



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: September 13, 2024
Location: Room to Grow
 2100 Sollans Road, Hornby Island, BC

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

Staff Present: Ian Cox, Planner 2
 Sonja Zupanec, Island Planner (electronic)
 Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
 Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 7 members of the public in attendance.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 11:30 a.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.3 Farmland Trust Advocacy Letter

By general consent, the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Allen reported the following:

- Trust Programs Committee is creating new Stewardship Education Program webinars including Living with Fire, Groundwater Conservation, Removing Invasive Species, and Native Plant Gardening.

Trustee Scott reported the following:

- Has read reports and attended an open house about work being done in Tribune Bay Provincial Park and noted it is a provincial park not a conservancy, the plan to

create 160 new camping sites has been reduced to 120 sites, and tree removal will focus on stressed cedar and balsam trees, not old growth fir.

3.2 Chair's Report

Chair Peterson reported the following:

- Trust Council Committee of the Whole continues to meet to consider draft Policy Statement revisions;
- Governance Committee will be asking Trust Council to request a governance review;
- CAO Hiring Committee working towards final stages of hiring process;
- Executive Committee met to prepare for upcoming Trust Council meeting;
- Preparing for Union of BC Municipalities conference during which Islands Trust will be advancing several advocacy items; and
- Noted Lasqueti Archaeology Project work continues.

3.3 Electoral Area Director's Report – none (Director Daniel Arbour sends regrets)

4. PUBLIC COMMENTS

- Member of the public stated they would like the topic of reduced speed limits addressed at the Union of BC Municipalities meeting.
 - Chair noted they will not be meeting with Ministry of Transportation and Infrastructure.
- Member of the public, representing Farmland Trust Society spoke to work being done to build a food shed with food storage, root cellar, cold rooms, curing room, preservation equipment, seed-saving library, resource center, and commercial kitchen. The Society will be applying for various grants and requested support from the Local Trust Committee in application for funding with a deadline of September 29, 2024.
 - Trustees expressed support for the project and asked the speaker to draft a letter and forward it to the Local Trust Committee and staff for vetting and signature.
- Member of the public asked if there is an archaeology project happening on Hornby Island similar to the Lasqueti project.
 - Chair noted the project on Lasqueti is spearheaded by Simon Fraser University and results will be available for use by Islands Trust staff.
 - Staff noted that K'ómoks First Nation is currently undergoing an extensive archaeological project on Hornby which will likely inform the LTC's OCP/LUB Major Project in some capacity; more information will be available as it is known and at K'ómoks' direction.

5. MINUTES

5.1 Local Trust Committee Minutes dated June 14, 2024 - for adoption

By general consent, the Local Trust committee meeting minutes of June 14, 2024 were adopted.

5.2 Local Trust Committee Special Meeting Minutes dated August 9, 2024 - for adoption

By general consent, the Local Trust committee special meeting minutes of August 9, 2024 were adopted.

5.3 Section 26 Resolutions-without-meeting Report dated September 6, 2024

Received for information.

5.4 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List Report dated September 6, 2024

Received for information.

6.2 Local Trust Committee Standing Resolutions on Housing and Enforcement - Staff Report

Planner analysis showed that HO-2023-046 captures the Local Trust Committee's intent of all previous resolutions and provides adequate and clear direction to Bylaw Enforcement; therefore, staff recommends rescinding the resolutions listed.

HO-2024-033

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee rescind the following Standing Resolutions: HO-LTC-2017-011, HO-LTC-2018-070, HO-LTC-2020-055, HO-LTC-2020-074, HO-LTC-2020-081, HO-LTC-2021-053, and HO-LTC-2021-054.

CARRIED

7. DELEGATIONS - none

8. APPLICATIONS AND REFERRALS

8.1 PLDP20240153 (Forrie) - Staff Report

Planner summarized the staff report and highlighted the following:

- Property is located within Development Permit Area (DPA) 6 - Riparian Areas;
- Application is for development permit for septic system installation in anticipation of future potential house build;
- Septic system complies with setback requirements and meets development permit area guidelines and riparian area regulations; and
- Qualified professional's report has been reviewed and approved by the Province.

It was noted that the applicant was in attendance.

Discussion ensued and it was clarified that any future development on the lots would have to comply with riparian areas protection regulation and require a Siting and Use Permit.

HO-2024-034

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee approve issuance of PLDP2024153.

CARRIED

8.2 PLDP20240166 (Hornby Co-op Electric Vehicle Station) - Staff Report

The Planner summarized the staff report and noted the following:

- Property is located within the Commercial Centres Development Permit Area;
- Application for development permit is for installation of electric vehicle charging station located within the existing parking lot;
- Property undergoing large renovation project requiring a development permit; and
- Applicant proceeding with separate permit for charging station due to construction planning processes and funding availability.

It was noted that the applicant was in attendance.

Trustees had no questions regarding the application.

HO-2024-035

that the Hornby Island Local Trust Committee approve issuance of PLDP20240166.

CARRIED

8.3 HO-RZ-2009.2 (Hornby Island Resort Ltd.) - Request for Decision (amended covenant for review and signature)

The Planner summarized the request for decision.

Discussion ensued and the following comments were noted:

- Original covenant required a green roof on all of the buildings;
- Applicant could not install a green roof on the wood structure due to insurance reasons but could increase the amount of green roof installed on the other structures;
- Area of the development site where a pub and restaurant are to be built is directly on top of the archeological site; and
- The archeological research work likely needs to be completed before the applicant can look at building in that area.

HO-2024-036

that the Hornby Island Local Trust Committee release registered Restrictive Covenant CA2090177 and replace it with the amended Restrictive Covenant as attached to this report, by authorizing the Chair of the Hornby Island Local Trust Committee as signatory for the respective release and acceptance of the documents.

CARRIED

8.4 HO-SUB-2023.2 Costello (Mason & Grayson) - 10% Frontage Waiver for Discussion and Re-consideration - Staff Report

The Planner summarized the staff report and highlighted the following:

- Ministry of Transportation and Infrastructure Provincial Approving Officer determines if road construction is required prior to subdivision approval;
- Local Government Act states that frontage is required;
- Most local governments specify 10% frontage requirement; however, a local government can specify another percentage but this is unusual and most draw down from the LGA 10%; and
- Applicant is not rezoning the property and both lots will remain designated Residential 2 – Large Lot (R2) Zone with the associated density and other zoning regulations.

The applicant was in attendance and clarified that their intention is to provide the least impactful road access solution and that existing roads have been in place for some time.

In response to a query from a Trustee, the Planner noted it is the jurisdiction of the Provincial Approving Officer to require and ensure safe access as part of their duty to consider the “public good”

HO-2024-037

that the Hornby Island Local Trust Committee exempt Proposed Lots 1 and 2 of LOT 7, SECTION 9, HORNBY ISLAND, NANAIMO DISTRICT, PLAN 25736, EXCEPT PART IN PLAN VIP89242 of subdivision HOSUB-2023.2 (Mason & Grayson) from the 1/10 perimeter provision of Section 512 of the Local Government Act and subsection 6.6(1) of the Hornby Island Land Use Bylaw No. 150, 2014, subject to applicant reaching out to the Ministry of Transportation and Infrastructure to ensure road layout is safe public access and use.

CARRIED

8.5 Denman Bylaw No. 248 and No. 249 Bylaw Referral - Requires Resolution

Discussion ensued.

HO-2024-038

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee respond to the referral from the Denman Island Local Trust Committee that interests are unaffected by the bylaw.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minor Project: Community Heritage Register - Staff Report

The Planner summarized the staff report and highlighted the following:

- Register was developed by Hornby Island Residents’ and Ratepayers’ Association Community Hall Committee and includes four sites; and
- When endorsed, staff will provide notice to the Heritage Branch for inclusion on the BC Register of Historic Places.

HO-2024-039

It was MOVED and SECONDED

1. that the Hornby Island Local Trust Committee Community Heritage Register and accompanying Statements of Significance be adopted, pursuant to Section 598 of the Local Government Act, and
2. that staff are authorized to proceed with legislated notification to the BC Heritage Branch in accordance with Section 598 of the Local Government Act, and
3. that the following properties, as identified by the Community Hall Committee of the Hornby Island Residents' and Ratepayers' Association and the Hornby Local Trust Committee, be added to the Hornby Island Community Heritage Register:
Property 1: "Hornby Island Community Hall" located at 4305 Central Road;
Property 2: "Hornby Island School/Old School House" located at 1765 Sollans Road;
Property 3: "Room to Grow" located at 2100 B Sollans Road; and
Property 4: "Tribune Bay Lodge" located at Tribune Bay Provincial Park.

CARRIED

9.2 Consideration of Reallocation of Major Project Funds - Staff Report

The Planner summarized the staff report and highlighted the following:

- Major project for 2024/2025 First Nations Relationship Building will likely not commence prior to the end of the fiscal year;
- Currently have approved funds for the project and said funds do not carry over into the next fiscal year if they remain unspent;
- Trust Policy 6.5.2 allows a Local Trust Committee discretion to reallocate funds; and
- Funds could be reallocated to the current Official Community Plan and Land Use review project to enhance technical and legal review aspects with First Nations.

Trustees had no questions or comments.

HO-2024-040

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee requests that staff inform the Financial Planning Committee about the reallocation of \$31,500 from the Hornby major project budget, approved for "First Nations Relationship Building," to the current major project budget for the "Official Community Plan and Land Use Bylaw Review" to support the technical and legal review with First Nations, and take all necessary steps to execute the reallocation of funds.

CARRIED

Bylaw Compliance and Enforcement Manager Dingman joined the meeting at 12:44 p.m.

Item 13.1 was discussed prior to the meeting recessing for a break.

Island Planner Zupanec left the meeting at 12:55 p.m.

The meeting was recessed for a break at 12:55 p.m. and reconvened at 1:00 p.m.

10. CORRESPONDENCE

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

11. NEW BUSINESS

11.1 Dark Sky Principles Adoption Advocacy – Briefing

Trustees and one member of the public expressed support for advocacy.

HO-2024-041

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to notify Trustee Morrison of Gabriola Island Local Trust Committee's interest in pursuing further exploration of policy and advocacy options relating to Dark Sky Principles.

CARRIED

11.2 Land Use Bylaw Setback Regulations for Temporary Farm Stands - Verbal Discussion - Warren Dingman, Manager of Bylaw Compliance & Enforcement

Bylaw Compliance & Enforcement Manager Dingman provided the following information:

- Hornby Island Land Use Bylaw does not provide any regulations permitting farm or produce stands;
- Other Local Trust Committees' Land Use Bylaws permit farm stands;
- Farm stands are considered a structure that would be required to be set back from a lot line unless there is an exemption in the Land Use Bylaw;
- Director of Planning Services indicated a farm stand would be a minor contravention of the Land Use Bylaw and there would be no interest in enforcement of said contravention;
- Stands would need to be located on an actual lot and not within the Ministry of Transportation and Infrastructure right of way; and
- The Local Trust Committee might choose to consider allowing use and establishing setbacks.

Discussion ensued and Trustees asked whether this item can be included in the Land Use Bylaw review project. The Planner clarified it would need to be included in the project charter and added to the in-scope items. Bylaw Compliance and Enforcement Manager Dingman indicated the Local Trust Committee could consider a standing resolution deferring enforcement on produce and farm stands until such time as the Land Use Bylaw could be amended.

HO-2024-042

MOVED AND SECONDED

that the Hornby Island Local Trust Committee pass a standing resolution to defer bylaw enforcement on non-permitted siting of farm and produce stands.

CARRIED

The Chair recommended Trustees look at Gabriola and North Pender Land Use Bylaws for information related to permitting farm and produce stands and the Planner noted they will add the item to the follow up action list.

11.3 Farmland Trust Advocacy Letter

Discussion on this item took place during the public comments portion of the meeting.

HO-2024-043

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee write a letter of support for the Farmland Trust “Shed” project grant application prior to the September 29, 2024 deadline.

CARRIED

12. STAFF REPORTS

12.1 Bylaw Enforcement Notification Bylaw No. 175 Final Adoption - Staff Report

Bylaw Compliance & Enforcement Manager Dingman summarized the staff report.

Trustees had no comments or questions.

HO-2024-044

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee adopt Bylaw No. 175 the “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 159, 2019, Amendment No. 1, 2023.”

CARRIED

HO-2024-045

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff prepare a report regarding the current policies for compliance and enforcement, and screening officer appointments, powers, duties and procedures.

CARRIED

12.2 Trust Conservancy Report - none

12.3 Trust Conservancy - The Heron - Summer Edition

Received for information.

12.4 Applications Report - none

12.5 Trustee and Local Expense Report dated June, 2024

Received for information.

12.6 Adopted Policies and Standing Resolutions

Received for information.

12.7 Local Trust Committee Webpage

No updates.

13. WORK PROGRAM

13.1 Active Projects Report dated September 6, 2024

The Planner provided a verbal update and highlighted the following:

- Regional planning team met with K’omoks First Nation staff on September 11;
- Issues discussed are relevant to both Hornby and Denman Local Trust Areas as issues are cross-jurisdictional;
- Data sharing agreement has been finalized;
- Local Trust Committee has received confidential report written by the archeologist and K’omoks First Nation staff on mitigation of impacts on cultural heritage sites on Denman and Hornby Islands and this report identifies priority areas of mitigation options;
- K’omoks First Nation are hosting a presentation and question and answer period with the Denman Island Conservancy group in November and staff are working on dates for K’omoks First Nation to provide a similar presentation to both the Denman and Hornby Local Trust Committees at their next regular business meetings;
- Staff are working on a technical analysis of the provincial heritage conservation legislation and will be providing a summary on how this tool could work at the local government level; and
- Capacity funding that was provided to K’omoks First Nation has been instrumental in bringing the parties to the table to allow for open dialogue and workflow.

The Planner provided the following information in response to questions from Trustees:

- Place signage at Buckley Bay can be added to the list of discussion topics with K’omoks First Nation for consideration of prioritization;
- Other issues identified in the Official Community Plan review project, such as housing and short-term vacation rentals, have been sent to agencies for referral;
- Regional Planning Manager is looking into Community to Community funding to coincide with work being done with K’omoks First Nation and will be reporting details back to the Local Trust Committee.

13.2 Future Projects Report dated September 6, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Friday, November 1, 2024 at 11:30 am at Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC

15. ADJOURNMENT

By general consent, the meeting was adjourned at 1:26 p.m.

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder