



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: March 21, 2025

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

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

Staff Present: Sonja Zupanec, Island Planner
Margot Thomaidis, Planner 2
Lisa Millard, Meeting Administrator/Recorder (electronic attendance)

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

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

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

By general consent, the agenda was adopted as amended.

4. REPORTS

4.1 Trustee Reports

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

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

4.2 Chair's Report

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

4.3 Electoral Area Director's Report - none

5. PUBLIC COMMENTS

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

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

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

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

A member of the public stated the following:

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

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

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

6. MINUTES

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

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

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

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

6.3 Section 26 Resolutions-without-meeting Report - none

6.4 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated March 13, 2025
Received for information.

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS

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

The Planner summarized the staff report and highlighted the following:

- The application seeks a Temporary Use Permit to establish a detached residential dwelling for use by a relative, caregiver or tenant;
- The proposal is proceeding as the result of bylaw enforcement action;
- The applicant applied for, and received, approval for a Siting and Use Permit in 2024 to construct an 85 square metre 5.5-metre-high detached accessory garage and storage building and proceeded to construct an unauthorized detached 2 storey, 6-metre-high building with a garage and storage area on the first floor, and a 2-bedroom, 90 square metre dwelling unit on the second floor;
- Construction of the dwelling unit is not complete and has been halted since enforcement action began in July 2024; and
- The applicant has subsequently applied for a new siting and use variance subject to the issuance of a Temporary Use Permit and an application for a new Siting and Use Permit had been received.

It was noted the applicant was in attendance.

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

Discussion ensued and the following comments and clarifications were recorded:

- The structure provides housing for one family member;
- The Planner identified receipt of two letters regarding the application with one neighbour in support and the other opposed; and
- The Temporary Use Permit will allow a period of time to determine if there are further issues or complaints.

HO-2025-008

It was MOVED and SECONDED

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

CARRIED

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

9.2 PLDVP20240155 (Hornby Coop - 5875 Central Road) - Staff Report

The Planner summarized the staff report and highlighted the following:

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

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

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

HO-2025-009

It was MOVED and SECONDED

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

CARRIED

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

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

The Planner summarized the staff report and highlighted the following:

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

The Trustees had no comments or questions for the Planner.

HO-2025-010

It was MOVED and SECONDED

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

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

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

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

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

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

HO-2025-011

It was MOVED and SECONDED

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

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

CARRIED

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

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

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

HO-2025-012

It was MOVED and SECONDED

that Hornby Island Local Trust Committee request staff to prepare draft amendment to Bylaw No. 176 cited as "Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024" and Bylaw No. 177 cited as "Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024" as presented in the staff report, and in point no. iii specify a maximum number of temporary use permits for vacations rentals at 67 per year, and return the draft bylaw amendments and any subsequent referral responses to the Local Trust Committee for consideration of second reading at the May 16, 2025 regular business meeting.

CARRIED

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

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

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

HO-2025-013

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to add to the next annual meeting agenda with the Comox Valley Regional District, a request for a preliminary discussion on the regulatory, financial, and operational implications of implementing building inspection services on Hornby Island, prior to any further consideration by the Local Trust Committee of policy or zoning amendments that would expand provisions for secondary suites or secondary dwellings on the island beyond what is currently permitted.

CARRIED

HO-2025-014

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to continue to engage with staff from K'omoks First Nation as part of the next phase of the Official Community Plan/Land Use Bylaw Review Project to specifically evaluate and report back on the regulatory, financial, and operational implications of implementing an island-wide Heritage Conservation Area on Hornby Island to address protection of cultural heritage resources and mandate the implementation of low impact construction standards/land alterations, prior to any further consideration of policy or zoning amendments that would expand provisions for secondary suites or secondary dwellings on the island beyond what is currently permitted.

CARRIED

HO-2025-015

It was MOVED and SECONDED

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

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

CARRIED

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

HO-2025-016

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request that the project charter be revised to prioritize enhancement of the Islands Trust Suitable Land Analysis data by:

- i. Posting the data to the project website so map layers for the island can be dynamically explored by public users;
- ii. Directing staff to engage with local environmental conservation groups to incorporate additional environmental data sets;

Directing staff to engage with First Nations on incorporating restricted access to available data sets (archaeology, culturally significant sites, areas of potential) and including any new publicly available data to support analysis of First Nations priorities.

CARRIED

HO-2025-017

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee endorse the revised Hornby Island OCP/LUB Review Project Charter version 2.4 as presented in the staff report dated March 21, 2025.

CARRIED

11. CORRESPONDENCE - none

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

12. NEW BUSINESS

12.1 Write Letter to K'omoks First Nation - Discussion

HO-2025-018

It was MOVED and SECONDED

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

CARRIED

13. STAFF REPORTS

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

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

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

13.4 Adopted Policies and Standing Resolutions
Received for information.

13.5 Local Trust Committee Webpage
No updates required at this time.

14. WORK PROGRAM

14.1 Active Projects Report dated March 13, 2025
Received for information.

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

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Friday, May 16, 2025 at 11:30 am at Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC

15.2 July Local Trust Committee Meeting – Discussion

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

16. ADJOURNMENT

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

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder