



Islands Trust

Hornby Island Local Trust Committee

Regular Meeting Revised Agenda

Date: January 20, 2023
Time: 11:30 am
Location: Electronic Meeting

	Pages
1. CALL TO ORDER	11:30 AM - 11:35 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. RISE AND REPORT	
4. REPORTS	11:35 AM - 11:55 AM
4.1 Trustee Reports	
4.2 Chair's Report	
4.3 Electoral Area Director's Report	
5. PUBLIC COMMENTS	11:55 AM - 12:10 PM
6. DELEGATIONS	12:10 PM - 12:20 PM
6.1 <i>Hornby Island Community Hall Committee and/or Hornby Island Residents and Ratepayers Association (HIRRA) regarding Establishing a Community Heritage Register for Hornby Island</i>	4 - 10
7. MINUTES	12:20 PM - 12:25 PM
7.1 Local Trust Committee Special Meeting Minutes dated October 6, 2022 - for adoption	11 - 16
7.2 Section 26 Resolutions-without-meeting Report dated January 12, 2023	17 - 18
7.3 Advisory Planning Commission Minutes - none	
8. BUSINESS ARISING FROM MINUTES	12:25 PM - 12:40 PM

8.1	Follow-up Action List Report dated January 12, 2023	19 - 23
9.	APPLICATIONS AND REFERRALS	12:40 PM - 12:45 PM
9.1	Denman Island Local Trust Committee Referral for Response regarding Bylaw No. 228 and 229	24 - 26
----- <i>BREAK 12:45 PM TO 1:15 PM</i> -----		
10.	LOCAL TRUST COMMITTEE PROJECTS	1:15 PM - 2:15 PM
10.1	Comprehensive Official Community Plan Review - Staff Report	27 - 32
11.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
11.1	Letter dated December 1, 2022 from E. Hoepfner of Aquarian Systems Ind. regarding Siting of Water Cisterns	33 - 34
12.	NEW BUSINESS	2:15 PM - 3:00 PM
12.1	Local Trust Committee Meeting dates for 2023 - for consideration	35 - 36
12.2	Local Trust Committee Projects and Priorities - Staff Report	37 - 40
12.3	Rogers Cell Tower Proposal - Update	41 - 46
12.4	Possible Amendments to the Model Strategy for Antenna Systems	47 - 47
13.	REPORTS	3:00 PM - 3:10 PM
13.1	Trust Conservancy Report dated October 6, 2022	48 - 49
13.2	Applications Report dated January 12, 2023	50 - 54
13.3	Trustee and Local Expense Report dated November, 2022	55 - 55
13.4	Adopted Policies and Standing Resolutions	56 - 60
13.5	Local Trust Committee Webpage	
14.	WORK PROGRAM	3:10 PM - 3:30 PM
14.1	Active Projects Report dated January 12, 2023	61 - 61
14.2	Future Projects Report dated January 12, 2023	62 - 63
15.	UPCOMING MEETINGS	

15.1 Next Regular Meeting Scheduled for Friday, March 24, 2023 at 11:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC

16. CLOSED MEETING

3:30 PM - 3:45 PM

16.1 Motion to Close the Meeting

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 (a) appointments to the Advisory Planning Commission and Appointments to the Board of Variance and (d) adoption of In-Camera Meeting Minutes dated September 9, 2022 and that the recorder and staff attend the meeting.

16.2 Recall to Order

17. ADJOURNMENT

3:45 PM - 3:45 PM

Delegation Presentation Synopsis – Hornby Island Local Trust Committee January 20, 2023

Subject: Establishment of a Hornby Island Community Heritage Register

At the regular December 10, 2021, Hornby Island Local Trust Committee meeting, approval was carried to add project HO-221-078, “*Establish a Hornby Island Community Heritage Register*” to the Work Program projects list. This endorsement followed a delegation presentation by Hornby Island Residents and Ratepayers Association, Community Hall Committee member, Margaret Birch, earlier that same day.

The Community Hall Committee was advised by Islands Trust staff early in New Year 2022, that advancing this project to a higher priority in light of other priority projects, particularly the OCP update, would be challenging, and it would likely take several months’ time or longer for action.

Over the past 2022 year, the Community Hall Committee furthered its research and sought possible funding opportunities to assist the Islands Trust staff in helping complete this work.

During November 2022, the Community Hall Committee was advised by the Comox Valley Regional District’s General Manager, Planning and Development Services, that up to \$4,200 is available through the Hornby Island Heritage Conservation Heritage Service Bylaw No. 317, in the 2023/24 budget year to assist with the development of a register. The funding support would be available to help in preparing and commissioning the ‘*cultural heritage statement of significance*,’ the necessary first step before a bylaw/Register can be developed. The provision to this support would be confirmation by the Islands Trust they are committed to establishing the permit process and administer the Register on an ongoing basis.

Given the present budget timeline for the LTC and the CVRD, this is a time-sensitive opportunity to access funds during the 2023/24 fiscal for completing the initial work for this project. Your renewed support to prioritize this project for the 2023/24 year is requested at this time.

The Islands Trust LTC support to move forward on this project may involve re-directing a modest budget to this project for 2023/24. However, the Community Hall Committee is hopeful that the CVRD support will alleviate much of the work anticipated during the coming fiscal year.

HIRRA’s Community Hall Committee, has been striving since 2020 to move this project forward. Establishing a Hornby Island Community Heritage Register will strengthen the community’s cultural and heritage connections to the island’s most important public buildings. A register in place would also open HIRRA to access funding opportunities for future and ongoing structural improvements.

Your support to pass a Resolution or provide a letter as appropriate for the CVRD that the IT LTC supports establishing a community heritage register for Hornby Island, would permit this project to get started. It is also understood that public and First Nations consultation will be a necessary component in the future, however, to even consider that work, the first step is to prepare a statement of significance, specifically for Hornby Island’s Community Hall.

Sincerely



Margaret Birch, Member, HIRRA, Community Hall Committee
bhe@telus.net c: 604-313-7035

cc. HIRRA Executive
Chair, Hilary Wood-McDonnell, Chair, Community Hall Committee

**Islands Trust
Hornby Island
Local Trust Committee**

January 20, 2023

Delegation Presentation:

**Establishment of a Hornby Island
Community Heritage Register Work
Program Project HO-221-078**

Presented by:

Margaret Birch on behalf of
HIRRA Community Hall Committee



Hornby Island Community Hall

Photo Courtesy: HIRRA

- December 10, 2021, LTC Meeting – Delegation Presentation: HIRRA Community Hall Committee – to formalize an official list of historic places that the local government identifies as having heritage value or character
- Aim: to establish a Community Heritage Register (CHR) for Hornby Island to recognize and celebrate historic places within the community
- Written endorsement was provided by HIRRA Executive, Hornby Island Archives Committee; & New Horizons Society
- Research and planning support from Islands Trust is required to establish the CHR
- The motion was carried by the HI LTC on Dec 10, 2021: Add Community Heritage Register to the Projects List



Built in 1928. The Community Hall is 95 years old.



Top: Photo Courtesy: Hornby Island The Ebb and Flow, 1988
Bottom: Photo Courtesy: HIRRA

Through 2022...

- Consideration to advance this project was not possible given Islands Trust staff workload on current LTC work program priorities, specifically the OCP update
- The Community Hall Committee learned about the CVRD Hornby Island Heritage Conservation Service Bylaw No 317, that can assist with funding up to \$4,200
- Funding from CVRD through the Service Bylaw would cover costs to prepare a '*cultural heritage statement of significance*' - the first step before a Bylaw/Community Heritage Register can be developed
- Funding is available for 2023/2024 fiscal – April 2023
- Conditionally, the Islands Trust are committed to establishing the permit process and administering the Register ongoing



Community Hall in the 1980's



Photos Courtesy: Island Heritage Buildings, 1984

Our Request...

- Renewed support by the LTC to establish a Community Heritage Register (CHR) for Hornby Island by prioritizing start up of this project for the 2023/24 budget year to access CVRD funding to start the first step of process
- Re-direct a modest staff time budget for Islands Trust planning staff to support this project to establishing the Register

Our Commitment...

- Community Hall Committee to provide background research and support for a heritage conservation consultant to prepare the *statement of significance*
- Assist Islands Trust planning staff with public and First Nation consultation



Hall Round Room addition completed in 1974

Drawing Courtesy: Architectural Design 7/78, Hand-Build Hornby

- The first vision for the Hornby Island Community Hall came about in 1922. The community island's social life was outgrowing the Hornby Island Schoolhouse, built in 1891
- Heritage conservation cares for a community's past for present and future generations. The Community Hall and the Schoolhouse are culturally significant, actively used community buildings that provide heritage value and character for Hornby Island residents, and brings heritage tourism value to this rural island
- A Community Heritage Register for Hornby Island will strengthen the community's cultural and heritage connections to the island's most important buildings
- A register opens possible funding opportunities to future/ ongoing structural improvements that these buildings need
- Public and First Nations consultation will follow in the future, but a *statement of significance*, specifically for the Hornby Community Hall is a necessary first step



Schoolhouse was built in 1891, now 132 years old. Currently used by the Hornby Island Fabricators. Photo:1983

Photo Courtesy: Island Heritage Buildings, 1984



- As land use planning is undertaken by Islands Trust, establishing a Community Heritage Register falls within the mandate of Islands Trust
- CVRD's Hornby Heritage Service Bylaw is only a funding service mechanism by the CVRD
- Funding by the CVRD will support the preparation of a *statement of significance* in order to substantiate the property's inclusion on the Heritage Register
- The Register will then need to be developed by Islands Trust. Once the register is established by the Islands Trust, the Islands Trust can determine what kind of heritage permit process may be applicable and how the Islands Trust will administer it
- Support by the Islands Trust Local Trust Committee to pass a Resolution to establishing a Hornby Island Community Register as a priority for 2023/24 fiscal, will release funds by the CVRD through Bylaw No 317, and will take us on the first step to prepare a *statement of significance*, specifically for Hornby Island's Community Hall

Thank-you

Hornby Island Residents and Ratepayers (HIRRA) Community Hall Committee



Hornby Island Local Trust Committee Minutes of Special Meeting

Date: October 6, 2022
Location: Electronic Meeting

Members Present: Sue Ellen Fast, Chair
 Alex Allen, Local Trustee
 Grant Scott, Local Trustee

Staff Present: Sonja Zupanec, Island Planner and Acting Regional Planning Manager
 Patricia Maloney, Planner/Consultant
 Sharon Horsburgh, Planner/Consultant
 Nadine Wiepning, Student Planner
 Wil Cottingham, Office Administrative Assistant
 Katherine Vogt, Recorder

Others Present Approximately thirty two (32) members of the public

1. CALL TO ORDER

Chair Fast called the meeting to order at 6:33pm. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She explained that the meeting was being held to provide an interactive public engagement opportunity regarding four subject areas impacting the Hornby Island Official Community Plan Project: Riparian Areas, First Nations, Housing, and Short-Term Vacation Rentals. She introduced Trustees, Staff, Consultants, and the Student Planner. She welcomed members of the public and provided instructions for their electronic participation.

2. WELCOME AND INTRODUCTIONS

Consultant Patricia Maloney thanked everyone for their attendance and introduced herself as residing in the traditional territory of Snuneymuxw First Nation and of being a Planning Consultant with many years of experience who had worked previously with the Islands Trust, Indigenous Communities and the 2018 Hornby Island Housing Needs Assessment.

Consultant Sharon Horsburgh introduced herself as currently residing in the traditional territory of the Coast Salish Cowichan specific tribes; as being a Land Use Planner for Bayshore Planning Services working on various crown land and development applications as well as policy work; and as currently working on the Gambier Island Official Community Plan Project.

Student Planner Nadine Wiepning introduced herself as residing on Snuneymuxw Territory; having a geography background; as presently attending the Masters of Community Planning Program at Vancouver Island University; and as having previously worked for Member of Parliament, Paul Manly.

By general consent the agenda was approved as presented.

3. OFFICIAL COMMUNITY PLAN REVIEW PROJECT - INTERACTIVE ENGAGEMENT SESSION

Facilitated by Patricia Maloney and Sharon Horsburgh, discussion of each of the topics of Indigenous Communications, Riparian Areas, Housing, and Short-term Vacation Rentals was preceded by background information and options for consideration for the benefit of attendees who were then invited to ask questions and provide feedback.

Consultant Horsburgh introduced the topic of Indigenous Communications by noting that most local governments are looking at updating their OCP to reflect indigenous perspectives. She asked members of the public to think about the following ways that Hornby Island could promote reconciliation: establishment of a liaison committee; editing of documents to make them more culturally sensitive; formally invite a K'ómoks representative to sit as a non-voting member of the Local Trust Committee (LTC) or Advisory Planning Commission (APC); establish a regular Trustee/K'ómoks Chief and Council meeting; other.

The following questions and points were noted:

- Why have the politician-to-politician Trustee/First Nations interactions been eliminated in favor of staff-to-staff interactions?
 - Chair Fast responded that staff communications to First Nations had been improved due to past Trustee resolutions; and, that Trust and First Nations policies around open and closed meetings was complicated and needed to be reviewed by the present consultants.
- The recent recommendations that the Hornby APC made regarding Indigenous issues language changes to the OCP hopefully do not get overlooked.
 - Consultant Maloney noted that they had reviewed the APC report and may be able to add to it. In addition to language changes to policy documents, relationship building communications was very important.
- Can the Hornby APC recommendations report be publicly circulated soon?
 - Chair Fast noted that staff would clarify this.
- What about reaching out to the local First Nation and asking how they might like to participate, rather than suggesting ways that they could participate?
 - Consultant Maloney appreciated that this would be an excellent way for Trustees to foster relationship building.
- Why would a First Nation representative be a non-voting member.
 - Consultant Maloney responded that on the LTC, a voting member would have to be elected. On the APC, which is more consensus-driven, a First Nation representative could work.
- What is happening with the indigenous burial site at the Thatch?
 - Planner Zupanec did not have any updates to provide but invited the questioner to contact the Islands Trust office directly.

Consultant Horsburgh introduced the topic of Riparian Areas, noting that it was defined within the Riparian Areas Provincial Regulation and applied to streams, watercourses, wetlands, ditches and bodies of water if they were capable of supporting fish or fish habitat. A Riparian Assessment Area (RAA) consists of a 30-metre strip on each side of a stream which would be considered a development permit area. Related to this is the 2016 *Water Sustainability Act* which moved to identify and secure domestic wells and to license commercial wells.

The following questions and points were noted:

- Can you speak to water licensing of affordable rental housing run by non-profits?

- Consultant Horsburgh responded that there may be an exemption but that this would need to be clarified with the Province.
- Planner Zupanec noted that some Denman non-profits had successfully received a water license and the questioner was invited to contact the Islands Trust office directly.
- Can you clarify if a home-based business such as an art gallery open to the public or a yoga studio would need a water license to operate? If so, this would be new for Hornby. Would the OCP then be changed to require a water license for all home-based businesses?
 - Consultant Horsburgh responded that Short-term Vacation Rentals were considered a home-based business equivalent to hotels and motels providing public water facilities and would need to be licensed. Other businesses were not specifically noted, and the issue needed further clarification.
- Would one family renting within a house be considered domestic or commercial use of water?
 - Consultant Horsburgh noted that domestic water was considered a public good and became commercial when a profit was derived from it. Consultant Maloney offered to review the categories of businesses that might require water licenses.
- Can the discussion on the APC recommendations on Riparian Areas be postponed due to lack of notice?
 - Trustee Allen noted that there was confusion around Provincial initiatives regarding water usage.
- As Hornby tourism increases, my well goes black; so, if I register my well, will that protect it?
 - Chair Fast offered that it would be a good idea as a domestic user to register the well, which is not the same as a commercial water license.
 - A member of the public noted that years ago, Hornby Islanders were advised to register their wells based on the principal of First in time/First in right; so, if a future water user depleted someone's existing well, that existing user would have rights.
- The existing Hornby water review reports are not in agreement, so perhaps a third review is needed.
 - Consultant Horsburgh responded that the 2011 Mimulus and 2014 Madrone technical reports that mapped watersheds and watercourses on Hornby seemed complementary rather than confounding and perhaps just needed to be updated.
 - Trustee Allen responded that Hornby was the only island to have two companies do riparian reports; one of the companies focused almost entirely on ditches; and, a third riparian report is hoped for.
 - A property owner noted the disparity between the reports; and, that a neighbor's drainage ditch adjacent to the owner's property had precipitated large setbacks within which nothing could be done without paying for a Qualified Environmental professional (QEP). Another ditch was polluted and should be diverted away from fish bearing streams. The disparity between the mapped and on-the-ground realities of Hornby ditches was substantial.
- The APC spent considerable time reviewing the Madrone and Mimulus Reports which appeared to be complementary. The issue seems to be how the Province defines streams which causes frustration regarding ditches. Rather than another report, an expert could come and look at the 3 questionable ditches.
 - Consultant Maloney responded that the topic of reviewing ditches needed to be included in the consultant's list of final recommendations.

- Consultant Horsburgh noted that it was the job of QEPs to determine if a ditch was fish sustaining or not. If it was not, the property owner could be exempt from setbacks.
- Is the Islands Trust aware that the Agricultural Land Reserve (ALR) regulations supersede Riparian Areas regulations, so that an owner could legally completely deforest or level a setback area?
- Sea level rise over 32 years adjacent to the property owner has been about 2 inches, so there is practically no sea level rise within one's lifetime on Hornby.

Consultant Maloney introduced the topic of Housing, providing background information and options for secondary suites, secondary dwellings, and multiunit housing with varying restrictions, while acknowledging concerns regarding the environmental impacts of increased housing density.

The following questions and points were noted:

- You cannot ask someone to take on the risk of entering into a *Residential Tenancy Act* agreement based on a Temporary Use Permit (TUP). The Land Use Bylaw should be changed to allow stand-alone secondary dwellings with approved septic and water since most people would prefer a separate dwelling rather than to be within an existing residence.
- I would like to see the special resolutions on second dwellings end as it is supposed to on December 31, 2023; and anyone who has a secondary dwelling being used illegally be required to get a special use permit so that the community could see who is out there doing this. All options for increasing year-round housing should be looked at.
- Proposals for affordable housing with rental agreements on Public Use zoned land should be fast-streamed. Two years is too long to get through the Islands Trust.
- What is the future process to continue the conversation on housing issues?
 - Consultant Maloney responded that draft recommendations based on the current meeting's feedback would be forwarded to the Local Trust Committee (LTC) and then presented to the community in the new year for discussion.
- Multi-unit housing, while very much needed for seniors, is also needed for other groups.
- 20 out of 24 places this resident has rented over the last 31 years have been illegal; an elder housing project for multi generations should be developed; and, composting and rainwater collections should be moved forward.
 - Consultant Maloney asked if coop housing had been considered for Hornby Island.
 - A person in chat agreed that more coop housing should be considered.
- Fast-tracking of zoning and batching of future permits needs to be considered to prevent people losing their housing and ending up on the beach or in the woods.
 - Consultant Maloney asked if a housing agreement restricting rent to 30% of a renter's income had been considered.
 - A resident responded that a housing agreement would need to be community driven.
- Can the consultants be engaged outside of this forum?
 - Consultant Maloney acknowledged the sensitive nature of the housing issues and offered that an email address would be provided at the end of the meeting for further comments which would be shared with the Islands Trust.
- It is unfortunate that long-term rentals are not currently being addressed by bylaw enforcement.
- Besides water and septic, the habitability of the living area (free from mold, not in a garage) should be addressed.

- In Whistler, over the last 30 years, every new home had to provide a rental suite for an employee. This incredibly successful program could be implemented on Hornby.
- Banks will not lend money to property owners for secondary suites or dwellings based on short term permits.
- Long-term rentals regulations outside of their connection to short-term vacation rentals was not part of the APC's referral. On Page 4 number 6 of the APC recommendations, reference to long-term rentals has been made, but is being misunderstood in this meeting context.

Consultant Maloney introduced the topic of short-term vacation rentals (STVRs), noting that the topic was controversial everywhere; that there was no proof that restricting STVRs would increase long-term housing because feedback from owners indicates that many of them use their residences for part of the year and thus could not manage a long-term renter; that the Bylaw Enforcement Officer has indicated that Temporary Use Permits (TUPs) do seem to be a way of managing STVRs on the Islands; that STVRs on Hornby may be legal or illegal and may have legal non-conforming status; that bylaws cannot control numbers of people, only numbers of bedrooms; that rentals of 30 days are not illegal anywhere and are considered a long-term rental; that bylaw enforcement cannot proceed based on whether the homeowner lives off-island or on-island; that there are concerns that STVRs are increasing housing values beyond affordability and that septic and water issues are of concern to many Hornby residents.

The following questions and points were noted:

- How do we align the present discussion with recent APC recommendations and members of the community who are not at this meeting?
 - Chair Fast noted that the project was long term and there were opportunities to be involved by writing or participating in future meetings, or by viewing the recording of this meeting and providing feedback.
 - Consultant Maloney noted that the virtual meeting was inclusive in allowing presently off-island residents to participate. A consultant's email address would be provided at the end of the meeting for further feedback.
- Hornby Island decided as a community back in the 1980s that they wanted low key tourism that allowed visitors to stay in residential areas rather than resorts or motels/hotels. In contrast to destinations such as Ucluelet and Whistler that have a hotel alternative and lobby that seeks to limit STVRs, Hornby needs a made-on Hornby approach. Many members of the Hornby Island Short Term Rental Association (HISTRA) are long-term community members that take a responsible approach to sharing their homes. The Co-op store could never be afforded without the existence of STVRs, and visitors contribute to the general enrichment of the island.
 - Consultant Maloney confirmed that they had reviewed the recent APC referral recommendations, the HISTRA counter proposals, and all the extra (approximately 30) letters responding to the referral issues as recorded by the Islands Trust.
- Hornby Water Stewardship does not consider water usage by STVRs a problem, so why consider requiring rainwater collection?
 - Consultant Maloney responded that it would be necessary to address that some residents do consider summer tourist water use to be a problem.
- If a use is granted legal non-conforming status, if that use is stopped for more than 6 months, the status can be lost; does this also apply to vacation rentals?

- Consultant Maloney responded that Bylaw Enforcement has indicated that since STVRs are seasonal, that a longer time frame such as 2 to 3 years would be used to determine cessation of STVR activity.
- Two people have dominated most of the evenings question and answer period and their opinions are not necessarily those of the whole island.
- Many people on the island have problems with well water in the summer, it is a huge issue, and residence self-sufficiency in water should be a high priority.
- A Hornby solution should involve a combination of regulating STVRs and promoting affordable housing with bylaws. Workers in the Health and Human Services sector such as Home Support workers, Educational Assistants, Youth Outreach workers, many of them women, need places to live. Property owners should be able to build or buy a small secondary stand-alone dwelling which should be prevented from becoming an STVR.
 - Consultant Maloney noted that a Housing Agreement could accomplish this.
 - Trustee Scott noted that Housing Agreements need defining and could be an interesting approach.
- There are multiple categories of rentals on Hornby Island.
 - Consultant Maloney noted that bylaws can only be enforced based on usage and number of rooms. Having a person living in your house as a boarder is not illegal.
 - Planner Zupanec added that it is only when you have a separate sleeping and kitchen facility that the rental may be considered illegal.
 - Planner Zupanec clarified that Local Trust Committees have the capability of allowing a second dwelling for year-round rentals through a zoning requirement and so would not necessarily need a Housing Agreement.
- Water capture and adequate septic capacity should apply to all residents, not just STVRs. TUPs and goalpost changing make long-term investments and plans more difficult. STVR owners should educate visitors on water conservation.

Consultant Maloney noted that a review and summary of the meeting comments would be prepared in October, a draft set of recommendations on all four topics would be prepared in November for review by the LTC in January 2023, after which another round of public engagement could occur in February or March, preferably virtual but possibly split between a virtual and an in-person format, before a final set of recommendations would be drafted before the end of the March contract ending. She provided an email address for further feedback.

Trustee Scott expressed that hopefully fibre optic would be ready on Hornby in the new year to provide for a virtual and in-person meeting.

4. ADJOURNMENT

By general consent the meeting was adjourned at 8:36 pm.

Sue Ellen Fast, Chair

Certified Correct:

Katherine Vogt, Recorder

Resolutions Without Meetings Log

Hornby Island

Resolution Number	Action	Date
<p>2023-001</p> <p>Opt out of Comment for Application HO-LCB-2021.1</p> <p>"That the Hornby Island Local Trust Committee request staff to inform the Liquor and Cannabis Regulation Branch that the Local Trust Committee is opting out of the comment and public input process for application HO-LCB-2021.1 Fossil Beach Farm (Zamluk & Fearman), a lounge area endorsement."</p>	Carried	12-Jan-2023
<p>2022-007</p> <p>Change January 20 meeting to Electronic Meeting</p> <p>"That the Hornby Island Local Trust Committee change the Regular Business Meeting to be held on Friday, January 20, 2023 to an Electronic Meeting."</p>	Carried	23-Dec-2022
<p>2022-006</p> <p>Adopt 1st LTC meeting date for 2023</p> <p>"THAT the Hornby Island Local Trust Committee schedule its first regular business meeting in 2023 at 11:30 AM on Friday, January 20, at Room to Grow, 2100 Sollans Road, Hornby Island, BC".</p>	Carried	16-Dec-2022
<p>2022-005</p> <p>Adopt Minutes of RM September 9, 2022</p> <p>"THAT the Hornby Island Local Trust Committee adopt the minutes of its Regular Business Meeting of September 9, 2022, as attached."</p>	Carried	05-Oct-2022
<p>2022-004</p> <p>Cancel November 25, 2022 LTC MTG and reschedule in the New Year.</p> <p>'That the Hornby Island Local Trust Committee cancel the November 25, 2022 Local Trust Committee Meeting and reschedule the meeting in the new year, given that it is an election year.'</p>	Carried	13-Sep-2022

Resolutions Without Meetings Log

Hornby Island

Resolution Number	Action	Date
<p>2022-003</p> <p>Remove Hornby from Pesticide Use Permit Application</p> <p>"That Hornby Island Local Trust Committee requests that Hornby Island be excluded from the permit application with respect to Pesticide Use Permit Application Number SPAR-PUP_VI_2022-25."</p>	<p>Carried</p>	<p>21-Mar-2022</p>
<p>2022-002</p> <p>Adopt Bylaw No. 170</p> <p>"Hornby Island Local Trust Committee Bylaw No. 170, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2022", be adopted."</p>	<p>Carried</p>	<p>04-Feb-2022</p>
<p>2022-001</p> <p>Hold Electronic Special Meeting January 27, 2022</p> <p>"That Hornby island Local Trust Committee hold an electronic Special meeting for the consideration of a new Meeting Procedure bylaw prior to January 27, 2022".</p>	<p>Carried</p>	<p>21-Jan-2022</p>

Follow Up Action Report

Hornby Island

10-Jun-2022

Activity	Responsibility	Dates	Status
<p>1 Hornby Island Local Trust Committee Bylaw No. 168, cited as "Hornby Island Local Trust Committee Siting and Use Permit Bylaw No 168, 2021", be adopted.</p>	Becky McErlean		Completed
<p>2 the Hornby Island Local Trust Committee Bylaw No.169, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2022", be adopted.</p>	Becky McErlean		Completed
<p>3 That, per Local Government Act Section 512(2), the Hornby Island Local Trust Committee exempt the "Proposed Lot 1" in the proposed subdivision layout plan for HO-SUB-2022.2 from meeting Hornby Island Land Use Bylaw regulation 6.6(1), the minimum 10% lot frontage on a highway requirement.</p>	Teresa Mahikwa		Completed
<p>4 That the Hornby Island Local Trust Committee has determined that it is reasonably necessary that the applicant of HO-DVP-2022.3 (Wyndham) provide, as required by Section 2.7(1) of the Hornby Island Land Use Bylaw No. 150, a plan, a plan signed by a B.C. Land Surveyor, showing the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot and zone boundaries, watercourses, wells and the sea, and in relation to other buildings on the lot</p>	Stephen Baugh		Completed

Follow Up Action Report

Hornby Island

10-Jun-2022

Activity	Responsibility	Dates	Status
<p>5 Amend the OCP amendments review project draft project charter to include an in-person consultant-led workshop in Sept. and a second one TBD</p> <p>Updated: first workshop to be electronic per September 9, 2022 resolution. <i>Held Oct 6/22 @ 6:30pm.</i></p> <p><i>2nd workshop TBD.</i></p>	<p>Sonja Zupanec Wil Cottingham</p>		<p>In Progress</p>
<p>6 The LTC Endorsed the Official Community Plan amendments review Project Charter, v. 1.0 as amended</p>	<p>Heather Kauer</p>		<p>Completed</p>
<p>7 the Hornby Island Local Trust Committee add the following to the Projects List:</p> <p>a. Review of development that may impact within the steep slope and sensitive Gary Oak ecosystems between Central and Houston Roads; and</p> <p>b. A review of the aquifer classification system as described in the email letter from Sadie Chezenko dated December 19, 2021</p>	<p>Heather Kauer</p>		<p>Completed</p>
<p>8 Staff to draft a business case for Phase 2 of the Official Community Plan amendments review project for the next meeting</p>	<p>Heather Kauer</p>		<p>Completed</p>

Follow Up Action Report

Hornby Island

10-Jun-2022

Activity	Responsibility	Dates	Status
9 The September 9th LTC meeting to be advertised as Room to Grow 'or via Zoom.' <i>Updated on website.</i>	Becky McErlean Heather Kauer Wil Cottingham		Completed

09-Sep-2022

Activity	Responsibility	Dates	Status
1 - Condition 3e of HO-TUP-2022.1 be amended to read 20(twenty) instead of 40 (forty) - That the Hornby Island Local Trust Committee approve issuance of Temporary Use Permit HO-TUP-2022.1, as amended, for a seasonal juice bar and outdoor seasonal vendor tables for a period of three (3) years from the date of issuance to September 30, 2025.	Anthony Fotino Becky McErlean Penny Hawley		Completed
2 That the Hornby Island Local Trust Committee approve issuance of HO-DVP-2022.2	Becky McErlean Penny Hawley Stephen Baugh		Completed
3 That the Hornby Island Local Trust Committee approve issuance of HO-DVP-2022.3	Becky McErlean Penny Hawley Stephen Baugh		Completed
4 That the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2022.3	Anthony Fotino Becky McErlean Penny Hawley		Completed

Follow Up Action Report

Hornby Island

09-Sep-2022

Activity	Responsibility	Dates	Status
<p>5 That the Hornby Island Local Trust Committee adopt the Islands Trust Model Strategy for Antenna Systems (and add it to the standing resolutions)</p>	<p>Becky McErlean Penny Hawley Wil Cottingham</p>		<p>Completed</p>
<p>6 The LTC amended the proposed Top Priorities List by adding the following project:</p> <ul style="list-style-type: none"> - Four Corners Neighbourhood Plan (OCP) <p>The LTC amended the proposed Projects List as follows:</p> <ul style="list-style-type: none"> - Ford's Cove Consultation replaced with: Ford's Cove Neighbourhood and Transportation Plan (OCP Project) - Add a project amending the LUB to allow the keeping of chickens in all zones - Move watershed project to projects list with a note that explains that it has been absorbed into bigger projects - Marine protection to remain on the project list <p>That the Hornby Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List', as amended, as presented on September 9, 2022 for further consideration by the incoming Local Trust Committee</p>			<p>Completed</p>

Follow Up Action Report

Hornby Island

09-Sep-2022

Activity	Responsibility	Dates	Status
<p>7 That the Hornby Island Local Trust Committee request staff revise the business case for the OCP Amendment Review Project consistent with the amended project charter.</p> <p>That the Hornby Island Local Trust Committee endorse the revised business case for the Hornby Island Official Community Plan Amendment Review Project and forward to the Financial Planning Committee for consideration in the 2023/24 budget</p>			Completed



BYLAW REFERRAL FORM

Island: Denman Island Local Trust Area Bylaw Nos.: 228 and 229 Date: January 6, 2023

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 January 6, 2023. 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:

Amendments to the OCP and LUB are part of the Denman Island Farming Regulations Review Project to formally protect Denman Island's land base for agriculture.

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 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.

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 northinfo@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.

Marlis McCargar

(Signature)

Marlis McCargar

Name: _____
Title **Island Planner**

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Agriculture and Food
Agricultural Land Commission

Non-Agency Referrals

Denman Advisory Planning Commission
Denman Growers and Producers Alliance

Regional Agencies

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

Adjacent Local Trust Committees and Municipalities

Hornby Local Trust Committee

First Nations

- K'ómoks First Nation
- Cowichan Tribes
- Hul'qumi'num Treaty Group
- Ts'uu baa-asatx First Nation (Lake Cowichan)
- Lyackson First Nation
- Penelakut Tribe
- Halalt First Nation
- Snuneymuxw First Nation
- Stz'uminus First Nation
- Qualicum First Nation
- Snaw'Naw'As First Nation
- Nanwakolas Council
- We Wai Kai Nation
- Wei Wai Kum Nation
- Homalco First Nation (Xwemalhkwu)
- 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)

**Hornby Island Local Trust Committee
(Local Trust Committee)**

**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)



DATE OF MEETING: January 20, 2023

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Office

SUBJECT: Status update on OCP/LUB Review Project

RECOMMENDATION

1. That the Hornby Island Local Trust Committee request staff to work with the consultant to schedule and advertise a second electronic Community Information Meeting prior to February 28, 2023, to solicit public input on options to regulate Short Term Vacation Rentals.
2. That the Hornby Island Local Trust Committee request the members of the Advisory Planning Commission to meet with the project consultant by March 15, 2023 to review consultant recommendations on the OCP/LUB Review project and provide input on priority amendments to the OCP and LUB for LTC consideration.
3. That a summary report be prepared by the consultant and submitted to planning staff by March 30, 2023 to clearly identify specific policy and regulatory changes recommended to advance improvements to the Official Community Plan and Land Use Bylaw in the four topic areas included in the OCP/LUB review project.
4. That the Hornby Island Local Trust Committee request staff to prepare an update to the Hornby Island Official Community Plan and Land Use Bylaw Amendment Project Charter v. 2.0, dated September 9, 2022 to reflect the revised timeline and deliverables of the project.

REPORT SUMMARY

The purpose of this report is to provide the Hornby Island Local Trust Committee (LTC) with a summary of work completed to date under contract for the Official Community Plan (OCP) and Land Use Bylaw (LUB) review project. Staff are seeking direction from the LTC on amendments to the project workplan in order to advance deliverables of the project prior to the end under the existing contract in March 2023.

BACKGROUND

The following resolutions related to this active LTC project were passed by the LTC in 2022:

HO-LTC-2022-055

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the amended Hornby Island Official Community Plan amendment review Project Charter, including requesting \$15,000 for consultants to draft bylaws.

CARRIED

A planning consultant (Patricia Maloney) was retained under contract to undertake public engagement and draft bylaw language for the LTC in the 2022/2023 fiscal year.

HO-LTC-2022-057

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the revised business case for the Hornby Island Official Community Plan Amendment Review Project and forward to the Financial Planning Committee for consideration in the 2023/2024 budget. **CARRIED**

The business plan to complete the OCP/LUB review project was forwarded to the Financial Planning Committee and will be considered by Trust Council for approval in March 2023. If approved, funds will be available to complete the OCP/LUB review project in the next fiscal.

HO-LTC-2022-058

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee requests that the first consultation workshop be a Zoom meeting to be held in the evening before October 15, 2022. **CARRIED**

A public electronic community information meeting was held on October 6, 2022 covering all four topic areas of the OCP/LUB review. A second consultation session has not yet been scheduled pending LTC review of work done to date and direction on next steps.

Analysis:

The following are workplan deliverables of the Project Charter (Attachment 2). Staff have annotated the status of each deliverable:

Workplan Overview		
Deliverable/Milestone	Date	Status as of January 12, 2023
Project Charter Endorsed	June, 2022	COMPLETED and revised September 2023 (Version 2)
Execute Consultant Contract	August, 2022	COMPLETED
First Community Workshop	October, 2022	COMPLETED
Second Community Workshop	Winter, 2022/23	PENDING – part of contract deliverables to March 31, 2023
Consultant Report on Workshops and Recommendations for Bylaws	Spring, 2023	PENDING – part of contract deliverables to March 31, 2023
1 st Reading of bylaws and referral	Spring, 2023	PENDING – next fiscal
2nd Reading of bylaws and schedule CIM and Public Hearing	Summer, 2023	PENDING – next fiscal
CIM/Public Hearing	Fall, 2023	PENDING – next fiscal
3 rd Reading and forward to EC and Ministry	Winter, 2023/24	PENDING – next fiscal
Adoption	Spring, 2024	PENDING – next fiscal

The consultant has prepared a memorandum (Attachment 1) which outlines the work that has been completed to date and suggests alternatives to the project charter workplan and contract deliverables due to the contract budget being exceeded. The first consultation event which took place in October was not seen as successful by organizers or participants and as such it is recommended by the consultant and staff that revised approach to the project be considered at this time.

Staff concur with the following consultant’s recommendations:

1. Consultant to facilitate a second electronic engagement session focusing specifically on the topic of short term vacation rentals as this topic requires additional engagement to determine possible next steps in amendments to the OCP or LUB.
2. Consultant to schedule and facilitate a meeting with the Advisory Planning Commission (APC) members to review the engagement responses and policy/regulatory options prepared to date and prioritize recommendations to the LTC for consideration of next steps.

Rationale for Recommendation:

Due to the timing of elections, LTC meeting schedules and the volume of public correspondence that the consultant has been responding to as part of the first engagement session, contract deliverables are unlikely to be achieved by the end of this fiscal. Staff recommend the focus in the project for the remainder of this fiscal be adjusted as per the recommendations on page 1 of this report.

ALTERNATIVES

If the LTC wishes to re-visit the project deliverables and engagement topics or methodology, the project contract should be terminated. The termination clause in the contract stipulates that Islands Trust will be required to pay for any services received to the date of notice. A resolution of the LTC would be required to formally cease work on this project. Suggested wording for a resolution is: *“That the Hornby Island Local Trust Committee give notice of termination of the Service Contract with Patricia Maloney effective January 20, 2023.”*

NEXT STEPS

Staff can support the consultant to advertise a community information meeting specific to the topic of short term vacation rentals prior to the end of February. Staff will also assist in coordinating a meeting with members of the APC by March 15 and review consultant recommendations for presentation to the LTC by planning staff in the next fiscal.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	January 12, 2023
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ATTACHMENTS

1. Memo from consultant Patricia Maloney, January 2023
2. Endorsed Project Charter v. 2.0 2022

Patricia A. Maloney, RPP, FCIP

3440 Hammond Bay Road,
Nanaimo, BC, V9T 1E6
250.585.6831 | 403.819.8196 | pattheplanner54@gmail.com

MEMORANDUM

Date: January 4, 2023
To: Rene Jamurat, Regional Planning Manager
CC: Sonja Zupanec, Sharon Horsburgh
Subject: Update and Recommendations for Hornby Island OCP Amendments

Following the October 6, 2022 virtual engagement session, I prepared a memo, submitted to Sonja Zupanec as Acting Regional Planning Manager, with our assessment of the four topics we were hired to review. The four topics were: Affordable Housing, Short-Term Vacation Rentals (STVR), First Nations and Riparian Areas (as per RFP-2023.006). It was determined by staff (direction from Heather Kauer) that the four topics would be presented in the same two-hour virtual meeting. We (the consultant) prepared the power point presentation, facilitated the engagement and prepared the summary memo.

The four topic areas are inter-related and it became evident during the two hour evening engagement session that it was not sufficient time to address the participant's concerns. Much time was spent on discussing STVR's as it is the most contentious issue which was exacerbated by mis-information and confusion amongst the public with regards to the land use regulations and issues associated with STVR and tourism generally.

Based on the consultant's review of the two previous creek studies, our review of provided reports and correspondence about the STVR issue, we have also prepared two recommendations for additional study and work to be completed:

1. Update the Riparian Area study (to consolidate the existing two studies, provide clarification on ditches and establish an island wide base map) to be completed by a qualified professional; and
2. Complete a full inventory of existing STVR and clearly identify those that are appropriately zoned and those that are not and determine a process for either enforcing non-compliant STVR's either through applying appropriate zoning or issuing Temporary Use Permits.

After the engagement session the consultant received dozens of follow up emails that required review and response. This was not in the original scope of work and took significant time to address. In addition, the Local Trustee contacted the consultant directly. Any suggestions or direction from the Trustee was provided to staff and not directly acted upon by the consultant.

Due to additional work and research completed by the consultant, the budget is currently 57.5% spent, leaving \$5,725 remaining to complete this project.

After meeting with Sonja Zupanec and discussing the project, we have the following recommendations for future work:

1. Meet with the Advisory Planning Committee (APC) to review our draft recommendations (based on the October 24th memo);

Patricia A. Maloney, RPP, FCIP

3440 Hammond Bay Road,
Nanaimo, BC, V9T 1E6
250.585.6831 | 403.819.8196 | pattheplanner54@gmail.com

2. Facilitate a meeting between the Local Trust Committee (LTC) and the Komoks First Nation (KFN) (Patricia Maloney is currently working with the Nation and could be a third-party facilitator);
3. Complete an additional virtual engagement session to address **only** the Short Term Vacation Rentals (virtual will allow the non resident property owners to participate); and
4. Prepare and present final draft recommendations to the LTC.

The remaining budget would be sufficient to complete the first task (including preparation and presentation to the APC assuming a 2 hour meeting), and one more virtual engagement about Short Term Vacation Rentals (including prep and presentation and preparation of a summary of the meeting).

Consolidating all of the data, engagement and recommendations for a final LTC presentation and the Komoks facilitation would not be covered in the current budget due to the extra time spent on the responses to the community after the first engagement session.

We also have recommendations for the virtual engagement session. The October 6th session demonstrated that the conversation was dominated by several individuals. We propose to make a strong presentation, ensuring that the Hornby Island Short Term Rental Association's previous reports and recommendations have been heard, explain the legal aspects, address the options more clearly and ensure that individuals have a clear understanding of how to make comments in the chat that do not go to the whole group and will not be read aloud and how to limit the input from the HISTRA members to allow other people to speak. It's a delicate balance.

We believe that the Riparian Area issues primarily relate to the residents not wanting to follow or recognize the provincial authority. There is very little to recommend other than updating the Development Permit Area Regulations to be consistent with the Provinces Riparian Area Protection Regulations and enforcement.

Affordable housing is another topic that all jurisdictions struggle with. Hornby has a Housing Needs Study and an MCP thesis by a Vancouver Island University student and Hornby resident that addresses options for housing. It faces the same challenges as STVR – water and density.

We would be very happy to meet with you to discuss this project and our next steps. I will be attending (to listen) the LTC meeting on January 20th when Sonja presents the project update to the Trustees.

Hornby OCP Amendments Review Project - Charter v 2.0

Hornby Island Local Trust Committee

Endorsement Date: Sept. 9, 2022

Purpose: To review and update the Hornby Official Community Plan (OCP) and Land Use Bylaw (LUB) regulations with regards to housing, short term vacation rentals, First Nations acknowledgments, and riparian areas.

Background: The LTC identified a “Comprehensive OCP/LUB Review” as a top priority project and requested the Hornby Island Advisory Planning Commission to provide recommendations for OCP and LUB amendments related to four specific topics. The APC spent much of 2021 and early 2022 meeting and providing recommendations regarding amendments.

Objectives

- Amend the Hornby Island OCP and LUB by incorporating recommendations of the Hornby Island Advisory Planning Commission and public feedback on these recommendations

In Scope

- OCP and LUB amendments regarding:
 - Housing
 - STVRs
 - RAPR
 - First Nations
- Community Engagement + Leg. Process

Out of Scope

- Topics beyond the four identified as in-scope;
- Public engagement beyond legislative requirements and community workshops

Deliverables

- One OCP Amendment Bylaw
- One LUB Amendment Bylaw

Workplan Overview

Deliverable/Milestone	Date
Project Charter Endorsed	June, 2022
Execute Consultant Contract	August, 2022
First Community Workshop	October, 2022
Second Community Workshop	Winter, 2022/23
Consultant Report on Workshops and Recommendations for Bylaws	Spring, 2023
1 st Reading of bylaws and referral	Spring, 2023
2nd Reading of bylaws and schedule CIM and Public Hearing	Summer, 2023
CIM/Public Hearing	Fall, 2023
3 rd Reading and forward to EC and Ministry	Winter, 2023/24
Adoption	Spring, 2024

Project Team

<i>Island Planner</i>	Project Manager
<i>Consultant</i>	Workshop facilitation and drafting of bylaws
<i>Legislative Clerk</i>	Legislative Process / Bylaw Review
<i>Administrative Office Assistant</i>	Website postings; meeting notices
RPM Approval: <i>Heather Kauer, RPM</i> Date: September 9, 2022	LTC Endorsement: Resolution #: 10-Jun-22; 9-Sept-22

Budget

Budget Sources: TC Line Item Budget allocation		
Fiscal	Item	Cost
2022/23	Consultant Contract	\$13,450
2022/23	Workshop Venue Rental / advertising	\$850
2022/23	Minute-Taker	\$600
2023/24	Consultant Contract	\$13,200
2023/24	CIM/Public Hearing	\$1,800
	Total	\$16,700

Dec. 1, 2022

Hornby Island Local Trust Committee
c/o Alex Allen

Siting of Water Cisterns

Hello Alex,

I understand that there is currently a bylaw review process taking place and as such would like the subject of this letter to be taken into consideration during this process.

This letter is in regard to setback requirements for water cisterns. As a purveyor of water cisterns on Hornby Island, I often come across situations where clients have limited space to locate an above ground water cistern. Often the only area available on small lots is close to the property line. The interpretation in the bylaws creates a severe constraint for many property owners who want to supplement their well, which, for some properties, go dry at the end of the summer. Or, being conscientious, they do not want to contribute to depletion of the local water table and choose to collect rainwater.

The wording in the bylaws as to the definition of structure is vague. I have been told in the past when I discussed this with the Trust planner that in the definition below, the word "tanks" refers to septic tanks. That may be, but if that is the case, I would think that it would be worded: "storage of building materials, septic fields and tanks, etc." In the wording and punctuation below; "tanks" is stand alone, as is "building materials" in the same sentence. This would indicate to me, that it is not referring to septic tanks, but to tanks, in general.

In the bylaw, structure is defined as:

structure means any object or construction fixed to, supported by or embedded in land, including retaining walls and stairs and excludes loose stones and concrete, other paved surfaces, storage of building materials, septic fields, tanks, absorption fields and related appurtenances.

Below is the definition of pump house, which is excluded from setback requirements:

pump/utility house means a building or structure with a maximum floor area of 4.0 m² having the sole purpose of enclosing pumping equipment, valves, pipes and filtration equipment associated with a source of water, electrical power or communication connection devices

If a pump house can be located within the setback, why then not a water cistern?

Also, if a cistern is regarded as a structure, then a water cistern that contains a submersible pump, (which many do), then such a cistern can be interpreted as a structure with the “purpose of enclosing pumping equipment, etc.”

It seems to me, based on this that, cistern definition is subject to a double standard and at the least, the wording of the bylaw is vague and problematic for homeowners wanting to be water secure.

In the past year, I have had a client who was told by their architect that the bylaw interpretation allows for cisterns to be placed within the setback and then the client was faced with possible legal action from the neighbor if they were to place their tank within the setback zone. At the present time, I have a client who has been told by their neighbor that they would be reported to the bylaw enforcement officer for intrusion into the setback zone with their cistern. Perhaps, if this particular matter comes to your attention, decision can be postponed until such time as there is more clarity in the bylaw.

I would like to see, preferably, that water cisterns are not included in the definition of structure for setback requirements, or at least, that the vague wording be made more explicit so as to avoid confusion.

If there are aesthetic concerns with placing a tank next to a property line, then perhaps there could be a requirement to screen said tank, such as a board and batten wall surface on the side facing the neighbor mimicking a “pump house structure”, or a trellis colonized by vegetation.

As water security and conservation is of primary importance on Hornby Island, I think it important that the bylaws be written in such a way to facilitate the use of cisterns or at the very least, to remove confusion.

I appreciate your attention to this matter.

Sincerely,
Ed Hoepner
Aquarian Systems Inc.
5005 Arthurs Rd.
Hornby Island, B.C.

File No.: 3026-10 (LTC General – Meeting Logistics)

DATE OF MEETING: January 20, 2023
 TO: Hornby Island Local Trust Committee
 FROM: Sonja Zupanec, RPP, MCIP
 Northern Team
 SUBJECT: 2023 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. That the Hornby Island Local Trust Committee schedule its regular business meetings on the following dates in 2023: March 24, May 5, June 16, September 8 and November 3.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2023. The LTC adopted the first meeting date January 20, 2023, by Resolution Without Meeting (RWM) and the remaining tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Islands Trust Conservancy, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Meeting details will be advertised in accordance with legislated notification requirements.

The LTC also has the option of designating which of the dates listed above are anticipated to be electronic vs. in-person. This would allow staff to plan further in advance for accommodating the logistics of each meeting. The alternative is that the format of each meeting is chosen at the end of each previous meeting. If the LTC chooses the latter, staff will book venues for the year and anticipate cancelling the bookings if the meetings get changed to electronic-only.

Submitted By:	Sonja Zupanec, RPP, MCIP Island Planner, Northern Team	January 5, 2023
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ATTACHMENT

1. Tentative 2023 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2023 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	-	January 26	January 31**	January 20	January 23	-	-
	February 7	February 23	-	-	-	February 28	-
	-	March 30	March 14	March 24	March 20	-	-
	April 4	-	-	-	-	April 25	April 19
	-	May 11	-	May 5	May 8	-	-
	June 6	June 8	June 20	June 16	-	-	-
	July 25	July 20	-	-	July 26*	July 4	-
	-	-	August 29	-	-	-	-
	-	September 14	-	September 8	-	September 5	-
	October 3	October 26	October 17	-	October 2	-	October 4
	November 14	November 30	November 21	November 3	-	November 7	-
	-	-	-	-	December 11	-	-
Total	6	9	6	6	6	5	2
Start Time -In Person	12:30 pm	10:30 am	10:30 am	11:30 am	11:00 am	9:30 am	10:30 am
Location if in person	Denman Activity Centre	Gabriola Arts & Heritage Ctr/ The Haven	<i>John Braithwaite, or Keats Is./ Gambier Is.</i>	Room to Grow	Judith Fisher Centre	Thetis Community Centre	Electronic

*not the usual day of the week

**10am start

Key Dates

Stat Holidays	Jan 2; Feb 20; Apr 7, 10; May 22; Jun 21, Jul 3; Aug 7; Sep 4; Oct 9; Nov 13; Dec 25,26
Trust Council	Mar 7-9, Jun 27-29, Sep 26-28, Dec 5-7
Executive Committee	Jan 11, Feb 13 & 22, Mar 7 & 22, Apr 12, May 3 & 24, Jun 14 & 27, Jul 12, Aug 2 & 23, Sep 13 & 26, Oct 11, Nov 1 & 22, Dec 5 & 20
Financial Planning Committee	Jan 18, Feb 14, May 31, Aug 30, Oct 18, Nov 8
Islands Trust Conservancy	Jan 24, Mar 14, May 30, Jul 18, Oct 3, Nov 21
Trust Programs Committee	Jan 9, Feb 6, Apr 3, May 15, Aug 28, Nov 6
Regional Planning Committee	Jan 17, Feb 1, May 17, Sep 6, Nov 15
AVICC Conference	April 14-17
LGLA Elected Officials	February 15-18
UBCM Conference	Sept. 18-23

DATE OF MEETING: January 20, 2023
 TO: Hornby Island Local Trust Committee
 FROM: Sonja Zupanec, Island Planner
 Northern Team
 COPY: Renee Jamurat, Regional Planning Manager, Northern Office
 SUBJECT: Local Trust Committee Projects and Priorities

RECOMMENDATION

1. That the Hornby Island Local Trust Committee endorse the Active and Future Project List as presented in the January 20, 2023 regular business meeting agenda package (agenda items 14.1 and 14.2).

REPORT SUMMARY

The Local Trust Committee is being asked to review its ‘Work Program’ and provide direction for any changes to the Active and Future Projects. This report provides a summary of active LTC Projects, an overview of the currently identified future projects, and identifies other potential projects the LTC may wish to consider this term.

On-going Project

Project	Summary	Current Status	Comments
Comprehensive OCP Review	Topic areas of focus: First Nations, Short Term Vacation Rentals, Housing, and the Riparian Areas DPA	ONGOING – see status report in LTC Meeting Agenda package Jan. 20, 2023	Update September 9, 2022 That the Hornby Island Local Trust Committee request staff to revise the business case for the OCP Amendment Review Project consistent with the amended project charter. That the Hornby Island Local Trust Committee endorse the revised business case for the Hornby Island Official Community Plan Amendment Review Project and forward to the Financial Planning Committee for consideration in the 2023/24 budget

By Trust Council policy, an LTC can have one active Minor Project at a time, in addition to any Major Projects funded through a business case approved by Trust Council.

Potential Future Projects

The LTC should review the Future Projects List (see January 20, 2023 agenda item 14.2) and remove any initiatives it considers out-of-date or any it no longer supports, or add any new initiatives it may want to consider.

Strategic initiatives: the following are potential projects that have been advanced through the Regional Planning Committee, for LTC consideration:

- a. Affordable Housing: a broader review of housing policies and regulations, including consideration of implementation of Islands Trust housing toolkit recommendations and coordination with [Northern Region Housing Needs Assessment](#).
- b. Coastal Douglas-fir Ecosystem Protection: Regional Planning Committee prepared a [toolkit](#) with options for protecting significant tracts of mature forest.
- c. Cultural Heritage Protection implementation: phase 1 of a project to develop criteria for identification of cultural heritage sites was undertaken last year, however that did not include delivery of mapping. Implementation could include designation of Heritage Conservation Areas, based on existing mapping, designation of shoreline areas or First Nations recommendations.
- d. Shoreline Review: Regional Planning Committee funded a report on shoreline protection last term. Several LTCs initiated projects to review shoreline and marine policies and regulations last term.

Other potential projects: the LTC should consider identifying other potential initiatives or issues, either as an LTC or through a process of community consultation.

Business Cases for Major Projects

Major projects are any LTC projects that are anticipated to require a budget over \$5,000 in any given fiscal year. These projects would be supported by a planner from the Regional Planning Team and are required to have a business case approved by Trust Council. The LTC submitted a business case for the 2023/2024 fiscal for the continuation of the OCP Review Project and funding will be confirmed at the March 2023 Trust Council.

LTCs wishing to undertake a Major Project in the next fiscal (2024/2025) should start developing a business case in the spring of 2023, and finalize and endorse the business case by July 2023 in order to have it reviewed by Regional Planning Committee and by the Financial Planning Committee in October and November 2023 meetings. The Financial Planning Committee's recommendations on the business case would then be considered at the December 2023 Trust Council for inclusion in the budget for the following fiscal year.

Administrative Bylaws

All LTCs have administrative bylaws that govern the LTC's procedures. Recent amendments to the LTC's administrative bylaws include:

- Amendments to the meeting procedures bylaw to permit electronic meetings.
- Adoption of a new Fees Bylaw to implement application fee changes recommended by the Regional Planning Committee.

Pending Administrative Bylaw amendments that the LTC can expect next year include:

1. Amendments to the development procedures bylaw to allow for alternative notification for public hearings.
2. Adoption of a Land Use Permit Delegation Bylaw: this bylaw would delegate the approval of development permits to staff for all DPAs except Form and Character.
3. Amendments to the Freedom of Information Bylaw will be brought to all LTCs by the Director of Legislative Services in 2023.

Applications

Rezoning applications are the most complex and time consuming applications considered by LTCs. The LTC considered one rezoning application in the last term:

HO-RZ-2020.1 (Kramer) – Rezoning from Residential 2 – Large Lot (R2) zone to a site specific zone that would permit the existing uses and density on the lot, including the 50-site campground operation.

There are no active rezoning application currently being processed for the Hornby Local Trust Area. In addition to the rezoning application, last term planning staff processed twenty-seven land use permits (an average of seven per year):

- Development Permits – 12
- Development Variance Permits – 10
- Temporary Use Permits (including renewals) – 5
- Siting & Use Permits – 61
- Subdivisions – 8
- Crown Leases – 1
- LCB – 1
- ALR - 3

Summary reports with the current status of all applications are provided in each agenda package. Staff reports are included in agendas when an LTC decision or direction is required.

Standing Policies and Resolutions

The LTC has, over the years, adopted a number of policies in the form of standing resolutions. These resolutions direct how staff act in certain instances, and can provide guidance to the LTC itself. A report of standing resolutions is included in each Agenda and the LTC should review these policies early in the term and considering rescinding outdated policies.

Rationale for Recommendation

The Work Program identifies active and future LTC projects. At the start of the term, the LTC should consider whether to proceed with the existing active projects and should also identify future priorities. Deliberation on the setting of strategic priorities for the term may best be undertaken by scheduling a special meeting.

ALTERNATIVES

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

1. Schedule a Special Meeting

The LTC may wish to schedule a special meeting to review the Work Program. The resolution can be worded as:

That the Hornby Island Local Trust Committee request staff to schedule a special meeting for the purpose of setting LTC priorities for the new term.

2. Amend the Work Program

The LTC can amend either list. The resolution may be worded as:

That the Hornby Island Local Trust Committee amend the [Active Projects List/Future Projects List] as follows: [indicate amendments].

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner, Northern Office	January 10, 2023
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Hornby Island Local Trust Committee

November 14th, 2022

Re: Proposed 63.0-meter Rogers Communications Radiocommunications Tower
Coordinates: 49.535055, -124.672134
Rogers File: W6420 - Hornby Island

Wireless technology offers many benefits to Canadians. Millions of individuals rely on wireless communications to enhance their personal security and safety, enjoy more frequent contact with family, friends and business associates, and to make more productive use of their personal and professional time. Additionally, cellular coverage improves public safety, with more than 80 percent of all calls to 9-11 now placed through wireless devices.

ROGERS PROPOSAL

In order to provide dependable wireless service for residents and businesses on Hornby Island Rogers Communications is proposing to build a 63.0-meter tall self-support tower on Provincial Crown land on the west side of Central Road on a property that is zoned PU-Public Use. Adjacent land uses include the Hornby Island Fire Rescue property, the CHFR Hornby Community Radio Society property including an existing radiocommunication facility, the Hornby Island Recycling Depot, the Hornby Island Road Maintenance Yard, Joe King Ball Park and other mixed commercial and public service uses. If the subject tower is constructed, Rogers is willing to explore hosting emergency communications equipment from the volunteer fire department in support of public safety thereby enabling co-location and potentially mitigating the future need for another purpose built tower structure in the area. All of the equipment necessary to operate this facility will be housed within a fenced area located at the base of the tower. This location was selected as a result of the compatible land uses in the vicinity as well as the fact that the subject property is centrally located within the area needing Rogers' service improvements.

PUBLIC CONSULTATION

Authority

Although Innovation, Science and Economic Development Canada (ISED) has exclusive jurisdiction over the placement of wireless telecommunications facilities, it requires the carriers to consult with the local land use authority and the general public regarding new installations. The public consultation process is intended to provide an opportunity to have property owner questions addressed while respecting federal jurisdiction over the installation and operations of telecommunications systems.

ISED's Default Public Consultation

ISED has jurisdiction over telecommunications facilities and has set out public and land use authority consultation requirements in the ISED circular, CPC-2-0-03 (CPC) for telecommunication carriers. The CPC requires Rogers to consult with the local land use authority and the general public. Rogers is also required to provide notification packages to property owners within a radius of three times the proposed tower height, measured from the tower base or the outside perimeter of the supporting structure. The required notification radius in this instance is 189.0 meters. Your property falls within this notification radius, and accordingly, Rogers is consulting with you on this tower. This process will provide you with an opportunity to engage in reasonable, relevant, and timely communication regarding this proposal. This notification will also be submitted to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRO), the Islands Trust and ISED as part of our application for land use concurrence.

The public will also be invited to comment on the proposed site in response to a public notice that will be placed in two consecutive issues of *The Islands Grapevine* on November 24th and December 1st, 2022 as well as two consecutive issues of the *Comox Valley Record* on November 23rd and November 30th, 2022. The public will then have 30 days to submit comments and questions to myself on behalf of Rogers.

I will acknowledge receipt of comments and questions received within 14 days and address all relevant and reasonable concerns within 60 days. The commenting member of the public will then have 21 days to reply to the response. A summary of all comments received and our responses will then be submitted to ISED.

Public Information Meeting

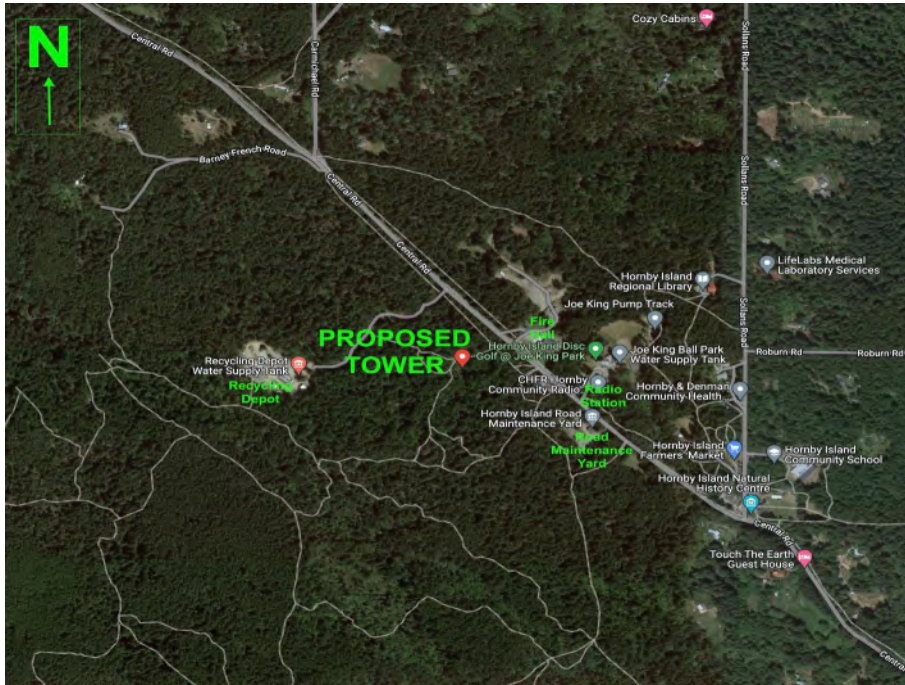
Rogers will host a digital public meeting via the Microsoft Teams application on **December 8th, 2022 from 5:00-6:00 pm**. Please note that during the public meeting there will be two (2) presentations, including a presentation at 5:00 pm and another presentation at 5:30 pm. Each presentation will be followed by a question and answer period. **For details regarding how to join the Microsoft Team meeting, please contact the Rogers contact listed below by no later than December 7th, 2022.**

Site Details

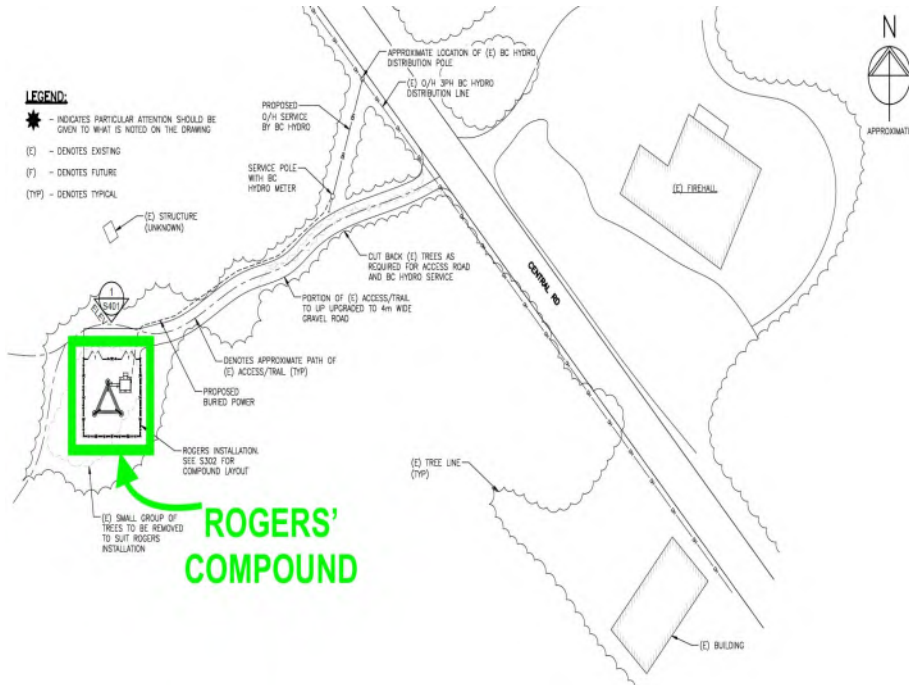
1. *Purpose* - The purpose of the proposed tower is to expand Rogers' wireless coverage on Hornby Island. Currently, there are no suitable existing antenna support structures or other feasible structures that can be utilized and, as a result, a new tower is required. The tower, if constructed, will provide improved wireless connectivity in terms of reliability and speed for those in the vicinity of the facility.
2. *Location and Land Use* - The proposed facility is to be located on Provincial Crown land on the west side of Central Road on a property that is zoned PU-Public Use. Adjacent land uses include the Hornby Island Fire Rescue property, the CHFR Hornby Community Radio Society property including an existing radiocommunication facility, the Hornby Island Recycling Depot, the Hornby Island Road Maintenance Yard, Joe King Ball Park and other mixed commercial and public service uses. If the subject tower is constructed, Rogers is willing to explore hosting emergency communications equipment from the volunteer fire department in support of public safety thereby enabling co-location and potentially mitigating the future need for another purpose-built tower structure in the area. The approximate coordinates of the proposed tower are 49.535055, -124.672134.
3. *Safety Code 6* - ISED requires all wireless carriers to operate in accordance with Health Canada's safety standards. Rogers confirms that the tower described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's *Safety Code 6 including combined effects with the local radio environment*, as may be amended from time to time.
4. *Site Access* - The site will be accessed via Central Road and via a small access driveway into the subject property. Construction will take approximately 60 days. Once complete the site will only be accessed for infrequent maintenance. Rogers' compound will be fully fenced and locked so as to limit public access.
5. *Environment* – Rogers confirms that the installation is excluded from environmental assessment under the *Impact Assessment Act*.
6. *Design* - This proposal is for a 60.0-meter tall self-support tower as well as a 3.0-meter tall lightning rod (63.0 meters of total height including the lightning rod). The tower will house numerous panel antennas and dishes in support of a variety of communication technologies. A preliminary design of the tower profile and compound plan is included in this notification package for your reference.
7. *Transport Canada* - The tower will be marked in accordance with the Department of Transportation and NAV Canada requirements.
8. *Structural Considerations* - Rogers confirms that the antenna structure described in this notification package will apply good engineering practices including structural adequacy during construction.
9. *Land Use Authority* - Rogers will work closely with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRO) and the Islands Trust to apply for land use concurrence and any applicable permits. The Islands Trust does not have an applicable Antenna Siting Protocol for Hornby Island and as such we are applying ISED's Default Public Consultation process in addition to the *Crown Land Use Operational Policy - Communication Sites*.
10. *Co-location* - Rogers will consider all applications for tower sharing and co-location in accordance with ISED protocols.
11. *General Information* - General information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website: http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/h_sf01702e.html.
12. *Contacts:*

<p>Rogers Communications Inc. C/O Brian Gregg, SitePath Consulting Ltd. Land Use Consultant PO Box 20138, Vancouver RPO Fairview, BC V5Z 0C1 Phone: 778-870-1388 Email: brianregg@sitepathconsulting.com</p>	<p>Innovation, Science and Economic Development Canada (ISED) - Vancouver Island District Office 1230 Government Street, Room 430, Victoria BC V8W 3M4 Phone: 250-363-3803 Email: ic.spectrumvictoria-victoriaspectre.ic@canada.ca</p>	<p>Islands Trust C/O Sonja Zupanec Acting Regional Planning Manager (Northern Region) 700 North Road Gabriola Island, B.C. V0R 1X3 Phone: 250-247-2211 Email: szupanec@islandstrust.bc.ca</p>
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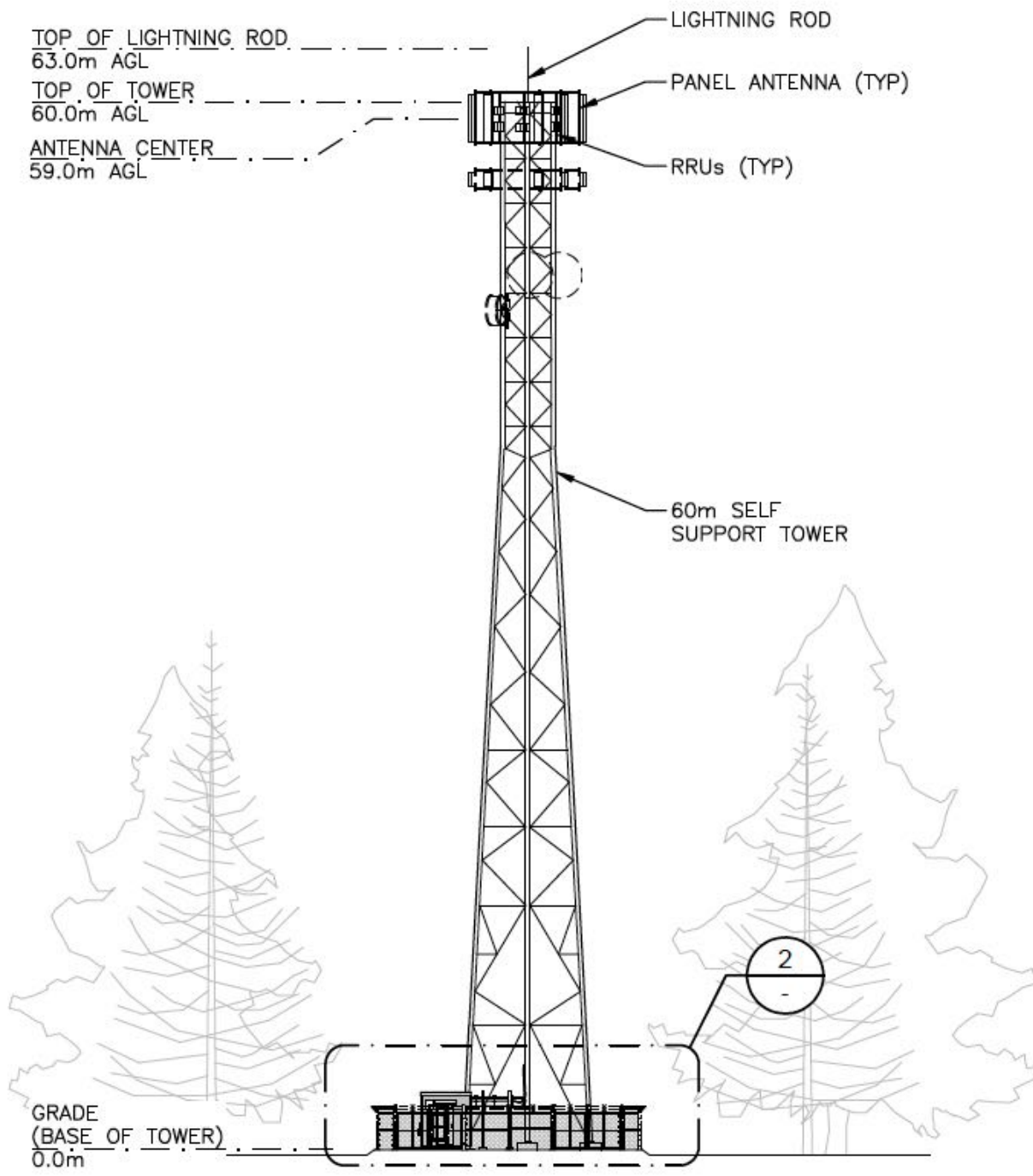
Should you have any specific questions regarding this specific proposal, please feel welcome to inquire with the contact listed herein, or return the enclosed comment sheet to Rogers Communications by **January 13th, 2023**.



Map



Site Plan (for discussion purposes only)



Tower Profile (for discussion purposes only)

□



**Photo Simulation – View Looking West from Central Road
(for discussion purposes only)**

COMMENT SHEET
PROPOSED TELECOMMUNICATIONS TOWER
COORDINATES: 49.535055, -124.672134
ROGERS FILE: W6420 – HORNBY ISLAND

1. Are you a cellular phone or wireless device user?

- Yes
 No

2. Do you feel this is an appropriate location for the proposed facility?

- Yes
 No

Comments

3. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- Yes
 No

Comments

Additional Comments

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes.

Name _____
(Please print clearly)

Mailing Address _____

Email Address _____

Please email to briangregg@sitepathconsulting.com
or mail to PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
ATTENTION: Brian Gregg
by January 13th, 2023.

Thank you for your input.

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>

Sent: Wednesday, January 11, 2023 11:59 AM

To: Sonja Zupanec <szupanec@islandstrust.bc.ca>; Renee Jamurat <rjamurat@islandstrust.bc.ca>

Subject: SSI Tower Protocol

I just wanted to draw attention to the following, as i think it may be appropriate to advance to other LTC's for discussion, and possible adoption or inclusion into their protocols. In particular, for the Northern region, I would like to see this on both the Hornby and Lasqueti agendas as soon as practical.

"FYI In regard to the tower siting protocol, SSI passed a new standing resolution to address FN consultation:

That the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to

First Nations consultation in accordance with the "Strategy for Antenna Systems" in the Local Trust Area:

a. The proponent will consult with the Local Trust Area representative during the pre-consultation

phase to determine proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential and obtain a list of First Nations rights and title holders;

b. The proponent is recommended to undertake consultation during the pre-consultation phase with the Islands Trust and a First Nations cultural knowledge holder for the siting of the proposed

antenna system as it relates to cultural and sacred sites;

c. The proponent will obtain and provide a BC Archaeological Information request response from

the BC Archaeology Branch to confirm proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential including permit requirements under

the Heritage Conservation Act;

d. The proponent will obtain and provide an Archeological Impact Assessment for antenna systems

proposed to be sited on or within 100 metres of a known archaeological site or cultural/sacred site identified by a First Nations cultural knowledge holder; and

e. The proponent will provide written notice – including, if applicable, the Archeological Impact Assessment – sent by regular mail or hand delivered to all First Nations rights and title holders identified during the pre-consultation phase:

Thank you,

Tim



HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY OCTOBER 6, 2022 BOARD MEETING

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- ***This meeting was the last Islands Trust Conservancy (ITC) Board meeting prior to the Islands Trust elections. Up to three new Board members will be elected at the first Trust Council meeting. ITC Board members appointed by the Minister of Municipal Affairs will continue on the ITC Board and are unaffected by local government elections.***
- The ITC Manager provided an update on the local government election, noted ITC staff are preparing orientation materials for incoming trustees.
- The ITC Board continues to have a vacancy for one Ministerial appointment. The posting for the vacancy closed on October 7, 2022 and the ITC Board is awaiting news from the [Crown Agencies and Board Resourcing Office](#) regarding a potential new member.

2. STRATEGIC PLANNING/ADMINISTRATION

- ITC Board considered a proposed budget for the 2023/24 fiscal year. The proposed budget included an approximate 13% increase for ITC a. The increase is comparable to other Islands Trust departments and includes BCGEU tentative agreement salary increases and a business case for capacity funding for First Nations Engagement for development of a five-year ITC Plan (2026-2030). ITC Board approved the draft 2023/24 ITC Budget as presented and directed staff to provide it for inclusion in the Islands Trust draft 2023/24 budget.
- ITC Board received an update regarding the Trust Council meeting, including notice that Trust Council gave first, second and third reading to a revised Natural Area Protection Tax Exemption Program (NAPTEP) Fees Bylaw and Guidelines for Executive Committee sponsorship of NAPTEP application fees. **These guidelines and the revised bylaw will allow the ITC Board and NAPTEP applicants to apply to the Executive Committee for sponsorship (waiver) of NAPTEP fees.**

3. COVENANT AND PROPERTY ACQUISITIONS

- ITC Board approved a covenant over the Sandy Beach Nature Reserves (Keats Island) in favour of TLC The Land Conservancy of British Columbia and the Sunshine Coast Conservation Association.
- ITC Board approved and expansion for the Nighthawk Hill NAPTEP Covenant (North Pender Island), subject to receiving an updated Baseline Documentation Report that is acceptable to staff. Once the covenant is registered, staff will register a revised Natural Area Exemption Certificate on the land title.



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

4. COVENANT AND PROPERTY MANAGEMENT

- ITC Board approved a request for tree planting by the Pender Islands Parks and Recreation Commission in Enchanted Forest Covenant (South Pender Island).

5. COMMUNICATIONS AND OUTREACH

- Trustee Smith will attend the Conference of the Parties (COP) to the UN Convention on Biological Diversity December 7–19, 2022 and will highlight ITC work at COP15.
- A copy of the recent [Covenant Landholder Newsletter Fall 2022](#) was provided to the ITC Board. This is a newsletter for landholders of ITC conservation covenants.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- ITC Board approved an Opportunity Fund Grant award of \$5,400 to the Thetis Island Nature Conservancy for delivery of their Nature Stewards Program on Thetis Island.

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2022.4	Reg Pineiro	06-Apr-2022	PID: 000-157-503 To rebuild deck that is within the natural boundary. Civic address: 5905 Maclean Road, Hornby Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 09-Jan-2023

Site visit

Status Date: 05-Aug-2022

Requested and awaiting additional information from applicant.

Status Date: 20-Apr-2022

Planner reviewing file.

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
HO-LCB-2022.1	Fossil Beach Farm Ltd.	17-Oct-2022	PID: 011-189-037 LCB permanent license for picnic area. 750 Savoie Road, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 12-Jan-2023

LCRB informed of LTC decision to opt-out.

Status Date: 12-Jan-2023

RWM carried, LTC opts-out of comment and public input process.

Status Date: 10-Jan-2023

Resolution sent out via RWM



Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.1	Stead, Sharon & Richard	05-Jan-2021	PID: 002-755-181 Siting second residence to property in the ALR. Civic address: 6555 Central Road, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 25-Oct-2021

File transferred from Planner Cox to Stephen Baugh.

Status Date: 12-Oct-2021

No change in status.

Status Date: 06-Jul-2021

NARU application approved by ALC. Awaiting updated site plan from applicant to issue SUP.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.18	The Board of School Trustees of School District No. 71 (Comox Valley) (MacDonald Hagarty Architects Ltd.)	09-Jul-2021	PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent. Civic address: 2200 Sollans Road, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 11-Jan-2022

File reassigned.

Status Date: 02-Nov-2021

Revised site plan received.

Status Date: 04-Oct-2021

File reassigned.



Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2022.12	Sayer, Gregg	28-Nov-2022	PID: 003-125-815 Demolition of cabin and building new SFD. Civic address: 6620 Anderson Drive, Hornby Island, BC.

Planner: Charly Caproff

Planning Status

Status Date: 19-Dec-2022

Applicant is going to revise plans to move septic field out of setback. Confirming that structure is 100 m from NB of sea and can exceed 7.0 m

Status Date: 15-Dec-2022

KFN notified of property being within 200 m of natural boundary of sea - will send information to application if CHIP required

Status Date: 14-Dec-2022

Building height needs to be reduced from 7.7 m to 7.0 m (property is within 100 m of the natural boundary of the sea) or apply for DVP\nSeptic field is considered a structure on HO, applicant will need to move out of 6.0 m rear lot setback or apply for DVP. \nApplicant contacted.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2022.13	True West Designs Inc.	14-Dec-2022	PID: 018-881-475 Building new SFD. Civic address: 3850 High Salal Drive, Hornby Island, BC.

Planner: Charly Caproff

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2022.7	Dickie, Allan & Bonnie	02-Aug-2022	PID: 000-941-344 Building for community vegetable production. Civic address: 4420 Brigantine Crescent, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date:



Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
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HO-SUP-2022.8 Harris, Kristiina, Peter & Marja 06-Oct-2022 PID: 003-011-194 Building new cabin. Civic address: 5220 DePape Road, Hornby island, BC.

Planner: Charly Caproff

Planning Status

Status Date: 27-Oct-2022

Spoke with applicant - they will be submitting revised plans when possible to conform with HO land use regulations. Informed Komoks of application, plans to be sent when available.

Status Date: 26-Oct-2022

emailed applicant to inquire whether existing cabin will be decommissioned/removed, for floor plans, and to request for a survey because building is within 1.0 m of property line setback. Notified that this app will require review from Komoks FN

File Number	Applicant Name	Date Received	Purpose
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HO-SUP-2022.9 Milum & Eustace, Steve & Catherine 27-Sep-2022 PID: 003-342-158 New house. Civic address: 4990 Porpoise Crescent, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
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HO-SUP-2023.1 Savour Group Ltd. (Woodland Boatworks and Timberframe) 04-Jan-2023 PID: 004-784-448 Building multipurpose accessory building. Civic address: 7250 Central Road, Hornby Island, BC.

Planner: Charly Caproff

Planning Status

Status Date:

Subdivision

File Number	Applicant Name	Date Received	Purpose
HO-SUB-2021.1	Marcus Paterson	17-Mar-2021	PID: 002-657-881 Two lot subdivision. Civic address: 2025 Belcarra Road, Hornby Island, BC.

Planner: Marlis McCargar

Planning Status

Status Date: 05-Jan-2023
Final Confirmation letter sent to MOTI

Status Date: 20-Jul-2022
File reassigned.

Status Date: 29-Jun-2022
No change in status.

Islands Trust

LTC EXP SUMMARY REPORT F2023
Invoices posted to Month ending November 2022

635 Hornby	Invoices posted to Month ending November 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	252.00	0.00	252.00
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,147.00	1,668.85	478.15
65210-635	LTC - Local Exp - APC Meeting Expenses	333.00	265.10	67.90
65220-635	LTC - Local Exp - Communications	250.00	98.00	152.00
65230-635	LTC - Local Exp - Special Projects	276.00	0.00	276.00
TOTAL LTC Local Expense		<u>3,006.00</u>	<u>2,031.95</u>	<u>974.05</u>
Projects				
73001-635-4126	Hornby OCP Amendment Review	<u>15,000.00</u>	<u>3,130.25</u>	<u>11,869.75</u>
TOTAL Project Expenses		<u>15,000.00</u>	<u>3,130.25</u>	<u>11,869.75</u>

Hornby Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2017 UPDATES-below: September 28, 2018 November 6, 2020 October 8, 2021	HO-2017-011 UPDATES-below: HO-2018-070 HO-2020-081 HO-2021-053	Enforcement actions against three specific properties for unlawful dwellings	<p>It was MOVED and SECONDED that the Hornby Island Local Trust Committee adopt the following Standing Resolution:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 housing needs project is complete, whichever is the sooner.
2.	August 3, 2018	HO-2018-044	Processing non-medical cannabis retail license applications	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution with respect to the processing of non-medical cannabis retail license applications:</p> <ul style="list-style-type: none"> • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal.

No.	Meeting Date	Resolution No.	Issue	Policy
				<ul style="list-style-type: none"> • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> ○ Name of the applicant and a description of the proposal in general terms ○ The location of the proposed establishment and the subject site ○ The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the Local Trust Committee.
3.	September 28, 2018	HO-2018-070 See HO-2017-011 above	Enforcement actions against three specific properties for unlawful dwellings	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee extend the effective period of Standing Resolution HO-2017-011 to expire on October 31, 2020 or when the Housing Review Project is complete, whichever is the sooner.</p>
4.	January 25, 2019	HO-2019-007	Notices of intention to apply for a federal cannabis license	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution:</p> <p>“That the Hornby Island Local Trust Committee request that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.”</p>

No.	Meeting Date	Resolution No.	Issue	Policy
5.	May 24, 2019	HO-2019-038	First Nations Relationship Building	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia’s Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ol style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations’ cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations’ traditional territories within the Islands Trust Area.
6.	January 24, 2020	HO-2020-013	Bylaw Enforcement to undertake proactive enforcement of non-compliant STVRs	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution:</p> <p>authorize proactive enforcement of the Hornby Island Land Use Bylaw No. 150 regulations for Vacation Home Rentals. Short Term Vacation Rentals that have one or more of the following characteristics, will be subject to proactive enforcement:</p> <ul style="list-style-type: none"> • Non-compliant Short Term Vacation Rentals are advertised on the internet, newspapers or other media. • More than one dwelling on the lot is made available simultaneously for a Short Term Vacation Rental.

No.	Meeting Date	Resolution No.	Issue	Policy
				<ul style="list-style-type: none"> • While the property is rented, additional persons are staying in tents, trailers or recreational vehicles. • There are issues related to health and safety in accordance with the Land Use Bylaw. • There is more than one complaint from the immediate neighborhood (defined as being within 200 meters of the subject property) regarding issues related to the Short Term Vacation Rental, such as noise, parking congestion, more than one guest/party in a week, or too many people. • The residential dwelling being used as a Short Term Vacation Rental does not meet the following criteria for Short Term Vacation Rentals from the Hornby Island Official Community Plan Bylaw No. 149: <ul style="list-style-type: none"> ○ that the owner or tenant of the parcel is ordinarily resident on the property and the vacation home rental use is occurring during the temporary absence of the owner or tenant; or ○ where the owner or residential tenant of the parcel resides seasonally in the dwelling and the vacation home rental use is occurring during the absence of the owner or tenant; or ○ where the owner or residential tenant is residing in another lawful dwelling on the property while the vacation home rental is occurring. • The Short Term Vacation Rental is not managed locally, or was purpose built to be a Short Term Vacation Rental. • A complaint is made by an official of a government regulatory body or the bylaw enforcement officer and it concerns overuse of water, inadequate septic capacity, or too many buildings on the property.
7.	June 26, 2020	HO-2020-055	Standing Resolution regarding Restaurant Expansion during COVID Emergency Response - Staff Report	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution:</p> <p>That the Hornby Island Local Trust Committee has no objection to Liquor and Cannabis Regulation Branch issuance of Temporary Expanded Service Area Authorizations for liquor primary and manufacturer licensees in the Hornby Island Local Trust Area.</p>
8.	November 6, 2020	HO-2020-074	Proactive Enforcement of Year-Around Unlawful Housing	<p>It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution:</p> <p>That enforcement on unlawful permanent dwellings be deferred until such time that the Local Trust Committee can review the critical housing supply issue on Hornby Island or until December 31, 2021.</p>

No.	Meeting Date	Resolution No.	Issue	Policy
9.	November 6, 2020	HO-2020-081 See HO-2017-011 HO-2018-070 above	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee amend the expiration date of Standing Resolution No. HO-2017-011 to December 31, 2021.
10.	October 8, 2021	HO-2021-053 See HO-2017-011 HO-2018-070 and HO-2020-081 above	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED, that Hornby Island Local Trust Committee amend the expiration date of Standing Resolution No. HO-2017-011 to December 31, 2023.
11.	October 8, 2021	HO-2021-054	Enforcement actions on unlawful permanent dwellings – deferral	It was MOVED and SECONDED, that Hornby Island Local Trust Committee adopt the following Standing Resolution: That enforcement on unlawful permanent dwellings be deferred until such time that the Local Trust Committee can review the critical housing supply issue on Hornby Island or until December 31, 2023.
12.	September 9, 2022	HO-2022-053	Model Cell Tower Consultation Process	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the Islands Trust Model Strategy for Antenna Systems.

Top Priorities Report

Hornby Island

1. *Comprehensive OCP Review*

Responsible

Dates

Topic areas of focus: First Nations, Short Term Vacation Rentals, Housing, and the Riparian Areas DPA and that the project include APC recommendations regarding the LUB referenced in the March 26, 2021 LTC meeting agenda package. Update: add consideration of steep slope area regarding heritage portion of central road to ford cove and consideration of wetland categories.

Rec'd: 06-Nov-2020

Future Projects Report

Hornby Island

1. *Public Use Area - including firehall*

Responsible

Date Received

Est timeframe: 3-6 months Resources: 4-6 hours per week Notes: Requested Feb 4, 2003 by LTC. Staff review/report/recommendation required

2. *OCP amendments arising from Hornby Island Advisory Housing Committee Report*

Responsible

Date Received

Est. timeframe: unknown Resources: unknown Notes:

3. *That we work with Trust Fund to do more Gary Oak and ESI studies with the intent of creating more green corridors"*

Responsible

Date Received

4. *Farm policy and regulatory review*

Responsible

Date Received

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.

5. *Administrative*

Responsible

Date Received

6. *Bylaw Enforcement*

Responsible

Date Received



Future Projects Report