



File No.: 6500-20
(Denman TUP Review)

DATE OF MEETING: August 13, 2024
TO: Denman Island Local Trust Committee
FROM: Marlis McCargar, Island Planner
Northern Team
SUBJECT: Denman Island TUP Review Project

RECOMMENDATION

1. That the Denman Island Local Trust Committee Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, be read a first time.
2. That the Denman Island Local Trust Committee Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”, be read a first time.
3. That the Denman Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 248, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, is not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Denman Island Local Trust Committee request staff to refer Bylaw No. 248 and Bylaw No. 249 to the following agencies and First Nations for comment:
 - Cowichan Tribes
 - Halalt First Nation
 - Da'naxda'xw/Awaetlala First Nation
 - Qualicum First Nation
 - Lyackson First Nation
 - Penelakut Tribe
 - Snuneymuxw First Nation
 - Snaw'Naw'As Nation
 - Stz'uminus First Nation
 - Te'Mexw Treaty Association
 - Tsu'uubaa-asatx First Nation
 - Tlowitsis First Nation
 - Homalco First Nation (Xwemalhkwu)
 - Tla'amin Nation
 - Nanwakolas Council
 - Wei Wai Kum Nation
 - We Wai Kai Nation
 - Mamalilikulla First Nation
 - K'ómoks First Nation
 - Comox Valley Regional District
 - School District #71 (Comox Valley)
 - Hornby Island Local Trust Committee
 - Ministry of Municipal Affairs and Housing
 - Denman Fire Department
5. That the Denman Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw Nos. 248 (OCP) and 249 (LUB).

REPORT SUMMARY

The purpose of this report is to provide draft bylaws for the Denman Island Local Trust Committee (LTC) to consider in order to amend the Temporary Use Permit (TUP) guidelines for secondary dwellings and density bank as part of the LTC Top Priority Major Project – Housing Review. The draft bylaws are attached (Attachments 1 and 2) for the LTC's consideration, and the Islands Trust Policy Statement Checklist is attached (Attachments 3 and 4) for the LTC's review.

Staff are recommending the LTC give the draft bylaws first reading to allow time for amendments based on public input and referral feedback.

BACKGROUND

The Housing Review Project, aimed at addressing housing needs, has been the Denman Island Local Trust Committee's (LTC) top priority since 2022. On April 9, 2024, the Denman Island LTC received a staff report outlining options for a minor project. The LTC decided to advance a small yet significant aspect of the housing work ahead of the major project.

At the May 7, 2024 regular meeting the Denman Island LTC, the following resolution was passed:

DE-2024-031

that the Denman Island Local Trust Committee endorse the Project Charter, dated May 7, 2024 for the Housing Related Temporary Use Permit Review Project as a minor project.

CARRIED

Background information regarding the project and the Project Charter can be found on the Denman Project webpage: <https://islandstrust.bc.ca/island-planning/denman/projects/>

ANALYSIS

Draft Bylaw Nos. 248 and 249

The draft bylaws are attached for the LTC's consideration and the following two topics are included in the bylaw.

1. Removal of Temporary Use Permits for Secondary Dwellings

As per the Denman Island Land Use Bylaw, 2008, Section 2.1.4, secondary dwelling units may be permitted by Temporary Use Permit (TUP) on lands zoned as R2 (Rural Residential), A (Agriculture), F (Forestry), and RE (Resource). There are a total of 37 properties with R2, F and RE zoning. Adhering to Agricultural Land Commission (ALC) regulations, secondary dwellings are permitted outright on Agricultural Land Reserve (ALR) properties zoned A without the need for a TUP. There are a total of 30 properties with A zoning in the ALR. Secondary suites are generally allowed within these zones without the need for a TUP.

Both the [Vancouver Island University \(VIU\) report](#) and [Housing Advisory Committee \(HAPC\) report](#) recommended removing TUP regulations related to secondary dwelling units. TUPs are temporary and do not provide long-term housing solutions. The temporary nature of TUPs and the length of time for the application process may discourage property owners from developing secondary housing, even where the zoning allows for it.

In a community survey regarding the effectiveness of TUPs in addressing housing objectives, over three quarters of the respondents found TUPs ineffective in addressing housing objectives as defined in the OCP.

Since 2008, when the TUP process for secondary dwellings was adopted, there have been only two TUP applications for a secondary dwelling, highlighting the limited uptake in this tool. Removing the need for TUPs for secondary dwellings can increase the available rental housing stock, support long-term housing solutions, simplify and reduce barriers in the administrative processes, and better align with the housing objectives outlined in the OCP as well as the community needs.

Draft Bylaw Nos. 248 and 249 remove all references and regulations related to the TUP process for secondary dwellings.

Removal of Density Bank

The residential density bank in the Denman Island Official Community Plan (OCP) was designed to control residential development by accumulating, storing, and allocating density. However, it has proved administratively complex and requires careful tracking and regulation.

Additionally, the density bank has become obsolete. The Denman Island Farm Regulation Review Project has eliminated the need for Temporary Use Permits (TUPs) for secondary dwellings on Agricultural Land Reserve land, potentially already exceeding the available density in the bank. Permitting ADUs without TUPs would also expand outright density potential.

Draft Bylaw No. 248 removes all references to the residential density bank, simplifying the administrative process and eliminating the need for complex tracking mechanisms.

Islands Trust Policy Statement:

The draft bylaw amendments are consistent with the policy directives of the Policy Statement. The Policy Statement Directives Checklist are included as Attachments 3 and 4 and will need to be endorsed by the LTC if the LTC gives first reading to the draft bylaws. The checklist will then be forwarded to the Executive Committee after third reading of the proposed bylaw No. 248.

Consultation

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. Staff have identified the following agencies and First Nations for referrals:

- Cowichan Tribes
- Halalt First Nation
- Da'naxda'xw/Awaetlala First Nation
- Qualicum First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snuneymuxw First Nation
- Snaw'Naw'As Nation
- Stz'uminus First Nation
- Te'Mexw Treaty Association
- Tla'amin Nation
- Nanwakolas Council
- Wei Wai Kum Nation
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- Mamalilikulla First Nation
- K'omoks First Nation
- Comox Valley Regional District
- School District #71 (Comox Valley)
- Hornby Island Local Trust Committee
- Denman Island Fire Department

- Tsu'uubaa-asatx First Nation
- Tlowitsis First Nation
- Homalco First Nation (Xwemalhkwu)
- Ministry of Municipal Affairs and Housing

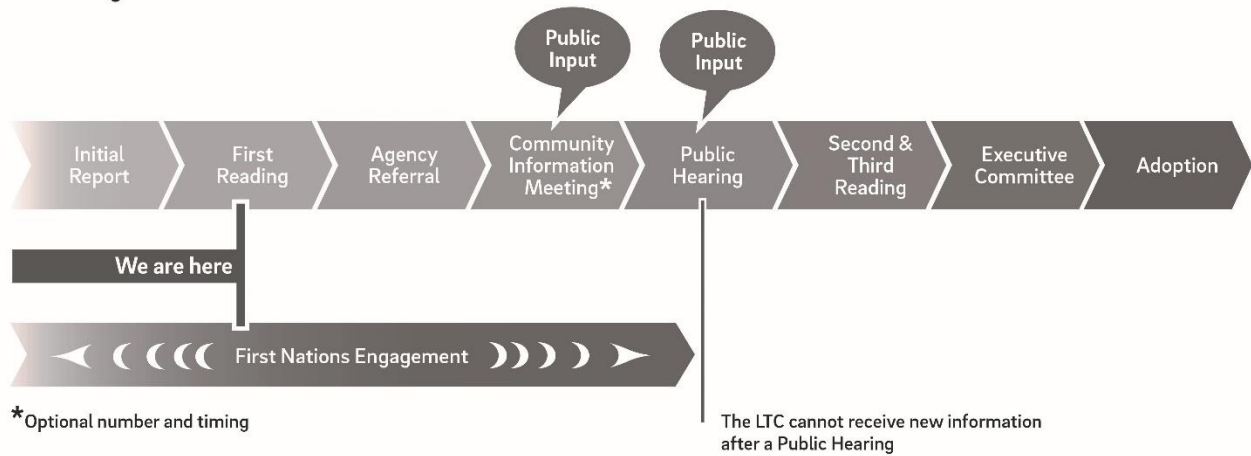
The LTC should consider whether to undertake additional consultation beyond those identified above and direct staff accordingly. The LTC is actively recruiting for the Advisory Planning Commission (APC); however, there is currently no active APC on Denman Island. Once the APC is formed, the LTC may choose to refer draft bylaws.

Statutory Requirements

In accordance with regular statutory requirements, a Public Hearing is required for any bylaw amendment involving an OCP. It is standard Islands Trust practice to hold a Community Information Meeting (CIM) prior to the Public Hearing. Staff recommend scheduling a CIM immediately before the Public Hearing. However, the LTC can also choose to hold a CIM as a standalone meeting, separate from the Public Hearing.

Based on the project charter work plan, a Public Hearing would be tentatively scheduled for late Fall 2024.

Timeline



Rationale for Recommendation

The LTC gave direction to staff to proceed with the minor project based on recommendations made in the April 9, 2024 and May 7, 2024 staff reports. Staff have presented draft bylaws for the LTC’s consideration based on their recommendations and the project charter.

ALTERNATIVES

1. Direction to amend the draft bylaws

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

That the Denman Island Local Trust Committee amend draft Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024” by...

That the Denman Island Local Trust Committee amend draft Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024” by...

2. Give First and Second Readings together

The LTC may wish to give first and second readings of the draft bylaws simultaneously. If selecting this alternative, the LTC should be confident that the bylaws will not require significant changes following public feedback and referrals. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee Bylaw No. 248, cited as the “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”, be read a second time.

That the Denman Island Local Trust Committee Bylaw No. 249, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”, be read a second time.

3. 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 staff to provide further information on...

4. Proceed no further

The LTC may choose to make no amendments to the Denman Island OCP and LUB. The project would be removed from the Top Priority List

NEXT STEPS

Based on direction from the LTC, staff will:

- Proceed with bylaw referrals to First Nations and government agencies.
- Schedule CIM/Public Hearing after the close of the referral response period.

Submitted By:	Marlis McCargar, Island Planner	July 24, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	July 25, 2024

ATTACHMENTS

1. Draft Bylaw No. 248
2. Draft Bylaw No. 249
3. Islands Trust Policy Statement Directive Only Checklist – Bylaw No. 248
4. Islands Trust Policy Statement Directive Only Checklist – Bylaw No. 249

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 248

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2024”.

2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008,” is amended as per Schedule 1 attached to and forming part of this Bylaw.

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

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

PUBLIC HEARING HELD THIS _____ DAY OF _____, 202X

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS _____ DAY OF _____, 202X

ADOPTED THIS _____ DAY OF _____, 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 248**

Schedule 1

1. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “A” is amended as follows:
 - 1.1 Table of Contents delete “Appendix D Density Banking” in its entirety.
 - 1.2 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Housing – Objectives, Objective 3 is deleted in its entirety.
 - 1.3 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 11 is amended by deleting “if approved by a Temporary Use Permit” after “may be permitted on a lot”.
 - 1.4 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 12 is deleted in its entirety.
 - 1.5 Part E– FAMILIES AND INDIVIDUALS, Section E.1 – HOUSING, Subsection – Use and Density – Policy 16 is amended by deleting “through a Temporary Use Permit” after “designations”.
2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan Bylaw, 2008”, Schedule “B” is amended as follows:
 - 2.1 SCHEDULE B – PERMITS AND PLAN ADMINISTRATION, CONTENTS delete “Appendix D Density Banking” in its entirety.
 - 2.2 APPENDICES, CONTENTS delete “Appendix D Density Banking” in its entirety.
 - 2.3 APPENDIX D DENSITY BANKING delete in its entirety.

DRAFT

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 249

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2024”.

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

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

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

PUBLIC HEARING HELD THIS _____ DAY OF _____, 202X

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 202X

ADOPTED THIS _____ DAY OF _____, 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 249**

Schedule 1

1. Schedule “A” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 4 is amended by deleting the paragraph in its entirety and replacing with:

Secondary dwelling units are permitted on lands zoned as “R2” (Rural Residential), “A” (Agriculture), “F” (Forestry) and “RE” (Resource), and on properties in the Agricultural Land Reserve.

Secondary suites are generally permitted within a principal dwelling within these zoning designations.
 - 1.2 Part 2 – GENERAL REGULATIONS, Section 2.1 – Uses, Buildings and Structures, Subsection 6 is amended by deleting “by a Temporary Use Permit”.
 - 1.3 Part 3 – ZONE REGULATIONS, Section 3.3 Residential Zoning Tables – Table 1 – Permitted Uses – Accessory Uses is amended by deleting the following asterisk in number 10: “Secondary dwelling units must be approved through a Temporary Use Permit”.
 - 1.4 Part 3 – ZONE REGULATIONS, Section 3.4 Resource Zoning Tables – Table 1 – Permitted Uses – is amended by deleting the following words in item 14 “(requires approval by a Temporary Use Permit)”.
 - 1.5 Part 5 – TEMPORARY USE PERMITS, “Area 2”, is deleted in its entirety and is renumbered accordingly.



File No.: 6500-20
File Name: TUP Review Project
Bylaw No. 248

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



File No.: 6500-20
File Name: TUP Review Project
Bylaw No. 249

PURPOSE

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

POLICY STATEMENT

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DIRECTIVES ONLY CHECKLIST

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

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

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
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PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
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N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
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N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>