

ADOPTED

**MINUTES OF THE HORNBY ISLAND LOCAL TRUST COMMITTEE
BUSINESS MEETING
HELD AT 10:15 AM, JUNE 29, 2011
AT THE JOE KING CLUBHOUSE
CENTRAL ROAD, HORNBY ISLAND, BC**

PRESENT: Louise Bell Chair
Fred Hunt Local Trustee
Tony Law Local Trustee
Brodie Porter Island Planner
Sonja Zupanec Island Planner
Vicky Bockman Minute Taker

There were three (3) members of the public in attendance.

1. CALL TO ORDER

The Chair called the meeting to order at 10:18 am. She welcomed the public and acknowledged that the meeting is taking place in the traditional territory of the Coast Salish First Nations. Chair Bell introduced the Local Trustees, Island Planners and Minute Taker.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus, with the following amendments:

- Add item 10.1.1, Revised HO-SUB-2010.9 Draft 946 Covenant
- Add item 11.2, Correspondence dated June 13, 2011 from Michelle Easterly regarding Hornby Island Resort Ltd. Rezoning Application
- Add item 13.5, Summer Residents Meeting
- Add item 13.6, Community Stewardship Awards

3. MINUTES

3.1 Local Trust Committee Special Meeting Minutes dated May 21, 2011

The minutes were adopted by consensus, with the following amendments:

- Page 9, fifth paragraph: remove the first sentence
- Page 9, fifth paragraph, new first sentence: change text from “She explained...” to “Chair Bell explained...”

3.2 Local Trust Committee Meeting Minutes dated June 1, 2011

The minutes were adopted by consensus.

3.3 *Local Trust Committee Special Meeting Minutes dated June 14, 2011*

The minutes were adopted by consensus.

3.4 *Section 26 Resolutions Without Meeting Log dated June 21, 2011*

Chair Bell presented the Section 26 Resolutions Without Meeting Log dated June 21, 2011.

3.5 *Advisory Planning Commission Minutes*

None.

4. **BUSINESS ARISING FROM MINUTES**

4.1 *Follow-up Action List dated June 21, 2011*

Planner Zupanec presented the Follow-up Action List dated June 21, 2011. She reported that a date has not been finalized for the meeting with K'omoks Nation and that a mid to late September date is likely.

Chair Bell noted that the meeting will be held in coordination with the Denman Island Local Trust Committee and advised that they have identified September 20, 2011 as their first choice for the meeting, with the second choice being September 16, 2011 and third option being September 12, 2011.

5. **CORRESPONDENCE**

5.1 *Letter dated May 26, 2011 to Denman Opposes Coal from Environmental Assessment Office regarding Public Consultation Approach Conceptual Plan, Proposed Raven Underground Coal Project*

Received.

5.2 *Letter dated June 6, 2011 from Louise Bell to Environmental Assessment Office and Canadian Environmental Assessment Agency regarding Environmental Assessment of Proposed Raven Underground Coal Mine*

Received.

6. **TRUSTEES' REPORT**

Trustee Hunt acknowledged that this will be the last Hornby Island Local Trust Committee meeting that Planner Porter will attend and he expressed his appreciation for the valuable assistance that Planner Porter has provided over the past few months.

ADOPTED

Trustee Law also thanked Planner Porter for his help and said that he has developed a deep appreciation for Planner Porter's level of skills that have assisted the Local Trust Committee in their work.

Trustee Law provided an update of BC Ferries matters. He reported that he participated in a telephone meeting of a Union of British Columbia Municipalities committee to strategize on ferry fares and other issues. He stated that there should be an update on the October ferry closure later this month. He reported that BC Ferries has issued a press release highlighting the fact that alcohol consumption is not permissible on the ferries or in terminals which will be distributed at the Buckley Bay Terminal.

Trustee Law reported on his work with the Comox Valley Standing Committee of Homelessness and Housing, stating that the work of that committee is now over and that terms of reference have been drafted for an ongoing task force. He stated that his purpose for being involved with this group was to ensure that the island's voice was heard in this issue and an expression of interest for future involvement may be relevant. There was discussion of the possible continuation of Trustee Law's involvement with the task force. Chair Bell expressed support for his continued participation should he desire to do so and Trustee Law responded that he will address the possibility at the next regularly scheduled Local Trust Committee meeting.

Trustee Hunt reported that he chaired a recent event, Community Action Solutions Together, which provided an opportunity for 16 Hornby Island organizations to collaboratively share information about various successes and challenges that are being experienced. He said that it was a valuable forum and may be held again in November for a full day.

Trustee Law reported that following up on a meeting from last summer, he and Trustee Hunt facilitated a meeting of different organizations on Hornby Island to discuss summer safety issues.

Trustee Hunt asked Planner Zupanec if there was an update on the negotiations with K'omoks Nation. Planner Zupanec stated that she did not have any current information. She said that she would research the matter and would bring an update to a future Local Trust Committee meeting.

7. **CHAIR'S REPORT**

Chair Bell preceded her report by adding her thanks to retiring Island Planner Porter and expressed her appreciation for his help with difficult issues during Planner Zupanec's absence.

Chair Bell reported that the Executive Committee had met twice since the last Local Trust Committee meeting and that business at those meetings included reviewing material for the Islands Trust Council meeting of June 14-16, 2022. She reported that further work included direction to the Chair to write various letters regarding the proposed shipping of oil in the Salish Sea, oil spill response preparedness in the Islands Trust Area and to request Geographic Response Plans for the Islands Trust Areas. She stated that the marine safety strategy work is continuing.

ADOPTED

Chair Bell reported that the Trust Council met on Denman Island June 14-16, 2011. She said that three program sessions were: a presentation by the Denman Island Marine Stewardship Committee, a presentation on carbon credits and a presentation describing two conservation/residential developments on Cortes Island.

Chair Bell stated that the Trust Council selected the six recipients for the 2011 Community Stewardship Awards at the June meeting. She said that the Hornby New Clinic Committee had been selected as one of the recipients and that the award would be presented sometime this summer.

Chair Bell reported that three Natural Area Protection Tax Exemption Program certificates were issued – two to landowners of Hornby Island, which constitute the first two such certificates for the Denman/Hornby area, and a third to a North Pender Island landowner. She said that the two certificates on Hornby are contiguous and will result in a protected area of just under five hectares.

Chair Bell stated that Trust Council also made a number of action decisions including:

- to write to the British Columbia Minister of Transportation and Infrastructure advocating for provincial support to stabilize BC Ferries fares on the minor routes
- to write to the provincial and federal environmental assessment offices expressing concern about the proposed Raven Underground Coal Mine
- to write to BC Hydro requesting better consultation with island communities on the proposed use of smart meters in residential areas on the islands.

Chair Bell advised that the next Executive Committee meeting is tentatively scheduled for July 5, 2011 in Victoria.

8. **DELEGATIONS**

None.

9. **TOWN HALL SESSION**

Chair Bell cautioned members of the public to refrain from speaking to the contents of Bylaws 142 and 143, explaining that the process is now post public hearing.

Mick Mahony said that he attended the Public Hearing last night. He expressed his disappointment with some of the community's comments that he heard at that meeting which he felt were somewhat ill-informed, somewhat paranoid and included personal attacks. He congratulated the Chair on being firm and fair and the Trustees for "turning the other cheek" during the meeting. He encouraged the Local Trust Committee to keep up the good work.

10. APPLICATIONS AND PERMITS

10.1 *HO-SUB-2010.9 (Costello) Draft 946 Covenant*

Planner Zupanec stated that the applicant's lawyers have requested changes to the Covenant and the revised version of the Covenant has been included as a late item in the agenda for discussion.

10.1.1 *Revised HO-SUB-2010.9 (Costello) Draft 946 Covenant*

Planner Zupanec presented the revised draft 946 Covenant for the HO-SUB-2010.9 (Costello) property and identified the changes to the document. She stated that there are changes which indicate that the applicant has acquired a new mortgage in order to pay off funds owed to Islands Trust Council. She stated that Article E has been expanded to articulate all the uses and although it appears to be acceptable, there are technical issues that need to be clarified. She said there are other minor changes such as numbering errors that are being corrected and the new draft Covenant has expanded the language which outlines the five-year expiration of the agreement. She clarified that the statement that "the Owner shall use the New Parcel for only residential use" also includes accessory uses.

Planner Zupanec said that staff will be reviewing the document again with the applicant as well as with Islands Trust legal counsel to confirm that all is in order. She asked for determination as to who will sign the document so that, when ready, it can move forward.

HO-046-2011 It was **MOVED** and **SECONDED** that the Chair of the Hornby Island Local Trust Committee be designated to sign the Section 946 Covenant with Joan Costello once it is finalized.

CARRIED

10.2 *HO-SUB-2010.2 (Tuele) Draft 946 Covenant*

Planner Zupanec stated that the HO-SUB-2010.2 (Tuele) draft 946 Covenant is being presented for Local Trust Committee review and indicated that there have been no concerns with this draft document to report. Planner Zupanec requested a signatory be designated.

HO-047-2011 It was **MOVED** and **SECONDED** that the Chair of the Hornby Island Local Trust Committee be designated the signatory for the Section 946 Covenant regarding the Tuele HO-SUB-2010.2.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 *HO-OCP-2009.2 Vacation Home Rental*

Planner Porter reported that all members of the Local Trust Committee attended the Public Hearing last night and have had an opportunity to review all written submissions that were submitted, other than one which the Chair had not seen. The submission was presented to the Chair who reviewed the document.

Planner Porter provided general observations for consideration arising from the June 28, 2011 Public Hearing:

- In response to comments concerning who should be voting on bylaws, Islands Trust structure and the Executive Committee, he stated that the provincial government has established the Islands Trust structure and it is the duty of the Trustees to fulfill those duties as established.
- Regarding comments that perhaps these bylaws are not needed and self-regulation would be preferred, he commented that the province provides that the Local Trust Committee must work with the community to develop regulations. He said that the current bylaws do not address vacation home rentals and since that is a use raised in the community as desirable the Local Trust Committee must address the issue. He added that the current Official Community Plan addresses vacation home rentals as a home occupation but this is not enacted in the Land Use Bylaw.
- Concerning comments that advocated for no change to the existing bylaw, he said that the existing bylaw does not address vacation home rentals and is silent on the issue, therefore does not permit the use. He said that, as opposed to the comments made at the meeting that this is the opinion of only one lawyer, in fact it is the collective opinion of staff, bylaw enforcement staff and legal counsel.
- The position raised about not changing the existing bylaws puts operators in a difficult position as it means they could not operate and would be subject to enforcement. He suggested that this is not the position that the community was meaning to advocate.
- Regarding comments about permitting vacation home rentals as a home occupation, he said it is important to recognize that this is an option, however staff did not suggest this approach as vacation home rental does not fit the model of home occupation. He said that in a home occupation the owner resides on the property while the operation is undertaken whereas in a vacation home rental the owner leaves to undertake the operation. He said that changing the

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definition of home occupation to allow vacation home rentals might negatively affect other home occupations.

- Concerning comments about limiting the operation to the period of May to September having a negative impact on the local economy, he said that the proposed approach is attempting to allow for vacation home rentals while recognizing the need for management of the residential properties by use of a time restriction. He added that there are other forms of accommodations, resorts and bed and breakfasts that are generally available on Hornby Island during the off season so it is possible for visitors to stay during that time frame. He suggested that some operators may wish to consider operating as a bed and breakfast if they reside on the property.
- Regarding comments made that restrictions on tenting are unnecessary, he said that practical considerations should apply but there needs to be certainty and measurable standards to ensure a manageable level. He suggested that a bylaw enforcement policy might be a useful tool to allow for leeway.
- In response to concerns of regulating the number of beds and bedrooms, he said that this provides certainty to operators and to the Islands Trust. He added that the numbers proposed are equivalent to those provided for in bed and breakfast operation regulations and that the community has provided input about what it feels is appropriate for those. He said that if, over time, there is reason to change these limits that vacation home rental and bed and breakfast levels should both be examined.

Discussion ensued about the post public hearing process and what comments and correspondence may be considered in deliberations.

11.1.1 Public Hearing Submissions

There was discussion about the possibility of responding to misunderstandings that became evident in some of the public hearing submissions and it was determined that input from public hearings is received but generally not responded to. Planner Porter suggested that after the process is concluded a communications event might be planned as a useful tool to help correct misunderstandings.

Chair Bell invited comments from the Trustees in response to the Public Hearing prior to moving into discussion to determine if action will be taken on the bylaws at this meeting.

Trustee Hunt said that he was surprised by the general tone of the Public Hearing given the amount of time spent in community consultation and previous feedback that had suggested that this approach would be well accepted. He said this underscores how important the communication aspect is and the complex

ADOPTED

nature of the issue. Overall, he said that he was struck by comments asking why the amendments are being proposed, when the two primary issues he indicated needed to be addressed when he ran for Trustee in the 2008 election were updating the Official Community Plan/Land Use Bylaws and Vacation Home Rentals and that he interpreted his election to be supportive of those work programs.

Trustee Hunt stated that the number of people who have commented demonstrates how important the issue is to the community, both to those who benefit financially and for the visitors. He added that vacation home rentals need to be addressed in the Land Use Bylaw as not doing so would leave operators conducting an operation that is not a permitted use. He addressed the expressed concern and misconception that this proposal is being driven by the Executive Committee, stating that there is a need to recognize that the desire has been to create a “made on Hornby” solution and that this approach is a locally produced proposal, addressing Hornby’s needs and addressing them as fairly as possible.

Trustee Law noted that some people at the Public Hearing had not been involved previously and that this was the first opportunity for them to express their perspectives. He said that some stated they would like to leave things the way they are, however, that would not achieve their objective because it is not a permitted use according to the advice the Local Trust Committee has been given. He stated that there is a need to provide clarity that this is a well-established activity that is generally supported by the community and said that he is not comfortable that an activity, as such, is not supported by the Hornby Island legislation.

Trustee Law said that he has heard concerns, however believes that the best way to achieve the goal that is desired is to proceed with the proposed bylaws which are intended to implement the spirit of the Official Community Plan (OCP) by allowing the vacation home rental use. He said that his personal goal has been to find a way to permit vacation home rental use that is similar to bed and breakfast regulations, balancing all the various interests and concerns. He said that as a measure to provide some comfort to those with concerns about over-regulation, he would like to suggest some changes to the proposed regulations and to consider adding a new policy in the OCP that identifies a need to review the regulations in a specified time.

Trustee Hunt said that the Local Trust Committee has been doing due diligence to meet statutory requirements and to address concerns heard over the years to stop the worst case scenarios. He said that even though there are some who are

ADOPTED

unhappy with the proposed bylaws, he feels that it is on the right track and it needs to be remembered that there may be some who have concerns with vacation home use that have not expressed their views.

Chair Bell agreed that the disappointing tone and personal attacks at the Public Hearing were unfortunate. She said that the Local Trust Committee has heard from many people and has heard that there is a need to address the situation. She stated that there are inconsistencies between the Official Community Plan and Land Use Bylaw on vacation home rental use, that the Trustees have an obligation and that now is the time to provide leadership.

Chair Bell noted that of the 33 people who attended the Public Hearing, very few addressed the bylaw and there was a relatively small number who had concerns about the specifics of the proposed bylaws with some of those participating expressing appreciation for the work that has been done. She said that she concluded that this did not represent a groundswell against the proposal but rather demonstrated that the concerns were more with the process. She stated that concerns that were expressed about limiting vacation home rental accommodations to the May to September time period did not recognize that other options are available to visitors who wish to visit in the off season.

Chair Bell expressed disappointment with the comments that were made about the process being an Executive Committee, top-down directive. She reiterated that bylaws need to be consistent with the objectives of the Islands Trust which are expanded and interpreted by the Policy Statement. She said that she is sorry that more people did not attend the meeting, but that it was the responsibility of the Local Trust Committee to consider the comments and submissions that they did receive.

Trustee Law said that he wanted it to be clear that the Local Trust Committee has never received any comments or direction from the Executive Committee as to how to approach this issue. He stated that there had been consultation with the community early in the term regarding issues to address in the Official Community Plan review and reported that the responses requesting the consideration of the subject of vacation home rentals had been high, providing a mandate to work on the issue. He said that it has been a difficult but important issue to resolve in order to provide clarity and certainty to the community.

General discussion followed on standards for advertising public hearings.

ADOPTED

- 11.2 *Correspondence dated June 13, 2011 from Michelle Easterly regarding Hornby Island Resort Ltd. Rezoning Application*

Received.

Chair Bell recessed the meeting at 12:02 pm. The meeting was reconvened at 12:10 pm.

The Local Trust Committee decided to consider agenda item 14 Bylaws at this time.

14. **BYLAWS**

- 14.1 *Proposed Bylaw No. 142 cited as "Hornby Island Official Community Plan Bylaw No. 104, 2002, Amendment No 1 2011."*

Trustee Law suggested that there be a specific review time frame added to the proposed bylaw and recommended a five-year benchmark. There was general discussion about that possibility and it was determined that it would be beneficial to include a new policy with this intention.

- HO-048-2011** It was **MOVED** and **SECONDED** that proposed Bylaw 142 be amended by inserting a new Policy 6.5.3.9 in Section 4 Schedule A as follows "The Local Trust Committee should consider reviewing with the community the regulations for vacation home rentals after they have been in place for five years."

CARRIED

Trustee Law noted that as this is a new set of regulatory conditions and there is some uncertainty in the community, it will be valuable to review how it is working after implementation.

There was general discussion of Policy 6.5.3.8 in response to the public comments received and it was determined that simplification of the policy in order to focus on the intent would be beneficial.

- HO-049-2011** It was **MOVED** and **SECONDED** that Policy 6.5.3.8 of Section 4 Schedule A of proposed Bylaw 142 be amended by deleting the second sentence in the policy.

CARRIED

There was discussion of Policy 6.5.3.2 e) in response to comments heard at the Public Hearing and Trustee Law suggested that expanding the terminology to ensure the retention of general residential ambiance might be useful. It was also noted that the phrase short-term vacation rental was not consistent with current terminology.

ADOPTED

HO-050-2011 It was **MOVED** and **SECONDED** that Policy 6.5.3.2 e) of Section 4 Schedule A of proposed Bylaw 142 be amended by inserting “and character” after “appearance” and replacing “short-term rental unit” with “vacation home rental use”.

CARRIED

14.2 *Proposed Bylaw No. 143 cited as “Hornby Island Land Use Bylaw 86, 1993, Amendment No. 1 2011”*

The Local Trust Committee discussed regulation 1.b.i.3.2.15 which prohibits overnight accommodation in tents in response to comments made at the Public Hearing. Trustee Law suggested adding text attempting to capture the fact that numerous tents and trailers are not desired but that if a child staying with a family in a vacation home rental wishes to sleep in a tent that it would be allowed. The implications of this suggestion were considered.

HO-051-2011 It was **MOVED** and **SECONDED** that regulation 1.b.i.3.2.15 of proposed Bylaw 143 be amended by adding “other than one tent used by persons for whom accommodation is provided within a dwelling unit during the vacation home rental use”.

There was discussion on the motion.

Trustee Hunt questioned if allowing more than one tent might be acceptable.

Chair Bell noted that tents have been implicated in concerns raised by the community so she would not be supportive of allowing multiple tents in the bylaw. She suggested that perhaps this issue could be considered with the five-year review.

Trustee Law advised that this resolution is attempting to address community concerns that the proposed bylaw constitutes over-regulation of an activity.

Planner Porter suggested that enforcement of this proposal would be hard to accomplish and observed that enforcement of one tent being allowed would be relatively easy however if it must be determined who is in the tent, the amendment might create difficulty and additional costs.

Trustee Hunt replied that as worded, this proposal would not be encouraging recreational tenting activity.

Chair Bell stated that it is necessary to look at the implications of the regulations and acknowledge that bylaws will not be acceptable to everyone.

HO-052-2011 It was **MOVED** and **SECONDED** that the resolution be laid on the table.

CARRIED

There was discussion of possible additional changes to the proposed bylaw amendments in response to community input.

ADOPTED

Trustee Law suggested a possible change to proposed regulation 3.23.1, which permits vacation home rental use from May to September, in order to allow more flexibility. General discussion ensued including associated enforcement challenges.

Chair Bell commented that an option for those who wish to operate legitimately during the off season would be to apply for a Temporary Use Permit. She added that there are resorts and bed and breakfast operations which operate during the off season, providing accommodations for visitors. She commented that vacation home rentals represent a commercial use in residential areas and that having seven months of residential use is important.

Planner Porter added that the current proposed regulation creates certainty to neighbouring residents as to which months the vacation home rentals will be in operation.

Trustee Hunt stated that there is a need from time to time during the off season but he would expect that the commercial operators and bed and breakfast operations could provide adequate accommodations so while this is sensitive, he does not believe that it discourages visitors to Hornby in the off season.

Trustee Law said that he appreciates the discussion as he felt the responsibility to examine the possibility and added that perhaps it can be revisited in the future after the new regulations have been in effect for some period of time.

Discussion followed on the proposed sign requirements with Trustee Law observing that signage is useful on small lots but may not be as relevant on large properties. Discussion included the purpose of the signs, possible appearance of inequity as some properties would require a sign and others would not, the uncertainty as to how many properties this would affect, and the preference to enact a regulation that is easy to manage.

Trustee Law said that he has not heard a significant number of comments on this issue and did want to discuss the possible change however was willing to accept the regulation as currently proposed.

Trustee Hunt proposed changing the text of regulation 3.23.2 to clarify the intent.

HO-053-2011 It was **MOVED** and **SECONDED** that regulation 3.23.2 of Section 1.b.ii of Schedule 1 of proposed Bylaw 143 be replaced with the following "During a period of seven (7) consecutive days a dwelling unit may be occupied by only one group of paying guests."

CARRIED

HO-054-2011 It was **MOVED** and **SECONDED** that resolution **HO-051-2011** be taken from the table.

CARRIED

ADOPTED

Planner Porter stated that he considered changing the proposed amendment to be unwise on a technical level. Planner Zupanec suggested that a bylaw enforcement policy might be an approach to address the issue rather than changing the proposed amendment.

Trustee Hunt stated that the main intent was to provide some comfort to people whose children want to stay in tents and to address over-regulation criticism however stated that perhaps bylaw enforcement policy would be the preferred way to approach the issue.

Chair Bell said she would like this Local Trust Committee to address a bylaw enforcement policy concerning vacation home rentals and asked what the timing might be for that to occur.

Planner Zupanec stated that generally after adoption of a proposed bylaw amendment that the Bylaw Enforcement Policy would become the number one priority.

The vote was called on Resolution HO-051-2011.

HO-051-2011 It was **MOVED** and **SECONDED** that regulation 1.b.i.3.2.15 of proposed Bylaw 143 be amended by adding “other than one tent used by persons for whom accommodation is provided within a dwelling unit during the vacation home rental use”.

FAILED
The vote was unanimous

Trustee Law proposed suggestions for a Bylaw Enforcement Policy for vacation home rentals and it was the consensus that this might be an important way to address some of the concerns that are being heard from the community.

The process of discussion of the proposed Bylaw Enforcement Policy, post public hearing, was considered and Planner Zupanec stated it might be preferable for her to prepare a communication strategy with Bylaw Enforcement Coordinator Drew which can be presented if/when the bylaws are adopted.

Chair Bell suggested that the Local Trust Committee take this advice and that the proposed Bylaw Enforcement Policy be brought back for consideration when the two bylaws are considered for final adoption.

HO-055-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 142 cited as “Hornby Island Official Community Plan Bylaw No. 104, 2002, Amendment No 1 2011” be read a second time as amended.

CARRIED

Trustee Hunt commented that this has been a lengthy process that has involved a lot of discussion and staff reports and reflects the importance of the issue in the Hornby community both from the point of view of those wishing to rent their homes on an occasional basis, the community having rental homes in

ADOPTED

their neighbourhoods, and visitors being able to enjoy the accommodations that are made available. He said that balancing the different viewpoints has been a difficult process as they have often been in conflict. He commented that he hopes that this proposed amended bylaw reflects the discussions and the importance to the community of vacation home rentals. He offered his thanks to Trustee Law and Chair Bell for their guidance through this challenging process and to staff for their assistance.

Trustee Law stated that it has not been easy to find a framework that addresses the relationship that Hornby has with vacation home rentals and that takes into account all the perspectives, issues and consequences that need to be considered. He said that he believes that all options that can be taken have been examined thoroughly and that the one that is fair and balanced and reflects the short-term needs of the community has been taken.

HO-056-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 142 cited as “Hornby Island Official Community Plan Bylaw No. 104, 2002, Amendment No 1 2011” be read a third time.

CARRIED

HO-057-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 142 cited as “Hornby Island Official Community Plan Bylaw No. 104, 2002, Amendment No 1 2011” be submitted to the Secretary of Islands Trust for consideration of approval by the Executive Committee.

CARRIED

HO-058-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 142 cited as “Hornby Island Official Community Plan Bylaw No.104, 2002, Amendment No 1 2011” be submitted to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

HO-059-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 143 cited as “Hornby Island Land Use Bylaw 86, 1993, Amendment No. 1 2011” be read a second time as amended.

CARRIED

HO-060-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 143 cited as “Hornby Island Land Use Bylaw 86, 1993, Amendment No. 1 2011” be read a third time.

CARRIED

HO-061-2011 It was **MOVED** and **SECONDED** that proposed Bylaw No. 143 cited as “Hornby Island Land Use Bylaw 86, 1993, Amendment No. 1 2011” be submitted to the Secretary of Islands Trust for consideration of approval by the Executive Committee.

CARRIED

12. REPORTS

12.1 *Islands Trust Council - Strategic Plan 2008 - 2011*

Chair Bell asked if there were any comments on the Islands Trust Council Strategic Plan. Trustee Law commented that it was as a result of reviewing this plan that he had thought that it would be appropriate to discuss the Riparian Area Regulations on Hornby Program in today's meeting agenda.

12.2 *Work Program Reports Top Priorities Report and Projects List Report dated June 21, 2011*

Planner Zupanec presented the Top Priorities Report and Projects List Report stating that there were no changes in the report.

Trustee Law suggested that when the Riparian Area Regulations are discussed, it can be determined how it may apply to this report.

12.3 *Applications Log Report dated June 21, 2011*

Planner Zupanec summarized the Applications Log and provided an update on the Downes Point Agricultural Land Reserve application stating that it has received Agricultural Land Commission approval.

12.4 *Trustee and Local Expenses*

12.4.1 *Expenses posted to May 19, 2011*

There were no comments.

12.4.2 *Expenses posted to June 20, 2011*

Trustee Law noted that the Trustee Expenses were high, most likely due to attendance of the Community Information Meetings in Vancouver and Victoria.

Planner Porter affirmed that at a prior Local Trust Committee meeting it had been resolved that all vacation home rental expenses were to be debited to the Official Community Plan/Land Use Bylaw expense account and that this had been discussed with the Finance Officer.

13. NEW BUSINESS

13.1 *Riparian Area Regulations*

Trustee Law presented a Preliminary Information Report on Fish-bearing Creeks on Hornby Island that he had prepared as a starting point for discussion. The information provides mapping from The Habitat Atlas of the Comox Valley Regional District and GPS mapping of Beulah Creek by a local resident in the absence of watershed mapping. The information also includes

local knowledge of fish-bearing creeks and possible riparian areas and he stated that he would like to connect the community and local knowledge with the process from the beginning. There was discussion of how this might be accomplished.

Chair Bell stated that the Riparian Areas Regulation work involves both potentially fish bearing and fish bearing water courses and suggested that a staff report might be of assistance to the Local Trust Committee. Planner Zupanec said that the process of how to address applications is currently being determined and she offered to bring information to a future meeting for clarity.

13.2 *Term Review*

Trustee Hunt said that it had been suggested that a Term Review would be of benefit to indicate to the community and future Trustees what has been accomplished during the term. He asked for clarification as to structure and procedure to produce this review.

Planner Zupanec stated that it is standard practice at the end of term for staff to complete a Term Review Staff Report in October.

Trustee Law suggested that input from the Trustees would be useful and that the review might include other activities that the Trustees have been engaged in as well.

13.3 *Climate Change Communications*

Trustee Law said that he and Trustee Hunt have created communication outline material and have been seeking the right forum to present it. He suggested it might be a good idea to work together with other organizations to create a focus.

Trustee Hunt noted that September 24, 2011 has been identified as a date for Moving Planet, a rally for solutions to climate change, and that it might be an appropriate time to present the material.

Design assistance and funding possibilities were discussed.

13.4 *Bylaw Referral - Executive Islands Area Bylaw Nos. 27 (Official Community Plan) and 28 (Land Use bylaw)*

Chair Bell provided introductory remarks on this process. She stated that she noticed that both zones W1 (Marine General) and W2 (Marine Protection) allow shellfish aquaculture and that she will ask the Executive Committee to review that permitted use. She said that she will be suggesting that aquaculture not be included as a permitted use in areas outside of the existing shellfish tenures.

Trustee Hunt requested clarification of item 3.2 Prohibited in All Zones item (14) Short-term vacation accommodation.

ADOPTED

Chair Bell responded that this item will be corrected as there is, in fact, an established short-term vacation accommodation on South Winchelsea Island.

Chair Bell requested advice from the Island Planner as to whether interests of the Hornby Island Local Trust Committee are affected by the draft Official Community Plan and Land Use Bylaw for the Executive Islands Area. Planner Zupanec replied that she does not believe they are.

HO-062-2011 It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee request staff to indicate that the interests of the Hornby Island Local Trust Committee are unaffected by the draft Official Community Plan and Land Use Bylaw for the Executive Islands Area.

CARRIED

13.5 *Summer Residents Meeting*

Trustee Law said it is usual to have a Summer Residents Meeting that can address many topics and that it is appreciated by the community. It was agreed that this meeting would be held and Planner Zupanec said that she will research venues for the meeting.

Chair Bell advised caution regarding any discussion of the post public hearing bylaws at that meeting.

13.6 *Community Stewardship Awards*

Planning for the presentation of the Community Stewardship Award that will occur on August 3, 2011 was discussed included the agenda, invitations and advertising of the presentation.

The Local Trust Committee requested staff to amend the August 3, 2011 agenda so that the Trustees' Report and Chair's Report follow the Approval of Agenda and then were followed by the presentation of the Community Stewardship Award.

15. **ISLANDS TRUST WEBSITE**

15.1 *Hornby Page*

The following changes were requested for the Hornby page of the Islands Trust website:

- post the amended proposed Bylaws 142 and 143 once they have been amended
- post in the Latest News section the Community Stewardship Award presentation which will occur at 12:30 pm on August 3rd

16. NEXT MEETING DATE

The next business meeting will take place on Wednesday, August 3, 2011 at 12:15 pm in New Horizons, 1765 Sollans, Hornby Island, British Columbia.

Planner Zupanec advised that she will not be at the meeting and Chair Bell will ask the Regional Planning Manager to attend.

There will be a Summer Residents Meeting which is tentatively scheduled for August 7, 2011 from 10:00 am to 12:00 pm with the venue to be announced.

Trustee Law stated that it might be useful for one or both of the Local Trustees to attend the Executive Committee meeting to answer questions or provide information on proposed Bylaws 142 and 143 and Chair Bell agreed. Trustee Hunt will send an email expressing interest in attending and requesting the date for the meeting.

17. ADJOURNMENT

Chair Bell adjourned the meeting at 3:39 pm.

Minute Taker

Chair