



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: May 5, 2017
Location: New Horizons
 1765 Sollans Road, Hornby Island, BC

Members Present Laura Busheikin, Chair
 Alex Allen, Local Trustee
 Tony Law, Local Trustee

Staff Present Marnie Eggen, Island Planner
 Vicky Bockman, Recorder

Others Present: Approximately nineteen (19) members of the public – am
 Approximately three (3) members of the public - pm

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 10:32 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She welcomed the public and introduced Trustees, staff and the recorder.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

13.2 Crown Land

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

- A member of the public expressed opposition to the partial closure of Fowler Road and removing it from public use as proposed in a referral from the Ministry of Transportation and Infrastructure (MoTI), citing the desire to preserve public space on Hornby Island for use by horse riders, walkers and children and expressed his view that the closure of a public road access needs a more thorough public consultation process.

Members of the public addressed the TELUS antenna siting proposal and the following points were noted:

- Continuation of discussion on the subject of communications through Town Hall and other opportunities was requested. The comments were submitted for the record;
- Support was given for the staff recommendation of non-concurrence;

- Development of a Trust-wide protocol for any tower proposal that each island would be able to use and adapt to their needs was recommended rather than using a public consultation process undertaken by an outside organization;
- There were comments that the community should have been informed earlier and requests were made that this be improved in the future including advising islanders of next steps after the decision is made;
- A Trustee suggested that next steps can be discussed when the matter is considered at agenda item 10.1; and
- The purpose of the tower remains in question.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated March 31, 2017 for Adoption

By general consent the Local Trust committee meeting minutes of March 31, 2017 were adopted.

6.2 Section 26 Resolutions-without-meeting Report dated April 27, 2017

Received.

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 27, 2017

Trustees requested that the June 10, 2016 activity be removed from the Report as this item is now being addressed collectively through other opportunities and strategies.

7.2 Herring Fishery Advocacy - for discussion

Trustee Law presented information compiled from a technical study session he attended recently, suggesting options for Herring Fishery advocacy.

Discussion followed on whether to advance the initiative through the Local Trust Committee (LTC) or Executive Committee, and a strategy that initially brings the proposal to Executive Committee for determination of a best approach was suggested.

HO-2017-025

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the Chair or the Executive Committee to write to the Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and Canadian Coastguard, to propose a thorough review of the Herring Roe fishery in the Salish Sea (Strait of Georgia).

CARRIED

8. DELEGATIONS - None

9. CORRESPONDENCE - None

10. APPLICATIONS AND REFERRALS

10.1 HO-OTH-2016.1 (Telus) - Staff Report

Planner Eggen provided an overview of the Staff Report for LTC consideration of a decision for concurrence or non-concurrence for the proposed TELUS 48-metre radio communications tower that would provide backup communication services. She outlined the results and number of comments received during the consultation period.

Trustees discussed the proposal and the following points were noted:

- The intended purpose of the communication tower remains unclear;
- Pursuing alternative systems was suggested to address concern regarding safety in the event of a cable problem;
- Next steps relating to communication of the LTC decision and response from TELUS were outlined, however, a timeline was unknown at this time;
- Development of a Trust-wide protocol for public consultation regarding communication towers was suggested or, if resources are not available to provide this protocol, it was suggested that it might be beneficial for LTCs to develop their own process.

HO-2017-026

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee confirms that the public consultation process undertaken by TELUS followed the basic requirements of the Innovation, Science and Economic Development Canada (formerly Industry Canada) Public Consultation Process for the proposed 48 metre TELUS radio-communications tower.

CARRIED

HO-2017-027**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee confirms that it has been consulted and does not concur with the proposed TELUS tower (HO-OTH-2016.1) for the following reasons:

- a) The proposed tower is not consistent with policy 5.1.3 of the Islands Trust Policy Statement because of its close proximity to the main commercial area of Hornby Island and potential negative impact on the scenic value of the area, and screening cannot be guaranteed by the proponent.
- b) The proposed tower is not consistent with policy 5.5.3 of the Hornby Island Official Community Plan Bylaw No. 149 because it is not proposed to be sited on a large lot nor within the recommended designation.
- c) The proposed tower, if approved, could be further modified or increased in height and would be exempt from land use authority and public consultation requirements as per CPC-2-0-03.
- d) The proposed tower would not comply with the setback requirements of the Hornby Island Land Use Bylaw No. 150, which are intended to provide adequate separation from and mitigate the potential impacts of buildings and structures on neighbouring properties.
- e) The majority of public submissions received were unsupportive of the proposed tower, and the main concerns were not alleviated by the proponent.

The Chair asked if there was further discussion.

A Trustee appreciated the Staff Report and the ability to review the public comments. He spoke to the motion and the following was noted:

- Although the TELUS lot is within the Public Use zone designation which was developed in the Official Community Plan (OCP) years ago, it was not considered to be a logical location for a communication tower;
- There is concern that a later decision might change the height and use of the tower which he considered to be a flaw in the process, as a land use authority is tasked with looking at the future;
- The setbacks and screening are not adequate and there are strong land use reasons to not concur;
- Alternative systems should be explored to address safety concerns in the event of losing phone connection; and
- Some of the comments received indicated a fear of speaking out on this matter and work needs to be done to ensure that future issues can be discussed in an environment that is comfortable for all and where every voice can feel welcome.

The question on the motion was then called.

CARRIED

Trustees considered approaches to keep the community up-to-date and involved in local decisions including the Islands Trust subscribing service for meeting agendas, meeting minutes, news releases and other topics. Viewing agendas online, links on Hornby Word of Mouth posted by Trustees, posting of agendas

publically and use of the First Edition were also suggested for providing information.

HO-2017-028

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the Local Planning Committee to consider if, when, and how it will address the Trust Council referral with respect to the siting of communication towers.

CARRIED

Chair Busheikin opened the floor to the public; the following points were noted:

- There could be other technology for cell phone coverage instead of towers;
- The summary of public responses received may have been inaccurate, for example, counting couples as one comment;
- Planner Eggen explained the default consultation process; and
- It was suggested that concern of the danger of fire or earthquake affecting the tower and blocking the road be communicated to Industry Canada.

A Trustee suggested that it may be appropriate to report the public's concern with Safety Code 6 to Health Canada and provide feedback to Industry Canada that their policy of allowing modifications in the future creates difficulty in making decisions for local government. Trustees may consider this issue at a future meeting.

10.2 HO-SUB-2017.1 (Hoerburger - Fowler Road Closure Referral) - Staff Report

Planner Eggen summarized the Staff Report that reconsiders a referral from MoTI of an application to partially close Fowler Road. She reviewed the submissions that were received from the community, noting that none were supportive. She advised that the Staff Report also recommends that the Fees Bylaw be updated to include a fee for processing MoTI Road Closure Referrals.

Trustees and staff clarified questions from the public regarding the nature of unconstructed roads; and suggested that those interested might contact the Hornby Island Residents' and Ratepayers' Association's (HIRRA) Regional Park Committee to discuss trail or road development.

HO-2017-029

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to inform the Ministry of Transportation and Infrastructure that it does not support the closure of Fowler Road, as the proposal is inconsistent with the Hornby Island Official Community Plan and public input does not support the closure.

CARRIED

HO-2017-030

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to draft amendments to Hornby Island Fees Bylaw No. 32 to incorporate a processing fee for Ministry of Transportation and Infrastructure Road Closure Referrals.

CARRIED

The applicant arrived to answer questions and provide input on the referral. His comments included the following key points:

- He arrived at the posted time and had anticipated being able to address the LTC prior to a decision;
- There is a misunderstanding in the community regarding the road right-of-way boundaries; for example, the access to the pond is on private land;
- Community input was provided based on insufficient information and
- The process has been frustrating for him and he considers it flawed.

Trustees responded and key points included the following:

- The OCP is a guiding document determined by community process and contains a variety of policies respecting the significance of public areas including undeveloped road rights-of-ways and encourages keeping them in their natural state;
- Discussion followed on the possibility of reconsidering the referral with a public consultation process. Staff noted that procedures for road closure consultation process would need to be developed.

The applicant expressed preference for applying for a Development Variance Permit in lieu of the road closure to expedite the process.

By general consent the meeting was recessed at 12:48 pm and reconvened at 1:01 pm.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Relationship Building with K'omoks First Nation - Staff Report

Trustees discussed the Staff Report regarding developing a shared narrative of Hornby Island with local First Nations. They considered approaches to initiate the process that would involve the community at a deeper level and suggested hosting a forum that would include representatives of key local organizations in advance of the public event described in the project charter.

HO-2017-031

It was MOVED and SECONDED,

that the Shared Narrative of Place Charter v1 be amended by adding a first bullet under In Scope: "Hosting a community forum on approaches to relationship building".

CARRIED

HO-2017-032**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee (LTC) endorse the Shared Narrative of Place Charter v1 as amended which will strive to amend the Hornby Island Official Community Plan (OCP) in two phases. As a first step, integrating a First Nations “deep history” narrative and place names within the OCP. Then, in cooperation with local First Nations, review the OCP for opportunities for First Nations to participate in the work of the LTC more meaningfully.

CARRIED**HO-2017-033****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee encourage residents of Hornby Island to voluntarily start sharing First Nations’ place names and histories of the island through various stakeholder community groups and community events and, where possible, influence the content of signage to include First Nations’ place names and context of Indigenous use of places.

CARRIED11.1.1 Conservancy Hornby Island (CHI) report - for information

Received.

11.2 Community Housing Amendments - Island Secure Land Association (ISLA) Community Housing Project - verbal update

Planner Eggen reported that the Planner for this project has advised that the Housing Agreement and associated bylaw must be developed prior to advancing the amendment bylaw and that he will be working to move this forward.

12. REPORTS**12.1 Work Program**12.1.1 Top Priorities Report dated April 27, 2016**HO-2017-034****It was MOVED and SECONDED,**

that item No. 2 on the Top Priorities, Housing amendments, include the following activity: “Development of a housing agreement”.

CARRIED12.1.2 Projects List Report dated April 27, 2017

Received.

12.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received.

12.1.4 Work Program - Suggestions for Discussion

Received.

12.2 Applications Report dated April 27, 2017

Received.

12.3 Trustee and Local Expense Report dated February, 2017

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

There were no changes requested.

12.6 Chair's Report

Chair Busheikin reported on the following:

- A review of how to deliver planning services will be undertaken to consider efficiencies that might be gained by planning on a trust-wide basis;
- Executive Committee will be meeting with senior staff for a discussion of general topics relating to ongoing work;
- The Northern Region office lease is being renewed at the current location; and
- Executive Committee is planning for Trust Council in June.

12.7 Trustee Reports

Trustee Law reported on the following events that he attended:

- An ISLA meeting;
- Ferry Advisory Committee meeting where schedule improvements were discussed;
- The annual Spring RCMP meeting with community representatives which included a discussion of how to address concern with off-season continuity and liaison issues;
- A meeting of HIRRA's standing Housing Committee; and
- Reported that the Crown Land agency has not approved the Athletic Association's proposal to put in a campground to accommodate summer workers and displaced residents, even though it is permitted in the zoning.

Trustee Allen reported on the following events that he attended:

- The meeting with RCMP and community representatives;
- A meeting with K'omoks First Nation; and
- He is continuing his studies with the Local Leadership Academy.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report dated April, 2017

Trustee Law encouraged Trustees to provide input into the survey on the Regional Conservation Plan. He reported that a property on Hornby Island was offered for purchase and conservation; however the Trust Fund Board is unable to take advantage of the opportunity given the difficulty of raising sufficient funds within the time constraints.

13. NEW BUSINESS

13.1 2016/17 Islands Trust Annual Report - Staff Report

HO-2017-035

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the submission as follows for inclusion in the 2016-2017 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development:

“In 2016/2017, the Hornby Island Local Trust Committee adopted the *Riparian Areas Regulation (RAR)* Bylaw Nos. 151 and 152 and is now compliant with the provincial regulation. The Local Trust Committee further advanced programs to improve the availability of affordable housing by commencing a project to amend the Hornby Land Use Bylaw (Bylaw No. 154) in order to facilitate the development of a community housing project. The Local Trust Committee placed Relationship Building with First Nations as its top priority and attended a K'omoks First Nation Chief and Council meeting in early April 2017. The LTC also embarked on a review of the regulations for Vacation Home Rentals with a view to develop a Terms of Reference with the Advisory Planning Commission (APC).”

CARRIED

13.2 Crown Land

Trustee Law reported that the Athletic Association has been informed by the authorizing agency that camping is not an official use as relates to a proposal to put in a campground to accommodate summer workers and displaced residents. He noted that it might be useful to provide an orientation and conduct some relationship building with the new staff at that agency, and asked for input for possible approaches to further such a plan.

Trustees considered the proposal and suggested that a staff-to-staff agency meeting might be appropriate.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 7, 2017 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC

Trustees confirmed the next regular meeting date, time and location.

15. TOWNHALL - none

16. CLOSED MEETING

16.1 Motion to Close the Meeting

HO-2017-036

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) for consideration of (a) Advisory Planning Commission Appointments; (d) adoption of *In Camera* Minutes dated March 31, 2017; and (i) receipt of advice subject to solicitor-client privilege and that the recorder and staff attend the meeting.

CARRIED

The meeting closed to the public at 2:18 pm.

16.2 Recall to Order

By general consent the meeting was recalled to order at 2:28 pm.

The following addition to the agenda, to follow agenda item 16.2, was presented for consideration:

13.3 Vacation Home Rental Review

By general consent the agenda was adopted as amended.

13.3 Vacation Home Rental Review

HO-2017-037

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request that staff provide a revised project charter for the Vacation Home Rental review.

CARRIED

16.3 Rise and Report

Chair Busheikin reported that in the Closed Meeting the Local Trust Committee adopted minutes from the *In Camera* meeting of March 31, 2017.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:40 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder