



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: March 24, 2023

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: Sonja Zupanec, Island Planner
Margot Thomaidis, Planner 2
Katherine Vogt, Recorder by Conference Call

Others Present: There were approximately twenty-five (25) members of the public and 1 member of the media in attendance.

1. CALL TO ORDER

The Chair called the meeting to order at 11:38 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations. He welcomed Trustees, Staff, Recorder, and members of the public.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. RISE AND REPORT - In-camera meeting January 20, 2023

The Chair reported that the Local Trust Committee (LTC) had appointed members for the Advisory Planning Commission (APC) and Board of Variance at the last in-camera meeting.

4. REPORTS

4.1 Trustee Reports

Trustee Allen reported on the following:

- Attendance at Trust Council in March in Nanaimo working on the budget.
- A new Trust Governance Committee and Accessibility Committee.
- Upcoming Trust Council meeting in June on Gabriola Island.

- As a member of the Sub-Housing Committee of the Regional Planning Committee, will be attending an upcoming Union of BC Municipalities (UBCM) Housing Summit in Vancouver in April.

Trustee Scott reported on the following:

- The recent Herring Fest on Hornby was very well attended and very enjoyable.
- The cell tower issue is a big one.
- A consultants' report on the Official Community Plan (OCP)/Land Use Bylaw (LUB) Review is expected at the end of the month.
- Fibre optics is coming soon to Hornby and will allow the LTC to use Zoom from the Room to Grow location.
- Welcome to Planner Thomaidis; and acknowledgement that Planner Zupanec has moved into a senior planning role.

4.2 Chair's Report

Chair Peterson reported on the following:

- Very happy to be back in person on Hornby Island.
- Invitation to the public to pick up business cards from the Chair for contact information for corresponding about issues of concern to them.

4.3 Electoral Area Director's Report – None

5. PUBLIC COMMENTS

Members of the public asked or noted the following:

- The LTC is encouraged to issue a permit for the Arts Centre, which will have low water usage and discharge.
- The LTC should move forward with drafting bylaws based on the APC recommendations so that the Hornby community will have something more concrete to engage with at public meetings. Island Planners, rather than consultants, should draft these bylaws because planners are experienced with the islands. Planning staff has a \$3.8 million budget to work with.
- The member of the public read out a letter that questions the various unknown economic and ecological impacts of home-sharing that need to be accounted for and acknowledged in an uncertain environment of high inflation and other macroeconomic forces. The Islands Trust and the APC are not addressing these larger issues.
 - APC Chair Burton requested that the Chair call a point of order to maintain a safe and respectful working environment.
- The Comox Valley Regional District (CVRD) has requested further information from the Federal Government on the Dove Creek Cell Tower. Will the Hornby LTC keep up to date with the Rogers Cell Tower proposal and keep Hornby Islanders informed?
- Why is a report based on the last LTC meeting regarding the Rogers Cell Tower not available for this meeting?
 - Planner Zupanec updated that planning staff was waiting for Rogers to provide a complete redacted package of all received public correspondence and First Nations

comments to their proposal, so that the LTC can be provided with a complete analysis. Members of the public may contact the planner assigned to the Rogers application for up-to-date status at any time; and future reports will appear on the agenda package.

- The last time a cell tower was proposed on Hornby Island, there was a referendum; is the process different now?
 - Planner Zupanec responded that a formal referendum was not a federal protocol requirement and would involve considerable cost. It was uncertain if the former Hornby referendum was an informal or formal one.
- Has an application been made by Rogers to the Provincial Government for use of land? The Provincial Government does not have to meet with locals. Will there be time for locals to react?
 - Planner Zupanec noted that Rogers had made the necessary federal and provincial applications and First Nations' referrals as part of their preliminary process. It is premature for the LTC to give their concurrence to the application at this stage when many technical issues are still to be worked through.
- A 5G Tower is much stronger than 4G and the energy pulses emitted will reach the entirety of Hornby Island including wildlife and no one will be able to get away from it. The long-term health effects are unknown. This technology is about global connectivity to mine local data which has become a commodity. We will lose our privacy and our economy. Hornby should remain a refuge and adopt the precautionary principal while the implications are considered.
 - Some members of the public gave a round of applause.
- A reporter and journalist who has been reporting on the effects of electromagnetic radiation for 30 years noted that the LTC and planning staff have recently received correspondence from the Concerned Residents of Hornby Island objecting to the process of the Rogers application and have provided a briefing document on the environmental ramifications of this tower and on the difference between 4G and 5G technology. These documents are available at willthomasonline.net. Can the LTC confirm that they received this correspondence?
 - The Chair and other Trustees confirmed that they had received the information package. The Chair noted that a much more extensive cell tower application was taking place on Salt Spring Island and that as the Chair of Salt Spring Island, he had reached out to the provincial representatives of the federal regulators and succeeded with getting a meeting with them in the next week. A senior Islands Trust staff member will also attend this meeting. To date, the federal regulators do not seem to share the same health and environmental impact concerns being brought up at today's meeting. The Chair offered to bring up these concerns at the upcoming meeting.
- The federal government does have the final say but, as a reminder to everyone, the Islands Trust Model Cell Tower Strategy says that the LTC can concur, not concur, or concur with conditions to a cell tower application.

6. DELEGATIONS - none

7. MINUTES

7.1 Local Trust Committee Minutes dated January 20, 2023 - for adoption

The following amendments to the minutes were presented for consideration:

- Correct the spelling of the incorrect name 'Arbor' to the correct name 'Arbour' in 3 locations: Page 1, Line 10; page 2, line 4; page 2, under item 4.3, line 1.

By general consent the minutes of January 20, 2023 were adopted as amended.

7.2 Local Trust Committee Community Information Meeting Minutes dated February 27, 2023 - for adoption

By general consent the minutes of February 27, 2023 were adopted as presented.

7.3 Section 26 Resolutions-without-meeting Report dated March 14, 2023

Received.

7.4 Advisory Planning Commission Minutes dated February 23, 2023 - for information

Received.

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List Report dated March 14, 2023

Staff noted that the drafting of an LTC letter to the new Chief and Council of K'omoks First Nation was being coordinated by Trust Area Services staff; and the LTC would receive a copy of the letter before it was sent.

9. APPLICATIONS AND REFERRALS

9.1 HO-DP-2023.1 (Hornby Island Arts Council - 2115A Sollans Rd.) DP Amendment - Staff Report (Late Submission)

A Planner presented the staff report that recommends that Trustees approve a development permit amendment application for the construction of a new Hornby Island Arts Council Arts Centre building, noting that the original building footprint had been reduced; that the original proposed outdoor hardscaped stage area had been changed to a landscaped courtyard; and that the required hydrology report had already been waived for what was a much larger building footprint in the original development permit approval of November 2020.

The applicant noted that they had been asked to provide a greywater containment system for irrigation and would comply with this, if necessary, but would rather not because the system is very expensive at \$50,000 and the plan is to landscape with indigenous plants that do not require watering.

HO-LTC-2023-012**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee amend the Development Permit Amendment HO-DP-2023.1 by removing the greywater underground catchment system from the site plan schedule A and B.

CARRIED**HO-LTC-2023-013****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee approve issuance of Development Permit Amendment HO-DP-2023.1 subject to the conditions imposed therein, as amended.

CARRIED**10. LOCAL TRUST COMMITTEE PROJECTS****10.1 Hornby Official Community Plan Project Status Update - verbal update**

A Planner updated that the consultants' final report was expected soon and could be considered at the next regular business meeting in May or, more thoroughly, in a stand-alone electronic meeting before then; likely in the third week of April. Trustees recommended a late afternoon meeting on a Monday or a Friday.

HO-LTC-2023-014**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request staff proceed with planning for a Special Meeting in April 2023 on the Official Community Plan Project and the final report.

CARRIED**11. CORRESPONDENCE**

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

11.1 Email dated January 13, 2023 from J. Kennedy regarding Proposed Rogers Cell Tower Received.**11.2 Email dated February 15, 2023 from S. Warwick regarding Streamlining the Variance Process**

A Planner advised that streamlining variance applications is dependant upon the quality of each application's submissions and the processing of each application requires each applicant to provide complete, accurate and timely information to the planner.

A Trustee considered contacting the author of the email for further clarification.

11.3 Email dated March 9, 2023 from T. Law regarding Temporary Use Permits & Short Term Vacation Rentals

Trustees expressed appreciation for the breadth and depth of knowledge that former Trustee Law brought to his correspondence.

12. NEW BUSINESS

12.1 Freedom of Information and Protection of Privacy Bylaw - Request for Decision

The staff report from the Director of Legislative Services recommended that Trustees adopt the new Freedom of Information and Protection of Privacy Bylaw to update the existing bylaw with current legislation and schedule of fees.

HO-LTC-2023-015

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 171, cited as "Hornby Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 171,2023" be given first reading.

CARRIED

HO-LTC-2023-016

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 171, cited as "Hornby Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 171,2023" be given second reading.

CARRIED

HO-LTC-2023-017

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 171, cited as "Hornby Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 171,2023" be given third reading.

CARRIED

HO-LTC-2023-018

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 171, cited as "Hornby Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.171,2023" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

13. REPORTS

13.1 Trust Conservancy Report dated February 15, 2023

Received.

13.2 Applications Report dated March 14, 2023

Received.

13.3 Trustee and Local Expense Report dated January 2023

A Planner noted that Trust Council had approved \$8,000 for expenses for the Hornby OCP Amendment Review for the current fiscal year. Further funds were available for a minor project.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

A Planner noted that administrative staff would be assisting in setting up a repository on the LTC webpage for all correspondence received regarding the Rogers cell tower application. She added that correspondence for active applications and projects do not appear in the agenda packages rather, personal information is redacted before being posted chronologically on the proper project or application page of the LTC website.

14. WORK PROGRAM

14.1 Active Projects Report dated March 14, 2023

A Planner clarified that an item recently added to the Comprehensive OCP Review Project: “add consideration of steep slope area regarding heritage portion of Central Road to Ford Cove and consideration of wetland categories,” could be added to the major project; or be considered for a stand-alone minor project.

The APC Chair added that the APC had previously addressed the steep slopes issue in the Riparian Areas section of their recent referral.

14.2 Future Projects Report dated March 9, 2023

Received.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Friday, May 5, 2023 at 11:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC

16. ADJOURNMENT

By general consent the meeting was adjourned at 1:05 pm.

Timothy Peterson, Chair

Certified Correct:

Katherine Vogt, Recorder