

Triple Rock Land Cooperative rezoning supporting document

Purpose: to add four new densities + secondary suites for all dwellings



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Introduction

The Triple Rock Land Cooperative (TRLC), commonly known as CoHo Landing, is a non-profit land cooperative with 15 households. It is financed and managed by members.

In October, 2008, the TRLC property was upzoned from F (allowing one dwelling unit) to a new site-specific zone, R3, which permitted 15 affordable units, regulated by a housing agreement. The portion of the split-zoned property which is in the Agricultural Land Reserve was rezoned to a unique A3 zone, which does not allow any dwellings. Development took place gradually. For the last decade or so, the cooperative has been operating as a self-managed “village” based on principles of reciprocity, living lightly on the land, and balancing collective values and practices with individual self-determination. Decisions are made by consensus and the members work together to plan, problem-solve, create policy, manage finances, and build and maintain buildings and infrastructure.

The TRLC property was heavily logged 20-30 years ago and the forest around the housing cluster is regrowing. Buffer zones of 30 metres from neighbouring lot lines, enshrined in a covenant, protect much of this forest. There are no riparian areas or environmentally sensitive features on the land. The proposed new units are within or adjacent to the area already developed. The project includes composting toilets, rainwater catchment, homes of up to 139 m², and a limit on floor area of outbuildings, creating an environmentally sustainable approach to increased density.

The project is considered a success by everyone involved in it. It provides stable, affordable housing for 15 households, people who otherwise would be reliant on the unpredictable and often unaffordable rental market. The property has been on the Denman Island sustainability tour, has been studied by academics, hosted a Land Share Summit in 2022, and has hosted Uvic Environmental Studies students as part of their summer field school for the past two years.

The TRLC is ready to grow—partly to enhance the vibrancy, sustainability, and diversity of the project, and partly to offer more opportunities for affordable housing at a time when this is so direly needed. If the rezoning goes ahead, the project would be “shovel-ready” for new units, and the suites could be created through strategic renovations or modest additions.

Proposed new uses

In the R3 zone

- Four more single family homes
- Option of secondary suites for all dwellings, to be used for extended family, caregivers, and cooperative members/prospective members. These will be contained within the main dwelling
- Increased maximum floor area for homes (from 139.4 m²– 186 m²) to support secondary suites
- Increased maximum floor area for outbuildings (to meet ongoing needs and to support new units) from 1275 m² to 2174 m²

TRLC rezoning at a glance		
	Current	After rezoning
Number of units	15	19
Dwelling type	Single family	Single family + optional secondary suites
Maximum floor area—each dwelling	139.4 m ²	186 m ²
Maximum floor area—all outbuildings	1275 m ²	2174 m ²

Regulatory amendments requested

Official Community Plan amendment requested

Withdraw four densities from the density bank (Appendix D of the OCP) or clarify that the four additional units will come from the 5% as per OCP Policy E1 11 (we understand that the secondary suites, like other secondary suites on Denman, do not count as densities for the purposes of the density cap).

Land Use Bylaw amendments requested

- Change section 3.3, Table 3, line three, under R(3), to read 19 instead of 15
- Change section 3.3, Table 1, line nine, under R(3), to include a tick mark, with text to clarify that only secondary suites that are within the main dwelling are permitted
- Change section 3.3, Table 6, so that
 - line 3, column 3 (R3) (dwelling maximum gross floor area) changes from 139.4 m² to 186 m²
 - line 6, column 3 (R3) m² (maximum gross floor area of all accessory buildings and structures) changes from 1275 m² to 2174 m²

Housing agreement amendments requested

- In item 1.a., change number of units from 15 to 19 and include provisions for attached secondary suites in each dwelling unit
- In item 7, if necessary, include “a family member or caregiver of the co-op member or a participant in the cooperative” (although perhaps the existing language suffices)
- In item 9, which deals with purchase price, include language specifying that the total purchase price of a housing unit and shares cannot exceed the maximum cap as indicated in the

cooperative's resale policy (this is not essential for this rezoning but is a bit of housekeeping to bring the document in alignment with TRLC policies and increase long-term affordability)

- If appropriate, include provisions to ensure secondary suites remain low-impact and affordable, such as
 - Guidelines for who can occupy a secondary suite (a family member of, or a caregiver for, the cooperative member; someone who wishes to participate in cooperative activities and culture; or a cooperative member)
 - A requirement that cooperative members apply to the cooperative whenever they want to have a resident in a suite
 - A prohibition on advertising availability of a secondary suite
 - A guideline for affordability for suites (the TRLC Rules of Association and Memorandum of Understanding, registered with the B.C. Corporate Registry, require the cooperative to provide "affordable housing" and the suites will not be used for commercial rentals, so an affordability provision in the housing agreement is not necessary, but if needed can provide certainty for the LTC)

To expedite the process, CoHo Landing could take on amending the **housing agreement**, working with our lawyer, and presenting the amended version to the LTC for review and endorsement.

It is our understanding that the **covenant** (also registered on title) will not need to be changed.

As well, the TRLC will need to update its **Rules of Agreement** to reflect the increased density, include criteria for occupancy of secondary suites, and include guidelines for the use of secondary suites. This is not within the jurisdiction of the LTC, but since the Rules of Agreement are attached to the Housing Agreement and play a key role in ensuring affordability, it needs to be amended at the same time or immediately after the rezoning.

Existing uses of the land

In the R3 zone:

- 14 single family homes of no more than 139.4 m² each
- One inhabited travel trailer (temporary)
- One common house of 209 m²
- Three electricity metering station sheds, 5.6 m² each
- Five workshop/studios, 28 – 74 m² each, personal use (art, woodworking, etc) (serviced with Hydro; no running water or plumbing; not residential)
- 16 woodsheds, approx. 167 m² combined
- Total outbuilding floor area: 866 m²

In the A3 zone (ALR):

- A fenced garden and orchard
- A garden shed, 9 m²



Family dwelling

Existing water and sewage disposal infrastructure

Water: Homes rely 100% on rainwater. Each household is responsible for their own catchment, filtration, and treatment system. The cooperative provides one cistern per home and members can add more storage capacity if needed. Homes have opportunity to increase catchment surface by also collecting from outbuildings. There is considerable combined expertise on rainwater catchment and treatment in the group and members help each other with design, construction, and maintenance. See attached rainwater catchment report for more detail.

The Common House water is supplied by four 5000-gallon cisterns. The Common House rainwater catchment system is maintained by members of the cooperative (gutter cleaning and repair, preventing freezing, filtration, monitoring).

The property has a well which, at the time of the initial rezoning, was tested for quality and quantity and proven to be sufficient for the current density. **This well is not used by residences** and currently there is no infrastructure in place that would enable that. The well is used to water the common garden.

Sewage: Each home has a composting toilet. Maintenance of the toilet and proper treatment of the resulting material is the responsibility of the cooperative member resident in the home. Each home has a greywater treatment septic system designed by H2O Environmental Ltd in accordance with Ministry of Health standards (some systems are still under construction). Each treatment system has its own dispersal field on the ½ acre of land connected to the house.

The Common House has a flush toilet and a type-one septic system designed by H2O Environmental Ltd.

Photos: Common House cisterns (20,000 gallons in total), individual septic field under construction with family home behind it, metering station (for B.C. hydro)



Uses of land and buildings on adjacent properties

The property directly to the west has a sauna and walking trails, used for pleasure, and a single family dwelling under construction. The Denman Ambulance Station and the Fire Hall also share property lines with the subject property. Other adjacent properties are used for single family dwellings, and some are used for farming.

Reasons in support of proposed amendments

Denman Island’s housing needs are urgent and varied, as evidenced by the Islands Trust Northern Region Housing Needs Assessment and many other studies. The housing crisis is rampant in most of BC and Canada and shows no signs of abating.

The Northern Region Housing Needs Assessment says about Denman Island, “Based on the population projections, there could be a need for potentially 165 residential units in the next 25 years. ...Based on the population growth projected for 165 units and 48% need for affordable rental, Denman Island now requires up to 80 affordable housing units. This translates into three to four units per year.”

No new affordable housing has been built on Denman since the report was released five years ago.

This request would create four new units of affordable housing as well as potential for up to 19 affordable secondary suites which could be used to house extended family members, caregivers, other cooperative members, or participants in the cooperative (people who participate but are not members). These suites would be the only secondary units on Denman *required* to be affordable (via multiple levels of regulation).

If these changes go forward, there would be no institutional barriers to moving ahead—no need to subdivide, finalize land purchase, get grants, etc. Time would be needed for the TRLC membership process, but nothing stands in the way of moving forward. TRLC has an established structure for membership and proven strategies for infrastructure. The Northern Region Housing Needs Assessment recommends that LTCs “support the efforts of not-for-profit organizations to increase the amount of safe, secure, appropriate, affordable housing on their islands” (page 131). This rezoning application provides an opportunity to do that.

Studio zone



FAQs

1. How will water, sewage, hydro, and vehicle access be provided to new units?

Water will be provided via water catchment only, as is currently the practice (see above for more info). The rainwater used eventually makes its way back into the aquifer after being treated in the greywater septic systems.

Sewage will be minimal, due to the use of composting toilets and the consistent practice of water conservation which accompanies reliance on water catchment. Each new unit will have a greywater treatment system, as per the current practice. Secondary suites will be attached to current wastewater systems, which may need expansion.

Environmental impact exists because space must be cleared for dispersal fields. However, these are small (approx. 26 m² per house) and are in areas that would likely be cleared to let in light and minimize fire risk for the houses.

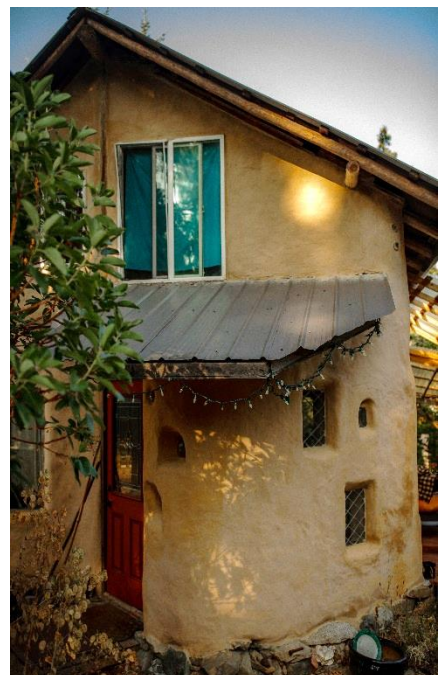
Hydro comes up from Denman Road and is distributed through a combination of overhead and underground wires. No new utility corridor will be needed.

Vehicle access is already in place and no new access corridor needs to be created.

2. Will the secondary suites turn the TRLC into a commercial rental housing provider?

No. Secondary suites will be used only for extended family, caregivers, and cooperative members and participants (people involved in the cooperative but not members, including people interested in joining at some point). Residency will not be primarily a commercial arrangement although the resident may be asked to contribute to household costs. Suites must remain affordable, as designated by TRLC policies, by the Housing Agreement registered on title, and by the terms of the cooperative's Memorandum of Association (registered with the Corporate Registry in Victoria and governed by the BC Cooperative Act), which states that the purpose of the TRLC is the provision of affordable housing.

Openings will not be advertised. Cooperative members wanting to build a secondary suite and/or invite a new occupant in a secondary suite will need to bring an application to the cooperative in advance.



Photos: family dwellings

Legal and contractual arrangements for the use of secondary suites could happen in several ways: as part of an employment contract (for a paid caregiver), via a Licence to Occupy (used when occupancy is based on generosity rather than business considerations), or via the Residential Tenancy Act.

Cooperative members are required to understand and be responsible for complying with applicable regulatory requirements.

3. What role does the TRLC play in addressing the housing crisis on Denman Island?

The TRLC, since inception, has provided stable, secure housing with affordability situated approximately in the “community-housing” category of the Canada Housing and Mortgage Corporation’s continuum of affordability. This meets the housing needs of many people who otherwise would be unable to afford home/property ownership, but does not meet all needs on the island. This was clearly stated during the initial rezoning process and received support at the time from many community members and the LTC.

The TRLC does not receive any external funding from grants or government programs but has benefitted from various types of support from community members (a financial gift to help with the initial start-up, buying and holding land during the initial rezoning, volunteer labour).

The secondary suites will provide additional affordable housing for their occupants. As well, having an extended family member to contribute to household costs enhances affordability for cooperative members, which is a key goal for the TRLC.

THE HOUSING CONTINUUM



4. Will this proposal use up available densities in the density bank, taking away opportunity for other much-needed types of affordable housing?

This proposal will remove four densities from either the density bank or the “5%” source of densities available via OCP Policy E1-11. This would leave 43 densities available overall (adding the density bank to the remaining densities in Policy E1-11), according to [Denman LTC reporting](#) (although this reporting does not account for 20 units of affordable housing at the Denman Green project). The TRLC supports the use of these densities for a variety of types of affordable housing.

Neither Policy E1-11 nor the density bank have been reviewed in many years, and they do not reflect current housing and density realities (as, for instance, measured in the Islands Trust Housing Needs

Assessment for the Northern Region, which itself is out of date). The Denman Island LTC may want to adjust the 5% in E1-11 to reflect its own data on housing needs.

5. How do you choose new members?

Like all cooperatives, the TRLC has a membership intake process. Members are chosen via a year-long process that includes educating them on the cooperative, providing options for them to participate, a written application, an interview, and a trial period. The decision process looks at need, support for cooperative goals, experience with groups, contribution to diversity in the group, ability to meet financial needs, connection to Denman Island, ability to work in a consensus process. No one factor is paramount.

This process is structured differently than that of other housing organizations on the island. This is because the TRLC is a self-managed cooperative, whereas other groups are societies with charitable status managed by a board of directors. The TRLC is also unusual among cooperatives because it does not hire a management and maintenance company and did not hire a contractor for development. Rather, members do the physical and administrative work of running the cooperative. This is an essential component of affordability and group cohesion. It also allows the cooperative to customize and keep development small-scale.

For the above reasons, the membership process includes consideration of compatibility with project goals and commitment to the project.

Through fostering and putting into practice cooperative land-based practices, the TRLC is developing skills and capacity for collective, low-impact ways of living. As an example and a repository of skills, the cooperative has a positive impact on the Denman community, supporting various Official Community Plan objectives, such as Guiding Principal 6: “To acknowledge that this community finds its strength in the varied gifts and experiences of its members; and, within the framework of a limitation on population to support and encourage a diverse and self-reliant community,” and Guiding Principal #12, especially “to provide a neighbourly community.”

Photos: Common House septic tanks (under construction); Common House



Denman Island OCP policies that support the rezoning

E1 Housing—Guiding Objective: To encourage housing that accommodates the needs of a variety of families and individuals while protecting the natural environment, the social fabric and the rural character of the community.

Objective 1 To ensure that housing options are sensitive to ground water availability and sewage disposal capability, guard against contamination of ground water and preserve the rural nature of Denman Island

Objective 2 To ensure housing options preserve human diversity in the community

Objective 3 To set the maximum for the overall residential density of the Island as the residential density possible with the zoning regulations in place at the time of adoption of this Plan while providing flexibility for a range of dwelling types

Objective 4 To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their families' homes

E1 Housing—Policy 11 The overall residential density on Denman Island should not increase beyond that permitted by existing zoning on the date this Plan was adopted except that an increase of approximately 5 percent may be permitted to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under a Temporary Use Permit and site-specific zoning amendment applications under Policy 29 of this Section.

E1 Housing—Policy 16 Landowners are encouraged to cluster houses and buildings accessory to a residential use to leave areas of undeveloped space.

Notwithstanding the foregoing, secondary suites contained within the footprint of conforming dwelling units are not deemed to contribute to density calculations for the purposes of this policy.

E1 Housing—Policy 23 Zoning regulations should establish sufficient setbacks for septic disposal systems:

- to ensure that the waste water has been cleaned before entering the sea, wetlands, lakes and other watercourses; and
- to protect adjacent properties from effluent or odours.

E1 Housing— Policy 24 Setbacks from lot lines should be sensitive to the nature of the use and its potential negative impact on the neighbouring properties.

E1 Housing— Policy 25 The Local Trust Committee should not approve a zoning amendment application that could fragment large areas of forested or agricultural land.

E1 Housing— Policy 28 The Local Trust Committee should consider zoning amendment applications for affordable housing projects provided:

- that the proposal is not located in a connectivity area identified on Schedule D;
- that the proposal does not impact negatively on adjacent properties;
- that the proposal is small-scale;
- that the proposal is clustered and the siting and height are sensitive to surrounding land uses;

- that the proposal proves an adequate supply of potable water and an adequate sewage disposal system;
- that any environmentally sensitive areas on the lot are identified and the applicant undertakes a conservation covenant to protect such areas;
- that the proposed development will not place a strain on existing public services and infrastructure.

Also, as an innovative project built and managed by members on a voluntary basis, and owned and managed cooperatively, the TRLC fulfills this paragraph of the OCP vision statement:

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

The Islands Trust Policy Statement does not currently have up-to-date policies on housing. Nothing in the proposed uses is in violation with the Islands Trust Policy Statement.

Community, neighbour, Fire Department, and Agricultural Land Commission outreach

March 1, 2023: Letter sent to all adjacent neighbours.

Throughout March: information shared on Facebook

March 21, 2023: Community Information Meeting

Summary of Community Information Meeting

The meeting was advertised via a flyer and articles in local newspapers, posters, email to all neighbours and to groups involved in providing housing on Denman, and an event and postings on Facebook. Approximately 16 members of the public and 12 members of CoHo attended.

People asked about

- Oversight of who will live in secondary suites
- Where densities will come from (density bank or OCP Policy E1, 11)
- Potential to include Indigenous people
- Cost of cooperative membership
- Firefighting plans for the property
- Building permits and building timelines
- Insurance
- Will STVRs be allowed?
- What can and can't happen in the studio zone

No direct objections were raised. Questions suggested some concerns around traffic impacts and regulation of secondary suites to ensure they remain small scale and non-commercial.

Comments were generally positive.

Note: The application has changed slightly since this outreach, based on responses. Changes are as follows:

- No unit in the ALR
- Four more units, not five
- Clarification of use of secondary suites

Email Responses

After the meeting we received one email from the owner of an adjacent property stating that (text slightly paraphrased for clarity):

“We broadly support increasing the density of your development. Our only concern...is the addition of secondary suites. [This] would be a significant change in the neighbourly dynamic that we have.

“Allowing for the provision of 20 rental units has to assume that those 20 rental units will all be occupied...They would be tenants...This would significantly change the cohousing dynamic from property sharing to property monetization...”

We also received an email from a nearby (but not adjacent) property owner, stating that:

“I don’t have any problems with you seeking to get [more] dwellings but I totally disagree with secondary dwelling[s] added to each existing and planned dwelling. This would turn your co-op into a commercial land development...It comes down to numbers...When we keep adding more spaces and houses on this Island for people, the beauty of the island that attracted people here in the first place is slowly but continually disappearing. Please try and help keep Denman’s population down.”

As a result, the original proposal has been amended to clarify the purpose of secondary suites. The TRLC will limit who can occupy secondary suites, prohibit advertising these suites, and ensure no cooperative member is using a suite in a commercial way. See FAQ #2, above, for more detail.

Correspondence with the Agricultural Land Commission

In the early stages, we asked the ALC for input. At that point, our plans included one possible dwelling unit on the ALR portion of the lot. We have since decided not to pursue that. Still, the ALC response is valid because it considered the overall proposal. On Feb 17, 2023, the TRLC sent an email to the ALC outlining all the planned changes. An ALC planner responded via email on Feb 23, 2023, stating that, “The ALC would likely not have an issue with the bylaw amendment,” and also that “Prior to adoption of any proposed bylaw amendment, the LTC should forward a copy to ALC.Referrals@gov.bc.ca for official.

Correspondence with the Denman Island Volunteer Fire Department

In October, 2023, we invited the Denman Fire Department to comment on the proposed rezoning. Here is the response:

“Denman Island Fire Department has conducted an assessment of the property and have moved forward with creating a "pre-plan" for the eventuality of a fire incident at Coho.

“While Denman Island does not benefit from pressurized hydrants systems, Denman Island Fire Rescue is "Superior Shuttle Accredited" and every unit at Coho benefits from the same level of service as every residence within the 8-kilometer required response distance from the firehall. In fact, Coho happens to be adjacent to the Fire Department.

“The Fire Department does not have any specific concerns with increased development. They just want to be kept abreast of new structures being built and any industrial activities/projects, so they can readjust their "pre-plan.”