

MINUTES OF THE HORNBY ISLAND LOCAL TRUST COMMITTEE  
BUSINESS MEETING  
HELD AT 11:30 AM, APRIL 26, 2013  
AT ROOM TO GROW, 2100 SOLLANS ROAD, HORNBY ISLAND, BC

**Members Present:**

David Graham	Chair
Alex Allen	Local Trustee
Tony Law	Local Trustee

**Staff Present:**

Peter Phillips	Bylaw Enforcement Officer
Courtney Simpson	Regional Planning Manager
Vicky Bockman	Recorder

**Staff Present by Telephone:**

Linda Prowse	Planner 2
Sonja Zupanec	Island Planner

**Media and Others Present:**

There were four (4) members of the public in attendance - am  
There were two (2) members of the public in attendance - pm

1. **CALL TO ORDER**

Chair Graham called the meeting to order at 11:30 am. He welcomed the public and introduced himself, Local Trustees, Bylaw Enforcement Officer, Regional Planning Manager and Recorder. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

By general consent agenda items 15 and 16 were moved to after agenda item 1.

15. **CLOSED MEETING**

**HO-011-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee closes the next part of the April 26, 2013 business meeting to discuss matters pursuant to Section 90(1)(f) (Bylaw Enforcement) of the *Community Charter* and that staff be invited to attend this meeting.

**CARRIED**

16. **RECALL TO ORDER**

By general consent the Committee reconvened in open meeting at 11:39 am.

Bylaw Enforcement Officer Phillips left the meeting.

Planner Zupanec joined the meeting by telephone.

2. **APPROVAL OF AGENDA**

The agenda was adopted by consensus with the following amendments:

- Add item 10.1.1: Revised Permit and Memorandum dated April 23, 2013
- Add item 10.1.2: Email dated April 21, 2013 from Rick Helmer
- Add item 10.1.3: Email dated April 22, 2013 from Allan and Jean Rasi
- Add item 10.1.4: Ministry of Transportation and Infrastructure Permit to Reduce Building Setback less than 4.5 Metres from the Property Line Fronting a Provincial Public Highway
- Add item 10.1.5: Email dated April 25, 2013 from Carmel Jorgensen, Mauricio Montiel Solis and Jesus Montiel Solis
- Add item 11.1.5: Correspondence from Stan Combs Re: Draft Hornby Island Official Community Plan
- Add item 13.3: Denman Island Bylaw Referral – Bylaw No. 204
- Add item 13.4: Denman Island Bylaw Referral – Bylaw No. 205
- Add item 13.5: Denman Island Bylaw Referral – Bylaw No. 206
- Add item 13.6: Discussion Regarding Meeting with Ministry of Transportation and Infrastructure

3. **MINUTES**

3.1 *Local Trust Committee Meeting Minutes dated March 15, 2013*

The minutes were adopted by consensus.

3.2 *Section 26 Resolutions Without Meeting – None.*

3.3 *Hornby Island Advisory Planning Commission Minutes – None.*

4. **BUSINESS ARISING FROM MINUTES**

4.1 *Follow-up Action List dated April 17, 2013*

Planner Zupanec reviewed the Follow-up Action List dated April 17, 2013, provided updates and responded to questions that arose.

5. **CORRESPONDENCE** – None.

6. **TRUSTEES' REPORT**

**Trustee Allen** reported that he will be attending a Trust Programs Committee meeting in May and advised that there will be a meeting with RCMP next week. He encouraged community members to inform trustees of any concerns or issues they would like to have addressed at that meeting.

**Trustee Law** reported that he attended a Ferry Advisory Committee meeting earlier this month and noted that issues addressed at that meeting included the cable ferry

implementation schedule, consultation process and discussion on utilization and continuation of the Experience Card. He commented that the Experience Card topic may be brought forward for community discussion once more information and options are known. He commented that in May he will be attending a Community Solutions Together (CAST) meeting where various community organizations can share information and updates on issues of interest.

7. **CHAIR'S REPORT**

**Chair Graham** reported that since the last meeting he attended the Annual General Meeting of the Association of Vancouver Island and Coastal Communities in Sooke. He advised that an outcome of the meeting was an agreement that supported Vancouver Island as a genetically modified organism (GMO)-free zone and that this message will be sent to the Union of British Columbia Municipalities meeting in September. He noted that the meeting also included a presentation by BC Hydro on Operations and Planning that included a discussion of Smart Meters.

He commented that the Raven Coal Mine working committee has completed their technical review of the application information requirement and submitted the table of concordance response in the environmental assessment process.

8. **DELEGATIONS** – None.

9. **TOWN HALL SESSION**

**Dianne Chuoke** – expressed her concern with the Syzygy zoning minimum lot requirement for subdivision in the draft Land Use Bylaw and possible restriction of the ability to hold strata titles in the future. She noted that the current, approved density allowance is comparable to large lots and requested that the Syzygy zoning minimum lot requirement be consistent with other large lots. She requested clarification of minimum and large lot size as well as clarification of the maximum residential units allowed.

Planner Zupanec responded that the language for the Syzygy zone has been changed in the draft Land Use Bylaw to reflect legal review recommendations. Trustee Law provided an explanation of how the maximum residential units allowed is determined in the split-zone situation.

**Christine Hunt** – would like the regulations for sewage disposal currently applied to those vacation home rentals within one particular aquifer area to be applicable for all properties on the island. She expressed her opinion that septic systems should be approved prior to construction as a part of a building permit system and that building inspections would address many of the concerns being raised. She expressed her opposition to allowing Ocean Loop Geo-Exchange Systems on Hornby Island, indicating that there are other green technologies available that are not being utilized to their full potential.

Trustees advised that the Comox Valley Regional District currently has authority for building inspections and noted that this is a complex topic which may be considered for community discussion in the future.

*Planner Prowse joined the meeting by telephone.*

**10. APPLICATIONS AND PERMITS**

10.1 *HO-DVP-2012.4 (Calvin & Angela Read – 2915 Harwood Road)  
Staff Report dated April 8, 2013*

*10.1.1 Revised Permit and Memorandum dated April 23, 2013*

Planner Prowse summarized the staff report. She advised that the applicant has received approval from Minister of Transportation and Infrastructure to permit the accessory building and deck to be less than the 4.5 metres setback requirement in the undeveloped road right of way. There was discussion of the concerns expressed regarding the right of way and beach access and Planner Prowse indicated that her on-site visit did not reveal a beach access impediment.

**Calvin Read**, the applicant, provided a history of the development of the property and the circumstances leading to his neglect to obtain a siting and use permit. He described the beach access which is being used and confirmed that the application does not interfere with the ability of the public to use the beach access.

**HO-012-2013** It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee approves Development Variance Permit HO-DVP-2012.4 (Read).

**CARRIED**

Before the vote, Trustee Law commented on the difficulties in considering applications for development variances subsequent to completion of construction. The Trustees noted that decisions are made on a site-specific basis and that in this case there are no significant impacts to the public value or environment.

*10.1.2 Email dated April 21, 2013 from Rick Helmer*

Received.

*10.1.3 Email dated April 22, 2013 from Allan and Jean Rasi*

Received.

*10.1.4 Ministry of Transportation and Infrastructure Permit to Reduce Building Setback less than 4.5 Metres from the Property Line Fronting a Provincial Public Highway*

Received.

10.1.5 *Email dated April 25, 2013 from Carmel Jorgensen, Mauricio Montiel Solis and Jesus Montiel Solis*

Received.

*Planner Prowse left the meeting.*

**11. LOCAL TRUST COMMITTEE PROJECTS**

11.1 *HO-OCP-2009.1 (Official Community Plan/Land Use Bylaw Review)*

11.1.1 *Staff Report dated April, 2013*

Planner Zupanec summarized the staff report which introduces the April 2013 draft Official Community Plan and Land Use Bylaw, identifies areas requiring further planning work or Local Trust Committee direction, and presents recommendations for early referrals and targeted public consultation.

There was discussion on bylaw review topics and referrals with the following key points considered:

- an update on the status of the redesignation of land in conjunction with the K'omox treaty settlement was requested; it was suggested that the Schedule B map might be flagged to provide a status update to the Local Trust Committee ;
- topics for community consultation might be combined as: Secondary suites and Community housing; and Commercial zoning and Residential/Commercial zoning in Ford's Cove.

By general consent agenda items 11.1.4 and 11.1.5 were moved to after agenda item 11.1.1.

11.1.4 *Compilation of Public Correspondence (February 1 to March 6, 2013)*

Received. There was discussion on topics raised in correspondence with the following points noted:

- 1) the difficulties in the use of GPS and mapping "apps" by individuals were considered and it was determined that these may not be substituted for professional surveys where legal surveys are required for applications;
- 2) the permitted accessory building clause should be consistent in zones 5.6, 5.7 and 5.8;
- 3) vacation home rental use should be included in zones 5.6, 5.7 and 5.8;
- 4) a review of subdivision lot area in the zones having similar zoning to Syzygy's land co-operative might be conducted in a process subsequent to this Official Community Plan/Land Use Bylaw review as it would require a broader discussion than the scope of this review allows and could include community discussion;

- 5) the possibility of adjusting the (C4) Sea Breeze zone to include the addition of retail and personal service use into their zone was suggested as this accessory use in their zone does not represent a substantive land use issue; and
- 6) in (R3) Community Housing zone, Permitted Uses (1) (a): replace “elder housing” with “community housing” to provide flexibility for Hornby Elder Housing.

*11.1.5 Compilation of Public Correspondence (March 7 to April 16 2013)*

Received. The Chair invited Stan Combs to speak regarding his correspondence.

**Stan Combs** – expressed his support for allowing secondary suites in small lot residences. He suggested that perhaps neighbourhood sewage systems should be installed on Hornby Island to address groundwater pollution by failed existing septic systems.

By general consent agenda item 11.1.3 was moved to after agenda item 11.1.5

*11.1.3 Draft Official Community Plan*

There was discussion on draft Official Community Plan revision topics and direction was provided to staff on changes that were identified.

**HO-013-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee endorse the following changes to the April 2013 draft Official Community Plan and request staff to post the draft document to the Hornby web page as “April 2013” version for public comment:

- 1) 6.3.4.6: deletion of policy;
- 2) 6.5.5.10: revision of limited home occupations and site specific zoning provisions for consideration of extended or basic home occupations;
- 3) Schedule B: changing of the Forest designation part of Mt. Geoffrey Park to Park designation;
- 4) Schedule D2 (formerly D1): labeling as “Aquifer Map” with color and change in lines for clarity; and
- 5) Environmentally Sensitive Areas Map (formerly D2): adding to the Project List for further discussion;
- 6) Schedule F: no changes.

**CARRIED**

*By general consent the meeting was recessed at 1:59 pm and reconvened at 2:06 pm.*

*11.1.2 Draft Land Use Bylaw*

There was discussion on draft Land Use Bylaw revision topics and direction was provided to staff on changes that were identified.

**HO-014-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee endorse the following changes to the draft April 2013 Land Use Bylaw and request staff to post the draft document to the Hornby web page as “April 2013” version for public comment:

- 1) Referral to Bylaw Enforcement for comments on the Land Use Bylaw draft, specifically the noise levels for home occupations;
- 2) Schedule B: Staff to check (P2) Zones and Comox Valley Regional District park ownership issues; correct Islanders Secure Land Association property zoning, flag the name of commercial zones to be more descriptive;
- 3) Definitions: flag definition of floor area to consider possibility of revising to measure interior floor space;
- 4) 3.12: remove the first three words and entire last sentence;
- 5) Page 23 Bed & Breakfast regulations annotation: change “consider” to “add”;
- 6) Parking regulations: revise bike rack provisions to match the disabled parking provisions;
- 7) 5.25 (M4) Zone: change permitted use to include mobile food or take out and delete accessory restaurant;
- 8) 5.26(g): remove “temporary”;
- 9) Add to Projects List – Water catchment requirement for new development;
- 10) (R1) Zone: flag three Ford Cove properties;
- 11) 3.2(1) (t): amend wording for modification of shipping containers.

**CARRIED**

**HO-015-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee request staff to:

- arrange early referrals of the April 2013 draft Official Community Plan and draft Land Use Bylaw to the K’omoks First Nation, Denman Island Local Trust Committee, Executive Committee of the Islands Trust, Agricultural Land Commission and the Ministry of Agriculture; and
- refer the draft Land Use Bylaw to the Advisory Planning Commission and Bylaw Enforcement.

**CARRIED**

*11.2 HO-RZ-2012.1 (Vacation Home Rental Regulation)*

By general consent agenda item 11.2.1 was moved to after agenda item 18.

*11.2.2 Notification to Property Owners*

Various strategies for communicating regulation reminders to property owners were discussed and expenses were considered. Trustees will draft a flyer for staff review.

*11.2.3 Email dated February 28, 2013 from Frances Millan of Wind and Waves Vacation Homes*

Received. The Trustees and Chair Graham will create a response based on recommendations made at the meeting.

11.2.4 *Email dated February 28, 2013 from Larry Pierce to Executive Committee*

Received. Chair Graham will respond to the communication based on recommendations made at the meeting.

11.2.5 *Email from Tony Law to Frances Millan*

Received.

## 12. REPORTS

### 12.1 *Work Program*

12.1.1 *Top Priorities and Projects List Report dated April 17, 2013*

The Top Priorities and Projects List report was reviewed. Regional Planning Manager Simpson provided an update on Priority No. 3: Riparian Areas Regulation mapping and implementation.

**HO-016-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee amend the Top Priorities List by moving Riparian Areas Regulation mapping and implementation to No. 2 and Vacation Home Rentals – Regulations Review to No. 3.

**CARRIED**

12.2 *Applications Log*

12.2.1 *Report dated April 17, 2013*

Received.

12.3 *Trustee and Local Expenses*

12.3.1 *Expenses posted to March 31, 2013*

Received.

## 13. NEW BUSINESS

13.1 *Hornby Island Local Trust Committee – 2012/13 Annual Report Submission Memorandum dated April 2, 2013*

Planner Zupanec presented the memorandum and solicited input from the Local Trust Committee for corrections or changes to be made.



**HO-017-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee endorse the submission for the Islands Trust 2012/13 Annual Report to the Director of Local Planning Services with the following amendments:

- line two: change “information meetings” to “information meeting”;
- spell out all numbers one to nine;
- third line: delete extra space between “consultations” and the period; and
- last line: change “early” to “Spring”.

**CARRIED**

13.2 *Renewable Energy Technologies in the Trust Area – Ocean Based Geo-Exchange Systems*  
*Memorandum dated February 25, 2013*

Received for information.

13.3 *Denman Island Bylaw Referral – Bylaw No. 204*

13.4 *Denman Island Bylaw Referral – Bylaw No. 205*

13.5 *Denman Island Bylaw Referral – Bylaw No. 206*

The Bylaw Referrals No. 204, 205 and 206 were reviewed.

**HO-018-2013**

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee respond to the referral of Bylaws No. 204, No. 205 and No. 206 by stating that the Local Trust Committee's interests are unaffected by the Bylaws.

**CARRIED**

13.6 *Discussion Regarding Meeting with Ministry of Transportation and Infrastructure*

Trustee Law advised that it is time to organize the annual communication meeting with the Local Trustees, the local Area Manager of Ministry of Transportation and Infrastructure and other key community members. This meeting will not require staff resources and Trustees will move forward to arrange the meeting.

14. **BYLAWS** – None.

17. **ISLANDS TRUST WEBSITE**

17.1 *Hornby Page*

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

- Hornby Island Work Program, item 1: insert a space between “1.” and “Targeted”;
- Climate Change Action, seventh bullet: correct “communjity” to “community”;
- Latest News: post the flyer that the Trustees are writing.

18. **NEXT MEETING DATE**

The next meeting of the Hornby Island Local Trust Committee will take place on Friday, June 7, 2013 at 11:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC.

*11.2.1 Communications Video*

Trustees viewed the Communications Video for vacation home rentals and approved the content of the video.

17. **ADJOURNMENT**

Chair Graham adjourned the meeting at 3:41 pm.

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Recorder

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Chair