

Hornby Island Local Trust Committee

Regular Meeting Revised Agenda

Date: May 21, 2021
 Time: 10:00 am
 Location: Electronic Meeting

Pages

1. **CALL TO ORDER** 10:00 AM - 10:05 AM
 "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. **APPROVAL OF AGENDA**
3. **REPORTS** 10:05 AM - 10:25 AM
 - 3.1. **Trustee Reports**
 - 3.2. **Chair's Report**
 - 3.3. **Electoral Area Director's Report**
4. **TOWN HALL** 10:25 AM - 10:35 AM
5. **DELEGATIONS**
6. **MINUTES** 10:35 AM - 10:40 AM
 - 6.1. **Local Trust Committee Minutes dated March 26, 2021 - for adoption** 4 - 14
 - 6.2. **Section 26 Resolutions-without-meeting Report dated May 7, 2021** 15 - 15
 - 6.3. **Advisory Planning Commission Minutes dated March 10, 2021 - for receipt** 16 - 18
7. **BUSINESS ARISING FROM MINUTES** 10:40 AM - 10:50 AM
 - 7.1. **Follow-up Action List Report dated May 12, 2021** 19 - 26
 - 7.2. **Letter dated March 31, 2021 - Local Trust Committee Letter of Support for Connected Coast** 27 - 28

7.3.	Letter dated May 5, 2021 to the Local Trust Committee from Susan Stanford, Assistant Deputy Minister for the Connectivity Division in the Ministry of Citizens' Services regarding the Connected Coast Network	29 - 31
8.	APPLICATIONS AND REFERRALS - none	
9.	LOCAL TRUST COMMITTEE PROJECTS	10:50 AM - 11:20 AM
9.1.	Minimum Average Lot Area Amendments Project (MALA) - verbal update	
9.1.1.	<u>Discussion regarding correspondence posted on the Website from K. Wiseman</u>	
9.2.	Hornby Drinking Water and Watershed Protection Project - Staff Report - for discussion	32 - 37
9.3.	Hornby Bylaw Nos. 161 and 162 - for adoption	
10.	CORRESPONDENCE	11:20 AM - 11:30 AM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
10.1.	Email dated May 3, 2020 from T. Law regarding streamlined Temporary Use Permits for Housing	38 - 39
10.2.	Email dated March 19, 2021 from P. Stockdill, The Council of BC Yacht Clubs regarding Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound	40 - 57
10.3.	Email dated April 30, 2021 from P. Stockdill, The Council of BC Yacht Clubs regarding flip pouches in Baynes Sound	58 - 62
11.	NEW BUSINESS	11:30 AM - 11:40 AM
11.1.	Annual Report - Staff Report	63 - 64
11.2.	Temporary Use Permits (TUPs) for Seasonal Workers this Summer - for discussion	
12.	REPORTS	11:40 AM - 11:50 AM
12.1.	Trust Conservancy Report - none	
12.2.	Applications Report dated May 12, 2021	65 - 70
12.3.	Trustee and Local Expense Report dated February, 2021	71 - 71
12.4.	Adopted Policies and Standing Resolutions	72 - 76
12.5.	Local Trust Committee Webpage	

----- BREAK 11:50 AM to 12:20 PM -----

13.	WORK PROGRAM	12:20 PM - 12:30 AM	
13.1.	Top Priorities Report dated May 12, 2021		77 - 78
13.2.	Projects List Report dated May 12, 2021		79 - 80
14.	INFORMATION ITEMS	12:30 PM - 12:40 PM	
14.1.	Islands Trust Conservancy Newsletter - The Heron - Spring 2021		81 - 88
14.2.	News Release - June 2021 Islands Trust Council Meeting Program Announced		89 - 90
14.3.	News Release - A Surge in Development Applications slows processing time at Islands Trust		91 - 92
15.	CLOSED MEETING - none		
16.	UPCOMING MEETINGS		
16.1.	Next Regular Meeting Scheduled for Friday, July 16, 2021 at 10:00 am - Location to be determined		
17.	ADJOURNMENT	12:40 PM - 12:40 PM	



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: March 26, 2021
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Teresa Mahikwa, Island Planner
Jaime Dubyna, Planner 2
Ian Cox, Planner 1
Lisa Wilcox, Sr. Intergovernmental Policy Advisor
Wil Cottingham, Administrative Assistant
Vicky Bockman, Recorder

Others Present: Approximately nine (9) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 10:00 am. She welcomed the public, introduced Trustees, staff and recorder; and acknowledged that the meeting was being held electronically in territory of the K'ómoks and Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Scott reported on the following:

- The recent discovery of human remains associated with K'ómoks First Nation at the site of the Thatch development was of great concern to the Hornby Island community; and the Local Trust Committee (LTC) will be considering how to respectfully move forward with Hornby Island land use matters and regulations as they relate to First Nations;
- Conservancy Hornby Island (CHI) HerringFest 2021 was successful; CHI responded to an anonymous tip that a herring fishing boat dumped its catch into the Deep Bay harbour and this is being investigated by DFO.

Trustee Allen reported on the following:

- The disturbing news of the Thatch development situation, as reported by Trustee Scott, was reiterated and it is his hope that the issues will be addressed on many levels;
- He attended a community forum that included representatives from K'ómoks First Nation, the Village of Cumberland, and Comox Valley Regional District where the reconciliation process was a topic of discussion;
- At Trust Council, the Islands Trust Policy Statement survey submissions were discussed along with other issues including housing and tree cutting.

3.2 Chair's Report

Chair Fast reported on her participation in the following meetings:

- Trust Council – three days of conducting business electronically by Zoom is acknowledged to be difficult, and a review of possible mitigating measures is ongoing; the public was encouraged to participate electronically;
- Bowen Island Municipal Council;
- Denman Island LTC;
- Gambier Island LTC;
- Executive Committee;
- Islands Trust Conservancy.

3.3 Electoral Area Director's Report - none

4. TOWN HALL

Members of the public commented with the following noted:

- Trustees were thanked for bringing the reconciliation issue to the forefront. The Islands Trust discussion paper, Truth Precedes Reconciliation, and Reconciliation Report 2019-2021 reflect an opportunity for Hornby Island and the Trust to be more proactive in the current situation at the Thatch. Trustees were encouraged to suspend the Thatch's Development Permit (DP), if legally possible, until a more meaningful consultation can occur with K'ómoks First Nation.
- The updating of the Official Community Plan (OCP) to include First Nations cultural history and heritage is long overdue; a commitment to engage in direct communication with K'ómoks First Nation on issues that might impact them, rather than through an applicant and in addition to the referral process, is a step that is needed.
 - Trustees commented on the difficulty of having legal requirements that restrict alternative approaches to consultation with First Nations;
 - Staff advised that in response to an LTC resolution, a change in the planning process is being initiated to forward permit applications to K'ómoks First Nation for their review.
- Short Term Vacation Rentals (STVRs) are proliferating on Hornby Island and a public process to identify and regulate them does not exist. The LTC was asked to determine a way to know how many are operating, to license them in some way such as a business licence or other approach, and to consider capping the number of STVRs on Hornby Island.
 - A Trustee responded that bylaw enforcement of STVRs is a slow process, however is having some effect. The use of a Temporary Use Permit (TUP) as a STVR regulating tool was not considered to be effective, and commercial operations have voiced the opinion

in the past that STVRs and commercial operations should be taxed equally to be fair; having staff explore such issues might be helpful.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Minutes dated January 29, 2021 - for adoption

HO-2021-018

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee meeting minutes of January 29, 2021 were adopted.

CARRIED

6.2 Local Trust Committee Public Hearing Record dated January 29, 2021 - for receipt

The Public Hearing Record dated January 29, 2021 was received.

6.3 Section 26 Resolutions-without-meeting - none

6.4 Advisory Planning Commission Minutes dated February 11, 2021 - for receipt

The Advisory Planning Commission (APC) minutes dated February 11, 2021 were received.

A correction was requested: Page 2, first paragraph, 3rd bullet: Change "Allan" to Allen".

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated March 17, 2021

Trustees reviewed the report and staff responded to questions that arose.

7.2 Advisory Planning Commission - Response to Referral - Bylaw No. 159 Schedule A & B

This item will be discussed later in the agenda at item 11.1.

Trustees requested a letter be sent to APC members thanking them for their work on this referral. Chair Fast offered to draft the letter.

8. APPLICATIONS AND REFERRALS

8.1 HO-TUP-2020.3 (Co-op) - Staff Report

Trustee Allen declared a conflict of interest due to his employment at the Hornby Island Co-op and Gas Bar and left the meeting at 10:52 am.

Planner Cox presented the Staff Report that asks the LTC to consider a TUP application for the ongoing sale of bulk water from the subject property, in response to a referral received from the Ministry of Forests, Lands, Natural Resources Operations and Rural Development for an Existing Use Groundwater Application. He reported that additional information has been provided by the applicant addressing conditions of the TUP permit and staff will work with the applicant to ensure conditions are met.

HO-2021-019

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve HO-TUP-2020.3 for a period of three (3) years from the date of issuance, subject to the conditions imposed by the permit.

The Chair acknowledged the short-term nature of Temporary Use Permits and inquired about the long-term plan. Staff reported that the option is available to apply for a rezoning to allow for the use in the zone.

CARRIED

By general consent the meeting recessed at 11:00 am and reconvened at 11:03 am.

Trustee Allen returned to the meeting at 11:03 am.

8.2 HO-DP-2021.1 (Walmsley) - Staff Report

Planner Cox presented the Staff Report for LTC consideration of a DP to authorize works that will be conducted within Development Permit Area 6 – Riparian Areas (DPA). He reported that the DPA requirements have been met and in order to mitigate the potential for any material entering the watercourse, staff are requesting additional erosion and sediment control measures be considered as conditions of the draft DP. The applicant was in attendance to answer any questions that might arise regarding this application.

HO-2021-020

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of HO-DP-2021.1 subject to the conditions imposed by the permit.

CARRIED

8.3 HO-ALR-2021.1 (Stead) - Staff Report

Planner Cox reported that this application has been forwarded to the LTC for evaluation of compliance with Hornby Island OCP and Land Use Bylaw (LUB) before sending it to the Agricultural Land Commission (ALC) for consideration of approval.

He advised that the LTC is being asked to consider a request for a Non-Adhering Residential Use (second dwelling for immediate family) within the Agricultural Land Reserve (ALR) that is not a manufactured home as currently required by the ALR regulations. He reported that due to site constraints and other considerations, the applicant seeks ALC permission to construct a conventional building on site. The applicant was in attendance to answer any questions that might arise regarding this application.

HO-2021-021

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to forward HO-ALR-2021.1 to the Agricultural Land Commission with the following comments:

“The Hornby Island Local Trust Committee finds HO-ALR-2021.1 to be consistent with the objectives and policies of the Hornby Island Official Community Plan and Hornby Island Land Use Bylaw regulations, and so deems the application to meet the criteria necessary to warrant consideration by the Commission for a Non-Adhering Residential Use.”

In discussing the motion, a Trustee acknowledged that the applicant has provided extensive information in support of this application and has done their due diligence.

CARRIED

Trustees discussed their willingness to provide further supportive comments to the ALC regarding this application if further advocacy is warranted in the future.

8.4 HO-RZ-2020.1 (Kramer) - Staff Report

Planner Dubyna presented the Staff Report that addresses a rezoning application for an existing campground that was deemed to be legally non-conforming with the adoption of the LUB in 1983; however is now in violation of the LUB as the campground operation is occurring beyond the scale of what existed at that time.

Planner Dubyna commented that:

- the correct Aquifer Vulnerability is Moderately high/high;
- the applicant has submitted a copy of a provincial water license and a survey plan of the subject property;
- staff are recommending that the applicant provide information on the onsite wastewater system;
- options for protecting the hazardous area on the site are recommended to be explored by staff for LTC consideration;
- the applicant was advised of the LTC meeting, however was not in attendance.

Trustees discussed the application with the following noted:

- concerns have been expressed by neighbours regarding the growth of the operation, referencing a court ruling that recognized the 26 sites at the time it was designated as legal non-conforming, and observing that now it has evolved to approximately 50 sites;
- more information to inform their decision was suggested, such as the current number of campsites and accessory buildings;
- concern was expressed regarding the hazardous slope, erosion and tree removal at the site;
- a site visit was suggested as a valuable option to gather information.

HO-2021-022

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the applicant for HO-RZ-2020.1 provide the following information:

Details of the onsite wastewater system for the campground operation in the form of an Island Health filing for the onsite wastewater treatment system, or a copy of a report by a qualified professional engineer, with expertise in wastewater treatment for non-domestic services.

CARRIED**HO-2021-023**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff explore options for protecting the hazardous area identified on the subject property in Schedule F-Hazard Areas of the Hornby Island Official Community Plan Bylaw No. 149.

CARRIED**HO-2021-024**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the applicant submit to the Islands Trust the following:

- A description of the state of the property including location of utility sheds, dwelling units, cabins, number of campsites, storage sheds, and their locations in terms of setbacks;
- Information on tree removal, clearing and erosion of the cliff and clearing, and refuse going over the bank that has taken place on the cliff.

CARRIED**HO-2021-025**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the applicant provide a site visit for staff.

CARRIED

Trustee Allen offered to follow-up on a request to provide a copy of the 1983 court ruling to staff.

By general consent the meeting recessed at 12:04 pm and reconvened at 12:35 pm.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minimum Average Lot Area Amendments Project (MALA) - Staff Report

Planner Mahikwa summarized the Staff Report that outlines the draft bylaw amendments to address Minimum Average Lot Area (MALA) inconsistencies between the OCP and LUB for LTC consideration. She explained the rationale for keeping specific measurements in the LUB instead of the OCP, advised that staff have concluded that the intent of the R2 zone when it was originally drafted was to limit subdivisions to lots with at least a minimum of 4.0 hectares in that zone, and outlined proposed text changes, with all suggested changes identified in the Staff Report Attachment 4.

HO-2021-026**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 166 cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED**HO-2021-027****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 166 cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021” be read a first time.

CARRIED**HO-2021-028****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 167 cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED**HO-2021-029****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 167 cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021” be read a first time.

CARRIED**HO-2021-030****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee waive the requirement for a public hearing on Bylaw No. 167 cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021” as the Bylaw is consistent with the Hornby Island Official Community Plan No. 149, 2014, and request staff to proceed with public notification as per Section 467 of the *Local Government Act*.

CARRIED**Discussion with Lisa Wilcox, Islands Trust Senior Intergovernmental Policy Advisor****Referral of these amendments to First Nations**

- Why refer these amendments to 13 First Nations?
 - OCP amendments follow a process that the province outlines, and is a larger engagement process than those of LUB amendments; the provincial Consultative Area Database (CAD) is consulted to determine the scale of the duty of care to ensure First Nations have the ability to review what is being considered.
- What is the timeframe for responses from First Nations?
 - The formal referral process timeframe is followed. Follow-up may occur with a particular First Nation if more time is required to respond.

HO-2021-031**It was MOVED and SECONDED,**

that proposed Bylaw Nos. 166 and 167 be referred to the following First Nations, Local Governments and agencies for comment:

- a) First Nations: Cowichan Tribes, Halalt First Nation, Homalco (Xwemalhkwa) First Nation, K'ómoks First Nation, Lake Cowichan First Nation, Lyackson First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Stz'uminus First Nation, Tla'amin Nation, We Wai Kai Nation, and Wei Wai Kum Nation.
- b) Local Governments and Agencies: Comox Valley Regional District, Denman Island Local Trust Committee, Island Health, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Ministry of Transportation and Infrastructure, and School District 71.

CARRIED**Discussion with Lisa Wilcox, Islands Trust Senior Intergovernmental Policy Advisor (continued)****How Can Hornby Island Move Forward with Reconciliation Matters in the Long and Short Term?**

- Many areas on Hornby Island might be considered as significant First Nations cultural heritage areas; until the OCP, LUB and mapping documents are updated, how to address applications to ensure that K'ómoks First Nation is satisfied and the public will understand?
 - We are in the process of beginning implementation of the Declaration on the Rights of Indigenous People; there is a gap as process and policies change. Beginning this week, all applications on Hornby and Denman Islands will be forwarded to K'ómoks First Nation to allow them to be fully informed and to work directly with staff and the applicant.
- This is a difficult time with K'ómoks First Nation after the situation at the Thatch development; is there anything we can do?
 - Regional Planning Manager Kauer has contacted K'ómoks First Nation staff about how to better interact on applications and referrals. We hope to reach out to Chief Rempel and K'ómoks Council members about what happened and to be able to listen to what they have to say.
 - Senior Intergovernmental Policy Advisor Wilcox thanked the Hornby Island community for coming forward and sharing information with us; for reaching out to other agencies, and expressing their deep care and concern.

10. CORRESPONDENCE

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

10.1 Letter dated March 6, 2021 from Hornby & Denman Community Health Care Society regarding Transportation Issues

A Trustee noted that the Hornby Island bus was locally initiated and suggested that Denman Island might consider local funding strategies in addition to a transportation interface with the Comox Valley Regional District.

11. NEW BUSINESS

11.1 Advisory Planning Commission - Next Steps - for discussion

Regional Planning Manager Kauer noted that agenda item 7.2 contains the response of the APC to the Referral on Bylaw No. 159 Schedule A and B, Bylaw Enforcement Notification (BEN) Bylaw. She advised that their recommendations include the increase of some fines and the rationale for this approach; and reported that a bylaw amendment process would be necessary to implement changes.

Chair Fast invited the APC Chair to speak.

Wendy Burton explained that the fines associated with bylaw infractions reflect the extent to which the infraction is a violation of three foundational or core principals of Hornby Island and noted that fines are recommended to be increased where the infraction has a negative or potentially negative impact with regard to these principals. She responded to a common community misunderstanding of the fines by explaining that these are very specific fines relating to specific zones on the Island.

HO-2021-032

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee accept the report of the Hornby Island Advisory Planning Commission.

CARRIED

Trustees discussed next steps and the matter was considered for further discussion at agenda item 13.1 Top Priorities Report.

12. REPORTS

12.1 Trust Conservancy Report dated January 26, 2021

Received.

12.2 Applications Report dated March 17, 2021

Trustees reviewed the report with the following noted:

- HO-SUP-2021.9 – A siting and Use Permit is being requested, however the effectiveness of the measures required to mitigate the impacts of the seasonal food with the issuance of the one-year Temporary Use Permit are unknown.

12.3 Trustee and Local Expense Report dated January, 2021

Received.

12.4 Adopted Policies and Standing Resolutions

A Trustee requested that staff ensure the expiration date of Standing Resolution No. HO-2017-011 is correct.

12.5 Local Trust Committee Webpage

There were no changes or additions requested.

13. WORK PROGRAM

13.1 Top Priorities Report dated March 17, 2021

Discussion on the Top Priorities included the following:

- An update on the status of the current Top Priorities;
- Options to address the APC's BEN Bylaw recommendations;
- Strategies for a targeted OCP and/or LUB review including a possible referral to the APC with budget considered;
- APC Chair, Wendy Burton, encouraged a referral to the APC to provide recommendations on OCP/LUB amendments to address identified areas of concern.

HO-2021-033

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that the Advisory Planning Commission provide recommendations for Official Community Plan and Land Use Bylaw amendments with topic areas of focus: First Nations, Short Term Vacation Rentals, Housing, and the Riparian Areas Development Permit Area.

CARRIED

HO-2021-034

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to add the following text to Top Priority No. 1 after Riparian Areas Development Area:

“and a Land Use Bylaw amendment including the recommendations of the Advisory Planning Commission received March 26, 2021.”

CARRIED

13.2 Projects List Report dated March 17, 2021

Received.

14. INFORMATION ITEMS**14.1 Truth Precedes Reconciliation**

Received. Trustee Scott requested a hard copy of The Truth Precedes Reconciliation Discussion Paper; Chair Fast offered to provide the material to him.

14.2 Reconciliation Report 2019-2021

Received. Trustee Scott requested a hard copy of The Reconciliation Report 2019-2021; Chair Fast offered to provide the material to him.

14.3 News Release dated January 21, 2021 - Islands Trust Actively Promotes Regional Collaboration

Received.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Friday, May 21, 2021 at 10:00 am via Zoom Electronic Meeting

Trustees confirmed the next regular meeting date and time to be conducted electronically via Zoom.

16. CLOSED MEETING - none

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:25 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder

Resolutions Without Meetings Log

Hornby Island

Resolution Number	Action	Date
2021-001	Carried	07-Apr-2021
"That the Hornby Island Local Trust Committee express support for efforts to attract funding to provide internet connectivity to all homes on Hornby Island by requesting staff to draft letters to be signed by the Chair on behalf of the Local Trust Committee to advise the Hornby Island Economic Enhancement Corporation, the Comox Valley Regional District Board, Strathcona Regional District, and the Minister of Citizen Services of the Local Trust Committee's interest and that it supports funding for a fibre connection to Hornby Island, as well as funding for Internet Service Provider (ISP) supported last mile fibre connections to all homes on Hornby Island, including advising the Comox Valley Regional District that the Local Trust Committee supports their interest in providing the 10% funding requirement by community for a Government of Canada Universal Broadband Fund grant."		



Minutes of the Hornby Island Advisory Planning Commission

Date of Meeting: Wednesday, March 10, 2021

Location: By Zoom

APC Members Present: Wendy Burton, Chair
Daniel Siegel, Deputy Chair
Joanne Ovitsland, Secretary
Christine Amabilino Hunt, Member
Vicki Bale, Member
Kim Fagerlund, Member
Rob McCreary, Member

Staff Present: Heather Kauer, Regional Planning Manager
Katherine Vogt, Recorder by Zoom

1. CALL TO ORDER

Chair Burton called the meeting to order at 1:01 pm. She acknowledged with gratitude being a guest on the traditional territory of the Pentlatch and K'ómoks people.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. MINUTES

3.1 Hornby Island Advisory Planning Commission Draft Minutes dated February 11, 2021

By general consent, the minutes were adopted.

4. BUSINESS ARISING

Chair Burton welcomed and introduced Regional Planning Manager Heather Kauer.

Chair Burton noted that:

- Bylaw Compliance and Enforcement Manager, Warren Dingman's list of Hornby Island bylaw infractions without corresponding fines had not yet been received.
- "Ceilings or Caps" on bylaw infraction fines for noncompliant property owners was recently addressed in a conversation between Manager Dingman and Chair Burton. It was then understood by Chair Burton that a fine can be issued as often as the Bylaw Enforcement Officer deems appropriate. It was suggested by Manager

Dingman that a specific example of noncompliance be brought to his attention in order for him to better clarify how often and how long an infraction fine might be levied before a “Ceiling or Cap” was reached.

- After some discussion, Chair Burton offered to contact Manager Dingman and Local Trustees for further clarification.
- Regional Planning Manager, Heather Kauer noted that infraction fines were regulated by the Province in two *Acts*, one of which was the *Offense Act Prosecutions*, which states that unless otherwise specified, an offence is liable up to a fine of \$2,000.00 or imprisonment up to 6 months or both; but, local governments may set larger penalties for major infractions up to \$10,000.00 in fines and 6 months imprisonment.

5. DISCUSSION OF DRAFT REVIEW AND COMMENT FOR HORNBY ISLAND LOCAL TRUST COMMITTEE

Hornby Island Advisory Planning Commission (HOAPC) members discussed their 2-page First Draft of Recommendations, a response to the referral request of August 31, 2020 to review and provide comments to the Local Trust Committee on Schedule ‘A’ (Contraventions and Penalties) of Bylaw No. 159 Bylaw Enforcement Notification Bylaw.

Secretary Joanne Ovitsland received approval from the group that she was not in any actual or perceived conflict of interest to discuss and vote on any of the recommendations and Member Kim Fagerlund decided to abstain from voting on recommendations.

Regional Planning Manager Heather Kauer noted the following:

- the Islands Trust Website presently allowed for property owners to look up their property by PID or by street address. When the PID is typed in, a menu on the left allows the user to turn on the zoning layer. This zone information must then be looked up in the bylaw area. The system was functional yet could be made easier to navigate.
- the Islands Trust website was in the process of being updated and would be live in its new format within a few months.
- upcoming staff reviews of the new website would make it timely to receive website recommendations from the HOAPC.
- a track changes copy of the final HOAPC report would be helpful.

Chair Burton and Member Vicki Bale offered to edit the Draft Review to reflect the clerical and other non-significant changes suggested by the APC, and to include Manager Dingman’s report, as well as amendments to Bylaw No. 159, and to send the revised review by email to all APC members by the end of this week. If everyone approved the final report, then Islands Trust staff could be advised by March 17, 2021 that the HOAPC was prepared to make its final report in time for the upcoming March 26, 2021 Hornby Island Local Trust Committee (HOLTC) meeting.

6. NEXT MEETING TIME AND ADJOURNMENT

Chair Burton clarified that by reporting to the HOLTC meeting of March 26, 2021, the HOAPC referral will have concluded, and that no further meetings would be needed until another referral was received.

If any HOAPC member did not approve of the emailed final report, a new meeting could be called and the final report to the HOLTC could be put off to a later date.

By general consent, the meeting was adjourned at 2:22 pm.

Wendy Burton, Chair

Certified Correct:

Katherine Vogt, Recorder



Follow Up Action Report

Hornby Island

05-Apr-2019

Activity	Responsibility	Dates	Status
1 LTC endorsed the revised Watershed Protection and Groundwater Preservation Project Charter; staff to coordinate a follow-up workshop in spring 2019 and prepare communications materials for dissemination to the Hornby Island community.	William Shulba		In Progress

24-May-2019

Activity	Responsibility	Dates	Status
1 First Nations Relationship Building: ·Dec. 2016: LTC requested that staff develop an Event Plan with Hornby and Denman LTCs working together for an initial Komoks community and First Nation long-term, sustainable relationship building event; ·Dec. 2016: LTC requested that staff discuss environmental mapping (ecosystems, eel grass, forage fish) KFN staff as a step in relationship-building. ·Dec. 2017: LTC requested that staff organize two or more community dialogue sessions focused on First Nations and related topics of interest, to be facilitated by Hornby island community members, and to invite First Nations who have asserted rights and title on Hornby Island to participate. ·May 2019: LTC requested that staff design and develop a First Nations reconciliation workshop with the community.	Lisa Wilcox		In Progress



Follow Up Action Report

Hornby Island

24-Jan-2020

Activity	Responsibility	Dates	Status
1 Staff to schedule and advertise planner hour availability prior to scheduled LTC meetings on Hornby Island. <i>Update: On Island Planner hours delayed per Provincial travel guidelines regarding COVID-19.</i>	Wil Cottingham		In Progress
2 Add to the Hornby webpage under "Resources" - Planner hours, Conservancy Profile, APC Resolution.	Sonja Zupanec		In Progress
3 Staff to bring forward the project charter for the OCP/LUB (Top Priority #1) amendment project for LTC review and discussion of recommendations for a revised project charter.	Heather Kauer		Completed

29-Jan-2021

Activity	Responsibility	Dates	Status
1 Staff to communicate with the SIPA and K'omoks FN to determine their preferred method for being informed of permit applications on Hornby Island.	Heather Kauer Lisa Wilcox		Completed
2 That the Hornby Islands Local Trust Committee request staff to advertise Local Trust Committee meetings in the Hornby Weekly Tribune and First Edition starting with their March, 2021 meeting and Planner office hours when office hours can be resumed. <i>ONGOING</i>	Wil Cottingham		Completed

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
1 HO-2021-019 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee approve HO-TUP-2020.3 for a period of three (3) years from the date of issuance, subject to the conditions imposed by the permit.	Becky McErlean Ian Cox		Completed
2 HO-2021-020 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee approve issuance of HO-DP-2021.1 subject to the conditions imposed by the permit.	Becky McErlean Ian Cox		Completed

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
3 HO-2021-021 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request staff to forward HO-ALR-2021.1 to the Agricultural Land Commission with the following comments: "The Hornby Island Local Trust Committee finds HO-ALR-2021.1 to be consistent with the objectives and policies of the Hornby Island Official Community Plan and Hornby Island Land Use Bylaw regulations, and so deems the application to meet the criteria necessary to warrant consideration by the Commission for a Non-Adhering Residential Use."	Becky McErlean Ian Cox		Completed
4 HO-2021-022 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request the applicant for HO-RZ-2020.1 provide the following information: Details of the onsite wastewater system for the campground operation in the form of an Island Health filing for the onsite wastewater treatment system, or a copy of a report by a qualified professional engineer, with expertise in wastewater treatment for non-domestic services.	Jaime Dubyna		In Progress

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
5 HO-2021-023 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request staff explore options for protecting the hazardous area identified on the subject property in Schedule F-Hazard Areas of the Hornby Island Official Community Plan Bylaw No. 149.	Jaime Dubyna		In Progress
6 HO-2021-024 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request the applicant submit to the Islands Trust the following: - A description of the state of the property including location of utility sheds, dwelling units, cabins, number of campsites, storage sheds, and their locations in terms of setbacks; - Information on tree removal, clearing and erosion of the cliff and clearing, and refuse going over the bank that has taken place on the cliff.	Jaime Dubyna		In Progress

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
7 Related to HO-RZ-2020.1 CARRIED HO-2021-025 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request the applicant provide a site visit for staff.	Jaime Dubyna		In Progress

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
8 In re: Bylaw No. 166: Not contrary to or at variance with the Islands Trust Policy Statement. read a first time Bylaw No. 167 cited as 'Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021' is not contrary to or at variance with the Islands Trust Policy Statement. that the Hornby Island Local Trust Committee Bylaw No. 167 cited as 'Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021' be read a first time. that the Hornby Island Local Trust Committee waive the requirement for a public hearing on Bylaw No. 167 cited as 'Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021' as the Bylaw is consistent with the Hornby Island Official Community Plan No. 149, 2014, and request staff to proceed with public notification as per Section 467 of the Local Government Act. that proposed Bylaw Nos. 166 and 167 be referred to the following First	Becky McErlean Teresa Mahikwa		In Progress

Follow Up Action Report

Hornby Island

26-Mar-2021

Activity	Responsibility	Dates	Status
Nations, Local Governments and agencies for comment: a) First Nations: Cowichan Tribes, Halalt First Nation, Homalco (Xwemalhkwa) First Nation, K'ómoks First Nation, Lake Cowichan First Nation, Lyackson First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Stz'uminus First Nation, Tla'amin Nation, We Wai Kai Nation, and Wei Wai Kum Nation. -Done b) Local Governments and Agencies: Comox Valley Regional District, Denman Island Local Trust Committee, Island Health, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Ministry of Transportation and Infrastructure, and School District 71. - Done			
9 A Trustee requested that staff ensure the expiration date of Standing Resolution No. HO-2017-011 is correct.	Heather Kauer Penny Hawley		Completed
10 that the Hornby Island Local Trust Committee request staff to add the following text to Top Priority No. 1 after Riparian Areas Development Area: "and a Land Use Bylaw amendment including the recommendations of the Advisory Planning Commission received March 26, 2021."	Heather Kauer		Completed



700 North Road, Gabriola Island, BC V0R 1X3

Telephone **250-247-2063** Fax 250-247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421 Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

March 31, 2021

File No.: 5590-30; 6410-03

Via email: CITZ.Minister@gov.bc.ca

The Honourable Lisa Beare
Minister of Citizens' Services

Via email: dleitch@srd.ca

David Leitch, Chief Administrative Officer
Strathcona Regional District

Via email: josie.osborne.MLA@leg.bc.ca

Hon. Josie Osborne
Minister of Municipal Affairs &
MLA, Mid Island-Pacific Rim

Via email: jwarren@comoxvalleyrd.ca

James Warren, Deputy Chief Administrative Officer
Comox Valley Regional District

Via email: reachme@danielarbour.ca

Daniel Arbour
Director, Electoral Area A

Re: Support for Connected Coast by Hornby Island LTC

Dear Minister Beare, CAO Leitch, Deputy CAO Warren, Minister Osborne and Director Arbour,

This letter is written in support of the application by the Connected Coast fibre internet project (<https://connectedcoast.ca/>) to install landing sites on Hornby Island. The application will be submitted with the collaboration of the Comox Valley Regional District, and Hornby and Denman Islands, we understand.

The Hornby Island Local Trust Committee passed the following resolution:

"That the Hornby Island Local Trust Committee express support for efforts to attract funding to provide internet connectivity to all homes on Hornby Island by requesting staff to draft letters to be signed by the Chair on behalf of the Local Trust Committee to advise the Hornby Island Economic Enhancement Corporation, the Comox Valley Regional District Board, Strathcona Regional District, and the Minister of Citizen Services of the Local Trust Committee's interest and that it supports funding for a fibre connection to Hornby Island, as well as funding for Internet Service Provider (ISP) supported last mile fibre connections to all homes on Hornby Island, including advising the Comox Valley Regional District that the Local Trust Committee supports their interest in providing the 10% funding requirement by community for a Government of Canada Universal Broadband Fund grant."

Currently most households on Hornby Island receive substandard internet service, and in some areas, none at all. Hornby and Denman Island have been identified by the Canadian Radio-Television and Telecommunications Commission (CRTC) as an "underserved area." Poor internet service is a barrier to educational opportunities, future health care services, family enjoyment, emergency preparedness, conducting business, and also for economic diversification from attracting new residents.

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

HICEEC informs us that the installation of the landing sites is time-sensitive in order to align with the subsea fibre cable being deployed in Lambert Channel, understanding that a retro fit would be costly. It is also understood, that these landing sites will then be available for installation of the “last mile” service which is so badly needed on the Islands.

As the Local Trust Committee on Hornby Island, our understanding is that fibre optics is the best option for our island. Should this version change, we ask that we and our community be informed of any changes in delivery and also be part of the discussion of ownership of this service.

Sincerely,



Sue Ellen Fast,
Chair, Hornby Island Local Trust Committee

cc: Hornby Denman Internet Working Group, info@hornbydenmaninternet.com
 Hornby Island Community Economic Enhancement Corporation, karen@hiceec.org
 Hornby Island Local Trust Committee



May 5, 2021

Ref:114903 & 13328

Sue Ellen Fast

Chair, Denman Island Local Trust Committee & Hornby Island Local Trust Committee

700 North Road, Gabriola

Island, BC V0R 1X3

Email: northinfo@islandstrust.bc.ca

Dear Sue Ellen Fast:

Thank you for your letters received on March 31, 2021 regarding your support for the Connected Coast applications for Hornby and Denman Islands. Addressing coastal and remote Indigenous community connectivity gaps is a priority for the Provincial Government, and as the Assistant Deputy Minister for the Connectivity Division in the Ministry of Citizens' Services, I am pleased to respond.

The Connected Coast Network will result in the installation of subsea fibre-optic cable serving communities between Prince Rupert and Vancouver, on Haida Gwaii and Vancouver Island. Investment in last-mile infrastructure will help communities along the route take full advantage of the benefits this will bring when completed.

The Province supports the expansion of connectivity through the [Connecting British Columbia](#) program which is administered by the Northern Development Initiative Trust (NDIT). Through the Economic Recovery Intake, the program was expanded in September 2020 by \$90 million in funding to accelerate the expansion of broadband connectivity to more communities throughout the province.

We understand that through the Economic Recovery Intake, NDIT has received funding applications from CityWest to support last mile connectivity to Hornby and Denman Island residents. As part of the applications, written community support is a requirement for all projects to verify service providers are providing a solution that meets the community needs so thank you for your letters. Once a decision by NDIT has been made regarding the applications and CityWest has been notified, we will ensure that someone from our ministry reaches out to you.

If you would like to discuss this further or receive additional information on the Province's activities to expand high-speed internet connectivity, please contact Howard Randell, Executive Director, Network BC at 250 415-6867.

Thank you for taking the time to write about these important projects.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stanford' with a stylized flourish.

Susan Stanford
Assistant Deputy Minister

Attachment/s:

pc: Honourable Josie Osborne
Minister of Municipal Affairs & MLA, Mid Island-Pacific Rim
josie.osborne.MLA@leg.bc.ca

David Leitch, Chief Administrative Officer
Strathcona Regional District
dleitch@srd.ca

James Warren, Deputy Chief Administrative Officer
Comox Valley Regional District
jwarren@comoxvalleyrd.ca

Daniel Arbour Director,
Electoral Area A
reachme@danielarbour.ca

Karen Ross, Chair
Denman Hornby Internet Working Group
karenross@telus.net

Denman Island Residents Association
dira.residents@gmail.com

Hornby Denman Internet Working Group
info@hornbydenmaninternet.com

Hornby Island Community Economic Enhancement Corporation
karen@hiceec.ca

Denman Island Local Trust Committee
DenmanIslandLocalTrustCommittee@islandtrust.bc.ca

Hornby Island Local Trust Committee
HornbyIslandLocalTrustCommittee@isalndstrust.bc.ca

Network BC
NetworkBC@gov.bc.ca

Connected Communities
ConnectedCommunitiesBC@gov.bc.ca



File No.: 6500-20 Freshwater

DATE OF MEETING: May 21, 2021

TO: Hornby Island Local Trust Committee

FROM: William Shulba, P.Geo, Senior Freshwater Specialist
Local Planning Services

COPY: Regional Planning Committee
Hornby Water Stewardship
Narissa Chadwick, Senior Island Planner

SUBJECT: Hornby Island Drinking Water and Watershed Protection Project

REPORT SUMMARY

The purpose of this staff report is to introduce to the Hornby Local Trust Committee (LTC) to the Hornby Drinking Water and Watershed Protection Project under the Islands Trust Freshwater Sustainability Strategy.

BACKGROUND

Freshwater networks are unique amenities in the Islands Trust Area that support ecosystem health and overall hydrological function of watersheds. With vulnerabilities of seasonal precipitation and temperature changes, recharge area alternations, saltwater intrusion, and biological contamination, freshwater resources are a metric of land-use and climate change, whereby island communities must adopt adaptation strategies to ensure sustainability.

In the Islands Trust Area, watershed health is intricately linked to the quality of freshwater networks that support healthy drinking water, thriving ecosystems, and safe recreation. Land-use changes in densely populated areas impacts the potential of watershed ecosystems to promote aquifer recharge, naturally treat water quality, and provide sufficient environmental flow needs. Flooding and erosion from increased winter stormwater and low water flows in the summer have short- and long-term impacts on water supplies.

Hornby Island residents and ecosystems rely entirely on direct precipitation to recharge watersheds and aquifers for their water supply. With the projected long-term fall in summer rainfall, increase in overall temperatures, and increase in precipitation intensity in winter, B.C.'s Coastal Douglas-fir and Garry oak-arbutus ecosystems are facing accelerating ecosystem health risks that impact the ability of watersheds to filter biological contaminants from various natural and anthropogenic sources. If left unaddressed, negative feedback loops will accelerate, precious watersheds will be critically damaged, and the source of potable water will continue to be impacted on Hornby Island. Jurisdictional complexity is a defining feature in the protection of unique watershed ecosystems that define the Hornby Island and jurisdictional limitations in existing legislation have created a situation in which no single agency has either the capacity or the legislated responsibility to develop drinking water and watershed protection strategy to protect these watersheds and aquifers. Therefore, a coordinated approach from Islands Trust, Comox Valley Regional District, the Province, and local water champions like the Hornby Water Stewardship is paramount for water sustainability.

The degree to which watershed ecosystems are affected by stormwater influences on freshwater networks depends on several factors, the most notable of which are the type and condition of the surrounding forested ecosystems and the history of land use. It is important to identify the source, pathway, and receptor of water quality risk by understanding, monitoring, and mitigating conditions associated with identified issues.

Hornby aquifers and watersheds have a legacy of land stewardship and conservation, however these freshwater systems are at high risk of water quality impacts from historic land use, agriculture, over densification of residential properties, transportation corridors, and forestry practices. These risks are now exacerbated by climate change. Water quality risk has direct implications for the endangered Coastal Douglas-fir forest ecosystems and for the communities that inhabit them.

Water quality risks are already being observed in receiving environments on Hornby Island and other islands in the Islands Trust Area, with coliform and e.coli identified in groundwater wells and at the tap of other drinking water sources. Given that rural islanders rely entirely on surface and groundwater supplies that are supported by Coastal Douglas-fir systems, protecting these forests is of importance not only because of their global rarity, but also because they will be central to future water supplies.

Drinking Water and Watershed Protection Project and the Healthy Watershed Initiative Funding

The Healthy Watersheds Initiative is a program created by the Province of BC intended to improve the health of watersheds, create economic and skills development opportunities, generate new learning, and strengthen relationships with First Nations and Indigenous-led organizations in ways that support reconciliation. The Real Estate Foundation in partnership with WatershedsBC manages the program.

This initiative will improve the health of watersheds, create economic and skills development opportunities, generate new learning, and strengthen relationships with First Nations and Indigenous-led organizations in ways that support the implementation reconciliation. The fund encourages advancement of employment opportunities to create inclusive work experience, specifically for equity seeking group such as Indigenous and racialized people, women, youth, LGBTQ2S+ communities, and persons with disability.

In late 2020, Islands Trust Staff retained a consultant to undertake the first phase of the Islands Trust Freshwater Sustainability Strategy (FWSS). The FWSS is a program of the Regional Planning Committee sponsored by the Director of Local Planning Services, managed by a Senior Island Planner, and under technical advisory of the Senior Freshwater Specialist. The FWSS, along with a number of related “shovel ready” projects were available for funding by the Healthy Watershed Initiative, which placed the Islands Trust in a position to be able to meet the grantor deadlines and deliverable requirements.

Islands Trust received confirmation in early 2021 from WatershedsBC of the potential to receive the \$180,000 from the Healthy Watershed Initiative program created by the Province of BC intended to improve the health of watersheds, create economic and skills development opportunities, generate new learning, and strengthen relationships with First Nations and Indigenous-led organizations in ways that support reconciliation. The program is managed by the Real Estate Foundation in partnership with Watersheds BC. Discussions with Trust Areas Services, the Senior Freshwater Specialist, the Senior Intergovernmental Policy Advisor and the Local Planning Services management team were had to determine possible options.

The Freshwater Sustainability Strategy project team have identified the Hornby Water Stewardship as one of the few implementation projects in response to the continued dedication to water sustainability and watershed protection provided to the community over many years. This partnership project between the Hornby Water Stewardship and Islands Trust is in line with the intention of the Healthy Watersheds Initiative fund to support British Columbia's economic recovery through investments in community-driven watershed conservation and restoration projects.

The Hornby Island Drinking Water and Watershed Protection project was provided an initial \$25,000 as part of the Healthy Watershed Initiative fund for the fiscal year 2021/22. The Islands Trust Freshwater Sustainability Strategy with the Healthy Watersheds Initiative will provide essential funding to undertake the Hornby Island Drinking Water and Watershed Protection Project in addition to several hundred hours of in-kind support.

ANALYSIS

Policy/Regulatory

The Islands Trust Policy Statement (ITPS) and Hornby Island Official Community Plan (OCP) contain numerous statements in support of this project.

Issues and Opportunities

This project is supported directly by Islands Trust Senior Freshwater Specialist through the Islands Trust Freshwater Sustainability Strategy. As the freshwater expert of the Islands Trust, the position is responsible for providing expert technical advice, education, and advocacy to elected officials, planners, program managers, ministry staff, communities, and other government agencies to ensure that the Islands Trust preserve and protect mandate is upheld.

The primary function of this Senior Freshwater Specialist is to develop, lead and implement planning associated with the Islands Trust Strategic Plan priorities for freshwater management and objectives. This occurs through advisory roles on freshwater policy and initiatives through partnerships with agencies, local governments and other organizations. Since this position leads the development of innovative management tools and technologies on a variety of freshwater initiatives and programs, this project is well suited to be supported by Islands Trust with on-island management by the Hornby Water Stewardship.

The Hornby Water Stewardship produced a water plan in 2016 and the Hornby Local Trust Committee has a top priority of Watershed Protection since 2017 enabling the Senior Freshwater Specialist to provide an advisory role in their projects. In 2018 an on-island pilot testing project was undertaken to collect groundwater quality samples from ten volunteer groundwater wells (risk receptors) from across the island to test for coliform bacteria and E.coli using an affordable on-island methodology. The sampling service is now located in the Hornby Spark, a community driven maker-space. The on-island testing service is being re-imagined as part of the Hornby Island Drinking Water and Watershed Protection project to identify water quality risk in freshwater drainage networks (risk pathways) as a proxy to identify specific problematic areas (risk sources) and to potentially mitigate risk in the receiving environment.

Project Purpose

On Hornby Island, freshwater networks are comprised of water pathways such as ditches, streams, wetlands and fractured bedrock and receptors such as groundwater wells, aquatic life, and marine foreshore environments. Waterborne illnesses, biological and chemical contaminants are sometimes difficult to identify and monitor. Biological contaminants such as coliforms and *Escherichia coli* (e.coli) have been found in several freshwater receptors such as groundwater wells and in freshwater pathways such as stormwater ditches over several years.

Water quality risk is determined by the source of contaminant, the pathways, and ultimately the receptor of the risk. There is a need to understand and mitigate the source of contaminants however this process can take significant resources and many years to complete. Treating the receiving environment is often a targeted, short-lived fix of a contamination issue. Addressing the pathways of contaminants is often undertaken for mitigation as many sources may use one pathway and one pathway may interact with many receptors. Due to the limited nature of the available funding and the severity of the biological and geochemical nature of the waters in the receiving environment and users, a pathway mitigation approach is taken with this project.

Watersheds and aquifers of Hornby Island are solely recharged by precipitation. Due to the lack of surface water, nearly all residents, with the exception of few who collect rainwater, are reliant on groundwater wells as their drinking water source. A on-island water quality-testing pilot was completed by the Hornby Water Stewardship as well as water quality testing by the Province and researchers, that identified that many groundwater wells on the island are impacted by bacteriological contaminants, specifically coliforms and e.coli.

It is imperative that groundwater is of high quality to ensure the health of groundwater dependent ecosystems such as wetlands, foreshore beaches, and ephemeral streams. Ditches and other freshwater pathways on Hornby Island have been suspected to transport significant loads of bacteriological contaminants. The Hornby Water Stewardship investigated this in a pilot project and installed natural-based mitigation measures in a demonstration ditch to successful and hopeful results.

Undertaking targets on-island bacteriological testing is very important, as the timing and cost of off-island testing for this remote community is cost prohibitive. This project will engage the pilot projects of the on-island testing service to test freshwater pathways such as ditches, creeks, wetlands, and other aquatic environments to target specific locations to focus the implementation of the nature-based mitigation measures that were demonstrated in the ditch pilot project.

The need for solutions to solve this bacteriological concern in watersheds and drinking water is dire.

Project Goals

- *Goal 1: Enhance watershed integrity and water quality through short-term freshwater pathways management*
- *Goal 2 : Enhance drinking water quality and watershed protection through medium-term freshwater source management*
- *Goal 3: Enhance drinking water quality and watershed protection through long-term engagement with freshwater users through education and outreach*

Project Phases

Phase 0 Data and Information Inventory of Watershed	<i>Collate and synthesize existing watershed information, data, references, correspondence, interviews, and regulatory requirements into a data stewardship platform providing access to information for a regulatory review.</i>
Phase 1 On-island Water Quality Testing Service	<i>Investigate historical and potential monitoring networks and analysis strategies to address how natural and anthropogenic changes impact watershed hydrological function and water users.</i>
Phase 2 Nature-Based Watershed Management Solutions	<i>Investigate strategies and regulatory solutions to ensure a sustainable freshwater supply to the Hornby community and to provide support for next steps for Hornby Water Stewardship.</i>
Phase 3 Evaluation and Sustainable Planning Actions	<i>Participate in community knowledge building initiatives and coordinate with Local Trust Committee, regional districts, improvement districts, community organizations, Island Health, and other Provincial ministries on watershed protection and water user preservation strategies.</i>

In Scope Measures

Goal 1	Phase 0	<i>Classify watershed-based water quality risk</i>
	Phase 1	<i>Visit, measure, and monitor biological and geochemical water quality risk in freshwater pathways, specifically drainage ditches, within key watersheds on Hornby Island.</i>
	Phase 2	<i>Identify and implement water quality risk reduction techniques including natural infrastructure enhancements in targeted freshwater pathways in key watershed areas as measured by documented watershed improvements and water quality risk reduction metrics.</i>
	Phase 3	<i>Using the site visits reconnaissance, data and photographs develop a comprehensive PowerPoint presentation to be presented to Hornby Island.</i>
Goal 2	Phase 0	<i>Investigate jurisdictional challenges and opportunities to support a coordinated effort to increase watershed protection and drinking water safety on Hornby Island.</i>
	Phase 1	<i>Training Workshop for Hornby residents, elected officials, students, and visitors to learn how to implement nature-based watershed quality risk reduction treatments.</i>
	Phase 2	<i>Implement and monitor natural-based solutions over a two-year period</i>
	Phase 3	<i>Evaluate the effectiveness of the mitigation measures and develop long-term solutions.</i>
Goal 3	Phase 0	<i>Coordinate with Islands Trust, Regional District of Comox, Island Health, the Province, and Hornby islanders to develop knowledge strategies for water quality risk reduction resources</i>
	Phase 1	<i>Coordinate with collaborating agencies on the development of "Hornby Island Drinking Water and Watershed Protection Plan" to support watershed resiliency.</i>
	Phase 2	<i>Hornby Water Stewardship and Islands Trust to develop watershed protection and water quality risk reduction strategy for demonstration sites for long-term monitoring.</i>
	Phase 3	<i>Implement new or updated regulations in the Hornby Island Official Community Plan and Land-use Bylaw to enable watershed protection strategies Trust Area.</i>

Consultation

Staff will consult with Hornby Water Stewardship in the coming weeks to engage the Drinking Water and Watershed Protection project that aligns with the needs of the Hornby Water Stewardship, the Healthy Watersheds Initiative fund, and the Islands Trust Freshwater Sustainability Strategy.

Timeline

Staff will engage with the Freshwater Sustainability Strategy team and the Islands Trust administrative services to create a contract for undertaking this work with the Hornby Water Stewardship. Implementation of new or updated regulations in the Hornby Island Official Community Plan and Land-use Bylaw to enable watershed protection strategies Trust Area is out of scope at this time.

NEXT STEPS

Staff will engage the Drinking Water and Watershed Protection Project with the Freshwater Sustainability Strategy team, Islands Trust administrative staff, and the Hornby Water Stewardship.

Submitted By:	William Shulba, P.Geo Senior Freshwater Specialist	May 12, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	May 12, 2021

From: Anthony Law [REDACTED]
Sent: Monday, May 3, 2021 6:06 PM
To: northinfo
Cc: Sue Ellen Fast; Alex Allen; Grant Scott
Subject: Streamlined Temporary Use Permits for Housing

To: Hornby Island Local Trust Committee

Dear Hornby LTC:

I encourage you to take immediate action to streamline the Temporary Use Permit process to provide permitted worker housing opportunities on Hornby Island.

Last month, Ucluelet initiated a pilot Working Housing Project involving a streamlined TUP process. This link provides some information:

<https://ucluelet.ca/development/chamber-of-commerce/worker-housing-project-pilot>

On Hornby Island our OCP and Land Use Bylaw enable TPs to be considered for

- allowing temporary seasonal or emergency accommodations
- allowing a temporary secondary suite or detached housing for a relative or caregiver of occupants of the residence

It is my understanding that since the OCP was adopted five years ago, there have been zero applications.

In the meantime, the urgent need for such accommodation has not gone away.

In 2018, I presented a discussion paper to the Local Trust Committee in which I suggested that Temporary Use Permits for housing "*could be made more accessible by reducing (or eliminating) the fee and having much simpler guidelines*".

I provided this again to the LTC in May 2019 and in August 2020.

It disturbs me greatly to see members of our community workforce struggling to find somewhere to live and other members of our community generously offering opportunities but illegally and at the risk of enforcement action because the process of obtaining permission is not accessible.

As a trustee, I was part of setting up that process which was done in good faith. But after something is implemented I think it is important to recognize when it is not working as intended and to fix it. And in a timely way - especially when it is having the impact of not enabling the

housing opportunities that the community intended through the OCP.

I realize that what is required here is a little different from the Ucluelet project. But I would like to see us at least emulate their initiative and action.

Thank you for considering this.

Tony Law

I respectfully acknowledge I am living on unceded traditional territory of K'òmoks First Nation.

From: Peter Stockdill [REDACTED]
Sent: Friday, March 19, 2021 2:33 PM
To: northinfo
Subject: Shellfish Aquaculture Application, Henry Bay, Baynes Sound
Attachments: Baynes Sound Henry Bay Aquaculture Expansion.docx

Good afternoon,

I wanted to be sure that you are aware of this application and its implications. I am attaching my report prepared on behalf of the Council of BC Yacht Clubs.

Regards,

Peter Stockdill

Tenure Research

March 19, 2021

To: Transport Canada, Navigation Protection Program
 FLNRO & RD, Crown Lands
 Fisheries and Oceans Canada
 Hon. George Heyman, Minister of Environment and Climate Change Strategy
 Islands Trust
 Association for Denman Island Marine Stewards
 Comox Valley Regional District

From: The Council of BC Yacht Clubs
 Peter Stockdill, Tenure Research

Re: Proposed Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound
 LF#1411213 FRN1976 NPP#2009-500455

BACKGROUND



Denman Island residents report that each year since 2004, an average of 3 tons of marine debris has been collected by local residents and volunteers. 90% of the debris originates from the continually expanding shellfish industry.

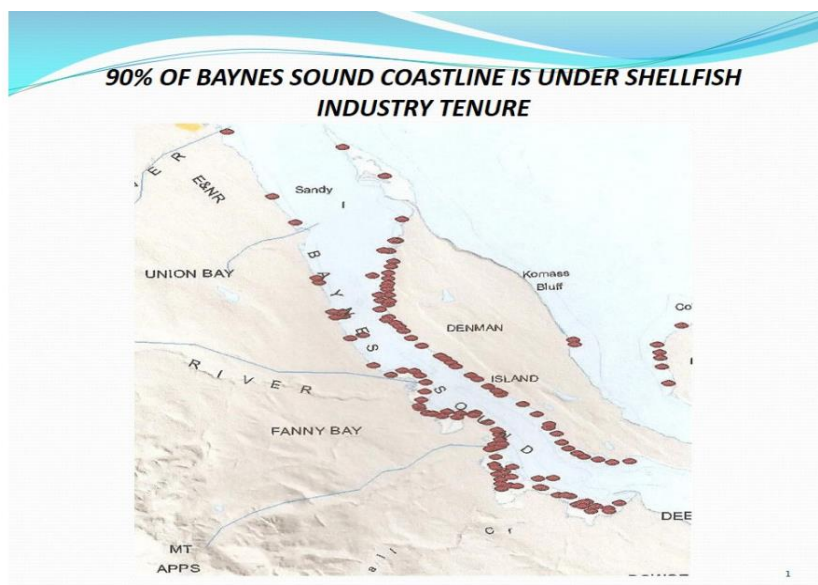
While a large percentage of the debris arrives on the shore of Denman Island, it also spreads north to the beaches of the Jaji7em and Kw'ulh (formerly Sandy Is.) Provincial Marine Park. I also have reports of aquaculture debris on the Comox and Cape Lazo shorelines.



When hundreds of residents around Baynes Sound hear the word **AQUACULTURE** the pictures that come to mind are these. Piles of abandoned aquaculture debris littering the beaches. It is disgraceful that after decades of complaints to all levels of government, nothing improves. Why should residents be burdened with cleaning up the garbage from aquaculture companies? Why should they be expected to deliver this debris to local dumps? If these were businesses on Granville Street, they would not be allowed to litter downtown Vancouver. This is not right!



Baynes Sound has become the most intensive shellfish aquaculture location on the BC coast. In 2018 there were 137 shellfish tenures in Baynes Sound.



The rapid expansion of this industry has led to increasing concern with debris from these tenures as well as environmental impacts in general. This has prompted various levels of government to produce plans in an attempt to address this issue.

In 2002, the Province issued the extensive Baynes Sound Coastal Plan for Shellfish Aquaculture. Compliance and Enforcement recommendations were made but they were not enacted or have proven to be ineffective.

In 2018, Fisheries & Oceans Canada, Aquaculture Management Division issued the BC Shellfish Aquaculture Debris Strategy & Action Plan. This Plan recognized that debris generated from shellfish farms is the leading public complaint. Over 50% of site inspections by DFO identified derelict or unmaintained gear and infrastructure, as well as improperly wrapped or exposed Styrofoam. Although well intentioned, this plan is hampered because of a lack of legislative authority to impose penalties on operators who violate the terms of their DFO licence.

In 2019 Sheila Malcolmson MLA, Special Advisor for Marine Debris Protection and Parliamentary Secretary for Environment was asked by Premier Horgan to find solutions. Input was received from 46 organizations. The report *What We Heard on Marine Debris in B.C.* was issued in February 2020. Appendix 4 below provides a summary. Note that government organizations do not see Aquaculture Debris as a problem but all other parties did. Government also did not see addressing Debris at Source as a solution, we see it as the only solution. The lack of government interest in these areas is of grave concern. This debris problem will not be solved without significant government involvement.

Appendix 4: Summary of issues raised by different parties

The below table provides an at-a-glance summary of the problems, challenges, and potential solutions raised by different parties during direct engagement meetings.

	GOVERNMENT	INDUSTRY	ENGOS*	CITIZEN GROUPS	BOATER GROUPS
PROBLEM					
Abandoned vessels	X	X		X	X
Mooring buoys	X			X	X
Ghost fishing gear	X		X		
Aquaculture debris	X	X	X	X	X
Polystyrene foam	X	X	X	X	X
PROBLEM – OUT OF SCOPE					
Single use plastics			X	X	
Sewage/Microplastics in sewage	X	X		X	
CHALLENGES					
Lack of options/economic challenges for disposal/recycling	X	X	X	X	X
Lack of funding, infrastructure, and workforce	X	X	X	X	
Critiques of regulations and enforcement	X		X	X	
SOLUTIONS					
Planning and inter-jurisdictional cooperation	X		X	X	X
Provide disposal and recycling options	X	X	X	X	X
Province-funded programs	X	X	X	X	X
Vessel turn-in program	X	X			X
Vessel licensing	X			X	X
Private mooring	X			X	X
Addressing marine debris at the source	X		X		X
Education and outreach campaigns	X	X	X	X	X

*(Environmental Non-Governmental Organizations)

THE PROPOSAL

This proposal will expand the tenure size from 5.8 to 16.7ha. The number of rafts will increase from 10 to 28. Shellfish stacks will increase by 2,000 and oyster trays by 16,000. The stacks will be composed of 8 trays each, held together by a total of 30,000m of polypropylene rope (lifespan 2 years). The same rope will attach the stacks to the rafts. Fig 1 shows current rafts. Note the yellow lines. They point to attachment points on the raft. Note also that these sites are exposed to sunlight, not only from above but also reflected upwards from the water below. During summer days in direct sunlight, the temperature within the ropes could reach the point where polypropylene begins to melt.



Figure 1 Current Tenure

The rafts will be secured with 8 concrete anchors. The rode will be composed of 5m of galvanized chain secured with galvanized shackles along with an unspecified length of 25mm nylon 3 strand rope. There is no mention as to whether or not the shackles will be seized.

120 Bouncing Buckets (lifespan 3 years) are proposed. There is no information in the application as to how these buckets will be attached to rafts and what type/size of rope will be used.

The rafts will be spaced 5m apart and each connected with 2 polypropylene ropes. A total of 500m of rope will required. Eight buoys (lifespan 3 years) will be used. No information has been provided as to size or location.

We do not know how much debris is produced by the current tenure but by increasing the size by 300%, it is logical that if approved, the debris produced will increase by a similar amount. This proposal would also add a very large amount of plastic to the marine environment.

A Debris Management Plan is provided.

DISCUSSION

The use of Polypropylene Rope

When I first read the application, I was amazed to find almost exclusive use of polypropylene rope. My wife and I have cruised the coast of B C in a sailboat for over 25 years. When changes in running rigging were necessary, I researched which type of rope would suit the need. We only used poly line for the dinghy painter and our heaving line. In both cases, this was done because poly is light and it floats. I do not see any need for floating lines in this application.

I have provided more detailed information on this rope in Appendix A but here is a summary. Polypropylene is the lowest cost synthetic rope available. It is light and floats. The major disadvantage is that it degrades quickly and weakens when exposed to sunlight. Smaller sized rope such as used in this application is also more affected because it has more exposed surface area in proportion to its volume. This product is also less strong, abrades easily and has a low melting point compared with other ropes. These factors all lead to a short lifespan.

8 trays per stack will be suspended below the raft with poly. This attachment area is most exposed to sunlight and therefore early failure. Fig 2 shows trays.

There is a complete stack of 8 trays and some loose ones. The stack probably broke loose intact because the attachment line from the top of the stack to the raft gave way. The remainder of the line kept the stack intact.

The loose trays may have broken loose under the raft or on the beach.



Figure 2 Aquaculture Debris

The use of 120 Bouncing Buckets is proposed. I understand that these buckets hold oyster seed which is dispersed into the water from the bucket. Fig 3 shows bouncing buckets on the beach that have broken loose from a raft for some reason. At this point, I do not know what size/type of rope will be used to secure these works.¹

¹ Canadian Navigable Waters Act. Definition of works. *Any device, structure or thing.*



Figure 3

Microplastics

The UV degradation of polypropylene leads to mechanical breakdown and gradual increase in smaller and smaller pieces until they become microscopic or microplastics. These particles have been shown to accumulate within the sediments of the bottom of Baynes Sound, especially in Henry Bay. In 2018, Professor Leah Bendell and colleagues at SFU report² finding microplastics in manila and varnish clams in Baynes Sound. They also have reported³ the presence of polypropylene and high density polyethylene indicating that the microplastics originated from the shellfish aquaculture industry.

Dr. Bendell recommends that: “There is no further expansion of this unregulated industry within this sensitive ecosystem at this time.”⁴

Weather

Merriam-Webster defines weather as:

The state of the atmosphere with respect to heat or cold, wetness or dryness, calm or storm, clearness or cloudiness.

A DFO information webpage, recommends that aquaculture operators “*Design and install all infrastructure to withstand all types of weather conditions.*”

Transport Canada takes this a bit further by requiring that: “*The owner is responsible to ensure the works are designed and maintained to withstand local weather conditions.*”

“Weather” is not just wind and storm conditions. It also includes temperature and the amount of sunshine which impact the degradation of polypropylene. With global warming and climate change this will just get worse in the coming years.

² PLOS ONE May 23, 2018

³ PLOS ONE May 22, 2020

⁴ Personal Communication

Debris Management Plan

This plan is vague and short on specific details on how/when the site is inspected and how debris will be managed. It is more of a recitation of hopes and goals than an actual plan.

- There appears to be a misuse of the word “revise”.
- Boat logbooks will be used to record activities. This does not appear to comply with Sec 12.5 of the DFO licence which requires a Facility and Maintenance Log.
- The self-inspection checklist is not provided.

The Plan does not indicate how the 30,000m of polypropylene rope will be handled when it reaches its life expectancy of 2 years.

The applicant should be required to revise this plan.

Infrastructure and Gear Stored on Top of Rafts

Many aquaculture operators store large amounts of gear and equipment on their rafts. Much of this is may be poorly secured. Some of the debris washing ashore comes from this source. Fig 4 and Fig 5 demonstrate this situation.



Figure 4



Figure 5

Some operators may be securing gear on their rafts with aging polypropylene rope. Fig 6 shows the subtle difference between the appearance of new and used polypropylene rope. Note the coil of rope in the center of the picture. It is secured with what appears to be fairly new rope marked by the yellow line. The coil itself shows older rope that shows signs of deterioration⁵ marked by the blue circle.



Figure 6

SUMMARY

Dr. Bendell describes shellfish aquaculture as an “unregulated industry”. It certainly is unregulated but all three agencies responsible do have regulations. The problem is that there is little or no enforcement. Why is this so?

Sheila Malcolmson has pointed out⁶, that governments just do not see aquaculture debris as a problem. On an encouraging note, she also reports that: *“Some industry members welcome tighter regulation and enforcement of marine debris in their industry to level the playing field between those operators who have voluntarily controlled plastic pollution and those who are giving the industry a bad reputation.”*

⁵ A deteriorating polypropylene rope loses strength but using just visual inspection, it is difficult to predict under what load it will break.

⁶ What We Heard on Marine Debris in B.C. 2020

The Council of BC Yacht Clubs does see this situation as a problem. Our members are not permitted to throw their garbage overboard and they see no reason why the aquaculture industry, using public lands, should not be held to the same standard. We also feel that the approach must be to deal with these issues at the source.

Polypropylene rope seems to be almost exclusively used by aquaculture operators likely because it is the least expensive synthetic rope available. Unfortunately, the pictures in this report show a huge amount of this rope in the debris washing ashore. Given the rapid deterioration of this rope when exposed to sunlight, this is not surprising. On the other hand, when one considers rope characteristics, polyester rope demonstrates less degradation due to UVL light, abrasion and heat, with more durability.

The presence of microplastics in the bottom sediments of Baynes Sound and in particular Henry Bay, is a serious concern that we feel much be addressed. The presence of microplastics in aquaculture grown shellfish and potential impact on human health has not been established but this issue needs further investigation.

In 2018, Canada, France, Germany, Italy, UK, and the EU adopted the Ocean Plastics Charter. The Charter's goal is to eliminate and/or recover 100% of plastics by 2030. The Council feels that now is the time for changes in how the Baynes Sound shellfish industry operates.

RECOMMENDATIONS

This work must be designed to withstand local weather conditions and comply with Sec 6 of the Navigable Waters Works Regulations.⁷ Both Transport Canada and Fisheries & Oceans Canada must require that no polypropylene rope is used in the construction of this work.

The Shellfish Aquaculture Debris Strategy & Action Plan was a good start. Unfortunately, this plan has not been successful in reducing aquaculture debris. Fisheries & Oceans Canada should, in concert with provincial and federal partners revise this plan to include stronger enforcement measures. This may require changes in legislation and increased resources, but the need is great and failure is not an option. Fisheries & Oceans should also support further research into the possible impact of microplastics on human health.

Because of the issues raised by this application, Crown Lands should not accept any new or amendment applications at this time. The issues of aquaculture debris and the potential impact of microplastics on human health need to be better understood or resolved before any further expansion of this industry is permitted.

⁷ Relates to collection of debris

APPENDIX A

Characteristics and Uses of Polypropylene Rope

Information below based on a variety of sources including rope manufacturers and distributors.

Polypropylene is a simple chain polymer that has a high degradation rate when exposed to UV light such as in sunlight. The light causes the bonds holding the polymer together to break which weakens the plastic. The degradation shows up as a network of fine cracks and crazes that become deeper and more severe with time of exposure. Ultimately strands become brittle and break. Smaller ropes such as used in this industry are affected more than large ones since they have more exposed surface area in proportion to their volume. Polypropylene is stiff and slippery and is notorious for coming undone because it slips out of knots. Special knots have been developed to cope with this problem. Polypropylene has a fairly low melting point, around 65C. This means that it does not work well in applications where it will encounter any amount of friction. The fibers will either abrade, or melt together, as if they were glued.

Marine supplier; **West Marine** states: *Polypropylene is a light, relatively inexpensive and stretchy fiber. Durability is not its strong suit, so more frequent replacement is needed.*

Chapman Piloting Seamanship & Small Boat Handling states: *Polypropylene rope is least expensive among the synthetics, but it tends to deteriorate rapidly from exposure to the UV component of sunlight.*

10 BEST RATING > 1 WORST RATING						
ROPE PROPERTIES	Polypropylene	Nylon	Polyester	Manila	Sisal	Cotton
Abrasion	5	10	10	8	5	5
Acid Resistant	10	10	10	10	2	1
Durability	7	10	10	7	7	5
Elongation at Break	10	9	2	1	1	2
Floats	10	1	1	1	1	1
Handling	8	10	10	5	5	10
Mould Resistant	10	10	10	2	1	1
Oil & Gas Resistant	10	10	10	5	5	5
Rot Resistance	10	10	10	2	1	1
Shock Load	6	10	7	5	2	1
Sunlight Resistant	3	5	9	10	10	10
Wet Storage	10	10	10	1	1	1
Wet Break Strength	10	10	9	1	1	1
Heat Characteristics	Weakness at 65°C	Weakness at 180°C	Weakness at 180°C	No effect	No effect	No effect

April 8, 2021

To: Transport Canada, Navigation Protection Program
 FLNRO & RD Crown Lands
 Fisheries & Oceans Canada
 Hon. George Heyman, Minister of Environment and Climate Change Strategy
 Islands Trust
 Association for Denman Island Marine Stewards
 Comox Valley Regional District

From: The Council of BC Yacht Clubs
 Peter Stockdill, Tenure Research

Re: **ADDENDUM** to Report dated March 19, 2021
 Proposed Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound
 LF#1411213 FRN1976 NPP#2009-500455

Wind storm March 28-29 2021

On the morning of March 28, a gale warning was issued for Georgia Strait with NW winds up to 35knts predicted. Between 1600hrs on March 28 and 0100hrs on March 29, Comox Airport recorded winds between 30 and 39km/hr (16-21knts). The Beaufort Scale considers these wind levels to be just a “Fresh Breeze.” When the front passed, the initial NW winds were higher than those recorded at Comox for a short period. This brief period of higher winds was not identified in the hourly reports from Comox. These stronger winds were noticed by residents of Denman Island as well as myself at Nanoose Bay.

It is not likely that winds in Baynes Sound reached gale force but they did cause aquaculture debris to be set adrift. Residents of Denman Island report finding about a dozen oyster baskets and four oyster pouches on a beach S of Henry Bay the next day.

One of the floating pouches is shown in fig 1. The yellow arrows point the ends of a degraded¹ and broken polypropylene rope. This pouch floated free because of this broken rope. The blue arrows that point to what appears to be newer ropes that are intact. As I will show, these ropes would be under less stress in use than the large broken one. The normal use of these pouches is shown in fig 2. Note the green color polypropylene rope securing the pouches. Each pouch is secured at each end by a knot in the rope. The rope is not in the water but lying on the surface of the pouches and thus exposed to sunshine during daylight hours.

¹ Polypropylene is a simple chain polymer. The UV component of sunlight causes the bonds holding the polymer together to break which weakens the plastic, which then breaks into smaller and smaller pieces.



Figure 1 Oyster Pouch



Figure 2 Floating Oyster Pouches

Note carefully the junction point between the pouches. Even during calm conditions, this location will be in almost constant movement due to passing boats. This movement will cause abrasion of the rope. As previously noted, polypropylene rope has the lowest resistance to abrasion of all synthetic ropes. Sun exposure and a low resistance to abrasion lead to early degradation of the rope, loss of strength and breakage under load.

Have another look at Fig 1 and you will see that the junction between pouches is exactly where the rope pulled apart and allowed this pouch to drift ashore. The ropes indicated by the blue arrows connect the floats to the netted pouch. There will be little or no movement at this location.

Another characteristic of polypropylene rope is that it floats. Note that these pouches are floating on their own. There is no reason why a more durable non-floating rope could be used in this location. If this was done, I suspect that there would be a significant reduction in number of pouches floating free.

The morning of April 4, 2021 was calm. That morning the collection of five oyster pouches shown in Fig 3, were found on a Denman Island beach.



Figure 3

Note the rope end marked by the red arrow. The end is clean with no sign of degradation or wear. It is possible that these oyster pouches drifted ashore simply because a securing knot worked loose and became untied.

In 2019, the Association of Denman Island Marine Stewards (ADIMS) collected 115 of these pouches and 1173 oyster trays from the beaches of Denman Island.

Lifespan of Polypropylene Rope

This applicant estimates the useful lifespan of polypropylene rope to be 2 years. Given the extensive sun exposure and the proposed use of this rope in this operation, this number seems reasonable. I have been reviewing the Debris Management Plan for another application (LF#1414932). In this case, the suggested lifespan of the polypropylene rope used for culture lines and the structural frame is 3 years. Both applicants have recognized that the lifespan of polypropylene rope for aquaculture use is in the range of 24-36 months. Between 24-36 months after installation, all polypropylene rope must be removed, legally disposed of and replaced with new rope.

Polypropylene rope forms a significant portion of the debris collected annually from the beaches of Denman Island. In 2018, ADIMS reports collecting approximately 500lbs of polypropylene rope. This floating rope can also become a hazard to navigation. I personally know of boaters who had polypropylene rope foul their propeller requiring long tows to find a diver to remove the rope. Kayakers report that they find polypropylene rope of various sizes and lengths throughout the Salish Sea.

Buoys

The applicant plans to place 8 buoys on the tenure. The method of anchoring these buoys is not provided. If polypropylene rope is used, the line must be counterweighted to prevent it from floating so that it will not foul propellers of nearby vessels. In addition, this rope must be examined by a diver annually and replaced every 24-36 months. We feel the use of a non-buoyant more durable rope such as nylon is more appropriate.

The applicant estimates the lifespan of these buoys to be 3 years. ADIMS reports finding buoys or parts of buoys on beaches every year. It is therefore logical that all of these buoys are removed, legally disposed of and replaced every 3 years.

Fisheries & Oceans Conditions of Licence Effective April 1, 2021

My prediction is that this version of Conditions of Licence will have little or no impact on the amount of Aquaculture Debris in the ocean and drifting ashore. There is still no interest in containing debris at source and there is no effective enforcement of the Conditions of Licence. There are no specifics on what a Debris Management Plan must contain. There is no requirement to replace equipment when it reaches the end of its projected lifespan.

In response to a person who complained to DFO about debris on the beach in 2019, a DFO officer replied: *I will be sending out an interim notice today to those deepwater/suspended tenures in the area you reported on with direction to follow their CoL and secure all equipment.* Did the officer really think that there would be compliance with just an email?

The officer goes on to say: *a B.C. Government officer and myself are diligently working on 24 active non-compliance files regarding inspections conducted this past summer of the majority of westside Denman tenures and are working hard to compel clean-up on those.*

24 non-compliance files from last summer and someone at DFO thinks that further emails will result in compliance?

The officer concludes by saying: *I note you again ask “when will DFO do its job”? Those 1 or 2 of us that are tasked to this and receive all the ORR reports are working on it I can assure you.* This sounds like a very frustrated officer who knows that he cannot obtain compliance with the tools and staff that he has been given. Clearly, there is no interest in even attempting to reduce the tons of Aquaculture Debris that drifts free every year.

Final Thoughts

On March 23, I received an email from a DFO official commenting on our original report. The official states that DFO cannot ban the use of polypropylene rope because Environment and Climate Change Canada has not listed polypropylene as a toxic substance. This is just more DFO diversion. We have never suggested that polypropylene is toxic. We have however, clearly demonstrated that rope made of polypropylene is having a significant impact on pollution and waste in Baynes Sound. I would suggest that DFO and the other relevant government agencies have a look at the Canadian Environmental Protection Act (CEPA). CEPA has a number of guiding principles, three of which are relevant to this application:

Pollution prevention: CEPA shifts the focus away from managing pollution after it has been created to preventing pollution. Pollution prevention is “the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and waste.

Precautionary principle: Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Polluter pays Principle: CEPA 1999 embodies the principle that users and producers of pollutants and wastes should bear the responsibility for their actions. Companies or people that pollute should pay the costs they impose on society.

Why are the government agencies regulating the shellfish aquaculture industry failing to:

- Take actions at the source to prevent or minimize pollution and waste?
- Recognize the possible impact of microplastics on shellfish and human health?
- Require aquaculture operators to pay for the costs that they impose on residents and users of Baynes Sound?

The Council of BC Yacht Clubs believes that approving this application and allowing the continued use of polypropylene rope will increase marine debris in Baynes Sound and beyond. Eliminating the use of polypropylene rope, or replacing it every 2 years, in this and other shellfish aquaculture operations will significantly reduce marine debris. At the same time, we recognize that this action alone will not eliminate it. Stronger enforcement measures with significant penalties are clearly necessary to reduce Aquaculture Debris to an acceptable level.

The residents around Baynes Sound have been facing mountains of aquaculture debris for decades. Fig 4 shows just the first load of debris that has washed ashore on Denman Island since January. These baskets were originally secured with polypropylene rope that has broken. Unfortunately, there is more to collect.



Figure 4

From: Peter Stockdill [REDACTED]
Subject: Oyster Pouches in Baynes Sound
Date: April 30, 2021 at 11:13:46 AM PDT
To: Sue Ellen Fast <sfast@islandstrust.bc.ca>

Good morning Sue Ellen,

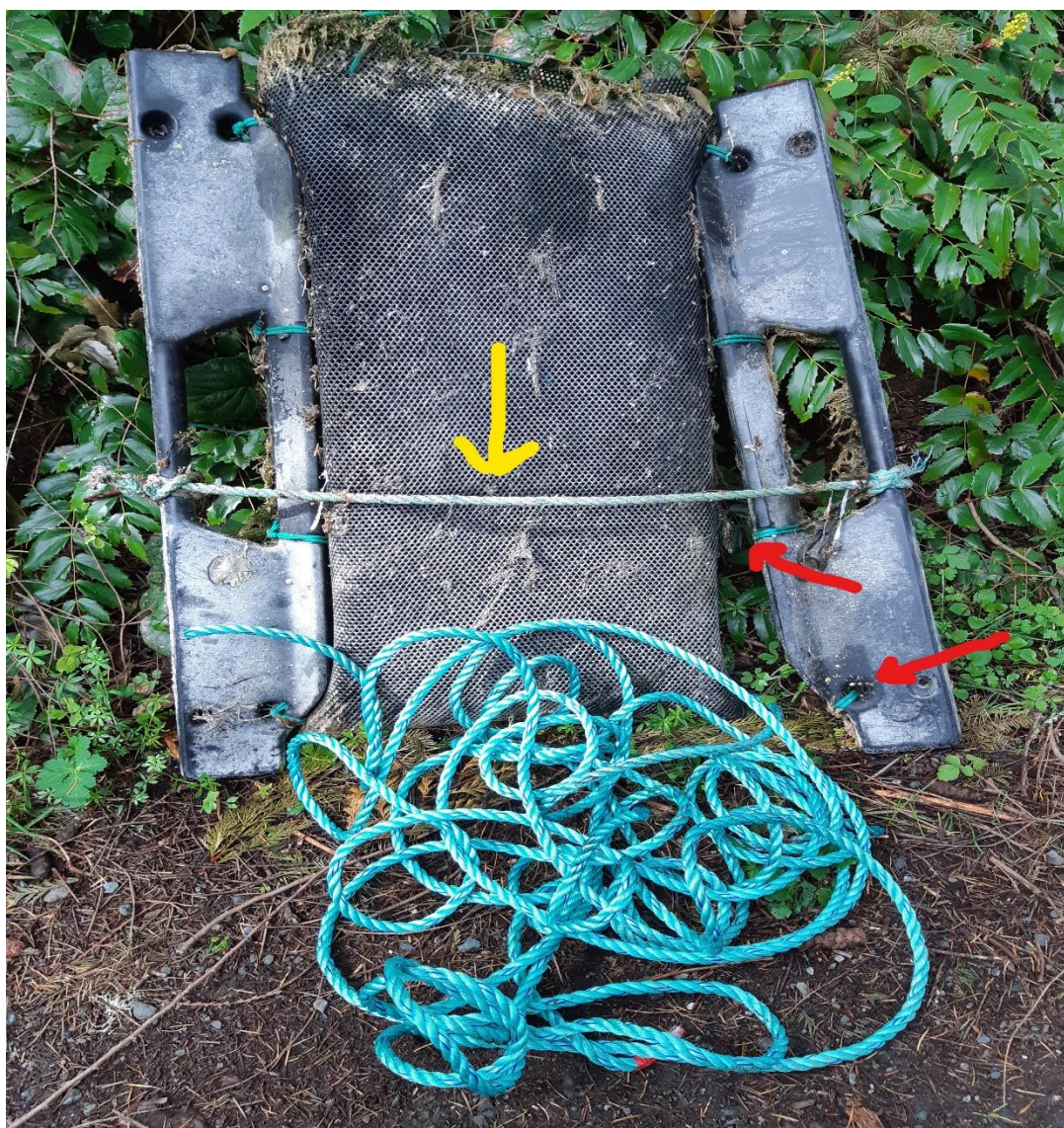
The Navigation Protection Officer with this file asked me for comments on the oyster pouches and the use of polypropylene rope Baynes Sound. I am attaching my comments FYI.

Peter

April 29, 2021

COMMENTS ON OYSTER POUCHES IN BAYNES SOUND

I have discovered this morning that these pouches are locally made with the assistance of VIU at Deep Bay. There are three parts to each pouch. Two floating parts separated by a plastic net. Two sizes of rope are shown below. The larger rope (yellow arrow) is polypropylene and is used to connect this pouch to others on either side. Note that this rope looks different from the rope at the bottom that looks new. The yellow marked rope is degraded and is past its useful lifespan. The smaller rope that is probably also polypropylene secures the parts of the pouch together. The red arrows point to places where these lines have pulled free from the net. Evidence suggests that any of these lines could fail and cause the pouch to float free.



There is no question that many of these ropes are breaking and the pouches are drifting ashore. The picture below is typical after a NW blow.



The picture below shows a pile of these pouches with oyster trays behind all awaiting removal.



RECOMMENDATIONS

My wife and I spent 25 years cruising the BC coast with 2 trips to the central coast and a circumnavigation of Vancouver Island. We travelled in 40ft sailboats with lots of rigging. I am very familiar with the characteristics of the various synthetic ropes. Depending on the use, I have bought nylon rope for anchor and mooring lines and polypropylene line for the dinghy painter and heaving line. I have used large amounts of various polyester line for our running rigging. I hold an Advanced Piloting Certificate from the Canadian Power and Sail Squadrons.

In my view, a significant cause of shellfish aquaculture debris is the widespread use of polypropylene rope. It is not the only cause but it is a very significant one. The reason why polypropylene is not appropriate for use in Baynes Sound is the extensive sun exposure coupled with abrasion caused by wave action and attachments to infrastructure. It also appears that in some cases this rope continues to be used well beyond its lifespan. To reduce rope failure, it might also be possible to improve the design of these pouches where ropes are attached to reduce rope abrasion or a break in the net.

Using these pouches in the intertidal area will increase abrasion and failure of rope. At low tide the pouches will be subjected to the combined impacts of waves and contact with the beach including rocks, shells and barnacles. There will also be increased exposure to sunlight. The picture below shows the current Fanny Bay Oysters, DFO and VIU intertidal research site.



A much better choice of rope would be a single braid polyester. This rope is very resistant to sunlight and abrasion. It is very durable. It will cost a bit more but there will be less debris and it will reduce the need for officials to spend time enforcing regulations. Because polyester is much more durable, it may be possible for operators to use a smaller diameter line as compared with polypropylene.

Using a more durable rope or replacing polypropylene every two years will have a very large impact on debris produced. There are still potential problems such as how the ropes are secured to the pouches and the design of the pouches themselves. Knots may be poorly tied and become untied. The answer to these questions will become clearer if policies such as I have suggested were implemented and then carefully monitored.

I would like to thank the people of Denman Island for providing some information and pictures with regard to this issue.

Peter Stockdill, Tenure Research
The Council of BC Yacht Clubs



DATE OF MEETING: May 21, 2021
 TO: Lasqueti Island Local Trust Committee
 FROM: Heather Kauer, Regional Planning Manager
 Northern Team
 SUBJECT: 2020-2021 Annual Report

RECOMMENDATION:

1. That the Hornby Island Local Trust Committee endorse the following text for inclusion in the 2020-2021 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing.

“ The Hornby Island Local Trust Committee (HO LTC) held nine meetings in the 2020/21 fiscal year. There were six regular business meetings and three public hearings. .

Work for this period focused on technical amendments to the official community plan (OCP), fees related to the bylaw enforcement notification bylaw, and amending the zoning of a property where affordable housing is planned. The HO LTC also initiated a project to amend the OCP and land use bylaws to address inconsistencies related to minimum average lot area provisions.

The HO LTC considered numerous reports in conjunction with one major rezoning application on the island. The committee also reviewed two development permits and one temporary use permit.

Staff reviewed two subdivisions, twenty-two siting and use permits, and seven crown land referrals related to proposed development in the Hornby Island Local Trust Area.

Another initiative of the HO LTC has been relationship building with the K’omoks First Nation.”

DISCUSSION

Local trust committees are asked to endorse their draft sections of the 2020-2021 Annual Report so that Trust Council is readily able to approve the annual report at the Trust Council meeting in June 2021.

Preparation of the Islands Trust 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 subsequent consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs & Housing and circulate it as indicated in Trust Council’s policy.

The recommended text (above) has been reviewed by the Islands Trust Communications Specialist and approved by the Director of Local Planning Services.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	May 12, 2021
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Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
HO-ALR-2021.1	Stead, Sharon & Richard	28-Jan-2021	PID: 002-755-181 Moving a secondary home onto property for family member. Civic address: 6555 Central Road, Hornby Island, BC.
Planner: Ian Cox			
Planning Status			
<u>Status Date:</u> 10-May-2021 No change in status.			
<u>Status Date:</u> 21-Apr-2021 No change in status.			
<u>Status Date:</u> 29-Mar-2021 March 26th LTC resolution to forward NARU to ALC.			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
HO-DVP-2021.1	Leckie Studio Architects & Design (Cam Koroluk)	27-Apr-2021	PID: 000-941-328 Carport built too close to property line. Civic: 4280 Brigantine Crescent, Hornby Island, BC.
Planner: Ian Cox			
Planning Status			
<u>Status Date:</u> 10-May-2021 Under review by staff.			
<u>Status Date:</u> 29-Apr-2021 File opened & assigned. Waiting for eTransfer.			

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
HO-RZ-2020.1	Dixon Lake Properties Ltd. (Daysgoneby.Org Land Stewards Ltd.)	13-Oct-2020	PID: 001-034-367 Rezoning. Civic address: 2105 Shingle Spit Road, Hornby Island, BC.

Planner: Jaime Dubyna**Planning Status****Status Date:** 26-Mar-2021

LTC consideration of preliminary staff report by RWM. LTC requested additional information.

Status Date: 24-Mar-2021

Notification to K'ómoks First Nation and Tla'amin Nation sent.

Status Date: 24-Feb-2021

Copy of BCLS plan received.

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2020.9	Jean-Pierre Raulot-Lapointe	25-Jun-2020	PID: 002-835-258 Building a small house. Civic address: #9, 4150 Parnell Road, Hornby Island, BC.

Planner: Jaime Dubyna**Planning Status****Status Date:** 07-Apr-2021

Notice to K'ómoks First Nation sent.

Status Date: 22-Jan-2021

No change in status.

Status Date: 27-Aug-2020

Planner advised applicant to contact Arch Branch.



Siting and use Permit

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

Planner: Ian Cox

Planning Status

Status Date: 10-May-2021

No change in status.

Status Date: 21-Apr-2021

No change in status.

Status Date: 02-Mar-2021

On hold pending ALC NARU decision.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.10	Clyne, Ian	15-Mar-2021	PID: 018-881-491 Building house. Civic: 3900 High Salal Drive, Hornby Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 07-May-2021

Permit approved with highlighted conditions. File to PTA and LC for issuance and closure.

Status Date: 09-Apr-2021

KFN notice sent and applicant notified of process.

Status Date: 19-Mar-2021

File opened & assigned. Waiting for etransfer



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.12	McIntyre, Ruth & Bruce	16-Apr-2021	PID: 003-603-288 Replacing old cabin with new. Civic: 7175 Anderson Drive, Hornby Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 03-May-2021

Preliminary application review by planner complete. Information requested from applicant

Status Date: 21-Apr-2021

File opened & assigned. Waiting for etransfer.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.13	Blue Sky Design	21-Apr-2021	PID: 001-149-971 Building new SFD. Civic address: 9300 Central Road, Hornby Island, BC.

Planner: Jaime Dubyna

Planning Status

Status Date: 05-May-2021

Planner reviewing file.

Status Date: 22-Apr-2021

File opened & assigned. Waiting for etransfer.

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.14	Holbek, Peter & Carole	27-Apr-2021	PID: 000-127-981 Replacing old cottage with new SFD. Civic: 3525 Harwood Road, Hornby Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 07-May-2021

Permit approved. File to PTA and LC for issuance and closure.

Status Date: 29-Apr-2021

File opened & assigned. Waiting for Etransfer.



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
HO-SUP-2021.7	Wiig, Sigurd	09-Feb-2021	PID: 000-041-263 Moving building damaged by storm. Civic address: 3930 Brigantine Crescent, Hornby Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 09-Mar-2021

Phone convo with applicant. Advised that accessory building could not be used as dwelling unit including temporary and transient use. Use must comply with bylaw.

Status Date: 12-Feb-2021

File opened & assigned.

Subdivision

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

Planner: Bronwyn Sawyer

Planning Status

Status Date: 07-Apr-2021

On hold per applicant request

Status Date: 19-Mar-2021

File opened & assigned. Waiting for Etransfer.



Applications

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
HO-TUP-2020.2	Payne, Jeremy	12-Mar-2020	PID: 003-869-008 Temporary seasonal food truck. Civic address: 3005 Saint John's Point Road, Hornby Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 03-May-2021

Planner completed review of SUP application. VIHA permit pending.

Status Date: 27-Nov-2020

Forwarded to bylaw enforcement.

Status Date: 30-Oct-2020

Planner requested update on pending conditions for issuance of TUP.

File Number	Applicant Name	Date Received	Purpose
HO-TUP-2020.3	Hornby Island Co-Operative Association Inc.	28-Oct-2020	PID: 026-371-791 Water extraction & sales Civic address: 5875 Central Road, Hornby Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 10-May-2021

Awaiting FLNRORD license.

Status Date: 29-Mar-2021

March 26th LTC issued permit conditional on FLNRORD water license.

Status Date: 12-Mar-2021

On March 26 agenda.

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending February 2021

635 Hornby	Invoices posted to Month ending February 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-635	LTC "Trustee Expenses"	412.00	0.00	412.00
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,022.00	1,457.76	564.24
65210-635	LTC - Local Exp - APC Meeting Expenses	283.00	1,019.90	-736.90
65220-635	LTC - Local Exp - Communications	250.00	687.23	-437.23
65230-635	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,849.00</u>	<u>3,164.89</u>	<u>-315.89</u>
Projects				
73001-635-2004	Hornby OCP/LUB	<u>3,500.00</u>	<u>360.00</u>	<u>3,140.00</u>
TOTAL Project Expenses		<u>3,500.00</u>	<u>360.00</u>	<u>3,140.00</u>

Hornby Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2017 September 28, 2018 November 6, 2020	HO-2017-011 See Resolution no. HO-2020-081-below	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, 2020 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.	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
4.	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.
5.	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.
6.	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.
7.	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
8.	November 6, 2020	HO-2020-081 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 amend the expiration date of Standing Resolution No. HO-2017-011 to December 31, 2021.



Top Priorities Report

Hornby Island

1. Comprehensive OCP Review

The Hornby Island Local Trust Committee would like a Comprehensive Official Community Plan amendment to be prioritized by the Regional Planning team. 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.

Responsible

David Marlor

Dates

Rec'd: 06-Nov-2020

2. Watershed Protection and Groundwater Preservation

Project charter, work plan and budget; consolidation of existing information; required research to address key knowledge gaps; workshop to explain the model; suggestions for next steps including finding potential funding, advocacy/education/coordination with other agencies etc. Review approaches to ground water protection and water conservation on Hornby Island including consideration of the Gulf Islands Ground Water Protection Regulatory Tool Kit and the possible use of Development Permit areas for water conservation

Responsible

William Shulba

Dates

Rec'd: 08-Jun-2018

3. Amend the OCP and LUB with regards to the Rural Residential land use designation and R2 zoning regarding Minimum Average Lot Area.

Make the OCP and LUB consistent with regards to Minimum average lot area and clarify language to make it clearer for the reader.

Responsible

Heather Kauer

Dates

Rec'd: 06-Nov-2020



Top Priorities Report

Projects Report

Hornby Island

1. *Ford Cove Consultation*

Responsible

Date Received

Conduct a consultative process for the Ford Cove area

2. *Public Use area planning*

Responsible

Date Received

Support collaborative planning process for Public Use areas

27-Mar-2015

3. *Marine Protection*

Responsible

Date Received

Ongoing participation in public education, advocacy and regional processes with respect to the marine environment and shoreline protection

28-Sep-2018

4. *Improving Bylaw Compliance*

Responsible

Date Received

Explore with the community and staff, approaches to improving Bylaw compliance

28-Sep-2018

5. *Ecosystem Protection*

Responsible

Date Received

Consider potential utilization of the Regional Conservation Plan.

28-Sep-2018



Projects Report

Hornby Island

6. *Addressing Climate Change*

Responsible

Date Received

Review measures to address climate change including through implementation of OCP policies

28-Sep-2018

7. *Addressing housing needs*

Responsible

Date Received

A project to identify, assess and implement housing opportunities including reviewing residential density on rural lots and considering staff accommodation on commercial lots.

25-Jan-2019

8. *Implementation of Coastal Douglas-fir Toolkit*

Responsible

Date Received

25-Jan-2019

9. *Model Cell Tower Consultation Process*

Responsible

Date Received

13-Sep-2019



the Heron



A newsletter from the Islands Trust Conservancy, protecting islands in the Salish Sea | islandstrustconservancy.ca

SPRING 2021

30 Nature reserves in 30 years!

Celebrating Sandy Beach on Lhek'tines/Keats Island [p. 6](#)

ALSO IN THIS ISSUE

Kate Emmings profile

Fire preparedness top tips

Sara Steil's Legacy

Artist Eliot
White-Hill
Signage Project



Islands Trust Conservancy Manager Kate Emmings with son Dylan. PHOTO: KEITH ERICKSON

Kate Emmings reflects on 14 years and what's next for the team

Reaffirming her commitment as Manager, Islands Trust Conservancy

Courage, wisdom, and heart. Qualities that one might look for in a colleague, in a friend, and in our case, in a leader. Kate Emmings has held the post of Acting Islands Trust Conservancy Manager since July 2018, and as of January 2021 she has accepted the role on a permanent basis.

“Kate has always had the respect of the Islands Trust Conservancy Board through her open and nuanced understanding of our vision for the organization,” said Board Chair Kate-Louise Stamford.

When asked what gives her the greatest job satisfaction, Emmings said, “I like problem solving. Helping people

who struggle with complex systems to do what they want to do — to make it simpler for them to protect nature.”

“It’s good to work in an organization where you can have a hand in a little bit of everything and that quick visibility to what you have accomplished. We’re not so big that we can’t talk to people on the ground.”

Are there challenges that spark a sense of urgency for her? “We’re on the threshold of still having enough wild spaces surrounding our urban centres to be able to care for them responsibly, or making the one wrong step that could destroy them forever.”

“It’s an interesting time, where climate change and adaptation strategies are prominent, the interconnection of land conservation and reconciliation has become so vital, and we have the chance to engage in those more complex conversations and get meaningful work done.” Her enthusiasm is noticeable. “I am not afraid of hard conversations — I love them. That’s the way to move things forward.” 🌿



Canoe detail. PHOTO: LISA WILCOX

Acknowledgement

Islands Trust Conservancy acknowledges that we work within the treaty lands and territories of the BOKÉCĒN, Cowichan Tribes, Halalt, K’ómoks, Lək’wəḡən (SXIMELEL, Songhees, T’Sou-ke), Lyackson, MÁLEXEL, ʔop qaymıxʷ, Penelakut, Qualicum, scəwáθən məsteyəxʷ, Scia’new, səlilwətaʔt, SEMYOME, shíshálh, Snaw-naw-as, Skwxwú7mesh, Snuneymuxw, STÁUTW, Stz’uminus, ʔəʔamən qaymıxʷ, toq qaymıxʷ, Ts’uubaa-asatx, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM and xʷməθkʷəy̓əm.

The remarkable legacy of Sara Steil

A force for conservation on the Pender islands

Sara Steil undoubtedly had a vision. The paths she forged on her life's journey all lead to caring for marine life and the land that she held dear — the Pender islands. We can never underestimate the power of one person to create a legacy, and Sara did just that.

It is small wonder that she received an Islands Trust Special 2019 Community Stewardship Award for Lifetime Achievement. She contributed extensively to land use decision-making through numerous North Pender Island Local Trust Committee public processes, the official community plan, and land use bylaw development, and was a founding member of the Pender Islands Trust Protection Society. Sara was also an active member of the Pender Islands Conservancy Association, and worked passionately to preserve and protect the marine environment by contributing to the Pleasure Craft Pollution Prevention Program and conducting inventories on forage fish beaches to confirm spawning habitat.

We can never underestimate the power of one person to create a legacy, and Sara did just that.

In 2009 Sara and her husband Richard (Dick) protected their 1.4-hectare property on North Pender through the Natural Area Protection Tax Exemption Program (NAPTEP) by placing a conservation covenant on their land title. Forevermore the Steils' Woods Covenant protects wild strawberry and western trilliums amid forests of tall firs, cedars, and maples, and protects part of a wetland that is home to amphibians and visiting Great Blue Herons.



A shining example of the impact one person can make: Sara Steil with her dog Shelby. PHOTO SUBMITTED

Whether through policy-making, public education, or through protecting her own piece of land, Sara has helped to shape how land and marine life is valued on the Pender islands. Through her commitment to the “preserve and protect” mandate of Islands Trust Conservancy, her vision will have an impact that will be felt by future generations.

She will be remembered. 🌿

Carla Funk, Fundraising Specialist
cfunk@islandstrust.bc.ca



Protect the land and save on taxes:

A conservation covenant registered through NAPTEP means you receive an annual property tax exemption of 65% on the protected portion of the land. Visit islandstrustconservancy.ca/naptep

Sharp-tailed Snake

Species at Risk Spotlight

The name of this endangered species, “Sharp-tailed Snake” (scientific name *Contia tenuis*), might conjure up images of a fearsome creature, but these peaceful, non-venomous snakes are not so scary. They are only about the size of a large earthworm!

Sharp-tailed Snakes are named after the unique point at the tip of their tail. Secretive and slow moving, these little brown snakes spend most of their time keeping warm under rocks, leaf litter, decaying logs, or loose bark, and venturing out when conditions are just right to hunt for slugs and earthworms. Sharp-tailed Snakes are most active during the spring and fall.

Most of this snake’s prime habitat of south-facing, rocky Douglas-fir/Arbutus woodland is unprotected and threatened by development and other human impacts. As one of only five reptiles native to coastal British Columbia, the Sharp-tailed Snake is an important part of the biodiversity of our region.

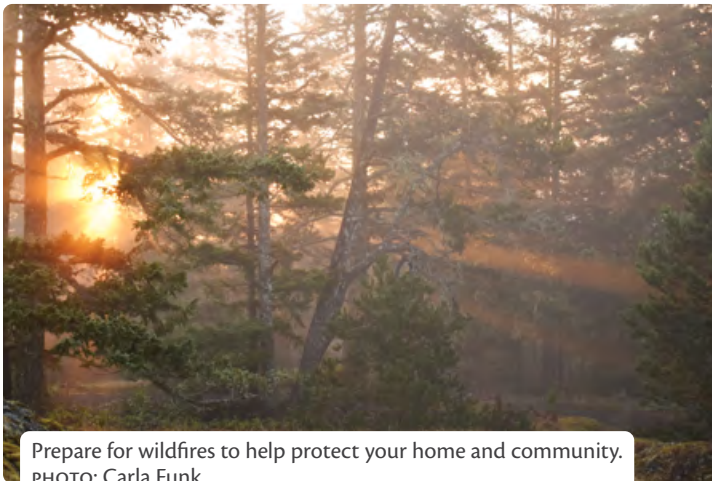


The Sharp-tailed Snake is extremely rare in Canada, existing in a handful of isolated populations on southern Vancouver Island, the southern Gulf Islands, and Pemberton. PHOTO: CHRISTIAN ENGELSTOFT

There are many things, big and small, that you can do to protect Sharp-tailed Snakes:

- Protect habitat by limiting roads and other development, particularly in open, sunny woodlands
- Avoid disturbing piles of rock or decaying logs and tree stumps where snakes live
- Embrace slugs (the snake’s primary prey), earthworms, and insects 🌿

Fire preparedness and forest stewardship essentials



Prepare for wildfires to help protect your home and community. PHOTO: Carla Funk

Regular, low-severity wildfires are a natural and important part of healthy forest ecosystems in our region. Yet, the risk of fire has increased in recent years due to climate change, fire suppression, and landscape development. With wildfire season approaching, we encourage you to take wildfire preparedness measures compatible with forest stewardship.

The following actions can help protect your home and community:

- **Advocate for the protection of mature and old-growth forests**, nature’s fire break. A shady canopy of large trees and lush understory maintain a cool, moist microclimate that resists fire
- **Fireproof your home.** Start with easy fixes, like moving your firewood pile further away from your home, clearing debris build-up from your roof and under your deck or stairs, and ensuring that exterior doors are properly fitted
- **Create a 10-metre fire-resistant buffer around your home.** Clear out accumulations of dead leaves and small branches; remove flammable invasive plants like Scotch broom and English holly; garden with fire-resistant native plants like bigleaf maple and salal

If you are planning work in a covenant area, please be sure to contact us to discuss your plans. 🌿

To learn more about Sharp-tailed Snakes and what you can do to protect their habitat, or with questions about Fire Preparedness, contact Covenant Management and Outreach Specialist Jemma Green: jgreen@islandstrust.bc.ca.

Tender care for Trincomali — a story in photos

Trincomali Nature Sanctuary was created in 2001 through a collaboration between Islands Trust Conservancy, The Land Conservancy of British Columbia (TLC), Habitat Acquisition Trust (HAT), and the federal government. Islands Trust Conservancy's primary concern for this site from the beginning was protection of the seabird colonies.

Trincomali's cliffs are home to sensitive bird nesting habitat for several species at risk.

Invasive Scotch broom is a serious threat to biodiversity as it displaces native plant communities that birds, butterflies, and other animals rely on for habitat. We want to remove invasive species such as this to maintain the ecological integrity of the land. As the bird colonies are sensitive to movement and sound, we ensure that any management work is done outside the bird nesting season. 🌿



Aerial shot taken of entire work party — note that the dark green colour against the light green is the target invasive species Scotch broom. PHOTO: MILEN KOOTNIKOFF | MIKO PHOTO, COURTESY OF HABITAT ACQUISITION TRUST



30 Nature Reserves in 30 years!

Celebrating the preserve and protect mandate 1990–2020

In its 30th year, Islands Trust Conservancy is celebrating that Sandy Beach on Lhek'tines/Keats Island will become its 30th nature reserve. Sandy Beach includes 3.4 hectares (8.4 acres) of Coastal Douglas-fir forest and over 250 metres of beachfront.

The Skwxwú7mesh (Squamish) people have a long interconnected history with Lhek'tines (also known as Keats Island). The island is laden with place names and areas of cultural significance, and is treasured by islanders for its beauty and important ecological values. This nature reserve assures that the southwest section of Keats will never face development.

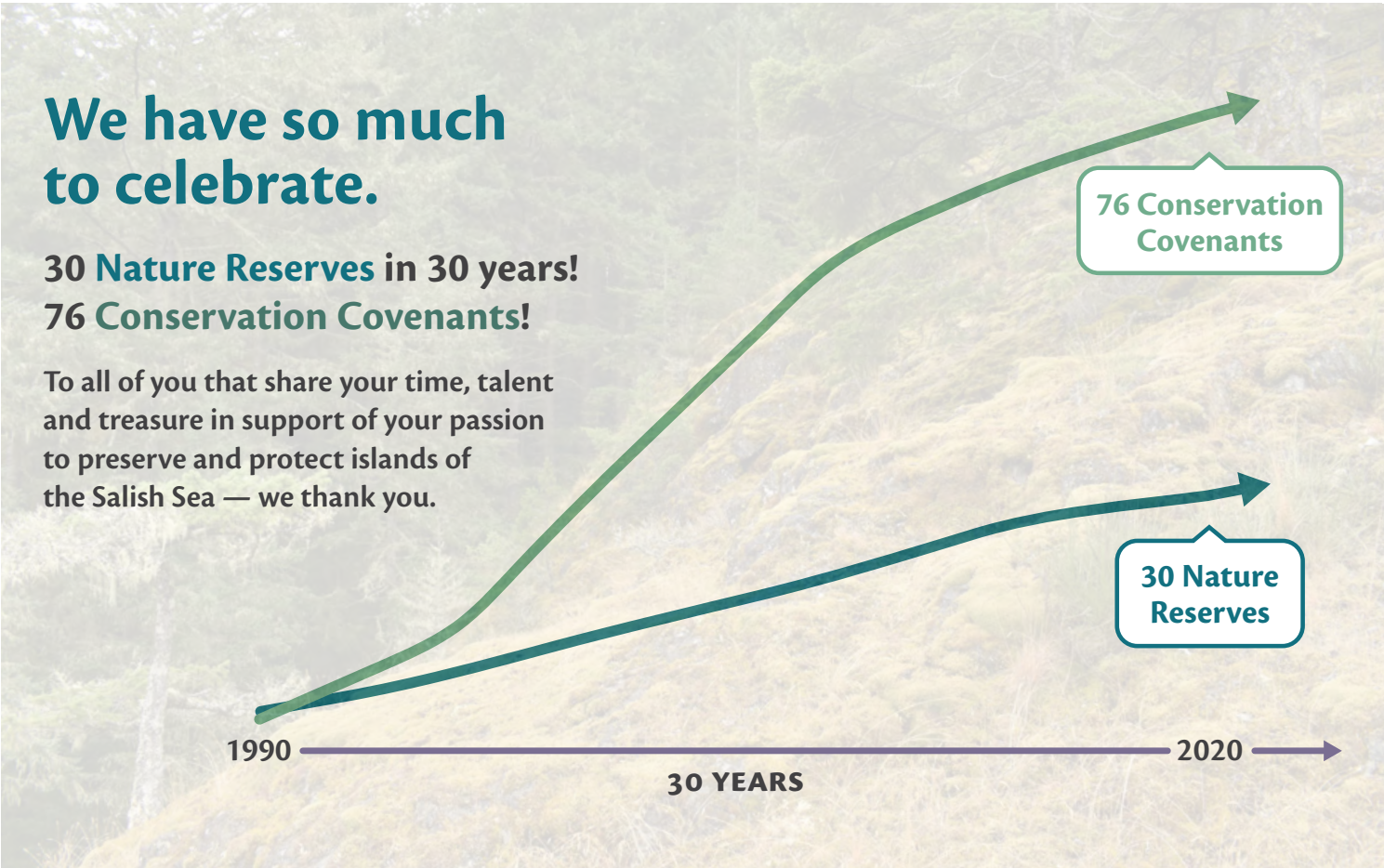
Who would have imagined that in 30 years so much would be accomplished? We are grateful to all those that have made this possible by caring for the land both now and through the millennia.

The Islands Trust Conservancy cares for 76 conservation covenants, restricting development. Most were donated by people who love nature. Partners, donors, and volunteers have come together to help create, manage, and maintain 30 nature reserves.

We are grateful to all those that have made this possible

Together, we're on our way to ensuring that more of these special, fragile places are protected for future generations. We know we can't do it alone.

Thank you for all that you have done to help us on this journey. 🌿



Celebrating 30 years of conservation

2020 ●

30th nature reserve created, on Keats Island!

2018 ●

Renamed Islands Trust Conservancy.
10-year Regional Conservation Plan launched

2015 ●

NAPTEP available throughout Islands
Trust Area (Bowen last to sign on)

2008 ●

Over 15% of Islands Trust Area land
protected by public and non-profit
conservation organizations.
1000 ha protected

2003 ●

500 ha protected; NAPTEP (Natural Area
Protection Tax Exemption Program)
piloted on Gambier Island

1997 ●

100 ha protected

1990 ●

April 1: Islands Trust Act is amended,
establishing Islands Trust Fund.
May 17: first Trust Fund Board meeting

● 2019

Reconciliation Declaration acknowledges that the
islands and the waters that encompass the Salish
Sea have been home to Indigenous Peoples since
time immemorial

● 2016

100 places protected!

● 2010

Fairy Fen Nature Reserve on Bowen Island
becomes 20th nature reserve in 20 years.
Total of 60 conservation covenants

● 2005

Five Year Regional Conservation Plan.
Opportunity Fund established to support land
purchases for nature reserves or conservation
covenants. 50 places protected

● 2000

15 conservation covenants and 8 nature reserves
created on 10 islands

● 1992

First conservation covenant, on Salt Spring
Island. First nature reserves, on Denman and
Salt Spring Islands

S’ul-hween X’pey/Elder Cedar: a sign by any other name

To say that Eliot White-Hill (Coast Salish name: Kwulasultun) has had a successful past year is an understatement, but he remains humble and curious, possibly taking after his grandmother — linguist, midwife, healer, and Elder, Dr. Ellen White (Kwulasulwut). It was she that named the S’ul-hween X’pey Nature Reserve in Hul’q’umi’num’ (meaning: “Elder Cedar”) in 2008, and it is in her honour that Eliot approaches creating a new sign to welcome visitors.

“My whole journey into art stems from her,” he said. “She has [passed away] but in a lot of ways, she’s still teaching me. I’ve read all these anthropological texts, old colonial documents — which can teach you a lot — but to understand this place, you need to hear the stories of our people.”

“I’m going to revisit those texts to understand what is special about Gabriola, this specific part of Gabriola, and I want to



S’ul-hween X’pey (Elder Cedar) Nature Reserve. PHOTO: K. MAYES

speak to our Elders to learn not just about that history but also about the specific language used to describe it. Can we have fun with the language? Include the names of plants and animals in Hul’q’umi’num’? That’s what I’d like to explore.” 🌿

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Questions? Contact us!

📞 250-405-5186
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Share your vision with future generations — please consider remembering Islands Trust Conservancy in your will.

*Islands Trust Conservancy is a qualified donee as a Crown agent under B.C.’s *Islands Trust Act*. Islands Trust business # 122013576 RT0001

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My donation amount: ☐ \$50 ☐ \$100 ☐ \$200 ☐ \$_____

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Expiry Date
mm/yy

Security Code
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May 4, 2021 – for immediate release

2021-10-IT

June 2021 Islands Trust Council Meeting Program Announced

Lək'wəḡən, METULIYE/Victoria, B.C. – Islands Trust Council invites the public to participate in its next business meeting being held electronically June 8-10, 2021. Since April 2020, Council has been meeting online to ensure the safety of trustees, staff, and the public during this provincial state of emergency. The public can view the electronic meeting live stream in real-time on a computer or smartphone, listen and participate by telephone call-in or, join the meeting by Zoom.

Trust Council meets quarterly to make decisions about matters that apply to the Islands Trust Area, and parts of the meeting involve routine business. Trust Council receives, discusses, and makes decisions about policies, finances, and proposed work for the coming quarter.

Trust Council works to preserve and protect over 450 islands and their surrounding waters in the Salish Sea. Input, comments, ideas, and feedback on topics related to the jurisdiction of the Islands Trust are welcomed.

Featured Sessions

Delegations and Town Hall – scheduled Tuesday, June 8, beginning at 7:00 p.m. You are invited to make a presentation to Trust Council or speak at the Town Hall portion of the meeting on matters impacting the Trust Area. Visit Share Your Views islandstrust.bc.ca/contact-us/share-your-views/ for details.

Apply to be a delegation. Deadline to send complete delegation presentations: **Thursday, May 20, 2021**, to Lori Foster, Executive Coordinator email: lfoster@islandstrust.bc.ca or phone: 250-405-5161 for more information.

Trustee Roundtable – updates by each of the 26 local trustees about initiatives, events, and developments of interest from their local trust area.

Council Committees – updates on top priorities and project status from each of Trust Council's committees: Executive, Regional Planning, Finance, and Trust Programs.

Electronic Meeting Format

The Meetings and Events page islandstrust.bc.ca/whats-happening/meetings-and-events/ is the “go-to” source to view, attend, participate and stay informed about the meeting. Choose the meeting dates June 8, 9, or 10 for details.

Until further notice, to protect the health and safety of trustees, Islands Trust employees, and the public during the COVID-19 pandemic, Trust Council meetings will be held electronically and broadcast using Zoom. The Islands Trust appreciates the public's understanding and assistance during this time.

The Islands Trust is a federation of special-purpose local government bodies representing 26,000 people living within the Islands Trust area and another 10,000 non-resident property owners. The Islands Trust area is located within Coast Salish territory and is the homeland to over 28,000 Coast Salish Peoples who have called this place home since time immemorial. The Islands Trust is responsible for preserving and protecting the Islands Trust Area's unique environment and amenities by planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major islands and more than 450 smaller islands covering 5,200 square kilometres.

Contact: Peter Luckham, Chair, Islands Trust Council 250-210-2553
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A surge of development applications slows processing time at Islands Trust

Lək̓ʷəŋən, METULIYE/Victoria, B.C. – Fitting with the province-wide trend of people looking to develop their properties, buy new properties, and tackle home improvement during the pandemic, Islands Trust is experiencing an increase of development applications. This increase is resulting in longer processing times.

Compared to the Islands Trust five-year average, in the first quarter of this year, development applications more than doubled on Salt Spring Island to 105%. In the rest of the southern islands, applications went up 90%, and they also increased by 56% in the northern islands.

Members of the public considering development applications are advised of long wait times and asked for understanding and patience.

"Staff is working to maximum capacity," shared Peter Luckham. "Unfortunately, due to budget restrictions, we cannot hire additional staff, so we are asking applicants for their understanding and patience. Applications are up substantially, and people should expect processing time delays. We remind everyone that moving ahead on development without authorization can cause serious additional delays, disrupt fragile ecosystems, and destroy cultural heritage sites. Islands Trust bylaws implement our preserve and protect mandate, and they will be enforced when work is started without appropriate permits. The Islands Trust preserve and protect mandate requires deliberate, informed, and thoughtful work. This important work cannot be rushed or bypassed. We thank all applicants for their patience during this time. "

The Islands Trust Conservancy is also processing an increased number of proposals for conservation covenants and land donations. Island property owners are encouraged to explore opportunities to protect ecological features and to benefit from income tax and property tax incentives. Learn more at <https://islandstrust.bc.ca/conservancy/protect-nature/>

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Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

Bowen, Denman, Gabriola, Galiano, Gambier, Hornby, Lasqueti, Mayne, N. Pender, Salt Spring, Saturna, S. Pender, Thetis

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