



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: September 13, 2019
Location: New Horizons
 1765 Sollans Road, Hornby Island, BC

Members Present: Dan Rogers, Acting Chair
 Alex Allen, Local Trustee
 Grant Scott, Local Trustee

Staff Present: David Marlor, Director Local Planning Services
 Jaime Dubyna, Planner 2
 Bronwyn Sawyer, Planner 2
 Vicky Bockman, Recorder

Others Present Approximately 35 members of the public
 Karen Ross, Alternate Director, CVRD (Comox Valley Regional District)
 Electoral Area A

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 Rogers called the meeting to order at 11:30 am. He introduced Local Trust Committee (LTC) members, staff and recorder; and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations, in particular the K'ómoks and Qualicum First Nations.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

12.6 Advisory Planning Commission (APC) Terms of Reference

By general consent the agenda was adopted as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Scott reported the following:

- The Bylaw Enforcement Notification (BEN) Bylaw is on today's agenda for discussion of the prospective community information session and referral to the Advisory Planning Commission (APC) to inform the Local Trust Committee (LTC) for consideration of the matter;

- The Beulah Creek culvert/fish restoration work and timeline were explained; and he noted that the Hornby Island school children will be continuing their program of releasing salmon fry into the creek.

Trustee Allen reported on the following:

- Addressed community concerns regarding the potential Hornby Island Beach Homes development that is advertised to be built on the existing property of the Hornby Island Resort and the Thatch Pub. He reported that Islands Trust staff are aware of the situation and explained that any development on the site will require application and due process.

3.2.1 Chair's Report

Chair Rogers reported on the following:

- The Islands Trust has launched "Islands 2050", a public engagement process designed to help plan for the future, particularly relating to issues of climate change. He advised that staff will be visiting Hornby Island in October to gather input from the community;
- Trust Council will be meeting September 16-18 on Bowen Island where topics for discussion will include a First Nations Reconciliation Declaration and a Climate Change Emergency Declaration.

3.3 Electoral Area Director's Report

Karen Ross, Alternate Director CVRD Electoral Area A, provided information on CVRD's involvement in issues of community interest including the following:

- Public Works funds were committed to the Hornby Island Art Centre;
- A composting toilet study is underway at the Recycling Depot;
- Work is ongoing to enhance septic education and regulations across the CVRD;
- Glyphosate use has been banned on all CVRD properties;
- Awaiting news on boat ramp applications;
- Assisting in efforts to further the internet connectivity project;
- Participation in a joint initiative for a bus connector across Denman Island;
- Distribution of grants-in-aid.

4. TOWN HALL

Members of the public commented with the following noted:

- Internet Connectivity Project
 - A letter of support was requested for the Hornby Island Community Economic Enhancement Corporation (HICEEC) and the Denman Island Internet Committee to support the securing of funding for work to improve internet access;
 - Support was expressed for the project to improve internet capacity by the Executive Director of the Hornby Island Arts Council.
- BEN Bylaw
 - A balanced management of tourism is important; rental capacity of Hornby Island and how rentals are used must be addressed;
 - Official Community Plan (OCP) and Land Use Bylaw (LUB) reviews are critical; proactive enforcement of Vacation Home Rental (VHR) operation regulations to protect

groundwater and to ensure that the carrying capacity of septic systems are not exceeded was supported;

- A standing resolution to protect non-conforming year-around housing in conjunction with a BEN bylaw is needed;
- Prioritization of infractions to be enforced needs to occur for clarity;
- Continuation of a complaint-driven enforcement policy is needed to protect the nature of the community;
- Existing housing should be exempt from the BEN Bylaw system as urban building code regulations should not apply to rural communities;
- Consideration needs to be given to gathering input from residents who may be off-island during the public consultation process.
- Other Topics
 - What is the status of the VHR Education and Bylaw Compliance Campaign?
 - Proven septic capacity should be required for all aquifers on Hornby Island;
 - A letter was read that requests that Trust Council include in the 2018-2022 Strategic Plan the objective to implement land use planning tools to improve the availability and accessibility of affordable housing and choose some potential strategies. The LTC was encouraged to refer review of the 44 recommendations from the 2016 report to the APC.
 - What is the Islands Trust doing to protect the herring fishery? Can the waters around Hornby Island be zoned as a Marine Conservation Area or zone?
 - Trustees responded that zoning affecting fisheries is outside of the Islands Trust jurisdiction; however, ongoing work is being conducted by Conservancy Hornby Island and the Islands Trust that includes creation of an ecosystem-based document to support protection, advocacy that includes a planned forum in November, the Herring Fest in March, and participation in the Baynes Sound Forum.
 - Priority ferry boarding needs to be provided for health care workers.

5. MINUTES

5.1 Local Trust Committee Minutes dated July 5, 2019 - for adoption

By general consent the Local Trust Committee meeting minutes of July 5, 2019 were adopted.

5.2 Section 26 Resolutions-Without-Meeting - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List Report dated September 4, 2019

Planner Dubyna reviewed the report and provided updates for information.

6.2 Hornby Island Local Trust Committee Bylaw No. 159 (BEN) - for discussion

Trustees discussed the community information session proposed for Fall 2019 and confirmed their intention to refer the BEN Bylaw to the APC for consideration.

6.3 First Nations Relationship Building Action - for discussion

Trustees commended the Hornby Island Arts Council's organization of the Traditional Coast Salish Feast and Potluck event. They confirmed that the LTC will continue to work on momentum and to build on relationship building with First Nations.

6.4 Request to the Executive Committee Regarding Agricultural Land Commission (ALC)

Trustee Allen reported that he plans to introduce a motion for Trust Council's consideration advocating that ALC regulations be changed to reflect the recognition that farming and related housing restrictions on the Gulf Islands are substantially different from larger farming areas existing elsewhere.

7. APPLICATIONS AND REFERRALS

7.1 HO-DP-2018.1 (Fredbeck - Fords Cove Marina) - Staff Report

Planner Sawyer summarized the Staff Report with the following noted:

- The LTC is being asked to consider a Development Permit (DP) application to authorize recent and future modifications to a commercial property in the Ford Cove area;
- Staff is recommending that elevation drawings showing the finish and a landscape plan be provided to ensure OCP guidelines are met and that the LTC has adequate information to make a decision;
- Staff advised that permits run with the land, and lacking information may potentially affect the ability to enforce should the property change hands in the future.

Chair Rogers invited the applicant to comment.

Ronaldo Cruz described the proposed siding finish on the building and submitted a document with planned landscape changes noted.

Trustees indicated that staff have applied the guidelines appropriately and discussed how they relate in this particular instance. They noted that they have conducted site visits and are comfortable with the plans and explanations that have been provided by the applicant.

HO-2019-068

It was MOVED and SECONDED,

that HO-DP-2018.1 be amended to remove Schedules "C", "D", and "E" and that Schedule "B" be amended to read "Elevation".

CARRIED

HO-2019-069

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee amend HO-DP-2018.1 to include as Schedule "C" the Landscape Plan as presented at the September 13, 2019 Local Trust Committee meeting.

CARRIED

HO-2019-070

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve HO-DP-2018.1 as amended.

CARRIED

7.2 HO-DVP-2018.1 (Fredbeck - Fords Cove Marina) - Staff Report

Planner Sawyer outlined the Staff Report that provides recommendations to clarify the LTC intentions from the July 5, 2019 LTC meeting prior to issuance of HO-DVP-2018.1.

HO-2019-071

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee rescind motion HO-2019-056 passed at the July 5, 2019 meeting.

CARRIED

HO-2019-072

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee amend draft permit HO-DVP-2018.1 (Fredbeck, Ford's Cove Marina) by removing Section 2.c.

CARRIED

HO-2019-073

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of HO-DVP-2018.1 (Fredbeck, Ford's Cove Marina) as amended.

CARRIED

7.3 HO-RZ-2018.1 (Wiseman - 5020 Fowler Road) - Staff Report

Planner Dubyna presented the Staff Report that addresses the applicant's request for the LTC to reconsider advancing this application that proposes to rezone a 3.98 hectare R2 zoned lot to allow a Minimum Average Lot Area (MALA) of 1.99 hectares to enable subdivision into two parcels. She noted that the Staff Report from April 2018 has been provided for background reference and indicated that the project to address and clarify the MALA provision in the LUB is not anticipated until spring 2020.

Chair Rogers invited the applicant to comment.

David Wiseman described a previous surveying error that resulted in this inability to meet a MALA requirement of 2 hectares. He asked the LTC to approve this application, stating his opinion that the request is fair and reasonable, conforms to the basic principal of density and will not have any adverse effects on the neighbours or community.

Trustees discussed process and options with the applicant, noting that a site-specific rezoning will require bylaw amendment and statutory requirements including public consultation.

HO-2019-074

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff proceed with processing application HO-RZ-2018.1.

CARRIED

By general consent the meeting was recessed at 1:59 pm and reconvened at 2:15 pm.

7.4 HO-DP-2019.3 (Lones and Jackson - 4685 & 4715 Central Road) - Staff Report

Planner Sawyer summarized the Staff Report that asks the LTC to consider a DP application as part of a proposed two-lot subdivision within DP Area 6. She reported that the applicants have submitted a Riparian Areas Regulation assessment report as required as part of the referral of the application to the Ministry of Transportation and Infrastructure; and have submitted a sketch plan, in lieu of a survey, that may provide sufficient information for the LTC to make a decision on the application.

HO-2019-075

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2019.3 (Lones and Jackson).

CARRIED**HO-2019-076**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee waive the requirement for a plan signed by a B.C. Land Surveyor as required by section 2.7 *Siting Compliance* of the Hornby Island Land Use Bylaw No. 150, 2014, for application HO-DP-2019.3 (Lones and Jackson).

CARRIED**8. LOCAL TRUST COMMITTEE PROJECTS****8.1 Official Community Plan and Land Use Bylaw Amendments Project Update - Staff Report**

Planner Dubyna presented the Staff Report that outlines changes to the timelines in the Project Charter for the two phases of the project: Phase 1 (Minor Technical Amendments) and Phase 2 (Major Amendments) for LTC consideration.

Trustees discussed the scope of the amendments project, and the process that would enable a larger OCP/LUB review.

HO-2019-077

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the revised Hornby Island Official Community Plan and Land Use Bylaw Amendments Project Charter v 2.2 dated September 13, 2019.

CARRIED**9. DELEGATIONS - None**

By general consent agenda item 10 was moved to follow item 15.

11. CORRESPONDENCE

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

11.1 Email dated August 6, 2019, HICEEC request for letter of support**HO-2019-078****It was MOVED and SECONDED,**

that Hornby Island Local Trust Committee request the Chair of the Hornby Island Local Trust Committee issue a letter of support similar to the Denman Island Local Trust Committee letter of support, to the same recipients as the Denman Island Local Trust Committee letter, for the feasibility funding application to the Provincial Government's Connecting British Columbia Program, Connectivity Infrastructure Strategy.

CARRIED**12. NEW BUSINESS****12.1 Model Cell Tower Consultation Process - Briefing**

Trustees suggested that a future consideration of the Model Radio Antenna Strategy by the LTC might include a review of the material by Senior Intergovernmental Policy Advisor Wilcox and/or the APC.

HO-2019-079**It was MOVED and SECONDED,**

that Hornby Island Local Trust Committee receive the report of Model Radio Antenna Strategy and add it to the Work Projects list.

CARRIED**12.2 Climate Change Adaptation and Mitigation Strategies - Memorandum**

Received for information.

12.3 Trends in Applications - for discussion

Trustee Scott initiated a discussion of trends in applications. Staff outlined a variety of increased regulations and considerations that add complexity and require more application processing time than in the past; adding that the matter is being reviewed internally and staff are looking for ways to increase efficiency.

12.4 Islands 2050 - for discussion

Trustees discussed the timing and value of the Islands 2050 public engagement process, acknowledging that while there are other issues that will involve community consultation on Hornby Island, information gathered from this open house will be an important part of the process to help Trust Council consider the future of the Trust area.

12.5 Letter sent to Ministers Sims and Bains re: Internet Accessibility and Connectivity throughout the Trust Area

Received for information.

12.6 Advisory Planning Commission (APC) Terms of Reference

Trustees discussed the procedures involved in referrals to the APC and observed that orientation for members will be an important element in the process.

13. REPORTS

13.1 Trust Conservancy Report - none

13.2 Applications Report dated September 4, 2019

Received.

13.3 Trustee and Local Expense Report dated July, 2019

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

There were no changes or additions requested.

14. WORK PROGRAM

14.1 Top Priorities Report dated September 4, 2019

Received.

14.2 Projects List Report dated September 4, 2019

Received.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for November 8, 2019 at 11:30 am at New Horizons, 1765 Sollans Road, Hornby Island, BC

Trustees confirmed the next meeting date, time and location.

10. CLOSED MEETING

10.1 Motion to Close the Meeting

HO-2019-080

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1) (a), (d), (j) and (2)(b) for the purpose of considering Appointment of APC Members, Adoption of *In-Camera* Meeting Minutes dated April 5, 2019, to receive information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act* and the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party, and that the recorder and staff attend the meeting.

CARRIED

The LTC closed the meeting at 3:32 pm.

10.2 Recall to Order

By general consent the LTC reconvened in open meeting at 3:41 pm to rise and report.

10.3 Rise and Report

Chair Rogers reported that in the Closed Meeting, minutes of the *In-Camera* meeting of April 5, 2019 were adopted and that Daniel Segal, Victoria Bale, and Joanne Ovitsland were appointed to the APC.

16. ADJOURNMENT

By general consent the meeting was adjourned at 3:42 pm.

Dan Rogers, Chair

Certified Correct:

Vicky Bockman, Recorder