



## Hornby Island Local Trust Committee Minutes of Regular Meeting

**Date:** August 3, 2018  
**Location:** Room to Grow  
 2100 Sollans Road, Hornby Island, BC

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

**Staff Present:** Teresa Rittemann, Island Planner  
 Madeleine Koch, Planner 2  
 William Shulba, Senior Freshwater Specialist  
 Vicky Bockman, Recorder

**Others Present:** Approximately twenty (20) members of the public

### 1. CALL TO ORDER

*"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."*

Chair Busheikin called the meeting to order at 11:30 am. She acknowledged that the meeting was being held in First Nations territory, welcomed the public and introduced Trustees, staff and recorder.

### 2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

Add an additional Town Hall for Comments on Applications at item 10.

Add 13.7 Helicopters - Discussion

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

### 3. TOWN HALL AND QUESTIONS

Four members of the public, including a neighbour, voiced support for the application HO-ALR-2018.2 (Hoerburger for Fletcher & May-Williams), commenting that this proposal will result in two viable farms.

### 4. COMMUNITY INFORMATION MEETING - none

### 5. PUBLIC HEARING - none

### 6. MINUTES

#### 6.1 Local Trust Committee Minutes dated June 8, 2018 - for adoption

**By general consent** the Local Trust Committee meeting minutes of June 8, 2018 were adopted.

**6.2 Section 26 Resolutions-Without-Meeting Report dated July 25, 2018**

Received.

**6.3 Advisory Planning Commission Minutes - none****7. BUSINESS ARISING FROM MINUTES****7.1 Follow-up Action List dated July 25, 2018**

Planner Ritemann provided an update, reporting that in response to staff's inquiry, Telus has advised that they will not be pursuing other options to address intra-island communications in the case of a cable failure. Trustee Law stated that he may communicate with the Fire Chief to continue to pursue this plan.

Chair Busheikin provided an update on the proposal to hold an informal meeting with K'ómoks First Nation staff, representatives, and the Hornby Island community that might include a shared community feast in a fireside chat format. She offered to contact K'ómoks First Nation to discuss a date for this event.

**7.2 Local Trust Committee Procedure Bylaw - Electronic Meetings - Staff Report**

Planner Ritemann presented the staff report regarding the proposed bylaw that would allow trustees to attend meetings via electronic means in accordance with the provisions or terms of the bylaw.

Trustees asked questions for clarity and noted minor errors in the draft bylaw to be amended prior to readings.

**HO-2018-033**

**It was MOVED and SECONDED,**

that the draft Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", be amended by:

- In section 1.28 deleting the word "Denman" and replacing with the word "Hornby; and
- In section 2 deleting the word "Denman" and replacing with "Hornby".

**CARRIED**

**HO-2018-034**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", be amended, be read a first time.

**CARRIED**

**HO-2018-035**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as "Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018", be read a second time.

**CARRIED**

**HO-2018-036**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as “Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018”, be read a third time.

**CARRIED**

**HO-2018-037**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 156, cited as “Hornby Island Local Trust Committee Meeting Procedure Bylaw, 2004, Amendment No. 1, 2018”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**8. DELEGATIONS****8.1 Hornby Island Housing Society (HIHS) regarding the Beulah Creek land**

Michael McNamara spoke on behalf of the Hornby Island Housing Society (HIHS). He provided background on the difficulties surrounding the infrastructure costs and requirements for the ISLA housing project that were unable to be surmounted in order to provide a privately funded version of ownership-based affordable housing.

He described a reorganization that merges Elder Housing and ISLA which will result in one society to serve any demographic on Hornby Island and provided a process update to the Local Trust Committee (LTC).

Trustees expressed appreciation for those that have been involved with ISLA and Elder Housing and for their efforts to provide the community with opportunities to offer input and become informed about the plans.

Discussion followed on the process with the following noted:

- A Trustee noted various items in the Hornby Island Bylaws that will need to be addressed as a result of this change and suggested that they might be included in the Land Use Bylaw Technical Amendments Project currently in process;
- The Housing Agreement would likely be completed by BC Housing;
- HIHS was encouraged to consider the timeline for providing proof of water and the harmonizing of requirements for obtaining a groundwater license from the Ministry of Forests, Lands, Natural Resource Operations & Rural Development. Senior Freshwater Specialist Shulba offered to discuss the steps with HIHS representatives in more detail to help ensure a more efficient process.

**9. CORRESPONDENCE - none**

*Correspondence received concerning current applications or projects is posted to the LTC webpage*

**10. APPLICATIONS AND REFERRALS****TOWN HALL FOR COMMENTS ON APPLICATIONS**

- The applicants for HO-ALR-2018.2 addressed their request to reconfigure three subject properties into two. They described the background of the properties and explained the rationale and benefits of this subdivision application to facilitate their farm plans. They

advised that they have communicated with neighbours and urged the LTC to reconsider staff's recommendation to forward this application to the Agricultural Land Commission (ALC) with no comments, to support their intention to practice sustainable farming and set a precedent for a new model of farming on islands.

Members of the public commented on application HO-ALR-2018.2 and the following points were noted:

- Support of the proposal was expressed.
- Some expressed concern that they would like confirmation that the trail will remain and not be eliminated as a result of this reconfiguration. Comments regarding the trail included the following:
  - The alternative route proposed for the trail is supported; and
  - A nice, more public trail along the back property line road allowance is supported by the adjacent property owner.
    - The applicants responded that they will provide the space; however it is up to the Trail Committee to manage the trail.
- Regulations on subdivision of large Agricultural Land Reserve (ALR) properties have resulted in the development of substantial single dwellings on large units of farmland. The LTC was encouraged to explore options to address the issue in Official Community Plan (OCP) and Land Use Bylaw (LUB) in order to allow subdivision of large lots to a size that is available to those who would like to use agricultural land which is in short supply.
- There is some precedence in subdivision of small lot ALR land. This proposal would benefit the community.

**By general consent** the meeting recessed at 12:43 pm and reconvened at 12:48 pm.

#### **10.1 HO-ALR-2018.2 (Fletcher & May) - Staff Report**

The following correspondence regarding ALR Application File No. HO-ALR-2018.2 was received by the LTC:

- Email dated August 2, 2018 expressing support
- Correspondence dated July 8, 2018 expressing full support

Planner Koch presented the Staff Report that provides an analysis of the application proposing to reconfigure three ALR properties into two, with each being intersected by Fowler Road; and includes a new 10 metre wide road dedication along the southern property lines to address an anticipated subdivision condition from the Ministry of Transportation and Infrastructure (MoTI).

Trustees discussed the proposal with the following key points noted:

- The current ALR subdivision lot size requirements in the LUB are based on input received from the ALC. Concerns have been expressed to the ALC regarding the subdivision size requirement as small lots are being successfully farmed on Hornby Island and smaller lots would be more accessible to those who may wish to farm.
- Support of the proposal has been heard.
- The proponents are expressing their desire to farm the proposed lots.
- Forwarding the application to the ALC with supportive recommendations was suggested in order to provide input for the ALC's decision making process.

Considerations regarding water relating to this proposal were discussed with the following noted:

- Senior Freshwater Specialist Shulba recommended the LTC consider evidence of proof of water; and offered to assist the proponents in the process of registration and obtaining a water license for non-domestic use.
- Trustees discussed process and determined that there will be opportunities for the LTC to address water issues at a future point in the process should the proposal advance.

**HO-2018-038****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee forward application HO-ALR-2018.2 to the Agricultural Land Commission and recommends approval for the application. This recommendation is based on strong community support for initiatives to establish active, productive farms which in this case requires consolidation of land to be successful. This is in the context of a pattern of island agriculture in which most active farms are on smaller lots while larger lots tend to be owned by people who are not farming the land. Food security is an important objective for this community. Actively farming land in the present is an important foundation for securing agricultural use in the future. The Local Trust Committee is willing to consider varying land use regulations to address this proposal.

Trustee Law spoke to the motion, noting that this is a challenging and complex process. He expressed appreciation for everyone's participation.

**CARRIED**

**By general consent** the meeting recessed at 1:24 pm and reconvened at 1:45 pm.

**By general consent** agenda item 10.3 was moved to follow 10.1,

**10.3 HO-DP-2018.1 and HO-DVP-2018.1 (Fredbeck-Fords Cove Marina) – Memorandum**

The proponents were in attendance to speak to their applications and the following points were noted:

- Background on their renovations to the building was given;
- Upgrades to the building include lowering the floor to make the store wheelchair accessible and altering the roofline to install solar panels;
- They remarked that the need for permits to do this work had not been explained to them previously;
- The document: Attachment 2 – Development Permit Guidelines for the Commercial Centres Development Permit Area was submitted with responses provided for applicable guidelines.

Chair Busheikin opened the floor for comments from the public with the following noted:

- Support for the applications was expressed.
- Support for the applications was expressed, with the caveat that parking be given consideration.

Trustees noted that the proposal is before the LTC today for information purposes and asked questions for clarity. Discussion included the following comments:

- A Trustee expressed appreciation for the applicants' attendance at this meeting to provide information on the matter, observing that this is an opportunity to resolve issues on the property. He noted that support for the project from the community has been heard; however commented that parking issues are challenging and a concern for access in the event of emergency.
- The applicants advised that they are considering asking MoTI to improve signage in the area to help address safety issues relating to parking; and offered that access through their private property could be utilized to assist in emergency situations.

### **10.2 HO-DP-2018.2 (Hornby Island Resort) - Staff Report**

Planner Ritemann summarized the Staff Report that discusses the issuance of a Development Permit for the purpose of demolition of a building and proposes that a landscape plan be included as a condition of the Permit and that security be received before issuance.

Trustees discussed options for proceeding as it was disclosed that demolition of the building has occurred. The consideration of this item was deferred.

#### **HO-2018-039**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request staff to bring this item back to a future meeting with a comment from Bylaw Enforcement.

**CARRIED**

## **11. LOCAL TRUST COMMITTEE PROJECTS**

### **11.1 Vacation Home Rental Community Education and Bylaw Compliance Campaign - verbal update**

Planner Ritemann advised that a Frequently Asked Questions brochure has been created, posted to the website under "Resources" and distributed to Wind and Waves Vacation Homes and Hornby Island Community Economic Enhancement Corporation.

Trustees discussed possible next steps and the following was noted:

- Providing information to operators on "Best Practices" for the main concerns would be useful;
- The "Best Practices" framework might include an approach that proposes that visitors adopt a perspective that suggests they are moving into a home versus moving into a commercial resort;
- Posting to the webpage under "Latest News" was suggested;
- Options for contacting operators need to be explored.

### **11.2 Land Use Bylaw Amendments - Staff Report**

Planer Koch presented the Staff Report that summarizes a number of technical issues with the LUB, suggests an approach for addressing the issues, and includes a draft project charter for LTC consideration.

Trustees asked questions and requested that additional technical issues resulting from the merging of the Elder Housing and ISLA projects into HIHC be reviewed and added to the list as appropriate. They reviewed the Project Charter and deferred a detailed discussion of specific technical amendments.

**HO-2018-040**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee endorse the Land Use Bylaw Technical Amendments Project Charter v.1.

**CARRIED****11.3 Groundwater Protection and Water Conservation Project - Staff Report**

Senior Freshwater Specialist Shulba presented the Memorandum with the following points noted:

- He provided an update on the project, a framework for management of the initiative, and a Project Charter for LTC consideration;
- The budget for the project is under review as the initial Island GIS Water Balance work might be a consideration for Trust Council;
- Amendments to the Project Charter were identified for LTC consideration.

**HO-2018-041**

**It was MOVED and SECONDED,**

that the Groundwater Protection and Water Conservation Tools Next Step Project Charter be amended as follows:

- That the name "Groundwater Protection and Water Conservation Tools Next Step Project" be changed to "Groundwater Protection Next Step Project";
- That the first sentence in the Purpose section be amended by deleting the word "culture";
- That the last sentence in the Purpose section be amended after the word "community" by adding "and support healthy ecosystems";
- That the budget be changed by placing a question mark after "Island GIS Water Balance" and deleting the cost for that item.

**CARRIED****HO-2018-042**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee endorse the Groundwater Protection and Water Conservation Tools Next Step Project Charter as amended.

**CARRIED****11.4 Community Housing - for discussion****11.4.1 Hornby Island Housing, 2018 - Discussion Paper (Trustee Law)**

Trustee Law has prepared the housing discussion paper to initiate LTC strategic discussion on this issue. He summarized concerns that included the observation that the market is not producing rental housing, the island is close to build-out, and there has been no uptake of the Temporary Use Permit option for secondary dwelling units.

Trustees suggested that potential options to address this issue might include a review of fees and zoning regulations, an evaluation of density, and/or the appointment of a special purpose Advisory Planning Commission to review options with the community.

LTC members requested this item be placed on the agenda for the next LTC meeting to enable a more thorough discussion, review of the options, and to make recommendations for carrying this initiative forward.

## 12. REPORTS

### 12.1 Work Program

#### 12.1.1 Top Priorities Report dated July 25, 2018

Received.

#### 12.1.2 Projects List Report dated July 25, 2018

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 July 25, 2018

A Trustee noted that there does not appear to be an application for construction of a building that is occurring on The Farm property. Planner Ritemann responded that staff will investigate.

### 12.3 Trustee and Local Expense Report - none

### 12.4 Adopted Policies and Standing Resolutions

Received.

### 12.5 Local Trust Committee Webpage

Trustees requested that the Housing Needs Assessment Report – Northern Region of Islands Trust be posted to the webpage in the Latest News section.

### 12.6 Chair's Report

Chair Busheikin reported that Executive Committee is engaged in advocacy work arising from Trust Council discussions.

### 12.7 Trustee Reports - none

### 12.8 Electoral Area Director's Report - none

### 12.9 Islands Trust Conservancy Report – none

## 13. NEW BUSINESS

### 13.1 Trust Programs Committee - Service Integration – Briefing

Trustees considered the request for input regarding any service integration concerns and determined that there are no concerns at this time.

### 13.2 Housing Needs Assessment Report - Northern Region of Islands Trust - Staff Report

**HO-2018-043**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee:

- receive the “Housing Need Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018; and
- that the Hornby Island Local Trust Committee request staff to publish the “Housing Needs Assessment, Northern Region of Islands Trust” report prepared by Dillon Consulting dated June 21, 2018 on the Islands Trust Website.

A Trustee requested that the report be posted to the front page of the Latest News section of the Hornby Island webpage.

**CARRIED**

**13.3 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail License Application Fees - Staff Report**

**HO-2018-044**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:

- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.
- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal.
- However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
  - Name of the applicant and a description of the proposal in general terms
  - The location of the proposed establishment and the subject site
  - The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered.
  - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application
  - How public comments may be submitted to the Local Trust Committee.

**CARRIED**

**HO-2018-045**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a fee for Liquor Control and Licensing Branch non-medical cannabis retail license applications, in the amount of \$2,000.

**CARRIED**

**13.4 Cannabis Production in the Agricultural Land Reserve (ALR) - for discussion**

Trustees deferred consideration of this item and requested that it be placed on the agenda for the next LTC meeting.

**13.5 Ferry Service - Capacity Challenges on Route 22 - for discussion**

Trustee Law presented a discussion paper pertaining to the issue of capacity challenges on Route 22, including drafts of letters to BC Ferries and the Minister of Transportation and Infrastructure for LTC consideration. He explained that this initiative is encouraging active engagement with the Ferry Advisory Committee and requesting options be considered that include review of vessel availability and extending the hours of operation to address the significant on-going overloads being experienced on Route 22.

**HO-2018-046**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee requests the Chair to write to the CEO of BC Ferries asking BC Ferries to engage in discussions with the Denman-Hornby Ferry Advisory Committee to explore options to ensure that the significant on-going overloads experienced on Route 22 in the summer of 2018 are not repeated in future years (with the letter copied to the Minister of Transportation and Infrastructure, the BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association).

**CARRIED**

**HO-2018-047**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request the Chair to write to the Minister of Transportation and Infrastructure asking the Province, in advance of the next performance term of the Coastal Ferry Services Contract, to engage in discussions with the Denman-Hornby Ferry Advisory Committee to explore amending the contracted level of service on Route 22 to address the high level of summer traffic that cannot be met by the present contracted level of service (with the letter copied to the CEO of BC Ferries, Hon Scott Fraser, MLA, the BC Ferry Commission, the Denman-Hornby Ferry Advisory Committee and the Hornby Island Residents' and Ratepayers' Association).

**CARRIED**

**13.6 Islands Trust Conservancy - Regional Conservation Plan Briefing**

Trustees deferred consideration of this item and requested that it be placed on the agenda for the next LTC meeting.

**13.7 Helicopters - Discussion**

Trustee Law reported that he has heard concerns regarding a helicopter regularly landing on residential property. He noted that there is a policy strongly discouraging this activity and solicited input as to possible action to be taken to address this issue.

**HO-2018-048**

**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee request Trustee Law to communicate with the operator of a helicopter landing on private property to inform him of policies in the Official Community Plan and to encourage exploration of options that would have less impact upon residents and property owners.

**CARRIED**

**14. UPCOMING MEETINGS****14.1 Next Regular Meeting Scheduled for September 28, 2018 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-2018-049**

**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), (d) and (f) and s.90(2)(b) for the purpose of considering appointment of Advisory Planning Commission members; Adoption of *In-Camera* Meeting Minutes dated April 27, 2018; Bylaw Enforcement and for consideration of confidential information and that the recorder and staff attend the meeting.

**CARRIED**

The meeting closed to the public at 3:44 pm.

**16.2 Recall to Order**

**By general consent** the meeting was recalled to order at 4:04 pm.

**16.3 Rise and Report**

Chair Busheikin reported that in the Closed Meeting, the LTC adopted minutes from the April 27, 2018 *In Camera* meeting.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:04 pm.

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Laura Busheikin, Chair

Certified Correct:

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Vicky Bockman, Recorder