



Hornby Island Local Trust Committee

Regular Meeting Agenda

Date: October 14, 2016
Time: 11:30 am
Location: Room to Grow
2100 Sollans Road, Hornby Island, BC

Pages

1. CALL TO ORDER 11:30 AM - 11:30 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. APPROVAL OF AGENDA
3. TOWN HALL AND QUESTIONS 11:35 AM - 11:45 AM
4. COMMUNITY INFORMATION MEETING - none
5. PUBLIC HEARING - none
6. MINUTES 11:45 AM - 11:50 AM
 - 6.1 Local Trust Committee Minutes dated August 12, 2016 - for adoption 4 - 13
 - 6.2 Section 26 Resolutions-Without-Meeting Report dated October 4, 2016 14 - 14
 - 6.3 Advisory Planning Commission Minutes - none
7. BUSINESS ARISING FROM MINUTES 11:50 AM - 12:00 PM
 - 7.1 Follow-up Action List dated October 4, 2016 15 - 16
8. DELEGATIONS
9. CORRESPONDENCE
Correspondence received concerning current applications or projects is posted to the LTC webpage

10.	APPLICATIONS AND REFERRALS	12:00 PM - 12:15 PM	
10.1	Bylaw No. 153		17 - 19
	That Hornby Island Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016", be read a third time.		
	That Hornby Island Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.		
11.	LOCAL TRUST COMMITTEE PROJECTS	12:15 PM - 12:30 PM	
11.1	Vacation Home Rentals - Advisory Planning Commission Terms of Reference - Staff Report		20 - 31
12.	REPORTS	12:30 PM - 12:45 PM	
12.1	Work Program		
12.1.1	<u>Top Priorities Report dated October 4, 2016</u>		32 - 32
12.1.2	<u>Projects List Report dated October 4, 2016</u>		33 - 34
12.1.3	<u>Hornby LTC 2014-2018 Term Goal Setting Session</u>		35 - 37
12.1.4	<u>Work Program - Suggestions for Discussion</u>		38 - 39
12.2	Applications Report dated October 4, 2016		40 - 41
12.3	Trustee and Local Expense Report dated August, 2016		42 - 42
12.4	Adopted Policies and Standing Resolutions		43 - 43
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Reports		
12.8	Electoral Area Director's Report		
12.9	Trust Fund Board Report, September, 2016		44 - 45
13.	NEW BUSINESS		
13.1	Advertising for Additional Advisory Planning Commission Members - for discussion		
13.2	Information for Realtors and New Residents - for discussion		
13.3	Grant Application in Support of Islanders' Secure Lands Association (ISLA)		46 - 61
13.4	2017 Local Trust Committee Meeting Schedule - for discussion		62 - 63
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for December 2, 2016 at 11:30 am at New Horizons - 1765 Sollans Road, Hornby Island, BC		

15. TOWNHALL
16. CLOSED MEETING - none
17. ADJOURNMENT



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: August 12, 2016
Location: Room to Grow
2100 Sollans Road, Hornby Island, BC

Members Present Laura Busheikin, Chair
Alex Allen, Local Trustee
Tony Law, Local Trustee

Staff Present Rob Milne, Island Planner
Vicky Bockman, Recorder

Others Present Approximately five (5) members of the public - am
Approximately three (3) members of the public - pm

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 11:45 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She welcomed the public and introduced Local Trustees, staff and recorder.

2. APPROVAL OF AGENDA

The following additions and changes to the agenda were presented for consideration:

- 14.4 Marine Protection
- 14.5 Hydro Rates
- 8.0 Delegation – Islanders' Secure Land Association (ISLA)
- 14.2 Move to follow agenda item 8

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Fred Hunt expressed concern regarding enforcement of Vacation Home Rental (VHR) regulations, noting that this includes advertising for operations that are non-conforming. He commented that when the VHR bylaws were drafted, Bylaw Enforcement indicated that this type of infraction would be enforceable, however a complaint-driven approach seems to have been taken instead of proactive measures to ensure compliance. He suggested that as a consequence, non-compliance may be increasing. He requested that the Local Trust Committee (LTC) review the relevant VHR resolutions, encourage Bylaw Enforcement to act, consider activating a ticketing program, and initiate a mail out of educational letters.

Christine Hunt agreed with the previously stated assessment and added that the lack of enforcement of non-compliant VHRs is harming those operations that are compliant. She pointed out that there are long-term benefits to ensuring that the regulations are being followed and urged the LTC to address this issue.

Other members of the public commented that the lack of police presence during the week and laissez faire attitude that has existed on Hornby Island may be contributing to the VHR concerns. They noted that the increase in tourists this year may be indicative of more in the future and that these issues are eroding some of the island values and need to be addressed. They observed that VHRs represent a large part of the local economy and commented that research is being conducted to compile a data base of operators and aspects of their operations.

A Trustee responded that concerns have been heard and VHRs are on today's agenda for discussion. He confirmed the need to honour the process while attempting to keep a balance; and for the LTC to follow up to ensure accountability and to allow economic activity in a way that does not negatively affect the land or neighbours. He noted that applications for a Temporary Use Permit for a site-specific zone are an option for conducting activities beyond the basic operations.

Tony Quin provided an update on the Heritage designation program for the Ford Family Heritage Site. He commented that priority is being given to creation of the Statement of Significance and that other aspects of the initiative will be given attention once it is submitted and approved.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated June 10, 2016 - for adoption

By general consent the Local Trust Committee meeting minutes of June 10, 2016 were adopted.

6.2 Section 26 Resolutions-Without-Meeting - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated August 2, 2016

Planner Milne presented the report and provided updates.

Trustee Law reported on progress with the June 10, 2016 activity to contact K'omoks First Nation staff to explore options for a community presentation, and advised that he will continue to follow-up on this initiative.

By general consent agenda items 8 and 14.2 were moved to follow item 7.1.

8. DELEGATIONS - Islanders' Secure Land Association (ISLA)

Michael McNamara reported that ISLA has found it necessary to alter its business plan by changing the leasing of parcels to residents to outright ownership of strata lots in order to facilitate the ability to secure mortgages and keep the process as simple and affordable as possible for potential residents. He outlined the responses from financial institutions that have necessitated this approach and reported that a restrictive covenant will continue to apply. He questioned whether the Land Use Bylaw (LUB) definition of community housing that requires the land to be owned by a government body or agency or a non-profit organization or other aspects of the relevant regulations would need to be amended to accommodate this change and requested the LTC's assistance to determine next steps.

Trustees considered the information and asked questions for clarity and the following points were noted:

- ISLA representatives confirmed that this proposed ownership structure change was presented at ISLA's June, 2016 Annual General Meeting (AGM) which had been well advertised in the community along with an article in a local publication, and that the AGM had been well attended and response to the change overwhelmingly positive;
- LTC members discussed whether these amendments might be addressed as a bylaw initiated by the LTC rather than requiring ISLA to make application;
- Approaches to redefine community housing were considered;
- A suggestion was made that Planner Milne consult with the Regional Planning Manager for Galiano Island about their Galiano Green project that presents similar challenges;
- An estimate of the process and timeframe for necessary bylaw amendments, such as siting setbacks, was provided by Planner Milne;
- ISLA representatives noted that they are preparing to apply for subdivision and considered that the estimated time for processing bylaw amendment changes would not unduly delay the project; and
- Consideration was given to requesting that a staff report be prepared researching and outlining possible options for LTC review.

By general consent agenda item 11 was moved to follow item 8.

11. BREAK

By general consent the meeting was recessed at 12:50 pm and reconvened at 1:05 pm.

14.2 Definition of Community Housing - for discussion

HO-2016-026

It was MOVED and SECONDED,

that staff be requested to draft a bylaw to amend Land Use Bylaw No. 150 to:

- a) provide an amended definition of community housing that enables dwelling units to be provided on land that is not owned by a government agency or non-profit society; and
- b) provide revised setbacks in Zone 8.3A to enable dwelling units on small lots.

During discussion it was clarified that the staff report will include a review of whether a new definition of community housing would impact other entities or should be specific to ISLA and that information will be brought back to the LTC for review if necessary.

CARRIED

7.2 Land Use Bylaw Amendment - Housekeeping

7.2.1 Staff Report dated July 13, 2016

Planner Milne presented the staff report addressing two minor corrections proposed to the LUB: correcting an incorrect policy reference that does not add or delete any LUB content and rezoning a small area of land from R4 to R2 that would make it consistent with the remainder of the property. He advised that the changes are consistent with the OCP allowing for a waiving of the Public Hearing.

HO-2016-027

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee reviewed the Directives Only Policies and determined that Bylaw No. 153 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

HO-2016-028

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016" be read a first time.

CARRIED

HO-2016-029

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016" be read a second time.

CARRIED

HO-2016-030

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee waive the Public Hearing for Bylaw No. 153 and undertake the required public notification process pursuant to Section 464(2) and 467 of the *Local Government Act*.

During discussion Trustee Law commented that he feels comfortable that these changes are minor enough that there would not be sufficient public interest to warrant a Public Hearing.

CARRIED

9. CORRESPONDENCE

9.1 Email dated June 29, 2016 from Peter Wardle (Islanders' Secure Land Association - ISLA)

Received.

10. APPLICATIONS AND REFERRALS

10.1 HO-DVP-2016.1 (BC Ferries Inc.)

10.1.1 Staff Report dated July 26, 2016

Planner Milne summarized the staff report that addresses BC Ferries' Development Variance Permit (DVP) application to replace and upgrade the existing terminal building and sewage disposal field on Hornby Island. He noted that a DVP is being requested as the extent of the property does not allow for the siting of the building and sewage disposal field to meet the setback requirements.

Trustees considered the proposal. A Trustee commented that concerns regarding sewage treatment were mitigated by the professional opinion included in the application that indicated their confidence that the technology proposed will ensure a well-performing system.

HO-2016-031

It was MOVED and SECONDED,

that the Hornby Island Local Trust approve the issuance of Development Variance Permit HO-DVP-2016.1.

During discussion Trustee Allen inquired if BC Ferries would be including reference to K'omoks First Nation in some manner in the new terminal.

Chair Busheikin advised that the LTC had fulfilled its designated task of putting BC Ferries and K'omoks First Nation together to discuss this and that the issue is being considered by those parties who may keep the LTC informed as a courtesy.

CARRIED

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Ford Family Orchard BC Parks Meeting Notes - for discussion

Planner Milne provided an overview of the July 7, 2016 meeting that he attended regarding the Ford Family Farm Heritage Site project. He noted that BC Parks is contributing some funds to assist in the endeavor and that the Islands Trust is investigating funding sources that might be available through Islands Trust and contacts.

13. REPORTS

13.1 Work Program

13.1.1 Top Priorities Report dated August 2, 2016

Trustees discussed options for Top Priorities and noted that as the Ford Family Orchard Heritage Protection project is not requiring significant, ongoing work that this item might be replaced.

HO-2016-032

It was MOVED and SECONDED,

that the Top Priorities be amended as follows: delete current item No. 2 "Ford Family Orchard Heritage Protection" and replace it with "Amendment to Land Use Bylaw to address community housing".

CARRIED

Planner Milne requested direction on Top Priority No. 3 and suggested Trustees might provide staff with input to inform the scope and scale of the activity.

13.1.2 Projects List Report dated August 2, 2016

Trustees reviewed the Projects List and discussed possible removal of items that have been moved to the Top Priorities.

HO-2016-033

It was MOVED and SECONDED,

that the following items be deleted from the Projects List: "Heritage Protection for Ford Orchard and Leaf House" and "Review of Vacation Home Rental regulations by 2017".

CARRIED

13.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received.

13.1.4 Work Program - Suggestions for Discussion

Received.

13.2 Applications Report dated August 2, 2016

Planner Milne presented the Applications Report, provided updates and responded to questions from Trustees.

13.3 Trustee and Local Expense Report dated June, 2016

Received.

13.4 Adopted Policies and Standing Resolutions

A Trustee indicated a desire to discuss Resolution No. HO-IC-2014.001.

Trustee Law declared a potential conflict of interest due to an interest in the property being discussed and left the meeting at 1:31 pm.

LTC members noted that the resolution is scheduled to expire prior to the next LTC meeting and discussed an extension of the resolution maturity.

HO-2016-034

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee amend the expiration date of Resolution HO-IC-2014.001 to September 30, 2017.

CARRIED

Trustee Law returned to the meeting at 1:33 pm.

13.5 Local Trust Committee Webpage

There were no changes requested.

13.6 Chair's Report

Chair Busheikin reported on the following:

- She commented that Staff Reports have a new format now and suggested that David Marlor can be contacted with any feedback;
- Upcoming Trust Council agenda items of interest were mentioned;
- She advised that Chair Luckham attended a Ministerial panel on the proposed expansion of the Trans Mountain Pipeline System and noted that the Islands Trust is involved in advocacy efforts on this issue; and
- She announced that Fiona MacRaidl has joined the Islands Trust as the new Senior Intergovernmental Policy Advisor and will be focusing on First Nation and marine issues.

13.7 Trustee Reports

Trustee Allen reported on the following:

- He attended a marine response workshop in Cowichan Bay; and
- He attended Trust Council in June on North Pender Island.

Trustee Law reported on the following:

- He provided an update on the status of the boat ramp improvement;
- He attended a meeting with BC Ferries to discuss the initiation of the 8:00 am priority loading for Hornby Islanders at Denman West terminal; and
- He attended a meeting of Conservancy Hornby Island regarding marine protection.

13.8 Electoral Area Director's Report - none

13.9 Trust Fund Board Report

Trustee Law was pleased to report that a new conservation covenant has been signed which will permanently protect a significant Garry Oak ecosystem on Hornby Island.

14. NEW BUSINESS

14.1 Local Trust Committee Budget Request 2017-2018

14.1.1 Staff Report dated July 12, 2016

Trustees reviewed the Staff Report regarding proposed draft LTC expense and project budgets for 2017-2018.

HO-2016-035

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve and forward the draft 2017-2018 budget submission to Financial Planning Committee as presented.

CARRIED

14.3 Short Term Vacation Rentals - for discussion

Planner Milne provided a summary of issues that could be discussed to inform his analysis for LTC review and development of Terms of Reference for an Advisory Planning Commission referral on the topic of VHRs.

Discussion ensued with the following points noted:

- Bylaw Enforcement is investigating possible abuses; complaints are being heard;
- Current regulations do not provide a tool to identify VHR operators;
- Currently there is no tool to track the required written notification of sewage disposal system adequacy;
- Suggestions for possible review included the use of a Bylaw Enforcement Notification (ticketing) system, the use of Temporary Use Permits, or other permitting process with nominal fees to assist in gathering information;
- A Trustee inquired as to whether the *Local Government Act* provides legal authority to request that information be provided; and

- An informational flyer might be mailed out as a first step.

LTC members invited a member of the public to speak on this issue.

Daniel Arbour noted that he is currently working with Hornby Island Community Enhancement Corporation. He commented that VHRs are a significant economic factor on Hornby Island, encouraging the LTC to consider the positive benefits that VHRs provide and that the level of compliance is high. He urged the LTC to base its review and decision making on solid information gathered such as number of operators, percentage of non-compliance, and number of complaints currently and prior to 2010.

Discussion continued on VHR review and the following comments were noted:

- A Trustee suggested that the complaint-driven bylaw enforcement approach is not being effective;
- A VHR association would be useful to support compliance and best practices;
- Communication with the public prior to the 2017 initiation of this review was supported;
- Planner Milne requested Trustees to send their views on possible approaches to him to assist in his creating a framework for the review.

HO-2016-036

It was MOVED and SECONDED,

that staff be requested to provide a staff report to identify issues that might be included in a review of Vacation Home Rentals.

During discussion, a Trustee offered to solicit ideas from relevant community members and will provide that information to Planner Milne.

Fred Hunt asked if Bylaw Enforcement will be acting on current infractions and a Trustee responded that the LTC will be seeking Bylaw Enforcement input.

CARRIED

14.4 Marine Protection

Trustee Law reported on a Conservancy Hornby Island meeting that he attended in his role as liaison with community groups on marine protection issues. He advised that he encouraged the group to focus initially on gathering information and holding a community open house. He proposed that Islands Trust might assist by providing relevant maps and LTC members supported the suggestion.

HO-2016-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that maps be provided on forage fish, eelgrass beds, shoreline classifications and marine zones for Hornby Island for an October Open House.

CARRIED

14.5 Hydro Rates

Trustee Law reported that BC Hydro is planning to increase Step 2 electricity rates and BC Utilities Commission will receive comments until September 2, 2016 from those who cannot access natural gas such as the Gulf Islands. He solicited input as to whether the LTC might provide a comment objecting to a rate increase for Hornby Island and providing information supporting alternatives.

Trustees discussed the issue and given the time restraint determined that individual Trustee responses might be an appropriate approach.

A Trustee commented on his understanding that a BC Hydro truck could be permanently based on Hornby Island if enough residents were to request this action. LTC members considered this information and suggested that the Hornby Island Residents and Ratepayers Association might be the appropriate body to make this formal request.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for October 14, 2016 at 11:30 am at Room to Grow, the Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC

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

16. TOWNHALL

Fred Hunt thanked the LTC for the opportunity to speak regarding his concerns.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:33 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder



Islands Trust

Hornby Island

Print Date: October 4, 2016

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2016-02	In Favour	"That the Hornby Island Local Trust Committee request staff to prepare a letter for signature by the Chair to the Chief and Council of the K"omoks First Nation thanking them for hosting a meeting at the K"omoks Band Office on Tuesday, February 2, 2016, and that the Chair of the Denman Island Local Trust Committee be asked to cosign the letter."	05-Feb-2016
2016-03	In Favour	"That the Hornby Island Local Trust Committee accept a covenant under section 219 of the Land Title Act from the registered owners of PID 003-241-807; Lot 5, Plan 28020, Section 11, Nanaimo District and designate Laura Busheikin of the Hornby Local Trust Committee to sign the covenant for HO-SUB-2013.1, (4115 Roburn Road)."	29-Aug-2016

Follow Up Action Report

Hornby Island

02-Oct-2015

Activity	Responsibility	Target Date	Status
Staff to initiate contact with the Komoks First Nation staff to discuss environmental mapping (ecosystems, eel grass, forage fish) as a step in relationship-building.	Rob Milne		On Going

10-Jun-2016

Activity	Responsibility	Target Date	Status
Trustee Law to contact Komoks First Nation staff to explore options for a community presentation on Hornby Island on Komoks First Nation history on Hornby Island	Tony Law		On Going

12-Aug-2016

Activity	Responsibility	Target Date	Status
Inclusion of First Nations information sign as part of BC Ferry terminal renovations to be pursued.			On Going
Staff to prepare a report reviewing the community housing definition and setback requirements for the 8.3A, Community Housing zone of Bylaw No. 150; to be accompanied by a draft amending bylaw.	Rob Milne		On Going
Bylaw No. 153, given first and second readings. Resolution passed to waive public hearing pursuant to s.464(2) and 467, LGA.	Becky McErlean		On Going
Notice of intent to waive public hearing to be scheduled to coincide with October 14th LTC meeting.	Rob Milne Penny Hawley		
Top priority item, Ford Family Orchard to be removed and replaced by new item review of community housing definition and setback requirements for the 8.3A, Community Housing zone of Bylaw No. 150	Rob Milne		Done



Follow Up Action Report

Remove item, Heritage Protection for Ford Orchard and Leaf House and item, Review of vacation home regulations by 2017.	Rob Milne	Done
Standing resolution HO-2016-010 amended by extending the expiration date of resolution HO-IC-2014.001 to September 30, 2017.	Miles Drew Becky McErlean Penny Hawley Ann Kjerulf	On Going
LTC budget request 2017-2018 approved as presented.	Cindy Shelest Ann Kjerulf	On Going
Request copies of all marine resource mapping for Hornby Island LTA.	Tony Law	On Going
Staff to collect and collate input received from the APC and LTC members regarding issues that could be considered as part of the process to develop a Terms of Reference for the APC review of vacation home rentals proposed for 2017.	Rob Milne	On Going

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 153

A BYLAW TO AMEND THE HORNBY ISLAND LAND USE BYLAW, 2014

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

1. Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014” is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016”.

READ A FIRST TIME THIS	12 TH	DAY OF	AUGUST	, 2016
READ A SECOND TIME THIS	12 TH	DAY OF	AUGUST	, 2016
PUBLIC HEARING HELD THIS		DAY OF		, 2016
READ A THIRD TIME THIS		DAY OF		, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2016
ADOPTED THIS		DAY OF		, 2016

SECRETARY

CHAIRPERSON

Hornby Island Local Trust Committee

Bylaw No. 153

Schedule 1

Schedule "A" of Hornby Island Land Use Bylaw No. 150 cited as "Hornby Island Land Use Bylaw No. 150, 2014 is amended as follows:

1. That PART 10, "TEMPORARY USE PERMIT AREAS", Section 10.2 Objectives, Subsection (6) is deleted in its entirety and replaced with:

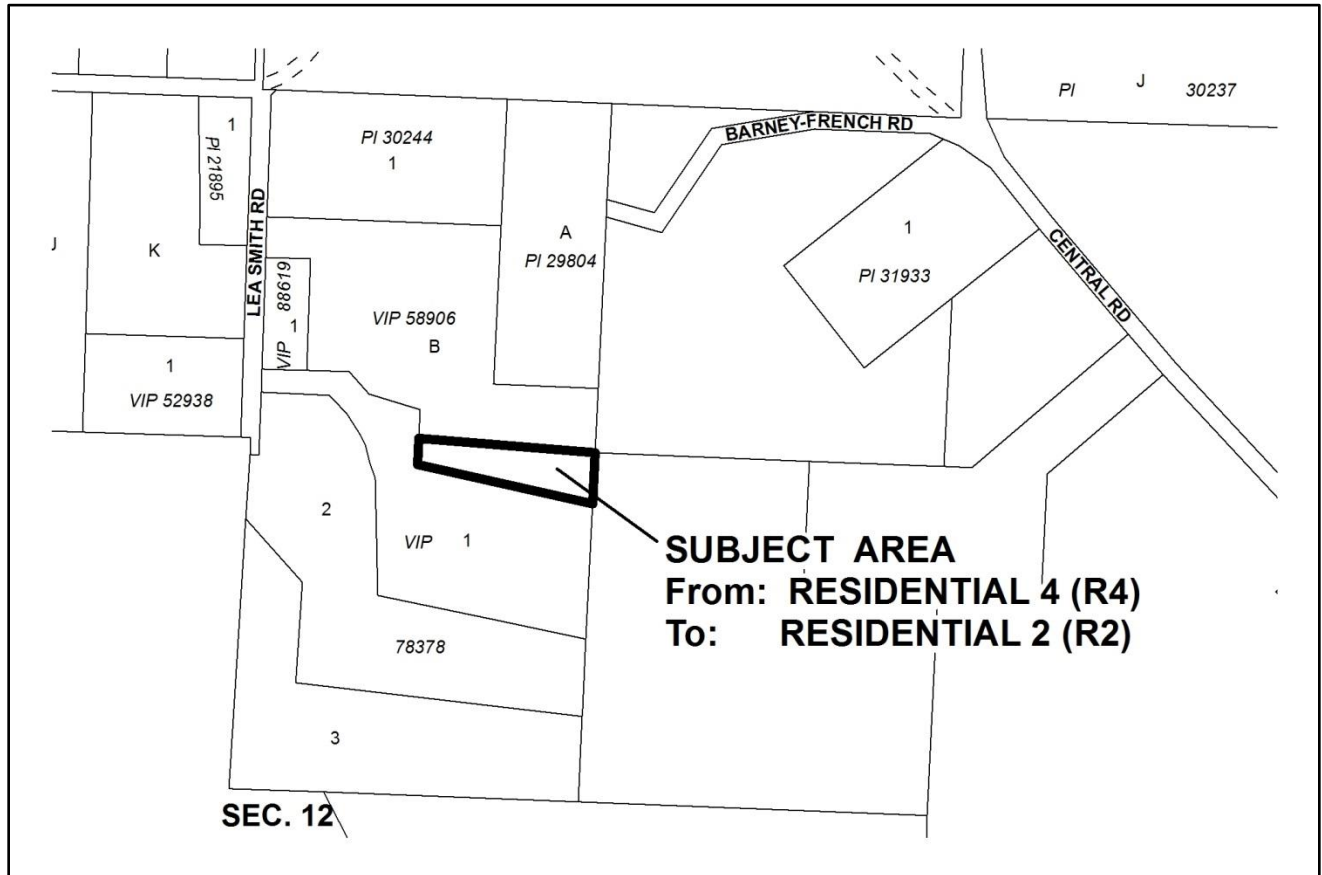
(6) "to consider allowing detached housing for a relative or caregiver of occupants of the residence as per OCP policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver"

2. That Schedule "B"- "Land Use Zoning Map" is amended as follows:
 - a. On the portion of those lands described as Lot B, Section 12, Hornby Island, Nanaimo District, VIP58906 currently zoned "Residential 4 (R4)" the land use zoning is changed to "Residential 2 (R2)" as shown on Plan No.1 attached to and forming part of this bylaw.

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW 153

PLAN No. 1





File No.: 6500-20 (Vacation Home Rentals)

DATE OF MEETING: October 14, 2016
TO: Hornby Island Local Trust Committee
FROM: Rob Milne, Island Planner
Northern Office
SUBJECT: Vacation Home Rentals, Advisory Planning Commission Terms of Reference

RECOMMENDATION

1. That the Hornby Island Local Trust Committee provide input and direction to staff regarding the Advisory Planning Commission terms of reference for the Vacation Home Rental Review Project, including topics to be considered, consultation approach, project timeline, and staff resources.

REPORT SUMMARY

Staff has been asked by the Local Trust Committee (LTC) “...to provide a staff report to identify issues that might be included in a review of Vacation Home Rentals.” This report responds to that direction.

The Hornby Island official community plan (OCP) and land use bylaw (LUB) provide policies and regulations respecting vacation home rental (VHR) use. The OCP states, “*The Local Trust Committee should consider reviewing with the community the regulations for vacation home rentals in 2017*”.

The Local Trust Committee (LTC) has made the suggested review a top priority, which is described as, “*Develop a TOR [terms of reference] for APC review of vacation home rentals*”, and is seeking to establish the terms of reference for a Hornby Island Planning Advisory Commission (APC) led review of this priority project.

Staff recommend that the following topics be considered in the development of a TOR for the Vacation Home Rental Review Project:

1. General benefits and impacts of VHR uses (community, economic and environmental);
2. The number and location of existing operations;
3. Best practices and Trust-wide approaches for managing VHR uses, including tools to manage impacts on groundwater such as rainwater harvesting;
4. The use of Temporary Use Permits (TUPs) for VHR uses that can’t meet LUB requirements;
5. Bylaw enforcement approach to VHR uses; and
6. Recommendations for OCP and LUB amendments resulting from the review.

In support of meaningful public dialogue on VHR uses, various consultation tools and approaches may be employed including surveys, open houses, community information meetings, and educational opportunities. The LTC should consider which of these consultation tools and approaches would be most appropriate for Hornby Island and also consider the general timeframe for the overall consultation process. The LTC could also clarify its expectations regarding the role of Islands Trust staff in the project, including the anticipated relationship between staff and the APC, and degree of staff resources expected to be required to support the APC (e.g. attendance at APC meetings or community consultation activities, etc.).

BACKGROUND

The review and consideration of vacation home rentals on Hornby Island began in 2009 when the Hornby Island Local Trust Committee passed the following resolution at its May 1, 2009 LTC meeting:

HO-025-2009

That the Hornby Island Local Trust Committee directs staff to draft two bylaws and provide comments with respect to:

1. *Permitting short-term vacation rentals as an accessory residential use with regulations to address occupancy levels, rental period and portion of year in which the use can be conducted (with other short-term vacation rentals requiring a temporary use permit); and*
2. *Permitting short-term vacation rentals through a temporary use permit process that is simple and streamlined.*

Subsequent to consultation with the community and stakeholders, Bylaw Nos. 142 and 143 were adopted on February 3, 2012 and amended the OCP and LUB, respectively, to include objectives, policies and regulations for vacation home rental uses on Hornby Island. These objectives, policies and regulations were subsequently carried over to Bylaw Nos. 149 and 150, which were adopted on January 27, 2016 and replaced the previous OCP and LUB, Bylaw Nos. 104 and 86, respectively.

At the June 10, 2016 LTC meeting, the project item, “Develop Terms of Reference for Advisory Planning Commission Review of Vacation Home Rentals” was moved from the projects list to the No. 3 position on the Top Priority list. The issue of advertising for vacation rentals was subsequently discussed as a “New Business” item at that meeting. The discussion of the item centred upon concerns in the community regarding advertising that is occurring for vacation rentals that are not in compliance with vacation home rental regulations.

At the August 12, 2016 LTC meeting, consideration was once more given to the subject of home vacation rentals on Hornby Island. The following issues were identified and discussed:

- Bylaw Enforcement is currently investigating possible abuses; complaints are being heard;
- Current regulations do not provide a tool to identify VHR operators;
- Currently there is no tool to track the required written notification of sewage disposal system adequacy;

Options discussed for better managing this activity included:

- Suggestions for a possible review including the use of a Bylaw Enforcement Notification (ticketing) system, the use of Temporary Use Permits, or other permitting process with nominal fees to assist in gathering information;
- Reviewing whether the *Local Government Act* provides legal authority to request that information be provided; and
- Whether an informational flyer, as a reminder of the regulations for this activity, might be mailed out as a first step prior to engaging in a public consultation process.

Subsequent to those discussions the following resolution was adopted:

HO-2016-036

That staff be requested to provide a staff report to identify issues that might be included in a review of Vacation Home Rentals.

As part of their considerations for framing the approach for a review of this matter the members of the APC were asked to provide their suggestions and comments regarding the development of appropriate terms of reference (TOR) for this project. Comments were received from all three members and are attached to this report (Attachments 1, 2 and 3). The current APC members are Daniel Arbour, Stan Combs and Mark Andrew.

ANALYSIS

Policy/Regulatory:

Official Community Plan

Vacation Home Rentals are addressed in Section 6.5.3 of the Hornby Island Official Community Plan Bylaw No. 149, 2014" (Attachment 4). This section provides the following objectives with respect to vacation home rentals.

- 1) to allow vacation home rental use while ensuring that the residential use of property and its residential character are retained; and*
- 2) to address potential impacts of vacation home rentals.*

Policy 6.5.3.9 of this section also speaks to the OCP direction to review home vacation rentals regulations:

6.5.3.9 The Local Trust Committee should consider reviewing with the community the regulations for vacation home rentals in 2017.

Land Use Bylaw

Vacation home rental uses are currently regulated pursuant to Section 3.7 of Hornby Island Land Use Bylaw No. 50, 2014 (Attachment 5). The regulations in this section specify:

1. The time of the year that a dwelling unit may be used for VHR rental purposes (May to September) and the permitted length of stay for a guest party (seven consecutive days);
2. The number of bedrooms that may be used;
3. A required statement regarding altering the residential character or appearance of the lot on which the use takes place; and
4. Required documentation provided by a Registered Onsite Wastewater Practitioner confirming regulatory compliance of the onsite sewage disposal system and its ability to provide adequate sewage treatment for the residential use and for the proposed vacation home rental use.

Issues and Opportunities:

As noted in the "Background" section, several potential issues have been identified with respect to the implementation and oversight of vacation home rentals on Hornby Island. Exploration of these aspects through the involvement of the APC will allow the LTC to better understand the current practices related to this use as well as create an opportunity to remind and educate residents and visitors of the VHR regulations.

Point 1 of Attachment 1 identifies three approaches which might be considered when defining the TOR for the APC. These were identified as:

- a) Simple gathering of information;
- b) Evaluating the impacts of the bylaws and the vacation rental sector; or
- c) Providing recommendations for adjustment to guidelines and bylaws.

It is the view of staff that the review should include all three of these approaches. Information is required to enable a meaningful review and assessment of the impacts of VHR uses (both negative and positive) and it is anticipated that there may be a need for fine tuning of policies and regulations to reduce any negative impacts which are identified.

Consultation:

Until such time as the project charter for this priority is developed and reviewed it is hard to determine the timeframe and parameters for a vacation home rental review as identified in OCP policy 6.5.3.9. However, there is no question that it will involve significant interaction with residents and stakeholders involved with, or affected by, VHR uses. This could include a community survey or a series of open houses or community information meetings (CIMs). If OCP or LUB amendments are proposed in order to change the current policy and regulatory framework for VHRs, there will need to be a statutory process for amending these bylaws in accordance with the requirements of the *Local Government Act*.

The role of the APC in this consultation process will be described in the TOR. Once the TOR has been established, it will be possible to move forward with the development of a project charter and associated budget.

ALTERNATIVES

The LTC may choose to defer the review of VHR use. An appropriate resolution, in this case, would be “That the Hornby Island Local Trust Committee defer the review of vacation home rentals (to a later date).”

NEXT STEPS

The next steps for this project would be the preparation of the TOR and project charter for the review of the Hornby Island Local Trust Committee once confirmation of the content has been provided.

Submitted By:	Rob Milne, MCIP, RPP	September 14, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP	September 16, 2016

ATTACHMENTS

1. Daniel Arbour submission
2. Stan Combs submission
3. Andrew Mark submission
4. OCP Home Vacation Rental policies
5. LUB Home Vacation Rental regulations

Attachment 1

Hornby Island Trust Committee - Advisory Planning Commission

Elements to consider towards 2017 review of Vacation Rentals

- 1) The TORs for the APC should make it clear whether the review's focus is to a) purely gather information; b) evaluate impacts of the bylaws and the vacation rental sector, and/or c) provide recommendations for adjustment to guidelines and bylaws. I am game for any or all for the above.
- 2) The TORs perhaps should also stipulate the level of public engagement expected – sort of providing a roadmap to the work over 2017, and resources available. Beyond the \$1000, how much staff resource will be assigned to this? Who guides allocation of those resources – the HITC or the APC or staff or together?
- 3) In terms of the type of information I believe would be useful to conduct a review under any of a, b, and or c in 1 above, this would include:
 - a) Number of Vacation Rentals in 2012 vs now.
 - b) Vacation rentals per zones (R1, R2, etc...)
 - c) Estimated visitor occupancy rate of Vacation Rentals per month (HICEEC will have data on this, as well as possibly a and b).
 - d) Average number of yearly complaints about vacation rentals prior to 2012 vs now (perhaps expressed as a yearly historical graph from IT data). Qualitative report of typical ongoing issues if needed from bylaw enforcement office.
 - e) List of economic, social, and environmental impacts (both good and bad) of the Hornby vacation rentals sector. Some can be quantitative, others qualitative.
 - f) Some measure of estimate of bylaw compliance across the sector for each bylaws requirement (septic, time of year, advertising, off-road parking, # of visitors per unit, noise, water management compliance, etc..), and tools/options to improve the level of compliance over time. This would probably be the toughest information to estimate for each criteria, but if we do get some decent data we could for example determine areas of strengths and weakness by assigning green, yellow, and red assessments for each criteria if we try to move beyond just information (so evaluation and/or recommendations).
 - g) Policy evolution – what can we learn from what is happening elsewhere. Update on how places we looked at to inform the 2012 policy also evolved and adapted (Tofino, Whistler, other Gulf Islands, etc...).

My thoughts to get things started.

Daniel

Attachment 1

Attachment 2

Hornby Island Short Term Vacation Rental Regulation Review – Development of Terms of Reference

First, full disclosure: I have been a STVR landlord for 14 of the past 16 years; 12 years as a non-resident, and 2 years as a resident. I have been involved with the STVR debate since first purchasing Hornby Island property in 2000. Participants at some of the meetings I have attended have made some pretty wild statements about STVRs; I am familiar with the realities of being a STVR landlord. I provided suggestions for the current bylaw regulations, some of which are in the bylaw.

I am going to focus on the July-August period, as my experience is that this is the main STVR period; we may want to expand into June and September if warranted.

Required Information about Hornby Island and Its STVRs:

1. Total Year-Round Resident Population
 - a. Number of properties
 - b. Number of residents
2. Total Summer Visitor Population
 - a. Number of non-resident properties
 - b. Number of Visitors, including owners and friends
 - c. Number of commercial visitors, total and average over the summer
 - i. Resorts, including Tribune Bay Outdoor Recreation Centre
 - ii. Campgrounds, including Heron Rocks
3. Scope of STVRs
 - a. Broken Down into Resident and Non-Resident landlords
 - i. Number of STVRs
 - ii. Visitor capacity
 - iii. Actual numbers, total and average over summer
 - iv. As a proportion of total summer visitors
 1. Total
 2. Average over the summer
4. Proportion of STVR to Total Summer Visitors
 - a. Number of Properties
 - b. Total people
 - c. Average people over the summer

Attachment 2

STVR Issues:

1. Complaints, number and type:
 - a. Nuisance Complaints
 - b. Zoning Bylaw Infraction Complaints
 - c. RCMP Complaints
2. Negative, compared to total resident and non-STVR visitors over the summer and over the year
 - a. Water use
 - b. Septic capacity
 - c. Garbage Disposal
 - d. Ferry Lineups affecting Denman and Hornby Islands
 - e. Usage of public parks and beaches
 - f. Neighbourhood Nuisances
 - i. Noise
 - ii. Odor
 - iii. Pets
 - iv. Property encroachments
 - v. Parking
 - vi. Fire danger
 - g. Effect on permanent resident housing availability
 - h. Social Effects
 - i. Competition with commercial visitor accommodation
3. Is there a correlation between number of complaints and presence of landlord on property?
4. Positive, over the summer and compared to the entire year
 - a. Resident STVR landlords
 - b. Non-resident STVR landlords
 - c. Hornby Island businesses
 - d. Hornby Island employers
 - e. Hornby Island employees

Actions to Mitigate Negative Effects and Increase Positive Effects

1. Bylaw Changes
2. Actions

Stan Combs
19 August, 2016

Attachment 3

My Thoughts:

6.5.2 Generally:

Could we get a “visitor info” booth somewhere? I can imagine why we don’t want it. I assume there are many reasons I can’t think of why we don’t want it. All the same, there may be advantages to communicating a clear message of stewardship, not to mention FAQ and camp-fire updates, economic maps, blah blah in one location...the slew of message boards aren’t exactly effective. Perhaps at the new Library? While it’s true that the “problem” visitors may never visit this location, many visitors may have a look and find a central place very useful to clearly take in the present concerns of the community with respect to “being a good guest.”

6.5.2.7 – This is just silly. Maybe it needs to be in here, but, the notion that anyone can regulate VIHA-type requirements for B&Bs in people’s homes is just hot air. Who is about to dictate when and how B&Bs are allowed to provide food to their guests?

6.5.3.1 Can we make it impossible to kick out year-round renters, and can we effectively regulate this? I appreciate this could have the opposite of the desired outcome, with owners preferring to simply leave their homes unoccupied. Technically, in B.C., is it legal to rent to people 10 months of the year?

6.5.3.2 I mean really, what is this pointing to? We need some specifics as to what b) e) f) etc. are referring too. [REDACTED]

[REDACTED] What if the “appearance and character” of a rental is terrible and improves with rental? Historically, I’d like to know who was upset with the appearance of a property and got this line in (generally, without specifics—where is the concern coming from? Too many trailers?). I’d like to see aspirational language refined more carefully in this. If the speed of regulation cannot keep up with the rate of complaint, then why have the rules at all (I ask rhetorically—we rely on self-regulation of course—but some of this is a bit rich)?

Attachment 4

6.5.3 Vacation Home Rental

Background

Given the island's increasing popularity as a summer destination, there has been increasing demand for visitor accommodation and a tradition has been established of some home owners renting their cottages or homes for short periods of time predominantly during the summer months.

Property owners benefit from the opportunity to raise funds whether to assist with property costs or as a means to augment income while retaining their residence for its primary residential use for most of the year. Visitors benefit from a range of accommodation options to experience the Island's environment and amenities. The community benefits from the economic inputs from these visitors.

Area

The Hornby Island Local Trust Area is subject to the following objectives and policies.

Objectives:

The objectives of this subsection are:

- 1) to allow vacation home rental use while ensuring that the residential use of property and its residential character are retained; and
- 2) to address potential impacts of vacation home rentals.

Policies:

6.5.3.1 Where a dwelling is permitted on a parcel by the land use regulations, the rental of that dwelling as a vacation home rental should be permitted in the zoning regulations:

- a) provided that the owner or tenant of the parcel is ordinarily resident on the property and the vacation home rental use is occurring during the temporary absence of the owner or tenant; or
- b) where the owner or a residential tenant of the parcel resides seasonally in the dwelling and the vacation home rental use is occurring during the absence of the owner or tenant; or
- c) where the owner or residential tenant is residing in another lawful dwelling on the property while the vacation home rental is occurring

6.5.3.2 Vacation home rental use should be subject to regulations which:

- a) require a level of continuous occupancy that allows visitors to experience and develop an awareness of the local community and Hornby Island in general through a vacation experience;
- b) limit the portion of year that a vacation home rental use may be in operation so as to ensure that the residential use of the property is retained;
- c) limit the total number of bedrooms and beds which may be accommodated based on the area of the lot on which the dwelling is located so as to ensure that

Attachment 4

the scale of vacation home rental occupancy does not exceed what might otherwise be accommodated by normal residential use;

- d) require adequate off-street parking spaces to limit vehicle crowding on public roadways;
- e) ensure that the residential appearance and character of a property is not altered by the vacation home rental use; and
- f) require that accommodation be within the permitted dwelling and prohibit camping or use of tents or recreational vehicles for vacation home rental use.

6.5.3.3 Owners of vacation home rentals, especially those located in the Whaling Station Bay/Anderson Drive area and other small lot areas are strongly encouraged to minimize impacts upon groundwater resources by:

- a) utilizing a rainwater catchment and storage system;
- b) installing water-saving fixtures; and
- c) providing information about water conservation practices to all guests.

6.5.3.4 Vacation home rentals that do not comply with limitations imposed by land use regulations may be considered upon application for Temporary Use Permit.

6.5.3.5 Owners of vacation home rentals are encouraged to form an association to establish bylaws or best practices that would be required of all members in good standing and to consider informing owners, visitors and other interested persons of Local Trust Committee regulations. Any such association is encouraged to augment such regulations with other requirements that would assist in resolution of any potential issues that may arise such as requiring on-island contact information of association members or managers who could respond in a timely manner to neighbourhood issues.

6.5.3.6 Owners of vacation home rentals are encouraged, in the absence of any association membership, to provide contact information to visitors and neighbours and to provide timely response to issues that may be presented to them in relation to the vacation home rental use.

6.5.3.7 The Local Trust Committee should monitor the rate of use of vacation home rental development and be satisfied that such use is not increasing the commercial use of the housing stock so as to effectively displace the ability to provide residential housing.

6.5.3.9 The Local Trust Committee should consider reviewing with the community the regulations for vacation home rentals in 2017.

Attachment 5

3.7 Vacation Home Rental Uses

(1) Vacation home rental uses must be in accordance with the following limitations:

- (a) A dwelling unit may only be occupied by paying guests during the months of May, June, July, August and September.
- (b) During any period of seven consecutive days a dwelling unit may be occupied by only one guest or guest party.

Information Note: *The following information is not part of the bylaw and is for information purposes only. Regulation 3.7.1(b) permits the use of a vacation home rental for a period of less than seven days (for example a three night rental). As an example, the regulation does not permit a vacation rental unit to be rented for three days to one group and then three days to a different group during that same seven day period. Limiting rental turnover within a seven day rental period in a dwelling is important in helping maintain the rural residential character of Hornby's neighbourhoods, while allowing vacation home rental use to occur in a dwelling*

- (c) A dwelling used for vacation home rental use shall not be used to accommodate more than two beds per bedroom or more than three bedrooms if the lot on which the dwelling is located has an area of less than one hectare, or more than four bedrooms if the lot has an area of one hectare or more.
 - (d) A vacation home rental use shall not alter the residential character or appearance of the lot in which the vacation home rental use is located, with the exception of required parking spaces and the sign required in Section 3.7, which may be posted only when a vacation home rental is occurring.
 - (e) On lots designated as Aquifer IA on Schedule D2 of the Hornby Island Official Community Plan Bylaw No 149, vacation home rental use is permitted provided that an authorized person as defined in the Sewage System Regulations under the *Public Health Act* has stated in writing to the Islands Trust that the sewage disposal system to which the building accommodating the proposed vacation home rental use is connected to is capable of providing adequate sewage treatment for residential use and for the proposed vacation home rental use
- (2) A sign must be posted on the premises of each vacation home rental use while the use is occurring, clearly legible from a public road, indicating contact information including the name and telephone number of the owner of the premises or an agent of the owner who is reasonably available to deal with any impacts of the rental use on neighbouring premises.



Top Priorities

Hornby Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Relationship building with Komoks First Nation	Participate in proposed upcoming C2C meeting.	12-Feb-2016	Laura Busheikin Tony Law Alex Allen Ann Kjerulf	
2	Housing amendments	Review of community housing definition and setback requirements for the 8.3A, Community Housing zone of Bylaw No. 150 Prepare draft amending bylaw	10-Jun-2016	Rob Milne	
3	Vacation rentals review	Develop a TOR for APC review of vacation home rentals Prepare staff report	10-Jun-2016	Rob Milne	

**Hornby Island**

Description	Activity	R/Initiated
Review of home occupation regulations to allow the rental of accessory building space to a non-resident of the property for commercial use.		
Review of environmentally sensitive areas OCP map schedule (D2) as a stand alone mapping project or addition to the community profile; and Review community profile by adding further information on environmentally sensitive areas and important habitat and including information in Schedule D2 of OCP.		26-Apr-2013
Establish a community process to review residential density to address community housing needs following the completion of the official community plan and land use bylaw reviews.		07-Jun-2013
Inventory and assessment of beach access and other unopened road allowances		12-Jul-2013
Information and education with respect to the marine environment and shoreline protection		07-Feb-2014
Review approaches to ground water protection and water conservation on Hornby Island including consideration of the Gulf Islands Ground Water Protection Regulatory Tool Kit and the possible use of Development Permit areas for water conservation.		
Develop and implement a project to support accessible opportunities for small-scale farming and address farming activities on non-ALR land involving consultation with relevant agencies and review of applicable policies and regulations.		
Conduct a consultative process for the Ford Cove area		
Support collaborative planning process for Public Use area.		27-Mar-2015

Projects

Hornby Island

Description	Activity	R/Initiated
Coastal Douglas Fir and associated ecosystem conservation		12-Feb-2016
Development Procedures Bylaw	Consider options prepared by staff for amending the development procedures bylaw to include requirements for posting of signs on property with respect to significant applications.	03-Feb-2012
GHG Emissions Reduction	Facilitate community communications regarding greenhouse gas emissions in collaboration with community organizations.	03-Feb-2012



OVERVIEW

The Hornby Island Local Trust Committee (LTC) held a 'Goal Setting Session' on February 27, 2015, facilitated by planning staff. The session took about an hour and comprised the following steps:

1. **Wishlist** - A brainstorming of what the three Trustees hoped to get out of the 2014-2018 term. The trustees completed this step independently using post-it notes and then shared their goals.
2. **What Else?** - A review of the current Top Priorities list, the Projects list, and any external requirements and considerations. The LTC identified certain topics and tasks they agreed should be added to the discussion.
3. **Grouping and Filtering** - Reviewing all the individual goals and additional topics and tasks, similar goals and tasks were grouped. Synergies were also considered.
4. **The Goals List** - The LTC established goals for the term. Some were content-related, some were process-related.

The resulting list of goals for the 2014-2018 term represents the result of an initial conversation this LTC had at the start of their term about shared goals. This list can be referred to over time should the LTC find it useful during the course of their term, and can be further refined.

SUMMARY NOTES FROM FEBRUARY 27, 2015 SESSION

Trustee Responses to "Wish List" Brainstorm

- Improve relationships with First Nation
- Engage with K'omoks First Nation
- Strengthen and maintain relationship with K'omoks First Nation
- Encourage more community engagement with LTC issues
- Improve 2-way communications with community
- Identify communication avenues to engage our community in LTC (IT)
- Engage the community in Trust work and issues
- Provide information to community on shoreline & marine protection issues
- Provide information to community on "building & development" issues and processes
- Provide information to community on OCP & LUB & especially on targeted topics in review: housing & economic opportunities
- Address discrepancy between "legal" density and multiplicity of "non legal" dwellings providing necessary housing

- Review communities appetite for secondary suites and dwellings (affordable housing)
- Support affordable & seniors' housing
- Work on GHG issues
- Work with community entities on implementation of GHG emissions reduction & transportation issues
- Facilitate/support planning process for "public use" area of the Islands Trust
- Work with community groups on commercial zoning/planning areas
- Address emerging housekeeping issues eg. Zoning of Anderson Drive wells
- Update administrative bylaws as required
- Conduct consultative planning process for Fords Cove area
- Review Vacation Rental policies and regs in 2017
- Review residential density with community
- Protect groundwater
- Complete RAR compliance
- Support a vibrant, appropriate local economy ("appropriate" means in line with our mandate & supportive of community goals)

"What Else" List:

- Address home occupation use on non-resident lot

Draft Long-Range LTC Goals for the 2014-2018 Term

- Provide centralized info to community on new policies & opportunities, shoreline protection/development & building processes/considerations
- Strengthen relationship with K'omoks First Nation
- Address home occupation use on non-resident lot
- Engage community
- Address housing/density issues
- Explore how to engage with community on achieving GHG emission reduction
- Address "public use area" planning
- Address planning in Ford Cove
- Address Anderson Drive wells zoning
- Become RAR compliant
- Review vacation rental policies in 2017
- Review administrative bylaws

NEXT STEPS

This list can be referred to in amending the LTC Work Program; the Top Priorities and Projects Lists. Weighing potential projects against identified goals can help set priorities.

The LTC can refer to this list of goals throughout the term, especially when projects are completed and a new project can be moved up to the Top Priorities list for staff to begin work on.

Hornby Island LTC Work Program

Suggestions for LTC Discussion

Communication Strategy for Revised Official Community Plan and Land Use Bylaw

Suggested elements:

- Communicate with the community at large about housing opportunities identified in the OCP (and seek input that might inform a process to review residential density)
- Communicate with the community at large about economic opportunities identified in the OCP (especially new home occupation regulations, TUPs, provisions for community trades and services and re-zoning applications)
- Provide information on regulations and best practices with respect to building and land development
- Collaborate with other community organizations to provide information on reducing Greenhouse Gas Emissions
- Provide information on shoreline protection and the marine environment
- Meet with Hornby Island realtors to provide information on regulations and policies.

Prioritization of Issues Identified for Possible Future Projects.

Rank	Description	Type of Project	Comments
1.	Establish a community process to review residential density to address community housing needs following the completion of the official community plan and land use bylaw reviews.	Consultation; Planning; Regulatory changes?	Kick-started by soliciting community feedback on existing housing policies as part of the OCP/LUB Communications Strategy?
2.	GHG Emissions Reduction Facilitate community communications regarding greenhouse gas emissions in collaboration with community organizations.	Communications	Include as part of the OCP/LUB Communications Strategy?
3.	Review and update 'Building on Hornby Island' brochure and include HPO information.	Communications	Include as part of the OCP/LUB Communications Strategy?
4.	Information and education with respect to the marine environment and shoreline protection	Communications	Include as part of the OCP/LUB Communications Strategy?
5.	Relationship building with K'omoks First Nation including considering content of Official Community Plan as it relates to K'omoks First Nation interests.	External relationship building	Co-ordinate with Denman Island LTC?

6.	Review of Siting and Use Permit Bylaw No. 52 regarding applicability to the construction of secondary suites and cottages and research requirements for proof of adequate water and septic capability.	Regulatory changes (Administrative)	Required follow-up to new OCP/LUB provisions?
7.	Review of vacation home rental regulations by 2017 Sep-13-2013	Review/amend regulations	Bring forward for adding to the work program in 2016
8.	Review approaches to ground water protection and water conservation on Hornby Island including consideration of the Gulf Islands Ground Water Protection Regulatory Tool Kit and the possible use of Development Permit areas for water conservation.	Research; Consultation; Planning; Regulatory changes?	Begin with scoping out possible approaches? Re-prioritize in response to expressions of community interest?
9.	Develop and implement a project to support accessible opportunities for small-scale farming and address farming activities on non-ALR land involving consultation with relevant agencies and review of applicable policies and regulations.	Consultation; Planning; Regulatory changes?	Re-prioritize in response to expressions of community interest?
10.	Conduct a consultative process for the Ford Cove area	Consultation; Planning; Regulatory changes?	Re-prioritize in response to expressions of community interest?
11.	Review of home occupation regulations to allow the rental of accessory building space to a non-resident of the property for commercial use.	Review/amend regulations	Re-prioritize in response to expressions of community interest?
12.	Support collaborative planning process for Public Use area.	Consultation, planning	Re-prioritize in response to expressions of community interest?
13.	Development Procedures Bylaw Consider options prepared by staff for amendments to include requirements for posting signs on property with respect to significant applications.		
14.	Inventory and assessment of beach access / unopened road allowances	Research; planning	In collaboration with CVRD and MOTI?
15.	Review of environmentally sensitive areas OCP map schedule (D2) as a stand-alone mapping project or addition to the community profile.	Research; Mapping; Amend OCP? Communications	

Tony Law – 21 September 2015



Islands Trust

Print Date: October 4, 2016

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
HO-ALR-2016.1	Helliwell & Smith Blue Sky Architecture Planner: Sonja Zupanec	11-Apr-2016	PID: 000-157-503 Construction of house, guest house and garage at 5905 Maclean Road, Hornby Island.
Planning Status			
Status Date: 07-Jul-2016 Pending decision from ALC			

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2016.14	BECKETT, JOHN Planner: Marnie Eggen	28-Jul-2016	PID: 028-545-931 4600 Chandler Road. Building workshop.
Planning Status			
Status Date: 27-Sep-2016 Changed use to agriculture. Proposed height now compliant.			
Status Date: 23-Sep-2016 Proposed height not compliant with bylaw. Applicant considering options.			

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2016.5	Helliwell & Smith Blue Sky Architecture Planner: Sonja Zupanec	11-Apr-2016	PID: 000-157-503 Construction of house, guest house and garage at 5905 Maclean Road, Hornby Island
Planning Status			
Status Date:			

Subdivision

File Number	Applicant Name	Date Received	Purpose
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**Applications**

HO-SUB-2016.1

BLANCHARD,
EVELYN

23-Feb-2016

PID: 000-000-604 Section 514 subdivision to provide residence for a relative.
Creating two lots from one**Planner:** Teresa Ritemann**Planning Status**

Status Date: 28-Jul-2016

No change in status.

Status Date: 07-Jun-2016

Revised referral report sent to MOTI. Applicant would need to rezone their property as subdivision does not meet current zoning bylaws.

Status Date: 25-May-2016

PLNA sent by MOTI. File reassigned to planner TR.

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2016.2	GROND, HELEN	09-Mar-2016	PID: 028-464-095 Lot 1, Section 12, Hornby Island PID: 018-755-801 Lot B, Section 12, Hornby Island Subdividing two lots into three

Planner: Rob Milne**Planning Status**

Status Date: 31-Mar-2016

Referral response completed and sent to MOTI, applicant and HOLTC. Proposed subdivision does not comply with HO LUB regulations.

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2016.3	WISEMAN, DAVID	04-Apr-2016	PID: 028-737-245 Two lot subdivision on 5020 Fowler Road, Hornby Island

Planner: Marnie Eggen**Planning Status**

Status Date: 31-May-2016

Referral complete. Proposal is not compliant with minimum average lot size.

Status Date: 04-May-2016

planner reviewing

Islands Trust
LTC EXP SUMMARY REPORT F2017
Invoices posted to Month ending August 2016

635 Hornby	Invoices posted to Month ending August 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	750.00	615.43	134.57
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,750.00	690.93	2,059.07
65210-635	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-635	LTC - Local Exp - Communications	1,000.00	396.72	603.28
65230-635	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>4,750.00</u>	<u>1,087.65</u>	<u>3,662.35</u>
Projects				
73001-635-2004	Hornby OCP/LUB	3,600.00	840.71	2,759.29
73001-635-4067	Hornby First Nations Relations	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>5,100.00</u>	<u>840.71</u>	<u>4,259.29</u>

Hornby Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	November 22, 2013	HO-O43-2013.	Enforcement Actions related to rentals of Accessory buildings by non-residents	It was MOVED and SECONDED, 1. that whereas the Land Use Bylaw and Official Community Plan for the Hornby Island Local Trust area are currently undergoing a community review process which amongst other items includes a review of home occupation AND THAT whereas neither document addresses the rental of accessory buildings for non-commercial use it is resolved that enforcement actions related to the rental of accessory buildings shall be considered to be a low priority; 2. that nothing in this enforcement policy should be interpreted as giving permission to any party to violate the Land Use Bylaw and the Hornby Island Trust Committee may change this policy at any time and may give direction to commence enforcement activities without notice; and 3. that unless the Hornby Island Local Trust Committee extends the effective period on this enforcement policy it expires on September 30, 2014 or when the Land Use Bylaw and Official Community Plan review is complete, whichever is the sooner.
2.	September 19, 2014	HO-IC-2014-001	Amend Expiration date of Resolution No. HO-043-2013	During Rise and Report in the regular business meeting Chair Graham reported the following resolution: HO-IC-2014-001 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee amend the expiration date of Resolution No. HO-043-2013 to September 30, 2015.
3.	October 2, 2015	HO-IC-2015-003	Amend Expiration date of Amending Resolution No. HO-IC-2014.001	During Rise and Report in the regular business meeting Chair Busheikin reported the following amendment to resolution HO-IC-2014.001: HO-IC-2015-003 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee amend the expiration date of Resolution HO-IC-2014-001 to March 31, 2016.
4.	February 12, 2016	HO-2016-010	Amend Expiration date of Amending Resolution No. HO-IC-2014.001	HO-2016-0010 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee amend the expiration date of Resolution HO-IC-2014.001 to September 30, 2016.



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality September 2016

New Trust Fund Board Member – Richard Hoops Harrison

The Trust Fund Board (TFB) is happy to welcome Hoops Harrison, recently appointed as a member of the Board by the Minister of Community, Sport and Cultural Development. Hoops has a home on Saturna Island and is actively interested in Islands Trust issues. He is a lawyer specializing in civil litigation and serves as a member of the Patient Care Quality Review Boards for the Fraser Health Authority, Provincial Health Services, and Vancouver Coastal Health Authority. One vacancy remains on the Trust Fund Board; we are awaiting news of another appointment.

2016 Monitoring Reports

The TFB has accepted reports from monitoring contractors on the status of the 26 nature reserves, 24 NAPTEP covenants and 48 conservation covenants held by the Board that are not part of the NAPTEP program. The contractors report no significant issues were identified. The report includes an assessment of whether management objectives are being achieved and public safety issues are being addressed. The monitoring is also valuable for identifying other management issues that need attention.

Thetis Island

The TFB has directed staff to proceed with acquisition of a property on Thetis Island which will become a nature reserve. This is being made possible through a generous donation, an Ecological Gift and a grant from Environment Canada's Habitat Stewardship Program for Species at Risk– a great example of the kind of partnerships required to achieve land conservation on the Islands in the Salish Sea. Full details of the acquisition will be provided once the acquisition is complete.

Meanwhile, the Islands Trust Fund is continuing to support the final year of the Fairyslipper Forest campaign through social media outreach, planning and grant applications. The campaign deadline is June 2017.

Salt Spring Island

The TFB has accepted two conservation proposals to hold covenants on properties on Salt Spring Island with special natural values. Both covenants will be co-held with the Salt Spring Island Conservancy.

The Board has considered possible roles in protecting Owl Island. TFB land protection projects are usually initiated by a proposal from, or on behalf of, a landowner. The TFB is not in a position to be actively involved at this time but will continue to monitor the situation.

Property management activities

A draft revised management plan for the Cyril Cunningham Nature Reserve has been provided to partners for comment.

Hornby Island

A small celebration was held with partners to mark registration of the TFB's second conservation covenant on Hornby Island protecting Garry Oak meadow and mature forest. As often happens, unexpected challenges arose but the TFB is grateful for the landowner's vision and determination to see this protection completed.

Bowen Island

Property management activities

The feasibility of building a viewing platform at Fairy Fen Nature Reserve is being explored. The management plan for Singing Woods Nature Reserve is scheduled for revision.

Denman Island

Property management activities

Discussions are taking place with BC Parks and Denman Conservancy Association about trail relocation at the Morrison March Nature Reserve.

The TFB is negotiating a covenant for the Settlement Lands with the Denman Conservancy Association and has been working with them on the ecological baseline for the properties.

Gabriola Island

Property management activities

Vandalism and trail maintenance are on-going issues at the Elder Cedar Nature Reserve. Staff are seeking design and cost estimates for creating a boardwalk around the large western red cedar tree. A draft management plan for the Burren's Acres Nature Reserve has been circulated to partners.

Lasqueti Island

Property management activities

There is continuing monitoring of the restoration work at the Mount Trematon Nature Reserve following damage caused by trespass activities last year (no repeat problems this year). The management plan for the Kwell Nature Reserve will be revised next year.

North Pender Island

Property management activities

Three beautiful and informative interpretive panels have been installed in a kiosk at the Medicine Beach Nature Sanctuary, with thanks to our partner the Pender Island Conservancy Association for coordinating, and thanks to Tsartlip elder and language teacher John Elliott and forage fish expert Ramona de Graff for sharing their knowledge and time.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca

From: daniel@hiceec.com <daniel@hiceec.com>

Sent: Thursday, September 29, 2016 11:38 AM

To: mcrobhi; Alex Allen; Tony Law; john.heinegg; Darren Bond; Daniel Siegel; HIRRA Administrator

Cc: RonanDesign@uniserve.com

Subject: Use the Attached

Hi all, in my rush to provide the document in time for the HIRRA Executive meeting this morning, I sent a pre-spell checked and edited version - this is an evolving document. Please use the attached for now - am sure there will still be things to clean up, and we look forward to your review and input :)

Daniel

Quoting daniel@hiceec.com:

> Dear HIRRA, HILTC, and HICEEC,

>

> I am writing in my capacity as interim ISLA Administrator. As you may
> be aware, ISLA is going to request up to 300k of Community Works funds
> to support the Beulah Creek development. Rather than letters of
> support, we have been discussing having all these organization serve a
> key proponents to the proposal, of course with ISLA as the Lead
> Proponent. We believe this would ensure that everyone is comfortable
> with this tax allocation, and that it is clear to the CVRD that this
> is a "Hornby Island" request rather than just ISLA.

>

> I thank you for considering this within your organizations. If you can
> send feedback on the document, and let us know within the next 2 weeks
> whether you are comfortable with the approach, that would be
> appreciated as we want to submit to CVRD mid-October. We welcome any
> adjustments or extra discussion you may require, and are at your
> disposition.

>

> Am ccing the Chair of ISLA, Katherine Ronan.

>

> Best,

>

> Daniel



Islanders' Secure Land Association



**Request to the Comox Valley Regional District
to Allocate Community Works Funds to help cover water, septic, and
district energy development costs for the “Islanders’ Secure Lands
Association” Affordable Housing Development at Beulah Creek, Hornby
Island**

Submitted by ISLA (Lead Proponent), HIRRA,
the Hornby Island Trust Committee, and HICEEC.

October 20th, 2016

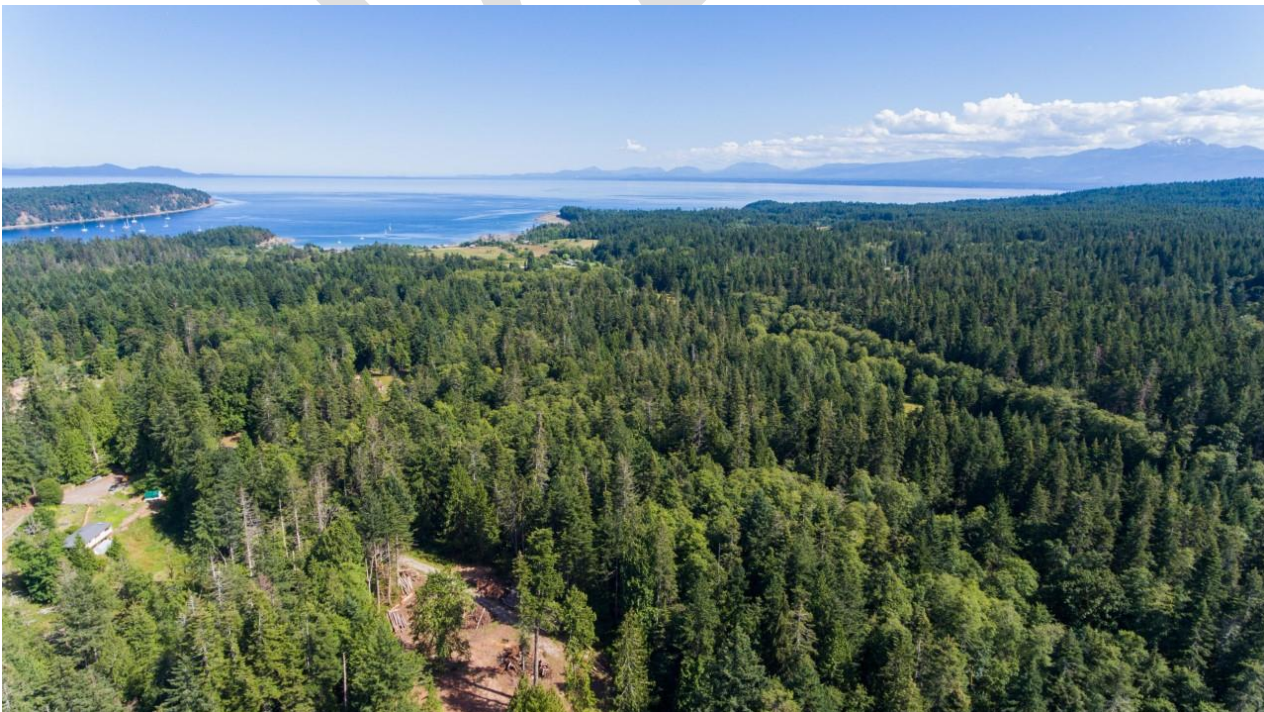
For further information or questions on this request:
Daniel Arbour, HICEEC Administrator and Acting Administrator, ISLA
daniel@hiceec.com

Executive Summary

The “Islanders Secure Lands Association” (ISLA) is a federally registered non-profit organization whose mandate is to provide affordable, secure housing on Hornby Island. In 2010, the organization received the gift of 20 acres of land ideally situated in the centre of the island (between the School area and the Coop). Over the past 6 years, this parcel has undergone environmental assessments, re-zoning for density community housing by the Islands Trust (up to 30 dwellings can be sited), and initial clearing and an engineering feasibility have been completed. The project is now starting the subdivision work, with infrastructure build-out planned for 2017.

In a 2015 community survey on economic priorities for Hornby, affordable housing was listed as the highest priority out of 115 projects and needs identified by the community.¹ This finding is also supported by the 2014 CVRD Poll on homelessness and affordable housing where 84% of Hornby residents supported local tax investment in this area. The presnet request for a 300k Community Works funds allocation aims to meet the goal of creating affordable housing stock on Hornby, with the local tax dollars helping defray water, septic, and potentially district energy costs of the development. This investment would represent 10% local tax dollar investment in the \$2.4M total project, and will be recouped through new property taxes created.

- ✓ **ISLA owns a 20 acres’ parcel, rezoned for community housing by the Island Trust for up to 30 homes.**
- ✓ **Advanced project development– engineering feasibility completed, clearing initiated, initiated subdivision permit with Ministry of Transportation and Infrastructure.**
- ✓ **Request for up to 300k of Community Works funds as local tax participation on a \$2.4M project.**
- ✓ **Experienced development team, organizational track record, and community support.**



Beulah Creek Development – looking South (July 2016)

¹ *Hornby Island Economic Action Plan*, HICEEC, 2015; <http://www.hiceec.org/hornby-statistics.html>

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1. Project Description

1.1 Lead Organization and Key Proponents

The **“Islanders Secure Lands Association”** (ISLA) is a federally registered non-profit whose mandate is to provide affordable, secure housing on Hornby Island. Its first development at Beulah Creek is focused on 2/3 affordable home ownership and 1/3 rentals. ISLA is the lead organization for this application and would be responsible for contract management.

The **“Hornby Island Residents and Ratepayers Association”** (HIRRA) is a public administration non-profit which oversees a number of contracts for the Comox Valley Regional District (CVRD) on Hornby Island. HIRRA recently formed a Housing Committee which is exploring ways to ease housing unaffordability and availability on the island. HIRRA is a key proponent for this proposal.

The **“Hornby Island Trust Committee”** (Island Trust) which is the provincially-mandated planning jurisdiction responsible for land-use zoning and Hornby Island’s Official Community Plan. The local trust committee is a key proponent for this proposal.

The **“Hornby Island Community Economic Enhancement Corporation”** (HICEEC) is a federally-registered non-profit responsible for overseeing sustainable economic development on Hornby Island. It manages a contract to this effect on behalf of the CVRD, and is currently the hosting administrator for ISLA.

1.2 Project Rationale

In June 2010, ISLA received the gift of 18.5 acres of land at 5040 Central Road, beside Beulah Creek, Hornby Island, from the Weiss family. This land has been designated for ‘community housing’ in the updated Hornby Island Official Community Plan (2015) and is subject to a covenant that 2/3 of any housing units must be ownership units and 1/3 may be rental units.

The need for affordable housing on Hornby Island is well documented starting with a 2008 report prepared by Eberle Planning and Research and supplemented by information gained through a series of focus group sessions in 2010/11 with potential residents of the Beulah Creek site. In 2015, the local economic development corporation (HICEEC) also surveyed the community (350 respondents out of a population of 900) and found that the lack of affordable housing and year-round rentals was the top economic issue facing the community – out of a list of 115 needs and priorities.

In context, existing residential property on Hornby Island is subject to significant demand for second homes and retirement homes. Members of the island’s work force, dependent on modest locally derived incomes (average household incomes of about \$35,000 in relation to average home costs of \$450,000) cannot compete in the real estate market. Further, this problem is compounded on the rental side as a consequence of a strong summer tourism market: year-round rental properties are in short supply as homeowners can earn twice the amount of money in two months of weekly rentals as they would from renting year-round.

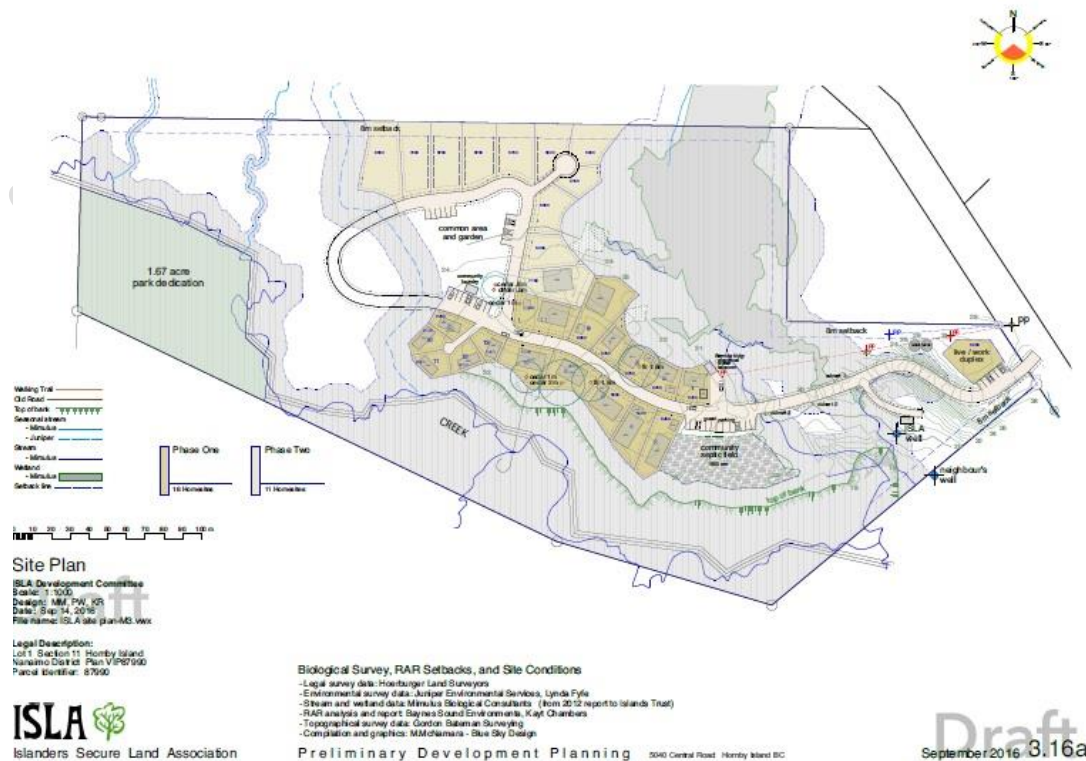
The development at Beulah Creek is an important step to ensure affordable housing on Hornby, in that it will provide the opportunity for stable ownership for a number of long-term residents. The development will include access roads, water supply, waste water treatment, electrical power, and district energy. Criteria for getting into the development includes ability to finance for homeowners; an income threshold at the time of purchase, and preference given to individuals who have lived on Hornby for at least 3 years and/or families with children of school age.

ISLA's development model for Beulah Creek is based on a "restricted freehold lot" approach. The strata will be responsible for management of the subdivision, administration of their neighborhood, collection of fees and maintaining compliance with applicable bylaws and regulations. Affordability in perpetuity will be assured by controlling the resale of lots through the restricted covenant and section 905 under the local government act (Housing Agreement with the Island Trust). The cap on resale price for land and improvements will be linked to increases (or decreases) in the CPI index for shelter in BC. Rental housing will be both administered and managed by ISLA or by an affiliated entity(ies) depending on final financing arrangements.

Not all of the land a Beulah Creek is suitable for housing development and, after accounting for a park dedication, setbacks and protection of valued habitats and environmental features, some 6.0 ac of the 18.5 ac will be built on. Given local conditions and a commitment to low environmental impact, it is believed that limits set by the guidelines for Sewerage Regulations will allow for up to 20 housing units initially. Affordability will be ensured in two ways: first by the type and size of lots and units; and, second by a strata fee to cover insurance, taxes, maintenance and replacement of infrastructure, and ISLA's administrative costs. With the possibility of a Community Works contribution, serviced lots will be offered between \$35,000 to \$60,000, based on lot size and number of bedrooms. Potential purchasers will be required to demonstrate they have the financial resources to initiate and complete their house construction within 2 years of the lot purchase date. Expected total investment per household will be about \$150,000, which will keep the ratio of cost-of-home to household incomes at a historically desirable 1:5.

A preliminary layout of the development has been completed and was shared with the Hornby Island community at the 2015 ISLA Annual General Meeting. New versions of the lay-out are also being worked on, based on an Engineering Feasibility report completed by Wedler Engineering in 2016 and ongoing future residents' feedback.

1.3 Beulah Creek Development Layout Overview



Beulah Creek Lay-out, showing Phase I development (Sept.2016)

1.4 Eligibility for Community Works funding

Community Works funding is administered by the Comox Valley Regional District under long-term Federal/Provincial funding agreements. For taxpayers' fairness purposes, the CVRD has adopted a per capita allocation for its various areas. Hornby and Denman Islands are in the same pool, with a general goal to provide equitable allocations between the two islands based on the respective tax bases. According to federal criteria, eligible projects are listed below, with the ISLA request falling under the highlighted categories:

- | | | |
|--------------------------------|------------------------------|---------------------------------|
| 1. Local roads, bridges | 7. Public transit | 13. Sport infrastructure |
| 2. Highways | 8. Drinking water | 14. Recreational infrastructure |
| 3. Short-sea shipping | 9. Wastewater | 15. Cultural infrastructure |
| 4. Short-line rail | 10. Solid waste | 16. Tourism infrastructure |
| 5. Regional and local airports | 11. Community energy systems | 17. Disaster mitigation |
| 6. Broadband connectivity | 12. Brownfield redevelopment | 18. Capacity building |

The Community Works funds will be used to support 3 critical pieces of the development's infrastructure, and we expect would receive input from CVRD staff prior to finalizing the agreement:

- 1) Community Septic
- 2) Community Water Supply
- 3) District Energy system

It is understood by the proponents that this request, in addition to prior allocations to the Hornby Firehall, will deplete Hornby's opportunity for requests to this fund for the next few years, and that during this period projects should be prioritized for Denman Island until the common pool is "re-balanced". The current status of recent Community Works allocations for the two islands is included in Appendix I.

1.5 Public Investment Table:

The table below identifies the tangible public benefit of the project based on the new property tax base created.

Assumptions:

- 1) Assumes cumulative property tax revenue collected for 16 lots at individual average assessment value of \$150,000, in constant 2017 dollars (new 2.4m tax base)
- 2) Assumption that inflation and discount rates are equivalent for CW grant and new tax revenues

Summary: According to these assumptions the one-time investment will be recouped in 25 years.

Community Works Investment in Beulah Creek, Hornby Island: Projected Financial Return

Year	Costs	Annual Property Taxes: Beulah Creek	Cumulative Property Taxes
0	300,000	-	-
1	-	12,343	12,343
2	-	12,343	24,686
3	-	12,343	37,029

4	-	12,343	49,371
5	-	12,343	61,714
6	-	12,343	74,057
7	-	12,343	86,400
8	-	12,343	98,743
9	-	12,343	111,086
10	-	12,343	123,429
11	-	12,343	135,771
12	-	12,343	148,114
13	-	12,343	160,457
14	-	12,343	172,800
15	-	12,343	185,143
16	-	12,343	197,486
17	-	12,343	209,829
18	-	12,343	222,171
19	-	12,343	234,514
20	-	12,343	246,857
21	-	12,343	259,200
22	-	12,343	271,543
23	-	12,343	283,886
24	-	12,343	296,229
25	-	12,343	308,572
Total:	300,000	308,572	308,572

2. Project Timeline



3. Project Benefits

Stakeholder Groups	Immediate Benefits	Long-term Outcomes
1. Hornby Island Taxpayers	• Creation of a permanent, secured, below market housing stock that mitigates high real estate prices/ income ratios • Public investment of less than 10% of the total project value – Contribution re-couped through new property taxes created. • Tangible tax investment solution for Hornby in light of the 84% CVRD poll in 2014 to address homelessness and affordable housing	• The resale of land and improvements at Beulah Creek will be limited to the inflation rate, which ensures a below market housing stock for generations to come. • The project will help maintain a diverse community structure in a highly desirable secondary homes and retirement area.
2. Beulah Creek Residents	• Residents that have been in precarious housing situations will now be secured – many of them making the leap into ownership. • Almost all residents could only afford this security through the Beulah Creek opportunity – which is possible thanks to the land donation and potential Community Works contribution	• Stable, secure, and affordable housing will ensure that Beulah Creek residents can focus on their economic and social participation on Hornby Island, rather than constantly ponder on their ability to live here. • The next generations of Beulah Creek residents will benefit from this one time public dollar contribution.
3. Local Businesses & Organizations	• Beulah Creek will offer attainable housing solutions for employees and some small business owners.	• Beulah Creek will offer attainable housing solutions for employees and some small business owners.
4. Comox Valley Regional District & Public Agencies	• CVRD, Island Trust, HIRRA, and HICEEC are investing in an already well leveraged public/private project that provides a local solution to one of Hornby (and Canada's) most pressing problems.	• Public agencies will benefit from new property taxes created at Beulah Creek, and also be named on the housing agreement to ensure that future generations benefit from this one-time investment.

Stakeholder Groups	Immediate Benefits	Long-term Outcomes
5. ISLA (Lead Proponent)	After 10 years in operations, ISLA will deliver its first project to market and serve its targeted beneficiaries as a non-profit.	Once the development is transferred to the new strata council, ISLA will be able to build on the accomplishment and be in a strong position to pursue other projects on Hornby.
6. School District 71	Currently, over half of the potential resident families on the list have children of elementary school age. The development will ensure these families stay on Hornby at a time of relative low enrollment (34 children in the Hornby School).	In the long-term, the Beulah Creek development is within walking distance to the school. We project many young families to make their home at Beulah Creek and provide a long-term supply of students to SD71 😊
7. Denman Island & Comox Valley area	Denman Island and the Comox Valley will learn from this project. The CW contribution will be assigned to only Hornby tax dollars, so neither Denman or the Comox Valley will see another service be established for this (no cost).	Beulah Creek will add to the diversity of affordable housing and homelessness solutions in the Valley, ensuring demographic diversity and economic strength.
8. Gulf Islands and Vancouver Island area	Other communities will benefit from learning how this project utilized CW funding, and how it is structured for long-term benefits.	Perhaps other projects in Gulf and Vancouver Island communities will be modelled on the Beulah Creek development approach.
9. BC / Canada	- At a small scale, the Beulah Creek development will exemplify a model to a private/public approach to tackle affordable housing. - The development will also showcase a tangible and timely use of CW funding.	Perhaps other projects in BC and Canadian communities will be modelled on the Beulah Creek development approach.

4. Community Consultation and Support

Over the past 10 years, the project has received input from numerous organizations and individuals on Hornby. Past expressions of support to the project have been provided by over 20 organizations. In the past two years, the project has also received funding from CMHC, the Hornby Island Community Fund, HICEEC, and the CVRD, in addition to strategic advice from CMHC and BC Housing.

At the 2016 AGM, 41 out of 42 ISLA members voted for pursuing the new model, and at a subsequent HIRRA meeting there was also a motion passed by the HIRRA membership to support ISLA towards its model and this application. Lastly, it is worth noting that in 2014 over 84% of Hornby voters supported a tax to address homelessness and affordable housing, with community discussions typically gravitating around specific support for ISLA and the Beulah Creek development.

5. Organization Capacity

ISLA has an excellent team to complete the Beulah Creek project, and ensure the organization's sustainability beyond. It has a strong board with relevant and successful development experience, and is currently supported administratively by the Hornby Island Economic Enhancement Corporation (HICEEC).

5.1 Board Members Bio

Chair, Katherine Ronan

Katherine is the principal of Ronan Design, which for the past 20 years has been completing quality residential projects on Hornby Island, from initial design to renovations. Katherine has been a leader in Hornby non-profits, having been associated with the Livelihood Society in the 1990s, and a founding member of HICEEC.
<https://www.youtube.com/watch?v=QvuTB5A1moA>

Vice-Chair, Michael McNamara

Michael is the principal of Blue Sky Design. With over 35 years' experience, Blue Sky Design has a long tradition of residential architectural design throughout the coastal and mountain communities of British Columbia. The company is internationally recognized for the design of exceptional and appropriate buildings. Michael has also been deeply involved as Board member with the 12 home development at Elder Housing Village, Hornby Island, which has been a complete community success and is now contemplating expansion.
www.blueskydesign.ca

Karen Brown, Secretary and Treasurer

Karen Brown is a retired professional in the education sector who recently permanently moved to Hornby Island. Since joining the effort in late 2015, Karen has invested a tremendous amount of energy into ISLA, including outreach to potential residents; organizing meetings and homeownership workshops, and providing public relations functions for the organization.

Jenessa Tuele, Board Member

Jenessa is a real estate agent for Royal LePage, uniquely focused on Hornby Island. As a young woman raising a family on Hornby, Jenessa is well-connected with the target potential residents for Beulah Creek, and is excited to help create a low-end, permanently affordable housing stock for Hornby. She also brings to the board a

professional and in-depth understanding of real estate procedures and transaction requirements, and serves a key role on the bylaw development committee.

Han Van Vugt, Board Member

Han is a long-time resident of Hornby Island who was involved in the set up of the SYZGY Cooperative housing development. He is also a builder on the island, bringing construction and development knowledge to the project.

Helen Grond, Board Member

Helen is a geologist who is also the owner of Middle Mountain Mead on Hornby Island. She brings an action-oriented approach to the board and passion to resolve the housing crisis on Hornby.

Meredith McEvoy, Board Member

Meredith is a new Hornby resident and health care professional. Her and her young family hope to establish at ISLA and help create a vibrant and successful community and strata council.

Masoud Zadeh, Board Member

Masoud is a potter who has been a member of the ISLA board for over 7 years, and looks forward to being a resident in the near future. Masoud knows the Beulah Creek site well, and can't wait to see his son walk to school from there!

5.2 Project Management and Administration

Peter Wardle, Volunteer Project Development Manager

Peter is an experienced architect and developer who has overseen multiple small and large scale projects over the past 40 years, including a 650 home development in Mexico. Peter and his wife Brenda have been key contributors to Hornby Island over the years, including donating yearly proceeds from their golf course gate revenue to the Hornby Island Community Fund.

Daniel Arbour, Acting ISLA Administrator, and HICEEC administrator

Daniel is a public administration and non-profit management professional who has worked at the federal, provincial, and municipal levels. He is thrilled with the role the Beulah Creek project will play in addressing one of the island's, and Canada's, most pressing problems.

6. Project Sustainability

6.1 Restricted titled, inflation capped lots and improvements

In 2016, the ISLA membership and board made an important decision in regards to their land holding at Beulah Creek. In prior years, the working model assumed that land ownership would remain with ISLA, and that future residents would lease lots on a long-term basis. After realizing that this model would hinder financing for

homeowners, and months of community consultation, the new model calls for a subdivision proper with strong restrictions on the resale value of land and improvements, and qualifying factors for the second generation of owners. The Island Trust has accompanied ISLA through this process, and the OCP/Bylaws are being amended to accommodate this model. The overall result is that the new residents will operate under the Strata Council rules of British Columbia, and re-sale of lots and homes will occur more fluidly under the Housing Agreement framework.

In order to ensure a permanent affordable housing stock at Beulah Creek, the Housing Agreement with the Island Trust will stipulate that both lands and improvements are capped at the ongoing inflation rate. Any changes to this requirement will require approvals from the Island Trust, HIRRA, and ISLA.

6.2 Strata Council for ongoing governance, legal, and financial management

Once the subdivision is completed, services are in, and lots are purchased, the new Strata Council will be responsible for managing all financial and legal affairs for the Beulah Creek Village. ISLA will be part of the strata council for as long as it retains any of the lots in the development.

6.3 Housing Agreement with Islands Trust; ISLA and HIRRA named in housing agreement.

The Housing Agreement with the Islands Trust is the foundation to ensuring a permanent affordable housing stock at Beulah Creek. Under the rules and laws of British Columbia, this Agreement will stipulate and cap the resale value and eligibility criteria for new residents at Beulah Creek. In addition, it will specify that any changes to the housing agreement will require formal approval from HIRRA and ISLA, in addition to the Island Trust.

6.4 Performance incentive and sustainability for ISLA

By the time Beulah Creek Village is developed, ISLA will have invested over 10 years of effort on the project and hundreds of thousands of dollars, as well as substantial volunteer hours. While ISLA is a non-profit, it proposes that should the organization be able to deliver the project to market below the top 20% contingency on infrastructure (920k), it is agreed that ISLA should be allowed to keep the difference to seed future projects. While ISLA's primary commitment is to make this project as affordable as possible, we believe that allowing the potential for ISLA to work on the next project would bring even further public benefits to Hornby Island in the future. In context, while 30 homes will release substantial pressure in our housing market in the short term, we estimate that a further ~50 secured year-round rental suites/apartments would give Hornby Island a stronger, more balanced housing profile to ensure both fluidity in household movement, as well as closing the gap for the under-housed or repeatedly displaced.

7. Beulah Creek Development Pro Forma

The Pro Forma below provides a high level view of development costs as estimated by Wedler Engineering. It should be noted by all readers and the CVRD that more detailed cost estimates and specifications will be provided over the coming months, based on working through the sub-division process with provincial agencies and final development lay-out. It is ISLA's intent that the partners in this project, including the CVRD, have the opportunity to review specific design features and approach as the project proceeds and before the funding agreement is finalized

From 2016 Engineering Feasibility completed by Wedler Engineering for 5040 Central Road – Initial Estimates.

Roads	\$230,000
Sewage System.....	\$160,000
Hydro and Communication.....	\$50,000
Water System.....	\$180,000
Storm Water Detention	\$ 50,000
Miscellaneous (mod/demob, desiltation, etc.)	\$ 40,000
Engineering	\$ 71,000
Contingency (20%)	\$ 142,000
TOTAL.....	\$923,000

Development Revenues

Serviced lots sales (16 x 40,000 average)	\$640,000
Community Works funds allocation	\$300,000
TOTAL.....	\$940,000

8. Risks & Contingencies

Risks to the project include financial, legal, and project management risks. The following table summarizes key risks known to the board and potential mitigating strategies:

Risks	Possible Contingencies
Delays due to required minor amendment to Island Trust zoning in regards to definition of “community housing”	• Work with Island Trust until zoning is correctly amended and does not conflict with new development model.
Delays due to Ministry of Transportation and Infrastructure approvals	• Work to satisfy all requirements and adjust development schedule as required.
Inability to secure full lot sales (16)	• Take out mid-term debt against ISLA owned titles • Secure building debt and build rental units on vacant lots. • Consider market-priced lot sales to other non-profit organizations to make up difference • Increase lot costs
Inability to secure Community Works funds	• Apply for institutional loans from organizations like banks, credit union, BC Housing, or private capital.
Development costs over-runs	• Take out mid-term debt against ISLA owned titles

- | | |
|--|---|
| | <ul style="list-style-type: none">• Consider one or two lot market sales to other non-profit organizations to make up difference• Increase lot costs• Donation campaign |
|--|---|

9. Official Representatives Signatures

Katherine Ronan, Chair, ISLA

Tony Law, Hornby Island Local Trust Committee

Rob McReary, President, HIRRA

John Heinegg, Chair, HICEEC

October 17th, 2016

Appendix I: Community Works Funds Balance – as at June 2016

Comox Valley Regional District

COMMUNITY WORKS FUNDS (Expiry: March 31, 2024)

As at June 30, 2016

APPENDIX A

	Total	Area A Denman-Hornby Islands	Area A Baynes Sound	Area B Lazo North	Area C Puntledge - Black Creek
Balance-December 31, 2015	8,492,947.82	478,954.62	1,149,537.31	1,993,257.37	1,961,198.52
2016 Approved funding (receivable)					
2016 New funds receivable	\$ 988,026.34	88,163.30	219,027.91	320,148.54	370,686.59
	8,480,974.16	567,117.92	1,368,565.22	2,223,406.91	2,331,885.11
2016 Expenses					
Electional Areas master sewer strategy	(518,389.30)		(259,184.65)		(259,184.65)
Kelland reservoir replacement project	(323,000.00)				(323,000.00)
Regional water supply strategy	(28,348.82)			(14,173.41)	(14,173.41)
Hornby Island free store solar energy demonstration project	(17,421.39)	(17,421.39)			
Driftwood Marine Park new trail	(18,398.48)				(18,398.48)
CV Sustainability Strategies-Implementation phase	(16,065.94)		(5,355.31)	(5,355.32)	(5,355.31)
Denman Island/Pamell water local service area	(14,578.87)	(14,578.87)			
Rainwater management strategy implementation	(5,000.00)			(5,000.00)	
Denman Island ferry trail	(1,847.50)	(1,847.50)			
Black Creek Oyster Bay water treatment project- (ultra violet)	(815.04)				(815.04)
	(941,443.34)	(33,647.76)	(264,539.96)	(24,528.73)	(618,726.89)
Balance	8,540,530.82	533,470.16	1,104,025.26	2,198,877.18	1,713,158.22
Commitments					
Electional Areas master sewer strategy	\$ (1,279,746.89)	\$ -	\$ (858,631.62)		\$ (421,115.27)
Sandwich waterworks infrastructure	(387,000.00)			(387,000.00)	
Hornby Island fire hall upgrade (green initiatives)	(200,000.00)	(200,000.00)			
One Spot trail improvements	(175,000.00)				(175,000.00)
Denman Island ferry trail	(133,483.75)	(133,483.75)			
Regional water supply strategy	(118,988.46)			(59,493.73)	(59,494.73)
Seal Bay Park trail improvements	(100,000.00)			(100,000.00)	
Rainwater management strategy implementation	(95,890.79)			(95,890.79)	
Driftwood Marine Park new trail	(83,601.52)				(83,601.52)
Jackson Drive sewer upgrade	(80,223.39)			(80,223.39)	
Brooklyn Creek watershed blueprint project	(33,400.00)			(33,400.00)	
Hornby Island water treatment system	(30,000.00)	(30,000.00)			
Lower Lazo watershed drainage assessment	(30,000.00)			(30,000.00)	
Denman Island/Pamell water local service area	(24,627.52)	(24,627.52)			
Comox Valley sustainability strategies-Implementation phase	(18,226.68)		(8,075.90)	(8,075.89)	(8,074.89)
Hawkins Road trail project	(17,309.59)			(17,309.59)	
Hornby Island free store solar energy demonstration project	(14,578.81)	(14,578.81)			
King Coho waste water treatment project	(10,000.00)			(10,000.00)	
North Island College Centre for Applied Research, Technology and Innovation for the Food Environment Economic Development (FEED) Comox Valley	(5,000.00)			(5,000.00)	
	(2,737,257.20)	(402,869.68)	(864,707.52)	(724,393.39)	(745,286.41)
Current available funding	\$ 2,812,273.62	\$ 130,600.48	\$ 239,317.74	\$ 1,474,483.79	\$ 967,871.81
Proposed funding (2017/2018)	\$ 2,043,535.00	\$ 180,521.00	\$ 448,478.00	\$ 655,529.00	\$ 759,009.00
Available funding including estimated funding for 2016/2018	\$ 4,855,808.62	\$ 311,121.48	\$ 687,795.74	\$ 2,130,012.79	\$ 1,726,880.81



File No.: 3030-02 (LTC General)

DATE OF REPORT: October 6, 2016

TO: Denman Island Local Trust Committee
Executive Committing Acting as a Local Trust Committee (**Ballenas-Winchelsea Islands**)
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Office

SUBJECT: 2017 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. **That the [insert name of Local Trust Committee] schedule its regular business meetings on the following dates: [insert meeting dates as noted and/or amended].**

REPORT SUMMARY

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2017. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for meetings. Meeting details will be advertised in accordance with legislated notification requirements.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 6, 2016
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ATTACHMENT

1. Tentative 2017 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2017 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 31*	January 12 February 9	January 26 (Alt. Feb. 2) March 23	February 3	February 27	February 21	April 19
	March 7	March 9	April 27	March 31*	April 24	April 18	July 19 (Alt. July 12)
	May 2	May 11	May 25	May 5	June 26	June 27*	
	June 6	June 8	July 27	July 7	September 18*	August 29*	
	August 1	July 13	August 31*	September 8*	October 23	October 17	October 11 (Alt. Oct. 4)
	October 3	September 7*	October 26	November 3	November 27	December 12*	
	November 14*	October 12 December 14	November 30*				
Total	7	9	8	6	6	6	3

Day	1 st Tuesday	2 nd Thursday	4 th Thursday	1 st Friday	4 th Monday	3 rd Tuesday	Wednesday
Time	10:30 am	10:15 am	10:30 am	11:30 am	11:00 am	9:15 am	10:30 am
Location	Denman Seniors Hall	Gabriola Arts Council	TBD	Room to Grow	Judith Fisher Centre/The Arts Centre	Thetis Community Centre (Forbes Hall)	Northern Office (Gabriola)

*Meeting moved from designated day due to scheduling conflict

Key Dates

Stat Holidays	Jan. 2; Feb.13; Apr 14,17; May 22; July 3; Aug.7; Sept.4; Oct.9; Nov.13; Dec.25,26
LGLA Conference	Feb.1-3
SD 46 (Sunshine Coast) Spring Break	Mar.13-24
SD 68 (Nanaimo) Spring Break	Mar. 20-31
SD 69 (Qualicum) Spring Break	Mar 13-24
SD 71,79 (Comox /Cowichan) Spring Break	Mar. 20-24
AVICC Conference	April 7-9
LGMA Conference	May 16-18
PIBC Conference	May 30-June 2
CIP Conference	June 17-20
UBCM Conference	Sept. 25-29
Trust Council (TC)	March 14-16; June 20-22; Sept 12-14; Dec. 5-7
Executive Committee(EC)	Jan. 18; Feb. 8; Mar. 1, 14; Apr. 5, 26; May 17; June 7, 20; July 12; Aug. 2, 30; Sept. 12; Oct. 4, 25; Nov. 8, 22; Dec. 5
Trust Programs Committee (TPC)	Feb. 20; May 29; Aug. 21; Nov. 6
Local Planning Committee (LPC)	Feb. 16; May 24; Aug. 17; Nov. 16
Financial Planning Committee (FPC)	Jan. 17; Feb. 28; May 31, Aug. 23; Oct. 18; Nov. 15
Trust Fund Board (TFB)	Feb. 7; Apr. 4; May 30; July 18; Sept. 26; Nov. 21