

File No.: PLRZ20240055 (Denman
Conservancy)

DATE OF MEETING: May 20, 2025

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar
Northern Team

SUBJECT: LUB Amendment Application to Rezone Four Parcels to Conservation
Applicant: Steven Carballeira on behalf of the Denman Conservancy Association
Location: PID 006-639-771; 006-657-656; 023-005-424; 023-005-432
Denman Island

RECOMMENDATION

1. That Denman Island Local Trust Committee Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025” be read a first time.
2. That Denman Island Local Trust Committee Bylaw No. 257 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025” be read a first time.
3. That the Denman Island Local Trust Committee request staff to refer proposed Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025” and proposed Bylaw No. 257 to cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025” the following First Nations, Local Governments and agencies for comment: Cowichan Tribes, Halalt First Nation, Da'naxda'xw/Awaetlala First Nation, Qualicum First Nation, Tla'amin Nation, Nanwakolas Council, Wei Wai Kum Nation, We Wai Kai Nation, Lyackson First Nation, Penelakut Tribe, Snuneymuxw First Nation, Snaw'Naw'As Nation, Stz'uminus First Nation, Te'Mexw Treaty Association, Tsu'uubaa-asatx First Nation, Tlowitsis First Nation, Homalco First Nation (Xwemalkwu), Mamalilikulla First Nation, K'ómoks First Nation, Comox Valley Regional District, Hornby Island Local Trust Committee, Agricultural Land Commission, Ministry of Agriculture and Food and Ministry of Housing and Municipal Affairs.
4. That the Denman Island Local Trust Committee request staff to schedule an in-person or online community information meeting, after the close of the referral period, for application PL-RZ-2024-0055 (Denman Conservation Association) and Proposed Bylaw Nos. 256 and 257.

REPORT SUMMARY

This application proposes amendments to the Denman Island [Official Community Plan](#) (OCP) and [Land Use Bylaw](#) (LUB) to rezone four parcels of land from forestry to conservation. The parcels in question are owned and managed by the Denman Conservancy Association (DCA), the applicant for this proposal. One of the parcels is split-zoned between forestry and agriculture and is located within the Agricultural Land Reserve (ALR).

This report introduces draft bylaws to amend the Denman Island Official Community Plan (OCP) and the Land Use Bylaw (LUB). The intent of these amendments is to enhance conservation efforts on Denman Island by transitioning land use away from forestry and resource extraction towards protection and preservation on these parcels.

Staff is recommending that the draft bylaws Nos. 256 and 257 in Attachments 1 and 2 of this report be given First Reading as presented. All relevant background information is posted to the Islands Trust [current applications webpage](#).

BACKGROUND

The Denman Island Local Trust Committee (LTC) is considering a rezoning application from the Denman Conservancy Association (PL-RZ-2024-0055) to land use away from forestry and resource extraction towards protection and preservation on these parcels.

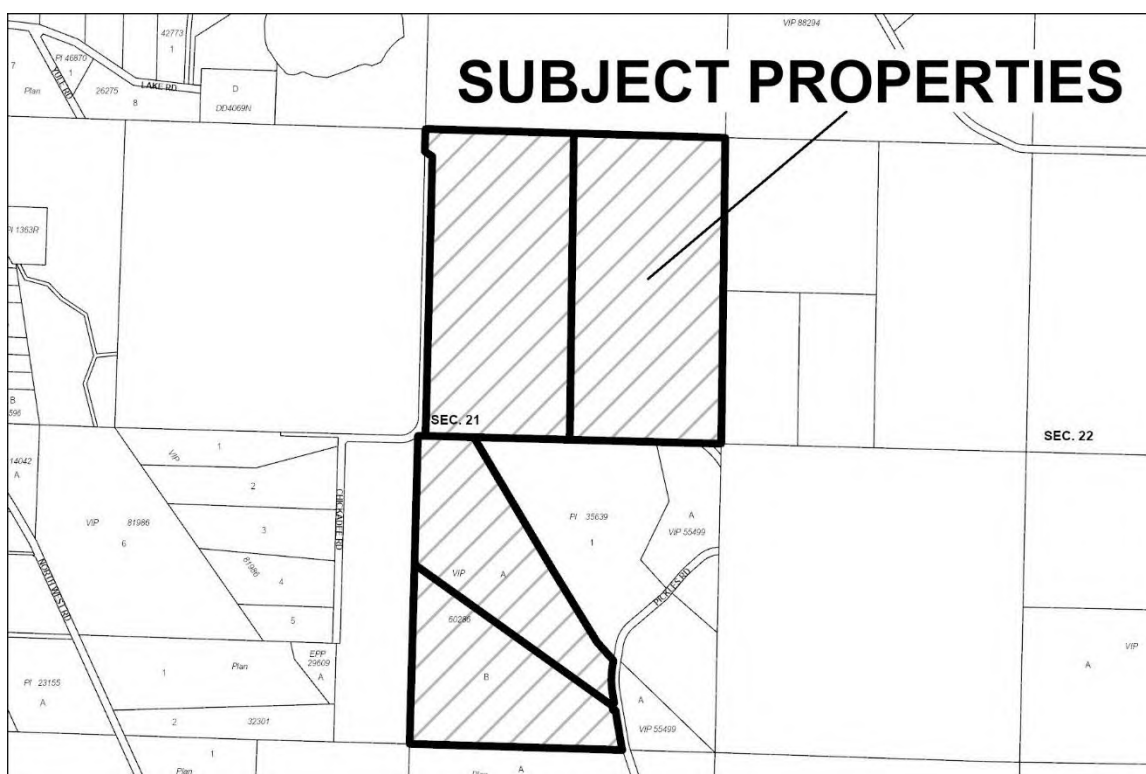


Figure 1. Location of Subject Properties

The following table provides relevant details of the subject properties, and existing and proposed OCP designations, zoning and density.

Table 1. Subject Property Details

Property	Parcel Area	Existing OCP Designation	Proposed OCP Designation	Existing LUB Zoning	Proposed LUB Zoning
PID 006-639-771	32.45 ha, Non ALR portion 19.45 ha	Sustainable Resource (SR)/ Agriculture (A) (change required)	Conservation/ Recreation (CR)	Forestry and Agriculture (change required)	Conservation and Agriculture
PID 006-657-656	30.69 ha	Sustainable Resource (SR) (change required)	Conservation/ Recreation (CR)	Forestry (change required)	Conservation
PID 023-005-424	16.08 ha	Sustainable Resource (SR) (change required)	Conservation/ Recreation (CR)	Forestry (change required)	Conservation
PID 023-005-432	15.95 ha	Sustainable Resource (SR) (change required)	Conservation /Recreation (CR)	Forestry (change required)	Conservation

The Denman Island LTC passed the following resolution at the December 12, 2024 regular business meeting to initiate this work:

DE-2024-075

**that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008, to enable application PL-RZ-2024-0055 (Denman Conservancy Association).
CARRIED**

DE-2024-76

**that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend Denman Island Land Use Bylaw, 2008, to enable application PL-RZ-2024-0055 (Denman Conservancy Association).
CARRIED**

A draft bylaw to amend the OCP and LUB are included as Attachment 1 and 2 for LTC Consideration.

DE-2024-077

**that the Denman Island Local Trust Committee request staff to send an early referral of PL-RZ-2024-0055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.
CARRIED**

An early referral was sent to the Islands Trust Conservancy (ITC) on January 16, 2025, requesting comments, particularly on the potential benefits of recommending a conservation covenant for the two parcels that currently lack one. This early referral was reviewed by ITC staff, and has not been reviewed or considered by the ITC Board. In response, the ITC staff noted that while conservation covenants are a strong tool for protecting habitat, placing them on nature reserves is generally considered unnecessary, as these lands are already secured through legal ownership, internal policies, and binding agreements that prohibit sale or development. Additionally, covenants are costly to establish and maintain, requiring significant ongoing staff resources. Layering covenants onto already protected lands also raises concerns related to land access and reconciliation. For these reasons, and given current staff capacity limitations, staff advised that the ITC Board has paused placing covenants on its own nature reserves and gives low priority to holding covenants on reserves owned by other land trusts. Staff would only recommend such a project to the Board if a compelling and timely rationale is provided. At this time, the ITC's securement efforts are focused on high-priority lands that are not yet protected.



An early referral was sent to the Agricultural Land Commission (ALC) on January 17, 2025, requesting comments, particularly on rezoning the east portion of a parcel (PID 006-639-771) currently zoned Agriculture and in the ALR to a Conservation zone. ALC staff strongly object to the rezoning of the ALR portion of the parcel from Agriculture to Conservation as the Conservation zone would outright prohibit agricultural use. The priority use of land within the ALR is for agriculture and prohibition of farm uses by a local government enactment is not permitted except under limited circumstances that do not apply in this case (s. 4 of [ALR Use Regulation](#)).

ANALYSIS

Issues and Opportunities

Staff have identified the following, discussed in more detail below:

- Summary of draft Bylaw No. 256 (OCP)
- Summary of draft Bylaw No. 257 (Land Use Bylaw)
- Agricultural Land Commission and Agricultural Land Reserve
- Bylaws Consistent with Islands Trust Policy Statement

Summary of Draft Bylaw No. 256 (OCP)

Draft Bylaw No. 256 proposes amendments to the Official Community Plan (OCP) to align land use designations with the proposed Conservation zoning under Bylaw No. 257.

The four subject parcels are currently designated “Sustainable Resource” in the OCP, which supports forestry as the primary land use. One parcel (PID: 006-639-771) is split between “Sustainable Resource” and “Agriculture.” Based on early feedback from the ALC, staff recommend retaining the “Agriculture” designation on the portion within the ALR, while amending only the “Sustainable Resource” portion.

The Sustainable Resource designation is intended for large-lot lands used for resource extraction, such as forestry. Since the proposed Conservation zoning prohibits residential and commercial development and aims to preserve the land in its natural state, this designation no longer reflects the intended use. An OCP amendment is therefore required to ensure consistency between land use policy and zoning.

The proposal includes re-designating the subject properties from “Sustainable Resource” to “Conservation/Recreation,” which aligns with the OCP’s objective: *“To protect land for conservation and recreation purposes.”*

In addition, the proposal seeks to add four residential densities to the OCP’s Density Bank, as the Conservation zone will permanently remove all residential development potential from these parcels. Under Appendix D, Density Banking, Policy 1:

The Local Trust Committee may add unused residential densities to the Density Bank:

- from a rezoning application that removes residential density from lots that have subdivision potential, provided the lot retains at least one residential density;
- from an application to donate land to a conservation agency or organisation for conservation purposes or dedicated as park; and
- from a Local Trust Committee initiated zoning amendment that results in unused residential densities.

Although the DCA is not formally donating the land, staff recommend applying a broad interpretation of Policy 1, because the voluntary extinguishment of development rights and rezoning for conservation provide a lasting public benefit consistent with the policy’s intent.

This amendment of the density bank table reflects the cumulative total based on the adoption of this bylaw alone. If other OCP amendments affecting the density bank are adopted concurrently, the cumulative total may be adjusted for consistency at final reading

Summary of Draft Bylaw No. 257 (LUB)

Draft Bylaw No. 257 proposes to rezone three parcels and the Forestry-zoned portion of a fourth parcel (PID: 006-639-771) from Forestry (F) to Conservation (CN), to reflect their current use as protected natural areas. The other half of this split parcel, which is designated as Agriculture and lies within the ALR, will remain zoned Agriculture (A), in accordance with ALC direction.

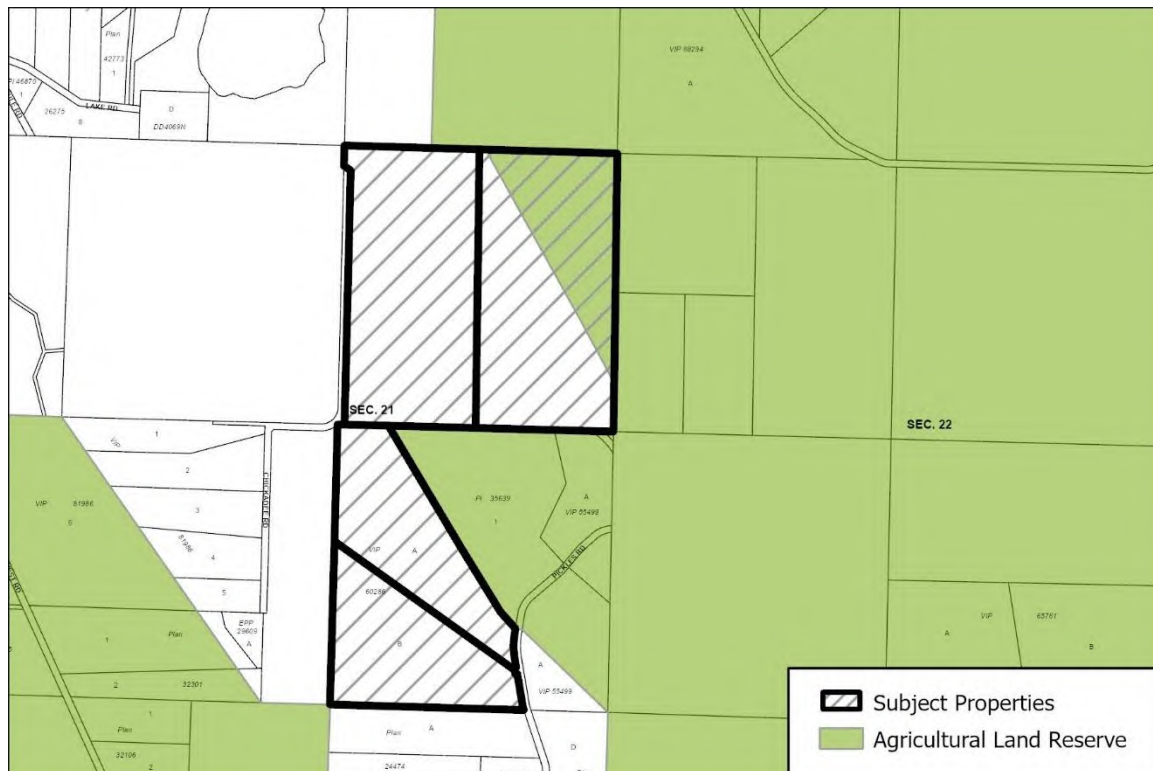


Figure 3. Subject Properties and ALR Land

Although currently zoned for forestry, which allows residential use and resource activities, the properties are used solely for conservation. They contain only narrow walking paths through small portions of the land, with no permanent buildings. The rezoning will not change how the land is used; it will simply align the zoning regulations with the existing use.

The Conservation Zone permits only passive recreation and associated non-residential structures, such as benches, fences, and signs. No construction is planned beyond the possible addition of small benches to overlook natural features. Subdivision is not possible under either the current or proposed zoning, as both zones require a minimum lot size of 64 hectares.

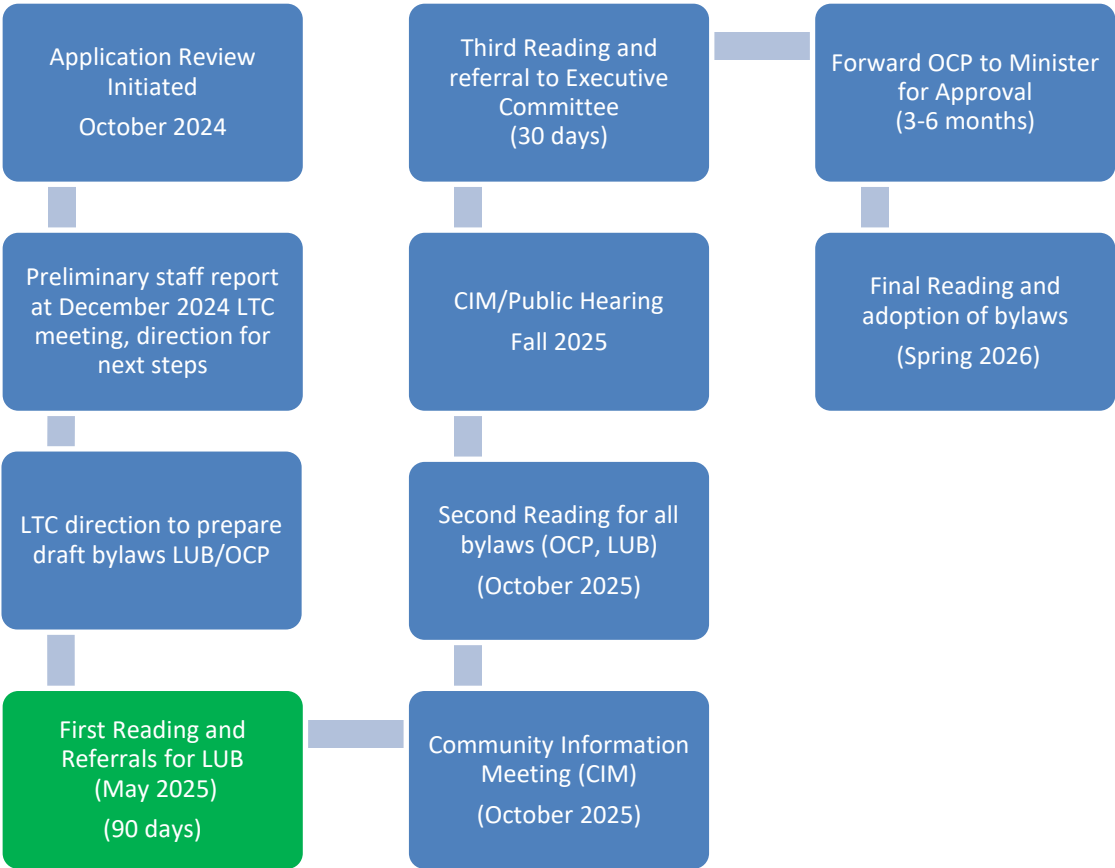
Bylaws Consistent with Islands Trust Policy Statement and OCP:

Planning staff have included a table of relevant Islands Trust Policy Statement. Planning staff have reviewed the draft bylaws against the Islands Trust Policy Statement Directives Only Checklist (ITPS

Attachment 3) and concluded that the Draft Bylaw No. 256 (OCP) and Draft Bylaw No. 257 (LUB) as written are not contrary to or at variance with the ITPS

Timeline

As the project involves an OCP amendment, the Local Government Act requires the LTC to consider opportunities for consultation with any persons, organizations, and authorities it believes may be affected. If the LTC wishes to pursue additional consultation beyond what staff have identified, please advise staff accordingly.



Protocols

Protocols and agreements exist and are relevant to the consultation/engagement process for this file with the Islands Trust Conservancy, K’omoks First Nation, Comox Valley Regional District and adjacent (Hornby Island) LTC.

Rationale for Recommendations

Staff recommend giving first reading to both draft Bylaw No. 256 (OCP) and draft Bylaw No. 257 (LUB) to initiate formal consultation with First Nations, agencies, and local governments.

The full list of staff recommendations can be found on page 1 of this report.

ALTERNATIVE

1. Direction to amend draft bylaw

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 Proposed Bylaw No. 256, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2025” by...

That the Denman Island Local Trust Committee amend draft Bylaw No. 257, cited as the “Denman Island Official Community Plan Bylaw, 2008, Amendment No. 2, 2025” by...

2. Give First and Second Readings to the draft bylaws

The LTC may choose to give First and Second Readings to all bylaws at this time and proceed with agency and First Nations referrals. This approach may be appropriate if the LTC feels the bylaws are well-developed and no substantial changes are anticipated. While referrals to agencies and First Nations can begin after First Reading, advancing to Second Reading signals the LTC's general support for the direction of the bylaws and allows for more certainty when engaging with referral partners and preparing for a Public Hearing. Recommended wording for the resolutions are as follows:

That Denman Island Local Trust Committee Bylaw No. 256 cited as "Denman Island Official Community Plan, 2008, Amendment No. 3, 2025" be read a second time.

That Denman Island Local Trust Committee Bylaw No. 257 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025" be read a second time.

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

4. Proceed no further.

The LTC may choose this alternative at any stage in a bylaw amendment application's process. If this alternative is selected the following resolution is recommended:

"That the Denman Island Local Trust Committee proceed no further with application PL-RZ-2024-0055 (Denman Conservancy Association) for the following reasons [insert 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.

Submitted By:	Marlis McCargar, Island Planner	May 9, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 12, 2025

ATTACHMENTS

1. Draft Bylaw No. 256 (OCP) – for First Reading
2. Draft Bylaw No. 257 (LUB) - for First Reading
3. ITPS Checklist (OCP)
4. ITPS Checklist (LUB)
5. Islands Trust Conservancy – Staff Early Referral Response, dated January 16, 2025
6. Agricultural Land Commission – Staff Early Referral Response, dated March 20, 2025

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 256

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, 2008, Amendment No. 3, 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 _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME 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____

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. 256**

SCHEDULE 1

1. That the Residential Density Bank table of Appendix D, “Density Banking” be amended by the addition of a new entry, in sequential order, which reads as follows:

Authorising Bylaw	Date Added to or transferred from the Bank	Legal Description	Number of residential dwelling units added or deleted	Cumulative Total of residential dwelling units in the bank
2XX	[date of adoption]	<p>The east 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District</p> <p>The west 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District except that part in plan VIP78186</p> <p>Lot A, Section 21 Denman Island, Nanaimo District, Plan VIP60286</p> <p>Lot B, Section 21 Denman Island, Nanaimo District, Plan VIP60286</p>	+4	<p>4 + 7 = 11</p> <p>(*as per standing resolution #2023-073)</p> <p>(* Final cumulative totals will be reconciled upon adoption of all relevant bylaws.)</p>

2. Schedule C [Land Use Designations Map] is amended by changing the land use designations as follows:
- a) On portions of land legally described as THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT the land use designation is changed:
- from a split “Sustainable Resource” and “Agriculture” designation to a split “Conservation/Recreation” and “Agriculture” designation;

as shown on Appendix No. 1 attached to and forming part of this bylaw.

- b) On portions of land legally described as THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 the land use designation is changed:

from a “Sustainable Resource” designation to
“Conservation/Recreation”;

as shown on Appendix No. 2 attached to and forming part of this bylaw.

- c) On portions of land legally described LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:

from a “Sustainable Resource” designation to
“Conservation/Recreation”;

as shown on Appendix No. 3 attached to and forming part of this bylaw.

- d) On portions of land legally described as LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:

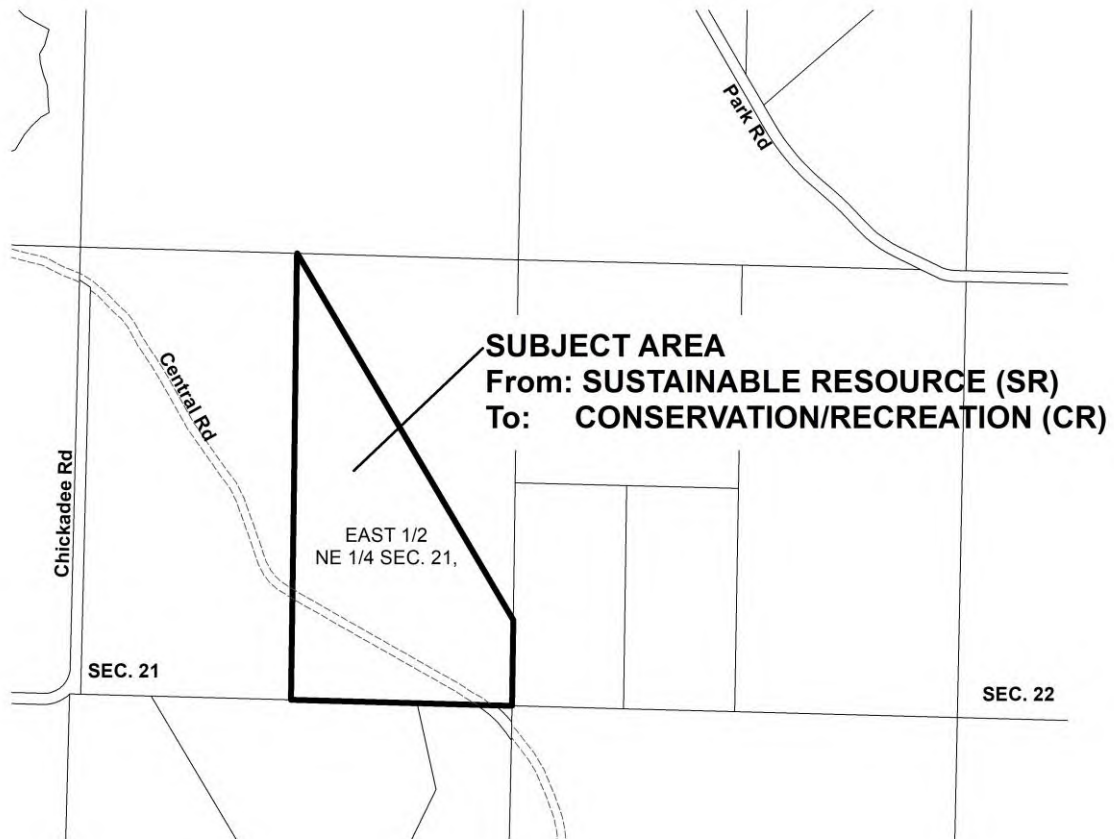
from a “Sustainable Resources” designation to
“Conservation/Recreation”;

as shown on Appendix No. 4 attached to and forming part of this bylaw.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

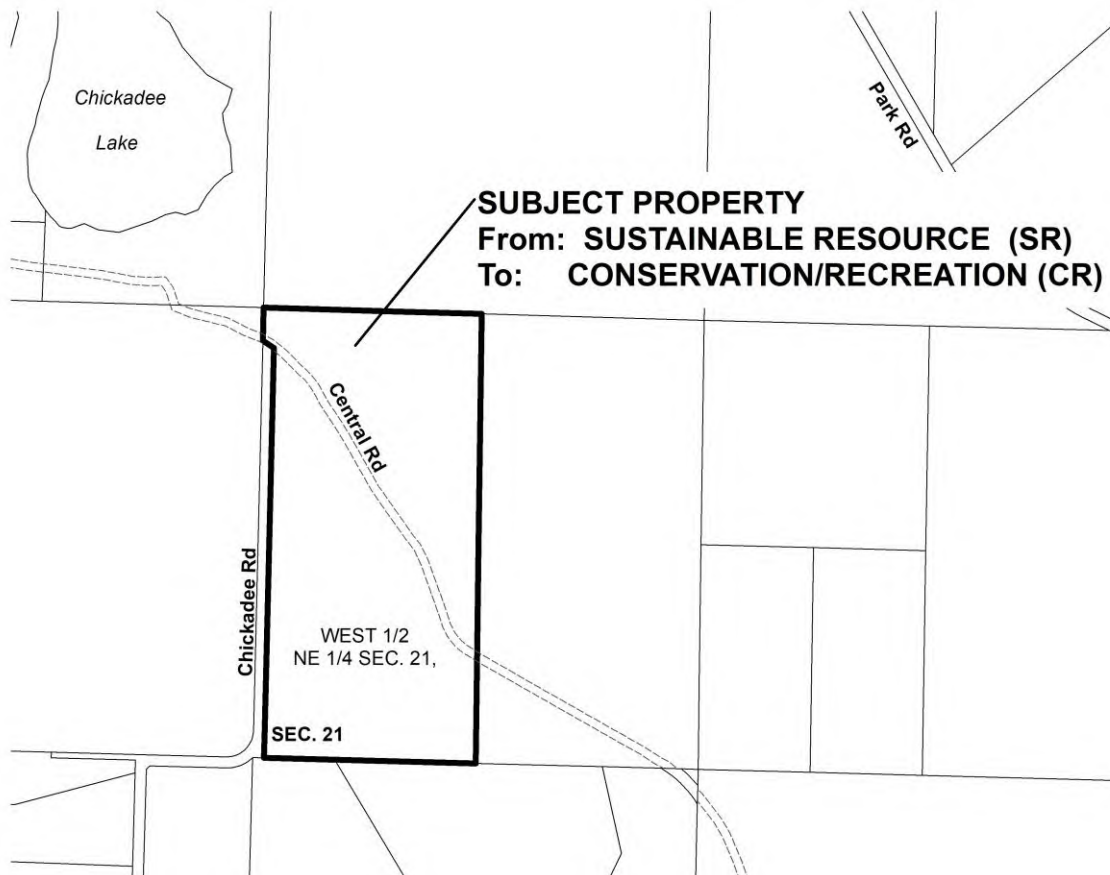
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

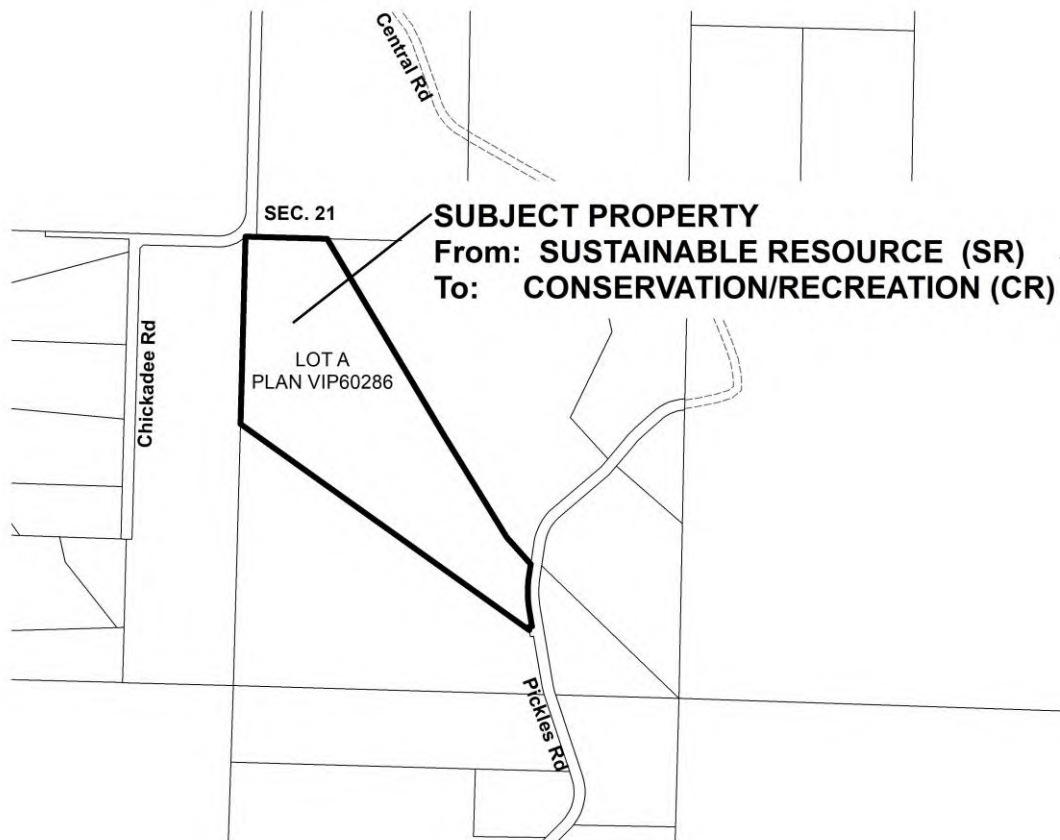
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

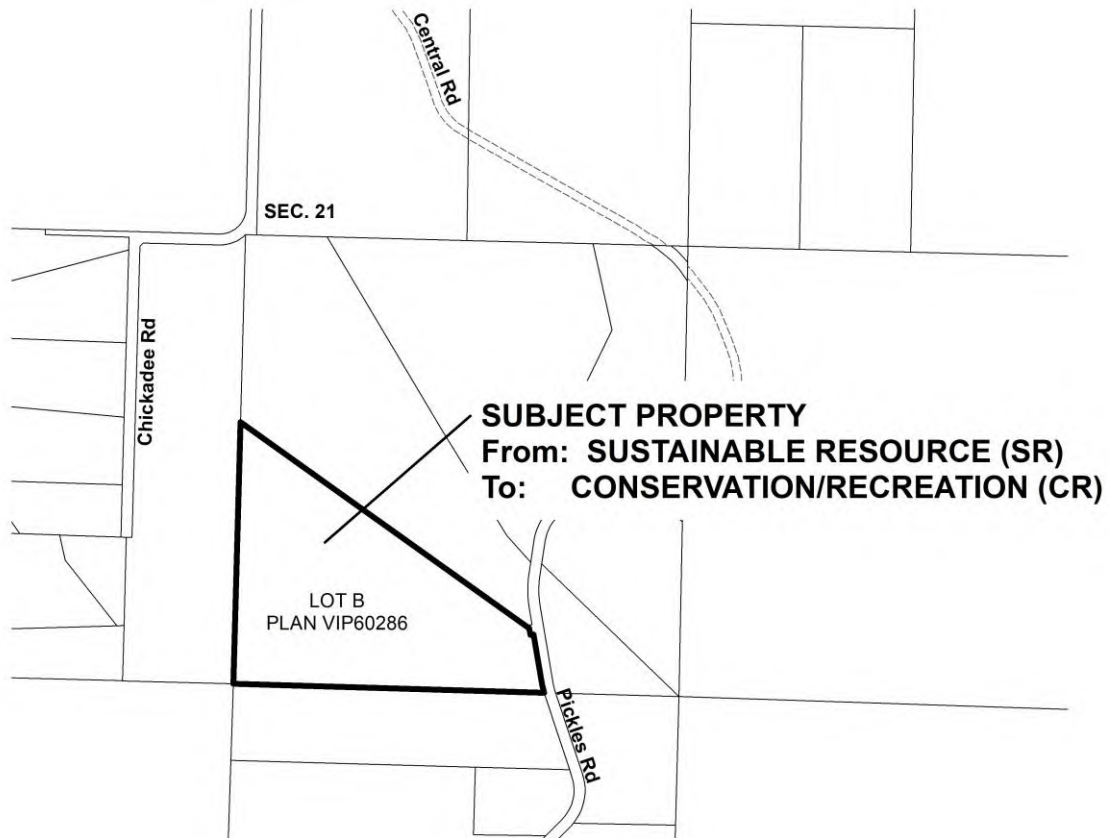
Appendix No. 3



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

Appendix No. 4



DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 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 Land Use Bylaw, 2008, Amendment No. 2, 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.

READ A FIRST TIME THIS _____ DAY OF _____, 2024

READ A SECOND TIME THIS _____ DAY OF _____, 202X

PUBLIC HEARING HELD THIS _____ DAY OF _____, 202X

READ A THIRD TIME THIS _____ DAY OF _____, 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 202X

ADOPTED THIS _____ DAY OF _____, 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST
COMMITTEE BYLAW NO. 257**

Schedule

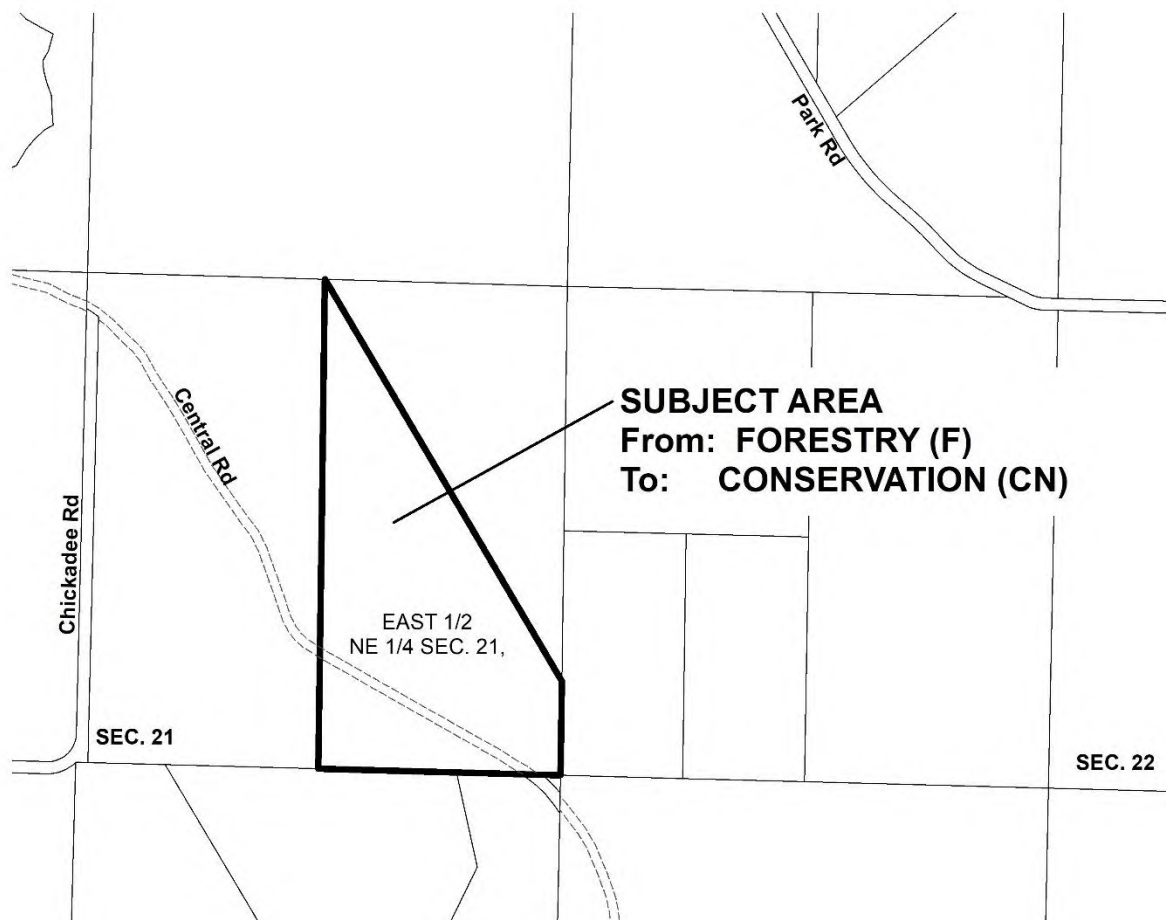
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1. Schedule “B” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 Schedule “B” – North Map, is amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT (PID 006-639-771) 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.
 - 1.2 Schedule “B” – North Map, is amended by changing the zoning classification of PID 006-657-656 THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 as shown on Appendix No. 2 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.
 - 1.3 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-424 LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 3 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.
 - 1.4 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-432 LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 4 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.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

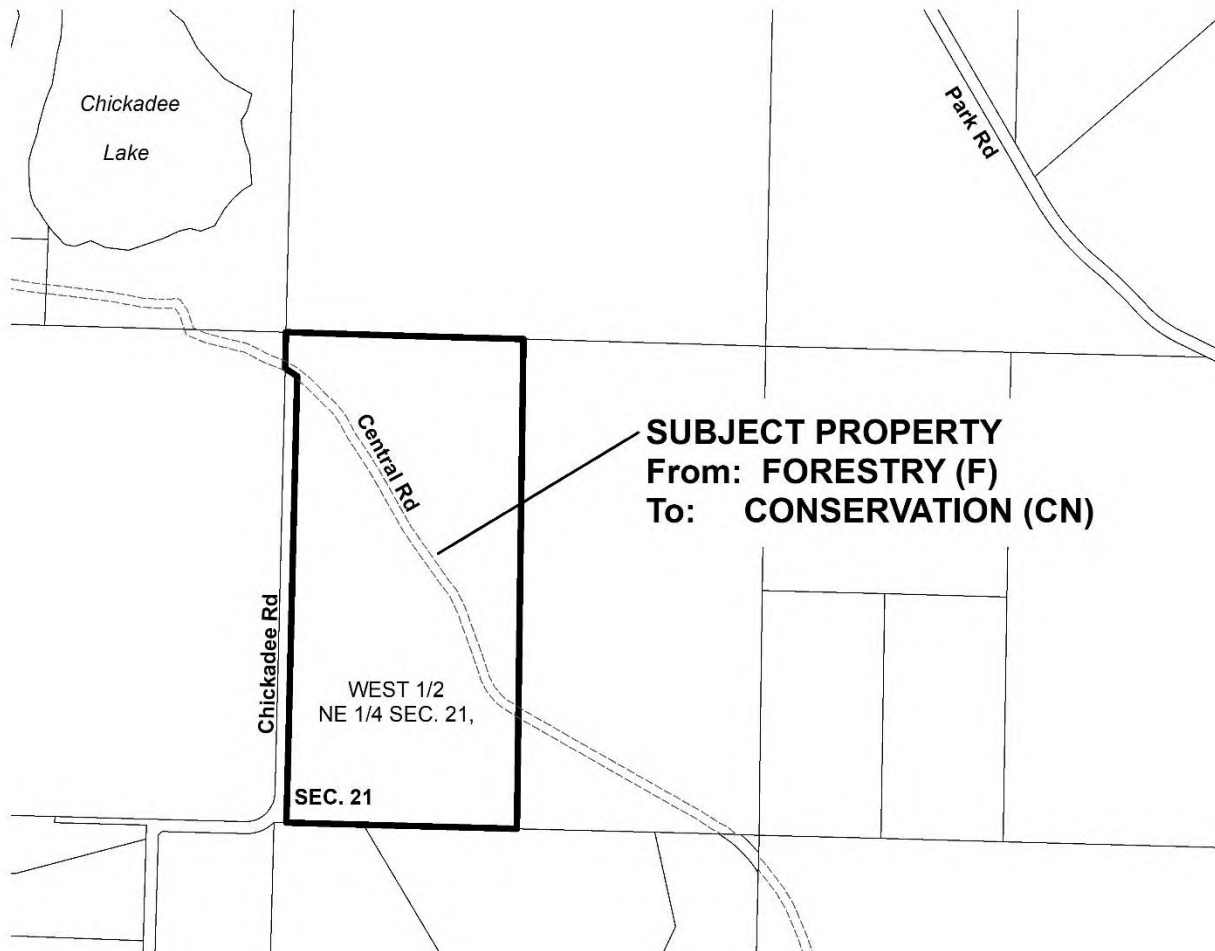
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 220

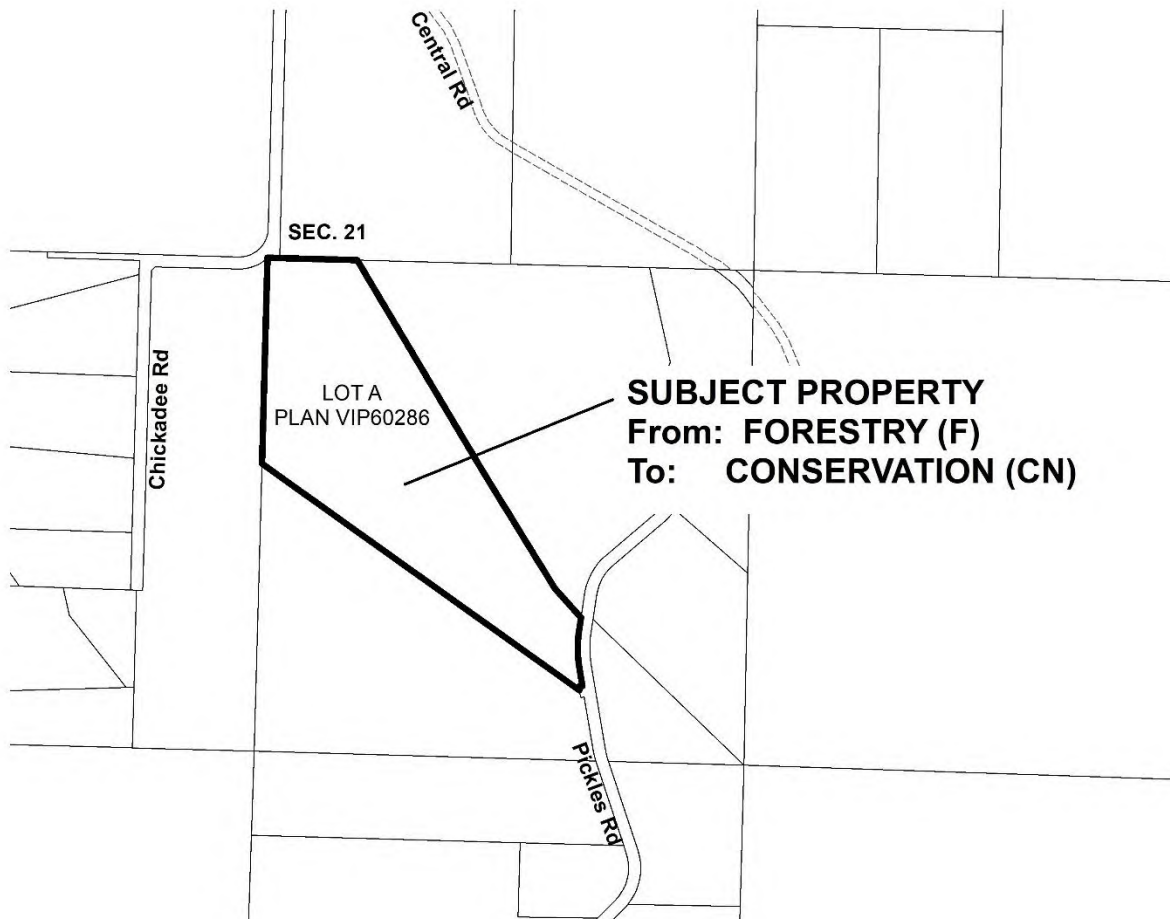
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

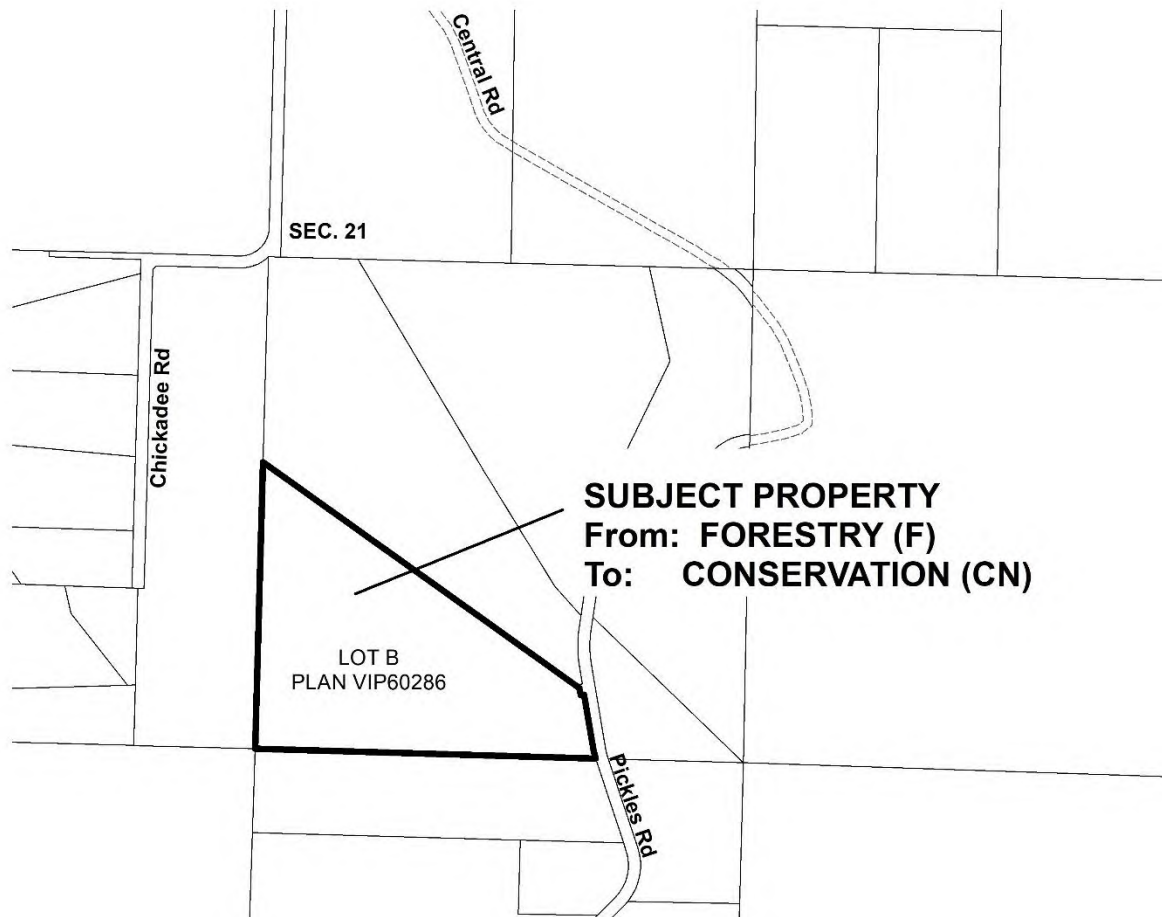
Appendix No. 3



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 257

Appendix No. 4





ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST (OCP)

File No.: PLRZ20240055 (Bylaw No. 256)

File Name: Denman Conservancy Assoc.

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if 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.
N/A	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
N/A	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
N/A	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.
N/A	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
N/A	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.
N/A	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.
N/A	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.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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.
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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
N/A	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.
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST (LUB)

File No.: PLRZ20240055 (Bylaw No. 257)

File Name: Denman Conservancy Assoc.

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if 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.
N/A	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
N/A	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
N/A	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.
N/A	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.
	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.
N/A	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.
N/A	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.
	4.2.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of native biological resources.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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.
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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
N/A	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.
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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.
N/A	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.
N/A	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.
N/A	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.
N/A	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
N/A	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
N/A	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
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

From: Kathryn Martell
Sent: Thursday, January 16, 2025 2:00 PM
To: Marlis McCargar
Cc: Clare Frater
Subject: RE: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Marlis,

I have had a look through this proposal from the perspective of whether ITC would be interested in holding conservation covenants on the 2 uncovenanted parcels that are part of this rezoning.

In general, having conservation covenants on protected areas, such as a nature reserve, is considered 'best practice' but it really represents a belt-and-suspenders approach: land trusts that hold nature reserves usually already have several layers of mandate, policies, and agreements in place to ensure that the lands are managed for conservation purposes, and cannot be sold or transferred except under extraordinary circumstances and often with prohibitive financial consequences. Conservation covenants are expensive to put in place, and require significant annual and ongoing work from the land trust holding the covenant. Moreover, a conservation covenant on a nature reserve represents yet another layer of alienation of lands for reconciliation purposes. For these reasons, as well as staff capacity constraints, the ITC Board has paused placing conservation covenants on ITC nature reserves, and places a lower priority on holding covenants for other land trusts' reserves.

Conservation covenants are a great tool for habitat protection but in this case, I do not think staff would be able to recommend this project to the ITC Board, unless the Denman Conservancy Association makes a compelling case for why this extra layer of protection is necessary at this point. Our current securement priority is on unprotected lands.

For additional context, over the last several years, the ITC Board has prioritized projects to address strains on ITC staff capacity. Recent resolutions include:

28 May 2024, **ITC-2024-024:**

that the Islands Trust Conservancy (ITC) Board request that staff prioritize Goal #2 of the Regional Conservation Plan related to strengthening relationships with First Nations, and components of Goal #1 related to knowledge, information and data management of ITC properties, and components of Goal #3 related to ongoing management of ITC

protected areas.

[and therefore not focus on components of Goal #3 related to new securements]

14 March 2023, **ITC-2023-009:**

that the Islands Trust Conservancy Board direct staff to:

1) Focus work for the 2023/24 fiscal year on:

- Land management, land securement and targeted outreach components of the Species at Risk Program;
- First Nations engagement associated with development of the ITC Plan;
- Administrative needs, including: policy updates, maintenance and updates to internal databases (land management and contact management), job description reviews for selected staff, review of the new website and technology used in the field; and
- Working on proposals for conservation lands that are high priority; and

2) Delay the following work items until the 2024/25 fiscal year:

- The Climate Change Project;
- Revision of property management plans;
- Development of a Reconciliation Action Plan;
- Monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass;
- Outreach and communications that generate new conservation proposals; and
- Placing of covenants on ITC Nature Reserves.

25 January 2022, **ITC-2022-002:**

that the Islands Trust Conservancy Board direct staff to:\n

1) Focus work for the 2022/23 fiscal year on: \n

- the Climate Change Project;
- land management and targeted outreach components of the Species at Risk Program;
- development of a Reconciliation Action Plan; and
- administrative needs, including: policy updates, review of staff roles/structure/training, maintenance and updates to internal databases, review of the new website and technology used in the field; and

2) Delay the following work items until the 2023/24 fiscal year:\n

- revision of property management plans;

- monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass;
- outreach and communications that generate new conservation proposals;
- work on conservation proposals for lands not considered a very high priority for conservation, including those under 8 ha in size; and,
- placing of covenants on ITC Nature Reserves.

From: Carolyn Stewart <cstewart@islandstrust.bc.ca>

Sent: Thursday, January 16, 2025 10:03 AM

To: Kathryn Martell <kmartell@islandstrust.bc.ca>

Cc: Marlis McCargar <mmccargar@islandstrust.bc.ca>; Clare Frater <cfrater@islandstrust.bc.ca>

Subject: FW: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Hi Kathryn,

Will you please take a look at this referral, in particular check timing for response, given ITCB's desire to receive all referrals for its review and that the Jan meeting package is out already and you probably need time to review/analyze this.

Thanks,

Carolyn Stewart

A/Manager

Islands Trust Conservancy

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5191 | islandstrust.bc.ca/conservancy

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

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Protecting islands in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŖÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', S̓TÁUTW̓, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̓JOLÉLP, W̓SIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and x̣ʷməθkʷəy̓əm First Nations. Islands Trust Conservancy is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

From: Marlis McCargar <>

Sent: Wednesday, January 15, 2025 4:29 PM

To: Carolyn Stewart <cstewart@islandstrust.bc.ca>

RE: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Subject: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Hi Carolyn,

At the December 2024 Denman LTC meeting, the LTC passed the following resolution:

DE-2024-077

that the Denman Island Local Trust Committee request staff to send an early referral of PLRZ20240055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.

CARRIED

The rezoning application involves four parcels of land. Two of these parcels (PIDs 006-639-771 and 006-657-656) already have a conservation covenant registered on title. To further preserve the ecological integrity of the area, the LTC is considering the benefits of recommending a conservation covenant on the two parcels that currently lack one. Staff have noted that while conservation covenants provide significant environmental benefits, they also come with substantial legal and administrative costs. As a result, the LTC has referred the matter to the Islands Trust Conservancy for an analysis of the benefits, feasibility, and potential interest in implementing a covenant on the remaining parcels (PIDs 023-005-424 and 023-005-434).

The [preliminary staff report](#) on our website outlines the proposal in more detail, and I'd be happy to discuss it with you further. Thank you for reviewing the materials, and please let me know if you have any early referral comments or particular issues you'd like considered as part of the rezoning application.

Regards,

Marlis McCargar, MEdes (she, her, hers)

Island Planner

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2210 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səllilwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, ʔaʔəmen, toq qaymíxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLELP, WSIKEM, Xeláltxw, Xwémalhkww/ʔop qaymíxʷ, and xʷməθkʷəy̓əm.

From: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Sent: Thursday, March 20, 2025 12:39 PM
To: Marlis McCargar
Subject: RE: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Marlis,

My apologies for the delayed response. The information you provided in your referral and the staff report were very helpful.

ALC staff strongly object to the rezoning of the ALR portion of the parcel with PID:006-639-771 from Agriculture to Conservation as the Conservation zone would outright prohibit agricultural use. The priority use of land within the ALR is for agriculture and prohibition of farm uses by a local government enactment is not permitted except under limited circumstances that do not apply in this case (s. 4 of ALR Use Regulation).

Please do not hesitate to contact me if you have any questions or would like to discuss further.

Sincerely,



Nicole Mak (she/her)
Regional Planner – Island & South Coast (FVRD) | Agricultural Land Commission
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6
T 236.468.3278 | F 604.660.7033
ALC.Referrals@gov.bc.ca | www.alc.gov.bc.ca

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From: Marlis McCargar <mmccargar@islandstrust.bc.ca>
Sent: Friday, January 17, 2025 12:07 PM
To: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Subject: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello,

RE: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

I am reaching out to request your feedback on a rezoning proposal under application PLRZ20240055 (Denman Conservancy Association), as discussed at the December 2024 Denman Island Local Trust Committee (LTC) meeting. The LTC passed the following resolution:

DE-2024-077

that the Denman Island Local Trust Committee request staff to send an early referral of PLRZ20240055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.

CARRIED

The proposal includes rezoning the east portion of a parcel (PID 006-639-771) currently zoned Agriculture and in the ALR to a Conservation zone. While conservation activities are generally allowed within the ALR, the applicant has not provided confirmation of ALC support for this rezoning. Although no exclusion application has been submitted, and despite an existing conservation covenant on the property, it is important to note that the covenant currently permits farm activities on any portion of the lot within the ALR, in line with ALR Use Regulations.

Should the property be rezoned entirely to Conservation, this could prevent farm activities from continuing in these areas. Given these factors, the LTC is recommending that this application be referred to the ALC for further review.

The [preliminary staff report](#) on our website provides more detailed information on the proposal, and I'd be happy to discuss it further if needed. I would appreciate any early referral comments or insights you have on issues that should be considered as part of this rezoning application.

Please don't hesitate to reach out if you have any questions or would like to discuss this matter further.

Marlis McCargar, MEdes (she, her, hers)

Island Planner

Islands Trust

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Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOŖEĆEN, K'ómoks, Łək'wəŋən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səllilwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, łaʔəmen, toq qaymíxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláltxw, Xwémalhkww/ʔop qaymíxʷ, and xʷməθkʷəy̓əm.