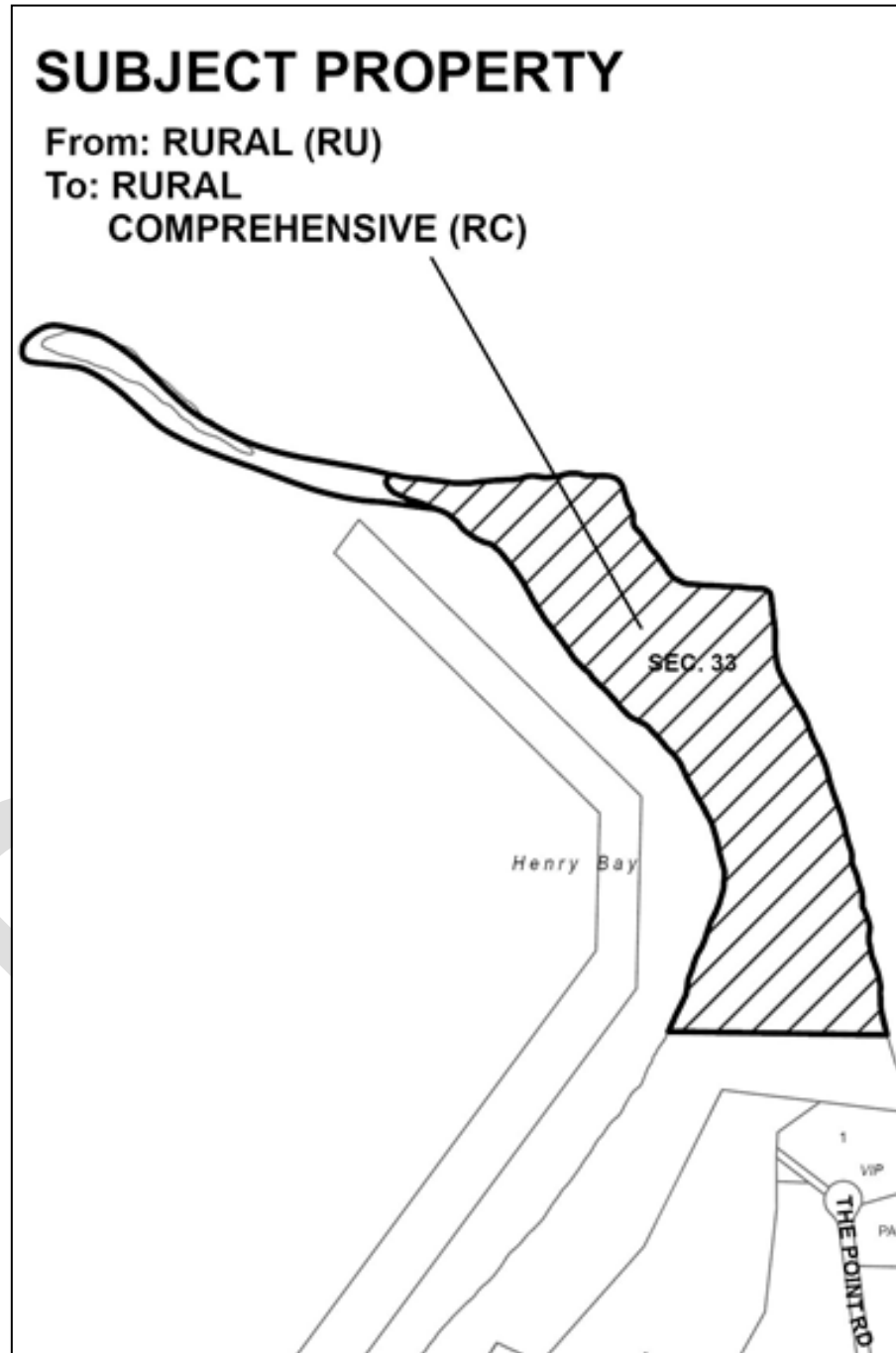
DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 1



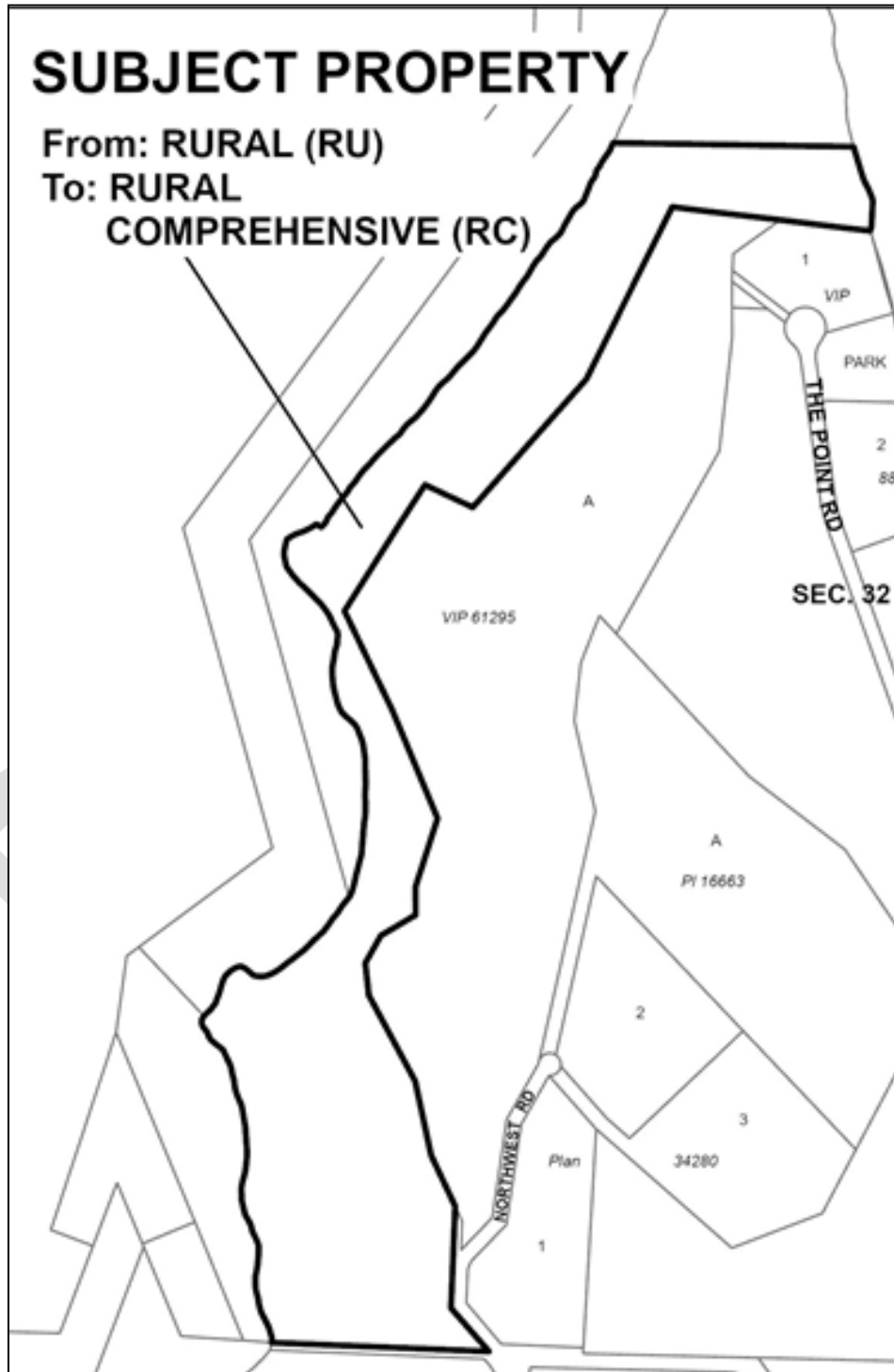
DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 2



DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 252

Attachment 3



DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 253

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2025”.

2. Denman Island Local Trust Committee Bylaw No. 186, cited as “Denman Island Land Use Bylaw, 2008” is amended as per Schedule 1 attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 253**

Schedule 1

1. Schedule “A” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 PART 2 – GENERAL REGULATIONS, Section 2.6 – Signs Regulations, Subsection 1, is amended by removing the ‘and’, and adding after ‘Affordable Rental Housing (R4)’:

, and Rural Comprehensive One (RC1)
 - 1.2 PART 2 – GENERAL REGULATIONS, Section 2.7 – Screening Regulations, Subsection 5 is amended by removing the ‘or’ and replacing it with a comma, and adding after ‘Rural Residential (R2)’:

, or Rural Comprehensive One (RC1)
 - 1.3 PART 3 – ZONE REGULATIONS, Section 3.1 – Creation of Zones, Subsection 1, is amended by adding a new Residential Zone Classification and Zoning Code after Affordable Rental Housing R4 as follows:

Rural Comprehensive One RC1
 - 1.4 PART 3 – ZONE REGULATIONS, Section 3.3 – “Residential Zoning Tables”, is amended by adding a new Table directly after Table 9:

Table 10 – Rural Comprehensive One Zoning Regulations

The regulations listed in Tables 1 through 9 of this section do not apply to the land identified in Schedule B by the Rural Comprehensive One (RC1) zoning code.

INFORMATION NOTE: The purpose of the Rural Comprehensive One Zone is to permit the historical uses and density on portions of three lots on Denman Island generally known as “Komas Ranch”. Any land use planning application for the lots zoned Rural Comprehensive One must conform to the maximum permitted density specified in the RC1 Zone.

1. Permitted Uses

The following uses are permitted in the RC1 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

Principal Uses

- a) Residential
- b) Parks
- c) *Utilities*
- d) Conservation
- e) *Passive Recreation*

Accessory Uses

- f) Home occupation uses listed in Section 2.4 *accessory* to a *principal* residential use
- g) *Horticulture* and *agriculture*, *accessory* to a *principal* residential use
- h) Wood working and wood processing *accessory* to a *principal* residential use
- i) Access roads
- j) Common recreation facilities
- k) Informational signs and interpretive structures

2. Permitted Buildings and Structures

- a) Single family *dwelling unit*
- b) *Buildings* and *structures* *accessory* to a constructed single family *dwelling unit* on the same Building Site
- c) *Buildings* and *structures* to accommodate *horticulture*, *agriculture* and sale of horticultural and agricultural products
- d) *Buildings* and *structures* to accommodate common recreation facilities, parks, and utilities, including the generation of electricity from non-polluting renewable sources
- e) One agricultural produce stand per lot, not exceeding 4.6 square metres (50 square feet) *gross floor area*

3. Density of Uses, Buildings and Structures

- a) The maximum combined total number of single-family *dwelling units* permitted across all parcels in the RC1 zone shall not exceed twenty (20).
- b) A maximum of seventeen (17) single family *dwelling units* are permitted within SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016, and a maximum of three (3) single family *dwelling units* are permitted within SECTION 33 DENMAN ISLAND NANAIMO DISTRICT.
- c) Single family *dwelling units*, *accessory* residential uses, *buildings*, and *structures* must be sited entirely within Building Sites One (1) through Twenty (20) as shown on Schedule A-1.
- d) *Buildings* and *structures* are not permitted on SECTION 33 DENMAN ISLAND NANAIMO DISTRICT outside the boundaries of Building Sites One (1), Two (2), and Three (3) as shown on Schedule A-1, except for informational signs and interpretive structures associated with *passive recreation*, park, and conservation uses.
- e) *Buildings* and *structures* are not permitted in the Common Area on LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 or Common Areas outside of Building Site areas on

SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016 in the RC1 zone, except for *buildings* and *structures* to accommodate *utilities* and common recreation facilities, as shown in Schedule A-1.

- f) Maximum *lot coverage* of *buildings* and *structures* in the RC1 zone is 5 percent of each Building Site area or Common area, calculated as shown in Table 1 of Schedule A-2.

4. Height

- a) Maximum *height* of *principal buildings* and *structures* is 7.0 metres if located less than 100 metres from the *natural boundary* of the sea, and 9.0 metres if located 100 metres or more from the *natural boundary* of the sea
- b) Maximum *height* of *buildings* and *structures* accessory to a residential use is 6.0 metres
- c) Maximum *height* of a fence is 2.0 metres
- d) Maximum *height* of a *pump/utility house* located within a *setback* area is 2.5 metres
- e) Maximum *height* of a *boathouse* is 4.5 metres

5. Setbacks and Siting

In addition to Subsections 1-5 in Section 2.3, the following *setbacks* apply:

- a) Minimum *setbacks* for *buildings* and *structures*, except for a fence or *pump/utility house*, are:
 - 7.5 metres from the *front lot line*
 - 3.0 metres from the *rear or side lot line*
 - 4.5 metres from the *exterior side lot line*
- b) Minimum *setback* for feeding troughs, manure piles and *buildings* and *structures* for housing animals for *agriculture* is 8.0 metres from all *lot lines*
- c) Despite Article 3.3.1.5(b), the minimum *setback* for a domestic chicken coop is 3.0 metres from all *lot lines*
- d) Minimum *setback* for *produce stands* is 4.5 metres from the *front lot line*
- e) Minimum *setback* between single-family *dwelling units* is 3.0 metres
- f) Private access roads must be located as shown on Schedule A-1

6. Floor Area

- a) Maximum *gross floor area* of a single-family dwelling unit is 300 m²
- b) Maximum combined *gross floor area* of accessory *buildings* per Building Site as indicated in Schedule A-1 is 200 m²
- c) Maximum *gross floor area* of a *pump/utility house* located within a *setback* area is 6.0 m²
- d) Maximum *gross floor area* of a *boathouse* located within 15.0 metres of the *natural boundary* of the sea is 30.0 m²
- e) Maximum combined *gross floor area* of all common recreational facility *buildings* and *structures* is 1000 m²

7. Subdivision

- a) No subdivision is permitted within the RC1 zone except in compliance with Subsection 2.8.19.

8. Conditions of Use

- a) A siting and use permit shall not be issued for a *building* to be used as a *dwelling unit* on a lot in the RC(1) zone unless a *building* or *structure* on the same Building Site is equipped with a rainwater catchment system and cisterns for the storage of rainwater with a minimum storage capacity of 18,000 litres.

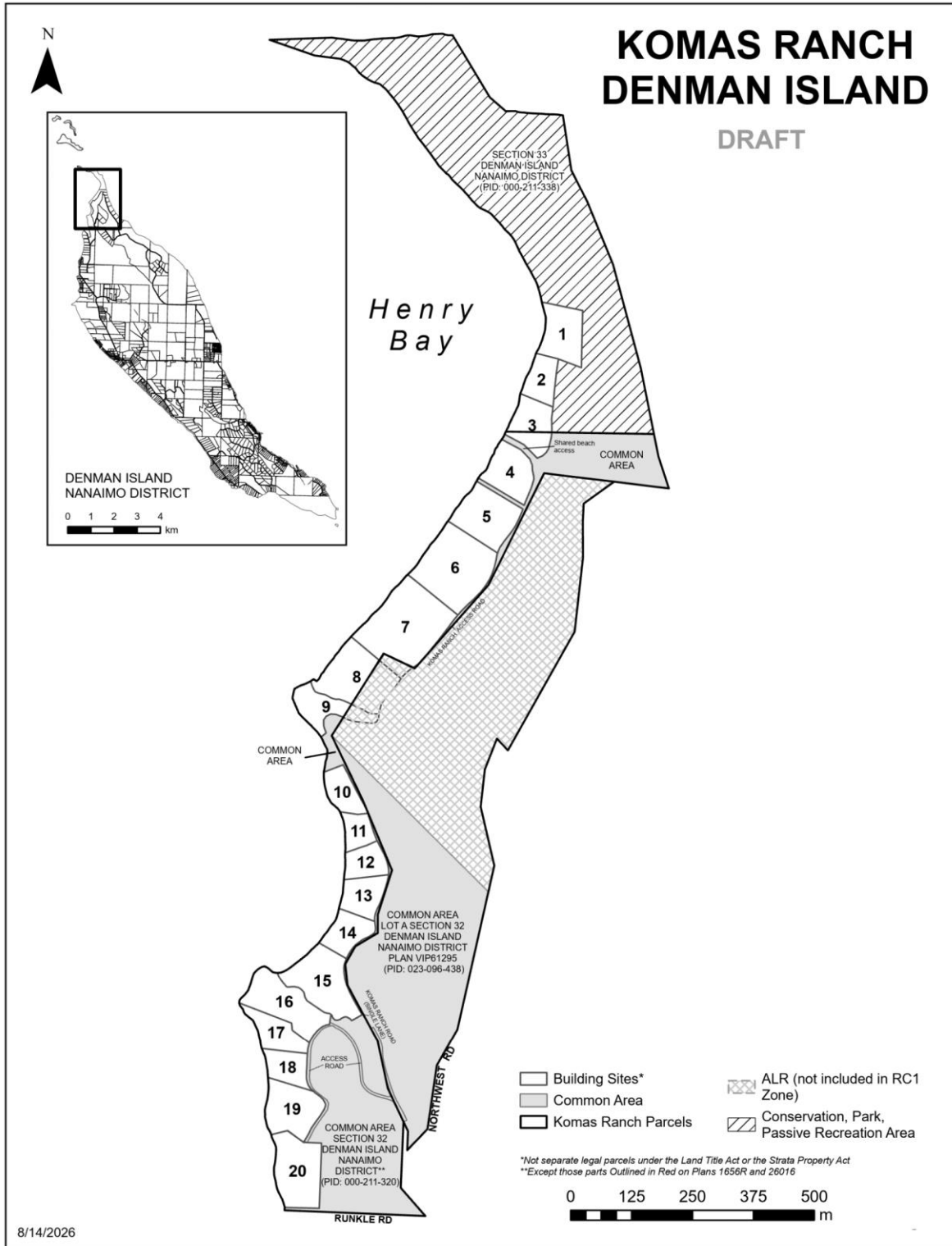
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DE-BL-253

Schedule A-1 – Komasa Ranch

BUILDING SITE PLAN for LOT A SECTION 32 VIP61295, SECTION 32 EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016, and SECTION 33 DENMAN ISLAND NANAIMO DISTRICT



Schedule A-2 – Komas Ranch**MAXIMUM LOT COVERAGE: BUILDING SITES and COMMON AREAS
in RURAL COMPREHENSIVE 1 (RC1) ZONE**

BUILDING SITE (#)	SITE AREA (hectares)	5% MAXIMUM LOT COVERAGE CALCULATION (m²)
1	0.94	471.8
2	0.53	267.3
3	0.83	416.8
4	0.92	458.1
5	1.20	601.3
6	1.95	975.7
7*	2.20	1100
8*	1.01	505
9*	0.62	310
10	0.57	283.8
11	0.49	243.8
12	0.51	255.2
13	0.63	317.4
14	0.58	289.9
15	1.36	679.1
16	1.19	593.7
17	0.70	352.5
18	0.55	276.9
19	1.09	544.6
20	1.34	667.7
Common Area: PID 023-096-438*	9.29	5735
Common Area: PID 000-211-320	11.47	4645

*Not including portions of the Building Site or parcel located in the Agricultural Land Reserve

2. Schedule “B” of Denman Island Land Use Bylaw, 2008, is amended as follows:

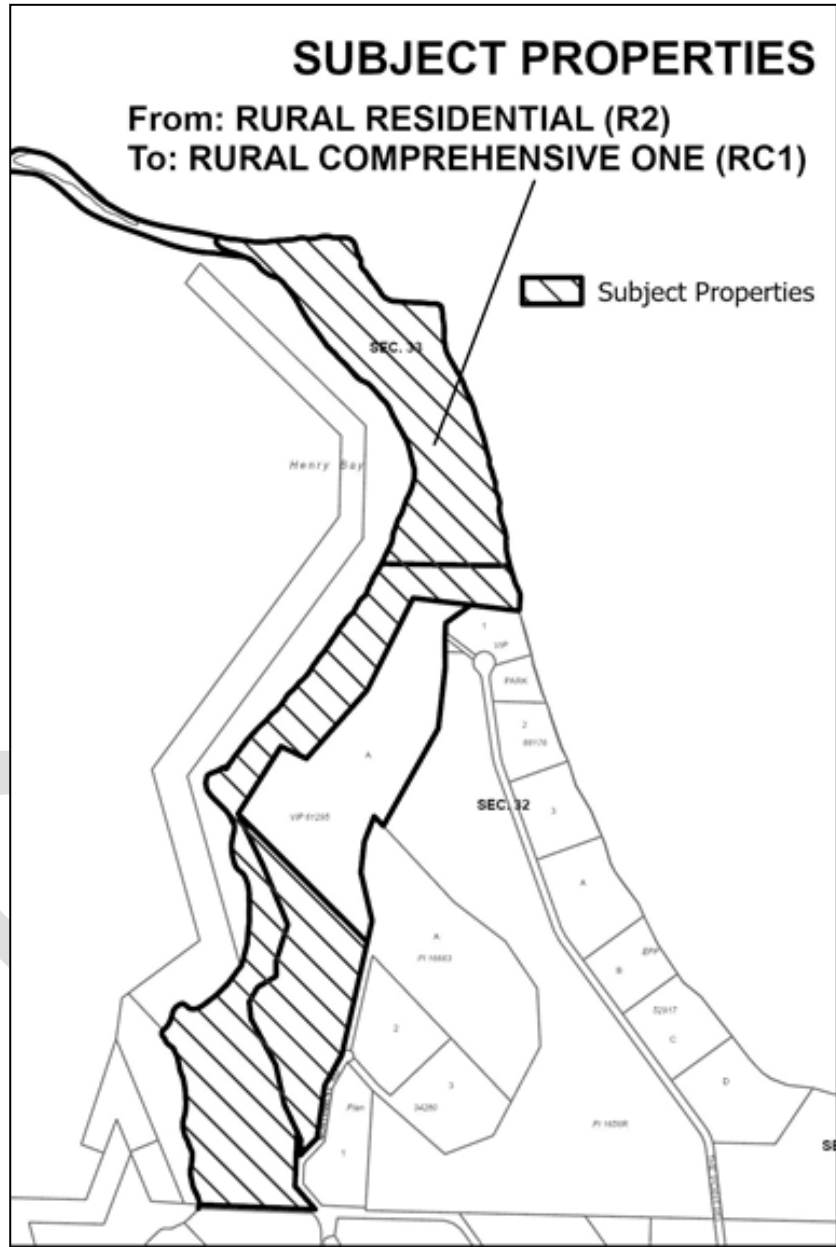
Schedule “B” – North Map, is amended by removing “Site Specific – Land Use Contract #267” from the map and changing the zoning classification of parts of the split-zoned LOT A SECTION 32 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP61295 (PID 023-096-438), parts of the split-zoned SECTION 33 DENMAN ISLAND NANAIMO DISTRICT (PID 000-211-338), and SECTION 32 DENMAN ISLAND NANAIMO DISTRICT EXCEPT THOSE PARTS OUTLINED IN RED ON PLANS 1656R AND 26016 (PID 000-211-320) as shown on Appendix No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.

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DE-BL-253

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 253**

Appendix No. 1





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: Draft Bylaw Nos. 252 and 253 (DE-RZ-2023.1)

The following symbols in the table indicate:

- ✓ the bylaw is consistent with the policy from the Policy Statement, or
- ✗ **the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or**
- N/A the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

	3.4	Coastal and Marine Ecosystems
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
✓	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
✓	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
✓	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
✓	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
✓	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
✓	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation

	4.4	Freshwater Resources
✗	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✗	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
✓	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses
✓	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments
✓	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
✓	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	Transportation and Utilities
✓	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
✓	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
✓	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
✓	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
✓	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
x	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities

✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services
POLICY STATEMENT COMPLIANCE		
	COMPLIANCE WITH TRUST POLICY	
✓	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons: <i>Draft Bylaws are inconsistent with Policy Directives 4.4.2, 4.4.3, and 5.6.3</i>	