



Hornby Island Local Trust Committee

Regular Meeting Agenda

Date: September 28, 2018
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 | 11:30 AM - 11:40 AM | |
| 4. | COMMUNITY INFORMATION MEETING - None | | |
| 5. | PUBLIC HEARING - None | | |
| 6. | MINUTES | 11:40 AM - 11:45 AM | |
| 6.1 | Local Trust Committee Minutes dated August 3, 2018 for Adoption | | 4 - 14 |
| 6.2 | Section 26 Resolutions-without-meeting Report - None | | |
| 6.3 | Advisory Planning Commission Minutes - None | | |
| 7. | BUSINESS ARISING FROM MINUTES | 11:45 AM - 12:00 PM | |
| 7.1 | Follow-up Action List dated September 21 , 2018 | | 15 - 17 |
| 7.2 | Local Trust Committee Procedure - Electronic Meetings - Bylaw No. 156 - for adoption | | 18 - 19 |
| 7.3 | Draft Hornby Island LTC Fees Bylaw No. 157 Amendment - Staff Report | | 20 - 30 |
| 8. | DELEGATIONS - None | | |
| 9. | CORRESPONDENCE - See 13.1.1 | | |

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

10.	APPLICATIONS AND REFERRALS	12:00 PM - 12:30 PM	
10.1	HO-ALR-2018.3 (Fredbeck - Ford's Cove Marina) - Staff Report		31 - 44
10.2	HO-DP-2018.2 (Hornby Island Resort) - Staff Report		45 - 61
11.	LOCAL TRUST COMMITTEE PROJECTS	12:30 PM - 1:15 PM	
11.1	Land Use Bylaw Amendments - Verbal Update		
11.2	Vacation Home Rental Community Education & Bylaw Compliance Campaign - Verbal Update		
11.3	Community Housing - for discussion		
11.3.1	<u>Hornby Island Housing, 2018 - Discussion Paper (Trustee Law)</u>		62 - 67
	-----BREAK - 1:15 - 1:25-----		
12.	REPORTS	1:25 PM - 1:40 PM	
12.1	Work Program		
12.1.1	<u>Top Priorities Report dated September 21, 2018</u>		68 - 68
12.1.2	<u>Projects List Report dated September 21, 2018</u>		69 - 70
12.1.3	<u>Hornby LTC 2014-2018 Term Goal Setting Session</u>		
12.1.4	<u>Work Program - Suggestions for Discussion</u>		
12.2	Applications Report dated September 21, 2018		71 - 77
12.3	Trustee and Local Expense Report dated July, 2018		78 - 78
12.4	Adopted Policies and Standing Resolutions		79 - 80
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 Conservancy Report dated July, 2018		81 - 82
13.	NEW BUSINESS	1:40 PM - 2:10 PM	
13.1	Regulation of Cannabis Production		
13.1.1	<u>Email dated September 5, 2018 from R. McCreary</u>		83 - 83

- 13.2 **Parking in Public Use Area**
- 13.3 **2014 - 2018 LTC Term Summary - Staff Report** 84 - 90
- 13.4 **2019 Age-Friendly Communities Grant Program - for Discussion** 91 - 100

Website: <https://www.ubcm.ca/EN/main/funding/lgps/age-friendly-communities.html>

Program guide: <https://www.ubcm.ca/assets/Funding~Programs/LGPS/SHSI/afc-2019-program-guide.pdf>

14. **UPCOMING MEETINGS**

- 14.1 **Next Regular Meeting Scheduled for November 30, 2018 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC**

15. **TOWNHALL** 2:10 PM - 2:20 PM

16. **CLOSED MEETING - None** 2:20 PM - 2:30 PM

- 16.1 **Motion to Close the Meeting**

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) for the purpose of adoption of In-Camera Meeting Minutes dated August 3, 2018 AND that the recorder and staff attend the meeting.

- 16.2 **Recall to Order**

- 16.3 **Rise and Report**

17. **ADJOURNMENT** 2:30 PM - 2:30 PM



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: August 3, 2018
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: Teresa Rittemann, Island Planner
 Madeleine Koch, Planner 2
 William Shulba, Senior Freshwater Specialist
 Vicky Bockman, Recorder

Others Present: Approximately twenty (20) members of the public

1. CALL TO ORDER

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

Chair Busheikin called the meeting to order at 11:30 am. She acknowledged that the meeting was being held in First Nations territory, welcomed the public and introduced Trustees, staff and recorder.

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

Add an additional Town Hall for Comments on Applications at item 10.

Add 13.7 Helicopters - Discussion

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Four members of the public, including a neighbour, voiced support for the application HO-ALR-2018.2 (Hoerburger for Fletcher & May-Williams), commenting that this proposal will result in two viable farms.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated June 8, 2018 - for adoption

By general consent the Local Trust Committee meeting minutes of June 8, 2018 were adopted.

6.2 Section 26 Resolutions-Without-Meeting Report dated July 25, 2018

Received.

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 25, 2018

Planner Rittermann provided an update, reporting that in response to staff's inquiry, Telus has advised that they will not be pursuing other options to address intra-island communications in the case of a cable failure. Trustee Law stated that he may communicate with the Fire Chief to continue to pursue this plan.

Chair Busheikin provided an update on the proposal to hold an informal meeting with K'ómoks First Nation staff, representatives, and the Hornby Island community that might include a shared community feast in a fireside chat format. She offered to contact K'ómoks First Nation to discuss a date for this event.

7.2 Local Trust Committee Procedure Bylaw - Electronic Meetings - Staff Report

Planner Rittermann presented the staff report regarding the proposed bylaw that would allow trustees to attend meetings via electronic means in accordance with the provisions or terms of the bylaw.

Trustees asked questions for clarity and noted minor errors in the draft bylaw to be amended prior to readings.

HO-2018-033

It was MOVED and SECONDED,

that the draft Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", be amended by:

- In section 1.28 deleting the word "Denman" and replacing with the word "Hornby; and
- In section 2 deleting the word "Denman" and replacing with "Hornby".

CARRIED

HO-2018-034

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", as amended, be read a first time.

CARRIED

HO-2018-035

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", be read a second time.

CARRIED

HO-2018-036

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as “Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018”, be read a third time.

CARRIED

HO-2018-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as “Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

8. DELEGATIONS

8.1 Hornby Island Housing Society (HIHS) regarding the Beulah Creek land

Michael McNamara spoke on behalf of the Hornby Island Housing Society (HIHS). He provided background on the difficulties surrounding the infrastructure costs and requirements for the ISLA housing project that were unable to be surmounted in order to provide a privately funded version of ownership-based affordable housing.

He described a reorganization that merges Elder Housing and ISLA which will result in one society to serve any demographic on Hornby Island and provided a process update to the Local Trust Committee (LTC).

Trustees expressed appreciation for those that have been involved with ISLA and Elder Housing and for their efforts to provide the community with opportunities to offer input and become informed about the plans.

Discussion followed on the process with the following noted:

- A Trustee noted various items in the Hornby Island Bylaws that will need to be addressed as a result of this change and suggested that they might be included in the Land Use Bylaw Technical Amendments Project currently in process;
- The Housing Agreement would likely be completed by BC Housing;
- HIHS was encouraged to consider the timeline for providing proof of water and the harmonizing of requirements for obtaining a groundwater license from the Ministry of Forests, Lands, Natural Resource Operations & Rural Development. Senior Freshwater Specialist Shulba offered to discuss the steps with HIHS representatives in more detail to help ensure a more efficient process.

9. CORRESPONDENCE - none

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

10. APPLICATIONS AND REFERRALS

TOWN HALL FOR COMMENTS ON APPLICATIONS

- The applicants for HO-ALR-2018.2 addressed their request to reconfigure three subject properties into two. They described the background of the properties and explained the rationale and benefits of this subdivision application to facilitate their farm plans. They advised that they have communicated with neighbours and urged the LTC to reconsider

staff's recommendation to forward this application to the Agricultural Land Commission (ALC) with no comments, to support their intention to practice sustainable farming and set a precedent for a new model of farming on islands.

Members of the public commented on application HO-ALR-2018.2 and the following points were noted:

- Support of the proposal was expressed.
- Some expressed concern that they would like confirmation that the trail will remain and not be eliminated as a result of this reconfiguration. Comments regarding the trail included the following:
 - The alternative route proposed for the trail is supported; and
 - A nice, more public trail along the back property line road allowance is supported by the adjacent property owner.
 - The applicants responded that they will provide the space; however it is up to the Trail Committee to manage the trail.
- Regulations on subdivision of large Agricultural Land Reserve (ALR) properties have resulted in the development of substantial single dwellings on large units of farmland. The LTC was encouraged to explore options to address the issue in Official Community Plan (OCP) and Land Use Bylaw (LUB) in order to allow subdivision of large lots to a size that is available to those who would like to use agricultural land which is in short supply.
- There is some precedence in subdivision of small lot ALR land. This proposal would benefit the community.

By general consent the meeting recessed at 12:43 pm and reconvened at 12:48 pm.

10.1 HO-ALR-2018.2 (Fletcher & May) - Staff Report

The following correspondence regarding ALR Application File No. HO-ALR-2018.2 was received by the LTC:

- Email dated August 2, 2018 expressing support
- Correspondence dated July 8, 2018 expressing full support

Planner Koch presented the Staff Report that provides an analysis of the application proposing to reconfigure three ALR properties into two, with each being intersected by Fowler Road; and includes a new 10 metre wide road dedication along the southern property lines to address an anticipated subdivision condition from the Ministry of Transportation and Infrastructure (MoTI).

Trustees discussed the proposal with the following key points noted:

- The current ALR subdivision lot size requirements in the LUB are based on input received from the ALC. Concerns have been expressed to the ALC regarding the subdivision size requirement as small lots are being successfully farmed on Hornby Island and smaller lots would be more accessible to those who may wish to farm.
- Support of the proposal has been heard.
- The proponents are expressing their desire to farm the proposed lots.
- Forwarding the application to the ALC with supportive recommendations was suggested in order to provide input for the ALC's decision making process.

Considerations regarding water relating to this proposal were discussed with the following noted:

- Senior Freshwater Specialist Shulba recommended the LTC consider evidence of proof of water; and offered to assist the proponents in the process of registration and obtaining a water license for non-domestic use.
- Trustees discussed process and determined that there will be opportunities for the LTC to address water issues at a future point in the process should the proposal advance.

HO-2018-038**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee forward application HO-ALR-2018.2 to the Agricultural Land Commission and recommends approval for the application. This recommendation is based on strong community support for initiatives to establish active, productive farms which in this case requires consolidation of land to be successful. This is in the context of a pattern of island agriculture in which most active farms are on smaller lots while larger lots tend to be owned by people who are not farming the land. Food security is an important objective for this community. Actively farming land in the present is an important foundation for securing agricultural use in the future. The Local Trust Committee is willing to consider varying land use regulations to address this proposal.

Trustee Law spoke to the motion, noting that this is a challenging and complex process. He expressed appreciation for everyone's participation.

CARRIED

By general consent the meeting recessed at 1:24 pm and reconvened at 1:45 pm.

By general consent agenda item 10.3 was moved to follow 10.1,

10.3 HO-DP-2018.1 and HO-DVP-2018.1 (Fredbeck-Fords Cove Marina) – Memorandum

The proponents were in attendance to speak to their applications and the following points were noted:

- Background on their renovations to the building was given;
- Upgrades to the building include lowering the floor to make the store wheelchair accessible and altering the roofline to install solar panels;
- They remarked that the need for permits to do this work had not been explained to them previously;
- The document: Attachment 2 – Development Permit Guidelines for the Commercial Centres Development Permit Area was submitted with responses provided for applicable guidelines.

Chair Busheikin opened the floor for comments from the public with the following noted:

- Support for the applications was expressed.
- Support for the applications was expressed, with the caveat that parking be given consideration.

Trustees noted that the proposal is before the LTC today for information purposes and asked questions for clarity. Discussion included the following comments:

- A Trustee expressed appreciation for the applicants' attendance at this meeting to provide information on the matter, observing that this is an opportunity to resolve issues on the property. He noted that support for the project from the community has been heard; however commented that parking issues are challenging and a concern for access in the event of emergency.
- The applicants advised that they are considering asking MoTI to improve signage in the area to help address safety issues relating to parking; and offered that access through their private property could be utilized to assist in emergency situations.

10.2 HO-DP-2018.2 (Hornby Island Resort) - Staff Report

Planner Rittemann summarized the Staff Report that discusses the issuance of a Development Permit for the purpose of demolition of a building and proposes that a landscape plan be included as a condition of the Permit and that security be received before issuance.

Trustees discussed options for proceeding as it was disclosed that demolition of the building has occurred. The consideration of this item was deferred.

HO-2018-039

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to bring this item back to a future meeting with a comment from Bylaw Enforcement.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Vacation Home Rental Community Education and Bylaw Compliance Campaign - verbal update

Planner Rittemann advised that a Frequently Asked Questions brochure has been created, posted to the website under "Resources" and distributed to Wind and Waves Vacation Homes and Hornby Island Community Economic Enhancement Corporation.

Trustees discussed possible next steps and the following was noted:

- Providing information to operators on "Best Practices" for the main concerns would be useful;
- The "Best Practices" framework might include an approach that proposes that visitors adopt a perspective that suggests they are moving into a home versus moving into a commercial resort;
- Posting to the webpage under "Latest News" was suggested;
- Options for contacting operators need to be explored.

11.2 Land Use Bylaw Amendments - Staff Report

Planer Koch presented the Staff Report that summarizes a number of technical issues with the LUB, suggests an approach for addressing the issues, and includes a draft project charter for LTC consideration.

Trustees asked questions and requested that additional technical issues resulting from the merging of the Elder Housing and ISLA projects into HIHC be reviewed and added to the list as appropriate. They reviewed the Project Charter and deferred a detailed discussion of specific technical amendments.

HO-2018-040

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the Land Use Bylaw Technical Amendments Project Charter v.1.

CARRIED

11.3 Groundwater Protection and Water Conservation Project - Staff Report

Senior Freshwater Specialist Shulba presented the Memorandum with the following points noted:

- He provided an update on the project, a framework for management of the initiative, and a Project Charter for LTC consideration;
- The budget for the project is under review as the initial Island GIS Water Balance work might be a consideration for Trust Council;
- Amendments to the Project Charter were identified for LTC consideration.

HO-2018-041

It was MOVED and SECONDED,

that the Groundwater Protection and Water Conservation Tools Next Step Project Charter be amended as follows:

- That the name "Groundwater Protection and Water Conservation Tools Next Step Project" be changed to "Groundwater Protection Next Step Project";
- That the first sentence in the Purpose section be amended by deleting the word "culture";
- That the last sentence in the Purpose section be amended after the word "community" by adding "and support healthy ecosystems";
- That the budget be changed by placing a question mark after "Island GIS Water Balance" and deleting the cost for that item.

CARRIED

HO-2018-042

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the Groundwater Protection and Water Conservation Tools Next Step Project Charter as amended.

CARRIED

11.4 Community Housing - for discussion

11.4.1 Hornby Island Housing, 2018 - Discussion Paper (Trustee Law)

Trustee Law has prepared the housing discussion paper to initiate LTC strategic discussion on this issue. He summarized concerns that included the observation that the market is not producing rental housing, the island is close to build-out, and there has been no uptake of the Temporary Use Permit option for secondary dwelling units.

Trustees suggested that potential options to address this issue might include a review of fees and zoning regulations, an evaluation of density, and/or the appointment of a special purpose Advisory Planning Commission to review options with the community.

LTC members requested this item be placed on the agenda for the next LTC meeting to enable a more thorough discussion, review of the options, and to make recommendations for carrying this initiative forward.

12. REPORTS

12.1 Work Program

12.1.1 Top Priorities Report dated July 25, 2018

Received.

12.1.2 Projects List Report dated July 25, 2018

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 July 25, 2018

A Trustee noted that there does not appear to be an application for construction of a building that is occurring on The Farm property. Planner Rittmann responded that staff will investigate.

12.3 Trustee and Local Expense Report - none

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

Trustees requested that the Housing Needs Assessment Report – Northern Region of Islands Trust be posted to the webpage in the Latest News section.

12.6 Chair's Report

Chair Busheikin reported that Executive Committee is engaged in advocacy work arising from Trust Council discussions.

12.7 Trustee Reports - none

12.8 Electoral Area Director's Report - none

12.9 Islands Trust Conservancy Report – none

13. NEW BUSINESS

13.1 Trust Programs Committee - Service Integration – Briefing

Trustees considered the request for input regarding any service integration concerns and determined that there are no concerns at this time.

13.2 Housing Needs Assessment Report - Northern Region of Islands Trust - Staff Report

HO-2018-043

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee:

- receive the “Housing Need Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018; and
- that the Hornby Island Local Trust Committee request staff to publish the “Housing Needs Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018 on the Islands Trust Website.

A Trustee requested that the report be posted to the front page of the Latest News section of the Hornby Island webpage.

CARRIED

13.3 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail License Application Fees - Staff Report

HO-2018-044

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:

- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.
- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal.
- However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
 - Name of the applicant and a description of the proposal in general terms
 - The location of the proposed establishment and the subject site
 - The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered.
 - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application
 - How public comments may be submitted to the Local Trust Committee.

CARRIED

HO-2018-045

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a fee for Liquor Control and Licensing Branch non-medical cannabis retail license applications, in the amount of \$2,000.

CARRIED

13.4 Cannabis Production in the Agricultural Land Reserve (ALR) - for discussion

Trustees deferred consideration of this item and requested that it be placed on the agenda for the next LTC meeting.

13.5 Ferry Service - Capacity Challenges on Route 22 - for discussion

Trustee Law presented a discussion paper pertaining to the issue of capacity challenges on Route 22, including drafts of letters to BC Ferries and the Minister of Transportation and Infrastructure for LTC consideration. He explained that this initiative is encouraging active engagement with the Ferry Advisory Committee and requesting options be considered that include review of vessel availability and extending the hours of operation to address the significant on-going overloads being experienced on Route 22.

HO-2018-046

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee requests the Chair to write to the CEO of BC Ferries asking BC Ferries to engage in discussions with the Denman-Hornby Ferry Advisory Committee to explore options to ensure that the significant on-going overloads experienced on Route 22 in the summer of 2018 are not repeated in future years (with the letter copied to the Minister of Transportation and Infrastructure, the BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association).

CARRIED

HO-2018-047

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the Chair to write to the Minister of Transportation and Infrastructure asking the Province, in advance of the next performance term of the Coastal Ferry Services Contract, to engage in discussions with the Denman-Hornby Ferry Advisory Committee to explore amending the contracted level of service on Route 22 to address the high level of summer traffic that cannot be met by the present contracted level of service (with the letter copied to the CEO of BC Ferries, Hon Scott Fraser, MLA, the BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association).

CARRIED

13.6 Islands Trust Conservancy - Regional Conservation Plan Briefing

Trustees deferred consideration of this item and requested that it be placed on the agenda for the next LTC meeting.

13.7 Helicopters - Discussion

Trustee Law reported that he has heard concerns regarding a helicopter regularly landing on residential property. He noted that there is a policy strongly discouraging this activity and solicited input as to possible action to be taken to address this issue.

HO-2018-048

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request Trustee Law to communicate with the operator of a helicopter landing on private property to inform him of policies in the Official Community Plan and to encourage exploration of options that would have less impact upon residents and property owners.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for September 28, 2018 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-2018-049

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)(a), (d) and (f) and s.90(2)(b) for the purpose of considering appointment of Advisory Planning Commission members; Adoption of *In-Camera* Meeting Minutes dated April 27, 2018; Bylaw Enforcement and for consideration of confidential information and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 3:44 pm.

16.2 Recall to Order

By general consent the meeting was recalled to order at 4:04 pm.

16.3 Rise and Report

Chair Busheikin reported that in the Closed Meeting, the LTC adopted minutes from the April 27, 2018 *In Camera* meeting.

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:04 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder

Follow Up Action Report

Hornby Island

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.			On Going

01-Dec-2017

Activity	Responsibility	Target Date	Status
Staff to organize two or more community dialogue sessions focused on First Nations and related topics of interest, to be facilitated by Hornby island community members, and to invite First Nations who have asserted rights and title on Hornby Island to participate			On Going

08-Jun-2018

Activity	Responsibility	Target Date	Status
Planning Staff to forward application HO-ALR-2018.1 (Colin) to the ALC with comments, as per the minutes of the 8-Jun-2018 LTC meeting.	Penny Hawley Jaime Dubyna		On Going

Follow Up Action Report

Staff to respond to Denman LTC regarding proposed Bylaws 228 and 229, that the Bylaw Referral Form Response from the Hornby LTC be "Interests Unaffected by Bylaw" for BL 228 and 229.

Marnie Eggen

Done

03-Aug-2018

Activity	Responsibility	Target Date	Status
Staff to forward Bylaw 156 (Meeting Procedure Bylaw amendment) to the Secretary of the Islands Trust for approval by the Executive Committee. Approved by EC August 15, 2018	Ann Kjerulf		Done
Staff to discuss how to address next steps for HO-DP-2018.2 and bring back for consideration at the 28-September LTC meeting with a comment from Bylaw Enforcement.	Miles Drew Teresa Ritemann	28-Sep-2018	Done
Staff to post VHR FAQ Brochure to Latest News page	Teresa Ritemann	28-Sep-2018	Done
Staff to implement the Project Charter of the LUB Technical Amendment Project.	Teresa Ritemann		On Going
Staff to amend the Project Charter for the Groundwater Protection Next Step Project as per LTC resolution and implement Project Charter as amended and endorsed.	William Shulba		On Going
Staff to publish the Housing Needs Assessment Northern Region of Islands Trust report on the Islands Trust website.	David Marlor		Done

Follow Up Action Report

Staff to post the adopted Standing Resolution (HO-2018-044) re: processing non-medical cannabis retail license applications to the Hornby Island webpage	Ann Kjerulf Wil Cottingham		Done
Staff to forward application HO-ALR-2018.2 to the ALC recommending approval and with comments as per resolution HO-2018-038	Penny Hawley Madeleine Koch		Done
Staff to prepare a draft bylaw to amend the fees bylaw to specify a fee for LCLB non-medical cannabis retail license applications in the amount of \$2,000	Ann Kjerulf		Done
Staff to develop a "best practices" pamphlet that VHR operators can use as a template.	Teresa Ritemann	31-Oct-2018	On Going

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 156

A Bylaw to Amend the Hornby Island Local Trust Committee Meeting Procedure Bylaw

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

1. Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 118, 2004, is amended as follows:

1.1 By deleting section 3. In its entirety and replacing it with the following:

"3. At the first regular meeting of the first year and the last meeting of each of the subsequent calendar years, following a general election, or by Resolution Without Meeting, the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and the schedule shall be posted on a notice board on island that is accessible to the public and in the Northern Office of the Islands Trust."

1.2 By deleting section 10 in its entirety and replacing it with the following:

"10. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson."

1.3 In Section 6, second line of the paragraph, delete the word "day" and insert the word "date".

1.4 By adding the following new sections after section 16, and by renumbering section 17 and section 18 to become section 29 and section 30 respectively:

"ELECTRONIC MEETINGS

17. A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio-visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
18. An individual Local Trust Committee member who is not at the physical location of a special Local Trust Committee meeting or a regular Local Trust Committee meeting may choose to participate by means of audio or audio-visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
19. At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.
20. An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee.

21. The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.
 22. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
 23. A member of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
 24. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
 25. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
 26. For the duration of an electronic meeting that is open to the public, the Director of Local Planning Services, or his or her designate, must attend at the place specified in the meeting notice.
 27. If communication is lost to one or more electronic participants during a meeting:
 - 27.1 the affected participants will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting, and this will be recorded in the minutes;
 - 27.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 27.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next Local Trust Committee meeting agenda.
 28. The costs of electronic participation in a Local Trust Committee meeting will be borne by the Hornby Island Local Trust Committee if the Local Trust Committee member is participating from a location within Canada or has otherwise received the approval of the majority of Local Trust Committee members."
2. This bylaw may be cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 156, Amendment No. 1, 2018".

READ A FIRST TIME THIS	3 RD	DAY OF	AUGUST	, 2018
READ A SECOND TIME THIS	3 RD	DAY OF	AUGUST	, 2018
READ A THIRD TIME THIS	3 RD	DAY OF	AUGUST	, 2018
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	15 TH	DAY OF	AUGUST	, 2018
ADOPTED THIS		DAY OF		, 201X

 CHAIRPERSON

 SECRETARY

STAFF REPORT

File No.: 3050-01
(Hornby Fees Bylaw)

DATE OF MEETING: September 28, 2018
TO: Hornby Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Hornby Island Local Trust Committee Fees Bylaw Amendment – Bylaw No. 157

RECOMMENDATION

1. That Hornby Island Local Trust Committee Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be read a first time.
2. That Hornby Island Local Trust Committee Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be read a second time.
3. That Hornby Island Local Trust Committee Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be read a third time.
4. That Hornby Island Local Trust Committee Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

AND

5. That the Hornby Island Local Trust Committee request that the Executive Committee review the Trust Council Model Fees Schedule in relation to Islands Trust Council Policy 5.6.i and current average application processing costs, and make recommendations to the Islands Trust Council to update Policy 5.6.i and the Model Fees Schedule.

REPORT SUMMARY

The Hornby Island Local Trust Committee (LTC) is asked to consider giving three readings to Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", to include fees for Liquor and Cannabis Regulation Branch (LCRB) applications, and to then forward the bylaw to the Executive Committee for approval, prior to consideration of adoption. The LTC is also asked to consider a recommendation to the Executive Committee to review and consider changes to Islands Trust Council Policy 5.6.i and the Trust Council Model Fees Schedule.

BACKGROUND

At the August 3, 2018 meeting, the LTC adopted a standing resolution with respect to the processing of LCRB non-medical cannabis retail license applications. The resolution established a public consultation process to evaluate such applications. The LTC also passed the following resolution:

HO-2018-045

It was MOVED and SECONDED,

That the Hornby Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a fee for Liquor Control and Licensing Branch non-medical cannabis retail license applications, in the amount of \$2,000.

CARRIED

The Liquor Control and Licensing Branch has been renamed as the Liquor and Cannabis Regulation Branch (LCRB) to represent its new responsibilities for licensing and monitoring non-medical cannabis retail sales in British Columbia. The LCRB regulates British Columbia's liquor industries and private retail non-medical cannabis establishments, including: restaurants, bars and pubs serving liquor; liquor manufacturers; liquor retail stores; special events involving liquor; and private cannabis retail stores.

The retail sale of non-medical cannabis is expected to become legal on October 17, 2018. The LCRB licensing regime will involve mandatory referrals to local governments and First Nations, and places an obligation on local governments and First Nations to provide the LCRB with recommendations for or against issuance of licenses for non-medical cannabis retail sales.

ANALYSIS

Local Government Act

Section 462 of the *Local Government Act* authorizes the LTC to impose application fees provided each fee “*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.*”

Islands Trust Council Policy:

Policy 5.6.i (Application Processing Services)

Policy 5.6.i guides the establishment of application fees based on the average processing costs for various application types.

Trust Council endorsed a Model Application Fee Schedule in 2004. All fees in the Model Fee Schedule were increased by 10% in 2007.

Issues and Opportunities

Application Processing Costs & Taxpayer Subsidization

The actual costs of processing an application may be less than or greater than the established fee for that application. These costs are calculated as the product of staff labour costs multiplied by processing time, adding to this other direct costs such as mapping expenses, advertising costs, meeting and minute taker costs, and travel costs, and indirect costs such as general administration and overhead.

LTC fees generally follow the Trust Council Model Application Fee Schedule and most LTCs have not maintained their fee bylaws to keep pace with inflation. For reference, inflation was 27.12% from 2004 to 2018 and 19.39% from 2007 to 2018 (Bank of Canada).

While fees have remained suppressed, application processing costs (i.e. staff, facilities, materials) have increased. Furthermore, regulatory requirements and processes have become more complex thereby increasing the time spent to process individual applications. Continued suppression of fees will inevitably result in a continued shift of application processing costs from applicants to taxpayers.

Comparison of Trust Council Model Fees and Hornby Fees

The following table provides model fees endorsed by Trust Council in 2004 and 2007, subsequent fee amounts adopted by the Hornby Island Local Trust Committee in 2007, and new LCRB application fees proposed in 2018.

Table 1. Trust Council Model Fees and Hornby Island LTC Fee Bylaw Comparison

	2004	2007	2007	2018
Application Type	Trust Council Model Fee	Trust Council Model Fee +10%	HO LTC (Fees) Bylaw 132	HO LTC (Fees) Bylaw 132 (proposed)
Official Community Plan (OCP) Amendment	4000	4400	4400	4400
Land Use Bylaw Amendment	4000	4400	4400	4400
Land Use Contract Amendment	4000	4400	4400	4400
OCP/LUB Amendment	4500	4950	4950	4950
Development permit (DP) (protection area)	400	440	440	440
DP (form and character)	600	660	600	600
DP amendment	150	165	165	165
DP + development variance permit (DVP) (residential development)	700	770	770	770
DP + DVP (commercial, industrial or institutional development)	850	935	935	935
DVP (residential development)	650	715	715	715
DVP (commercial, industrial or institutional development)	850	935	935	935
Temporary Use Permit (TUP) (Commercial and Industrial)	1000	1100	1100	1100
TUP (non-profit & home based business <3 months per annum)	1000	1100	440	440
TUP renewal	150	165	165	165
Siting and Use Permit (SUP)	200	220	176	176
SUP + DVP (residential development)	650	715	715	715
SUP + DVP (commercial, industrial or institutional development)	850	935	935	935
SUP + DP (protection area)	500	550	550	550
SUP + DP (form and character)	600	660	660	660
Subdivision Review - first parcel	1000	1100	1100	1100
Subdivision Review - for each additional parcel	100	110	110	110
Subdivision Lot Line Change	300	330	330	330
Strata Conversion	1000	1100	1000	1000
Board of Variance	900	990	900	900
Liquor License	750	825	750	750
LCRB – non-medical cannabis retail license				2000
LCRB – Temporary License Change				100

Hornby LTC fees are generally consistent with the 2007 Trust Council Model Fees with the exception of fees for: form and character development permits, siting and use permits, board of variance, and liquor license referrals. Staff note that the processing of siting and use permits comprises the bulk of application processing work for the Hornby Island LTC. As noted in the LTC 2014-2018 summary report for the September 28, 2018 LTC meeting, 53 applications for siting and use permits were received between January 1, 2015 and the date of report preparation. Staff also note that the amount (\$176) is problematic and applications are often received with a cheque in the amount of \$175. Furthermore, since adoption of the current Hornby Fees Bylaw No. 132 in 2007, no fees have been adjusted for inflation.

Bylaw No. 157, if adopted, would add fees in the amount of \$2,000 for LCRB non-medical cannabis retail license applications, as requested by the Hornby LTC. The bylaw would also introduce a minor fee for temporary license change applications (which require staff review and response to the LCRB) in the amount of \$100.

Staff have recommended to LTCs that the fee for LCRB non-medical cannabis retail applications be set to \$2,000. This is based on a base application fee of \$1,000 (the \$825 model application fee adjusted for inflation and \$1,000 to partially offset the costs of holding a public meeting (i.e. costs for advertising, facility rental, staff time, minute taking, and trustee and staff travel). To date, four other local trust committees (Denman, Gabriola, Salt Spring and Thetis) have initiated fee bylaw amendments to include a fee of \$2,000 for the processing of LCRB non-medical cannabis retail license applications.

The LTC may wish to amend the draft bylaw prior to consideration of readings or, alternatively, request that staff conduct further review and provide recommendations regarding fee adjustments at a subsequent Local Trust Committee meeting.

Staff is of the opinion that LTC fee bylaws should be reviewed with fees increased as needed to reflect inflation and reduce taxpayer subsidization of applications. The recommendation on page 1 of the report includes a resolution to request that the Executive Committee review the Trust Council Model Fees Schedule in relation to Islands Trust Council Policy 5.6.i and current average application processing costs, and make recommendations to the Islands Trust Council to update Policy 5.6.i and the Model Fees Schedule.

Consultation

No public consultation is required or recommended for this draft amendment bylaw.

Statutory Requirements

No public hearing is required and, as an administrative bylaw, the LTC may give Bylaw No. 157 three readings and forward the bylaw to the Secretary of the Islands Trust for approval of the Executive Committee. The LTC would be able to consider adoption of the bylaw should the Executive Committee first approve the bylaw.

Rationale for Recommendation

Adjustment of the Hornby Island Fees Bylaw will allow for costs to be partially offset should an application be received for a non-medical cannabis retail license or temporary license change. Further review of LTC fees is warranted given that many LTC fees are less than the Trust Council model fee schedule and none have been adjusted for inflation since the adoption of Hornby Fees Bylaw No. 132 in 2007. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

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

1. Amend Hornby Island Fees Bylaw to specify different fee amounts

The LTC may wish to amend the fees bylaw to specify different fees, particularly for application types which do not currently align with the Trust Council Model Fees Schedule (i.e. DP amendment applications, siting and use permits, Board of Variance applications, and LCRB liquor license referrals). If so, draft Bylaw No. 157 would need to be amended prior to being given readings. The following resolution would precede the recommendations on page 1.

That Hornby Island Local Trust Committee Bylaw No. 157, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018", be amended by changing the fee for [application type] to [\$amount].

Further, when Bylaw No. 157 is given first reading, the resolution must include the words "as amended" at the end of this resolution only. Further readings (second and third) do not need to include the words "as amended".

2. Receive the report for information

The LTC may receive the report for information.

NEXT STEPS

Subject to LTC concurrence with the recommendations, the bylaw would be forwarded for Executive Committee consideration. If approved by the Executive Committee, the bylaw could be adopted by the LTC via Resolution Without Meeting (RWM).

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 21, 2018
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ATTACHMENTS

- 1. Draft Hornby Fees Bylaw No. 157
- 2. Current Hornby Fees Bylaw No. 132, 2007

DRAFT

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 157

A BYLAW TO AMEND THE HORNBY ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2007

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

1. Citation

This bylaw may be cited for all purposes as “Hornby Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018”.

2. Hornby Island Local Trust Committee Bylaw No. 132, cited as “Hornby Island Local Trust Committee Fees Bylaw, 2007” is amended as shown on Schedule No. 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS DAY OF , 201X

READ A SECOND TIME THIS DAY OF , 201X

READ A THIRD TIME THIS DAY OF , 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF , 201X

ADOPTED THIS DAY OF , 201X

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 157
Schedule No. 1

1. **Part 3, Application Fees, Section 3.1, TABLE 4 – Other Applications**, is deleted in its entirety and replaced with the following:

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$900
2. Strata Conversion	\$1,000
3. Liquor & Cannabis Regulation Branch – Liquor License	\$750
4. Liquor & Cannabis Regulation Branch – Non-Medical Cannabis Retail License	\$2,000
5. Liquor & Cannabis Regulation Branch – Temporary License Change	\$100

ADOPTED

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 132

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 931 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Hornby Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Hornby Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited as the "Hornby Island Local Trust Committee Fees Bylaw, 2007".

2. Interpretation

- 2.1 In this bylaw:

"Applicant" means the person authorized under the Hornby Island Trust Committee Development Procedure Bylaw No. 74, 1992 to make the application;

"Islands Trust" means the Director of Local Planning or his/her authorized representative;

"Application Fee" means the monetary amount payable to the "Islands Trust".

3. Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application fee in the amount shown in Column 2 of Table 1, Table 2, Table 3 or Table 4.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,400
2. Official Community Plan amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$4,950
3. Land Use Bylaw, Zoning Bylaw or Subdivision Bylaw amendment	\$4,400
4. Land Use Contract amendment	\$4,400

TABLE 2 – Permits	
Column 1	Column 2
1. Development permit in respect of a protection area	\$440
2. Development permit in respect of form and character area	\$600
3. Development permit amendment	\$165
4. Development permit in combination with a companion application for a development variance permit in respect of a residential development	\$770
5. Development permit in combination with a companion application for a development variance permit in respect of a commercial, industrial or institutional development	\$935
6. Development variance permit in respect of a residential development	\$715
7. Development variance permit in respect of a commercial, industrial or institutional development	\$935
8. Temporary commercial and industrial use permit	\$1,100
9. Temporary Use Permit, non-profit & home based business <3 months per annum	\$440
10. Temporary commercial and industrial use permit renewal	\$165
11. Siting and Use Permit	\$176
12. Siting and Use Permit in combination with a companion application for a development variance permit in respect of a residential development	\$715
13. Siting and Use Permit in combination with a companion application for a development variance permit in respect of a commercial, industrial or institutional development	\$935
14. Siting and User Permit in combination with a companion application for a development permit in respect of a protection area	\$550
15. Siting and Use Permit in combination with a companion application for a development permit in respect of a form and character area	\$660

TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for subdivision review – first parcel	\$1,100
2. Application for subdivision review - every additional parcel that would be created by the proposed subdivision	\$110
3. Application for subdivision review - parcel line adjustments only, creating no additional parcels	\$330

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$900
2. Strata Conversion	\$1,000
3. Liquor Control and Licensing Branch	\$750

- 3.3 An application administration fee in the amount of \$110.00 being a portion of the fee referred to in Table 1 is not refundable in any event.
- 3.4 An application administration fee in the amount of \$55.00 being a portion of the fee referred to in Table 2, Table 3 and Table 4 is not refundable in any event.
- 3.5 Subject to Section 3.3 and Section 3.4, if an application is not processed for any reason, the Islands Trust must refund to the applicant the application fee.
- 3.6 In the event a public hearing is not held in respect of an application referred to in Table 1, the applicant shall be entitled to a refund in the amount of \$1,650.

4. Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.
- 4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5. Severability

- 5.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

6. Repeal

- 6.1 Hornby Island Local Trust Committee Fees Bylaw, 2004 is repealed upon adoption of this bylaw.

READ A FIRST TIME this 15th day of October, 2007.

READ A SECOND TIME this 15th day of October, 2007.

READ A THIRD TIME this 15th day of October, 2007.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 23rd day of October, 2007.

ADOPTED this 26th day of November, 2007.

Chairperson

Secretary

File No.: HO-ALR-2018.3
(Fredbeck – Ford’s Cove Marina)

DATE OF MEETING: September 28, 2018
TO: Hornby Island Local Trust Committee
FROM: Teresa Ritemann, Island Planner
Northern Team
COPY: Ann Kjerulf
Matthew Fredbeck
SUBJECT: Agricultural Land Reserve Application No. HO-ALR-2018.3
Applicant: Matthew Fredbeck
Location: 6260 Bond Road, Hornby Island, VOR 1Z0

RECOMMENDATION

1. That the Hornby Island Local Trust Committee request that Staff inform the Agricultural Land Commission that, in accordance with Section 25(3) of the *Agricultural Land Commission Act*, application HO-ALR-2018.2 may not proceed because the proposed non-farm use is not permitted by the Hornby Island Land Use Bylaw.

REPORT SUMMARY

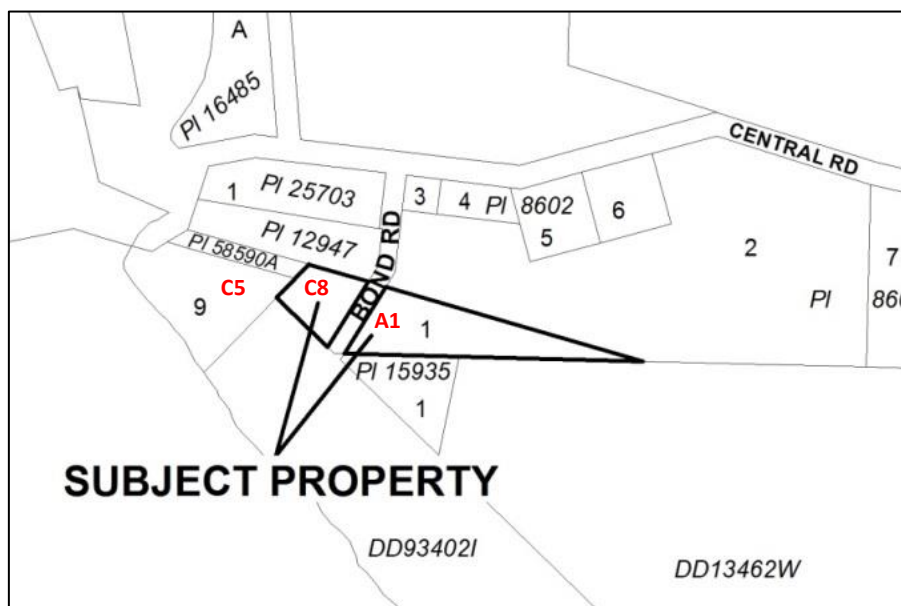
The Hornby Island Local Trust Committee (LTC) is asked to consider application HO-ALR-2018.2 for a proposed non-farm use (parking) in the Agriculture 1 (A1) zone. This application is proceeding in relation to concurrent files HO-DP-2018.1 and HO-DVP-2018.1 (Fredbeck – Ford’s Cove Marina). The applicant is proposing to renovate the existing retail store at 10835 Central Road (within the C5 zone) and expand the use to include a restaurant in the building. As the applicant wishes to potentially increase the amount of retail space and/or restaurant capacity on that property, additional parking spaces would need to be provided in order to comply with the parking requirements of the Hornby Island Land Use Bylaw (LUB).

It is recommended that the LTC pass a resolution to advise the Agricultural Land Commission (ALC) that the application should not proceed due to non-compliance with the Hornby Island Land Use Bylaw. This report describes the nature of application HO-ALR-2018.3, and offers an analysis of the potential issues and alternatives.

BACKGROUND

This parcel of land is hooked across Bond Road, and as a result, it is currently split-zoned: the northwestern portion is within the Commercial 8 (C8) – Campground zone, and the southeastern portion is zoned A1 – Agriculture 1 and located within the Agricultural Land Reserve (ALR), as shown in the subject property map below:

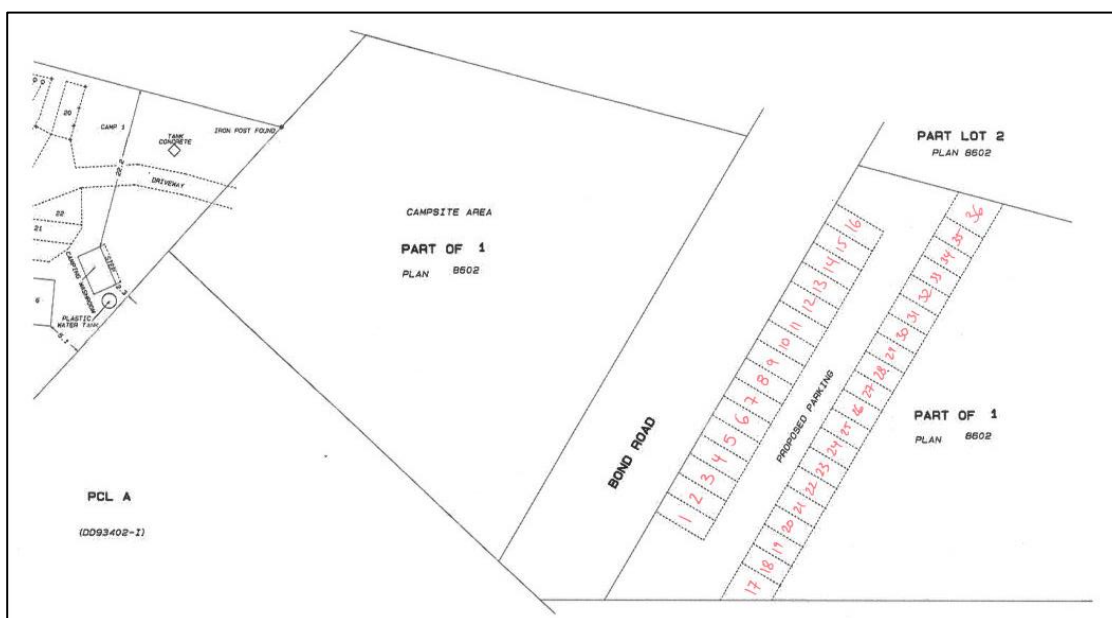
Figure 1: Subject Property Map



The proposal

The applicant is proposing to establish a grass parking lot on their adjacent property, across Bond Road, with 36 additional parking spaces (Figure 2). This portion of the lot is completely within the Agricultural Land Reserve (ALR), although it is not currently used for farming. Thus, the applicant is also requesting approval from the Agricultural Land Commission (ALC) for a non-farm use to locate the additional parking for the Ford's Cove store/restaurant, as a non-farm use on the adjacent property.

Figure 2: Proposed 36-space Parking Plan for ALR-portion of lot on Bond Road



ANALYSIS

Policy/Regulatory

As noted in Attachment 1, there are a number of commitments and directive policies from the Islands Trust Policy Statement (ITPS), as well as objectives and policies from the Hornby Island Official Community Plan (OCP), which are applicable to this application. To summarize:

Applicable ITPS Excerpts:

- 3.1.1 Trust Council holds that: planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats.
- 3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.
- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

Applicable OCP Excerpts:

- 6.1.10 All development of property should include provision for appropriate off-road parking as specified in regulation
- 6.4 Agriculture Objectives: (1) to support continuing agricultural use of land and associated activities; (2) to ensure that the use of land in the Agricultural designation does not compromise the capability of the land for future food production; (3) to encourage retention of large parcels of land for agriculture; and (4) to ensure agricultural practices do not cause contamination of the groundwater resource.
- 6.4.2 Additional Policies for Land in the Agricultural Land Reserve: Objectives: (1) to retain land with potential for agriculture; (2) to ensure that agricultural land in the land reserve is not degraded; and (3) to enable accessory uses that are compatible with farming and the preservation of agricultural land.
- 6.4.2.1 The retention of the Agricultural Land Reserve and the Agricultural Land Commission to protect against the loss of the potential for self-sufficiency in agricultural production in the Province of British Columbia is supported.
- 6.4.2.2 Land designated agricultural which is proposed for non-agricultural uses deemed to be in the public interest by both the Agricultural Land Commission and the Local Trust Committee may be considered for rezoning and for removal from the Reserve, the latter being preferred if other land of comparable or better agricultural potential being added to the Reserve.
- 6.4.2.4 To support existing agricultural operations, accessory uses should be permitted where such uses do not impinge on the principal farm use and will not degrade the land nor reduce its capability for agricultural production, provided such uses are authorized by the Agricultural Land Commission Act.
- 6.5.1.4 The degree of servicing, including roads and parking, the provision of open space, signage and the form and character of any new commercial development shall be regulated through Development Permit.
- 6.5.1.10 Temporary Use Permits (TUPs) may be permitted for: a) temporary use; b) a period of evaluation of a new commercial venture (that does not involve significant new development) prior to application for rezoning; c) uses for a period of time to enable impacts to be assessed before any further permitting of the use; or d) seasonal activities.

Land Use Bylaw

Parking regulation 5.1(1) of the Hornby LUB requires that: “All required off-road parking spaces shall be located on the lot on which the use or occupancy in respect of which they are required is located, or on a lot within 100 metres, with appropriate zoning.” Although the subject lot is directly adjacent to the lot where the retail store/restaurant use is occurring, the actual distance between the proposed grass parking area and the store is approximately 190 metres (as shown in Figure 4 above). Thus, if additional parking for the retail/restaurant use is to be located on ALR land across Bond Road, a variance to 5.1(1) would be needed to allow it to be located more than 100 m from the Ford’s Cove store/restaurant and either a rezoning or temporary use permit would be required to meet the “appropriate zoning” requirement of 5.1(1).

Also, as noted in Attachment 1, the area that is proposed for a non-farm use (parking), does not comply with the permitted uses of the Agriculture 1 (A1) zone, which are: (a) residential use of a dwelling; (b) agriculture; (c) silviculture; (d) secondary suite in a dwelling on lots 2.0 hectares or larger; (e) accessory uses, including but not limited to home occupations; and (f) vacation home rental use.

The LUB requires the provision of parking for the uses of the adjacent Ford’s Cove store/restaurant property:

Use of Building or Lot	Minimum Number of Regular Parking Spaces	Minimum Number of Disabled Parking Spaces	Minimum Number of Bicycle Parking Spaces
Visitor accommodation units	1 per visitor accommodation unit.	Greater of 1, or 1 per 50 parking spaces	Greater of 1, or 1 per 50 parking spaces
Restaurant	1 per 2 seats	Greater of 1, or 1 per 50 parking spaces	Greater of 1, or 1 per 50 parking spaces
Retail	1 per 20m ² of floor area	Greater of 1, or 1 per 50 parking spaces	Greater of 1, or 1 per 50 parking spaces
Accessory residential dwelling unit	2 per dwelling unit	n/a	n/a

Visitor Accommodation Parking

Six regular parking spaces and one disabled parking space are required. The applicant has provided six on-site spaces for visitor accommodation of the present six cabins (see Figure 3), and is requesting a variance (in HO-DVP-2018.1) to waive the disabled parking space requirement for this use.

Restaurant Parking

One regular parking space for every 2 seats of restaurant capacity, plus one disabled parking space (or one disabled parking space for every 50 regular parking spaces for restaurant use) are required. Therefore, if the applicant is proposing a 28-seat capacity in the restaurant, then 14 regular parking spaces and one disabled parking space must be provided.

Retail Parking

One regular parking space for every 20 m² of floor area for retail use, plus one disabled parking space (or one disabled parking space for every 50 regular parking spaces for retail use) are required. The maximum retail floor area per C5 zoned lot is 46 m²; however, the applicant may request a variance to increase the maximum floor area for this use. If more retail floor area is proposed, then more parking spaces will be required. For instance, 104 m² of retail space would require 5.2 regular parking spaces for a total of six regular parking spaces, plus one disabled parking space.

The current plan does not indicate the specific locations of disabled parking spaces. If the applicant is requesting to vary the LUB requirement for disabled parking for the visitor accommodation use, then perhaps parking spaces #1 and #2 could be provided as disabled parking for both the restaurant and retail use parking requirements. This would leave 20 spaces of regular parking to be divided between the restaurant and retail uses on-site (for example: 14 parking spaces for a 28-seat capacity restaurant, and 6 parking spaces for 104 m² of retail floor area).

Locating an additional 36 parking spaces on the adjacent ALR property, would allow the applicant to:

Figure 3 shows the current proposal for parking on-site at the Ford's Cove store/restaurant property. Note that the requirement for residential parking and regular visitor accommodation parking has been met as shown.

Issues and Opportunities

Parking



Figure 3: Proposed on-site, regular parking spaces for Ford's Cove store/restaurant

A minimum of three bicycle parking spaces are required for the three types of on-site uses: visitor accommodation, restaurant, and retail. If a use provides more than 50 parking spaces, then one bicycle parking space for every 50 regular parking spaces must be provided.

Bicycle Parking

Parking is labelled "Residence Parking" on the plan (Figure 3). The dimensions of this area meet the LUB width and length requirements for two regular parking spaces.

Accessory Residential Parking

1. Increase the capacity of the proposed restaurant by up to 72 seats;
2. Increase the retail floor area by up to 720 m²; or
3. Some lesser combination of the above to make use of the 36 additional regular parking spaces.

As mentioned above, for every 50 regular parking spaces that a use has devoted to it, the applicant would also need to provide one disabled parking space and one bicycle parking space.

Impact on Agriculture

The applicant notes in their ALC application that approximately 0.1 hectares is proposed for non-farm use, for the purpose of parking on grass surface (no paving) for customers of the retail/restaurant use at Ford's Cove.

Figure 4: Proposed Parking Area for Ford's Cove store/restaurant



The applicant also notes in their application that there is no available land outside of the ALR to accommodate this required parking, and that this proposed use will have no effect on agriculture in the short or long term. Staff spoke with the applicant regarding the removal of vegetation for parking, and despite the aerial imagery of Figure 4 above, the applicant said that only some blackberry bushes and perhaps one tree may need to be removed for the purpose of providing parking in the 0.1 ha site (outlined in red, Figure 4).

Although the clearing of vegetation in the ALR for the purpose of providing parking does not appear to support agriculture in the short term, Staff at the Agricultural Land Commission would have the knowledge and expertise to determine whether or not the non-farm use of parking would degrade the agricultural land or reduce the capability for agricultural production in the future.

Species at Risk and Sensitive Ecosystems

As noted in Attachment 1 (Site Context), Islands Trust mapping indicates that most of the property is mapped within a Douglas-fir/Dull Oregon grape ecological community; completely within Western Screech Owl habitat; and covered mostly by a sensitive ecosystem classified as mature forest. Removing any vegetation within these areas for a non-farm use of parking would not be supported by Islands Trust policies. Islands Trust Regional Conservation Plan 2018-2027 (Map 6, p. 144) also classifies the property as a high priority for conservation.

Requirement for Land Use Bylaw Compliance

In order to permit parking as a use on the subject property, the applicant would need to either: (i) apply for land use bylaw amendment for site-specific zoning to permit parking as a use; or (ii) apply for a temporary use permit to authorize parking (for up to three years). The ALC would also need to authorize the non-farm use or exclusion of this area from the ALR in order for parking to occur in this location.

If the ALC were to decide against the non-farm use application, the applicant would need to either: (i) propose a different location for parking for the store/restaurant; or (ii) request a variance to relax the parking requirement (to reduce the number of required spaces).

Another option, if the applicant wishes to increase the retail floor area or restaurant seating capacity of the Ford's Cove Store/Restaurant, and cannot locate the required parking on-site, is to include a variance request under application HO-DVP-2018.1.

Local Government Authority

Section 25(3) of the *Agricultural Land Commission Act* authorizes local governments to not allow applications for non-farm use (or exclusion) to proceed to the Agricultural Land Commission for decision.

- (3) An application referred to in subsection (1), except such an application from a first nation government, may not proceed unless authorized by a resolution of the local government if, on the date the application is made, the application
 - (a) applies to land that is zoned by bylaw to permit agricultural or farm use, or
 - (b) requires, in order to proceed, an amendment to an official settlement plan, an official community plan, an official development plan or a zoning bylaw.

Rationale for Recommendation

It is recommended that the LTC pass a resolution to request that staff advise the ALC that, in accordance with Section 25(3) of the *Agricultural Land Commission Act*, application HO-ALR-2018.2 may not proceed because the proposed non-farm use is not permitted by the Hornby Island Land Use Bylaw. Furthermore, it is unclear whether or not the proposed use as parking would impact the viability of agricultural land in the future; and conversion of environmentally sensitive areas for parking is inconsistent with the Islands Trust Policy Statement and Hornby Island Official Community Plan policies.

ALTERNATIVE

1. Forward the application to the Agricultural Land Commission

The LTC may decide to forward the application to the ALC for review and comment. Subject to a successful ALC non-farm use application, the applicant would need to submit a subsequent rezoning application or parking variance request to the LTC. The resolution may be worded as follows:

That the Hornby Island Local Trust Committee not forward application HO-ALR-2018.3 to the Agricultural Land Commission, as the proposed non-farm use for parking does not comply with zoning in the Agriculture 1 (A1) zone of the Hornby Island Land Use Bylaw.

NEXT STEPS

If the recommendation is supported, Staff would advise the ALC that the application should not proceed via letter, with a copy of this Staff Report and citation of the LTC resolution enclosed.

Submitted By:	Teresa Ritemann, MCIP, RPP Island Planner	September 13, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 20, 2018

ATTACHMENT

1. Site Context

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 1, Section 2, Hornby Island, Nanaimo District, Plan 8602
PID	005-574-170
Civic Address	6260 Bond Road, Hornby Island
Property Size	2.5 acres (1.01 ha)

LAND USE

Current Land Use	Applicant notes in application: Current agricultural uses on parcel: “Small garden for personal use” and “no agricultural improvements” Current non-agricultural uses on parcel: “Small workshop”
Surrounding Land Use	North: Residential/Agriculture Southeast: Forest/Heron Rocks Campground Southwest: Residential/Agriculture West: Campground and Commercial/Retail

HISTORICAL ACTIVITY

File #	Purpose/Notes
HO-SUB-1991.22	Created Parcel A from Lot 9 (PID 005-574-668)
HO-DP-1996.1	To account for all existing and proposed development at the time for the Ford’s Cove store parcel (repealing and replacing HO-DP-10-81 and HO-DP-14-82) and to vary/supplement Hornby LUB No. 86 .
HO-RZ-1996.1	Bylaw No. 91 amended HO LTC Land Use Bylaw No. 86 to site-specific rezone from Commercial Resort – Marina (C5) to Commercial Resort – Marina 1 (C5-1) for the Ford’s Cove store parcel.

POLICY/REGULATORY

Islands Trust Policy Statement	Applicable excerpts from the ITPS include: PART III: ECOSYSTEM PRESERVATION AND PROTECTION 3.1 Ecosystems Commitments of Trust Council 3.1.1 Trust Council holds that: - proactive land use planning is essential for the protection of Trust Area ecosystems, - protection must be given to the natural processes, habitats and species of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands , open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water
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	marshes, drift sectors, lagoons, and kelp and eel grass beds, and • planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats. Directive Policies 3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area. 3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity. 3.2 Forest Ecosystems Commitment of Trust Council 3.2.1 It is Trust Council’s policy that: • forest ecosystems in the Trust Area should be protected, and • the remaining stands relatively undisturbed Coastal Douglas fir, Coastal Western Hemlock, Garry Oak and Arbutus should be preserved. Directive Policy 3.2.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use. PART IV: POLICIES FOR STEWARDSHIP OF RESOURCES 4.1 Agricultural Land Commitments of Trust Council 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area. 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities. 4.1.3 It is Trust Council’s policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat. Directive Policies 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses. 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.
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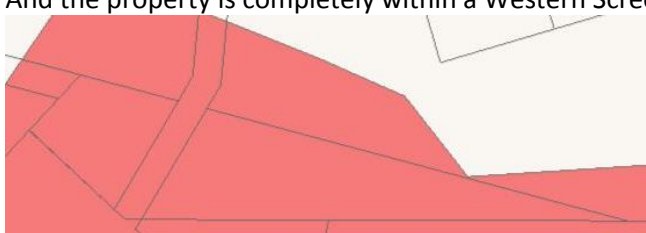
	4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
Hornby Island Official Community Plan No. 149	Land Use Designation (OCP Schedule B): • The northwest portion of the lot (to the west of Bond Road), is designated VA (Visitor Accommodation); • The southeast portion (where the non-farm use of parking is currently being proposed) is designated AG (Agriculture) Land Status and Road Designation (OCP Schedule C): • The southeast portion is within the Agricultural Land Reserve (ALR) • No specific road designations noted Environmentally Sensitive Areas (OCP Schedule D1 and D2): • Most of the lot is within an area of mapped Mature Forest • The lot is also within Aquifer 3A (Moderately developed, high vulnerability) Development Permit Areas (Schedule E): • The northwest portion of the lot is within the Commercial DPA (<i>proposal does not affect this portion of the lot</i>); and • The southeast portion of the lot (where proposal is located) is not within any Development Permit Areas Hazard Areas (Schedule F): • None mapped As the proposed non-farm use is for parking for customers of the Ford's Cove retail and restaurant, relevant excerpts from the OCP are as follows: 6.1 Objectives and Policies for Development 6.1.10 All development of property should include provision for appropriate off-road parking as specified in regulation 6.4 Agriculture The areas identified on Schedule B (Map Designations) as AG (Agriculture) are subject to the following objectives and policies. Objectives: The objectives of this subsection are: (1) to support continuing agricultural use of land and associated activities; (2) to ensure that the use of land in the Agricultural designation does not compromise the capability of the land for future food production; (3) to encourage retention of large parcels of land for agriculture; and (4) to ensure agricultural practices do not cause contamination of the groundwater resource.

	Policies: Policies in subsection 6.1 apply to this subsection. 6.4.1.2 The principal uses in this designation should be agriculture and residential. 6.4.2 Additional Policies for Land in the Agricultural Land Reserve Objectives: The objectives of this subsection are: (1) to retain land with potential for agriculture; (2) to ensure that agricultural land in the land reserve is not degraded; and (3) to enable accessory uses that are compatible with farming and the preservation of agricultural land. Policies: 6.4.2.1 The retention of the Agricultural Land Reserve and the Agricultural Land Commission to protect against the loss of the potential for self-sufficiency in agricultural production in the Province of British Columbia is supported. 6.4.2.2 Land designated agricultural which is proposed for non-agricultural uses deemed to be in the public interest by both the Agricultural Land Commission and the Local Trust Committee may be considered for rezoning and for removal from the Reserve, the latter being preferred if other land of comparable or better agricultural potential being added to the Reserve. 6.4.2.4 To support existing agricultural operations, accessory uses should be permitted where such uses do not impinge on the principal farm use and will not degrade the land nor reduce its capability for agricultural production, provided such uses are authorized by the Agricultural Land Commission Act. 6.4.2.7 Soil removal except for purposes of improving the agricultural soil resource on Agricultural Land Reserve lands subject to provisions of the Agricultural Land Commission Act should not be permitted. 6.5.1. Retail and Personal Service 6.5.1.4 The degree of servicing, including roads and parking, the provision of open space, signage and the form and character of any new commercial development shall be regulated through Development Permit. 6.5.1.10 Temporary Use Permits may be permitted for: a) temporary use; b) a period of evaluation of a new commercial venture (that does not involve significant new development) prior to application for rezoning; c) uses for a period of time to enable impacts to be assessed before any further permitting of the use; or d) seasonal activities.
Hornby Island Land Use Bylaw No. 150	Zoning: • The northwest portion of the lot is zoned Commercial 8 (C8) – Campground; • The southeast portion of the lot is zoned A1 – Agriculture 1. 8.5 Agriculture 1 (A1) Zone Permitted Uses (1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited:

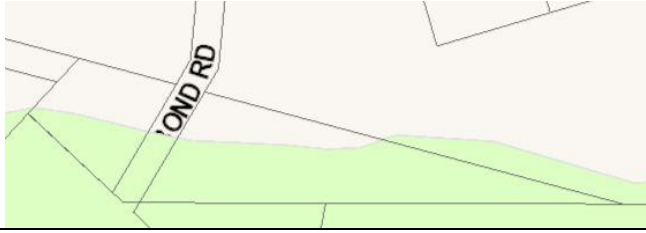
	(a) residential use of a dwelling; (b) agriculture; (c) silviculture; (d) secondary suite in a dwelling on lots 2.0 hectares or larger; (e) accessory uses, including but not limited to home occupations; and (f) vacation home rental use. Permitted Buildings, Structures and Density (2) The following buildings and structures are permitted, subject to the regulations set out in this Section and Part 3, and all other buildings and structures are prohibited: (a) a maximum of one dwelling unit per lot having an area less than 4 hectares; (b) a maximum of two dwelling units per lot having an area of 4 hectares or greater; and (c) accessory buildings and structures. <i>INFORMATION NOTE:</i> <i>It is necessary to comply with Agriculture Land Commission Regulations regarding second dwellings, for those properties within the Agricultural Land Reserve. ALC approvals may be required for second dwellings and secondary suites in addition to compliance with Section 3.8 of this bylaw.</i> (3) Lot coverage must not exceed 10 % of any lot having an area of 1 hectare or more nor 15% of any lot having an area less than 1 hectare. Siting and Size (4) The minimum setback for any building or structure, except for a fence or pump/utility house shall be: (a) 8.0 metres from a front lot line; (b) 8.0 metres from a rear lot line; (c) 8.0 metres from an interior side lot line; and (d) 8.0 metres from an exterior side lot line. (5) The total combined floor area of all accessory buildings on a lot, excluding buildings exclusively devoted to agricultural use, must not exceed 200 m². Subdivision Lot Area Requirements (6) No lot may be created by subdivision that has a lot area less than 16.0 hectares. Agricultural Land Reserve Farm Use Regulations (7) Where land is in the Provincial Agricultural Land Reserve, farm use is a permitted use, and (a) the maximum floor area for retail sales ancillary to a British Columbia licensed winery or cidery use is 20.0 square metres. (b) the maximum floor area for a food and beverage service lounge ancillary to a British Columbia licensed winery or cidery use is 20.0 square metres. (c) an indoor or outdoor food and beverage lounge ancillary to a British Columbia licensed winery or cidery is limited to the hours of operation of 10:00 a.m. to 8:00 p.m. (8) Where land is in the Provincial Agricultural Land Reserve, non-farm uses permitted by this Bylaw within a zone are permitted only:
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	(a) if also approved by the Provincial Agricultural Land Commission by written order and only to the extent provided by the written order, or (b) if also permitted by the Agricultural Land Reserve Use, Subdivision and Procedure Regulation and only to the extent permitted by this Bylaw. (9) Land uses which are permitted in the Agricultural Land Reserve unless otherwise prohibited by a local government bylaw are permitted to the extent permitted in the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, except as follows: (a) operation of a temporary saw mill is limited to the milling of timber harvested from the lot on the lot by a portable sawmill.
Other Regulations	The southeastern portion of the property (where the non-farm use for parking is proposed) is within the Agricultural Land Reserve (ALR) and therefore subject to the Agricultural Land Commission (ALC) Act and regulations.
Covenants	None. Legal notations on title are in reference to previous DP.
Bylaw Enforcement	None for this property.

SITE INFLUENCES

Islands Trust Conservancy	This proposal does not directly affect an Islands Trust Fund Board (TFB) owned property or conservation covenant, nor directly affects a property adjacent to a TFB owned property or conservation covenant. It also does not pertain to Crown Land. Therefore referral to TFB for comment is not required.
Islands Trust Regional Conservation Plan 2018-2027 ¹	Map 6 (p. 144) "Priority Lands for Conservation in the Islands Trust Area" classifies the subject property as high priority for conservation.
Species at Risk	TAPIS mapping indicates that most of the property is mapped within a Douglas-fir/Dull Oregon grape ecological community (green):  And the property is completely within a Western Screech Owl habitat (red): 

¹ <http://www.islandstrustfund.bc.ca/media/84722/rcp-final-web-mar-27.pdf>

Sensitive Ecosystems	TAPIS mapping indicates the following sensitive ecosystems for this lot: mature forest (light green): 
Archaeological Sites	None mapped on or within 100 metres of the subject lot. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No impacts anticipated.
Shoreline Classification and data in TAPIS	Not Applicable



File No.: HO-DP-2018.2 (Hornstein)

DATE OF MEETING: September 28, 2018

TO: Hornby Island Local Trust Committee

FROM: Teresa Rittemann, Island Planner
Northern Team

SUBJECT: Hornby Island Resort Development Permit Application for Building Demolition
Applicant: Jack Hornstein
Location: PID 028-882-075 (4305 Shingle Spit Road)

RECOMMENDATION

1. That the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2018.2, subject to the following conditions:
 - a) Landscaping of the post-demolition area and the maintenance of that landscaped area shall be in accordance with Schedule "B" attached to and forming part of the Development Permit;
 - b) A landscape plan and associated cost estimate shall be prepared by a member of the BC Society of Landscape Architects (BCSLA) or BC Landscape and Nursery Association (BCLNA), in accordance with Schedule "B", and submitted to the Islands Trust by December 31, 2018;
 - c) Financial security, in an amount equal to 125% of the estimated cost of to complete the landscape plan, either in the form of a certified cheque or auto-renewing irrevocable letter of credit, shall be submitted to the Islands Trust by December 31, 2018; and
 - d) Financial security shall be returned a minimum of two years from the date security is provided, upon receipt of confirmation by a member of the BCSLA or BCLNA that the installed landscaping is in substantial compliance with the approved landscape plan and has been established and maintained in accordance with BCSLA or BCLNA industry standards.
2. That the Hornby Island Local Trust Committee request Islands Trust Bylaw Enforcement staff to open a Bylaw Enforcement file if a landscape plan and financial security have not been received by December 31, 2018 in accordance with the conditions of Development Permit HO-DP-2018.2.

REPORT SUMMARY

The purpose of this report is to provide supplemental information to the Staff Report dated August 3, 2018, for consideration by the Hornby Island Local Trust Committee (LTC), and recommend approval of HO-DP-2018.2 subject to conditions.

BACKGROUND

This report was deferred from the August 3, 2018 LTC regular business meeting. Staff was informed by the LTC at that meeting that the development proposed by HO-DP-2018.2 (demolition of a building) had already occurred in early summer, prior to issuance of a Development Permit. Consideration of the application was deferred, as per (draft) LTC resolution:

HO-2018-039

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to bring this item back to a future meeting with a comment from Bylaw Enforcement.

CARRIED

The August 3, 2018 Staff report (Attachment 1) and Site Context (Attachment 2) are attached for information.

ANALYSIS

Following consultation with Bylaw Enforcement, Staff confirm that the approval of a Development Permit provides an opportunity for the applicant to achieve compliance with the Land Use Bylaw; demolition of buildings or structures is deemed to be a form of development that requires a development permit to be obtained. Furthermore, site restoration or landscaping may be required in accordance with development guidelines (Attachment 3). The LTC has the authority under the *Local Government Act* to require financial security to ensure completion of site works or landscaping in accordance with the terms and conditions of the development permit. The LTC also has the authority to cash the financial security should the required site works or landscaping not be completed in accordance with the approved permit.

As the demolition of the building has already occurred without issuance of a Development Permit, Staff have prepared a revised draft Development Permit (see Attachment 4) by adding term (7.) as follows:

7. **If a condition of this Permit respecting landscaping has not been satisfied, an unsafe condition has resulted as a consequence of a contravention of a condition in this Permit, or damage to the natural environment has resulted as a consequence of a contravention of a condition in this Permit, the Local Trust Committee may:**
 - (a) undertake, at the expense of the holder of the Permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment, and
 - (b) apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.

Rationale for Recommendation

The Staff recommendations on page 1 of this report are based on the expectation for the owner/applicant to restore the vegetation on the subject property and provide an opportunity for voluntary compliance prior to Bylaw Enforcement undertaking enforcement action.

ALTERNATIVES

1. Not require a Landscape Plan and Security

The LTC may decide not to require the submission of a landscape plan or receipt of security for this proposal. The corresponding resolution would be:

That the Hornby Island Local Trust Committee amend draft Development Permit HO-DP-2018.2 by removing conditions 3.2, 3.3, and 3.4, and term 7.0.

That the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2018.2, subject to the following condition:

- (a) *Landscaping of the post-demolition area and the maintenance of that landscaped area shall be in accordance with Schedule "B" attached to and forming part of the Development Permit.*

2. Deny the application(s)

The LTC may deny the application due to non-compliance with one or more of the development guidelines. If this alternative is selected, the LTC decision **must** be accompanied by reasons. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application HO-DP-2018.2 for the following reasons [insert reasons].

NEXT STEPS

Assuming the LTC decides to proceed with the recommendations, Staff will advise the applicant of the need to submit either a Siting and Use Permit application or a landscape plan/financial security prior to December 31, 2018.

Submitted By:	Teresa Ritemann, MCIP, RPP Island Planner	September 14, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 20, 2018

ATTACHMENTS

1. Staff Report dated August 3, 2018
2. Site Context
3. Development Permit Guidelines
4. Draft DP Permit, including proposed landscaping and maintenance plan for the demolition site



File No.: HO-DP-2018.2 (Hornstein)

DATE OF MEETING: August 3, 2018

TO: Hornby Island Local Trust Committee

FROM: Teresa Rittemann, Planner 2
Northern Team

SUBJECT: RE: Hornby Island Resort Ltd. application to demolish a building in the Commercial DPA
Applicant: Jack Hornstein
Location: PID 028-882-075 (4305 Shingle Spit Road)

RECOMMENDATION

1. That the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2018.2, subject to the following conditions:
 - a) Landscaping of the post-demolition area and the maintenance of that landscaped area shall be in accordance with Schedule "B" attached to and forming part of the Development Permit.

AND that prior to issuance,

- b) A landscape plan for the revegetation of the site shall be prepared by a member of the BC Society of Landscape Architects (BCSLA) or BC Landscape and Nursery Association (BCLNA), in accordance with Schedule "B" and to the satisfaction of the Islands Trust, and
- c) Financial security shall be provided to the Islands Trust, in the form of a certified cheque in the amount equal to 125% of the estimated cost of landscaping, with the estimated cost to be determined by the same professional who prepared the landscape plan.

AND that financial security be returned after a minimum of two years from the date security is provided, and upon receipt of confirmation by a member of the BCSLA or BCLNA that the installed landscaping is in substantial compliance with the approved landscape plan and has been established and maintained in accordance with BCSLA or BCLNA industry standards.

REPORT SUMMARY

The purpose of this report is to provide information regarding the proposed demolition of a building on the Hornby Island Resort property at 4305 Shingle Spit Road (HO-DP-2018.2). The main discussion points in support of the recommendation above are:

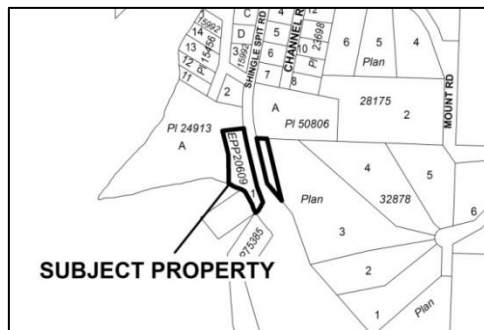
1. This application is for the demolition and removal of an existing building. No new development is proposed at this time;
2. The subject property is very publicly visible near the ferry terminal, and is therefore a key component of tourism and the local economy on Hornby Island. The Development Permit guidelines for Commercial Centre areas include a guideline that a landscape plan incorporating natural landscaping should be required. Support for this guideline is found in associated Official Community Plan (OCP) objectives and

policies around landscaping and natural vegetation. Staff are recommending that a landscape plan is included as part of the Permit and that the applicant supplies financial security to ensure that the property is re-landscaped and the maintenance plan in the permit is followed; and

3. The applicant has contacted the Archaeology Branch, and has advised that they will not be contacting an Eligible Consulting Archaeologist further in this case; however, the applicant also noted that the demolition company they plan to use has experience in this area and will stop work and contact the Archaeology Branch immediately if needed.

BACKGROUND

The subject property is a 1.8-acre waterfront lot located on the south-west shore of Hornby Island, on Shingle Spit Road near the ferry terminal. The parking lot across the street on Shingle Spit Road is “hooked” to the subject property, as shown on the location map below.



The applicant intends to demolish an existing building on the subject property. This Development Permit (DP) application is proceeding because the subject property is within the Commercial Centre Development Permit Area (DPA). See Attachment 1 – Site Context for more detail.

The DP Guidelines for the Commercial Centre DPA can be found in Attachment 2, and the draft DP permit is included as Attachment 3 of this report.

ANALYSIS

Policy/Regulatory

Attachment 1 addresses the site context in greater detail; however, the following is a summary:

- The proposed demolition of the existing building is not contrary to or at variance with the Islands Trust Policy Statement.
- The subject property is designated **CS/VA (Retail and Personal Service / Visitor Accommodation)** under the OCP, and the proposed demolition is not contrary to or at variance with the objectives of this OCP designation. However, a number of OCP objectives and policies would support a natural landscaping plan to be a requirement of the Development Permit, namely:
 - Objectives and Policies for Development. Policy 6.1.12: **“In order to protect the natural environment and maintain neighbourhood views, screening and natural landscaping should be maintained on all parcels and along all lot lines in accordance with land use bylaw regulations.”**

- Retail and Personal Service Objectives:
6.5.1(2) to **protect the environment from degradation and resources from depletion while providing opportunity for commercial activities**; and
6.5.1(5) to ensure the scale, form and character of all commercial developments **harmonize with the natural surroundings and the rural character of the Island**.
- Visitor Accommodations and Tourism: “The Island's increasing popularity as a summer destination has made tourism both a key component of the local economy and a cause for concern because of its impacts. **Fragile ecosystems are susceptible to degradation.**” Advocacy Policy 6.5.2.11 “Information provided to visitors should **emphasize the fragility of the environment, the limited resources (particularly the need to conserve water)** and the appropriateness to the Island of low impact recreational activities.”
- The subject property is within the Commercial Centre DPA, and the DP Guidelines (Attachment 2) are mostly not applicable to this proposed demolition.
- The subject property is split-zoned C3 and C3(a), with the location of the building to be demolished within the C3 (Comprehensive Commercial) zone of the Land Use Bylaw (LUB), where retail, pubs, restaurants, offices, accessory uses, and residential uses are permitted uses.

Issues and Opportunities

Potential Archaeological Sites

Staff identified during the review of this application that provincial mapping records indicate that an archaeological site (Arch Site ID DjSe-4) is mapped on the property; however, the location of the building to be demolished appears to be outside of the known mapped location. Staff advised the applicant to contact the Archaeology Branch, as the subsurface boundaries of archaeological sites are approximate and are difficult to determine without further engaging an Eligible Consulting Archaeologist (ECA).

The Archaeology Branch also advised the applicant that archaeological sites are protected under the *Heritage Conservation Act* and must not be altered or damaged without a Site Alteration Permit from the Archaeology Branch. The Branch advised that where work is planned outside a known mapped location, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance, it is a risk management decision for the proponent. However, the Archaeology Branch strongly encourages engaging an archaeologist prior to development as the site may extend beyond the limits indicated in the known mapped location.

Staff asked whether the applicant would be proceeding with contacting an ECA in this case. The applicant advised that they will not be contacting an archaeologist, and noted that the demolition company they plan to use has experience in this area and if anything comes up they will immediately stop work and contact the Archaeology Branch for further direction.

Finally, although there are no guidelines for this Commercial DPA regarding the protection of archaeological sites, the LTC has the ability to consider establishing a Heritage Conservation Area, which would regulate proposed development on archaeological sites to supplement the requirements of the Archaeology Branch. The LTC could consider such a tool in the future by adding “Consideration for a Heritage Conservation Area” to the LTC Projects List.

Landscape Plan

One of the DP Guidelines (see Attachment 2) is that “a landscape plan incorporating natural landscaping should be required”. Due to the prominent location for Island tourism near the ferry terminal and the nature of the proposal being a demolition with no immediate plans for replacement by another building under a Siting and Use Permit, Staff are recommending that such a plan be incorporated as part of the Development Permit to ensure that there is a plan to re-landscape the area with native vegetation, along with a required security to be held for at least two years following the completion of landscaping to ensure that the vegetation is maintained according to the landscape plan.

Such a landscape plan is supported by a number of OCP objectives and policies, as noted above. In order to meet this condition, the applicant should supply Islands Trust planning staff with a landscape plan prepared by a member of the BC Society of Landscape Architects (BCSLA) or British Columbia Landscape and Nursery Association (BCLNA) in accordance with BCSLA or BCLNA industry standards. A comprehensive cost estimate should be prepared by the same professional in order to determine the amount of security required. Security is typically held at 125% of the estimated cost of landscape works.

Consultation

No consultation is required or recommended for this development permit application.

Rationale for Recommendation

This application is for the demolition and removal of an existing building and no new development is proposed, and most of the DP Guidelines are not applicable to this proposal. Staff are recommending that, as per page 1 of this report, a landscape plan be included as a condition of the Permit and security be received before issuance.

ALTERNATIVES

1. Not require a Landscape Plan and Security

The LTC may decide not to require the submission of a landscape plan or receipt of security for this proposal. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2018.2, without conditions.

2. Defer Consideration of HO-DP-2017.1

The LTC may wish to defer consideration of this application and request that the applicant provide a more detailed landscape plan or satisfy other conditions the LTC may require, as noted in the DP Guidelines. The LTC could then consider the DP at a future meeting and also decide whether or not to require the applicant to provide security at that time as well. Recommended wording for the resolution:

That the Hornby Island Local Trust Committee defer consideration of application HO-DP-2018.2 until such time as the applicant has provided [insert requirements] as described in DPA Guideline [insert guideline number] of the Hornby Island Land Use Bylaw.

3. Deny the application(s)

The LTC may deny the application. If this alternative is selected, the LTC's decision MUST be accompanied by reasons. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application HO-DP-2018.2 for the following reasons [insert reasons].

NEXT STEPS

Assuming the LTC decides to proceed with the recommendation, Staff will work with the applicant to receive a landscape plan and security. Once received, Staff would proceed with issuing the Development Permit. Note that in this case, the applicant would not need to apply for a Siting and Use Permit (SUP), as no new construction is proposed at this time. Should the applicant wish to develop the property further in the future, they would need to apply for another Development Permit and companion SUP application.

Submitted By:	Teresa Ritemann, MCIP, RPP Planner 2	July 17, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	July 26, 2018

ATTACHMENTS

1. Site Context
2. Development Permit Guidelines
3. Draft DP Permit, including proposed landscaping and maintenance plan for the demolition site

ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	LOT 1, SECTION 4-A, HORNBY ISLAND, NANAIMO DISTRICT, PLAN EPP20609
PID	028-882-075
Civic Address	4305 Shingle Spit Road
Lot Size:	0.76 ha (1.885 ac)

LAND USE

Current Land Use	Pub, restaurant, and visitor accommodation
Surrounding Land Use	Residential to the west, north, and east; Ferry/Marina to the south

HISTORICAL ACTIVITY

File No.	Purpose
HO-DVP-1982.32	<i>Unknown. File not retrieved from storage.</i>
HO-DP-1985.15	<i>Unknown. File not retrieved from storage.</i>
HO-SUP-1985.11	<i>Unknown. File not retrieved from storage.</i>
HO-DVP-1989.15	<i>Unknown. File not retrieved from storage.</i>
HO-DVP-1989.32	<i>Unknown. File not retrieved from storage.</i>
HO-DVP-1991.18	<i>Unknown. File not retrieved from storage.</i>
HO-DVP-1992.10	<i>Unknown. File not retrieved from storage.</i>
HO-RZ-1997.1	<i>Unknown. File not retrieved from storage.</i>
HO-SUP-2000.3	Proposal not in compliance with the Bylaw. SUP not issued.
HO-RZ-2006.2	Application withdrawn by the applicant
HO-RZ-2009.2	BL 140 (OCP Amendment) and BL 141 (LUB Amendment to rezone to C3 zoning)
HO-DP-2011.1	Permit issued Nov. 26, 2012. Authorized the construction of a pub, restaurant, office, meeting room, liquor store and 15 visitor accommodation units, with conditions. Expired Nov. 26, 2014.
HO-SUP-2011.11	Permit not issued.
HO-DVP-2012.2	Variance for change in height of visitor accommodation units and setback to road of pub/restaurant. Permit issued.

POLICY/REGULATORY

Islands Trust Policy Statement	The proposal is not contrary to or at variance with the ITPS
Hornby Island Official Community Plan No. 149, 2014	Schedule B – Land Use Designation: CS/VA (Retail & Personal Service / Visitor Accommodation) Schedule E – Development Permit Areas: Commercial (requirement for DP) CS/VA excerpts from the OCP: 6.1 Objectives and Policies for Development Policy 6.1.12: In order to protect the natural environment and maintain neighbourhood views, screening and natural landscaping should be maintained on all parcels and along all lot lines in accordance with land use bylaw regulations.

	6.5 Commercial and Home Occupations Background: Commercial use policies are classified into retail and personal service and visitor accommodation. The two main classifications have very different criteria for location as defined in the objectives. Schedule B includes designations for three types of commercial land use: retail and personal service (CS), visitor accommodation (VA) and commercial general (CRG). 6.5.1 Retail and Personal Service Background: The Shingle Spit commercial area is located at the ferry terminal and provides a restaurant, pub, liquor store and visitor accommodation units. Objectives: (2) to protect the environment from degradation and resources from depletion while providing opportunity for commercial activities; and (5) to ensure the scale, form and character of all commercial developments harmonize with the natural surroundings and the rural character of the Island. Policy 6.5.1.2: Existing smaller commercial service centres with accommodation facilities should be retained at Fords Cove and at Shingle Spit Road near the ferry terminal (currently known as the Hornby Island Resort property). 6.5.2 Visitor Accommodations and Tourism Background: The Island's increasing popularity as a summer destination has made tourism both a key component of the local economy and a cause for concern because of its impacts. Fragile ecosystems are susceptible to degradation. Advocacy Policies 6.5.2.8 Rainwater catchment and storage systems and water conservation are encouraged for all types of visitor accommodation. 6.5.2.11 Information provided to visitors should emphasize the fragility of the environment, the limited resources (particularly the need to conserve water) and the appropriateness to the Island of low impact recreational activities.
Hornby Island Land Use Bylaw No. 150, 2014	Split-zoned (across a road). Eastern portion across the road is spot-zoned C3(a) – only permitted use is parking, and no buildings or structures are permitted. Western portion of property (location of where building is to be demolished) is Commercial 3 (C3) – Comprehensive Commercial (<i>Hornby Island Resort – Thatch</i>):

	Permitted Uses: (1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited: (a) retail; (b) pub; (c) restaurant; (d) office; (e) accessory uses including visitor accommodation units accessory to a use; (f) residential use of visitor accommodation units, provided the visitor accommodation unit constitutes only one dwelling unit; and (g) residential use. Permitted Buildings, Structures and Density (2) The following buildings and structures are permitted, subject to the regulations set out in this Section and Part 3, and all other buildings and structures are prohibited: (a) a maximum of 15 visitor accommodation units; (b) a maximum of one accessory residential dwelling unit attached to a building used for a pub or restaurant. (3) Lot coverage must not exceed 40% Siting and Size (4) The minimum setback for any building or structure, except for a fence or pump/utility house shall be: (a) 6.0 metres from a front lot line; (b) 6.0 metres from a rear lot line; (c) 3.0 metres from an interior side lot line; and (d) 6.0 metres from an exterior side lot line. (5) Despite 3.3(2) the setback for a restaurant/pub shall be 0.0 metres from the natural boundary of the sea. (6) The maximum floor area of each visitor accommodation unit and any accessory dwelling unit shall be 93 m² (7) The minimum seating capacity of a pub shall be fifty (50) indoor seats. (8) The maximum floor area of all buildings including the area of any accessory dwelling unit and excluding the floor area of visitor accommodation units shall not exceed 465 m². Subdivision Lot Area Requirements (9) Land in the C3 zone may not be subdivided.
Other Regulations	None identified.
Covenants	EG107386: Held by the Hornby Island Local Trust Committee. The covenant was registered in 1993 when the owner constructed an expansion of the Hornby Island Resort, which resulted in an increased need for parking. The owner obtained a lease over a portion of a nearby parcel of land for parking of vehicles for the patrons of the Resort, and the lease was registered in the Land Title Office on October 1, 1992 under EF128275. This covenant runs with the land and is therefore registered on PID 028-882-075.

	CA2090177: Held by the Hornby Island Local Trust Committee. The covenant was registered in 2011 to ensure that the design, construction and operation of buildings on the subject property incorporate rainwater catchment; green roofs; water conservation fixtures; energy conservation; landscaping; paving; lighting sewage treatment and recycling. The covenant also grants a statutory right of way to an agent of the LTC for the operation and maintenance of the covenant.
Bylaw Enforcement	None.

SITE INFLUENCES

Islands Trust Fund	No referral required.
Regional Conservation Plan (2018-2027)	Important Natural Areas in the Hornby LTA mapped as relatively low biodiversity for the subject property.
Species at Risk	No Species at Risk occurrences or critical habitat mapped.
Sensitive Ecosystems	None mapped on western portion of property where demolition proposed.
Hazard Areas	None mapped.
Archaeological Sites	The subject property has a direct overlap with a known archaeological (Arch Site ID: DjSe-4); however, the project area for the demolition of the building appears to be outside the known mapped location.
Climate Change Adaptation and Mitigation	No impacts anticipated for proposed development.
Shoreline Classification	Sediment Shoreline - Boulder/Cobble
Shoreline Data in TAPIS	Forage Fish (Pacific Sandlance) mapped along adjacent shoreline.
Land Status and Road Designations	OCP Schedule C: none mapped

ATTACHMENT 3 – COMMERCIAL CENTRE DEVELOPMENT PERMIT (DP) GUIDELINES

Prior to undertaking **any development**, subdivision **or land alteration**, an owner of property **within the Commercial Centres (Retail and Visitor Accommodations) Development Permit area shall apply** to the Hornby Island Local Trust Committee **for a development permit. Development Permits issued in this area should be in accordance with the following guidelines:**

	Guideline	Notes
1)	The character of each development (including campgrounds) should be in keeping with the rural environment and blend in with the aesthetic qualities of the natural surroundings.	<i>n/a</i> (demolition of building)
2)	The form of the development should incorporate low, small-scale building designs with such amenities as public walkways and outdoor open spaces for use by the public, and include sufficient services.	<i>n/a</i> (demolition of building)
3)	Natural vegetation and trees should be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.	<i>n/a</i> (demolition of building)
4)	In order to minimize light pollution to neighbouring properties, lighting should be softer and lower than supplied by mercury vapour lighting towers, and alternatives that do not light up adjacent private properties shall be required.	<i>n/a</i> (demolition of building)
5)	Off-street automobile parking should be provided as required by bylaw and the Permit should ensure that it is adequately screened and unobtrusive and, if possible, is located to the rear of the parcel and away from public open spaces and eating places.	Required parking already provided on the hooked portion of the property across the street
6)	Adequate convenient toilet and washroom facilities should be provided for the number of customers anticipated.	Facilities provided by existing building(s), not the building being demolished
7)	Clustering of businesses in order to share in the provision of parking, services, and public facilities and open space should be encouraged.	<i>n/a</i> (demolition of building)
8)	A landscape plan incorporating natural landscaping should be required.	TBD by LTC. LTC has an opportunity under this proposed DP to require a landscape plan and security. See proposed landscape plan in draft permit.
9)	Neon or internally lit signs should not be permitted.	<i>n/a</i> (demolition of building)
10)	All buildings should be finished in natural products such as wood or brick.	<i>n/a</i> (demolition of building)
11)	On any lot where residential use is permitted the sequence of construction should be that buildings to be used only for commercial purposes should be constructed prior to any construction of any building that may accommodate residential use, with the exception that one building to be used for commercial purposes that includes one dwelling unit may be constructed, if authorized by zoning regulation, in any sequence of construction on the lot.	<i>n/a</i> (demolition of building)
12)	Universal access design principles should be incorporated into the built environment to support the provision of equitable access for all abilities.	<i>n/a</i> (demolition of building)



HORNBY ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT - HO-DP-2018.2

TO: Hornby Island Resort Ltd., Inc. No. 0789283

1. This Development Permit (the "Permit") applies to the land described below, and all buildings, structures, and other developments therein:

PID 028-822-075
Lot 1, Section 4-A, Hornby Island, Nanaimo District, Plan EPP20609
2. This Permit permits the demolition of a building within the Commercial Development Permit Area, and is authorized in accordance with the following schedules attached to and forming part of this Permit as signed and dated by the Deputy Secretary of Islands Trust:

Schedule "A" - Existing Site Plan showing building to be demolished.
Schedule "B" – Landscaping and Maintenance Plan for the Demolition Site.
3. The Permit is subject to the following conditions:
 - 3.1 Landscaping of the post-demolition area and the maintenance of that landscaped area shall be in accordance with Schedule "B" attached to and forming part of this Permit;
 - 3.2 A landscape plan and associated cost estimate shall be prepared by a member of the BC Society of Landscape Architects (BCSLA) or BC Landscape and Nursery Association (BCLNA), in accordance with Schedule "B", and submitted to the Islands Trust by December 31, 2018;
 - 3.3 Financial security, in an amount equal to 125% of the estimated cost of to complete the landscape plan, either in the form of a certified cheque or auto-renewing irrevocable letter of credit, shall be submitted to the Islands Trust by December 31, 2018; and
 - 3.4 Financial security shall be returned a minimum of two years from the date security is provided, upon receipt of confirmation by a member of the BCSLA or BCLNA that the installed landscaping is in substantial compliance with the approved landscape plan and has been established and maintained in accordance with BCSLA or BCLNA industry standards.
4. Any alterations requiring a Development Permit and not specifically authorized in this Permit may require a new Development Permit or a Development Permit Amendment.
5. This Permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Hornby Island Land Use Bylaw No. 150, 2014 including use and density, and to obtain other appropriate approvals necessary for the lawful completion of the proposed development.
6. The land described herein shall be developed in accordance with the terms, conditions, and provisions of this Permit, and any schedules, plans, and specifications attached to this Permit, which shall form a part thereof.
7. If a condition of this Permit respecting landscaping has not been satisfied, an unsafe condition has resulted as a consequence of a contravention of a condition in this Permit, or damage to the natural environment has resulted as a consequence of a contravention of a condition in this Permit, the local trust committee may:
 - (a) undertake, at the expense of the holder of the Permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment, and
 - (b) apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the Permit.

DRAFT

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 2018.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 2020, THIS PERMIT AUTOMATICALLY LAPSES.

DRAFT

**HORNBY ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT HO-DP-2018.2**

**Schedule "A"
Existing Site Plan showing building to be demolished**



HORNBY ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT HO-DP-2018.2

Schedule “B”

Landscaping and Maintenance Plan for the Demolition Site

Following the demolition of the building noted in Schedule “A” (Existing Site Plan), the area shall be referred to as the “Demolition Area” and shall be re-landscaped to comply with the objectives and policies set out in the Hornby Island Official Community Plan for commercial and tourist areas.

Namely, the Demolition Area shall be restored to a natural state by re-landscaping and maintaining according to this plan, which is intended to:

- Protect the natural environment and ecosystems from degradation while continuing to providing opportunity for commercial and tourism activities on site;
- Ensure the scale, form and character of the commercial and tourism activities on site are harmonious with the natural surroundings and the rural character of the Island;
- Protect the safety of the environment by not using harmful fertilizers or pesticides on plants, or chemicals used for clearing icy patches;
- Maintain neighbourhood views, screening and natural landscaping;
- Enhance the outdoor environment for the public, visitors, patrons and employees, through the retention of green space and provision of open space;
- Consider safety at all times, by ensuring that sightlines are kept clear and any pathways created do not succumb to uneven surfaces; and
- Minimize any adverse impacts on adjacent lands.

A. Restoration of Natural Vegetation in the Demolition Area:

- i. Shall be restored in a timely manner; and
- ii. Shall incorporate similar native species as exist in the nearby vicinity.

B. Maintenance of Natural Vegetation in the Demolition Area:

- i. Trees: Shall be maintained to ensure utmost health and maintaining a healthy growing condition free of disease. Trees shall be pruned using best practices, including the removal of all branches that affect sight lines, and to be kept tidy in appearance.
- ii. Shrubs: Shall be maintained to ensure utmost health and maintaining a healthy growing condition free of disease. Shrubs shall be maintained using best practices, including for disease removal, and to be kept tidy in appearance.
- iii. Grasses and groundcovers: Shall be maintained to ensure utmost health and maintaining a healthy growing condition free of disease. Groundcovers shall be kept trimmed from infringing on pathways or access routes.
- iv. Fertilizers and Pesticides: Harmful fertilizers or pesticides shall not be used. Harmful chemicals used for clearing icy patches shall also not be used.
- v. Mulching: A mulch layer is encouraged to help control weeds, reduce water use, and help maintain healthy plants. Mulch should be maintained and reapplied as necessary, and should be free of trash and debris.
- vi. Pest Management: Weeds in planted areas and in pathways shall be removed. Any branches or plants affected by disease will be removed and discarded so as not to affect other plants.
- vii. Irrigation/Watering: Xeriscaping with drought-resistant native plant species is encouraged to minimize the need for irrigation and watering.
- viii. Pathways: Any pathways created shall be consistently monitored and maintained to promote accessibility and aesthetics.

Hornby Island Housing, 2018 – Discussion Paper

History of initiatives

- legislative initiatives in bold
- Islands Trust initiatives in regular font
- community initiatives in italics

1990	<i>....Hornby conference on seniors' housing for islands</i>
1991	One dwelling permitted per public facility in
1992	Zone created for seniors' housing <i>....Land acquired for Elder Housing</i>
1993	Secondary dwelling permitted in ag. zone
1996	<i>....Elder Housing construction begins</i>
2003	OCP revisions enable: - community housing in public use zone - rezoning for social housing - rezoning for co-ops, land trusts - amenity zoning for housing
2004	Advisory Committee on Housing recommends: - displaced residents' seasonal accommodation - secondary dwelling units - establishing a community land trust
2005	<i>.....ISLA formed as community land trust</i>
2007	<i>....Hornby conference on Housing Solutions for Small Communities</i>
2008	<i>....Housing Needs Assessment completed (commissioned by HICEEC)</i>
2008	Regs. for public use area amended to permit: - community housing - supportive living facility - hostel
2009	Amenity zoning bylaws enable transfer of land to ISLA for "community housing"
2009	Additional house sites permitted for Syzygy Land Co-op
2009	<i>....Hornby Outer Island Housing Society formed; land identified for rental housing project</i> <i>....(Process and society later discontinued)</i>
2010	Affordable Housing Toolkit (Islands Trust) Seniors' Housing Strategy (Islands Trust)
2011	APC hosts Community Housing Forum - makes recommendations for OCP/LUB review
2014	Revised OCP contains new section on "Housing" including existing and new policies. New policies implemented in revised LUB: - secondary suite on larger lots - detached units on larger lots through TUP - additional subdivision of rural lots - reduced average lot size for rural lots
2016	<i>....HIRRA Housing Committee formed</i>
2018	Housing Needs Assessment for Northern Islands completed (Islands Trust)
2018	<i>....ISLA/Elder Housing form single Hornby Island Housing Society</i> <i>....preparing application to BC Housing for Beulah Creek project</i>

Permitted dwellings on Hornby Island

	Permitted dwellings per lot	Est. Total	Additional dwellings permitted	Comments
Residential Small lot (Sandpiper) (Galleon) (Anderson/WSB) (Other)	1	735 (314) (180) (185) (52)		<i>Islands Trust policy prevents additional density in areas with water problems</i>
Residential Large lot - less than 4 ha	1	149	- Secondary suite on lots over 2ha - Detached unit by TUP	<i>OCP enables rezoning for community housing & co-ops</i>
Residential Large lot - more than 4ha	2	114	- Secondary suite per dwelling - Detached unit by TUP	
Residential:	Total:	998		
Agricultural - less than 4ha	1	34	- Secondary suite on lots over 2ha	<i>ALC does not support ALR land being used for housing</i>
Agricultural - more than 4ha	1	76	- Secondary suite on lots over 2ha - Additional dwelling permitted if also permitted by ALC	
Syzygy	11	11	- Secondary suite per dwelling	
Shire	12	12	- Secondary suite per dwelling	
Downes Point	9	9	- Secondary suite per dwelling	
Agricultural	Total:	142		
Other - commercial	1	5		
Other - park	1	1		
Other - public use	1	8	OCP enables community housing in this zone	<i>No projects yet proposed</i>
Other	Total:	14		
Community housing - The Village	11	11		<i>Potential for large lots or public use land to be zoned for this purpose</i>
Community housing - Beulah Creek	30	30		
Community housing	Total:	41		
2016:			2006:	
Total permitted dwellings: <i>(estimated by counting lots)</i>		1,195	?	
Total dwellings built:		1,100	968	
Dwellings occupied by residents:		560	547	
% of total		50.7%	57%	
Resident population:		1,010	1,074	
Average household size:		1.8	2	

Housing Needs Assessment: Rental Housing on Hornby Island

- Income and affordable housing:

45.6% of households (all households below moderate income of \$30,000) need rental housing \$688/month or less

- Housing challenges for Hornby Islanders

1. Unaffordable relative to income – particularly since there is a large percentage of households that earn under \$25,000 per year.
2. Uncertain tenure forcing people to move seasonally – often forcing people to share accommodation in the summer months and/or live in tents and campgrounds.
3. Lack of housing options – while Hornby Island has seniors housing, there are no options for other secure rental options.

- Private market rental housing

Anecdotal evidence and survey results for the assessment confirm a limited market for rental housing

- Social housing:

Hornby Island Elder Housing Society operates 11 rental units for seniors' housing and has a waiting list of over 30 people. Islanders' Secure Land Association is working on a development of 20-30 affordable rental units and has received expressions of interest from over 40 people. *(The two organizations have now merged to form the Hornby island Housing Society.)*

- Where people live who need affordable housing:

Over 80% of survey respondents indicated that those in need of affordable housing live in trailers or mobile homes, and illegal cottages.

- Conclusions and recommendations of the Housing Needs Assessment

Based on the population projections, there could be a need for potentially 158 residential units in the next 25 years. Based on the 2016 Census, 41% of the total population falls within the no, low and low/moderate income levels. The 2008 Housing Needs Assessment on Hornby and Denman Island identified a total housing need of 97 units for renters and seniors. Based on the population growth projected for 158 units and 41% need for affordable rental, Hornby Island now requires between 65 and 97 affordable housing units. This would require between three and four affordable rental housing units to be constructed each year.

Large Lot Regulations

(Hornby Island compared to other islands)

The large lot zone (R2) is the only residential zone on Hornby Island with the potential for density to be increased to provide additional potential housing opportunities. (The small lots are in areas which have water quality/quantity challenges). Agricultural lots are in the ALR where additional housing is controlled by the ALC.

Island	Subdivision		Housing density		
	Min.	Av			
Hornby	1ha	2ha	Under 2ha: 1 dwelling*	2ha+: 1 dwelling* + sec suite	4ha+: 2 dwellings* + sec suite per dwelling
			+ additional detached unit permitted by TUP only *Max dwelling size: 300m2		
Denman	2ha	4ha	Under 4ha: 1 dwelling + sec. suite		4ha+: 1 dwelling + 1 additional dwelling per 4ha + 1 sec. suite per lot
			+ additional detached unit permitted by TUP only + travel trailer for "occasional non-commercial accommodation"		
Gabriola	2ha	4ha	Under 2ha: 1 dwelling	2ha+: 1 dwelling + 1 cottage*	
			*Max cottage size: 65m2		
Thetis	2ha	4ha	Under 8ha: 1 dwelling + 1 cottage*		8ha +: 1 dwelling + 1 additional dwelling per 4ha + 1 cottage* per dwelling
			*Max cottage size: 65m2		
Mayne	2.8ha	-	Under 2.8ha: 1 dwelling + 1 cottage*	2.8ha + 1 dwelling + 1 additional dwelling per 2.8ha + 1 cottage* per dwelling	
			*Max cottage size: 60m2 on lots less than 1ha 93m2 on lots more than 1 ha		
N.Pender	0.6ha	4ha	1 dwelling + 1 cottage*		
			*Max cottage size: 56m2		

Discussion

- Market Rental Housing

The market is not providing the required affordable, stable renting housing. Dwellings are generally owned for the present or future use of the owner and not primarily to provide residential tenancies.

- Social housing

If a present proposal to BC Housing goes through, the Hornby Island Housing Society has the potential to triple the current number of affordable rental units (11 at the Elder Housing Village). But this will not go halfway to meet the current demand evidenced by the waiting list and expressions of interest nor to address the rental requirements projected in the Housing Needs Assessment.

- Secondary dwelling units

The lack of applications indicates there has been no formal uptake with respect to the provisions for secondary suites (by Siting and Use Permit) and detached units (by Temporary Use Permit).

Secondary suites were seen as a way to use the existing built infrastructure to create housing opportunities given the reduction in household size. But maybe this option does not resonate with the norms of rural living.

Temporary Use Permits were seen as a way to provide more control over the development and use of detached units than is possible through zoning regulations. But maybe the cost and challenging process has deterred applications.

- Unpermitted dwelling units

Anecdotal information suggests that a significant proportion of affordable rental housing is through non-permitted dwellings such as cabins and mobile units. These are the kind of situations that the temporary use permit provision was intended to address in order to enable legalization.

- Accessibility versus accountability

The limited number of regulatory options can make it challenging to find an appropriate balance between accessibility and accountability. Allowing secondary units as an outright permitted use in a zone can make it hard to build in a sufficient degree of accountability through regulations. Allowing them only through Temporary Use Permits provides a much higher degree of accountability, but at the expense of accessibility because the bureaucratic requirements and cost are barriers to applications. The consequence of insufficient accessibility to permitted uses can be a proliferation of unpermitted uses. When these involve housing community members there can be a reluctance to initiate bylaw investigations through complaints and a reluctance to enforce identified violations (the Bylaw Enforcement Manager recently suggested to Trust Council that there is not a social licence for the Islands Trust to enforce situations that could result in island residents being put out of their homes).

So it is worth looking at ways to achieve a better balance between accessibility and accountability. One approach might be to have a more affordable, less demanding Temporary Use Permit process. Another might be to explore what might be achievable through zoning regulations.

- More Accessible Temporary Use Permits

These could be made more accessible by reducing (or eliminating) the fee and having much simpler guidelines. However, TUPs will still need to be advertised and to provide the opportunity for neighbourhood comments. They will still need to be subsequently renewed and then re-applied for. As with zoning regulations, TUPs cannot provide accountability with respect to the use of secondary units (such as for affordable housing or caretaker accommodation) without a housing agreement which adds another big layer of bureaucracy.

- More accountable zoning regulations

To explore this option, the first step would be to identify issues that require a degree of accountability and then explore workable options for regulations.

Issues might involve:

- inappropriate uses
- type and size of units permissible
- impacts on the land
- provision for water supply and liquid waste treatment
- limiting total number
- impacts on neighbours
- addressing future interests in subdivision
- limiting total number on the island

Examples of regulatory approaches that might be explored to address these issues:

- prohibition against use for visitor accommodation
- requirement that secondary unit be occupied through a residential tenancy agreement or that mobile unit be occupied as principle residence of the occupant (*is this possible?*)
- maximum size of unit
- maximum combined size of principal and secondary units to not exceed permitted max size of a dwelling unit in the zone
- maximum permitted combined number of bedrooms (4) in the principal and secondary unit (to limit water/waste requirements to what would be expected in a principle dwelling)
- location of secondary unit within a specified distance from principle unit
- requirement for "no-subdivision" covenant
- initially limit permissibility of secondary units to a pilot subzone (eg close to institutional and main commercial centres) rather than throughout the whole island.

Possible next steps

Request a staff report to outline potential options. Appoint a special purpose Advisory Planning Commission to review options with the community.

Prepared by Trustee Tony Law 23 July 2018

**Hornby Island**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Land Use Bylaw Amendments	A Bylaw amendments to address issues with respect to the Public Use Area and MALA in the large lot residential zone and other housekeeping amendments	27-Apr-2018	Teresa Ritemann	
2	Groundwater Protection and Water Conservation Project	Project charter, including work plan and budget; consolidation of existing information; required research to address key knowledge gaps; workshop to explain the model; suggestions for next steps including finding potential funding, advocacy/education/coordination with other agencies etc. 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	08-Jun-2018	William Shulba	
3	Vacation Home Rental Community Education and Bylaw Compliance Campaign	Implement the Project Charter for the education and compliance campaign.	27-Apr-2018	Miles Drew Teresa Ritemann	01-Jan-2019
4	Exploration of Housing Needs	LTC discussion of the Housing Needs Assessment and of existing and potential housing opportunities on Hornby Island.	08-Jun-2018	Laura Busheikin Tony Law Alex Allen	03-Aug-2018

**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
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
Identification of gravel resources in the OCP	Update mapping as required.	27-Apr-2018
Review RAR with respect to roadside ditches		27-Apr-2018

Projects

Hornby Island

Description	Activity	R/Initiated
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



Islands Trust

Print Date: September 21, 2018

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
HO-ALR-2018.1	Peter Mason Land Surveying Planner: Jaime Dubyna	12-Jan-2018	PID: 023-773-260 Subdivision Civic address: 1150 Central Road, Hornby Island, BC
Planning Status			
Status Date: 28-Aug-2018 Applicant submitted letter to amend application to Homesite Severance. To be submitted with package to ALC.			
Status Date: 04-Jul-2018 Planner awaiting confirmation from applicant that they wish to proceed with the original proposal, or to amend application to Homesite Severance in the ALR.			
Status Date: 26-Jun-2018 Planner confirmed that the Islands Trust does not require anything further from the applicant, however the applicant has been advised to confirm with the ALC that no additional requirements are necessary to amend this application.			
File Number	Applicant Name	Date Received	Purpose
HO-ALR-2018.2	Hoerburger Land Surveyors Planner: Jaime Dubyna	12-Apr-2018	PIDs: 009-651-268, 009-651-110, 027-126-323 Creating two lots out of three for agricultural purposes. Civic addresses: 1605 Ostby Road, 4555 Fowler Road, 4755 Fowler Road, Hornby Island, BC
Planning Status			
Status Date: 12-Sep-2018 Application transferred to Planner Dubyna.			
Status Date: 03-Aug-2018 LTC consideration of application			
File Number	Applicant Name	Date Received	Purpose
HO-ALR-2018.3	MATTHEW R FREDBECK Planner: Teresa Ritemann	15-Aug-2018	PID: 005-575-170 Wants parking on grass surface (no paving) for customers. Civic address: 6260 Bond Rd, Hornby Island, BC V0R 1Z0

Applications

Planning Status

Status Date:

Development Permit

File Number	Applicant Name	Date Received	Purpose
HO-DP-2017.2	Matthew, Jim	17-Aug-2017	Crown leased property; Building new Arts Centre on Sollans Road, Hornby Island.

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 15-Aug-2018

Waiting on information from applicant

Status Date: 31-Jan-2018

Site Visit Nov. 6 2017

File Number	Applicant Name	Date Received	Purpose
HO-DP-2018.1	MATTHEW R FREDBECK	21-Mar-2018	PID: 005-574-285. Owner plans to lower floor for handicap access and change roof line to accommodate solar panels. Civic address: 10835 Central Road, Hornby Island.

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 28-May-2018

Waiting for info from applicant.

Status Date: 10-Apr-2018

Planner reviewing application.

File Number	Applicant Name	Date Received	Purpose
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Applications

HO-DP-2018.2 Hornby Island Resort 15-May-2018 PID: 028-882-075 Building demolition. Civic address: 4305 Shingle Spit Road, Ltd. Hornby Island, BC

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

To be considered at September meeting.

Status Date: 28-May-2018

Planner reviewing the application.

File Number	Applicant Name	Date Received	Purpose
HO-DP-2018.3	ZIELINSKI, ROBERT	12-Jul-2018	PID: 004-680-707 Demolition and addition to workshop. Civic address: 10795 Central Road, Hornby Island, BC

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

Waiting for additional info from applicant.

Status Date: 15-Aug-2018

Planner reviewing file

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2017.3	Hoerbarger Land Surveying	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.

Planner: Jaime Dubyna

Planning Status

Status Date: 12-Sep-2018

Application transferred to Planner Dubyna.

Status Date: 15-Aug-2018

On hold pending result of HO-ALR-2018.2

Applications

Status Date: 31-Jan-2018

Waiting on applicants to advise on how they would like to proceed (proposal may change)

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2018.1	MATTHEW R FREDBECK	26-Mar-2018	PID: 005-574-285. Owner plans to lower floor for handicap access and change roof line to accommodate solar panels. Civic address: 10835 Central Road, Hornby Island.

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 28-May-2018

Waiting for info from applicant.

Status Date: 10-Apr-2018

Planner reviewing application.

Rezoning

File Number	Applicant Name	Date Received	Purpose
HO-RZ-2018.1	DAVID P WISEMAN	10-Jan-2018	PID:028-737-245 Rezoning to allow for subdivision Civic address: 5020 Fowler Road, Hornby Island, BC

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 27-Apr-2018

LTC consideration and resolution to put on hold pending minor technical amendments to LUB

Status Date: 31-Jan-2018

Planner analyzing application file

Siting and use Permit



Applications

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2018.11	ZIELINSKI, ROBERT	12-Jul-2018	PID: 004-680-707 Demolition and addition to workshop. Civic address: 10795 Central Road, Hornby Island, BC

Planner: Teresa Ritemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 15-Aug-2018

Planner reviewing file

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2018.12	Hornby Island Fire Hall	31-Jul-2018	Comox Valley Regional District (Crown Prov) Crown Grant License 114434 CL file 1413862 New training centre using 3x40' shipping containers and 2x20' shipping containers

Planner: Jaime Dubyna

Planning Status

Status Date: 17-Sep-2018

Planner reviewing application.

Status Date: 12-Sep-2018

File transferred to Planner Dubyna.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2018.7	BULMER, Grant	04-May-2018	PID: 003-125-777 Building single family dwelling Civic address: 6570 Anderson Road, Hornby Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 21-Sep-2018

No change in status.

Status Date: 04-Jun-2018

Applications

Waiting on applicant to provide SFD building plans in order to establish principal use on property - Advised to include SFD and studio on same SUP application.

Status Date: 04-Jun-2018

Called applicant June 4, 2018 - still waiting for application ammendment

Subdivision

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-Sep-2018

No change in status.

Status Date: 28-Mar-2018

Covenant registered under CA6702434

Status Date: 02-Jan-2018

Covenant being prepared for signature by LTC representatives and to be registered on title. PLA given. Final letter sent to MOTI

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2017.1	Hoerbuerger 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: Jaime Dubyna

Planning Status

Status Date: 12-Sep-2018

Application transferred to Planner Dubyna.

Status Date: 15-Aug-2018

On hold pending outcome of HO-ALR-2018.2 and HO-DVP-2017.3

Applications

Status Date: 31-Jan-2018

DVP application received. Subdivision file being held in abeyance.

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: Teresa Rittemann

Planning Status

Status Date: 13-Sep-2018

No change in status.

Status Date: 08-Jun-2017

Referral response sent to MOTI

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
HO-TUP-2018.1	Titcomb, Greg	20-Apr-2018	PID: 000-081-973 Seasonal juice production next to fruit stand. Civic address: 6060 Central Road, Hornby Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 21-Sep-2018

No change in status.

Status Date: 20-Jul-2018

Applicant submitted revised site plan at the request of planner.

Status Date: 07-Jun-2018

Planner reviewing application.

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending July 2018

635 Hornby	Invoices posted to Month ending July 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	750.00	218.94	531.06
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,750.00	664.19	2,085.81
65210-635	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-635	LTC - Local Exp - Communications	250.00	80.00	170.00
65230-635	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>4,000.00</u>	<u>744.19</u>	<u>3,255.81</u>
Projects				
73001-635-4067	Hornby First Nations Relations	500.00	160.18	339.82
73001-635-4083	Hornby Short Term Vacation Rental (STRV) Review	750.00	0.00	750.00
TOTAL Project Expenses		<u>1,250.00</u>	<u>160.18</u>	<u>1,089.82</u>

Hornby Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No.	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2017	HO-2017-011	Enforcement actions against three specific properties for unlawful dwellings	HO-2017-011 that the Hornby Island Local Trust Committee adopt the following Standing Resolution: 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.
2	April 27, 2018	HO-2018-023	Suspend bylaw enforcement for unlawful Vacation Home Rentals	HO-2018-023 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution: “That the Hornby Island Local Trust Committee suspend enforcement actions against unlawful Vacation Home Rentals until January 1, 2019 except where there are issues of health, safety or environmental impact”.
3	August 3, 2018	HO-2018-044	Processing non-medical cannabis retail license	HO-2018-044 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution with respect to the processing of non-medical cannabis retail license applications:

				applications	• Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms ○ The location of the proposed establishment and the subject site ○ The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the Local Trust Committee.
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Islands Trust Conservancy Board Report to Local Trust Committees and Bowen Island Municipality July 2018

Islands Trust Conservancy Manager – Temporary Assignment with BC Parks

The Islands Trust Conservancy Manager, Jennifer Eliason, advised the board she is leaving for a temporary assignment with BC Parks for the next eight months. The board praised Jennifer for her hard work the last ten years and thanked her for her dedication. She will be missed.

Board Vacancy

The board of the Islands Trust Conservancy is thrilled to have received a list of candidates from the Crown Agency and Board Resourcing Office for a vacant board position for an appointed member. The vacancy is due to the completion of Ron Bertrand's appointed term with the board. The board sincerely thanks Ron for his commitment and valuable contributions to the Islands Trust Conservancy over his term.

Letter from Minister Robinson re: ITF Five-Year Plan 2018-2022

The board received and reviewed a response letter from Minister Robinson on the ITF Five-Year Plan that included congratulations on the recent name change.

Audited Financial Statements

The board received and approved the Audited Financial Statements for the 2017-2018 fiscal year. The KPMG auditor's opinion was consistent with previous years.

Local Trust Committee Briefing on Regional Conservation Plan

The board requested staff to circulate the Regional Conservation Plan briefing document to Local Trust Committees and Bowen Island Municipality, and to bring it back to the board's September meeting for further direction.

Summary of Current Island-by-Island Activities

Denman

The board approved the finalised management plan for the Morrison Marsh Nature Reserve, dated July 17, 2018. Board members discussed the report's findings, including intervening in naturally occurring events such as beaver dams, and discussed invasive species removal, First Nations relations, stewardship programs and information sharing.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). The campaign is over 40 per cent of the way to a \$250,000 goal.

Salt Spring Island

The board considered and approved a request from the Salt Spring Island Conservancy for a waiver to the Andreas Vogt Nature Reserve Covenant to girdle Douglas-fir trees that are encroaching on the Garry Oak meadows in the nature reserve to protect against future impacts of climate change on Garry oak meadows habitat. The board suggested public communication regarding management techniques to ease possible concerns from the public.

Thetis

Staff continue to negotiate a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Public consultation dates are in the process of being organized with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust to inform the management plan for the protected area.

*Please feel free to contact members of the board of the Trust Fund Conservancy or Islands Trust Conservancy staff for more details. Note: The Islands Trust Fund has changed its legal name to the **Islands Trust Conservancy**. We are in the process of switching over all references to the Islands Trust Fund/Trust Fund Board to the new name. Look for a public launch of our new website and social media in the fall.*

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca

-----Original Message-----

From: Rob McCreary

Sent: Wednesday, September 05, 2018 11:28 AM

To: [REDACTED]

Subject: Bylaw/Regulation Re Grow-op Control

Hi Tony:

As per our telephone discussion yesterday, I'm writing to formally ask the Islands Trust to develop an appropriate regulatory regime around grow-ops for the communities that it administers. I believe that this will become a significant issue once the new federal legislation legalizing cannabis use takes effect in October. Examples of issues that spring to mind include requirements around minimum acreage size, holding a proper production and business licence, and meeting all relevant building code and safety regulations. I'm sure there are others.

As we discussed, there's a specific community problem here on Hornby that brought this matter to my attention. We presently have the case in one of our neighbourhoods where someone has come to our community and started a commercial grow-op on a [REDACTED] lot in a residential [REDACTED]. [REDACTED] is building a ramshackle greenhouse out of discarded building materials right against [REDACTED] neighbour's fence, frequently creating loud noise late into the night, lighting up the neighbourhood with grow lights all night long, etc.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Unfortunately, the net effect of all this has been to turn a previously wonderful neighbourhood into an ongoing nightmare for the nearby neighbours.

So, I'm asking the Islands Trust to create some kind of regulatory framework for grow-ops that can prevent this kind of degradation in our communities, or at least provide enforcement officials with the bylaw/regulatory tools necessary to confront it.

Also, we were discussing the limitations of treating grow-op regulation in the context of agriculture. Another approach that might provide more control options could be to treat it as a controlled substance industry (e.g. breweries, though I'm tossing that out without really knowing anything about the possibilities at this point). Just a thought, and hopefully there are other options as well offering easier, effective management.

Thanks for offering to raise this Tony,

Rob McCreary

(President, Hornby Island Residents' and Ratepayers' Association)

DATE OF MEETING: September 28, 2018

TO: Hornby Island Local Trust Committee

FROM: Teresa Ritemann, Island Planner
Northern Team

SUBJECT: 2014-2018 LTC Term Summary Report

RECOMMENDATION

1. That the Hornby Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as presented on September 28, 2018, for further consideration by the incoming Hornby Island Local Trust Committee.

REPORT SUMMARY

The purpose of this report is to summarize Hornby Island Local Trust Committee (LTC) activities during the 2014-2018 term, including projects, administrative and advocacy activities, and applications. The LTC is asked to consider its 'Top Priorities' and 'Projects' lists and provide any direction for amendments, prior to the end of the current term.

ANALYSIS

Table 1 Summarizes LTC Projects during the 2014-2018 term:

YEAR	PROJECT	STATUS
2015	Riparian Areas Regulation Mapping & Implementation	Continued from 2014; DAI Bylaw (BL 161) added as an activity within the Project Charter (Mar 2015); Proposed BL 151 and 152 and CIM and Public Hearing held.
	OCP/LUB Review	Continued from 2014
2016	OCP/LUB Review	Bylaws 149 (OCP) and 150 (LUB) adopted / Project completed.
	Riparian Areas Regulation (RAR) Mapping & Implementation	Bylaws 151 (OCP amendment) and 152 (LUB amendment) adopted June 2016 to be compliant with provincial RAR. Project completed.
	Relationship Building with K'ómoks First Nations	Meeting at Kómoks First Nation office in 2016
2017	Housing Amendments	Included potential development of a housing agreement to Project Charter (May 2017); LUB amendment Bylaw 154 left off at 1 st Reading Jan 2017 (with respect to rezoning for ISLA property)
	Vacation Home Rental (VHR) Review	Project Charter endorsed & implemented.
	Relationship Building with K'ómoks First Nation	Inter-governmental meeting at K'ómoks First Nation office in 2017 / Community presentation/discussion with Islands Trust Senior Intergovernmental Policy Advisor / Island tour with K'ómoks members

	VHR Review	Hornby LUB minor technical amendment for VHR regulations / Bylaw 155, 2017 (Adopted Feb 9, 2018)
2018	VHR Community Education and Bylaw Compliance Campaign	Replaced the completed VHR Review Project on the Top Priorities List with this Project in April 2018 / Ongoing
	Housing Amendments Project became Land Use Bylaw Amendment Project	Was widened to include review the bylaw for potential housekeeping amendments (April 2018) / Ongoing
	Relationship Building with K'ómoks First Nation	Participation in inter-governmental meetings with Kómoks in Spring 2018 / Removed from Top Priorities June 2018
	Groundwater Protection and Water Conservation	Added as a Top Priority June 2018. Project Charter endorsed Aug 2018.
	Exploration of Housing Needs	Added as a Top Priority June 2018

Table 2 Summarizes applications processed for the Hornby Island Local Trust Area during the 2014-2018 term:

	APPLICATION TYPE								
YEAR	SITING AND USE PERMIT (SUP)	DEVELOPMENT PERMIT (DP)	DEVELOPMENT VARIANCE PERMIT (DVP)	TEMPORARY USE PERMIT (TUP)	BUILDING PERMIT (BP)	BYLAW AMENDMENT (OCP/LUB)	ALC	SUBDIVISION (SUB)	LIQUOR CONTROL LICENSING BRANCH (LCLB)
2015	9	1	0	0	N/A	0	0	1	0
2016	18	0	1	0	N/A	1 OCP / 2 LUB	1	5	1
2017	14	2	3	0	N/A	0	0	2	2
2018	12	3	1	1	N/A	1 LUB	3	0	0
TOTAL	53	6	5	1	N/A	4	4	8	3

Table 3 Summarizes LTC administrative activities during the 2014-2018 past term:

YEAR	ADMINISTRATIVE ACTIVITY	STATUS
2015	Development Approval Information Bylaw	Bylaw 161 drafted (still in draft)
	Advisory Planning Commission (APC) Appointments	Appointments made (Nov. 2015)
	Provincial Parks Committee	Appointment made (Nov. 2015)
2016	Ferry Advisory Committee	Trustee Allen resigned from and Trustee Law appointed (Oct. 2016)
2017	Appointments to APC	Appointments made Mar 2017
2018	Provincial Parks Committee	Appointment made Feb 2018
	Meeting Procedures Bylaw	Bylaw 156 to amend Hornby Meeting Procedures Bylaw 118 received three readings and Executive Committee approval (pending adoption)
	Fees Bylaw	Bylaw 157 to amend Hornby Fees Bylaw 132, 2007 (draft)
	Non-medical cannabis retail license referrals	LTC adopted a standing resolution to establish a public consultation process for LCRB non-medical cannabis retail license referrals

Table 4 summarizes LTC advocacy work during the 2014-2018 term:

YEAR	ADVOCACY TOPIC	ACTION/STATUS
2015	Ford Cove Harbour	LTC Chair letter of support regarding proposed improvements and expansions at Ford Cove Harbour (Aug 2015)
	BC Ferries (schedule Improvements)	LTC Chair letter to BC Ferries and Minister Stone requesting support and cooperation with the Denman and Hornby Islands Ferry Advisory Committees regarding schedule improvements (Oct 2015)
	Coastal Douglas-fir Conservation	LTC became a signatory to the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) Statement of Collaboration
2016	BC Ferries	LTC forward letter from BC Ferries dated November 23, 2015 to the Hornby/Denman Ferry Advisory Committee and to Executive Committee for information (Feb 2016)
	Radio communication utilities	LTC request to Trust Council to explore the option of a Trust-wide policy on land use consultation for radio communication utilities
	Marine Protection	LTC request that Trustee Law engage in discussion with community organizations and other entities around marine protection options
	BC Ferries (regarding terminal development planning)	LTC Chair letter to BC Ferries (and copy to K'ómoks First Nation) to request that they consult with K'ómoks First Nation in conjunction with the proposed facilities upgrade (Feb 2016)
	ISLA (infrastructure funding)	LTC letter of support for the request by ISLA to the Comox Valley Regional District to allocate Community Works funds for the Beulah Creek project (Oct 2016)
2017	Mt. Geoffrey Parks Plans	LTC letter of support to BC Parks and Comox Valley Regional District (CVRD) for BC Parks Mount Geoffrey Escarpment Park Draft Management Plan and CVRD Mount Geoffrey Nature Park and Crown Land Trails Draft Master Plan
	Herring Fishery	LTC request that Chair of Executive Committee write to the Minister of DFO and Canadian Coastguard, to propose a thorough review of the Herring Roe fishery in the Salish Sea (Strait of Georgia)
2018	BC Ferries (regarding BC Ferries Route 22)	LTC Chair letter to CEO of BC Ferries (copied to the Minister of Transportation and Infrastructure, BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association) regarding options to ensure overloads on Route 22 in summer 2018 are not repeated in future years (Aug 2018)
	Ministry of Transportation and Infrastructure (regarding BC Ferries Route 22)	LTC Chair letter to the Minister of Transportation and Infrastructure (copied to the CEO of BC Ferries, Hon Scott Fraser, MLA, the BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association) asking the Province to engage in discussions with the Ferry Advisory Committee to explore amending the contracted level of service on Route 22 to address summer traffic (Aug 2018)

Rationale for Recommendation

The 'Top Priorities List' and 'Project List' identify several potential projects for the incoming LTC to consider and prioritize through its strategic planning.

Alternative

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

1. Amend the 'Top Priorities List' and/or the 'Projects List'

The LTC may amend either list prior to the end of the term. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee amend the [Top Priorities List/Projects List] as follows: (insert details).

Submitted By:	Teresa Ritemann, MCIP, RPP Island Planner	September 20, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 21, 2018

ATTACHMENTS

1. Hornby LTC Top Priorities List
2. Hornby LTC Projects List

**Hornby Island**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Land Use Bylaw Amendments	A Bylaw amendments to address issues with respect to the Public Use Area and MALA in the large lot residential zone and other housekeeping amendments	27-Apr-2018	Teresa Rittemann Madeleine Koch	
2	Groundwater Protection and Water Conservation Project	Project charter, including work plan and budget; consolidation of existing information; required research to address key knowledge gaps; workshop to explain the model; suggestions for next steps including finding potential funding, advocacy/education/coordination with other agencies etc. 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	08-Jun-2018	William Shulba	
3	Vacation Home Rental Community Education and Bylaw Compliance Campaign	Implement the Project Charter for the education and compliance campaign.	27-Apr-2018	Miles Drew Teresa Rittemann	01-Jan-2019
4	Exploration of Housing Needs	LTC discussion of the Housing Needs Assessment and of existing and potential housing opportunities on Hornby Island.	08-Jun-2018	Laura Busheikin Tony Law Alex Allen	03-Aug-2018



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
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
Identification of gravel resources in the OCP	Update mapping as required.	27-Apr-2018
Review RAR with respect to roadside ditches		27-Apr-2018

Projects

Hornby Island

Description	Activity	R/Initiated
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

Age-friendly Communities

2019 Program & Application Guide

1. Introduction

The Age-friendly Communities program assists communities in BC to support aging populations by developing and implementing policies and plans, undertaking projects that enable seniors to age in place and facilitating the creation of age-friendly communities.

Since 2005, the provincial government has provided \$6.25 million to support the program. To date, more than 148 local governments have completed projects or been approved for funding.

2019 Age-friendly Communities Grant Program

The Ministry of Health has committed an additional \$0.5 million in funding to the program and grants are now available for 2019 program.

For local governments, this will include the continuation of funding under Stream 1: Age-friendly Assessments, Action Plans & Planning and Stream 2: Age-friendly projects.

In addition, in partnership with health authorities, a pilot program is being introduced in 2019 to offer up to five First Nations the opportunity to apply for Stream 1 grants.

2. Other Programs & Resources

In an age-friendly community, the policies, services and structures related to the physical and social environment are designed to help seniors "age actively." In other words, the community is set up to help seniors live safely, enjoy good health and stay involved.

The creation of age-friendly communities in BC builds on findings from the [World Health Organization's Age-friendly Cities](#) and the Canadian Age-friendly Rural & Remote Communities projects in 2007.

The Province of BC, in collaboration with key partners including health authorities, has advanced the age-friendly agenda since 2007 to engage and support local governments in preparing their communities for an aging population. Age-friendly BC (AFBC) is supported by:

1. The Age-friendly Communities grant program, which is administered by [UBCM](#)
2. A range of services to support age-friendly projects, which are provided by the [BC Healthy Communities Society](#) (BCHC):
 - [Age-friendly BC Community Recognition](#)
 - Applicants approved under the 2019 Age-friendly Communities grant program may be eligible to apply for a range of services to support their project from BCHC.

3. A commitment to meet the needs of an aging population and work with partners to ensure people of all ages and abilities feel included and valued in their communities, which is provided by the [Ministry of Health](#)

3. Guiding Principles

All applications should demonstrate a commitment to the following guiding principles:

- Community Driven - Community solutions are based on local priorities and plans
- Catalyst for Action – Community activities are catalysts that enable local governments and community partners, including health authorities, to enhance and improve services for older adults
- Focus on Funding Priorities - Activities are focused on funding priorities with clear outcomes
- Flexible - Required actions differ in each community
- Coordinated - Activities of different levels of government and community partners, including health authorities, are coordinated to avoid duplication among programs and projects
- Sustainable Results – Community activities contribute to improving the lives of older adults over time

4. Eligible Applicants

All local governments (municipalities and regional districts) in BC are eligible to apply for Stream 1 or Stream 2 funding. Local governments can each submit one application.

For the First Nations pilot program, health authorities will identify one First Nation in each health authority region that is at a stage of readiness to apply for Stream 1 funding. **Only the five First Nations identified by the health authorities are eligible to apply under the pilot program and can each submit one application.**

5. Eligible Projects

Eligible projects are new community planning or community projects that are undertaken by an eligible applicant and that address the guiding principles and funding priorities of the program.

In addition, to qualify for funding, projects must:

- Be a new project (retroactive funding is not available)
- Be capable of completion by the applicant within the 2019 calendar year
- Focus on one or more of the eight age-friendly community components:
 - Outdoor spaces and buildings
 - Transportation (including traffic safety)
 - Housing
 - Respect and social inclusion
 - Social participation
 - Communications and information
 - Civic participation and employment
 - Community support and health services

6. Eligible & Ineligible Activities & Costs

Eligible costs are direct costs that are approved by the Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Stream 1: Age-friendly Assessments, Action Plans & Planning

The intent of this funding stream is to support communities to develop or update assessments or plans in order to enable seniors to age in place and to facilitate the creation of age-friendly communities. The maximum grant under Stream 1 is \$25,000.

Under Stream 1, eligible activities must be cost-effective and may include:

- Development of a local Age-friendly plan or assessment
- Creation of specific plans and/or policies that address one or more of the eight community components (see Section 5)
- Engagement of seniors in planning activities
- Adding an age-friendly or seniors lens to existing plans or policies, such as:
 - o Official Community Plans, Integrated Community Sustainability Plans, Health and Wellness Plans, or community or neighbourhood plans
 - o Zoning and other bylaws (subdivision, snow removal, parking, etc.)
 - o Development permit requirements
 - o Emergency response, evacuation and/or emergency social services plans
 - o Design guidelines
 - o Active transportation planning
 - o Food security and food systems planning
 - o Community planning processes related to social determinants of health (e.g. affordable housing, homelessness, etc.)
 - o Development of community health plans

Stream 2: Age-friendly Projects

The intent of this funding stream is to support local governments to undertake local projects that enable seniors to age in place and facilitate the creation of age-friendly communities. The maximum grant under Stream 2 is \$15,000.

In order to be eligible for Stream 2, eligible applicants are required to have a completed an age-friendly assessment or action plan, or demonstrate that their Official Community Plan, Integrated Sustainability Community Plan, or an equivalent plan, is inclusive of age-friendly planning principles.

Under Stream 2, eligible activities must be cost-effective and may include:

- Support for persons with dementia
- Increased community accessibility (transportation, housing, services)

- Provision of recreation and healthy living activities and/or referral and support to link seniors with recreation and healthy living services
- Community gardens and healthy eating
- Health literacy and promotion (e.g. workshops, guides, etc.)
- Chronic disease prevention
- Injury prevention and community safety (including traffic safety)
- Intergenerational projects
- Promotion of age-friendly business practices
- Prevention of elder abuse

The 2019 Age-friendly Communities grant program is not intended to be a capital funding program. However, minor capital expenditures for eligible activities that have a clear and definable benefit to seniors and that are clearly linked to programming for seniors will be considered for funding under Stream 2.

Capital costs cannot exceed 40% of the total requested Stream 2 grant (i.e. an application for a \$15,000.00 grant cannot include more than \$6,000.00 in capital costs).

Ineligible Activities & Costs

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for grant funding. This includes:

- Development of feasibility studies, business cases, architectural, engineering or other design drawings for the construction or renovation of facilities providing services to seniors, including housing and care facilities
- Fundraising
- Sidewalk, path or trail construction or improvements, or other infrastructure projects

7. Grant Maximum

Stream 1 can contribute a maximum of 100% of the cost of eligible activities – to a maximum of \$25,000. Stream 2 can contribute a maximum of 100% of the cost of eligible activities – to a maximum of \$15,000.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant

8. Application Requirements & Process

Application Deadline

Applications are due by November 2, 2018, and applicants will be notified of the status of their application within 60 days.

Required Application Contents

- Completed Application Form
- Local government Council or Board resolution or Band Council Resolution, indicating support for the current proposed activities and willingness to provide overall grant management
- Detailed budget that indicates the proposed expenditures and aligns with the proposed activities outlined in the application form. Although additional funding or support is not required, any other grant funding or in-kind contributions should be identified.

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and to ensure that basic eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, the Evaluation Committee will assess and score all eligible applications based on the funding priorities. Higher application review scores will be given to applications that:

- Demonstrate direct participation of seniors
- Complement the Health Promotion Initiatives regarding seniors outlined in Appendix 1
- Include collaboration with health authorities or others partners (e.g. school districts, First Nations or Aboriginal organizations, seniors, senior-serving organizations, community organizations and other local governments)

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

The Evaluation Committee will also consider the location of each application in order to ensure a balanced representation of projects across the province.

All application materials will be shared with the Province of BC and the BC Healthy Communities Society

9. Grant Management & Applicant Responsibilities

Grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision

All applicants will receive written notice of funding decisions, which will include the terms and conditions of any grant that is awarded. Grants are awarded in two payments: 70% at the approval of the project and 30% when the project is complete and UBCM has received the required final report and a financial summary.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Revised application package, including updated, signed application form, budget and an updated Council, Board or Band Council resolution
- Written rationale for proposed changes to activities and/or expenditures

The revised application package will then be reviewed by the Evaluation Committee.

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.

Extensions to Project End Date

All approved activities are required to be completed within the 2019 calendar year and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed six months.

10. Final Report Requirements

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form
- Financial summary
- Optional: photos of the project, media clippings and or any reports or documents developed or amended with grant funding.

All final report materials will be shared with the Province of BC and the
BC Healthy Communities Society

Submission of Final Reports

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

11. Additional Information

Union of BC Municipalities

For further information on grants and the application process, please contact: Local Government Program Services: (250) 952-9177 or lgps@ubcm.ca

BC Healthy Communities Society

For further information on age-friendly communities, visit www.bchealthycommunities.ca or contact: Sarah Ravlic, Program Coordinator: 250 590-1845 or sarah@bchealthycommunities.ca

Ministry of Health

For further information on other provincial initiatives, please visit the Age-friendly BC website or contact: (250) 952-2574 or AgeFriendlyBC@gov.bc.ca

Appendix 1: Health Promotion Initiatives

The following are examples of provincial priorities that may complement age-friendly community planning and projects:

Accessibility 2024 (www.gov.bc.ca/accessibility)

In 2014, *Accessibility 2024: Making B.C. the most progressive province in Canada for people with disabilities by 2024* was released. This 10-year action plan is designed around 12 building blocks: inclusive government, accessible service delivery, accessible internet, accessible built environment, accessible housing, accessible transportation, income support, employment, financial security, inclusive communities, emergency preparedness and consumer experience.

Example of an age-friendly assessment/project incorporating accessibility

Sun Peaks Mountain Resort Municipality has committed to being an age-friendly community by providing essential amenities to facilitate walking and skiing around the village, as well as accessible recreation and adaptive sports. (Awarded age-friendly recognition in 2015)

Aging Well (www.healthyfamiliesbc.ca/aging-well)

Supporting older adults to think about and plan for the future helps them anticipate needs as they age. Knowing where to find the right information if and when they need it is key to planning for a healthy and independent future. Aging Well is an online resource on Healthy Families BC, the Province's health promotion plan to encourage British Columbians to make healthier choices. Aging Well has information, tools and videos on topics including health and wellness (includes healthy eating and physical activity), finance, transportation, housing and social connection - areas of life that are important and interconnected when it comes to healthy aging.

Example of an age-friendly project incorporating planning for a healthy and independent future

Columbia-Shuswap Regional District has engaged the Communities of the South Shuswap in the development of a resource centre to support age-friendly community planning. Services offered through the centre include financial planning, computer literacy training, transportation and health eating programs.

Better at Home (www.betterathome.ca)

Better at Home, an innovative non-medical home support program funded by the Province and managed by United Way of the Lower Mainland, helps seniors with day-to-day tasks so that they can continue to live independently in their own homes and remain connected to their communities. Better at Home services may include transportation to appointments, light housekeeping, light yard work and home visits. There are currently 67 community-based Better at Home programs across B.C., including six rural and remote pilot sites.

Example of an age-friendly project incorporating the Better at Home program

District of Invermere created an age-friendly business directory, companion program, monthly luncheons and a mentorship program. The companion program matched seniors with volunteers

who will assist with everyday living activities such as shoveling the sidewalk, driving to and from the grocery store or appointments. Business owners and employees offered training on how their operations can be more age-friendly.

Physical Activity Strategy (<http://www2.gov.bc.ca/gov/content/health/managing-your-health/physical-activity>)

The BC Physical Activity strategy is designed to guide and stimulate coordinated policies, practices and programs in physical activity that will improve the health and well-being of British Columbians and the communities in which they live, learn, work and play. It aims to foster active people and active places and its development was guided by key leaders and organizations across the province who worked collectively to determine the best approach to increasing physical activity rates.

Example of an age-friendly project incorporating physical activity

Town of Oliver developed an outdoor fitness park with input from partners including Interior Health, service clubs and seniors groups. The year-round park is well utilized and provides a no-cost opportunity for seniors to be physically active.

Provincial Guide to Dementia Care in British Columbia

(<http://www.health.gov.bc.ca/library/publications/year/2016/bc-dementia-care-guide.pdf>)

Dementia impacts roughly 66,000 British Columbians. In May 2016, the Ministry of Health released the Provincial Guide to Dementia Care in British Columbia. The Guide identifies priorities, goals and deliverables to support people with dementia, their families and caregivers. One deliverable identifies need to increase understanding of dementia and expand community information and support programs, e.g., dementia friendly communities, for people with dementia and their caregivers. In addition, priorities of the Guide include: increasing public awareness and early recognition of cognitive changes; supporting people with dementia to live safely at home for as long as possible, including caregiver support; improving quality of dementia care in residential care including palliative and end-of-life care; and, increasing system supports and adoption of best practices in dementia care.

Example of an age-friendly project incorporating dementia

City of Richmond conducted a survey and focus groups and used the results to develop the age-friendly action plan. Next steps include establishing an inter-departmental task force and designing a framework for monitoring and evaluation. One of the action items is working with health partners to ensure sufficient supported, affordable housing is provided locally for disabled and frail older adults, as well as those with dementia and other mental health challenges. (Awarded age-friendly recognition in 2015)

Provincial End of Life Care Action Plan for British Columbia

(<http://www.health.gov.bc.ca/library/publications/year/2013/end-of-life-care-action-plan.pdf>)

The Provincial End of Life Care Action Plan identifies priority, goals, and actions to improve health care outcomes and quality of life for individuals living with life limiting or life threatening illness, and for their families. Actions in the plan include increasing public knowledge and

awareness of palliative care as an approach to care that improves quality of life for both the person receiving care and their family, at any stage of illness; and, providing information and resources to support advance care planning, including an understanding of the available options for ensuring values, wishes, and instructions for health care treatments and choices for end-of-life care are respected by health care providers.

Example of a potential age-friendly project in support of people with serious illness

Become a 'compassionate community'. A compassionate community builds awareness of vulnerable people, including people who are seriously ill or frail. A compassionate community promotes shared responsibility and support of people who are vulnerable.