



Hornby Island Local Trust Committee Minutes of Special Meeting

- Date:** May 24, 2016
- Location:** Hornby Island Community Hall
Central 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:** 3:00 pm - Approximately fifteen (15) members of the public
7:30 pm - Approximately ten (10) members of the public

1. OPEN HOUSE

Planner Milne was available to facilitate an informal Open House held from 2:30 pm – 3:00 pm for the public to view map displays and copies of the Official Community Plan (OCP) and Land Use Bylaw (LUB). Brochure handouts were available on Secondary Suites & Dwellings and Stewardship on Hornby Island.

2. CALL TO ORDER

Chair Busheikin called the meeting to order at 3:05 pm and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She welcomed those present and introduced herself, Local Trustees, staff and recorder. She noted that this meeting is being held to present the new OCP and LUB and thanked Trustees, Planner Milne and members of the community who contributed to the process.

Trustee Law provided a summary of the background of the development of the OCP which was first created in the 1990's and observed that the community objectives and goals established at that time remain intact. He explained that the current project has been a targeted review, focusing on bringing the documents up to date and addressing the key topics of housing and economic opportunity which were identified as the most in need of focus. He appreciated the major contribution of the volunteer Advisory Planning Commission in the process and thanked the Planners who worked on the undertaking.

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION SESSION

3.1 Presentation by Planner Milne

Planner Milne pointed out brochures that were available on Hornby Island Secondary Suites & Dwellings and Stewardship on Hornby Island. He provided an overview of the OCP and LUB targeted review that focused on housing and economic opportunity and the Riparian Areas Regulation (RAR) Implementation project. His presentation summarized key changes to the OCP and LUB, and information on RAR. Key points included the following items:

OCP Key Changes

- Housing – new policies 6.3.5.13 and 6.3.5.14 provide options for secondary suites on larger lots and the use of detached units to provide temporary housing which are administered through a Temporary Use Permit (TUP);
- Subdivision of Rural Residential lots – policy 6.3.3.1 provides an option to enable residents to subdivide rural lots with two dwellings into two lots with a dwelling on each lot;
- Expansion of Commercial Zoning – policy 6.5.1.3 provides criteria for the opportunity of limited expansion of commercial zoning to allow for small scale retail and personal service use;
- Community Service Use – policy 6.2 contains new language, is renamed and provides new policies to encourage community based businesses;
 - Policy 6.2.2 provides a policy intended to ensure protection of groundwater resources on land within the Community Services Use designation and Public Utilities and Services designation areas on Schedule B; and
 - Policy 6.2.7 provides criteria for limited commercial activities such as a farmers' market, community arts facility or credit union in the Community Service Use area.

LUB Key Changes

- Secondary Suites – new regulation 3.8 outlines general guidelines;
- Temporary Use Permit – Objective 10.2 (6) contains new considerations for allowing a temporary secondary suite or detached housing;
- Home Occupations – regulations have been organized into four categories to ensure they are compatible with the context of the neighbourhood within which they would be established; and
- A1 Agriculture Zone – new provisions recognize changes in the Agricultural Land Commission regulations.

RAR Implementation

- Bylaws are awaiting final reading;
- An overview was given of Hornby Island watersheds; and
- Tools available to regulate RAR.

In summary, Planner Milne noted that the intent of the new OCP, LUB and RAR Implementation is to create more housing and economic opportunities and to increase protection of fish habitat. He added that the Local Trust Committee is encouraging residents to be aware of the policies, to protect the natural environment, and is actively pursuing relationship building with K'omoks First Nation.

3.2 Questions and Answers

Planner Milne responded to questions with the following noted:

- What are the hectares involved in the rural residential lot subdivision policy? Where permitted, the minimum lot size of one hectare should be maintained unless to create park or other community service use.
- Is any of the land involved in the Community Service Use area subject to the K'omoks treaty process?
The area containing the gravel pit on Central Road may be subject to a Treaty agreement.
- Does a TUP expire after three years? What is the cost for a TUP? Is the TUP requirement creating a barrier to use of the detached dwellings option?
TUPs are effective for three years and may be renewed for another three years, after which a new TUP application would be required if desired. The LTC has advocated for lower TUP fees which are approximately \$400. The process is attempting to strike a balance between accountability and accessibility.
- Is the secondary building limited to 970 square feet?
Secondary suites are limited in size to 40% of the floor area of the principal dwelling to a maximum of 90 square metres or approximately 970 square feet. Regulation 3.8 provides details on the requirements such as meeting BC Building Code requirements, being wholly within the principle residential dwelling, and having an external entrance.
- How large can the secondary dwelling be?
The size of the secondary residence must be approved through a TUP application process.
- Where do caravans or tiny homes fit into these regulations?
The regulation governing Secondary Suites does not address caravans, however, there is language elsewhere in the Hornby Island bylaws regarding caravans.
- Can any R2 lot have a second dwelling?

R2 lots are permitted a maximum of two dwelling units per lot having an area of 4.0 hectares or larger.

- Can each of the two permitted dwellings in a Large Lot have a secondary suite and second dwelling?
They could have secondary suites; secondary dwellings would require application for TUPs. Reviewing the TUP guidelines and discussion with the Planner would be advisable prior to moving forward in this circumstance.
- How do building codes apply if the intent is to provide low-cost housing?
Meeting the BC Building Codes is a requirement in order to address potential liabilities and to ensure obligations are understood.
- How would compliance with the BC Building Code be enforced?
Every structure on Hornby Island used for residential purposes is required to comply with the BC Building Code.
- Would a secondary suite located within a garage be permitted?
If the garage is attached to the principal dwelling, it could qualify as a secondary suite; however, if it is detached a TUP would be required.
- Will the presentation made here today be on the Islands Trust website?
Yes, that can be arranged.
- Do the zones affect the Home Occupation regulations?
Residential zoning still applies; Home Occupation regulations are specified in section 3.6 of the LUB. New categories of Home Occupation tiers have been created to encourage their use while recognizing the sensibilities of being conducted in residential areas.
- The cemetery may need expansion or a new location. Has this been considered in the new bylaws?
This issue has not been formally brought before the LTC to consider. The process for creation of cemeteries is very complex and highly regulated. The Islands Trust may be able to assist with the process and cost if this project were to be initiated.
- Do Home Occupations have to be run by the property owner on title, or can someone else operate the operation?
The general intent is for the Home Occupation to be run by the people living there.

There were no further questions. Planner Milne invited those present to take brochures on Secondary Suites & Dwellings and Stewardship on Hornby Island. He advised that there will be another session of the CIM held this evening and welcomed participation in that forum.

A Trustee commented that the LTC has addressed housing issues with the intention of improving accessibility while meeting regulations. He advised that there will be an Islands Trust Housing Forum next month and Trustees will be considering information from that forum for possible future adjustments that might need to be made over time. He commented that the OCP and LUB are online for

the public to review and suggested that Trustees can provide assistance to locate information if necessary.

Chair Busheikin thanked everyone for their participation at this session.

4. RECESS

By general consent the meeting was recessed at 3:49 pm.

5. OPEN HOUSE

Planner Milne was available to facilitate an informal Open House held from 7:00 pm – 7:30 pm for the public to view map displays and copies of the OCP and LUB. Brochure handouts were available on Secondary Suites & Dwellings and Stewardship on Hornby Island.

6. CALL TO ORDER

Chair Busheikin reconvened the meeting at 7:34 pm and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She welcomed those present and introduced herself, Local Trustees, staff and recorder. She noted that this meeting is being held to present the new OCP and LUB and thanked Trustees, Planner Milne and members of the community who contributed to the process.

Trustee Law provided a summary of the background of the development of the OCP which was first created in the 1990's and observed that the community objectives and goals established at that time remain intact. He explained that the current project has been a targeted review, focusing on bringing the documents up to date and addressing the key topics of housing and economic opportunity which were identified as the most in need of focus. He appreciated the major contribution of the volunteer Advisory Planning Commission in the process and thanked the Planners who worked on the undertaking.

7. COMMUNITY INFORMATION SESSION

7.1 Presentation by Planner Milne

Planner Milne repeated the presentation summarized in agenda item 3.1.

7.2 Questions and Answers

Planner Milne responded to questions with the following noted:

- Does RAR apply to changes to existing developments?

Once the RAR bylaws are adopted, any development occurring within the 30 metre Development Permit area assessed as RAR-applicable would be subject to the regulation.

- Is agricultural land in the Agricultural Land Reserve (ALR) treated differently than land not in the ALR for purposes of RAR?
Agricultural activities are not subject to RAR, however, residential use of the property would be subject to RAR.
- Is it permitted under RAR to remove older trees for general safety within 30 metres of a creek on an ALR property?
The Hornby Island RAR bylaw does provide language to permit dealing with hazard trees. A biologist might be consulted to ensure that riparian habitat is not damaged in the process.
- Is there any activity or organization working to encourage Beulah Creek to become a salmon-bearing creek?
It is possible that there are currently no fish in Beulah Creek; the intent of RAR is to maintain the potential. If there are any groups working on this task, they might be encouraged to contact the LTC which might provide assistance with advocacy or identification of funding sources.
- The bylaws do not discuss storing rain water; the sale of water on Hornby Island is not sustainable; Hornby Island cannot be dependent on ground water especially now that secondary suites are allowed. Will the LTC be acting on these concerns?
The Islands Trust is involved in advocacy of water issues. There is a new provision in the LUB that prohibits in all zones, the use of a well for the extraction of ground water for transportation off the lot from which it is extracted, except where permitted through zoning regulations or TUP. Catchment of rain water can be encouraged for non-potable uses; however health requirements for potable water would limit that use at this time.
- Why is it a moral issue for someone with a 70 gallon-per-minute well selling water to someone with a 3 gallon-per-minute well?
Hornby Island bylaws require that it must be proven that sufficient volume exists and that other neighbouring properties would not be affected by the extraction of ground water for sale. Trust Council has an organization that continues to advocate on water issues; there have been numerous efforts made regarding rain water catchment.

There were no further questions. A Trustee commented that there is information on the OCP and LUB on the Islands Trust website and suggested that if there are questions or if assistance is needed to access those sites, Local Trustees may be contacted for assistance.

Chair Busheikin thanked everyone for coming and participating in the creation of the new Hornby Island OCP and LUB.

8. ADJOURNMENT

By general consent the meeting was adjourned at 8:27 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder