



Hornby Island Local Trust Committee

Regular Meeting Revised Agenda

Date: June 8, 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	11:35 AM - 11:45 AM
4. COMMUNITY INFORMATION MEETING - none	
5. PUBLIC HEARING - none	
6. MINUTES	11:45 AM - 11:50 AM
6.1 Local Trust Committee Minutes dated April 27, 2018 for Adoption	4 - 14
6.2 Section 26 Resolutions-without-meeting - none	
6.3 Advisory Planning Commission Minutes - none	
7. BUSINESS ARISING FROM MINUTES	11:50 AM - 12:15 PM
7.1 Follow-up Action List dated May 31 , 2018	15 - 16
7.2 First Nations and Housing Issues - Memorandum	17 - 18
8. DELEGATIONS	12:15 PM - 12:25 PM
8.1 Presentation by Ellen Leslie and Dr. John Cox regarding Hornby Water Stewardship - A Project of Heron Rocks Friendship Centre Society - to be Distributed	

9. CORRESPONDENCE

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

---BREAK--- 12:25 PM TO 12:40 PM

10.	APPLICATIONS AND REFERRALS	12:40 PM - 1:00 PM	
10.1	HO-ALR-2018.1 (Colin) - Staff Report		19 - 39
10.1.1	<u>Agriculture on Hornby Island - Background Information from Trustee Law</u>		40 - 41
10.2	Denman Island Bylaw Referral Request for Review and Response regarding Bylaw Nos. 228 and 229		42 - 44
11.	LOCAL TRUST COMMITTEE PROJECTS	1:00 PM - 1:15 PM	
11.1	Vacation Home Rental Community Education and Bylaw Compliance Campaign - verbal update		
12.	REPORTS	1:15 PM - 1:30 PM	
12.1	Work Program		
12.1.1	<u>Top Priorities Report dated May 31, 2018</u>		45 - 45
12.1.2	<u>Projects List Report dated May 31, 2018</u>		46 - 47
12.1.3	<u>Hornby LTC 2014-2018 Term Goal Setting Session</u>		48 - 50
12.1.4	<u>Work Program - Suggestions for Discussion</u>		51 - 52
12.2	Applications Report dated May 31, 2018		53 - 59
12.3	Trustee and Local Expense Report dated March, 2018		60 - 60
12.4	Adopted Policies and Standing Resolutions		61 - 61
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Reports		
12.8	Ferry Advisory Committee - Verbal Report		
12.9	Meeting with Ministry of Transportation & Infrastructure - Verbal Report		
12.10	Electoral Area Director's Report		
12.11	<i>Trust Fund Board Report Dated May, 2018</i>		62 - 63

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|------|---|-------------------|---------|
| 13. | NEW BUSINESS | 1:30 PM - 1:45 PM | |
| 13.1 | Hornby Water Planning - Memorandum | | 64 - 86 |
| 13.2 | Electronic Meetings - Staff Report | | 87 - 96 |
| 13.3 | Hornby Island Land Use Bylaw Housekeeping Amendments - for Discussion | | |
| 13.4 | Meeting the MLA - Verbal Update | | |
| 13.5 | <i>Intergovernmental Meeting with K'omoks First Nation</i> | | |
| 14. | UPCOMING MEETINGS | | |
| 14.1 | Next Regular Meeting Scheduled for August 3, 2018 at 11:30 am at Room to Grow,
The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC | | |
| 15. | TOWNHALL | 1:45 PM - 2:00 PM | |
| 16. | CLOSED MEETING - none | | |
| 17. | ADJOURNMENT | 2:00 PM - 2:00 PM | |



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: April 27, 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 Ritemann, Planner 2
 Madeleine Koch, Planner 2
 Vicky Bockman, Recorder

Others Present: Sarah Cavanagh, Negotiator, Ministry of Indigenous Relations and Reconciliation
 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 11:31 am. She acknowledged that the meeting was being held in the territory of the Coast Salish First Nations. She welcomed the public; and introduced Trustees, staff, recorder, and Sarah Cavanagh, Negotiator, Ministry of Indigenous Relations and Reconciliation.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

- Christa Yeomans commented on her neighbour's plan to offer glamping, music and a restaurant on their property, expressing concern about the possible negative impacts including noise; and urged the Local Trust Committee (LTC) to prevent this from occurring.
 - Trustees and staff responded that the owners of the property have been in contact with planners, have been made aware of the noise control bylaw, have been encouraged to consult with neighbours, and are following up with the Agricultural Land Commission (ALC) to ensure compliance with regulations.
- Karen Ross and Daniel Arbour, speaking on behalf of Hornby Island Community Economic Enhancement Corp. (HICEEC), read a statement regarding the Vacation Home Rental (VHR) Review project and submitted it for the record. They described survey results that would support a plan for education, however, not an enforcement campaign project. They urged

the LTC to address enforcement of VHRs cautiously so as not to target this or any other business sector.

- Trustees noted that the emphasis in bylaw enforcement will continue to be to work with operators as necessary to achieve compliance and to support the goals of good practices, neighbourhood harmony, protection of ground water and a strong economy. They advised that this matter would be discussed further at agenda item 12.1.

4. CLOSED MEETING

4.1 Motion to Close the Meeting

HO-2018-014

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)(d) and s.90(2)(b) for the purpose of considering Adoption of *In-Camera* Meeting Minutes dated February 9, 2018 and Consideration of Confidential Information and that the recorder, staff and guest Negotiator attend the meeting.

CARRIED

The meeting closed to the public at 11:56 am.

4.2 Recall to Order

By general consent the meeting was recalled to order at 12:33 pm.

Sarah Cavanagh, Negotiator, Ministry of Indigenous Relations and Reconciliation left the meeting at 12:34 pm.

4.3 Rise and Report

Chair Busheikin reported that in the Closed Meeting the LTC adopted the February 9, 2018 *In Camera* minutes and received an update on K'omoks First Nation treaty negotiations.

5. COMMUNITY INFORMATION MEETING - none

6. PUBLIC HEARING - none

7. MINUTES

7.1 Local Trust Committee Minutes dated February 9, 2018 - for adoption

By general consent the Local Trust Committee meeting minutes of February 9, 2018 were adopted.

7.2 Local Trust Committee Special Meeting Minutes dated March 20, 2018 - for adoption

By general consent the Local Trust Committee Special Meeting minutes of March 20, 2018 were adopted.

7.3 Section 26 Resolutions-without-meeting Report dated April 19, 2018

Received for information.

7.4 Advisory Planning Commission Minutes - none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated April 19, 2018

Planner Ritemann requested direction on the item from February 9, 2018: "Request EC to provide info to LTCs on any relevant outcomes of provincial initiatives to address vacation rentals". Trustees advised that there is a local initiative addressing this issue and that follow up is no longer necessary for this item.

HO-2018-015

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

that the item "Request EC to provide info to LTCs on any relevant outcomes of provincial initiatives to address vacation rentals" be removed from the Follow-up Action List.

CARRIED

8.2 First Nations and Housing Issues – Memorandum

HO-2018-016

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

that the item 8.2 "First Nations and Housing Issues – Memorandum" be deferred to the next Local Trust Committee meeting.

CARRIED

8.3 Public Utilities - PU and PU(a) Zones – Memorandum

Planner Ritemann presented the Memorandum, reporting that the Comox Valley Regional District (CVRD) is considering a repurposing of the old Firehall into a community space for artist and communal studios. She advised of an inconsistency between the stated and intended permitted uses of the PU(a) zone in the LUB which would affect this potential repurposing.

A Trustee confirmed that the intent of the PU(a) zone was to permit uses in addition to the others already permitted in the regular PU zone and suggested that a "housekeeping" amendment might be considered in order to correct this error.

8.4 BC Farm Industry Review Board - Letter dated April 23, 2018

Received for information.

By general consent the meeting was recessed at 12:48 pm and reconvened at 1:02 pm.

9. DELEGATIONS - none

10. CORRESPONDENCE

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

10.1 Email dated March 29, 2018 regarding Fords Cove Marina

Trustees discussed the request to hold a Special Meeting to consider the permit applications before the next regularly scheduled meeting in order for the applicant to complete planned renovations in time for summer business.

Trustees and staff discussed the timeline; and staff estimated that the applications could be presented for LTC consideration at the June LTC meeting.

10.2 Email dated April 14, 2018 from K Ross regarding Riparian Areas Regulation

This matter was addressed at agenda item 13.1.2 Projects List.

11. APPLICATIONS AND REFERRALS

11.1 HO-DP-2018.1 AND HO-DVP-2018.1 (Fords Cove Marina) - verbal update

Planner Ritemann reported that staff are reviewing the application and are aiming for a staff report at the June meeting for LTC consideration.

11.2 HO-LCB-2017.2 (Fossil Beach Farm) - Staff Report

Planner Ritemann presented the staff report addressing the results of the gathering of public input for this Liquor Control and Licensing Branch (LCLB) referral. She noted that an agenda addendum includes letters of support provided by the proponent and observed that the LTC may wish to modify staff's recommendations given this additional information.

The applicant was in attendance and spoke to the application with the following noted:

- Concern was expressed with the LTC's process of gathering information;
- Letters of support from community members known to the proponent were gathered to supplement the responses received through the LTC's process;
- Any neighbourhood concerns will be addressed by the applicant;
- The number of events, guests and hours specified in the application reflect the ALC's regulations; however the applicant does not intend to operate at that level; and
- Approval to hold outdoor special events is essential for the farm's sustainability.

Trustees commented and the following key points were noted:

- The methodology of requesting input was explained;
- The LCLB has the authority to decide on this application and the LTC has the responsibility to provide input received in the public input process; and
- A Trustee suggested comments to provide to the LCLB for LTC consideration.

HO-2018-017

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to inform the Liquor Control and Licensing Branch (LCLB) that the Local Trust Committee has gathered public input for application HO-LCB-2017.2 (Fossil Beach Farm Ltd – ZAMLUK), and would like to provide the Liquor Control and Licensing Branch with the following comments:

Input received (attached)

Emails were sent to close neighbours – residents on Savoie Road, which provides the only vehicle access to Fossil Beach Farm – inviting comments on the application.

The five solicited responses received identified the following issues:

- proposed frequency of events, particularly if concentrated in the summer months;
- proposed hours of operation, particularly as these extend for twelve hours until midnight;
- proposed number of guests (150), particularly if these will be in addition to patrons of other businesses operating on the property

Anticipated impacts resulting from these were identified as follows:

- noise from events until late at night (present noise from the property was reported as audible)
- a large volume of traffic on a quiet, narrow gravel road creating noise, dust and safety issues

(Although notification was not provided to the wider community, some unsolicited input was received. Four residents located close to Savoie Road on Central Road raised concerns similar to those addressed by Savoie Road residents including a potential increase of use of the nearby public beach, that it may be too much for the neighbourhood to deal with all at once, and that they would prefer to wait and see what other potential impacts there may be from the newly-established Cidery business and other uses on the Farm this year before considering this Special Event Area Liquor License application any further. Fourteen residents from elsewhere on Hornby Island also provided input and identified a range of benefits of this proposal to the community.)

The impact of noise on the community in the immediate vicinity of the establishment

Input from neighbourhood residents has identified apprehension of a significant noise impact on nearby properties from event activities and traffic in the immediate vicinity of the establishment.

The impact on the community if the application is approved

Unsolicited input has identified a range of positive impacts for the community. The potential negative impacts that have been identified are in the immediate neighbourhood.

A letter from the Hornby Island Community Economic Enhancement Corporation states that the Fossil Beach Farm plans are aligned with economic enhancement strategies. It also expresses appreciation for the points raised in the neighbours' concerns. The letter then states: "In a small community, it is good to see people voice their concerns, proponents address them, and for neighbours to support each other's efforts to the extent possible."

The Hornby Island Local Trust Committee encourages steps towards an outcome that effectively addresses both interests and concerns.

CARRIED

Discussion continued as follows:

- Daniel Arbour, HICEEC staff, questioned on what basis the LTC chose to conduct the public input process, rather than opting out and allowing the LCLB to gather public input as necessary.
 - A Trustee responded that this is determined on a case-by-case basis and in this case the LTC considered that gathering input from close neighbours who would be the most impacted would be the appropriate approach.

Trustees thanked the community for their participation and expressed their hope that an outcome can be found which balances the various interests and concerns on this matter.

11.3 HO-CL-2018.2 (Grond) – Memorandum

Trustees discussed the Memorandum and the following was noted:

- They acknowledged that authority over mine operations lies with the Ministry of Energy, Mines and Petroleum Resources (EMPR);
- The LTC is providing response to the referral that includes a comment that the Residential 2 (R2) zone does not permit the proposed use;
- A meeting of stakeholders was held as an information session; and
- An appropriate location for gravel extraction is not currently included in the Official Community Plan (OCP) and consideration might be given to addressing this issue.

11.4 HO-RZ-2018.1 (Wiseman) - Staff Report

Planner Koch presented the Staff Report that provides background, an analysis of legislative and policy frameworks affecting consideration of this rezoning application, and raises the point of a technical issue regarding the Minimum Average Lot Area (MALA) in LUB subdivision provisions.

The proponent was in attendance and spoke to the application with the following noted:

- Subdivisions of this nature were common in the past;
- Conversion at the time of the survey from acres to hectares resulted in a lot size of 3.98 hectares and had this not occurred the lot would have met the 2 hectares MALA and would have had subdivision potential;
- A lot line adjustment was investigated as a solution, however, is not a possibility;
- This is a fair and reasonable request in the spirit of density considerations and an important component of the applicant's retirement planning.

Discussion ensued and the following was noted:

- Staff advised that the MALA for the R2 zone is 4 hectares, not 2 hectares, due to a contradiction in the LUB;
- Options were considered including clarifying the R2 zone MALA through an amendment bylaw prior to consideration of this application.

HO-2018-018

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee defer consideration of rezoning application HO-RZ-2018.1 until issues regarding the Official Community Plan and Land Use Bylaw Minimum Average Lot Area inconsistencies are resolved.

CARRIED

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Vacation Home Rental Policy Review Project - Staff Report

Planner Ritemann provided a summary of the Staff Report and proposed that following completion of the Project Review, a Vacation Home Rental (VHR) Community Education and Bylaw Enforcement Campaign project be initiated.

A Trustee suggested changes to the staff recommendations and Project Charter to recognize the importance of not increasing risk to water quality and quantity while supporting compliance and best practices prior to bylaw enforcement.

Chair Busheikin opened the floor for public comment and the following was noted:

- Most complaints are related to noise and occupancy levels when property owners' relatives are staying in VHRs which can be for long periods of time;
- Placing the Islands Trust VHR guidelines on the HornbyIsland.com website would be helpful;
- VHRs are important as Hornby Island does not have hotels or other accommodations for visitors and they support the local economy;
- In the survey from last Fall most responses were positive;
- Caution was urged that bylaw enforcement not target this business sector;
- A one-page information piece detailing regulations for distribution in an accessible and easy to understand format for the public would be helpful.

Trustee comments included the following points:

- Hornby Island VHR regulations are already quite permissive and the aim of this project is to make minor adjustments to maintain a balanced approach; and
- This project is arising from a commitment made to review VHR conditions in five years and is not meant to be punitive.

HO-2018-019

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee amend the Vacation Home Rental Community Education and Bylaw Compliance Campaign Draft Project Charter v.1 to read as follows:

Purpose

to undertake an education process to increase community awareness of best practices and regulations with respect to Vacation Home Rentals (VHRs), followed by an enforcement process to address continuing non-compliant operations that exceed VHR regulations, to increase compliance with the existing Hornby Island Land Use Bylaw.

Objectives

Third Bullet: remove "100%"

In Scope

Add a second bullet: Communications with VHR marketing platforms;
Change the last bullet to read: Enforcement of non-compliant VHR operations identified by complaint or advertising.

Workplan Overview

Add an additional Deliverable/Milestone: Communications with VHR marketing platforms - with a date of May 2018;
Change Bylaw Enforcement Letter to VHR operators to: Bylaw compliance letter to VHR operators.

CARRIED**HO-2018-020**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee remove the completed "Vacation Home Rental Policy Review Project" from the Top Priorities List and replace with a "Vacation Home Rental Community Education and Bylaw Compliance Campaign" project.

CARRIED**HO-2018-021**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the amended Project Charter for the Vacation Home Rental Community Education and Bylaw Compliance Campaign, version 1.

CARRIED**HO-2018-022**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee allocate \$750 from the Hornby LTC Special Projects 2018-19 budget to cover costs associated with the Vacation Home Rental Community Education and Bylaw Compliance Campaign.

CARRIED**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".

CARRIED**13. REPORTS****13.1 Work Program****13.1.1 Top Priorities Report dated April 19, 2018****HO-2018-024**

It was MOVED and SECONDED,

that the Top Priorities of the Work Program be amended by replacing "Housing amendments" with "Land Use Bylaw amendments" as a Description with the

Activity “Bylaw amendments to address issues with respect to the Public Use Area and MALA in the large lot residential zone and other housekeeping amendments”.

CARRIED

13.1.2 Projects List Report dated April 19, 2018

HO-2018-025

It was MOVED and SECONDED,

that the Projects List be amended by adding the following two items:

“Identification of gravel resources in the OCP” and “Review RAR with respect to roadside ditches”.

CARRIED

13.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received for information.

13.1.4 Work Program - Suggestions for Discussion

Received for information.

13.2 Applications Report dated April 19, 2018

Received for information.

13.3 Trustee and Local Expense Report dated February, 2018

Received for information.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage

There were no changes requested.

13.6 Electoral Area Director's Report - none

13.7 Chair's Report

Chair Busheikin reported on the following:

- Highlights from her attendance at the Association of Vancouver Island and Coastal Communities conference;
- Her attendance at a Reconciliation presentation talk by Bev Sellers and Bill Wilson on Denman Island; and
- She plans to attend an upcoming indigenous law workshop on Denman Island.

13.8 Trustee Reports

Trustee Allen had no report.

Trustee Law reported on the following:

- A meeting he attended regarding the *BC Coastal Ferries Act*;
- He organized and attended an information meeting with the Inspector of Mines, applicant and neighbours regarding HO-CL-2018.2;
- He has arranged meetings with officials regarding roads that will be occurring in May and has been in communication regarding the Fords Cove hill work;
- There will be a community meeting with RCMP officers in May;
- He has been involved in planning an Ecosystem Forum for Baynes Sound and Lambert Channel;
- There will be a meeting with DFO in June regarding the herring fishery; and
- He attended a Community Action Solutions Together (CAST) meeting.

13.9 Trust Fund Board Reports

13.9.1 January, 2018

Received for information.

13.9.2 April, 2018

Received for information.

14. NEW BUSINESS

14.1 Land-use Planning implications of Fisheries and Oceans Canada Integrated Geoduck Management Framework 2017 – Briefing

Received for information.

14.2 Approval Process for Water Supply Systems on Salt Spring Island – Memorandum

Received for information.

14.3 Hornby Island Local Trust Committee 2017-18 Annual Report

HO-2018-026

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approves the draft text of the Hornby Island Local Trust Committee Section for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting scheduled for June 8, 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.

16. TOWNHALL

Comments from the members of the public were noted as follows:

- A question was raised as to how the LTC addressed the request associated with correspondence item 10.2 regarding Riparian Areas Regulation.

- A Trustee responded that the item has been placed on the Projects List for consideration.
- There was interest expressed in having a community gravel pit in the Light Industrial/Commercial zone, noting that such a proposal could generate profits that might be directed toward the Hornby Community Fund.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:42 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.	Marnie Eggen Fiona MacRaild		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	Marnie Eggen Fiona MacRaild		On Going

09-Feb-2018

Activity	Responsibility	Target Date	Status
Staff to update Hornby LTC Standing Resolutions (remove HO-038-2012, add HO-2017-020) on the website and include on Latest News webpage.	Teresa Rittemann	27-Apr-2018	Done
Staff to contact the Comox Valley Regional District regarding their timeline to repurpose the old firehall. Staff to update the LTC on their findings regarding the PU(a) zone. Done. Staff to report back to LTC at June meeting with any further findings.	Teresa Rittemann	08-Jun-2018	Done

**Follow Up Action Report**

Staff to prepare a briefing or Memo for the April LTC meeting with a discussion of the First Nations and housing issue. Done. LTC moved this item for discussion at the June LTC meeting.	Teresa Rittemann	08-Jun-2018	Done
Staff to investigate options with service providers in the event of loss of inter island connections.	Teresa Rittemann		On Going
LTC requests opportunity to attend BC Farm Industry Review Board presentation on Denman Island.	Marnie Eggen		Done
Staff to include info about upcoming First Nations inter-governmental meetings on Latest News webpage.	Teresa Rittemann	27-Apr-2018	On Going

27-Apr-2018

Activity	Responsibility	Target Date	Status
Include the Hornby Island Local Trust Committee Section as drafted, for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.	David Marlor		On Going
Staff to respond to LCLB referral for HO-LCB-2017.2 (Fossil Beach Farm) with HO LTC resolution and comments and public input.	Teresa Rittemann	18-May-2018	Done
Staff to update the LTCÂ regarding opportunities for on-island Treaty education provided byÂ the BC Treaty Commission.	Teresa Rittemann	08-Jun-2018	On Going



File No.: 6500-20
FN Relationship Building

DATE OF MEETING: April 27, 2018
TO: Hornby Island Local Trust Committee
FROM: Fiona XETXÁTTEN MacRaid
Local Planning Services
SUBJECT: Sharing Hornby Island Housing information with local First Nations

PURPOSE

The purpose of this memorandum is to share a draft letter (attached), for the purpose of discussion with the Hornby Island Local Trust Committee (LTC). The intent of the letter is to provide an open invitation to local First Nations to participate in dialogue and share information about island housing issues.

NEXT STEPS

After discussion with the LTC, and editing the draft letter as the LTC recommends, staff would send the letter to local First Nations under the Chair's signature on behalf of the LTC.

Submitted By:	Fiona XETXÁTTEN MacRaid, MPA First Nations and Marine Issues	April 16, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager, Northern Office	April 19, 2018

ATTACHMENTS

1. Draft letter to local First Nations for LTC Discussion

April xx, 2018

Chief and Council

RE: Community Housing on Hornby Island

Hello from the Hornby Island Local Trust Committee,

We are writing today in the spirit of respect and inclusion, wanting to extend an invitation to you and your members regarding community housing on Hornby Island.

We want to acknowledge [your asserted rights and title (and in the case of Tla'amin Nation, treaty rights)] in the Hornby Island Local Trust Area, and extend an open invitation to be involved in public meetings on community topics such as community housing. Although there are financial limitations, we may be able to assist with travel to the island if needed.

[Your Nation] has contributed to the stewardship of the Hornby Island Local Trust Area for hundreds of generations and if you feel you would like to lend your thoughts and perspectives to community discussions, we would most welcome that.

Please check out our Hornby Island Local Trust Committee calendar below for upcoming meetings, and let us know of your interest and we will ensure you are notified of upcoming community meetings.

<http://www.islandstrust.bc.ca/islands/local-trust-areas/hornby/meeting-calendar-agendas-minutes/>

Respectfully,

Laura Busheikin, Chair

Hornby Island Local Trust Committee

DATE OF MEETING: June 8, 2018

TO: Hornby Island Local Trust Committee

FROM: Jaime Dubyna, Planner 1
Northern Team

SUBJECT: Proposed Subdivision in the Agricultural Land Reserve
Applicant: Patricia Colin (Peter Mason Land Surveying acting as Agent)
Location: 1150 Central Road

RECOMMENDATION

1. That the Hornby Island Local Trust Committee request staff to not forward HO-ALR-2018.1 to the Agricultural Land Commission due to inconsistency with OCP policies 6.4.1.1 and 6.4.2.3.

REPORT SUMMARY

This application proposes the subdivision of a parcel located within the Agricultural Land Reserve (ALR) to create two parcels. The proposed subdivision would decrease lot size from the existing 9.83 hectares to 4.06 hectares for Remainder Lot 1 and 5.77 hectares for Proposed Lot 1. See Attachment 1 for the proposed site plan.

Agricultural Land Commission (ALC) approval is required for subdivisions proposed within the ALR. The *Agricultural Land Commission Act (ALCA)* requires that the Hornby Island Local Trust Committee (LTC) decide whether or not to forward the application to the ALC for consideration.

Staff conclude that this application is inconsistent with the land-use planning policies of the Hornby Island Official Community Plan (OCP) as they relate to subdivision of agricultural land and therefore recommend that the application not be forwarded to the ALC.

BACKGROUND

Prior to 1997, the 10-acre parcel represented by Remainder Lot 1 in the proposed subdivision plan was a separate parcel owned and farmed by the property owner. In 1997, the property owner purchased the 14-acre parcel represented by Proposed Lot 1, and consolidated both lots into the current 24.289-acre (9.83 hectare) parcel. According to the property owner, farm has been in continuous operation since 1997. The proposed subdivision would revert the parcel back to the original two parcels.

The property owner/applicant states that they are no longer able to maintain the farm on their own. The applicant has stated that the proposed subdivision would provide an opportunity for their adult children to live nearby and help with ongoing farming activities on proposed Remainder Lot 1, while also providing an opportunity for them to create more farming opportunities on Proposed Lot 1.

[Section 514 of the Local Government Act \(LGA\)](#) contains provisions for subdivision to provide a residence for a relative. The Provincial Approving Officer has the ultimate authority to determine if the proposal is consistent with the provisions contained within Section 514 of the LGA.

This application proposes the subdivision of a parcel in the Agricultural Land Reserve (ALR). Section 21 of the ALCA prohibits subdivision of agricultural land without express permission from the ALC. Section 29 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* requires that an owner of agricultural land who wishes to subdivide that land must file an application with the ALC and with the local government.

Subject to the LTC forwarding the proposed subdivision to the ALC and the ALC granting approval of the subdivision, a subdivision application through the Ministry of Transportation and Infrastructure (MOTI) will be required.



Figure 1. Zoning map of subject property.



Figure 2. Orthophoto of subject property.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff have reviewed the Islands Trust Policy Statement and have highlighted three policies that relate to this application:

- 4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 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.

- 4.1.8 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.

Official Community Plan:

The Hornby Island Official Community Plan Bylaw No. 149 (OCP) designates the subject property as Agriculture (A). The Agriculture land use designation includes objectives and policies that support continuing agricultural activities; protect future food protection and agricultural capability; and encourage large parcel retention on agricultural land.

- **OCP Policy 6.4.1.1** specifies a minimum parcel size of 16 hectares (39.5 acres) for subdivision in the Agriculture land use designation.
- **OCP Policy 6.4.1.4** allows a second dwelling on parcels 3.5 hectares (8.6 acres) or greater in the ALR, only if the second dwelling is necessary for farm use as determined by the LTC, or if authorized as a non-farm use by the ALC.

See Attachment 4 for an analysis of OCP objectives and policies relevant to this application.

Land Use Bylaw:

The Hornby Island Land Use Bylaw No. 150 (LUB) designates the subject property within the Agriculture 1 (A1) zone. Permitted uses in the A1 zone include:

- Residential use of a dwelling;
- Agriculture;
- Silviculture;
- Secondary suite in a dwelling on lots 2.0 hectares or larger;
- Accessory uses, including but not limited to home occupations; and,
- Vacation home rental use.

Subsection 6.1(1) states, “Subdivisions shall comply with the minimum and minimum average lot area regulations set out in Part 8. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots. Where there is no minimum average lot area specified in the zone the minimum lot shall be considered the minimum average lot area.”

Subsection 8.5(2) permits a maximum of two dwelling units on lots having an area of 4 hectares or greater. For lots within the ALR, ALC approval may be required.

Subsection 8.5(6) states, “No lot may be created by subdivision that has a lot area less than 16.0 hectares.”

Issues and Opportunities

The protection of future food production and agricultural capability, and encouraging large parcel retention on agricultural land are OCP objectives. Staff conclude that the application is not consistent with OCP policies that relate to subdivision and retaining large agricultural parcels.

As a general planning principle, the fragmentation of agricultural land is inconsistent with maintaining long-term farming potential. Subdivision in the ALR has been found to generally undermine the viability of farming by reducing the agricultural potential of the land for certain crops and products, creating potential conflict at the boundary of farms and residential areas, and creating the expectation that farmland can be converted to rural residential use.¹

When determining agricultural potential of a parcel, the size of the parcel is considered. According to the Ministry of Agriculture, some types of agriculture can be successful on smaller parcels, however generally smaller parcels have fewer viable options for farming.² Further, the Ministry of Agriculture report has found that smaller parcels may encourage alternative land uses such as residential, and that as lot sizes decrease, the level of farming activity decreases. This is shown in Figure 3 below:

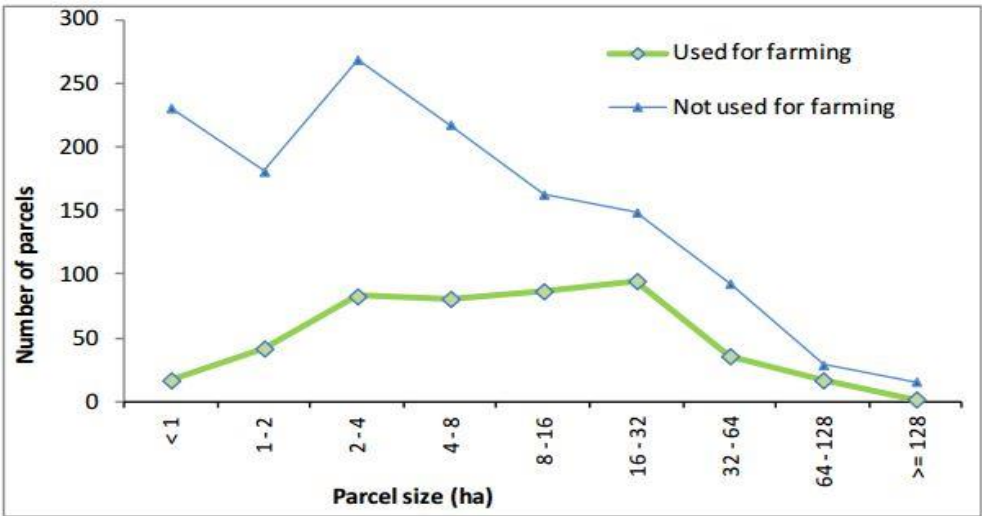


Figure 3. Number of farmed and not farmed parcels in the ALR by parcel size (2013).³

Currently the property owner resides in the single family dwelling at the “front” portion of the subject property and operates a small-scale farm. In addition to the single family dwelling, there is a studio contained within an accessory building (workshop) that provides a residence for a farmworker on the lot, and there is a workshop that has been converted to a single family dwelling in the “rear” portion of the lot.

¹ Curran, D. (2005). Protecting the Working Landscape of Agriculture: A Smart Growth Direction for Municipalities in British Columbia. West Coast Environmental Law Research Foundation. Retrieved from <https://www.wcel.org/sites/default/files/publications/Protecting%20the%20Working%20Landscape%20of%20Agriculture%20-%20A%20Smart%20Growth%20Direction%20for%20Municipalities%20in%20British%20Columbia.pdf>

² Ministry of Agriculture (2013). Land Use Inventory Report. Comox Valley Regional District. Retrieved from https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/land-use-inventories/comoxvalley2013_aluirprt.pdf

³ Ministry of Agriculture. (2013).

The applicant has stated that approval of the proposed subdivision would provide affordable and legal housing for their adult children and families. As well, it would provide an opportunity for them to live nearby and help with ongoing farming activities on Remainder Lot 1, and create more farming opportunities on Proposed Lot 1. The applicant has stated that the long-term purpose of the proposed subdivision is to allow each of the applicant's adult children and families an opportunity to own an individual parcel from the family property. It is for these reasons that this application has been made under Section 514 of the *LGA*, which contains provisions for subdivision to provide a residence for a relative.

Staff note the OCP contains a policy that permits two dwellings on lots designated agriculture that are 3.5 hectares or greater, and the Land Use Bylaw permits a second dwelling unit on lots larger than 4 hectares in the A1 zone. If the proposed subdivision is approved, this would double the potential residential density on the lots, as both lots are proposed to be larger than 4 hectares.

Staff have recommended to the applicant that an alternative to the proposed subdivision would be to apply to the ALC for a non-farm use application to provide permanent housing for an immediate family member under Section 20(3) of the *ALCA*.

Staff note that the second single family dwelling and the farmworkers' dwelling unit (or studio) may require permission from the ALC for a "non-farm use". Staff have informed the applicant that a non-farm use application to the ALC may be required for the additional dwelling units regardless of the outcome of the proposed subdivision.

Consultation

Statutory Requirements

The subject property is located within the ALR; therefore, pursuant to Section 21(1) of the *ALCA*, a person must not subdivide agricultural land unless expressly permitted by the ALC. Prior to any ALC decision, Section 25(3) of the *ALCA* requires that applications for a subdivision in the ALR may not proceed to the ALC unless authorized by the resolution of the local government.

Section 514 of the *LGA* contains provisions for the subdivision of land to provide a residence for a relative. These provisions allow the Provincial Approving Officer to approve the subdivision of a parcel that would otherwise be prevented by local bylaws (i.e. subdivision lot area requirement), if the subdivision is also permitted by the ALC. Following an approved subdivision under this section of the *LGA*, Section 514(7) limits the use of the parcels for five years to providing a residence for a family member/relative and to the use of the original parcel.

Rationale for Recommendation

Staff have analysed the application and conclude that it is inconsistent with land use planning objectives and policies in the OCP as they relate to subdivision of agricultural land. Specifically, the proposed subdivision does not meet the minimum parcel size identified by Policy 6.4.1.1 and Policy 6.4.2.3 in the OCP.

Staff have noted that the fragmentation of agricultural land through subdivision generally undermines agricultural potential and can create the expectation that farmland can be converted to residential uses. Therefore the retention of large parcels on agricultural land is encouraged to maintain long-term potential of farming.

Staff note that the application proposes to subdivide the parcel into two separate parcels for the use of the property owner's adult children and their families. The applicant has stated that they wish to continue operating

the existing agricultural activity on the lot with the aid of their adult children, as well as to create additional agricultural opportunities on the Proposed Lot 1. However, there is no requirement for the land to be farmed in perpetuity as residential use is permitted within the ALR.

While Section 514(7) of the LGA limits the use of the parcel for five years following subdivision to the original uses and to provide a residence for a family member, there is no guarantee after five years that the property would continue to be used for agricultural uses. Staff note that the proposed application would increase potential residential density by double, as each lot would be greater than 4 hectares in area.

ALTERNATIVES

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

1. Forward the application

If the LTC considers the application worthy of ALC consideration, the LTC may forward the application with or without comment. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee request staff to forward application HO-ALR-2018.1 to the Agricultural Land Commission without comment.

or,

That the Hornby Island Local Trust Committee request staff to forward application HO-ALR-2018.1 to the Agricultural Land Commission with the following comments: [insert comments].

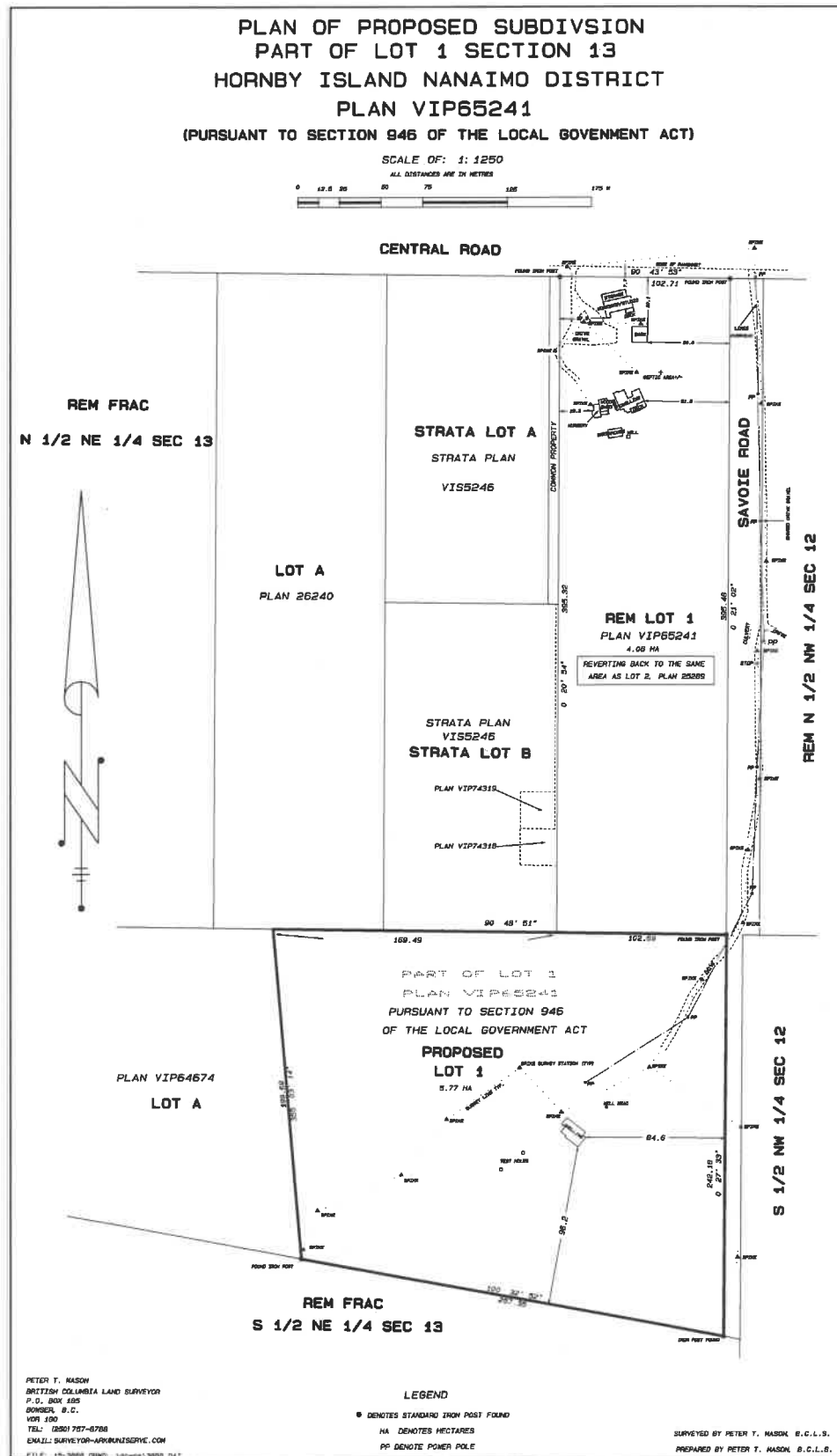
NEXT STEPS

If the LTC concurs with staff's recommendation, then the application will be closed.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	May 28, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 31, 2018

ATTACHMENTS

1. A1 – HO-ALR-2018.1 – Plan of Proposed Subdivision, dated January 12, 2018
2. A2 – HO-ALR-2018.1 – ALC Application
3. A3 – HO-ALR-2018.1 – Site Context
4. A4 – HO-ALR-2018.1 – Policy Checklist
5. A5 – HO-ALR-2018.1 – Public Correspondence



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 54391

Application Status: Under LG Review

Applicant: Patricia Colin

Agent: Peter Mason Land Surveying

Local Government: Islands Trust Regional District

Local Government Date of Receipt: 12/04/2017

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: To Subdivide off 5.7 ha from the parent parcel for Daughter(Anna Colin)and Family leaving 4.1 ha remaining (which is the same as previous owned by owner and shown oas Lot 2, Plan 25289) . This Subdivsion is under Section 514 of the Local Government Act.

Agent Information

Agent: Peter Mason Land Surveying

Mailing Address:

P O Box 185

Bowser, BC

V0R 1G0

Canada

Primary Phone: (250) 757-8788

Email: surveyor-ark@uniserve.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 023-773-260

Legal Description: LOt 1 Section 13 Hornby Island Nanaimo District Plan VIP65241

Parcel Area: 9.8 ha

Civic Address:

Date of Purchase: 05/09/1997

Farm Classification: Yes

Owners

1. **Name:** Patricia Colin

Address:

Hornby Island, BC

v0r 1z0

Canada

Phone:

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Currently on the

a. 4.1 hector parcel; there are ducks and chickens both of which are raised for their eggs sold off the farm. Sheep and lambs bread for their wool and to graze the property. To supply the market road side stand there are extensive flower gardens as well as many fruit trees, nut trees, figs, grapes and an extensive vegetable garden. There is a glass green house for early starts in the spring and to extend the growing season in the fall and winter months.

b. 5.7 hector parcel; there is a large fenced field used for grazing of the sheep/rams and a few fruit trees.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

a. 4.1 hector parcel; large barn, two chicken houses including secure runs, a duck house with secure run, glass greenhouse, potting station, raised garden beds, organically conditioned soil in vegetable garden and extensive flower beds. Previous plant nursery for 33 years on the property with an office, green house and nursery garden beds. The ducks were originally used to keep down weeds and slugs in the nursery. Secure fencing to approximately half the property for pasture. Two duck ponds and one larger pond for pasture animals.

b. 5.7 hector parcel; large fenced field, access to water from drilled well.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

a. Both properties are used primarily to help support Woodwind Farm. There is a small summer rental that is utilized for two months of the year the subsidize the costs of the property.

Adjacent Land Uses

North

Land Use Type: Transportation/Utilities

Specify Activity: Main Road

East

Land Use Type: Transportation/Utilities

Specify Activity: Road allowance

South

Land Use Type: Agricultural/Farm

Specify Activity: Farm Specify activity- market garden with vegetable, flowers and fruit. Sale of wool and lambs. Sale of eggs, both duck and chickens.

West

Land Use Type: Residential

Specify Activity: Strata 2 lot

Proposal

1. Enter the total number of lots proposed for your property.

5.7 ha

4.1 ha

2. What is the purpose of the proposal?

To Subdivide off 5.7 ha from the parent parcel for Daughter(Anna Colin)and Family leaving 4.1 ha remaining (which is the same as previous owned by owner and shown oas Lot 2, Plan 25289) . This Subdivision is under Section 514 of the Local Government Act.

3. Why do you believe this parcel is suitable for subdivision?

a. The main parcel of 4.1 hectors as always a separate parcel and has been own and worked as a farm since 1971, 47 years, by the owner Patricia Colin. The 5.7 hector piece was purchased later and added on to the original section. It has a separate access by road allowance off Savoie Road. It was the hope of the owner to have her children able to live close by in retirement and be able to help on the farm. With property on Hornby increasing substantially over the past 15 years the only way to accomplish this is by subdividing off this originally separate piece.

4. Does the proposal support agriculture in the short or long term? Please explain.

a. Patricia Colin is 73 years of age. She has been farming this property for the past 45 years. She has turned it from a thick forest into a sustainable working farm. She is no longer able to maintain all the structures, fencing, animals on her own. She would like to make it available and affordable to have her children closer to help. She has two children and hopes to be able to leave each child and their families a section of the land she has worked so hard to create. If this proposal was to go through it would allow her daughter and family to be able to move to Hornby Island and help with the farming needs of the 4.1 hector piece as well as begin to create more farming opportunities on the 5.7 hector piece as well. Providing legal housing for the adult children and families to live in is top priority on an island that is now beyond the reach of many. Anna and family presently live in Nelson on a city lot and still have chickens, bee hives, fruit trees, a greenhouse and a vegetable garden. They would love to come here and have a farm. No member of the family, who were born and raised here, wants to sell the family property.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - Peter Mason Land Surveying
- Proposal Sketch - 54391
- Certificate of Title - 023-773-260

ALC Attachments

None.

Decisions

None.

PETER MASON GEOMATICS

LAND SURVEYING, LAND INFORMATION ,GPS/GIS MAPPING,PLANNING

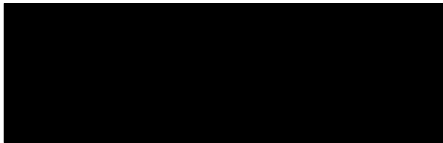
**P.O.Box185, Bowser,B.C.
CANADA,V0R 1G0
PHONE: (250)757-8788
surveyor-ark@uniserve.com**

Dated August 24, 2015

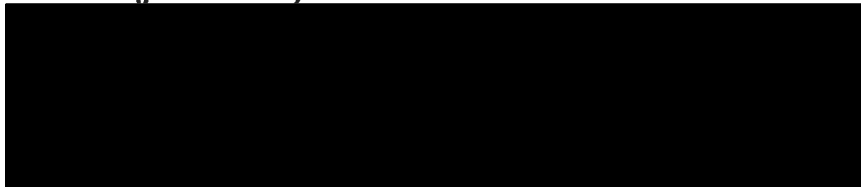
In the matter of Proposed Subdivision of Part of Lot 1, Section 13, Hornby Island, Nanaimo District Plan VIP65241

I, Patricia Mary Colin authorize Peter T. Mason,B.C.L.S. to act on my behalf on matters regarding the above.

Owner: Patricia Mary Colin



Witness (print name)



ATTACHMENT 3 – SITE CONTEXT

HO-ALR-2018.1

LOCATION

Legal Description	Lot 1, Section 13, Hornby Island, Nanaimo District, Plan VIP65241
PID	023-773-260
Civic Address	1150 Central Road

LAND USE

Current Land Use	The subject property is 9.83 ha (24.289 acres) in area. Existing buildings include: • two single family dwellings, • a barn, • a workshop/studio, • a greenhouse, • a woodshed, and • several buildings for housing chickens and ducks. Current land uses include: Residential, Agricultural, Seasonal Vacation Rental
Surrounding Land Use	Surrounding land uses include agriculture, residential, and a regional park.

HISTORICAL ACTIVITY

File No.	Purpose
HO-SUP-1998.17	For the construction of one agricultural building (greenhouse) for farming and garden nursery.

POLICY/REGULATORY

Official Community Plan Designations	The subject property is within the Agriculture (AG) land use designation. See Appendix 3 for relevant land use designation policies. A small portion of the subject property is within Development Permit Area No. 6 (DPA 6) – Riparian Areas. Subdivision within DPA 6 requires a Development Permit, prior to subdivision approval.
Land Use Bylaw	The subject property is within the Agriculture 1 (A1) zone. Permitted uses in the A1 zone include: • Residential use of a dwelling; • Agriculture; • Secondary suite in a dwelling on lots 2.0 hectares or larger; • Accessory uses, including but not limited to home occupations; and • Vacation home rental use. The A1 zone permits a maximum of two dwelling units on lots having an area of 4 hectares or greater. For lots within the ALR, ALC approval may be

	required for second dwellings and secondary suites. 6.1(1) Subdivisions shall comply with the minimum and minimum average lot area regulations set out in Part 8. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots. Where there is no minimum average lot area specified in the zone the minimum lot shall be considered the minimum average lot area. 8.5(6) No lot may be created by subdivision that has a lot area less than 16.0 hectares.
<i>Other Regulations</i>	<i>Local Government Act</i> Section 514 of the <i>Local Government Act</i> contains provisions for the subdivision of land to provide a residence for a relative. These provisions allow the Provincial Approving Officer to approve the subdivision of a parcel that would otherwise be prevented by local bylaws (i.e. subdivision lot area requirement), if the subdivision is also permitted by the Agricultural Land Commission (ALC). The <i>Local Government Act</i> allows local governments to establish minimum parcel sizes for subdivision for a relative. Section 6.5(1) of the Hornby Island Land Use Bylaw specifies that no lot with an area less than 8 hectares may be subdivided to provide a residence for a relative, unless the lot is entirely within the Agricultural Land Reserve (ALR). <i>Agricultural Land Commission Act</i> The <i>Agricultural Land Commission Act</i> (ALCA) requires the applicant to submit a subdivision application to the Agricultural Land Commission (ALC). Pursuant to subsection 21(1) of the ALCA, a person must not subdivide agricultural land unless permitted under the ALCA. Subsection 18(b) of the ALCA contains a provision where an approving officer under the <i>Land Title Act</i>, the <i>Local Government Act</i> or the <i>Strata Property Act</i> or a person who exercises the powers of an approving officer under any other Act may not approve a subdivision of agricultural land, unless permitted under the ALCA. Pursuant to subsection 25(3) of the ALCA; this subdivision application cannot proceed to the ALC unless authorized by a resolution of the Local Trust Committee (LTC).
Covenants	• LTC Covenant – EL55619: 1997. • Undersurface Rights, Coal TSN, Right of Way (BC Tel).

SITE INFLUENCES

Islands Trust Fund	This proposal does not affect an Islands Trust Fund Board owned property or conservation covenant.
Regional Conservation Strategy	The Regional Conservation Plan 2018-2027 indicates that Hornby Island has a low priority or low need for sensitive ecosystem protection and low

	disturbance threat.
Species at Risk	Islands Trust mapping indicates the presence of the Douglas-fir / dull Oregon-grape (<i>Pseudotsuga menziesii</i> / <i>Mahonia nervosa</i>) rare plant community on the subject property.
Sensitive Ecosystems	Islands Trust Sensitive Ecosystem Mapping indicates there is a Seasonally Flooded area on the subject property near the corner of Central Road and Savoie Road.
Hazard Areas	n/a
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on or within 100 metres of the subject property. 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 the 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	Any land clearing, site preparation and construction may result in a short-term burst of greenhouse gas emissions.

HORNBY ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 149

OCP Objective/Policy	Complies	Planner Comments
Objective 6.4.1 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	no	(1) The property owner currently operates a small-scale organic farm on the subject property. The property owner has stated that the proposed subdivision would provide an opportunity for their adult children to live nearby and help with ongoing farming activities on Remainder Lot 1, while also providing an opportunity for them to create more farming opportunities on Proposed Lot 1. (2) The proposed subdivision would increase the potential residential density on land in the Agricultural designation by creating two lots having an area of 4 hectares or greater in the Agriculture 1 (A1) zone. However, it is noted for lots within the Agricultural Land Reserve (ALR), approval from the Agricultural Land Commission (ALC) may be required for a second dwelling. Staff note that the application does not include any proposed additional residences. (3) The proposed subdivision does not comply with this objective, as it would reduce the lot size further. (4) There is insufficient information to determine whether the agricultural practices contaminate groundwater resources.
Policy 6.4.1.1 For any subdivision of properties designated Agriculture a minimum parcel size of 16 hectares (39.5 acres) should be.	no	Staff consider the application to not support this policy, as the subject property is 9.83 hectares in area and does not meet the minimum parcel size requirement of this policy, nor of the Land Use Bylaw. The proposed subdivision would reduce the lot size further.
Policy 6.4.1.2 The principal uses in this designation should be agriculture and residential.	yes	The subject property is currently used for agriculture and residential purposes. The property owner has stated they intend to continue agricultural and residential uses.
Policy 6.4.1.4 On parcels 3.5 hectares (8.6 acres) or greater the following should be permitted: a) one dwelling with a secondary suite within the dwelling; or b) two dwellings, with the second dwelling limited in size, and if the land is in the Agricultural Land Reserve the second dwelling should only be permitted if the second dwelling is necessary for farm use as	TBD	b) In addition to two single family dwellings on the subject property, a studio provides farmworker housing on the subject property. Staff are unaware of any determination by the LTC to permit a second dwelling in consultation with a Provincial Regional Agrologist; or, of a non-farm use application to the ALC for additional dwellings in the ALR.

determined by the Local Trust Committee in consultation with a Provincial Regional Agrologist and is otherwise consistent with the Agricultural Land Reserve related enactments; or if authorized as a non-farm use by the Agricultural Land Commission.		
Policy 6.4.2.3 The minimum parcel size within the Agricultural Land Reserve designation should be 16 hectares (39.5 acres) but smaller lots may be created where a portion of a parcel has been leased to another farm operation for at least the five previous consecutive years and such subdivision is approved by the Agricultural Land Commission.	No	Staff consider the application to not comply with this policy as the proposed lots are less than the minimum parcel size specified in this policy. The farm has been operated by the property owner for the past 45 years.
Policy 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 <i>Agricultural Land Commission Act</i> .	TBD	There is a studio located within an accessory building (workshop) at the front of the subject property that is used to provide housing for a farmworker throughout the year. In the past, the property owner operated a summer vacation rental out of this studio, to supplement the farm income. The Land Use Bylaw permits “vacation home rental use” in the Agriculture 1 (A1) zone; however, vacation rentals are considered a “non-farm use” in the ALR and require permission from the ALC to occur on ALR land.

From: Grant and Carol Scott [REDACTED]
Sent: Friday, May 18, 2018 9:14 AM
To: Jaime Dubyna
Cc: Tony Law; Alex Allen
Subject: Letter of Support
Attachments: IMG_0106.JPG

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jaime

Attached please find a letter of support for Gemma Collins.

If you have any questions please call us at [REDACTED]

Thanks

Grant Scott

May 18, 2018

Grant and Carol Scott,
[REDACTED]

Hornby Island BC

VOR 120

Jaime Dubyna,

Island Trust,

Gabriola Island, BC

Re: Proposed Subdivision of Lot 1, Section 13, Plan VIP65241 Nanaimo District

Dear Jaime;

Our property borders on Gemma Collins'. This is to state that we support her application to subdivide her property at 1150 Central Rd. Hornby Island for her kids.

We understand that the Collins' property is in the ALR and we do not believe that the minimum lot size in the ALR on Hornby should be so restrictive. At best the land might be used for market gardening which does not require 40 acres and we need to make property available on Hornby for young people such as Gemma's kids.

[REDACTED]
Carol Scott

[REDACTED]
Grant Scott

Cc: Tony Law, Alex Allen

From: Margaret Joyce [REDACTED]
Sent: Wednesday, May 23, 2018 7:00 PM
To: Jaime Dubyna
Subject: Pat Colins subdivision

To whom it may concern.

We are in full support of the subdivision that will allow Pat Colin's 10 acres to stand alone as a farm as it did for 27 years before they added the 14 acres on the back. (We want young people, who have skills we need, kids for our school, to have legal homes and have their own farm and help their families keep farming). Our property adjoins the Colin property.
Housing is a big concern for our young people. We hope you will allow this.

Margaret and Don Joyce

From: Margaret Pethick [REDACTED]
Sent: Wednesday, May 23, 2018 8:08 PM
To: Jaime Dubyna
Cc: Anna Colin; Gemma Colin
Subject: Subdivision application

Dear Jamie Dubyna,

I am writing to you in support of the subdivision application from the Colin family on Central Road, Hornby Island.

My family and I have been close neighbours and friends of Gemma, Chris and Anna for forty-three years and we were delighted when they bought the adjoining 14 acres to add onto the family farm.

Now, both Chris and Anna have families of their own and both want to have the possibility to build their own homes on the 14 acres, ones that will be legal and insurable and that will give them clear title. Chris has been living and working here all his life and Anna's commitment to the island has never left her and as her children are growing older, they're spending more and more time here as their mother grows older and needs their help.

I hope you will consider positively their application for subdivision, back to the two separate parcels, so that the family can continue to take care of the land as a farm, but with the ability to be each owning their part of it in their own right .

Yours sincerely,

Margaret Pethick.

From: Darcy McMurray [REDACTED]
Sent: Thursday, May 24, 2018 9:07 AM
To: Jaime Dubyna
Cc: [REDACTED]
Subject: letter of support

To whom it may concern,

I own the adjoining property (1080 Central Ave), to Pat Colin's property. I fully support the subdivision of their property for future use amongst family as they see fit.

Please feel free to contact me if you have any further questions,

Sincerely,

Darcy McMurray

Agriculture on Hornby Island – Background information

From Hornby Island Official Community Plan - 2014

“Agriculture is the traditional land-based economic activity of Hornby Island. There are about 824 hectares (2060 acres), 27% of the land base, in the Agricultural Land Reserve, and subject to the Agricultural Land Commission Act, which was intended to preserve land with agricultural potential to provide a secure source of food for the future residents of the Province. Farming is encouraged in parcels within the Reserve and non-farming use is regulated by the Commission.

“There are 102 parcels on Hornby located within the Land Reserve. The average area of these parcels is 7.2 hectares (18 acres). This land is of high to medium capability for agriculture and is reserved for present or future production. Schedule C, the land status map, identifies land in the Agricultural Land Reserve and Schedule B, the land use designation map, shows land used primarily for agriculture, most Agricultural Land Reserve land falls in that category.”

Policy 6.4.2.3:

The minimum parcel size within the Agricultural Land Reserve designation should be 16 hectares (39.5 acres) but smaller lots may be created where a portion of a parcel has been leased to another farm operation for at least the five previous consecutive years and such subdivision is approved by the Agricultural Land Commission.

From Hornby Island Community Profile – 2009:

Agriculture and Food On Hornby

Many people grow large home gardens and there are at least ten farms of twenty acres or more.

These and other smaller farms grow, raise and produce a wide variety of products including vegetables, fruit, beef, chicken, eggs, oysters, wine, mead, nursery plants, and trees. There are no grains grown or pigs raised commercially on the island. A large percentage of local food is sold locally, particularly during the busy summer season. Some “value-added” produce may be marketed off-island.

Some Islanders share a desire to be more self-sufficient in food supply and a significant portion of arable land is currently not in use.

General considerations

- Costly land prices make it hard for younger farmers to afford the land needed to grow food and develop a viable operation.
- Most of the current market gardeners are in their 60's and a considerable amount of local knowledge could be lost without some form of succession and knowledge transfer.
- It is costly to reach off-island markets for a wider distribution of products.
- Small farmers are handicapped by government regulations regarding the selling of eggs, meat and dairy products – especially because of Hornby's remoteness and new government regulations for abattoirs.

From Hornby Island Community Vision for 2020 - 2002

Agriculture

“In the year 2020, Hornby Islanders strongly support local agricultural activities which include permaculture, horticulture and aquaculture. We place a strong value on organic agriculture, self-sufficiency and creating value-added agricultural products. There is a strong market for local agricultural products, both on and off the island. The community uses a large percentage of cleared arable land for agricultural and there are many communally owned and operated lands and facilities for food production. People come to Hornby specifically to learn about our thriving agricultural sector and participate in many facets of agricultural production.”

From Exploring Food Security in the Islands Trust Area – 2010

“While it is difficult to generalize, smaller-scale farms (the majority of those in the Trust Area) tend to employ ecological farming practices that work in tune with local climate, soil, flora and fauna to minimize the need for external energy intensive inputs and contribute to the ecological health of the supporting environment. Smaller-scale farms tend to plant a greater diversity of crops to ensure crop resilience in the face of adverse weather or pests; a practice often resulting in the use of heartier heritage varieties and the maintenance of seed diversity. In addition, smaller-scale farms will often practice soil and water conservation techniques (e.g. low or no-till and drip irrigation), create their own on farm inputs (e.g. compost), and when purchasing external inputs, will tend to spend their money within the community.

“While small-scale locally focused farms may not all be certified organic, they tend to practice organic farming methods. These types of farms also tend to be more in tune with what the community desires and how the local environment functions; again, the issue of putting a face to food and the trust that comes from that knowledge can help inform both consumer and producer. An informed community will know what it is looking for in terms of how its local food is produced, and a local farmer can use that knowledge to ensure that the community doesn’t have to look too far afield for what it wants.”



Islands Trust

BYLAW REFERRAL FORM

Island: Denman Island Local Trust Area Bylaw Nos.: 228 and 229 Date: May 17, 2018

You are requested to comment on the attached Bylaws for potential effect on your agency's/organization's interests. We would appreciate your response by July 12, 2018. If no response is received by that date, it will be assumed that your agency's/organization's interests are unaffected.

APPLICANTS NAME / ADDRESS:

DENMAN ISLAND LOCAL TRUST COMMITTEE

PURPOSE OF BYLAWS:

The intent of **bylaw no. 228**, if adopted, would be to amend the Denman Official Community Plan Bylaw No. 185, 2008 (OCP) to re-designate all lands within the Agricultural Land Reserve (ALR) to a new 'Agriculture' designation and include several new policies supporting agriculture uses consistent with the Agricultural Land Commission regulations and policies.

The intent of **bylaw no. 229**, if adopted, would be to amend the Denman Island Land Use Bylaw No. 186, 2008 (LUB), to regulate dwellings in the ALR; agritourism; use agritourism accommodation, and to update several definitions and setback regulations. Amendments to the OCP and LUB are part of the 2012 Denman Farm Plan Implementation Project to formally protect Denman Island's land base for agriculture.

GENERAL LOCATION:

Denman Island, BC

OTHER INFORMATION:

N/A

Please direct any communications regarding this referral to Becky McErlean, Legislative Clerk, at (250) 247-2206 or by email to bmcerlean@islandstrust.bc.ca.

Please fill out the *Response Summary* attached to this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Marnie Eggen

(Signature)

Name:

Title

Marnie Eggen

Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Agriculture
Agricultural Land Commission
Islands Trust Fund

Non-Agency Referrals

Denman Advisory Planning Commission
Denman Growers and Producers Alliance
Islands Trust Bylaw Enforcement

Regional Agencies

Comox Valley Regional District
School District #71 (Comox Valley)

**Adjacent Local Trust Committees
and Municipalities**

Hornby Local Trust Committee
Ballenas-Winchelsea Islands Local
Trust Committee (Executive
Committee)

First Nations

K'ómoks First Nation
Cowichan Tribes
Laich-kwil-tach Treaty Society
Lake Cowichan First Nation
Lyackson First Nation

Penelakut Tribe
Halalt First Nation
Stz'uminus First Nation
Qualicum First Nation
Snaw'Naw'As First Nation
Nanwakolas First Nation
We Wai Kai Nation
Wei Wai Kum First Nation
Homalco First Nation
Te'Mexw Treaty Association
Tla'amin First Nation

PLEASE TURN OVER 

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

**Denman Island Local Trust Area – Denman
Island**

(Island)

(Signature)

(Date)

Bylaw No. 228 (OCP Amendment)

(Bylaw Number)

(Title)

(Agency)

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

**Denman Island Local Trust Area – Denman
Island**

(Island)

(Signature)

(Date)

Bylaw No. 229 (LUB Amendment)

(Bylaw Number)

(Title)

(Agency)



Top Priorities

Hornby Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Relationship building with Komoks First Nation	Move towards possible OCP amendments to address First Nation interests that might include "Background" of OCP, marine issues, and place names.	12-Feb-2016	Marnie Eggen Laura Busheikin Tony Law Alex Allen Fiona MacRaild	
1	Vacation Home Rental Community Education and Bylaw Compliance Campaign	Implement the Project Charter to implement the education and compliance campaign.	27-Apr-2018	Miles Drew Teresa Rittemann	01-Jan-2019
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	
2	Communication with residents/owners.	Identifying opportunities to provide information to new residents and property owners with respect to Islands Trust, Official Community Plan and Land Use Regulations.	14-Oct-2016	Marnie Eggen Pamela Hafey Tony Law Alex Allen	



Projects

Hornby Island

Description	Activity	R/Initiated
Environmentally sensitive areas	Review of environmentally sensitive areas OCP map schedule (D2) as a stand alone mapping project or addition to the community profile; and Review community profile by adding further information on environmentally sensitive areas and important habitat and including information in Schedule D2 of OCP.	26-Apr-2013
Residential density review	Establish a community process to review residential density to address community housing needs following the completion of the official community plan and land use bylaw reviews.	07-Jun-2013
Beach access inventory	Conduct an inventory and assessment of beach access and other unopened road allowances	12-Jul-2013
Marine / shoreline protection information and education	Provide information and education to the public with respect to the marine environment and shoreline protection	07-Feb-2014
Groundwater protection and water conservation tools	Review approaches to ground water protection and water conservation on Hornby Island including consideration of the Gulf Islands Ground Water Protection Regulatory Tool Kit and the possible use of Development Permit areas for water conservation.	
Farm policy and regulatory review	Develop and implement a project to support accessible opportunities for small-scale farming and address farming activities on non-ALR land involving consultation with relevant agencies and review of applicable policies and regulations.	
Ford Cove Consultation	Conduct a consultative process for the Ford Cove area	
Public Use area planning	Support collaborative planning process for Public Use areas	27-Mar-2015
Coastal Douglas Fir and associated ecosystem conservation		12-Feb-2016

Projects

Hornby Island

Description	Activity	R/Initiated
Identification of gravel resources in the OCP	Update mapping as required.	27-Apr-2018
Review RAR with respect to roadside ditches		27-Apr-2018
Development Procedures Bylaw	Consider options prepared by staff for amending the development procedures bylaw to include requirements for posting of signs on property with respect to significant applications.	03-Feb-2012
GHG Emissions Reduction	Facilitate community communications regarding greenhouse gas emissions in collaboration with community organizations.	03-Feb-2012



OVERVIEW

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

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

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

SUMMARY NOTES FROM FEBRUARY 27, 2015 SESSION

Trustee Responses to “Wish List” Brainstorm

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

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

"What Else" List:

- Address home occupation use on non-resident lot

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

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

NEXT STEPS

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

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

Hornby Island LTC Work Program

Suggestions for LTC Discussion

Communication Strategy for Revised Official Community Plan and Land Use Bylaw

Suggested elements:

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

Prioritization of Issues Identified for Possible Future Projects.

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

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

Tony Law – 21 September 2015



Islands Trust

Print Date: May 31, 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: 24-May-2018 Planner received letter of support from neighbor.			
Status Date: 23-May-2018 Planner received two letters of support from neighbours.			
Status Date: 18-May-2018 Planner received letter of support from neighbor.			
File Number	Applicant Name	Date Received	Purpose
HO-ALR-2018.2	Hoerburger Land Surveyors Planner: Madeleine Koch	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:			

Development Permit

File Number	Applicant Name	Date Received	Purpose
HO-DP-2017.2	Matthew, Jim Planner: Madeleine Koch	17-Aug-2017	Crown leased property; Building new Arts Centre on Sollans Road, Hornby Island.
Planning Status			
Status Date: 31-Jan-2018 Site Visit Nov. 6 2017			

Applications

Status Date: 31-Jan-2018

Waiting to hear from applicant regarding Crown Lease amendment

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: 28-May-2018

Application to be considered at September LTC meeting so that applicants can attend.

Status Date: 10-Apr-2018

Planner reviewing application.

File Number	Applicant Name	Date Received	Purpose
HO-DP-2018.2	Hornby Island Resort Ltd.	15-May-2018	PID: 028-882-075 Building demolition. Civic address: 4305 Shingle Spit Road, Hornby Island, BC

Planner: Teresa Ritemann

Planning Status

Status Date: 28-May-2018

Planner reviewing the application.

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2017.3	Hoerburger 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: Madeleine Koch

Planning Status

Status Date: 31-Jan-2018

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

Applications

Status Date: 06-Nov-2017
Site visit conducted Nov. 6 2017

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 Rittemann

Planning Status

Status Date: 28-May-2018
Application to be considered at September LTC meeting so that applicants can attend.

Status Date: 10-Apr-2018
Planner reviewing application.

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
HO-LCB-2017.2	Fossil Beach Farm Ltd.	15-Nov-2017	PID: 011-189-037 Special Events Endorsement Civic: 750 Savoie Road, Hornby Island, BC

Planner: Teresa Rittemann

Planning Status

Status Date: 04-May-2018
LTC passed resolution at the Apr 27, 2018 LTC meeting with comments to LCLB and input from public. Planner forwarded resolution, comments, and input on 4-May-2018 and copied to HO LTC, applicant, and ALC Planner for information. Planner completed review and gave to PTA to close the file in TAPIS.

Status Date: 10-Apr-2018
On agenda for LTC discussion at Apr 27 2018 meeting

Status Date: 25-Jan-2018
Planner reviewed application. On agenda for LTC discussion at Feb 9 2018 meeting.

Rezoning

**Applications**

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: Madeleine Koch			
Planning Status			
Status Date: 31-Jan-2018			
Planner analyzing application file			

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2018.6	JAMES H MASON LEANNE C MASON	26-Mar-2018	PID: 003-027-325 5220 Kirk Road, Hornby Island Single family dwelling and accessory building
Planner: Jaime Dubyna			
Planning Status			
Status Date: 16-Apr-2018			
Applicant will be forwarding finalized sewage disposal field site plans at a later date. Location of well will be selected following the siting of the sewage disposal field, in order to meet the requirements of Regulation 3.3(7) of the Land Use Bylaw - sewage disposal field setback of 30 m from any well.			
Status Date: 13-Apr-2018			
Planner reviewing application.			
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: Ian Cox			
Planning Status			
Status Date:			

File Number	Applicant Name	Date Received	Purpose
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Applications

HO-SUP-2018.8 Morissette, BERNARD 09-May-2018 PID: 003-381-846 Building one two storey building for workshop/art studio. Civic address: 3480 Brigantine Crescent, Hornby Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 30-May-2018
Planner reviewing application.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2018.9	Ackerson, Paul	09-May-2018	PID: 002-821-389 Building two bedroom cabin for recreational use. Civic address: 6945 Central Road, Hornby Island, BC

Planner: Madeleine Koch

Planning Status

Status Date:

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: 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

Status Date: 21-Jun-2017
Updated referral response completed and sent to MOTI; applicant requires a 10% frontage waiver by LTC and registration of restrictive covenant limiting subdivision of Lot 1. All other requirements of LUB met.

**Applications**

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: Madeleine Koch

Planning Status

Status Date: 31-Jan-2018

DVP application received. Subdivision file being held in abeyance.

Status Date: 25-May-2017

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

Status Date: 11-May-2017

The lot line adjustment part of this subdivision application cannot proceed without an approved DVP to vary the section of the LUB that disallows split lot subdivisions. HO LTC resolved to not support closure of Fowler Road as the proposal is inconsistent with the Hornby OCP and public input does not support the proposal

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

Planner: Madeleine Koch

Planning Status

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:

Print Date: May 31, 2018

Applications

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending March 2018

635 Hornby	Invoices posted to Month ending March 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	750.00	646.85	103.15
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,750.00	2,646.68	103.32
65210-635	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-635	LTC - Local Exp - Communications	1,000.00	584.30	415.70
65230-635	LTC - Local Exp - Special Projects	500.00	10.70	489.30
TOTAL LTC Local Expense		<u>4,750.00</u>	<u>3,241.68</u>	<u>1,508.32</u>
Projects				
73001-635-4067	Hornby First Nations Relations	500.00	568.57	-68.57
73001-635-4083	Hornby Short Term Vacation Rental (STRV) Review	500.00	154.30	345.70
73001-635-4084	Hornby LUB Community Housing Amendments	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>2,000.00</u>	<u>722.87</u>	<u>1,277.13</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”.



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality May 2018

Islands Trust Fund Name Change

The TFB is thrilled to have received notice that the name change to Islands Trust Conservancy has been approved. Staff has prepared a Name Change Implementation Plan that outlines a two-staged approach to implement the name change over the next few months.

Medicine Beach Nature Sanctuary Management Plan

The TFB received and approved an updated management plan for the Medicine Beach Nature Sanctuary. The TFB requested that an article be submitted to the Pender Post to provide community awareness about the management issues for this popular location.

Approval of Parks Canada – Sidney Island Forest Restoration Proposal

The TFB reviewed information and provided support in principle for Parks Canada's Sidney Island Forest Restoration Proposal, which includes eradication of fallow deer.

2017-2018 Annual Report Submission

The TFB approved text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

Summary of Current Island-by-Island Activities

Denman

Staff are finalizing the revised management plan for Morrison Marsh Nature Reserve, to be completed by July 2018. Invasive species removal and trail clearing, sign installation, tree caging for forest restoration continues at all three TFB nature reserves on Denman.

Gabriola

Construction of a boardwalk around a large western red cedar tree at Elder Cedar

S'ul-hween X'pey Nature Reserve is now complete and volunteers have mulched the area with woodchips.

Gambier

Staff visited Keats Island to view the proposed Sandy Beach Nature Reserve. Restoration continues at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves protecting and planting tree seedlings.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). A news release has been issued, and with a recent grant awarded to LINC, the campaign is 40 per cent of the way to a \$250,000 goal.

Thetis

Staff are negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is in the process of being collected to inform the covenant baseline report and the management plan for the protected area.

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

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



MEMORANDUM

File No.: 3030-01
(Hornby LTC General)

DATE OF MEETING: June 8, 2018
TO: Hornby Island Local Trust Committee
FROM: William Shulba, Senior Freshwater Specialist
Local Planning Services
COPY: Ann Kjerulf, Regional Planning Manager
SUBJECT: Hornby Water Planning

PURPOSE

The Hornby Island Local Trust Committee (LTC) is asked to consider advancing the “Groundwater Protection and Water Conservation Tools” project to the Top Priorities List.

BACKGROUND

Local Planning Services staff and Trustee Law met with members of Hornby Water Stewardship (HWS) and Hornby Island Community Economic Enhancement Corporation (HICEEC) on Thursday, May 24, 2018 to discuss options for collaboration and advancement of local water conservation objectives. Staff note that HWS and HICEEC completed their Hornby Water Plan in 2016 (see Attachment 1). Various water-related studies have been completed on Hornby Island previously and the Hornby Island Official Community Plan includes several objectives and policies respecting water conservation. Furthermore, specific attention has been drawn to Hornby Island from academia, government, and other research communities due to the lack of surface water on the island and almost 100% reliance on groundwater resources.

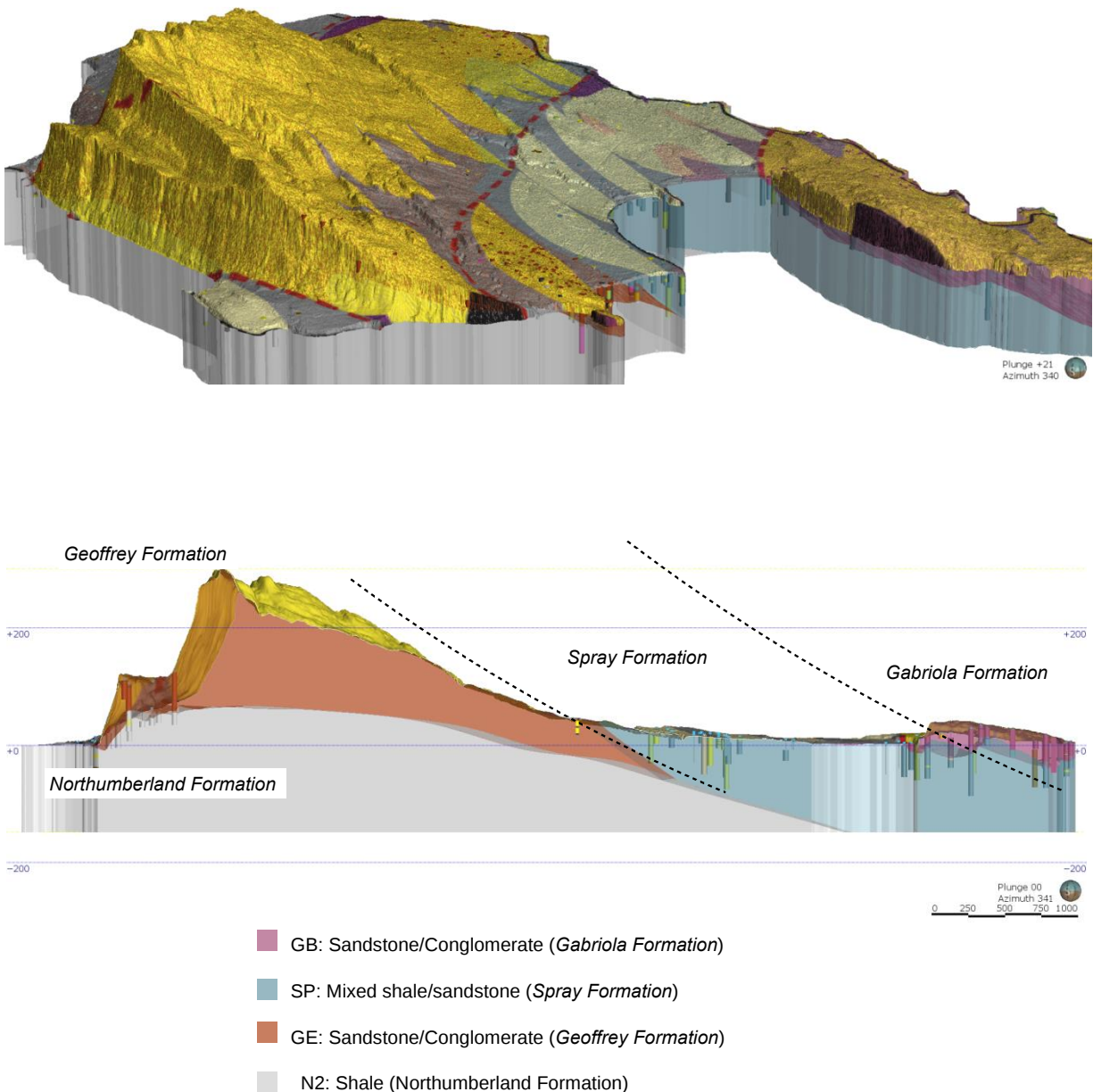
The Hornby Island LTC currently has a unique opportunity to draw on the expertise of the Islands Trust Senior Freshwater Specialist and Dr. John Cox, Surficial Geologist and local community member, in order to advance this project. The specific work that is proposed by the Hornby Water Plan, investigating recommendations made by Dianna Allen, is the best step forward to continuing research and creating a symbiotic relationship between the Hornby Island community and regulatory bodies.

3-D Hydrogeological Model

In early 2018, the Islands Trust Senior Freshwater Specialist and Information Services staff worked with GW Solutions to create a three-dimensional hydrogeological model of Hornby Island using the LeapFrog 3D software system (see Figure 1).

This model is the base framework to analytically determine the hydrodynamics of aquifers, and how groundwater resources will change overtime, and allows for intermediate scale modelling of new groundwater developments. This technological tool will enable past research and the existing knowledge base to further hydrogeological research and assist in freshwater sustainability planning for Hornby Island.

Figure 1. Hornby Island 3-D Hydrogeological Model



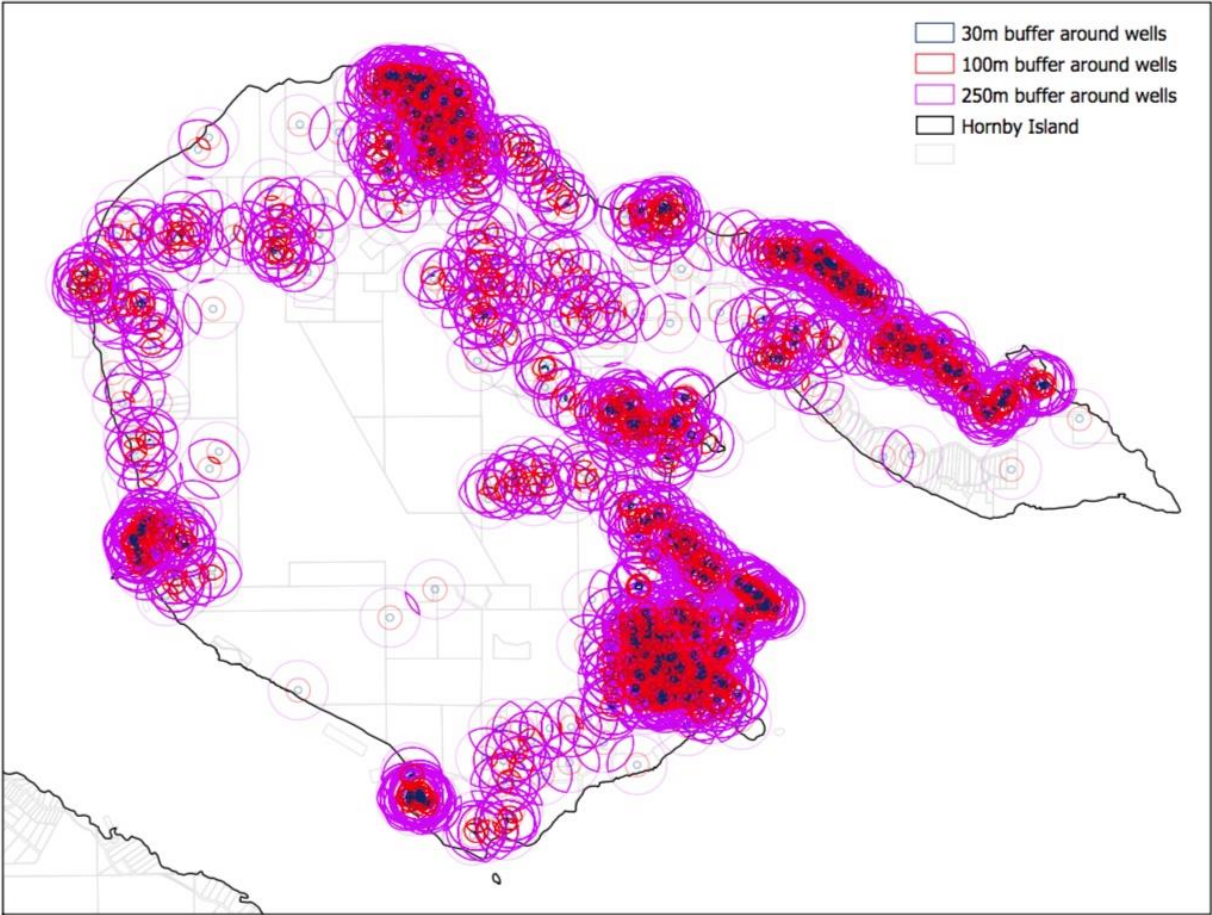
Well Capture Zones

Well capture zones have been completed by several hydrogeological consultants and researchers to determine the area of an aquifer that an individual groundwater well will draw water from over a 100-day period. Well capture zones average from 10s to 100s of meters in area. Well capture zone mapping of domestic wells on Hornby Island (see Figure 2), in concert with three-dimensional hydrogeological modelling, can provide detailed analysis of how the existing groundwater wells influence each other and can determine the implication of proposed new groundwater users.

Well capture zones, groundwater well density, recharge potential, and other hydrogeological data provides essential information for Groundwater Allocation Plans that are used by the approving officers in the Ministry of

Forests, Lands, Natural Resources Operations and Rural Development for issuing withdrawal licenses for non-domestic groundwater wells.

Figure 2. Hornby Island Well Capture Zones



NEXT STEPS

Should the LTC resolve to move the “Groundwater Protection and Water Conservation Tools” project to the Top Priorities list, staff would prepare a workplan and corresponding budget for LTC consideration at a subsequent meeting.

Submitted By:	William Shulba, P. Geo Senior Freshwater Specialist	May 31, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 31, 2018

ATTACHMENTS

- 1. Hornby Water Plan (2016)

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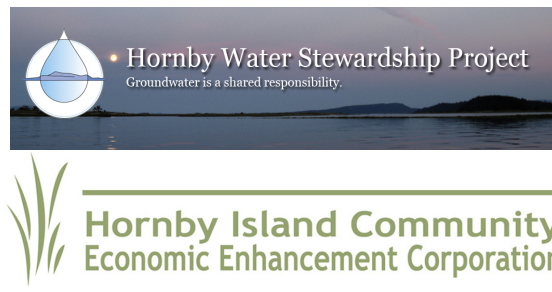
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Hornby Island Water Plan

December 2016

Sponsored by:



Hornby Island Water Plan

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Hornby Island Water Plan

Executive Summary

Hornby Water Stewardship (HWS) and Hornby Island Community Economic Enhancement Corporation (HICEEC) are collaborating on this plan *to strive to ensure the quantity and quality of water for Hornby Island, both in the short and long-term*. In the context of environmental awareness and care, water is perceived as a major issue with growth – planned or unplanned.

A great deal of work has been done by many organizations and educational institutions locally and around the world in this area. It is easy to get swamped by all the information. As a small island tucked away in the Salish Sea, it is wise to establish projects and activities that address both locally set priorities and the capacity to undertake them.

Getting to this plan has included a series of steps, including reviewing past work done on the island, building a reference list of information resources, a discussion forum with local people involved in *water* issues, the creation of a *discussion paper* (<http://www.hornbyislandwater.org/hornby-island-water-plan-discussion-paper>) to share findings, and a second, public forum to further explore possibilities and priorities.

This plan will be circulated for review and feedback, and refined and delivered to the Boards of HWS and HICEEC for approval.

Roughly fifty possible opportunities in support of the overall objective of this plan were suggested, and were categorized as falling under:

- Individuals (conservation, collection, quality assurance)
- Community infrastructure (distribution, saltwater intrusion prevention, sewage treatment)
- General awareness and education (low-use plantings, do-it-yourself, usage visibility, polluting chemicals, recognizing success, highlighting test results)
- Planning (homes, density)
- Regulation and enforcement (OCP, Islands Trust, Island Health, CVRD, Ministry of Forests, Lands & Natural Resources, collection and storage, short-term vacation rentals, neighbourhood water systems, commercial and high-density areas, grey water reuse, composting toilets, chemicals and medications)

Considering the desire for both short-term and long-term solutions, the following strategies have been selected for action in 2017:

- I. **General awareness and education**, including: publications, enhanced website as a single source of information, “water risk” signage, school children instruction, DIY (do-it-yourself) training sessions, summer public talks, and home-and-water tours of existing successful “green” water and disposal systems on the island.
- II. **Individuals**, including: conservation devices for wells, collection tanks, filtration systems, converting from pit to composting toilets, and a water testing service.
- III. **Research**, including local geological understanding of the relationship of our ground to our water, and awareness and adoption of practices being pursued by other areas (i.e., regional districts, Islands Trust, provincial government, universities, non-government organizations, etc.).

In recognition that *water* is deemed of high importance to residents, and considering that initiatives to achieve the plan’s objective are ongoing, it is proposed that a new governance structure be established, possibly under the Hornby Island Residents and Ratepayers Association (HIRRA), to ensure sustainable operational capability and capacity.

Hornby Island Water Plan

Background

Hornby Water Stewardship (HWS)

The Hornby Water Stewardship project is a program since 1993 of the Heron Rocks Friendship Centre, and is being undertaken by members of the community on a volunteer basis.

The purpose of the project is to “foster personal responsibility for water conservation and protection.” All work is undertaken under the United Nations declaration that water is a human right, and therefore water belongs to everyone and is a shared responsibility.

The group has worked to foster understanding of the value and vulnerability of groundwater, surface and marine waters of Hornby Island.

Since inception, with limited resources, they have done much to address many of the issues raised in this planning process. They have conducted projects, workshops, seminars and demonstrations for adults and children on the topics of wells, septic systems, water borne illnesses, and water collection. They have written and distributed articles, brochures and posters to residents and visitors and have conducted scientific research, including extensive collection and testing of water samples. Funds have been provided to other Hornby Island groups for water collection and water diversion activities. Written submissions have been made to local and provincial policy and plan development. They have reached beyond Hornby Island to connect with and learn from others who are working to address issues of water quality and quantity.

The HWS group maintains an informational website: www.hornbyislandwater.org.

Hornby Island Community Economic Enhancement Corporation (HICEEC)

The Hornby Island Community Economic Enhancement Corporation (HICEEC) is a publicly funded organization that has worked to support a healthy, diverse, and green economy on Hornby Island since 1997. In 2002, HICEEC was responsible for crafting the Community Vision to 2020, and conducting a Quality of Life survey to understand resident priorities, challenges, and opportunities at the time.

In 2015 HICEEC created an Economic Action Plan. This foundational piece of work, which polled 323 respondents on their household and employment situations, and opinions on a variety of economics-related topics, is providing the guiding principles and strategies for the work that HICEEC does.

One of the most significant results of the survey was that 78% of respondents would like to see an increase in the population of Hornby. In fact 32% would like to see the population at more than 1,500. This strong sentiment for growth leads to the question of what the island's carrying capacity is; foremost in that discussion is *water supply*.

As such, a project has been created, *Promote and Incent Water Conservation*.

Hornby Island Water Plan

Objective

Based on exploratory discussions, this project has a range of possible activities in support of an overarching objective: *strive to ensure the quantity and quality of water for Hornby Island, both in the short and long-term.*

In the context of environmental awareness and care, water is perceived as a major potential issue with growth, planned or unplanned. Indeed, one of the guiding principles established in the 2015 Economic Action Plan exercise is: “conservation-oriented economy; we have no economy without the environment.” There is concern that the island has not properly addressed its water needs, and that the problem may only get worse in the future.

Measures of Success

As the saying goes: what gets measured gets managed. Beyond objectives, it is important to establish a few critical indicators of progress or success. A few candidates, both at the project milestone level as well as the ultimate objective, include the following. They may be difficult to measure completely, and therefore proxies or statistical samples may be required (though measured consistently over time for directional purposes).

1. Water storage capacity (public and private)
2. Average water consumption per capita
3. Water quality (e.g., ditch contaminant reduction, occurrences of sickness reported at the clinic, well tests, anecdotal evidence from local plumbers)
4. Commitment and engagement (e.g., incentive program uptakes, education attendance, role model projects, Co-op sales of environmentally-friendly products, establishment of catchment ponds)

Hornby Island Water Plan

Plan Approach

Studies have been done on the island over the years, and individuals with a great deal of expertise have offered possible solutions to various components of the range of water issues. As well, government organizations at regional, provincial, national and international levels have produced numerous options and recommendations.

Some have said that Hornby doesn't have a water problem; it has a water *storage* problem. Others are concerned the quality of water as it currently exists, such as issues with wastewater proximity to drinking water, and salt water intrusion. Some are mostly concerned about the density of certain neighbourhoods; others are focused largely on the potential effects of the extreme seasonality of the population.

To start the planning process, a small committee was established, and which has been meeting since May 2016.

- Hornby Water Stewardship: Ellen Leslie, Dr. John Cox
- Hornby Island Community Economic Enhancement Corporation: Karen Ross, Darren Bond

It began pulling together existing and previous studies and references for a bibliography of work. As well, it determined that a logical process would be:

1. Pull together a report that shows what *could* be done on Hornby by consulting with individuals with expertise, reviewing outside plans (e.g., other gulf islands), and incorporating "best practice" research
2. Engage the community to review it and to prioritize what *should* be done.
3. Finalize a plan that incorporates these priorities to focus time, energy and budgets on a select few initial projects beginning in 2017, and report regularly on their status.
4. In parallel, participate as appropriate in research on the relationship of Hornby's geology, geography and its water, better to drive further initiatives to enable the quality and quantity objectives of the overall Hornby Water Plan.

Hornby Island Water Plan

General Considerations

There are four ways for accessing water on Hornby Island as an individual:

- Retrieving it from the ground
- Catching it from the air
- Reusing it from a previous purpose
- Purchasing it from a provider (sourced either from on or off-island)

As an island, with no lakes or rivers or snow-capped mountains, the main source of water for Hornby is from drilled and dug wells, along with some rainwater collection. Historically, people viewed the water from their drilled wells with an ownership mindset.

However, groundwater flows freely across property boundaries and is therefore a shared responsibility. People already experience the effect of their neighbour's actions as water levels can be affected by the pumping of other wells in the immediate vicinity.

Aquifers in BC are classified according to vulnerability. Aquifers on Hornby are unconfined fractured bedrock and are classified as highly vulnerable.

Climate change may have an effect on water. Spring rains may come earlier; fall rains may come later. We may need a diversity of sources to run our homes.

Residential wells are concentrated in the more populated areas and are not evenly distributed throughout the island. There are very few wells in the centre of the island.

The Official Community Plan (OCP) includes references to water throughout and, as such, helps to frame much of the work that may be proposed.

Research has indicated the potential value of “slowing water down” before it flows off the island, in order better to replenish the island's groundwater, and to lessen the flow of contaminated water due to shallow wells and septic systems.

The relative “value” of land may arise in research. Some properties could be deemed to be higher or lower value based on their ability to produce water, which is frequently mentioned in real estate advertising.

The demographic and economic profile of Hornby shows that its population has a higher median age and a lower median income than the average for other areas of the province. Considerations for the *expense* of solutions will, of course, be central in prioritizing possible follow-on initiatives. As one water forum participant pointed out: *most people won't spend \$15,000 for a water system if their well still produces, but they will spend that if their well runs dry. Septic, 25 years old, people don't think they have a problem until there is poop on the ground.*

Finally, water isn't just ours; full ecosystems need it, too. Looking to the future, we may want, or need, to be more self-sufficient in food, and this should be a consideration in the water plan. Similarly, there is a concept of a “water budget” that reflects the relationship between input and output of water through a region.

Hornby Island Water Plan

Opportunities Summary

As described briefly in the *Plan Approach* section, individuals with some degree of expertise as well as Hornby residents provided their input on *possibilities* and *priorities*. These were categorized into the following (the full document is available at

<http://www.hornbyislandwater.org/hornby-island-water-plan-discussion-paper>):

Individuals

There is much that can be done at the household level to help ensure the necessary quantity and quality of water. The ability to move toward the objectives of this water plan is perhaps mostly easily achieved at the individual level; decision-making is simpler than having to engage with neighbours, community members and regulators.

However, depending on the person's financial or personal situation, they may wish to take a position that's optimal for themselves but less so for the community at large.

Specific suggestions submitted included:

- **Conservation** – reducing current amounts of water consumption through the use of measurement devices (to monitor well levels, well intake, and wastewater outflows), and well restrictor devices (to restrict overconsumption automatically).
- **Collection** – rather than going to the well for water, people can harness the rain (in whole or in part) by using storage tanks, resulting in fewer problems with septic contamination, and knowing how much water you have on hand. For those with torch-on roofs, new membranes can be overlaid to allow for rainwater collection.
- **Quality assurance** – proactive and periodic well testing – both when it's dry and after all the rains – helps prevent contamination situations with early warning signs about issues that may help your own health and that of your neighbours.

Community Infrastructure

Moving beyond the ability of individuals to effect change, some strategies may involve collective action at the neighbourhood, subdivision or island levels. Reasons for this often include overall cost factors – higher on the surface but possibly cheaper than the equivalent sum total of individuals replicating approaches – as well as regulatory requirements for both subdivided and crown land.

Specific suggestions submitted included:

- **Watershed Designation and Enhancement** – adopt measures to protect a critical component of water storage, ensuring long-term health both for the Hornby Island ecosystem and us.
- **Reservoirs** – establish holding areas for water, such as re-establishing a natural lake that one resident indicated had existed behind the recycling depot, and enhancing two ponds near the helipads in Mount Geoffrey Park.
- **Run-off Collection** – areas of the island overflow during the rainy season and the water rushes to the sea through streams and ditches. Slow this down, such as in Strachan Valley and on Mount Geoffrey.
- **Intrusion Prevention** – we are in a geological “teardrop” of fresh water surrounded by saltwater. Once the saltwater finds its way in, it is difficult to remove. So, restricted pumping is required, especially at the shoreline.

Hornby Island Water Plan

- **Sewage Treatment** – a number of properties have inadequate systems for treating waste, causing contamination of groundwater that crosses boundaries. Implement a centralized composting site for human waste.

General Awareness and Education

Perhaps before anything else can be achieved, or even started, continuing to raise the level of acknowledgement of the seriousness of the issue is paramount. Water isn't a priority until the day there isn't any. There may be a small percentage of the population that isn't aware, but there may also be a percentage that doesn't feel action is required beyond current practices.

Seasonally, some off-island owners and vacation rental clients are very water conscious, they come with an attitude of conservation, but education is still required for the rest where regular water use habits from home rule the day.

Specific suggestions submitted included:

- **Low-use Plantings** – it is easy to consider those that are drought resistant, such as native plants
- **Do-it-yourself** – there are likely a number of projects people could undertake themselves if they were shown how (including good guidance and standards in the new *BC Manual of Compost Toilet and Greywater Practice*), including a home-and-water tour of basic, medium and high-end systems for water and septic (while adhering to the BC Sewerage Regulation for certification).
- **Usage Visibility** – provide a heads-up moment through roadside signage – think Smokey the Bear – on the current risk level.
- **Polluting Chemicals** – highlight the toxic substances that people are flushing into septic systems.
- **Recognize Success** – showcase individuals or organizations that are making great strides.
- **Highlight Quality Results** – publish information produced by Island Health on a central website (i.e., Water Stewardship's site) and Facebook.
- **Live Talks** – provide information sessions to receptive groups, such as the school children, and summer visitors.

Planning

We can't go back in time, but we can make it faster, better and cheaper to do the right things first.

Specific suggestions submitted included:

- **Homes** – when people are in the middle of designing or building a new home, incorporate water-smart solutions up-front rather than having to retrofit later, possibly through some kind of brochure or website (with the assistance of the realtors and home builders to pass along as a resource), for things such as seasonal greywater irrigation.
- **Density** – assuming the population on Hornby increases, it would be best if the development were such as to optimize the available land and water in an environmentally sensitive way ("eco-density"); perhaps the elder village is a model that could be replicated in other areas of the island. As any development of a commercial or high-density nature needs to get a development permit from Islands Trust, specifics could be built into these documents, and the OCP.

Hornby Island Water Plan

Regulation and Compliance

Sometimes education and awareness only take you so far; actual practices may steer around regulations with a wink of the eye, reflecting the “alternative” culture of the island. Most bylaws rely on a complaint-driven system; many people are reluctant to put in complaints for fear of disagreeable relationships with neighbours. Some inspection does take place – electrical – on new homes, but beyond that, very little.

Land-use zoning reflects decisions both from the past – prior to the creation of the Islands Trust – and also from ongoing updates to reflect current desires and concerns of the population. For example, the Galleon, Whaling Station, and Sandpiper subdivisions – designed in the '60s – have more than 70% usage rates of available water, and little possibility of increased development.

Given the desirability of Hornby Island, both as a summer destination for both part-time owners as well as visitors generally, there is a high level of occupancy when water is in shortest supply. This magnifies the need for regulation and compliance.

Specific suggestions submitted included:

- **Official Community Plan (OCP)** – strengthen and do more implementation of objectives and recommendations.
- **Requirement for Collection/Storage** – prior to issuing development permits (residential and commercial), ensure storage tanks are part of the design and implementation. Encourage xeriscaping as well to minimize watering requirements.
- **Regulation for Short-Term Vacation Rentals (STVRs)** – require appropriate capacity to handle seasonal stress.
- **Requirement for Greywater Reuse** – make this mandatory. (However, if rainwater is collected and used then it is not necessary to mandate greywater reuse. By putting greywater into a dispersal field (septic) and using rainwater for irrigation then the local soils are being hydrated by both the greywater and rainwater. If rainwater is not collected then traditionally it is considered storm water and dumped in a ditch to rush to the sea. Where at all possible, even if rainwater is not collected it should be infiltrated to native soils.)
- **Regulation for Composting Toilets** – establish a centralized offsite facility after somewhat cured; onsite burial; on-surface application.
- **Regulation for Chemicals and Medications** – establish a central collection-recycling centre, or encourage use of existing collection facilities.
- **Water Governance and Operations** – as recommended by the OCP, establish a committee to coordinate water planning (water-centric planning). This is more about quantity than quality, which already falls under the jurisdiction of Island Health. Possibly, an organizational model for this could be as a Hornby Island Residents and Ratepayers Association (HIRRA) committee with a paid “coordinator” position (similar to the Salt Spring Island Water Protection Authority).

Hornby Island Water Plan

Selected Strategies

There is a great deal that *could* be done in support of the plan's long-term water quantity and quality objectives, and many activities that *should* be done, but capacity and resources are limited. No matter; based on input received on the *Discussion Paper* and a public forum held at the Community Hall, consensus emerged on a couple of top priorities for action – *General Awareness and Education*, and *Individuals* – in 2017. There was some debate on another area, *Regulation and Compliance*, which, along with *Community Infrastructure and Planning*, may rise as priorities as time goes by.

Because it can be easy to default to either exclusively short-term or long-term approaches, the recommendation of this plan is to focus on one or two initiatives that fall under *each* approach. From a short-term perspective, achieving success – and celebrating success – with something tangible helps to improve water quality and quantity, and engages the community at the same time. However, after picking the low-hanging fruit, there will likely be new learnings from ongoing research in the water sustainability field, and considerations for solutions that currently don't exist or haven't been identified.

Hornby Island Water Plan

Strategy #1: General Awareness and Education

As much as we feel that Hornby Island is a leader in environmental practices, the truth is that we can be “preaching to the converted” while others – full-time residents, part-time residents, and visitors – are superficially engaged.

Target Activities

1. **Publications:** producing printed content to reach the population. This could be in the form of articles in the First Edition, or standalone mailings, or brochures made available at regular visitor spots or through businesses (e.g., retail, accommodations, real estate agents, developers).
2. **Enhanced Website:** make the existing hornbyislandwater.org site the easy, single-source of information.
3. **Water Risk Signage:** use existing “Groundwater” signs along the roads to highlight the water drought conditions.
4. **School Instruction:** deliver the message of the importance of water to children, and provide material for them to take home to their families.
5. **DIY (Do-It-Yourself) Guides:** enable residents to undertake projects themselves, saving on the expense.

Hornby Island Water Plan

Strategy #2: Individuals

By far, feedback supported a focus on actions that people can control themselves. Indeed, it could almost be said that a guiding principle emerged that the best strategy is to go as far upstream (no pun intended) as possible to the source of potential scarcity and contamination.

Target Initiatives

1. **Conservation Devices:** promote the use of, and possibly provide incentives towards the installation of, these measurement tools for well levels, intake volumes, and wastewater outflows.
2. **Collection Tanks:** promote the use of, and possibly provide incentives towards the installation of, storage containers, such as cisterns.
3. **Membranes for Torch-on Roofs:** promote the use of, and possibly provide incentives towards the installation of, this material that allows the effective retrofitting of older-style roofs, thus enabling rainwater collection for potable purposes.
4. **Water Testing Service:** invigorate the testing process for water, either through coordinated pick-up of samples, or possibly the establishment of a local business with the necessary facilities and training.
5. **Conversion from Pit to Composting Toilets:** provide support for people to convert from pit toilets to newly allowed composting toilets, which also dovetails with efforts for establishing a central site for discharge at the Recycling Depot.

Hornby Island Water Plan

Strategy #3: Research

The fundamental place of water in the whole ecosystem of the world continues to rise in prominence. The UN has declared it a human right. Climate change is causing unexpected conditions that cause drought, or floods, or both. Modelling has indicated that our region may experience more rainfall in the winter and less in the summer.

What rain that does fall, lands on an island made up of various geological formations. This geological make-up affects watersheds, groundwater, and aquifers. From there, it affects the access to potable drinking water. Related, we are surrounded by saltwater, a potential source of intrusion, rendering the water unusable.

By definition, a water plan involves people. The residents of Hornby represent a range of attributes: income levels, access to productive wells, efficient and non-contaminating septic systems, and desire for change. Additional density can place strains on the environment.

Additionally, the governance of the island involves multiple players, including the Comox Valley Regional District, K'ómoks First Nation, Islands Trust, and the provincial and federal governments. Making any kind of change can involve intricate discussions and interwoven plans. Water-centric planning, by its very nature, affects a network of interrelated subjects, all of which may follow different governance models and departments.

This means that having a finite set of projects isn't realistic or practical. Water is fluid. It will be important and valuable to stay connected to any and all efforts to understand better water practices, locally, regionally and beyond.

Target Initiatives

1. **Geology and Ecology:** research (e.g., SFU, et al) on Hornby Island to understand the island's ecological sustainability.
2. **Governance:** research and align our governance model with the POLIS project on watershed governance, and the BC government Water Sustainability Act
3. **Best Practices:** explore approaches taken by outside groups, such as the Regional Districts of Nanaimo and Salt Spring island, which appear to have gone down this path before
4. **K'ómoks First Nation:** collaborate on joint efforts.
5. **Community Survey:** following on one that was done a number of years ago, use some of the same questions to get comparative results. As well, it can provide an up-to-date profile of the island, such as the number of septic systems, cisterns, and so on.
6. **Citizen-Based Monitoring:** engage locals in collecting information to show trends and results.
7. **Real-Time Monitoring:** upgrade current government wells, such as at the top of Sandpiper, from manual checking to real-time transmission of results.

Hornby Island Water Plan

Organization and Funding

Up to now, efforts have fallen largely into multiple streams, including a volunteer-based group of people in the Hornby Water Stewardship project (of Heron Rocks Friendship Centre society), as well as regulatory and planning bodies (e.g., Islands Trust, Island Health, CVRD, provincial government). Linked back to the Governance initiative under *Research*, there is an appetite to join these streams to implement the strategies above more effectively. In effect, it will likely require a kind of hubs-and-spokes structure to allow different initiatives to involve different participants, but under a single umbrella, to achieve success.

One possible approach to this monumental topic is to engage the full community using the “Collective Impact” methodology explored in the first half of 2016. Its intent is to bring together all of the various interested parties in support of a long-term, overarching goal.

A key recommendation for the successful *ongoing* implementation of both this first phase of the plan, and subsequent ones, is to position *water* as a critical shared element, requiring the same care and attention of residents and ratepayers as *parks*, *first responders*, the *cemetery*, *trails*, and so on. To that end, one possible and logical option would be to create a HIRRA committee totally comprised of volunteers – or that plus a paid part-time position – that would follow the same process and procedures as the other HIRRA committees.

If implementation of the recent Water Sustainability Act by the Government of BC includes such governance structures as “water managers” and “advisory boards” (included roles in the Act) across the province, this committee could be well positioned to represent Hornby’s interests and implement programs. Additionally, Islands Trust has resolved to approve a temporary Senior Freshwater Specialist position (subject to budget) to: improve knowledge of issues; establish a system for tracking issues; improving collaboration and data sharing; and, ensuring development doesn’t exceed capacity of supply.

To start with, the existing Hornby Water Stewardship project team could offer themselves up for membership. If the desire is to have a paid position, some exploration will need to be done to determine whether or not existing funds from the property tax rolls go to the CVRD, and whether a portion of that can, and should, be returned to fund such a position. (Salt Spring has a “Co-ordinator” function that could be a model to apply.)

HICEEC

The *economic* elements of a water plan are hopefully clear: without the environment, we don’t have an economy. The Economic Action Plan recommended support for water conservation as a top-priority strategy in enabling the community’s stated desire to grow in population to support friends and family trying to make a life for themselves on the island. Having a full range of demographics – from school-aged children to working adults to active seniors – involves an expanded economy, but it must be a *conservation*-based economy.

From a project and financial support perspective, \$25,000 of Reserve dollars (money set aside by the regional district for economic development purposes, but which requires CVRD approval for spending) has been earmarked for this project. As well, staff support and funding for smaller items will be requested to support project activity requirements (estimated \$3,000).

Hornby Island Water Plan

Spokes

As described above, many of the proposed initiatives in this plan will require participation and collaboration with other groups. Some discussions have already taken place, but specific plans will need to be firmed up. These include:

- Islands Trust
- Island Health / HealthNet
- Ministry of Forests, Lands and Natural Resources
- K'ómoks First Nation
- Conservancy Hornby Island (CHI)
- Community Action Solutions Together (CAST)
- Vancouver Island Water Watch (VIWW)

In particular, initiatives intended to offer incentives to residents will require funding from higher levels of government, or, at the very least, leveraging HICEEC dollars to get matching grants to use.



File No.: 3040-20-01
(LTC Meetings – General)

DATE OF MEETING: May 30, 2018
TO: Hornby Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Electronic Meetings

RECOMMENDATION

1. That the Hornby Island Local Trust Committee request staff to draft a bylaw to amend Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 118, 2004 to enable electronic meetings.

REPORT SUMMARY

The Hornby Island Local Trust Committee (LTC) is asked to consider amending Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 118, 2004 to enable electronic meetings.

BACKGROUND

Bylaw No. 118 establishes meeting procedures for the Hornby Island LTC (see Attachment 1). Currently, the LTC cannot hold an electronic meeting whereby a member of the LTC could participate from a remote location via computer and/or phone. Most local trust committees and all Trust Council committees have amended their meeting procedures bylaws to accommodate electronic meetings. Denman Island Local Trust Committee Meeting Procedure Bylaw No. 163, 2004 is provided as an example (see Attachment 2).

ANALYSIS

Islands Trust Electronic Meetings Regulation

The Regulation confirms that:

- a "trust body" includes a local trust committee;
- a special meeting of a local trust committee may be conducted entirely by means of electronic or other communication facilities,
- a member of a local trust committee who is unable to attend at a meeting of the local trust committee may participate in the meeting by means of electronic or other communication facilities;
- members of a local trust committee who are participating in a meeting conducted in accordance with the regulation are deemed to be present at the meeting; and
- an amendment of the LTC procedures bylaw is required to authorize electronic meetings or electronic participation in meetings.

Local Government Act

Sections 225 (1) and (2) establish general requirements for what must be included in procedures bylaws and state that at least 5 days' notice in advance of a meeting must be given to trustees where a procedures bylaw amendment is being introduced.

Community Charter

Section 128(1) of the *Community Charter* authorizes local governments to hold electronic meetings, subject to their procedures bylaws accommodating electronic meetings. The Community Charter provides rules and notice requirements for such meetings.

Issues and Opportunities

Adoption of the meeting procedure bylaw amendment would allow trustees to attend meetings via electronic means in accordance with the provisions or terms of the bylaw, such as:

- The number of LTC members who may participate electronically at a regular or special meeting;
- The number of consecutive meetings or limitation of number of meetings in which an LTC member may participate electronically;
- Requiring that, when an electronic meeting is held, a designated staff member be physically present at the meeting.

Statutory Requirements

LTC administrative bylaws are required to be approved by the Executive Committee prior to adoption. No public hearing is required.

Rationale for Recommendation

Staff is of the opinion that amending Bylaw No. 118 would provide the LTC with flexibility to conduct business electronically when necessary. The staff recommendation is outlined on page 1 of the report.

ALTERNATIVES

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

1. Receive for information

The LTC may receive the report for information

NEXT STEPS

Describe the next steps in the process, if applicable.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 30, 2018
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ATTACHMENTS

1. Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 118, 2004
2. Denman Island Local Trust Committee Meeting Procedure Bylaw No. 163, 2004

**HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 118, 2004**

A bylaw to establish procedures for meetings of the Local Trust Committee

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:

SHORT TITLE

1. This bylaw may be cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw No. 118, 2004".

MEETINGS AND NOTICE OF MEETINGS

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Local Trust Committee by Resolution Without Meeting following a general local election.
3. At the first regular meeting of the first year and at the last regular meeting of the first and second year 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 Victoria Office of the Islands Trust.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.
5. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee's mailing address or given to the trustee in person.
6. Any two members of the Local Trust Committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the place specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
7. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson's representations, if any, regarding the calling of the meeting.
8. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
9. A quorum of the Local Trust Committee is two members.
10. In the event that the Chairperson is not 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.

MINUTES

11. The Director of Local Planning Services or his or her designate shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
12. The minutes shall record every resolution of the Committee including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

13. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
14. Resolutions shall be in writing, may be moved by any member of the Local Trust Committee, and need not be seconded.
15. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by resolution without meeting.
16. The Chairperson of the Local Trust Committee or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

EXECUTION OF DOCUMENTS

17. The Chairperson and one other member of the Local Trust Committee may execute any document on behalf of the Local Trust Committee once the Committee has authorized the execution of the document.

18. "Hornby Local Trust Committee Meeting Procedures Bylaw No. 95, 1997" is repealed.

READ A FIRST TIME THIS	20TH	DAY OF	FEBRUARY	, 2004.
READ A SECOND TIME THIS	20TH	DAY OF	FEBRUARY	, 2004.
READ A THIRD TIME THIS	20TH	DAY OF	FEBRUARY	, 2004.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	10TH	DAY OF	MARCH	, 2004
ADOPTED THIS	22ND	DAY OF	MARCH	, 2004.

CHAIRPERSON

SECRETARY

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DENMAN ISLAND MEETING PROCEDURES

BYLAW NO. 163, 2004

AS AMENDED BY DENMAN ISLAND LOCAL TRUST COMMITTEE

Consolidated Version: March 27, 2018

**This Bylaw is consolidated for convenience only and is not to be
construed as a legal document.**

For reference to original bylaw and amendments,
please contact:
Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

Preserving Island communities, culture and environment

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 176	Amendment No. 1, 2006	May 17, 2006
Bylaw No. 227	Amendment No. 2, 2017	March 6, 2018

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 163, 2004**

A bylaw to establish procedures for meetings of the Local Trust Committee

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

SHORT TITLE

1. This bylaw may be cited as “Denman Island Local Trust Committee Meeting Procedure Bylaw No. 163, 2004”.

MEETINGS AND NOTICE OF MEETINGS

BL227
03/2018

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Local Trust Committee by Resolution Without Meeting following a general local election.
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.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.

BL227
03/2018

5. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee's mailing address or given to the trustee in person.
6. Any two members of the Local Trust Committee may call a special meeting by giving notice of the date, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the place specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
7. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson's representations, if any, regarding the calling of the meeting.
8. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
9. A quorum of the Local Trust Committee is two members.

BL227
03/2018

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.

MINUTES

BL176
05/ 2006

11. The Director of Local Planning Services or his or her designate shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
12. The minutes shall record every resolution of the Committee including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.
13. The minutes shall record every instance when a voting member votes against a motion, or when a voting member is absent from the meeting at the time of voting on a motion.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

14. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
15. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by resolution without meeting.
16. The Chairperson of the Local Trust Committee or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

BL227
03/2018

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 Denman 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."

EXECUTION OF DOCUMENTS

29. The Chairperson and one other member of the Local Trust Committee may execute any document on behalf of the Local Trust Committee once the Committee has authorized the execution of the document.
30. "Denman Local Trust Committee Meeting Procedures Bylaw No. 106, 1997" is repealed.

BL227
03/2018

READ A FIRST TIME THIS	18TH	DAY OF	FEBRUARY	, 2004.
READ A SECOND TIME this	18TH	DAY OF	FEBRUARY	, 2004.
READ A THIRD TIME this	18TH	DAY OF	FEBRUARY	, 2004.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	23RD	DAY OF	MARCH	, 2004
ADOPTED this	24TH	DAY OF	MARCH	, 2004.

Gisele Rudischer
CHAIRPERSON

Linda Prowse
SECRETARY