



File No.: **PL-DVP-2025-0348**
(Forrest)

DATE OF MEETING: May 12, 2026

TO: Denman Island Local Trust Committee

FROM: Ian Cox, Planner 2
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: **Development Variance Permit PL-DVP-2025-0348**
 Applicant: Phill Tripp, Commonhouse Design (Agent for owner)
 Location: 5465 Lacon Road, Denman Island (PID: 030-773-890)

RECOMMENDATION

1. That the Denman Island Local Trust Committee approve issuance of PL-DVP-2025-0348 (Forrest).

REPORT SUMMARY

The purpose of this staff report is to introduce Development Variance Permit PL-DVP-2025-0348 (**Attachment 1**) for consideration by the Denman Island Local Trust Committee (LTC). The permit seeks to authorize the siting of a concrete wall structure which will support a fence built atop it, within the interior lot line setback as follows:

Denman Island Land Use Bylaw No. 186 (LUB), PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is requested to be varied in order to:

- reduce the minimum setback from a side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure supporting a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings attached to and forming part of the proposed permit.

Staff recommend issuing the permit under the rationale in the following sections of this report, including that the work is being conducted under a provincial Heritage Branch archaeological permit as well as a K’ómoks First Nation Cultural Heritage Investigation Permit (CHIP).

RATIONALE FOR VARIANCE

The 4-meter long concrete wall footing structure is required to support a fence built atop it, in order to avoid digging and burying conventional fence posts deeply into the ground that would cause unwanted ground disturbance in the particular area of the property. The design and installation is being carried out under a provincial authorization in accordance with the *Heritage Conservation Act (HCA)* and Heritage Branch, as well as K’ómoks First Nation’s own CHIP process. The structure consists of a small L-shaped concrete base held down with the fill that is being brought on to cover the entire site. The design is a solution to address BC provincial and K’ómoks First Nation archaeological concerns and processes rather than something which the applicant themselves initially proposed.

BACKGROUND

See staff report for [DE-SUP-2020.3](#) relating to archaeology concerns for the construction of the residence, including a covenant request which the LTC considered in May 2025. Site context information for the property is included in **Attachment 2**.

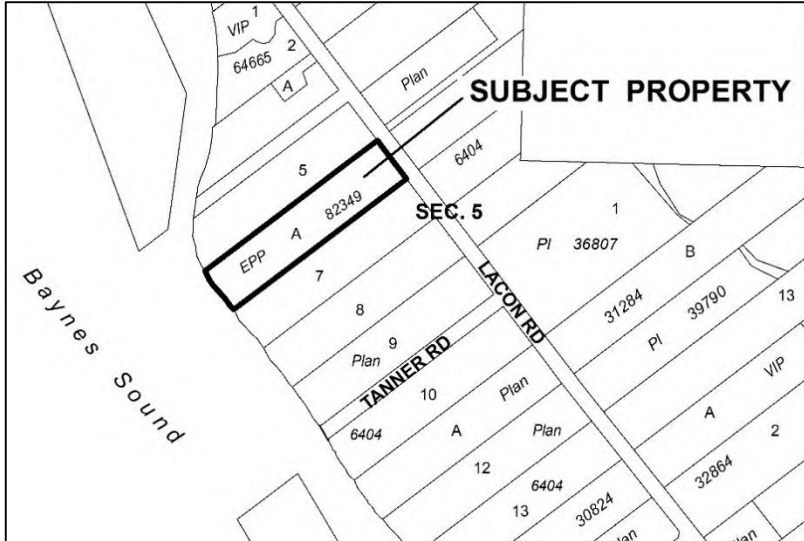


Figure 1 – Subject Property Map



Figure 2 – Air photo prior to development (2024)

The scope of development on the property includes:

- Proposed principal residence as authorised by siting and use permit DE-SUP-2020.3 (**Attachment 3**)
- Proposed retaining wall/fence base structure within the interior lot line setback – the subject of this DVP

The draft DVP is included as **Attachment 1**, and the Public Notice that was circulated to neighbouring property owners is included as **Attachment 4**.

ANALYSIS

Policy/Regulatory

A site context analysis is provided in **Attachment 2**. The regulations that pertain to this application are summarized below.

Denman Island Land Use Bylaw No. 186:

The subject property is zoned Residential (R1) in the LUB. Single family residential is a permitted use in that zone and the existing dwelling complies with the LUB regulations. However, the proposed fence and concrete footing wall structure combination does not comply with Section 3.3, RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, which requires a 3.0 meter setback from an interior lot line for buildings and structures. Fences are exempt from the regulation, but because the fence will be built on top of the concrete footing akin to a retaining wall, the whole structure requires relaxation of the setback.

Intent of Regulations Being Varied

Interior lot line setbacks are designed to ensure that buildings and structures are sufficiently distanced from property lines, promoting safety, privacy, aesthetics, and maintaining a consistent development pattern within the neighbourhood.

Figure 3 below shows the proposed residence as authorised by DE-SUP-2025.3 and a K’ómoks CHIP, and the location of the driveway, fill areas, and the fence/retaining wall structure in the setback that is the subject of this DVP.

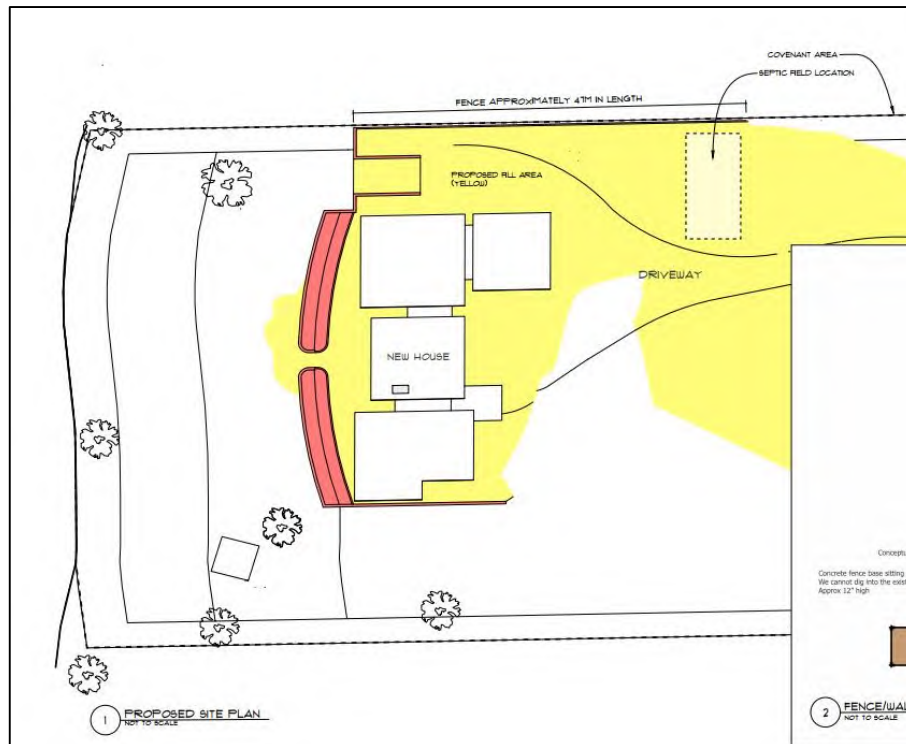


Figure 3 – Fence wall and residence location

Impacts to Neighbouring Properties

The property owner whose lot line is common with the one along which the fence will be constructed, contacted staff by telephone to discuss the application and raised two points which were addressed as follows.

- 1) **Overall height of the fence:** The applicant has requested only a relaxation of the horizontal setback, not for vertical height, and to staff knowledge, intends to construct the fence in compliance with the maximum height for fences in the bylaw which is 2.0 meters from finished grade.
- 2) **Neighbouring Owner Comment:** There is an above ground water line very close to the shared property boundary. If the LTC grants the 0.0 lot line setback as requested, there is a risk that the water line could be damaged during construction, since the applicant would likely need access across the property boundary to complete the installation. The applicant would need to obtain neighbour's permission for this access and the DVP does not itself authorize access to any other property other than the one under application.

In the first matter, the onus is with the applicant to comply with the fence height regulation in the LUB. In the second, staff suggest that the water line issue could be mitigated via co-operation between the two property owners since work on property lines is essentially a civil matter.

Consultation

Notification

Public notification of the DVP was sent out on April 2026 in accordance with statutory requirements. (**Attachment 4**). At the time of writing this report, staff have discussed the application with one neighbouring property owner who expressed the concerns listed in the above section of this report. No other written or verbal public comments have been received from owners or tenants in response to the notice.

First Nations

At the time the Application was submitted, the Applicant was made aware of the possibility that the lot may contain previously unrecorded archaeological material protected under the *HCA*. If such material is encountered during development, all work should cease and the provincial Archaeology Branch should be contacted immediately, as a *Heritage Conservation Act* permit may be needed before further development is undertaken. Provincial Chance Find Procedures¹ are in place and must be followed.

The K'ómoks First Nation Archaeology & Referrals Department has confirmed that a CHIP is required for any ground disturbance and the applicant has received instructions from the Nation's archeologist through that process as well as from the provincial Heritage Branch under the *HCA*.

Rationale for Recommendation

Staff are recommending approval of the variance request, as noted on page 1 of this report in the draft resolution.

¹ <https://islandstrust.bc.ca/document/province-of-bc-archaeology-chance-find-procedure/>

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation on page 1 of this report:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee request further information prior to making a decision on application PLDVP20250348 [specify information requested].

2. Amend the permit

The LTC may choose to amend the permit. If this option is chosen, the LTC should first pass a resolution to amend the permit accordingly and then render a decision on issuance.

3. Deny the application

The LTC may deny the application. The applicant will not receive a refund of the DVP application fee, since a staff report has been brought forward for LTC consideration. If this alternative is selected, the LTC must state the reasons for denial. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee deny application PLDVP20250348 for the following reasons [specify reasons].

NEXT STEPS

Should the LTC concur with the recommendation on page 1 of this report, staff will proceed to issue the Development Variance Permit as drafted in **Attachment 1**.

Submitted By:	Ian Cox, Planner 2	May 4, 2026
Concurrence:	Renée Jamurat, RPP MCIP	May 5, 2026

ATTACHMENTS

1. Draft Development Variance Permit (DVP)
2. Site Context
3. DE-SUP-2020.3 (residence)
4. Public Notice

PROPOSED



Islands Trust

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20250348

TO: Thorne Paul Forrest & Lucille Forrest

1. This Development Variance Permit applies to the land described below:

PID: 030-773-890

Legal Description: LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349

2. Pursuant to Section 498 of the *Local Government Act*, the *Denman Island Land Use Bylaw, 2008* is varied as follows:

PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is varied:

- **To reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings.**

3. The proposed development shall be consistent with Schedule “A” – Site Plan and Schedule “B” – Design Concept, attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Denman Island Land Use Bylaw, 2008 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS XXTH DAY OF XX, 202X.

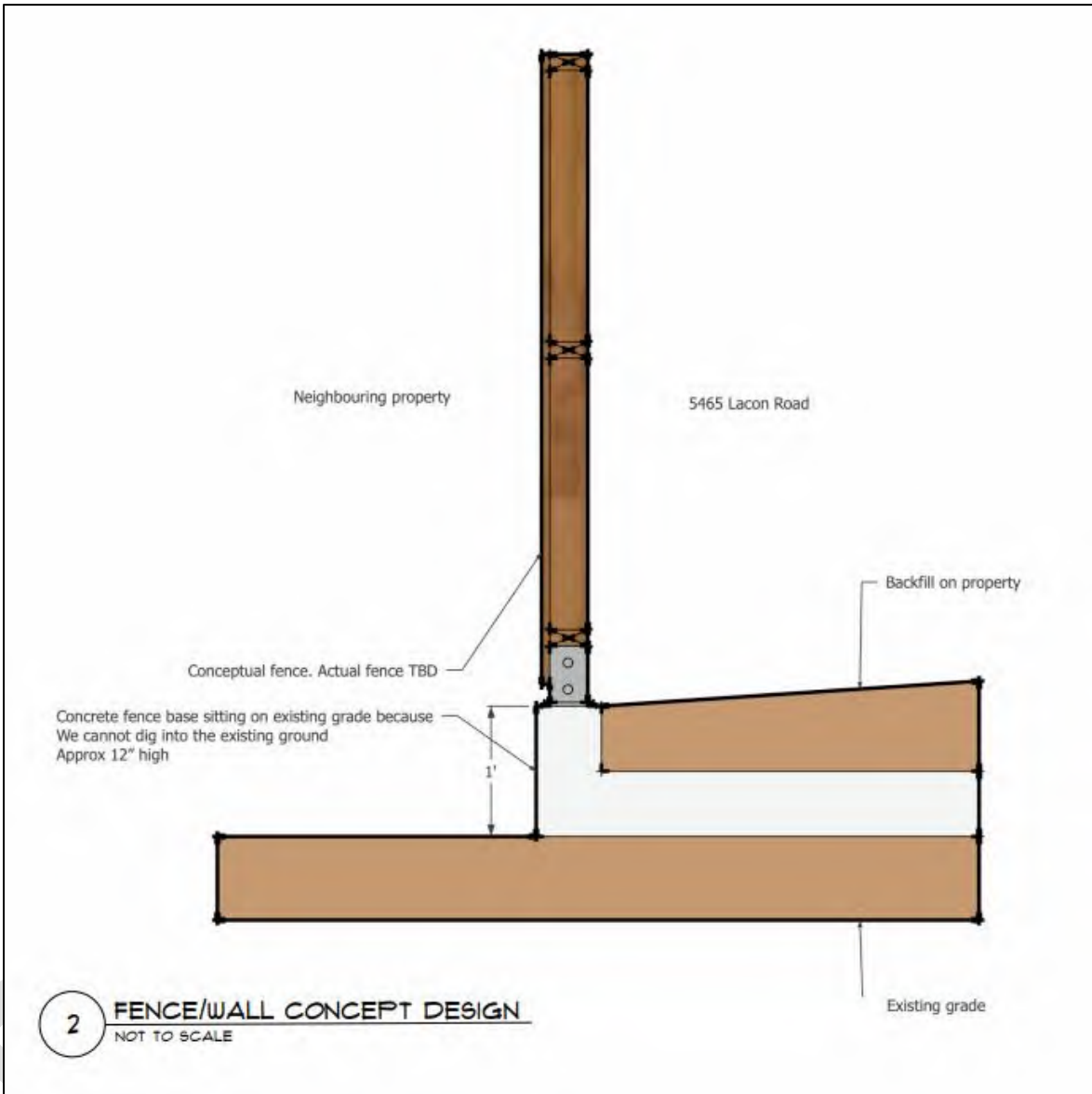
Deputy Secretary, Islands Trust

MMM/DD/YYYY

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XXTH DAY OF XX, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20250348
Schedule "B" – Design Concept**



ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349
PID	030-773-890
Civic Address	5465 Lacon Road, Denman Island

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential/marine

HISTORICAL ACTIVITY

File No.	Purpose	Status
DE-DVP-2017.1	Variance to Section 2.8.2 of LUB	Closed
DE-SUB-2017.1	2 lot subdivision	Closed
DE-SUP-2020.3	SFD	Closed

POLICY/REGULATORY

Official Community Plan Designations	Residential (R1)
Land Use Bylaw Designation	Residential - R1
LUB Regulations	R1 setback regulations: Minimum setback of buildings or structures, except for a fence, pump/utility house or pit privy from the rear or side lot line = 3.0 meters. Retaining wall/fence base variance request is to 0.0 meters from the northwest (interior) side lot line.
Covenants	CA7485176 – Denman Local Trust Committee and FLNRO (archaeological covenant) CA7485177 – Denman Local Trust Committee and MOTI (Section 219 flood) CA748518 – Denman Local Trust Committee and MOTI (Section 219 geotechnical) CA8571765 (modification to CA7485177)
Bylaw Enforcement	n/a

SITE INFLUENCES

Islands Trust Conservancy	No ITC owned properties or covenanted areas in the immediate vicinity of the subject lot.
Regional Conservation Strategy	Medium priority for biodiversity conservation and protection in the RCP.
Species at Risk	Masked/secure occurrence

Sensitive Ecosystems	ITC Primary Class – mature forest and sand (shoreline) ITEM – mature forest and littoral (shoreline)
Hazard Areas	n/a
Archaeological Sites	See registered S.219 covenant and authorizations under provincial HCA and K'omoks CHIP issued and/or in progress
Climate Change Adaptation and Mitigation	Commensurate with rural single family residential development pattern.
Shoreline Classification	Sediment Shoreline - Pebble/Sand
Shoreline Data in TAPIS	Surf Smelt/Pacific Sandlance



File No.: DE-SUP-2020.3 (Forrest)

DATE OF MEETING: May 20, 2025
TO: Denman Island Local Trust Committee
FROM: Stephen Baugh, Island Planner
Northern Team
SUBJECT: DE-SUP-2020.3 – Request for Consent pursuant to Covenant
Applicant: Thorne Forrest
Location: 5465 Lacon Road, Denman Island

RECOMMENDATION

- 1. That the Denman Island Local Trust Committee gives written consent pursuant to Section 2 of Covenant CA7485176 for the development proposed in application DE-SUP-2020.3.**

REPORT SUMMARY

This report provides background information on a covenant registered on the property title of 5465 Lacon Road. The covenant is intended to protect a registered archaeological site where the applicant is proposing to construct a dwelling, detached workshop accessory building, a boathouse, septic system, garden beds, retaining walls, and a driveway. Fill would be placed to raise the grade of the lot in the area of the development.

BACKGROUND

A property owner has applied for a siting and use permit at 5465 Lacon Road to construct a new single family home, accessory building, and boathouse. A covenant is registered on title of the subject property restricting development in the covenant area which contains a registered archaeological site. Since the application proposes construction within the covenant area, a request has been made to the Denman Island Local Trust Committee for consent to undertake development proposed as part of the siting and use permit application, DE-SUP-2020.3 (Forrest).

To support their request to the LTC, the applicant has submitted the following information to the LTC:

- Letter outlining their request (Attachment 1);
- Site Plan and Building Plans (Attachment 3);
- Heritage Investigation Permit, issued by the Provincial Ministry (Attachment 4);
- Site Alteration Permit, issued by the Provincial Ministry (Attachment 5); and
- Two Cultural Heritage Investigation Permits, issued by K’omoks First Nation (Attachment 6);

The applicant has noted that the building plans and site plan represent the proposed buildings, but the plans have yet to be finalized and may be adjusted if necessary, such as for engineering purposes or to meet requirements of the Denman Island Land Use Bylaw.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The following OCP policies are relevant to the request from the property owner:

Policy 1 The Local Trust Committee should encourage the preservation and protection of known heritage features and develop regulations as necessary to protect historic buildings, archaeological features and natural heritage features.

Policy 5 The Local Trust Committee should consult with the First Nations before considering bylaw amendments or the issuance of a permit in areas that may have archaeological significance.

Policy 6 Landowners are encouraged to contact the Provincial Archaeology Branch before beginning construction in areas that may have archaeological significance.

Land Use Bylaw:

The Land Use Bylaw regulations will be reviewed to confirm the development complies prior to a Siting and Use Permit being issued for the proposed development. As the final plans have not been submitted, staff have not confirmed that the plans comply with the Denman Island Land Use Bylaw.

Issues and Opportunities

Covenant CA7485176

The owner is requesting that the LTC provide written consent to undertake activities within the covenant area that would otherwise be prohibited. Specifically, the owner is seeking to construct a dwelling, accessory buildings, septic field and driveway, and place fill within the covenant area. Part 2 (excerpt below) of the covenant states that activities are not permitted in the covenant area unless there is written consent from the LTC. It also states that the LTC has absolute discretion with regards to their consent:

2. *The Transferor covenants with the Transferee that they will not:*
 - a. *deposit on the Covenant Area Land or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Covenant Area Land;*
 - b. *remove, destroy, damage, or disturb any Heritage Conservation Act protected archaeological object from the Covenant Area Land;*
 - c. *remove or displace any soil or beach material from the Covenant Area Land; or*
 - d. *construct, erect, or place any building, modular home, mobile home or unit, improvement or structure on the Covenant Area Land;*

or permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.

1. Request further information

The LTC may request further information prior to making a decision. Part 3 of Covenant CA7485176 states that the LTC could request information from the owner to be provided at the expense of the owner. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee request that the applicant submit to the Islands Trust [specify information].

2. Withhold Consent

The LTC may withhold consent at their discretion. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee withhold written consent pursuant to Covenant CA7485176 for the development proposed in application DE-SUP-2020.3.

NEXT STEPS

If the recommendation is selected, the resolution will be sent to the owner. Following this, staff will continue to process the Siting and Use Permit application.

Submitted By:	Stephen Baugh, Island Planner	May 8, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 12, 2025

ATTACHMENTS

1. Owner Letter
2. Covenant CA7485176
3. Site Plan and Building Plans
4. Heritage Investigation Permit (HIP) Permit
5. Site Alteration Permit (SAP) Permit
6. Cultural Heritage Investigation Permit (CHIP) Permits

Attachment 1

April 28, 2025

Thorne Forrest

10 Evanscrest Manor NW
Calgary, AB T3P 0Y1

Denman Island Local Trust Committee
C/O Jamie Dubyna, MSc. Pl.
Planner 2, Northern Office
Islands Trust
700 North Road
Gabriola Island, British Columbia V0R 1X3

Denman Island Trust Committee:

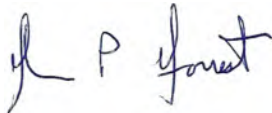
Subject: Proposed Development on Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349. P.I.D: 030-773-890

I am requesting the Denman Island Local Trust Committee provide me with written consent for the proposed development to occur in the Covenant Area Identified on Covenant CA7485176. The development will consist primarily of a three-bedroom home, a detached workshop, a boathouse, retaining walls, septic system, garden beds and the placement of fill to raise the grade of the lot.

The building site within the covenant area was chosen based on a few criteria. First, our desire to live in close proximity to the ocean. Second, being able to utilize the former house site that is already leveled and mostly cleared of trees. Finally, the site is close to the existing distribution powerline already serving the waterfront homes along Lacon Road.

To support this request, all applicable archaeological permits have been obtained, including the SAP and HIP from the province of BC along the CHIP from the K'omoks First Nation. Thank you in advance for your consideration of this matter. Please feel free to contact me at (403) 471-8965 or thorne4est@hotmail.com if you have concerns or require further clarification.

Sincerely,



Thorne P. Forrest

Attachment 2

May-06-2019 11:42:36.005

CA7485176

FORM C (Section 233) CHARGE

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 6 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

John Arthur
Davis TQFCXP

Digitally signed by John
Arthur Davis TQFCXP
Date: 2019.05.06
11:14:48 -07'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

JOHN A. DAVIS LAW CORPORATION

Barrister and Solicitor

182 Memorial Avenue, Box 306

PARKSVILLE

BC V9P 2G5

Telephone (250) 248-4148

File No. 12,514 (archaeological cov)

MoTI File No. 2016-05267

Document Fees: \$74.16

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT A, SECTION 5, DENMAN ISLAND, NANAIMO DISTRICT, PLAN EPP82349

STC? YES

Related Plan Number: **EPP82349**

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Sec 219, over part in Plan EPP82350

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

THORNE PAUL FORREST

LUCILLE HELEN FORREST

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

John A. Davis

Barrister & Solicitor

Box 306, 182 Memorial Ave.
Parksville, B.C. V9P 2G5

Execution Date

Y	M	D
18	09	05

Transferor(s) Signature(s)

THORNE PAUL FORREST

LUCILLE HELEN FORREST

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

BRYCE STERLING PIROZZINI

A COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

Expiry date: July 31, 2019

Y	M	D
19	04	12
19	04	12

HER MAJESTY THE QUEEN IN
RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA as represented by
the MINISTER OF FORESTS, LANDS
AND NATURAL RESOURCE
OPERATIONS by its authorized
signatory(ies):

Name:
Kirsten Fagervik
Provincial Approving Officer
MoTI File No. 2016-05267

DENMAN LOCAL TRUST
COMMITTEE by its authorized
signatory(ies):

Name:

Name:

This is an instrument required by the
Approving Officer for subdivision Plan
EPP82349 creating the condition or
covenant entered into under s. 219 of
the Land Title Act.

Name:
Kirsten Fagervik
Provincial Approving Officer
MoTI File No. 2016-05267

BRYCE STERLING PIROZZINI

A COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

Expiry date: July 31, 2019

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA as represented
by the MINISTER OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
Parliament Buildings
Victoria BC V8V 1X4

DENMAN LOCAL TRUST COMMITTEE
Suite 200 1627 Fort Street
Victoria BC V8R 1H8

PART 2 – TERMS OF INSTRUMENT

WHEREAS the Land contains a portion of archaeological site DiSe-5 and other unrecorded archaeological sites protected under the provisions of the *Heritage Conservation Act*.

NOW THEREFORE in consideration of the premises and the sum of ONE DOLLAR (\$1.00) now paid by the Transferee to the Transferor, and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the Transferor), the parties agree as follows:

1. In this Part

"Covenant Area Land" means those portions of the Land described in Item 2 of Part 1 of this Instrument containing archaeological sites, that is within the area outlined in heavy black line on the Reference Plan prepared by Evan E. Wind, B.C.L.S. dated April 27, 2018, a reduced copy of which is attached hereto as Schedule A.

2. The Transferor covenants with the Transferee that they will not:

- (a) deposit on the Covenant Area Land or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Covenant Area Land;
- (b) remove, destroy, damage, or disturb any *Heritage Conservation Act* protected archaeological object from the Covenant Area Land;
- (c) remove or displace any soil or beach material from the Covenant Area Land; or
- (d) construct, erect, or place any building, modular home, mobile home or unit, improvement or structure on the Covenant Area Land;

or permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.

- 3. The Transferor acknowledges and agrees with the Transferee that in order for the Transferee to provide its consent to the Transferor to undertake any of the activities set out in section 2, it may, among other things, require the Transferor to carry out appraisals, inspections, inventories, surveys, studies, analyses and other investigations of the Covenant Area Land and the potential archaeological impact of any such activity on the Covenant Area Land, and the Transferor will carry out all such appraisals, inspections, inventories, surveys, studies, analyses and other investigations at their expense.
- 4. The Transferor will indemnify and save the Transferee harmless from all actions, causes of action, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance by the Transferor of the covenants set out in sections 2 and 3.
- 5. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands. It is acknowledged and agreed the Transferor is not liable for a breach of the Transferor's covenants occurring after the Transferor has ceased to be the owner of that part of the Land from which the breach occurs.
- 6. No term, condition, covenant or other provision or breach of this Agreement will be considered to

have been waived by the Transferee unless such waiver is expressed in writing by the Transferee, and any such waiver is not a waiver of any other term, condition, covenant, or other provision or any other breach of this Agreement.

7. These presents shall enure to the benefit of and be binding upon the parties hereto and upon their respective heirs, executors, administrators, successors and assigns.
8. In this Agreement, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.
9. This Agreement will be interpreted according to the laws of the Province of British Columbia.
10. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference includes a reference to any subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this Agreement are enactments of the Province of British Columbia.
11. If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be considered separate and severable and the remaining parts or sections, as the case may be, will not be affected and will be enforceable to the fullest extent permitted by law.
12. This Agreement will be registered as a charge against the Land pursuant to section 219 of the *Land Title Act*.

REFERENCE PLAN OF PART OF
LOT A, SECTION 5, DENMAN ISLAND
NANAIMO DISTRICT, PLAN EPP82349

PLAN EPP82350

BCGS 92F.047

PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT.
FOR COVENANT PURPOSES

LEGEND

- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- ▲ DENOTES GNSS TRAVERSE HUB FOUND
- x DENOTES UNMARKED MEASURED POINT
- PT DENOTES PART

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:1250

ALL DISTANCES ARE HORIZONTAL GROUND-LEVEL AND ARE SHOWN IN METRES AND DECIMALS THEREOF, UNLESS OTHERWISE INDICATED.

NAD83/CSRS 1997.0 VANCOUVER ISLAND UTM ZONE 10				
GNSS HUB	NORTHING	EASTING	*P.C.S.F.	**E.H.P.A.
REBAR 146	5481706.93	372578.65	0.99980193	0.05
REBAR 147	5483514.39	372658.87	0.99980146	0.06

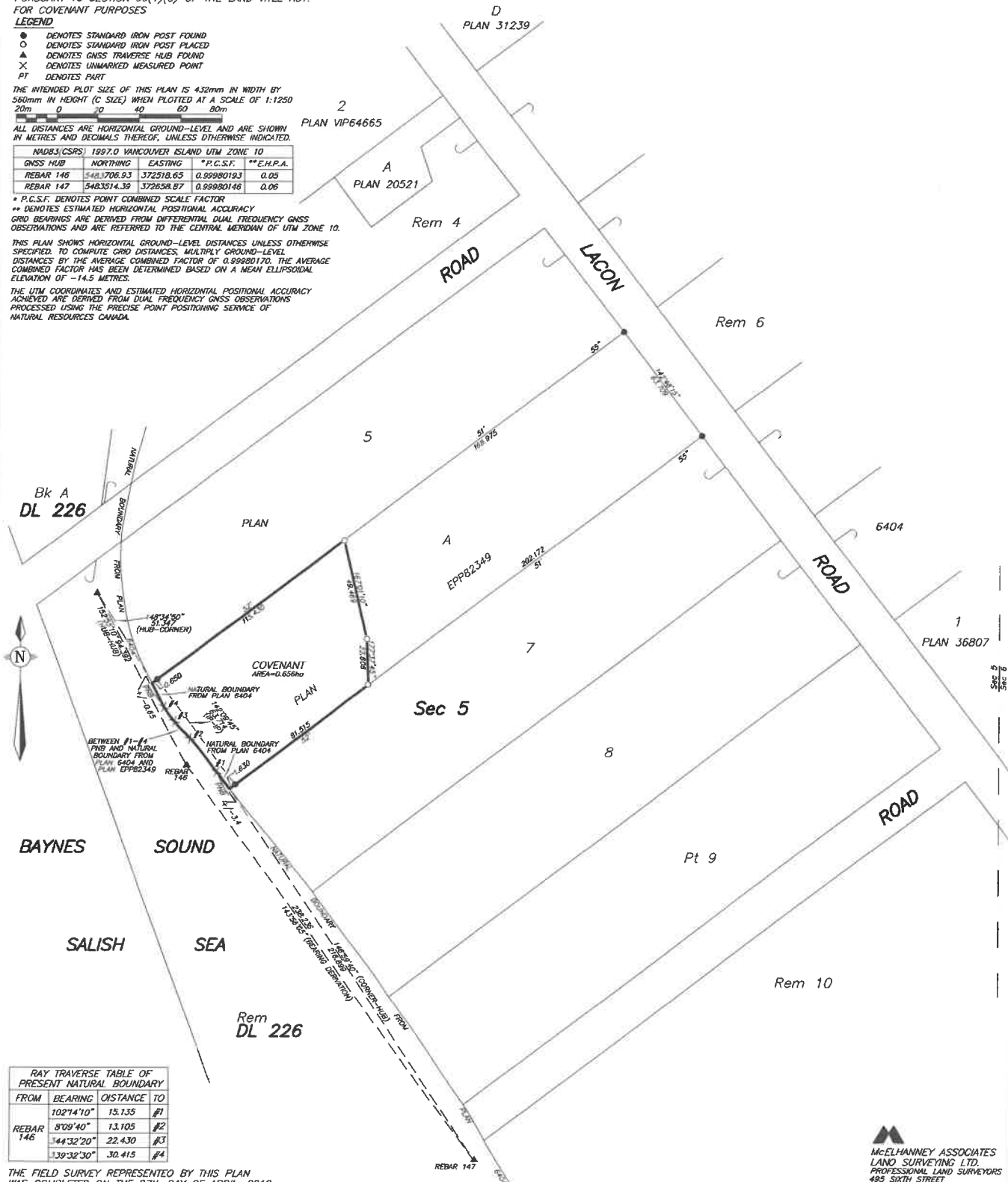
* P.C.S.F. DENOTES POINT COMBINED SCALE FACTOR

** DENOTES ESTIMATED HORIZONTAL POSITIONAL ACCURACY

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.99980170. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON A MEAN ELLIPSOIDAL ELEVATION OF -14.5 METRES.

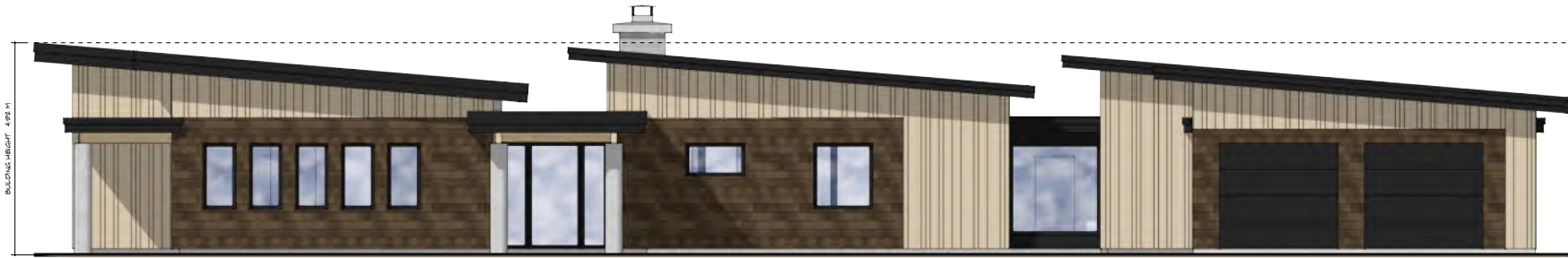
THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS PROCESSED USING THE PRECISE POINT POSITIONING SERVICE OF NATURAL RESOURCES CANADA.



FROM	BEARING	DISTANCE	TO
	102°14'10"	15.135	#1
REBAR 146	8°09'40"	13.105	#2
	344°32'20"	22.430	#3
	339°32'30"	30.415	#4

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 27th DAY OF APRIL, 2018.
EVAN E. WIND, BCLS (954)
THIS PLAN LIES WITHIN THE COMOX VALLEY REGIONAL DISTRICT.

McELHANNAY ASSOCIATES
LAND SURVEYING LTD.
PROFESSIONAL LAND SURVEYORS
485 SIXTH STREET
COURTENAY, B.C.
V9N 6V4
TEL. (250) 338-5495
FILE 05581 CDV



1 EAST ELEVATION
1/4" = 1'



2 WEST ELEVATION
1/4" = 1'



3 SOUTH ELEVATION
1/4" = 1'



4 NORTH ELEVATION
1/4" = 1'

NOTE: ALL DESIGN MATERIAL, INCLUDING DRAWINGS, MODELS, RELATED DOCUMENTS, ETC., REMAINS THE COPYRIGHTED PROPERTY OF COMMONHOUSE DESIGN, AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR APPROVAL.

FORREST RESIDENCE
5465 LACON ROAD, DENMAN ISLAND BC



#212-2459 Cousins Avenue
Courtenay, BC V9N 3N6

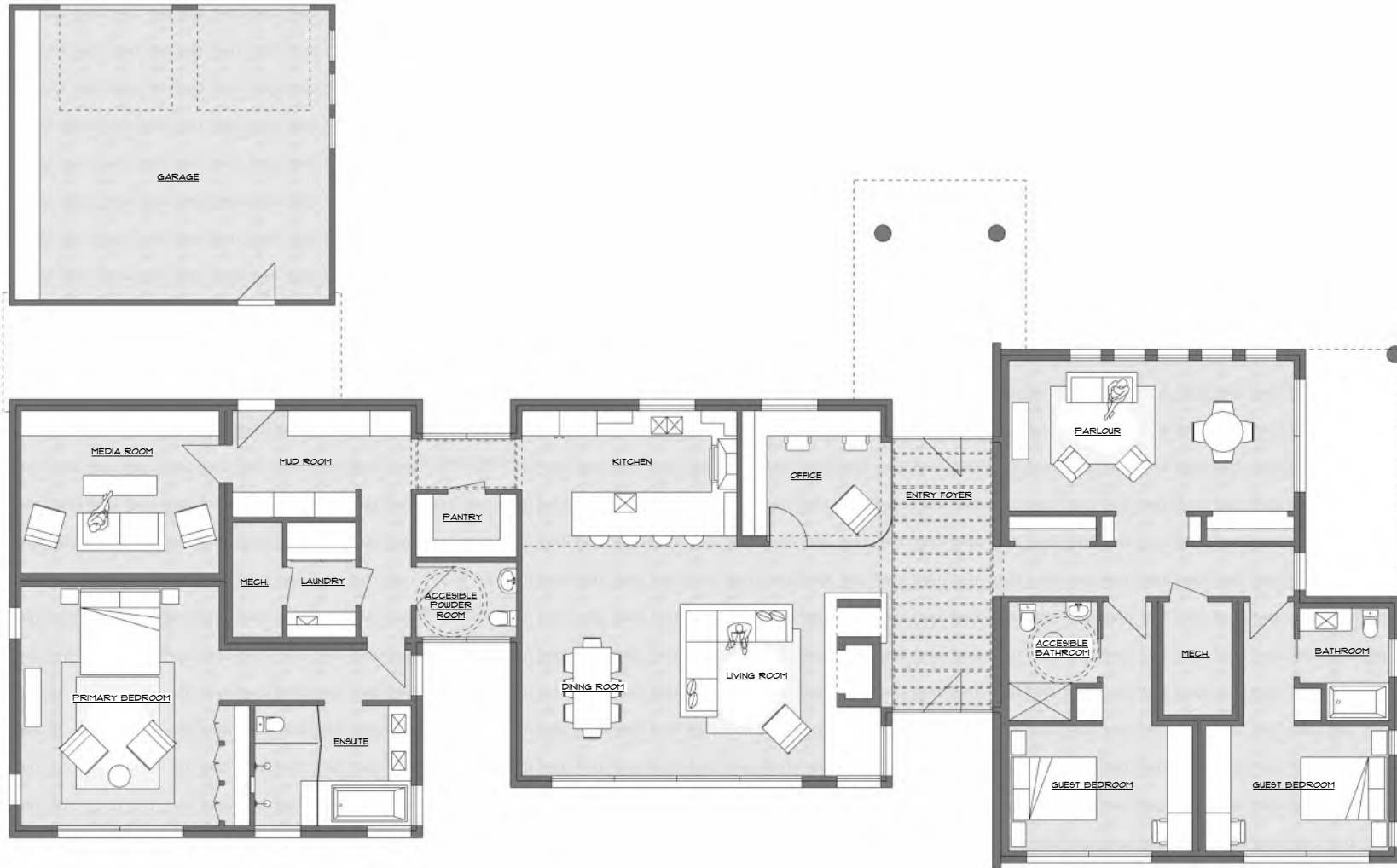
250.871.8765
info@commonhousedesign.com

SCALE: AS NOTED
PROJECTED: 2025
START DATE:
DRAWN: PDT
ISSUED: May 8, 2025
REFERENCE: DENMAN ISLAND LOCAL TRUST COMMITTEE APPLICATION

DRAWING PAGE#

A-2

NOTE: ALL DESIGN MATERIAL INCLUDING DRAWINGS, MODELS, RELATED DOCUMENTS, ETC., REMAINS THE COPYRIGHTED PROPERTY OF COMMONHOUSE DESIGN AND IS NOT TO BE REPRODUCED IN ANY MANNER WITHOUT PRIOR APPROVAL



1 MAIN FLOOR PLAN
1/4" = 1"
HOUSE - 34@9.4 SF
GARAGE - 624 SF

FORREST RESIDENCE
5465 LACON ROAD, DENMAN ISLAND BC



#212-2459 Cousins Avenue
Courtenay, BC V9N 3N6
250.871.8765
info@commonhousedesign.com

SCALE: AS NOTED
PROJECTED: 2025
START DATE:
DRAWN: PDT
ISSUED: May 8, 2025
REFERENCE: DENMAN ISLAND LOCAL TRUST COMMITTEE APPLICATION

DRAWING PAGE#
A-3

Attachment 4



January 2, 2025

Permit No. 2022-0157
Application No. 11200-30/21A0299

Philip Whalen
Baseline Archaeological Services Ltd.
556 Harmston Ave
Courtenay, BC V9N 2X5
Email: pwhalen@baselinearchaeological.ca

Re: Amendment 002 to Inspection Permit 2022-0157 - Granted

Dear Philip Whalen:

Further to your request of December 2, 2024, the terms of the enclosed permit have been revised to **extend the expiry date to March 31, 2026**. Please note that as this amendment is administrative in nature, it has not been sent out for comment, but issued directly. Please keep a copy of the amended permit for your records; the original will be retained in the Archaeology Branch permit file.

The results of your inspections are to be presented in a permit report, submitted in both double-sided hard copy and PDF formats, by **March 31, 2026**. Individuals and organizations with knowledge of location, distribution, and significance of archaeological resources in the study area should be contacted where appropriate and documented in the permit report. Please ensure that site inventory forms are submitted separately, and that detailed site access information is not included in the report text. If site forms are included in the report, they will be removed by Branch staff.

Please note that Branch acceptance of permit reports only acknowledges the fulfillment of permit terms and conditions. Such acceptance does not bring with it an obligation by the Branch to accept report recommendations as they relate to impact assessments or impact management requirements.

Should you have any questions regarding this permit, please contact your Permitting Archaeologist, **Ryan S Blackburn**, who can be reached by calling 250-953-3334 or emailing ArchPermitApp@gov.bc.ca.

Please note that the permit number listed above must be referenced in the subject line of all permit-related emails sent to the Archaeology Branch.

Sincerely,



Travis Lutley
Manager – Residential Development
TL/pd/Encl.
pc: See attached Amendment Distribution List

Ministry of Forests

Forest Resiliency and
Archaeology Division
Archaeology Branch

PO Box 9816 Stn Govt Prov
Victoria, BC
V8W 9W3

Telephone: 250-953-3334

Website:

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

✓	DISTRIBUTED TO	ATTENTION	CONTACTED	FILE #
	Philip Whalen	Permit Holder	pwhalen@baselinearchaeological.ca	
	K'omoks First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com	
CL	Nanwakolas Council	Art Wilson	referrals@nanwakolas.com;	
	Qualicum First Nation	Chief Michael Recalma	receptionist.qualicum@shaw.ca; recalmag.qualicum@shaw.ca	
	Snaw-Naw-As First Nation	Katie Bob-Sampson, Tom Bob, cc Treaty	katiesampson_ira@nanoose.org; tbob@nanoose.org; info@temexw.org	
P	Tla'amin First Nation	Denise Smith, Richard Gage	Tla'amin Connect	
	We Wai Kai First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com;	21-604
	Wei Wai Kum First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com	
P	Xwemalhwu First Nation	Chief Darren Blaney	HOMALCO CONNECT PORTAL	



HERITAGE CONSERVATION ACT

HERITAGE INSPECTION PERMIT

AMENDMENT (002)

THIS IS TO CERTIFY that **Philip Whalen** of **Baseline Archaeological Services Ltd.** is hereby authorized to conduct an assessment as described below, subject to the terms and conditions on the back hereof.

Type of activity and location:

Archaeological Impact Assessment of a proposed single family residential construction at 5465 Lacon Rd, Denman Island, (Lot A, Section 5, Denman Island, Nanaimo District, Plan EPP82349, PID 030-773-890)

All work is to conform with the "Application for Permit" dated June 14, 2021, and the amendment requests dated March 8, 2023, and December 2, 2024.

Disposition of materials collected: **Campbell River Museum**

Issued **May 9, 2022**
Amended (001) **June 19, 2023**
Amended (002) **January 2, 2025**
Expires **March 31, 2026**

Minister of Forests

Per _____
(See back for *Conditions*)

GENERAL TERMS AND CONDITIONS OF PERMIT

1. Permits shall be valid for the term stipulated on the front of the permit unless otherwise suspended or cancelled. Extensions to the term of the permit, or other amendments, will be considered upon submission of an application to the Archaeology Branch at least 45 days prior to the expiry date of the permit.
2. The permit-holder shall provide the Archaeology Branch with one (1) bound copy and one (1) electronic copy in PDF format of a written report, in accordance with the standards required by the Minister, outlining the work carried out under the terms of the permit.
3. The title page of all reports must indicate the name(s) of the copyright owner(s) and, where agreed to, a Grant of License statement completed and signed by the copyright owner(s).
4. A person appointed by the branch may at any time inspect any aspect of a project conducted under the terms of this permit. To further their inspection, the appointee may request field data, or conduct excavations within the study area. Notwithstanding the expiration or earlier termination of the term of the permit this provision will remain and continue in full force and effect.
5. Upon completion of any inspection or investigation involving excavations, the permit-holder shall make reasonable efforts to ensure all sites are restored as nearly as possible to their former condition.
6. The permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
7. Heritage objects and associated materials recovered under authority of the permit may not be sold or exchanged for financial gain. Any other transfer of heritage objects, materials and records, or changes to the conditions identified under the "Disposition of materials collected..." section of the permit, may only be carried out with prior consent of the Minister.
8. The permit-holder shall conform to all requirements that may be imposed by the institution or organization named in the "Disposition of materials collected..." section of the permit.
9. Notwithstanding expiration or earlier termination of the term of the permit, provisions with respect to the "Disposition of materials collected ..." section shall remain and continue in full force and effect.
10. The permit holder shall utilize any site recording forms, formats or systems required by the minister. To fulfill this condition, the site form, mapping, and related documentation must comply with Archaeology Branch directives for site record submission. Failure to submit satisfactory site records will be considered an outstanding obligation, thereby affecting the archaeologists' ability to hold additional permits or obtain amendments.
11. A permit issued under section 12.2(4) does not authorize entry onto land or into a building without the permission of the owner or occupier.
12. For heritage inspection permits, the permit-holder shall submit spatial information (as a shape file in accordance with the standards required by the Minister) of all study areas that were the subject of in-field inspections.
13. The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.
14. Where known, First Nation file numbers will be reference in permit-related correspondence.
15. All negative test areas and areas of potential not subjected to subsurface inspection will be recorded in the field and displayed on maps as polygons; the number of excavated tests (if

applicable) and the approximate dimensions of each area will be listed; shapefiles will be provided to the Branch.

16. Any other conditions that may be specified in the permit.
17. The permit holder will provide electronic copies of any reports produced under this permit to those First Nations with an interest in the study area, unless the parties have agreed to alternate arrangements.

The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.

OTHER CONDITIONS

18. N/A

Attachment 5



April 2, 2025

Permit No. 2023-0226
Application No. 11200-30/21A0300

Philip Whalen
Baseline Archaeological Services Ltd.
556 Harmston Ave
Courtenay, BC V9N 2X5

AND

Mr. Thorne P. Forrest
2321 2nd Ave
Calgary, AB T2N 0H3

Email: pwhalen@baselinearchaeological.ca

Email: thorne4est@hotmail.com

Re: Amendment 002 to Alteration Permit 2023-0226 - Granted

Dear Philip Whalen and Mr. Thorne P. Forrest:

Further to your request of November 19, 2024, the terms of the enclosed permit have been **revised to extend the expiry date to March 31, 2026**. Please keep a copy of the amended permit for your records; the original will be retained in the Archaeology Branch permit file.

The results of your alterations are to be presented in a permit report, submitted in both double-sided hard copy and PDF formats, by **March 31, 2026**.

Should you have any questions regarding this permit, please contact your Permitting Archaeologist, **Ryan S Blackburn**, who can be reached by calling 250-953-3334 or emailing ArchPermitApp@gov.bc.ca.

Please note that the permit number listed above must be referenced in the subject line of all permit-related emails sent to the Archaeology Branch.

Sincerely,



Travis Lutley
Manager – Residential Development
TL/pd/Encl.

pc: See attached Amendment Distribution List

Ministry of Forests

Forest Resiliency and
Archaeology Division
Archaeology Branch

PO Box 9816 Stn Govt Prov
Victoria, BC
V8W 9W3

Telephone: 250-953-3334

Website:

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

✓	DISTRIBUTED TO	ATTENTION	CONTACTED
	Philip Whalen	Permit Holder	pwhalen@baselinearchaeological.ca
	Mr. Thorne P. Forrest	Co-Permittee	thorne4est@hotmail.com
	K'omoks First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com
CL	Nanwakolas Council	Art Wilson	referrals@nanwakolas.com;
	Qualicum First Nation	Chief Michael Recalma	receptionist.qualicum@shaw.ca; recalmag.qualicum@shaw.ca
	Snaw-Naw-As First Nation	Katie Bob-Sampson, Tom Bob, cc Treaty	katiesampson_ira@nanoose.org; tbob@nanoose.org; info@temexw.org
P	Tla'amin First Nation	Denise Smith, Richard Gage	Tla'amin Connect
	We Wai Kai First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com;
	Wei Wai Kum First Nation	Art Wilson c/o Nanwakolas	referrals@nanwakolas.com
P	Xwemalhkwa First Nation	Chief Darren Blaney	HOMALCO CONNECT PORTAL



HERITAGE CONSERVATION ACT

ALTERATION PERMIT

AMENDMENT (002)

THIS IS TO CERTIFY that **Philip Whalen** of **Baseline Archaeological Services Ltd.**, and **Mr. Thorne P. Forrest** are hereby authorized to conduct alterations as described below, subject to the terms and conditions on the back hereof.

Type of alteration, archaeological site number(s) and location(s):

Proposed alterations to DiSe-5 for a residential construction at 5465 Lacon Rd, Denman Island.

All work is to conform with the "Application for Permit" dated May 3, 2021, and the amendment requests dated June 20, 2023, and November 19, 2024.

Disposition of materials collected: **Campbell River Museum**

Issued **June 19, 2023**
Amended (001) **August 28, 2023**
Amended (002) **March 31, 2025**
Expires **March 31, 2026**

Minister of Forests

A handwritten signature in black ink, appearing to be "J. P. Forrest", written over a horizontal line.

Per _____
(See back for *Conditions*)

GENERAL TERMS AND CONDITIONS OF PERMIT

1. Permits shall be valid for the term stipulated on the front of the permit unless otherwise suspended or cancelled. Extensions to the term of the permit, or other amendments, will be considered upon submission of a request to the Archaeology Branch at least 45 days prior to the expiry date of the permit.
2. The permit-holder shall provide the Archaeology Branch with one (1) bound copy, if longer than five (5) pages, and one (1) electronic copy in PDF format of a written report outlining the work carried out under the terms of the permit.
3. The title page of all reports must indicate the name(s) of the copyright owner(s) and, where agreed to, a Grant of License statement completed and signed by the copyright owner(s).
4. The permit-holder shall provide the Archaeology Branch with an updated British Columbia Archaeological Site Inventory Form for any site altered under authority of the permit.
5. A person appointed by the Branch may at any time inspect any aspect of a project conducted under the terms of this permit. To further their inspection, the appointee may request field data, or conduct excavations within the study area. Notwithstanding the expiration or earlier termination of the term of the permit this provision will remain and continue in full force and effect.
6. Where a condition for archaeological monitoring of development is attached to the permit, the permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
7. Heritage objects and associated materials recovered under authority of the permit may not be sold or exchanged for financial gain. Any other transfer of heritage objects, materials and records, or changes to the conditions identified under the "Disposition of materials collected..." section of the permit, may only be carried out with prior consent of the Minister.
8. A permit issued under Section 12.4(1) does not authorize the holder of the permit to enter property, or to make any alteration to property, without the permission of the owner or occupier.
9. In the event that human remains are encountered, all work must cease in the vicinity of the remains and the Archaeology Branch and affected indigenous communities must be contacted for direction, unless otherwise provided for in the permit application.
10. Where concurrent archaeological studies are required, per Section 5 of the application, an Eligible Archaeologist, as approved by the Branch, will be retained by the applicant. Any ground-altering activities must be conducted under the direction of the archaeologist.
11. Where known, First Nation file numbers will be reference in permit-related correspondence.
12. The permit-holder shall arrange for a secure repository to curate any materials recovered under authority of the permit.
13. The permit-holder shall conform to all requirements that may be imposed by the institution or organization named in the "Disposition of materials collected..." section of the permit.
14. Any other conditions that may be specified in the permit.
15. The permit holder will provide electronic copies of any reports produced under this permit to those First Nations with an interest in the study area, unless the parties have agreed to alternate arrangements.

The permit holder shall conduct the inspection as described in the permit application, unless otherwise specified in the permit.

OTHER CONDITIONS

16. N/A

Attachment 6



K'ómoks First Nation

K'ómoks First Nation
3330 Comox Rd, Courtenay, BC V9N 3P8

**Cultural Heritage Investigation
PERMIT (CHIP)**

1. Administrative Information

KFN CHIP Number: KFN 2025-40

Permit Holder Name: Owen Grant

Permit Holder
Affiliation: Baseline Archaeological Services

Address: 556 Harmston Avenue
Street Address

<u>Courtenay</u>	<u>BC</u>	<u>V9N 2X5</u>
City	Province	Postal Code

Phone: 250-897-3853 Email owengrant@baselinearchaeological.ca

2. CHIP Details

Site location: 5465 Lacon Road

Borden Number(s) of registered
archaeological site(s): DiSe-5

Activities covered under this KFN CHIP:

Archaeological Impact Assessment by a qualified archaeologist with a KFN monitor in accordance with KFN CHIP. Approved activities for pre-testing locations of planned works:

importing fill, using helical pilings for homeworkshop, and retaining wall construction, and excavating for a septic system and other utilities. 50% SDR required for intact

deposits with 100% screening. 100% screening/raking of disturbed deposits. Shovel testing must occur at all helical piling locations to ensure no Ancestral Remains are

damaged. If Ancestral Remains or Wet Sites are identified KFN must be contacted immediately and cannot be excavated without written consent by KFN.

Repository for any KFN cultural heritage objects or artifacts.

Courtenay District Museum & Archives

Issuance date: March 17th 2025

Expiry date: March 17th 2027

A handwritten signature in black ink, consisting of a large, sweeping initial 'A' followed by a smaller, more complex flourish.

Signatory, Elected Chief

**K'ómoks First Nation Cultural Heritage Investigation Permit (KFN CHIP)
terms and conditions**

- The KFN Cultural Heritage Investigation Permit is valid for two years from the time of issuance. If the project is not complete within two years, an additional KFN Cultural Heritage Investigation Permit will need to be applied for.
- All fieldwork undertaken under this permit will include a KFN Guardian Watchman or KFN Archaeological Monitor for the duration of the fieldwork.
- Projects may require an additional project management fee, in addition to the permit fee, to be paid by the proponent.
- **If human remains are identified as a result of project related activities, the permit holder will immediately cease work, contact KFN, and follow KFN's specific requirements regarding human remains as detailed in the KFN Cultural Heritage Policy.**
- If human remains are removed as a result of project related activities, the proponent will bear the costs associated with reburial.
- Upon completion of fieldwork, the permit holder will make reasonable efforts to restore the physical appearance of the site.
- KFN will have a chance to review and comment upon the penultimate draft of the permit report.
- Upon completion of the project, KFN will be provided one digital and one paper copy of the final report.
- KFN retains the right to terminate this permit if evidence indicates that the permit holder is not acting under the terms and conditions of the permit.



K'ómoks First Nation

3330 Comox Rd, Courtenay, BC V9N 3P8

Cultural Heritage Investigation
PERMIT (CHIP)

1. Administrative Information

KFN CHIP Number: KFN 2025-41

Permit Holder Name: Owen Grant

Permit Holder
Affiliation: Baseline Archaeological Services

Address: 556 Harmston Avenue
Street Address

<u>Courtenay</u>	<u>BC</u>	<u>V9N 2X5</u>
City	Province	Postal Code

Phone: 250-897-3853 Email owengrant@baselinearchaeological.ca

2. CHIP Details

Site location: 5465 Lacon Road

Borden Number(s) of registered
archaeological site(s): DiSe-5

Activities covered under this KFN CHIP:

Site Alteration (SAP) by a qualified archaeologist with a KFN monitor in accordance with KFN CHIP. Approved activities include importing fill, using helical pilings for home workshop, and retaining wall construction, and excavating for a septic system and other utilities. 50% SDR required for intact deposits with 100% screening. 100% screening/raking of disturbed deposits. Shovel testing must occur at all helical piling locations to ensure no Ancestral Remains are damaged. If Ancestral Remains or Wet Sites are identified KFN must be contacted immediately and cannot be excavated without written consent by KFN.

Repository for any KFN cultural heritage objects or artifacts.

Courtenay District Museum & Archives

Issuance date: **March 17th 2025**

Expiry date: **March 17th 2027**

A handwritten signature in black ink, consisting of a large, sweeping initial 'A' followed by a smaller, more fluid signature.

Signatory, Elected Chief

**K'ómoks First Nation Cultural Heritage Investigation Permit (KFN CHIP)
terms and conditions**

- The KFN Cultural Heritage Investigation Permit is valid for two years from the time of issuance. If the project is not complete within two years, an additional KFN Cultural Heritage Investigation Permit will need to be applied for.
- All fieldwork undertaken under this permit will include a KFN Guardian Watchman or KFN Archaeological Monitor for the duration of the fieldwork.
- Projects may require an additional project management fee, in addition to the permit fee, to be paid by the proponent.
- **If human remains are identified as a result of project related activities, the permit holder will immediately cease work, contact KFN, and follow KFN's specific requirements regarding human remains as detailed in the KFN Cultural Heritage Policy.**
- If human remains are removed as a result of project related activities, the proponent will bear the costs associated with reburial.
- Upon completion of fieldwork, the permit holder will make reasonable efforts to restore the physical appearance of the site.
- KFN will have a chance to review and comment upon the penultimate draft of the permit report.
- Upon completion of the project, KFN will be provided one digital and one paper copy of the final report.
- KFN retains the right to terminate this permit if evidence indicates that the permit holder is not acting under the terms and conditions of the permit.

NOTICE
PLDVP20250348
DENMAN ISLAND LOCAL TRUST COMMITTEE

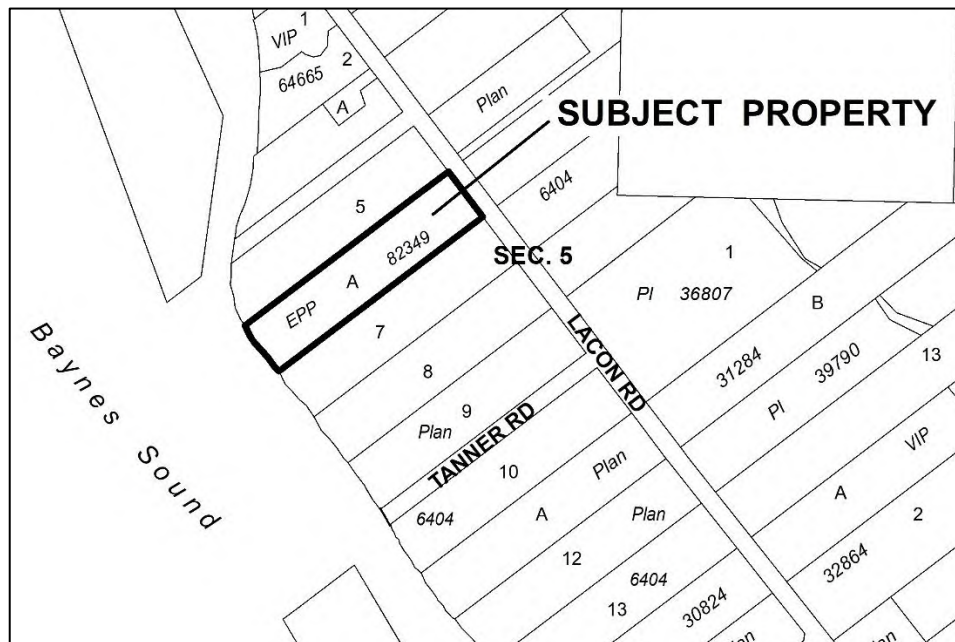
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Denman Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit. The proposed permit seeks to vary the Denman Island Land Use Bylaw, 2008, PART 3 ZONE REGULATIONS, Section 3.3 Residential Zoning Tables, Table 5 – Setbacks, Item 1, in order to:

- **Reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings, attached to and forming part of the proposed permit.**

The property is legally described as:

LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349 (PID: 030-773-890)

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:00 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing April 28, 2026 and continuing up to and including May 11, 2026 and is also available on the Islands Trust website here: <https://islandstrust.bc.ca/island-planning/denman/current-applications/>

Enquiries or comments should be directed to Ian Cox, Planner 2 at (250) 247-2207, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver (604) 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, May 11, 2026.

The Denman Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting starting at **10:00 am, May 12th, 2026, located at the Denman Activity Centre, 1111 Northwest Road Denman Island, BC.**

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

PROPOSED



Islands Trust

DENMAN ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20250348

TO: Thorne Paul Forrest & Lucille Forrest

1. This Development Variance Permit applies to the land described below:

PID: 030-773-890

Legal Description: LOT A SECTION 5 DENMAN ISLAND NANAIMO DISTRICT PLAN EPP82349

2. Pursuant to Section 498 of the *Local Government Act*, the *Denman Island Land Use Bylaw, 2008* is varied as follows:

PART 3 ZONE REGULATIONS, Section 3.3 RESIDENTIAL ZONING TABLES, Table 5 – Setbacks, Item 1, is varied:

- **To reduce the minimum setback from an interior side lot line in the R1 zone, from 3.0 meters to 0.0 meters, to allow the siting of a concrete wall structure that will support a fence, in the location and of the dimensions as shown on Schedule “A” - Site Plan and Schedule “B” – Design Concept drawings.**

3. The proposed development shall be consistent with Schedule “A” – Site Plan and Schedule “B” – Design Concept, attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Denman Island Land Use Bylaw, 2008 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE DENMAN ISLAND LOCAL TRUST COMMITTEE THIS XXTH DAY OF XX, 202X.

Deputy Secretary, Islands Trust

MMM/DD/YYYY

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XXTH DAY OF XX, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

**DENMAN ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20250348
Schedule "B" – Design Concept**

