



## Hornby Island Local Trust Committee Public Hearing Record

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### REGARDING PROPOSED BYLAW NOS. 164 AND 165

**Date:** November 6, 2020  
**Time:** 1:30 pm  
**Location:** Electronic Meeting via Zoom

**Members Present:** Sue Ellen Fast, Chair  
Alex Allen, Local Trustee  
Grant Scott, Local Trustee

**Staff Present:** Courtney Simpson, Contract Planner  
Vicky Bockman, Recorder

**Others Present:** Approximately eighteen (18) members of the public

#### 1. CALL TO ORDER

Chair Fast called the Public Hearing to order at 1:33 pm. She welcomed the public, introduced Trustees, staff and recorder and acknowledged that this Public Hearing was being held in traditional territory of Coast Salish First Nations.

She read the Chairperson's Opening Statement and explained that this Public Hearing is being conducted to hear views regarding proposed Bylaw No. 164 cited as "Hornby Island Official Community Plan, 2014, Amendment No. 1, 2020" and proposed Bylaw No.165 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 2, 2020".

#### 2. PROPOSED BYLAW NOS. 164 and 165

Planner Simpson reported that a copy of the Public Hearing Notice was advertised in two consecutive editions of the Little Tribune and noted that all notification requirements have been completed. She advised that the Public Hearing binder is available for review during this Hearing on the Islands Trust website.

She explained that the purpose of proposed Bylaw No. 164, if adopted, is to amend the Hornby Island Official Community Plan (OCP) to change the land use designation from Rural Residential to Small Lot Residential and the purpose of proposed Bylaw No. 165, if adopted, is to amend the Hornby Island Land Use Bylaw (LUB) to change zoning from Residential 2 to Residential 1 – R1(c),

a site-specific zone that will apply only to the property at 5020 Fowler Road with a minimum lot size created by subdivision of 1.9 hectares.

She identified the referrals that were sent out for comment, noting that the only response received was from the Islands Trust Senior Freshwater Specialist that included a report on a site visit to the property. As of this meeting time there have been 19 submissions received regarding these bylaws.

### **3. PUBLIC COMMENTS**

Chair Fast explained that this is the opportunity for the public to comment on the proposed bylaws.

- Christina Laffin opposed the proposed bylaw amendments, noting that there are references in the OCP that designate a primary objective to maintain large parcels of land and that subdivision does not provide benefit to the community; neighbours witnessed the devastation of the land with the prior subdivision and twenty neighbours are opposed to this potential subdivision and feel it would not be beneficial to those in the neighbourhood for ecological, agricultural and neighbourly reasons.
- David Wiseman, the applicant, expressed his intention to put covenants on the land that would restrict the amount of forest that could be taken down; and noted that the prospective buyers intend to only cut a reasonable number of trees for the house, driveway and a garden.
- Eleanora Laffin opposed the proposed bylaw amendments, commenting that the Islands Trust mandate to Preserve and Protect does not involve creating methods of helping landowners subdivide; covenants are impossible to enforce so this is not a solution; neighbours are opposed.
- Gregg Wiltshire noted that the applicant asserts that these bylaw amendments for subdivision are necessary due to a surveyor's error and he would like to confirm that there is evidence in the file that contains this information.
- David Wiseman, the applicant, clarified that he did speak to the surveyor when it was discovered that the survey only left 3.98 hectares; regulations do not allow for a lot line adjustment to make a property sub dividable; there is only a minimal shortfall of 0.1 hectares and other applications with ten acres have been able to subdivide into two-five acre lots; he is asking for fair and reasonable treatment.

### **4. ADJOURNMENT**

Chair Fast thanked the public for their submissions. She asked three times for comments from the public and hearing none the Public Hearing was closed at 1:57 pm.

**I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD:**

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Vicky Bockman, Recorder