



File No.: 6500-20  
(Denman Farm Regulations Review)

DATE OF MEETING: February 15, 2022  
TO: Denman Island Local Trust Committee  
FROM: Sonja Zupanec and Marlis McCargar, Island Planners  
Northern Team  
COPY: Heather Kauer, Regional Planning Manager  
SUBJECT: Denman Island Farming Regulations Review Project

## RECOMMENDATION

1. That the Denman Island Local Trust Committee endorse the ‘Denman Island Farming Regulation Community Questionnaire’ dated February 2022, as presented.
2. That the Denman Island Local Trust Committee release up to \$2000 from the Farming Regulation Review Project budget for advertising and direct mail out of the questionnaire to Denman Island residents and property owners.
3. That the Denman Island Local Trust Committee direct staff to work with the consultant to schedule and advertise a special meeting to hold a Community Information Meeting in the spring for the Farming Regulations Review Project.

## REPORT SUMMARY

The purpose of this report is to provide to the Denman Island Local Trust Committee (LTC) a project update and an opportunity to review and comment on the draft community questionnaire (Attachment 1).

## BACKGROUND

The LTC passed the following resolutions at their regular business meeting, held November 2, 2021:

### **DE-2021-085**

**It was MOVED and SECONDED,**

that the Denman Island Local Trust Committee request staff to refer to the Denman Island Advisory Planning Commission and the Denman Growers and Producers Alliance for their comment, the anticipated draft community engagement plan for the Denman Farming Regulations Review Project and anticipated draft topic areas for the community questionnaire/questionnaire to be prepared by the consultant.

**CARRIED**

Due to the pandemic and concerns from Denman Advisory Planning Commission (APC) members about meeting in person, there was an interest to meet electronically. However, recent legislative amendments did not allow for this. In an effort to advance the project in a timely manner and obtain early input from key community members on questionnaire prior to being considered for endorsement by the LTC, staff, instead, held an

electronic meeting on January 17<sup>th</sup>, and invited members from the APC and the Denman Growers and Producers Alliance (GPA) to participate. See Attachment 2 for the notes from this meeting.

For further background and previous staff reports, and public correspondence please refer to the Project webpage: <https://islandstrust.bc.ca/island-planning/denman/projects/>.

## **PROJECT UPDATE**

The request for proposal process to hire a consultant to lead this project concluded mid-December. The contract was awarded to Uplands Agricultural Consulting Ltd. Hiring a land use planning consultant as the lead planner on this project is one of the main commitments of the Islands Trust in the Contribution Agreement with BC Investment Agriculture Foundation (IAF) Funding Grant.

The consultant has undertaken the follow work to advance this project:

- Undertaken background research, including review of:
  - the Farm Plan Implementation Project work to date, including proposed bylaws;
  - Agricultural Land Commission regulatory updates;
  - available Agricultural Land Use Inventory and activities data, BC Assessment and census data, and related data to support policy and regulatory changes;
- coordinate with Islands Trust planning staff and Ministry of Agriculture staff to update Agricultural Land Use Inventory and activities data for Denman Island;
- developed a draft community questionnaire which was reviewed by members of the Advisory Planning Commission and Growers and Producers Alliance.

### ***Community Questionnaire***

A copy of the draft community questionnaire (Attachment 1) is presented for LTC review, comment and endorsement.

## **ALTERNATIVES**

The LTC may consider the following alternatives to the staff recommendation:

### **1. Request changes to the draft questionnaire.**

The LTC may wish to make changes to the draft questionnaire. Implications of making changes to either are the following:

- If the amendments are minor and can be made at the meeting, then the document(s) can be endorsed as amended.
- If the amendments are major, staff would have to have to return to a subsequent meeting with an amended document(s). In this case, the implications of making these types of amendments may delay the advancement of the project to Phase 2: Consultation and Bylaw Development which may impact our commitments in the Contribution Agreement with BC Investment Agriculture.

Recommended wording for such a resolution is as follows:

*That the Denman Island Local Trust Committee request staff to amend the Farming Regulations Review questionnaire by [insert requested changes].*

Additionally, staff recommend resolutions on Page 1 of the report and include “as amended.”

#### **NEXT STEPS**

Should the LTC concur with the staff recommendations, staff will work with the consultant to distribute the questionnaire.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner Marlis McCargar, Island Planner	February 8, 2022
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	February 9, 2022

#### **ATTACHMENTS**

1. Draft Questionnaire – February 2022
2. Notes from electronic meeting with members of the APC and GPA held January 17, 2022.

# Draft Denman Island Questionnaire – Farm Regulations Bylaw Review

## Overview

The purpose of this questionnaire is to obtain feedback from the Denman Island community to inform the development the Denman Island Farm Regulations Review. This review will result in amendments to the Denman Island Official Community Plan and Land Use Bylaw. Please note that any cannabis-related land use issues are outside the scope of the Farm Regulations Bylaw Review. The Islands Trust intends to undertake a separate initiative to review cannabis-related bylaws.

Any local government bylaws (such as the Denman Island Farm Bylaw) that pertains to land in the Agricultural Land Reserve (ALR) must adhere to all other provincial legislation, including the provincial *Agricultural Land Commission Act* (ALCA). Section 46 of the ALCA requires that local governments adopt bylaws that are supportive of farm activities and must ensure that bylaws are consistent with the ALCA, the Regulation, and any orders of the ALC.

Regulations allow local governments, such as the Islands Trust, to authorize how a landowner can use a piece of land and how much of that use is allowed on the land. However, due to the fact that the ALR is provincially-regulated, the Denman Island Farm Regulations must generally align with the provinces policies and regulations and the Islands Trust must not prohibit agriculture.

Questionnaire topic areas:

1. Definitions of agriculture, horticulture, and intensive agriculture
2. Secondary dwellings in the ALR.
3. Agri-tourism and associated accommodation
4. Setbacks for agricultural buildings and practices from waterbodies

## Topic 1. Definitions of Agriculture, Horticulture, and Intensive Agriculture

### Context

Over the last few years there has been a lot of discussion and feedback regarding the need to appropriately re-define “agriculture”, “horticulture”, and “intensive agriculture” in order to best fit the culture and the scale of farming found on Denman Island. Agriculture, horticulture, and intensive agriculture are currently allowed within Agriculture, Forestry, and Resource zones on Denman Island. In Residential zones, both agriculture and horticulture are allowed but intensive agriculture is not.

It is important to note that within the ALR certain forms of agriculture can be restricted but not prohibited. Section 555(2) of the *Local Government Act* specifies that intensive agriculture is a permitted use on all ALR land, regardless of any zoning bylaw regulations that may prohibit certain farm practices. A balance will therefore need to be struck on certain definitions, whereby the character of the farming community is protected through policy but the definitions within the Farm Bylaw regulations remain legally acceptable.

### Definition of Agriculture

**Q1) Please rank the following definitions of “Agriculture” in order of preference, with 1 being most preferred and 4 being least preferred:**

- "Agriculture" means the use of land for the growing, rearing, harvesting, or production of plants, crops, livestock and other farm animals. (*Mayne Island*)
- "Agriculture" means the use of land, buildings, or structures for the growing, rearing, harvesting, processing, marketing or production of agricultural plants, crops, or livestock. (*Hornby Island*)
- "Agricultural" means the use of land, buildings or structures for the growing, rearing, producing, packing, storing and harvesting and wholesaling of agricultural crops or raising livestock; includes processing crops grown on the land, the storage and repair of farm machinery and implements of husbandry used on that farm, and the storage, sale and processing of agricultural products

harvested, reared or produced by the agricultural use. For the purpose of this bylaw, Agriculture also includes apiculture and aquaculture, but excludes cannabis production (*Comox Valley Regional District*).

- “Agriculture” means the use of land, buildings or structures for any of the following activities: growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; clearing, draining, irrigating or cultivating land; using farm machinery, equipment, devices, materials and structures; applying fertilizers, compost, manure and other growing agents; intensively cultivating, in plantations, speciality wood crops or speciality fibre crops prescribed by the Minister of Agriculture, Food and Fisheries; turf production; aquaculture; raising or keeping of game, within the meaning of the Game Farm Act, by a person licensed to do so under the Act; raising or keeping fur bearing animals, within the meaning of the Fur Farm Act, by a person licensed to do so under the Act; storage, processing or direct marketing by a farmer of farm products; but does not include any of the following activities: a forest practice defined in the Forest Practices Code of British Columbia Act; the sale of processed wood products; breeding pets; operating a kennel or equestrian stable; growing, producing, raising or keeping of exotic animals as defined by the Minister of Agriculture, Food and Fisheries. (*Denman Island, current*)

## Definition of Horticulture

Some local governments prefer to include “Horticulture” within the overarching definition of “Agriculture” while others prefer to define it separately.

**Q2) Please rank the following definitions of “Horticulture” in order of preference, with 1 being most preferred and 4 being least preferred:**

- “Horticulture” is the use of land for the rearing of plants (*Mayne Island*)
- “Horticulture” means the cultivation of fruits, vegetables, herbs, flowers and ornamental plants (*Sunshine Coast Regional District*)
- “Horticulture” is the growing of flowers, fruits, vegetables and other plants and includes the sale of such products when grown by the landowners on their lot (*Denman Island*)
- Prefer not to define “Horticulture” at all.

## Intensive Agriculture

The *Denman Island Land Use Bylaw* currently defines “*Intensive agriculture*” as the use of land, buildings and structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms, except for forest fungi, and excludes feedlots (*Denman Island, current*).

Intensive agriculture is permitted within the ALR and in Agriculturally-designated zones outside the ALR, but not within residential areas (e.g. R1 or R2). Some jurisdictions, such as *Mayne Island* and *Hornby Island*, do not define intensive agriculture at all and therefore do not restrict it outside of the ALR.

**Q3) Out of the examples provided below, please rank in order of preference, with 1 being most preferred and 5 being least preferred:**

- “Intensive agriculture” means agriculture that involves the confinement of more than 4,550 kg (approximately 10 Animal Unit Equivalents) of poultry or livestock or the operation of a fur farm or the manure- based cultivation of mushrooms. (*Salt Spring Island*).
- “Intensive agricultural use” means the use of land, buildings and structures for the confinement, growing, producing, harvesting, slaughtering, processing of poultry, livestock or fur bearing animals,

including the operation of feedlots, or for the growing of mushrooms. (*Comox Valley Regional District*).

- “Intensive agriculture” is defined as: the use of land, buildings and structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms, except for forest fungi, and excludes feedlots (*Denman Island, current*)
- Prefer not to define “intensive agriculture” at all (note that this will not preclude it from being a permitted use within the ALR as per provincial regulations).

## Agriculture in Zones R1 and R2

The following questions refer to agricultural practices that may be permitted outside the ALR and Agricultural Zones. Please note that if any changes to the Farm Use Bylaw are made, current activities in R1 and R2 could be grandfathered in.

### Q4) Definition of Residential Agriculture

Would you support the following potential definition of “Residential Agriculture” which has been developed with input from the Growers and Producers Alliance, for an allowable use in zones R1 and R2? *“Residential Agriculture” is the production of crops and livestock that provides the dual role of being a source of household food security as well as income from the sale of surplus product. The use of agrochemicals is limited. Sale of products produced is limited to the local area and farmers markets.”*

- Yes
- No

### Q5) Would you support the permitted use of Intensive Agriculture within R1 and/or R2 zones on Denman Island? (check all that apply)

- Yes without any additional restrictions
- Yes but only on R1 or R2 lots larger than 5 acres
- Yes but only to a maximum of 10 Animal Unit Equivalents (e.g. 8 horses, 10 cows, 10 pigs, 30 sheep, or 250 chickens)
- Yes but only to a maximum of 5 Animal Unit Equivalents (e.g. 4 horses, 5 cows, 5 pigs, 15 sheep/goats, or 125 chickens)
- No I do not support Intensive Agriculture in R1 or R2 zones

**Please provide any comments regarding Definitions here:**

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## Topic 2. Secondary Dwellings in the ALR

### Context

Housing within the ALR is heavily regulated by the ALC. Local governments can be more restrictive than what is allowed by the ALC (e.g. allow fewer dwellings) but can not be less restrictive (e.g. allow more dwellings).

As of December 31, 2021, the ALC is allowing a ‘secondary dwelling’ on properties in the ALR that have one principal residence of 500 m<sup>2</sup> (5,380 ft<sup>2</sup>) or less. These properties will not be required to have Farm Tax Status to qualify, however, the following must apply:

- A second dwelling must not already exist; and
- The new secondary dwelling must be 90 m<sup>2</sup> (970 ft<sup>2</sup>) or less on parcels less than 40 ha (98.8 acres) or 180 m<sup>2</sup> (1,940 ft<sup>2</sup>) on parcels 40 ha (98.8 acres) or greater.

Unless the local government applies conditions, the type of secondary dwelling can be in the form of a garden suite, a guest house, a suite above an existing building, or a manufactured home, however, it cannot be divided up into multiple units. The occupancy of the secondary dwelling is not restricted: it can be used as a short-term vacation rental, as farm worker housing, or to provide housing for those who are not directly engaged in farm work.

There are 171 parcels of land that are in (or partially in) the ALR that may be eligible for a secondary dwelling. While not all of these parcels would qualify for a secondary dwelling, and not all landowners would choose to build a secondary dwelling, it provides an upper estimate as to how many new secondary dwellings could possibly be built on the Island base on the new ALC regulations. According to the 2016 Census (the most recent available information), there were 832 dwellings on the entire of Denman Island (both in and outside of the ALR).

**Q6. Based on the above context, which of the statements below best aligns with your level of support for secondary dwellings on ALR land within Denman Island?**

A) Secondary dwellings should be allowed in the ALR on Denman Island as per the ALC regulations, with no additional restrictions placed by Islands Trust.

B) Secondary dwellings should be allowed in the ALR on Denman Island, subject to certain conditions to be put in place by Islands Trust (select all conditions that you would support):

- o Lots must be over a certain size (e.g. 5 acres) to qualify for a secondary dwelling
- o The property must have Farm Tax Status (e.g. the farm must be a commercial operation) to qualify for a secondary dwelling
- o The secondary dwelling must be used for long term rentals or farm worker housing only (e.g. no vacation rentals or AirB&Bs)
- o The property must have adequate potable water and septic capacity for the additional secondary dwelling
- o Other (please specify): \_\_\_\_\_

C) Secondary dwellings should not be allowed in the ALR on Denman Island.

**Please provide any comments regarding Secondary Dwellings here:**

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### Topic 3. Tourist Accommodations on Farmland

Context

Within the ALR, tourism and related accommodations are strictly regulated by the ALC. Local governments, such as the Islands Trust, can adopt more restrictive rules but cannot allow for less restrictions than what the province sets out.

There are 2 types of accommodation that can be permitted in the ALR by the ALC:

- 1) Agri-tourism accommodation: this must be directly related to an agri-tourism activity (see context above) and the property must have Farm Tax Status. The total area used for the accommodation must be less than 5% of the parcel and list limited to a max of 10 sleeping units (e.g. a bedroom, trailer, or tent) but can be restricted to less by local governments. This accommodation must be provided on a seasonal (specific time of year, but no all year) or short term (less than 30 consecutive days per tourist) basis only.

- 2) Bed and Breakfast (B&Bs): This type of accommodation can only occur within the principal residence and must be limited to 4 bedrooms total. It must be provided for short-term accommodation only.

### **Tourism Accommodation in the ALR**

A local government may decide that no tourist accommodation should occur in the ALR in its jurisdiction at all. It must be specifically listed in the land use bylaw in order for that use to be allowed to occur. The land use bylaw may restrict the number of agri-tourism sleeping units to fewer than 10 and can also specify requirements for maximum floor area, parking, signage, setbacks, fire and emergency servicing. The Denman Island Land Use Bylaw does not currently mention agri-tourism accommodation or B&Bs, and therefore they are currently prohibited.

**Q7) Would you support the allowance of agri-tourism accommodation (e.g. seasonal cottages, campsites) and/or B&Bs (within a principal residence) to be allowed within the ALR on Denman Island? Please select the answer that best fits with your preference:**

- A. I would support this use as per the ALC regulations (up to 10 agri-tourism 'beds' on the property and up to 4 B&B 'bedrooms' in the principal residence)
- B. I would support a more restrictive approach to agri-tourism: e.g. less than 10 agri-tourism beds and less than 4 B&B bedrooms
- C. I would not support any forms of tourist accommodation in the ALR

### **Temporary Use Permits**

Local governments that allow tourist accommodation in the ALR may require permits to ensure the occupation of the accommodation meets the requirements of their bylaws. The most common form of permitting is through the use of Temporary Use Permits (TUPs) which would provide up to 3 years of approved use (which can be renewed once, for 6 years total). This is generally used to 'test the waters' to ensure that there are no issues that arise that would create long term problems if the use was approved through permanent re-zoning. After the 3 or 6 year mark the local government can grant full approval through a re-zoning of the property. Both TUPs and re-zoning require fees.

**Q8) If you responded in support (e.g. A or B) to question 7, would you support the use of Temporary Use Permits?**

- o Yes – I would support the use of TUPs as a first step to make sure the use does is a suitable fit
- o No - if tourism accommodation is included in the land use bylaw it should not require a temporary permitting approach, it should be permitted in the zoning

### **Tourism Accommodation Outside of the ALR**

Tourist-based accommodation could also be allowed OUTSIDE of the ALR if the land use bylaw permitted it.

**Q9) Would you support allowing agri-tourism accommodations (e.g. tents) on parcels outside the ALR?**

- o Yes – only if the property has farm tax status
- o Yes – even if the property does not have farm tax status
- o No



**Q10) Would you support allowing B&B accommodations (e.g. bedrooms within a principal residence) on parcels outside the ALR?**

- Yes – only if the property has farm tax status
- Yes – even if the property does not have farm tax status
- No

## **Topic 4. Setbacks between Agriculture and Waterways**

Setbacks can be necessary between farming and environmentally sensitive areas. Riparian vegetation provides important habitat to support biodiversity. The provincial Riparian Areas Protection Regulation (RAPR) does not apply to agricultural land use and farming activities.

Many setbacks for the protection of water resources associated with agriculture are set by the BC Ministry of Environment through the *Agricultural Environmental Management Code of Practice (AEM Code)* and are therefore outside the realm of local government regulation. The AEM Code is a relatively new regulation that was enacted in 2019 and it supersedes local government regulations.

The AEM Code defines "watercourse" as:

- (a) an area of land that perennially or intermittently contains surface water, other than
  - (i) puddles,
  - (ii) groundwater and dugout ponds for livestock watering, and
  - (iii) furrows, grassed waterways and other temporary ponded areas that are normally farmed, and
- (b) drainage ditches that lead to an area described in paragraph (a);

Section 64 (1) of the AEM Code states that *"a person responsible for a grazing area, seasonal feeding area or temporary holding area in which livestock or poultry have direct access to a watercourse must ensure that effective controls are in place to minimize*

- (a) trampling and erosion of soil into the watercourse, and*
- (b) contaminated runoff, leachate and solids entering the watercourse."*

Local governments, through the *Local Government Act*, have the ability to regulate farming activities within their jurisdiction. Local governments can require that agriculture in the ALR adhere to Development Permit Area Guidelines for Environmental Protection near riparian areas, but it can't be restrictive to the point of prohibiting agricultural production completely. For example, local regulations could require fencing to prevent livestock from entering ponds, streams, wetlands, lakes, or other waterbodies but could not prohibit livestock from grazing on the property entirely.

**Question 9. Would you support updating Development Permit Area #4 (Streams, Lakes, and Wetlands) to include requirements for livestock fencing and other agricultural restrictions within specific setback areas?**

- Yes
- Maybe
- No

**Please provide any comments regarding Tourism Accommodations here:**

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## Denman Island APC and GPA Meeting #1

January 17, 2022 from 3-5pm

Via Zoom

Attending:

Marnie Eggen	Island Trust
Ione Smith	Upland Agricultural
Sydney Hnatiuk	Consulting
Edina Johnston	APC
Anne de Cosson	
C Urquhart	
Doug Wright	GPA
Dylan Gale	
Naomi Elliot	
Noah Ross	

Meeting agenda:

- Welcome and Introductions | 10 mins
- Brief summary of project work up-to-date and next steps | 15 mins
- Draft Project Engagement Plan (attached for your reference) - presentation and discussion | 45 mins
- Preliminary topic areas for survey/questionnaire (see list below) - presentation and discussion | 45 mins

Meeting begins at 3:05 pm

*Marnie welcomes all to the meeting and offers land acknowledgment*

*Marnie presents meeting agenda*

Round of introductions:

All introduce themselves and their affiliation

*Marnie presents the history of agricultural policy work on Denman Island from 2016-present.*

*Ione introduces the objectives of this meeting:*

- Go over engagement plan and get feedback – make sure we are on the right track early on
- Go over the draft questionnaire and get feedback

*Ione Presents draft questionnaire*

Topic areas:

- Definitions of agriculture and permitted use of agriculture outside the ALR.
- Secondary dwellings in the ALR (and alignment with new ALC regulations).
- Agri-tourism, associated accommodation, and use of TUPs.
- Setbacks for agricultural buildings and practices and for non-agricultural buildings.
- Subdivisions involving farmland, this may include minimum parcel sizes and how to deal with situations that create panhandle lots.

*Marnie presents the purpose and scope of the Denman Island Farming Regulations Review project.*

- To identify what bylaws are working for Denman and which ones are not, then to refresh them, bringing the bylaws up to date with how the community is feeling about agriculture and agriculture land use on Denman Island.
- We are reinvigorating the discussion around the bylaws which did not get resolved in the creation of the agriculture plan and bringing in the new considerations based on changing ALR regulations.

Feedback on draft questionnaire:

- Survey should be tailored to farming and agriculture (food security, employment opportunities, training opportunities, responsible agriculture, supporting local food systems)
  - lone: The survey topics will be very narrow and laser focused on agriculture and the policies and regulations which can support it at the Islands Trust level
- Questions about permitting agricultural use outside of the ALR and how we can best support that
  - Including chickens as a permitted use in Residential 1 (R1) lands should be considered
  - It is possible to have farm tax status outside of the ALR, and to have successful agricultural production. But it is important that we identify an agricultural definition for those properties so we can write them into the policies and bylaws. Not all types of farming are appropriate in areas that are primarily residential.
- GPA has been wondering if there is the option to take the new ALR rules as they are from the provincial government, without adding any additional restrictions (all ALR rules, not just housing related rules).
  - Yes, that is a possibility. In that case there would be no conditions other than the criteria put forth by the ALC.
  - The survey currently gives alignment with the ALC regulations as an option, as well as options for further conditions and restrictions.
- Is it necessary to apply to the ALC to build a secondary residence under the new regulations?
  - No, as long as they line up with the criteria within the new rules there is no application necessary. (*lone gives a brief overview of the new ALC criteria for allowing secondary dwellings – must not already have a secondary dwelling, the dwelling must be max 90 m<sup>2</sup>, etc.*)
- Concerns are raised around the legality of Airbnb's and the preservation of farmland if secondary suites are allowed.
- Question raised as to whether or not ALR can accommodate 3 or more dwellings.
  - That would require an application to the ALC, and first be vetted by the Islands Trust.
  - For Islands Trust to consider supporting it there would need to be explicit statements about that in the bylaws.
  - ALC rarely allows additional dwellings, must be an exceptional circumstance, and does not base decisions on need for affordable housing.
- Is it possible to go beyond the ALC regulations?
  - No, the local bylaws can be more restrictive but not less restrictive. It is possible to apply for a third dwelling but it is rare that it would be approved.
- If you wanted a 3<sup>rd</sup> dwelling would you need a TUP to get that approved?

- Marnie: an application to the APC for more than one additional dwelling would have to go through the LTC and it would be unlikely that to receive support from the LTC for that unless it was written into the bylaws.
  - it is very uncommon that third dwellings are approved.
- Do we know how many properties are within the ALR could have an additional dwelling placed based on the new ALC regulations (e.g. how many extra houses might exist at full buildout)?
  - Not off hand, but not all properties would be affected by the new regulations because they may not meet the necessary criteria for building secondary dwellings.
  - For properties outside of the ALR which have agriculture practices occurring on them, they are not affected by the new regulations, but we will still be including them in the overall review in agricultural regulations on Denman Island.
  - Likewise, neighbours of ALR land holders are also impacted by agricultural regulations and bylaws, so they also need to be included
  - Marnie will follow up with information regarding number of parcels in the ALR.
- The survey looks good and clearly directed, but the tourism aspect might go sideways as there is not much tourism happening here, nor the desire for tourism.
  - Bylaws are as much for things which you do want as they are for things you don't want, they are a tool to restrict things which are not in line with the community values on Denman island such as Intensive agriculture or tourism.
- On Denman we recognise that our farming activities need to be creative in order to be viable, so in writing these bylaws around secondary dwellings, it would be good to be creative in the wording so there is flexibility.
- Ensure survey is worded so that it is clear the purpose is to improve life on Denman, protect the legacy and culture, rather than restricting the actions of residents.
- Where do part time or seasonal workers fit in within the dwelling issue?
  - Seasonal workers would be able to stay in the secondary dwelling, with the new ALC regulations, the occupants of the secondary dwelling could be a farm worker, could be a tourist or family. There are no restrictions regarding who can be in the dwelling, just the number of dwellings.
- lone: is there any other topics I have missed in the questionnaire?
  - No

#### lone opens the floor to general feedback

- A big challenge for agriculture on Denman is the land prices, it's not possible to pay mortgages off with farming. Creative solutions are the only way that we are able to make an income.
- Hesitancy towards the Islands Trust because not a lot of enthusiasm around regulations and regulatory bodies, so need to be careful with how this engagement is framed.
- Is there space for the Islands Trust to suggest and streamline solutions through templates or a factsheet to aid people through the regulatory process of building secondary dwellings and how they can be used to generate income?
  - Island trust has a page with this sort of information on their website and are always looking for ways to improve it. This could be a good idea and Island Trust can explore how we can best implement this.

- At the moment, this is beyond the scope of the project
- We need to build the regulations and push them through and then these sorts of resources can be built from that.
- Marnie notes that there are siting and use permits for new buildings on Denman, but not building permits
- Farm succession planning is not included in this review, can it be?
  - Subdivision and secondary dwellings can also be related to succession planning.
  - Subdivision can be a bit complicated so consultants will include a good preamble regarding what the ALC allows
- Two most pressing issues on Denman are affordable housing (rental properties) and the conserving the ability to farm (succession).
- Will housing become more restricted?
  - Ione describes how local government has the ability to build in more restrictive conditions than the ALR but not less.
- The questionnaire would be sent to anyone who lives on the island, not necessarily only landowners. It will be available online not just in the mailbox.
- What is islands trust going to do with these farm properties which have 3 houses on them already?
  - There would be no demand to have one of those houses be removed, things are grandfathered in. These regulations only effect new dwellings.
- Interest in definitions around wetlands (seasonality and its impacts on agriculture)
  - Ione to investigate

#### Comments around specific stakeholders for interviews

- General store is under new ownership but could still be worthwhile interviewing
- Transition Denman Island has basically amalgamated with GPA
- Dylan's partner is in education and can discuss the school garden, the coupon and nutrition program, food bank and provide a contact for the Farm 2 Families program.
- Laura the trustee knows a lot and is a good resource
- Farmers market committee is a part of the GPA, though may be good to engage separately (sub-committee) – Naomi is the contact for that

Final thought – we need to encourage farming on Denman, so let's ensure the questionnaire is crafted in a positive way and use language that lends support to the farming community.

#### Next steps:

- **Deadline for Survey feedback 26<sup>th</sup>**
- Upland to finalize engagement strategy and survey
- Begin interviews
- Map based agriculture land use inventory
- Prepare mail-out