



## Hornby Island Local Trust Committee Minutes of Regular Meeting

<b>Date:</b>	<b>March 27, 2015</b>
<b>Location:</b>	<b>Room to Grow 2100 Sollans Road, Hornby Island, BC</b>
<b>Members Present</b>	<b>Laura Busheikin, Chair Alex Allen, Local Trustee Tony Law, Local Trustee</b>
<b>Staff Present</b>	<b>Rob Milne, Island Planner Vicky Bockman, Recorder</b>
<b>Others Present</b>	<b>There were two (2) members of the public in attendance – am There was one (1) member of the public in attendance - pm</b>

### 1. CALL TO ORDER

Chair Busheikin called the meeting to order at 11:30 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 13.2 Ferry Service
- 13.2.1 Draft Letter to Minister Todd Stone

**By general consent** the agenda was adopted as amended.

### 3. TOWN HALL AND QUESTIONS

Karen Ross expressed general disagreement with the inclusion of roadside ditches in the Riparian Areas Regulation (RAR) bylaw providing rationale for this position; and specifically objected to the inclusion of the ditch on Central road which in her opinion has no fish bearing potential. She stated that she has walked this area and believes the map is in error. She also suggested that any property that includes the community path should be excluded from the RAR requirements as the Streamside Protection and Enhancement Area has already been compromised there.

Planner Milne responded by requesting that the information regarding the potential mapping error be presented to him in writing so that he could follow-up with the consultant that completed the mapping to discuss the issue.

Discussion followed on the RAR requirements, process, mapping practices, provincial approval of the professionals to make the assessments, the Ministry of Transportation and Infrastructure (MOTI) road right of way considerations and potential assessment costs.

Trustees asked Planner Milne several questions relating to the ditches within the MOTI road allowance as they explored possible alternative options. Planner Milne responded that RAR makes it clear that roadside ditches are RAR applicable if they meet the criteria provided within the regulation and that the applicability of such ditches on Hornby Island has been evaluated by Qualified Environmental Professionals approved by the province to make those assessments. Trustees acknowledged that providing relief from the requirements of the RAR as they apply to watercourses and ditches assessed as being RAR applicable is beyond the authority of the Local Trust Committee (LTC) and that some exemptions have been included in an attempt to ease some of the restrictions for property owners.

**4. COMMUNITY INFORMATION MEETING**

None.

**5. PUBLIC HEARING**

None.

**6. MINUTES**

**6.1. Local Trust Committee Minutes Dated February 13, 2015 for Adoption**

**By general consent**, the minutes were adopted.

**6.2. Local Trust Committee Special Meeting Minutes Dated March 6, 2015 for Adoption**

The following amendment to the minutes was presented for consideration:

Page 2, third bullet, first line: change to read “the RAR does not apply to agriculture or institutional uses or to the reconstruction...”

**By general consent** the minutes were adopted as amended.

**6.3. Section 26 Resolutions-without-meeting Report**

None.

**6.4. Advisory Planning Commission Minutes**

None.

**7. BUSINESS ARISING FROM MINUTES**

**7.1. Follow-up Action List Dated March 17, 2015**

Planner Milne summarized the Follow-up Action List.

**7.2. LTC Goal Setting Session Report**

7.2.1. Memorandum Dated March 13, 2015

Trustees appreciated the record of the Goal Setting Session as a tool to reference over the course of the term.

A trustee requested correction of the typographical errors in the report on Page 1, Summary, 10<sup>th</sup> bullet to read: "topics in review".

**8. DELEGATIONS**

None.

**9. CORRESPONDENCE**

**9.1. Email Dated March 7, 2015 from Karen Ross regarding RAR**

The LTC received the correspondence. Planner Milne advised that responses to several points raised in the email have been included for consideration in the staff report, item 11.1.1 on the agenda.

**10. APPLICATIONS AND REFERRALS**

**10.1. HO-SUB-2015.1 (Scott)**

10.1.1. Memorandum dated March 3, 2015 regarding 10% Road Frontage Requirement Waiver

The LTC considered the memorandum that addresses the request for a waiver of the 10% road frontage requirement for the proposed subdivision.

**HO-2015-009**

**It was MOVED and SECONDED**

that the Hornby Island Local Trust Committee waive the 10% road frontage requirement for proposed Lot 2, on current Lot K, Section 16, Hornby Island, Nanaimo District, Plan 30237 for subdivision file HO-SUB-2015.1 (Scott).

**CARRIED**

10.1.2. Memorandum dated March 17, 2015 regarding Cost Recovery

Planner Milne advised that the proposed subdivision covenant required pursuant to the Section 946 of the *Local Government Act* requires review by legal counsel and an agreement to enter into a cost recovery agreement with the applicant.

The applicant was in attendance and spoke of her intentions for the property in the proposed subdivision. Trustees discussed the Section 946 process and noted that the minimum lot size requirement change that is currently before the Ministry of Community, Sport and Cultural Development for approval has no effect on this subdivision request.

**HO-2015-010**

**It was MOVED and SECONDED**

that the Hornby Island Local Trust Committee instruct staff to enter into a cost recovery agreement allowing Islands Trust legal counsel to draft and/or review a Covenant under Section 946 for Subdivision application HO-SUB-2015.1 (Scott).

**CARRIED**

The applicant expressed concern about the timeline for the legal review of the required covenant as explained to her by planning staff, and Planner Milne provided an overview of the process.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1. Riparian Areas Regulation Implementation**

**11.1.1. Staff Report Dated March 16, 2015**

Planner Milne summarized the staff report, the submissions received from the Community Information Meeting, and the response to the concerns raised in the email correspondence.

Discussion followed regarding the inclusion of roadside ditches in the RAR. Trustees explored possible approaches to address concerns. Planner Milne provided clarity on the provincial regulation requirements and the approval process that would likely make these approaches unobtainable.

Planner Milne explained that it is possible to move the RAR bylaws forward at this time while noting that there will be a process for possible future amendments to the mapping to address changes that may occur over time.

**HO-2015-011**

**It was MOVED and SECONDED**

that the Hornby Island Local Trust Committee amends the Draft Land Use Bylaw by:

1. The addition of the following text to the end of the existing paragraph in Section 9.6, "Development Permit Area No. 6: Riparian Areas – Guidelines" of the draft Land Use Bylaw:  
"unless the proposed activity is otherwise exempted by Section 9.6.2".
2. The insertion of an Information Note following Section 9.6.1 which reads as follows:  
"Information Note: The installation of a culvert and construction of a driveway access from a Highway is exempt from the requirement to obtain a development permit."

**CARRIED**

Trustees questioned the process and the lack of identifying numbers for the draft bylaws. Planner Milne explained that these are draft bylaws proposing to amend a proposed bylaw which is before the Minister for

approval and would be assigned numbers in the future. He indicated that in the meantime, the process of sending out the proposed bylaws for referrals, Advisory Planning Commission comments and public consultation can occur.

**HO-2015-012**

**It was MOVED and SECONDED**

that the Hornby Island Local Trust Committee give the draft bylaws that address Riparian Areas Regulation first reading and direct staff to formally refer the bylaws to the relevant agencies, including the Agricultural Land Commission and First Nations.

**CARRIED**

**By general consent** the meeting was recessed at 1:05 pm and reconvened at 1:25 pm.

**12. REPORTS**

**12.1. Work Program**

**12.1.1. Top Priorities Report Dated March 17, 2015**

Planner Milne presented the Top Priorities Report. Trustees observed that Priority No. 2 is awaiting Ministerial approval and while it is premature to remove that item at this time, it might be possible to add another item to the list. Discussion followed on items on the Projects List that might be considered for inclusion as a Top Priority.

**HO-2015-013**

**It was MOVED and SECONDED**

that “Develop and implement a Development Approval Information Bylaw” be included as a distinct activity within Top Priority No. 1 “Riparian Areas Regulation mapping and implementation” as per the Project Charter.

**CARRIED**

**12.1.2. Projects List Report Dated March 17, 2015**

Trustees reviewed the Goal Setting Session notes to identify possible topics to place on the Projects List.

**HO-2015-014**

**It was MOVED and SECONDED**

that “A collaborative planning process for the Public Use area on Hornby Island” be added to the Projects List.

**CARRIED**

Discussion followed on the Goal Setting Session item “provide information to community on building and development issues and processes” with trustees recognizing the need for this material. Planner Milne suggested that the LTC consider utilizing a Student Planner, who will be available during the summer, to undertake this project.

**12.2. Applications Report Dated March 17, 2015**

Planner Milne provided an overview of the Applications Report and responded to questions from Trustees.

**12.3. Trustee and Local Expense Report Dated February, 2015**

Received.

**12.4. Adopted Policies and Standing Resolutions**

Received.

**12.5. Local Trust Committee Webpage**

Trustees requested that the Trustee Bios be added back to the webpage as they have disappeared. They indicated their desire to add brief Trustee comments monthly to the Trustee Corner section and the process was discussed. They affirmed their desire to have public consultation events posters regularly placed on the website.

A trustee questioned why the website refers to the "Strait of Georgia" rather than "Salish Sea" and Chair Busheikin offered to inquire about this.

**12.6. Chair's Report**

Chair Busheikin reported on her attendance at the Grace Islet Celebration Ceremony held recently. She noted that next week the Executive Committee will hold its first meeting following Trust Council and commented on some of the items that are on the agenda for discussion at that meeting.

**12.7. Trustee Reports**

Trustee Allen reported on the recent Trust Council meeting held on Gabriola Island. He commented that he enjoyed sharing common concerns and learning about other islands' projects that might also be useful on Hornby Island such as Gabriola Island's community Gertie bus transportation option and the Gabriola Commons. He appreciated the Islands Trust funding initiative in support of developing relationships with First Nations and noted that the 2015-2016 budget was passed.

Trustee Law commented that he brought information from the Trust Council meeting on the Gabriola Island Gertie bus and energy project to a Hornby Island Community Economic Enhancement Corporation committee that he is working on to inform consideration of community-wide projects that could include solar and transportation related components. He reported on the project that he is involved with to support establishment of butterfly habitat in Helliwell Park and commented that they may be ready to re-introduce larvae next spring.

**12.8. Electoral Area Director's Report**

Chair Busheikin reported that she contacted Director Jolliffe, providing him with the meeting schedule and an invitation to attend. She indicated that he did

appreciate the information, however did not anticipate the need to attend at this time.

**12.9. Trust Fund Board Report**

Trustee Law reported that the Trust Fund Board held a meeting recently and a report of the results of that meeting will be disseminated to LTCs for their information. He commented on his participation in the latest meeting of the multi-agency Coastal Douglas Fir and Associated Ecosystems Conservation Partnership where a strategy for implementation is being developed. He noted that the Trust Fund Board will be evaluating that material and will be presenting information for LTCs when available.

**13. NEW BUSINESS**

**13.1. Board of Variance Report**

13.1.1. Staff Report Dated February 2, 2015

Trustees reviewed the staff report presenting background information regarding Board of Variance (BOV) appointment options and requirements. Discussion followed on process, the LTC's preference to pursue a joint BOV, and the desire to explore the interest of former members for the Hornby Island Local Trust BOV area to continue in their roles in order to benefit from their familiarity with the bylaws, the issues and the process.

**HO-2015-015**

**It was MOVED and SECONDED**

that the Hornby Island Local Trust Committee direct staff to advertise for membership in a Board of Variance appointed jointly with other Local Trust Committees in the Northern Region.

**CARRIED**

**HO-2015-016**

**It was MOVED and SECONDED**

that staff contact Northern Region Board of Variance former members before placing an advertisement for new members.

**CARRIED**

**13.2 Ferry Service**

13.2.1 Draft Letter to Minister Todd Stone

Trustee Law advised that the Province of BC will soon be establishing the latest version of the *Coastal Ferry Services Contract* with BC Ferries and that acting now to request a change in the service levels by extending the peak period for ferry routes serving Hornby Island might be effective. He submitted a draft letter to Minister Todd Stone with information and data supporting such a change for the LTC consideration.

**HO-2015-017**

**It was MOVED and SECONDED**

that the Chair of the Hornby Island Local Trust Committee be requested to write to the Minister of Transportation and Infrastructure requesting that the *Coastal Ferry Services Contract* for the performance term 2016-2020 be amended to extend the peak season schedule for the ferry routes serving Hornby Island (Routes 21 and 22) so that it is in place from mid-May to mid-October with copies to MLA Don McRae, Director Bruce Jolliffe, the Denman Island Local Trust Committee, Denman Island Residents Association, Hornby Island Residents and Ratepayers Association, Hornby Island Community Economic Enhancement Corporation, Hornby/Denman Ferry Advisory Committee and Denman WORKS!.

**CARRIED**

Trustees requested that the letter also be copied to Kirk Handrahan and Trustee Law will provide the contact information to staff. Chair Busheikin indicated that she may also suggest that the Denman Island Local Trust Committee write a letter in support of this action and thanked Trustee Law for this initiative.

**14. UPCOMING MEETINGS**

**14.1. Next Regular Meeting Scheduled for May 15, 2015 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC**

The LTC confirmed that the next regular meeting is scheduled for May 15, 2015 at 11:30 am at Room to Grow.

**15. TOWNHALL**

Sheila Farrington appreciated the LTC's initiative to request an extension of the BC Ferries peak period and encouraged the Local Trust Committee to continue to urge the Province to support coastal communities.

She noted that there was an application regarding a Section 946 subdivision on today's LTC agenda and asked if the minimum lot size requirement change that is currently before the Ministry of Community, Sport and Cultural Development for approval has any effect on this subdivision request. She asked what the LTC's responsibility is for monitoring the covenant on the property.

Planner Milne and the trustees responded that the Land Use Bylaws are in the process of being changed to help mitigate inappropriate use of Section 946 subdivisions, however are not yet in effect. They provided an explanation of the process and confirmed that the LTC has no ability or authority to monitor these covenants.

Sheila Farrington expressed her opinion that there should be a different system for these subdivisions. She thanked the LTC for providing the second Town Hall opportunity on agendas.

**16. CLOSED MEETING**

**16.1. Motion to Close the Meeting**

**HO-2015-018**

**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) for the purpose of considering Advisory Planning Commission Appointments and s.90(1)(d) for Adoption of In-Camera Meeting Minutes Dated October 10, 2014 and that the recorder and staff attend the meeting.

**CARRIED**

The meeting closed to the public at 2:35 pm.

**16.2. Recall to Order**

The meeting reopened to the public at 2:43 pm.

**16.3. Rise and Report**

Chair Busheikin reported that in the closed meeting the LTC adopted In-Camera meeting minutes of October 10, 2014 and that staff has been requested to re-advertise for expressions of interest in the Advisory Planning Commission.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:45 pm.

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Laura Busheikin, Chair

Certified Correct:

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Vicky Bockman, Recorder