



**Hornby Island
Minutes of a Special Business Meeting
to Hold a Community Information Meeting**

Date of Meeting: Wednesday, May 28, 2014

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

Members Present: David Graham, Chair
Alex Allen, Local Trustee
Tony Law, Local Trustee

Staff Present: Rob Milne, Island Planner
Vicky Bockman, Recorder

Media and Others Present: Approximately fourteen (14) members of the public

1. OPEN HOUSE – 1:00 PM TO 2:00 PM

Materials were on hand for public viewing and informal discussion prior to the commencement of the Community Information Meeting.

2. CALL TO ORDER

Chair Graham called the Community Information Meeting to order at 11:32 am. He welcomed the public and introduced himself, the Local Trustees, Staff and Recorder.

3. APPROVAL OF AGENDA

By general consent the agenda was approved.

4. INTRODUCTIONS AND OPENING REMARKS FROM THE CHAIR AND TRUSTEES

Chair Graham explained that this meeting is intended to provide an opportunity for members of the public to ask questions and to comment on this targeted review of the Official Community Plan (OCP) and Land Use Bylaw (LUB). He pointed out that the Advisory Planning Commission (APC) had completed a very thorough review of the documents and provided the Local Trust Committee with recommendations for proposed changes that have been incorporated into the bylaws for consideration and discussion today.

Trustee Law commented that this Community Information Meeting is a step in a long process that is nearing completion. He provided historical context for the review, noting that the key issues of economic opportunities and housing had been targeted for examination through community meetings at the onset of the process and that this work also provides an opportunity to make necessary minor adjustments that have accumulated over time. He remarked that the OCP and LUB are being reviewed simultaneously to assure that they are in sync and will work together as intended.

He pointed out that there have been many opportunities for community input during the process and changes have been incorporated as a result of these consultations. He advised that the Planner will be bringing information to the next Local Trust Committee meeting that includes feedback from this Community Information Meeting for consideration.

Trustee Law acknowledged the Trustees' gratitude for the work done by the APC which has helped the Local Trust Committee in this process and recognized Carol Quin, Ross Muirhead and Sheila Farrington who were present at this meeting today.

**5. HO-OCP-2009.1
(OFFICIAL COMMUNITY PLAN/LAND USE BYLAW REVIEW)**

Planner Milne commented that today's Community Information Meeting is the third meeting in this round of the consultation process. He advised that the Local Trust Committee has given first reading to the proposed bylaws. He explained that the purpose of the meeting today is to provide an opportunity for questions and answers; and he described the next steps in the targeted review process.

He provided a power point presentation of the project overview with the following key points noted:

- History of the targeted review;
- Overview of the process and changes to the OCP;
- Key changes to Housing sections;
- Key changes – expansion of Commercial Zoning;
- Key changes – Community Trades and Services Areas;
- Project overview and changes to the LUB; and
- Next steps.

Planner Milne pointed out the location of comment sheets that are available for community members to offer written comments and indicated that these will be incorporated into information provided for Trustees' consideration.

6. PUBLIC COMMENTS AND QUESTIONS

Chair Graham opened the floor for comments or questions and encouraged community members' participation. Following is a summary of topics raised and responses provided.

A comment was made that text on the website in regulation 8.4 Community Housing Zone (ISLA) indicates that the maximum community housing dwelling units per lot is 20 rather than the correct number of 30.

Planner Milne responded that he would investigate the website text and confirmed that the maximum number is 30 in the proposed bylaw.

A community member asked if the proposed bylaws permit secondary suites in the R4 zone.

Planner Milne clarified that secondary suites are permitted in the proposed bylaws' Forest (R4) zone.

A question was raised as to how the Islands Trust will be able to determine the existence of activities or operations that were in operation prior to adoption of changes proposed in these bylaws; and how will bylaw enforcement be able to respond to possible complaints.

Planner Milne explained that there are a number of methods to establish retroactive status and provided examples. He advised that bylaw enforcement will follow principles set out in the *Local Government Act* that offers protection when regulations change by allowing for the ability to maintain what was established prior to the change in regulations.

Trustee Law commented that in general, most changes being considered will not result in legally non-conforming situations. He explained that potential for inappropriate use of Section 946 subdivisions (residence for a relative) has led to proposed changes that would provide more certainty to the community. He commented that the list of uses prohibited in all zones set out in the LUB does contain a small number of new prohibited uses and added that a rezoning application or Temporary Use Permit can be utilized to allow a review, on a site specific basis, of a request for a use that is not otherwise permitted.

There was a comment regarding the Temporary Use Permit process and it was asked if there would be a point when the process of application, renewal and subsequent new application could be made into a more permanent option if there had been no objections raised during that time.

Planner Milne responded that a rezoning application would be the only other option at this time; however, noted that it may not be as economically advantageous to proceed with that approach.

Several comments related to Forest (R4) property owners' request for change in zone to Large Lot (R2) and the following key points were noted:

- Where two dwellings are already permitted on these properties, a change to R2 would allow subdivision with no effect on density;
- It was suggested that permitting subdivision in this area would provide opportunities for young families, an element necessary for sustaining Hornby's school enrollment and vitality; and
- Other properties in the R4 zone in the residual area remaining from what was once a huge zone have already been rezoned to R2.

Trustee Law explained that the original zoning of the area was necessary to protect the Mt. Geoffrey area from development; privately owned properties as well as Crown land were included at that time. After the creation of the Mt. Geoffrey Park zone, several properties were left remaining in the original zone that had been created. He acknowledged that the viewpoints expressed here have been heard and that the Planner will be preparing a report for the next Local Trust Committee meeting for the Trustees' consideration.

ADOPTED

There were comments related to Agriculture 1 (A1) zone and the following points were noted:

- A community member commented that the policy in the A1 zone states that the minimum parcel size created by subdivision must be 16 hectares and expressed concern that this size seems too large on an island base; and
- A member of the public noted that in the past the Agricultural Land Commission (ALC) has asked that Local Trust Committees keep remaining agricultural properties as large as possible; that they have no ability to follow up or enforce situations and their experience has shown that subdivision of farm land can be abused, limiting the ability to ensure that the land will continue to be used for farm operations.

Trustee Law noted that the 16 hectares minimum is a historical minimum parcel size and is not a proposed change with this review. He indicated that the ALC has not been supportive in the past during discussions that included the possibility of reducing the minimum size of agricultural land in the Gulf Islands. He responded to a question of subdivision of A1 zone land by advising that this is an area in which the ALC has authority and referred the community member to ALC staff for information and options.

Comments related to residential density were noted as follows:

- A viewpoint was expressed that increasing density with ecologically sensitive stewards of the land might be a positive factor where a need to sustain services and encourage a move to local economy and growing food would enhance the community and demonstrate a mandate to preserve and protect the community.

Trustee Law commented that Hornby Island has been at the leading edge of support in the Islands Trust area for the growing of food and housing opportunities. He encouraged community members to view the Food Sustainability report that is on the Hornby Island page of the Islands Trust website. He observed that the Local Trust Committee decisions must consider larger issues that sometimes involve responsibility to the environment and future generations as well as listening to community. He added that decisions are reviewed by the Executive Committee to assure that they are in conformance with the Islands Trust Policy Statement.

- A comment was made that density was determined in the past by the carrying capacity of the land as it relates to well and septic criteria and contamination concerns;
- Concern was expressed regarding increasing density for certain properties to allow for individuals to own property in a more affordable manner, land cooperatives or for other positive endeavors as it would not be a fair process and the uses would be difficult to regulate over time. It was questioned whether this is a change that is being proposed.

Trustee Law responded that a provision for land cooperative zoning supported by the submission of an impact assessment plan has been in the bylaws since 2002. He clarified that this would provide for an application by a cooperative rather than an individual.

Trustee Graham noted that the Islanders Secure Land Association development is a model for responsibly increasing density and the proposed secondary suites and secondary dwelling provisions are intended to provide additional opportunities for housing.

- A community member asked if the density transfer mechanism has been considered as a provision in the OCP to create more flexibility in housing options, noting that in the past there was discussion of attempting to reduce the density on the half-acre lots to shift the density away from the subdivisions.

Trustee Law responded that density transfers had been considered in the last OCP review, however, had been determined to be problematic with the potential for unintended consequences. He noted that the Local Trust Committee has identified a review of residential density as a project to address the issue in a focused manner and with community conversation in the future.

The following comments related to Section 946 subdivision regulations were noted:

- Concern was expressed that the proposed increase in the minimum lot size for consideration of a Section 946 subdivision is too high; and
- Clarity was requested for the minimum size of the parcel being subdivided from the larger parcel.

Planner Milne responded that the size of the piece being subdivided for family is determined by the local government zoning and is subject to the requirements of the zone in which the property is located.

Trustee Law advised that the Local Trust Committee and Planner will be giving consideration to these comments as they continue the review process.

There were no further comments or questions arising. Chair Graham thanked those present for their comments and invited the public to view the display of maps and materials at their leisure.

7. NEXT MEETING DATE

7.1 Local Trust Committee Business Meeting

The next meeting of the Hornby Island Local Trust Committee will take place on Friday, June 6, 2014 at 11:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC.

8. ADJOURNMENT

By general consent the meeting was adjourned at 4:30 pm.

David Graham, Chair

CERTIFIED CORRECT:

Vicky Bockman, Recorder