



Hornby Island Local Trust Committee

Regular Meeting Agenda

Date: October 10, 2014
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 | |
| 2. | APPROVAL OF AGENDA | | |
| 3. | MINUTES | | |
| 3.1 | Local Trust Committee Public Hearing Record of September 19, 2014 - for receipt | | 3 - 4 |
| 3.2 | Local Trust Committee Meeting Minutes of September 19, 2014 - for adoption | | 5 - 10 |
| 3.3 | Section 26 Resolutions Without Meeting - none | | |
| 3.4 | Advisory Planning Commission Meeting Minutes - none | | |
| 4. | BUSINESS ARISING FROM MINUTES | | |
| 4.1 | Follow-up Action List dated September 30, 2014 | | 11 - 13 |
| 5. | CORRESPONDENCE | | |
| | Correspondence specific to an active development application and/or project will be received by the Hornby Island Local Trust Committee when that application and/or project is on the agenda for consideration. | | |
| 6. | TRUSTEES' REPORT | | |
| 7. | CHAIR'S REPORT | | |
| 8. | DELEGATIONS | | |
| 9. | TOWN HALL SESSION | | |
| 10. | APPLICATIONS AND PERMITS | | |

11.	LOCAL TRUST COMMITTEE PROJECTS	
11.1	Riparian Areas Regulation Implementation	
11.1.1	<u>Staff Report dated August 25, 2014</u>	14 - 24
12.	REPORTS	
12.1	Work Program	
12.1.1	<u>Top Priorities Report and Projects Report dated September 30, 2014</u>	25 - 27
12.2	Applications Log	
12.2.1	<u>Report dated September 30, 2014</u>	28 - 30
12.3	Trustee and Local Expenses	
12.3.1	<u>Expenses posted to end of July, 2014</u>	31 - 31
12.3.2	<u>Expenses posted to end of September, 2014</u>	32 - 32
12.4	Policies and Standing Resolutions	33 - 33
13.	NEW BUSINESS	
14.	BYLAWS	
15.	ISLANDS TRUST WEBSITE	
15.1	Hornby Pages – for discussion	
	The Hornby Island Local Trust Committee Website can be found at: http://www.islandstrust.bc.ca/islands/local-trust-areas/hornby.aspx	
16.	CLOSED MEETING	
	The Hornby Island Local Trust Committee closes the next part of the October 10, 2014 business meeting to discuss matters pursuant to Section 90(1)(d) of the Community Charter to consider adoption of Closed Meeting Minutes and that Staff be invited to attend this meeting.	
17.	RECALL TO ORDER	
	Rise and Report from Closed Meeting	
18.	NEXT MEETING DATE	
	Friday, November 21, 2014 at 11:30 pm at Room to Grow, 2100 Sollans Road, Hornby Island, BC.	
19.	ADJOURNMENT	

Public Hearing Record
Received for Information
By Local Trust Committee



**Hornby Island
Local Trust Committee
Public Hearing Record**

**REGARDING AMENDMENTS TO
PROPOSED BYLAW NO. 149 CITED AS “HORNBY ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 149, 2014”**

DATE OF PUBLIC HEARING: Friday, September 19, 2014

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

MEMBERS PRESENT: David Graham, Chair
Alex Allen, Local Trustee
Tony Law, Local Trustee

STAFF PRESENT: Rob Milne, Island Planner
Vicky Bockman, Recorder

MEDIA AND OTHERS PRESENT: Approximately three (3) members of the public

1. CALL TO ORDER

Chair Graham called the Public Hearing to order at 11:31 am. He explained the purpose of the Public Hearing, read the Chairperson’s Opening Statement, and pointed out the location of the Public Hearing reference binder and copies of the bylaws for the publics’ perusal.

2. PROPOSED BYLAW NO. 149

Planner Milne read the Notice of Public Hearing and summarized the referral response and explained the minor amendments to proposed Bylaw No. 149 requested by K’omoks First Nation. He reported that Staff has advised K’omoks First Nation of the changes being proposed and there has been no response; nor have there been any submissions or calls from others relating to this process.

3. PUBLIC COMMENTS

There were no comments relating to proposed Bylaw No.149.

4. ADJOURNMENT

Chair Graham asked three times if there were any in the audience who wished to comment or provide written submissions on proposed Bylaw No. 149 and hearing none, the meeting was closed at 11:41 am.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

Vicky Bockman, Recorder



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: September 19, 2014
Location: Room to Grow
2100 Sollans Road, Hornby Island, BC

Members Present Tony Law, Local Trustee
Alex Allen, Local Trustee
David Graham, Chair

Staff Present Rob Milne, Island Planner
Vicky Bockman, Recorder

Others Present Public in attendance - am - 3
Public in attendance - pm - 2

1. CALL TO ORDER

Chair Graham called the meeting to order at 11:30 am and introduced himself, trustees, staff and recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was adopted.

3. RECESS FOR PUBLIC HEARING

Public Hearing to consider minor amendments requested by the K'omoks First Nation to Proposed Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014".

By general consent the meeting was recessed at 11:31 am to conduct a Public Hearing to consider minor amendments requested by the K'omoks First Nation to Proposed Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014".

The meeting was reconvened at 11:43 am.

4. MINUTES

4.1. Hornby Island Meeting Minutes of July 18, 2014 - for adoption

By general consent the minutes were adopted.

4.2. Hornby Island Special Meeting Minutes of August 15, 2014 - for adoption

The following change was presented for consideration:

Page 3, signature line: change "Peter Luckham" to "David Graham"

By general consent the minutes were adopted, as amended.

4.3. Section 26 Resolutions Without Meeting Log dated September 8, 2014 - attached

Received.

5. BUSINESS ARISING FROM MINUTES

5.1. Follow-up Action List dated September 9, 2014 - attached

Planner Milne summarized the report, provided updates and responded to questions that arose.

6. CORRESPONDENCE

Correspondence specific to an active development application and/or project will be received by the Hornby Island Local Trust Committee when that application and/or project is on the agenda for consideration.

None.

7. TRUSTEES' REPORT

Trustee Law advised that he had participated in the socio-economic impact analysis of BC Ferries prepared for the Union of BC Municipalities and Association of Vancouver Island and Coastal Communities and that the report had received media coverage. He reported that a letter was sent requesting a meeting with the Minister regarding ferry concerns and that the Ferry Advisory Committee worked with BC Ferries to make some adjustments to the off-season schedule. He commented that the MV Tachek will be replacing the Kahloke for a month and the smaller size of the Tachek combined with the service disruptions has been cause for concerns that have been expressed.

Trustee Allen provided a brief overview of the Trust Council meeting recently held on Keats Island and summarized some of the issues identified for Islands Trust focus during the next term.

8. CHAIR'S REPORT

Chair Graham commented that at the final Trust Council meeting of this term it was reported that 19 Trustees declared that they will stand for re-election and seven will not be returning next term, which has been extended to a four-year term. He announced that he will not be running for trustee in the next term.

9. DELEGATIONS

None.

10. TOWN HALL SESSION

Tony Quin remarked that he was pleased to see the socio-economic impact analysis of BC Ferries that was recently completed and expressed his view that there is a need for government review and enactment of legislative controls of Crown Corporation staffing and salary expenses to keep them at reasonable levels.

Trustee Law responded that the Islands Trust Council asked the BC Ferry Commission

to conduct a performance review of BC Ferries management and it has been announced that the Commission has received the authority to conduct a thorough review of management efficiency including a comparison with Washington State ferries. He noted that there will be opportunity for public input in the process.

Carol Quin asked the status of proposed Bylaw No. 149.

Planner Milne responded that it is on today's agenda for consideration of third reading.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1. Riparian Areas Regulation Implementation

12.1.1. Staff Report dated August 25, 2014 - attached

Planner Milne presented the staff report summarizing the community consultation Open Houses on Riparian Areas Regulation (RAR) implementation that occurred. He provided his assessment that there were no indications that the community had any objections to the implementation of the RAR and recommended proceeding to the creation of draft bylaws.

Trustees reviewed the RAR Implementation Charter. Staff was requested to adjust the incorrect Workplan Overview dates from 2014 to 2015.

Discussion followed on whether the review of the Development Approval Information (DAI) bylaw would be considered concurrently with the Official Community Plan and Land Use Bylaw amending bylaws and it was suggested that review of the DAI bylaw might be completed separately to ensure clarity. Trustees briefly discussed the exceptions modeled on the Gabriola Island draft RAR bylaws for consideration of inclusion in the Hornby Island draft bylaws.

Trustees expressed appreciation for Planner Milne's conducting of the Open House events, noting that the format was commendable and was an effective method to gauge community response to the regulations.

HO-2014-045

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee direct staff to draft bylaws to implement the Riparian Areas Regulation.

CARRIED

13. REPORTS

13.1. Work Program

13.1.1. Top Priorities Report and Projects Report dated September 9, 2014 - attached

Trustees discussed the Top Priorities and there were no changes proposed at this time. The Projects List was examined and Trustees recommended consolidation of items that were duplicated on the list.

HO-2014-046

It was **MOVED** and **SECONDED**,
that the Projects List be amended by deleting the redundant item
“Continue relationship building with K’omox First Nations”.

CARRIED

13.2. Applications Log

13.2.1. Report dated September 9, 2014 - attached

Planner Milne presented the Applications Log, provided updates and responded to questions that arose.

13.3. Trustee and Local Expenses

13.3.1. Expenses post to end of August, 2014 - attached

Received.

13.4. Policies and Standing Resolutions

13.4.1. Report - attached for information

Received.

14. NEW BUSINESS

14.1. 2015-16 Budget Submissions

14.1.1. Memorandum dated August 18, 2014 - attached

Trustees discussed the budget submissions memorandum and supported the recommendation to allocate increased funding for hiring minute takers for all Advisory Planning Commission meetings. Trustees considered the 2015-2016 budget submission for the Hornby Island Local Trust Committee and there were no changes proposed to the recommended requests.

HO-2014-047

It was **MOVED** and **SECONDED**,
that the Hornby Island Local Trust Committee approve and forward the draft 2015-16 Local Trust Committee Project Budget submission to Financial Planning Committee as presented.

CARRIED

By general consent the following item was added to the agenda:

14.2 Advisory Planning Commission Membership

14.2. Advisory Planning Commission Membership

Trustees observed that there are currently three members serving on the Advisory Planning Commission and recommended that additional appointments be considered by the next Local Trust Committee.

HO-2014-048

It was MOVED and SECONDED,

that the following item be added to the Hornby Island Local Trust Committee Projects List: "Address appointments to the Advisory Planning Commission".

CARRIED

15. BYLAWS

- 15.1. Proposed Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014" - for consideration of third reading, submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval**

Trustees noted that they had heard no concerns regarding proposed Bylaw No. 149 at the Public Hearing and indicated their readiness to move the bylaw forward.

HO-2014-049

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee give third reading to Proposed Bylaw No. 149, cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014".

CARRIED

HO-2014-050

It was MOVED and SECONDED,

that Proposed Bylaw No. 149, cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014" be submitted to the Executive Committee of the Islands Trust and to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

16. ISLANDS TRUST WEBSITE

- 16.1. Hornby Island pages - for discussion**

There were no changes or additions proposed at this time.

17. CLOSED MEETING

HO-2014-051

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee closes the next part of the September 19, 2014 business meeting to discuss matters pursuant to Section 90(1)(d) of the community Charter to consider adoption of Closed Meeting Minutes and that Staff be invited to attend this meeting.

CARRIED

The Committee closed the meeting at 12:20 pm.

18. RECALL TO ORDER

Rise and Report from Closed Meeting

By general consent, the Local Trust Committee reconvened in open meeting at 12:33 pm.

Chair Graham reported that in the Closed Meeting the Hornby Island Local Trust Committee amended the expiration date of Standing Resolution No. HO-043-2013 to September 30, 2015.

19. NEXT MEETING DATE

The next regular business meeting will be Friday, October 10, 2014 at 11:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC.

20. ADJOURNMENT

By general consent, the meeting was adjourned at 12:35 pm.

David Graham, Chair

Certified Correct:

Vicky Bockman, Recorder



Islands Trust

Follow Up Action Report w/ Target Date

Hornby Island Apr-25-2014

No.	Activity	Responsibility	Target Date	Status
1	HO-2014-020 that the Hornby Island Local Trust Committee direct staff to proceed with the implementation of the Riparian Areas Regulation Implementation project as described in the endorsed Project Charter.	Rob Milne		On Going

Jun-06-2014

No.	Activity	Responsibility	Target Date	Status
1	HO-2014-036 that the Hornby Island Local Trust Committee direct planning staff to provide links to the Forage Fish Habitat Mapping on the Hornby Island Local Trust Committee website and work with the Hornby Island community to create and distribute information about forage fish spawning areas and best practices for land management in forage fish spawning areas. HO-2014-037 that staff be requested to provide information to BC Parks with regarding to forage fish habitat identified in Tribune Bay Provincial Park.	Rob Milne		On Going

Jul-18-2014

No.	Activity	Responsibility	Target Date	Status
1	HO-2014-039 That the Hornby Island Local Trust Committee give second reading to Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014". HO-2014-040 , That he Hornby Island Local Trust Committee give third reading to Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014".	Lisa Webster-Gibson		On Going

HO-2014-041 That the Hornby Island Local Trust Committee submit Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014" to the Minister of Community, Sport and Cultural Development for approval.

HO-2014-042 That the Hornby Island Local Trust Committee give second reading to Bylaw No. 150 cited as "Hornby Island Land Use Bylaw No. 150, 2014".

HO-2014-043 That the Hornby Island Local Trust Committee give third reading to Bylaw No. 150 cited as "Hornby Island Land Use Bylaw No. 150, 2014".

HO-2014-044 that the Hornby Island Local Trust Committee submit Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014" and Bylaw No. 150 cited as "Hornby Island Land Use Bylaw No. 150, 2014" to Executive Committee for approval.

Aug-15-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to respond to K'omoks Chief Councillor Robert Everson's letter of July 10.	Courtney Simpson	Aug-22-2014	On Going
1	Schedule public hearing for Bylaw 149 on September 19, 2014.	Lisa Webster-Gibson	Aug-29-2014	Done

Sep-19-2014

No.	Activity	Responsibility	Target Date	Status
1	HO-2014-045 that the Hornby Island Local Trust Committee direct staff to draft bylaws to implement the Riparian Areas Regulation.	Rob Milne		Done
1	HO-2014-046 that the Projects List be amended by deleting the redundant item 'Continue relationship building with K'omox First Nations'.	Rob Milne		Done
1	HO-2014-048 that the following item be added to the Hornby Island Local Trust Committee Projects List: "Address appointments to the Advisory Planning Commission".	Rob Milne		Done

1	HO-2014-050 that proposed Bylaw No. 149 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014" be submitted to the Executive Committee of the Islands Trust and to the Minister of Community, Sport and Cultural Development for approval.	Lisa Webster-Gibson	On Going
1	Chair Graham reported that in the Closed Meeting the Hornby Island Local Trust Committee amended the expiration date of Standing Resolution No. HO-043-2013 to September 30, 2015.	Lisa Webster-Gibson	On Going

Date: August 25, 2014

File No.: HO-6500-20 (RAR)

To: Hornby Island Local Trust Committee
For meeting of September 19, 2014

From: Rob Milne, Island Planner

cc: Courtney Simpson, Regional Planning Manager

Re: Riparian Areas Regulation Implementation

The purpose of this report is to report on community consultation on the Riparian Areas Regulation Implementation project, and to recommend the Local Trust Committee (LTC) direct staff to prepare draft bylaws.

BACKGROUND:

The LTC received a preliminary report on the Riparian Areas Regulation Implementation project at their April 25th, 2014 meeting. Following consideration of the staff report and draft project charter the LTC adopted the following motions:

HO-2014-019

that the Hornby Island Local Trust Committee endorses the draft Riparian Areas Regulation Implementation Project Charter and Workplan Overview as further expanded upon in the Deliverables and Milestones in the Staff Report of April 7, 2014.

HO-2014-020

that the Hornby Island Local Trust Committee direct staff to proceed with the implementation of the Riparian Areas Regulation Implementation project as described in the endorsed Project Charter.

Subsequently at their June 6, 2014 meeting the LTC gave consideration to the scheduling of a series of small venue open houses that were identified in the approved project charter. The LTC accepted the staff suggestion that the meetings be held on July 3, 10, 17 and 25, 2014, to be held from 1:00 – 4:00pm.

STAFF COMMENTS:

Following on the direction of the LTC, staff conducted the four open houses in the month of July all of which were all held at the New Horizon's Hall. A variety of materials were available to the public at the open houses including printed copies of the consultant watershed reports and enlarged display copies of the watershed mapping showing the RAR applicable watershed features. As well, number of handout documents relating to the RAR, its purpose and its value to the community were available.

Over the course of the open houses a little over 40 persons attended. Staff found residents to be both curious and interested in the RAR process. The informal nature of the open houses allowed for a number of in-depth conversation regarding the RAR, its value to Hornby Island in general, as well as conversations specifically focused upon residents' properties and potential impacts on the use of affected properties. In the property specific discussions none of the attendees questioned the location of the mapped features as they relate to their property, although, in one instance, a property owner did question the methodology of some initial watershed mapping and suggested some features shouldn't have been mapped and that other features had been missed. The property owner emailed their concerns to the Islands Trust Executive Committee, who considered them at their July 29, 2014 meeting and responded to in an email communication from David Marlor, the Director of Local Planning Services dated August 8, 2014. Staff does not recommend the Local Trust Committee undertake any further mapping as a result of this concern raised by a property owner.

Staff received a small number of property specific requests for follow-up information but there were no discernable indications that the community had any objections to the implementation of the RAR.

The next steps in the process, as identified in the project charter, would be for the LTC to review draft bylaws in January, 2015. A factor which limits the current range of options for moving the RAR process forward is the fact that proposed OCP Bylaw No. 149 will require Ministerial approval and final adoption before bylaws for the implementation of the RAR can receive any readings. At this point in time the RAR implementation process is on track with the schedule laid out in the project charter.

RECOMMENDATIONS:

That the Hornby Island Local Trust Committee directs staff to draft bylaws to implement the Riparian Areas Regulation.

Prepared and Submitted by:

Rob Milne

September 1, 2014

Rob Milne, Island Planner

Date

Concurred in by:

Courtney Simpson

September 4, 2014

Courtney Simpson MCIP, RPP
Regional Planning Manager

Date

Attachment:

1. Project Charter

Attachment 1

Riparian Areas Regulation Implementation - Charter v1

Hornby Island Local Trust Committee

Date: April 15, 2014

Purpose *This project will improve the protection of fish and fish habitat on Hornby Island by improving stream mapping accuracy and amending the Official Community Plan and Land Use Bylaw to come into compliance with the Riparian Areas Regulation (RAR) of the provincial Fish Protection Act.*

Background *This project has been initiated by the Hornby Island Local Trust Committee (LTC) pursuant to the Islands Trust Council 2008-2011 Strategic Plan objective 1.1 "to identify and protect riparian areas". There are 5 watersheds on Hornby Island containing streams that meet the definition of RAR; Ford Creek, Beulah Creek, and 3 unnamed streams. Stream mapping was conducted to a high degree of accuracy between 2012 and 2014 in two separate contracts by qualified environmental professionals.*

Objectives

- Effectively communicate the process and outcome to the community
- Engage the community and solicit feedback
- Improve the protection of riparian habitat on Hornby Island
- Become compliant with the RAR

Scope & Deliverables

- Four small venue community information and mapping review meetings
- One formal community information meeting after draft bylaw preparation
- New Development Permit Area for riparian areas
- Amendments to the development approval information provisions of the OCP
- Hornby Island Development Approval Information bylaw (adopted by Trust Council)

Workplan Overview

Deliverable/Milestone	Date
Small venue community information and mapping review meetings (4)	June-August, 2014
Report to LTC on consultation and recommendation to draft bylaws	September, 2014
LTC review of draft bylaws (OCP and LUB & DAI) and early First Nations referral	December, 2014 / January 2015
Community Information Meeting	February, 2014
First Reading of OCP and LUB amending bylaws and referrals	March, 2014
Public Hearing	May, 2015
Bylaw adoption	September, 2015

Project Team

Rob Milne, Island Planner	Project Manager
Marnie Eggen, Planner	RAR Advisor
Barb Dashwood, GIS Technician	Mapping support
Penny Hawley, Office Admin Asst.	Meeting arrangement
Lisa Webster-Gibson	Referrals and PH

RPM Approval:

Courtney Simpson

Date: April 15, 2014

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source: Mapping-RAR project; communications-LTC local expenses; PH-program

Fiscal	Item	Cost
12/13	Stream Mapping (Mimulus)	\$15,000
13/14	Stream Mapping (Madrone)	\$14,122
14/15	Communications	\$500
15/16	Public Hearing	\$1,500
	Total	\$31,122

DRAFT

Hornby Island Local Trust Committee

BYLAW NO. XXX

A BYLAW TO AMEND THE HORNBY ISLAND OFFICIAL COMMUNITY PLAN, NO. 149

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

1. Bylaw No 149, cited as "Hornby Island Official Community Plan (Hornby Island) Bylaw No. 149, 2014" is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as "Hornby Island Official Community Plan (Hornby Island) Bylaw 149, 2014, Amendment No. 1, 2014"

READ A FIRST TIME THIS	DAY OF	, 2014
PUBLIC HEARING HELD THIS	DAY OF	, 2014
READ A SECOND TIME THIS	DAY OF	, 2014
READ A THIRD TIME THIS	DAY OF	, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2014
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT		
THIS	DAY OF	, 2014
ADOPTED THIS	DAY OF	, 2014

SECRETARY

CHAIRPERSON

Hornby Island Local Trust Committee

Bylaw No. XXX

Schedule 1

1. Section 6.9 “Development Permit Areas” of the Hornby Island Official Community Plan Bylaw No. 149 cited as “Hornby Island Official Community Plan (Hornby Island) Bylaw No. 149, 2014”, is amended by a new Section 6.9.4, “Riparian Areas Protection” which reads as follows:

“DEVELOPMENT PERMIT AREA NO. 6: Riparian Areas

Purpose

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. Riparian areas are important because they include ecosystems that support a disproportionately high number of vascular plant, moss, amphibian and small mammal species for the area they occupy.

Area:

Development Permit Area No. 6 includes all land designated on Schedule -- of this plan as being within the Riparian Areas DPA. This DPA includes the following:

1. Riparian assessment areas related to the watercourses, wetlands and lakes identified on Schedule - as “RAR applicable” streams, major wetlands, and lakes as the term “streams” is defined in the *Riparian Areas Regulation, BC Fish Protection Act*, which includes any of the following that provides fish habitat:
 - a watercourse, whether it usually contains water or not;
 - a pond, lake, river, creek or brook; and
 - a ditch, spring or wetland that is connected by surface flow to something referred to in the two previous bullets.

and consisting of the surface of the water body and:

- a) for a watercourse, a 30 metre strip on both sides of the stream measured from the high water mark;
- b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank;
- c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;
- d) for a lake, wetland or other water body, 30 metres around the water body measured from the high water mark of the water body;
- e) for a ditch, a 5 metre strip on both sides of the ditch measured from the high water mark.

and Schedule -- shall be so interpreted. The designation and delineation of Development Permit Area No. 6 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

Objectives:

The objectives of this development permit area are as follows:

1. To honour provincial designations of certain lands as for agricultural purposes
2. To protect the biological diversity and habitat values of riparian and aquatic ecosystems
3. To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation
4. To prevent the degradation of existing and future water supplies on Hornby Island
5. To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas
6. To prevent water pollution

Development Approval Information

Development Permit Area No. 6 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the Local Government Act. Development approval information in the form of a report from a qualified environmental professional (QEP) or another professional may be required due to the special conditions and objectives described above.

INFORMATION NOTE: Development Permit Area Guidelines for Development Permit Area No. 6: Riparian in the Land Use Bylaw.
--

2. Schedule E, Map 2 is deleted and replaced by Attachment "1" attached to and forming part of this bylaw`.

Attachment 1

DRAFT

Hornby Island Local Trust Committee

BYLAW NO. XXX

A BYLAW TO AMEND THE HORNBY ISLAND LAND USE BYLAW, NO. 150

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

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

READ A FIRST TIME THIS	DAY OF	, 2014
READ A SECOND TIME THIS	DAY OF	, 2014
PUBLIC HEARING HELD THIS	DAY OF	, 2014
READ A THIRD TIME THIS	DAY OF	, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2014
ADOPTED THIS	DAY OF	, 2014

SECRETARY

CHAIRPERSON

Hornby Island Local Trust Committee

Bylaw No. XXX

Schedule 1

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

1. A new Section 9.6 which reads as follows:

"9.6 Development Permit Area No. 6: Riparian Areas - Guidelines

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Riparian Areas development permit area shall apply to the Hornby Island Local Trust Committee for a development permit.

9.6.1 Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- a) Subdivision of land;
- b) Construction of, addition to or alteration of a building or other structure;
- c) Alteration of land;
- d) Development as that term is defined in the *Riparian Areas Regulation, BC Fish Protection Act*; and
- e) Installation of any structures within a stream or within the natural boundary of a lake.

A separate development permit, or additional development permit conditions in a single permit, may be required or imposed if the development is occurring in another development permit area designated in this plan.

9.6.2 Exemptions

The following activities are exempt from any requirement for a development permit:

- a) works undertaken by a local government or a body established by a local government;
- b) agricultural activities within a seasonally flooded agricultural field that is in the Agricultural Land Reserve as long as it can be determined by site inspection and/or by current orthophoto interpretation that it has been previously modified for agriculture. If it is not possible to make the determination by these means, other historical evidence that agricultural activities have occurred in the subject area within the last 50 years from the date of the application may be acceptable;
- c) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- d) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- e) repair or replacement of a septic field on the same spot;
- f) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- g) With the exception of nesting trees protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top

of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration;

- h) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing *landscaped area*, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- i) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- j) pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- k) ecological restoration or enhancement projects undertaken or authorized by a public body;
- l) changes in or about a stream authorized under Section 9 of the Water Act;
- m) work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*;
- n) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection,
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow, and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- o) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* and horticulture as defined in the Hornby Island Land Use Bylaw 177;
- p) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;
- q) The construction of a private trail if all of the following apply:
 - i. The trail is 1.0 meter wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious (for example, soil, gravel or wood chips)
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream;
- r) Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared; and
- s) The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of

the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 meters squared

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Information Note: Some activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

9.6.3 Guidelines

Prior to undertaking any development activities within the Riparian Areas DPA an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- a) In general, all development in this DPA should be undertaken in a manner that minimizes impact on and that restores or maintains the proper functioning condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.
- b) The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP or riparian buffer recommended by another professional adjacent to a non-RAR applicable watercourse, lake or wetland, and the owner should be required to implement a plan for protecting the SPEA or riparian buffer over the long term through measures that may be implemented as conditions of the development permit.
- c) Where the QEP or other professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- e) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and DP conditions may be amended accordingly.
- f) The Local Trust Committee may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."



Top Priorities

Hornby Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Official Community Plan and Land Use Bylaw Review.	<p>Targeted review and update of the OCP and LUB.</p> <p>At the November 22, 2013 LTC meeting the following resolution was passed:</p> <p>HO-044-2013</p> <p>that the Hornby Island Local Trust Committee refer the draft Land Use Bylaw and associated schedules to the Advisory Planning Commission for their review and comment and refer the draft Official Community Plan and associated schedules for any comments arising from changes made from the previous draft.</p> <p>Draft OCP including APC recommendation on March 14th agenda for review.</p>	Feb-03-2012	Rob Milne		On Going
2	Riparian Areas Regulation mapping and implementation.	Project charter revised at April 25, 2014 LTC meeting.	Feb-03-2012	Rob Milne	Dec-31-2012	On Going



Projects

Hornby Island

No.	Description	Activity	Received/Initiated	Status
1	Review of home occupation regulations to allow the rental of accessory building space to a non-resident of the property for commercial use.			On Going
1	Review of Siting and Use Permit Bylaw No. 52 regarding applicability to the construction of secondary suites within a dwelling and research requirements for proof of adequate water and septic capability.		Feb-01-2013	On Going
1	Review and update 'Building on Hornby Island' brochure and include HPO information.		Feb-01-2013	On Going
1	Develop and implement a Development Approval Information Bylaw.		Mar-15-2013	On Going
1	Review of environmentally sensitive areas OCP map schedule (D2) as a stand alone mapping project or addition to the community profile.		Apr-26-2013	On Going
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.		Jun-07-2013	On Going
1	Inventory and assessment of beach access and other unopened road allowances		Jul-12-2013	On Going
1	Development Procedures Bylaw	<i>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.</i>	Feb-03-2012	On Going
1	Information and education with respect to the marine environment and shoreline protection		Feb-07-2014	On Going

1	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.		On Going	
1	Develop and implement a project to support accessible opportunities for small-scale farming involving consultation with relevant agencies and review of applicable policies and regulations.		On Going	
1	Conduct a consultative process for the Ford Cove area		On Going	
1	Relationship building with K'omoks First Nation including considering content of Official Community Plan as it relates to K'omoks First Nation interests.	Aug-15-2014	On Going	
1	Address appointments to the Advisory Planning Commission	Sep-19-2014	On Going	
3	GHG Emissions Reduction	Facilitate <i>community communications regarding greenhouse gas emissions in collaboration with community organizations.</i>	Feb-03-2012	On Going
3	Review of vacation home rental regulations by 2017		Sep-13-2013	On Going
4	Communications strategy for revised OCP and LUB		Feb-03-2012	On Going
5	Review community profile by adding further information on environmentally sensitive areas and important habitat and including information in Schedule D2 of OCP.		Nov-23-2012	On Going

Applications w/ Status - Hornby Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2013.2	Zaharko Land Surveying Inc. Planner: Marnie Eggen	Sep-17-2013	to vary Lot 5 front lot line

Planning Status

Status Date: Nov-19-2013

Applicant revising subdivision plan; DVP put on hold

Status Date: Nov-05-2013

Mailout sent Nov 5, 2013 / Hand Delivery Nov 8 - Statutory Notice Period Nov 8 - 21, 2013

Subdivision

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2012.3	Peter Mason	Apr-26-2012	1410 Carmichael Road (Gustein & Burrows) 2 lot subdivision under Section 946 Local Government Act

Planner: Teresa Rittemann

Planning Status

Status Date: Aug-19-2014

Call from MOTI. File is still open on their end. They will follow up with the land surveyor/applicant to see if they still wish to pursue and will update me on that response once received.

Status Date: Jun-27-2014

Sent letter to MOTI asking if this file is closed as it's been over 2 years since the referral report was sent to MOTI.

Status Date: Dec-05-2013

Continuing to await RAR report and DVP application from applicant

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2013.1	Zaharko Land Surveying Inc. Planner: Marnie Eggen	Jun-13-2013	4115 Roburn Road, Hornby Island 2 lot subdivision, Section 946 Local Government Act

Planning Status

Status Date: Jul-29-2013

Referral report emailed to MOTI; requires variance and 946 covenant

Status Date: Jun-25-2013

Planner reviewing

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2014.1	Peter Mason Planner: Teresa Rittemann	Jul-02-2014	To create 2 parcels under sec. 946

Planning Status

Status Date: Sep-23-2014

Subdivision Referral Report sent to MOTI. Copied Hornby LTC and the agent/applicant

Status Date: Aug-12-2014

Waiting for further direction from the applicant whether or not they wish to pursue or withdraw the application

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2011.11	Hornby Island Resorts Ltd. (The Thatch) Planner: Marnie Eggen	Sep-22-2011	Commercial Building, Triplex and Duplexes, Pump House and Water Cistern

Planning Status

Status Date: Jul-02-2013

no change

Status Date: Dec-07-2012

Awaiting further info from applicant

Status Date: Nov-26-2012

DP and DVP approved

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2014.3	Richard Graham	Aug-19-2014	Single family dwelling and attached carport

Planner: Teresa Ritemann

Planning Status

Status Date: Aug-26-2014

Emailed applicant to request more information

Status Date: Aug-25-2014

Assigned to TR

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2014.4	John and Jacqueline Neil Planner: Teresa Ritemann	Sep-18-2014	new 3 bedroom cabin to replace existing cabin

Planning Status

Islands Trust
 LTC EXP SUMMARY REPORT F2015
 Invoices posted to Month ending July 2014

635 Hornby	Invoices posted to Month ending July 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	700.00	340.28	359.72
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,500.00	717.83	1,782.17
65210-635	LTC - Local Exp - APC Meeting Expenses	750.00	1,040.56	-290.56
65220-635	LTC - Local Exp - Communications	300.00	80.00	220.00
65230-635	LTC - Local Exp - Special Projects	750.00	181.78	568.22
TOTAL LTC Local Expense		<u>4,300.00</u>	<u>2,020.17</u>	<u>2,279.83</u>
Projects				
73001-635-2004	Hornby OCP/LUB	3,000.00	629.68	2,370.32
TOTAL Project Expenses		<u>3,000.00</u>	<u>629.68</u>	<u>2,370.32</u>

Islands Trust
 LTC EXP SUMMARY REPORT F2015
 Invoices posted to Month ending September 2014

635 Hornby	Invoices posted to Month ending September 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	700.00	340.28	359.72
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,500.00	1,240.41	1,259.59
65210-635	LTC - Local Exp - APC Meeting Expenses	750.00	1,040.56	-290.56
65220-635	LTC - Local Exp - Communications	300.00	160.00	140.00
65230-635	LTC - Local Exp - Special Projects	750.00	387.82	362.18
TOTAL LTC Local Expense		<u>4,300.00</u>	<u>2,828.79</u>	<u>1,471.21</u>
Projects				
73001-635-2004	Hornby OCP/LUB	3,000.00	1,087.78	1,912.22
TOTAL Project Expenses		<u>3,000.00</u>	<u>1,087.78</u>	<u>1,912.22</u>

Hornby Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

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