



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: June 10, 2016

Location: Room to Grow
2100 Sollans Road, Hornby Island, BC

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

Staff Present Rob Milne, Island Planner
Vicky Bockman, Recorder

Others Present Approximately three (3) members of the public

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 11:30 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.2 Staff Report dated June 1, 2016 re: Hornby Island Land Use Bylaw Maintenance
- 13.1 Advertising for Vacation Rentals

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS - none

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated April 1, 2016 - for adoption

By general consent the Local Trust committee meeting minutes of April 1, 2016 were adopted.

6.2 Local Trust Committee Special Meeting Minutes dated May 24, 2016 - for adoption

The following amendment to the minutes was presented for consideration:

Page 5, item 6, first line: change 3:05 pm to 7:34 pm.

By general consent the minutes were adopted as amended.

6.3 Section 26 Resolutions-without-meeting - none

6.4 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 31, 2016

Planner Milne reported on discussions he has had with representatives from Comox Valley Regional District and BC Parks with regard to pursuing Heritage protection for the Ford Orchard portion of Mount Geoffrey Escarpment Park. He noted that budget and management issues were identified as matters to address, and a meeting with stakeholders has been proposed to continue consideration of the initiative.

A Trustee asked for suggestions on how to approach follow-up on relationship building with K'omoks First Nation. He advised that there has been interest expressed in the community for a presentation of First Nation history on Hornby Island that might be coordinated with First Nation involvement in marine protection issues.

Trustees discussed options including identifying possible contacts to explore at this time and possible application for Community to Community (C2C) forum funding in the future.

HO-2016-017

It was MOVED and SECONDED,

that Trustee Tony Law contact K'omox First Nation staff to explore options for a community presentation on Hornby Island regarding K'omox First Nation history on Hornby Island.

CARRIED

8. DELEGATIONS

8.1 Helen Grond regarding Residual Zoning Issue on a Hornby Island Property

Helen Grond indicated that her desire to subdivide and adjust boundaries of her property to maximize farming opportunities is problematic due to the split zoning that exists. She explained that the R4 Zone status of a small portion of the property was overlooked in the recent Land Use Bylaw (LUB) review where other

parcels designated as R4 had been changed to R2. She requested assistance to resolve the problem in a way that is not expensive or onerous.

Trustees provided background and acknowledged that the R4 Zone should have been changed during the LUB review and its existence is an administrative oversight. They considered options to address the situation and noted that this is a matter that is considered to be bylaw maintenance and as such it might be addressed at agenda item 11.2 along with correction of another minor issue.

Trustees suggested that Ms. Grond and Planner Milne meet to discuss next steps for her to pursue in the process.

9. CORRESPONDENCE - none

10. APPLICATIONS AND REFERRALS

10.1 HO-ALR-2016.1 (Helliwell and Smith, Blue Sky Architecture)

10.1.1 Staff Report dated May 16, 2016

Planner Milne presented the Staff Report addressing the application to construct two single family dwellings attached by a breezeway on property within the Agricultural Land Reserve (ALR). The following key points were noted:

- Although the proposed density of this proposal is consistent with the Hornby Island LUB regulations for the A1 zone, approval for a second dwelling requires approval by the Agricultural Land Commission (ALC);
- The ALC is not compelled to approve a second residence for non-farm use;
- The proposal appears to contravene Official Community Plan (OCP) policy 6.4.1.4 as the second residence is not necessary for farm use;
- A secondary suite for residential purposes is a possible alternative that would not require additional ALC approvals;
- The Local Trust Committee (LTC) has discretion to forward or not to forward the application to the ALC; and
- The LTC may wish to consider adding a project to review and update LUB provisions as they apply to residential uses with the ALR in order to be consistent with ALC regulations.

LTC members noted that the applicant was in attendance and invited his comments.

Bo Helliwell explained that the secondary dwelling would be used occasionally by family members and that he had been encouraged by the ALC to proceed with this application. He commented that it is unlikely that oceanfront parcels in this area would be used for agriculture, the owners plan a one-acre vegetable garden with the rest to be left wild, and that joining the two dwellings with a corridor to constitute a secondary suite

would add expense and eliminate the sunlight that this design has provided.

Trustees discussed the proposal, the intent of the bylaws as they pertain to this situation, and possible options to consider. They acknowledged that the ALC is the primary authority for applications including non-farm use within the ALR and as such, this application might be forwarded along with inclusion of relevant policies.

HO-2016-018

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to forward application HO-ALR-2016.1 from Yajung Song and Houmei Li concerning the non-farm use of land within the Agricultural Land Reserve to the Agricultural Land Commission for consideration, and to include relevant policies.

CARRIED

By general consent agenda item 16 was moved to follow Resolution HO-2016-018.

16. BREAK

By general consent the meeting was recessed at 12:42 pm and reconvened at 12:46 pm.

10.1.1 Staff Report dated May 16, 2016 (continued)

Trustees considered options for updating LUB provisions as they apply to residential uses with the ALR in order to achieve consistency with the ALC regulations. Planner Milne suggested that the issue is of sufficient complexity to warrant a staff report for LTC members' consideration.

A Trustee suggested that this issue might be considered for addition to the Projects List.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation

11.1.1 Bylaw No. 151

Bylaw No. 151 cited as "Hornby Island Official Community Plan (Hornby Island) Bylaw 149, 2014, Amendment No. 1, 2015

HO-2016-019

It was MOVED and SECONDED,

that Bylaw No. 151 cited as "Hornby Island Official Community Plan (Hornby Island) Bylaw 149, 2014, Amendment No. 1, 2015" be adopted.

CARRIED

11.1.2 Bylaw No. 152

Bylaw No. 152 cited as “Hornby Island Land Use Bylaw 150, 2014, Amendment No. 1, 2015”

HO-2016-020

It was MOVED and SECONDED,

that Bylaw No. 152 cited as “Hornby Island Land Use Bylaw 150, 2014, Amendment No. 1, 2015” be adopted.

CARRIED

11.2 Staff Report dated June 1, 2016 re: Hornby Island Land Use Bylaw Maintenance

Planner Milne summarized the staff report which identifies the need to correct a reference in Objective 10.2(6) of the LUB in a minor housekeeping action. He pointed out the error and the revision proposed to correct the wording. He suggested that this proposed draft amendment bylaw is an opportunity for the LTC to include the correction to the residual R4 Zone issue as discussed at agenda item 8.

HO-2016-021

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee requests that staff:

- a) replace the current wording of Objective 10.2(6) with “to consider allowing an accessory dwelling unit for a relative or caregiver of occupants of the residence as per Official Community Plan policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver;” and
- b) remove R4 Zoning from property Lot B VIP 58906 and change it to R2.

CARRIED

HO-2016-022

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee requests staff to bring back the draft bylaw.

CARRIED

12. REPORTS

12.1 Work Program

12.1.1 Top Priorities Report dated May 31, 2016

Trustees observed that there is an opportunity to add two items to the Top Priorities and discussed possible options.

HO-2016-023

It was MOVED and SECONDED,

that the Top Priorities be amended as follows:

- remove “Communication Strategy for Revised Official Community Plan and Land Use Bylaw”;
- place “Relationship building with K’omoks First Nation” as No. 1,
- add “Heritage Protection for Ford Orchard” as No. 2; and
- add “Develop Terms of Reference for Advisory Planning Commission Review of Vacation Home Rentals” as No. 3.

CARRIED

12.1.2 Projects List Report dated May 31, 2016

HO-2016-024

It was MOVED and SECONDED,

that the following item be added to the Projects List: “Review and Update of Land Use Bylaw Provisions with Respect to Residential Uses Within the Agricultural Land Reserve”.

CARRIED

12.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received.

12.1.4 Work Program - Suggestions for Discussion

Received.

12.2 Applications Report dated May 31, 2016

Planner Milne presented the applications report and provided updates. A Trustee inquired regarding the status with Ministry of Transportation and Infrastructure’s (MOTI) file on HO-SUB-2014.1 and Planner Milne stated that he would follow-up on the matter.

12.3 Trustee and Local Expense Report dated May, 2016

Trustees noted that the supporting Expense Report for March, 2016 has been included in the agenda package.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

A Trustee observed that including a comprehensive, up-do-date record of adopted bylaws and resolutions on the website would be a useful, fundamental

record of information. Trustee Law and Chair Busheikin suggested that they would discuss this further to determine the most effective process for implementation.

12.6 Chair's Report

Chair Busheikin reported on the following:

- Executive Committee is preparing for the next Trust Council which will include a discussion of marine shipping and anchorage advocacy;
- She will be attending and presenting at the Islands Trust Housing Forum;
- Gabriola, Lasqueti and Denman Islands received grant funding for C2C forums; and
- She attended a Ferry Advisory Committee meeting.

12.7 Trustee Reports

Trustee Allen reported on the following:

- He attended a meeting with MOTI representatives to discuss road issues including the painting of centre lines this year; and
- He will be attending Trust Council and the Housing Forum.

Trustee Law reported on the following:

- Boat ramp repairs and management;
- He attended the Conservancy Hornby Island Annual General Meeting where a subcommittee was formed to address marine protection issues;
- Housing issues are being considered in the community in various ways including:
 - A Community Action Solutions Together (CAST) meeting included a discussion on housing and vacation rentals;
 - Hornby Island Residents and Ratepayers Association has formed a committee to address housing issues; and
 - Joe King Ball Park representatives are discussing the possibility of providing camping facilities.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report - May, 2016

Trustee Law provided an update on the Fairy Slipper Forest Campaign and the work being done toward obtaining a covenant on a Gary Oak property on Hornby Island.

13. NEW BUSINESS

13.1 Advertising for Vacation Rentals

Trustee Law reported that he has been made aware of concerns in the community regarding advertising that is occurring for vacation rentals that are not in compliance with regulations. He sought input from LTC members as to protocol or if consideration might be given to this matter.

Trustees discussed the options and encouraged community members to be aware of the bylaw enforcement process.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for August 12, 2016 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC

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

15. TOWNHALL - none

17. CLOSED MEETING

17.1 Motion to Close the Meeting

HO-2016-025

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1)(a) and (d) for the purpose of considering appointment of Board of Variance members and adoption of *In-Camera* meeting minutes dated April 1, 2016, and s.91(f) legal advice/bylaw enforcement, and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 1:41 pm.

17.2 Recall to Order

The meeting was recalled to order at 1:48 pm.

17.3 Rise and Report

Chair Busheikin reported that in the Closed Meeting the LTC adopted minutes from the *In Camera* meeting of April 1, 2016; and appointed Sheila Ray, Jack Woodward and Laurie Jackson to the Board of Variance for the Hornby Island Local Trust Area.

18. ADJOURNMENT

By general consent the meeting was adjourned at 1:48 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder