



Hornby Island Local Trust Committee

Minutes of Special Meeting

Date: August 9, 2024

Location: Electronic Meeting

Members Present: Timothy Peterson, Chair
Alex Allen, Local Trustee
Grant Scott, Local Trustee

Staff Present: Sonja Zupanec, Island Planner (Regional Planning Team)
Ian Cox, Planner 2
Lisa Millard, Recorder

Others Present: There were approximately 16 members of the public in attendance.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 10% Lot Frontage Waiver Request for Application HO-SUB-2023.2 (Mason & Grayson) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Subject property to be subdivided into two lots;
- Land Use Bylaw requires any proposed lot have minimum 10% of perimeter for access and;
- Requirement cannot be met for subject property and applicant seeks a waiver in order to permit the lots to have less than 10% frontage on a roadway.

Discussion ensued and the following comments and answers to questions were noted:

- Rationale for granting the waiver is there are no anticipated negative impacts to access, circulation, or safety;
- Staff clarified that the application is for a waiver request and not a variance;
- Perimeter of Lots 1 and 2 measure 937 and 943 metres respectively and proposed combined frontage access to both lots is 23.46 metres per the staff report;
- Existing frontage is already less than 10% requirement;

- Subdivision is an administrative process in that an applicant applies to the Ministry of Transportation and Infrastructure with the Provincial Approving Officer to subdivide, the Local Trust Committee receives a referral from the Ministry to ensure the proposed layout meets the adopted Land Use Bylaw, the referral response outlines any conditions that need to be met, and the Ministry/Provincial Approving Officer is the body that approves or denies the subdivision; and
- Trustees noted concern that the process does not require consultation with adjacent property owners or statutory public notification.

The applicant was in attendance and made the following comments:

- Application is in compliance with bylaws;
- No further subdivision of the property will be possible due to layout;
- Approval or denial of subdivision is in the jurisdiction of Ministry of Transportation and Infrastructure; and
- Has not spoken to neighbours because the waiver will have no effect on adjacent property owners as road access is already in place.

HO-2024-027

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee defer application HO-SUB- 2023.2 until next meeting to provide neighbours an opportunity to comment in public.

CARRIED

3.2 Major Project: Official Community Plan / Land Use Bylaw Draft Bylaw Nos. 176 (OCP) and 177 (LUB) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Project is to amend Official Community Plan (OCP) and Land Use Bylaw (LUB) specific to the first phase of changes listed in the project charter dealing with housing, secondary suites, vacation rentals, chickens, and cisterns; and policies are in the OCP related to these issues and supporting regulation amendments;
- Second phase of project deals with First Nations matters and references which are on hold during continued engagement with K'omoks First Nation;
- Intent is to get to first reading which then enables staff to get input from the referral agencies, First Nations, and the Advisory Planning Commission; and
- Once referral comments are received back the Local Trust Committee can make amendments to the bylaws and go to public hearing.

Discussion ensued and Trustees indicated interest in giving first reading so the proposed bylaws can go to referral agencies and the public which would provide the necessary feedback so the Local Trust Committee could then work on any issues identified.

The Chair referred to correspondence received which asked for the definition of short-term rental and if the provincial 90 day exemption would apply in absence of a definition.

Planner clarified the draft proposes to use the Temporary Use Permit guidelines to define the type of use permitted and locations on the island that will allow the said

use. The current definition in the Land Use Bylaw is proposed to be removed because it has a regulatory nature to it and it is preferable to use the Temporary Use Permit to define regulations and guidelines.

HO-2024-028

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

HO-2024-029

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

HO-2024-030

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” be read a first time.

CARRIED

HO-2024-031

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024” be read a first time.

CARRIED

HO-2024-032

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to refer Proposed Bylaw Nos. 176 (OCP) and 177 (LUB) to the following First Nations and Agencies for comment as listed in staff recommendation No. 5 on page 21 of August 9, 2024 Staff Report.

CARRIED

The Planner noted the public is advised to provide any correspondence or input on proposed Bylaws Nos. 176 and 177 addressed to the Local Trust Committee either through the Planner or through the Local Trust Committee's email address and that all public correspondence is posted to the website.

4. ADJOURNMENT

By general consent the meeting was adjourned at 2:07 p.m.

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder