

Hornby Island Local Trust Committee Regular Meeting Agenda

Date: March 21, 2025
Time: 11:30 am
Location: Hornby Island Community Hall
Central Road, Hornby Island, BC

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. | TERRITORIAL ACKNOWLEDGEMENT | | |
| 3. | APPROVAL OF AGENDA | | |
| 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. | MINUTES | 12:10 PM - 12:15 PM | |
| | 6.1 | Local Trust Committee Minutes dated January 24, 2025 - for adoption | 3 - 9 |
| | 6.2 | Local Trust Committee Special Meeting Minutes dated February 7, 2025 - for adoption | 10 - 14 |
| | 6.3 | Section 26 Resolutions-without-meeting Report - none | |
| | 6.4 | Advisory Planning Commission Minutes - none | |
| 7. | BUSINESS ARISING FROM MINUTES | 12:15 PM - 12:25 PM | |
| | 7.1 | Follow-up Action List Report dated March 13, 2025 | 15 - 16 |
| 8. | DELEGATIONS - none | | |

9.	APPLICATIONS AND REFERRALS	12:25 PM - 1:05 PM	
9.1	PLTUP20240177 (Moore - 4200 Roburn Rd.) - Staff Report		17 - 45
9.2	PLDVP20240155 (Hornby Coop - 5875 Central Road) - Staff Report		46 - 64
9.3	PLDP20250004 (Hornby Co-op - 5875 Central Road) - Staff Report		65 - 78
	~ BREAK 1:05 PM - 1:35 PM ~		
10.	LOCAL TRUST COMMITTEE PROJECTS	1:35 PM - 3:05 PM	
10.1	Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review - Staff Report		79 - 106
11.	CORRESPONDENCE - none		
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
12.	NEW BUSINESS -none		
13.	STAFF REPORTS	3:05 PM - 3:20 PM	
13.1	Trust Conservancy Highlights of January 21, 2025 Board Meeting		107 - 108
13.2	Applications Report dated March 12, 2025		109 - 116
13.3	Trustee and Local Expense Report dated January, 2025		117 - 117
13.4	Adopted Policies and Standing Resolutions		118 - 122
13.5	Local Trust Committee Webpage		
14.	WORK PROGRAM	3:20 PM - 3:35 PM	
14.1	Active Projects Report dated March 13, 2025		123 - 123
14.2	Future Projects Report dated March 13, 2025		124 - 125
15.	UPCOMING MEETINGS		
15.1	Next Regular Meeting Scheduled for Friday, May 16, 2025 at 11:30 am at Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC		
16.	ADJOURNMENT	3:35 PM - 3:35 PM	



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: January 24, 2025

Location: Hornby Island Community Hall
Central Road, Hornby Island, BC

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

Staff Present: Sonja Zupanec, Island Planner
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 10 members of the public present.

1. CALL TO ORDER

Planner Zupanec stated Chair Peterson will arrive to the meeting late.

Planner Zupanec called the meeting to order at 11:35 a.m.

By general consent Trustee Scott will be Acting Chair.

2. TERRITORIAL ACKNOWLEDGEMENT

Acting Chair Scott acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. REPORTS

4.1 Trustee Reports

Trustee Allen reported the following:

- Attended recent Financial Planning Committee meeting and highlighted discussions on Local Trust Committee budgets, Trustee remuneration, and Executive Committee travel expenses;
- Attended Trust Council in December and noted discussion about code of conduct and decorum in response to tensions amongst meeting attendees;
- Acknowledged recent passing of past Trustee Elspeth Armstrong; and
- Attended one-to-one meeting with new Chief Administrative Officer Rueben Bronee.

Trustee Scott reported the following:

- Welcomed new Chief Administrative Officer Rueben Bronee whom he will be having a meeting with in the coming weeks;
- Attended Trust Council meeting in December; and
- Will be attending Saanich Inlet Protection Society's Let the Herring Live Forum.

4.2 Chair's Report

Chair Peterson provided his report when he arrived at the meeting and noted the following:

- Committee of the Whole is meeting twice per month to advance draft Policy Statement work and will be reviewing the 2022 Governance Report and the Standards of Conduct Policy;
- Financial Planning Committee continues to meet in preparation for the upcoming Trust Council meeting being held in Nanaimo in March; and
- Attended Trust Council meeting in December and highlighted focus on draft budget for the 2025/26 fiscal year, Bowen Island Mayor Andrew Leonard's delegation presentation; and session with representatives of San Juan County.

4.3 Electoral Area Director's Report - None

5. PUBLIC COMMENTS

A speaker inquired about the status of the Housing Needs Assessment.

The Planner noted Islands Trust is undertaking a federation-wide housing needs assessment and the data collected will be compiled into a report which will be made available to the public.

A member of the public asked if the new Chief Administrative Officer has provided any input on how procedures, and conduct, at Trust Council could be improved.

Trustees noted the Official Community Plan and Land Use Bylaw review process has taken several years and they would like the Chief Administrative Officer to be aware of the lengthy timelines, and they believe Trust Council issues are related to decorum and Chair management.

A member of the public spoke to delays in the approval process for the application related to the Co-op development which is affecting surrounding businesses. They referred to a local business owner who is experiencing barriers and hurdles which might affect their ability to operate this summer, resulting in a potential inability to continue to remain open in the future.

The Planner noted the public comments period is intended for open discussion; however, the speaker is not the applicant and the Planner that has been assigned to the file has been in touch with the applicant directly.

An individual stated that Islands Trust takes too long to process bylaws, staff seem to manage the operations, and they would like Islands Trust to be more efficient.

A member of the public referenced a letter submitted on November 26 and indicated they had not yet received a response.

The Planner noted the Local Trust Committee had received the email, which was posted to the project website, and the Trustees have opportunity to address the correspondence during the project discussion portion of the meeting.

6. MINUTES

6.1 Local Trust Committee Minutes dated November 1, 2024 - for adoption

The following amendment to the minutes was presented for consideration:

On page 8 of the minutes, in resolution HO-2024-056, after words “Option No. 2” add “Town Hall during regular business meeting.”

By general consent, the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report dated January 17, 2025

Received for information.

6.3 Advisory Planning Commission Minutes dated November 15, 2024 - for receipt

Received for information.

6.4 Advisory Planning Commission Minutes dated November 29, 2024 - for receipt

Received for information.

Chair Peterson arrived to the meeting at 12:08 p.m. and assumed Chair responsibilities.

The meeting was recessed for a break at 12:08 p.m. and reconvened at 12:19 p.m.

Item 4.2 Chair Report was discussed prior to Item 7.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated January 17, 2025

The Planner provided the following updates:

- K’omoks First Nation provided a response pertaining to 5875 Central Road indicating a Cultural Heritage Investigation Permit is not required for the application;
- The status of providing parking covenant EG107386 release will be reviewed and the Follow Up Action list updated accordingly; and
- The Planner noted that all of Planner Cox’s files have been reassigned during his leave and applicants can contact Islands Trust Northern Office to be referred to the Planner that has been assigned the file.

8. DELEGATIONS - None

9. APPLICATIONS AND REFERRALS - None

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review - Summary of Referral Responses for Proposed Bylaw Nos. 176 (OCP) and 177 (LUB) - Staff Report

The Planner noted the following:

- The Denman Island Local Trust Committee has considered proposed Bylaws No. 176 and 177 and stated their interests are unaffected;
- Recommendations for consideration are outlined in the staff report;
- Representatives of the Advisory Planning Commission are present to answer questions related to their meeting minutes; and
- Public correspondence has been received by email, posted to the project website, and it can form part of the Local Trust Committee's deliberations.

A Trustee suggested moving the proposed bylaws to second reading so referrals could go out and public commentary could begin while the Sutable Land Analysis data could be incorporated at a later date. They indicated that they thought the recommendations from the Advisory Planning Commission would be included in the recommendations in the staff report.

The Planner clarified the following:

- The referral process had been completed and a summary of First Nations responses were outlined in the staff report provided;
- K'omoks First Nation had indicated they will defer consideration until they meet with the Sutable Land Analysis team to review data;
- A Community Information Meeting could be scheduled once the Local Trust Committee considers the referral responses, Advisory Planning Commission recommendations, and all available data that supports the types of changes to the bylaw that are being proposed;
- If there are significant changes to the proposed bylaws amendments should be made prior to second reading;
- The Local Trust Committee would proceed to a Public Hearing when they are confident all information received to date has been considered and the bylaws are close to final adoption;
- The Advisory Planning Commission recommendations are for consideration of the Local Trust Committee, and the Local Trust Committee directs staff which recommendations, or version of them, are to be incorporated into the bylaws; and
- The Sutable Land Analysis data is another piece of information that might, or might not, inform decisions regarding bylaw amendments.

The meeting was recessed for a break at 12:50 p.m. and reconvened at 1:15 p.m.

During the public comments' session, a member of the public had requested to speak to the Official Community Plan and Land Use Bylaw Review project when the Chair was in attendance. The Chair invited the member of the public to speak and the following comments were noted:

- A major shift in vacation rental policies will damage the local economy;
- The Local Trust Committee made a motion February 2, 2024 which directed staff to explore potential vacation rental business licensing with Comox Valley Regional District;

- If Temporary Use Permits are required, the volume of applications, and shortage of staff, might result in processing delays;
- The community wants tourism revenue to go to community members and not large hotel chains; and
- Would like to know why making vacation rentals illegal is under consideration. The Planner noted staff met with Comox Valley Regional District to discuss the issue and the Regional District deferred the matter by indicating they wanted to first see how the Local Trust Committee determined how to regulate vacation rentals.

HO-2025-001

It was MOVED and SECONDED

that Hornby Island Local Trust Committee request staff to schedule a special electronic meeting in February 2025 to:

- i. Review and discuss preliminary data and mapping from the “Hornby Island Suitable Land Analysis Project”;
- ii. discuss implications of the land analysis data on possible amendments to proposed Bylaw Nos. 176 (Official Community Plan) and 177 (Land Use Bylaw), and
- iii. Consider any applications ready for LTC discussion.

CARRIED

HO-2025-002

It was MOVED and SECONDED

that Hornby Island Local Trust Committee authorize the release of up to \$150 from the Major Project budget to cover local advertising expenses to promote the special electronic meeting in February 2025.

CARRIED

HO-2025-003

It was MOVED and SECONDED

that Hornby Island Local Trust Committee request staff to invite members of the Advisory Planning Commission and K’omoks First Nation Council Members to attend the special electronic meeting in February 2025 to learn about the Hornby Island Suitable Land Analysis Project and potential implications on the proposed bylaws being considered by the Local Trust Committee.

CARRIED

HO-2025-004

It was MOVED and SECONDED

that Hornby Island Local Trust Committee defer consideration of bylaw amendments or further readings of Proposed Bylaw Nos. 176 and 177 until the Suitable Land Analysis project has been completed in March 2025 and the Local Trust Committee has considered the data and recommendations.

CARRIED

HO-2025-005

It was MOVED and SECONDED

that Hornby Island Local Trust Committee request staff to continue working on the Hornby Island Official Community Plan/Land Use Bylaw Review Project as a minor project commencing April 1, 2025 and request the Director of Planning Services to allocate \$5,000 from the 2025-2026 fiscal budget.

CARRIED

HO-2025-006

It was MOVED and SECONDED

that Hornby Island Local Trust Committee endorse the revised project charter for the Hornby Island Official Community Plan/Land Use Bylaw Review Project upon confirmation of minor project funding in March 2025.

CARRIED

11. CORRESPONDENCE

11.1 Email dated January 3, 2025 from K. Ronan regarding Crown Land Application

HO-2025-007

It was MOVED and SECONDED

that Hornby Island Local Trust Committee refer email dated January 3, 2025 from K. Ronan regarding Crown Land Application to the Executive Committee, with a request that staff advise on a suitable path for advocacy to the appropriate Ministry.

CARRIED

11.2 Letter dated December 6, 2024 from Comox Valley Regional District regarding Hornby Village Centre Intersection

Received for information.

12. NEW BUSINESS - None

13. STAFF REPORTS

13.1 Trust Conservancy Highlights of November 19, 2024 Board Meeting

Received for information.

13.2 Applications Report dated January 17, 2025

Received for information.

13.3 Trustee and Local Expense Report dated November, 2024

Received for information.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage

No updates required at this time.

14. WORK PROGRAM

14.1 Active Projects Report dated January 17, 2025

Received for information.

14.2 Future Projects Report dated January 17, 2025

Project 4 can be removed from the report

15. UPCOMING MEETINGS

**15.1 Next Regular Meeting Scheduled for Friday, March 21, 2025 at 11:30 am at
Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC**

16. ADJOURNMENT

By general consent, the meeting was adjourned at 1:50 p.m.

Timothy Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Hornby Island Local Trust Committee

Minutes of Special Meeting

Date: February 7, 2025

Location: Electronic Meeting

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

Staff Present: Sonja Zupanec, Planner
Narissa Chadwick, Planner
William Shulba, Senior Freshwater Specialist
Landen Matechuk, GIS Consultant and Researcher
Lisa Millard, Meeting Administrator
Carly Bilney, Recorder

Others Present: There was 1 member of the public in attendance

1. CALL TO ORDER

Chair Peterson called the meeting to order at 10:35 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Peterson acknowledged that the meeting was being held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

- Add 4.2 Discussion of Next Steps

By general consent the agenda was adopted as amended.

4. BUSINESS ITEMS

4.1 Suitable Land Analysis Review Presentation

The Senior Freshwater Specialist presented the Suitable Land Analysis – the first presentation of the tool made to a Local Trust Committee. Landen Matechuk introduced himself as the GIS Consultant and Researcher contributing to the work.

The Senior Freshwater Specialist made the following comments:

- The Suitable Land Analysis is a preserve and protect tool that aims to:

- Identify suitable lands as a tool in the Islands Trust Housing Toolkit;
 - Balance the preserve and protect mandate of the Islands Trust;
 - Consider unique amenities and the environment;
 - Be used with other agencies as a cooperative tool;
 - Prioritize areas across the Islands Trust for sustainable development while emphasizing conservation and a resilient community;
 - Identify areas for additional residential density, support land use decision-making, and integrate ecological, social and economic themes; and
 - Integrate several themes – ecological sensitivity, freshwater sustainability, transportation and infrastructure – to inform land use decisions and address opportunities for suitable development.
- The Suitable Land Analysis uses third-party information as well as primary data created by the Islands Trust
 - There is a lot more work we can do around this by collaborating with First Nations and local interest groups

The following comments were made about the Suitable Land Analysis methodology:

- The analysis involved collating and processing datasets (e.g. data on saltwater intrusion from the Province) and using existing maps and spatial information (no data was generated specifically for the project)
- The tool looks at two main themes of freshwater and environment, and how they align with sustainable infrastructure to find areas suitable for potential increased density
- The analysis uses ArcGIS Pro's Suitability Modeler Tool to weigh values using a multiple-criteria decision analysis
- Layers used in the mapping were chosen as the most applicable to the five islands currently engaged in projects that seek increased housing opportunities
- The layers include: Marine Shore Adjacency, Sensitive Ecosystems, At Risk Ecological Communities, Dominant Age of Forests, Groundwater Recharge, Groundwater Well Density, Watershed Resiliency, Saltwater Intrusion Risk, Road Access, and Steep Slopes and Geohazards
- Each layer has been weighted equally, but the weighting of each value can be changed
- Local Trust Committees can work with planning staff and communities to adjudicate the weighting and determine whether these are appropriate layers for the suitability analysis
- The tool was created primarily to focus on areas of high suitability for increased density rather than low suitability; information based on lived experience is needed to better understand areas of vulnerability

A question was raised about the expansion of vulnerable aquifer stations and how people feel there is a lack of related data that speaks to situations where residents are running out of water. The Senior Freshwater Specialist commented that the

information in this meeting can likely be used in that discussion. He referred to a case study on Gabriola, *Freshwater Footprint*, that aims to blend the technical aspects of existing data with social sciences (e.g. survey, community engagement, etc.), and added that while the Suitable Land Analysis provides scientific, technical data, it is not informed by qualitative, on-the-ground information.

A map was shared to show attendees the various colour-coded layers encompassed by the Suitable Land Analysis, and where areas of high, low and moderate suitability exist on the island. The following comments were made:

- The Agricultural Land Reserve is a big hindrance to a lot of the suitability;
- A hazard of the mapping is that you may have a property that shows very high suitability adjacent to a property that has low suitability;
- The shoreline is mostly unsuitable for development;
- When development happens in the Islands Trust area there is going to be an impact to groundwater resources in some way;
- The map shows registered wells that have active status; there is a limitation to the data in that there may be wells that are registered and have active status but are not active; and,
- Since well registry became regulated under the Water Sustainability Act, the Province continues to refine the data.

The GIS Consultant spoke to a mapping layer called Watershed Resiliency and made the following comments:

- The Capital Regional District is acquiring a new watershed and possibly using it to contribute to the freshwater supply; they wanted to quantify the resilience of their system (the ecosystem's ability to withstand, recover and respond to natural and human-caused disturbances);
- This has been included in the mapping through various characteristics (e.g. amount and diversity of species in an area, structural diversity of an area, and the variability of one area and its characteristics compared to its neighbours); and,
- This creates a mapping layer that indicates areas of high resiliency, which have a low suitability for development.

Following the presentation, discussion ensued and the following comments were made:

- There is not a layer that shows current zoning of land, but it will be added;
- The planning role of the Suitable Land Analysis in policy integration is to support land-use planning and evidence-based decision-making;
- By enhancing access to data and increasing transparency, the data presented can inform decision-making and result in greater community engagement;
- There is a strong desire throughout the Trust area for science-backed decisions about land use;

- Challenges with the tool include: data availability and accuracy and complex interactions among interdependent ecosystems;
- The tool is a decision-making aid; communities still need to plan;
- A lot of data has been processed and can now be readily used; and,
- The tool presents increased opportunity for collaboration with First Nations.

4.2 Discussion of Next Steps

Planners Chadwick and Zupanec outlined next steps and made the following comments:

- Various islands are undergoing Official Community Plan and housing reviews and, in all of the discussions, a key question is how to create affordable housing that is attainable to people who are lower or middle income?
- Options are limited, from a land-use perspective, to support flexibility within regulations that allow for additional smaller units
- The data gives a sense of whether there are better places on each island for more people to be living
- This data could inform how the Local Trust Committee interprets the recommendations of staff and the Advisory Planning Commission around permitting additional dwelling units on small lots across every residential zone on Hornby Island
- K'ómoks First Nation specifically asked to review this data prior to completing a referral response back to the Local Trust Committee; they would like to see the maps before setting a date to meet with staff
- Recommendations from the Vancouver Island Healthy Authority are quite specific and the Local Trust Committee needs to take them into account in its decision-making
- Today's presentation was to ensure that Trustees have access to the information before the March Local Trust Committee meeting at which staff will provide a report with recommendations regarding next steps
- Trustees will consider additional referral responses and recommendations from the Advisory Planning Commission at the March meeting
- The hope is to make the Suitable Land Analysis a tool that can be accessed by community members going forward, so they can look at a certain parcel or area and view the weighting given to it by the Local Trust Committee
- It would be great to have the information presented today using ArcGIS Pro easily accessible online
- The Local Trust Committee and the community has the opportunity to change the suitability weightings to balance the values of the community, and next steps can include community engagement
- If a Local Trust Committee would like to change the weighting of values, the turnaround time to amend layers would be about 3-5 business days

- A copy of the PowerPoint presentation will be provided to Trustees; and, as requested, a paper copy of the presentation will be provided to Trustee Scott

5. ADJOURNMENT

By general consent the meeting was adjourned at 12:01 p.m.

Tim Peterson, Chair

Certified Correct:

Carly Bilney, Recorder

Follow Up Action Report

Hornby Island

13-Sep-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff prepare a report regarding the current policies for compliance and enforcement, and screening officer appointments, powers, duties and procedures per resolution passed September 13, 2024.	Warren Dingman		In Progress
0%	2 Staff to prepare briefing on farm stand regulations using other LTC bylaw examples.	Ian Cox		In Progress

01-Nov-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 LTC Chair to sign Hornby Island Resort Ltd. parking covenant EG107386 release and staff provide copy to property owner's legal counsel.	Ian Cox Nadine Mourao		In Progress
0%	2 Staff to provide LTC with information on whether a DP would be required for Rogers communication tower on Crown Land.	Ian Cox	Target: 24-Jan-2025	In Progress

Follow Up Action Report

Hornby Island

24-Jan-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Staff refer correspondence item 11.1 of January 24, 2025 agenda to the Executive committee, with a request that the HO LTC is seeking advice on a suitable path for advocacy to the appropriate Ministry.	Sonja Zupanec		Completed
33%	2 OCP/LUB Review Project - staff to update project charter once minor project budget is confirmed; schedule special electronic meeting in February to discuss the suitable land analysis and potential implications on proposed bylaws 176 and 177; \$150 advertising approved for special meeting from major project budget; staff analysis and report back on major project next steps for March 21, 2025.	Lisa Millard Michelle Backe Sonja Zupanec		In Progress



File No.: PLTUP20240177 (Moore)
(X-ref HO-SUP-2024.7 &
HO-BE-2024.5)

DATE OF MEETING: March 21, 2025

TO: Hornby Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

COPY: Warren Dingman, Bylaw Enforcement Manager
Sonja Zupanec, Island Planner

SUBJECT: Temporary Use Permit – detached unit for temporary accommodation
Applicant: Rhory Moore (Owner)
Location: 4200 Roburn Road, Hornby Island

RECOMMENDATION

1. That the Hornby Island Local Trust Committee approve issuance of Temporary Use Permit PL-TUP-2024-0177.

REPORT SUMMARY

The purpose of the report is to seek approval from the Local Trust Committee (LTC) for a Temporary Use Permit (TUP) application from the Owner of the subject property to establish a detached residential dwelling unit to provide temporary accommodation for a relative or caregiver and affordable rental accommodation under the *Residential Tenancy Act*. Staff are recommending the LTC approve issuance of the permit.

BACKGROUND

The proposal is proceeding as the result of bylaw enforcement action HO-BE-2024.5 (Moore). The Owner applied for and received approval for a Siting and Use Permit in 2024 to construct an 85 m², 5.5-metre-high detached accessory garage and storage building. There is an existing principal residential dwelling on the property. The Owner proceeded to construct an unauthorized detached 2-storey, 6-metre-high building with a garage and storage area on the first floor, and a 2-bedroom, 90 m² separated dwelling unit with an attached covered deck on the second floor. Construction of the dwelling unit is not complete and has been halted since enforcement action began in July 2024.

The Land Use Bylaw (LUB) permits a secondary suite (maximum 90 m²) located wholly within the principal residential dwelling on the lot; however, it does not permit the use of an accessory building or structure as a dwelling unit. The Owner seeks approval from the LTC to temporarily permit the use of the detached residential dwelling unit for a relative as well as temporary affordable rental accommodation under the *Residential Tenancy Act*, per section 6.3.5.14 of the Official Community Plan (OCP). Issuance of the permit would allow the use for a period of up to three years, with potential for the applicant to apply to renew the permit for up to an additional three years.

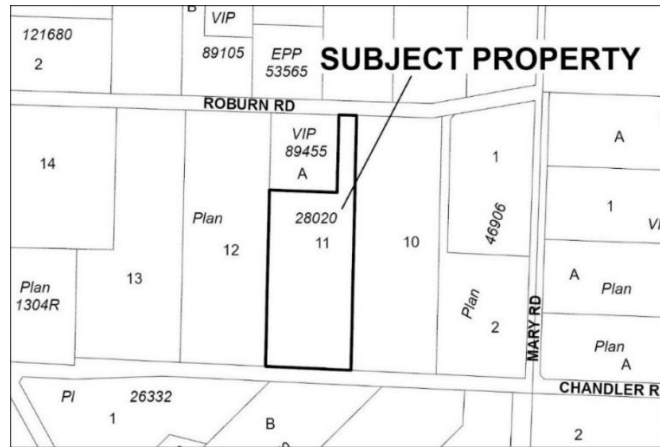


Figure 1 - Subject Property Map

Additional site context is included in Attachment 1. Maps, plans, and photographs are included in Attachment 2, and the Owners' rationale letter is contained in Attachment 3. The TUP Guidelines, TUP notice, and proposed permit PLTUP20240177 are Attachments 4, 5, and 6 respectively.

ANALYSIS

Policy/Regulatory

The proposed temporary detached dwelling unit appears consistent with the policy and regulatory framework.

Islands Trust Policy Statement:

5.2.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*

5.2.4 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.*

5.2.5 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.*

This application is not contrary to the Islands Trust Policy Statement.

Official Community Plan:

The property is designated Rural Residential (RR) in the Hornby Island Official Community Plan Bylaw No. 149, 2014. Applicable objectives and policies include:

SECTION VI — OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE

6.3 Residential

6.3.5 Housing

Rental Housing Policies

6.3.5.14 A detached unit used to provide temporary accommodation for a relative or a caregiver or to provide temporary affordable rental accommodation under the Residential Tenancy Act may be permitted through a Temporary Use Permit (in accordance with guidelines specified in Section 6.10 – Temporary Use Permits).

6.10 Temporary Use Permits

Objective 6.10(6) to consider allowing a temporary secondary suite or detached housing for a relative or caregiver of occupants of the residence as per Policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver;

A review of the TUP Guidelines specified in Section 6.10 is included in **Attachment 4**. The proposed TUP is not contrary to the OCP policies or TUP Guidelines.

Land Use Bylaw:

The property is zoned Residential 2 – Large Lot Residential – R2 in the Hornby Island Land Use Bylaw No. 150, 2014. The proposed use of an accessory building as a dwelling unit is not permitted under land use bylaw regulation 3.2(1)(c) and therefore a TUP is being sought.

PART 3 GENERAL REGULATIONS

3.2 Uses Prohibited in All Zones

(1) For certainty, the following uses, buildings and structures are prohibited in all zones, except where expressly permitted in Part 8:

...(c) The use of an accessory building or structure as a dwelling unit;

Issues and Opportunities

Requirement for a Security and/or an Undertaking

TUP Guideline 6.10.6(j) in the OCP states:

6.10.6(j) the owners of the property may be required to provide a security to guarantee the performance of the terms of the permit and should be required to provide an undertaking to demolish or remove any building or structure and to restore the land to a condition specified in the permit, especially in circumstances where temporary housing is provided and such housing is no longer used for such temporary purposes.

This TUP Guideline relates to s. 495 and s. 496 of the *Local Government Act* which state:

LGA s. 495 Permit conditions: undertakings respecting land

(1) As a condition of issuing a temporary use permit, a local government may require the owner of the land to give an undertaking to

(a) demolish or remove a building or other structure, and

(b) restore land described in the permit to a condition specified in the permit by a date specified in the permit.

(2) An undertaking under subsection (1) must be attached to and forms part of the permit.

(3) If the owner of the land fails to comply with all of the undertakings given under subsection (1), the local government may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.

LGA s. 496 Permit conditions: additional security requirements

(1) In addition to any security required under section 502, a local government may require, as a condition of issuing a temporary use permit, that the owner of the land give to the local government security to guarantee the performance of the terms of the permit.

- (2) If there is a requirement for security under subsection (1), the permit may provide for
- (a) the form of the security, and
 - (b) the means for determining
 - (i) when there is default under the permit, and
 - (ii) the amount of the security that forfeits to the local government in the event of default.

Either a security or an undertaking could be used to guarantee that the use of the dwelling unit does not continue beyond the period of the permit. However, setting up a security is not recommended for this application because the administrative resources required to properly monitor the process would outweigh the potential benefits of receiving the security.

The LTC could alternatively require the Owner to provide an undertaking prior to permit issuance, to decommission the temporary dwelling unit upon TUP expiry or in the case where the dwelling unit is no longer used for such temporary purposes. An ‘undertaking’ is generally defined as an agreement or promise to do or provide something, or to refrain from doing or providing something, which is meant to be binding on the party giving the undertaking. Staff recommend this option if the LTC has reason to believe that the Owner will not comply with the terms of the TUP. The LTC could require that the Owner specify in the undertaking that the dwelling unit will be decommissioned by removal of any structures and related appurtenances that are part of a ‘kitchen’ as defined in the LUB, upon TUP expiry:

1.1 Definitions

kitchen means an area within a building used for preparing food and may include food storage and serving and dish washing facilities.

If neither option is pursued by the LTC and the permit is issued as proposed, the Owners would be required to decommission the dwelling unit upon TUP expiry, and bylaw enforcement action would continue if use of the dwelling unit were to continue. The Owners would need to apply for and receive an approved TUP renewal or rezoning to bring the dwelling unit into compliance, in order to avoid further bylaw enforcement action.

Temporary Residential Use

Potential other issues with the application include:

- If tenants are living in the dwelling unit when the permit expires, they would be required to vacate and the Owners would be required to decommission the dwelling unit;
- The use of a TUP will only define the permitted use and the temporary nature of such use and, as with other land use bylaw regulations, cannot manage who may occupy the dwelling unit; and
- In absence of a housing agreement, the LTC cannot guarantee that the dwelling unit will be rented at an affordable rate. However, staff do not support drafting a housing agreement for a use that may only be temporarily permitted.

The issuance of the TUP should not be perceived as a guarantee of future bylaw amendment application approval. However, it is an opportunity for the LTC to allow for flexible housing under certain conditions, for a specified period of time. The LTC may also use the period of the TUP as an opportunity to determine if the proposed use is compatible with the surrounding neighbourhood and environment.

CONSULTATION

Circulation

TUP notices were circulated to surrounding property owners and residents on March 4, 2025. The notification period ends on March 20, 2025. The notice was published in the Hornby Island Tribune on March 12, 2025. No correspondence has been received at the time of preparing this report, but may be

received before the LTC meeting on March 21, 2025. Correspondence may be sent to northinfo@islandstrust.bc.ca. Any submissions received after the agenda is published will be sent to the LTC prior to the meeting and will be raised by the planner at the meeting.

Advisory Planning Commission (APC)

Guidelines 6.10.2 of the OCP states:

***6.10.2** Applications for Temporary Use Permits may be referred to the Advisory Planning Commission which may be requested to provide an opportunity for public input to be received and considered in preparing its recommendations.*

Although APC referral is not required, the LTC may decide to do so, and may also request that the APC provide an opportunity for public input to be received and considered before preparing recommendations.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- the proposed temporary use complies with housing policies and the TUP Guidelines in the OCP;
- measures are in place to ensure that the proposed use has minimal impact on the land, environment and neighbours; and
- the impacts to surrounding properties are negligible.

ALTERNATIVES

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

1. Refer to the Advisory Planning Commission

The LTC may refer this application to the Advisory Planning Commission for comment. Staff advise that the implications of this alternative are additional time and staff resources. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee refer the application PL-TUP-2024-0177 to the Advisory Planning Commission for review and comment.

2. Require the Owners to Provide a Security

The LTC may require the Owner to provide a security to decommission the temporary dwelling unit upon TUP expiry. Staff advise that the implications of this alternative are additional staff time and ongoing administrative and staff resources. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee require that the Owner of the property concerning proposed Temporary Use Permit PL-TUP-2024-0177 provides a security to the LTC to decommission the temporary dwelling unit upon expiration of the TUP, or in the case where the dwelling unit is no longer used for such temporary purposes.

3. Require the Owners to Provide an Undertaking

The LTC may require the Owner to provide an undertaking to decommission the temporary dwelling unit upon TUP expiry. Staff advise that the implications of this alternative are additional staff time to process the application and update the proposed permit. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee require that the Owner of the property concerning proposed Temporary Use Permit PL-TUP-2024-0177 provides an undertaking to decommission the temporary dwelling unit upon expiration of the TUP, or in the case where the dwelling unit is no longer used for such temporary purposes.

4. Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are file closure and continued bylaw enforcement action. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application PL-TUP-2024-0177 for the following reasons [insert reasons].

NEXT STEPS

If supported by the LTC, the TUP would be issued for a period of three years. Bylaw enforcement staff would be notified, and the enforcement file would be placed in abeyance for that period. Upon three years from the date of issuance, the use would no longer be permitted and bylaw enforcement action would continue, unless the Owner applies for and receives a TUP renewal or a rezoning.

Submitted By:	Margot Thomaidis, Planner 2	March 4, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 13, 2025

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Owner Rationale Letter
4. TUP Guidelines
5. Notice
6. Proposed Permit PLTUP20240177

ATTACHMENT 1 - SITE CONTEXT

ATTACHMENT 1 – SITE CONTEXT – PLOT 20240177

LOCATION

Legal Description	LOT 11, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 28020, EXCEPT PART IN PLAN VIP89455
PID	002-270-617
Civic Address	4200 Roburn Rd., Hornby Island, BC, V0R 1Z0
Lot Size	3.18 hectares

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
HO-SUP-2005.10	1 - Residential Dwelling Unit - New - 185 square metres. Height - 4.57m
HO-SUB-2012.1	Subdivision to create 2 parcels
HO-SUP-2017.5	Garage, pool, and deck
HO-SUP-2024.7	Accessory Building - garage
PLSUP20240171	Under Review – detached garage with 2-bedroom residential suite above

POLICY/REGULATORY

Official Community Plan Designations	Hornby Island Official Community Plan Bylaw No. 149, 2014 – Rural Residential (RR) Land Use Designation. Schedule D2 mapping shows the subject property is in the IIA – Lightly Developed, high vulnerability Environmentally Sensitive Areas Aquifer. The property is located in a Recharge Zone.
Land Use Bylaw	Hornby Island Land Use Bylaw No. 150, 2014 – Residential 2 – Large Lot Residential (R2) Zone.
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	HO-BE-2005.2 – Unlawful Dwelling – Closed HO-BE-2024.5 – Unlawful suite construction above garage - Active

SITE INFLUENCES

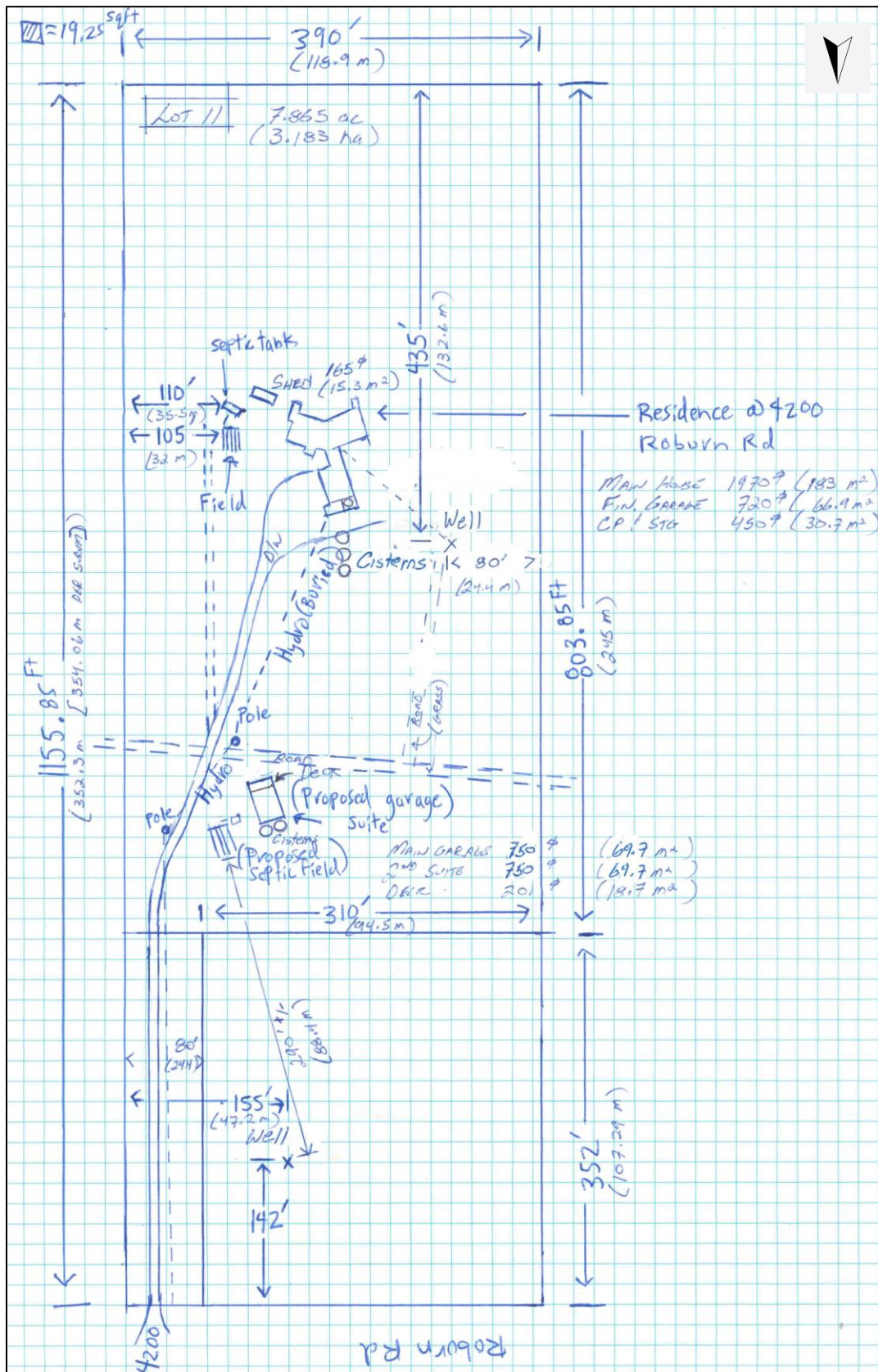
Islands Trust Conservancy	There are no Islands Trust Conservancy covenants or properties in the direct area; therefore, no referral has been made to the Board.
Species at Risk	None mapped.
Sensitive Ecosystems	Douglas-fir/Dull Oregon Grape Ecological Community .

Hazard Areas	None mapped.
Archaeological Sites	No archaeological potential or known archaeological sites identified on or within 100m of the property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No impacts to GHG emissions anticipated as a result of this application – temporary accommodation use.

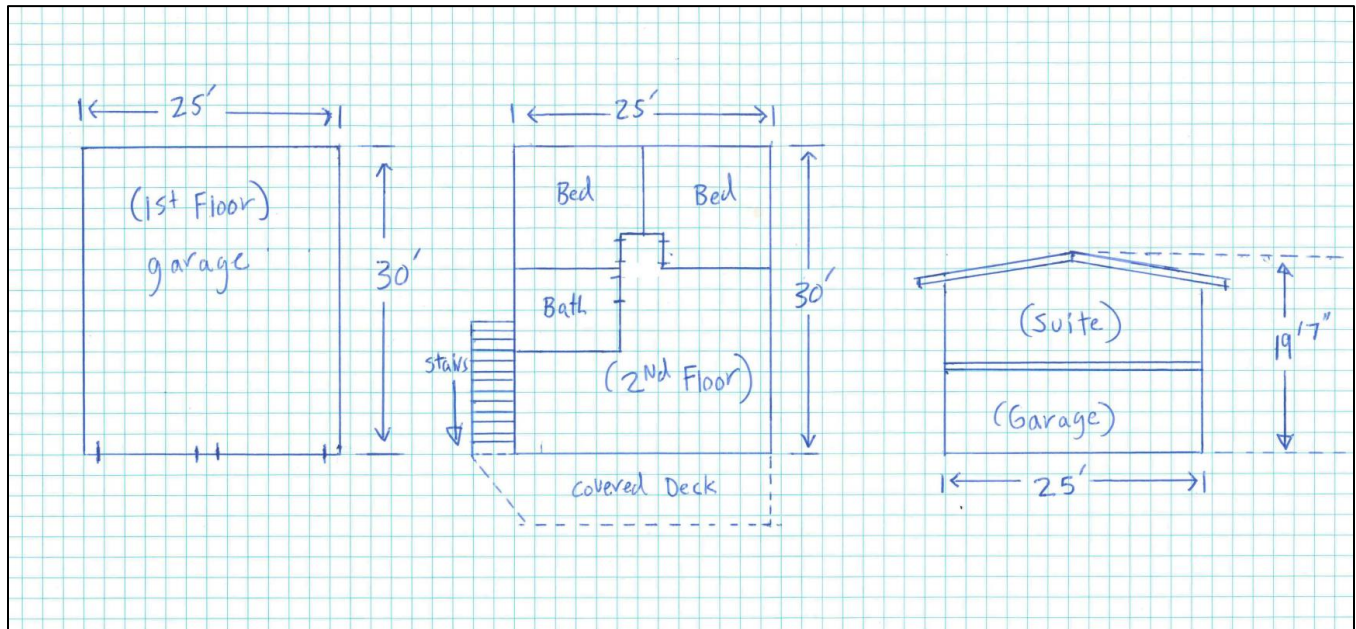
2.1 ORTHOPHOTO (2020) WITH APPROXIMATE LOCATION OF PROPOSED TEMPORARY DWELLING UNIT



2.2 SITE PLAN



2.3 DWELLING UNIT FLOOR PLAN



2.4 ELEVATION PHOTOS AUGUST 7, 2024



SE Elevation



SW Elevation



NW Elevation



NE Elevation

Description of existing and proposed uses, buildings and structures

The existing im **ATTACHMENT 3 - OWNER LETTER** h an attached carport and open storage building of 450 sf (30.7 m²) and a detached garden shed of 165 sf (15.3 m²) for a total outbuilding area of 615 sf (57.1 m²).

The proposal is to complete construction of a 2-storey building comprising 750 sf (69.7 m²) of garage and workshop space on the main floor and 750 sf (69.7 m²) on the second floor providing a 2-bedroom, 1 bathroom suite. There is a further 201sf (18.7 m²) of covered deck space for a total upper area of 951 sf (88.4 m²). The total height of the structure is 19.7' (6.0 m). Domestic water will be supplied by rain catchment. A new septic field of suitable capacity will be required.

I would like to acknowledge that we began construction without proper authority. For that I apologize. Hopefully, this will not prejudice our Development Variance Permit (DVP) and Temporary Use Permit (TUP) applications. We always felt uneasy about proceeding without the necessary permits and we welcome the opportunity to gain approval.

The property is zoned Residential 2 under Hornby Land Use Bylaw (LUB)150. Among the permitted uses are the residential use of a dwelling and a secondary suite in a dwelling on lots of 2.0 ha or larger. Residential dwellings must not exceed 300 m². Secondary suites are restricted to a maximum floor area of 90 m². The total of all outbuildings must not exceed 200 m². Site coverage is restricted to a maximum of 10%. Accessory buildings and structures must not exceed a height of 6.0 metres.

In order for the subject construction to be compliant, a DVP is required to allow the total residential floorspace to exceed the maximum specified in the bylaw by 38.4 m² (413 sf). Of this extra floor area, 18.7 m² (201 sf) is covered deck area. If approved, the residential floorspace would be 319.7 m² of interior space plus a further 18.7 m² of covered deck space for a total of 338.4 m². The total of all outbuildings would be 115.7 m². Site coverage would be 1.2%.

In addition, a TUP is needed to permit a detached suite in lieu of an attached unit. This is contemplated in the Official Community Plan (OCP) in articles 6.3.5.13; 6.3.5.14; and 6.10(6) "to consider allowing a temporary secondary suite or detached housing for a relative or caregiver".

We did not set out to exceed the floorspace limits. When we purchased the property in 2016, we planned to use it as a second residence and to have family and friends occasionally visit, with a view to transitioning to living on Hornby full-time in 8 to 10 years. At that time, our children were all living elsewhere and we did not anticipate that, by 2020, both our sons would come to Hornby to live and work.

In 2016, the main house was 1970 sf (183 m²) with an attached garage and storage area of 720 sf (66.9 m²). The garage area was heated with 3 baseboard units and was wired, lighted and lined with plywood panelling. The floors were sloped for drainage and no provision had been made for any plumbing fixtures.

Description of existing and proposed uses, buildings and structures

Based on our needs at the time, we saw an opportunity to convert the garage area to a TV and games room plus an additional sleeping room for guests. This conversion was relatively simple and low-cost. We placed laminate flooring on underlay directly over the concrete floors without levelling them. The existing flush florescent lights were removed in favour of recessed pot lighting. The existing garage doors were replaced with double French doors. Two storage rooms totalling approximately 100 sf (9.3 m²) were left unfinished.

Since then, our situation had changed significantly. By 2020 both our sons were living on Hornby and working at the Co-op. Seamus has moved off-Island but may return. Connor continues to work at the Co-op and would like to make Hornby his home. Both my wife and I have had health issues which has diminished our capacity to care for the property.

A couple of years ago we began exploring options for more independent living arrangements for Connor. It quickly was apparent that there is a shortage of properties which provide stable, affordable, year-round rental accommodation. We considered building a suite and began consulting the OCP and LUB.

Initially, we considered converting all or part of the former garage area to a suite. While technically possible, this plan proved to not be economically workable due to the following issues:

- No provision had been made for plumbing fixtures
- The existing septic system was not appropriately sized to handle the addition of a suite and it was difficult to develop a new field in a nearby location
- A new electrical panel was needed and difficult to locate
- The laminate floor would need to be removed and the floors leveled

We had the intention to develop a garage in the proposed location since we first obtained a Siting and Use permit in 2017. I became aware that, through a TUP, it may be possible to build a detached suite in areas where an attached unit is allowed. Unfortunately, I made a critical error in interpreting the LUB and believed that the maximum allowable area for a secondary suite of 90 m² was in addition to the maximum size of a main residence of 300 m² for a total of 390 m² and proceeded based on this. We drew up plans for the proposed suite. Two bedrooms were important as we would like to have space available for Seamus, should he choose to return to Hornby. Failing that, it would provide Connor the opportunity to have a roommate.

The location of construction was carefully chosen to minimize impact. It is located a fair distance from all property lines and neighbouring wells. It is adjacent the existing hydro pole and the existing driveway. The area had a layer of overburden from prior driveway construction and removal of a portion of this material allowed us to utilize the natural slope to allow the building to meet height restrictions while providing good material for the septic field.

Prior to construction, I realized that I should check that my interpretation of the LUB was correct and contacted planning staff. To my great consternation, I was informed that my interpretation was wrong and that 300 m² was the maximum floorspace, inclusive of any suite. We then looked at amending the plans to build a studio suite that would allow us to stay within the allowable floor area but it made little sense for us to build the resultant space as it was unlikely to meet

Description of existing and proposed uses, buildings and structures

current or future needs. Fearful of rejection of our DVP request, we made the regrettable decision to request a Siting and Use permit for the garage and build the suite without the required permits.

We wholeheartedly support the ‘preserve and protect’ mandate of the Islands Trust, while recognizing that this can have different meanings to different people. We understand that the Hornby LUB is an attempt to provide a set of rules to uphold the mandate. However, the island now finds itself with severe shortages of suitable housing for both year-round residents and seasonal workers. There are various proposals at varying stages to address this problem and community housing projects are badly needed. They alone likely won’t solve the shortage. Another piece of the puzzle is to provide property owners with some flexibility around existing rules for low impact proposals designed to provide year-round housing for island residents, be they family members or long-term tenants.

Thank you for your consideration of our proposal.

Respectfully submitted,
Rhory Moore & Lorna Moore

ATTACHMENT 4 – ATTACHMENT 4 - TUP GUIDELINES

HORNBY ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 149, 2014 AND LAND USE BYLAW NO. 150, 2014

	Guideline Not Met		Unclear Whether Guideline Met		Guideline Met
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Temporary Use Permits Objective 6.10(6) - OCP:

to consider allowing a temporary secondary suite or detached housing for a relative or caregiver of occupants of the residence as per Policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver;

Temporary Use Permit Objective 10.2(6) – LUB*:

to consider allowing detached housing for a relative or caregiver of occupants of the residence as per OCP Policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver;

OCP Guideline	LUB Guideline	Complies ?	Planner Comments
6.10.1: Upon application, Temporary Use Permits may be considered for all parcels of land within the Hornby Island Local Trust Area, with the following exclusions: a) properties less than one quarter of a hectare, except when the application is for vacation home rental use; b) land designated as Park, as shown on Schedule B; and c) a parcel identified as containing an environmentally sensitive area, as shown on Schedule D1 or D2, unless information is provided by the owner that establishes that the proposed land use does not negatively impact the environmentally sensitive features or is located outside of the sensitive area on the parcel.	10.3(1): Upon application, Temporary Use Permits may be considered for all parcels of land within the Hornby Island Local Trust Area, with the following exclusions: (a) properties less than one quarter of a hectare except when the application is for vacation home rental use; (b) land zoned as public park, ecosystem management area or water supply protection, as shown on Schedule B; and (c) a parcel identified as an environmentally sensitive area, as shown on Schedule D1 or D2 of the Hornby Island Official Community Plan Bylaw No. 149, unless information is provided to illustrate that the proposed land use does not negatively impact the environmentally sensitive features.		Schedule D1 mapping shows that the property is not in an environmentally sensitive area. Schedule D2 mapping shows the subject property is in the IIA – Lightly Developed, high vulnerability Environmentally Sensitive Areas Aquifer. The property is located in a Recharge Zone. The applicant's submission states, "<i>The location of construction was carefully chosen to minimize impact. It is located a fair distance from all property lines and neighbouring wells. It is adjacent the existing hydro pole and the existing driveway</i>". The application proposes that domestic water will be supplied by rain catchment. Staff determine that no further environmental assessment is required.

OCP Guideline	LUB Guideline	Complies ?	Planner Comments
6.10.2: Applications for Temporary Use Permits may be referred to the Advisory Planning Commission which may be requested to provide an opportunity for public input to be received and considered in preparing its recommendations.	10.3(2): Applications for Temporary Use Permits may be referred to the Advisory Planning Commission which may be requested to provide an opportunity for public input to be received and considered in preparing its recommendations.		For LTC Decision: Determine whether to refer this application to the Advisory Planning Commission.
6.10.4: A professional assessment of hydrological impacts may be required when the proposed use is within an identified groundwater recharge area or an aquifer classified as heavily developed as shown on Schedule B or D2 and if the proposed use involves more than minimal potential impacts upon the groundwater resource.	10.3(4): A professional assessment of hydrological impacts may be required when the proposed use is within an identified groundwater recharge area or an aquifer classified as heavily developed.		<u>Schedule D2</u> mapping shows the subject property is in the IIA – Lightly Developed, high vulnerability Environmentally Sensitive Areas Aquifer. The property is located in a Recharge Zone . Proposed rain catchment domestic water system will not use groundwater. The septic disposal system installation will be overseen by a Registered Onsite Wastewater Practitioner.
6.10.5: Where approvals are required from other agencies, these should be obtained prior to the issuing of a Temporary Use Permit.	10.3(5): Where approvals are required from other agencies, these should be obtained prior to the issuance of a Temporary Use Permit.		Included as a condition of the proposed permit. Installation of a sewage disposal system requires oversight from a Registered Onsite Wastewater Practitioner and compliance with the <i>Sewerage System Regulations</i> .
6.10.6: The general conditions for issuing a Temporary Use Permit are as follows: a) adequate off-road parking should be provided;	10.3(6): The general conditions for issuing a Temporary Use Permit are as follows: (a) adequate off-road parking should be provided;		Included as a condition of the proposed permit. Applicant has indicated that two off-road parking spaces will be provided for the proposed temporary detached housing, in accordance with Section 5.4(1) of the LUB.
6.10.6.b) there should be adequate provision for approved waste disposal before consideration is given by the Local Trust Committee;	10.3(6)(b) confirmation that site conditions allow for adequate provisions for approved waste disposal;		Included as a condition of the proposed permit. Applicant has hired an ROWP to assess and design a septic system.
6.10.6.e) there should be adequate setbacks of the use to minimize impacts upon adjacent properties;	10.3(6)(e) there should be adequate setbacks of the use to minimize impacts upon adjacent properties;		Proposed use complies with R2 setback regulations.
6.10.6.f) noise generation should be addressed to prevent disturbance of the neighbourhood and to ensure	10.3(6)(f) noise generation should be addressed to prevent disturbance of the neighbourhood and to ensure		Proposed temporary accommodation use is not expected to result in the generation of excessive noise. Regional District noise bylaw applies.

OCP Guideline	LUB Guideline	Complies ?	Planner Comments
compliance with regional district regulations;	compliance with regional district regulations;		
6.10.6.g) the use should be conducted so as to not risk contamination of the land, surface water or groundwater, including by making adequate provision for the safe storage of toxic materials;	10.3(6)(g) the use should be conducted so as to not risk contamination of the land, surface water or groundwater, including by making adequate provision for the safe storage of toxic materials;		Included as a condition of the proposed permit. Applicant to confirm septic system requirements with Island Health.
6.10.6.h) water supply should be addressed so as to not create negative impacts upon existing common water sources;	10.3(6)(h) water supply should be addressed so as to not create negative impacts upon existing common water sources;		Included as a condition of the proposed permit. Domestic water will be supplied by rain catchment. The applicant's submission states, <i>"The roofing and gutter materials are rated for use with potable water. We plan to install a debris filter and first flush diverter prior to storage. At a minimum, particulate and UV filtration will be installed post-storage. We plan to sample the water to determine if any additional filtration will be required (to remove chemical contaminants, as an example)"</i> .
6.10.6.j) the owner of the property may be required to provide a security to guarantee the performance of the terms of the permit and should be required to provide an undertaking to demolish or remove any building or structure and to restore the land to a condition specified in the permit, especially in circumstances where temporary housing is provided and such housing is no longer used for the temporary purposes; and	10.3(6)(j) the owner of the property may be required to provide a security to guarantee the performance of the terms of the permit and should be required to provide an undertaking to demolish or remove any building or structure and to restore the land to a condition specified in the permit, especially in circumstances where temporary housing is provided and such housing is no longer used for such temporary purposes; and		Implementing and monitoring a security would require more administrative and staff resources than requiring an undertaking. For LTC Decision: The LTC may request the Owner provide a security or an undertaking to decommission the dwelling unit after TUP expiry, which would involve removing any parts of the unit that fall under the definition of a 'kitchen' in the LUB.
6.10.6.k) lands with good agricultural potential should not be compromised by any use permitted by a Temporary Use Permit.	10.3(6)(k) lands with good agricultural potential should not be compromised by any use permitted by a Temporary Use Permit.		While staff cannot determine whether the land has good agricultural potential, the subject property has not previously been identified as a candidate for ALR or agriculture zoning.
6.10.7: Applicants for Temporary Use Permits should address the issues identified in these policies in their applications and are strongly encouraged to consult with	10.3(7): Applicants for Temporary Use Permits should address the issues identified in these policies in their applications and are strongly encouraged to consult with		Applicant has said that they have spoken to neighbouring property owners (but not tenants) to the east and north of the subject property. They say they have sent a letter to the western property

OCP Guideline	LUB Guideline	Complies ?	Planner Comments
neighbours about the proposed use prior to making application.	neighbours about the proposed use prior to making application.		owners in an attempt to establish contact but have not heard back.
6.10.9: The Local Trust Committee should consider the climate change impacts of any proposed temporary use when reviewing Temporary Use Permit applications.	10.3(9): The Local Trust Committee should consider the climate change impacts of any significant change in reviewing temporary use permit applications.		No anticipated impacts to GHG emissions – temporary detached dwelling unit/accommodation.

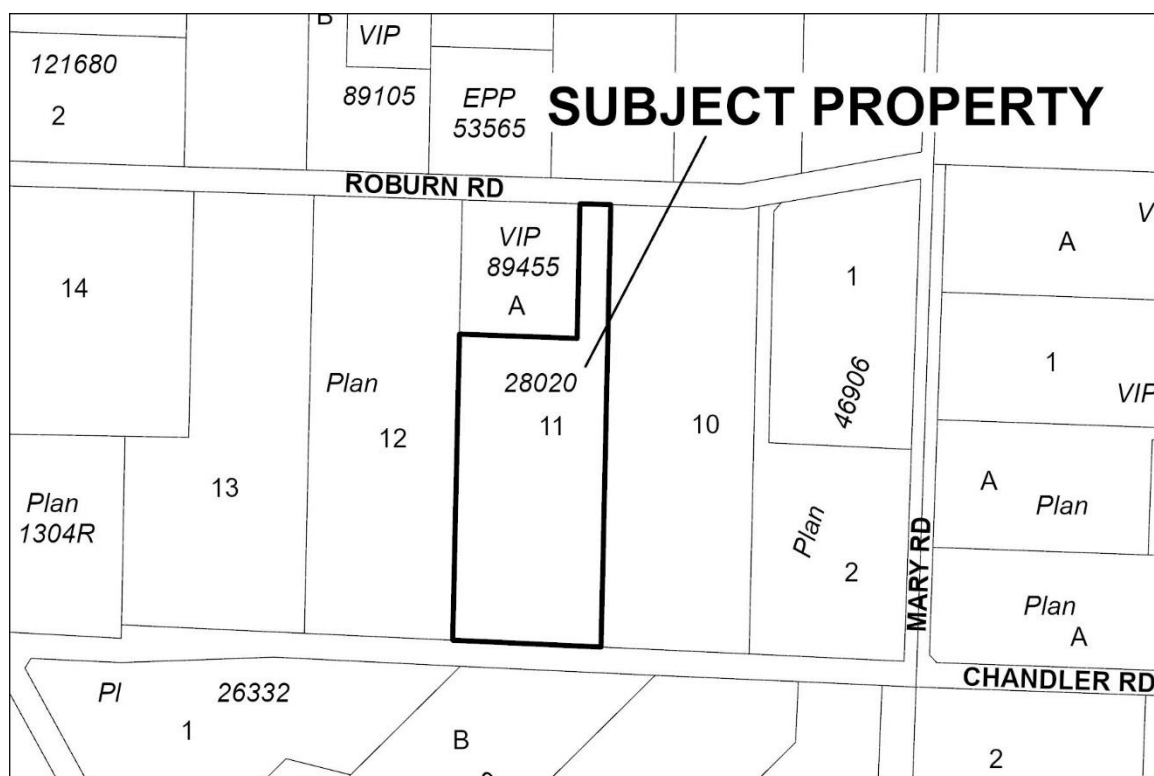
**Please note, staff suggest that the Temporary Use Permit Guidelines contained in the Hornby Island LUB be removed during the Local Trust Committee's next Housekeeping Amendment or LUB Review project, in order to resolve repetitive objectives and guidelines.*

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the Hornby Island Local Trust Committee (LTC) will be considering a resolution allowing for the issuance of a Temporary Use Permit. The proposed permit would apply to PID 002-270-617, LOT 11, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 28020, EXCEPT PART IN PLAN VIP89455, **4200 Roburn Road, Hornby Island.**

The purpose of the proposed permit is to permit the temporary use of a **detached residential dwelling unit** within an accessory building on the subject property.

The establishment of this use would be subject to the conditions specified in the attached proposed permit.

The general location of the subject property is shown on the following map:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 am to 4:00 pm Monday to Friday inclusive, excluding statutory holidays, and on the Islands Trust website <https://islandstrust.bc.ca/island-planning/hornby/current-applications/> commencing **March 7, 2025** and continuing up to and including **March 20, 2025**.

Enquiries or comments should be directed to Margot Thomaidis, Planner 2 at (250) 247-2204, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before **4:00 pm, March 20, 2025**.

The Hornby Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting to be held at **11:30 am, March 21, 2025, at the Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC.**

Written comments made in response to this notice will also be available for public review.

ATTACHMENT 6 - DRAFT PERMIT

 Islands Trust	HORNBY ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT PLTUP20240177 (Moore) 4200 Roburn Road, Hornby Island
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To: Rhory Moore & Lorna Moore

1. This Permit applies to the land described below:

PID 002-270-617

LOT 11, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 28020, EXCEPT PART IN PLAN VIP89455

2. Pursuant to Section 493 of the *Local Government Act* and Section 6.10 of the Hornby Island Official Community Plan Bylaw No. 149, 2014, and despite Hornby Island Land Use Bylaw No. 150, 2014, this Permit is issued to allow the following:

a) A detached residential dwelling unit used to provide temporary accommodation for a relative or a caregiver and to provide temporary affordable rental accommodation under the *Residential Tenancy Act*.

3. This permit is subject to the following conditions:

- a) The general layout of the temporary detached residential dwelling unit shall be in substantial accordance with Schedule "A" – Subject Property Map, Schedule "B" – Site Plan, and Schedule "C" – Floor Plan which are attached to and form a part of this permit, as signed and dated by the Deputy Secretary, Islands Trust.
- b) The temporary detached residential dwelling unit shall have a maximum floor area of 69.7 m² with a maximum 18.7 m² attached covered deck as shown on Schedule "B" – Site Plan and Schedule "C" – Floor Plan.
- c) A total of two (2) vehicle parking spaces shall be provided on-site designed to the standards of the Hornby Island Land Use Bylaw No. 150, 2014.
- d) The domestic and potable water supply for the temporary detached residential dwelling unit shall be sourced from a rainwater catchment and treatment system in accordance with public health guidance.
- e) The temporary residential use shall be conducted so as to not risk contamination of the land, surface water or groundwater and shall be serviced by a Type 1 sewage disposal system in substantial accordance with Schedule "D" – Proposed Sewage Disposal System Plan dated March 9, 2025 and Schedule "E" – Authorization Letter prepared by a Registered Onsite Wastewater Practitioner dated March 9, 2025.

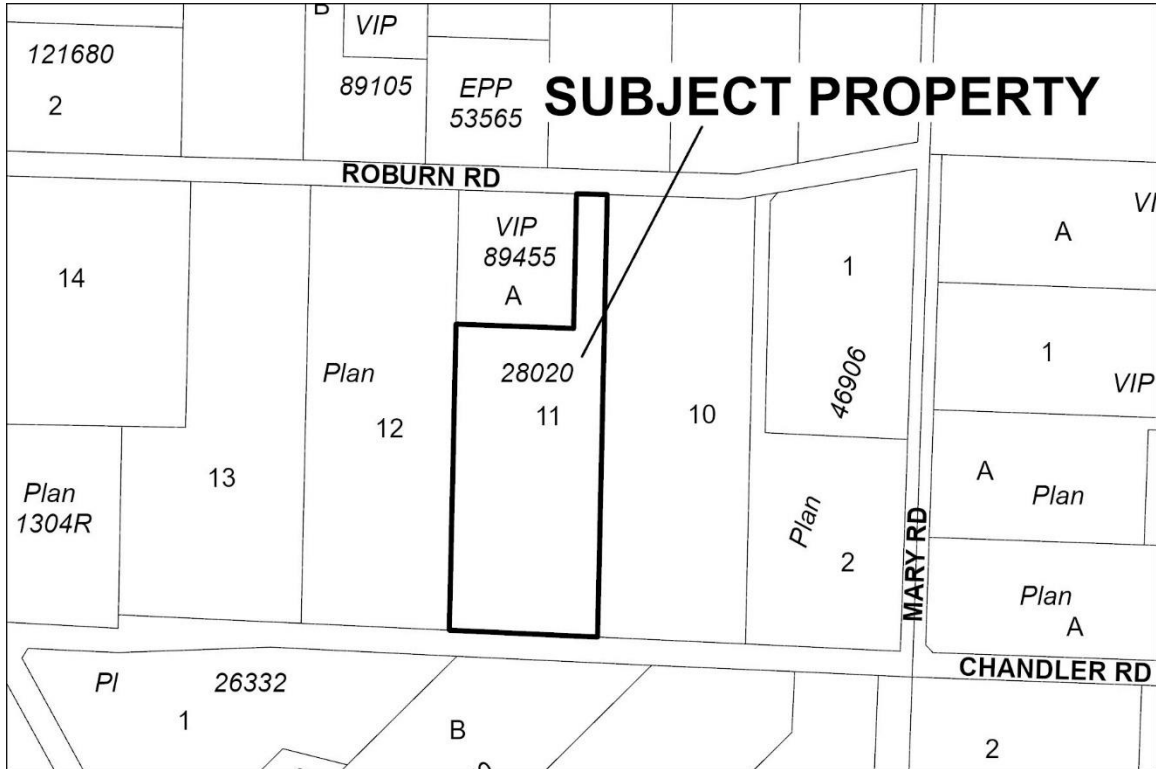
- f) A valid Residential Tenancy Agreement shall be in effect during any occupancy of the temporary detached residential dwelling unit.
 - g) The holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, Islands Trust staff may enter the property during business hours to ensure compliance with the Temporary Use Permit.
- 4. It is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act*, the *Public Health Act*, the *Sewerage System Regulation* or any other relevant legislation pertaining to groundwater, public health and safety, and waste management.
 - 5. This Permit is valid for a period of three years from the date of issuance.
 - 6. This is not a Building Permit or a Siting and Use Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed land use.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS Xth DAY OF XX, 2025.

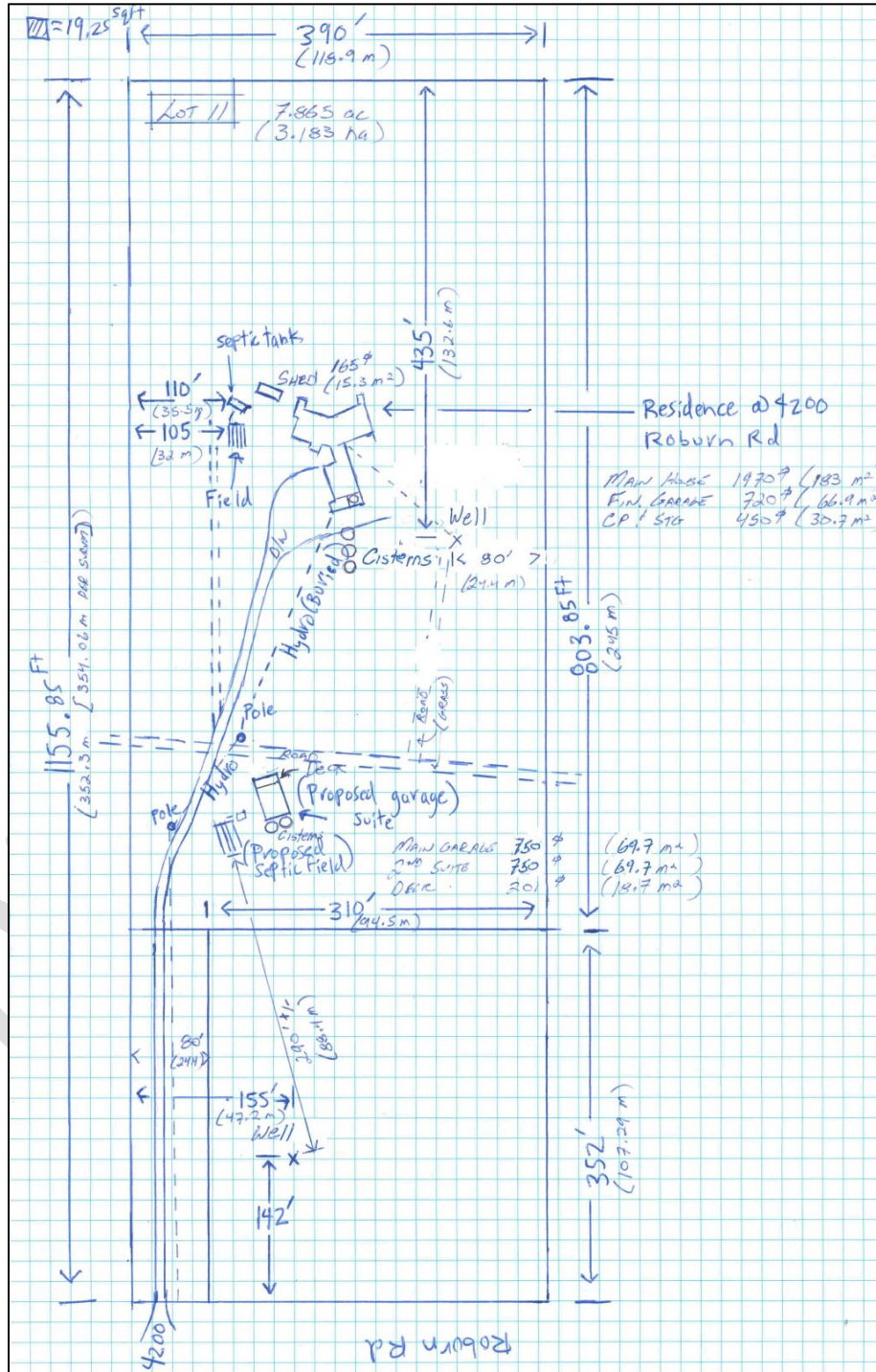
Deputy Secretary, Islands Trust

Date Issued

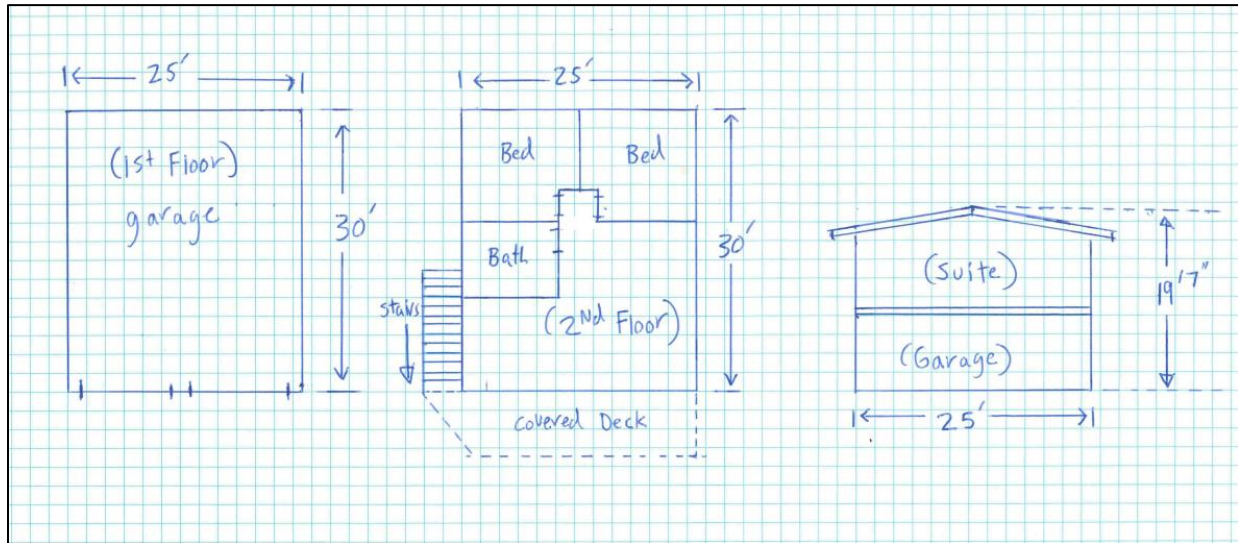
HORNBY ISLAND LOCAL TRUST COMMITTEE
PLTUP20240177 (Moore)
SCHEDULE "A"
Subject Property Map



HORNBY ISLAND LOCAL TRUST COMMITTEE
PLTUP20240177 (Moore)
SCHEDULE "B"
Site Plan



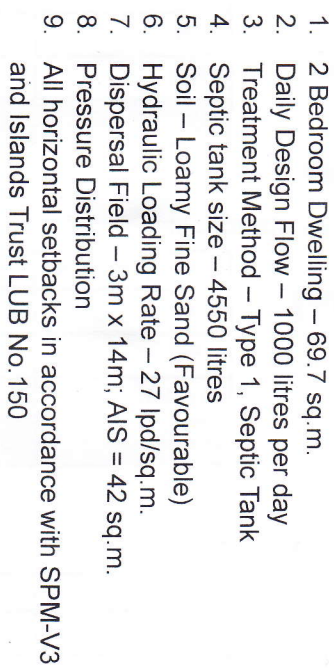
HORNBY ISLAND LOCAL TRUST COMMITTEE
PLTUP20240177 (Moore)
SCHEDULE "C"
Floor Plan



**HORNBY ISLAND LOCAL TRUST COMMITTEE
PLTUP20240177 (Moore)
SCHEDULE "D"
Proposed Sewage Disposal System Plan**

(Begins on next page)

PROPOSED



All horizontal setbacks in accordance with SPM-V3 and Islands Trust LUB No.150

Seal

**HORNBY ISLAND LOCAL TRUST COMMITTEE
PLTUP20240177 (Moore)
SCHEDULE "E"
On-Site Sewerage System Authorization Letter**

(Begins on next page)

PROPOSED

Ron McMurtrie and Associates, Consulting Engineers

Wastewater System Specialists

Comox/Hornby Island, BC 250-218-2194

jasbreez@island.net

March 9, 2025

Rhory and Lorna Moore
4200 Roburn Road
Hornby Island, BC
V0R 1Z0

**RE: TEMPORARY USE PERMIT APPLICATION – ON-SITE SEWERAGE SYSTEM, 4200 ROBURN ROAD, HORNBY ISLAND
OUR FILE: 1099**

Dear Rhory and Lorna

I have completed my preliminary site and soil evaluation and preliminary design for an onsite sewerage system to serve the proposed 2 – bedroom dwelling at the above noted property. My findings are as follows:

1. Two test pits were excavated and reviewed by the undersigned today.
2. Soils in the proposed dispersal field area (see attached Site Plan) are a Loamy Fine Sand with favourable structure and consistency as defined in the BC Standard Practice Manual – SPM-V3.
3. Soil depth above seasonal high-water table is 60cm to 70cm.
4. There is a sufficient area with suitable soil conditions to install a Type 1 Sewerage System in accordance with SPM-V3.
5. The proposed system is a Type 1, pressure distribution in accordance with SPM-V3.
6. All horizontal setbacks meet the requirements of SPM-V3 and Islands Trust LUB No. 150.

The attached site plan shows the proposed location of the sewerage system and the proposed 2 – bedroom dwelling.

If operated and maintained in accordance with the BC Sewerage System Regulation, Standard Practice Manual (SPM-V3), the system will not cause nor contribute to a health hazard.

I trust the foregoing meets your needs regarding the Temporary Use Permit application with Islands Trust. If you have any questions or require additional information, please contact the undersigned at your convenience.

Yours truly,



Ron McMurtrie, P.Eng.
Authorized Person, BC Sewerage System Regulation
E.G.B.C. Permit to Practice No. 1002218

Attached: Sewerage System Site Plan

File No.: PLDVP20240341 – X.ref
PLDVP20240155 (Hornby Island Co-op)

DATE OF MEETING: March 21, 2025

TO: Hornby Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

SUBJECT: Development Variance Permit application

Applicant: Hornby Island Co-operative Association Inc. No. 710 - Scott Tory, AFC Construction (agent)

Location: 5875 Central Road, Hornby Island (PID 026-371-791)
Lot 1, Sections 6 and 10, Hornby Island, Nanaimo District, Plan VIP79310

RECOMMENDATIONS

1. That the Hornby Island Local Trust Committee approve issuance of development variance permit PL-DVP-2024-0341.

REPORT SUMMARY

The purpose of this report is to provide information to the LTC for consideration of a permit that is required to facilitate the redevelopment of the Hornby Co-op property at 5875 Central Road. The project includes construction of a new Co-op Store building with a grocery and hardware store, Canada Post, liquor store, deli, office rooms, and loading areas. The LTC has already issued a development variance permit (DVP) for the relaxation of setbacks and a development permit (DP) for proposed development in the Commercial Centres (Retail and Visitor Accommodations) DPA. However, an additional DVP for relaxation of maximum building height restrictions is required per the proposed plans.

A full analysis of the proposed project was provided to the LTC at their regular business meeting on November 1, 2024. This report asks the LTC to consider only the DVP for a height variance, as other variances and the DP have already been considered and approved. Staff recommends issuing the permit under the analysis and rationale provided in the following sections.

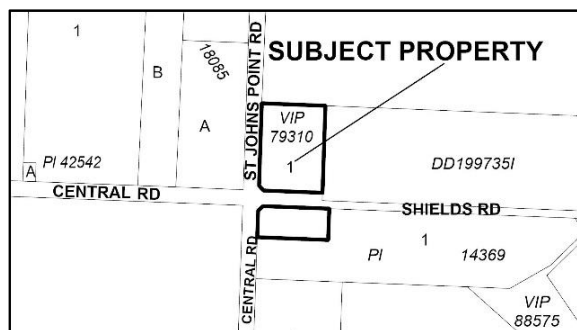


Figure 1 – Subject Property



Figure 2 – Approximate Project Area

BACKGROUND

Site Context

The subject property is located at the intersection of Central Road and Shields Road and is a “hooked” lot across those roadways. The Co-op Store and Ringside Market areas are located on the southern portion of the property, with services extending to the northern portion where the gas/service station and parking lot is located. Complete site and context information are found in **Attachments 1, 2, and 3**.

Project Overview

The application materials describe that the 12 existing Ringside Market buildings will remain with no change of use or occupancy. The existing general store is to be demolished and replaced with a new general store per the site plans and building elevations by Leckie Studio Architecture and Design Inc. (**Attachments 4 and 5**). The new general store will include mercantile space on level 1 and office space on level 2. Construction will also include a generator, fire pump enclosure, and above grade water tanks on the South-West corner of the site.

The project is proposed be carried out in two phases. Phase one includes the construction of the new Hornby Island Co-op store while maintaining operations at the existing building. On completion of the new store, the existing building would be demolished. Phase 2 includes plans to construct the front landscape area and entrance canopy after demolition of the old building is complete.

On November 1, 2024, the LTC approved issuance of two permits regarding the proposed project, as follows:

- A DVP to allow variances to the interior side and rear lot line minimum setback requirements for the new general store; and
- A Development Permit (DP) for the entire project per the Commercial Centres (Retail and Visitor Accommodations) DPA.

On November 5, 2024, staff also processed and approved a Siting and Use Permit (SUP) to permit the development per the [Hornby Siting and Use Permit Bylaw No. 168](#).

Following issuance of the three permits in November 2024, it was discovered that the proposed building height of the general store is 10.25 metres, which is 2.25 metres above the maximum permitted 8.0 metre building height limit in the Hornby Island Land Use Bylaw No. 150 (LUB). Therefore, an additional variance to the building height regulation is sought.

ANALYSIS

OCP

The subject property is designated Retail and Personal Service and included in the Commercial Centres (Retail and Visitor Accommodations) DPA per the [Hornby Island Official Community Plan Bylaw No. 149](#) (OCP) land use and development permit areas maps, Schedule “B” and “E” to the OCP, respectively. Staff consider the current uses on the property and proposed development applications to be compatible with OCP policies and objectives under section 6.5.1 for this designation.

LUB

Zoning

The subject property is zoned Commercial 1 -Retail (C1) (Co-op and Service Station) under LUB section 8.9, where retail, restaurants, service stations, personal services, and offices are permitted principal uses.

Height - DVP

The applicant is requesting a relaxation to the following LUB height regulation (**Attachment 8**):

- Section 3.4, Subsection (1) which states that **buildings and structures** other than agricultural buildings and structures **must not exceed a height of 8.0 metres**, is requested to be increased to **10.25 metres** for the proposed new general store.

Intent of regulation being varied

The purpose of building height regulations is to minimize impacts on adjacent properties related to:

- Establishing a consistent development pattern within a local area.
- Limiting the visual impact of development on adjacent properties.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Ensuring that the environmental integrity and amenity of adjacent lots, public roads and public land are not adversely affected.

Impact of granting variance

The applicant submits that the height of the new store building is necessary to enable the continued operation of services and stores at the Hornby Co-op, with site constraints and limited design options. The most impacted neighbours are the BC Parks Tribune Bay campground directly to the east and south of the proposed general store. Staff understand the applicant met with the BC Parks Area Supervisor, in September 2024 to walk the property and discuss a number of points, including the height of the new general store building and roof style, and the general aesthetics facing the campground including windows and privacy.

The applicant has responded to these concerns and was in dialog with BC Parks to improve the interface between the properties.

The specific implications of denying the height variance may be best articulated by the applicant. However, staff understand that if it is denied, this could have significant impact on the project timeline and could cause service interruptions to the store. The applicant would have the option of applying to the Board of Variance if the Development Variance Permit is denied.

CIRCULATION

Notification of the DVP was sent to property owners and residents within the vicinity on March 4, 2025 in accordance with the *Local Government Act* (**Attachment 7**). Public comments can be received up to and including the LTC meeting on March 21, 2024.

As of the date of this report, no correspondence has been received in response to the notification. Any submissions received prior to the LTC meeting date will be forwarded to the LTC and reported at the meeting for information and consideration.

First Nations

Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

The applicant contacted staff at K’ómoks First Nation (KFN) to inquire whether a Cultural Heritage Investigation Permit (CHIP) is required and were notified that a CHIP is not required, however, if during construction potential archaeological material is identified, the applicant must halt work and contact KFN immediately.

Rationale for Recommendation

Staff recommend approval of the variance (DVP) request as found on page 1 of this report, considering the following:

- the height of the new general store building is necessary to enable the continued operation of services and stores at the Hornby Co-op, within site constraints;
- the proposed variance would not contradict Hornby OCP policies; and
- the use and structure(s) are supported by the LUB C1 zoning regulations.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee request that the applicant submit to the Islands Trust [describe information] prior to further consideration of PLDVP20240341.

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application PLDVP20240341 for the following reasons [insert reasons].

NEXT STEPS

If the LTC grants the DVP, staff will issue the permit and the project may proceed with phased construction.

Submitted By:	Margot Thomaidis, Planner 2	March 5, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 7, 2025

ATTACHMENTS

1. Site Context
2. Existing Site Plan Survey Dated July 19, 2024
3. Project Brief – Leckie Studio Architecture + Design Inc. Dated July 26, 2024
4. Proposed Site Plan – Leckie Studio Architecture + Design Inc. Dated September 24, 2024
5. Building Elevations – Leckie Studio Architecture + Design Inc. Dated December 3, 2024
6. DVP for Variances to Setbacks Issued November 5, 2024
7. Statutory Public Notice of DVP
8. Proposed DVP

ATTACHMENT 1 - SITE CONTEXT

ATTACHMENT 1 - SITE CONTEXT - PL DVP 2024 0341 (HORNBY CO-OP)

LOCATION

Legal Description	LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
PID	026-371-791
Civic Address	5875 Central Road

LAND USE

Current Land Use	Commercial (Co-op gas station and retail sales)
Surrounding Land Use	Park (Tribune Bay) to NE, Campground to SE, Agriculture to SW, Residential to W and SW

HISTORICAL ACTIVITY

File No.	Status
HO-ALR-2002.2	Closed
HO-CL-2020.7	Closed
HO-DP-1997.3	Closed
HO-DP-2004.2	Closed
HO-DP-2006.1	Closed
HO-DP-2017.1	Closed
HO-DVP-2017.2	Closed
HO-RZ-2003.6	Closed
HO-SUB-2003.2	Closed
HO-SUP-2004.23	Closed
HO-SUP-2006.15	Closed
HO-SUP-2018.5	Closed
HO-TUP-2020.3	Open
UN-DVP-1990.16	Closed
UN-DVP-1990.2	Closed
UN-DVP-1991.5	Closed
PL-DVP-2024-0155	Closed
PL-DP-2024-0156	Closed
PL-SUP-2024-0157	Closed
PL-DP-2025-0004	Open
PL-SUP-2025-0005	Open

POLICY/REGULATORY

Official Community Plan Designations	Designation: Retail and Personal Service DPA: Commercial Centres (Retail and Visitor Accommodations)
Land Use Bylaw	Commercial 1 – Retail (C1) Zone (Co-op and Service Station)

Z:\09 Current Planning\06 HO\3190 DVP\25 Applications (P)\2024\PLDVP20240341 Hornby Coop\06 Staff Reports\PLDVP20240155_RPT_ATT02-Site-Context.docx

Other Regulations	C1 setback for interior side lot lines = 3.0 metres, maximum height for accessory structures = 6.0 metres
Covenants	Restrictive Covenant/Easement: EC26582, EC26583 (Tribune Bay access) Undersurface Rights: 220624G
Bylaw Enforcement	HO-BE-2014.2 – siting (Closed)

SITE INFLUENCES

Islands Trust Conservancy	No ITC interests adjacent to subject parcel.
Regional Conservation Strategy	Regional Conservation Strategy (2018) identifies the parcel as having Medium and High conservation values and priority. The new store building is to be installed in an existing developed/disturbed parking lot area.
Species at Risk	None mapped
Sensitive Ecosystems	Developed/Young Forest: IT SEM mapping
Hazard Areas	None mapped
Archaeological Sites	By copy of this report and as provided at the time the DP application was opened, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	New store to be constructed under current BC Building Code for commercial structures, no increased GHG emissions anticipated as directly related to the new structure apart from increase during construction phase. Building is well set back from natural boundary and storm water/drainage to be included in landscaping/parking plan.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A

LEGEND

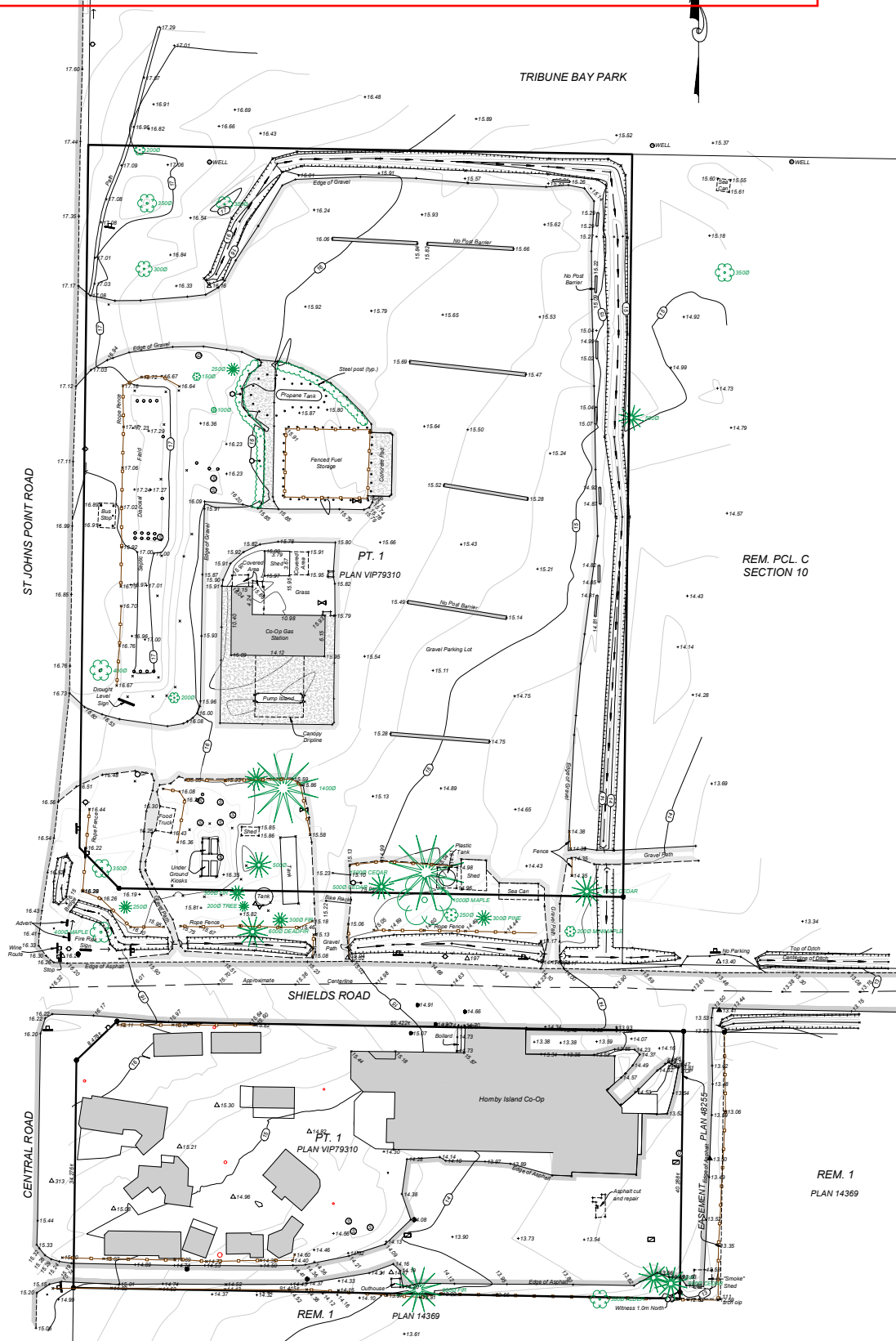
- Standard Iron Post
- +/- 50' Spot Elevations
- Sign
- ⊕ Lamp Post
- ☑ Catch basin
- ⊖ Sanitary manhole
- ⊖ Storm drain manhole
- Sanitary clean out
- Utility Pole
- Anchor
- ⊕ Fire Hydrant
- Fence
- △ Traverse Hub
- Monitor well
- ☼ Tree Coniferous
- ☼ Tree Deciduous
- ⊖ Water Valve
- Top of Ditch
- Centerline of Ditch

Elevations are geodetic and are based on Canadian Vertical Datum 2013 (CGG2013a)(1997).

Contour Interval = 0.25m

To convert geodetic elevations to assumed local add 83.42m to elevations shown.

Date of Survey
July 11, 2024



Certified correct

Memorandum

1/1

Re	Development Variance Permit	
Project	Hornby Island Co-op	
Project Code	HIC	
Project Address	5875 Central Road, Hornby Island, V0R 1Z0	
Date	26 July 2024	
To	-	Islands Trust
From	Emily Dovbniak	LSA+D
CC	Scott Torry	AFC

HIC - Existing and Proposed Uses

The proposed project is located at 5875 Central Road, Hornby Island. The subject lands comprise 1.29ha (3.19 acres) in total, divided into two properties as noted below. The two properties are separated by Shields Rd. running West-East along the frontages. The proposed project is located on the South property, with site services extending across Shields Rd. onto the North property as noted on civil site servicing plan C01.

1. North Property: Consisting of an existing Co-op Gas Bar and gravel parking area (0.92ha).
2. South Property: Consisting of an existing Hornby Island Co-op General Store and Ringside Market (0.37ha).

The existing buildings on the site include a grocery store (Group E Mercantile Major Occupancy) and 12 single storey stand-alone buildings on the west extent of the site comprising the “Ringside Market”.

The 12 existing Ringside Market buildings are to remain with no change of use or occupancy. The existing general store is to be demolished and replaced with a proposed new general store as per the attached drawings. The new general store will include mercantile space on level 1 (Group E Major Occupancy) and subsidiary office space on level 2 (Group D Subsidiary Occupancy). The new construction will also include a PMT, generator, fire pump enclosure, and above grade water tanks on the South-West corner of the site.

The project is proposed to include two phases. Phase one would include the construction of the new Hornby Island Co-op while maintaining operations at the existing Hornby Island Co-op. Upon completion of the new Co-op building, the existing Co-op would be demolished. Phase 2 would include constructing the front landscape area and front canopy of the building after demolition of the existing building is complete.

There are no proposed Home Occupations on the site.



Project

Hornby Island
Co-op

5875 Central Road
Hornby Island, BC

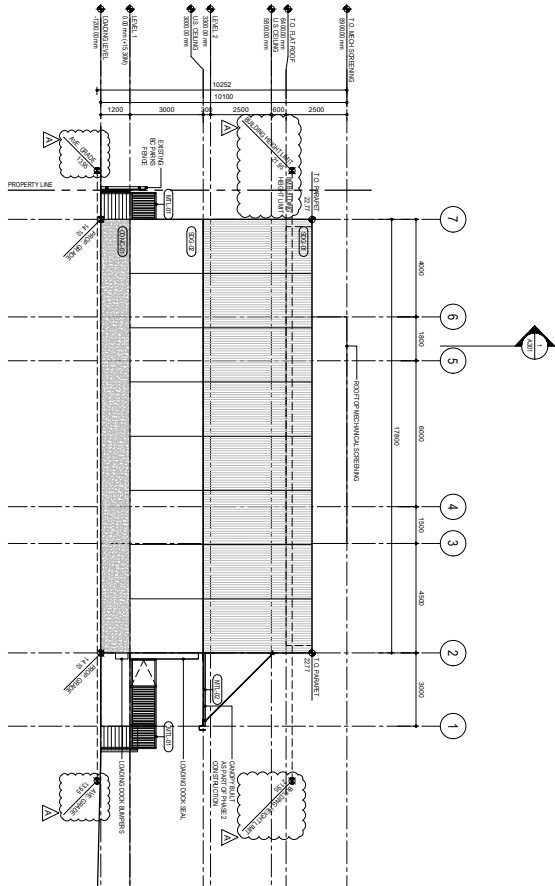
Drawn/Checked	Project Code
LSAD	HCC
Scale	Date
1:200 @ 22 x 34	24/02/23
1:400 @ 11 x 17	
Sheet Number	Revision

DRAWING LIST

ARCHITECTURAL	
4000	COVER SHEET
4001	TITLE SHEET & DRAWING LIST
4010	SITE PLAN - EXISTING
4011	SITE PLAN - PROPOSED
4020	NORTH - EAST ELEVATION
4021	SOUTH - WEST ELEVATION
CIVIL	
001	CIVIL SITE SERVING PLAN
002	STORMWATER MANAGEMENT PLAN

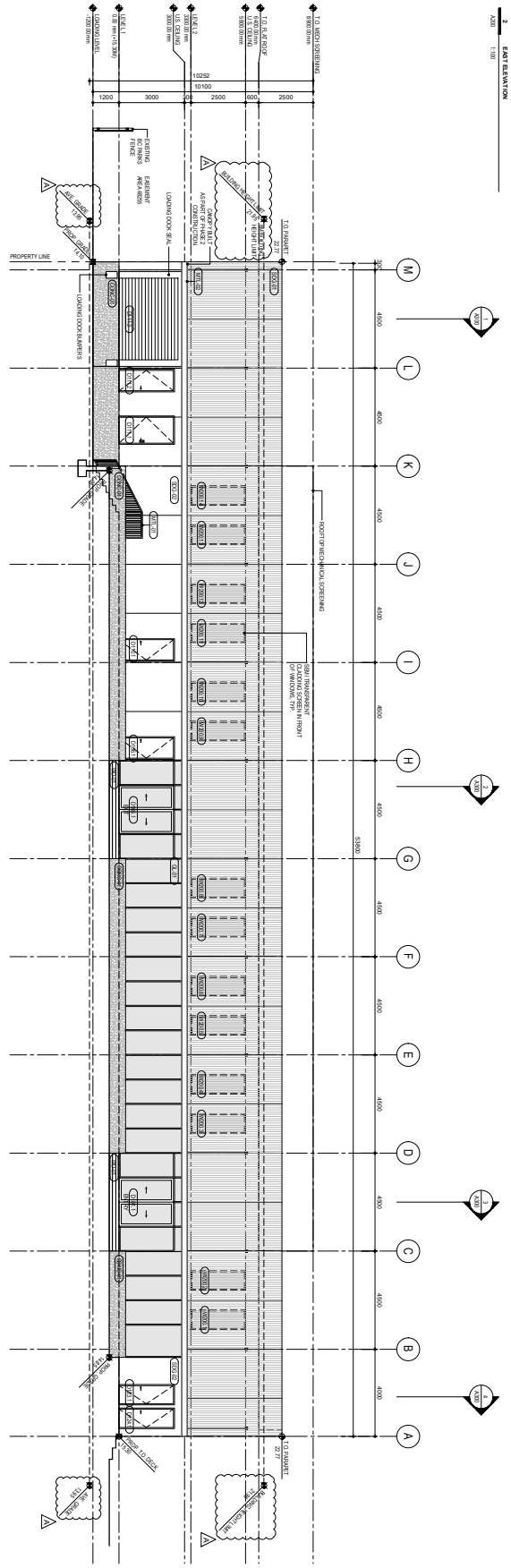
**Hornby Island
Co-op**
5875 Central Road
Hornby Island, BC

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L.SAD	HIC
Scale	Date
N/A	24/12/03
Sheet Number	Revision



MATERIAL LEGEND

FINISHING	FINISH TYPE
CONCRETE	CONCRETE
WOOD	WOOD
GLASS	GLASS
STEEL	STEEL



18 ISSUED FOR REVIEW
19 ISSUED FOR PERMIT
2025

At Homby Island Co-op, we are committed to providing a safe and healthy environment for our members. We are committed to providing a safe and healthy environment for our members. We are committed to providing a safe and healthy environment for our members.

Project:
Homby Island Co-op
4875 Central Road
Hempstead, NY 11550

Owner: The
North + East
Elevation

DATE: 10/10/2024
TIME: 10:10 AM
BY: [Signature]
PROJECT: [Project Name]

A200



All drawings and related documents are the property of Little Studio Architecture + Design, Inc. and may not be reproduced in whole or in part without the architect's permission. This drawing should not be used to calculate areas. Do not scale this drawing. All dimensions to be confirmed on site by the general contractor and sub-contractors to be their responsibility. All work must comply with the relevant Building Code by L.A. and related documents. Drawing errors and omissions must be immediately reported to the architect.

Project: **Hornby Island Co-op**
5875 Central Road
Hornby Island, BC

**South + West
Elevation**

Drawn / Checked	Project Code
L. S. AD	HIC
Scale	Date
1:100 @ 22 x 34	24/12/03
1:200 @ 11 x 17	
Sheet Number	Revision

A201



ATTACHMENT 6 - DVP ISSUED NOV. 5, 2024

HORNBY ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20240155

To: HORNBY ISLAND CO-OPERATIVE ASSOCIATION, INC.NO.710

1. This Development Variance Permit applies to the land described below:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
(PID: 026-371-791)

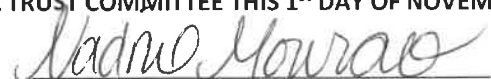
2. Hornby Island Land Use Bylaw No. 150, 2014 is varied as follows:

- a) **Section 8.9, Subsection (4)(b) which states that the minimum setback for any building or structure, except for a fence or pump/utility house shall be 6.0 metres from a rear lot line, is varied to permit the construction of a new grocery store building within 1.2 metres of the Southern rear lot line.**
- b) **Section 8.9, Subsection 4(c) which states that the minimum setback for any building or structure, except for a fence or pump/utility house shall be 3.0 metres from an interior side lot line, is varied to permit the construction of a new grocery store building within 0.0 metres of the Eastern interior lot line.**

The development shall be consistent with Schedule 'A' which is attached to and forms part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Hornby Island Land Use Bylaw No. 150, 2014" and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS 1st DAY OF NOVEMBER, 2024.


Deputy Secretary, Islands Trust

November 4, 2024

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 4th DAY OF NOVEMBER, 2026 (2 YEARS FROM DATE OF ISSUANCE) THIS PERMIT AUTOMATICALLY LAPSES.

ATTACHMENT 7 - NOTICE

PLDVP20240541

HORNBY ISLAND LOCAL TRUST COMMITTEE

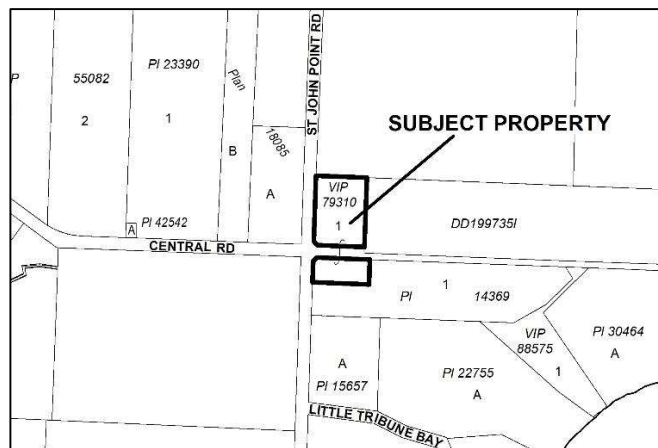
NOTICE is hereby given that the Hornby Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Hornby Island Land Use Bylaw No. 150, 2014 by:

- Permitting the siting of a proposed new grocery store building on the Hornby Co-operative Association property that is 10.25 metres in height, exceeding the 8.0 metre building height limit.

The property is located at **5875 Central Road, Hornby Island, BC** and is legally described as:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310 (PID: 026-371-791)

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 7, 2025** and continuing up to and including **March 20, 2025**.

A copy of the Development Variance Permit may be found online at <https://islandstrust.bc.ca/island-planning/hornby/current-applications/>

Enquiries or comments should be directed to Margot Thomaidis, Planner 2 at (250) 247-2204, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **March 20, 2025**.

The Hornby Island Local Trust Committee may consider issuance of the proposed Permit at its Business Meeting to be held at **11:30 a.m., March 21, 2025 at the Hornby Community Hall, 4305 Central Road, Hornby Island**.

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

Nadine Mourao, Deputy Secretary



ATTACHMENT 8 - DRAFT DVP

HORNBY ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20240341

To: HORNBY ISLAND CO-OPERATIVE ASSOCIATION, INC.NO.710

1. This Development Variance Permit applies to the land described below:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
(PID: 026-371-791)

2. Hornby Island Land Use Bylaw No. 150, 2014 is varied as follows:

Section 3.4 Subsection (1) which states that buildings and structures other than agricultural buildings and structures must not exceed a height of 8.0 metres, is varied to permit the construction of a 3663.6 m² grocery store building, 10.25 metres in height.

The development shall be consistent with Schedule 'A' and Schedule 'B' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Hornby Island Land Use Bylaw No. 150, 2014" and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS XX DAY OF XXXX, 2025.

Deputy Secretary, Islands Trust

XXXX, 2025

Date of Issuance

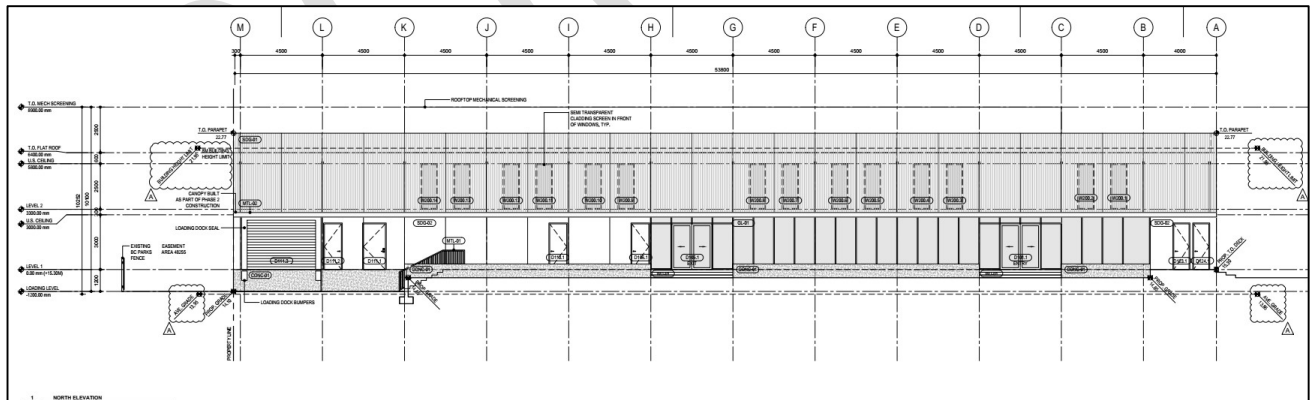
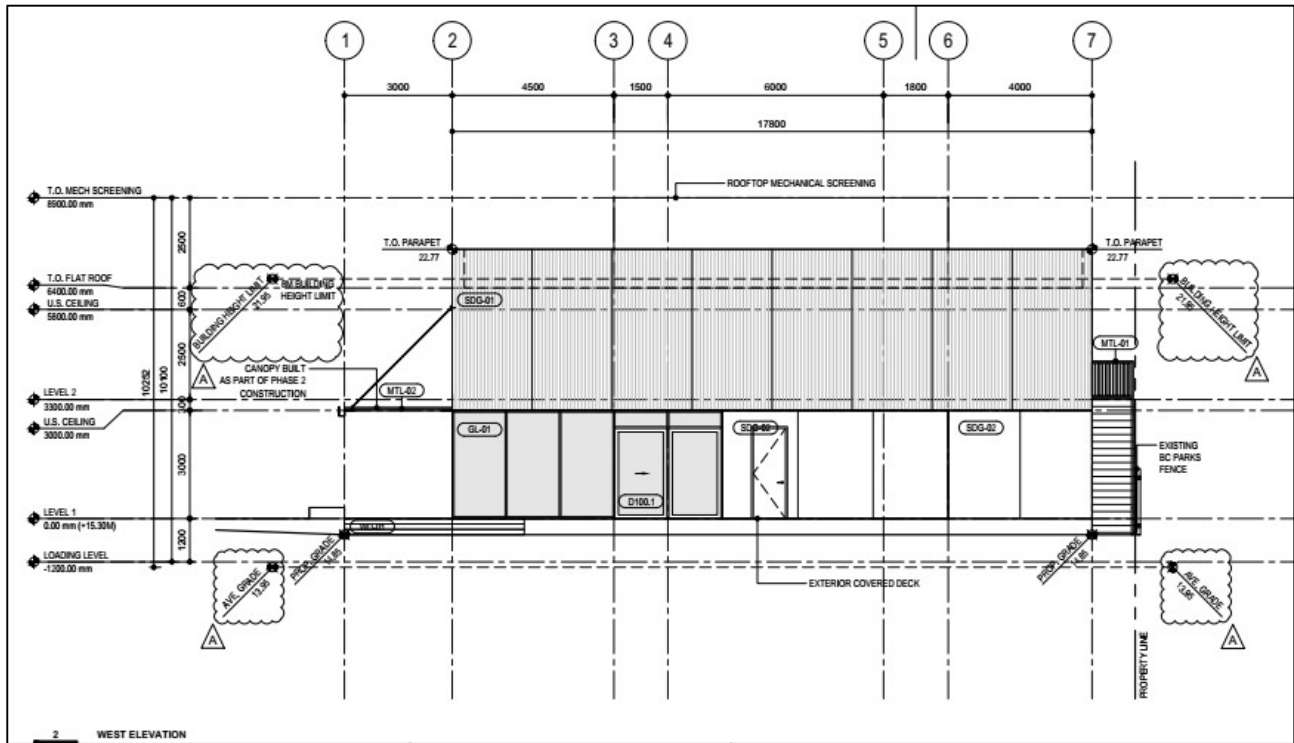
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XX DAY OF XX, 2027 (2 YEARS FROM DATE OF ISSUANCE) THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE
PLDVP20240341

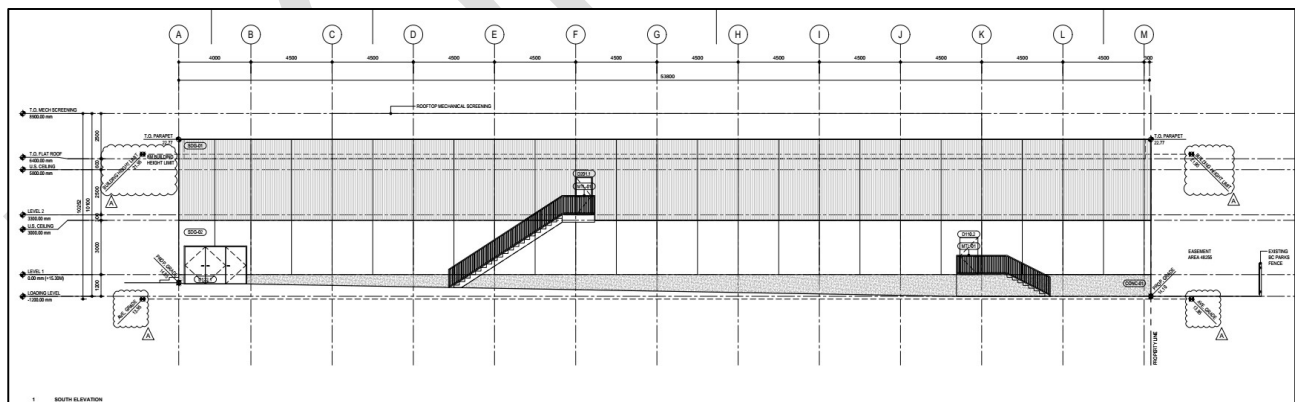
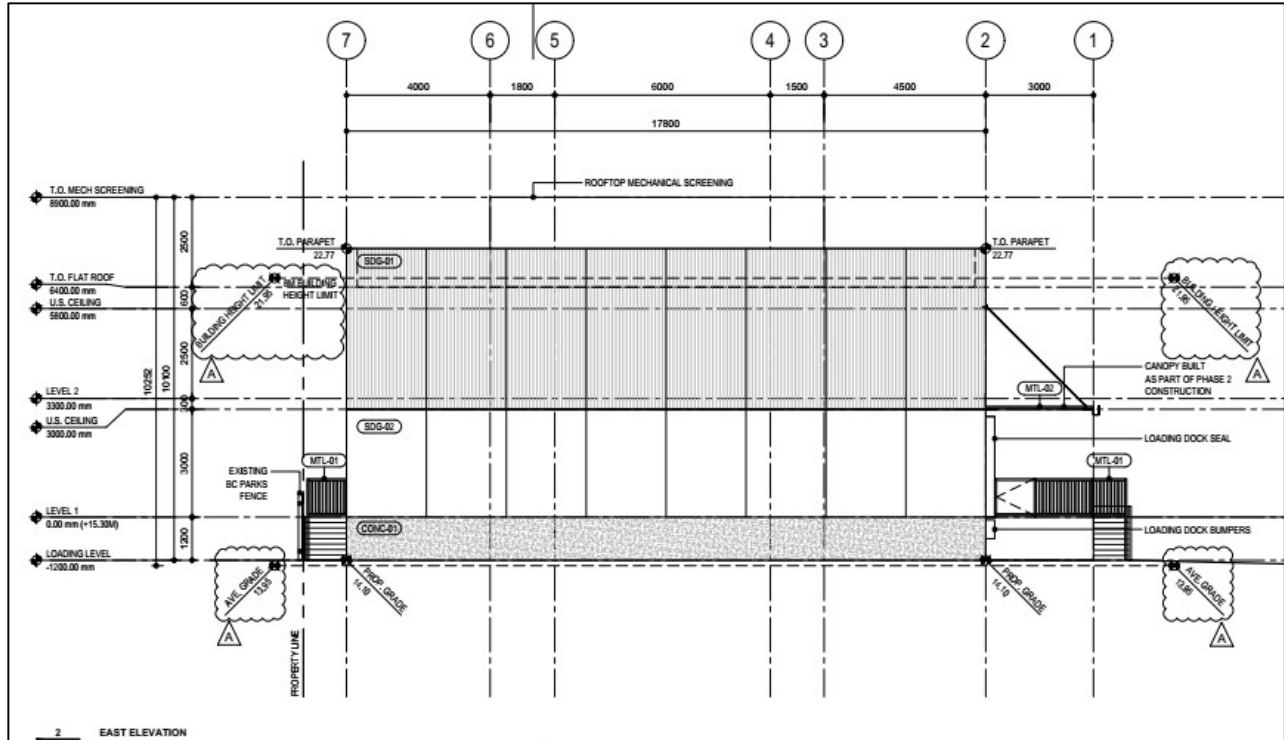
SCHEDULE 'A'

Building Elevations (West and North)



SCHEDULE 'B'

Building Elevations (East and South)





Islands Trust

STAFF

REPORT

File No.: PLDP20250004 (Lemay)

DATE OF MEETING: March 21, 2025

TO: Hornby Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

SUBJECT: Development Permit application

Applicant: Lucie Lemay

Location: 5875 Central Road, Hornby Island (PID 026-371-791)
Lot 1, Sections 6 and 10, Hornby Island, Nanaimo District, Plan VIP79310

RECOMMENDATIONS

1. That the Hornby Island Local Trust Committee approve issuance of development permit PL-DP-2025-0004.

REPORT SUMMARY

The purpose of this report is to provide information to the LTC for consideration of a permit that is required to facilitate the development of the new 'Vorizo' café building on the Hornby Co-op property at 5875 Central Road. The proposal includes demolition of the bike shop and construction of a new café building in its footprint. Staff recommends issuing the permit under the analysis and rationale provided in the following sections.

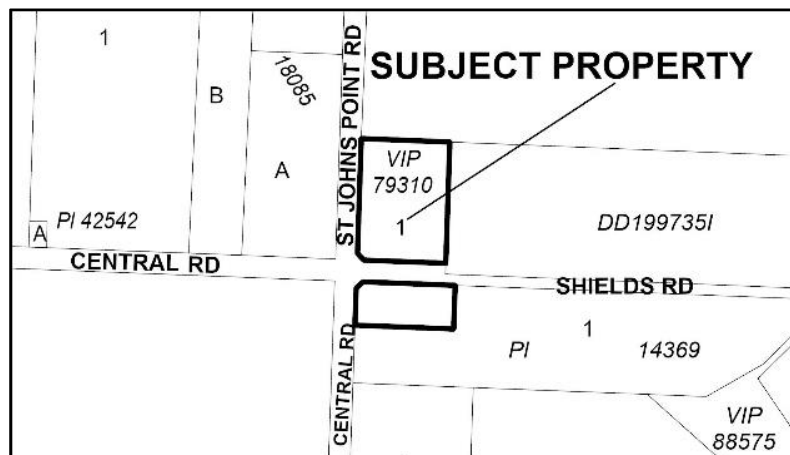


Figure 1 - Subject Property

BACKGROUND

Site Context

The subject property is located at the intersection of Central Road and Shields Road and is a “hooked” lot across those roadways. The Ringside Market area where the new café building is proposed to be located is on the south-western portion of the property, with services extending to the northern portion where the gas/service station and parking lot is located. A complete site context and existing survey are found in **Attachments 2 and 3**.

The LTC previously approved two applications in November 2024 for development of the south-eastern portion of the property: PL-DVP-2024-0155 and PL-DP-2024-0156, to permit the redevelopment of the eastern half of the lot including a new general store and updated services and landscaping. Construction of the new café building, if approved, may coincide with construction of the new general store.

ANALYSIS

OCP

The subject property is designated Retail and Personal Service and included in the Commercial Centres (Retail and Visitor Accommodations) DPA per the [Hornby Island Official Community Plan Bylaw No. 149](#) (OCP) land use and development permit areas maps, Schedule “B” and “E” to the OCP, respectively. Staff consider the proposed development to be compatible with OCP policies and objectives under section 6.5.1 for this designation. The DPA Guidelines are found in the LUB section 9.1.

A small portion of the subject property along Central Road is also designated as DPA 6 – Riparian Areas. However, the proposed development is exempt from requiring a Development Permit for DPA 6, under regulation 9.6.2(s) of the Hornby Island Land Use Bylaw (LUB):

9.6.2

s) Any development more than 8.0 metres from a stream that is a roadside ditch which does not contain instream habitat for fish according to the Stream identification Reports prepared for [Hornby Island by Madrone Environmental Services \(January 2014\)](#) and [Mimulus Biological Consultants \(March 2012\)](#)

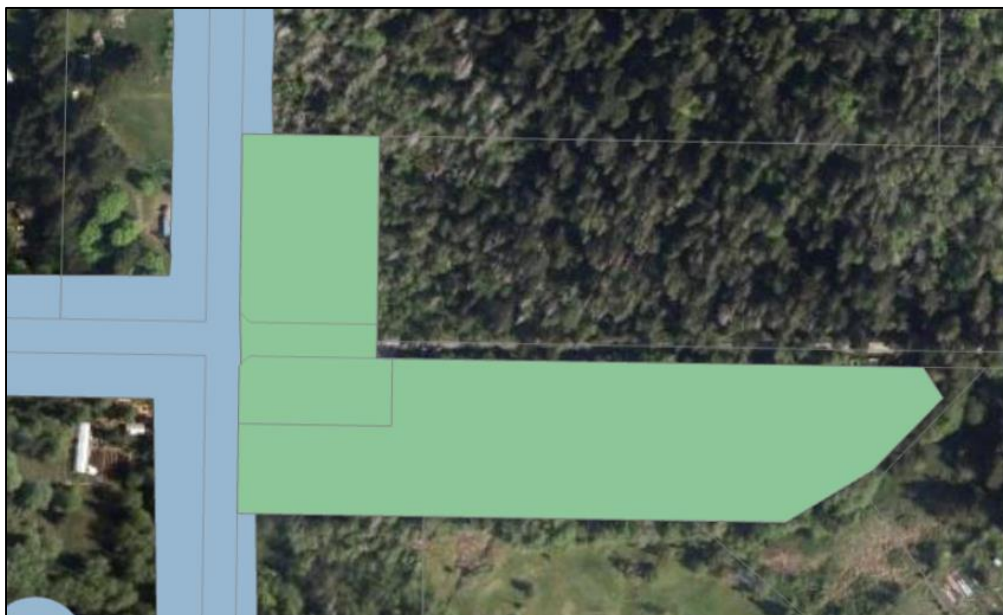


Figure 2 - Commercial Centres (Green) and Riparian Areas (Blue) DPA Extent

An analysis of the proposed development's alignment with the Commercial Centres (Retail and Visitor Accommodations) DPA is included in **Attachment 1**.

LUB

Zoning

The subject property is zoned Commercial 1 -Retail (C1) (Co-op and Service Station) under LUB section 8.9, where retail, restaurants, service stations, personal services, and offices are permitted principal uses. The proposed new café building is permitted by the LUB.

First Nations

Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Staff consider the application to meet the DPA Guidelines as presented in **Attachment 1** and therefore recommend issuance of the DP. Staff recommendation is listed on page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee request that the applicant submit to the Islands Trust [describe information] prior to further consideration of PL-DP-2025-0004

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application PL-DP-2025-0004 for the following reasons [insert reasons].

NEXT STEPS

If the LTC grants the DP, staff will review and process the additionally required Siting and Use Permit (SUP) for the development per the [Hornby Siting and Use Permit Bylaw No. 168](#).

Submitted By:	Margot Thomaidis, Planner 2	March 10, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 11, 2025

ATTACHMENTS

1. DPA Guidelines (Commercial Centres)
2. Site Context
3. Existing Site Plan Survey
4. Draft Permit

ATTACHMENT 1 - DPA GUIDELINES

ATTACHMENT 1 – DPA GUIDELINES, COMMERCIAL CENTRES (RETAIL AND VISITOR ACCOMMODATIONS)

Prior to undertaking any development, subdivision or land alteration, an owner of property within the Commercial Centres (Retail and Visitor Accommodations) Development Permit area shall apply to the Hornby Island Local Trust Committee for a development permit. Development Permits issued in this area should be in accordance with the following guidelines:

	Guideline	Notes
1	The character of each development (including campgrounds) should be in keeping with the rural environment and blend in with the aesthetic qualities of the natural surroundings.	The proposed café building would replace the old bike shop building with a new Vorizo café. The proposed building (3.5 m in height, 39 m ² in floor area, with a 12 m ² awning/canopy roof) is similar in height and size to other buildings in Ringside Market and blends with the aesthetic qualities of the existing market. The building complements the surrounding natural and rural residential environment.
2	The form of the development should incorporate low, small-scale building designs with such amenities as public walkways and outdoor open spaces for use by the public, and include sufficient services.	The proposed café building is one storey, small-scale, and adjacent to public walkways and outdoor open spaces.
3	Natural vegetation and trees should be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.	No existing vegetation or landscaping is proposed to be removed. No new landscaping or parking is proposed as part of this application.
4	In order to minimize light pollution to neighbouring properties, lighting should be softer and lower than supplied by mercury vapour lighting towers, and alternatives that do not light up adjacent private properties shall be required.	The applicant plans to install soft string lighting along the sides of the building, away from the adjacent properties to the west and south. If the applicant wishes to install additional outdoor lighting after DP issuance, a DP amendment is required. Condition b) of the draft DP.
5	Off-street automobile parking should be provided as required by bylaw and the Permit should ensure that it is adequately screened and unobtrusive and, if possible, is located to the rear of the parcel and away from public open spaces and eating places.	No parking is proposed as part of this application. Existing parking and landscaping plans have been approved to support the Ringside Market, Co-op, and General Store per Development Permits PL-DP-2024-0156 and PL-DP-2024-0166. Approximately 120 total parking stalls are approved. Parking will be located on the northern portion of the lot, adjacent to the existing co-op gas bar and service station.

6	Adequate convenient toilet and washroom facilities should be provided for the number of customers anticipated.	No bathroom facilities are included in the proposed new café building. Existing shared washroom facilities are in the Co-op gas bar and general store.
7	Clustering of businesses in order to share in the provision of parking, services, and public facilities and open space should be encouraged.	Proposed café is located adjacent to other businesses in Ringside Market, in a clustered formation. The proposed café will share in use of the existing outdoor seating areas, open spaces, and pathways. Approved plans for fire, sewer, water services, and parking is provided in permit PL-DP-2024-0156.
8	A landscape plan incorporating natural landscaping should be required.	No landscape plan is proposed as part of this application.
9	Neon or internally lit signs should not be permitted.	The applicant plans to install soft string lighting along the sides of the building, away from the adjacent properties to the west and south.
10	All buildings should be finished in natural products such as wood or brick.	The applicant has confirmed the use of wood siding and finishing. Condition c) of the draft DP.
11	On any lot where residential use is permitted, the sequence of construction should be that buildings to be used only for commercial purposes should be constructed prior to any construction of any building that may accommodate residential use, with the exception that one building to be used for commercial purposes that includes one dwelling unit may be constructed, if authorized by zoning regulation, in any sequence of construction on the lot.	N/A –not a permitted use in the C1 zone.
12	Universal access design principles should be incorporated into the built environment to support the provision of equitable access for all abilities.	The applicant is planning to make the approximately 80 sq. ft. indoor seating area wheelchair accessible by installing a ramp at the front entrance and using moveable seating and tables. Condition d) of the draft DP.

ATTACHMENT 2 - SITE CONTEXT

ATTACHMENT 2 – SITE CONTEXT – PL-DP-2025-0004 (LEMAY)

LOCATION

Legal Description	LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
PID	026-371-791
Civic Address	5875 Central Road

LAND USE

Current Land Use	Commercial (Co-op gas station, Ringside Market, co-op store, and retail sales)
Surrounding Land Use	Park (Tribune Bay) to NE, Campground to SE, Agriculture to SW, Residential to W and SW

HISTORICAL ACTIVITY

File No.	Status
HO-ALR-2002.2	Closed
HO-CL-2020.7	Closed
HO-DP-1997.3	Closed
HO-DP-2004.2	Closed
HO-DP-2006.1	Closed
HO-DP-2017.1	Closed
HO-DVP-2017.2	Closed
HO-RZ-2003.6	Closed
HO-SUB-2003.2	Closed
HO-SUP-2004.23	Closed
HO-SUP-2006.15	Closed
HO-SUP-2018.5	Closed
HO-TUP-2020.3	Open
UN-DVP-1990.16	Closed
UN-DVP-1990.2	Closed
UN-DVP-1991.5	Closed
PL-DVP-2024-0155	Closed
PL-DP-2024-0156	Closed
PL-SUP-2024-0157	Closed
PL-DVP-2024-0341	Open
PL-SUP-2025-0005	Open

POLICY/REGULATORY

Official Community Plan Designations	Designation: Retail and Personal Service DPA: Commercial Centres (Retail and Visitor Accommodations)
--------------------------------------	---

	DPA: Riparian Areas
Land Use Bylaw	Commercial 1 – Retail (C1) Zone (Co-op and Service Station)
Other Regulations	C1 setback for interior side lot lines = 3.0 metres, maximum height for accessory structures = 6.0 metres
Covenants	Restrictive Covenant/Easement: EC26582, EC26583 (Tribune Bay access) Undersurface Rights: 220624G
Bylaw Enforcement	HO-BE-2014.2 – siting (Closed)

SITE INFLUENCES

Islands Trust Conservancy	No ITC interests adjacent to subject parcel.
Regional Conservation Strategy	Regional Conservation Strategy (2018) identifies the parcel as having Medium and High conservation values and priority. The new café building is to be installed in an existing developed/disturbed area.
Species at Risk	None mapped
Sensitive Ecosystems	Developed/Young Forest: IT SEM mapping
Hazard Areas	None mapped
Archaeological Sites	By copy of this report and as provided at the time the DP application was opened, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	New café to be constructed under current BC Building Code for commercial structures, no increased GHG emissions anticipated as directly related to the new structure apart from increase during construction phase. Building is well set back from natural boundary.
Shoreline Data in TAPIS	N/A



Islands Trust

ATTACHMENT 4 - DRAFT PERMIT

HORNBY ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT PLDP20250004

To: Hornby Island Co-Operative Association, Inc. No. 710

1. This Development Permit (the “Permit”) applies to the land described below:

Lot 1, Sections 6 and 10, Hornby Island, Nanaimo District, Plan VIP79310
PID 026-371-791
2. This Development Permit PLDP20250004 authorizes the construction and siting of the development components on the subject property including the new Vorizo café building within the Commercial Centers (Retail and Visitor Accommodations) Development Permit Area, subject to the following requirements and conditions:
 - a) The siting and dimensions of the development shall be substantially consistent with Schedule “A” – Site Plan, Schedule “B” – Floor and Roof Plans, and Schedule “C” – Building Elevation Plans, attached to and forming part of this permit;
 - b) The café building shall be externally lit using soft outdoor string lights. Lighting shall not light up adjacent private properties and Dark Skies principals should be used for any lighting on the building;
 - c) The café building shall be finished in natural wood that blends aesthetically with the surrounding buildings and structures; and
 - d) Universal access design principles shall be used in the building design, including a ramp at the front entrance and moveable seating and tables in the indoor dining area to support equitable access and manoeuvrability.
3. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit does not relieve the applicant from complying with the provisions of the Hornby Island Land Use Bylaw unless varied by this Permit.

This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Hornby Island Land Use Bylaw No. 150, 2014 and to obtain other approvals necessary for completion of the proposed development.



Islands Trust

PROPOSED

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF XXXX, 2025.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF XXXX, 2027, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

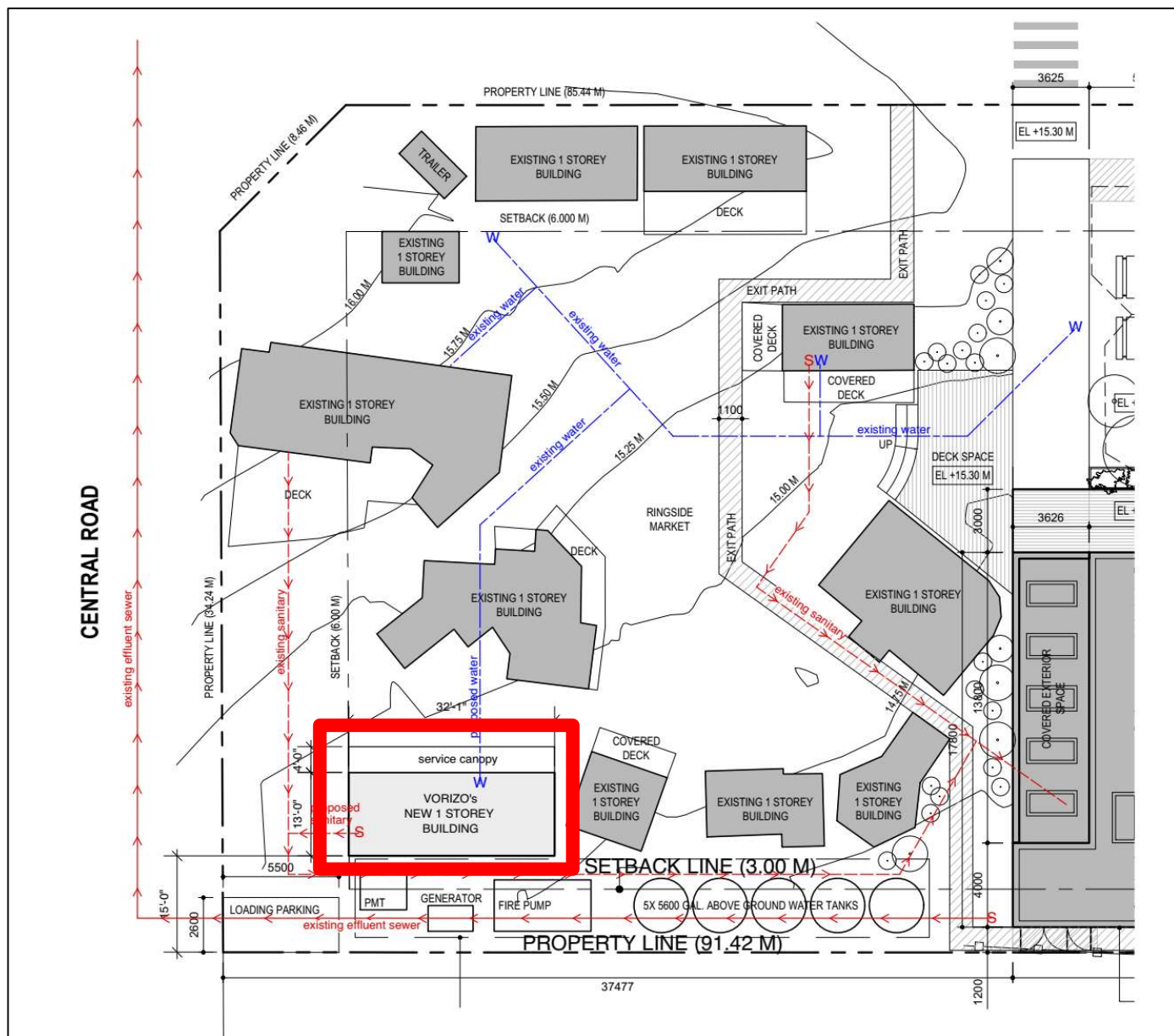
PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE

Development Permit

PLDP20250004

SCHEDULE 'A' – Site Plan



PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE

Development Permit

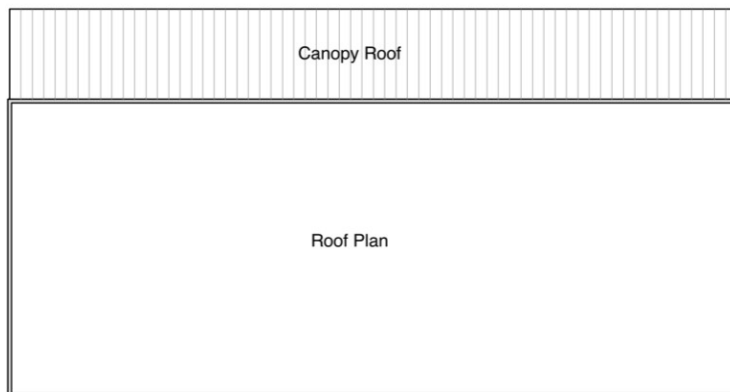
PLDP20250004

SCHEDULE 'B' – Floor and Roof Plans



Plan Key

- 1-5 Customer Tables
- 6 Food Display / Till 1
- 7 Coffee Station
- 8 Hand Sink
- 9 Oven
- 10 Grill
- 11 Food Warmer
- 12 Refrigerated Food Prep
- 13 Till 2
- 14 Fridge
- 15 Fridge
- 16 Dry Goods Storage
- 17 Electrical Panel
- 18 Hot Water Heater
- 19 Prep Station
- 20 Prep Station
- 21 3 Comp Sink
- 22 Freezer
- 23 Fridge
- 24 Food Display



New VORIZO Cafe Ringside Market Hornby Island

Floor & Roof Plans

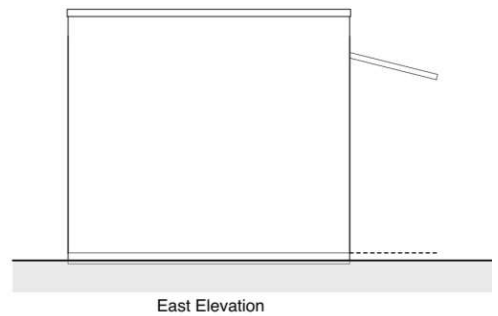
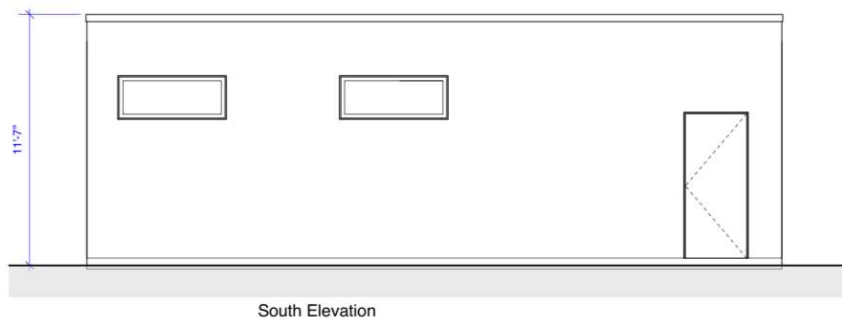
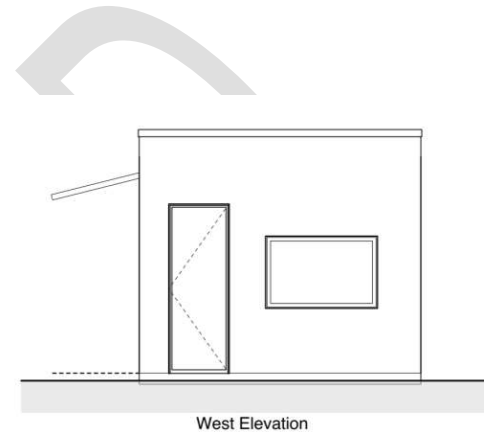
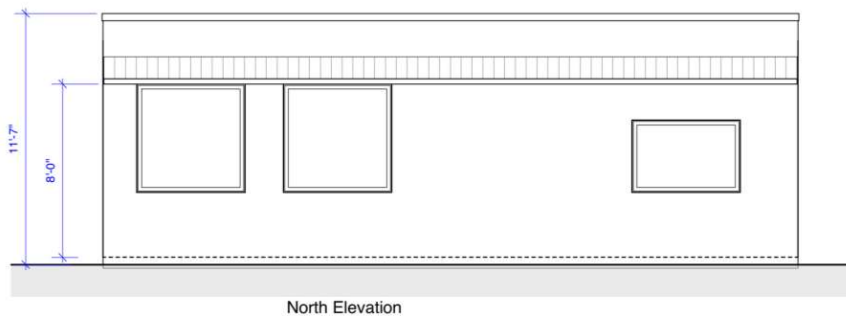
Drawn: MM
Scale: 1/4" = 1'-0"
Date: Dec 18, 2024
File name: New Vorizo.vwx

HORNBY ISLAND LOCAL TRUST COMMITTEE

Development Permit

PLDP20250004

SCHEDULE 'C' – Building Elevation Plans



New VORIZO Cafe Elevations
Ringside Market
Hornby Island

Drawn: MM
 Scale: 1/4" = 1'-0"
 Date: Dec 18, 2024
 File name: New Vorizo.vwx

DATE OF MEETING: March 21, 2025

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, RPP, MCIP
Northern Team

SUBJECT: Consideration of Amendments to Proposed Bylaw Nos. 176 (OCP) and 177 (LUB)

RECOMMENDATION

1. That the Hornby Island Local Trust Committee request staff to advise the K'omoks First Nation referrals team that the LTC has granted an extension until April 30, 2025 for the Nation to respond to the referral for Proposed Bylaw Nos. 176 (OCP) and 177 (LUB).
2. That Hornby Island Local Trust Committee request staff to prepare a draft amendment to Bylaw No. 176 cited as "Hornby Island Official Community Plan Bylaw No.149, 2014, Amendment No. 1, 2024" and Bylaw No. 177 cited as "Hornby Island Land Use Bylaw No.150, 2014, Amendment No. 1, 2024" to:
 - i. Specify the maximum density of community housing in the PUa site specific zone based on targeted consultation with representatives of the proposed project;
 - ii. Expand the Temporary Use Permit guidelines for vacation rentals to include the following requirements at the time of application: i) confirmation from an authorized person that sewerage system for the vacation rental has been inspected in the last 6 months and meets the requirements of the Sewerage System Regulation and/or determine what level of construction is required on the existing system to comply with the Sewerage System Regulation; ii) an issued operating permit for a water supply system servicing more than one dwelling; iii) confirmation from a qualified professional to certify the water supply meets the Canadian Drinking Water Protection Act (DWPA) for microbial and chemical quality or can be made potable with specified measures; and iv) confirmation from a qualified professional that well water quantity intended to supply the vacation rental is sufficient.
 - iii. Specify a maximum number of TUPs for vacation rentals that can be issued per year;
 - iv. Remove the proposed provision for secondary suites on lots less than 2.0 ha in size and secondary dwellings on lots under 4ha and remove provisions for secondary suites from Shire, Syzygy and Downes Point properties.
 - v. Remove the IA aquifer classification for the Sandpiper and Galleon neighbourhoods.

And return the draft bylaw amendments and any subsequent referral responses to the LTC for consideration of second reading at the May 16, 2025 regular business meeting.

3. THAT the Hornby Island Local Trust Committee request staff to add to the next annual meeting agenda with the Comox Valley Regional District, a request for a preliminary discussion on the regulatory, financial, and operational implications of implementing building inspection services on Hornby Island, prior to any further consideration by the LTC of policy or zoning amendments that would expand provisions for secondary suites or secondary dwellings on the island beyond what is currently permitted.
4. THAT the Hornby Island Local Trust Committee request staff to continue to engage with staff from K'ómoks First Nation as part of the next phase of the OCP/LUB Review Project to specifically evaluate and report back on the regulatory, financial, and operational implications of implementing an island-wide Heritage Conservation Area on Hornby Island to address protection of cultural heritage resources and mandate the implementation of low impact construction standards/land alterations, prior to any further consideration of policy or zoning amendments that would expand provisions for secondary suites or secondary dwellings on the island beyond what is currently permitted.
5. THAT the Hornby Island Local Trust Committee request staff to inform the Denman Island Local Trust Committee of resolutions #xxx (recommendations 4 and 5) and request a special meeting with the Denman LTC in the summer/fall 2025 to discuss potential opportunities to explore mutually supportive housing solutions and the K'ómoks First Nation Engagement summary for both islands as part of the next phase of the OCP/LUB Review Projects for both Local Trust Areas.
6. That the Hornby Island Local Trust Committee request that the project charter be revised to prioritize enhancement of the Islands Trust Suitable Land Analysis data by:
 - i. Posting the data to the project website so map layers for the island can be dynamically explored by public users;
 - ii. Directing staff to engage with local environmental conservation groups to incorporate additional environmental data sets;
 - iii. Directing staff to engage with First Nations on incorporating restricted access to available data sets (archaeology, culturally significant sites, areas of potential) and including any new publicly available data to support analysis of First Nations priorities.
7. That the Hornby Island Local Trust Committee endorse the revised Hornby Island OCP/LUB Review Project Charter version 2.4 as presented in the staff report dated March 21, 2025.

REPORT SUMMARY

This report summarizes referral responses, suitable land analysis data and staff recommendations for possible amendments to Proposed Bylaw Nos. 176 (OCP) and 177 (LUB) to amend the Official Community Plan and Land Use Bylaws. Staff is recommending amendments to both proposed bylaws be prepared and considered in conjunction with an anticipated referral response from K'omoks First Nation (KFN) at the next regular business meeting. An updated project charter is proposed to be endorsed to guide the continuation of the major project into the next fiscal. A first draft engagement summary with KFN is presented for LTC consideration of next steps. All relevant background information and public correspondence is posted to the Islands Trust [project webpage](#).

BACKGROUND

On August 9, 2024, the Hornby Island Local Trust Committee (LTC) gave first reading to Proposed Bylaws No. 176 (OCP) and 177 (LUB) and referred them to agencies and First Nations for comment. An updated summary of referral responses is provided in Attachment 1.

In January 2025, the LTC deferred further consideration of the proposed bylaws and potential amendments until receipt and consideration of the Suitable Land Analysis (SLA) mapping data. In February 2025, the Islands Trust Freshwater Specialist presented the Hornby Island SLA mapping results (Attachment 2) to the LTC. Using recommended weighted values, staff identified areas suitable for increased density or intensity of use. The findings suggest that areas already designated for residential uses and areas outside the Agricultural Land Reserve (ALR) on Hornby Island do not appear suitable for additional residential density or intensified land use.

Island Health has submitted a written referral response (Attachment 3) outlining key considerations relevant to the next steps in the bylaw review process. Additionally, the project charter (Attachment 4) will require amendments to reflect the updated project scope based on LTC direction.

For reference, the proposed bylaws (Attachments 5 and 6) remain unchanged since first reading. A first draft engagement summary with K'omoks First Nation (KFN) (Attachment 7) is also included, providing context on the range of issues, concerns, and perspectives that KFN anticipates working with the LTC on addressing in this next phase of the OCP/LUB review and bylaw drafting phase of the project.

The LTC is asked to review the information in this report and confirm support for bylaw amendments being prepared for consideration of second reading on May 16, 2025.

ANALYSIS

Issues and Opportunities

Staff have identified the following preliminary issues and opportunities, discussed in more detail below.

Referral Responses for Proposed Bylaw Nos. 176 (OCP) and 177 (LUB)

Attachment 1 summarizes the referral responses received up until March 11, 2025. Staff will provide a verbal update on any additional responses at the March 21 regular business meeting. All public correspondence is posted to the [project webpage](#) and updated regularly. The LTC is encouraged to review submissions prior to each business meeting and identify to staff any specific matters it wishes to explore or discuss during the major project agenda item.

The most recent referral response from Island Health is included in Attachment 2. **Staff support specifying a maximum density for community housing in the PUa zone; strengthening water and septic requirements for vacation rental TUPs; and not permitting detached secondary dwellings**

on lots less than 4ha in size. These changes are supported by the referral response, SLA data and included in the staff recommendations on pg. 1 of this report.

As of the time of report writing, staff have been informed that KFN are requesting an extension to late April 2025 to submit a referral response regarding Proposed Bylaws Nos. 176 (OCP) and 177 (LUB). The Nation has requested additional time to review the bylaws, incorporating their consideration of the Suitable Land Analysis data and a comprehensive review by their newly established environmental referrals team and possible presentation to their Chief and Council. **Staff recommend an extension for KFN as per the recommendation on pg. 1 of this report.**

Suitable Land Analysis (SLA) for Hornby Island

In February 2025, the LTC received Hornby Island's SLA data, Attachment 3, presented by the Freshwater Specialist and consultant. The analysis presented by staff is based on recommended weighted values of specific criteria and utilizing existing data sets. The LTC has the option to change the weighting based on local priorities or concerns with the validity of specific data layers.

The current OCP and LUB Review Project proposes allowing secondary suites within principal residences on all residential lots, as well as detached secondary dwellings on lots 2 hectares or larger. The LTC requested this amendment based on community input to address market rental housing shortages. However, the SLA findings indicate that such across-the-board density increases are not necessarily aligned with Hornby's capacity. The SLA Tool, which applies Multiple-Criteria Decision Analysis (MCDA), evaluates ecological sensitivity, freshwater sustainability, transportation infrastructure, and slope stability to determine where sustainable development can occur.

Island Health staff have responded to the referral with concerns about the proposed changes and the cumulative impacts on groundwater quantity, quality and septic capacity of the island. The K'ómoks First Nation (KFN) staff have shared preliminary engagement concerns about the unassessed cumulative impacts of residential development on groundwater, biodiversity, and heritage resources. These concerns highlight a critical flaw in the current approach to housing: site-specific water and septic studies may fail to account for broader regional impacts. Increased density may exacerbate water scarcity, strain ecosystems, and threaten cultural heritage sites if permitted relying only on site specific water and septic studies.

The absence of building inspection services on the island provides no assurances that any new construction or housing will meet or exceed provincial requirements for structural integrity, fire safety, septic system compliance, energy efficiency and water sustainability. Additionally, the KFN recommendation for exploring an island-wide Heritage Conservation Area (see Attachment 7) warrants careful consideration in addition to or in lieu of building inspection services, to ensure that all land use alterations respect and preserve areas, ecosystems and landscapes of importance to the Nation. Engaging with the Denman Island Local Trust Committee, Comox Valley Regional District and K'ómoks First Nation can provide the LTC with critical insights into feasibility, costs, and implementation timelines, ensuring that future policy decisions are informed, responsible, and aligned with the long-term sustainability of the community.

Planning staff recommend the LTC amend the proposed bylaws to temporarily remove housing provisions until the second phase of the review project (First Nations Engagement) is completed. This precautionary measure ensures that land-use decisions are based on comprehensive regional assessments rather than isolated property-level evaluations.

Planning staff are also highlighting the high value of the SLA for use by community members, agencies and First Nations and recommend that the project include working with Islands Trust staff to access the feasibility of incorporating other available datasets. Planning staff recommendations for draft

amendments to the proposed bylaws and project charter are outlined on page 1 of this report.

Proposed Changes to the Project Charter

The major funding for the Hornby OCP/LUB Targeted Review Project will expire at the end of the fiscal year (March 31, 2025). The project will retain major project status and \$5,000 has been requested for the 2025/26 fiscal to complete the review of Proposed Bylaws 176 and 177 as well as LTC consideration and implementation of First Nations engagement recommendations. The project charter in Attachment 4 reflects the updated approved budget allocation for the next fiscal as well as the draft amendments for LTC consideration of endorsement.

DRAFT KFN ENGAGEMENT SUMMARY – MARCH 2025

A preliminary summary of staff-to-staff engagement with the K'ómoks First Nation is provided in Attachment 7 for the LTC's receipt. No action is required on the draft summary at this time. Further refinements are expected in the spring and summer to incorporate environmental considerations, as the Nation has recently hired dedicated environmental staff to support the engagement process for Denman and Hornby Islands. KFN Chief and Council may wish to endorse a final version for LTC consideration. The next phase of the OCP/LUB review project will involve LTC consideration of KFN recommendations to determine which recommendations will be implemented through formal bylaw drafting for OCP and LUB amendments.

RATIONALE FOR RECOMMENDATIONS

The suitable land analysis for Hornby Island is based on a methodology utilizing existing mapping data and staff recommendations for weighted values. Referral comments from Island Health affirm a 2-hectare lot size per dwelling for future density calculations. However, pending input from the K'ómoks First Nation may influence the current approach to secondary suites and secondary dwellings.

Staff recommend that the LTC consider targeted amendments to Proposed Bylaws No. 176 and 177 to advance provisions for temporary use permits for vacation rentals and the allowance of chickens in residential zones. Given the anticipated feedback from KFN, staff also recommend deferring decisions on secondary suites and secondary dwellings to the next phase of engagement and subsequent bylaw drafting.

A summary of staff recommendations is provided on page 1 of this report.

ALTERNATIVES:

1. Amend the Project Charter and/or request staff to amend the Proposed Bylaws further.

The LTC can amend the Project Charter scope/objectives and/or further amend the Proposed Bylaws to ensure alignment with the LTC's intentions to update the OCP and LUB. If this alternative is selected, the suggested resolution would be:

"That the Hornby Island Local Trust Committee amend (insert Proposed Bylaw No. or Project Charter) by (insert specific amendments)"

2. Request a suitable land analysis using weighted values that differ from the equal weighting values presented in February 2025.

The LTC can request the Freshwater Specialist to conduct a suitable land analysis using alternative weighted values for LTC consideration based on community priorities or concerns. If this alternative is selected, the suggested resolution would be:

“That the Hornby Island Local Trust Committee request staff to provide alternative suitable land analysis scenarios using the following weighted values (specify values) and return the analysis to the LTC for consideration of next steps.”

Next Steps

If the LTC confirms the scope of endorsed amendments to Proposed Bylaws No. 176 (OCP) and 177 (LUB), staff will prepare the bylaws for consideration of second reading on May 16, 2025, alongside the anticipated referral response from the K’ómoks First Nation. A community information meeting and public hearing can be scheduled for early summer 2025.

The second phase of this major project (April 2025 – March 2026) will involve LTC review of the final engagement summary with KFN and the drafting of amending bylaws to implement any LTC-endorsed recommendations and re-evaluation of housing amendments.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	March 11, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 11, 2025

ATTACHMENTS

1. Table of Bylaw Referral Responses – March 2025
2. Island Health Referral - March 2025
3. Suitable Land Analysis Mapping for Hornby Island - February 2025
4. Project Charter v 2.4 (pending LTC endorsement)
5. Proposed Bylaw No. 176 (OCP) – first reading version
6. Proposed Bylaw No. 177 (LUB) – first reading version
7. K’ómoks First Nation DRAFT Engagement Summary – March 2025
8. *K’ómoks First Nation Referral Extension Request - PENDING*

ATTACHMENT 1 – SUMMARY OF REFERRAL RESPONSES

TABLE 1. SUMMARY OF REFERRAL RESPONSES RECEIVED AS OF MARCH 11, 2025 FOR PROPOSED BYLAW NOS. 176 (HO OCP) AND 177 (HO LUB)

Agency or First Nation	Referral Response Summary	Planning Staff Comments
K'omoks First Nation	<i>KFN staff have advised planning staff that their recently expanded referrals team is reviewing the bylaws with protection of the natural environment, cultural heritage resources, archaeological sites and freshwater as top priorities.</i>	<i>At the time of report writing, KFN staff are reviewing Suitable Land Analysis data and mapping for both Hornby and Denman Islands. KFN have indicated that they require additional time to discuss the referrals with Chief and Council and have requested an extension to late April 2025. Staff recommend the LTC proceed with requesting staff to draft amendments as per the recommendations in the March 21, 2025 staff report and consider KFN input at the May 16, 2025 meeting prior to second reading of the proposed bylaws.</i>
Island Health	▪ <u>Keeping of Chickens on Residential Lots:</u> Island Health staff recommend more clear zoning regulations for the keeping of hens that protects public health. Maximum number of hens permitted on a lot should be explicitly stated. Consider setbacks of 30 metres to any well for any buildings/structures housing animals. ▪ <u>TUPs for Vacation Rentals:</u> Recommend occupancy limits for vacation rentals; Authorized Person sign off that all construction meets requirements of Sewerage System Regulation; water supplies servicing more than one dwelling on a lot required to obtain an operating permit. ▪ <u>Secondary Suites and Secondary Dwellings:</u> Recommend minimum lot size for secondary dwellings be 4ha and that suites be located wholly within or attached to principle residence and not be	<i>IH staff have provided a written referral response (Attachment 2 March 21, 2025 staff report). Staff recommend the LTC proceed with requesting staff to draft amendments as per the recommendations in the March 21, 2025 staff report.</i>

Agency or First Nation	Referral Response Summary	Planning Staff Comments
	permitted to be detached. Define “attached” so that suite must be located under the same roofline as principle residence. ▪ Recommend clarifying maximum residential density of the PUa zone for community housing. ▪ Recommend RVs not be permitted to be used as permanent dwellings.	
Denman Local Trust Committee	Interests are unaffected.	No further action.
Hornby Island Advisory Planning Commission	The APC has recommended several changes to the proposed bylaws. Below is a brief summary: ▪ Permit secondary suites or additional dwelling units on all lots and limit size and tenure (residential only). ▪ Adopt new definition of secondary suite and term “short term rental” to align with provincial regulations. ▪ Not re-classify Sandpiper and Galleon subdivisions as 1A. Require at time of Siting and Use Permit for secondary suite, verification of adequate water and septic capacity. ▪ Support vacation rental business licensing rather than TUP. ▪ Remove provisions for secondary suites from Shire, Syzygy and Downes Point properties. ▪ Consider capping number of vacation rentals. ▪ Re-consider time period for vacation rentals with community consultation.	<i>The APC minute record and supporting rationale documentation in the January 2025 staff report package contain the comprehensive list of APC recommendations. Staff recommend the LTC proceed with requesting staff to draft amendments as per the recommendations in the March 21, 2025 staff report.</i>

Agency or First Nation	Referral Response Summary	Planning Staff Comments
	▪ Supports allowing chickens on 1 ha or smaller lots and no roosters but recommends consultation with residents and property owners on rooster regulation. ▪ Out of scope planning recommendations for A1 zoned properties and aquifer vulnerability and designations.	
Comox Valley Regional District	A formal referral response had not been received by the CVRD although staff have indicated that they are interested to learn how the LTC proceeds to regulate vacation rentals before further investigation into the feasibility of a business license function is conducted.	<i>The LTC has received public correspondence and APC recommendations encouraging the business license approach to authorizing vacation rentals.</i>
Da'naxda'xw/Awaetlala First Nations Mamalikuulla First Nation Tlowitsis First Nation Tla'amin First Nation	Have responded that Hornby Island is outside the core area of application and they defer comments to directly affected First Nations and support their decision making.	<i>Recommend LTC defer to K'omoks First Nation comments to inform potential amendments to address First Nation concerns and interests.</i>

From: Clements, Nancy [ISLH] <Nancy.Clements@islandhealth.ca>
Sent: Friday, March 7, 2025 11:34 AM
To: Sonja Zupanec
Subject: Island Health comments

Hi Sonia,

Once again sorry for the delay and I hope this finds you with enough time for consideration. I am happy to discuss these items with you further if that would be beneficial.

Regards
Nancy

Keeping of chickens on any sized lot: As (Hornby) Island is not subject to an animal control bylaw with the (Comox Valley Regional District), the Local Trust Committee should establish more clear zoning regulations for the keeping of hens that protects public and animal health. The maximum number of hens permitted on a lot should be explicitly stated in the Land Use Bylaw and follow best management guidelines established by similar size rural communities such as Revelstoke, which permits a maximum of 6 hens per lot. Typically, the six chicken limit is applied in urban sized lots so that number is manageable on the smaller sized lots. The limited number is also in place to ensure that they don't become a nuisance to neighbouring properties. Another consideration is Section 8 of the Health Hazard Regulation which states "no well within 30 meters of probable source of contamination", which is at the discretion of the Environmental Health Officer as to what sources of contamination could be considered a "health hazards". Typically, when it comes to farm animals the focus is on the storage of waste/manure or where the animals are housed in regards to the 30 meter setback to a well.

Temporary Use Permits for vacation rentals:

- Sewerage:
 - Owners of properties using sewerage system must ensure that all construction of all sewerage systems meets the requirements of the Sewerage System Regulation (SSR). An owner would be required to obtain the services of an Authorized Person (AP), as per the SSR, to determine if construction is required on the existing sewerage system.
 - The SSR has a maximum Daily Design Flow (DDF) of 22, 700 L/Day.
- Water:
 - Owners of water supplies serving more than one single-family residence (see definition below) are required to obtain an operating permit as a water supplier under the Drinking Water Protection Act (DWPA). Landlords are required to provide potable water to tenants as per Health Hazards Regulations (HHR).

Minimum lot sizing considerations for proposed densification:

- Island Health refers to the Subdivision Standard as a tool for consideration around densification. This could be applied for the addition of additional dwelling units on a property to ensure that the site condition is adequate to support the increase water demand and waste water

flows as well as the potential impacts on neighbouring properties. There is no recommended minimum lot sizing for community/strata systems utilizing common property.

- There are significant ongoing concerns about the periods of drought and secondary impacts which for several of the gulf islands include seawater intrusion due to lower water tables and higher levels of demand. We encourage conversations with the Ministry of Water Land and Resource Stewardship to consider identifying areas/aquifers of higher risk for seawater intrusion and creating lower residential density bylaws to protect the aquifer from the intrusion and to protect the existing users of that water source as there are fewer alternative sources of water for many of the islands.

Density of the PUa Zone allowing Community Housing: The LTC does not stipulate a residential density in the proposed PUa zone changes. Island Health requires compliance with the Sewerage System Regulation (up to Daily Design Flow (DDF) of 22, 700 L/Day) and the Drinking Water Protection Act and Drinking Water Protection Regulation.

Attached Secondary Suites: Island Health encourages the Local Trust Committee to define ‘attached’ so that suite must be located under the same roofline of the principal residence.

Use of RVs as dwellings: Island Health notes that the current LUB allows the use of Recreational Vehicles as dwellings. Island Health encourages the Local Trust Committee to consider the human health implications of promoting RVs as a permanent dwelling option on any sized lot. Island Health is aware of the need for affordable housing, and this can take many different forms, but there are some concerns about encouraging the use of RV’s for residential use. The addition of an RV must also consider any requirements there might be under the Sewerage System Regulation and/or the Drinking Water Protection Act.

Excerpt from the BC Drinking Water Officers Guide page 10 speaking to what is considered a ‘single family dwelling’ under the DWPA

https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/waterquality/how-drinking-water-is-protected-in-bc/drinking_water_officers_guide_-_consolidated.pdf

The term “single-family residence” is not defined in the Act. It may be interpreted as any residence that constitutes a single structure where:

- *bedrooms are rented out and tenant(s) share common spaces with the owner;*

- *the Residential Tenancy Act applies (see s. 5.3.1 of this Guide regarding applicability of the Health Hazards Regulation);*
- *the structure contains a secondary suite in addition to the primary suite;*
- *the residence is an owner-occupied bed and breakfast with up to three rooms for rent; or*
- *the residence is rented out as a vacation home.*

Duplexes/multiplexes and residences with additional detached structures such as guest houses, mobile homes and labourer accommodations would fall outside the term “single-family residence.” Shared interest properties (e.g., owned by a cooperative, society, corporation or strata) and bed and breakfasts with four or more rooms for rent would also fall outside the definition of “single-family residence.” Community care facilities would fall outside the term “single-family residence” as well.

However, this is subject to section 20 of the Community Care and Assisted Living Act, which states: (1) This section applies to a community care facility (a) for which a licence has been issued, (b) is being, or is

to be, used (i) as a day care for no more than 8 persons in care, or (ii) as a residence for no more than 10 persons, not more than 6 of whom are persons in care (c) from which, in the event of a fire, persons in care can safely exit unaided or be removed by its staff, and (d) that complies with all enactments of British Columbia and the municipality where the community care facility is located that relate to fire and health respecting a single family dwelling house (2) A provision in an enactment of British Columbia, other than this Act, or of a municipality, does not apply to the community care facility described in subsection (1) if that provision would (a) limit the number of persons in care who may be accepted or accommodated at the community care facility (b) limit the types of care that may be provided to persons in care at the community care facility, or (c) apply to the community care facility only because (i) it is not being used as a single family dwelling house, or (ii) it operates as a community care facility, a charitable enterprise or a commercial venture

Nancy Clements | Regional Healthy Built Environment Consultant
Phone: 250.850.2107 | email: nancy.clements@islandhealth.ca
Web: islandhealth.ca | [Facebook](#) | [Twitter](#) | [Flickr](#) | [Vimeo](#)

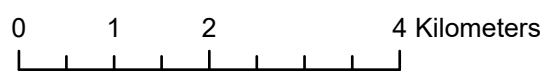
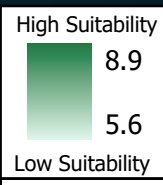


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Hornby Island Suitable Land Analysis

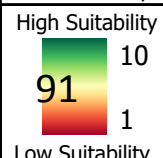


-  Hornby Agricultural Land Reserve
-  Hornby Parcels
-  Hornby Roads
-  Hornby Well Locations



Islands Trust

Hornby Island Suitable Land Analysis
Date created: 02-06-2025
Projection: UTM Zone 10
Cedar Shore Consulting 2025



Hornby Island Local Trust Committee

Pending Endorsement Date: Mar 21 2025

Purpose: To review and update the Hornby Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations to increase housing options, regulate vacation rentals in residential zones through Temporary Use Permits and incorporate First Nations engagement recommendations.

Background: The Local Trust Committee (LTC) prioritized a “Comprehensive OCP/LUB Review” project in 2021 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. A consultant was hired in 2022 and prepared a report of final recommendations for LTC consideration of next steps in the 2023/24 fiscal year. In April 2024 the LTC confirmed the scope and purpose of the project to: 1) update policies and regulations related to secondary suites/dwellings, regulating short term vacation rentals through the use of Temporary Use Permits and other minor amendments; and 2) updating the OCP and LUB to better address the First Nations concerns and interests regarding land use planning on Hornby Island.

Objectives

Amend the Hornby Island OCP and LUB by incorporating select recommendations of the Hornby Island Advisory Planning Commission; consultant’s recommendations; targeted engagement with First Nations and comprehensive public input.

In Scope

- Updating OCP language, references to include First Nations and incorporate First Nations recommendations for policy and regulatory updates.
- Add the Islands Trust Reconciliation declaration to the OCP.
- Draft OCP and LUB Bylaw amendments:
 - Supporting cooperative and purpose built rental housing;
 - Supporting rezoning applications for ‘Large Lot Residential’ parcels to multi-family development for residential rental tenure;
 - Permitting secondary suites in all small lot zones within the principle dwelling where septic capacity allows and sufficient groundwater is available;
 - Permitting secondary suites or attached/detached secondary dwelling on lots over 2ha where septic capacity allows and sufficient groundwater is available;
 - Prohibiting vacation rentals as an outright permitted use in residential zones and requiring a valid Temporary Use Permit;
 - ~~Designating all small lots in the Galleon and Sandpiper area as within the heavily developed aquifer (IA).~~
 - Update PU(a) zone to include community housing and regulate maximum permitted density.
 - Explore option to exclude cisterns from all setback requirements.
 - Explore options to amend residential zoning to permit keeping of chickens for

Out of Scope

Public engagement beyond legislative requirements (one major community information meeting and one minor CIM immediately prior to the two anticipated public hearings).

Public engagement on weighted values of the suitable land analysis

Deliverables

- **2024/2025:** One OCP and one LUB amendment specific to updating regulations for housing, vacation rentals, chickens in residential zones and cisterns in setbacks;
- **2024:** Comprehensive First Nations Engagement Process
- **2025/2026:** First Nations Engagement Summary Report. One OCP and one LUB Amendment Bylaw specific to First Nations engagement recommendations;
- **PENDING:** Post Bylaw adoption community communication materials.

	personal/commercial use and prohibit keeping of roosters.		
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Workplan Overview

Deliverable/Milestone	Date
<i>Project Charter Endorsed - COMPLETED</i>	<i>June, 2022</i>
<i>Execute Consultant Contract - COMPLETED</i>	<i>August, 2022</i>
<i>First Community Workshop - COMPLETED</i>	<i>October, 2022</i>
<i>Second Community Workshop - COMPLETED</i>	<i>Winter, 2022/23</i>
<i>Consultant Report on Workshops and Recommendations for Bylaws - COMPLETED</i>	<i>Spring, 2023</i>
<i>LTC endorsement of project charter - COMPLETED</i>	<i>June and Sept 2023</i>
Staff to participate in formal engagement with K'omoks and compile an engagement summary report for LTC consideration of potential policy and regulatory amendments to the Hornby OCP and LUB.	Spring 2024 – Spring 2025
<i>Housing and vacation rental draft bylaws presented to LTC for consideration of First Reading. - COMPLETED</i>	<i>Summer 2024</i>
Consider referral responses from First Nations, agencies, APC and community groups/public.	March 2025
Community Information Meeting - consider 2 nd Reading of housing and vacation rental bylaws.	Summer 2025
CIM/Public Hearing for housing-vacation rental bylaws.	Spring 2025
3 rd Reading and forward bylaws to Executive Committee and OCP to Ministry of Housing for approval.	Summer/Fall 2025
Adoption of housing and -vacation rental bylaw amendments.	Fall 2025
Staff to present first draft First Nations KFN Engagement Summary Report to LTC for consideration of comprehensive amendments to OCP and LUB receipt.	March 2025
Draft amending OCP and LUB bylaws and commence legislative review process (bylaw readings and adoption) deriving from LTC endorsement of <u>FINAL</u> First Nations engagement recommendations.	Fall 2025-Winter 2025

Project Team

<i>Island Planner (Regional Planning Team)</i>	Project Manager/ bylaw drafting
<i>Planner 2 – Hornby Island</i>	Bylaw drafting and legislative process
<i>Legislative Clerk</i>	Legislative Process / Bylaw Review
RPM Approval: Renee Jamurat, RPM June 2023; September 2023; April 2024	LTC Endorsement: Resolution #: 10-Jun-22; 9-Sept-22; Jun 16-23; Sep 8-23; April 26-24

Budget

Budget Sources: TC Line Item Budget allocation		
2022/23	Consultant Contract	\$13,450 SPENT
2022/23	Minute-Taker	\$600 SPENT
2023/24	K'omoks First Nation Engagement/Capacity Funding	\$12,000 SPENT
2024/25	K'omoks First Nation Engagement Capacity Funding	\$25,000 SPENT
2025/26	1. Public Hearing for OCP and LUB regarding housing-vacation rentals 2. Legal review, Public	\$5,000 project budget

			Hearing for OCP and LUB changes incorporating First Nations recommendations <u>and</u> <u>housing</u>	
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PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 176

A BYLAW TO AMEND HORNBY ISLAND OFFICIAL COMMUNITY PLAN, 2014

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

1. This bylaw may be cited for all purposes as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 149, cited as “Hornby Island Official Community Plan, 2014,” is amended as per Schedule “1” and “2” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST, 2024

READ A SECOND TIME THIS - DAY OF - , 202x

PUBLIC HEARING HELD THIS - DAY OF -, 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF -, 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 176
Schedule “1”

1. **Schedule “A”** of Hornby Island Official Community Plan, 2014 is amended as follows:

- 1.1 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Objectives** (1) is deleted and replaced with:

“(1) to ensure that a variety of housing and housing tenure options are supported by this Plan.”

- 1.2 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Policies**, is amended by adding the following new policy after 6.3.1.3 “6.3.1.4 Vacation Home Rental use is permitted through the issuance of a valid Temporary Use Permit.”

- 1.3 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Background** text, second paragraph is deleted and replaced with “The Anderson Drive/Whaling Station Bay aquifer areas are classified as the highest vulnerability in the province as 1A (heavily developed with high vulnerability). This is reflected in the area’s water quality and quantity problems, including saltwater intrusion, sulphureous water and poor-yielding wells. In 202X the Local Trust Committee added the Galleon and Sandpiper neighbourhood areas to this aquifer classification.”

- 1.4 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Objectives** (3) is deleted and replaced with “(3) to protect the water resource in the aquifers classified as heavily developed, highly vulnerable; and”

- 1.5 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Policies** 6.3.2.4 is deleted and replaced with “6.3.2.4 One principle dwelling and one secondary suite should be permitted on each lot.”

- 1.6 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Additional Policies for small lots in the Anderson Drive/Whaling Station Bay area**, the title be amended to read “Additional Policies for small lots in the IA Heavily Developed, High Vulnerability Aquifer Areas”

- 1.7 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Additional Policies for small lots in the Anderson Drive/Whaling Station Bay area**, Policy 6.3.2.15 be deleted in its entirety and subsequent policies re-numbered accordingly.

- 1.8 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential, Additional Policies for small lots in**

the **Anderson Drive/Whaling Station Bay area**, **Policy 6.3.2.16** be amended by deleting the words “and vacation home rentals”.

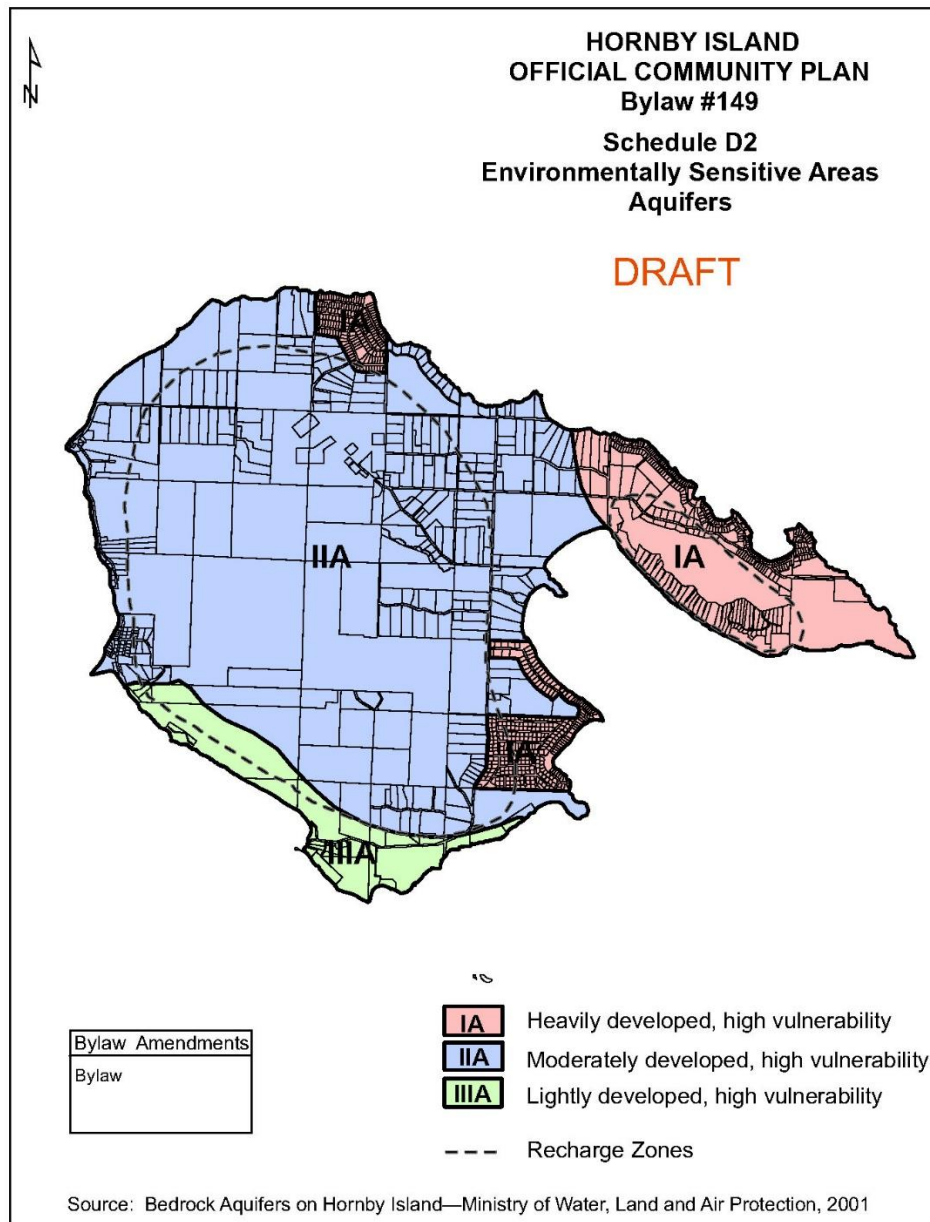
- 1.9 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Objectives**, be amended by adding a new objective after (4) which reads: “(5) to support multi-dwelling residential rental tenure development in the Large Lot Residential zone, through rezoning applications.”
- 1.10 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies 6.3.3.4** is deleted in its entirety and replaced with “6.3.3.4 Only one principal dwelling unit and one secondary suite should be permitted on lots smaller than 2.0 hectares. A maximum of two dwelling units and two secondary suites should be permitted on lots 2.0 hectares or larger.”
- 1.11 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies 6.3.3.6** is amended by deleting the words “and vacation home rentals”.
- 1.12 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies** is amended by adding a new policy 6.3.3.10 that reads “6.3.3.10 Rezoning applications are encouraged for multi-dwelling developments restricted to residential rental tenure and which ensure affordability is maintained in perpetuity.”
- 1.13 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.4 Forest, Policies 6.3.4.3** is deleted in its entirety and replaced with “6.3.4.3 Only one principal dwelling unit and one secondary suite should be permitted on lots smaller than 2.0 hectares. A maximum of two dwelling units and two secondary suites should be permitted on lots 2.0 hectares or larger.”
- 1.14 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.5 Housing**, article **Rental Housing Policies, 6.3.5.13** be deleted in its entirety and replaced with “6.3.5.13 A secondary suite, limited in size and contained within a permitted dwelling, should be permitted on lots smaller than 2.0 hectares. A secondary suite, limited in size by regulation and located either within, attached to or detached from a permitted dwelling should be permitted on lots 2.0 hectares or larger.”
- 1.15 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.4 Agriculture**, article **6.4.1 Agriculture, Policies, 6.4.1.4** be deleted in its entirety and replaced with “6.4.1.4 On lots 4.0 hectares or larger in the Agricultural Land Reserve, regulations should permit one principal dwelling and one secondary suite within the principal dwelling as well as one additional secondary dwelling limited in floor area and consistent with the Agricultural Land Commission regulations.”
- 1.16 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies, 6.5.2.5 a)** is amended by removing the words “, guest houses or vacation home rentals”.

- 1.17 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, 6.5.2.5 b) is deleted in its entirety and replaced with “6.5.2.5 b) On land in the Agricultural Land Reserve, vacation home rentals approved by a temporary use permit and agri-tourism accommodation in accordance with Agriculture Land Commission policy and regulations, if zoning allows such a use.”
- 1.18 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, Policy 6.5.2.5 is amended by adding a new item c) that reads: “c) Vacation home rental use may be approved through the issuance of a Temporary Use Permit and subject to guidelines contained within the Official Community Plan.”
- 1.19 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.3 Vacation Home Rental**, is deleted in its entirety and subsequent subsections renumbered accordingly.
- 1.20 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Background**, paragraph 2 is amended by removing the words “and vacation home rental of a primary residence is addressed in article 6.5.3 Vacation Home Rental”.
- 1.21 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Policies**, Policy 6.5.5.7 is deleted in its entirety and subsequent policies renumbered accordingly.
- 1.22 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Objectives**, Objective (9) is deleted in its entirety and replaced with “(9) to allow vacation home rental use as per Policy 6.5.2.5 c)”.
- 1.23 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Guidelines**, 6.10.1 through 6.10.10 are deleted and replaced with the following text: “The guidelines for this subsection are found in the Hornby Island Land Use Bylaw.”

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 176
Schedule “2”

1. Schedule “D2” – Environmentally Sensitive Areas Aquifers of the Hornby Island Official Community Plan, 2014 is amended by deleting Schedule D2 in its entirety and replacing with the map as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “2” of Bylaw No. 149 as are required to effect this change.

Plan No. 1



PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

A BYLAW TO AMEND HORNBY ISLAND LAND USE BYLAW, 2014

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

1. This bylaw may be cited for all purposes as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST , 2024

READ A SECOND TIME THIS - DAY OF - , 202x

PUBLIC HEARING HELD THIS - DAY OF - , 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF - , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177
Schedule "1"

1. **Schedule "A"** of Hornby Island Land Use Bylaw, 2014 is amended as follows:

- 1.1 **PART 1, INTERPRETATION**, Section **1.1 Definitions**, the definition of **structure** is amended by adding the words ", and water storage cisterns." After "related appurtenances".
- 1.2 **PART 1, INTERPRETATION**, Section **1.1 Definitions**, and the definition of **vacation home rental use** is deleted.
- 1.3 **PART 3, GENERAL REGULATIONS**, Section **3.7 Vacation Home Rental Uses** be deleted and subsequent sections are re-numbered accordingly.
- 1.4 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, Subsection **(1) (e)** is amended by replacing the words "the principle residential dwelling" with "a permitted residential dwelling".
- 1.5 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, Subsection **(1) (g)** is amended by replacing the word "principal" with "permitted residential".
- 1.6 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, a new subsection is inserted after **(2)** and before **(3)** with the following text:

“(3) Where a secondary suite is permitted in Part 8 of this Bylaw, an authorized qualified professional must state in writing to the Islands Trust that the potable water system to which the building accommodating the secondary suite is connected to, is capable of providing adequate quantity and quality of potable water.”

and the subsequent subsection renumbered accordingly.
- 1.7 **PART 8, ZONE REGULATIONS**, Section **8.1 Residential 1- Small Lot (R1) Zone (Galleon Beach, Shingle Spit, Sandpiper, Whaling Station Bay/Anderson Drive and portion of Klaver Lot)**, Subsection **(1) (d)** is amending by replacing the words "vacation home rental use" with "secondary suite as per Section 3.8 of this bylaw."
- 1.8 **PART 8, ZONE REGULATIONS**, Section **8.1 Residential 1- Small Lot (R1) Zone (Galleon Beach, Shingle Spit, Sandpiper, Whaling Station Bay/Anderson Drive and portion of Klaver Lot)**, Subsection **(2) (a)** is deleted and replaced with "(a) a maximum of one residential dwelling unit with one secondary suite or one recreational vehicle used for a residential use per lot; and".
- 1.9 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (c)** is amended by deleting the words "in a dwelling on lots 2.0 hectares or larger" and replacing with "as per Section 3.8 of this bylaw".
- 1.10 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (h)** is deleted.
- 1.11 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(2) (a)** is amended by adding the words "and one secondary suite" after the word "unit".
- 1.12 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(2) (b)** is amended by adding the words "and two secondary suites" after the word "units".

- 1.13 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (b)** is amending by replacing the words “in a dwelling on lots 2.0 hectares or larger” with “as per Section 3.8 of this bylaw.”
- 1.14 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (g)** is deleted.
- 1.15 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(2) (a)** is amending by adding the words “and one secondary suite” after the word “unit”.
- 1.16 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(2) (b)** is amending by adding the words “and two secondary suites” after the word “units”.
- 1.17 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (d)** is amended by replacing the words “in a dwelling on lots 2.0 hectares or larger” with “as per Section 3.8 of this bylaw.”
- 1.18 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (f)** is deleted.
- 1.19 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite” after the word “unit”.
- 1.20 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(2) (b)** is amended by adding the words “and two secondary suites” after the word “units”.
- 1.21 **PART 8, ZONE REGULATIONS**, Section **8.6 Agriculture 2 –Agriculture/Residential (A2) Zone (Shire Property)**, Subsection **(1) (b)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.22 **PART 8, ZONE REGULATIONS**, Section **8.6 Agriculture 2 –Agriculture/Residential (A2) Zone (Shire Property)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.23 **PART 8, ZONE REGULATIONS**, Section **8.7 Agriculture 3 –Agriculture/Residential (A3) Zone (Syzygy)**, Subsection **(1) (d)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.24 **PART 8, ZONE REGULATIONS**, Section **8.7 Agriculture 3 –Agriculture/Residential (A3) Zone (Syzygy)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.25 **PART 8, ZONE REGULATIONS**, Section **8.8 Agriculture 4 –Agriculture/Residential (A4) Zone (Downes Point Land Holdings Ltd.)**, Subsection **(1) (b)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.26 **PART 8, ZONE REGULATIONS**, Section **8.8 Agriculture 4 –Agriculture/Residential (A4) Zone (Downes Point Land Holdings Ltd.)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.27 **PART 8, ZONE REGULATIONS**, Section **8.21 Public Use (PU) Zone**, Subsection **(9) table** is amended by adding a new site specific regulation after “(d) Recycling depot” that reads “(e) Community housing.”
- 1.28 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.1 Temporary Use Permits**, text is amended by adding the following sentence at the end of the paragraph “All Temporary Use Permit Objectives are listed in the Hornby Island Official Community Plan.”
- 1.29 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.2 Objectives** is deleted and subsequent section renumbered accordingly.

1.30 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.3 Guidelines**, Subsection **(10)** is deleted and replaced with the following:

“When considering the issuance of a Temporary Use Permit for a vacation home rental, the following additional guidelines apply:

(a) the cumulative effects, both positive and negative, on the neighbourhood and island of all Temporary Use Permits issued for vacation home rentals shall be considered by the Local Trust Committee;

(b) applicants for a Temporary Use Permit should provide documentation from a qualified professional that:

- i) the septic tank has been inspected in the last 6 months and is working and capable of supporting the proposed occupancy load for the vacation rental use; and
- ii) there is sufficient quantity and quality of potable water to support the vacation rental use.

(c) a condition of the Temporary Use Permit should require the permit holder to post information for guests about awareness and sensitivity to the significant First Nations cultural heritage and archaeological sites on the island;

(d) a condition of the Temporary Use Permit should prohibit recreational vehicles or camping;

(e) a condition of the Temporary Use Permit should allow vacation rental use only between May 1 – September 30;

(f) a condition of the Temporary Use Permit should allow no more than 2 beds per bedroom and no more than three bedrooms to be used for dwellings on lots less than 1.0 hectare in size; or more than four bedrooms if the lot has an area of 1.0 hectare or more.

(g) a condition of the Temporary Use Permit should restrict occupancy during any period of seven consecutive days to only one guest or guest party;

(h) a condition of the Temporary Use Permit should limit occupancy and signage on the property;

(i) a condition of the Temporary Use Permit should require specific information to be posted to guests regarding the location of property lines by way of a map, any applicable noise bylaws, measures to address water conservation, fire safety, storage and management of garbage, septic system care and control of pets (if pets are permitted) as stated in the Temporary Use Permit or as determined by the owner or manager to effectively manage the site; and

(j) any other requirements the Local Trust Committee may consider appropriate.

Hornby Island and K’omoks First Nation Engagement Summary – March 2025 DRAFT



The following table has been prepared by Islands Trust (IT) planning staff in collaboration with K’omoks First Nations (KFN) technical staff. This table summarizes KFN’s recommendations for the Denman and Hornby Island OCP/LUB Review Projects. These recommendations reflect insights gained through several meetings and discussions between IT planning staff and staff from the KFN between 2024 and March 2025. **The primary focus of these engagements has been to identify and prioritize land use planning tools that align with KFN protocols and values to protect threatened cultural heritage sites from further development and land alterations on both Denman and Hornby Islands. KFN has identified specific priorities to guide the Local Trust Committees (LTC) in implementing these recommendations in a manner that supports reconciliation within scope, honours KFN’s inherent rights and upholds respect for their cultural heritage and land protocols.**

Recommended actions have been categorized below as high, medium or low priorities for the Hornby Island Local Trust Committee’s (LTC) consideration of implementation for land use planning. These priorities reflect the shared goal of implementing effective land use planning measures that align with KFN protocols and values. Action items are being recommended for LTC implementation to protect cultural heritage and support reconciliation efforts on both islands.

PRIORITY RATING (High, Med, Low)	K’omoks First Nations Perspectives and Recommendations	Recommended Actions to be Considered by the Hornby Island Local Trust Committees (LTC) of the Islands Trust	Engagement Outcomes
TBD	A. Clearly articulate the land use planning function the LTCs conduct within KFN territory and how it respects the KFN values and their inherent rights as Indigenous People who have sustained connections to Denman and Hornby Islands.	- Update OCP and LUB with appropriate land acknowledgment at the beginning of each bylaw. - Update OCP with appropriate overview and context of the significance of KFN ancestral village sites and cemeteries on Hornby Island and occupation of the island up until present day. Explicitly recognize the impacts of existing patterns of settlement, protected areas and residential development on First Nations rights and title. - Update OCP with appropriate context to characterize the reality that despite provincial protections that have been in place since 1994 (Heritage Conservation Act) cultural heritage on the island has been adversely impacted by development and land alterations; many which have occurred without provincial permits, authorizations, investigations or consultation with First Nations. - Update OCP with specific LTC commitments to reconciliation as the overarching framework for all policy guidance. Explicitly characterize LTCs jurisdiction and authority in land use planning and commitment to assist First Nations in protecting cultural heritage through implementation of progressive land use planning policies and regulations.	<i>Important to see a stated commitment from local government to reconciliation that prioritizes nation members to re-connect to the land and marine waters of Denman and Hornby Islands.</i> <i>Two core principles underlying KFN’s teachings includes 1) ancestors have to be cared for, including maintain the integrity of burial places and remains of past actions; 2) ancestors will look out for you, including personal health of individuals and enhancing knowledge of how ancestors took care of the land and waters in the territory. These principles guide KFN’s management of cultural heritage. By applying these teachings to KFN’s cultural heritage, the nation works with newcomers to ensure that cultural heritage sites and objects are treated respectfully, that investigation of KFN cultural heritage advances the knowledge of history and supports revival of KFN culture. This must be adequately represented in land use planning documents within the territory.</i> <i>(KFN Guardians and the Chief and Council may add additional text here)</i>

PRIORITY RATING (High, Med, Low)	K'omoks First Nations Perspectives and Recommendations	Recommended Actions to be Considered by the Hornby Island Local Trust Committees (LTC) of the Islands Trust	Engagement Outcomes
TBD	B. Address KFN's need for cooperation from local governments regarding protection of Archaeological and Cultural Heritage Resources on Denman and Hornby Islands.	1. Explore implementation of shoreline Development Permit Area (DPA – see D3 below) or Heritage Conservation Area (HCA) to be applied island wide or up to 200 m from the setback of the natural boundary of the sea. Inform the DPA or HCA with prescriptive guidelines for low impact foundations, low impact septic tanks and fields, low impact landscaping and low impact access roads/driveways/parking areas. 2. Use a Development Approval Information Bylaw (DAI) to require a Preliminary Field Reconnaissance (PFR), Archaeological Overview Assessment (AOA) or Archaeological Impact Assessment (AIA) (or all three for complex sites) for rezoning applications where increase in density or intensity of uses is being proposed on the islands. Coordinate with the KFN CHIP process requirements and explore archaeological monitoring requirements as a condition of permits/zoning. 3. Use a Development Approval Information Bylaw (DAI) to require a biophysical inventory for rezoning applications where increase in density or intensity of uses is being proposed anywhere on the islands, to identify forest characteristics, sites of highest biodiversity, species at risk. Ensure information sharing with the Nation to build on datasets and enhance quality of the referrals. 4. Explore policy options requiring that all developments within KFN Cultural Heritage sites comply with the CHIP as a condition of any SUP, DVP, DP or Rezoning application OR implement alternative means of protection through building inspection services, special zoning, conservation areas, restrictive covenants.	<i>Improve development approval processes to ensure no further harm or degradation to archaeological sites and cultural heritage resources. Minimizing or eliminating impacts to ALL archaeological sites is KFN's preference as per the Cultural Heritage Policy.</i> <i>200m buffer within all shorelines is the highest priority for protection, investigation and field assessment. KFN Cultural Heritage Policy requires that a community archaeologist, field technician, or cultural advisor play a part in all aspects of archaeological and heritage investigations - from permit review, permit issuance, field work, laboratory analysis, reporting and report review.</i> <i>Rising sea levels and intensification of coastal development means archaeological sites and cultural heritage may be inundated/destroyed. This is the most sensitive region of the islands for protection.</i> <i>Proposed Development Permit Areas or Heritage Conservation Areas should be 200m from the shoreline or be island wide.</i> <i>Address the four most severely impacted and threatened archaeological sites on Denman and Hornby Islands with proactive land use planning tools.</i>

PRIORITY RATING (High, Med, Low)	K'omoks First Nations Perspectives and Recommendations	Recommended Actions to be Considered by the Hornby Island Local Trust Committees (LTC) of the Islands Trust	Engagement Outcomes
TBD	C. Address KFN's priorities to protect shorelines, watercourses, shorelines, streams, intact ecosystems and biodiversity on the islands.	1. Maintain <u>island wide</u> Development Permit Area (DPA) for streams, watercourses. 2. Consider island wide DPA for protection of biodiversity that would be triggered by any land alterations or new construction.	<i>200 metre buffer along shorelines and watercourses are most sensitive for ecosystems, diversity of species for foraging. Forest ecosystems and prairie oak meadows at high risk alteration. Place high emphasis on land use protection tools for these areas.</i> <i>Ensure all shoreline development implement green shores principles and strategies to protect biodiversity.</i> <i>(Guardians and the Chief and Council may add additional text here)</i>

REFERENCES:

[KFN Cultural Heritage Policy](#) (2010)

[KFN Land Code \(2016\)](#)

[KFN Treaty Ratification \(2024\)](#)

UNDRIP Articles 31 and 32

Mitigating Impacts to KFN Cultural Heritage on Denman and Hornby islands (2024)



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

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JANUARY 21st, 2025 BOARD MEETING

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

1. ORGANIZATION UPDATES/TEAM

- An election for Chair and Vice Chair was held. Trustee Gauvreau was elected Chair of the ITC Board. Trustee Timothy was elected Vice Chair.

2. STRATEGIC PLANNING/ADMINISTRATION

- Acting Manager Stewart provided an overview of the 2025-26 Annual ITC Work Plan items for the ITC team.
- The ITC Board approved the letter of support for Raincoast Conservation Foundation's application to Intact Insurance's Climate Resilience Grant and directed staff to provide it on behalf of the ITC Board.
- The ITC Board passed a resolution to provide an updated 2025/26 budget request to the Financial Planning Committee and Trust Council that addresses the changes and comments made by the Board.
- Trustee Elliott provided the Executive Committee update to the ITC Board by email. There was no Governance Committee update provided as the Governance Committee has not met since the last ITC Board meeting.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board approved spending up to \$2,000 from existing budgets towards the cost of an Ecological Gifts Program appraisal for a Natural Area Protection Tax Exemption Program (NAPTEP) covenant on Gabriola Island.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Board approved Part II of the Sallas' invasive plant management plan for Burnt Snag (ES65741), Dragonfly Pond (ES065747), Kingfisher Pond (ES065749), and Woodpecker Pond (ES65743) covenant areas, and issued a temporary waiver of covenant terms 3.2(d) and 3.2(k) subject to terms and conditions, consistent with the approved Forest Restoration Strategy of the Sidney Island Ecosystem Restoration Plan.
- The ITC Board discussed updating the Ruby Alton process in the ITC Annual Work Plan by hiring a demolition company that completes all work on the house as one package, including an estimate, hazmat analysis, permits, demolition, and removal of the house and all structures.



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

- The ITC Board accepted the third-party 2024 monitoring report for Owl's Call NAPTEP Covenant, Salt Spring Island, and directed staff to add a summary of this report to the 2024 ITC NAPTEP Covenant Monitoring Report as an addendum.
- The ITC Board approved the request by the Galiano Conservancy Association to include Vanilla Leaf Land Nature Reserve, Galiano Island, in Galiano Conservancy Association's application for a Section 11 Change Approval under the Water Sustainability Act. Any work to be done in Vanilla Leaf Land Nature Reserve will be subject to further information and approval by the ITC Board if and when the application is approved.
- The ITC Board directed staff to draft a letter to the Bowen Municipality regarding Referral BO-DP-2024-0196 including their comments to ensure the project will not negatively impact the David Otter Nature Reserve.
- The ITC Board directed staff to respond to the Bowen Island Municipal Council referral regarding bylaw 671 and 672 with their comments.

5. COMMUNICATIONS AND OUTREACH

- Staff are considering the creation of a Priority Acquisitions Fund that would act as a source of funds for ITC to use if a priority acquisition arises that ITC may wish to acquire.
- Staff are in communication with the McRae NAPTEP Covenant (Gabriola Island) Holder regarding off-leash dogs, and are pursuing an article for the local newspaper.

Learn more about Islands Trust Conservancy: <https://islandstrust.bc.ca/conservancy/>

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Hornby Local Trust Committee

Open Applications

Report

Print Date: March 12, 2025

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
HO-DP-2021.2	Taylor, MacDonald H	7/9/2021		PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent. Civic address: 2200 Sollans Road, Hornby Island, BC.
Planner		Status		Most Recent Completed Activity
Stephen Baugh		Waiting for Revisions		Waiting for Revisions

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250004	Lucie Lemay	1/3/2025	5875 CENTRAL RD, HORNBY ISLA	Construction of New Vorizo Cafe.
Planner		Status		Most Recent Completed Activity
Margot Thomaidis		Under Review		Generate Complete Application Letter

Hornby

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20240155	Igor Oleshko	7/31/2024	5875 CENTRAL RD, HORNBY ISLA	DVP requesting relaxation of setbacks to rear property boundary and building height to facilitate new construction of co-op store/complex, Hornby Island.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Planning Review	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20240155	Igor Oleshko	7/31/2024	5875 CENTRAL RD, HORNBY ISLA	DVP requesting relaxation of setbacks to rear property boundary and building height to facilitate new construction of co-op store/complex, Hornby Island.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Planning Review	

Hornby

Siting and Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2022.9	Steve & Cather	9/27/2022	4990 PORPOISE CRES, HORNBY I	PID: 003-342-158 New house. Civic address: 4990 Porpoise Crescent, Hornby Island, BC.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Revisions	Waiting for Revisions	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250112	Geoff Dawson	3/10/2025	3135 CANNON CRES, HORNBY ISL	Application to renovate an existing cabin and construct an accessory structure at 3135 Cannon Crescent.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20240329	Igor Oleshko	12/3/2024	3565 HARWOOD RD, HORNBY ISL	To construct a covered carport and bike storage at 3565 Harwood Rd.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250005	Lucie Lemay	1/3/2025	5875 CENTRAL RD, HORNBY ISLA	Construction of New Vorizo Cafe

Planner	Status	Most Recent Completed Activity
Margot Thomaidis	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20240171	Rhory Moore	8/10/2024	4200 ROBURN RD, HORNBY ISLAN	This information replaces that provided in association with Siting & Use Permit Ho-SUP-2024.7. In addition to a DVP, this project will also require a new SUP and a TUP. These forms along with other required supporting documents will be uploaded as part of this application.

I have calculated the required fee as
 $(\$260.10 + \$1,976.76 + \$2,236.84) \times 1.20 = \$5,368.44$ and
 mailed a cheque for this amount. If I have somehow
 miscalculated, hopefully an adjustment can be made.

Planner	Status	Most Recent Completed Activity
Bruce Belcher	In Abeyance	Add Optional Referrals

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20240160	Angus Hayman	8/6/2024	4970 PORPOISE CRES, HORNBY I	demolition of existing home and build of a new 700 square foot cabin

Planner	Status	Most Recent Completed Activity
Bruce Belcher	In Abeyance	Waiting for Submittals

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2024.2	Brandon Scott	1/10/2024	7925 ANDERSON DR, HORNBY ISL	PID: 004-701-704 construction of new SFD at 7925 Anderson Drive on Hornby.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		In Abeyance	File Administrative Decision	

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2021.18		7/9/2021		PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent. Civic address: 2200 Sollans Road, Hornby Island, BC.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		In Abeyance	Generate Notice of Revisions	

Hornby

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20240304	Bob Colclough	11/13/2024	0 SHIELDS RD, HORNBY ISLAND,	

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2023.1	Michael & Cath	6/20/2023		PID: 000-095-826 subdivision of 10 acre lot into 2 5-acre parcels at 1305 Sollans Rd on Hornby Island.

Planner	Status	Most Recent Completed Activity
Marlis McCargar	Under Review	Planning Review

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2022.3	Evert Steen	8/16/2022		PID 001-249-266 Two lot subdivision. 8550 Central Rd, Hornby Island.

Planner	Status	Most Recent Completed Activity
Marlis McCargar	In Abeyance	Add Optional Referrals

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2018.1	Brian Brooke	12/13/2018		PID: 026-100-932 Two lot subdivision Civic address: 3750 Euston Road, Hornby Island, BC
Planner	Status		Most Recent Completed Activity	
Marlis McCargar	In Abeyance		Verify Submittal / Fees	

Hornby

Temporary Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250114	Davine D. Burton	3/11/2025	7250 CENTRAL RD, HORNBY ISLA	Application for a Temporary Use Permit to allow temporary non-agricultural uses on ALR Land.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20240177	Rhory Moore	8/13/2024	4200 ROBURN RD, HORNBY ISLAN	
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Add Optional Referrals	

Application Number	Applicant Name	Date Received	Address	Purpose
HO-TUP-2020.3		10/28/2020	5875 CENTRAL RD, HORNBY ISLA	PID: 026-371-791 Water extraction & sales Civic address: 5875 Central Road, Hornby Island, BC.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Open	Determine Next Steps - PL	

Islands Trust
LTC EXP SUMMARY REPORT F2025
Invoices posted to Month ending January 2025

635 Hornby	Invoices posted to Month ending January 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	500.00	0.00	500.00
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	3,560.00	2,247.07	1,312.93
65210-635	LTC - Local Exp - APC Meeting Expenses	750.00	2,179.98	-1,429.98
TOTAL LTC Local Expense		<u>4,310.00</u>	<u>4,427.05</u>	<u>-117.05</u>
Projects				
73001-635-2004	Hornby OCP/LUB	0.00	25,000.00	-25,000.00
73001-635-4134	Hornby Community Heritage Register	1,500.00	0.00	1,500.00
73001-635-4138	Hornby First Nations Relationship Building	31,500.00	0.00	31,500.00
TOTAL Project Expenses		<u>33,000.00</u>	<u>25,000.00</u>	<u>8,000.00</u>

Hornby Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2017 <u>UPDATES-below:</u> September 28, 2018 November 6, 2020 October 8, 2021	HO-2017-011 <u>UPDATES-below:</u> HO-2018-070 HO-2020-081 HO-2021-053	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED that the Hornby Island Local Trust Committee adopt the following Standing Resolution: 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: 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	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: • 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
				- 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: - 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	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.
4.	January 25, 2019	HO-2019-007	Notices of intention to apply for a federal cannabis license	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution: “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.”

No.	Meeting Date	Resolution No.	Issue	Policy
5.	May 24, 2019	HO-2019-038	First Nations Relationship Building	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: 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: 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	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution: 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: • 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
				- 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: - 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	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution: 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.
8.	November 6, 2020	HO-2020-074	Proactive Enforcement of Year-Around Unlawful Housing	It was MOVED and SECONDED, that the 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, 2021.

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.

Active Projects Report

Hornby Island

1. Major Project - Hornby Island Official Community Plan and Land Use Bylaw

Review

Activity:

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.

Responsible

Sonja Zupanec

Dates

Rec'd: 06-Nov-2020

Future Projects Report

Hornby Island

1. <i>OCP</i>	Responsible	Date Received
- Ford's Cove Neighbourhood and Transportation Plan - Aquifer Classification System: A review of the aquifer classification system as described in the email letter from Sadie Chezenko dated December 19, 2021 - Freshwater Sustainability: LTC project absorbed into regional project managed by RPC in 2018-2022 term		09-Sep-2022
2. <i>OCP & LUB</i>	Responsible	Date Received
- Climate Change: Address climate change through amendments of OCP policies and LUB regulations - Regional Conservation Plan: Consider amendments to the OCP and LUB that would make these documents consistent with the Regional Conservation Plan		09-Sep-2022
3. <i>Advocacy and Communications</i>	Responsible	Date Received
- Marine Protection: Ongoing participation in public education, advocacy and regional processes with respect to the marine environment and shoreline protection.		09-Sep-2022
4. <i>LUB</i>	Responsible	Date Received
Consider zoning amendments to allow chickens (but not roosters) in all zones. Consider excluding cisterns from setback regulations.		09-Sep-2022

Future Projects Report

Hornby Island

5. *Administrative*

Responsible

Date Received

- Consider the use of Covenants (enabled under S. 219 of the Land Title Act) in conjunction with rezoning applications, to reduce the direct impacts of development on Indigenous culturally sensitive areas.

20-Jan-2023

6. *Bylaw Enforcement*

Responsible

Date Received

7. *First Nations*

Responsible

Date Received

- Participate in heritage and traditional knowledge mapping with the K'omoks First Nation.
- Consider the use of covenants in conjunction with rezoning application to reduce the direct impacts of development on indigenous culturally sensitive areas.
- improve communications with K'omoks First Nation by setting up regular LTC/Chief and Council meetings to discuss a wide range of issues of mutual concern.
- Consider the development of an agreemetn similar to the qathet Regional District, City of Powell River and Tla'amin First Nation.
- Work with K'omoks First Nation to determine how they wish to be engaged, information circulated in review of development and policy plans.
- Consider inviting K'omoks representatives to attend as non voting members and Advisory Planning Commission and Local Trust Committee meetings.

05-May-2023