



Hornby Island Local Trust Committee

Regular Meeting Agenda

Date: July 7, 2017
Time: 11:30 am
Location: Room to Grow
2100 Sollans Road, Hornby Island, BC

Pages

- | | | | |
|------|--|---------------------|---------|
| 1. | CALL TO ORDER | 11:30 AM - 11:35 AM | |
| | <i>"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."</i> | | |
| 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 - 11:55 AM | |
| 6.1 | Local Trust Committee Minutes dated May 5, 2017 for Adoption | | 3 - 13 |
| 6.2 | Section 26 Resolutions-without-meeting - none | | |
| 6.3 | Advisory Planning Commission Minutes - none | | |
| 7. | BUSINESS ARISING FROM MINUTES | 11:55 AM - 12:05 PM | |
| 7.1 | Follow-up Action List dated June 30, 2017 | | 14 - 15 |
| 7.2 | Ministry of Transportation and Infrastructure Road Closure Referral Processing Fees - Memorandum | | 16 - 17 |
| 8. | DELEGATIONS | | |
| 9. | CORRESPONDENCE | | |
| | <i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i> | | |
| 10. | APPLICATIONS AND REFERRALS | 12:05 PM - 12:20 PM | |
| 10.1 | HO-SUB-2016.2 (Grond, 1660 Lea Smith Road) - Staff Report | | 18 - 30 |

11.	LOCAL TRUST COMMITTEE PROJECTS	12:20 PM - 12:50 PM	
11.1	Vacation Home Rental Policy Review - Staff Report		31 - 34
	<i>- BREAK - - - - 12:50 PM TO 1:05 PM</i>		
12.	REPORTS	1:05 PM - 1:30 PM	
12.1	Work Program		
12.1.1	<u>Top Priorities Report dated June 30, 2016</u>		35 - 35
12.1.2	<u>Projects List Report dated June 30, 2017</u>		36 - 37
12.1.3	<u>Hornby LTC 2014-2018 Term Goal Setting Session</u>		38 - 40
12.1.4	<u>Work Program - Suggestions for Discussion</u>		41 - 42
12.2	Applications Report dated June 30, 2017		43 - 45
12.3	Trustee and Local Expense Report dated May, 2017		46 - 46
12.4	Adopted Policies and Standing Resolutions		47 - 47
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 - none		
13.	NEW BUSINESS		
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for September 8, 2017 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC		
15.	TOWNHALL	1:30 PM - 1:40 PM	
16.	CLOSED MEETING	1:40 PM - 1:50 PM	
16.1	Motion to Close the Meeting		
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) and (f) for the purpose of considering: Adoption of In-Camera Meeting Minutes dated May 5, 2017 and Bylaw Enforcement AND that the recorder and staff attend the meeting.</i>		
16.2	Recall to Order		
16.3	Rise and Report		
17.	ADJOURNMENT	1:50 PM - 1:50 PM	



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: May 5, 2017
Location: New Horizons
 1765 Sollans Road, Hornby Island, BC

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

Staff Present Marnie Eggen, Island Planner
 Vicky Bockman, Recorder

Others Present: Approximately nineteen (19) 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 10:32 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She welcomed the public and introduced Trustees, staff and the recorder.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

13.2 Crown Land

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

- A member of the public expressed opposition to the partial closure of Fowler Road and removing it from public use as proposed in a referral from the Ministry of Transportation and Infrastructure (MoTI), citing the desire to preserve public space on Hornby Island for use by horse riders, walkers and children and expressed his view that the closure of a public road access needs a more thorough public consultation process.

Members of the public addressed the TELUS antenna siting proposal and the following points were noted:

- Continuation of discussion on the subject of communications through Town Hall and other opportunities was requested. The comments were submitted for the record;
- Support was given for the staff recommendation of non-concurrence;

- Development of a Trust-wide protocol for any tower proposal that each island would be able to use and adapt to their needs was recommended rather than using a public consultation process undertaken by an outside organization;
- There were comments that the community should have been informed earlier and requests were made that this be improved in the future including advising islanders of next steps after the decision is made;
- A Trustee suggested that next steps can be discussed when the matter is considered at agenda item 10.1; and
- The purpose of the tower remains in question.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated March 31, 2017 for Adoption

By general consent the Local Trust committee meeting minutes of March 31, 2017 were adopted.

6.2 Section 26 Resolutions-without-meeting Report dated April 27, 2017

Received.

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 27, 2017

Trustees requested that the June 10, 2016 activity be removed from the Report as this item is now being addressed collectively through other opportunities and strategies.

7.2 Herring Fishery Advocacy - for discussion

Trustee Law presented information compiled from a technical study session he attended recently, suggesting options for Herring Fishery advocacy.

Discussion followed on whether to advance the initiative through the Local Trust Committee (LTC) or Executive Committee, and a strategy that initially brings the proposal to Executive Committee for determination of a best approach was suggested.

HO-2017-025

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the Chair or the Executive Committee to write to the Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and Canadian Coastguard, to propose a thorough review of the Herring Roe fishery in the Salish Sea (Strait of Georgia).

CARRIED

8. DELEGATIONS - None

9. CORRESPONDENCE - None

10. APPLICATIONS AND REFERRALS

10.1 HO-OTH-2016.1 (Telus) - Staff Report

Planner Eggen provided an overview of the Staff Report for LTC consideration of a decision for concurrence or non-concurrence for the proposed TELUS 48-metre radio communications tower that would provide backup communication services. She outlined the results and number of comments received during the consultation period.

Trustees discussed the proposal and the following points were noted:

- The intended purpose of the communication tower remains unclear;
- Pursuing alternative systems was suggested to address concern regarding safety in the event of a cable problem;
- Next steps relating to communication of the LTC decision and response from TELUS were outlined, however, a timeline was unknown at this time;
- Development of a Trust-wide protocol for public consultation regarding communication towers was suggested or, if resources are not available to provide this protocol, it was suggested that it might be beneficial for LTCs to develop their own process.

HO-2017-026

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee confirms that the public consultation process undertaken by TELUS followed the basic requirements of the Innovation, Science and Economic Development Canada (formerly Industry Canada) Public Consultation Process for the proposed 48 metre TELUS radio-communications tower.

CARRIED

HO-2017-027**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee confirms that it has been consulted and does not concur with the proposed TELUS tower (HO-OTH-2016.1) for the following reasons:

- a) The proposed tower is not consistent with policy 5.1.3 of the Islands Trust Policy Statement because of its close proximity to the main commercial area of Hornby Island and potential negative impact on the scenic value of the area, and screening cannot be guaranteed by the proponent.
- b) The proposed tower is not consistent with policy 5.5.3 of the Hornby Island Official Community Plan Bylaw No. 149 because it is not proposed to be sited on a large lot nor within the recommended designation.
- c) The proposed tower, if approved, could be further modified or increased in height and would be exempt from land use authority and public consultation requirements as per CPC-2-0-03.
- d) The proposed tower would not comply with the setback requirements of the Hornby Island Land Use Bylaw No. 150, which are intended to provide adequate separation from and mitigate the potential impacts of buildings and structures on neighbouring properties.
- e) The majority of public submissions received were unsupportive of the proposed tower, and the main concerns were not alleviated by the proponent.

The Chair asked if there was further discussion.

A Trustee appreciated the Staff Report and the ability to review the public comments. He spoke to the motion and the following was noted:

- Although the TELUS lot is within the Public Use zone designation which was developed in the Official Community Plan (OCP) years ago, it was not considered to be a logical location for a communication tower;
- There is concern that a later decision might change the height and use of the tower which he considered to be a flaw in the process, as a land use authority is tasked with looking at the future;
- The setbacks and screening are not adequate and there are strong land use reasons to not concur;
- Alternative systems should be explored to address safety concerns in the event of losing phone connection; and
- Some of the comments received indicated a fear of speaking out on this matter and work needs to be done to ensure that future issues can be discussed in an environment that is comfortable for all and where every voice can feel welcome.

The question on the motion was then called.

CARRIED

Trustees considered approaches to keep the community up-to-date and involved in local decisions including the Islands Trust subscribing service for meeting agendas, meeting minutes, news releases and other topics. Viewing agendas online, links on Hornby Word of Mouth posted by Trustees, posting of agendas

publically and use of the First Edition were also suggested for providing information.

HO-2017-028

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the Local Planning Committee to consider if, when, and how it will address the Trust Council referral with respect to the siting of communication towers.

CARRIED

Chair Busheikin opened the floor to the public; the following points were noted:

- There could be other technology for cell phone coverage instead of towers;
- The summary of public responses received may have been inaccurate, for example, counting couples as one comment;
- Planner Eggen explained the default consultation process; and
- It was suggested that concern of the danger of fire or earthquake affecting the tower and blocking the road be communicated to Industry Canada.

A Trustee suggested that it may be appropriate to report the public's concern with Safety Code 6 to Health Canada and provide feedback to Industry Canada that their policy of allowing modifications in the future creates difficulty in making decisions for local government. Trustees may consider this issue at a future meeting.

10.2 HO-SUB-2017.1 (Hoerburger - Fowler Road Closure Referral) - Staff Report

Planner Eggen summarized the Staff Report that reconsiders a referral from MoTI of an application to partially close Fowler Road. She reviewed the submissions that were received from the community, noting that none were supportive. She advised that the Staff Report also recommends that the Fees Bylaw be updated to include a fee for processing MoTI Road Closure Referrals.

Trustees and staff clarified questions from the public regarding the nature of unconstructed roads; and suggested that those interested might contact the Hornby Island Residents' and Ratepayers' Association's (HIRRA) Regional Park Committee to discuss trail or road development.

HO-2017-029

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to inform the Ministry of Transportation and Infrastructure that it does not support the closure of Fowler Road, as the proposal is inconsistent with the Hornby Island Official Community Plan and public input does not support the closure.

CARRIED

HO-2017-030

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to draft amendments to Hornby Island Fees Bylaw No. 32 to incorporate a processing fee for Ministry of Transportation and Infrastructure Road Closure Referrals.

CARRIED

The applicant arrived to answer questions and provide input on the referral.

His comments included the following key points:

- He arrived at the posted time and had anticipated being able to address the LTC prior to a decision;
- There is a misunderstanding in the community regarding the road right-of-way boundaries; for example, the access to the pond is on private land;
- Community input was provided based on insufficient information and
- The process has been frustrating for him and he considers it flawed.

Trustees responded and key points included the following:

- The OCP is a guiding document determined by community process and contains a variety of policies respecting the significance of public areas including undeveloped road rights-of-ways and encourages keeping them in their natural state;
- Discussion followed on the possibility of reconsidering the referral with a public consultation process. Staff noted that procedures for road closure consultation process would need to be developed.

The applicant expressed preference for applying for a Development Variance Permit in lieu of the road closure to expedite the process.

By general consent the meeting was recessed at 12:48 pm and reconvened at 1:01 pm.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Relationship Building with K'omoks First Nation - Staff Report

Trustees discussed the Staff Report regarding developing a shared narrative of Hornby Island with local First Nations. They considered approaches to initiate the process that would involve the community at a deeper level and suggested hosting a forum that would include representatives of key local organizations in advance of the public event described in the project charter.

HO-2017-031

It was MOVED and SECONDED,

that the Shared Narrative of Place Charter v1 be amended by adding a first bullet under In Scope: "Hosting a community forum on approaches to relationship building".

CARRIED

HO-2017-032**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee (LTC) endorse the Shared Narrative of Place Charter v1 as amended which will strive to amend the Hornby Island Official Community Plan (OCP) in two phases. As a first step, integrating a First Nations “deep history” narrative and place names within the OCP. Then, in cooperation with local First Nations, review the OCP for opportunities for First Nations to participate in the work of the LTC more meaningfully.

CARRIED**HO-2017-033****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee encourage residents of Hornby Island to voluntarily start sharing First Nations’ place names and histories of the island through various stakeholder community groups and community events and, where possible, influence the content of signage to include First Nations’ place names and context of Indigenous use of places.

CARRIED11.1.1 Conservancy Hornby Island (CHI) report - for information

Received.

11.2 Community Housing Amendments - Island Secure Land Association (ISLA) Community Housing Project - verbal update

Planner Eggen reported that the Planner for this project has advised that the Housing Agreement and associated bylaw must be developed prior to advancing the amendment bylaw and that he will be working to move this forward.

12. REPORTS**12.1 Work Program**12.1.1 Top Priorities Report dated April 27, 2016**HO-2017-034****It was MOVED and SECONDED,**

that item No. 2 on the Top Priorities, Housing amendments, include the following activity: “Development of a housing agreement”.

CARRIED12.1.2 Projects List Report dated April 27, 2017

Received.

12.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received.

12.1.4 Work Program - Suggestions for Discussion

Received.

12.2 Applications Report dated April 27, 2017

Received.

12.3 Trustee and Local Expense Report dated February, 2017

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

There were no changes requested.

12.6 Chair's Report

Chair Busheikin reported on the following:

- A review of how to deliver planning services will be undertaken to consider efficiencies that might be gained by planning on a trust-wide basis;
- Executive Committee will be meeting with senior staff for a discussion of general topics relating to ongoing work;
- The Northern Region office lease is being renewed at the current location; and
- Executive Committee is planning for Trust Council in June.

12.7 Trustee Reports

Trustee Law reported on the following events that he attended:

- An ISLA meeting;
- Ferry Advisory Committee meeting where schedule improvements were discussed;
- The annual Spring RCMP meeting with community representatives which included a discussion of how to address concern with off-season continuity and liaison issues;
- A meeting of HIRRA's standing Housing Committee; and
- Reported that the Crown Land agency has not approved the Athletic Association's proposal to put in a campground to accommodate summer workers and displaced residents, even though it is permitted in the zoning.

Trustee Allen reported on the following events that he attended:

- The meeting with RCMP and community representatives;
- A meeting with K'omoks First Nation; and
- He is continuing his studies with the Local Leadership Academy.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report dated April, 2017

Trustee Law encouraged Trustees to provide input into the survey on the Regional Conservation Plan. He reported that a property on Hornby Island was offered for purchase and conservation; however the Trust Fund Board is unable to take advantage of the opportunity given the difficulty of raising sufficient funds within the time constraints.

13. NEW BUSINESS

13.1 2016/17 Islands Trust Annual Report - Staff Report

HO-2017-035

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the submission as follows for inclusion in the 2016-2017 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development:

"In 2016/2017, the Hornby Island Local Trust Committee adopted the *Riparian Areas Regulation* (RAR) Bylaw Nos. 151 and 152 and is now compliant with the provincial regulation. The Local Trust Committee further advanced programs to improve the availability of affordable housing by commencing a project to amend the Hornby Land Use Bylaw (Bylaw No. 154) in order to facilitate the development of a community housing project. The Local Trust Committee placed Relationship Building with First Nations as its top priority and attended a K'omoks First Nation Chief and Council meeting in early April 2017. The LTC also embarked on a review of the regulations for Vacation Home Rentals with a view to develop a Terms of Reference with the Advisory Planning Commission (APC)."

CARRIED

13.2 Crown Land

Trustee Law reported that the Athletic Association has been informed by the authorizing agency that camping is not an official use as relates to a proposal to put in a campground to accommodate summer workers and displaced residents. He noted that it might be useful to provide an orientation and conduct some relationship building with the new staff at that agency, and asked for input for possible approaches to further such a plan.

Trustees considered the proposal and suggested that a staff-to-staff agency meeting might be appropriate.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 7, 2017 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC

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

15. TOWNHALL - none

16. CLOSED MEETING

16.1 Motion to Close the Meeting

HO-2017-036

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1) for consideration of (a) Advisory Planning Commission Appointments; (d) adoption of *In Camera* Minutes dated March 31, 2017; and (i) receipt of advice subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 2:18 pm.

16.2 Recall to Order

By general consent the meeting was recalled to order at 2:28 pm.

The following addition to the agenda, to follow agenda item 16.2, was presented for consideration:

13.3 Vacation Home Rental Review

By general consent the agenda was adopted as amended.

13.3 Vacation Home Rental Review

HO-2017-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that staff provide a revised project charter for the Vacation Home Rental review.

CARRIED

16.3 Rise and Report

Chair Busheikin reported that in the Closed Meeting the Local Trust Committee adopted minutes from the *In Camera* meeting of March 31, 2017.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:40 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder

Follow Up Action Report

Hornby Island

14-Oct-2016

Activity	Responsibility	Target Date	Status
Staff to work with APC on the preparation of a terms of reference for the vacation home rental review and prepare a draft project charter for the review of the LTC. Update: May 5 - Staff to revise Project Charter; update APC binder; schedule APC orientation.	Marnie Eggen Penny Hawley Wil Cottingham		On Going

02-Dec-2016

Activity	Responsibility	Target Date	Status
Komoks Relationship Building: Staff be requested to develop an Event Plan with respect to Hornby and Denman LTCs working together for an initial Komoks community and First Nation long-term, sustainable relationship building event. Staff to also discuss environmental mapping (ecosystems, eel grass, forage fish) KFN staff as a step in relationship-building.	Marnie Eggen		On Going

05-May-2017

Activity	Responsibility	Target Date	Status
Staff to provide information on the use of processing fees for MOTI road closure referrals by other Trust committees.	Linda Prowse		Done
Staff to provide Industry Canada and Telus with non-concurrence response to Telus tower proposal after consideration at May 5th LTC meeting.	Marnie Eggen	12-May-2017	Done
Request the Local Planning Committee to consider if, when, and how it will address the Trust Council referral with respect to the siting of communication towers.	Marnie Eggen		Done



Follow Up Action Report

Request the Chair or the Executive Committee to write to the Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and Canadian Coastguard, to propose a thorough review of the Herring Roe fishery in the Salish Sea (Strait of Georgia).	Marnie Eggen		Done
Amend the Shared Narrative of Place Project Charter to include (in-scope) hosting a community forum on approaches to relationship building in advance of the public event described in the Project Charter.	Marnie Eggen	26-May-2017	Done
Staff to forward HO LTC Annual Report to Trust Council for approval.	Marnie Eggen	12-May-2017	Done

MEMORANDUM

File No.: 3030-01 (LTC General)

DATE OF MEETING: July 7, 2017
 TO: Hornby Island Local Trust Committee
 FROM: Linda Prowse, Planner 1
 Northern Team
 COPY: Marnie Eggen, Island Planner
 SUBJECT: Ministry of Transportation and Infrastructure Road Closure Referral Processing Fees

PURPOSE

The purpose of this memo is to respond to the May 5, 2017 Hornby Island Local Trust Committee resolution as follows:

HO-2017-030

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to draft amendments to Hornby Island Fees Bylaw No. 32 to incorporate a processing fee for Ministry of Transportation and Infrastructure Road Closure Referrals.

CARRIED

The Islands Trust has limited authority to charge application fees under Section 462 of the *Local Government Act* (Attachment No. 1). Under this section, the Islands Trust cannot charge for any referrals fees, with the exception of subdivision referrals received from the Ministry of Transportation and Infrastructure. Therefore, the Hornby Island Fees Bylaw No. 32 cannot be amended to include a fee to charge for road closure applications referred by the Ministry.

Submitted By:	Linda Prowse, Planner 1	May 25, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 30, 2017

ATTACHMENTS

Reorder/add/delete/modify attachments as needed:

1. Attachment 1 – *Local Government Act* Section 462

ATTACHMENT #1 – LOCAL GOVERNMENT ACT S.462

Fees related to applications and inspections

462 (1) A local government may, by bylaw, impose one or more of the following types of fees:

- (a) application fees for an application to initiate changes to the provisions of
 - (i) an official community plan or bylaw under Division 4 [*Official Community Plans*] of this Part,
 - (ii) a land use regulation bylaw,
 - (iii) a bylaw under Division 11 [*Subdivision and Development: Requirements and Related Matters*] of this Part, or
 - (iv) a bylaw under Part 15 [*Heritage Conservation*];
- (b) application fees for the issue of
 - (i) a land use permit under this Part, or
 - (ii) a heritage alteration permit under section 617;
- (c) application fees for an amendment to
 - (i) a land use contract under section 546 [*amendment and discharge of land use contract by agreement*], or
 - (ii) a heritage revitalization agreement under section 610;
- (d) application fees for an application to a board of variance;
- (e) fees to cover the costs of administering and inspecting works and services under this Part that are costs additional to those related to fees under paragraphs (a) to (d);
- (f) subdivision application fees, which may vary with the number, size and type of parcels involved in a proposed subdivision.

(2) A fee imposed under subsection (1) must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.

(3) The minister may make regulations

- (a) that the minister considers necessary or advisable respecting the imposition of fees under subsection (1), and
- (b) prescribing fees for applications referred to in subsection (1) (f).

(4) A regulation under subsection (3) prevails over a bylaw under subsection (1) to the extent of any conflict.

(5) No other fee, charge or tax may be imposed in addition to a fee under subsection (1) as a condition of the matter referred to in that subsection to which the fee relates.

(6) A local government, the City of Vancouver or an approving officer must not do either of the following unless authorized by this Act, by another Act or by a bylaw made under the authority of this Act or another Act:

- (a) impose a fee, charge or tax;
- (b) require a work or service to be provided.



File No.: HO-SUB-2016.2
(Helen Grond)

DATE OF MEETING: July 7, 2017
TO: Hornby Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: 10% Frontage Waiver
Applicant: Helen Grond
Location: 1660 Lea Smith Road, Hornby Island

RECOMMENDATION

1. That the Hornby Island Local Trust Committee waive the 10% road frontage requirement for Lot B, Section 12, Hornby Island, Nanaimo District VIP58906, except part in Plan VIP88619 Lot 1, Section 12, Hornby Island, Nanaimo District, Plan VIP88619 for Proposed Lot 2 as shown on the plan of subdivision for application HO-SUB-2016.2.
2. That the Hornby Island Local Trust Committee accept a covenant under section 219 of the Land Title Act from the registered owner of Lot B, Section 12, Hornby Island, Nanaimo District, Plan VIP58906 Except Part in Plan VIP88619 and Lot 1, Section 12, Hornby Island, Nanaimo District Plan VIP88619 an designate the Chair and one other member of the Local Trust Committee to sign the covenant (HO-SUB-2016.2, 1660 Lea Smith Road).

REPORT SUMMARY

The applicant has applied for a conventional two-lot subdivision through the Ministry of Transportation and Infrastructure (MOTI), and MOTI has referred the application to Islands Trust for review. The Hornby Island Local Trust Committee (LTC) is asked to consider reducing the 10% road frontage requirement, and accepting the section 219 covenant for signature.

BACKGROUND

Islands Trust sent MOTI a Subdivision Referral Report March 31, 2016, and revised referral reports on August 9, 2016 and June 21, 2017. Under Section 512 of the *Local Government Act (LGA) – minimum parcel frontage on a highway*, each lot being created by subdivision must have a minimum road frontage of either 10% of the perimeter of the lot that fronts on the highway OR the minimum frontage required by a local government bylaw, unless exempted by the local government. The Hornby Island Land Use Bylaw section 6.3(2) requires a restrictive covenant on Proposed Lot 1 (6.51 hectares) to limit the subdivision potential to a maximum of three lots. The proposed subdivision meets all other requirements of the Hornby Island Land Use Bylaw.

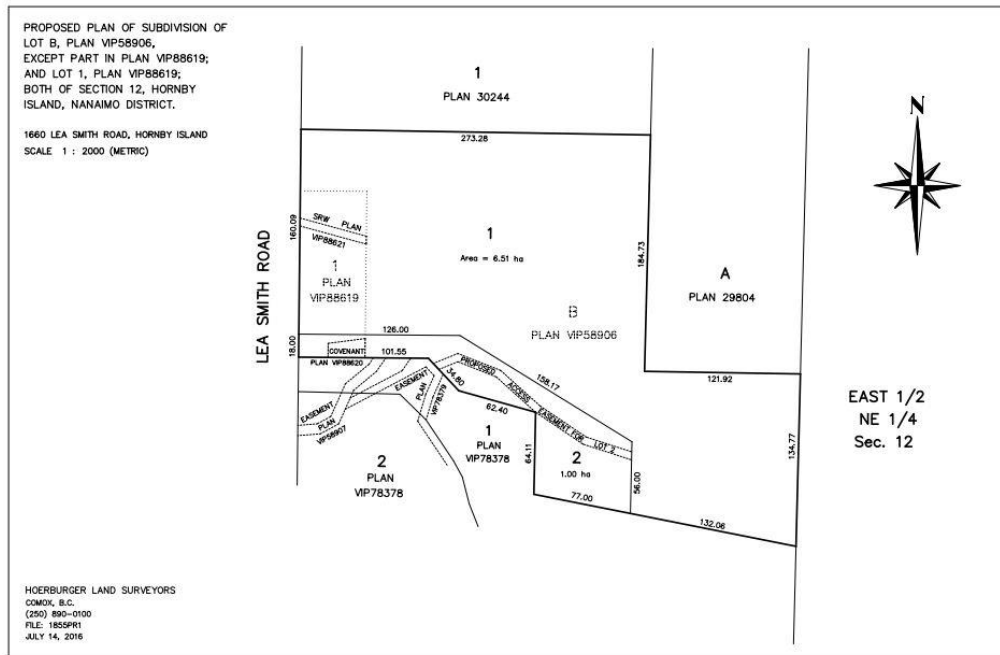


Figure 1. Proposed Two Lot Plan of Subdivision

ANALYSIS

Official Community Plan:

The Hornby Island Official Community Plan (OCP) Policy 5.8.3 supports shared access onto roads from private driveways and subdivision layout which consolidates access points. Proposed Lot 1 and 2 are intended to both be accessed by an easement crossing two adjacent lots to the south (Figure 1) or along a new access along Lea Smith Road.

Land Use Bylaw:

Subsection 6.6(1) of the Hornby Island Land Use Bylaw No. 150 (LUB) requires that the highway frontage of any lot in a proposed subdivision shall be at least ten percent of its perimeter unless waived by the LTC. The proposed plan of subdivision shows the following:

- Lot 2 (1 ha) would have an approximate perimeter of 696 m with 18.0 m road frontage; this requires a waiver of the LUB frontage requirement of 10%;
- Lot 1 (6.51 ha) would have an approximate perimeter of 1344 m and road frontage of 160 m thus meeting the 10% frontage requirement.

Subsection 6.3(2) of the LUB requires a restrictive covenant on Proposed Lot 1 to limit the subdivision potential to maximum of three lots.

Issues and Opportunities

Due to the presence of an escarpment running the width of the subject property, the access to Lot 1 is proposed to be along an existing access originating off Lea Smith Road. The plan indicates a shared access easement, however 18 m of road frontage along Lea Smith Road is proposed to accommodate future access for Lot 2 to the Hornby Island road network.

Consultation

No public hearing or consultation is required or recommended for this application.

Rationale for Recommendation

Staff support a recommendation in favour of a frontage waiver for this subdivision and acceptance of a restrictive covenant pursuant to section 219 of the *Land Title Act*. The staff recommendation is noted on page 1 of this report.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC is advised to describe the specific information needed and the rationale for this request.

2. Not reduce the 10% road frontage requirement.

The LTC may decide to not reduce the 10% road frontage requirement for this application. If this alternative is selected, MOTI will be notified that the subdivision referral cannot be approved as presented.

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending receipt of Preliminary Layout Approval (PLA) by MOTI.

NEXT STEPS

Staff will forward the LTC resolution(s) to the applicant and MOTI and coordinate signatures and registration of the covenant upon receipt of PLA from MOTI.

Submitted By:	Sonja Zupanec, RPP, Island Planner	June 21, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP, Regional Planning Manager	June 21, 2017

ATTACHMENT:

1. Section 219 Covenant

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 9 PAGES

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

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

Christina Reed, Barrister & Solicitor

YOUNG ANDERSON

1616 - 808 Nelson Street

Vancouver

BC V6Z 2H2

Phone: (604) 689-7400

File: 2-786

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
 [PID] [LEGAL DESCRIPTION]

Deduct LTSA Fees? Yes ☒

SEE SCHEDULE

STC? YES ☐

3. NATURE OF INTEREST

Covenant

CHARGE NO.

ADDITIONAL INFORMATION

s. 219 Land Title Act (restricts dealings)

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

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

(b) ☒ Express Charge Terms Annexed as Part 2

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

5. TRANSFEROR(S):

HELEN CATHARINE GROND

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

HORNBY ISLAND LOCAL TRUST COMMITTEE

A LOCAL TRUST COMMITTEE INCORPORATED UNDER THE ISLANDS TRUST ACT

200 - 1627 FORT STREET

VICTORIA

V8R 1H8

BRITISH COLUMBIA

CANADA

Incorporation No

N/A

7. ADDITIONAL OR MODIFIED TERMS:

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

Officer Signature(s)

Execution Date

Y	M	D
17	05	25

Transferor(s) Signature(s)

HELEN CATHARINE GROND

Martin Kastlein Notary Public
 448 - 6th Street
 New Westminster, BC V3L 3B3
 Phone: 604-526-7884
 Email: martin@martinthenotary.com

OFFICER CERTIFICATION:

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

LAND TITLE ACT
FORM E

SCHEDULE

PAGE 3 OF 9 PAGES

-
2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

018-755-801**LOT B, SECTION 12, HORNBY ISLAND, NANAIMO DISTRICT, PLAN VIP58906
EXCEPT PART IN PLAN VIP88619**STC? YES ☐

-
2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

028-464-095**LOT 1 SECTION 12 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP88619**STC? YES ☐

-
2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

TERMS OF INSTRUMENT – PART 2
SECTION 219 COVENANT

This COVENANT dated for reference May 15, 2017, is

BETWEEN:

HELEN CATHARINE GROND
3405 Euston Road
Hornby Island, BC V0R 1Z0

(the "Owner")

AND:

HORNBY ISLAND LOCAL TRUST COMMITTEE, a local trust committee incorporated under the *Islands Trust Act* (British Columbia), having an office at 200 – 1627 Fort Street, Victoria, British Columbia, V8R 1H8

("Local Trust Committee")

WHEREAS:

A. The Owner is the owner in fee simple of that parcel of land on Hornby Island, in the Province of British Columbia, more particularly known and described as:

PID: 018-755-801

Lot B, Section 12, Hornby Island, Nanaimo District, Plan VIP 58906 Except Part in Plan VIP88619, and

PID: 028-464-095

Lot 1 Section 12 Hornby Island Nanaimo District Plan VIP88619

(collectively, the "Lands");

B. Hornby Island Land Use Bylaw, No. 150, 2014, as amended (the "Bylaw"), requires that if a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable minimum and minimum average lot areas specified by this Bylaw, and:

(1) one or more of the lots being created has an area equal to or greater than twice the applicable average lot area, and

(2) one or more of the lots being created has an area less than the applicable average lot area,

the Owner must grant a covenant complying with the said Bylaw for every lot referred to in said Bylaw prohibiting the subdivision of the lot so as to create a greater total number of lots by subdivision and re-subdivision of the original lot than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and average lot area specified by the Bylaw, and the construction, erection or occupancy on a lot of residential dwelling units successor buildings so as to create greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this bylaw without subdivision; and

- C. The Owner has granted this covenant in contemplation of the subdivision of the Lands, as shown on the sketch plan of subdivision attached hereto as Schedule "A";
- D. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of a municipality, in respect of the use of land, the building on land, the subdivision of land and the preservation of land or a specific amenity on the land;

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Local Trust Committee to the Owner (the receipt and sufficiency of which are acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the Local Trust Committee in accordance with Section 219 of the *Land Title Act* as follows:

GRANT OF SECTION 219 COVENANT

- 1. The Owner covenants with the Local Trust Committee that:
 - (a) The Lands may only be subdivided in accordance with the sketch plan attached hereto as Schedule "A", creating a new Lot 1 having an approximate area of 6.51 ha (hereafter, "Lot 1"), and a new Lot 2 having an approximate area of 1.0 ha (hereafter, "Lot 2");
 - (b) Lot 1 may not be further subdivided in any manner that creates more than 3 lots;
 - (c) Lot 1 and Lot 2 may not be built on by residential dwelling units and accessory buildings on Lot 1 and Lot 2 or occupied in any way so as to create greater density of such development on Lot 1 than would have been created had the Lands been developed to the greatest density permitted by the Bylaw without subdivision. For clarity, Lot 1 and Lot 2 may not be built on or occupied in any way by:
 - i. more than one residential dwelling per lot having an area less than 4.0 ha;and



- ii. more than two residential dwelling units per lot having an area of 4.0 ha or larger; and

lot coverage must not exceed 10% of any lot having an area of 1.0 ha or more, nor 15% of any lot having an area of less than 1.0 ha.

OBLIGATIONS

2. The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.

INDEMNITY

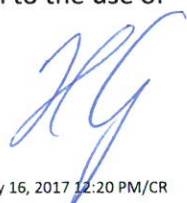
3. The Owner releases, and must indemnify and save harmless the Local Trust Committee, its elected and appointed officials and employees, from and against any and all liability, actions, causes of action, claims, costs, damages, expenses (including actual legal fees), costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

NO EFFECT ON LAWS OR POWER

4. Wherever in this Agreement the Local Trust Committee is required or permitted to form an opinion, exercise discretion, express satisfaction, make any determination, or give its consent, the Owner agrees that the Local Trust Committee may do so in accordance with the provisions of this Agreement and is under no public law duty of fairness or natural Justice, and agrees that the Local Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.

5. This Agreement does not:

- (a) affect or limit the discretion, rights or powers of the Local Trust Committee under any enactment (as defined in the *Interpretation Act* on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Lands;
- (b) affect or limit any enactment relating to the use or subdivision of the Lands; or
- (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.



RUNS WITH THE LANDS

6. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under Section 219 of the *Land Title Act* in respect of the Lands and runs with the Lands and binds the successors of title to the Lands. This Agreement burdens the Lands and every part parcel into which the Lands may be subdivided by any means and any parcel into which the Lands are consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

WAIVER

7. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver by the Local Trust Committee of any default by the Owner shall not be deemed to be a waiver of any subsequent default.

SEVERANCE

8. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

ENTIRE AGREEMENT

9. This Agreement is the entire agreement between the parties regarding its subject.

ENUREMENT

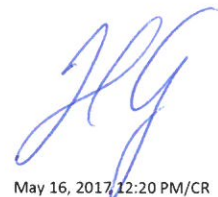
10. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

DEED AND CONTRACT

11. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

FURTHER ASSURANCES

12. The Owner agrees to do everything reasonably necessary at the Owner's expense to ensure that this Agreement is registered against the title to the Lands with priority over all financial charges, liens, and encumbrances registered or the registration of which is pending, at the time of application for registration of this Agreement.



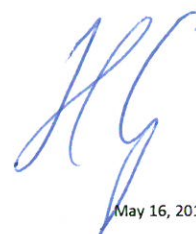
May 16, 2017 12:20 PM/CR

13. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

INVESTIGATION BY LOCAL TRUST COMMITTEE

14. The Owner hereby irrevocably authorizes the Local Trust Committee to make such inquiries as it considers necessary and reasonable in order to confirm that the Owner is complying with this Agreement and irrevocably authorize and direct the recipient of any request for information from the Local Trust Committee to provide such information to the Local Trust Committee.

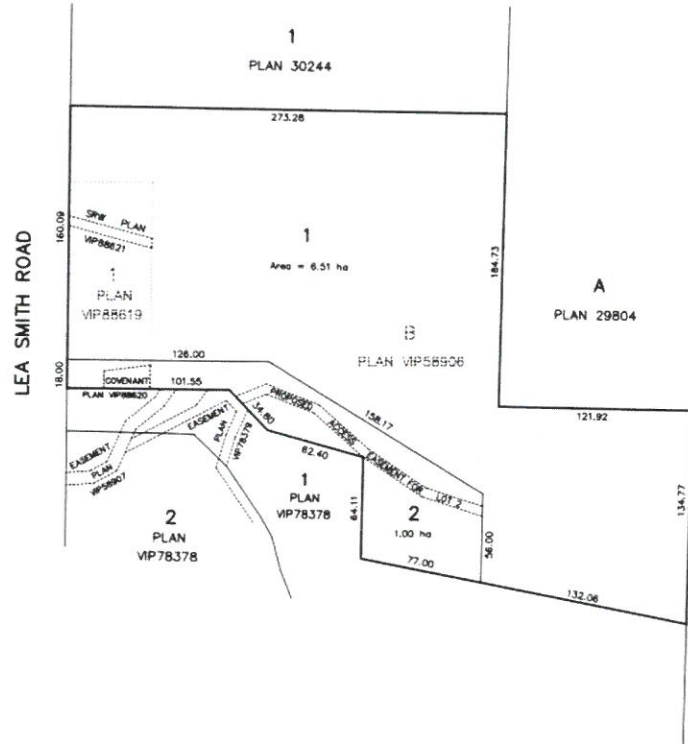
As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Form C which is attached hereto and forms part of this Agreement.

A handwritten signature in blue ink, appearing to be 'HG', is located in the lower right quadrant of the page.

Schedule "A"

PROPOSED PLAN OF SUBDIVISION OF
LOT 8, PLAN VP58906,
EXCEPT PART IN PLAN VP88619;
AND LOT 1, PLAN VP88619;
BOTH OF SECTION 12, HORNBY
ISLAND, NANAIMO DISTRICT.

1660 LEA SMITH ROAD, HORNBY ISLAND
SCALE 1 : 2000 (METRIC)



EAST 1/2
NE 1/4
Sec. 12

HOERBURGER LAND SURVEYORS
COMOX, B.C.
(250) 890-0100
FILE: 1855PR1
JULY 14, 2016

[Handwritten signature]

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

DATE OF MEETING: July 7, 2017
TO: Hornby Island Local Trust Committee
FROM: Marnie Eggen, Island Planner
Northern Team
SUBJECT: Vacation Home Rentals Policy Review

RECOMMENDATION

1. That the Hornby Island Local Trust Committee endorse the revised Project Charter for the Vacation Home Rentals Policy Review Project.
2. That the Hornby Island Local Trust Committee approve a budget allocation of \$500.00 from the Hornby Island Local Trust Committee Special Projects Budget to meet the needs of the Vacation Home Rentals Policy Review Project.

REPORT SUMMARY

The purpose of this report is to present to the Hornby Island Local Trust Committee (LTC) for their consideration revisions to the Vacation Home Rentals Policy Review Project Charter and request an additional budget allocation to the project for the current fiscal year.

BACKGROUND

The following resolution was passed at the May 5, 2017 LTC meeting and staff are suggesting revisions to the Project Charter for LTC consideration. See the Issues and Opportunities section below for details regarding the revisions.

HO-2017-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that staff provide a revised Project Charter for the Vacation Home Rental review.

CARRIED

After pursuing further recruitment of Advisory Planning Commission (APC) members, at the March 31, 2017 meeting the LTC appointed three more members.

HO-2017-013

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee pursue targeted recruitment for up to three additional members for the Advisory Planning Commission in support of the Vacation Home Rental Review project.

CARRIED

Since the most recent appointments, one APC member has resigned. There are currently five APC members.

For further background on the project, please refer to the previous staff reports presented at the October 14, 2016 and January 9, 2017 Hornby LTC meetings.

ANALYSIS

Policy/Regulatory

Please refer to the staff report presented at the October 14, 2016 Hornby Island LTC meeting for detailed information on relevant policies and land use bylaw regulations.

Issues and Opportunities

Project Charter

Staff has proposed changes to the Project Charter with the intent to continue to include significant community consultation and valued input from the APC along with other community groups and stakeholders. Staff have also taken into account the submissions provided by the APC members in the fall of 2016 (attached to the October 14, 2016 Staff Report). The purpose and objectives of the project have remained the same. Substantive changes are proposed to the workplan overview, restructuring it so that the consultation is facilitated by staff with the intent of completing the project within the 2017-18 fiscal year.

Resources

The initial budget allocated funds from the 2016-2017 fiscal budget; however, these funds were not utilized prior to the end of the 2016-2017 fiscal year and the currently proposed 2017-18 budget requires further funding. Staff recommends that the LTC allocate the \$500.00 from the Special Projects Budget to cover anticipated additional expenses related to this project.

Rationale for Recommendation

In order to advance this project, staff recommend that the LTC endorse the changes to the Project Charter and allocate additional funds as noted.

ALTERNATIVES

1. Request amendments to the Project Charter

The LTC may request further amendments to the Project Charter. If significant changes are made to the charter as presented, staff will need to bring back a revised timeline, workplan overview and budget for review. Suggested wording for the resolution is as follows:

That the Hornby Island Local Trust Committee amend the Vacation Home Rentals Policy Review Project Charter v 2.0 by [insert changes].

NEXT STEPS

Staff will develop a survey as per the project charter to be administered online in the summer that will be reviewed by trustees for endorsement prior to being released.

Submitted By:	Marnie Eggen, MCIP RPP Island Planner	June 29, 2017
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Concurrence:	Ann Kjerulf, MCIP RPP Northern Regional Planning Manager	June 30, 2017
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ATTACHMENTS

1. Project Charter

Vacation Home Rental Policy Review Project Charter v. 2.0

Hornby Island Local Trust Committee

Date: July 7, 2017

Purpose This project will review, with the community, the recent policies and regulations implemented to permit Vacation Home Rentals on Hornby Island, should there be areas to improve regulation and enforcement.

Background In 2012, the Hornby Island Official Community Plan (OCP) and Land Use Bylaw (LUB) were amended to 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*".

Objectives

- Identify and analyze the impacts of Vacation Home Rentals on Hornby Island
- Engage the Hornby Island community for "on the ground" feedback on Vacation Home Rentals
- Improve balanced enforcement of Vacation Home Rentals
- Possible improvements to Vacation Home Rental policies and guidelines

Scope & Deliverables

- Community consultation to identify benefits and impacts of Vacation Home Rentals (VHRs) and solicit input on range of options for approaches to managing VHRs
- Recommendations for adjustments to policies and guidelines in the OCP and LUB

Workplan Overview

Deliverable/Milestone	Date
Conduct community survey to compile baseline information on benefits and drawbacks of VHR uses, on current & best practices/approaches for managing VHRs	Summer 2017
Report to LTC and community presenting results of the survey, e.g. CIM/other	Fall 2017
Community consultation to solicit community input on recommended options for adjustments to policies and regulations, e.g. focused consultation with APC and other relevant community groups.	Winter 2017
LTC consideration of community input and staff recommendations	Spring 2018

Project Team

Hornby Island Planner	Project Manager
Wil Cottingham, Office Admin Asst.	Meeting arrangement

RPM Approval:

Ann Kjerulf

Date: June 30, 2017

LTC Endorsement:

Date:

Budget

Budget Sources: Vacation Home Rental Policy Review 2017-18 & Special Projects 2017-2018

Fiscal	Item	Cost
17/18	Community Survey	\$500
17/18	Community consultation	\$500
	Total	\$1000



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	Marnie Eggen Laura Busheikin Tony Law Alex Allen	
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 and develop a housing agreement.	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	Marnie Eggen Teresa Ritemann	

**Projects****Hornby Island**

Description	Activity	R/Initiated
Environmentally sensitive areas	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
Residential density review	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
Beach access inventory	Conduct an inventory and assessment of beach access and other unopened road allowances	12-Jul-2013
Marine / shoreline protection information and education	Provide information and education to the public with respect to the marine environment and shoreline protection	07-Feb-2014
Groundwater protection and water conservation tools	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.	
Farm policy and regulatory review	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.	
Ford Cove Consultation	Conduct a consultative process for the Ford Cove area	
Public Use area planning	Support collaborative planning process for Public Use areas	27-Mar-2015
Coastal Douglas Fir and associated ecosystem conservation		12-Feb-2016



Projects

Hornby Island

Description	Activity	R/Initiated
Communication with residents/owners	Identifying opportunities to provide information to new residents and property owners with respect to Islands Trust, Official Community Plan and Land Use Regulations	14-Oct-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

- | | |
|--|---|
| <ul style="list-style-type: none"> • 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 | <ul style="list-style-type: none"> • 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: June 30, 2017

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
HO-DP-2017.1	HORNBY ISLAND COOPERATIVE ASSOCIATION Planner: Teresa Ritemann	04-Apr-2017	PID: 026-371-791. Buildings do not meet current property bylaws. Civic address: 5875 Central Road, Hornby Island.
Planning Status			
Status Date: 02-May-2017 Planner Reviewing			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2017.2	HORNBY ISLAND COOPERATIVE ASSOCIATION Planner: Teresa Ritemann	04-Apr-2017	PID: 026-371-791 Buildings do not meet current property bylaws. Civic address: 5875 Central Road, Hornby Island.
Planning Status			
Status Date: 02-May-2017 Planner reviewing			

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2017.3	Hoerbuerger Land Surveying Planner: Madeleine Koch	09-Jun-2017	PID: 027-126-323, 009-651-268, 009-651-110 Civic address: 4555 and 4755 Fowler Road, Hornby Island Consolidation of 3 lots into 2 larger lots to support agricultural operation.
Planning Status			
Status Date:			

Subdivision

**Applications**

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: Sonja Zupanec**Planning Status****Status Date:** 21-Jun-2017

Updated referral response completed and sent to MOTI; applicant requires a 10% frontage waiver by LTC and registration of restrictive covenant limiting subdivision of Lot 1. All other requirements of LUB met.

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-2017.1	Hoerburger Land Surveying	16-Nov-2016	PIDs: 027-126-323; 009-651-110; 009-651-268. Road closure application. Subdivision to adjust lot lines to follow, via MoTI referral. Civic: 4555 and 4755 Fowler Road, Hornby Island, BC.

Planner: Linda Prowse**Planning Status****Status Date:** 25-May-2017

Monitor to see if the applicant will submit a DVP application. Will bring forward to June 22, 2017 and contact MOTI if we have not received anything by then.

Status Date: 11-May-2017

HO LTC resolved to not support closure of Fowler Road as the proposal is inconsistent with the Hornby OCP and public input does not support the proposal

Status Date: 11-May-2017

The lot line adjustment part of this subdivision application cannot proceed without an approved DVP to vary the section of the LUB that disallows split lot subdivisions

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2017.2	BENJAMIN T LONES	28-Apr-2017	PID: 002-747-774 2 lot subdivision. Civic address: 4685 Central Road, Hornby Island.

Planner: Madeleine Koch**Planning Status**



Applications

Status Date:

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending May 2017

635 Hornby	Invoices posted to Month ending May 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	750.00	94.21	655.79
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,750.00	670.65	2,079.35
65210-635	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-635	LTC - Local Exp - Communications	1,000.00	96.30	903.70
65230-635	LTC - Local Exp - Special Projects	500.00	10.70	489.30
TOTAL LTC Local Expense		<u>4,750.00</u>	<u>777.65</u>	<u>3,972.35</u>
Projects				
73001-635-4067	Hornby First Nations Relations	500.00	400.00	100.00
73001-635-4083	Hornby Short Term Vacation Rental (STRV) Review	500.00	0.00	500.00
73001-635-4084	Hornby Ford Family Orchard Heritage Protection	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>2,000.00</u>	<u>400.00</u>	<u>1,600.00</u>

Hornby Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	Feb 28, 2017	HO-O43-2013	Enforcement Actions related to rentals of Accessory buildings by non-residents	1. THAT whereas the Hornby Island Local Trust Committee intends to facilitate a community process to review residential density to address community housing needs, which may result in amendments to the Official Community Plan and Land Use Bylaw, it is resolved that related enforcement actions against properties identified as: a) Lot B, Section 15, Hornby Island, Plan 24652 (1655 Central Road); b) Lot B, Section 6, Hornby Island, Plan 30442 (7205 Central Road); and c) Lot 6, Section 10, Hornby Island, Plan 26332 (2475 St. Johns Point Road) shall be held in abeyance; 2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Hornby Island Land Use Bylaw No. 150 and the Hornby Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice; and 3. That unless the Hornby Island Local Trust Committee extends the effective period, this enforcement policy expires on October 31, 2018 or when the residential density review project is complete, whichever is the sooner.