



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: May 24, 2019
Location: New Horizons
 1765 Sollans Road, Hornby Island, BC

Members Present: Sue Ellen Fast, Chair
 Alex Allen, Local Trustee
 Grant Scott, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
 Lisa Wilcox, Senior Intergovernmental Policy Advisor
 Miles Drew, Bylaw Compliance and Enforcement Manager
 Jaime Dubyna, Planner 2
 Vicky Bockman, Recorder

Others Present: Daniel Arbour, Comox Valley Regional District Area A Director
 Approximately thirty (30) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 11:32 am. She welcomed the public, introduced Trustees, staff and recorder; and acknowledged that the meeting was being held in traditional territory of the Qualicum and K'ómoks First Nations.

2. APPROVAL OF AGENDA

The following change to the agenda was presented for consideration:

- Move agenda item 10.3 to before 8.1

By general consent the agenda was adopted as amended.

3. TOWN HALL

Members of the public commented with the following noted:

- Adoption of a Bylaw Enforcement Notification (BEN) Bylaw was supported;
- Include community consultation prior to adoption of a BEN Bylaw;
- Support for water restrictions applied elsewhere to be established here; request that all new construction of over 2,000 square feet to be built on top of cisterns;
- Limitation of time for those wishing to speak in the Town Hall session was opposed;
- Displaying the agenda cover on the room's large screen would be helpful.
 - Trustee Allen offered to follow-up on this suggestion.

4. MINUTES

4.1 Local Trust Committee Minutes dated April 5, 2019 - for adoption

By general consent the Local Trust committee meeting minutes of April 5, 2019 were adopted.

4.2 Section 26 Resolutions-without-meeting - none

4.3 Advisory Planning Commission Minutes - none

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List Report dated May 16, 2019

HO-2019-035

It was **MOVED** and **SECONDED**,

that Activity 1 and Activity 2 be combined into Activity 1 on the Hornby Island Follow Up Action Report.

CARRIED

5.2 Bylaw No.158 - for consideration of adoption

That Hornby Island Local Trust Committee Bylaw No. 158, cited as "Hornby Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be adopted.

HO-2019-036

It was **MOVED** and **SECONDED**,

that the Hornby Island Local Trust Committee Bylaw No. 158, cited as "Hornby Island Local Trust Committee Advisory Planning Commission Bylaw, 2019", be adopted.

CARRIED

6. DELEGATIONS

6.1 Sustainability Focus Group - Hornby Island OCP and Bylaws on Vacation Rentals

Mary McKenzie spoke on behalf of the Hornby Island Sustainability Focus Group.

- Outlined concerns including the lack of information regarding Vacation House Rental (VHR) septic capacities and the need for regulation of VHRs based on demonstrated septic capacity for the number of people being housed.
- The presentation, "Sustainability Group Presentation to IT May 24, 2019", was submitted for the record and requests Local Trust Committee (LTC) to consider addressing water use, septic system capacity and groundwater protection.

7. APPLICATIONS AND REFERRALS

7.1 HO-DP-2019.1 Hornby Island Fire Rescue (CVRD CL License #114434) - Staff Report - for decision

Planner Dubyna presented the Staff Report:

- Asking the LTC to consider an application for the construction of a fire department training facility and an equipment storage building on property located within Development Permit Area (DPA) 2; and
- Advising of a discrepancy in Official Community Plan (OCP) Policy 6.2.2 that appears to reference DPA 3 rather than DPA 2 and suggests that a review of this issue might be included as a part of the LTC Top Priority project “OCP and LUB Amendments Project”.

A representative for the applicant was in attendance, and explained the purpose of the structures and how they will be used.

HO-2019-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2019.1.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

10.3 First Nations Relationship Building - for discussion

10.3.1 Standing Resolution on Reconciliation – Staff Report – for discussion

Senior Intergovernmental Policy Advisor Wilcox facilitated a discussion to solicit input from Trustees and the public regarding possible approaches to community engagement with First Nations.

- Comments from Trustees:
 - Timing of an event might coincide with the annual herring spawn;
 - An event similar to that held on Denman Island with food and interaction with First Nation elders might be considered.
- Comments from the public:
 - There is community knowledge and expertise in First Nations issues that should be included in the planning process.

HO-2019-038

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

CARRIED

HO-2019-039

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee direct staff to design and develop a First Nation Reconciliation Workshop with the community.

CARRIED

8.1 Land Use Bylaw Amendments Project - verbal update

Planner Dubyna advised that a Staff Report on the Land Use Bylaw Amendments project is being prepared for presentation at the next LTC meeting and may include a draft bylaw for LTC consideration. She indicated that the discrepancy in OCP policy 6.2.2 described in agenda item 7.1 will be reviewed as a part of the project.

8.2 Vacation Home Rentals and Draft Bylaw Enforcement Notification (BEN) Bylaw - Staff Report - for decision

Bylaw Compliance and Enforcement Manager Drew presented the Staff Report that addresses the current extent of non-compliant VHRs, proposes a proactive enforcement program to motivate compliance, and asks the LTC to consider adopting a BEN Bylaw to facilitate compliance of unlawful land use activities.

Discussion followed with the following key points noted:

- The proactive VHR compliance and enforcement program may require additional staff resources. A potential process and timeline were identified;
- A Trustee expressed concern that enforcing VHR infractions might present unintended consequences such as revealing unlawful secondary dwellings;
- A Trustee noted that in 2011 the BEN bylaw was considered and did not move forward; however, since that time the scale of unlawful activity has increased.

HO-2019-040

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 159 cited as, "Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019" be read a first time.

CARRIED

HO-2019-041

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 159 cited as, "Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019", be read a second time.

CARRIED

HO-2019-042

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 159 cited as, "Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019", be read a third time.

CARRIED

HO-2019-043

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 159 cited as, "Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2019", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

During discussion, Trustee Scott commented that he understands the importance of enforcing bylaws, however, expressed concern regarding the effect this may have on some individuals.

CARRIED

HO-2019-044

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the following standing resolution:

That the Hornby Island Local Trust Committee authorize proactive enforcement of the Hornby Island Land Use Bylaw No. 150 regulations for Vacation Home Rentals.

CARRIED

By general consent the meeting was recessed at 1:25 pm and reconvened at 1:49 pm.

By general consent agenda item 11.4 was moved to follow 8.2.

11.4 Electoral Area Director's Report

Comox Valley Regional District (CVRD) Director Arbour commented on issues of mutual interest including the following topics:

- Septic system workshops are to be delivered this year with one scheduled on June 4 on Hornby Island;
- Options are being reviewed to take a more proactive role in septic system regulation in rural Electoral areas. Trustees at the CVRD/Islands Trust Annual meeting expressed interest;
- Feasibility study funds have been secured to review the composting of residuals from composting toilets on Hornby Island;
- A service was established for affordable housing initiatives and Hornby and Denman Islands might consider participating in this service;
- A grant application has been made for the replacement of the Shingle Spit boat launch;
- A resolution was brought forward that passed at the Association of Vancouver Island and Coastal Communities (AVICC) convention to protect the herring fishery;
- Initiatives to further relationship building with K'ómoks First Nation are ongoing;
- Funding support is being provided to Hornby Island's new art gallery;
- A VHR review is being conducted;
- Animal Control officers are at capacity. Expanding services would require process and funding for the service.

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

9.1 Email dated April 25, 2019 from T. Law regarding Hornby Island Housing

Received.

10. NEW BUSINESS

10.1 Islands Trust - 2018-2019 Annual Report - Memorandum - for decision

HO-2019-045

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the following text for inclusion in the 2018-2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing.

The Hornby Island Local Trust Committee held five regular business meetings in the 2018/19 fiscal year. During this period, the Hornby Island Local Trust Committee continued work on community education and enforcement around vacation home rentals, initiated land use bylaw technical amendments, and commenced a project to address watershed protection and groundwater preservation on the island. The Hornby Island Local Trust Committee also received and considered development applications including four development permit applications, one temporary use permit application, and two Agricultural Land Commission applications.

CARRIED

10.2 Meeting Procedures Regarding Public Input - Memorandum - for decision

Chair Fast explained the background and purpose of the Memorandum that asks the LTC to consider the draft Guidelines for Public Participation During LTC Meetings, and to request that staff post the guidelines on the LTC website and prepare a draft Meeting Procedure Bylaw.

Trustees discussed the proposal and agreed on the following amendments to the draft Guidelines for Public Participation During LTC Meetings:

- Town Hall section, line three: remove the text “10 minute”; and
- Applicants section, second paragraph, second line: change “5 minutes” to “10 minutes”.

HO-2019-046

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the Guidelines for Public Participation During Local Trust Committee Meetings as attached to the memorandum received May 17, 2019, as amended.

CARRIED

HO-2019-047

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that staff include the Guidelines for Public Participation During Local Trust Committee Meetings on the Local Trust Committee webpage.

CARRIED

HO-2019-048

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to prepare a draft Meeting Procedure Bylaw, which incorporates the Guidelines for Public Participation During Local Trust Committee Meetings for consideration at a subsequent meeting.

CARRIED

10.4 Trust Council Climate Change Resolution - for information

This item was deferred to the next LTC meeting.

10.5 Public Engagement on Hornby Island for Visions 2099 - The Future of the islands in the Salish Sea - Staff Report - for decision

Trustees discussed possible options for public engagement activities that would coincide with the online engagement campaign. They considered that the title could be changed, removing the 2099 reference in order to encourage a more involved discussion.

HO-2019-049**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee approve the following public engagement activities to take place in the Hornby Island Local Trust Area in support of the Trust Council's Visions 2099: The Future of the Islands in the Salish Sea, as outlined in the May 24, 2019 Staff Report:

- Hold a community public engagement meeting, including topic-focused discussion groups that people can self-select;
- A survey in the newspaper (First Edition); and
- Change the title.

CARRIED

Trustees confirmed that any additional suggestions may be forwarded to staff who will be designing the process.

11. REPORTS**11.1 Trustee Reports**

By general consent the LTC requested that Trustee and Chair Reports be moved to before Town Hall in future agendas in order to allow the public an opportunity to comment on the information provided in those reports.

Trustee Allen reported on the following:

- The Agricultural Land Commission regional seminar in Nanaimo;
- A Trust Programs Committee meeting;
- Will be soliciting input from the public for the upcoming Ministry of Transportation and Infrastructure meeting.

Trustee Scott reported on the following:

- AVICC convention;
- CVRD/Islands Trust Annual Meeting;
- Trust Programs Committee;
- Consideration is being given to providing a marine issues presentation on Galiano Island.

11.2 Chair's Report

Chair Fast reported on the following:

- AVICC convention;
- Executive Committee meetings;
- Gambier Island meeting by online webinar;
- Trust Conservancy Meeting;
- An upcoming Financial Planning meeting.

11.3 Trust Conservancy Report dated March, 2019

Chair Fast reported that consideration is being given to strategies that might enhance the ability of the Trust Conservancy to access a potential funding source from Nature Canada, a federal government conservation organization.

11.5 Applications Report dated May 16, 2019

Regional Planning Manager Kjerulf responded to questions that arose.

11.6 Trustee and Local Expense Report dated March, 2019

HO-2019-050

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee authorize the additional expenses incurred by Trustee Scott to cover his participation at the Association of Vancouver Island and Coastal Communities convention in April, 2019.

CARRIED

11.7 Adopted Policies and Standing Resolutions

Received.

11.8 Local Trust Committee Webpage

No changes were requested.

12. WORK PROGRAM

12.1 Top Priorities Report dated May 16, 2019

Received.

12.2 Projects List Report dated May 16, 2019

Received.

13. UPCOMING MEETINGS

13.1 Next Regular Meeting Scheduled for July 5, 2019 at 11:30 am at New Horizons, 1765 Sollans Road, Hornby Island, BC

Trustees confirmed the next regular LTC meeting date, time and location.

14. ADJOURNMENT

By general consent the meeting was adjourned at 3:42 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder