



Hornby Island Local Trust Committee Regular Meeting Agenda

Date: May 16, 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 | | |
| | 4.4 Islands Trust Conservancy 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 March 21, 2025 - for adoption | | 3 - 11 |
| | 6.2 Section 26 Resolutions-without-meeting Report - none | | |
| | 6.3 Advisory Planning Commission Minutes - none | | |
| 7. | BUSINESS ARISING FROM MINUTES | 12:15 PM - 12:30 PM | |
| | 7.1 Follow-up Action List Report dated May 8, 2025 | | 12 - 13 |
| 8. | DELEGATIONS - none | | |

9.	APPLICATIONS AND REFERRALS	12:30 PM - 12:40 PM	
9.1	PL-SUB-2024-0304 (Corcan) Lot Frontage Waiver Request - Staff Report		14 - 30
	~ BREAK 12:40 PM - 1:10 PM ~		
10.	LOCAL TRUST COMMITTEE PROJECTS	1:10 PM - 2:10 PM	
10.1	Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review: Hornby Bylaw Nos. 176 and 177 - Staff Report		31 - 49
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	2:10 PM - 2:25 PM	
13.1	2024/25 Annual Report - Approval of Hornby Island Local Trust Committee's Section - Request for Decision		50 - 52
13.2	Highlights of Trust Conservancy March 18, 2025 Board Meeting		53 - 54
13.3	Applications Report dated May 8, 2025		55 - 60
13.4	Trustee and Local Expense Report dated February, 2025		61 - 61
13.5	Adopted Policies and Standing Resolutions		62 - 66
13.6	Local Trust Committee Webpage		
14.	WORK PROGRAM	2:25 PM - 2:40 PM	
14.1	Active Projects Report dated May 8, 2025		67 - 67
14.2	Future Projects Report dated May 8, 2025		68 - 69
15.	UPCOMING MEETINGS		
15.1	Next Regular Meeting Scheduled for Friday, July 4, 2025 at 11:30 am at Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC		
16.	ADJOURNMENT	2:40 PM - 2:40 PM	



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: March 21, 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
Margot Thomaidis, Planner 2
Lisa Millard, Meeting Administrator/Recorder (electronic attendance)

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

1. CALL TO ORDER

Chair Peterson called the meeting to order 11:30 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 12.1 Write Letter to K'ómoks First Nation - Discussion
- 15.2 July Local Trust Committee Meeting – Discussion

By general consent, the agenda was adopted as amended.

4. REPORTS

4.1 Trustee Reports

Trustee Scott reported attendance at March Trust Council quarterly meeting and noted election of Salt Spring Island Trustee Laura Patrick as Chair of Trust Council.

Trustee Allen reported attendance at March Trust Council quarterly meeting and highlighted improvement of meeting decorum, sessions with BC Ferries focussed on their new engagement strategy, and delegation that spoke to the Local Trust Committee meeting accessibility challenges for working people due to scheduled meeting times.

4.2 Chair's Report

Chair Peterson reported attendance at the March Trust Council meeting and highlighted the election of Salt Spring Island Trustee Patrick as Chair of Trust Council, passing of the 2025/26 budget, approval of core elements of the strategic plan, BC Ferries presentation and workshop, approval of Natural Area Protection Tax Exemption Program (NAPTEP) area on Salt Spring Island, delegation presentation on Local Trust Committee meeting times, discussion on use of social media, and the passing of Trust Council amended Local Trust Committee Meeting Procedures Bylaw No. 197.

4.3 Electoral Area Director's Report - none

5. PUBLIC COMMENTS

A member of the public spoke to importance of balancing the need to maintain water sustainability with the use of the Suitable Land Analysis and keeping residents housed in illegal secondary dwellings.

The Chair of the Hornby Island Advisory Planning Commission stated the following:

- The Advisory Planning Commission did recommend capping Temporary Use Permits for short-term rentals;
- The minutes of the November, 2024 Advisory Planning Commission meeting state support of vacation rental business licensing rather than Temporary Use Permits, and support of short-term vacation rental licensing through Comox Valley Regional District rather than Islands Trust;
- They do not recommend delaying regulating Hornby Island short-term rentals until business licenses can be managed by Comox Valley Regional District;
- They recommend that if and when business licenses become a possibility, the Local Trust Committee and Islands Trust staff engage in a process to investigate Comox Valley Regional District administering the licenses; and
- The Comox Valley Regional District referral response indicates they are interested to learn how the Local Trust Committee proceeds to regulate vacation rentals before further investigation into the feasibility of a business licence function is considered.

A member of the public noted the land acknowledgement should no longer refer to unceded territory due to the recent signing of a treaty with K'omoks First Nation.

A member of the public stated the following:

- The potential deferral of the Official Community Plan project is challenging as the Local Trust Committee needs to balance respect for the wishes of K'omoks First Nation, new information about the island's capacity for growth, and the community members who need access to safe, secure, and affordable housing;
- They encourage the Local Trust Committee to consider deferring the entire Official Community Plan project including all vacation rental aspects;
- The current number of short-term rentals on the island is both stable and sustainable and they support affordable housing as well as workers, artists, and businesses through the winter when owners do substantial maintenance on their properties;

- They are not opposed to a cap on vacation rentals but are opposed to setting one arbitrarily in the absence of community consultation and unbiased information;
- The Hornby Island Short Term Rental Association and the Advisory Planning Commission are aligned on most of the recommendations including potable water, functioning septic systems, capacity limits, and controls on the number of visitors;
- Deferral of the project will not affect progress and improvements that have been made;
- The Municipal and Regional District Tax (MRDT) on short-term accommodation is generating \$50,000 to \$75,000 in revenue per year going toward affordable workforce housing;
- The Provincial short-term rental regulations provide several of items the Advisory Planning Commission recommends including registration and penalties for illegal operations;
- The time-consuming option of the Temporary Use Permit was used as a solution because, at the time, there were no other options; and
- If the entire Official Community Plan project is paused there is opportunity to begin business license discussions with the Comox Valley Regional District.

A member of the public noted that a map on page 99 of the agenda had been misinterpreted from the original map that was relied on in 2001 and they provided the Local Trust Committee a copy of the original map and indicated the doubling of the 1A designation for the Whaling Station peninsula is not justified.

6. MINUTES

6.1 Local Trust Committee Minutes dated January 24, 2025 - for adoption

By general consent, the Local Trust Committee meeting minutes of January 24, 2025 were adopted.

6.2 Local Trust Committee Special Meeting Minutes dated February 7, 2025 - for adoption

By general consent, the Local Trust Committee Special Meeting minutes of February 7, 2025 were adopted.

6.3 Section 26 Resolutions-without-meeting Report - none

6.4 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated March 13, 2025

Received for information.

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS

9.1 PLTUP20240177 (Moore - 4200 Roburn Rd.) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The application seeks a Temporary Use Permit to establish a detached residential dwelling for use by a relative, caregiver or tenant;
- The proposal is proceeding as the result of bylaw enforcement action;
- The applicant applied for, and received, approval for a Siting and Use Permit in 2024 to construct an 85 square metre 5.5-metre-high detached accessory garage and storage building and 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 square metre dwelling unit on the second floor;
- Construction of the dwelling unit is not complete and has been halted since enforcement action began in July 2024; and
- The applicant has subsequently applied for a new siting and use permit subject to the issuance of a Temporary Use Permit.

It was noted the applicant was in attendance.

The Chair allowed a member of the public to speak to the application. The individual objected to the building and indicated the applicant received a permit to construct a garage and storage building and knowingly added an illegal suite on the upper floor.

Discussion ensued and the following comments and clarifications were recorded:

- The structure provides housing for one family member and potential for another tenant;
- The Planner identified receipt of two letters with no objection to the application; and
- The Temporary Use Permit will allow a period of time to determine if there are further issues or complaints.

HO-2025-008

It was MOVED and SECONDED

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

CARRIED

Trustee Allen stated he is employed at Hornby Co-op, recused himself, and left the meeting at 12:22 p.m.

9.2 PLDVP20240155 (Hornby Co-op - 5875 Central Road) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The Development Variance Permit seeks a variance to the maximum building height; and
- No public comments have been received regarding the application.

The applicant was in attendance and indicated the height variance is to meet the building design and the civil engineer's recommendation for how the property is graded and these factors take the height to the maximum allowed. They are requesting a 2.25 metre relaxation on the variance to allow for screening of roof-top mechanical equipment.

The Trustees had no comments or questions for the Planner or applicant.

HO-2025-009

It was MOVED and SECONDED

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

CARRIED

Trustee Allen returned to the meeting at 12:28 p.m.

9.3 PLDP20250004 (Hornby Co-op - 5875 Central Road) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The Development Permit is required to facilitate the development of the new 'Vorizo' café building on the Hornby Co-op property;
- The proposal includes demolition of the bike shop and construction of a new café building in its footprint; and
- The application meets the Development Permit Area Guidelines.

The Trustees had no comments or questions for the Planner.

HO-2025-010

It was MOVED and SECONDED

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

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review - Staff Report

The Chair noted that late correspondence received from K'omoks First Nation requested the Local Trust Committee defer consideration of advancing the proposed bylaws regarding secondary suites, vacation rentals, cisterns, and chickens to July 2025 to allow additional time to provide a referral response.

The meeting was recessed for a break at 12:34 p.m. and reconvened at 12:53 p.m.

Discussion ensued regarding the K'omoks First Nation's request for an extension of the referral response period and the Planner clarified the Local Trust Committee would typically seek all available information prior to scheduling a Community Information Meeting in order to provide as much information as possible to community members, and if the Local Trust Committee is considering making changes to the draft bylaws this should be done prior to presenting the bylaws to the community for input.

HO-2025-011

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to advise the K'omoks First Nation referrals team that the Local Trust Committee has granted an extension until July 1, 2025 for the Nation to respond to the

referral for Proposed Bylaw Nos. 176 (Official Community Plan) and 177 (Land Use Bylaw).

CARRIED

The Planner noted that potential amendments to the Official Community Plan and Land Use Bylaw have been identified based on referral responses, staff analysis, and the Suitable Land analysis and include:

- Specifying the maximum density in the Public Use subzone for community housing;
- Expanding the current language in the Temporary Use Permit guidelines for vacation rentals regarding confirmation for sewer systems and water requirements based on Island Health's response suggesting clearer language be used;
- Determining if the Local Trust Committee wishes to consider specifying a maximum number of Temporary Use Permits that could be issued in any given year which would provide a future Local Trust Committee the ability to deny a permit based on a specified cap;
- Consideration of temporarily removing secondary suite provisions from the bylaws until First Nations input has been received;
- Removing the provisions for secondary suites from the Shire, Syzygy and Downes Point properties which were not intended to have this provision because they have site specific zones that recognize their density situation; and
- Remove the IA aquifer classification for the Sandpiper and Galleon neighbourhoods because it could be seen as over extending the Local Trust Committee's jurisdiction over land use in an area without supporting data or documentation.

Discussion ensued about caps on vacation rentals in other areas and surrounding communities. Trustees noted existing commercial and camping vacation sites provide rental accommodation for approximately 1500 visitors, 135 short-term vacation rentals were registered the previous year, and they determined a cap of 67 Temporary Use Permits per year could be taken to the community for input and discussion.

HO-2025-012

It was MOVED and SECONDED

that Hornby Island Local Trust Committee request staff to prepare 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" as presented in the staff report, and in point no. iii specify a maximum number of temporary use permits for vacations rentals at 67 per year, and return the draft bylaw amendments and any subsequent referral responses to the Local Trust Committee for consideration of second reading at the May 16, 2025 regular business meeting.

CARRIED

The Planner noted recommendations 3 and 4 in the Staff Report were next step discussions that the Local Trust Committee should have regarding getting more information on the operational and financial implications of addressing some of the housing issues with a concerted effort around understanding the effects of implementing the following:

- Building inspection services;
- An island-wide Heritage Conservation Area to address protection of cultural heritage resources and mandate; and
- Low impact construction standards/land alterations prior to moving forward with expanding provisions for secondary suites or dwellings.

The Planner stated recommendation 5 in the Staff Report speaks to the need to meet with the Denman Local Trust Committee to discuss potential opportunities to explore mutually supportive housing solutions and the K'omoks First Nation Engagement summary for both islands as part of the next phase of the Official Community Plan/Land Use Bylaw Review Projects for both Local Trust Areas.

HO-2025-013

It was MOVED and SECONDED

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 Local Trust Committee of policy or zoning amendments that would expand provisions for secondary suites or secondary dwellings on the island beyond what is currently permitted.

CARRIED

HO-2025-014

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to continue to engage with staff from K'omoks First Nation as part of the next phase of the Official Community Plan/Land Use Bylaw 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.

CARRIED

HO-2025-015

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to inform the Denman Island Local Trust Committee of resolutions #HO-2025-013 and 014 and request a special meeting with the Denman Local Trust Committee in the summer/fall 2025 to discuss potential opportunities to explore mutually supportive housing solutions and the K'omoks First Nation Engagement

summary for both islands as part of the next phase of the Official Community Plan/Land Use Bylaw Review Projects for both Local Trust Areas.

CARRIED

The Planner summarized updates required to the Project Charter to include prioritizing and enhancing the Suitable Land Analysis data, directing staff to engage with environmental conservation groups to incorporate additional data sets, and directing staff to engage with First Nations on incorporating data related to archaeology and culturally significant sites.

HO-2025-016

It was MOVED and SECONDED

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;

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.

CARRIED

HO-2025-017

It was MOVED and SECONDED

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.

CARRIED

11. CORRESPONDENCE - none

Correspondence received concerning current applications or projects is posted to the LTC webpage

12. NEW BUSINESS

12.1 Write Letter to K'omoks First Nation - Discussion

HO-2025-018

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to prepare a letter to K'omoks chief and council offering congratulations on election and request for leadership meeting.

CARRIED

13. STAFF REPORTS

13.1 Trust Conservancy Highlights of January 21, 2025 Board Meeting
Received for information.

13.2 Applications Report dated March 12, 2025
Received for information.

13.3 Trustee and Local Expense Report dated January, 2025
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 March 13, 2025
Received for information.

14.2 Future Projects Report dated March 13, 2025
Received for information.

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

15.2 July Local Trust Committee Meeting – Discussion

Chair Peterson noted he will be unable to attend the July 4 meeting in person and brought it forward for consideration of rescheduling, assigning alternate chair, or holding an electronic meeting to be determined at a future meeting

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:14 p.m.

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Follow Up Action Report

Hornby Island

13-Sep-2024

Progress	Activity	Responsibility	Dates	Status
49%	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. To be presented following Trust Council adoption of bylaw enforcement policy, expected June 2025 per EC request.	Warren Dingman		In Progress
0%	2 Staff to prepare briefing on farm stand regulations using other LTC bylaw examples. On hold until OCP/LUB project completed.	Ian Cox		In Progress

01-Nov-2024

Progress	Activity	Responsibility	Dates	Status
93%	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
100%	2 Staff to provide LTC with information on whether a DP would be required for Rogers communication tower on Crown Land. Staff consider it likely necessary though proponent disagrees. TBD at time of development with information from province/legal.	Ian Cox	Target: 24-Jan-2025	Completed

Follow Up Action Report

Hornby Island

21-Mar-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 PLTUP20240177 (Moore) - be issued	Margot Thomaidis Nadine Mourao		Completed
100%	2 PLDVP20240341 - X.refPLDVP20240155 (HornbyIsland Co-op) be issued	Margot Thomaidis Nadine Mourao		Completed
100%	3 PLDP20250004 (Lemay) be issued.	Margot Thomaidis Nadine Mourao		Completed
15%	4 LTC request staff to prepare a letter to K'omoks Chief and Council congratulations on election, ratification of the treaty vote and requesting leadership to leadership meeting.	Clare Frater Sonja Zupanec		In Progress
0%	5 OCP/LUB Major Project - staff recommendations 1-7 endorsed by LTC; report back to LTC May 16th. Staff to add to next meeting agenda with Comox Valley Regional District request for preliminary discussion on regulatory, financial and operational implications of implementing building inspection services on Hornby Island as part of housing review. Staff to also advise DE LTC of HO resolutions re CVRD and KFN March 21, 2025 and request joint meeting with Denman LTC in late summer/fall to explore mutually supportive housing solutions and the KFN engagement summary.	Michelle Backe Sonja Zupanec		In Progress



File No.: PL-SUB-2024-0304 (Corcan)

DATE OF MEETING: May 16, 2025

TO: Hornby Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Team

COPY: Renée Jamurat, Regional Planning Manager
Northern Team

SUBJECT: 10% Lot Frontage Waiver Request for Application PL-SUB-2024-0304 (Corcan)

RECOMMENDATIONS

1. That the Hornby Island Local Trust Committee exempt Proposed Lot 1 of LOT 1, SECTION 6, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 30464, EXCEPT PART IN PLAN VIP88575 of subdivision PL-SUB-2024-0304 (Corcan) from the 1/10 perimeter provision of Section 512 of the *Local Government Act* and subsection 6.6(1) of the Hornby Island Land Use Bylaw No. 150, 2014.

REPORT SUMMARY

The purpose of this staff report is for the Hornby Island Local Trust Committee (LTC) to consider exempting one lot in a proposed subdivision layout plan for application PL-SUB-2024-0304, from Hornby Island Land Use Bylaw (LUB) regulation 6.6(1), in order to permit the lot to have less than a 10% frontage on a highway.

BACKGROUND

The applicant first applied to the Ministry of Transportation and Transit (MOTT) in summer 2024 with a boundary adjustment for a conventional subdivision for two subject properties (PIDs 028-508-033 and 001-246-739) under Islands Trust application number PL-SUB-2024-0304. Staff reviewed the application and noted in the "Subdivision Referral Report" to MOTT (dated March 26, 2025), that the proposed subdivision layout (see Attachment 1) does not meet the minimum 10% lot frontage requirement. The applicant must obtain a frontage waiver from the Hornby Island Local Trust Committee per LUB Section 6.6(1) for "Proposed Lot 1" and "Proposed Lot A".

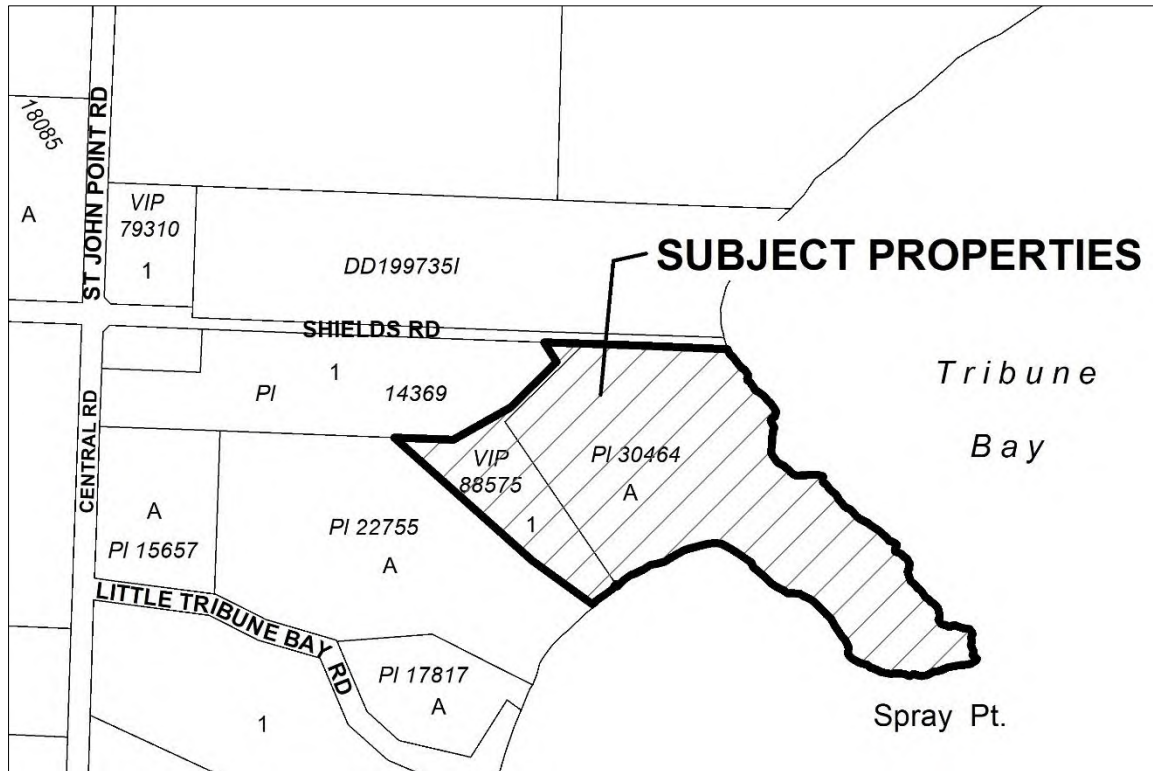


Figure 1: Subject Properties

ANALYSIS

Policy/Regulatory

A comprehensive site context analysis is provided in Attachment 2. The policies and regulations that pertain to this application are summarized below.

Land Use Bylaw (LUB)

Subdivision on Hornby Island is subject to the provisions of the Hornby Island Land Use Bylaw No. 150, 2014. In particular, this Large Lot Residential (R2) property is subject to the Subdivision Regulations, particularly 6.6(1):

PART 6 – SUBDIVISION REGULATIONS

6.6 – Lot Frontage and Lot Shape

(1) The **frontage on a highway** of any lot in a proposed subdivision and having highway frontage shall be **at least 10% of its perimeter, unless exempted by the Local Trust Committee** pursuant to the *Local Government Act*.

The relevant section of the *Local Government Act* is 512(2) – minimum parcel frontage on a highway; and “highway” is defined in the LUB as: “a public road, lane, bridge and any other way open to public use, but does not include a private right-of-way on private property.”

- “Proposed Lot 1” (1.91 hectares) perimeter = 808 m. 10% = 80 m. Proposed frontage along Shields Road is 37.5 m.
- Therefore, the applicant has requested an exemption for **proposed Lot 1 from regulation 6.6(1)**.

Rationale

Figures 2 and 3 below show the proposed plan of subdivision and an aerial photo for the proposed lot.

This subdivision involves a boundary adjustment and does not represent a significant change to the existing frontage conditions. Although Proposed Lot 1 does not meet the 10% frontage requirement, the 37.5 metres of frontage along Shields Road is substantial and considered adequate to allow safe access. Given the large overall lot size, this reduced frontage does not compromise the viability of the lot for use.

Staff have considered the following factors in support of the requested exemption:

- **Large Lot Size:** At 1.91 hectares, Proposed Lot 1 is significantly larger than the minimum lot size required in the R2 zone.
- **Minimal Impact of Adjustment:** As this is a boundary adjustment rather than the creation of new lots, the reduced frontage is reflective of existing lot configurations and does not introduce a new constraint.
- **Site Context:** While the panhandle configuration of Proposed Lot 1 is relatively uncommon in the surrounding area, it does not impair the lot's functionality.
- **No Identified Site Constraints:** The layout appears to reflect practical boundaries based on existing parcel shapes.

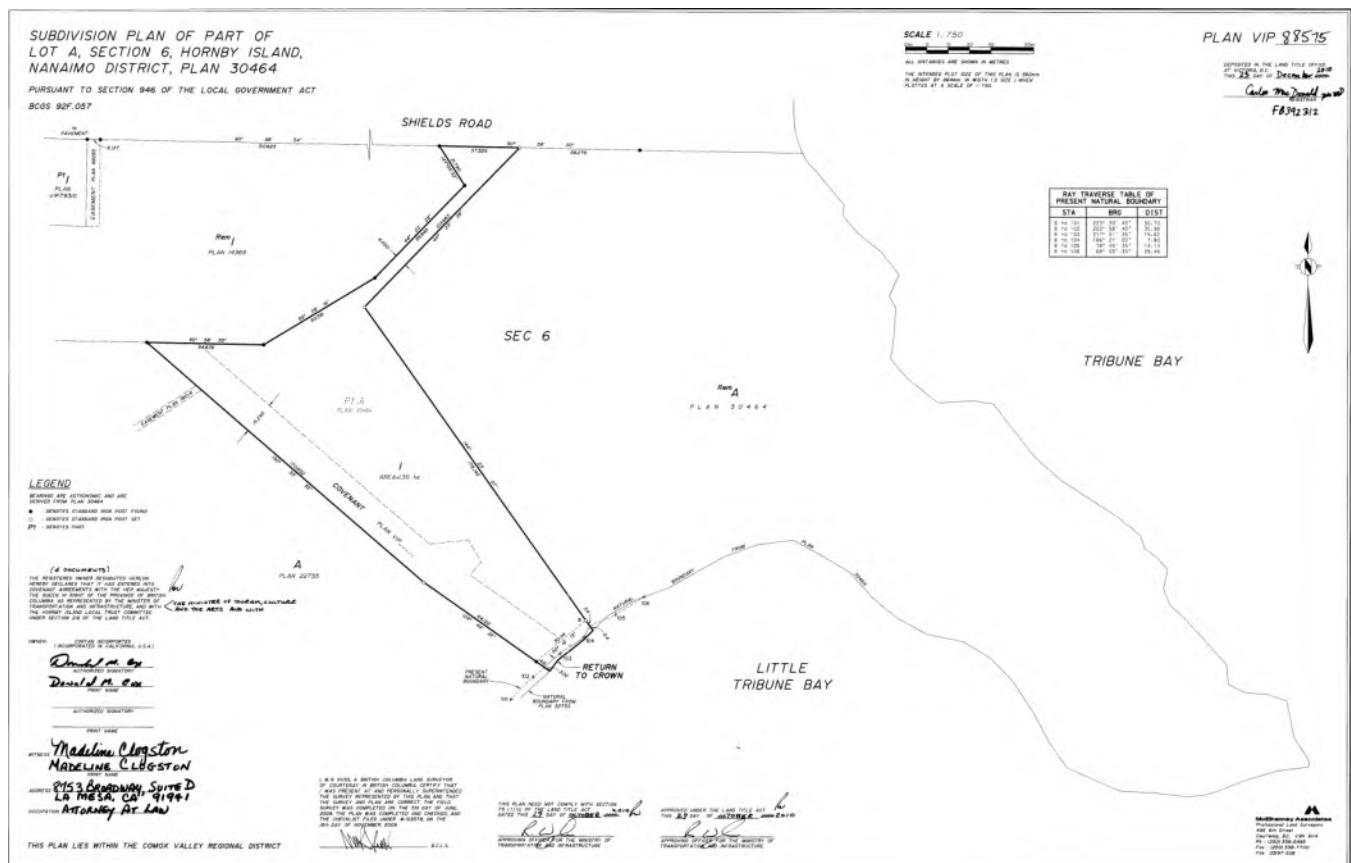


Figure 2: Preliminary Plan of Subdivision, Lot Frontages, Existing Easements, and Road Dedication



Figure 3: Orthophoto of Subject Property and Conceptual Subdivision Plan

Rationale for Recommendation

Staff recommend exempting “Proposed Lot 1” from regulation 6.6(1), as detailed on page 1 of this report, citing no anticipated negative impacts to access, circulation and safety.

Alternatives

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

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 the following information [list] for PL-SUB-2024-0304.

2. Deny the exemption request

The LTC may deny the exemption request. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny the request to exempt Proposed Lot 1 of LOT 1, SECTION 6, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 30464, EXCEPT PART IN PLAN VIP88575 of subdivision PL-SUB-2024-0304 (Corcan) from the 1/10 perimeter provision of Section 512 of the Local Government Act and subsection 6.6(1) of the Hornby Island Land Use Bylaw No. 150, 2014.

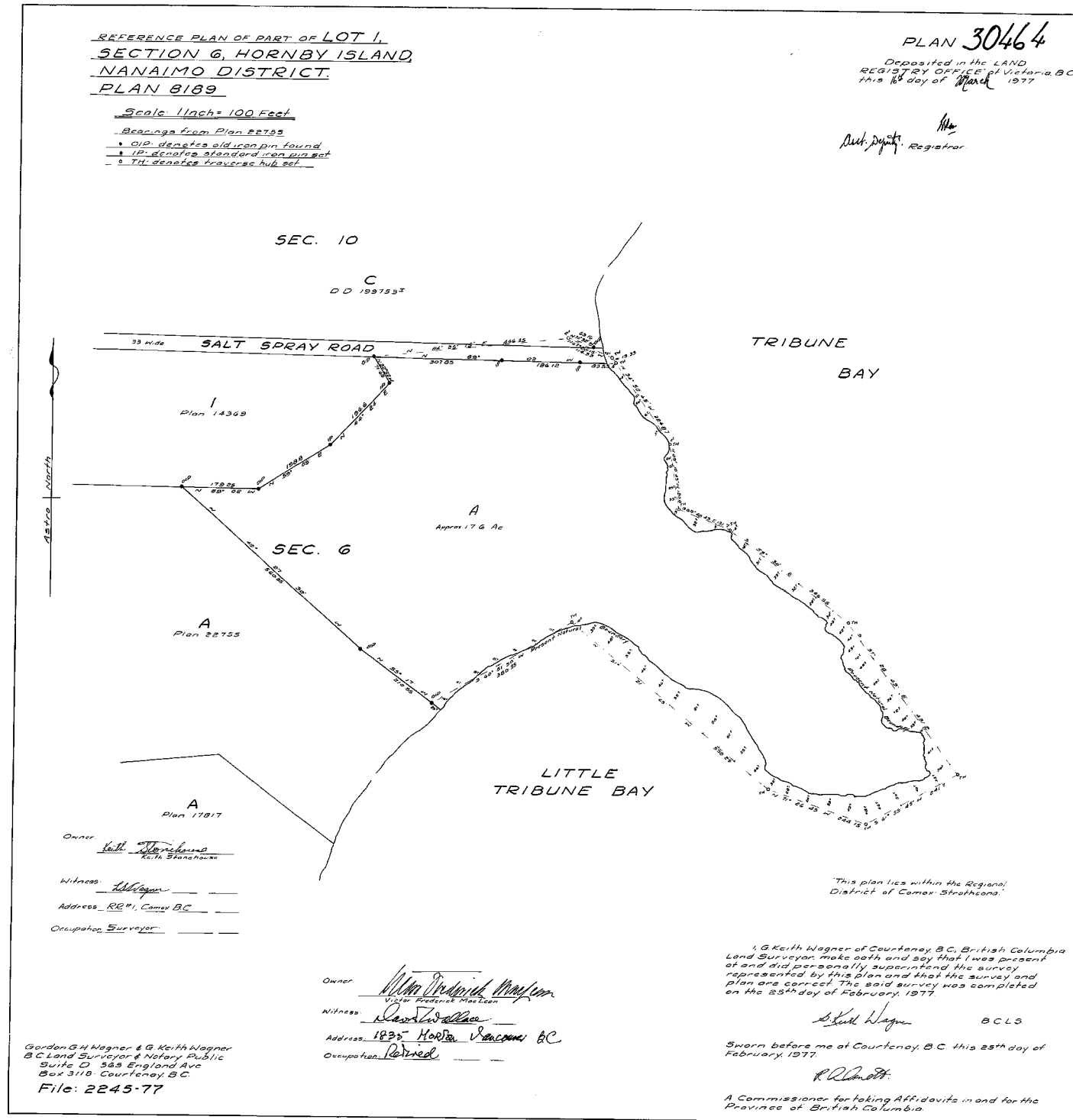
Next Steps

Subject to concurrence with the staff recommendation on page 1 of this report, staff will proceed with reviewing the subdivision proposal and respond to MOTT with an updated “Subdivision Referral Report” for this proposed subdivision.

Submitted By:	Marlis McCargar, Island Planner	April 30, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 2, 2025

ATTACHMENTS

1. Proposed Subdivision Plan
2. Referral Response Form
3. Applicant Correspondence dated April 22, 2025



To: Brendan.Kelly@gov.bc.ca

Date Received : 11/12/2024

Title: Senior Development Services Officer

I.T. File No.: PLSUB20240304

District Office: MOTI

MoT File No.: 2024-05225

Applicant	William Colclough
Owner	Cortan Incorporated
Civic Address	5250 Shields Rd, Hornby Island
Legal Description	LOT 1, SECTION 6, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 30464, EXCEPT PART IN PLAN VIP88575 LOT A, SECTION 6, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 30464, EXCEPT PART IN PLAN VIP88575
PID	028-508-033 and 001-246-739
Local Trust Area	Hornby Island Local Trust Committee
Site Area	7.17 hectares (17.72 acres)
Existing of Number of Lots	2
Proposed Number of Lots	2
Subdivision Type	Conventional, boundary adjustment

SUMMARY:

Islands Trust recommends that the following be made conditions of Preliminary Layout Review (PLR). These recommendations are made pursuant to the Hornby Island Land Use Bylaw, and relevant sections of the *Islands Trust Act* and the *Local Government Act*:

1. The applicant obtains a frontage waiver from the Hornby Local Trust Committee. Section 6.6(1)
2. No non-conformity may be created with respect to the use, siting or density of any existing building or structure as a result of the subdivision.

Prior to final approval, the applicant must obtain written confirmation from the Islands Trust that the proposed subdivision meets the above conditions and conforms to all Local Trust Committee Bylaws. This referral response is based upon the attached subdivision layout plan. Details of the application's compliance or non-compliance with specific bylaw regulations and other pertinent information are provided on the attached pages.

Please quote file number PLSUB20240304 in all correspondence to the Islands Trust related to this file.

Name: Marlis McCargar

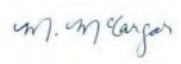
Date: 3/26/2025

Title: Island Planner

Planning
Team: Northern Team

Hornby Island Local Trust

CC: Committee

Signature: 

Applicants: wr.colclough@shaw.ca

Details:

1. Official Community Plan (OCP) Information – Hornby Island OCP Bylaw No. 149, 2014

OCP Designation(s)	Rural Residential (RR)
Development Permit Area (N/A or PLR condition)	n/a
Advocacy Policies (N/A or comment)	n/a

2. Zoning Information

Zoning Classification(s)	Residential 2 – Large Lot (R2) Zone
Comments	Proposal complies with lot area subdivision regulations for the R2 zone as noted in section 5 below.

3. Title Information

Legal Notations	Lot 1 Covenant (FB392314) with HOLTC – cannot be further subdivided under Section 946 of the LGA. Covenant (FB392316) with Province of BC- foreshore and flood plain danger Covenant (FB392317) with HOLTC – vegetation protection zone Lot A Covenant (FB392314) with HOLTC - cannot be further subdivided under Section 946 of the LGA. Covenant (FB392315) with Province of BC – archaeological sites protected under HCA Covenant (FB392316) with Province of BC - foreshore and flood plain danger
Comments (N/A or PLR condition)	n/a

4. Land Status

ALR (Y/N)	No
Land Use Contract (Y/N)	No
Comments (N/A or PLR conditions)	n/a

5. Proposed Lot Areas

Proposed Minimum Average Lot Areas (complies, does not comply or N/A)	LUB Regulation 8.2 (8) = minimum average 2.0 ha lot area 7.17 ha / 2 lots = minimum average 3.59 ha lot area Proposal complies with the Bylaw.
Proposed Minimum Lot Areas (complies or does not comply)	LUB regulation 8.2(7) = minimum 1.0 ha lot area Proposed Lot 1 = 1.91 ha; Proposed Lot A = 5.26 ha Proposal complies with the Bylaw.

S. 219 Covenant Prohibiting Further Subdivision (N/A or required)	Covenant states cannot be further subdivided under Section 946 of the LGA.
Lots Divided by a Zone Boundary (N/A or complies)	n/a
Comments (Compliance with density and any PLR conditions)	Proposal complies with the Bylaw.

6. Lot Dimensions

Depth: Width Ratio of Proposed Lots (complies or PLR condition)	LUB regulation 6.6(2) provides: “No lot in a proposed subdivision may have a depth greater than three times its width, excluding the width of any panhandle strip.” Proposed Lot 1: 208.73 (average depth)/ 70 (average width) = approximately 3:1 Proposed Lot A: 268 (average depth)/163 (width) = approximately 1.5:1 Proposal complies with the Bylaw.
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7. Lot Frontage

Highway Access (complies or dedication)	n/a
Minimum Frontage (complies or PLR condition)	LUB regulation 6.6(3) provides: “If a proposed panhandle lot is not capable of being further subdivided under this Bylaw, the minimum width of the access strip at any point is 10.0 metres.” Complies
Ten Percent Frontage (complies or PLR condition)	LUB regulation 6.6(1) provides: “The frontage on a highway of any lot in a proposed subdivision and having highway frontage shall be at least 10% of its perimeter, unless exempted by the Local Trust Committee pursuant to the Local Government Act.” Proposed Lot 1: total perimeter = approx.. 808.11m Minimum 10% required frontage = 80.81m Proposed frontage is 37.53m along Shields Road, and is less than 10% of the total perimeter and therefore, does not comply with the Bylaw. Proposed Lot A: total perimeter = approx.. 1113.65m Minimum required frontage = 111.365m Proposed frontage is 133m along Shields Road, and is greater than 10% of the total perimeter and therefore, complies with the Bylaw.

	CONDITION OF PLR: Proposed Lot A to obtain a 10% frontage waiver from the Hornby LTC.
Double Frontage Lot(s) (N/A or PLR condition)	n/a

8. Servicing Requirements

Proof of Potable Water (N/A or PLR condition – draft and send ToR letter)	For information on water quantity (volume) and quality (potability) requirements for proposed lots served by individual wells, contact the Provincial Approving Officer, Ministry of Transportation and Transit, and for proposed lots served by a community water system contact the Vancouver Island Health Authority.
Sewage Disposal (N/A or PLR condition)	All uses of property which produce waste water require the installation of a waste disposal system installed in compliance with the Sewerage System Regulation. Contact the Vancouver Island Health Authority for information.
Stormwater Drainage (N/A or PLR condition)	n/a
Comments	Subdivision proposals for Hornby Island should comply with the potable water and sewage disposal requirements of the Ministry of Transportation and Transit, Island Health, and any other agencies with jurisdiction over these areas.

9. Boundary Adjustments

Boundary Adjustment Regulations (N/A, complies or PLR condition)	LUB regulation 6.4(1) provides: “A boundary adjustment subdivision is prohibited if it would result in the increase of the area of any lot to the point where the new lots created could together be subdivided into more lots than would be permitted under this Bylaw without the boundary adjustment.” Proposal complies with the Bylaw.
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10. Panhandle Lots

Panhandle Regulations (N/A, complies or PLR condition)	n/a
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11. Split (Hooked) Lots

Split Lot Regulations (N/A, complies or PLR condition)	n/a
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12. Existing Buildings and Structures

Conformity with Bylaw (N/A, complies or PLR condition)	As shown on the plan of proposed subdivision (Attachment 1), Proposed Lot 1 is vacant.
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	As shown on the conceptual plan, Proposed Lot A has an existing dwelling(s) and accessory buildings. Staff note that in the R2 zone, there can be a maximum of two residential dwelling units per lot having an area of more than 4.0 hectares. Lot coverage must not exceed 10% of any lot having an area of 1.0 hectare or more. Lot coverage for Proposed Lot 1 is 0 % Lot coverage for Proposed Lot A is not impacted by proposed lot line adjustment. The minimum setback for any building or structure, except for a fence or pump/utility house shall be: (a) 8.0 metres from a front lot line; (b) 8.0 metres from a rear lot line; (c) 8.0 metres from any interior side lot line; and (d) 8.0 metres from any exterior side lot line. No building or structure may be located within 15.0 metres of, nor less than 1.5 metres above, the natural boundary of any lake, watercourse or the sea. The floor area of a residential dwelling unit must not exceed 300 m². Total floor area is not impacted by proposed lot line adjustment. The total combined floor area of all accessory buildings on a lot must not exceed 200 m² Total floor area is not impacted by proposed lot line adjustment. CONDITION OF PLR: • No non-conformity may be created with respect to the use, siting or density of any existing building or structure as a result of the subdivision.
Review of orthophotos	Proposed Lot 1 does not appear to be developed. Proposed Lot A contains dwelling(s) and accessory buildings.

13. Park Dedication (Section 510 of the *Local Government Act*):

Park Land or Payment Required (N/A or PLR condition)	N/A (proposed subdivision is for only 2 lots, so S.510 of the <i>LGA</i> for park land dedication does not apply).
OCP Policies requiring land (Y/N)	n/a

Trail or water access requirements (Y/N)	n/a
Refer to Parks Commission (Y/N)	n/a
LTC Resolution required (Y/N)	n/a

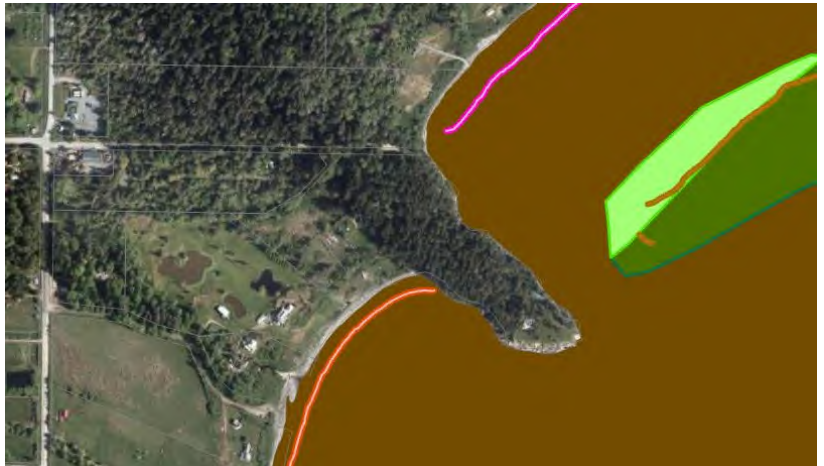
14. Road and Driveway Standards

Roads to be Constructed (Y/N)	No
Road Classification (or N/A)	n/a
Highway, access route or driveway requirements or recommendations (N/A or PLR condition)	n/a

15. Pathways

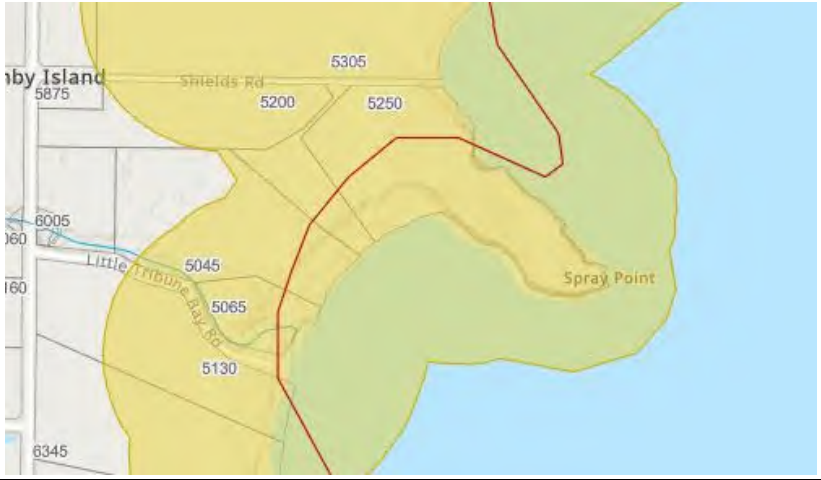
Requirements for sidewalks or paths (N/A or PLR condition)	n/a
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16. Environmental Features

Sensitive Ecosystems	Secondary Class – Cliff 
Species at Risk	None mapped
Raptor/Heron Nests	None mapped
Marine Ecosystems	Eel grass meadows Forage fish spawning habitat Sea duck habitat 

Riparian Areas (not designated as a DPA)	n/a
Mapping attached (Y/N)	None attached

17. Cultural Features

Registered Archaeological Sites (Y/N)	Yes.
Archaeological Potential (Y/N)	Within KFN's designated areas of high archaeological potential. No land disturbance proposed.
	
Mapping, forms and any comments by SIPA attached (Y/N)	n/a

18. Steep Slope Mapping

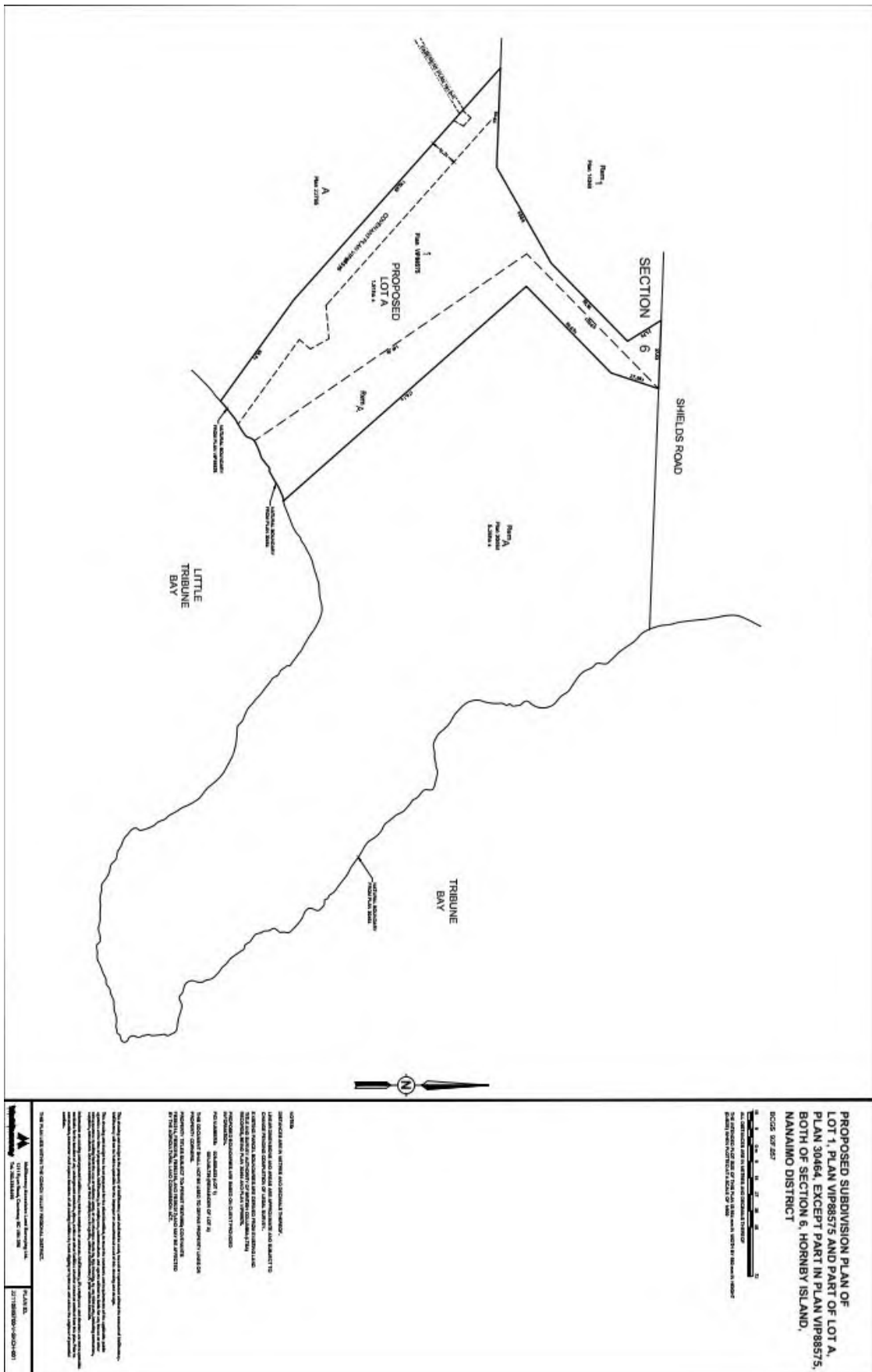
Slope Hazard Classification(s):	Slope > 30%
	
Mapping attached (Y/N)	Yes

19. Groundwater Mapping

Groundwater Region(s)	n/a
Classification(s)	n/a
Intrinsic Vulnerability	n/a

Salt Water Intrusion Vulnerability	Not mapped
Mapping attached (Y/N)	No

Attachment 1: Proposed Subdivision Plan (McElhanney Assoc. Land Surveying Ltd.)



Attachment 2 Conceptual Plan



From: Dianne Cox [REDACTED]

Sent: April 22, 2025 4:12 PM

To: Alex Allen; Grant Scott

Cc: Marlis McCargar; Bob Colclough

Subject: Re: MOTI# 2024-05225 (IT# PLSUB20240304) Application for an Internal Lot Line Adjustment Request for Frontage Waive

April 22, 2025

Dear Trustees Scott and Allen,

Our family, through Bob Colclough our consultant, have made a request to adjust the internal lot line between our 2 properties at Spray Point.

The application does not alter land use, the number of parcels, nor impact any adjacent properties in any way.

We have been informed that as a condition of approval from Islands Trust we require a waiver to the frontage requirements as the layout does not meet the minimum 10% frontage requirement.

Note that our application does not propose to alter the existing length of road frontage - in place since 2010 - just move the internal common property line within the properties.

Given that the amendment is minor, does not increase the level of non-conformity, and that no new parcels are being created, we hope you will support our request for the waiver.

We appreciate your time and attention to this matter and are happy to provide any additional information required to support this request.

Sincerely,

Dianne Cox & family

DATE OF MEETING: May 16, 2025

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, RPP, MCIP
Northern Team

SUBJECT: Consideration of Second Reading of Proposed Bylaw Nos. 176 (OCP) and 177 (LUB)

RECOMMENDATION

1. That the Hornby Island Local Trust Committee Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” be amended as per the tracked changes shown in Attachment 1 of this staff report dated May 16, 2025.
2. That the Hornby Island Local Trust Committee Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” be read a second time.
3. That the Hornby Island Local Trust Committee Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024” be amended as per the tracked changes shown in Attachment 2 of this staff report dated May 16, 2025.
4. That the Hornby Island Local Trust Committee Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024” be read a second time.
5. That the Hornby Island Local Trust Committee request staff to report back in fall 2025 on the land use impacts and implications of the provincial short term rental registry prior to scheduling a special meeting to hold a community information meeting and public hearing for Proposed Bylaw Nos. 176 (OCP) and 177 (LUB).

REPORT SUMMARY

This report outlines the amendments to Proposed Bylaw Nos. 176 (Official Community Plan) and 177 (Land Use Bylaw), as endorsed by the Local Trust Committee (LTC) at its regular business meeting in March 2025. Staff recommend that the LTC give second reading to both proposed bylaws and proceed to a community information meeting and public hearing, to be held in the late afternoon/evening following the next regular business meeting in July 2025. All relevant background information and public correspondence related to this project is posted to the Islands Trust [project webpage](#).

BACKGROUND

In March 2025, the LTC requested staff to prepare amendments to Proposed Bylaws No. 176 (Official Community Plan) and 177 (Land Use Bylaw) based on agency and First Nations feedback, as well as staff recommendations. These changes included specifying the maximum density for community housing in the PUa zone; strengthening water and septic requirements for vacation rental temporary use permit applications; and deferring consideration of detached secondary dwellings on lots less than 4ha or secondary suites on all residential properties for the second stage of bylaw amendments in 2026.

Planning staff advised the LTC to amend the proposed bylaws by temporarily removing the housing provisions until the completion of the second phase of the review project (First Nations Engagement). In addition, the LTC introduced a draft provision for a cap of 67 temporary use permits for vacation home rentals. Attachments 1 and 2 provide the full scope of the LTC-endorsed draft bylaw amendments for consideration of second reading. Attachments 3 and 4 provide clean versions of both bylaws, reflecting all tracked changes as accepted.

ANALYSIS

Issues and Opportunities

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

Public Correspondence

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 LTC has received several letters from property owners objecting to a cap on vacation rentals as well as a repeated request to correct the PU(a) zone to include “community trades and services including association retail”.

Stipulated density for Community Housing in the PU(a) zone

In March 2025, the LTC directed staff to work with the proponents of an affordable community housing project on Crown land to establish a maximum density for the PU(a) zone. The proponents have confirmed their request for a maximum density of 10 dwelling units per hectare, with a total of 24 live/work units proposed. Including these provisions in the PU(a) zone at this time is intended to strengthen their funding applications, pending other necessary approvals such as Crown land tenure and a water license. Additional project-specific zoning regulations, such as building heights and setbacks, may be considered through a variance application to accommodate the specific needs of the proposal should they exceed the general regulations of the PU zone.

Resource Implications for Proposed Temporary Use Permit Application Processing

The amendments to Proposed Bylaw No. 177 (Land Use Bylaw) include a cap of 67 issued Temporary Use Permits for vacation home rentals. The LTC is requested to confirm that this cap is intended to represent the total number of active permits at any given time, rather than an annual limit.

If the bylaws proceed to Executive Committee (EC) consideration following third reading, staff will be advising the EC of the associated resource and financial implications on administration, including anticipated additional staff time and procedural capacity needed to process up to 67 TUP applications on a recurring cycle of every three to six years and subsequent bylaw monitoring and/or enforcement. Should the LTC direction be to proceed as per the recommendation, management will prepare a subsequent report to the LTC outlining further details on the impacts anticipated to administer the proposed bylaw amendment, prior to a public hearing being held.

At the time of report writing there were 44 vacation rentals registered with the [Provincial Short Term Rental Registry](#). Staff will be prepared to provide the LTC with a verbal update on total registrants as of May 1, 2025. The LTC may wish to consider pausing further consideration of Proposed Bylaw Nos. 176 and 177 until fall 2025 to review and assess provincial data and any impacts or implications of the registry system on land use planning matters on Hornby Island. The LTC has also received public correspondence posted to the project website, recommending a temporary pause until a review of the provincial registry's impacts is conducted.

RATIONALE FOR RECOMMENDATIONS

Staff recommend that the LTC consider second reading for Proposed Bylaws No. 176 and 177 to advance provisions for temporary use permits for vacation rentals and the allowance of chickens in residential zones.

Staff also recommend that the LTC receive an update from staff regarding the provincial data and related implications of the provincial registry system on land use matters and vacation rental operators on Hornby Island. Staff suggest reporting back to the LTC in the fall to allow adequate time for data gathering and review.

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

ALTERNATIVE:

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).”

Next Steps

If the LTC proceeds with second readings, a community information meeting and public hearing can be scheduled at their next regularly scheduled business meeting on September 5 or November 14, 2025. If the LTC prefers to hold the CIM and public hearing separately, staff encourage the LTC to specify dates so staff can explore venue options.

Submitted by:	Sonja Zupanec, RPP, MCIP, Island Planner	April 29, 2025
Concurrence:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	May 5, 2025

ATTACHMENTS

- 1. Proposed Bylaw No. 176 (OCP) – tracked changes version
- 2. Proposed Bylaw No. 177 (LUB) – tracked changes version
- 3. Proposed Bylaw No. 176 (OCP) – clean version for second reading
- 4. Proposed Bylaw No. 177 (LUB) – clean version for second reading

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."

~~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."~~

~~1.3 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"~~

~~1.3 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."~~

~~1.3 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 1A Heavily Developed, High Vulnerability Aquifer Areas"~~

~~1.3 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.~~

~~1.3 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”.~~

1-41.3 **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.”

~~1-4 **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.”~~

~~1-51.4~~ **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”.

~~1-61.5~~ **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.”

~~1-6 **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.”~~

~~1-6 **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.”~~

~~1-71.6~~ **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.”

~~1-81.7~~ **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”.

~~1-91.8~~ **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.”

~~1-101.9~~ **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE,**
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~~Land Use Bylaw.”

~~1-111.10~~ **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.

~~1-121.11~~ **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”.

~~1-131.12~~ **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.

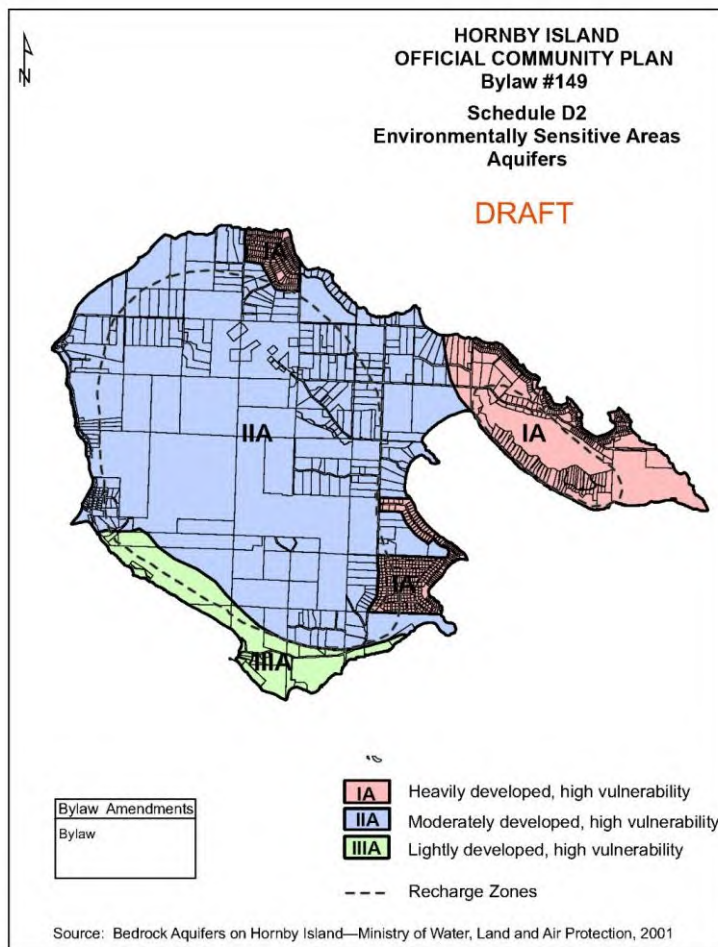
~~1-141.13~~ **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE,**
Subsection **6.10 Temporary Use Permits, Objectives**, Objective (9) is deleted in its entirety and replaced with “(9) to allow vacation home rental use as per Policy 6.5.2.5 c)”.

~~1-151.14~~ **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



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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.

~~**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".~~

~~1.4 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, Subsection **(1) (g)** is amended by replacing the word "principal" with "permitted residential".~~

~~1.5 **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.~~

1.91.4 **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." deleted.

~~1.10 **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".~~

~~1.11 **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".~~

1.121.5 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (h)** is deleted.

~~1.13 **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".~~

~~1.14 **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".~~

~~1.15 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.”~~

~~1.16~~1.6 PART 8, ZONE REGULATIONS, Section 8.4 Residential 4- Forest (R4) Zone, Subsection (1) (g) is deleted.

~~1.17 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”.~~

~~1.18 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”.~~

~~1.19 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.”~~

~~1.20~~1.7 PART 8, ZONE REGULATIONS, Section 8.5 Agriculture 1 (A1) Zone, Subsection (1) (f) is deleted.

~~1.21 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”.~~

~~1.22 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”.~~

~~1.23 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”.~~

~~1.24 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”.~~

~~1.25 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”.~~

~~1.26 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”.~~

~~1.27 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”.~~

~~1.28 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”.~~

1.8 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, to a maximum density of 10 units per hectare and 24 live/work units per lot.”

~~1.29~~1.9 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.”

~~1.301.10~~ **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.2 Objectives** is deleted and subsequent section renumbered accordingly.

~~1.311.11~~ **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 impacts of vacation home rentals on both the neighbourhood and the island as a whole shall be considered. Applications may be refused where the concentration or cumulative effect of vacation home rentals would result in unacceptable land use impacts, including but not limited to impacts on residential character, traffic, or housing availability.

(b) A maximum of 67 vacation home rentals approved through a temporary use permit can operate on Hornby Island at any one time.
~~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)-(c)~~ applicants for a Temporary Use Permit should provide:

~~documentation from a qualified professional that:~~

- i) Confirmation from an authorized person that the septic tank sewerage system for the vacation rental has been inspected in the last 6 months and is working and capable of supporting the proposed occupancy load for the vacation rental use meets the requirements of the Sewerage System Regulation and/or determines what level of construction is required on the existing system to comply with the Sewerage System Regulation; and
- ii) ~~there is sufficient quantity and quality of potable water to support the vacation rental use;~~
- ii) an issued operating permit for a water supply system servicing more than one dwelling;
- iii) confirmation from a qualified professional to certify the watery supply meets the Guidelines for Canadian Drinking Water Quality for microbial and chemical quality or can be made potable with specified measures;
- iv) confirmation from a qualified professional that well water quantity intended to supply the vacation rental is sufficient.

(ed) 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;

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

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

(fg) 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.

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

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

(ij) 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

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

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 **6.3.3 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.”
 - 1.4 **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”.
 - 1.5 **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.”
 - 1.6 **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.”
 - 1.7 **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”.
 - 1.8 **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.”

- 1.9 **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 Land Use Bylaw.”
- 1.10 **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.
- 1.11 **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”.
- 1.12 **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.
- 1.13 **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)”.
- 1.14 **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.”

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 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 deleted.
 - 1.5 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (h)** is deleted.
 - 1.6 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (g)** is deleted.
 - 1.7 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (f)** is deleted.
 - 1.8 **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, to a maximum density of 10 units per hectare and 24 live/work units per lot."
 - 1.9 **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."
 - 1.10 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.2 Objectives** is deleted and subsequent section renumbered accordingly.
 - 1.11 **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 impacts of vacation home rentals on both the neighbourhood and the island as a whole shall be considered. Applications may be refused where the concentration or cumulative effect of vacation home rentals would result in unacceptable land use impacts, including but not limited to impacts on residential character, traffic, or housing availability.
 - (b) A maximum of 67 vacation home rentals approved through a temporary use permit can operate on Hornby Island at any one time.

(c) applicants for a Temporary Use Permit should provide:

- i) Confirmation from an authorized person that the 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 determines 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 watery supply meets the Guidelines for Canadian Drinking Water Quality for microbial and chemical quality or can be made potable with specified measures;
- iv) confirmation from a qualified professional that well water quantity intended to supply the vacation rental is sufficient.

(d) 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;

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

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

(g) 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.

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

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

(j) 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

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



REQUEST FOR DECISION

To: Hornby Island LTCs **For the Meeting of:** May 16, 2025
From: Trust Area Services **Date Prepared:** March 28, 2025
SUBJECT: 2024/25 ANNUAL REPORT – APPROVAL OF HORNBY ISLANDS LTC SECTION

RECOMMENDATION: That the Hornby Island LTC approves the attached text for inclusion in the 2024/25 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2025 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2023/24 Annual Report at its meeting on February 5, 2025.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 2025 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and then Trust Council consideration of approval in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Housing and Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about First Nations relations may be included within committee reports.

OTHER: None.

- 3 RELEVANT POLICY(S):** Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

- 4 ATTACHMENT(S):** Hornby Island LTC input to Annual Report (draft)
-

RESPONSE OPTIONS

Recommendation: That the Hornby Island LTC approves the attached text for inclusion in the 2024/25 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

Alternative: That the Hornby Island LTC approves the attached text for inclusion in the 2024/25 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs.

Prepared By: Morgana van Niekerk, A/Communications Specialist

Reviewed By/Date: Renée Jamurat, Regional Planning Manager / May 8, 2024

Hornby Island Local Trust Committee

The Hornby Island Local Trust Committee (HO LTC) held seven regular business meetings in the 2024/25 fiscal year, as well as three special meetings.

Work for this period focused on advancing the Hornby LTC priorities to update the Official Community Plan (OCP) and Land Use Bylaws (LUB) to address regulations for vacation rentals, housing, and First Nations engagement.

The Hornby LTC advanced these priorities through the following key projects:

1. Comprehensive Official Community Plan Review, focusing on bylaw amendments pertaining to First Nations engagement and implementation of recommendations, housing, and regulating vacation rentals through a Temporary Use Permit (TUP).
2. Heritage Register project, which added the Hornby Island Community Hall, Hornby Island Old School House, the Room to Grow building, and the Tribune Bay Lodge to a heritage register for Hornby Island.

From April 1, 2024 to March 31, 2025, the Hornby LTC received and considered applications for three development variance permits, four development permits, 18 siting and use permits, and two temporary use permits.

During the same time period staff also reviewed two crown lease referrals, and three subdivision referrals.

Another initiative of the Hornby LTC for this period was relationship building with the K'ómoks First Nation. As part of this process, the Hornby LTC will be reviewing an engagement summary report and consider implementation of First Nation recommendations to update the OCP and LUB as part of the current OCP Review project.



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

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY March 18th, 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. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board rose and reported that a meeting was held between ITC staff and the Ministry of Housing and Municipal Affairs concerning land disposition, including transfer of land to Indigenous Governing Bodies. The Ministry staff's recommendation was for the ITC Board to develop a policy and include it in ITC's Five-Year Plan (2028-2032) for the Minister's consideration.
- The ITC Board directed staff to notify the Salt Spring Island Local Trust Committee that Islands Trust Conservancy's interests are unaffected by Bylaw No. 541 Referral.
- Chair Gauvreau presented the briefing on an invitation to join the Centre for Land Conservation's Land Trust Certification Pilot Program. The ITC Board requested Chair Gauvreau to write a letter declining the invitation to join pilot program.
- Species at Risk Program Coordinator Wheeler presented a briefing on the North Pender Island Bylaw 235 Referral regarding updating Raptor and Heron Nest Development Permit Area (DPA) mapping and associated provisions from 2008 and provided additional Species at Risk information to consider to the Islands Trust planning team.
- Trustee Patrick joined the ITC Board Meeting to discuss the April 23rd, 2025 EC-ITC Joint Meeting agenda topics. Discussion ensued and agenda topics were identified.
- Trustee Elliott provided a Trust Council update to the ITC Board reporting on a number of items, including Trustee Patrick's election as Chair of Trust Council.
- Chair Gauvreau advised that the ITC budget for 2025/26 was approved by Trust Council.
- Chair Gauvreau reported that she gave a synopsis of the ITC 4th Quarter 2024/25 report at Trust Council.
- There was no Governance Committee Update. Chair Gauvreau reported she did not attend the last meeting.
- The ITC Board agreed to write a letter to the organizers of the Funding our Future: Financing Conservation on Private lands thanking them for the excellent workshop and expressing the interest of the ITC Board in participating in future discussions as the concept of a Regional Conservation Fund progresses.



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

- The ITC Board approved additional allocation to Trustee Smith to cover the full cost of attendance at the “Funding our Future: Financing Conservation on Private Lands” conference on February 27th, 2025 in Esquimalt.

2. COMMUNICATIONS AND OUTREACH

- Trust Council’s introduction letter to Minister Kahlon was received for information. Discussion ensued on the possibility of securing additional funding from the Province for First Nations engagement and consultation.

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

Subscribe for Islands Trust Conservancy updates: <https://islandstrust.bc.ca/subscribe/>



Hornby Local Trust Committee

Open Applications

Report

Print Date: May 8, 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	

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	

Hornby

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
PLDVP20240297	Rhory Moore	11/6/2024	4200 ROBURN RD, HORNBY ISLAN	Construction of a 2-storey structure comprising a garage of 70 square meters with a second storey comprising a 2-bedroom, 1-bathroom suite of 69.9 square meters plus a deck of 19.1 for a total upper floor area of 90 square meters.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Local Trust Committee	Planning Review	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20240341	Scott Torry	12/6/2024	5875 CENTRAL RD, HORNBY ISLA	Application for a height variance for the construction of the new Hornby Co-op building.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Approved		

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
PLSUP20250182	Angela Therrien	5/1/2025	5445 REICKEN RD, HORNBY ISLAN	Application to construct a garage.
Planner		Status	Most Recent Completed Activity	
Alan Cavin		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	
Ian Cox		Under Review	Generate Complete Application Letter	

Hornby

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
Ian Cox	In Abeyance	Waiting for Submittals

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
Ian Cox	In Abeyance	File Administrative Decision

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2021.18	School District 71	7/9/2021		PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent.

Planner	Status	Most Recent Completed Activity
Stephen Baugh	In Abeyance	Generate Notice of Revisions

Hornby

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250080	Sandy Grant; Sandy	2/18/2025	4205 SLADE RD, HORNBY ISLAND	Proposed conventional subdivision to create 2 lots from the existing one at 4205 Slade Rd, Hornby MOTT # 2024-06035
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20240304	Bob Colclough	11/13/2024	0 SHIELDS RD, HORNBY ISLAND,	Application for an internal property line adjustment.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

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	

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		Administrative Approval	Generate and Send Referral Response Form	

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	

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

635 Hornby	Invoices posted to Month ending February 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	25,210.50	-25,210.50
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>25,210.50</u>	<u>7,789.50</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

Dates

Sonja Zupanec

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