



## Hornby Island Local Trust Committee Minutes of Regular Meeting

**Date:** January 25, 2019  
**Location:** New Horizons  
 1765 Sollans Road, Hornby Island, BC

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

**Staff Present:** Ann Kjerulf, Regional Planning Manager  
 Bronwyn Sawyer, Planner 2  
 Vicky Bockman, Recorder

**Others Present:** Approximately seven (7) 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 11:30 am. She welcomed the public, introduced herself as the incoming Chair, and acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

### 3. TOWN HALL

- Mary MacKenzie, a member of a citizens' group focusing on sustainability of groundwater and the impacts of tourism on Hornby Island aquifers, requested that the Local Trust Committee (LTC) consider the protection of groundwater and adequate septic capacity on the entire island, not just in the Whaling Station Bay area, in its review of Vacation Home Rental (VHR) operations. She requested that if VHRs are taxed, that these funds be returned to the community. She referred to a report: Hornby Island Water Stewardship Project 1996-1999 tests, and submitted the report for the record.
- Other comments from the public regarding the VHR review and groundwater protection were noted as follows:
  - The review of VHRs and proactive enforcement of non-compliant operations was encouraged;
  - VHR regulations should require that septic system capacity be proven and connected to the number of rooms, beds and the total number of tourists and residents using the system;
  - Utilization of a water delivery program for VHR use is not appropriate and it is important that groundwater for residents be protected; the LTC was encouraged to include the source of VHR water in the review;
  - The term "groundwater" might be misleading as collection and storage of water need to be encouraged as components of a sustainable water strategy;

- Concern was expressed that water is being extracted from a private well for a water delivery program.

#### 4. MINUTES

##### 4.1 Local Trust Committee Adopted Minutes dated September 28, 2018 - for information

Received.

##### 4.2 Section 26 Resolutions-without-meeting Report dated January 15, 2019

Received.

##### 4.3 Advisory Planning Commission Minutes - none

#### 5. BUSINESS ARISING FROM MINUTES

##### 5.1 Follow-up Action List dated January 15, 2019

Regional Planning Manager Kjerulf summarized the List and provided updates.

A Trustee recognized that the First Nations relationship building initiatives have been positive and expressed hope that the momentum can continue on these activities.

##### 5.2 Letter of Understanding between Comox Valley Regional District (CVRD) - Denman Island and Hornby Island Local Trust Committees

Regional Planning Manager Kjerulf explained the purpose and intent of the document that has been approved and executed by the Islands Trust and CVRD.

Trustee Allen remarked that the annual meeting with CVRD will be held in May and encouraged community members to advise him of any interest in topics for discussion.

##### 5.3 Parking in a Public Use Zone - verbal update

Regional Planning Manager Kjerulf reported that staff research has determined that current bylaw regulations allow that parking is presently a permitted use for lots in the Public Use Zone in a way that enables parking requirements for developments on one lot to be met by utilizing land on another lot within 100 metres in the Zone.

#### 6. APPLICATIONS AND REFERRALS

##### 6.1 HO-DP-2018.3 (Zielinski - 10795 Central Rd) - Staff Report

Regional Planning Manager Kjerulf presented the Development Permit application for LTC consideration of an after-the-fact authorization for an accessory building addition and removal of an existing building. She reported that staff are recommending that the LTC not require a survey plan as a site visit has confirmed that the distance to the lot line is greater than Land Use Bylaw (LUB) setback requirements. She noted that the proposal is consistent with the Development Permit Area guidelines.

##### **HO-2019-001**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee, under regulation 2.7(1) of the Hornby Island Land Use Bylaw No. 150, 2014, not require a survey plan for application HO-DP-2018.3, as such a plan is not reasonably necessary to confirm that the building addition complies with the siting requirements of Hornby Island Bylaws.

**CARRIED**

**HO-2019-002****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2018.3, subject to the following conditions:

- a) Neon or internally lit signs shall not be permitted.
- b) Off-street automobile parking shall be provided as required by Hornby Island Land Use Bylaw No. 150, 2014 and shall be adequately screened and unobtrusive, and where possible, located to the rear of the parcel and away from public open spaces and eating places.
- c) Natural vegetation and trees shall be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.
- d) Lighting shall be softer and lower than supplied by mercury vapour lighting towers.
- e) Lighting alternatives shall not light up adjacent private properties.
- f) The character of the development shall keep with the rural environment and blend in with the aesthetic qualities of the natural surroundings.
- g) The form of the development shall incorporate low, small-scale building design with such amenities as public walkways and outdoor open spaces for use by the public, and include sufficient services.
- h) All buildings shall be finished in natural products such as wood or brick.
- i) Businesses shall be clustered in order to share in the provision of parking, services and public facilities and open space.
- j) Adequate convenient toilet and washroom facilities shall be provided for the number of customers anticipated.
- k) Universal access design principles shall be incorporated into the built environment to support the provision of equitable access for all abilities.

**CARRIED****7. LOCAL TRUST COMMITTEE PROJECTS****7.1 Vacation Home Rental Community Education and Bylaw Compliance Campaign – Memorandum**

Regional Planning Manager Kjerulf provided an update on the status of the project. She presented a revised Project Charter for LTC consideration to allow the LTC to have an opportunity to consider the results of Bylaw Enforcement research on non-compliant VHRs prior to advancing bylaw enforcement.

Trustees discussed the timeline and options for gathering of VHR inventory information. They noted that concerns that have been raised regarding VHRs suggest that continuing the momentum on this project is important to the community.

**HO-2019-003****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee endorse the revised Project Charter v.2 for the Vacation Home Rental Education and Bylaw Compliance Project.

**CARRIED****7.2 Freshwater Workshop – discussion**

Regional Planning Manager Kjerulf presented the draft Project Charter for the Groundwater Protection and Water Conservation project for LTC consideration and advised that a Community Workshop is scheduled for February 2<sup>nd</sup>.

Trustees discussed the importance of public consultation for this project and discussed communication options.

**HO-2019-004**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee endorse the Groundwater Protection and Water Conservation Project Charter v.1 dated January 25, 2019.

**CARRIED**

**8. DELEGATIONS - none**

**9. CORRESPONDENCE**

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

**9.1 Letter dated December 10, 2018 from Mark Wilson, BC Ferries**

Received.

**10. NEW BUSINESS**

**10.1 Advisory Planning Commission Appointments and Bylaw - Staff Report**

Regional Planning Manager Kjerulf outlined the Staff Report that asks the LTC to consider requesting staff to advertise for expressions of interest for the Advisory Planning Commission (APC) and to draft an updated APC bylaw for review.

**HO-2019-005**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request that staff advertise for expressions of interest for the Hornby Island Advisory Planning Commission.

**CARRIED**

**HO-2019-006**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request that staff draft an updated Advisory Planning Commission bylaw for Local Trust Committee consideration.

**CARRIED**

**10.2 Notification of Federal Cannabis License Applications - Staff Report**

Regional Planning Manager Kjerulf explained that to ensure the LTC and community are informed of proposed licensed cannabis activities within the Local Trust Area, the LTC is asked to consider adopting a standing resolution to receive Notices of Intention to Apply for a Federal Cannabis License.

Trustees deferred consideration of placing Regulation of Cannabis Production and Retail Sales on the Top Priorities or Projects List to agenda item 12, Work Program.

**HO-2019-007**

**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.”

**CARRIED**

**10.3 Coastal Douglas-fir & Associated Ecosystems Toolkit - Staff Report**

<http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

Regional Planning Manager Kjerulf summarized the report: *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*.

Trustees deferred consideration of the implementation of the tool kit to agenda item 12, Work Program.

**10.4 Updated Islands Trust Climate Change Web pages – Briefing**

Regional Planning Manager Kjerulf summarized the Briefing that advises the LTC that the Islands Trust climate change web pages have been updated and encourages dissemination of the climate change resources contained on the page.

**11. REPORTS****11.1 Trustee Reports**

Trustee Allen reported on the following:

- He attended a Ferry Advisory Committee (FAC) meeting where topics of discussion included consideration of assured loading options for community health care workers and seniors with medical appointments during peak season. Terminal development plans were reviewed which are available for online viewing. He noted that the next FAC meeting will be in February and solicited views from the community regarding ferry issues that might be addressed at that time.
- Trust Council meetings in Victoria and Nanaimo included Trustee orientation and recognition of Fiona MacRaid's work to improve relationships between Islands Trust and First Nations.
- He attended a Trust Programs Committee meeting electronically where topics of discussion included engaging First Nations and water sustainability issues. The Committee will be creating a video addressing seniors and elders in Local Trust Areas and he hoped to include views from Hornby Island in that venture.

**11.2 Chair's Report**

Chair Fast reported on the following:

- As a member of Executive Committee she encouraged the public to contact her with any Trust matters they may wish to discuss.
- She is a member of Islands Trust Conservancy, and reported on changes being considered to some of the property management responsibilities.
- She invited the public to review and comment on the Islands Trust draft 2019/20 budget which is now available and can be viewed online.
- The position of Senior Intergovernmental Policy Advisor has been filled and will be providing advice on First Nations issues to staff and Trustees.

**11.3 Trust Conservancy Reports dated September and November, 2018**

Received.

**11.4 Electoral Area Director's Report - none****11.5 Applications Report dated January 15, 2019**

Trustees reviewed the report and requested updates on various application files. They noted a reference to “Homesite Severance in the ALR” and requested an explanation of the term.

**HO-2019-008**

**It was MOVED and SECONDED,**

that staff be directed to report back to the Hornby Island Local Trust Committee at the next meeting with information about Homesite Severance and what it means in relation to application HO-ALR-2018.1

**CARRIED**

**11.6 Trustee and Local Expense Report dated November, 2018**

Received.

**11.7 Adopted Policies and Standing Resolutions**

Trustees noted that Standing Resolution HO-2018-023 designates a January 1, 2019 expiration and discussed the impact of the current VHR review on this policy.

**HO-2019-009**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee rescind Standing Resolution HO-2018-023.

**CARRIED**

**11.8 Local Trust Committee Webpage**

No changes or updates were requested.

**12. Work Program**

**12.1 Top Priorities Report dated January 15, 2019**

Trustees continued discussion from agenda item 10.2, considering the addition of regulation of cannabis production and retail sales to the Work Program.

**HO-2019-010**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee direct staff to add the following activity to the Land Use Bylaw Amendments Top Priority project: “Regulations for Cannabis Production and Sales”.

**CARRIED**

**HO-2019-011**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request staff to move Top Priority No. 4 “Addressing Housing Needs” to the Projects List.

**CARRIED**

**12.2 Projects List Report dated January 15, 2019**

Trustees continued discussion from agenda item 10.3, considering the addition of the tool kit to the Work Program.

**HO-2019-012**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee add "Implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)" to the Projects List.

**CARRIED**

**HO-2019-013**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee remove "Regulation of Cannabis Production" from the Projects List.

**CARRIED**

**13. CLOSED MEETING - none**

**14. UPCOMING MEETINGS**

Trustees discussed the date of the upcoming Hornby Island By-Election, the timing of the orientation for the incoming new Trustee, and the benefit of rescheduling the next meeting to accommodate these events.

**HO-2019-014**

**It was MOVED and SECONDED,**

that the next Hornby Island Local Trust Committee regular meeting date be rescheduled to April 5, 2019.

**CARRIED**

**14.1 Next Regular Meeting Scheduled for April 5, 2019 at 11:30 am.**

**15. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:58 pm.

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Sue Ellen Fast, Chair

Certified Correct:

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Vicky Bockman, Recorder